

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

Councilors Present: Nemlowill, Herzig, Warr, Price, Mayor LaMear

Councilors Excused: None

Staff Present: City Manager Estes, Assistant City Manager/Police Chief Johnston, Community Development Director Cronin, Parks and Recreation Director Cosby, Finance Director Brooks, Fire Chief Ames, Library Director Tucker, Public Works Director Cook, and City Attorney Henningsgaard. The meeting is recorded and will be transcribed by ABC Transcription Services, Inc.

Mayor LaMear called for a moment of silence in memory of the victims at Umpqua Community College in Roseburg, Oregon.

REPORTS OF COUNCILORS

Item 3(a): Councilor Nemlowill reported she and the rest of City Council attended the League of Oregon Cities conference in Bend, OR the previous week. The League of Oregon Cities is comprised of 247 cities throughout the state. The member cities share expertise and information on a regular basis, including at the recent conference. She and the other Councilors took an affordable housing tour of Bend. She also toured Redmond to see what the city has done with urban renewal funds. The entire Council took a work session on how to work better together as a Council and how to clarify their roles as City Councilors. She was excited to work on big picture vision items for Astoria.

Item 3(b): Councilor Herzig reported that the League of Oregon Cities conference was everything Councilor Nemlowill said it was. The City of Bend has an Affordable Housing Officer, Jim Long, who is of Finnish decent and from this area, and had worked under Jim Tierney at Community Action Team. The need for affordable housing is as great in Bend as it is in Astoria. It was interesting to see how the city is partnering with many private firms and developers to offer affordable housing solutions at every level, from homeless veterans to seniors to working families. On Friday, October 2, Clatsop Community College held a session on preparing for active shooters. Chief Johnston and others from the community participated in the session. It is disheartening to think about preparing for such an event because it will happen again. The Lower Columbia Diversity Project (LCDP) will host a panel discussion called *Cops and Community* on Thursday, October 15 from 7:00 pm to 9:00 pm at the Boynton Building. Chief Johnston came up with the title of the event. Police from all of the coastal cities in Clatsop County will participate in the round table discussion on community policing, what is working, what is not working, and how to make the police a part of the community. He hoped the public would attend this event.

Item 3(c): Councilor Price had nothing to report.

Item 3(d): Councilor Warr reported that he attended the League of Oregon Cities conference in Bend, where he learned many good things. He recalled Councilor Herzig's comments made during Reports of Councilors at the September 8, 2015 City Council meeting, regarding the sentiment of residents living near the Goonies house. Councilor Herzig had been speaking about the unintended consequence of the large numbers of visitors to the Goonies house. Councilor Warr explained that he lives about 100 yards from the Goonies house and all of the traffic to the Goonies house goes right past his front door. He was concerned about Councilor Herzig's statement, which indicated the neighborhood believed their pleas for help went unheard until the owner of the Goonies house spoke up. He clarified that in the fall of 2014, he, City Staff, and the Chamber of Commerce began meeting with the neighborhood's residents to learn about the issues and work towards addressing them. The 20th anniversary celebration of *Goonies* brought about 6,500 people, the 25th anniversary brought about 9,000 people, and the 30th anniversary brought between 12,000 and 15,000 people. For the last seven or eight months, between 1,200 and 1,500 people have been visiting the house each day. Streets that provide access to the house through the neighborhood are all public thoroughfares, making it difficult for the City to limit traffic and parking. The Chamber had stopped much of their advertising, removed the Goonie house from

their map, and tried to discourage visitors from going to the house. A lot of time and effort was put in by the City, Chamber, and residents. Existing signs were improved, new signs were installed, volunteers at the celebration directed visitors and answered questions, and the police were present for most of the event. Rather than ignoring the neighbors, the City did everything that was legally possible to handle the situation. Councilor Herzig had indicated many people in the neighborhood were very upset with the way things were handled. However, the neighbors that have spoken to Councilor Warr have complimented the City and said the situation was much better. He asked Councilor Herzig to help by sharing the names of the upset residents so that he can speak with them to find out what problems still exist and work towards addressing them. He believed the City had done a marvelous job, but apparently, the City has not.

Councilor Warr was also concerned about Councilor Herzig's comments regarding the bypass, which were also stated during Reports of Councilors at the September 8 City Council meeting. Councilor Herzig had said the City should be proactive about getting funding from Oregon Department of Transportation (ODOT). However, he did not believe Councilor Herzig was aware of previous attempts by the City to pursue a bypass around Astoria. In the 1990s, Councilor Warr became a member of a committee that had been advocating for a bypass since 1957. Astoria was recommended for funding for the bypass, but the recommendation was withdrawn. ODOT had established the bypass route and completed preliminary engineering, but had not done an Environmental Impact Statement. At that time, Astoria believed the bypass was possible. However, budget constraints led ODOT to pull the funding for the project. In 2005, Councilor Warr was a member of an ODOT committee tasked with creating a regional traffic visioning plan. Over two years, the committee considered traffic issues in the area and several members of the committee strongly advocated for the bypass. Despite their best efforts, the bypass did not make it into the plan. Then, he worked on a Transportation System Plan (TSP) update for the Jeffers Garden area. At every meeting, he discussed the bypass. Over the last few years, he worked on the Astoria TSP update, studying what would be possible within budget constraints. Again, he mentioned the bypass at every meeting. Until two years ago, advocating for a bypass has been a City Council goal for as long as Councilor Warr has served on City Council. Now, the bypass has been integrated into other goals and has lost its effect. For the last eight years, he has served on the Northwest Area Commission on Transportation, which is an ODOT commission that studies transportation issues and projects in the tri-county area. Some projects are recommended for funding, but ODOT is having a difficult time with funding. About six or seven years ago, the State gave Connect Oregon One \$100 million for programs around the state. However, funding to Connect Oregon One has slowed down dramatically over the last three or four years and the next funding cycle will only provide \$9 million. This is another indicator that ODOT does not have the funds to build a bypass. ODOT has indicated the quality of roads in Oregon will suffer greatly over the next 15 years and they estimate only 40 percent of the roads will remain in good condition. The City has not been hanging back on the bypass issue. He and Staff have spent a lot of time on this over the years, but the lack of funding is real. He encouraged Councilor Herzig to bring any good ideas forward. He has done everything he could think of over the last 20 years to make the bypass a reality and he did not believe the bypass would be built in his lifetime.

Item 3(e): Mayor LaMear reported that she attended the League of Oregon Cities conference in Bend and learned a lot. She announced that some new City committees had been formed and she has made a few appointments to fill vacancies on existing committees. She listed the new committee members, as follows:

Heritage Square Project Advisory Committee: Cindy Mudge, Sunday Market; Dulcye Taylor, Astoria Downtown Historic District Association (ADHDA); Paul Caruana, Historic Landmarks Commission; Sean Fitzpatrick, Planning Commission; Norma Hernandez, Parks Board; Kate Summers, Library Board; Genny Butenshon, Columbia Bank; Dan Stein, member at large.

She believed the entire Council was excited to see the vision the Heritage Square Project Advisory Committee would develop for Heritage Square.

Maritime Memorial Park Committee: Kim Supple and Caroline Wuebben.

Parks and Recreation Master Plan Committee: Ed Overbay, former Parks Advisory Board member; Peter O'Farrell, Parks Advisory Board; Zetty Nemlowill, City Council; Michelle Bisek, Friends of the Dog Park and Astoria Parks, Recreation, and Community Foundation; Jorge Gutierrez, Lower Columbia Hispanic Council; Craig Hoppas, Astoria School District; Patrick Wingard, Oregon Department of Land Conservation and Development (DLCD); Dulcye Taylor, ADHDA; Scott Tucker, Lewis and Clark National Historic Park; Kassia Nye, The Moms Club and Astoria Parks, Recreation and Community Foundation; Brooke Stanley, Northcoast Watershed Association; and Jan Nybakke, citizen representative.

She explained staff has been working on a Parks Master Plan for a long time and was researching the best ways to utilize Astoria's parks.

She thanked the committee members for serving because the committees will require a lot of time, but the City really appreciates each committee's efforts. She noted that in December 2014, the Lower Columbia Hispanic Council was selected as one of 25 groups to receive a \$30,000 grant through the Healthy Beginnings and Healthy Communities Program. The council has been working all year to bridge the divide between Latinos and the general community by expanding their coordinator position to allow for greater services, establishing an 18 member advisory group, reaching out to Columbia Memorial Hospital and the Astoria School District to bring attention to disparities in health and education services, and are planning a community wide Dia de los Muertos (Day of the Dead) Event. She believed the event was scheduled for November 1 at the Columbia River Maritime Barbey Center. The council is now working towards one of ten grants for five-year community based partnerships. If they receive the grant, the council will get a lot of support from the Northwest Health Foundation. She wrote a letter of support and endorsement of the Lower Columbia Hispanic Council's efforts.

PROCLAMATIONS

Item 4(a): Fire Prevention Week

Mayor LaMear read the proclamation declaring October 4 through 10, 2015 as Fire Prevention Week.

Chief Ames introduced Lieutenant Bob Johnson, Driver Engineer Rob Weidman, and Driver Engineer Aaron Bielemeier.

Item 4(b): Great Oregon ShakeOut Day

Mayor LaMear read the proclamation declaring October 15, 2015 as the Great Oregon ShakeOut Day, which encourages citizens to plan for natural disasters including earthquake preparedness.

Chief Johnston announced the City would test its preparedness on October 15 at 10:15 am by practicing evacuation, accountability, and the emergency plan, as if there had been an earthquake. Over the next week, the Police Department will make Facebook posts encouraging people to consider earthquake safety and emergency preparedness. He hoped businesses and individuals would join the Police Department on October 15.

Mayor LaMear added that during Regular Agenda Items, City Council would discuss an emergency preparedness program for the community.

CHANGES TO AGENDA

Three items were added to the agenda and updated copies of the agenda were made available to the audience. The following additions to the agenda were approved:

- Item 7(e): Authorization to Award 39th Street Sanitary Sewer Repair Project
- Item 7(f): FERC Hearings on the Environmental Impact Statement for the Oregon LNG Project
- Item 7(g): Aquatic Center Lifeguard Salary

CONSENT CALENDAR

The following items were presented on the Consent Calendar:

6(a) City Council Minutes of 9/8/15

6(b) Boards and Commission Minutes

(1) Parks Board Meeting of 8/19/15

6(c) 16th Street CSO Separation Project Contract Amendment (Public Works)

6(d) Liquor License Application from Rebecca Kraft, doing business as WineKraft LLC, located at 80 10th Street, for an Additional Privilege for a Limited Off-Premises Sales License (Finance)

6(e) Authorization for Emergency Repairs to Fire Ladder Truck (Fire)

6(f) Authorization to Award West Lexington Wall Repair (Public Works)

6(g) Spur 14 Water Line Contract Amendment for Additional Geotechnical Engineering Services (Public Works)

Councilor Nemlowill requested Item 6(d) be removed for further discussion. Councilor Price requested Item 6(a) be removed, as she found corrections that needed to be made.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Nemlowill, to approve Items 6(b), (c), (e), (f), and (g) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Item 6(a): City Council Minutes of 9/8/15

Councilor Price made the following corrections to the minutes:

- At the bottom of Page 15, the second sentence of her comment should read, "Eight years ago, about 70 percent of the county and 65 percent of Astoria ~~agreed as well~~ **Astorians did not agree and voted no to the pipeline.**"
- On Page 17, eleventh paragraph, the second sentence should state, "Ms. Temple said ~~she was on the task force, but funding the warming center was not on their agenda~~ **the task force might recommend the warming center as a useful tool as it considers possibilities, but she did not believe the City would deviate much from this budget.**"

City Council Action: Motion made by Councilor Nemlowill, seconded by Councilor Warr, to approve Item 6(a) of the Consent Calendar, as corrected. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Item 6(d): Liquor License Application from Rebecca Kraft, doing business as WineKraft LLC, located at 80 10th Street, for an Additional Privilege for a Limited Off-Premises Sales License (Finance)

Councilor Nemlowill declared a potential conflict of interest, as an owner of a business that sells beer, Fort George. However, because this was not a direct conflict, she would vote.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Price, to approve Items 6(d) of the Consent Calendar. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

REGULAR AGENDA ITEMS

Item 7(a): Consideration of Adoption of Herbicide Policy and Practices (Parks)

The Plant and Lawn Management Task Force was appointed by the Mayor to address concerns raised about the use of herbicides and fertilizers in parks and open spaces. The Task Force met four times over the course of eight months and obtained feedback from a variety of stakeholders to determine the need and level of use for herbicides and fertilizers to control or eradicate noxious and invasive weeds and to provide recommendations to enhance and develop parks. The Task Force then developed recommendations for a final herbicide use policy that was presented to the Parks and Recreation Advisory Board and approved during the September 23, 2015 meeting. It is recommended that the City Council adopt the Herbicide Policy and Practices.

Mayor LaMear thanked Director Cosby, the Parks and Recreation Staff, and the Task Force for their work on the policy. Director Cosby noted most of the credit should be given to Jonah Dart-McLean, Parks Maintenance Supervisor, who led the project.

Councilor Herzig thanked Mr. Dart-McLean for creating the Task Force and keeping the project going. The discussions were fascinating. He thanked Jessica Schleif and Chris Farrar for bringing herbicide issues to the City's attention. The discussions were productive and the City has a policy they can be happy with. He thanked Director Cosby for completing the policy.

City Council Action: Motion made by Councilor Price, seconded by Councilor Nemlowill to adopt the Herbicide Policy and Practices. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Item 7(b): Authorization to Enter into a Contract with Pierce Manufacturing for the Purchase of a New Fire Ladder Truck (Fire)

At the September 14, 2015 Astoria City Council meeting, Council approved purchasing a new replacement ladder truck. The procurement process with HGAC has been initiated with the completion of a HGAC Contract Pricing Worksheet by Dean Stock, Contract Specialist with Hughes Fire Equipment. The notice of intent to establish a contract with Pierce Manufacturing through HGAC was advertised on Thursday, September 24, 2015 in *The Daily Astorian*. Any comments must be submitted to the City Manager on or before Monday, October 5, 2015.

A final Pierce Manufacturing Proposal Price sheet and Purchase Agreement dated September 18, 2015 have been received. Both the proposal sheet and the purchase agreement list the price of the truck, and itemize the discounts of \$55,321.00. The discounts are contingent upon making a 100% cash pre-payment. The Pierce Purchase Agreement has been approved as to form by City Attorney Henningsgaard. The Pierce proposal price of \$943,440 includes the HGAC Order Processing Charge of \$2,000.00. Available discounts associated with the 100% pre-payment total \$55,321.00. An amount of \$2,540 is included in the pricing to ensure delivery of a Ladder Truck, since the City is paying cash. The attached quote does not include the \$2,540 bond price but final contracts will reflect the bond amount. Taking all available discounts results in a Purchase Agreement price of \$888,119.00.

A supplemental budget transfer of \$454,000 will be made from the General Fund to the Capital Improvement Fund and added to previously budgeted amount for the ladder truck of \$500,000, for a total of \$944,000 available for the purchase of the Ladder Truck. A contingency of \$55,881 (approximately 6%) is available, should specification changes be identified during construction. The Pumper Truck required an additional transfer of \$11,000 for unanticipated feature changes identified during construction completion and required a separate transfer to fully cover the costs. The supplement budget will be considered under Agenda Item 7(c). It is recommended the City enter into a Purchase Agreement with Pierce Manufacturing, through existing membership in HGAC, for the purchase of a new replacement ladder truck in an amount not to exceed \$888,119.00 by making a pre-payment of amounts, as required by the contract, to take full advantage of discounts anticipated to be \$55,321.00.

Councilor Herzig noted that authorization for emergency repairs to the current fire ladder truck was just approved on the Consent Calendar. The truck is falling apart, so the City needs to move forward with this purchase. He was glad Staff found a way to make this purchase possible.

Councilor Nemlowill said she appreciated Chief Ames and City Manager Estes, who found a way for the City to pay cash, which will save \$55,000.

Councilor Price added that looking for ways to pay cash was part of the budget hearings. She thanked Staff for making this cash purchase possible.

City Council Action: Motion made by Councilor Price, seconded by Councilor Warr to enter into a Purchase Agreement with Pierce Manufacturing, through existing membership in HGAC, for the purchase of a new replacement ladder truck in an amount not to exceed \$888,119.00 by making a pre-payment of amounts, as required by the contract, to take full advantage of discounts anticipated to be \$55,321.00. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Item 7(c): Public Hearing and Resolution regarding Supplemental Budget for Fiscal Year 2015-2016 for Purchase of a New Fire Ladder Truck (Finance)

Oregon Revised Statute (ORS) 294.473 provides a procedure for a municipality to pass a supplemental budget for changes occurring during a fiscal year by publishing a notice, holding a hearing on the supplemental budget, and adopting the budget by resolution. This proposed supplemental budget is to incorporate transfer of funds from the General Fund to the Capital Improvement Fund to cover expenses of the new Fire Ladder Truck and additional final costs for the Fire Pumper Truck. It is recommended that Council hold the public hearing and adopt the proposed resolution implementing this supplemental budget for Fiscal Year 2015-2016.

City Manager Estes stated the total transfer would increase resources by \$465,000. Construction of the pumper truck was complete. The truck was in transit to Astoria and Staff expected it to be delivered within the week. The total invoice for changes made to the truck during construction was \$10,848, which is over the City Manager's spending authority. Staff requested City Council approve a transfer of \$11,000 from the General Fund to the Capital Improvement Fund to cover pumper truck expenses.

Mayor LaMear opened the public hearing at 7:37 pm and invited public comments on the proposed supplemental budget. Seeing none, she closed the public hearing at 7:38 pm.

City Council Action: Motion made by Councilor Herzig, seconded by Councilor Warr to adopt the proposed resolution implementing the supplemental budget for Fiscal Year 2015-2016 for the purchase of a new fire ladder truck and final construction costs of the fire pumper truck. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Item 7(d): Emergency Preparedness Briefing Concept Discussion (Police)

Police Chief Johnston and Fire Chief Ames have worked together to develop a concept for the City Council goal of "Hold an emergency preparedness presentation oriented to citizens of Astoria." The concept is to focus on preparedness both for annual emergency events, such as winter storms and wildfire danger, as well as the looming danger of the near shore Cascadia event. The event will emphasize self-reliance with a message of government resiliency. The initial concept is to host an approximately 90 minute event, likely at the Liberty Theatre, with presentations from subject matter experts. Additional static displays would be configured in the lobby with examples of home kits, go bags, CERT members, fire safety, personal security, and more. Specific topics to be addressed both in the presentations and displays are nature of the concerns, home safety, how to be self-sufficient, neighborhood mapping, evacuation routes, and similar topics. The event would be targeted for spring 2016. Staff is asking for a Council discussion on this proposal and comments on direction. No other action is required at this time.

Staff asked for feedback and direction from Council on their preliminary concepts for the program. Staff wanted to make sure the program was headed in the right direction and would satisfy Council's goal.

Mayor LaMear believed holding the event at the Liberty Theatre would provide plenty of room for the community. She also liked the idea of having displays in the lobby.

Councilor Nemlowill believed the overall plan was good, but she was concerned about the youth. She recently discovered that her children, who were in first and second grade at Astor School, had not been learning about earthquakes or tsunamis in school. Talking to children about emergency preparedness is different from talking to adults. Children need to be taught what to do in an earthquake and how to protect oneself from a tsunami without giving them nightmares. She believed this event would be targeted at adults, but she wanted to discuss ways the City could help address educating children about earthquakes and tsunamis.

Chief Ames said the Fire Department does classroom presentations at Astor School every year. The presentations focus on fire safety and prevention in the home with age and grade appropriate information. The schools in Astoria and across the bay do some education on earthquakes and tsunamis, but Councilor Nemlowill is correct. The message needs to get to small people without causing nightmares. Fire Department Staff will make presentations at Astor School in late October and they are planning to add more age appropriate information. The new information will have to be reviewed by the principle and teachers.

Chief Johnston added that schools have a standard response protocol (SRP), which is discussed in response to school shootings, fires, and other events. Their protocol is designed for any hazard by utilizing lock in, lock out, evacuation, and shelter-in-place methods. The protocols are in all classrooms and drills are practiced. Most children will know what an SRP is and can tell a lot about the school's preparedness. The schools also have reunification plans, which combined with an SRP prepares children for events that occur while they are at school. So, the City needs to work on teaching children what to do when they are not in school.

Councilor Price suggested the City reach out to educators and make sure to include the County's emergency management team and Camp Rilea because all entities and municipalities will need to work together in a Cascadia event. She believed the plan looked good. City Council will learn a lot at the town hall about what the community would like to hear from them. She thanked Staff for a good start on the project.

Councilor Warr said Astoria is located in an area where the chances of many different hazards from many different sources are real. He suggested Staff consider holding two or three smaller events that focus on specific hazards. He asked if Staff believed one presentation would be enough to get the message out. Chief Ames said Staff planned to invite a few subject matter experts to speak on one topic each. The purpose of the event would be to give an initial dose of information on several different subjects.

Councilor Herzig was happy that Staff had begun to move forward with this project. However, he was concerned that the presentations at the Liberty Theatre would not be user friendly. The space is large and the screen on the stage is too far from the audience for him to read. He suggested a smaller venue, like the Maritime Museum, Lovell Showroom, Boynton Building, or Astoria Armory. He preferred a venue with one level. It is difficult for him to follow presentations at the Liberty Theatre because the screen is too far from the audience. He asked Staff to consider a venue where people could interact.

Mayor LaMear noted no action by City Council was necessary and more information would be given to the public as Staff moves forward with planning the event.

Item 7(e) Authorization to Award 39th Street Sanitary Sewer Repair Project

This item was added to the agenda during Item 5: Changes to the Agenda.

City Manager Estes explained that Public Works Staff planned to complete a repaving project on 39th Street between Franklin and Grand Avenues. Repaving would address some concerns that had been raised and a severely deteriorating road condition. During the prepaving inspection of the utilities in the right-of-way, Staff identified two damaged portions of sanitary sewer pipe. The pipe will need to be repaired prior to the paving work. Staff received two quotes for sewer pipe repair services. Big River Construction submitted the lowest bid for \$21,970. Funding for the project would come from the Public Works Improvement Fund. The utility work will require the pavement restoration project be postponed until 2016. Staff recommended City Council authorize the award of a construction contract to Big River Construction, Incorporated.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Nemlowill to authorize the award of a construction contract for \$21,970 to Big River Construction, Incorporated for sewer pipe repairs along 39th Street between Franklin and Grand Avenues. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Item 7(f): Federal Energy Regulatory Commission (FERC) Hearings on the Environmental Impact Statement for the Oregon Liquefied Natural Gas (LNG) Project

This item was added to the agenda during Item 5: Changes to the Agenda.

Jennifer Rouda, 7 Skyline Place, Astoria, said she is an energy planner who regularly manages and writes documents like the draft Environmental Impact Statement (EIS). She had no opinion for or against Oregon LNG, but was interested in the process. In September, she attempted to get a copy of the document by emailing Oregon LNG in their comment system. She received confirmation that her request had been received, but after two weeks, she still had not received the document. She tried twice to request the document through the Federal Energy Regulatory Commission (FERC) comment website, but the system was down. When she saw that a public meeting had been scheduled for September 21, she went to the county fair grounds to pick up a copy of the document. Typically, the draft documents being discussed are available at the location where the meeting

will be held. However, no copies were available, nor were any copies on display. As someone who writes these documents, she believed this was unusual because no one at the meeting would have a copy of the document to refer to while discussing it. She had also asked for copies of fact sheets containing basic information about the project, but there was no information on site. She shared an example of a fact sheet she had prepared for a major transmission line project. She had asked for a CD, but there were none available. So, on September 21, she submitted a written comment asking FERC to mail her a hard copy of the document. The FERC representative and their consultant said they could mail her a copy. Later, she called the consultant to request a copy and the consultant said they would send one. On September 30, she still had not received any documentation from FERC, so she called the consultant again to follow up. The consultant said they had very few copies available. She told the consultant that requesting a hard copy was normal and it was difficult to comment on such technical information without a hard copy. She shared an example of an EIS, noting that they are available to the public. The PDF versions are 1,000 pages long, so it is not reasonable to have to request an electronic copy. Normally, it is not difficult to get hard copies of these documents; however, she was not given a copy. She had asked that a hard copy be immediately printed and mailed to her through FedEx because the comment period would close on October 6. The consultant said they would try, but the project manager would be out of the office that Friday and there was no tracking number. That morning, she received Volume One of the draft EIS for Oregon LNG. Upon reviewing the table of contents, she found that Volume Two contained many things that would be very interesting to review, like safety, all of the detailed maps and drawings, mitigation plans, technical details pertaining to soils, wetlands, water bodies, and species. It is very difficult to review Volume One without having Volume Two to reference. As someone who is very educated on the process, it has been very difficult for her to get information. She wanted City Council to be aware of this. She also believed FERC should extend their comment period, provide hard copies of the documents at local libraries, and give hard copies to the City. She was very surprised that as a matter of course, FERC did not prepare some basic fact sheets.

Mayor LaMear thanked Ms. Rouda for her persistence. She noted that Ms. Rouda had written a letter requesting a 30-day extension of the comment period. The letter was being reviewed by City Attorney Henningsgaard because the City would like to send it to FERC.

Councilor Price said the letter was great. She suggested a 60-day extension be requested because Senators Wyden and Merkley and Congresswoman Bonamici have also requested 60-day extensions.

Ms. Rouda said a 60-day extension would be fine. The required comment period is 45 days, but FERC has already held a 60-day comment period. It is perfectly normal to request a 30- or 60-day extension and she believed the request would be granted.

Councilor Nemlowill thanked Ms. Rouda for sharing her expertise, adding the lack of access to hard copies probably slipped by many people who lack experience with this process. October 6 is the last day of the comment period and she wanted to know how the letter should be submitted in a timely fashion.

Ms. Rouda suggested the letter be emailed directly to the FERC Secretary the next morning because the FERC offices are on the East Coast.

City Council Action: Motion made by Councilor Nemlowill, seconded by Councilor Herzig to submit a letter to FERC requesting the comment period be extended by 60 days. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

Item 7(g): Aquatic Center Lifeguard Salary

This item was added to the agenda during Item 5: Changes to the Agenda.

City Manager Estes stated the renovations at the Aquatic Center had recently been completed. Renovations included replastering the swimming pool, new lighting, and new shower facilities. When the project was complete, the Aquatic Center was unable to reopen for their regular hours because they no longer have a full staff of life guards. The City has lost several life guards because of wages. When City Council became aware of this issue, several Councilors requested the situation be discussed at this meeting, adding he worked with the Parks and Finance Departments to develop a proposal.

Director Cosby said the lifeguard shortage requires the Aquatic Center to close between 1:00 pm and 3:30 pm. This issue has been compounding over the last two years, and especially over the last six months. She began a PowerPoint presentation by reviewing the Aquatic Center's revenue and expenses from 2013 through 2016, noting that personnel expenses have always been the biggest expense. The Aquatic Center has one full-time benefited employee and about 37 part-time non-benefited life guards. Unemployment rates in the county keep dropping as the economy is improving, which makes it challenging for the City to find life guards willing to work for low rates. The City of Eugene pays some of the highest life guard wages in the area, ranging between \$13.00 and \$15.45 per hour. Astoria's largest competitor in the region is the Sunset Empire Parks and Recreation District because they are in the same unemployment pool and have the same demographics as Astoria. In order to make up the life guard shortage in Astoria, she believed wages should be raised to the following amounts:

Position	Current Pay Rate (hourly)	Proposed Pay Rate (hourly)
Certified Life Guards	\$9.25	\$11.25 - \$13.00
Water Safety Instructors	\$9.50	\$12.25 - \$14.00
Lead Life Guards and Water Safety Instructors	\$10.50	\$13.25 - \$15.00

This would still leave water safety instructor and lead wages at the low end, as many other organizations pay between \$15.00 and \$17.00 per hour for those positions. However, she did not believe wages would need to increase that much to keep Staff on hand because the biggest challenge is keeping life guards. Implementing her proposed pay rates would make Astoria comparable with Sunset Empire and Hood River. She estimated it would cost about \$57,000 per year to transition from the current pay rates to the proposed rates. This estimation included Federal Insurance Contributions Act (FICA) taxes and Public Employees Retirement System (PERS) contributions.

City Manager Estes said new wage rates could be implemented administratively, but Staff did not want to make any changes to wages without considering the current fiscal year's budget. This year's Parks Department budget was based on the goal to end year-end transfers, but implementing new wages now would likely require a year-end transfer in June 2016. The current fund balance could accommodate the new wages. However, sustainability and the ability to afford the new wages in the future should be considered. Parks Department revenues have been stable since 2008, which was the last time changes were made to the Parks Department fee schedule. If the proposed wages were implemented, Staff would consider increasing the fee schedule to make the wage rates affordable into the future. Staff would like to know if City Council would be comfortable with a year-end transfer for the current fiscal year and supported Staff's suggestion that the fee schedule be amended to offset higher personnel expenses. If life guard rates remain as is, Staff would consider reducing the Aquatic Center's hours of operation. He noted that since the Aquatic Center has reopened, one more life guard has left. When the Aquatic Center is closed, the City is not providing services to the community or bringing in revenues that offset the expenses incurred by those services. If City Council supports an Ending Fund balance transfer and rate increases for the Parks Department, Staff would consider raising wage rates for life guards.

Councilor Herzig said this money would stay in the community and he believed raising life guard wages was the right thing to do. The Aquatic Center will be able to remain open on a regular basis and young people who are trying to get started in life will get a fair wage. He suggested research be done to find out how Sunset Empire makes so much money. Astoria needs to pay people an adequate wage and this money will go right back into the community. Expecting the Parks Department to pay for this increase is not feasible despite the City's best efforts and best management.

Councilors Warr and Nemlowill agreed. Councilor Nemlowill said she also supported incremental annual fee increases. Incremental fee increase would create less of a shock to Aquatic Center users, but they will be necessary as annual labor costs rise. She looked forward to the Parks Master Plan. She did not believe a comprehensive approach would be necessary to make the Parks Department financially efficient. However, she hoped the master plan would help the City identify what the community's priorities are with the Parks and Recreation Department. She supported the wage increase for life guards.

Councilor Price said she supported the wage increase as well. However, she believed this was a brilliant example of how the Finance Department was working towards providing City Council with quarterly budget summaries that let Council know the current state of the Parks budget. The Finance Department is also working towards providing budget summaries with items like this so Council can see the current financial situation. She had confidence in the City Manager and Staff as they spoke about the budget and what was being requested. However, a budget summary would be very useful. She supported Staff's proposal.

Councilor Herzig believed one advantage of a Parks Master Plan would be the opportunity to apply for grants and funding the City is not currently eligible for.

Councilor Nemlowill added that this is reflective of the public and private sectors. It is challenging to find competent workers in Astoria right now and she hoped the wage increase worked.

City Manager Estes said even though the wage increase could be implemented by Staff, he preferred City Council action because the fee proposal and Ending Fund balance transfer would result in policy implications.

City Council Action: Motion made by Councilor Warr, seconded by Councilor Nemlowill to direct Staff to implement the wage increase for life guards, understanding that a year-end transfer may be required, and direct Parks Staff to prepare a fee increase proposal. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

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

Councilor Price asked that City Council direct Staff to offer guidance on how to limit the number of marijuana facilities in Astoria. She knew of four or five facilities in Astoria, but said there could be more. She had voted in favor of the state law allowing marijuana, as did many Astorians. However, she believed City Council should think about how many dispensaries would be appropriate along Marine Drive and Commercial Street and if they impact livability. City Attorney Henningsgaard explained that cities have the authority to regulate the time, place, and manner of marijuana dispensaries. Limiting the number of dispensaries is a grey area, but it could be done through clever time, place, and manner restrictions.

Councilor Nemlowill asked if the City was working towards collecting taxes on marijuana sales. City Attorney Henningsgaard said there were some restrictions on what cities could do, but he would have to do some research on the legislation. City Manager Estes said he and Director Brooks had attended a marijuana seminar given by the League of Oregon Cities. This time last year, some jurisdictions passed resolutions implementing city sales taxes; however, the constitutionality of this tax is still yet to be determined, and city shares of the state sales tax will be small. Rules regulating recreational use are still being drafted. Medical marijuana dispensaries have only been given temporary permission to sell marijuana for recreational use. The rule-making process will continue through the fall of 2016.

Councilor Nemlowill asked if Staff anticipated the opportunity for public entities to participate in a review process. City Manager Estes said yes, there has been discussion of Planning Department reviews of permits and land use compatibility statements. The process could be similar to the liquor licensing process and recreational marijuana could be regulated by the Oregon Liquor Control Commission (OLCC).

Councilor Price wanted this discussion to be added as an agenda item at a future City Council meeting because currently, there are no rules. The City does not review licenses or review requests to occupy a space based on use. City Manager Estes explained that Astoria does not have zoning prohibitions and dispensaries are treated like commercial entities. The dispensaries' business licenses are the only indication of use.

Councilor Price asked if the Planning Department would be burdened by recommending some options to City Council. City Manager Estes said Staff could work with City Attorney Henningsgaard to recommend options.

Councilor Nemlowill said she had not observed any problems. Councilor Price said she had not seen any problems either, but wanted to avoid them. She did not have any sense of what the community wanted, except that 55 percent of Astorians voted in favor of recreational use. She was not sure Astorians wanted a pot shop on every other corner. After speaking about this to City Attorney Henningsgaard earlier in the day, she believed the market would work itself out over time. But in the mean time, City Council should decide if action should be taken. She wanted to do something.

Councilor Warr understood Councilor Price was asking for direction from Staff about what City Council could do. He preferred City Council trust Staff to recommend action if Staff believes there is a problem. Why spend time on this if there are no problems?

Councilor Price responded that City Council is tasked with asking Staff to do these things some times. However, she understood City Council did not want to pursue this issue at this time.

City Council recessed to convene the Executive Session at 8:20 pm.

EXECUTIVE SESSION

Item 9(a): ORS192.660(2)(i) – Evaluation of Public Officers and Employees

The City Council will meet in executive session to discuss a performance evaluation.

City Council reconvened the regular session of the City Council meeting at 9:05 pm.

REGULAR AGENDA ITEMS

Item 10(a): City Manager Evaluation

The City Council will discuss the City Manager's evaluation.


Mayor LaMear announced that City Manager Estes received a good evaluation and City Council recommended a salary adjustment of 2.5 percent, as provided to City employees and department heads this fiscal year, retroactive to the one year anniversary date of hiring.

City Council Action: Motion made by Councilor Price, seconded by Councilor Warr to approve the City Manager Evaluation and a salary adjustment of 2.5 percent for the City Manager, as provided to City employees and department heads this fiscal year, retroactive to the one year anniversary date of hiring. Motion carried unanimously. Ayes: Councilors Price, Warr, Herzig, Nemlowill, and Mayor LaMear; Nays: None.

ADJOURNMENT


There being no further business, the meeting was adjourned at 9:06 pm.

ATTEST:



Finance Director

APPROVED:



City Manager