

MINUTES
Warrenton City Commission
Regular Meeting – September 26, 2017
6:00 p.m.
Warrenton City Hall - Commission Chambers
225 S. Main
Warrenton, OR 97146

Mayor Balensifer called the meeting to order at 6:04 p.m. and led the public in the Pledge of Allegiance.

Commissioners Present: Pam Ackley, Tom Dyer, Mark Baldwin and Mayor Henry Balensifer
Absent: Rick Newton

Staff Present: City Manager Linda Engbretson, City Attorney Spencer Parsons, Finance Director April Clark, Community Development Director Skip Urling, City Engineer Collin Stelzig, Public Works Operations Manager Kyle Sharpsteen, and Deputy City Recorder Dawne Shaw

COMMISSIONER COMMENTS

Mayor Balensifer noted prior to this meeting the Commission was in executive session and will return to executive session after the regular meeting.

Commissioner Dyer welcomed everyone and noted the work session with the Skipanon Water Control District was very productive.

City Manager Engbretson noted she received email from the County Manager requesting a representative from the City Commission to sit on the initial housing steering committee. Brief discussion followed and it was determined Mayor Balensifer will serve.

Commissioner Ackley made the motion to approve the consent calendar as presented. Motion was seconded and passed unanimously.

Balensifer – aye; Dyer – aye; Ackley – aye; Baldwin – aye

PUBLIC COMMENT (Agenda Items) – NONE

BUSINESS

Mayor Balensifer introduced Shane Cline and Lance Helwig from the US Army Corps of Engineers (USACE) and opened the discussion on the 8th Street Flood Control Structure. Mr. Cline stated the Corps responsibility and authority with the City of Warrenton's levee system is confined to the levee system not with the structure itself, but they are able to provide the City with some technical assistance; reviewing hydrolic models, and provide assessments of what scenarios should be evaluated. Mayor Balensifer noted the prior work session with the SWCD

where a study was discussed. He asked if a study is done, would the Corps be willing to be part of that. Mr. Cline said they would work with the City and the SWCD; develop a scope of work that will answer the questions; review the results of that analysis and provide their professional opinion on what they think potentially the unintended consequences are, of removing the tide gates or the structure. Mr. Cline stated the USACE has a flood plain management system service (FPMS) that works with local agencies to provide technical assistance to remap flood plains. He stated it is a grant based service, and they could work with the City to help develop the grant and advance it through the FPMS evaluation process. Mr. Helwig noted there is a lot of competition for the FPMS program, but Warrenton seems like a good candidate for prioritization. He noted that NRCS has voiced an interest in helping to review the scope of work. Brief discussion followed on previous communications with NRCS and legal counsel.

Mayor Balensifer questioned if the actions taken to the structure are endangering the City's status in the RIP. Mr. Helwig stated they have inspected the structure several times since the tide gates have been removed and did not see anything that would compromise the City's active standing in the RIP program. Discussion followed on whether a flood analysis study can be done without the tide gates. Mr. Cline stated it would be best for the gates to be on for the study. Discussion continued on whether the flood control structure is part of the levee system, and if removing it would have an impact on levee certification. Mr. Cline stated without the modeling it is hard to determine. He noted typically there would be a geotechnical analysis and hydrolic analysis which would show what improvements need to be made to receive certification. After further discussion, Mr. Cline confirmed the removal of the structure has nothing to do per se as much as the construction and quality of the levee. Mr. Cline stated it is possible to develop a (computer) model to do the study with the gates on. Discussion continued on the 408 process for removing the dam structure, and if it will affect the levees. Mr. Helwig clarified they have not seen any impact on the levee since the altering of the structure; however it has only been a few years. Mayor Balensifer asked for the record, in regards to the structure, is it the Corps' opinion that an emergency exists? Mr. Cline noted it is hard to say if an emergency exists without modelling. He stated that potentially there could be a larger area upstream inundated with the structure in place, than would be without it, but it is difficult to say without models. He stated he cannot say if the dam is at risk of failure. Mr. Helwig noted that NRCS said the State of Oregon did a dam safety inspection and stated failure could be "sooner rather than later," and suggested following up with NRCS. Discussion followed on whether the structure is part of the levee system or supports the levee system. Mr. Cline stated even though the structure and the levees were constructed separately, they have been operated as a system for many decades; and it would be good to look at it as a system and not separately. It was noted the 8th Street structure is not part of the Corps' levee authorization. Mr. Cline and Mr. Helwig thanked the Commission for the opportunity to speak.

Community Development Director Skip Urling presented Resolution No. 2505; Authorizing Applicant Reimbursement of Professional Consulting Services Expenses Related to Development Application Review. He noted a previous discussion at the joint Planning Commission/City Commission work session, regarding the growth of the city and development applications which have overtaxed staff resources. He stated per state land use planning law, and municipal code, applications must be reviewed in a timely fashion. This new resolution would

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formally authorize the city to contract with private consultants to perform the development application review and require reimbursement from the applicant. Mr. Urling noted also included in the agenda packet is the proposed contract to be used in this new practice to ensure the city is reimbursed timely. Brief discussion followed on SDC's and fees, and how they are applied and spent. Mayor Balensifer requested a future discussion on fees.

Commissioner Ackley made the motion to adopt Resolution No. 2505; *Establishing the use of Consultants in the Review of Development Applications and Authorizing Assigning the Consultant's Costs to the Applicant.* Motion was seconded and passed unanimously.

Balensifer – aye; Dyer – aye; Ackley – aye; Baldwin – aye

Parks Advisory Board member Bert Little requested a letter of support to the Northwest Coast Trails Coalition for the planning, fundraising and construction of an Interpretive Kiosk celebrating the history of local Clatsop Tribes, settlers and Natural Resources. He explained the kiosk/concept and noted this letter of support may be used for submission of grant applications. The Parks Advisory Board proposes construction of this kiosk at the culmination of the NE 1st to 13th Trail, near Tansy Point.

Commissioner Dyer made the motion to approve the Letter of Support, as requested by the Warrenton Parks Advisory Board, for an interpretive kiosk at the Tansy Point Trailhead. Motion was seconded and passed unanimously.

Balensifer – aye; Dyer – aye; Ackley – aye; Baldwin – aye

City Manager Engbretson stated Columbia-Pacific Economic District (Col-Pac) has provided the City a proposal to perform grant administration services related to the Pacific Coast Seafood Rebuild Project. She noted Col-Pac is a private non-profit organization established to assist in diversifying and strengthening the economy and livability of Northwest Oregon, and they will assist with contract review and monitoring, financial management/project reporting, and reviewing certified payroll and assuring BOLI requirements are met. Ms. Engbretson stated the proposed cost is \$62,500 plus mileage; and noted the City has included a reimbursement for Administrative Expenses clause in the agreements with Pacific Coast Seafoods. They will reimburse the City up to \$75,000 for administrative costs associated with the project and grant administration. Commissioner Baldwin recused himself from the discussion and will abstain from voting, due to a potential conflict.

Commissioner Ackley made the motion to authorize the Mayor's signature in the Contract for Professional Consulting Services with Columbia-Pacific Economic Development District for an amount no to exceed \$62,500 (plus mileage) for grant administration services for the Pacific Coast Seafoods Rebuild Project. Motion was seconded and passed.

Balensifer – aye; Dyer – aye; Ackley – aye; Baldwin – abstained

City Manager Linda Engbretson stated the first reading of Ordinance No. 1215 was completed at the September 12, 2017 City Commission meeting and is now bringing it back for the second reading and adoption. She noted this Ordinance is the result of meetings with the public and Chief Petitioner(s) to clarify ambiguities and unintended outcomes. City Attorney Spencer Parsons noted this ordinance provides implementation of the Charter amendment.

Commissioner Ackley made the motion to conduct the second reading, by title only of Ordinance No. 1215. Motion was seconded and passed unanimously.

Balensifer – aye; Dyer – aye; Ackley – aye; Baldwin – aye

Mayor Balensifer conducted the second reading of Ordinance No. 1215; “*Introduced by All Commissioners, to Amend Title 3 of the Municipal Code to Add a New Chapter 3.40 to Implement Measure 4-181.*”

Commissioner Baldwin made the motion to adopt Ordinance No. 1215. Motion was seconded and passed unanimously.

Balensifer – aye; Dyer – aye; Ackley – aye; Baldwin – aye

Finance Director April Clark presented Resolution No. 2504; Approving and Adopting Increases to Appropriations for Specific Purpose Grants for the fiscal year ending June 30, 2018. She noted the City recently entered into agreements with both the State of Oregon and Pacific Coast Seafoods. The total of the two grants from the State is \$3,150,000; and the agreement with Pacific Coast Seafoods allows for reimbursement of the City’s costs, not to exceed \$75,000. Ms. Clark noted this adjustment provides for the use of grant proceeds from the State of Oregon, Department of Administrative Services and Oregon Business Development Department for rebuilding of the dock and facility by Pacific Coast Seafoods. This increase proceeds and increases spending authority in materials and services in the Grants Fund. Commissioner Baldwin recused himself from the discussion and will abstain from voting, due to a potential conflict.

Commissioner Dyer made the motion to approve Resolution No. 2504; *Approving nd Adopting Increases to the 2017-2018 Budget by Increasing Appropriations for Specific Purpose Grant.* Motion was seconded and passed unanimously.

Balensifer – aye; Dyer – aye; Ackley – aye; Baldwin – abstain

PUBLIC COMMENT – Jim Ray noted the bridge on Alt Hwy 101 was recently closed for resurfacing, yet he does not see any improvements. He asked the Commission if they knew the status. It was noted this was an ODOT project; City Manager Linda Engbretson stated she would look into the matter. Mr. Ray also commented on the new water line for Hammond.

Scott Widdicombe gave a statement regarding the recent joint work session with the Skipanon Water Control District, which was held to discuss the 8th Street Flood Control Structure. Mr. Widdicombe submitted copies for the record and for the City Commission.

There being no further business Mayor Balensifer adjourned the meeting at 7:24 p.m., and reconvened the executive session under the authority of ORS 192.660(2) (d), to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

APPROVED:



Henry Balensifer, Mayor

ATTEST:



Dawne Shaw, Deputy City Recorder