



**NOTICE OF PUBLIC MEETING**  
**CITY OF ALBANY**  
**CITY COUNCIL**  
 Council Chambers  
 333 Broadalbin Street SW  
 Wednesday, March 26, 2008  
 7:15 p.m.

**OUR MISSION IS**  
*"Providing quality public services  
 for a better Albany community."*

**OUR VISION IS**  
*"A vital and diversified community  
 that promotes a high quality of life,  
 great neighborhoods, balanced  
 economic growth, and quality public  
 services."*

**AGENDA**

Rules of Conduct for Public Hearing

1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the hearing.
2. Persons shall not testify without first receiving recognition from the presiding officer and stating their full name and residence address.
3. No person shall present irrelevant, immaterial, or repetitious testimony or evidence.
4. There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the hearing.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL
4. PROCLAMATION
  - a. Arbor Week. [Page 1]  
 Action: \_\_\_\_\_
5. SCHEDULED BUSINESS
  - a. Reopen Quasi-Judicial Public Hearing
    - 1) SD-14-06, appealing the Planning Commission's approval of a Subdivision Tentative Plat for the Links Club Estates Subdivision. [Pages 2-20]  
 Action: \_\_\_\_\_
  - b. Business from the Public
  - c. Second Reading of Ordinance
    - 1) CP-01-08, adopting text amendments to Economic Development Background Summary of the Albany Comprehensive Plan's Chapter 3 and adopting the 2007 Economic Opportunities Analysis Update as a background report to the Comprehensive Plan and declaring an emergency. [Pages 21-60]  
 Action: \_\_\_\_\_ ORD. NO. \_\_\_\_\_
  - d. Adoption of Resolutions
    - 1) Supporting development of the Linn County ten-year plan to address homelessness. [Page 61]  
 Action: \_\_\_\_\_ RES. NO. \_\_\_\_\_
    - 2) Naming Doug Killin Friendship Park. [Pages 62-64]  
 Action: \_\_\_\_\_ RES. NO. \_\_\_\_\_
    - 3) Approving a deadly physical force plan for Linn and Benton Counties. [Pages 65-88]  
 Action: \_\_\_\_\_ RES. NO. \_\_\_\_\_
    - 4) Directing an Engineer's Report and a Financial Investigation Report be prepared for construction of sanitary sewer, water main, storm system, and full street improvements on property located between Somerset Drive and Knox Butte Road. [Pages 89-95]  
 Action: \_\_\_\_\_ RES. NO. \_\_\_\_\_
    - 5) Adopting the Water Avenue Streetscape Plan. [Pages 96-99]  
 Action: \_\_\_\_\_ RES. NO. \_\_\_\_\_

e. Adoption of Consent Calendar

1) Approval of Minutes

a) January 28, 2008, City Council Work Session

b) February 11, 2008, City Council Work Session

2) Authorizing the Fire Department to apply for funds not to exceed \$175,000 through the U.S. Department of Homeland Security Assistance to Firefighters Grant for the purpose of purchasing structural firefighting personal protective equipment and associated supplies. [Pages 100-101] RES. NO. \_\_\_\_\_

3) Authorizing the City of Albany to submit a grant application for a Pacific Power Blue Sky Fund Award. [Pages 102-103] RES. NO. \_\_\_\_\_

4) Accepting a warranty deed transferring ownership of three tracts of land containing drainage ways from Hayden Homes, LLC. [Pages 104-107] RES. NO. \_\_\_\_\_

Action: \_\_\_\_\_

f. Report

1) Approving West Thornton Lake Drive right-of-way acquisition. [Pages 108-109]

Action: \_\_\_\_\_

6. BUSINESS FROM THE COUNCIL

7. NEXT MEETING DATE: Work Session April 7, 2008  
Regular Session April 9, 2008

8. ADJOURNMENT

City of Albany Web site: [www.cityofalbany.net](http://www.cityofalbany.net)

*The location of the meeting/hearing is accessible to the disabled. If you need special accommodations to attend or participate, please notify the Human Resources Department in advance by calling (541) 917-7500.*

PROCLAMATION

**ARBOR WEEK**

**April 6 - 12, 2008**

WHEREAS, in 1872, Arbor Day was first observed with the planting of more than a million trees in Nebraska and is now observed throughout the nation and the world; and

WHEREAS, Albany's urban trees grace our city streets, parks, and open spaces; provide shade and habitat for wildlife; improve air and water quality; increase property values and economic vitality in business areas; and contribute to a sense of community pride and ownership; and

WHEREAS, through the cooperation of all residents of Albany, the beneficial effects of tree plantings in our community and in our surrounding forest lands can be passed on as a vital natural resource to succeeding generations; and

WHEREAS, the city of Albany has been named as "Tree City USA" by the National Arbor Day Foundation in recognition for our stewardship of Albany's urban forest.

NOW, THEREFORE, I, Dan Bedore, Mayor of the City of Albany, Oregon, do hereby proclaim the week of April 6 - 12, 2008, as

**ARBOR WEEK**

in Albany and encourage all citizens to take time during the week to appreciate and enhance our community's urban forest and to participate in the week of activities celebrating our community's commitment to trees.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Albany to be affixed this 6th day of April 2008.

A handwritten signature in cursive script, reading "Dan Bedore".

Dan Bedore, Mayor



TO: Albany City Council  
VIA: Wes Hare, City Manager  
FROM: Don Donovan, Planning Manager *Don*  
DATE: March 19, 2008, for the March 26, 2008, City Council Meeting  
SUBJECT: SD-14-06, Link Club Estates Subdivision Reopened Hearing

Action Requested:

Reopen the public hearing for the Links Club Estates subdivision application and make a tentative decision.

Discussion:

On October 29, 2007, the Planning Commission approved the Links Club Estates subdivision application. The Planning Commission decision was appealed to the City Council.

On January 23, 2008, the City Council had a public hearing on the appeal. The City Council closed the public hearing and began deliberation. The Council did not make a decision at that meeting. We intended to have a special meeting on January 30, 2008, but that meeting was canceled. At the February 27, 2008, meeting, at the request of the applicant, the Council decided to reopen the hearing to hear new information regarding the sanitary sewer system and the storm drainage system proposed for the subdivision. These were the two issues that the Council found to be the most difficult to make decisions about following the public hearing.

The applicant's testimony at the March 26, 2008, meeting will be limited to new information about the sanitary sewer and storm drainage systems proposed for the subdivision. Responsive testimony will be limited to comments on the new information.

You may remember that the applicant proposes a private gravity sewer system in the subdivision. The gravity system will be connected to an existing private 2-inch pressure sewer line in Quarry Road. The 2-inch line was installed in the mid-1990s by the Springhill Country Club and is still used by the Club. Five documents related to the proposed sewer system are attached to this memo as background information (Attachments A – E).

The applicant submitted plans that show a new storm drainage system for the subdivision. The plans (3 sheets) are attached as Attachment F.

The Engineering staff has comments on both the sanitary sewer system and the storm drainage system. The comments are in a memo from Gordon Steffensmeier attached as Attachment G.

Bruce and Jean Rummerfield submitted a letter to the City Council for the March 26 meeting. The letter is attached to this memo (Attachment H). Joan and Perry Packard and Dick Thomas also submitted a letter (Attachment I).

Please bring your copy of the staff report to the meeting for reference during deliberation. Please let me know if you have questions before the meeting.

Budget Impact:

None.

U:\Community Development\Planning\Current\2006\06sd14ccm3.dd.docx



November 7, 2005

**CITY HALL**  
333 Broadalbin SW  
P.O. Box 490  
Albany, OR 97321-0144.  
www.ci.albany.or.us  
  
(541) 917-7500

**Dan Watson, P.E.**  
**K&D Engineering**  
P.O. Box 725  
Albany, OR 97321

**ADMINISTRATIVE SERVICES**  
City Manager/  
Human Resources  
(541) 917-7501  
FAX (541) 917-7511

Finance/Recorder  
(541) 917-7520  
FAX (541) 917-7511

Municipal Court  
(541) 917-7740  
FAX (541) 917-7748

Water/Sewer Billing  
(541) 917-7547  
FAX (541) 917-7511

**COMMUNITY DEVELOPMENT**  
Planning  
(541) 917-7550  
FAX (541) 917-7598

Building Inspection  
(541) 917-7553  
FAX (541) 917-7598

**FIRE ADMINISTRATION**  
(541) 917-7700  
FAX (541) 917-7716

**PARKS & RECREATION ADMINISTRATION**  
(541) 917-7777  
FAX (541) 917-7776

**PUBLIC WORKS**  
Engineering  
(541) 917-7676  
FAX (541) 917-7573

Transit  
(541) 917-7667  
FAX (541) 917-7573  
TDD (541) 917-7678

Dear Dan:

**PACKARD SEWER PUMP STATION REQUEST-245 QUARRY ROAD**

As we discussed over the telephone last month, the City of Albany Public Works has completed our review of sanitary sewer service options for the Packard's property at 245 Quarry Road. Our review included a study conducted by our sewer model consultant that concluded that the existing 21-inch sewer in Quarry Road has enough reserve capacity to serve the Packard's property and a large portion of the surrounding unserved area.

We have concluded that we would approve a proposal where the Packard's proposed subdivision could be served by a private sewer pump station. The pump station would discharge to either the existing sewer pressure line serving the Country Club or to the City's gravity main in Quarry Road. The lots in the subdivision would be served by a gravity sewer main built in the extension of Country Club Lane. The gravity sewer must be constructed to public sewer standards so that it may someday be incorporated into the City's public sewer system. That sewer main would also have to be built at the correct depth and grade to be incorporated into a future City public sewer collection system.

The subdivision development would also be required to pay the North Albany Sewer Interceptor fee which currently is \$2,319/acre. To fund the future sewer main along the property's Quarry Road frontage, the standard sewer Connection Fee, currently \$44/foot, would also be charged to the project.

If you have any questions or concerns, you can contact me at 541-917-7647.

Sincerely,

Gordon Steffensmeier, P.E., P.L.S.  
Public Works Permitting/Development Engineer

GPS:kw

- c: Diane Taniguchi-Dennis, P.E., Public Works Director
- Mark W. Shepard, P.E., Assistant Public Works Director / City Engineer
- Don Donovan, Senior Planner
- Ed Schultz, Weatherford, Thompson, Cowgill, Black & Schultz, PC

APPROVED: December 15, 2004

CITY OF ALBANY  
 CITY COUNCIL  
 Council Chambers  
 Monday, November 8, 2004  
 4:00 p.m.

## MINUTES

## CALL TO ORDER

Mayor McLaran called the meeting to order at 4:00 p.m.

## PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor McLaran led the pledge of allegiance to the flag.

## ROLL CALL

Councilors present: Ralph Reid Jr., Doug Killin, Glenda Fleming, Dick Olsen, Sharon Konopa, and Bessie Johnson (arrived at 4:48 p.m.).

## SCHEDULED BUSINESS

## Business from the Public

Jackson Frost, representing the Go Albany Library Political Action Committee (GOAL PAC), thanked the Council for putting the Library measure on the November 2, 2004, ballot. He was concerned that there wasn't full support of the measure on the Council and said it is the duty of the City to provide excellent Library services. He understands that other priorities for the Council are an issue. The PAC will be disbanding and he feels that they got good support financially. He was uncertain as to why the measure failed. He said opposition was negligible. It could be that there were too many measures on the ballot. He believes that people do not want any more taxes. The issuance of the property tax statements before the election and the increase of water rates didn't help. He continues to want to work with the Council on other Library issues.

Tom Cordier, 2240 Park Terrace NW, representing the Albany Area Habitat for Humanity, said they are currently working on 23<sup>rd</sup> Avenue with a deadline to have foundations done by November 1. Habitat met that deadline and got their requirements together with one week to spare because of the cooperation they had with the Albany Building Department. In particular, he wanted to thank Randy Peppers.

Ray Hilts, 3012 SW Takena Street, spoke to the discussion regarding the light near Interstate-5 and the McDonalds Restaurant at the previous Council meeting. He drove to and around the area and doesn't feel the light is a safety issue. He said the light by McDonalds at Pacific Boulevard and Queen Avenue could be adjusted.

Gary Bell, 1686 15<sup>th</sup> Street, said he had a bad experience with the United Pentecostal Church in town and wanted the Council to be aware of it. He said he has received threats and has concerns about the safety of his son. He was upset that nobody monitors churches in Albany.

Ed Schultz, Attorney for Harry and Joan Packard, and Dan Watson, K&D Engineering, the Engineer representing the Packards, explained that the property the Packards want to develop would be off of an extension of Country Club Lane, in North Albany. Country Club Lane is linked to the sewer system at Quarry Road. There is a private pump station for Springhill Country Club that connects to that system. The Packard's property is not currently served by the sewer system. They are here to ask that the property be connected to the existing sewer main and they would build a private pump station that would be maintained by a homeowners association. They are willing to extend Country Club Lane to Quarry Road and build the street to City standards. Schultz said that although he wanted to make it clear that he is not waiving any Measure 37 rights for his clients, he is asking that they have the opportunity to work with City staff on this project.

City Manager Steve Bryant said it may require a future Council work session. There is no economic pressure to have the sewer line built for the Springhill Sewer Basin. No other property owners have said they want to form a Local Improvement District. The area has no environmental need for a sewer system at this time. There is the possibility that there are similar properties that may want to connect to this system. He also wanted the Council to consider if this would set a precedent. He said there are some policy issues in this request. It may be that present owners on Country Club Lane may not want to connect to this line. Bryant suggested the Packards meet with staff and bring the issue back to the Council at a future work session.

Councilor Olsen asked if it was possible to ask for a waiver of remonstrance that they will participate in a future environmental concern. Bryant said that is possible.

The Council was agreeable to have Mr. Schultz, Mr. Watson, and the Packards work with staff.

First Reading of Ordinance

Approving an ordinance to levy an assessment for a transportation system development charge for property described as Tax Lot 213, of Parcel 11S-03W-08AC, and site address 1365 Clay Street SE, and declaring an emergency.

City Attorney Jim Delapoer read for the first time in title only "AN ORDINANCE APPROVING LEVYING AN ASSESSMENT FOR A TRANSPORTATION SYSTEM DEVELOPMENT CHARGE FOR PROPERTY DESCRIBED AS TAX LOT 213, OF PARCEL 11S-03W-08AC, AND SITE ADDRESS 1365 CLAY STREET SE, AND DECLARING AN EMERGENCY." Councilor Reid moved to have the ordinance read a second time in title only. Councilor Killin seconded the motion and it passed 5-0. Delapoer read the ordinance a second time in title only. Reid moved to adopt the ordinance. Killin seconded the motion and it passed 5-0, and was designated Ordinance No. 5582.

Adoption of Resolutions

Authorizing the City of Albany to submit a grant application for American Forests Global ReLeaf Funds for the purpose of purchasing and planting trees.

Councilor Konopa moved to adopt the resolution authorizing the City of Albany to submit a grant application for American Forests Global ReLeaf Funds for the purpose of purchasing and planting trees. Olsen seconded the motion.

Reid asked, has this been discussed with the Grand Prairie Water District? Public Works Director Diane Taniguchi Dennis said that she agreed the City should talk with them before planting trees. She said staff could provide a detailed plan and bring it back to the Council.

Konopa said we can still vote on submitting the grant application subject to approval by the Grand Prairie Water District. That was agreeable to the seconder. A vote was taken on the motion and it passed 5-0, and was designated Resolution No. 5062.

Authorizing the City of Albany to submit a grant application for Linn County Board of Commissioners' annual small grant program funds for the purpose of urban forestry education.

Konopa moved to adopt the resolution. Councilor Fleming seconded the motion and it passed 5-0, and was designated Resolution No. 5063.

Waiving competitive bidding process for WL-05-10, Shady Lane Water Line Project.

Killin moved to waive the competitive bidding process for WL-05-10, Shady Lane Water line Project. Reid seconded the motion and it passed 5-0, and was designated Resolution No. 5064.

Adoption of Consent Calendar

- 1) Approval of Minutes
  - a) September 27, 2004, City Council Work Session
  - b) October 13, 2004, City Council Meeting
- 2) Amending parking restrictions within that area of downtown Albany where parking on public streets is enforced and managed by the Albany Downtown Association. RES. NO. 5065
- 3) Accepting a right-of-way dedication for Chartwell Station Subdivision. RES. NO. 5066
- 4) Replacement of City Hall Smoke Alarm and Monitoring System at City Hall.

Killin moved to adopt the Consent Calendar. Konopa seconded the motion and it passed 5-0.

Appointment

Appointing Wanda Knight to Albany Bicycle & Pedestrian Advisory Commission.

Reid moved to appoint Wanda Knight to the Albany Bicycle & Pedestrian Advisory Commission. Fleming seconded the motion and it passed 5-0.

BUSINESS FROM THE COUNCIL

Reid asked if the City was going to create an ordinance regarding Measure 37 which was just recently voted into state law at the November 2 election. McLaran said that the City Attorney will bring something next Monday, November 15, for the Council to review. Hopefully, the City will have an ordinance at the November 17 meeting and have a first reading, and then have a public hearing at the last meeting in November. The Council

Albany City Council Regular Session  
Monday, November 8, 2004

could than have a second reading at their December 1 meeting. McLaran explained some ideas that are being kicked around, but said that staff needs to investigate more.

Councilor Johnson arrived at this point.

Reid requested that the Council meet for a retreat to designate upcoming priorities. Bryant said that staff will be scheduling a retreat to create a Council strategic plan, with input from the departmental priorities currently being worked on. He would like to bring the Departmental Strategic Plan to a work session and then a retreat. He anticipates an initial presentation in December. The Departmental Strategic Plans will be presented at the next open Council Work Session.

Fleming wants options for the Library to be a subject at an upcoming work session. Bryant agreed, saying that staff also needs directions regarding the new Library endowment.

Fleming was disappointed in the letter from the Oregon Department of Transportation (ODOT) (in agenda file). Taniguchi-Dennis said staff would be meeting with Vivian Payne, ODOT Area 4 Manager, in hopes of getting a southbound on-ramp at the interchange. The project has mushroomed greatly and she doubts that Albany will see a solution before 2020. She said that failure for transportation means looking at what people are willing to live with. She also mentioned that staff is working on the Transportation Strategic Plan update.

Johnson praised the League of Oregon Cities Conference. She said that the credibility of the Council is based on the cooperation of business, government, and the community. She believes the Council needs to get more people involved.

#### REPORT

##### City Manager Recruitment Schedule

McLaran invited Councilor Elect Jeff Christman to join the Council at the dais as a discussion member, not a voting member.

Human Resources Director Mary Beth Altman Hughes said the schedule is based on experience talking to other folks.

Killin said he had reviewed the tasks and believes it is an appropriate schedule.

Johnson was concerned about the length of time and asked, why couldn't some of this been done before now. She thinks the Council has wasted five months.

Konopa asked what the cost would be for the recruiter. Bryant said between \$10,000 to \$30,000.

Fleming asked, what do you get that we can't do ourselves? Hughes said that recruiting for your boss is an issue and a consultant will have a broader perspective. They are geared to do this; it is what they focus on; you are buying expertise. They also can get all the stakeholders involved, including the public. There followed a discussion regarding the process and costs.

Johnson asked, is the job description boiler plate? Hughes said the one that is in the agenda is the City of Albany's job description.

Reid was concerned that the Council isn't part of the process. McLaran said the Council would be involved in all the steps.

#### NEXT MEETING DATE

The next Regular Session of the Albany City Council is scheduled for November 17, 2004, at 7:15 p.m., in the Council Chambers of City Hall.

RECESS TO EXECUTIVE SESSION TO DISCUSS LABOR NEGOTIATIONS IN ACCORDANCE WITH O.R.S. 192.660 (1)(d)

The Regular Session was recessed into an Executive Session at 5:29 p.m.

#### RECONVENE

The Regular Session was reconvened at 6:04 p.m.

Johnson moved to approve an increase in wages of 1.6 percent for Non-bargaining Group employees in addition to the 1.4 percent they received on July 1, 2004, retro to July 1, 2004, to make a total increase of three percent, provide Martin Luther King day as a paid holiday, dissolve the sick leave incentive program, and have no health insurance premium co pay for the 2004-2005 budget year. Killin seconded the motion and it passed 6-0.



Killin moved to increase the Executive Group salary by three percent, retro to July 1, 2004. Johnson seconded the motion and it passed 6-0.

Reid moved to table action on the City Manager's memo for a salary increase to November 29, 2004. Johnson seconded the motion and it failed 3-4, with Fleming, Olsen, Konopa, and McLaran voting no.

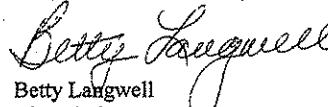
Konopa moved to increase the City Manager's salary by three percent for Cost-of-Living, retro to July 1, 2004. Olsen seconded the motion and it failed 3-4, with Reid, Killin, Johnson, and McLaran voting no.

Reid moved to provide a Cost-of-Living increase to the City Manager of three percent starting January 1, 2005. Killin seconded the motion and it passed 6-0.

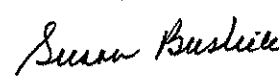
ADJOURNMENT

There being no other business, the meeting was adjourned at 6:14 p.m.

Respectfully submitted by,

  
Betty Langwell  
City Clerk

Reviewed by,

  
Susan Busbice  
Assistant City Manager/CFO

ORDINANCE NO. 5133

AN ORDINANCE LEVYING A CHARGE UNDER THE PROVISIONS OF CHAPTER 10.16 OF THE ALBANY MUNICIPAL CODE FOR AN IN-LIEU-OF ASSESSMENT FOR COLLECTOR AND INTERCEPTOR SEWERS FOR SAID PROPERTY BEING DESCRIBED AS TAX LOT #400, OF PARCEL 10-03W-31; AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: A charge is hereby levied against the following described property:

Spring Hill Golf & Country Club	Desc: 10-03W-31 -00400	\$54,475.05
1555 Country Club Lane NW	Acct#: SSCCN06081*	
Albany, OR 97321	Site Address: 155 Country Club Lane NW	

Said charge is for the purpose of receiving benefit from the existing sewer in the North Albany Sanitary Sewer Basin as established by Albany Municipal Code, Chapter 10.16.300. This parcel is located outside of the North Albany Interceptor Basin and the City of Albany, and was never assessed for sanitary sewer as part of the North Albany Sanitary Sewer Local Improvement District (SS-90-07), Ordinance 5041. The charge made by this ordinance is an In-Lieu-Of Assessment for Collector and Interceptor Sewers, for properties outside the original sewer district that request connection to the sewer.

Section 2: The total cost for service from the sanitary sewer line serving the property described in Section 1 is as follows:

\$ 5,997.86 (Collector Rate) x 1 benefit	= \$ 5,997.86
\$ 1,551.27 x 1/4 Acre = \$387.82; \$387.82 x 125	= <u>\$48,477.19</u>
	\$54,475.05


Note: According to Resolution 3257, the proposed pump station and force main to be constructed would "discharge approximately 125 times the volume of effluent that is normal from a single dwelling unit to the public sewer system". The interceptor rate for the Spring Hill Golf Club, as described in Resolution 3257, would be \$1,551.27 per gross acre, and the collector rate would be \$5,997.86 per benefit (1/4 acre).

Section 3: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the citizens of the City of Albany, an emergency is hereby declared to exist; and this ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by Council: June 22, 1994

Approved by Mayor: June 22, 1994

Effective Date: June 22, 1994



Mayor

ATTEST:



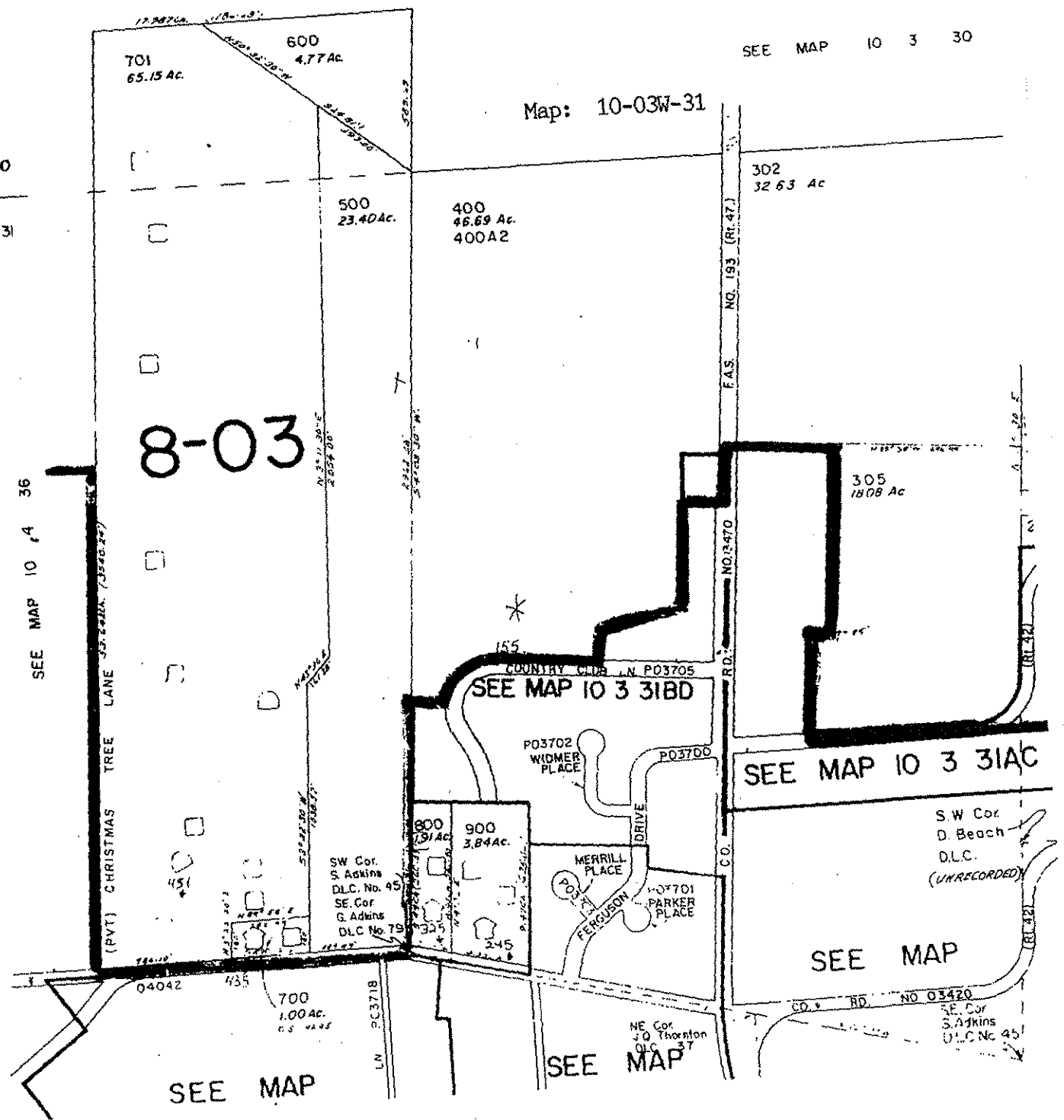
City Recorder

Name/Address	Description	
SPRINGHILL GOLF/CTRY CLB	ACREAGE	10-93W-31 -00400
	06/08/94 0000267	EXTND LINE/DEG REQUIRED, SEE NOTES
155 COUNTRY CLUB LANE NW	34,475.05	07357
ALBANY OR 97321	SSCCN066091*	

Report total... 34,475.05

SECTION 31 T10S R3W. W  
 BENTON COUNTY  
 1" = 400'

25	30
36	31



RESOLUTION NO. 3257

WHEREAS, the Spring Hill Country Club, Inc. is a parcel located outside of the North Albany interceptor sewer basin (155 Country Club Road, Albany) that desires to connect to the North Albany sewer system; and

WHEREAS, the Benton County Environmental Health Division has expressed concerns that the Country Club's private septic system is undersized and failing (letter July 6, 1992) and the cost to install a recirculating gravel filter system is high and would not be a permanent solution; and


WHEREAS, the Spring Hill Country Club, Inc., agrees to pay all costs to design and build and maintain a private pump station and force main to connect to the North Albany sewer system at Old Quarry Road and they further agree to pay all costs necessary to abandon the private pump system and reconnect to the Springhill Road public sewer system at such time as that public system is constructed and agree to pay a sewer systems development charge (SDC) when they apply for a plumbing permit; and

WHEREAS, Chapter 10.16.300 of the Albany Municipal Code (In-lieu-of Assessments for the North Albany Sanitary Sewer Basin) provides for an in-lieu-of assessment to be levied at such time as a permit is issued to connect to any sewer constructed as part of the North Albany Sanitary Sewer Local Improvement District Project and that the amount of the in-lieu-of assessment shall be equivalent, as far as possible, to the benefit received as determined by the Public Works Director and approved by the City Council by resolution; and

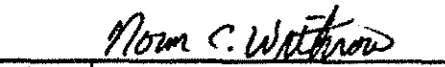
WHEREAS, the pump station and force main that the Spring Hill Country Club, Inc., proposes to construct can discharge approximately 125 times the volume of effluent that is normal from a single dwelling unit to the public sewer system. Therefore, the interceptor in-lieu-of assessment of \$48,477.19 (125 times the Interceptor assessment for a theoretical minimum sized lot of 1/4 acre) and a collector in-lieu-of assessment of \$5997.86 (the collector assessment for a single benefit), or a total in-lieu-of assessment of \$54,475.05 shall be levied at such time as a permit is issued to connect to the sewer. Furthermore, an additional future collector assessment, based upon front footage adjacent to the future public Springhill Road sewer, shall be levied at such time as that sewer is constructed;

NOW, THEREFORE, the Albany City Council, by this resolution, hereby determines that the amount of in-lieu-of assessment that shall be levied upon the property located at 155 Country Club Road, Albany as set forth in Chapter 10.16.300 of the Albany Municipal Code shall be \$54,475.05. This in-lieu-of assessment shall be recalculated if the sewer connection permit is applied for after July 1, 1993. In-lieu-of assessment fees shall be deposited into the North Albany Sewer Bond Revenue Department (02-935-44134).

DATED this 26th day of May, 1993.

  
Mayor

ATTEST:

  
Deputy City Recorder





250 BROADALBIN SW  
PO BOX 490  
ALBANY, OR 97321  
(503) 967-4300  
FAX (503) 967-4330

ATTACHMENT E

November 16, 1992

NOV 16 1992

Val Nova  
Springhill Golf and Country Club  
155 Country Club NW  
Albany, OR 97321

Dear Country Club:

**SUBJECT: Connection to North Albany Sewer System**

In light of additional information received (July 6, 1992) from the Benton County Environmental Health Division, the City has reevaluated your request to connect to the North Albany sewer system. A temporary connection will be allowed if the following requirements are executed:

A. Country Club will **PAY ALL COSTS** to design, build, and maintain a private pump station and force main. The City will review plans through the permit process and approve the location of the proposed line. Benton County may also have to approve and grant permit for portions within their right-of-way. Country Club will acquire and record all necessary easements. The temporary private line must be constructed so that its location will not impact the construction of future public utilities. The location of the pressure line must be identified with marking tape and above-ground warning posts. Country Club will be required to obtain a plumbing permit from the City of Albany's Building Division. The cost of the permit is \$30 for the first 50 feet of private line and an additional \$25 per 100 lineal feet or portion of thereafter, plus a 5% State surcharge.

No additional connections to the force main or pump station will be allowed by others. Additions to flow and/or drains by the Country Club will require approval by the City and an additional connection charge.

B. Country Club signs a **SERVICE AGREEMENT** with the City whereby Country Club agrees pay all costs necessary to build and maintain the private system until the City requires them to abandon the system (at Country Club's cost) and connect to a new "Springhill" public system. The Service Agreement is enclosed for the proper notarized signature(s).

C. Country Club will sign a **PETITION FOR IMPROVEMENT AND WAIVER OF REMONSTRANCE** for participation in future sewer Local Improvement District for the "Springhill" area and for Country Club Road. Using the assessment methodology recommended below, the Country Club will be paying an interceptor assessment for the system into which they are temporarily connecting. Therefore, they will only have to pay a future collector assessment based upon their front footage for the future permanent "Springhill" sewer system. The Petition for Improvement and Waiver of Remonstrance is enclosed for the proper notarized signature(s).

D. Country Club agrees to pay appropriate **QUARTERLY USER CHARGES**. Utility Billing has estimated that the quarterly user charge would be between \$500 and \$1500 per quarter beginning the first quarter after paying the Systems Development Charge.

↑ annexed  
prices

IN SUMMARY, if the Country Club still desires to temporarily connect to the North Albany public sewer system, they must:

- A. Complete all design/build requirements outlined above;
- B. Notarize and return enclosed service agreement;
- C. Notarize and return enclosed petition and waiver;
- D. Promptly pay all future quarterly user charges;
- E. Pay systems development charge when plumbing permit is issued;
- F. Pay assessment when final assessment notices are mailed (approximately March 1993);

Please review this letter and contact me directly if you need any clarifications.

Sincerely,



Jennifer Richardson, P.E.  
Engineering Associate II

sjg

Enclosures

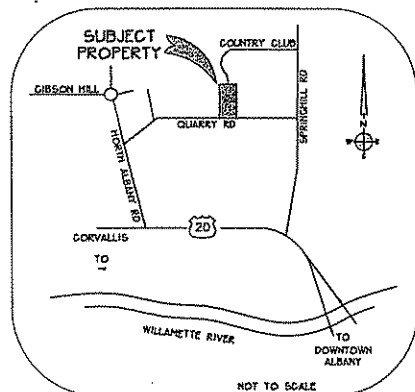
- c: Howard Kraus, K & D Engineering  
Ron Smith, Environmental Health Division, Corvallis  
Hank Stream, Building Codes  
Diane Wood, Finance Department  
Pete Brandstetter, Engineering Department

LINKS CLUB ESTATES  
TENTATIVE PLAT

FOR  
PERRY PACKARD

LOCATED IN  
THE SW 1/4 OF SEC. 31, T. 10 S., R. 3 W., W.M.  
CITY OF ALBANY, BENTON COUNTY, OREGON

JULY 3, 2006  
REVISED OCTOBER 5, 2006  
REVISED NOVEMBER 7, 2006  
REVISED NOVEMBER 20, 2006  
REVISED FEBRUARY 12, 2008



VIICINITY MAP  
NOT TO SCALE

PROJECT AREA:

160,508 SF, (3.69 ACRES)

PROJECT STATISTICS

GROSS AREA: 160,508 SF, (3.69 ACRES)  
R-O-W DEDICATION: 31,642 SF, (0.73 ACRES)  
LOT IMPROVEMENTS: 128,046 SF, (2.94 ACRES)

LOTS:

TOTAL: 12 LOTS

MINIMUM LOT SIZES:

SINGLE FAMILY RESIDENCE  
MINIMUM LOT SIZE: 8,063 SF  
AVERAGE LOT SIZE: 10,671 SF

NOTES:

- 1) TOPOGRAPHICAL DATA BASED ON CITY OF ALBANY C.I.S.
- 2) BEARINGS AND DISTANCES BASED ON RECORD INFORMATION.

OWNER / DEVELOPER:

PERRY + JOAN PACKARD  
RICHARD THOMAS  
14390 AMBERWOOD CIRCLE  
LAKE OSWEGO, OREGON 97035  
(503) 968-2614  
GENE + MARGARET KLINGLER  
245 QUARRY RD.  
ALBANY, OREGON 97321

ENGINEER / SURVEYOR:

DANIEL K. WATSON, P.E.  
K+D ENGINEERING, INC.  
276 N.W. HICKORY STREET  
ALBANY, OR 97321  
(541) 928-2583

SUBJECT PROPERTY:

TAX LOT: 900, 902  
ASSESSOR'S MAP: 10-3W-31

ZONING:

CURRENT: RR (RESIDENTIAL RESERVE)

CURRENT USE:

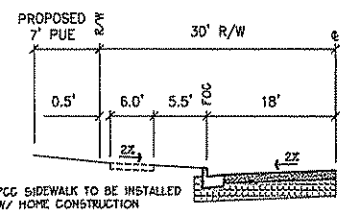
EXISTING HOUSE

FLOOD ZONE:

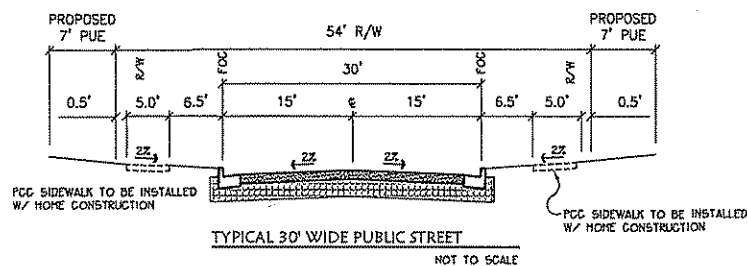
ZONE 'X', AREAS OF MINIMAL FLOODING.  
ZONE 'AE', AREA WITHIN 100 YR FLOODPLAIN  
BASE FLOOD ELEVATION ON SITE, 196.5 - 197.3  
FIRM (FLOOD INSURANCE RATE MAP)  
No. 410137-0001 F, DATED JULY 7, 1999

LEGEND

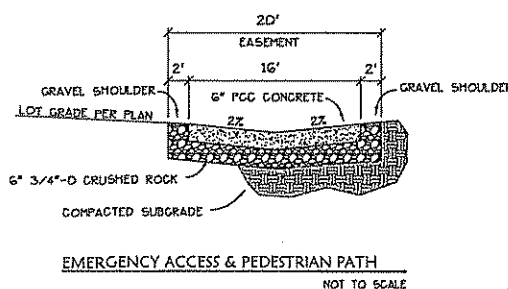
- W — EXISTING WATER MAIN
- 8" — FUTURE WATER MAIN
- SS — EXISTING SANITARY SEWER
- 10" — FUTURE SANITARY SEWER
- ⊙ — FUTURE HANHOLE, S.S. / S.D.
- SD — FUTURE STORM DRAIN, MIN. SLOPE 0.20%
- — FUTURE SIDEWALK
- — FEMA 100 YR FLOODPLAIN ZONE 'AE'



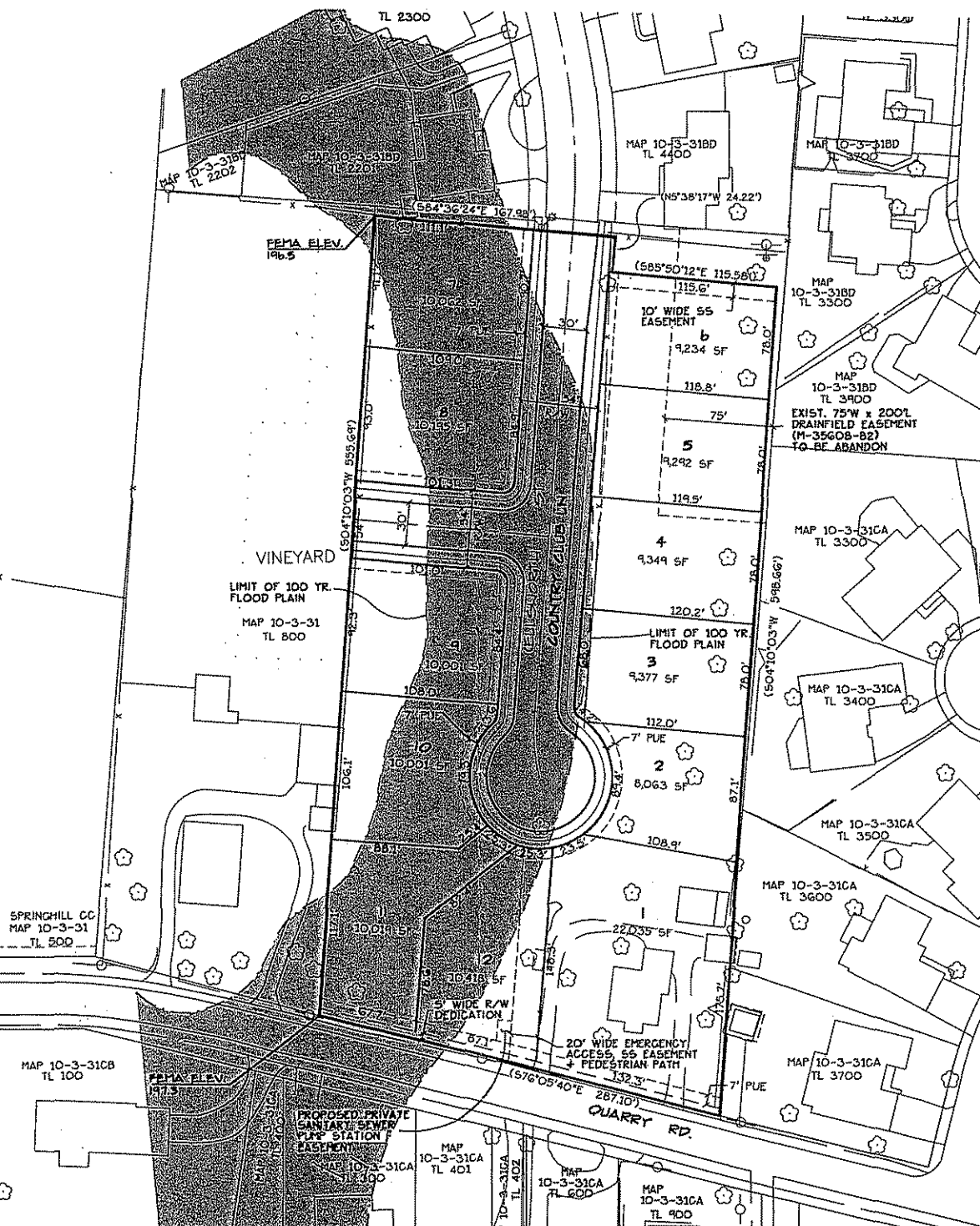
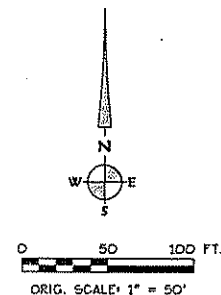
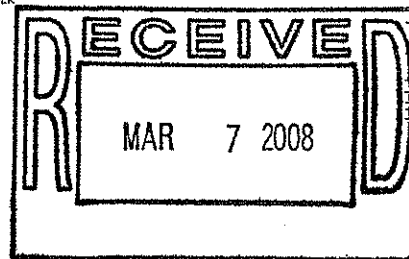
TYPICAL QUARRY RD 1/2 STREET  
NOT TO SCALE



TYPICAL 30' WIDE PUBLIC STREET  
NOT TO SCALE



EMERGENCY ACCESS & PEDESTRIAN PATH  
NOT TO SCALE



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View: PLOT Scale: 1"=50'(P5)  
File: dsg\_2004\04-146\04146-2.dwg (Mk-1)  
Xref: 146-bm.dwg

DATE	REVISIONS	BY

K & D ENGINEERING, INC.



276 N.W. HICKORY STREET  
P.O. BOX 725  
ALBANY, OREGON 97321  
(541) 928-2583

LINKS CLUB ESTATES  
TENTATIVE PLAT

CITY OF ALBANY, BENTON COUNTY, OREGON

SITE PLAN  
LOT & UTILITY LAYOUT

VERT. SCALE: 1" = 50'  
SIGN DATE: FEB. 1, 2006  
DSON BY: D.K.W.  
DRAWN BY: M.E.H.  
CHECK BY: D.K.W.  
PROJECT No.: 04-14b

SHEET No.  
1 of 2



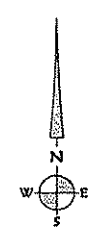
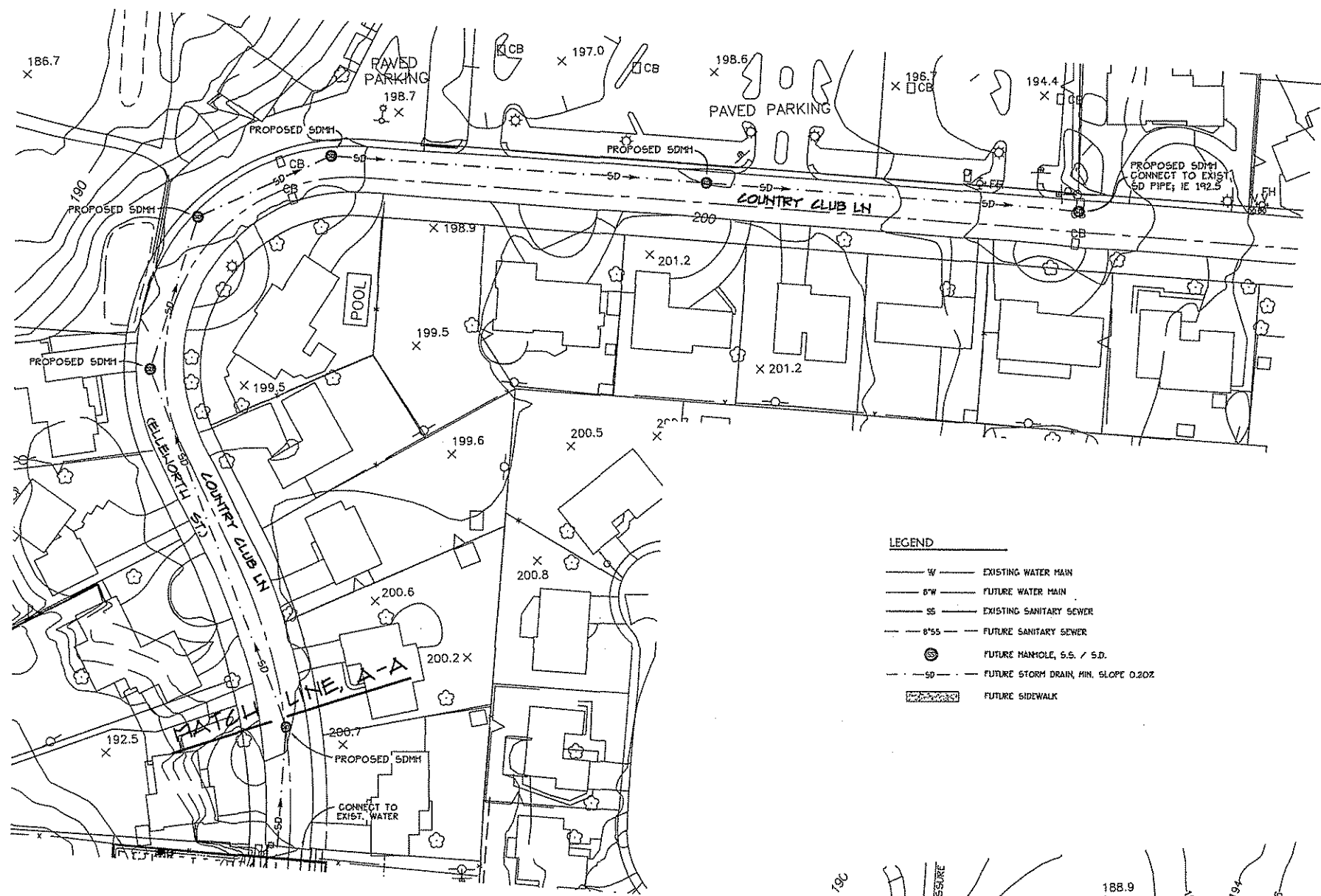
LINKS CLUB ESTATES  
TENTATIVE PLAT

FOR  
PERRY PACKARD

LOCATED IN  
THE SW 1/4 OF SEC. 31, T. 10 S., R. 3 W., W.M.  
CITY OF ALBANY, BENTON COUNTY, OREGON

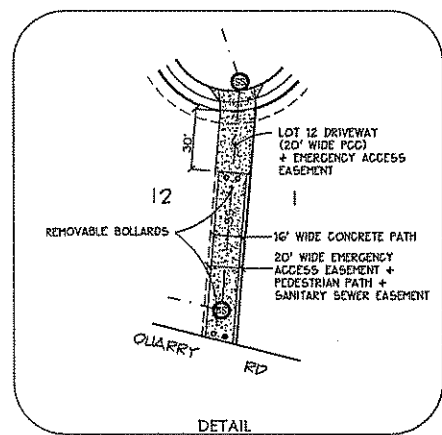
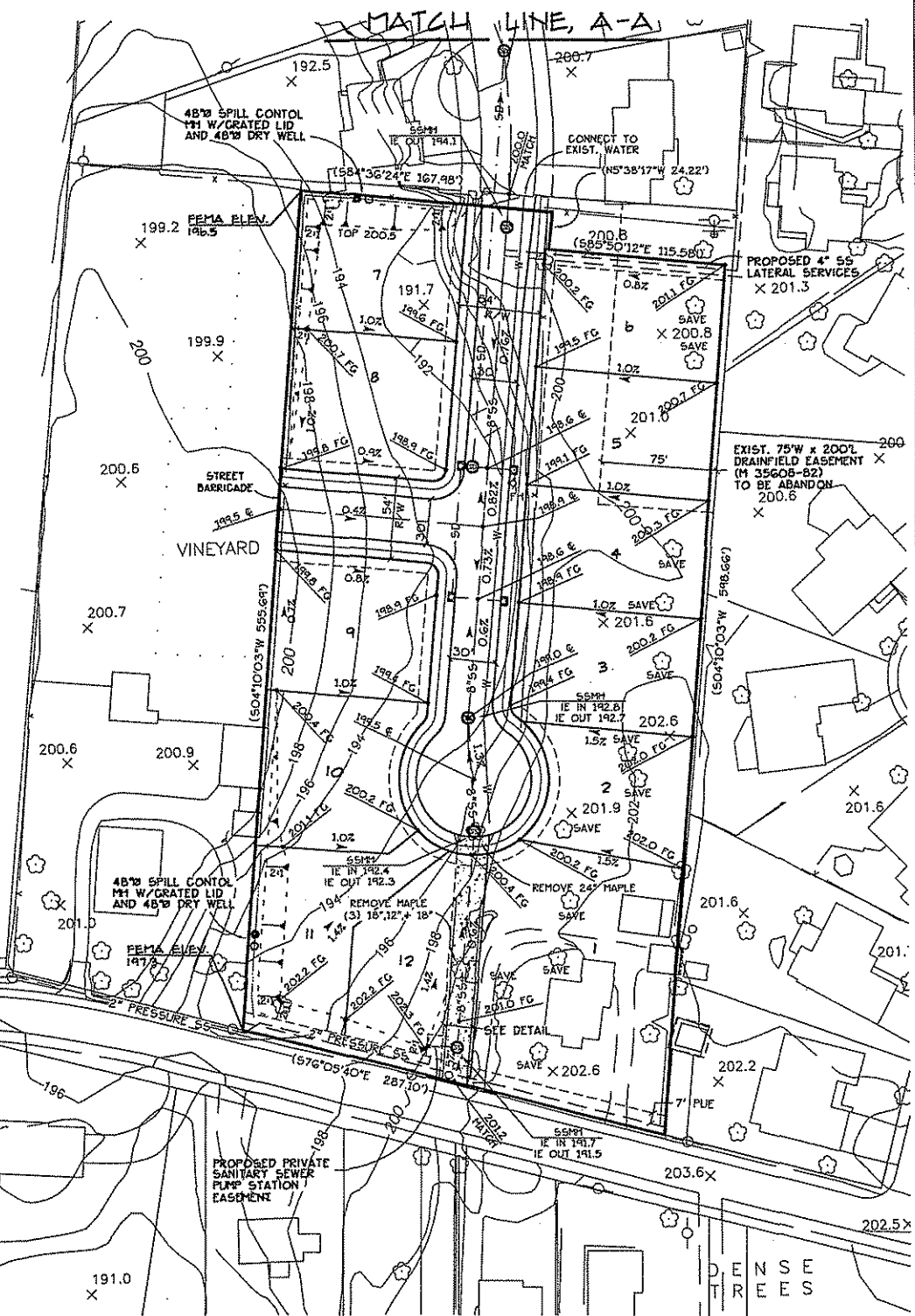
JULY 3, 2006  
REVISED OCTOBER 5, 2006  
REVISED NOVEMBER 7, 2006  
REVISED NOVEMBER 20, 2006  
REVISED FEBRUARY 12, 2008

0 50 100 FT.  
ORIG. SCALE: 1" = 50'

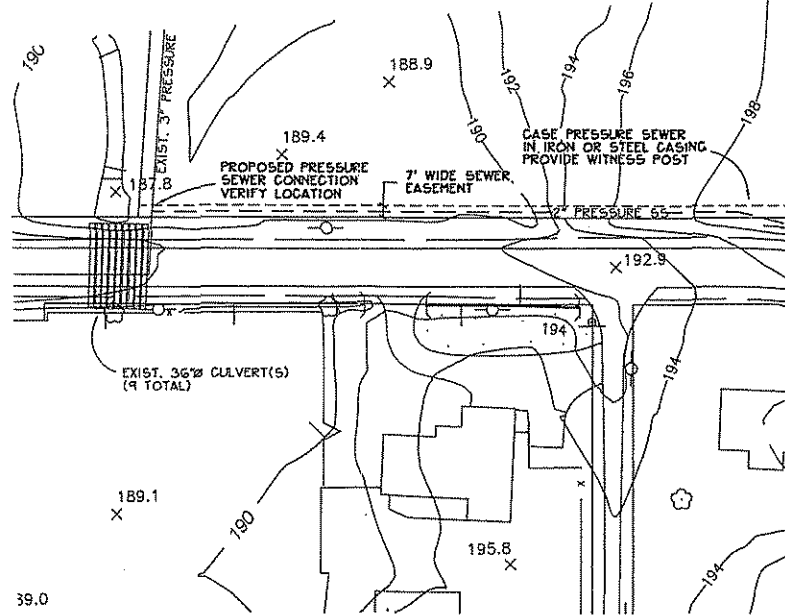


LEGEND

- W — EXISTING WATER MAIN
- 6" W — FUTURE WATER MAIN
- SS — EXISTING SANITARY SEWER
- 8" SS — FUTURE SANITARY SEWER
- ⊙ — FUTURE MANHOLE, S.S. / S.D.
- SD — FUTURE STORM DRAIN, MIN. SLOPE 0.20%
- — FUTURE SIDEWALK



ACCESS EASEMENT & PEDESTRIAN PATH  
NOT TO SCALE



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View: PLOT Scale: 1"=50'(P5)  
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Xref: 146-bm.dwg

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DATE	REVISIONS	BY

**K & D ENGINEERING, INC.**

**K & D**

276 N.W. HICKORY STREET  
P.O. BOX 725  
ALBANY, OREGON 97321  
(541) 928-2583

LINKS CLUB ESTATES  
TENTATIVE PLAT

CITY OF ALBANY, BENTON COUNTY, OREGON

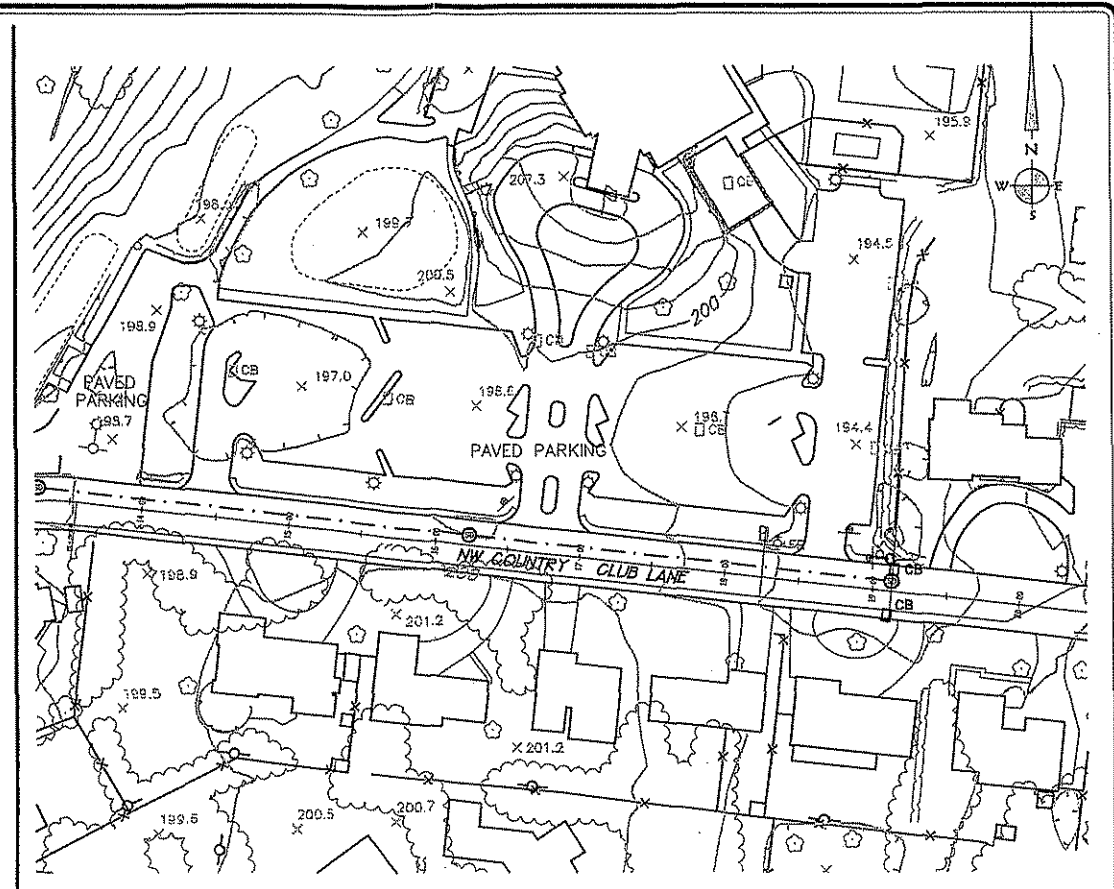
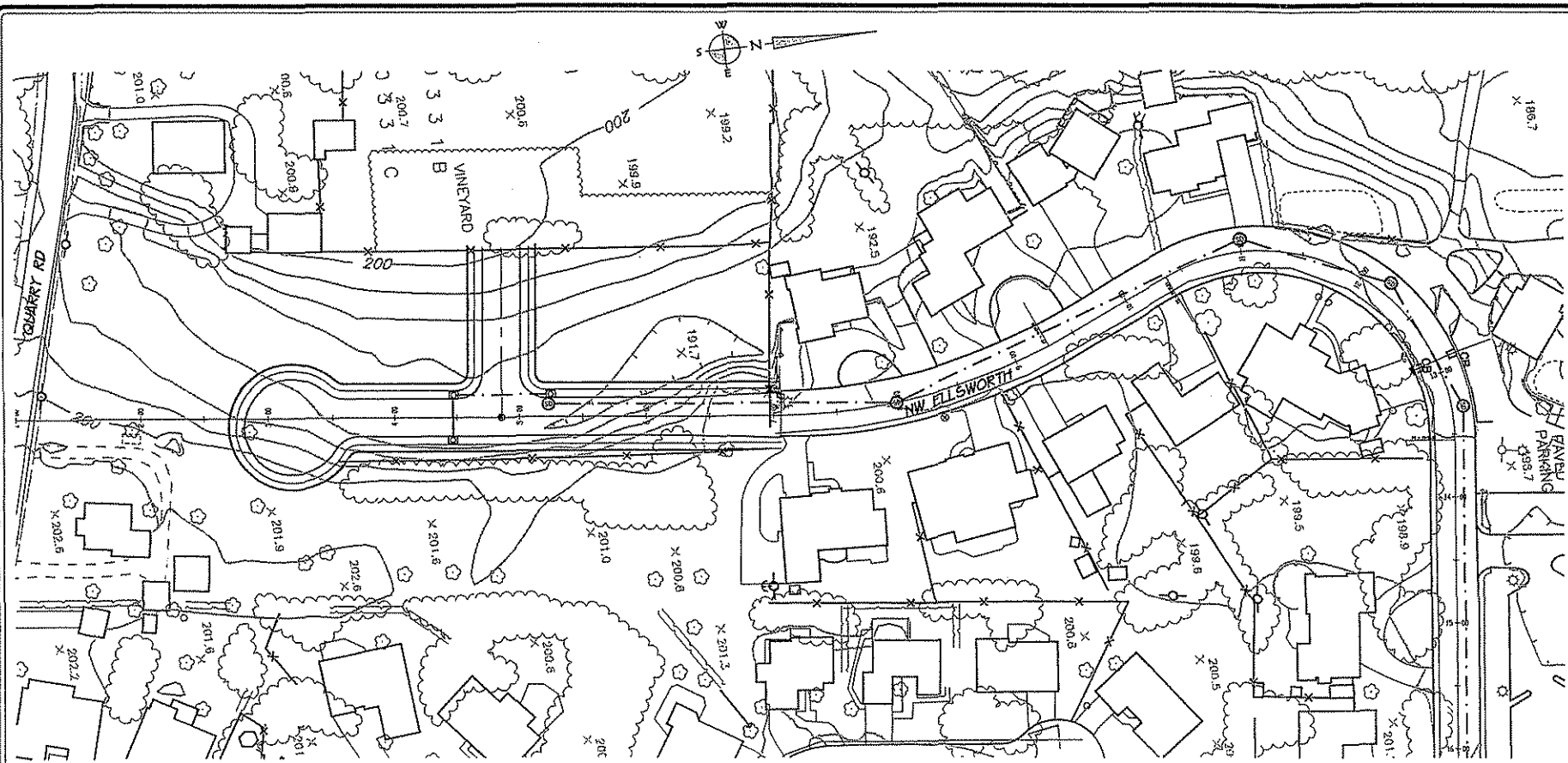
GRADING PLAN  
& UTILITY LAYOUT

HORIZ. SCALE: 1" = 50'  
VERT. SCALE:                      

SIGN DATE: FEB. 1, 2006  
DESIGN BY: D.K.W.  
DRAWN BY: M.E.H.  
CHECK BY: D.K.W.  
PROJECT No.: 04-14b

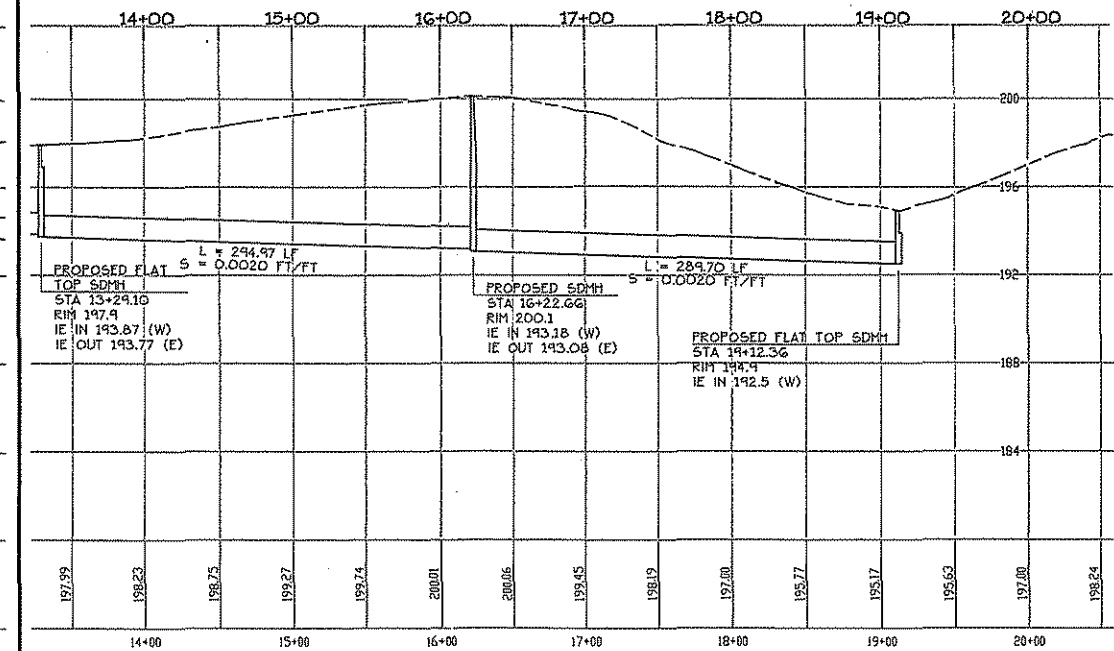
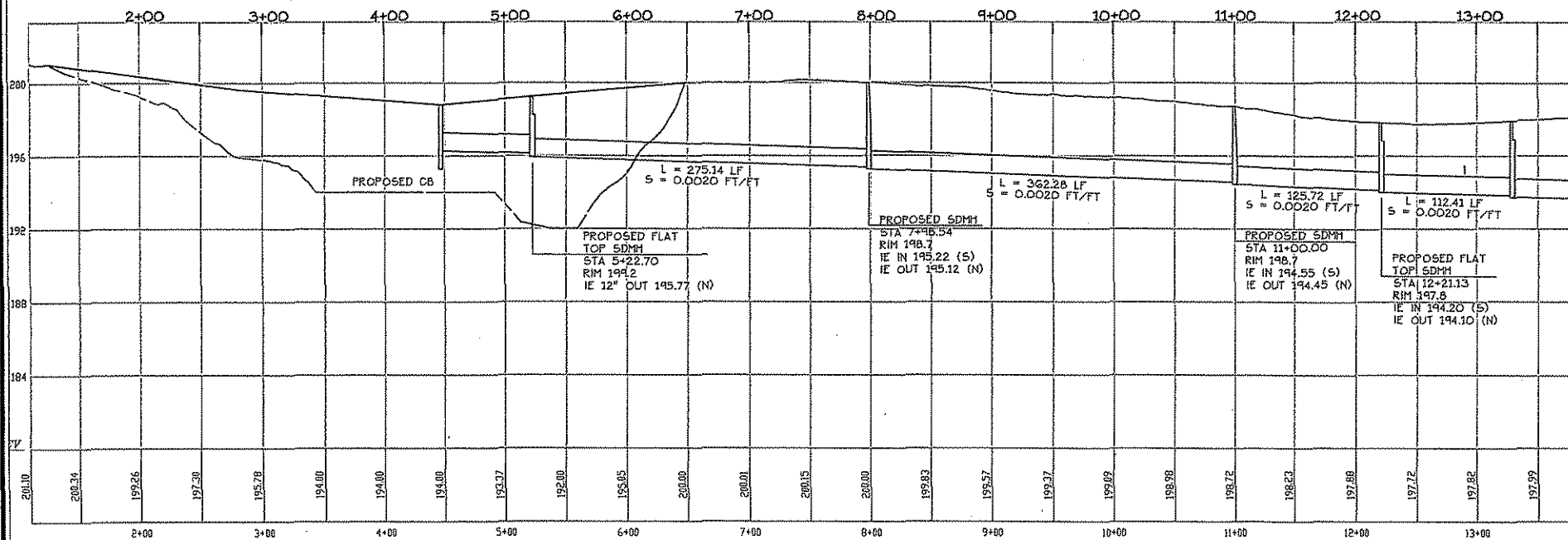
SHEET No.  
2  
of  
2

pg 14a



HORZ. 1" = 60'  
VERT. 1" = 4'

HORZ. 1" = 60'  
VERT. 1" = 4'



Date: 3/5/2008 Time: 11:20  
View: PLOT Scale: 1"=60'(P5)  
Files: d:\2004\04-14\146\glsxh1.dwg (Hrs: H)  
Xrefs: gls-bm.dwg

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DATE	REVISIONS	BY

**K & D ENGINEERING, INC.**



276 N.W. HICKORY STREET  
P.O. BOX 725  
ALBANY, OREGON 97321  
(541) 928-2583

**LINKS CLUB ESTATES**

CITY OF ALBANY, BENTON COUNTY, OREGON

**EXHIBIT FOR  
OFFSITE STORM DRAIN**

HORZ. SCALE: 1" = 60'  
VERT. SCALE: 1" = 4'  
SIGN DATE:  
DSGN BY: DKW  
DRWN BY: MEH  
CHKD BY: DKW  
PROJECT No.: 04-14b

SHEET No. \_\_\_\_\_

pg. 11



TO: Don Donovan, Planning Manager  
FROM: Gordon Steffensmeier, Civil Engineer III *Gordon Steffensmeier*  
DATE: March 18, 2008  
SUBJECT: Review of new submittals for Links Club Estates

I have reviewed K & D's recent storm drainage submittals for Links Club Estates. I will present my findings and conditions on these new submittals below. I will also reiterate some of the Public Works findings and conditions concerning the proposed sanitary sewer system.

#### **Storm Drainage**

##### **February 14, 2008 "Drainage Study, Country Club Lane Alternative"**

Unlike the previous proposed plan, this new storm drainage plan does not route the drainage from the subdivision west on Quarry Road to the culverts. Instead, the new plan directs the storm drainage north and east along Country Club Lane to the Public storm drainage system at the eastern edge of the Country Club site. The proposed system includes 1,460 feet of new 12-inch storm drainage pipe that will connect into the existing 12-inch main in Country Club Lane. The applicant's submittal shows that there is capacity to accommodate a 25-year rainfall event in both the proposed new storm drainage pipes and in the system downstream of the connection point.

When the Country Club built their new Country Club and parking lot in 2000, the public storm drainage system north of Country Club Lane was re-routed. The drainage that had flowed north through a ditch to the main golf course drainageway got picked up and re-routed west through an 18-inch pipe in the center of the new parking lot to the main golf course drainageway. The development of the new country club occurred under Benton County permits. The City can find no record of a public storm drainage easement being granted over the 18-inch storm drainage main. The Public Works Department will require that the City receive an easement over the drainageway north of the Country Club Lane right-of-way and the 18-inch main in the Country Club parking lot before we allow more Public street run-off to be directed to that system. The City must have an easement so that in an emergency the City will be able correct problems that may be causing flooding on City streets.

##### **March 4, 2008 "Packard Subdivision, Drywell design"**

The proposed storm drainage system that would flow through the Country Club parking lot would not be deep enough to drain the neighboring properties at the northwest and southwest corners of the subdivision. The applicants have proposed to provide drainage for those neighboring properties by installing drywells on the subdivision. The drywell design is based on the City of Portland's Stormwater Management Manual. City Engineering staff have determined that the Portland manual only requires the drywell to handle the run-off from impervious surfaces. In this case the applicants must size the drywell to accommodate both the impervious surfaces and the vegetated areas that flow onto the subdivision. Based on the percolation testing information submitted by the applicant, the applicants will be able to accommodate all of the neighbor's run-off by enlarging their proposed drywells.

The applicants have proposed to construct "private" drywells. The applicant will not be allowed to direct stormwater run-off from Quarry Road right-of-way into the private drywell. The southwest drywell may be eliminated if the applicant is able to fill both the subdivision and the neighbor's site such that a drywell is not needed at the southwest corner.

Drywells are regulated by the Oregon Department of Environmental Quality, (DEQ). The applicants must obtain a permit from DEQ before constructing a drywell and before receiving City Site Improvement permit approval, if drywells are part of the approved subdivision plans.

**Possible alternate storm drainage route**

Engineering staff have determined that it is possible to drain the proposed subdivision by a shorter route than that proposed. A route that extended north from the subdivision along Country Club Lane and north past the golf Pro-shop to the main golf course drainageway would be the most direct route. That system would only require 925 feet of pipe and the pipe could be installed at a depth which would eliminate the need for drywells at the north and south ends of the project. Engineering staff would approve this storm drainage system if the applicants are able to provide the City with an easement over the pipe north of the Country Club Lane right-of-way.

**Stormwater Conditions of approval**

The applicants shall employ one of the following two systems to provide storm drainage to the subdivision.

1. The applicants shall install a public storm drainage main from the subdivision to the existing 12-inch main in Country Club Lane at the east end of the Country Club. The applicants shall also provide the City with an easement over the drainageway north of the Country Club Lane right-of-way and the existing 18-inch private system in the Country Club parking lot. The applicants shall also install private drywells at the northwest and southwest corners of the site to provide drainage for the neighboring properties. Public right-of-way run-off cannot be directed to the private drywells. With the neighbor's cooperation, the applicant could fill the subdivision and the neighbor's property to eliminate the need for a drywell. The applicants must provide the City with a copy of the Oregon DEQ's approved permit if drywells are part of the final approved engineering plans. The approved permit must be obtained before beginning construction of the subdivisions infrastructure and before filling of the site.

**OR**

2. The applicants shall install a storm drainage main from the subdivision north along Country Club Lane and north past the golf Pro-shop to the main golf course drainageway. The applicants could eliminate the requirement for installing drywells if the storm drain line has sufficient depth to drain the neighboring properties. The applicants shall provide the city with an easement over the pipe north of the Country Club Lane right-of-way.

**Sanitary Sewer**

The applicant has received past assurances from City staff and Council that a private sanitary sewer system would be allowed. Because the applicants have received those assurances in the past staff concludes that the proposed private system, built to public sewer standards, is acceptable.

The proposed sewer system includes connecting a forced main from the subdivision to the private force main serving the country club. The country club's North Albany Sewer in-lieu-of-assessment agreement was based on the capacity of the pump station and the force main system. Because of that agreement, the pressure main size and the country club's pump capacity cannot be increased. The applicant must work cooperatively with the country club to have the 2-inch forced main work for both developments.

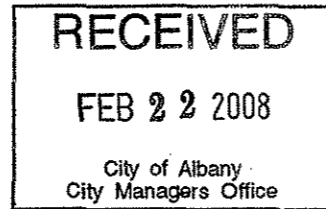
**Sanitary Sewer Conditions of approval**

1. The proposed private sewer system must be built to public sewer standards. The private sewer plans must be reviewed by the Engineering division. The sewer must be installed at a depth that would allow it to be incorporated into the public system at some future date.
2. The existing 2-inch forced main cannot be enlarged. Both the Country Club and the subdivision must share the same 2-inch forced main.

gps

c: Mark Shepard, City Engineer  
Jeff Blaine, Assistant City Engineer

2-20-08



TO THE ALBANY CITY COUNCIL :

We are concerned about the sewer-lift station that will be on the proposed Parkard Subdivision at 245 Quarry Rd. in Albany; we live next door at 325 Quarry Rd. We do not want the sewer-lift station (sewer-pump station) any near our property because of the smell and contamination.

All equipment breaks down at one time or another. The resulting overflow contaminates the area with sewage. City and state lift stations are checked every 24 hours by appointed employees. These stations are also equipped with alarm systems hooked to computers and telephones. The computers notify public works of any problems. The Packard Plan has ~~no~~<sup>no</sup> such system.

Sewer-lift Stations have grinder pumps for cleaning. In spite of this grease builds up and mixes with used tampons, toilet paper, bowel movements, needles, small rugs, mops, etc. All of this has to be vacuumed out . Most cities have a Vac Truck that cleans out the sewer every 6 months. We know the Packard Subdivision will not own a Vac Truck.

There are hundreds of diseases in sewage. The City of Albany will be responsible for any damages to us.

Sincerely, Bruce and Jean Rummerfield

Handwritten signatures in cursive script. The top signature is "Bruce Rummerfield" and the bottom signature is "JEAN Rummerfield".

325 Quarry RD.  
Albany, Or.  
(541) 791-4498

3/17/2008

To: Albany City Council

My wife and I appreciate the Council affording us the opportunity to introduce additional testimony and address the concerns raised during the initial testimony on 1/23/2008.

We initially brought the request to develop the property using the pump station to the City Council at the 11/8/2004 meeting. The Council directed city staff to determine if there was capacity in the existing sewer main to handle the additional load from our project. A year later we received a letter from Gordon Steffensmeier dated 11/7/2005 (attached below). From this letter, it was our understanding that the pump station concept was approved (2<sup>nd</sup> paragraph of the letter states **“We have concluded that we would approve a proposal where the Packard’s proposed subdivision could be served by a private sewer pump station”**). We subsequently have spent over \$200,000 on this project during the three years of working with the city staff on preparing and refining our proposal. Needless to say, we were quite distressed to find the council revisiting the sewer option at the 1/23/08 meeting. Because our understanding was that the sewer issue was resolved, we were not prepared to properly defend on the pump station concept during the 1/23/08 meeting. We hope that the council will honor Mr. Steffensmeier’s letter. We would never have spent the time and money without first knowing this issue was resolved, as we knew that sewer availability was the one item that would have prevented any development on this property. It should be noted that the pump station was not an issue raised by any of the neighbors at the neighborhood meeting or the Planning Commission meeting. Below is the entire testimony given by Bruce Rummerfield during the planning commission meeting. It should be noted that Mr. Rummerfield worked on the city sanitation system as a career before retiring. At the Planning Commission meeting, Mr. Rummerfield made no objection to the reliability or the odor with regard to the pump station. Recently, however, the Rummersfields have raised these items as concerns of theirs. We believe these issues are simply one more effort to throw out as many obstacles, valid or not, as possible to prevent our project.

“Bruce Rummerfield, 325 Quarry Road NW, said he lived in the house to the west of the development that has the floodplain overlapping his driveway. He was concerned that six feet of dirt would place his property about seven feet below grade. He asked how this would affect his driveway and whether it would be underwater all winter. He also asked why a fly line was not proposed to connect his house to the sewer.

He also noted the first plan incorrectly had his out buildings on the subject property. “

It should also be noted that there are other pressurized systems within the city. We are simply requesting the same opportunity be presented to us considering it is unlikely that any other sewer option will be available for many years.

The initial proposal for dealing with the storm water runoff was the option endorsed by the city staff and had the added benefit of aiding the neighbors on the south side of Quarry with some of their water issues. We have redesigned the system so that water is carried to the north and into the city's existing system.

While the Council was deciding on the replacement for Mayor during the January 23<sup>rd</sup> meeting, then Councilor Bedore made a statement to the effect that if a project meets the criteria laid out by the city, he believes the Council is obliged to approve the project. We believe our project meets this test and urge your approval.

Sincerely,  
Perry and Joan Packard, Dick Thomas





TO: Albany City Council

VIA: Don Donovan, Planning Manager *DDH*  
Wes Hare, City Manager

FROM: Heather Hansen, Planner III *HAH*

DATE: March 19, 2008, for the March 26, 2008, City Council Session

SUBJECT: File CP-01-08: Albany Comprehensive Plan (Comp Plan) Text Amendment to incorporate new information from the 2007 Economic Opportunities Analysis (EOA) Update

RELATES TO STRATEGIC PLAN THEME: ● A Healthy Economy

Action Requested:

Adopt the Ordinance amending Albany Comp Plan Chapter 3-Economic Development and adopting the EOA Update as a background report to the Comprehensive Plan.

Discussion

On March 12, 2008, the City Council held a public hearing on the Comprehensive Plan Chapter 3-Economic Development text amendments. Following the public hearing, the City Attorney read the Ordinance that would approve the amendments.

Councilors Konopa, Collins, Christman, and Johnson voted to adopt the Ordinance. Councilor Reid was absent. Councilor Olsen voted no, so a second reading of the Ordinance was carried over to the March 26, 2008, Council meeting.

The Ordinance is included with this memo.

Please contact Heather Hansen ([heather.hansen@cityofalbany.net](mailto:heather.hansen@cityofalbany.net) or 917-7564) if you have any questions about this agenda item.

Budget Impact

None.

hah

Attachments: Ordinance and Exhibits A-C

U:\Community Development\Planning\Current\2008\cp-01-08\0326CC\032608CC\_memo.doc

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. 4447, WHICH ADOPTED THE CITY OF ALBANY COMPREHENSIVE PLAN, BY AMENDING THE ECONOMIC DEVELOPMENT CHAPTER OF THE COMPREHENSIVE PLAN TEXT, ADOPTING FINDINGS, AND DECLARING AN EMERGENCY (FILE NO. CP-01-08).

WHEREAS, from time to time it is appropriate to amend the Albany Comprehensive Plan based on changing conditions; and

WHEREAS, Statewide Planning Goal 9-Economic Development requires that comprehensive plans for urban areas provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies; and

WHEREAS, the City of Albany Economic Opportunities Analysis was updated in 2007 to address changing conditions, and

WHEREAS, on February 24, 2008, the City published notice of the Planning Commission and City Council public hearings on the proposed economic development amendments; and

WHEREAS, on March 3, 2008, the Planning Commission held a public hearing on the proposed amendments and then recommended approval based on the staff report and evidence presented at the public hearings; and

WHEREAS, on March 12, 2008, the Albany City Council held a public hearing concerning the proposed Economic Development amendments; and

WHEREAS, the Albany City Council reviewed the amendments recommended by the Planning Commission and the testimony presented at the public hearing and then deliberated.

NOW THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

The Albany Comprehensive Plan text is hereby amended as shown in the attached Exhibit A for the Economic Development Background Summary section of Chapter 3-Economic Development.

This exhibit, upon adoption of this Ordinance, shall supersede the corresponding section of the former Comprehensive Plan. Language shown in the exhibit as having been struck is removed from the Comprehensive Plan and language shown in bold is added to the existing text.

Section 1: The Economic Opportunities Analysis is hereby adopted as a background document for the Comprehensive Plan update (Exhibit B).

Section 2: The Findings and Conclusions contained in the staff report and attached as Exhibit C are hereby adopted in support of this decision.

IT IS HEREBY adjudged and declared that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Albany, an emergency is hereby declared to exist; and this ordinance shall take effect immediately upon passage by the Council and approval by the Mayor.

Passed by Council: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Effective Date: \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## CHAPTER 3: ECONOMIC DEVELOPMENT

NOTE: The following **bold** section replaces the existing 'Economic Development Background Summary' section. The existing section proposed for deletion is included in ~~strikeout~~ form immediately following this replacement section.

### GOAL 9: ECONOMIC DEVELOPMENT

#### ECONOMIC DEVELOPMENT BACKGROUND SUMMARY

##### Introduction

This chapter addresses Statewide Planning Goal 9: *"To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon citizens."* This section includes information about the city's vision for a healthy economy; economic trends and outlook for growth in Albany; site needs of new and expanding industries; and an inventory of suitable sites in the Albany Urban Growth Boundary (UGB). The next section of this chapter contains policies to ensure adequate opportunities for a variety of economic activities in Albany.

##### Vision

In addition to the economic development policies found in this chapter, the City of Albany Strategic Plan (2007-2012) includes four primary themes that reflect the city's mission and vision statements: Great Neighborhoods, a Safe City, a Healthy Economy, and an Effective Government. Each theme is followed by the City's primary goals in that subject area in the foreseeable future.

The stated goal for *Healthy Economy* is:

*"Enhance the value and diversity of Albany's economy through building on Albany's status as a regional center of manufacturing, retail services, finance, health care, tourism, and government; creating a readily identifiable downtown core that is unique and vibrant with a mixture of entertainment, housing, specialty shops, offices, and other commercial uses; and achieving a healthy balance of housing and jobs."*

##### Albany Economic Profile

The Albany area is the center of one of the most diversified non-metropolitan economies in Oregon. Although the traditional wood-products and agricultural industries continue to be important parts of the local economy, the area's business environment has become much more diverse over the last three decades. The local economy is now based upon many other activities, such as the production of specialty metals, finished building products, transportation-related services, and agricultural products including foodstuffs and their processing. As with other communities throughout the state and nation, the trade and services sectors are becoming a more important part of the local economy. In 2003, the Albany economy was led by the services (including health care), government, retail trade, and manufacturing sectors.

Many important area industries and economic endeavors originated locally. The specialty metals industry developed in Albany as a spin-off of research conducted at the Albany Research Center of the U.S. Bureau of Mines. Because of this local research, Albany is one of the world's leading producers of specialty metals such as zirconium and titanium. The specialty metals company ATI-Allvac is located in Albany, as well Pacific Cast Technologies, which specializes in investment cast titanium parts. The aerospace, defense and nuclear industries, among others, depend on products manufactured by these local firms.

Other local manufacturing activities with national and international markets include the production of finished building products (notably Golden West Homes), transportation-related services (Target

Distribution Center), and agricultural products and their processing (Smokecraft, National Frozen Foods, and Oregon Freeze Dry). Another successful and growing local firm is Tec Labs. Albany has attracted several other industries over the past 20 years, such as Synthetec, Panolam Industries (originally Domtar), and Allann Brothers Coffee Company.

### **Economic Opportunities Analysis**

A key tool in Goal 9 planning is the Economic Opportunities Analysis (EOA). The EOA compares the demand for employment land (industrial, retail, office, warehousing, etc) with the existing supply of such lands. The main purpose of the EOA is to determine if the City has an appropriate range of employment sites to accommodate expected growth over the 20-year planning period. An update to the 2002 EOA was completed in 2007 to address changes to state EOA guidelines, recent development activity, overall growth in Albany, and development constraints not accounted for previously.

The 2007 EOA Update is adopted as a background document to the Comprehensive Plan. It includes information on the following, a summary of which is provided in this section:

- Economic trends and outlook for growth in Albany
- Demand for commercial and industrial land in Albany
- Site needs
- Inventory of suitable sites
- Comparison of employment land demand and supply

#### **Potential growth industries**

A primary comparative advantage in Albany is its location on I-5 and central location in the Willamette Valley. This makes Albany attractive to businesses that need easy access to I-5, and Highways 99, 20 and 34.

The industries that have shown growth and business activity in Linn and Benton Counties over the past few years are indicative of businesses that might locate or expand in Albany. The characteristics of Albany will affect the types of businesses most likely to locate in Albany:

- **Warehousing and transportation.** Albany's access to I-5 and central location within the Willamette Valley make Albany attractive to warehousing and distribution firms. Large warehouse facilities that serve large areas appear to favor central locations, similar to Albany's location.
- **Manufacturing.** The type of manufacturing businesses likely to locate in Albany are those that need easy access to transportation, a skilled labor force, proximity to existing businesses, or proximity to agricultural production. Examples include: recreational vehicle manufacturers or suppliers, food processors, metals manufacturers, and other specialty manufacturers.
- **Retail and local government.** Population growth will drive the growth of retail and local government. Albany may attract a variety of retailers as it grows, including: national large format retailers, grocery stores, restaurants, and specialty retailers.
- **Health care and government services.** Health care and government services, especially schools, will grow as population increases.

#### **Site requirements for new and expanding firms**

The EOA is required to identify the number of sites reasonably expected to be needed for the 20-year planning period. Types of needed sites are based on the site characteristics typical of expected uses. The analysis is presented in aggregate and by major uses (e.g., industrial and retail/services) in the EOA.

Firms wanting to expand or locate in Albany will be looking for a variety of site and building characteristics, depending on the industry and specific circumstances. Firms in all industries rely on

efficient transportation access and water, sewer and energy infrastructure, but may have varying need for parcel size, slope, configuration, and buffer treatments.

Employment growth in Albany is expected in each of the categories defined by type of land use: Retail and Services, Industrial, and Government. There are a wide variety of firms within each of these categories, and the required site and building characteristics for these firms range widely. As such, a variety of parcel sizes, building types, and land use designations in Albany are required to accommodate expected growth.

The EOA indicates that Albany needs to provide between 146 and 245 sites to accommodate employment growth between 2007 and 2027. The largest sites (50 acres and larger) will be needed for development by major industries, such as large manufacturing firms or transportation and warehousing firms. Industrial development will also require smaller sites. The majority of the smallest sites (2 acres and less) will be used for other employment, such as retail, services, government, and institutional uses.

#### Suitable sites inventory

Statewide Planning Goal 9 requires cities to provide an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and other employment uses. An adequate land supply provides sites suitable for the 20-year planning period, as well as for the short-term to meet development opportunities as they occur. This is necessary to accommodate a varied range of small, medium and large employers, for new and expanding businesses, and to ensure land is available for immediate development.

Part of the 2007 EOA Update includes a buildable lands inventory and analysis of site suitability. It summarizes the acreage and number of sites in Albany that are suitable for industrial and other employment uses. It is based on recent development data, environmental constraints, verification with recent aerial photos, exclusion of small remnants of land, trends in residential development on employment lands, and land that is in the process of being developed.

At the time the 2007 EOA Update was completed, there were 418 acres considered to be suitable employment land within the Albany UGB. Of those, 318 acres are considered available and serviceable in the short-term (0-2 years). This includes an approximately 59-acre property located east of Interstate 5 that is certified by the State's Certified Industrial Lands program.

The 418 acres of employment land represent a total of 138 sites, of which 63 are available in the short-term. Of the 63 suitable short-term sites, 34 are designated for commercial, and 29 are designated industrial. Most of these sites are less than 5 acres. However, Albany has 10 suitable employment sites that are 5 acres or larger. Of these, 3 are designated for commercial use and 7 are designated for industrial use.

The long-term sites, which are either currently outside the city limits or would require redevelopment, are expected to be available later in the 20-year planning period. Of these 75 suitable long-term sites, 31 are designated for commercial or other employment and 44 are designated industrial. Only 6 of the sites are 5 acres or more.

#### Comparison of employment land demand and supply

The EOA Update analysis compares industrial and commercial site need with suitable site supply within the Albany UGB between 2007 and 2027. The information is presented by site size ranges, e.g., very large (50-150 acres), large (20-50 acres), and medium (5-20).

In summary, the 2007 EOA Update indicates that while Albany has a number of sites that are suitable for meeting the community's short- and long-term needs for buildable employment land, relative to demand, there is an unmet need for approximately 225-340 industrial and commercial acres. Overall, Albany needs the following types of sites:

- A very large industrial site (50-150 acre range);

- Several large commercial, industrial or business park sites (20-50 acre range); and
- Several medium commercial and industrial sites (5-20 acre range).

In order to meet identified large site requirements, Albany would either add land to the existing Urban Growth Boundary (UGB), re-designate residential lands within the existing UGB that are deemed suitable for employment uses, or a combination of both. These sites should meet the site suitability requirements of the expected industries and businesses.

## **GOAL 9: ECONOMY**

### **ECONOMIC DEVELOPMENT BACKGROUND SUMMARY**

#### **INTRODUCTION**

Statewide Planning Goal 9 requires that comprehensive plans for urban areas be based on inventories of areas suitable for increased economic growth and activity after taking into consideration the health of the current economy. This chapter provides a summary of Albany's economy, projections for growth, and policies to ensure adequate opportunities for a variety of economic activities in Albany. The challenge for the years ahead will be to keep Albany's economic base healthy for residents and businesses, in order to provide the necessary revenue to maintain the City's services and environmental diversity while maintaining its quality of life. The Albany Economic Opportunities Analysis (2000) contains this analysis and forecasts future job growth and land needs.

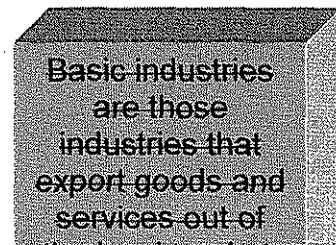
#### **THE DEVELOPMENT OF ALBANY'S ECONOMY**

The Albany Millersburg area is the center of one of the most diversified non-metropolitan economies in Oregon. Although the traditional wood products and agricultural industries continue to be important parts of the local economy, the area's business environment has become much more diverse over the last three decades. The local economy is now based upon many other activities, such as the production of reactive metals, finished building products, transportation related services, and agricultural products including foodstuffs and their processing. As with other communities throughout the state and nation, the trade and services sectors are becoming a more important part of the local economy. In 1999, the Albany economy was led by the services, retail trade, manufacturing and government sectors.

Many important area industries and economic endeavors originated locally. The reactive metals industry developed in Albany as a spin-off of research conducted at the Albany Research Center of the U.S. Bureau of Mines. Because of the primary metals industry, Albany is one of the world's leading producers of rare metals such as zirconium and titanium. Area rare metal industries include Oregon Metallurgical Corporation, Wah Chang, and Pacific Cast Technologies. The aerospace, defense and nuclear industries, with many others, depend on products manufactured by local rare metals firms.

Other local manufacturing activities with national and international markets include the production of finished building products (notably Golden West Homes), transportation related services (Target Distribution Center), and agricultural products and their processing (Smokecraft, National Frozen Foods, and Oregon Freeze Dry). Another successful and growing local firm is Tee Labs. Albany has attracted several other industries over the past 20 years, such as Sonic Blue (originally Supra), Synthetec, Hopton Technology, Panolam Industries (originally Domtar), and Allann Brothers Coffee Company.

#### **EMPLOYMENT TRENDS 1990-1999**



Continuing the trends of the 1980s, the biggest shift in Albany's employment between 1990 and 1999 occurred in the services and manufacturing sectors. Despite this shift from the manufacturing sector to the retail and services sectors, manufacturing will continue to be a mainstay of Albany's economy. The Albany area (including Millersburg) has a basic to non-basic (manufacturing to non-manufacturing) job ratio twice that of the state as a whole.

Total employment declined in Albany, Linn and Benton Counties and Oregon between 1997 and 1999, paralleling the national slowdown in the manufacturing and high tech sectors. Between June 2000 and June 2001, Oregon experienced the largest annual job loss in almost 10 years, losing 15,900 jobs. Transportation equipment manufacturing, lumber and wood products, machinery and metals manufacturing, and technology industries have all experienced large reductions in employment in the last year. Fortunately, Oregon's agriculture industry has remained stable, actually adding jobs over the past 10 years.

The total number of covered payroll jobs reported for Albany in 1999 was 20,668<sup>†</sup>, which converts to approximately 24,590 total jobs in 1999. Table 1 ranks Albany's industry sectors by both number of employees and payroll for 1999.

**Table 1. Albany Industry Sector Rank by Payroll and Employees, 1999**

Industry Sector	Covered Payroll	Payroll Rank	Covered Employees	No. Employees Rank	Percent of Total Empl.	Ave. Salary per Employee	Average Salary Rank
Agricultural Services	\$5,765,669	9	355	9	2%	\$16,241.32	8
Construction	\$30,928,872	5	929	5	4%	\$33,292.65	2
Manufacturing	\$122,995,316	1	3,441	4	17%	\$35,744.06	1
Trans., Comm., & Utilities	\$26,094,095	7	871	6	4%	\$29,958.78	5
Wholesale Trade	\$18,139,432	8	581	8	3%	\$31,221.05	4
Retail Trade	\$66,195,451	4	4,083	3	20%	\$16,212.45	9
Finance, Ins., & Real Estate	\$26,982,325	6	839	7	4%	\$32,160.10	3
Services	\$118,592,517	3	5,130	1	25%	\$23,117.45	7
Government	\$121,511,105	2	4,412	2	21%	\$27,541.05	6
<b>TOTALS</b>	<b>\$537,204,782</b>		<b>20,659</b>		<b>100%</b>		

—Source: ES-202 data for the 97321 zip code provided by the Oregon Employment Dept. Compiled by the City.

Wage and salary employment in the Services sector increased from 10% in 1978 to 21% in 1990, and then again to 25% in 1999. Albany's Manufacturing sector dropped from 31% of all wage and salary employees in 1978 to 22% in 1990, and again to 17% in 1999.

Trade and services accounted for 45% of covered employment in 1999 and is expected to account for most future employment in Albany. The Services sector experienced a 48% increase in jobs (1,670) between 1990 and 1999, the largest percent gain of all industry sectors. Albany's Services sector was dominated by business and health services. Albany is the center of medical, financial and other professional services in Linn County and is the region's major commercial provider.

Growth in the retail sector is evidenced by the construction of a regional shopping mall in 1989, and of a variety of retail outlets in the last five years, including Home Depot, Staples, Costco, and Red Robin Restaurant. Small business in Albany, as in any community, also creates many jobs. Albany has an active and vital small business climate.

### LOCAL TRENDS 1990 to 1999

<sup>†</sup> Covered employment data includes only employees who are covered by unemployment insurance laws. This excludes significant segments of the working population, primarily contractors. Covered employment in Oregon in 1999 accounted for 81% of total non-farm employment.



Albany has become the main economic driver for Linn County and is an important component of the larger regional economy.

These trends underscore Albany's growing economic importance:

1. Albany grew faster than the nation, Oregon, Linn and Benton Counties in each decade throughout the 1970-2000 period. Albany's population increased by 22% between 1990 and 2000 (excluding the North Albany annexation).
2. Albany's share of Linn County's population increased from 30% in 1980 to 34% in 2000. Albany's share of Benton County's population is 6.3%, according to the 2000 census.
3. Albany added about 4,500 jobs between 1990 and 1999, far exceeding projections of only 1,993 jobs for all of Linn County between 1988 and 1998. Albany's job growth accounted for 55% of total employment growth in Linn County.
4. Albany is projected to add over 5,000 jobs between 2000 and 2020.

### GROWTH PROJECTIONS

The state's long term employment forecast for Linn County was used to forecast employment growth in Albany's UGB by making assumptions about the share and distribution of the County's employment in Albany. Albany is projected to add 5,655 covered employment<sup>2</sup> jobs by 2020. Using only covered employment figures would systematically underestimate the demand for commercial and industrial land, because those figures do not include employees not covered by unemployment insurance laws. Converting Albany's covered employment to total job growth projected between 1999 and 2020 results in 7,206 new jobs. Albany is expected to gain approximately 13,000 residents over the same period.

The largest growth is projected in the Services (3,199 new jobs), Retail Trade (1,402), Manufacturing (817), and Finance Insurance Real Estate (F.I.R.E. — 794) sectors. Growth in these sectors accounts for 87% of Albany's expected employment growth in the next twenty years. According to the State Economist, the Food Products, Lumber & Wood Products, and Primary Metals industries are expected to have little or negative growth in the region between 2000 and 2010. These industries are a significant portion of Albany's Manufacturing industries, comprising 15% of total Albany employment and 75% of employment in the Manufacturing sector in 1999.

Table 2 shows projections of total employment growth by land use type in the Albany UGB to 2020.

**Table 2. Total Job Growth by Land Use Type in Albany, 1999-2020**

Sector	1999		2020		New Employment	
	1999	2020	1999	2020	1999-2020	%
Commercial	5,467	22%	7,478	23%	2,011	27.8%
Office	7,724	31%	11,108	35%	3,384	46.8%
Industrial	7,152	29%	8,640	27%	1,488	20.6%
Public	4,412	18%	4,735	15%	323	4.5%
<b>Total</b>	<b>24,755</b>	<b>100%</b>	<b>31,961</b>	<b>100%</b>	<b>7,206</b>	<b>100%</b>

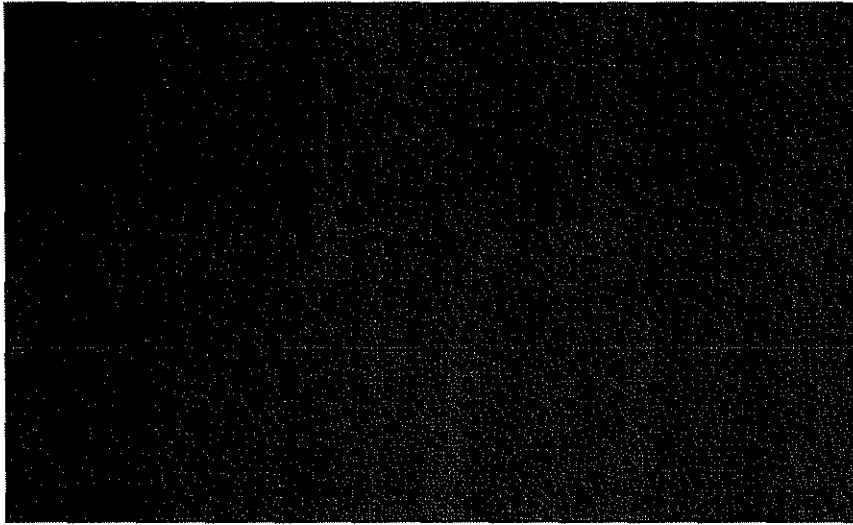
Source: Calculations by City of Albany using ES202 data from the Oregon Employment Department.

<sup>2</sup> Covered employment data includes only employees who are covered by unemployment insurance laws. This excludes significant segments of the working population, primarily contractors.

## COMMERCIAL AND INDUSTRIAL LAND USE NEEDS

Albany has an adequate supply of designated commercial and industrial land to accommodate development to the end of the planning period (2020). The available land supply was calculated in the summer of 2000 by identifying vacant<sup>3</sup> and redevelopable<sup>4</sup> parcels using assessment data from Linn and Benton Counties. Table 3 shows the supply of vacant and redevelopable land within Albany's city limits and also outside the City but within the UGB by zone and Comprehensive Plan designation.

**Table 3. Available Land in the Albany UGB by Use Type, 2000**



Source: City of Albany, 2000.

Within the city limits, there are over 700 acres of vacant or redevelopable industrial zoned land and over 200 acres of available commercial land. Most of this property is already serviced or services can be easily extended. Although, in some instances extending water and sewer could be quite costly. Albany has another 150 acres available within the Urban Growth Boundary for industrial and commercial development.

Parcel size and location are both important variables that impact development. A review of parcel sizes by zone in 2000 indicated over 150 parcels (approximately 100 acres of commercial land and approximately 500 acres of industrial land within the city limits) that are large enough for development. Another factor that may affect the amount of developable land is environmental constraints. Approximately 10 percent of undeveloped land within the Linn County portion of the Albany UGB contains significant wetlands.

<sup>3</sup> Vacant parcels were defined as those with an improvement value less than \$10,000.

<sup>4</sup> Lands with redevelopment potential were defined as those with improvement values between \$10,000 and \$100,000.

Table 4 shows that 270 acres of land and 3.1 million square feet of new building space are needed to accommodate 6,056 future employees to 2020. The acreage needed could vary depending on the number of employees accommodated per acre. An additional 32 acres will be redeveloped to provide approximately 360 jobs in Albany over the 1999-2020 period.

**Table 4. New Land and Building Needs by Land Use Type in Albany, 2000-2020**

<b>Land Use Type</b>	<b>Acres of Land</b>		<b>Building Sq. Footage</b>	
Commercial	67.6	25.0%	1,182,300	37.8%
Office	81.2	30.1%	955,050	31.8%
Industrial	102.9	38.1%	802,750	25.6%
Public	18.1	6.7%	163,200	5.2%
<b>Totals</b>	<b>269.8</b>	<b>100%</b>	<b>3,143,300</b>	<b>100%</b>

Source: City of Albany, Economic Opportunities Analysis 2000.

### **BACKGROUND INFORMATION**

The following report provides additional information about the local economy. The report may be acquired from the Albany Community Development Department at 333 Broadalbin Street SW and is also found in the Albany Comprehensive Plan Background Reports 2000.

**Albany Economic Opportunities Analysis 2000:**

- a. Current Economic Conditions & Trends
- b. Factors Affecting Economic Development in Albany
- c. Buildable Lands Analysis
- d. Findings, Policies and Strategies
- e. Buildable Lands Inventory, Methods & Results

[Ord. 5543, 10/23/2002]

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**September 16, 2007**

**TO: Helen Burns Sharp and Heather Hansen**  
**FROM: Beth Goodman and Bob Parker (ECONorthwest) and Greg Winterowd (Winterbrook Planning)**  
**SUBJECT: UPDATE OF ECONOMIC OPPORTUNITY ANALYSIS FOR THE CITY OF ALBANY**

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**INTRODUCTION**

The City of Albany contracted with ECONorthwest in 2000 to prepare the Albany Economic Opportunities Analysis (EOA). Since then, the City has experienced industrial and commercial development, and has identified development constraints (primarily wetlands and floodplain) on lands designated for employment uses.

State policies guiding the completion of economic opportunity analyses have also changed since 2000. In 2005, the Land Conservation and Development Commission (LCDC) adopted substantial amendments to OAR 660-009, the administrative rule that implements Statewide Planning Goal 9 (Economy). Most notably, OAR 660-009-0025 requires that cities of 2,500 or more residents identify needed sites that are suitable for a variety of industrial and other employment uses. The rule amendments also clarified definitions of buildable lands for industrial and other employment uses and created a new requirement that cities provide a short term supply of sites (sites that can be made ready for development in one year or less).

Statewide Planning Goal 9 now requires cities to provide an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and other employment uses. An adequate land supply provides sites suitable for the 20-year planning period as well as for the short-term to meet development opportunities as they occur. This is necessary to accommodate a varied range of small, medium and large employers, for new and expanding businesses and to ensure land is available for immediate development. The 2000 EOA did not address site suitability.

Changes to state planning policy, development activity since 2000, and overall growth in Albany suggest that now is an appropriate time to review the City's EOA to determine whether the City has an appropriate range of employment sites (industrial and other) to accommodate expected growth over the 2007 to 2027 period.

In 2007, the City of Albany contracted with Winterbrook Planning to address the new state planning policy and administrative rule requirements related to the EOA. Winterbrook Planning served as the prime consultant on the Albany EOA update, with ECONorthwest as a subconsultant. Both consultants worked closely with City staff to make sure that the Albany EOA addressed recent economic development activity in the community and its impacts on the supply of suitable industrial sites. ECONorthwest conducted most of the technical analysis in the revised document and Winterbrook Planning provided the policy context and recommendations.

This memorandum presents an update to Albany's EOA. It includes the following sections:

- **Recent economic activity in Albany** describes the employment trends, business activity, and potential growth industries in the City of Albany since the 2000 EOA.
- **Employment forecast and land demand** presents an updated forecast of employment and suitable land needed to accommodate employment growth.
- **Site needs** presents the number, type, and characteristics of sites needed to accommodate expected future employment growth.
- **Suitable sites inventory** presents the serviceable land area and sites with required site characteristics.
- **Comparison of employment site needs with the supply of suitable sites** presents the deficit or surplus of employment land within the Albany UGB.

## PART I: RECENT ECONOMIC ACTIVITY IN ALBANY

This section presents a brief overview of economic activity in Albany since 2000.

### EMPLOYMENT TRENDS

Since 2000, the economy of Linn and Benton Counties has experienced changes in employment sectors. Tables 1 and 2 show covered employment in Linn and Benton Counties for 2001 and 2005. Over the four-year period, employment grew from 75,273 employees to 76,260 employees, an increase of 987 jobs or 1.3%.

While the number of jobs added has been relatively modest, the distribution of employment by sectors has changed over the four-year period. The sectors that experienced the largest declines in jobs were Manufacturing (1,474 jobs or 10%), Wholesale (274 jobs or 13%), and Information (263 jobs or 16%). The sectors that experienced the greatest growth in jobs were Health and Social Assistance (879 jobs or 12%), Accommodations and Food Services (636 jobs or 13%), and Finance and Insurance (318 jobs or 22%).

**Table 1. Covered employment in Linn County, 2001 and 2005**

Sector	2001	2005	Change from 2001 to 2005		
			Difference	Percent	AAGR
Agriculture, Forestry, Fishing & Hunting	2,062	1,684	(378)	-18%	-4.9%
Mining	23	13	(10)	-43%	-13.3%
Construction	2,142	2,147	5	0%	0.1%
Manufacturing	8,783	8,400	(383)	-4%	-1.1%
Utilities	168	192	24	14%	3.4%
Wholesale	1,540	1,370	(170)	-11%	-2.9%
Retail	4,398	4,762	364	8%	2.0%
Transportation & Warehousing	2,032	2,096	64	3%	0.8%
Information	634	458	(176)	-28%	-7.8%
Finance & Insurance	848	1,128	280	33%	7.4%
Real Estate Rental & Leasing	485	443	(42)	-9%	-2.2%
Professional, Scientific & Technical Services	629	630	1	0%	0.0%
Management of Companies	493	445	(48)	-10%	-2.5%
Admin. Support & Cleaning Services	2,091	2,442	351	17%	4.0%
Education	232	250	18	8%	1.9%
Health & Social Assistance	3,638	3,683	45	1%	0.3%
Arts, Entertainment & Recreation	302	241	(61)	-20%	-5.5%
Accommodations & Food Services	2,290	2,605	315	14%	3.3%
Other Services (except Public Admin.)	1,383	1,425	42	3%	0.8%
Private Non-Classified	13	10	(3)	-23%	-6.3%
Government	6,536	7,018	482	7%	1.8%
<b>Total Covered Employment &amp; Payroll</b>	<b>40,722</b>	<b>41,442</b>	<b>720</b>	<b>2%</b>	<b>0.4%</b>

Source: Oregon Employment Department

**Table 2. Covered employment in Benton County, 2001 and 2005**

Sector	2001	2005	Change from 2001 to 2005		
			Difference	Percent	AAGR
Agriculture, Forestry, Fishing, Hunting & Mining	1,161	1,274	113	10%	2.3%
Construction	1,021	1,101	80	8%	1.9%
Manufacturing	6,443	5,352	(1,091)	-17%	-4.5%
Wholesale	527	423	(104)	-20%	-5.3%
Retail	3,233	2,998	(235)	-7%	-1.9%
Transportation, Warehousing & Utilities	423	490	67	16%	3.7%
Information	964	877	(87)	-9%	-2.3%
Finance & Insurance	570	608	38	7%	1.6%
Real Estate Rental & Leasing	459	508	49	11%	2.6%
Professional & Business Services	2,870	2,840	(30)	-1%	-0.3%
Education	257	305	48	19%	4.4%
Health & Social Assistance	3887	4,721	834	21%	5.0%
Arts, Entertainment & Recreation	420	486	66	16%	3.7%
Accommodations & Food Services	2,574	2,895	321	12%	3.0%
Other Services (except Public Admin.)	1,238	1,239	1	0%	0.0%
Private Non-Classified	12	13	1	8%	2.0%
Government	8,492	8,688	196	2%	0.6%
<b>Total Covered Employment &amp; Payroll</b>	<b>34,551</b>	<b>34,818</b>	<b>267</b>	<b>1%</b>	<b>0.2%</b>

Source: Oregon Employment Department

Table 3 shows a summary of covered employment in the Albany UGB in 2003.<sup>1</sup> Albany had more than 1,300 firms that employed about 18,650 people in 2003. The following sectors accounted for 70% of employment in Albany: Government (3,939 employees), Retail Trade (2,607 employees), Health Care & Social Assistance (2,564 employees); Manufacturing (2,341 employees), and Accommodations & Food Services (1,641 employees).

The 2000 Economic Opportunities Analysis (adopted in 2002) reported that Albany had about 20,659 employees at 1,380 firms in 1999. This suggests that Albany lost about 2,000 jobs between 1999 and 2003. However, making comparisons between the covered employment summary in the 2000 Economic Opportunities Analysis and the data in Table 3 is difficult for a number of reasons. The summary in the 2000 Economic Opportunities Analysis summarized employment based on the zip code 97321, while this analysis is based on employment within the Albany UGB. The Quarterly Census of Employment and Wages (QCEW) data used in this analysis was edited by City Staff to correct for inaccuracies in employer location, adding employers that were excluded, and other inaccuracies in the data.

The main problem in comparing the 1999 and 2003 covered employment data is the shift in the way that employment is classified into sectors and industries. Until 2001, industries were classified under the Standard Industrial Classification (SIC) system, which grouped industries according to their primary activity. Although the SIC classification structure was updated periodically to include new industries, its structure was essentially unchanged since its development in the 1930s. The North American Industrial Classification System (NAICS) was developed by the U.S., Canada, and Mexico address deficiencies in SIC.

<sup>1</sup> The 2003 covered employment data is the most current data available that has been reviewed and edited for inaccuracies. Covered employment is self-reported and includes many incorrect addresses, omissions, and other errors.

**Table 3. Covered employment, Albany UGB, 2003**

<b>Sector/Industry</b>	<b>Establishments</b>	<b>Employees</b>
<b>Agriculture, Forestry, Mining, &amp; Utilities</b>	<b>8</b>	<b>224</b>
<b>Construction</b>	<b>122</b>	<b>582</b>
Construction of Buildings	38	175
Heavy and Civil Engineering Construction	5	12
Specialty Trade Contractors	79	395
<b>Manufacturing</b>	<b>79</b>	<b>2,341</b>
Food Manufacturing	7	867
Fabricated Metal Product Manufacturing	18	176
Chemical Manufacturing	4	126
Furniture and Related Product Manufacturing	6	87
Printing and Related Support Activities	7	69
Transportation Equipment Manufacturing	6	69
Machinery Manufacturing	4	62
Other Manufacturing	27	885
<b>Wholesale Trade</b>	<b>61</b>	<b>357</b>
Merchant Wholesalers, Durable Goods	25	152
Merchant Wholesalers, Nondurable Goods	20	190
Wholesale Electronic Markets and Agents and Brokers	16	15
<b>Retail Trade</b>	<b>199</b>	<b>2,607</b>
General Merchandise Stores	15	845
Motor Vehicle and Parts Dealers	22	356
Food and Beverage Stores	20	298
Building Material & Garden Equip. & Supplies Dealers	13	266
Clothing and Clothing Accessories Stores	23	247
Miscellaneous Store Retailers	31	169
Gasoline Stations	14	120
Sporting Goods, Hobby, Book, and Music Stores	15	103
Other Retail Trade	46	203
<b>Transportation and Warehousing</b>	<b>22</b>	<b>928</b>
<b>Information</b>	<b>15</b>	<b>234</b>
<b>Finance and Insurance</b>	<b>78</b>	<b>704</b>
<b>Real Estate and Rental and Leasing</b>	<b>77</b>	<b>362</b>
<b>Professional, Scientific, and Technical Services</b>	<b>93</b>	<b>403</b>
<b>Management of Companies and Enterprises</b>	<b>9</b>	<b>261</b>
<b>Administrative and Support and Waste Management</b>	<b>76</b>	<b>555</b>
<b>Private Education Services</b>	<b>7</b>	<b>97</b>
<b>Health Care and Social Assistance</b>	<b>136</b>	<b>2,564</b>
Ambulatory Health Care Services	94	1,127
Other Health Care	22	1,259
Social Assistance	20	178
<b>Arts, Entertainment, and Recreation</b>	<b>15</b>	<b>156</b>
<b>Accommodation and Food Services</b>	<b>116</b>	<b>1,641</b>
Accommodation	9	123
Food Services and Drinking Places	107	1,518
<b>Other Services (except Public Admin.)</b>	<b>137</b>	<b>701</b>
<b>Government</b>	<b>66</b>	<b>3,939</b>
Federal Government	6	151
State Government	4	110
Local Government	56	3,678
<b>Total</b>	<b>1,316</b>	<b>18,656</b>

Source: Oregon Employment Department



## OUTLOOK FOR GROWTH IN ALBANY

The Oregon Employment Department (OED) forecasts employment growth for 15 economic regions across Oregon. Albany is located in Region 4, which includes Linn, Benton, and Lincoln Counties. Albany is likely to experience growth in the sectors that are forecast to grow the most in Region 4. Table 4 shows the OED's forecast for nonfarm employment by industry in Region 4 for the period 2004 to 2014. The sectors that are expected to lead employment growth in Region 4 are Transportation and Utilities, Professional and Business Services, Education, and Health Services. Together, these sectors are expected to add 10,230 jobs, or 91% of the employment growth in Region 4 between 2004 and 2014. The sectors that are projected to lead employment growth in Oregon for the ten-year period are: Professional and Business Services, Health Services, Leisure and Hospitality, and Retail Trade. Together, these sectors are expected to add 146,900 new jobs, or 61% of the employment growth in Oregon.

**Table 4. Nonfarm employment forecast by industry in Region 4, 2004-2014**

Sector/ Industry	2004	2014	Change 2004-2014	
			Number	Percent
<b>Natural Resources &amp; Mining</b>	<b>950</b>	<b>890</b>	<b>-60</b>	<b>-6.3%</b>
<b>Construction</b>	<b>3,620</b>	<b>4,270</b>	<b>650</b>	<b>18.0%</b>
<b>Manufacturing</b>	<b>14,960</b>	<b>13,940</b>	<b>-1,020</b>	<b>-6.8%</b>
Durable Goods	11,350	10,530	-820	-7.2%
Wood Product Manufacturing	2,810	2,570	-240	-8.5%
Nondurable Goods	3,610	3,410	-200	-5.5%
Food manufacturing	1,170	1,090	-80	-6.8%
<b>Transportation, &amp; Utilities</b>	<b>15,550</b>	<b>18,300</b>	<b>2,750</b>	<b>17.7%</b>
Wholesale Trade	1,890	2,120	230	12.2%
Retail Trade	10,500	11,910	1,410	13.4%
Transp., warehousing, & utilities	3,160	4,270	1,110	35.1%
<b>Information</b>	<b>1,550</b>	<b>1,760</b>	<b>210</b>	<b>13.5%</b>
<b>Leisure &amp; Hospitality</b>	<b>10,400</b>	<b>11,930</b>	<b>1,530</b>	<b>14.7%</b>
Accommodation & Food Services	9,470	10,890	1,420	15.0%
Accommodation	2,320	2,610	290	12.5%
Food svcs. and drinking places	7,150	8,280	1,130	15.8%
<b>Financial Activities</b>	<b>3,740</b>	<b>4,140</b>	<b>400</b>	<b>10.7%</b>
<b>Professional &amp; Business Services</b>	<b>7,050</b>	<b>8,980</b>	<b>1,930</b>	<b>27.4%</b>
Administration and support svcs.	3,410	4,570	1,160	34.0%
<b>Education</b>	<b>10,270</b>	<b>13,140</b>	<b>2,870</b>	<b>27.9%</b>
<b>Health Care &amp; Social Assistance</b>	<b>9,710</b>	<b>12,390</b>	<b>2,680</b>	<b>27.6%</b>
<b>Other Services</b>	<b>3,130</b>	<b>3,510</b>	<b>380</b>	<b>12.1%</b>
<b>Government</b>	<b>22,320</b>	<b>23,960</b>	<b>1,640</b>	<b>7.3%</b>
Federal Government	1,330	1,280	-50	-3.8%
State Government	9,360	9,880	520	5.6%
Local Government	11,630	12,800	1,170	10.1%
Local Education	6,120	6,630	510	8.3%
Indian Tribal	1,100	1,280	180	16.4%
<b>Total Nonfarm Payroll Emp.</b>	<b>93,540</b>	<b>104,820</b>	<b>11,280</b>	<b>12.1%</b>

Source: Oregon Employment Department. Employment Projections by Industry 2004-2014. Projections summarized by ECONorthwest.

\*Note: The Oregon Employment Department issues employment forecasts by region. Region 4 is Benton, Lincoln and Linn Counties combined.

## BUSINESS ACTIVITY SINCE 2000

Albany has experienced expansion and location of a number of firms since the completion of the Economic Opportunities analysis in 2000. Business activity in Albany since 2000 includes:

### Retail and services:

- Costco opened near the Heritage Mall;
- Expansion at Heritage Mall: Old Navy store was constructed; Kohl's is constructing a building on a site formerly occupied by Mervyns;
- North Albany: A new commercial center developed, including a Ray's grocery store, Starbucks, a salon, and restaurants, and a new medical building is under construction;
- Signal Northwest call center opened;
- Albany has experienced development of numerous retailers, restaurants, and services.

### Industrial:

- PepsiCo plans to build a production and packaging facility in Albany, which is expected to employ approximately 200 people when it opens and may employ 500 people within five years. PepsiCo has delayed development of this facility until at least September 2008;
- The Target Distribution Center in South Albany doubled its size;
- Rare Metals: Allvac (formerly Oregon Metallurgical) is planning to add six new buildings, and WahChang added new jobs;
- Food Processing: Eugene Freezing and Storage, National Frozen Foods, and Oregon Freezedry are all expanding;
- The City of Albany's Municipal Airport has added hangars;
- Synthetech Inc. added new bio-science jobs ;
- Viper Northwest added 12 new jobs;
- Pacific Cast Technology added 25 new jobs.

## PART II: DEMAND FOR COMMERCIAL AND INDUSTRIAL LAND IN ALBANY

To provide for an adequate supply of commercial and industrial sites consistent with plan policies, Albany needs to have an estimate of the amount of commercial and industrial land that will be needed over the planning period. Demand for commercial and industrial land will be driven by the expansion and relocation of existing businesses and new businesses locating in Albany. The level of this business expansion activity can be measured by employment growth in Albany. This memo presents a projection of future employment levels in Albany for the purpose of estimating demand for commercial and industrial land.

The projection of employment in this chapter has four major steps:

1. **Establish base employment for the projection.** We start with the estimate of covered employment in Albany UGB presented in Table 3. Covered employment does not include all workers, so we adjust covered employment to reflect total employment in Albany in Table 5. Employment by sector will be summarized into employment by land use type for the purposes of estimating land demand by type.
2. **Identify potential growth industries in Albany.** Given trends in economic activity and expected growth in Oregon, and Albany comparative advantages, we identify the types of firms and industries that may locate in Albany.
3. **Project total employment.** The projection of total employment uses the safe harbor provision in OAR 660-024-0040 (8) (a) (i) to forecast employment growth in Albany from 2007 to 2027.
4. **Allocate total employment to land use types.** This allocation will use assumptions based on expected trends in employment growth by Industrial and Commercial/Other land uses.

The remainder of this section is organized by headings that correspond to these four major steps for the projection.

### EMPLOYMENT BASE FOR PROJECTION

The updated employment forecast uses a base year of 2007. Obtaining an accurate estimate of total employment in 2007 requires estimating the difference between 2003 covered employment and 2003 total employment and then extrapolating that figure to 2007. Table 10 shows ECONorthwest's estimate of total employment in the Albany UGB in 2003. The estimate of covered employment in the Albany UGB is based on confidential QCEW data provided by the Oregon Employment Department. Covered employment, however, does not include all workers in an economy. Most notably, covered employment does not include sole proprietors. Analysis of data shows that covered employment reported by the Oregon Employment Department for Linn County was only about 81% of total employment reported by the U.S. Department of

Commerce.<sup>2</sup> ECONorthwest compared the percent of total employment that is covered by sector for Linn County to develop covered to total employment ratios. We then applied the covered to total ratios for the County to develop an estimate of total employment in Albany. Table 5 shows Albany had an estimated 24,616 employees within its UGB in 2007.

**Table 5. Estimated total employment in the Albany UGB by land use type, 2007**

Land Use Type/ Sector	Covered Employment		Total Employment		
	2003	% of 2003 Total Empl.	2004	2007	% of All 2007 Empl.
Industrial	4,432	87%	5,116	5,354	22%
Commercial/Other					
<i>Retail and Services</i>	10,285	72%	14,229	14,892	60%
<i>Government/Other</i>	3,939	94%	4,175	4,370	18%
<b>TOTAL EMPLOYMENT</b>	<b>18,656</b>	<b>79%</b>	<b>23,560</b>	<b>24,616</b>	<b>100%</b>

Source: 2003 covered employment from confidential Quarterly Census of Employment provided by the Oregon Employment Department. Employment summarized by land use type by ECONorthwest. Covered employment as a percent of total employment calculated by ECONorthwest using data for Linn County employment from the U.S. Department of Commerce, Bureau of Economic Analysis (total) and the Oregon Employment Department (covered). 2003 total employment converted to 2007 total employment by ECONorthwest using an annual growth rate of 1.15% over four years.

## POTENTIAL GROWTH INDUSTRIES

Albany's mix of productive factors is the foundation of the region's comparative advantage. A primary comparative advantage in Albany is its location on I-5 and central location in the Willamette Valley. This makes Albany attractive to businesses that need easy access to I-5, and Highways 20 and 34.

The industries that have shown growth and business activity in Linn and Benton Counties over the past few years are indicative of businesses that might locate or expand in Albany. The characteristics of Albany will affect the types businesses most likely to locate in Albany:

- **Warehousing and transportation.** Albany's access to I-5 and central location within the Willamette Valley may make Albany attractive to warehousing and distribution firms. Large warehouse facilities that serve large areas appear to favor central locations, similar to Albany's location. Albany has attracted one large retail distribution center (Target) and another company (PepsiCo) has proposed developing a large distribution center at their manufacturing and packaging site in Albany.
- **Manufacturing.** The type of manufacturing businesses likely to locate in Albany are those that need easy access to transportation, a skilled labor force, proximity to existing businesses, or proximity to agricultural production. Examples include: recreational vehicle manufactures or suppliers, food processing, metals manufacturing, and other specialty manufacturing. Albany has attracted a large manufacturing and packaging plant (PepsiCo).

<sup>2</sup> We used the comparison of covered to total employment in Linn County, rather than Benton County, because about 97% of Albany's employment was located in Linn County in 2003.

- **Retail and local government.** Population growth will drive the growth of retail and local government. Albany may attract a variety of retailers as it grows, including: national large format retailers, food and beverage stores, restaurants, and specialty retailers.
- **Health care services and government.** Health care and government services, especially schools, will grow as population increases.

## PROJECTION OF TOTAL EMPLOYMENT

OAR 660-024-0040 (8) (a) (i) allows the City to determine employment land needs based on "The county or regional job growth rate provided in the most recent forecast published by the Oregon Employment Department." The Oregon Employment Department forecast that employment in Region 4, which includes Benton, Linn, and Lincoln Counties, would grow from 93,540 jobs in 2004 to 104,820 jobs in 2014, a change of 11,280 jobs at an average annual growth rate of 1.15%. Based on the safe harbor, employment in Albany can be assumed to grow at 1.15% annually.

Table 6 shows the forecast for employment growth in Albany between 2007 and 2027. Employment in Albany is forecast to grow by nearly 6,300 jobs over the twenty-year period. The majority of this growth will be in Retail and Services.

To estimate employment growth by land use type in the Albany UGB, the forecasted level of total employment in 2027 (30,911) was distributed among the three categories of land use types shown in Table 5. The forecast by land use category does not anticipate a shift in the distribution of employment between 2007 and 2027. Employment growth is expected in each of the categories of employment land use.

**Table 6. Employment growth by land use type in the Albany UGB area, 2007–2027**

Land Use Type	2007 Total	% of Total	2027 Total	% of Total	2007-2027 Growth
Commercial/Other					
<i>Retail and Services</i>	14,892	60%	18,547	60%	3,655
<i>Government/Other</i>	4,370	18%	5,564	18%	1,194
Industrial	5,354	22%	6,800	22%	1,446
<b>Total Employment</b>	<b>24,616</b>	<b>100%</b>	<b>30,911</b>	<b>100%</b>	<b>6,295</b>

Source: ECONorthwest.

Note: shaded cells indicate assumptions by ECONorthwest.

## ALLOCATION OF EMPLOYMENT TO LAND-USE TYPES

Employment growth in Albany will drive demand for industrial and other employment (includes all non-industrial jobs, such as commercial and government) land. To estimate the demand for land generated by employment growth, ECO used factors for the number of employees per acre for each of the three land use types used in the employment forecast. ECO began this step by making a deduction from total new employment. This deduction accounts for:

- **Percent of total employment growth that requires no commercial or industrial built space or land.** Some new employment will occur outside commercial and industrial built

space or land. For example, some construction contractors may work out of their homes, with no need for a shop or office space on non-residential land.

- **Percent of employment growth on non-residential developed land currently developed.** Some employment growth will be accommodated on existing developed or redeveloped land, as when an existing firm adds employees without expanding space.

Typical refill (infill and redevelopment) deductions range from 10% in small cities to 30% or more for larger areas. For example, Portland Metro estimated refill at around 40% for 1996 and 1997 in a small empirical study they conducted. The 2000 Economic Opportunities analysis assumed a refill rate of about 10%. However, because the current Buildable Lands Inventory already accounted for infill and redevelopment, we assumed 0%.

The next set of assumptions needed to estimate non-residential land need is employees per acre (EPA). This variable is defined as the number of employees per acre on non-residential land that is developed to accommodate employment growth. There are few empirical studies of the number of employees per acre, and these studies report a wide range of results. Ultimately the employees/acre assumptions reflect a judgment about average densities and typically reflect a desire for increased density of development.

The final assumption is a net to gross factor. The EPA assumptions are employees per *net* acre (e.g., acres that are in tax lots). As land gets divided and developed, some of the land goes for right-of-way and other public uses. The net to gross factor varies by land use, but 10% is a reasonable assumption for employment lands based on existing development patterns in the Buildable Lands Inventory.

Table 7 shows estimated demand for employment land in the Albany UGB by land use type for the 2007-2027 period. These results indicate that Albany needs an estimated 473 gross acres of suitable land for employment within its UGB for the 2007-2027 period. At this stage, the analysis does not account for the site needs, such as size and location, of specific types of industries. That is addressed in Part III.

**Table 7. Estimated demand for suitable employment land in the Albany UGB by land use type, 2007–2027**

<b>Land Use Type</b>	<b>Total New Employment</b>	<b>Employees per Net Acre</b>	<b>Land Need (Net Acres)</b>	<b>Land Need (Gross Acres)</b>
<i>2007-2027</i>				
Commercial/Other				
<i>Retail and Services</i>	3,655	20	183	201
<i>Government</i>	1,194	10	119	140
Industrial	1,446	12	120	132
<b>Total</b>	<b>6,295</b>		<b>422</b>	<b>473</b>

Source: ECONorthwest.

## PART III: SITE NEEDS

OAR 660-009-0015(2) requires the EOA to identify the number of sites, by type, reasonably expected to be needed for the 20-year planning period. Types of needed sites are based on the site characteristics typical of expected uses.

The Goal 9 rule provides flexibility in how jurisdictions conduct and organize this analysis. For example, site types can be described by plan designation (i.e., heavy or light industrial), they can be by general size categories that are defined locally (i.e., small, medium, or large sites), or it can be industry or use-based (i.e., manufacturing sites or distribution sites).

City of Albany staff identified the following trends in development activity and inquiries since 2000 that illustrate the types of sites for which there is demand in the City:

- *Regional Commercial sites.* Over the last five years, the City has received inquiries from businesses looking for 10 to 15 acre properties for development of retail centers.
- *Large sites for national retailers.* The City has heard from national retailers that are interested in siting in Albany (e.g., Wal-Mart, Lowes, Kohls).
- *Sites for light manufacturing.* Commercial realtors have been making inquiries with the City about land or buildings appropriate for light manufacturing, such as manufacturing medical bandages, custom prosthetics, and biodiesel.
- *Sites for other development.* Buildings in Albany's historic downtown are being purchased and remodeled and used for cafes and stores. In addition, the City is experiencing more infill and redevelopment in downtown Albany. Development along the waterfront is underway, mostly mixed-use development that includes cafes/restaurants, office space, and condominiums.

The analysis of site needs presented in this section builds from existing development patterns in Albany, an employment forecast, recent inquiries about sites, and an evaluation of the types of sites that will be needed by prospective industries in Albany. The analysis is presented in aggregate and by major uses (e.g., industrial and retail/services).

### Site requirements for new and expanding firms

Firms wanting to expand or locate in Albany will be looking for a variety of site and building characteristics, depending on the industry and specific circumstances. Previous research conducted by ECO has found that while there are always specific criteria that are industry-dependent and firm-specific, many firms share at least a few common site criteria. In general, all firms need sites that are relatively flat, free of natural or regulatory constraints on development, with good transportation access and adequate public services. The exact amount, quality, and relative importance of these factors vary among different types of firms. This section discusses the site requirements for firms in industries with growth potential in the mid-Willamette Valley, as indicated by the Oregon Employment Department forecast shown in Table 9.

Employment growth in Albany is expected in each of the categories defined by type of land use: Retail and Services, Industrial, and Government. There are a wide variety of firms within

each of these categories, and the required site and building characteristics for these firms range widely. As such, a variety of parcel sizes, building types, and land use designations in Albany are required to accommodate expected growth.

Table 8 summarizes the site area typically needed for firms in selected industries with growth potential in the mid-Willamette Valley. The emphasis in Table 8 is on new large firms that have the most potential to generate employment growth. For example, while the number of convenience stores in Albany is likely to grow, the site needs for these stores is not included in Table 8 because they are unlikely to generate substantial employment growth. Large grocery stores, which are typically 50,000 to 100,000 sq. ft. in size, are more likely to generate substantial employment growth in Albany, and these stores require sites of 5 to 10 suitable acres.

**Table 8. Typical suitable site area requirements for mid- to large-sized firms in selected industries**

<b>Industry</b>	<b>Lot Size (acres)</b>
<b>Manufacturing</b>	
Printing & Publishing	5 - 10
Stone, Clay & Glass	10 - 20
Fabricated Metals	10 - 20
Industrial Machinery	10 - 20
Electronics - Fab Plants	50 - 100
Electronics - Other	10 - 30
Transportation Equipment	10 - 30
<b>Transportation &amp; Wholesale Trade</b>	
Trucking & Warehousing	varies
<b>Retail Trade</b>	
General Merchandise & Food Stores	5-10
Eating & Drinking Places	0.5-5
<b>FIRE &amp; Services</b>	
Non-Depository Institutions	1 - 5
Business Services	1 - 5
Health Services	1 - 10
Engineering & Management	1 - 5

Source: ECONorthwest.

There are exceptions to these site size ranges. For example, in 2006, PepsiCo purchased 243 acres in South Albany. PepsiCo plans to build a production and packaging facility, which is expected to employ approximately 200 people when it opens and may employ 500 people within five years. PepsiCo has delayed development of this facility until at least September 2008. More specific site needs and locational issues for firms in potential growth industries include the following issues address in Table 9.



**Table 9. Summary of site characteristics**

Characteristic	Description	Comments
Flat, developable sites	Flat topography (slopes with grades below 10%) is needed by almost all firms in every industry except for small Office and Commercial firms that could be accommodated in small structures built on sloped sites. Flat sites that are relatively free from development constraints such as wetlands and floodplains are particularly important for Industrial firms in manufacturing, trucking, and warehousing, since these firms strongly prefer to locate all of their production activity on one level with loading dock access for heavy trucks.	Most of Albany's industrial and commercial sites are located in relatively flat areas.
Parcel configuration and parking	Large Industrial and Commercial firms that require on-site parking or truck access are attracted to sites that offer adequate flexibility in site circulation and building layout. Parking ratios of 0.5 to 2 spaces per 1,000 square feet for Industrial and 2 to 3 spaces per 1,000 square feet for Commercial are typical ratios for these firms. In general rectangular sites are preferred, with a parcel width of at least 200-feet and length that is at least two times the width for build-to-suit sites. Parcel width of at least 400 feet is desired for flexible industrial/business park developments and the largest Commercial users.	Albany may not have sufficient large parcels for industrial and commercial firms that require large, undeveloped parcels.
Soil type	Soil stability and ground vibration characteristics are fairly important considerations for some highly specialized manufacturing processes, such as microchip fabrications. Otherwise soil types are not very important for Commercial, Office, or Industrial firms—provided that drainage is not a major issue.	Soils do not appear to be a constraining factor on most sites in Albany.
Road transportation	All firms are heavily dependent upon surface transportation for efficient movement of goods, customers, and workers. Access to an adequate highway and arterial roadway network is needed for all industries. Close proximity to a highway or arterial roadway is critical for firms that generate a large volume of truck or auto trips or firms that rely on visibility from passing traffic to help generate business. This need for proximity explains much of the highway strip development prevalent in urban areas today.	Not all of Albany's large vacant industrial and commercial sites have direct access to Interstate 5, Highway 20, or Highway 99E.
Rail transportation	Rail access can be very important to certain types of heavy industries. The region has good rail access to many industrial sites.	The following railroads provide service in Albany: Union Pacific, BNSF (Salem-Eugene line), Portland and Western Rail Road, and the short-line Albany & Eastern Rail Road.
Air transportation	Proximity to air transportation is important for some firms engaged in manufacturing, finance,	Albany has sites that are close to the airport, including the State

Characteristic	Description	Comments
	or business services.	Certified site.
Transit	Transit access is most important for businesses in Health Services, which has a high density of jobs and consumer activity, and serves segments of the population without access to an automobile.	Albany has a bus system with four routes that operates along major streets. Busses run most frequently during commuting hours.
Pedestrian and bicycle facilities	The ability for workers to access amenities and support services such as retail, banking, and recreation areas by foot or bike is increasingly important to employers, particularly those with high-wage professional jobs. The need for safe and efficient bicycle and pedestrian networks will prove their importance over time as support services and neighborhoods are developed adjacent to employment centers.	Within Albany, the street grid provides easy pedestrian and bicycle access to most parts of the City.
Labor force	Firms are looking at reducing their workforce risk, that is, employers want to be assured of an adequate labor pool with the skills and qualities most attractive to that industry. Communities can address this concern with adequate education and training of its populace. Firms also review turnover rates, productivity levels, types and amount of skilled workers for their industry in the area, management recruitment, and other labor force issues in a potential site area.	Albany has access to skilled labor existing within the City and can access labor from communities throughout the mid-Willamette Valley. Employers needing employees with special skills can work with Linn-Benton Community College to develop customized training programs.
Amenities	According to the International Economic Development Council <sup>3</sup> , attracting and retaining skilled workers requires that firms seek out places offering a high quality of life that is vibrant and exciting for a wide range of people and lifestyles.	Albany offers urban amenities, with easy access to outdoor recreation and rural lifestyle opportunities. Albany is within an easy drive of Portland, Salem, and Eugene, which offer cultural and shopping amenities that may be lacking in Albany.
Fiber optics and telephone	Most if not all industries expect access to multiple phone lines, a full range of telecommunication services, and high-speed internet communications.	Albany has access to high-speed telecommunications facilities.
Potable water	Potable water needs range from domestic levels to 1,000,000 gallons or more per day for some manufacturing firms. However, emerging technologies are allowing manufacturers to rely on recycled water with limited on-site water storage and filter treatment. The demand for water for fire suppression also varies widely.	The City has sufficient water to meet current and future demand for water.

<sup>3</sup> International Economic Development Council. "Economic Development Reference Guide," <http://www.iedconline.org/hotlinks/SiteSel.html>. 10/25/02.

Characteristic	Description	Comments
Power requirements	Electricity power requirements range from redundant (uninterrupted, multi-sourced supply) 115 kva to 230 kva. Average daily power demand (as measured in kilowatt hours) generally ranges from approximately 5,000 kwh for small business service operations to 30,000 kwh for very large manufacturing operations. The highest power requirements are associated with manufacturing firms, particularly fabricated metal and electronics. For comparison, the typical household requires 2,500 kwh per day.	Albany has access to sufficient power supply to accommodate most commercial and industrial users.
Land use buffers	According to the public officials and developers/brokers ECO has interviewed, Industrial areas have operational characteristics that do not blend as well with residential land uses as they do with Office and Commercial areas. Generally, as the function of industrial use intensifies (e.g., heavy manufacturing) so too does the importance of buffering to mitigate impacts of noise, odors, traffic, and 24-hour 7-day week operations. Adequate buffers may consist of vegetation, landscaped swales, roadways, and public use parks/recreation areas. Depending upon the industrial use and site topography, site buffers range from approximately 50 to 100 feet. Selected commercial office, retail, lodging and mixed-use (e.g., apartments or office over retail) activities are becoming acceptable adjacent uses to light industrial areas	XX

Source: ECONorthwest

In summary, the site requirements for industries have many common elements. Firms in all industries rely on efficient transportation access and basic water, sewer and power infrastructure, but may have varying need for parcel size, slope, configuration, and buffer treatments. Transit, pedestrian and bicycle access are needed for commuting, recreation and access to support amenities.

Table 10 shows site needs by site size and major employment use. The estimate of needed sites builds off of the 20-year employment forecast. Employees and employers are distributed in ratios similar to those in 2003. The distribution assumes that Albany will continue to attract similar types of employers in the future as exist in the City now. It also assumes that the average number of employees per firm (16.1) will continue into the future.

**Table 10. Estimated needed sites by site size and major use, suitable acres, Albany, 2007-2027**

Size of firm	Est Acres Needed	Avg. Site Size	Total		Other Emp.
			Sites Needed	Industrial	
250 +	200	50+ ac	1-2	1-2	-
100-250	220	20-50 ac	5-9	3-6	2-3
50-99	90	5-20 ac	10-14	6-9	4-5
25-49	80	2-5 ac	20-25	10-13	10-12
10-24	50	1-2 ac	35-45	10-15	25-30
1-9	80	<1 ac	75-150	25-50	50-100
<b>Total</b>	<b>720</b>		<b>146-245</b>	<b>55-95</b>	<b>91-150</b>

Source: estimates by ECONorthwest

The results show that Albany needs to provide between 146 and 245 sites to accommodate employment growth between 2007 and 2027. The largest sites (50-acres and larger) will be needed for development by major industries, such as large manufacturing firms or transportation and warehousing firms. Industrial development will also require smaller sites. The majority of the smallest sites (2 acres and less) will be used for other employment, such as retail, services, government, and institutional uses.

The identified site needs shown in Table 10 do not distinguish sites by comprehensive plan designation. It is reasonable to assume that industrial uses will locate primarily in industrial zones, along with supporting office and service uses. Retail and service uses could locate in commercial zones, mixed-use zones, and to a lesser extent in residential zones.

### Industrial Sites

Albany's Interstate 5 location attracts large-site industrial users such as PepsiCo and the Target Distribution Center. Winterbrook Planning worked with the City to apply the general siting characteristics described in Table 9 to identify specific site requirements for targeted, large-site industrial firms. Suitable large industrial sites typically require:

- Large blocks of land contiguous to or within the existing UGB;
- Direct access (not more than two miles) to an I-5 interchange via an arterial street;
- A location that avoids truck traffic through, and minimizes common boundaries with, existing or planned urban residential neighborhoods;
- Adjacent to existing industrial or commercial development;
- Slopes of five percent or less that are relatively free of wetlands and floodplain areas;
- Sanitary sewer, water and storm drainage facilities.

Many industrial firms also benefit from rail access to the site and/or nearby air service.

As noted above, PepsiCo purchased 243 acres in South Albany for its manufacturing plant, bottling and distribution plant. The PepsiCo site:

- Has large blocks of land within the existing UGB;
- Has direct access (not more than two miles, and preferably less) to I-5 via State Highways 99E and 34;

- Has direct rail access;
- Avoids routing truck traffic through existing or planned urban residential neighborhoods;
- Is adjacent to existing industrial or commercial development;
- Have five or less percent slope;
- Has immediate access to sanitary sewer, water and storm drainage facilities;
- Is relatively flat and has a completed wetlands delineation so wetland impacts are known in advance.

### **Retail and Service Sites**

Large retail and service centers have somewhat less demanding site requirements. Community shopping centers or large format retail uses typically require:

- Large blocks of land contiguous to or within the existing UGB;
- Direct access to – and visibility from – a high volume arterial street with adequate capacity to serve planned commercial needs;
- Accessibility from existing or planned urban residential neighborhoods;
- Slopes of 10 percent or less; and
- Access to sanitary sewer, water and storm drainage facilities.

We recommend that the City consider designating one or two large sites as “business parks” to meet industrial, limited retail and service uses in a master planned park setting. The business park concept recognizes that the line between “commercial” and “industrial” uses has become increasingly blurred and that many “industrial” uses have relatively minor external impacts, especially when contained within a building. Business parks typically provide for a wide range of relatively low-impact employment uses in “flex” buildings with copious landscaping. Unlike heavy industrial uses, business parks are compatible with nearby residential development.

Business parks typically require sites of 20-50 acres and should:

- Be comprised of large blocks of land contiguous to or within the existing UGB;
- Have direct access to an arterial street with adequate capacity to serve planned commercial and industrial needs;
- Have 10 or less percent slope; and
- Have access to sanitary sewer, water and storm drainage facilities.

## PART IV: SUITABLE SITES INVENTORY

The 2002 City of Albany Economic Opportunities Analysis included a buildable lands inventory. This section presents the 2007 updates to the buildable lands inventory and analyzes site suitability. It summarizes the acreage and number of sites in Albany that are suitable for industrial and other employment uses. It is based on recent development data, environmental constraints, correction of errors in the Assessors data found by City staff, verification with recent aerial photos, exclusion of small remnants of land, trends in residential development on employment lands, and land that is in the process of being developed.

OAR 660-009-0005 includes definitions of developed and vacant land. City staff used the following assumptions in completing the Buildable Lands Inventory:

- *Developed* (not likely to be redeveloped in the next 20 years). Land with an improvement value of \$100,000 or more and a committed use (e.g. wetland mitigation, a parking lot adjacent to a commercial use, etc.).
- *Redevelopable* (developed, but likely to be redeveloped in the next 20 years). Land with an improvement value of less than \$100,000 and a size of at least 0.5 acres was considered redevelopable.
- *Partially vacant*. Parcels greater than five acres with less than 0.5 acres occupied by buildings were considered partially vacant.
- *Vacant*. Parcels greater than 0.5 acres with no improvements was considered vacant.
- *Vacant-Committed*. Land that is in the process of being developed was considered committed, e.g., the PepsiCo site. If a building permit was issued for the land, it was considered vacant-committed and was excluded from the summary of vacant and partially vacant land.
- *Environmental Constraints*. Land in the floodway, riparian corridor, with locally significant wetlands or slopes of 25 percent or greater was considered unsuitable for development. However, 50 percent of the industrial land within the 100-year floodplain, non-significant (but jurisdictional) wetlands, and slopes 12-25% was considered to be suitable for development. This is consistent with development patterns. State guidelines allow all land with environmental constraints to be excluded from the inventory, but City staff did not want to exclude all constrained land since some wetlands and land in floodplains are filled.
- *Residential Uses*. Some commercial and mixed use zoning districts allow residential development. To estimate the mix of commercial and residential uses in these zones, City staff analyzed current residential development patterns in commercial and mixed use zones that permit residential development. This is consistent with allowable uses and development patterns.

Table 11 shows the percent of land that is expected to be used for commercial purposes by zoning district. These assumptions were applied to vacant and partially vacant land in these zones, resulting in a reduction of the amount of suitable lands because of expected residential development in these zoning districts.

**Table 11. Percent of suitable land likely to be used for commercial uses by zoning district, Albany**

<b>Albany Commercial/Mixed Use Zoning Districts</b>	<b>Percent Commercial</b>
Central Business	75%
Neighborhood Commercial	75%
Office Professional	75%
Historic Downtown	67%
Mixed Use Commercial	50%
Waterfront	50%

Source: City of Albany

Table 12 shows the gross acres of suitable vacant and partially vacant industrial and other employment land by plan designation within the Albany UGB as of June 2007. Albany has 120 gross suitable acres of commercial land and 299 gross buildable acres of industrial land, for a total of 419 gross buildable acres within its UGB. The majority of this land (364 acres) is within the Albany city limits. About 381 acres are vacant or partially vacant and 27 acres are redevelopable.

**Table 12. Suitable vacant and partially vacant employment land by plan designation, gross acres, Albany UGB, June 2007**

	<u>Vacant</u> <sup>1</sup>		<u>Redevelopable</u> <sup>2</sup>		<u>TOTAL</u> <sup>3</sup>	
	<i>short-term</i>	<i>long-term</i>	<i>short-term</i>	<i>long-term</i>	<i>short-term</i>	<i>long-term</i>
<b><u>Inside City Limits</u></b>						
<b>COMMERCIAL</b>	<b>95</b>	<b>5</b>	<b>0</b>	<b>8</b>	<b>95</b>	<b>13</b>
Commercial-General	73	5	0	7	73	11
Commercial-Light	13	0	0	0	13	0
Village Center	9	0	0	1	9	1
<b>INDUSTRIAL</b>	<b>223</b>	<b>22</b>	<b>0</b>	<b>12</b>	<b>223</b>	<b>33</b>
Light Industrial	215	22	0	9	215	31
Heavy Industrial	7	0	0	2	7	2
<b><u>Outside City Limits/Inside UGB</u></b>						
<b>COMMERCIAL</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>12</b>
Commercial-General	0	0	0	0	0	0
Commercial-Light	0	8	0	4	0	12
Village Center	0	0	0	0	0	0
<b>INDUSTRIAL</b>	<b>0</b>	<b>39</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>42</b>
Light Industrial	0	39	0	4	0	42
Heavy Industrial	0	0	0	0	0	0
<b><u>TOTAL Gross Suitable Acres Inside UGB</u></b>						
<b>COMMERCIAL</b>	<b>95</b>	<b>13</b>	<b>0</b>	<b>12</b>	<b>95</b>	<b>25</b>
<b>INDUSTRIAL</b>	<b>223</b>	<b>60</b>	<b>0</b>	<b>15</b>	<b>223</b>	<b>76</b>
<b>TOTAL</b>	<b>317</b>	<b>73</b>	<b>0</b>	<b>28</b>	<b>317</b>	<b>101</b>
					<b>418</b>	

Source: City of Albany

OAR 660-009-025 (3) requires that “cities and counties that adopt policies relating to short-term supply of land must designate suitable land to respond to economic development opportunities as they arise” by maintaining a short-term supply of land. OAR 660-009 defines a short-term supply of land as “suitable land that is ready for construction within one year of an application for a building permit or request for service extension.”

Table 12 also shows Albany’s short-term supply of land for industrial and other employment development. Of Albany’s 418 gross acres of suitable employment land, 318 gross acres are available and serviceable in the short-term. This includes an approximately 59-acre property located east of Interstate 5 that is certified by the State’s Certified Industrial Lands program.

Tables 13 and 14 show the number of suitable sites by size category within the Albany UGB. Albany has a total of 138 employment sites, of which 63 are available in the short term (0-5 years). Table 13 shows suitable sites that are available in the short term. Of the 63 suitable short-term sites, 34 are designated for commercial, and 29 are designated industrial. Most of these sites are less than five acres. However, Albany has ten suitable employment sites that are five acres or larger. Of these, three are designated for commercial use and seven are designated for industrial use. Albany’s only state-certified industrial site is, by definition, available in the short term.

**Table 13. Suitable short-term industrial and other employment sites by plan designation, Albany UGB, June 2007**

	< 1 acre	1-2 acres	2-5 acres	5-20 acres	20-50 acres	> 50 acres	Total Sites
<b>Inside City Limits</b>							
<b>COMMERCIAL</b>	<b>17</b>	<b>7</b>	<b>7</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>34</b>
Commercial-General	11	4	2	1	1	0	19
Commercial-Light	2	2	2	1	0	0	7
Village Center	4	1	3	0	0	0	8
<b>INDUSTRIAL</b>	<b>3</b>	<b>10</b>	<b>9</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>29</b>
Light Industrial	3	10	6	4	2	1	26
Heavy Industrial	0	0	3	0	0	0	3
<b>Outside City Limits/Inside UGB</b>							
<b>COMMERCIAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Commercial-General	0	0	0	0	0	0	0
Commercial-Light	0	0	0	0	0	0	0
Village Center	0	0	0	0	0	0	0
<b>INDUSTRIAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Light Industrial	0	0	0	0	0	0	0
Heavy Industrial	0	0	0	0	0	0	0
<b>TOTAL Inside UGB</b>							
<b>COMMERCIAL</b>	<b>17</b>	<b>7</b>	<b>7</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>34</b>
<b>INDUSTRIAL</b>	<b>3</b>	<b>10</b>	<b>9</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>29</b>
	<b>20</b>	<b>17</b>	<b>16</b>	<b>6</b>	<b>3</b>	<b>1</b>	<b>63</b>

Source: City of Albany



Table 14 shows suitable sites that will be available later in the 20-year planning period. Of the 75 suitable long-term sites, 31 are designated for commercial or other employment, and 44 are designated industrial. Only six of the sites are five acres or more.

**Table 14. Suitable long-term industrial and other employment sites by plan designation, Albany UGB, June 2007**

	< 1 acre	1-2 acres	2-5 acres	5-20 acres	20-50 acres	>50 acres	Total Sites
<b><u>Inside City Limits</u></b>							
COMMERCIAL	14	4	4	1	0	0	23
Commercial-General	7	2	4	1	0	0	14
Commercial-Light	2	1	0	0	0	0	3
Village Center	5	1	0	0	0	0	6
INDUSTRIAL	19	9	6	1	1	0	36
Light Industrial	17	9	5	0	1	0	32
Heavy Industrial	2	0	1	1	0	0	4
<b><u>Outside City Limits/Inside UGB</u></b>							
COMMERCIAL	2	0	5	1	0	0	8
Commercial-General	1	0	0	0	0	0	1
Commercial-Light	1	0	5	1	0	0	7
Village Center	0	0	0	0	0	0	0
INDUSTRIAL	1	0	5	1	1	0	8
Light Industrial	1	0	5	1	1	0	8
Heavy Industrial	0	0	0	0	0	0	0
<b><u>TOTAL Inside UGB</u></b>							
COMMERCIAL	16	4	9	2	0	0	31
INDUSTRIAL	20	9	11	2	2	0	44
<b>TOTAL</b>	<b>36</b>	<b>13</b>	<b>20</b>	<b>4</b>	<b>2</b>	<b>0</b>	<b>75</b>

Source: City of Albany

## PART V: COMPARISON OF EMPLOYMENT LAND DEMAND AND SUPPLY

This section summarizes from data and analysis presented in the site needs analysis to compare “demonstrated need” for suitable commercial and industrial sites with the supply of such sites currently within the Albany UGB and city limits.

Table 15 compares industrial and commercial site need with site supply within Albany UGB between 2007 and 2027. Generally speaking, Albany has an adequate supply of small to medium industrial sites and commercial sites in the two to five acre category. However, Albany has an unmet need for:

- A very large industrial site in the 50-150 acre range;
- Several large commercial, industrial or business park sites in the 20-50 acre range; and
- Several medium commercial and industrial sites in the 5-20 acre range.

**Table 15. Comparison of industrial and commercial land need and land supply, gross acres, Albany UGB, 2007-2027**

Site Sizes	Total Employment Site Need		Acres in Supply	Industrial Sites			Commercial Sites				
	Site Need	Total Acres Needed		Site Need	Site Supply	Site Surplu s (Deficit )	Site Need	Site Supply	Mixed Use Sites	Sites for Employment Use	Site Surplus (Deficit)
>50 acres	1-2	200	61	1-2	1	(1)	0	0	0	0	0
20-50 acres	5-9	220	161	3-6	4	(1-2)	2-3	1	0	1	(1-2)
5-20 acres	10-14	90	64	6-9	6	(1-3)	4-5	4	0	4	(1)
2-5 acres	20-25	80	71	10-13	20	7-10	10-12	16	3	15	3-5
1-2 acres	35-45	50	25	10-15	19	4-9	25-30	11	4	9	(16-21)
<1 acre	75-150	80	35	25-50	23	(2-27) <sup>1</sup>	50-100	33	10	29	(21-71) <sup>2</sup>
<b>Total</b>	<b>146-245</b>	<b>720</b>	<b>417</b>	<b>55-95</b>	<b>73</b>		<b>91-150</b>	<b>65</b>			

Source: City of Albany; analysis by ECONorthwest

<sup>1</sup> assumes some of the surplus sites 1-2 and 2-5 acres in size can be used to meet this need, as well as through infill & redevelopment

<sup>2</sup> assumes some of the surplus sites 2-5 acres in size can be used to meet this need, as well as through infill and redevelopment, and development on residentially zoned property

Table 16 identifies site needs that are not met within the existing Albany UGB. This amounts to a deficit of approximately 225-340 industrial and commercial acres. In order to meet identified site requirements, Albany should: (a) re-designate residential land within the existing UGB that is suitable for employment; and/or (b) add land to the UGB. Overall, Albany needs one very large industrial site, one large industrial site and one large commercial site, and one medium industrial site and one medium commercial site. These sites should meet the large-site industrial and commercial site suitability requirements described in Part IV of this memorandum.

**Table 16. Unmet Industrial and Commercial Site Needs**

Size Category	Industrial		Commercial		TOTAL Employment	
	Sites	Acres	Sites	Acres	Sites	Acres
>50 Acres	1	120-150	0	0	1	120-150
20-50 Acres	1-2	50-100	1-2	40-60	2-4	90-160
5-20 Acres	1-2	10-20	1	5-10	2-3	15-30
<b>TOTAL</b>	<b>3-5</b>	<b>180-270</b>	<b>2-3</b>	<b>45-70</b>	<b>5-8</b>	<b>225-340</b>

Source: City of Albany; analysis by ECONorthwest

We recommend that the City consider designating a site for a “business park” that would allow a combination of industrial, limited retail and service uses in a master planned park setting. Business parks typically require sites of 20-50 acres. The business park concept recognizes that the line between “commercial” and “industrial” uses has become increasingly blurred and that many “industrial” uses have relatively minor external impacts, especially when contained within a building. Business parks typically provide for a wide range of relatively low-impact employment uses in “flex” buildings with copious landscaping. Unlike heavy industrial uses, business parks are compatible with nearby residential development. The City's Industrial Park zoning district is consistent with the business park concept.

## CONCLUSIONS AND RECOMMENDATIONS

Albany has a number of sites that are suitable for meeting a portion of the community's short- and long-term needs for buildable employment land.

However, relative to expected demand, there is an unmet need for approximately 225-340 industrial and commercial acres. In order to meet identified large site requirements, Albany should either: (a) re-designate residential lands within the existing UGB that are deemed suitable for employment uses; or (b) add land to the UGB.

Overall, in addition to the existing supply of suitable employment land in the Albany UGB, we recommend that Albany designate:

- 1 very large industrial site in the 120-150 acre range;
- 1-2 large industrial sites in the 20-50 acre range, including a business park site;
- 1-2 large commercial sites in the 20-50 acre range for community shopping centers or large format retail;
- 1-2 medium industrial sites in the 5-20 acre range for smaller manufacturing uses; and
- 1 medium commercial site in the 5-20 acre range for health services and larger neighborhood retail

These sites should meet the site suitability requirements described in Part IV of this memorandum.



# Community Development Department

333 Broadalbin Street SW, P.O. Box 490, Albany, OR 97321

Phone: (541) 917-7550 Facsimile: (541) 917-7598

## STAFF REPORT Comprehensive Plan Amendments

**HEARING BODY**

CITY COUNCIL

**HEARING DATE**

Wednesday, March 12, 2008

**HEARING TIME**

7:15 p.m.

**HEARING LOCATION**

Council Chambers, Albany City Hall, 333 Broadalbin Street SW

**GENERAL INFORMATION**

**DATE OF REPORT:**

March 5, 2008

**FILE:**

CP-01-08

**TYPE OF REQUEST:**

Adopt text amendments to Chapter 3-Economic Development of the Albany Comprehensive Plan (Comp Plan) in the 'Economic Development Background Summary' section that would:

- (1) Add the *Healthy Economy* goal from the City of Albany Strategic Plan 2007-2012;
- (2) Update the 'Albany Economic Profile' subsection; and
- (3) Replace the trends and projections subsections with more current information from the 2007 Economic Opportunities Analysis (EOA) Update, including potential growth industries, site requirements for new and expanding firms, suitable sites inventory, and comparison of employment land demand and supply.

Adopt the 2007 EOA Update as a Background Report to the Comprehensive Plan.

**REVIEW BODY:**

City Council  
(The Planning Commission had a public hearing on March 3, 2008, and recommended the City Council approve the amendments.)

**APPLICANT:**

City of Albany Planning Division

**APPLICANT REP:**

Heather Hansen, Planner III

## **INTRODUCTION**

An Economic Opportunities Analysis (EOA) was completed in 2000 and used as the basis for the information in the 'Economic Development Background Summary' section Albany Comprehensive Plan Chapter 3-Economic Development. This information is currently outdated. Consideration of environmental constraints and other factors that limit development potential, development activity since 2000, and overall growth in Albany suggested that it was time to review the City's EOA to determine whether the City has an appropriate range of employment sites to accommodate expected growth over the 2007 to 2027 period. Winterbrook Planning, with the assistance of ECONorthwest, was hired to update the 2000 EOA. The 2007 EOA Update was based upon the City's adopted economic development goals and policies.

The updated information will be used to help determine the types of employment sites that are needed in the Albany Urban Growth Boundary (UGB). The current Planning Commission action does not include site-specific recommendations for redesignation of residential land or locations of potential UGB expansions. Those will be addressed and public comment sought at a future time and will include an evaluation of locational factors, such as infrastructure capacity, market demand, and compatibility with surrounding land uses.

The findings in this staff report list the relevant review criteria and respond to them. The proposed amendments to the text of the Comprehensive Plan are shown in Exhibit A and the 2007 EOA Update memo is attached as Exhibit B.

## **NOTICE INFORMATION**

A notice of public hearing was published in the *Albany Democrat-Herald* on February 25, 2008, and a press release was issued on February 26, 2008.

## **PLANNING COMMISSION AND STAFF RECOMMENDATIONS**

APPROVAL of the proposed Comprehensive Plan amendments to the 'Economic Development Background Summary' section of Chapter 3-Economic Development and adoption of the 2007 Economic Opportunities Analysis Update as a Background Report to the Comprehensive Plan.

## **RECOMMENDED CITY COUNCIL ACTION**

Adopt the attached Ordinance.

## **APPEALS**

Within five days of the City Council's final action on this application, the Community Development Director will provide written notice of the decision any parties entitled to notice. A City Council decision can be appealed to the Oregon Land Use Board of Appeals (LUBA) if a person with standing files a Notice of Intent to Appeal.

## STAFF ANALYSIS

### Comprehensive Plan File CP-01-08

The Albany Development Code (ADC) contains review criteria for Albany Comprehensive Plan amendments. Amendments to the Comp Plan will be approved if the Council finds that the applicant has shown that the following applicable criteria are met. [NOTE: Code criteria are written in *bold italics* and are followed by findings and conclusions.]

***(1) A legislative amendment is consistent with the goals and policies of the Comprehensive Plan, the statewide planning goals, and any relevant area plans adopted by the City Council.***

### FINDINGS OF FACT

- 1.1 The City of Albany Strategic Plan 2007-2012 includes a *Healthy Economy* goal. A relevant strategy under this goal is to *"ensure an adequate supply of zoned and serviced industrial and commercial property for growth and expansion."*
- 1.2 Albany Comprehensive Plan, Chapter 3-Economic Development (Goal 9), Land Use Goal #1 states *"Ensure an adequate supply of appropriately zoned land to provide for the full range of economic development opportunities in Albany, including commercial, professional, and industrial development."*
- 1.3 Statewide Planning Goal 9-Economic Development requires that comprehensive plans for urban areas be *"based on inventories of areas suitable for increased economic growth and activity after taking into consideration the health of the current economic base."* The comprehensive plans *"shall include an analysis of the community's economic patterns, potentialities, strengths, and deficiencies as they relate to state and national trends"* and *"Provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies."*
- 1.4 Oregon Administrative Rule (OAR) 660-009 implements Goal 9-Economy. 660-009-0015 requires cities to *"review and, as necessary, amend their comprehensive plans to provide economic opportunities analyses"* that include a review of economic trends, identification of required sites, an inventory of industrial and other employment lands, and an assessment of the community economic development potential. *"The analysis will compare the demand for land for industrial and other employment uses to the existing supply of such land."*
- 1.5 The information in the current 'Economic Development Background' section in Chapter 3-Economic Development of the Albany Comprehensive Plan was based upon data and analysis done as part of the 2000 Economic Opportunities Analysis (EOA).
- 1.6 The 2000 EOA was adopted as a Background Report to the Comprehensive Plan in 2003.
- 1.7 The analysis of buildable employment lands done in 1999 as part of the EOA, did not address wetlands or other factors that limit the development potential of property.
- 1.8 Several commercial and industrial sites that were available for development in 1999 have since been developed or committed for development.

### CONCLUSIONS

- 1.1 The proposed amendments will update the 'Economic Development Background' section in Chapter 3-Economic Development of the Albany Comprehensive Plan with more recent information and analysis from the 2007 EOA Update. The updated information will enable the City to make more informed planning decisions related to the appropriate range of employment sites needed to accommodate expected business growth over the next twenty years. This is consistent with the goals and policies of the state and city.

1.2 This criterion is satisfied.

***(2) A legislative amendment is needed to meet changing conditions or new laws.***

FINDINGS OF FACT

- 2.1 The analysis of buildable employment lands done in 1999 as part of the EOA did not address wetlands or other factors that limit the development potential of property. New data is available to address these factors, such as inventories of wetlands and riparian corridors.
- 2.2 Several commercial and industrial sites that were available for development in 1999 have since been developed or committed for development.
- 2.3 In 2005, the state adopted amendments to the administrative rule that implements Goal 9-Economy (OAR 660-009), including the required content of EOAs. The amendments include clarification and streamlining of the definitions and methodology for the inventory of existing land supply.

CONCLUSIONS

- 2.1 By incorporating the updated information, the City is staying current with State requirements, and will be able to make more informed decisions related to commercial and industrial land needs.
- 2.2 This criterion is satisfied.

The following Comprehensive Plan goals and policies are relevant to review of the proposed Comprehensive Plan amendments. The Comprehensive Plan is organized by the statewide planning goals. [NOTE: Each relevant goal and policy will be written in ***bold italic*** type and considered as a separate review criterion.]

***(3) Chapter 9, Goal 1-Citizen Participation: Ensure that local citizens and other affected groups, neighborhoods, agencies, and jurisdictions are involved in every phase of the planning process.***

***Policy 2: When making land use and other planning decisions:***

- a. ***Actively seek input from all points of view from citizens and agencies and assure that interested parties from all areas of the Urban Growth Boundary have the opportunity to participate.***
- b. ***Utilize all criteria relevant to the issue.***
- c. ***Ensure the long-range interests of the general public are considered.***
- d. ***Give particular attention to input provided by the public.***
- e. ***Where opposing viewpoints are expressed, attempt to reach consensus where possible.***

***Policy 2: Ensure information is made available to the public concerning development regulations, land use, and other planning matters including ways they can effectively participate in the planning process.***

FINDINGS OF FACT

- 3.1 Public notice was posted in the local paper regarding the public hearing and a press release was issued that described the proposed amendments, process, and potential outcome of the decision. It also explained that there will be opportunities for public involvement at the time site specific decisions will be made regarding redesignation of residential land or expansion of the UGB.
- 3.2 At the time site specific decisions will be considered, such as redesignation of residential land or expansion of the UGB, there will be an opportunity for public involvement.

## CONCLUSIONS

3.1 The public notice and press release informed the public of the proposed amendments, opportunities to provide input, and expected process outcomes.

3.2 This criterion is satisfied.

**(4) Chapter 9, Goal 2-Land Use Planning: Undertake periodic review and update of the Albany Comprehensive Plan to ensure the Plan:**

- 1. Remains current and responsive to community needs**
- 2. Retains long-range reliability**
- 3. Incorporates the most recent and reliable information,**
- 4. Remains consistent with state laws and administrative rules**

**Policy 1: Applications for Comprehensive Plan Amendments submitted by property owners shall be reviewed semiannually by the Planning Commission. The City Council or Planning Commission may also initiate Plan amendments at any time they determine that the public interest would be best served by so doing.**

**Policy 2: Base approval of Comprehensive Plan amendments upon consideration of the following:**

- a. Conformance with goals and policies of the Plan.**
- b. Citizen review and comment.**
- c. Applicable Statewide Planning Goals.**
- d. Input from affected governmental units and other agencies.**
- e. Short- and long-term impacts of the proposed change.**
- f. Demonstration of public need for the change.**
- g. Demonstration that the proposed amendment will best meet the identified public need versus other available alternatives.**
- h. Any additional information as required by the Planning Commission or City Council.**

**Policy 4: Undertake periodic review and/or update of the Albany Comprehensive Plan at least every four to seven years.**

## FINDINGS OF FACT

4.1 See Findings 2.1-2.3, which address the issues of updated information and consistency with state laws and administrative rules.

4.2 The proposed Comprehensive Plan amendments will enable the City to use the most current information as the basis for planning decisions.

4.3 The last EOA was done in 1999-2000 and the data and conclusions are no longer relevant to today's conditions.

## CONCLUSIONS

4.1 The background information in Chapter 3-Economic Development of the existing Comprehensive Plan is outdated and no longer relevant to current conditions. The updated information will enable the City to remain current, retain long-term reliability, incorporate the most recent and reliable information, and remain consistent with state laws and administrative rules.

4.2 Using the most current information as the basis of land use decisions serves the public interest.

4.3 This criterion is satisfied.



RESOLUTION TO DEVELOP A LINN COUNTY TEN-YEAR PLAN TO ADDRESS HOMELESSNESS

WHEREAS, safe and decent shelter is one of the most basic of all human needs; and

WHEREAS, the lack of adequate and affordable housing is being felt by individuals of all ages and income levels in Linn County; and

WHEREAS, inadequate housing and homelessness make it more difficult for children to learn, adults to be productive, and people of all ages to stay healthy; and

WHEREAS, lack of affordable housing and homelessness represent an economic burden on the community, especially the public safety and public health systems; and

WHEREAS, many government agencies, nonprofit groups, and individuals in Linn County are valiantly working to address shelter issues; and

WHEREAS, the local resources to deal with the problem fall far short of the need, with housing and shelter programs of all types reporting long waiting lists; and

WHEREAS, there is a new focus on the problems of affordable housing and homelessness at both the state and federal levels, as well as recognition that new approaches, including the "housing first" model, show great promise in ending homelessness; and

WHEREAS, the federal government has adopted a ten-year goal to end homelessness and has asked local jurisdictions to join in this effort; and

WHEREAS, the Community Services Consortium has agreed to coordinate the development of a ten-year plan to address homelessness for Linn and Benton Counties.

NOW, BE IT RESOLVED, that the City of Albany supports development of this plan and will strive to achieve its goals through working with other government partners at all levels, nonprofit organizations, the private sector, the faith community, and interested individuals.

DATED THIS 26TH DAY OF MARCH 2008.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



TO: Albany City Council  
VIA: Wes Hare, City Manager  
FROM: Ed Hodney, Director of Parks and Recreation *EH*  
DATE: March 19, 2008, for the March 26, 2008 City Council Meeting  
SUBJECT: Resolution naming Doug Killin Friendship Park

RELATES TO STRATEGIC PLAN THEME: ● Great Neighborhoods

RELATES TO: ● Master Plans

Action Requested:

Consider adoption of a Resolution naming “Doug Killin Friendship Park”.

Discussion:

The construction of Albany’s newest neighborhood park has been completed, and the Parks and Recreation Department solicited suggestions of names for the new park. A list of 12 possible names was gathered, with two suggestions—“Friendship Park” and Doug Killin Park”—receiving the most support. The Parks and Recreation Commission elected to combine these names and has recommended the new park be named “Doug Killin Friendship Park”, thus honoring both suggestions.

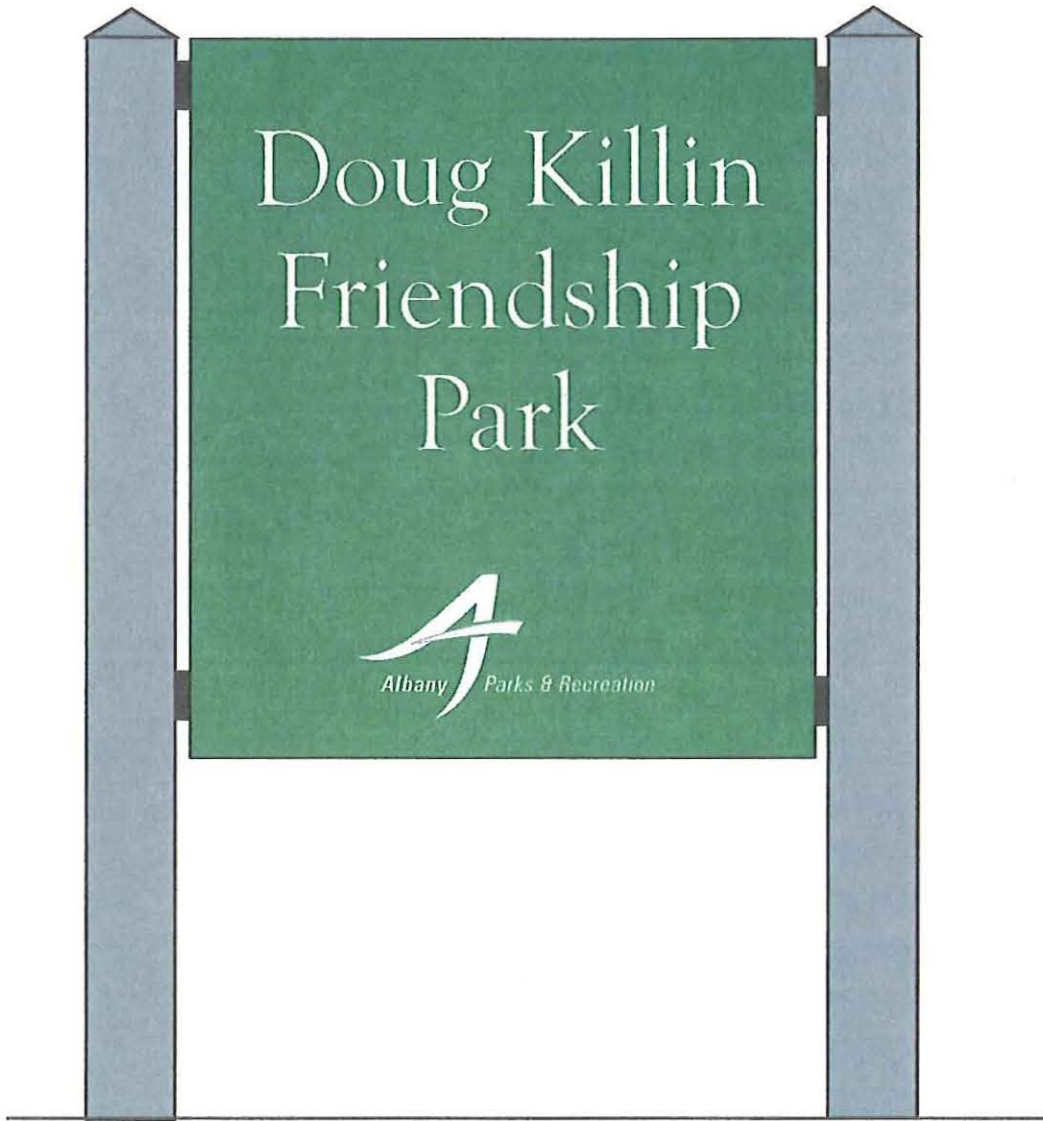
With the City Council’s adoption of this Resolution, park signs will be ordered and installed for an official park dedication in May 2008.

Budget Impact:

None. The cost of park signage is included in the project budget, funded through Parks SDCs.

EH

Attachments: Resolution  
Rendering of park sign with proposed name



1"=1'

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION NAMING DOUG KILLIN FRIENDSHIP PARK

WHEREAS, the City of Albany recently completed construction and needs to establish a name for its newest neighborhood park in South Albany; and

WHEREAS, the public nominated possible names for the park including "Friendship Park" and "Doug Killin Park"; and

WHEREAS, Doug Killin served the city of Albany for 13 years as an appointed and elected official; and

WHEREAS, during his time of tireless and faithful service to Albany's citizens, Mayor Killin was a strong advocate for parks and recreation services; and

WHEREAS, Mayor Killin's friends, City officials, and fellow Councilors desire to permanently and publicly honor him for his many good works on behalf of the community; and

WHEREAS, it has been determined that the naming of Albany's newest neighborhood park "Doug Killin Friendship Park" is an appropriate way to honor Mayor Killin and his legacy while being faithful to the name most supported by the citizens who participated in the naming process; and

WHEREAS, the Albany Parks and Recreation Commission has unanimously endorsed this name and has recommended it to the Albany City Council.

NOW, THEREFORE, BE IT RESOLVED the Albany City Council does hereby name this property "Doug Killin Friendship Park."

DATED AND EFFECTIVE THIS 26<sup>th</sup> DAY OF MARCH 2008.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



TO: Albany City Council  
VIA: Wes Hare, City Manager  
FROM: *Edward Boyd*  
Edward Boyd, Chief of Police  
DATE: March 18, 2008, for the March 26, 2008, City Council Meeting  
SUBJECT Senate Bill 111 – Peace Officer Use of Deadly Force Plan

RELATES TO STRATEGIC PLAN THEME: • A Safe City  
• An Effective Government

Action Requested:

City Council approval of the Police Officer Use of Deadly Force Plans for Linn and Benton Counties.

Discussion:

During its 2007 session, the Oregon Legislative Assembly passed Senate Bill 111 relating to Peace Officer Use of Deadly Force, which was signed into law by the Governor. Senate Bill 111 appoints Sheriffs and District Attorneys as co-chairs of a local “Planning Authority” that must complete and circulate for local approval a proposed plan about the use of deadly force by police officers on or before July 1, 2008. The measure requires counties to engage in a planning process, specifies the process for developing the plan, and requires plans to contain, at a minimum, elements addressing six specific subjects involved in deadly force incidents. The first requirement of the measure is that every law enforcement agency “shall adopt a policy dealing with the use of deadly force by its police officers.” The City of Albany Police Department has had a deadly force policy in place for well over 20 years, as have the majority of professional law enforcement agencies in our state.

The measure identifies that the composition of each Planning Authority will be the District Attorney, the Sheriff, a non-management police officer, a police chief from a city in the county, a member of the public, and a member of the Oregon State Police.

The six minimum required elements of each county’s plan are:

- An element dealing with education, outreach and training about the use of deadly physical force for police officers, attorneys employed by the state or local government within the county, and members of the community.
- An element dealing with the immediate aftermath of an incident in which a police officer used deadly physical force.
- An element dealing with the investigation of an incident in which a police officer used deadly physical force.

- An element dealing with the exercise of district attorney discretion to resolve issues of potential criminal responsibility resulting from a police officer's use of deadly physical force.
- An element dealing with collecting information regarding a police officer's use of deadly physical force, debriefing after an incident in which a police officer used deadly physical force, and revising a plan developed under this subsection based on experience
- An estimate of the fiscal impact of each of the other minimum elements on the law enforcement agencies to which the plan applies.

The Planning Authority must conduct at least one public hearing and submit the plan to the governing body of each law enforcement agency in the county for approval before submitting its proposed plan for final approval by the Oregon Attorney General. Two-thirds of the governing bodies must approve the plan or the Planning Authority must revise the plan. Individual governing bodies may not amend the plan.

The City of Albany is located within two adjoining counties, which requires Council approval for both plans for their respective counties.

Both Linn and Benton Counties began their Planning Authority process several months ago, have finalized their respective plans and are in the process of obtaining local governing body approval. Both plans are identical and cover all required elements under Senate Bill 111.

The plan was submitted to the Oregon Attorney General for a preliminary review prior to obtaining local governing body approvals. Our plan was granted a preliminary approval by the Attorney General's Office.

Budget Impact:

None

Attachments – Linn and Benton County Deadly Force Plans

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING A DEADLY PHYSICAL FORCE PLAN FOR LINN AND BENTON COUNTIES AND REPEALING RESOLUTION NO. 4212.

WHEREAS, according to Senate Bill 111, the planning authorities for Linn and Benton Counties have developed their respective deadly physical force plans that address each of the elements required by the bill; and

WHEREAS, the Council, having considered the language of Senate Bill 111, and the City of Albany being one of the governing bodies having a law enforcement agency that may vote to approve or disapprove the plans; and

WHEREAS, the adoption of this resolution requires that a previous resolution, Resolution No. 4212, regarding deadly force by police be repealed.

NOW, THEREFORE BE IT RESOLVED by the Albany City Council that the deadly physical force plans for Linn and Benton Counties, as set forth in Attachment "A", are hereby approved and Resolution No. 4212 is repealed.

DATED AND EFFECTIVE THIS 26<sup>th</sup> DAY OF MARCH 2008.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

# **DEADLY PHYSICAL FORCE**

**Policies and procedures relating to the use of deadly  
physical force by law enforcement personnel**

Benton County  
Use of Deadly Physical Force  
Planning Authority



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## **Members of the Planning Authority**

Benton County District Attorney, John Haroldson, co-chair  
Benton County Sheriff, Diana Simpson, co-chair  
Oregon State Police, Lt. Mark Cotter  
Police Department, Chief Gary Boldizar, Corvallis Police Department  
Labor Union Representative, Brett Roach, Corvallis Police Department  
Public Member, Nick Bonano

On February 7, 2008, this Plan was approved by a majority of the Planning Authority, and submitted for approval to governing bodies of the following jurisdictions:

Benton County -----Approved/Disapproved (date)  
City of Albany -----Approved/Disapproved (date)  
City of Corvallis -----Approved/Disapproved (date)  
City of Philomath----- Approved/Disapproved (date)

Upon receiving a vote of approval from 2/3 of the above jurisdictions, this Plan was submitted to the Attorney General, who approved the Plan on \*\*\*.

## **Preamble**

The use of deadly physical force by law enforcement personnel is a matter of critical concern both to the public and to the law enforcement community. The purpose of this Plan is not to set the standards for the use of such force, or to be a substitute for agency policy regarding use of force, but rather to provide a framework for a consistent response to an officer's use of deadly physical force that treats the law enforcement officer fairly, and promotes public confidence in the criminal justice system.

## **Section 1: Administration**

- (1) In the event that a member of the planning authority is unable to continue to serve, a replacement shall be appointed as provided in Section 2(1) of Senate Bill 111, Oregon Laws 2007.
- (2) There shall be six voting members of the Planning Authority. The approval of the Plan, elements or revisions thereof, shall be by majority vote.
- (3) The presence of 2/3 of the voting members shall be required in order to hold any vote.
- (4) Any meeting of a quorum of the voting members of the Planning Authority is subject to Oregon's open meeting law.

## **Section 2: Applicability of the Plan**

- (1) This plan shall be applicable, as set forth herein, to any use of deadly physical force by a peace officer acting in the course of and in furtherance of his/her official duties, occurring within Benton County.

## **Section 3: Definitions**

**Agency:** The law enforcement organization employing the officer who used deadly physical force

**Plan:** Means the final document approved by the Planning Authority, adopted by two-thirds of the governing bodies employing law enforcement agencies, and approved by the Attorney General. Any approved revisions shall become a part of the Plan. Issues related to the revision of this plan are addressed in Section 12 of this plan.

**Deadly Physical Force:** Means physical force that under the circumstances in which it is used is readily capable of causing death or serious physical injury.

**Serious Physical Injury:** Has the same meaning as "serious physical injury" as defined in ORS 161.015(8).

**Physical Injury:** Means impairment of physical condition or substantial pain that does not amount to "serious physical injury."

**Involved Officer:** Means the person whose official conduct, or official order, was the cause in fact of the death of a person. "Involved Officer" also means an officer whose conduct was not the cause in fact of the death, but who was involved in the incident

before or during the use of deadly physical force, and this involvement was reasonably likely to expose the officer to a heightened level of stress or trauma.

**Preliminary Statements:** Those statements provided by involved Officers to supervisors or investigators immediately after a deadly force incident related to officer safety, public safety and necessary information to secure the scene, apprehend others that may be of concern to the investigation, and provide a framework for the investigation.

## **Section 4: Immediate Aftermath**

- (1) When an officer uses deadly physical force, the officer shall immediately take whatever steps are reasonable and necessary to protect the safety of the officer and any member of the public.
  - (a) After taking such steps, the officer shall immediately notify his or her agency of the use of deadly physical force.
  - (b) Thereafter, the officer, if able, shall take such steps as are reasonably necessary to preserve the integrity of the scene and to preserve evidence.
  - (c) Upon request, the officer may provide preliminary statements.

## **Section 5: Serious Physical Injury/Death**

When the use of deadly physical force results in death or serious physical injury to any person, in addition to the requirements of **Section 4 (1) of this Plan**, and notwithstanding agency policy, the following provisions apply:

- (1) Upon the arrival of additional officers, sufficient to manage the scene, each Involved Peace Officer shall be relieved of the above duties set forth in Section 4 (1) of the Plan, and the duties shall be re-assigned to uninvolved police personnel.
- (2) As soon as practicable, each Involved Peace Officer shall leave the scene, as directed by his or her supervisor, and be offered an opportunity for a medical examination. If the officer is not in need of medical treatment, the officer shall be taken to the Agency's office. If requested by the Involved Peace Officer, the officer's union representative shall be notified.

(3) As soon as practicable, the duty weapon of any peace officer who fired their weapon shall be seized by investigators, and replaced with a substitute weapon, if appropriate.

(4) Interview of an "Involved Peace Officer":

As used in this section "interview" refers to formal interview of the officer by assigned investigative personnel that occurs within a reasonable time period after the incident, and after the officer has had an opportunity to consult with counsel, if so desired.

(a) The interview of the involved officer(s) who discharged a firearm during a use of deadly physical force incident resulting in death or serious physical injury, shall occur after a reasonable period of time to prepare for the interview and taking into account the emotional and physical state of the officer(s). The interview shall occur no sooner than 48 hours after the incident, unless this waiting period is waived by the officer.

(b) The waiting period does not preclude an initial on-scene preliminary statement with the officer to assess and make an initial evaluation of the incident.

(5) For at least 72 hours immediately following an incident in which the use of deadly physical force by a peace officer resulted in the death of a person, a law enforcement agency may not return an Involved Peace Officer to duties that might place the officer in a situation in which the officer has to use deadly force.

(a) Officer(s) involved in discharging his or her firearm that results in death or serious physical injury shall immediately be placed on paid administrative leave until such time as sufficient information exists to determine the justification in the use of deadly physical force and that the officer(s) have had an opportunity for mental health counseling.

(6) In the 6 months following a use of deadly physical force incident that results in a death, the Agency shall offer each Involved Peace Officer a minimum of two opportunities for mental health counseling. The officer shall be required to attend at least one session of mental health counseling.

(7) As soon as practicable after the arrival of a supervisor, notification shall be made to the District Attorney as provided in Section 8 (1) of this Plan.

(a) This provision does not prevent the Agency from requiring additional notification requirements within their respective agency policies.

- (8) The Agency shall designate a representative to make an initial public statement about the incident. Such statement shall include:
  - (a) The time and place of the incident.
  - (b) The condition of any suspect.
  - (c) The nature of the use of deadly physical force.
  
- (9) Prior to a final determination being made by the District Attorney, the District Attorney and the primary investigative agency shall consult with each other and make a public release of information as is deemed appropriate.

## **Section 6: PRIMARY INVESTIGATIVE AGENCY**

After consulting with the District Attorney, the Agency shall decide what law enforcement agency will be the primary investigating agency. In the event that the involved officer's own agency will be the primary investigating agency, and the incident resulted in a death, the Agency will promptly make arrangements for at least one investigator from outside the Agency to participate in the investigation.

- (a) In the event that a use of deadly physical force resulting in death or serious physical injury involves officers from multiple jurisdictions, the District Attorney and each involved agency shall consult and agree upon a primary investigative agency.

## **Section 7: Investigation Protocols**

- (1) The investigation, at a minimum, shall consist of:
  - (a) Eyewitness interviews.
  - (b) Evidence collection
  - (c) Scene documentation.
  - (d) Involved Officer interview(s)
  
- (2) The investigation shall be documented in written reports.

- (a) All written reports shall be filed with the investigator's agency, and copies provided to the lead investigative agency, and the Involved Officer's agency.
- (b) All police reports shall be promptly provided to the District Attorney.

## **Section 8: District Attorney**

- (1) When an incident of the use of deadly physical force by a peace officer occurs, and death or serious physical injury results, the agency shall, as soon as practicable, notify the District Attorney's Office.
  - (a) Notification shall be made to the District Attorney, Chief Deputy, or other senior member of the District Attorney's staff.
- (2) When a use of deadly physical force by an officer occurs, and death or serious physical injury results, the District Attorney, and/or a senior member of his staff will consult with the agency regarding the investigation and implementation of the elements of this plan.
- (3) The District Attorney has the sole statutory and constitutional duty to make the decision on whether to present a matter to a Grand Jury.
  - (a) Preliminary Hearings will not be used as a method of reviewing an officer's use of deadly force.
  - (b) The District Attorney will consult with the investigating agency and make the decision on whether to present the case to a Grand Jury.
    - (1) The timing of the decision will be made by the District Attorney at such time as he has determined that sufficient information is available to competently make the decision.
  - (c) If the District Attorney decides to present a case to the Grand Jury, the District Attorney shall promptly notify the investigating agency, the involved officer's agency, and the involved officer's representative.
  - (d) If the District Attorney decides that the investigation reveals that the officer's use of deadly force was justified under Oregon law, and that Grand Jury review is unnecessary, the District Attorney shall so notify the Agency, the involved officer, the involved officer's representative, and the public.
- (4) If the use of deadly physical force results in physical injury to someone other than a police officer, upon completion of the investigation, all investigative

information shall be forwarded to the District Attorney for review.

## **Section 9: Debriefing and Reporting**

- (1) Upon a final determination by the District Attorney, the Agency shall conduct an internal review of the matter according to Agency policy. Such review, at a minimum, shall include a review of the incident by the involved officer.
- (2) Upon the conclusion of the investigation, the announcement by the District Attorney pursuant to Section 8 (3), and the debriefing, the Agency shall complete and submit a report to the Attorney General's Office regarding the use of force.

## **Section 10: Training, Outreach**

- (1) Each law enforcement agency within Benton County should conduct an annual presentation intended to engage members of the community in a discussion regarding the agency's policies on the use of deadly force, as well as discussions regarding the use of deadly force by the Agency's personnel.
- (2) Each law enforcement agency within Benton County shall provide a copy of this Plan to every officer, and provide training to officers on the implementation of the plan.

## **Section 11: Fiscal Impact**

- (1) At the conclusion of each fiscal year following the adoption of the Plan, each agency shall submit to the administrator of the Plan, a report outlining the fiscal impact of each element of the Plan as described in section (a) to (e) of Section 2 (4) of Senate Bill 111, Oregon Laws 2007.



## **Section 12: Plan Revision**

- (1) Beginning January 1, 2009, and each year thereafter, the Planning Authority shall meet at least once to review and discuss the operation of the Plan.
- (2) If a revision of the Plan becomes advisable, the Planning Authority shall meet and discuss such a revision. If the Planning Authority adopts a revision, such revision shall be submitted for approval as provided by statute.

# **DEADLY PHYSICAL FORCE**

**Policies and procedures relating to the use of deadly  
physical force by law enforcement personnel**

**Linn County Use of Deadly Physical Force Planning Authority**

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**SIGNATURE PAGE .....10**

**Agency Policies Attached:**

## Members of the Planning Authority

Linn County District Attorney, Jason Carlile, co-chair  
Linn County Sheriff, Tim Mueller, co-chair  
Oregon State Police, Lt. Mark Cotter  
Police Department, Chief Ed Boyd, Albany Police Department  
Labor Union Representative, Jason Ogden, Sweet Home P.D.  
Public Member, Andy Trower  
Non Voting Member, Dustin Wyatt, Lebanon P.D.

On March 4, 2008, this Plan was presented in a Public Meeting at the Linn County Court House.

On February 13, 2008, this Plan was approved by the Planning Authority, and will be submitted for approval to governing bodies of the following jurisdictions:

Linn County ----- Approved/Disapproved (date)

City of Albany -----Approved/Disapproved (date)

City of Lebanon -----Approved/Disapproved (date)

City of Sweet Home -----Approved/Disapproved (date)

Upon receiving a vote of approval from 2/3 of the above jurisdictions, this Plan was submitted to the Attorney General, who approved the Plan on \*\*\*. This is made part of the document after we get the plan approved.

## Preamble

The use of deadly physical force by law enforcement personnel is a matter of critical concern both to the public and to the law enforcement community. The purpose of this Plan is not to set the standards for the use of such force, or to be a substitute for agency policy regarding use of force, but rather to provide a framework for a consistent response to an officer's use of deadly physical force that treats the law enforcement officer fairly, and promotes public confidence in the criminal justice system.

## Section 1: Administration

- (1) In the event that a member of the planning authority is unable to continue to serve, a replacement shall be appointed as provided in Section 2(1) of Senate Bill 111, Oregon Laws 2007.

- (2) There shall be six voting members of the Planning Authority. The approval of the Plan, elements or revisions thereof, shall be by majority vote.
- (3) The presence of 2/3 of the voting members shall be required in order to hold any vote.
- (4) When this document becomes effective any meeting of a quorum of the voting members of the Planning Authority is subject to Oregon's open meeting law.

## **Section 2: Applicability of the Plan**

- (1) This plan shall be applicable, as set forth herein, to any use of deadly physical force by a peace officer acting in the course of and in furtherance of his/her official duties, occurring within Linn County.

## **Section 3: Definitions**

**Agency:** The law enforcement organization employing the officer who used deadly physical force.

**Plan:** Means the final document approved by the Planning Authority, adopted by two-thirds of the governing bodies employing law enforcement agencies, and approved by the Attorney General. Any approved revisions shall become a part of the Plan. Issues related to the revision of this plan are addressed in Section 12 of this plan.

**Deadly Physical Force:** Means physical force that under the circumstances in which it is used is readily capable of causing death or serious physical injury.

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**Involved Officer:** Means the person whose official conduct, or official order, was the cause in fact of the death of a person. "Involved Officer" also means an officer whose conduct was not the cause in fact of the death, but who was involved in the incident before or during the use of deadly physical force, and this involvement was reasonably likely to expose the officer to a heightened level of stress or trauma.

**Preliminary Statements:** Those statements provided by involved Officers to supervisors or investigators immediately after a deadly force incident related to officer safety, public safety and necessary information to secure the scene, apprehend others that may be of concern to the investigation, and provide a framework for the investigation.

## **Section 4: Immediate Aftermath**

- (1) When an officer uses deadly physical force, the officer shall immediately take whatever steps are reasonable and necessary to protect the safety of the officer and any member of the public.
  - (a) After taking such steps, the officer shall immediately notify his or her agency of the use of deadly physical force.
  - (b) Thereafter, the officer, if able, shall take such steps as are reasonably necessary to preserve the integrity of the scene and to preserve evidence.
  - (c) Upon request, the officer may provide preliminary statements.

## **Section 5: Serious Physical Injury/Death**

When the use of deadly physical force results in death or serious physical injury to any person, in addition to the requirements of **Section 4 (1) of this Plan**, and notwithstanding agency policy, the following provisions apply:

- (1) Upon the arrival of additional officers, sufficient to manage the scene, each Involved Peace Officer shall be relieved of the above duties set forth in Section 4 (1) of the Plan, and the duties shall be re-assigned to uninvolved police personnel.
- (2) As soon as practicable, each Involved Peace Officer shall leave the scene, as directed by his or her supervisor, and be offered an opportunity for a medical examination. If the officer is not in need of medical treatment, the officer shall be taken to the Agency's office. If requested by the Involved Peace Officer, the officer's union representative shall be notified.
- (3) As soon as practicable, the duty weapon of any peace officer who fired their weapon shall be seized by investigators, and replaced with a substitute weapon, if appropriate.
- (4) Interview of an "Involved Peace Officer":

As used in this section "interview" refers to formal interview of the officer by assigned investigative personnel that occurs within a reasonable time period after the incident and after the officer has had an opportunity to consult with counsel, if so desired.

- (a) The interview of the involved officer(s) who discharged a firearm during a use of deadly physical force incident resulting in death or serious physical injury, shall occur after a reasonable period of time to prepare for the interview and taking into account the emotional and physical state of the officer(s). The interview shall occur no sooner than 48 hours after the incident, unless this waiting period is waived by the officer.

- (b) The waiting period does not preclude an initial on-scene preliminary statement with the officer to assess and make an initial evaluation of the incident.
- (5) For at least 72 hours immediately following an incident in which the use of deadly physical force by a peace officer resulted in the death of a person, a law enforcement agency may not return an Involved Peace Officer to duties that might place the officer in a situation in which the officer has to use deadly force.
  - (a) Officer(s) involved in discharging his or her firearm that results in death or serious physical injury shall immediately be placed on paid administrative leave until such time as sufficient information exists to determine the justification in the use of deadly physical force and that the officer(s) have had an opportunity for mental health counseling.
- (6) In the 6 months following a use of deadly physical force incident that results in a death, the Agency shall offer each Involved Peace Officer a minimum of two opportunities for mental health counseling. The officer shall be required to attend at least one session of mental health counseling.
- (7) As soon as practicable after the arrival of a supervisor, notification shall be made to the District Attorney as provided in Section 8 (1) of this Plan.
  - (a) This provision does not prevent the Agency from requiring additional notification requirements within their respective agency policies.
- (8) The Agency shall designate a representative to make an initial public statement about the incident. Such statement shall include:
  - (a) The time and place of the incident.
  - (b) The condition of any suspect.
  - (c) The nature of the use of deadly physical force.
- (9) Prior to a final determination being made by the District Attorney, the District Attorney and the primary investigative agency shall consult with each other and make a public release of information as is deemed appropriate.

## **Section 6: Primary Investigative Agency**

After consulting with the District Attorney, the Agency shall decide what law enforcement agency will be the primary investigating agency. In the event that the involved officer's own agency will be the primary investigating agency, and the incident resulted in a death, the Agency will promptly make arrangements for at least one investigator from outside the Agency to participate in the investigation.

- (a) In the event that a use of deadly physical force resulting in death or serious physical injury involves officers from multiple jurisdictions, the District Attorney and each involved agency shall consult and agree upon a primary investigative agency.

## **Section 7: Investigation Protocols**

- (1) The investigation, at a minimum, shall consist of:
  - (a) Eyewitness interviews.
  - (b) Evidence collection
  - (c) Scene documentation.
  - (d) Involved Officer interview(s)
- (2) The investigation shall be documented in written reports.
  - (a) All written reports shall be filed with the investigator's agency, and copies provided to the lead investigative agency, and the Involved Officer's agency.
  - (b) All police reports shall be promptly provided to the District Attorney.

## **Section 8: District Attorney**

- (1) When an incident of the use of deadly physical force by a peace officer occurs, and death or serious physical injury results, the agency shall, as soon as practicable, notify the District Attorney's Office.
  - (a) Notification shall be made to the District Attorney, Chief Deputy, or other senior member of the District Attorney's staff.
- (2) When a use of deadly physical force by an officer occurs, and death or serious physical injury results, the District Attorney, and/or a senior member of his staff will consult with the agency regarding the investigation and implementation of the elements of this plan.
- (3) The District Attorney has the sole statutory and constitutional duty to make the decision on whether to present a matter to a Grand Jury.
  - (a) Preliminary Hearings will not be used as a method of reviewing an officer's use of deadly force.
  - (b) The District Attorney will consult with the investigating agency and make the decision on whether to present the case to a Grand Jury.



- (1) The timing of the decision will be made by the District Attorney at such time as he has determined that sufficient information is available to competently make the decision.
  - (c) If the District Attorney decides to present a case to the Grand Jury, the District Attorney shall promptly notify the investigating agency, the involved officer's agency, and the involved officer's representative.
  - (d) If the District Attorney decides that the investigation reveals that the officer's use of deadly force was justified under Oregon law, and that Grand Jury review is unnecessary, the District Attorney shall so notify the Agency, the involved officer, the involved officer's representative, and the public.
- (4) If the use of deadly physical force results in physical injury to someone other than a police officer, upon completion of the investigation, all investigative information shall be forwarded to the District Attorney for review.

## **Section 9: Debriefing and Reporting**

- (1) Upon a final determination by the District Attorney, the Agency shall conduct an internal review of the matter according to Agency policy. Such review, at a minimum, shall include a review of the incident by the involved officer.
- (2) Upon the conclusion of the investigation, the announcement by the District Attorney pursuant to Section 8 (3), and the debriefing, the Agency shall complete and submit a report to the Attorney General's Office regarding the use of force.

## **Section 10: Training, Outreach**

- (1) Each law enforcement agency within Linn County shall include in its policy regarding the use of deadly force, a provision regarding engaging members of the community in a discussion regarding the Agency's policies on the use of deadly force, as well as discussions regarding the use of deadly force by the Agency's personnel.
- (2) Each law enforcement agency within Linn County shall provide a copy of this plan to every officer, and provide training to officers on the implementation of the plan.

## **Section 11: Fiscal Impact**

- (1) At the conclusion of each fiscal year following the adoption of the Plan, each agency shall submit to the administrator of the Plan, a report outlining the fiscal impact of each element of the Plan as described in section (a) to (e) of Section 2 (4) of Senate Bill 111, Oregon Laws 2007.

## Section 12: Plan Revision

- (1) Beginning January 1, 2009, and each year thereafter, the Planning Authority shall meet at least once to review and discuss the operation of the Plan.
- (2) If a revision of the Plan becomes advisable, the Planning Authority shall meet and discuss such a revision. If the Planning Authority adopts a revision, such revision shall be submitted for approval as provided by statute.

I have reviewed this document and agree to the conditions contained therein. My signature confirms my agency's commitment to participation in these Policies and procedures relating to the use of deadly physical force by law enforcement personnel.

**COPY**

\_\_\_\_\_  
District Attorney Jason Carlile  
Linn County

\_\_\_\_\_  
Date

**COPY**

\_\_\_\_\_  
Sheriff Tim Mueller  
Linn County Sheriff's Office

\_\_\_\_\_  
Date

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Lt. Mark Cotter  
Oregon State Police

\_\_\_\_\_  
Date

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Chief Mike Healy  
Lebanon Police Department

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Date

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Chief Robert Burford  
Sweet Home Police Department

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Chief Ed Boyd  
Albany Police Department

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**BEFORE THE DEADLY PHYSICAL FORCE PLANNING AUTHORITY  
FOR LINN COUNTY**

**IN THE MATTER OF APPROVAL OF A  
DEADLY PHYSICAL FORCE PLAN FOR LINN  
COUNTY**

**RESOLUTION NO. 2008-01**

THE LINN COUNTY DEADLY PHYSICAL FORCE PLANNING AUTHORITY ("the Authority") sat for the transaction of county business in a formal session at 11:00 am, on March 4, 2008, members Jason Carlile, co-chair, Linn County District Attorney; Tim Mueller, co-chair, Linn County Sheriff; Lt. Mark Cotter, Oregon State Police; Chief Ed Boyd, Albany Police Department; Jason Ogden, Sweet Home Police Department; Andy Trower, member from the public; Dustin Wyatt, Lebanon Police Department (non-voting member) participating.

WHEREAS, the Linn County Deadly Physical Force Planning Authority has duly advertized and noticed the hearing and its agenda purpose; and

WHEREAS, According to SB 111, the Authority must meet and approve a deadly physical force plan that addresses each of the elements required by the bill; and

WHEREAS, SB 111 requires the Authority to conduct at least one public hearing on the plan ; and

WHEREAS, The Authority having considered the language of SB 111; and,

WHEREAS, After having considered public testimony [if any]; and now, therefore, be it

*RESOLVED*, That the deadly physical force plan as set forth in Exhibit 1 be and is hereby approved.

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ORDERED, That copies of the plan be made and distributed to the following:

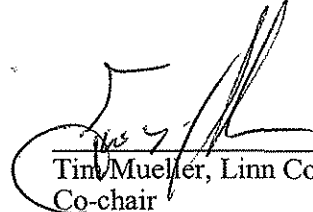
Chief Ed Boyd, Albany Police Department  
Chief Mike Healy, Lebanon Police Department  
Chief Bob Burford, Sweet Home Police Department

Adopted and passed March 4, 2008.  
Signed March 4, 2008.

DONE at Albany, Oregon on March 4, 2008.

LINN COUNTY DEADLY PHYSICAL FORCE  
PLANNING AUTHORITY

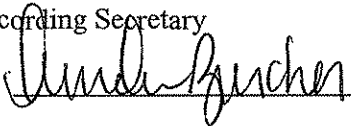
VOTING  
FOR AGAINST

  
\_\_\_\_\_  
Tim Mueller, Linn County Sheriff  
Co-chair

X

Recording Secretary

By



  
\_\_\_\_\_  
Jason Carlile, Linn County District Attorney  
Co-chair


X

  
\_\_\_\_\_  
Lt. Mark Cotter, Oregon State Police, member

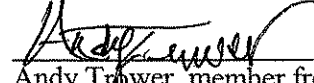
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ABSENT

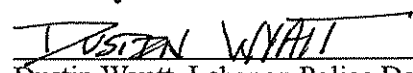
Jason Ogden, Sweet Home Police Department, member

  
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Chief Ed Boyd, Albany Police Department, member

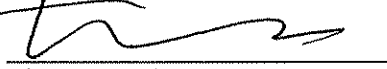
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\_\_\_\_\_  
Andy Trover, member from the public

X

  
\_\_\_\_\_  
Dustin Wyatt, Lebanon Police Department (non-voting member), member

APPROVED AS TO FORM:



Thomas N. Corr  
Linn County Chief Civil Deputy Attorney/County Counsel



TO: Albany City Council

VIA: Wes Hare, City Manager  
Diane Taniguchi-Dennis, P.E. Public Works Director *ISTP*

FROM: Mark W. Shepard, P.E., Assistant Public Works Director/City Engineering *MWS*  
Jeff Woodward, P.E., Civil Engineer II

DATE: March 18, 2008, for the March 26, 2008, City Council Meeting

SUBJECT: ST-08-04, Infrastructure Improvements - Knox Butte Rd. to Somerset Dr.

STRATEGIC PLAN: ● Great Neighborhoods

Action Requested:

Staff requests that City Council adopt the attached resolution directing staff to prepare an engineer's report and financial investigation for the establishment of a Local Improvement District to construct public sanitary sewer, water, storm system, and street improvements between Somerset Drive and Knox Butte Road to benefit the parcels shown on the attached map labeled Attachment A.

Background:

Over the last year, City staff has been working with the Greater Albany Public Schools' (GAPS) consulting engineer to identify the required improvements for a new school to be located north of Knox Butte Road, as shown on the attached map. It was anticipated that a private development project (Brandis Village) was going to be constructed between the school site and Knox Butte Road. Brandis Village would have extended an access road north from Knox Butte Road to the school property. In addition, the development would have extended a water line along the new road alignment to the school's south property line. The School District and the private developer would have also coordinated efforts to extend a sewer line from Somerset Drive to Knox Butte Road to the south. However, the developers of Brandis Village have withdrawn their application with the Community Development Department and the project is currently inactive. This leaves the School District with a significantly increased responsibility to complete the street, water, and sewer improvements to serve the new school.

Following is a list of the improvements that must be completed either through a Local Improvement District (LID) or by the School District before the school can open. These improvements are shown on the attached map labeled Attachment B:

- Transportation and Storm Drainage – Complete a collector street connection and storm system improvements between Knox Butte Road and the north boundary of the school site. This street construction would trigger the need to make intersection improvements where the new street connects to Knox Butte Road. Currently, a roundabout is planned for this intersection. The Fire Department will also require an emergency access to the site from Somerset Drive. This emergency access would consist of a gravel roadway as a minimum.
- Water – The school must be served by water that could be extended from either Somerset Drive or Knox Butte Road and will need to be extended across the entire school frontage. If the school is served by a water line extension from Somerset, the water line would need to be

extended all the way to Knox Butte Road to avoid cutting into the new street the School District is required to build between Knox Butte Road and the new school.

- Sewer – The school will be served by a sewer that is currently installed to the eastern end of Somerset Drive. This sewer needs to be extended across the school frontage. In addition, the sewer would need to be extended south all the way to Knox Butte Road to avoid cutting into the new street the School District is required to build between Knox Butte and the new school.

Discussion:

The improvements required to serve the school include a significant amount of off-site improvements that benefit adjacent properties. City staff has been in conversations with the School District regarding the formation of an LID to pay for these improvements. The School District is in favor of an LID as a mechanism to complete the improvements required for the school as well completing all the infrastructure improvements needed along the roadway alignment between Somerset and Knox Butte Road.

The school district submitted an LID petition on March 14, 2008, for full sewer, water, storm, and street improvements between Knox Butte Road and Somerset Drive. A copy of the Petition for Improvements is attached as Attachment C. An LID would provide the new school with the necessary infrastructure while distributing the project costs to all of the parcels that will benefit from the improvements. Formation of an LID would allow the School District to meet their Conditions of Approval.

Of the four properties shown on the proposed LID boundary map, three are owned by the Brandis family and one is owned by GAPS. All properties in the anticipated LID boundary have signed a Petition for Improvements/Waiver of Remonstrance for street and storm drain improvements. However, there is no Waiver of Remonstrance from the properties for sewer and water improvements. Therefore, the properties could not remonstrate against the street and storm improvements, but they could against the sewer and water improvements. Therefore, the Brandis properties could delay construction of the improvements if the improvements are to be constructed through an LID. If the LID schedule does not work for the School District they will be faced with the choice of delaying the opening of the school or constructing the improvements themselves.

The timeline for completion of the infrastructure projects is extremely tight. The School District is targeting a fall of 2009 opening for the new school. There are wetland and water quality permitting issues that could impact the City's ability to complete the roadway project in time for a Fall 2009 school opening. During initial discussions, the School District's consultants represented to the City that they were obtaining all wetland and water quality permits required for completion of roadway improvements. It was critical the School District secure these permits for the project in the spring of 2007 to ensure the tight timeline for completing the roadway could be met. City staff has recently become aware that the permit application submitted by the School District's consultants does not cover permanent impacts for the entire roadway and did not include wetland impacts resulting from the roundabout. When staff requested these improvements be included in the permit application, the consultants did not want to modify the application because it would push the schedule back for obtaining permits to start the building construction. Therefore, additional wetland and water quality permitting efforts will be required to construct the roadway between Knox Butte Road and the school.

Based on past experiences with wetlands regulations and storm water quality issues, staff is not confident wetland and water quality issues can be addressed and resolved in a timely manner to allow completion of the roadway by the fall of 2009. If the City assumes the responsibility for completion of the public infrastructure, Council should be aware there is risk the roadway will not be completed in time for the school opening.

Staff will be exploring options with the School District to address these scheduling concerns. The Engineer's Report will provide options and alternatives available to the City and School District.

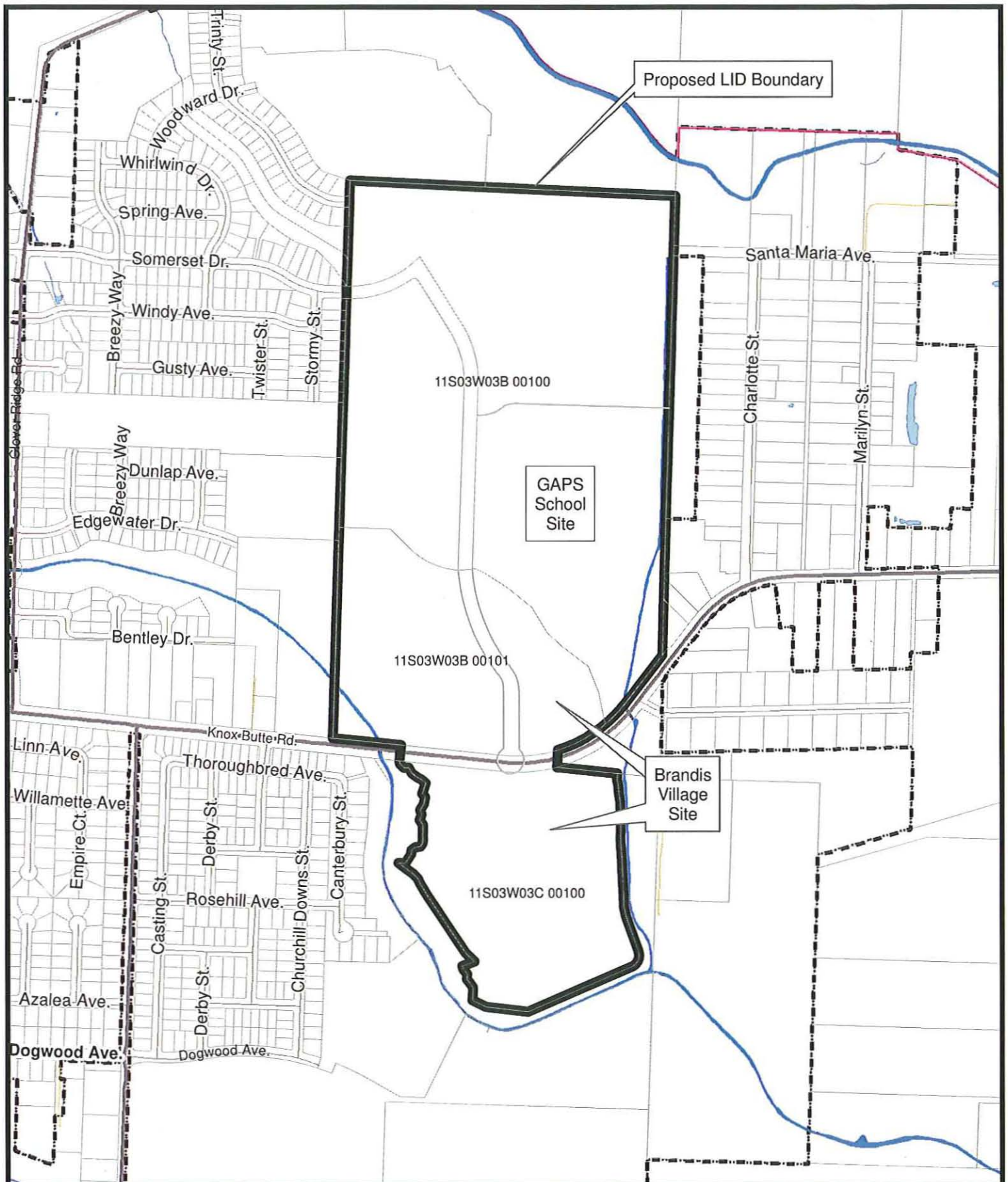
Council can choose to not form the LID. In that case, the School District could complete the needed infrastructure using the Site Improvement (SI) process. This would result in the School District paying all costs for the needed improvements and would only be reimbursed for off-site improvements if the City collects Connection Charges from adjoining property owners within the next 10 years.

Budget Impact:

If the LID is formed, the improvement costs will be funded by assessments to the benefited properties and by sewer and water SDC funds for pipe over sizing.

CBG:prj

Attachments (3)



Proposed LID Boundary: ST-08-04, Improvements, Knox Butte to Somerset

Attachment A



Engineering

Jeff Woodward

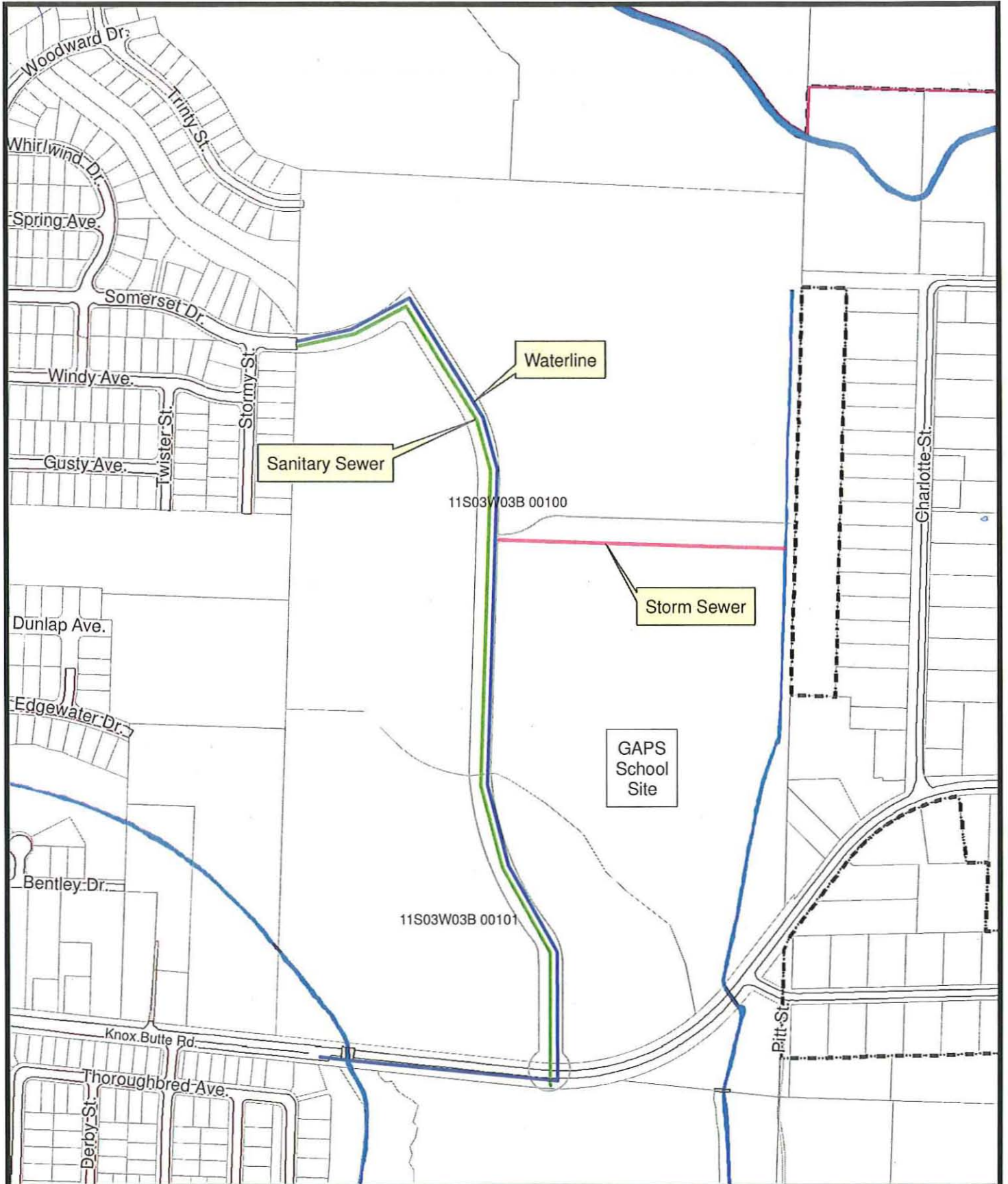
1 inch equals 600 feet

Tuesday, March 18, 2008 8:41:54 AM  
 U:\Shared\GIS\Engineering\Chris Goins\Proposed LID.mxd

The City of Albany's Infrastructure records, drawings, and other documents have been prepared over many decades, using different standards for quality control, documentation, and verification. All the information provided represents current information in a ready-to-use format. While the information provided is generally believed to be accurate, sometimes the information proves to be incorrect and that is accepted as it occurred. Prior to making any property purchases or other actions based in full or in part upon the information provided, it is specifically advised that you independently verify the information presented with our records.







Proposed LID Improvements: ST-08-04, Improvements, Knox Butte to Somerset Attachment B

	<p>Engineering</p>	<p>Jeff Woodward</p> <p>Tuesday, March 18, 2008 8:57:35 AM          U:\Shared\GIS\Engineering\Chris Goins\Proposed LID Attachment B.mxd</p>	<p>1 inch equals 400 feet</p> <p><small>The City of Albany's internal records, drawings, and other documents have been prepared over many decades, using different standards for quality control, documentation and methods. All the information provided represents current information in a readily available format. While the information provided is generally believed to be accurate, additional information may be required and that its accuracy is not warranted. Prior to making any property purchases or other investments based on GIS or in part upon the information provided, it is specifically advised that you independently verify the information contained within our records.</small></p>	
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City of Albany  
Petition for Improvement

Date Received: MARCH 14, 2008 JD  
Approved: \_\_\_\_\_  
Rejected: \_\_\_\_\_  
Percentage: \_\_\_\_\_

Members of the City Council:

We, the undersigned property owners, do hereby petition for Public Improvement at the following location(s):

FROM KNOX BUTTE ROAD NORTH ALONG "BRANDIS BOULEVARD" TO THE INTERSECTION OF  
THE EXTENSION OF SOMERSET DRIVE THEN WEST TO CONNECT TO SOMERSET DRIVE.

Such improvement(s) to consist of the following:

Sidewalks YES

Sanitary Sewer YES

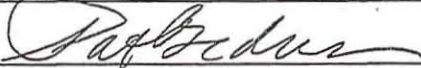
Storm Drainage YES

Water YES

Street YES

Other \_\_\_\_\_

Dated this 14<sup>TH</sup> day of MARCH, 2008.

Owner/Agent of Record (Print Name)	Signature	Address	Property/Tax Lot No.
<u>GREATER ALBANY PUBLIC</u>		<u>718 7<sup>TH</sup> AVE. SW, ALBANY, OR 97321</u>	<u>TAX LOT NO. 100</u>
<u>SCHOOL DISTRICT 8 J</u>			
<u>PAT BARDORF</u>			
<u>SUPERINTENDANT OF SCHOOLS</u>			

ATTACHMENT C

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION DIRECTING AN ENGINEER'S REPORT AND A FINANCIAL INVESTIGATION REPORT BE PREPARED FOR CONSTRUCTION OF SANITARY SEWER, WATER MAIN, STORM SYSTEM AND FULL STREET IMPROVEMENTS ON PROPERTY LOCATED BETWEEN SOMERSET DRIVE AND KNOX BUTTE ROAD.

WHEREAS, sanitary sewer, water main, storm system, and street improvements through the properties located between Somerset Drive and Knox Butte Road do not exist; and

WHEREAS, Petition and waivers for the storm system and full street improvements have been filed for all parcels in the proposed LID boundary; and

WHEREAS, Greater Albany Public Schools (GAPS) have submitted a Petition for Improvements requesting the extension of public sewer and water improvements through said property; and

WHEREAS, GAPS is requesting consideration to use City financing for these public improvements; and

WHEREAS, it may be beneficial to consider constructing the necessary public improvements in multiple phases through separate local improvement districts; and

WHEREAS, Subsection 15.04.010 of the Albany Municipal Code requires the City Council to declare by resolution that it intends to make said improvements.

NOW, THEREFORE, BE IT RESOLVED that the City Council intends to make the improvements and hereby directs the City Engineer to make a survey of the improvements and file a written Engineer's Report with the City Recorder. This report should consider the advisability of constructing the improvements in phases and in separate local improvement districts. The report should also consider partnering with GAPS through an intergovernmental agreement if cost savings or other benefits may be achieved.

BE IT FURTHER RESOLVED that the Finance Director is to prepare a financial investigation report which addresses AMC 15.04.030(1), (2), (9), and (10). The Financial Investigation Report is to follow the form customarily used for such purposes (a spreadsheet showing account number, owner of record, property description, percent of property, total assessment, bond maximum, true cash value, other assessments, assessment percentage to true cash value, 10-year semi-annual payment and 10-year monthly payment).

BE IT FURTHER RESOLVED that the Engineer's Report and Financial Investigation Report, upon completion, are to be filed with the City Recorder in compliance with AMC 15.04.040.

DATED AND EFFECTIVE THIS 26<sup>TH</sup> DAY OF MARCH 2008.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



TO: Albany City Council

VIA: Wes Hare, City Manager  
Diane Taniguchi-Dennis, P.E., Public Works Director *DSTD*

FROM: Mark W. Shepard, P.E., City Engineer *MWS*  
Chris Cerklewski, P.E., Civil Engineer II *CLC*

DATE: March 17, 2008, for the March 26, 2008, City Council Meeting

SUBJECT: Water Avenue Streetscape Plan

RELATES TO STRATEGIC PLAN THEME:

- Great Neighborhoods
- A Healthy Economy

Action Requested:

Staff recommends Council approval of the Water Avenue Streetscape Plan by adoption of the attached resolution.

Discussion:

*Background*

On February 12, 2007, Council approved a budget of \$130,000 for the development of a streetscape plan for the existing Water Avenue right-of-way between Washington Street and Main Street as part of the City's ongoing effort to revitalize the downtown and riverfront areas. The goal of the project was to develop a concept plan with enough detail so the City and potential developers of Water Avenue properties would know what the ultimate street improvements would look like, its approximate cost, and which railroad crossings would remain open.

Staff hired the consulting firm of WHPacific, Inc., to assist in the development of the streetscape plan. A Technical Advisory Committee consisting of city staff, the Oregon Department of Transportation Rail Division, and the Portland & Western Railroad was formed to provide technical input on the design process. In addition, staff and WHPacific have met with property owners along Water Avenue to determine their current operational needs as well as what their plans are for the future.

WHPacific developed three design concepts for consideration.

- Concept 1: A traditional street with curbs, landscape strips, and sidewalks.
- Concept 2: A European-style plaza.
- Concept 3: A "green street" that incorporates water quality improvements and other "sustainable" elements.

Each of these concepts was reviewed by the Technical Advisory Committee for further review and fine tuning. After the concepts were revised, staff held an open house on October 18, 2007, with property owners and interested members of the general public to solicit which options, or aspects of options, were preferred. Of the 14 attendees who filled out comment sheets, the preferred option was the plaza concept, followed by the green street.

The streetscape plan was also intended to identify which railroad crossings will ultimately stay open and which will be closed within the project limits. While consultations with the ODOT Rail Division are still on-going, they have agreed in principal with the closure plan that is reflected in the streetscape plan. This closure plan maintains access to all properties north of the tracks while minimizing the number of crossings that will remain open. Reducing the number of railroad crossings improves safety, reduces the cost of redevelopment north of the tracks, and increases the likelihood of obtaining outside funding for any ODOT-required crossing improvements.

At the December 12, 2007, City Council Meeting, Council authorized staff to proceed with the development of the final streetscape plan based on the following staff recommendations:

1. Selection of the Plaza (Concept 2) from Washington Street to Lyon Street. This will provide an opportunity to close the street to vehicles and use the plaza for community events.
2. Selection of the Greenstreet (Concept 3) from Lyon Street to Main Street.
3. Selection of a common intersection design for the entire length of the project to act as a unifying feature.
4. Tentative adoption of the railroad crossing closure plan.

#### *Plan Elements*

The Water Avenue Streetscape Plan includes the following elements:

- Scale drawings showing the ultimate street layout
- Details for type and color of paving stones, street furniture, and other appurtenances
- Perspective drawings showing the envisioned street appearance
- Requirement for new development adjacent to Water Avenue to have built-in fire protection systems due to the restricted street width resulting from the presence of the railroad tracks.

#### *Cost Summary*

The following is a summary of estimated projects costs related to construction of the street improvements as well as associated utility replacements. All numbers have been rounded to the nearest thousand dollars.

<b>Street Items</b>	<b>Estimated Cost</b>	<b>Per Block</b>
Plaza segment	\$ 2,730,000	\$682,500
Greenstreet segment	\$ 4,470,000	\$447,000
<b>Total Street Costs</b>	<b>\$ 7,200,000</b>	
<b>Other Utility Items</b>		
12-Inch Water Line Replacement	\$ 850,000	\$ 60,000
Underground Overhead Utilities	\$ 600,000	\$ 43,000
<b>Total Utility Items</b>	<b>\$ 1,450,000</b>	
<b>TOTAL ESTIMATED COST</b>	<b>\$ 8,650,000</b>	

Budget Impact:

There is no funding source identified to construct street improvements along Water Avenue so there is no budget impact at this time. The plan was developed to allow potential development to know the scope and approximate costs of street improvements. If Council should choose to initiate the improvement of Water Avenue, staff will present potential funding sources to be considered. Possible sources of funding include the Central Albany Revitalization Agency, a general obligation bond, a local improvement district, or state and federal grant funding.

CLC:prj

Attachments

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ADOPTING THE WATER AVENUE STREETSCAPE PLAN

WHEREAS, at the City Council meeting on December 12, 2007, the Albany City Council directed staff develop a final streetscape plan for Water Avenue; and

WHEREAS, the Water Avenue Streetscape Plan will provide guidance to the City and property owners regarding what future street improvements will be required; and

WHEREAS, the redevelopment of the Water Avenue corridor between Washington Street and Main Street will revitalize the Albany waterfront; and

NOW, THEREFORE, BE IT RESOLVED that the City of Albany adopts the Water Avenue Streetscape Plan.

DATED AND EFFECTIVE THIS 26<sup>TH</sup> DAY OF MARCH 2008.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED:

CITY OF ALBANY  
CITY COUNCIL (WORK SESSION)  
Municipal Court Room  
Monday, January 28, 2008  
4:00 p.m.

MINUTES

CALL TO ORDER

Council President Sharon Konopa called the meeting to order at 4:03 p.m.

ROLL CALL

Councilors present: Councilors Ralph Reid Jr., Dan Bedore, Jeff Christman, Bessie Johnson, Dick Olsen, and Sharon Konopa.

BUSINESS FROM THE PUBLIC

Mark Spence, 707 Broadalbin Street SW, said he had been meaning to bring this issue to the Council for the last 6-8 months. The Oxford House conversation has triggered it. He promised his neighbors he would come to the Council to represent their concerns. He is not going to speak to the Oxford House specifically, except in one regard, and that is to point out that it would be occupied by a transient group of folks in a neighborhood of family residences. His concern is if that if those types of houses are concentrated in one neighborhood, it would be a hole in the fabric of the neighborhood. He is asking the City to set up an ombudsman to reach out to housing groups such as the Oxford Houses, the Linn Benton Housing Authority, and the state, to survey where the services are now; what concentration levels are good or bad; and where they might best be placed.

Spence believes that Oxford House wants to be a good neighbor. They do not know our concerns and the neighborhood does not know theirs. But they are a global, international organization and the City should step up and proactively engage them in conversation, explaining that downtown Albany already has several of these houses within a six block area and while we support what they are doing, we ask that they look elsewhere. There is an overload of social services in the Montieth and Hackelman area. It is not just an assertion of "not in my backyard"; rather, it is in their front yards, side yards, and backyards in the form of trash, extra people, noise, drugs, etc. Spence said he was surprised by the Council's vote to make a loan to Helping Hands even though Homeless Enrichment and Rehabilitation Team (HEART) said they should not do it. He thinks the City still needs to look at the way homelessness and social services are located in the City. There is a synergy between transients and long-term and short-term homelessness. The geographic symmetry can be seen between the homeless shelter, jail, Swanson Park, and the river. The Hackelman District is right in the middle. Spence said that Police Chief Ed Boyd will say that the rise of homelessness every summer corresponds exactly with the rise in property crime. He invited the Council to walk along the river in the summer time and they will see stripped wire, purses, wallets, and identification cards scattered around. Before the Council loans money, or works on a homeless project, they should demand accountability to see what the money has done previously and what it will do for the future. He recommends that the Council does a survey to see where the social services are, their relation to other issues in town, and try to address them and spread them out. He thinks homelessness and these other issues can be dealt with more effectively if they are not concentrated in one part of town. There is a dynamic that no one has explored yet and it is what has perpetuated the homelessness problem.

Management Assistant/Public Information Office Marilyn Smith said that HEART has not taken on a survey of social services but she will bring it up to the Board at their meeting next week.

Spence said he has already talked about it to the Public Safety Commission. It is about recognizing all the problems and how they interact. He will connect with Smith to speak to HEART.

Ray Hiltz, 3012 Takena Street, congratulated the Council for the January 23, 2008, meeting. He especially thanked Konopa for how she handled the meeting. There were many unhappy folks in the audience, and the Councilors were professional in answering questions.

Councilor Dick Olsen encouraged the Council to evaluate the concentration of social services. There are several social services close to the downtown such as the homeless shelter, the Signs of Victory Mission, Saint Mary's Soup Kitchen, 3-4 Oxford Houses, and the jail. He has been criticized for taking a stand, but he wants those who are critical to consider if all these services happened to be in their own neighborhood.

Councilor Bessie Johnson agrees with Olsen and added that the Linn County Court House has had to change their hours because of this. The homeless cause damage in the restrooms and sleep inside the building so they now open at 7:45 a.m. instead of 7:00 a.m. It needs to be dealt with in the downtown area, and also along the river. She knows folks want to enjoy the walk along the river, but they do not go because they don't know who they will run into. She thinks we need a different avenue to deal with this.

Olsen said his neighbor said that the state is recommending Albany's downtown as a nice location for these types of homes. It is not good for our urban renewal district or our historic districts.



## MUNICIPAL JUDGE ANNUAL REPORT

Judge Robert Scott said the most significant factor from the 2006 report and the 2007 report, is the increase in traffic citations. At the end of 2004, the Council and the Police Department took the position that traffic should be emphasized. Scott said that was a wise decision since many injuries and deaths are the result of accidents. Scott said that since the end of 2004, there has been an increase of almost 3000 in the number of traffic citations issued annually. Municipal Court added one staff person to help process the increased volume. It has been a strain during the last year, with remodeling in the office and training new staff. Still, there is no current backlog. Scott expects that the office will operate more smoothly in 2008. He is curious whether cases will continue to increase at the current rate, or will they level off? He said it is the Police and the private prosecutors that created the dramatic work load for Municipal Court. Scott described the remodel of the office.

Scott said that while traffic citations increased, there were some decreases in warrants issued. There are two reasons for warrants: non-appearance and non-compliance with a court order. He explained the process. The last step is to turn over the account to a collection agency.

Scott said the Court generated over one million in revenue, with \$798,000 being the City's share. This is \$175,000 more than was anticipated. By the end of December, Municipal Court had spent 47 percent of its fiscal year budget, so they are on track.

Scott said there are three long-time employees who have over 61 years of combined experience: Senior Court Clerk Mary Stankey, Court Clerk Cindy Triller, and Court Clerk Cheryl Fryman. They are dedicated, hard working employees. There are four full time employees and two part time employees.

Konopa asked if the Court is putting money into reserves to fund future office expansions. City Manager Wes Hare said that there was a general Facilities Replacement Fund started a few years ago. The allocation of the money was not specifically designated; it could eventually be used for Police and Fire, or perhaps the Library. If Municipal Court needed to expand, Hare is confident they could identify a funding source.

Hare said staff is discussing with Scott a proposal to have the City directly compensate the pro tems. Currently, Scott compensates them directly. It would be a change to the contract, so it will come to the Council for approval. There would be an annual cap to the amount that the City would pay for pro tems when Scott is on vacation or ill. The City would continue to pay all pro tem charges incurred when Scott is at Judge's conferences or on other City business.

## TRANSPORTATION SYSTEM PLAN UPDATE

Civil Engineer III Jeni Richardson passed out the comments to Memo #6A and #6B Addenda items (see agenda file).

Richardson said she would like to hear the Council's comments about the technical memorandums that summarized the most recent work on the Transportation System Plan (TSP) Update project. She will also share the comments about the memorandums made by other agencies.

Memo #6A summarizes the first high-level look at the potential road corridor improvements. Staff started with a regional look at bridges and overpasses and ended with a package of local and state road projects.

Memo #6B is a draft multi-modal plan that covers the bike, pedestrian, and transit components of the TSP Update. The projects in this document incorporate comments from the community that staff received during the four open house events held over the last few months.

Richardson said the model output from the road corridor analysis will be used in a more refined analysis of the intersections. With this closer look, a few of the roadway projects from Memo #6A will disappear. The next Memo will be presented to the Council on February 11.

Richardson reviewed the comments by other agencies.

### Memo #6A – Roadway Corridor analysis:

1. Correct references to figures on page 3. Should be Figures A-1 and A-2.
2. Add Benton County as the jurisdiction for Springhill Drive in Table 3, page 4.
3. Add 2030 to the legend in Figure 4-1.
4. Describe the regional transportation benefit of extending 53<sup>rd</sup> Avenue & Ellingson Road to I-5 (page 11, project #2).
5. Correct references on page 13 and 14 from Santiam Highway to Santiam Road.
6. On page 17, reference the need to coordinate with Benton County since their TSP (2001) does not include capacity improvements on Springhill Drive.
7. Add the downtown corridor to Table 9, page 19. Mitigation will be to work with ODOT to designate this as a Special Transportation Area (STA) where the need for appropriate local access outweighs the considerations of highway mobility.

Memo #6B – Draft Multi-modal plan

1. Correct text on page 13 to say that “Bicycling on the shoulders of I-5 through Albany, though not advisable, is legal”.
2. Add text to page 21 that references that the upcoming revision to the Oregon Bicycle and Pedestrian Plan will include additional guide lines for the installation of bike lanes.
3. Continue to work with ODOT Bike division on acceptable alternatives for bikes along Lyon Street and Ellsworth Street. We have recommended shared lane striping (page 24).
4. Add text on page 35 to provide a transit connection to Salem and their service to a dozen cities to the north (via Cherriots and CARTS).
5. Add text on page 35 to support the existing carpool service sponsored by Cascades West Council of Governments (CWCOG) that also accommodates trips north of the Albany urban growth boundary.

Richardson asked if the Council would also accept the comments from the external agencies as well.

Konopa said that Memo #6A still shows a bridge from downtown Albany to Elm Street. She asked, is that still being proposed? Richardson said the last iteration in Memo #6A will be the road improvement package, which will move us to the next step of the analysis. The hypothetical bridge location is included as a place holder. There are serious consequences to removing the placeholder bridge now from the analysis. Konopa asked if the bridge can be included without actually naming a connecting street. Richardson said yes.

Olsen asked, when do regional discussions begin? Richardson said that CWCOG has initiated regional transportation discussions for all three counties in the COG. Olsen wants to know when the meetings are so he can attend. Richardson said they have not been scheduled yet but that as soon as they are, she will inform the Council.

Councilor Ralph Reid said that at the Area Commission on Transportation (ACT) meeting last Thursday, there was a discussion about if there should be a placeholder for the bridge or not. The general consensus was to keep the bridge as a placeholder because otherwise it would never be considered for funding.

MOTION: Councilor Dan Bedore moved to accept the Transportation Memo #6A and #6B; the External Trip memo; and the Addenda. Councilor Jeff Christman seconded the motion and it passed 5-1, with Reid voting no.

**PROPOSED SALE OF SURPLUS PROPERTY ON ADAH AVENUE NE**

Parks & Recreation Director Ed Hodney referred to the map in the agenda packet. The property in question is in red, and the blue box indicates property that was previously conveyed to Habitat For Humanity in the 1990's for the purpose of building homes. The Albany chapter of Habitat for Humanity would like to build one or more homes on the Adah Avenue property. The property conveyed in 1990 was authorized because it was consistent with City objectives and policies as judged by the Council at that time. Hodney thinks Habitat's purposes continue to be consistent with the current Council's objectives and policies, but ultimately that is for the Council to decide. Linn County values the property at \$46,000 for 4/10 of an acre. He asked the Council, are you still comfortable donating it or do you prefer to solicit buyers?

Christman asked, has Habitat for Humanity built anything else on the parcel? Shirl Kotara, from Habitat's Site Selection Committee, said there is a two story home on the property already. They could further partition it and build another home, but currently there is not water to the property so the project has been on the back burner. She would like to work out a village-concept on the two lots with 3-4 homes.

Johnson asked, what about the proposed park? Hodney said he considered a park in that area when the City owned all the property. Now it is a much smaller piece, and there is another City-owned parcel in the same area that would serve not only this neighborhood, but others as well. The larger parcel is much more cost effective than trying to establish this smaller site. Hodney said the Adah Avenue site seems more appropriate for housing than for a park.

Johnson asked if the property is on wells and septic. Kotara said one of conditions of the City is to bring water in from Century Drive, at Habitat's cost.

Konopa asked, could the Resolution state that if Habitat for Humanity does not build the homes then they will reconvey the property back to the City? Hodney said the City would not reconvey the land until the homes were built. The City will mandate that it has to be used for a specific purpose in order to be consistent with our policies.

Reid asked, what is the cost of water connections on Elenor Avenue and Adah Avenue? He doesn't think we should have to use both streets to bring water to these homes. Hodney will bring back a report for the Wednesday Council meeting. Kotara said they have talked to K & D Engineering about the cost to bring in a water line. They will also offer the surrounding properties the opportunity to connect to the water line.

CONSENSUS: The Council consensus was to gift the property to Albany Area Habitat for Humanity.

## AUDIT REPORT AND MANAGEMENT LETTER

Finance Director Stewart Taylor announced that the 2007 audit is completed.

Audit Committee Chair Jeff Christman said the Committee met with Boldt, Carlile & Smith and City staff to review the audit. The three items the Committee noted were minor: internal controls, the ambulance fund, and internal transfers.

The internal controls issue has to do with the flow of information between departments. For example, the process used to notify the Finance Department when assets are sold.

Regarding the Ambulance Fund, the auditors questioned the way we account for time for full-time employees versus the actual time being charged to the ambulance fund. Staff is evaluating it now.

For inter-fund transfers, staff will be changing the statement to better reflect what is actually happening. Taylor said the auditor pointed out that Government Accounting Standards Board (GASB) just wants a general statement rather than the balance sheet that was provided. Also, the unfunded PERS liability and our participation in the bond needs to be explained differently. At the time, we were not participating in the State and Local Government Pool (SLGP) and we used to be rated individually. When Albany joined the SLGP, we should have changed how we reported that obligation. It will be reflected appropriately in the next financial statement. This was an item identified by Government Finance Officers Association (GFOA). We need to properly reflect that liability going forward.

Christman thinks it was a good process to have the Council involved on this Committee.

## PROCESS FOR FILLING WARD ONE COUNCIL VACANCY

The Council discussed the process for filling the Ward I vacancy.

CONSENSUS: The Council consensus was to accept applications for Ward I; to set the application deadline for February 7, 2008, at 5:00 p.m.; to have staff do a news release with this information; and to discuss the applications following the work session on February 11, 2008.

Smith said there is a Council application on the website. The completed application can be returned via mail, fax, or hand delivery.

## COUNCILOR COMMENTS

Christman said the Audit Committee decided to have Boldt, Carlile & Smith perform an audit on transient room taxes. This will be the first time, so all the vendors will be audited. In the future they will be audited randomly. The plan is to complete the audit at the end of February.

Johnson may have to leave the Wednesday Council meeting early.

Bedore said that he, Hare, Christman, and Johnson attended a seminar on board policy, strategic planning, and performance management by the League of Oregon Cities. He learned that Albany's Strategic Plan is actually very good. Our Plan lists goals in a broader sense than in the model presented. The speaker suggested that objectives should be tasks that can be accomplished in one year. Discussion followed.

Konopa said a resident complained about nutria in their neighborhood. Hare said the City paid for nutria trapping along the canal not too long ago, though he is not sure how effective it was. Private contractors are expensive. State law does allow them to be killed. Smith explained that in the Draperville neighborhood, bow hunters offered to help a resident rid his property of nutria by using them for target practice. The resident estimated that there are 3,000 to 4,000 nutria in that three-street neighborhood. Smith said the City will trap and remove nutria on City property, but not on personal property. Smith said it is legal to use bows and arrows on the nutria so long as the arrow does not leave the property and the property owner has given permission. That area of town is a natural wetland, which is prime nutria habitat. Discussion followed.

## CITY MANAGER REPORT

Hare said that he would like for Special Projects Coordinator Bob Woods to discuss with the Council performance measurements that are now underway and their integration into the Strategic Plan and the budget process.

Hare said the City received the \$910,000 check from PepsiCo, as provided for in our contract. He passed out copies of the check to the Council (see agenda file).

Hare said that on Friday, he attended a community wide meeting with 16 churches for a project called Love, Inc. It is a national program that has been adopted in Corvallis and has been proposed for Albany. This initiative proposes faith-based institutions to combine their resources. For example, one church would specialize in providing food, another in clothing, and another in furniture. By working together, we could tackle the needs more effectively. The City is not directly involved but may work with Love, Inc. in some capacity. They network with other nonprofits as well. The City is not ignoring the issue of homelessness; they are actively working on it. Hare said that later this

week, the City will be working with Helping Hands to meet their compliance deadline of February 15 for the maximum number of residents. Helping Hands has asked for an extension. Hare wants to work with them but thinks it is pointless to continue to extend the deadline. There is a possibility that Red Cross has emergency overflow for the remainder of the winter. The problem is that if overcrowding continues, the City is knowingly allowing the Albany Development Code to be violated. It is a huge liability. Our only concession is that we are providing shelter for people that would otherwise be under a bridge during this cold weather. The City's goal is to work towards a solution for safety and the need for shelter.

Hare said Love, Inc. could augment Helping Hands because they tend to focus on families, while Helping Hands tends to be for single males who may not be a good fit for the Love, Inc. program. Some will want help getting off the streets, but others will not.

Konopa said that Helping Hands is helping people to maintain their lifestyle of homelessness when it would be better to launch them toward success and independence. They need case managers, as that is the key to turning people around. She is familiar with Love, Inc.

Hiltz asked to speak again. Hiltz said he spoke to Kim Sass from HEART, and she said they are not ready yet to help Helping Hands because they are too new and not organized. Hiltz said that Pastor Bailey of Helping Hands said he has 44 staying there who are ready for transitional housing and to find jobs, but they have no place for them to transition to. Eventually HEART will be able to help, but currently that is part of their dilemma.

Reid said, the roof is on their new building. How much longer do they need? Hare said they have estimated it will be completed April 30, but staff is concerned they still may not meet the Code by that date.

Public Works Director Diane Taniguchi Dennis passed out a Linn County Oregon map showing the Albany to Lebanon Bikeway site plan (see agenda file). Chuck Knowles of Linn County notified the City of their intent to submit a grant application to create a 10-foot wide multi-use path to run from Grand Prairie Road, alongside the Albany Santiam Canal, into Lebanon. The first phase of the grant is to notify the granting agency of their intent to apply. If the state is interested, the full application is due May 2. Dennis is asking for Council input because of operational security, safety, and easement concerns about putting a bike and pedestrian path immediately adjacent to the canal in the existing canal easements. Our current canal easements are written for the operation and maintenance of the canal and this path would be a different use than originally intended. A path in the current easement represents a security and safety concern with having direct public access to the canal. There would be a need for significant public involvement with the owners who abut the canal because many would be concerned about their privacy and security if a path were created. It would likely take the acquisition of additional right-of-way (ROW) and/or easements to locate a path adjacent to the existing canal easements. The grant application did not consider the need for additional easements or ROW. It could take years of negotiation with property owners along the canal because of the likely initial property owner opposition. Discussion followed.

Dennis will tell Linn County that the Council does not feel it is timely to proceed now, but is willing to discuss alternatives. The Council is interested in the vision but thinks it is too soon to proceed. Hare does not think they would be successful in the grant process without the ROW issue settled.

#### ADJOURNMENT

There being no other business, the Work Session adjourned at 5:42 p.m.

Respectfully submitted,

Mary A. Dibble, CMC  
Deputy City Clerk

Reviewed by,

Stewart Taylor  
Finance Director

Approved: \_\_\_\_\_

CITY OF ALBANY  
CITY COUNCIL WORK SESSION  
Municipal Court Room  
Monday, February 11, 2008  
4:00 p.m.

**MINUTES**

**CALL TO ORDER**

Council President Konopa called the meeting to order at 4:01 p.m.

Councilors Present: Dan Bedore, Ralph Reid Jr., Dick Olsen, Sharon Konopa, Bessie Johnson, and Jeff Christman

**BUSINESS FROM THE PUBLIC**

None

**COUNCIL VIDEO IMPROVEMENT TIPS**

Information Technology Technician Mike Cox reviewed the items on the memo provided in the agenda. He emphasized that the Council should speak into the microphones clearly and suggested they move closer to them when they wanted to speak.

Information Technology Director Jorge Salinas mentioned that they were expecting a sound technician to evaluate the Council Chambers on February 27.

Councilor Olsen arrived at the meeting at 4:05 p.m.

Councilor Johnson suggested using wireless microphones for Council members. Salinas will investigate that possibility.

**PROPOSED COUNTYWIDE LIBRARY DISTRICT**

Library Director Ed Gallagher introduced members of the audience including Ruth Metz, a Library Consultant, and representatives from the Linn Library League. Gallagher said he believes creating a countywide library district would fulfill the Council's Strategic Plan goal of providing an "Effective Government." He feels Albany and Linn County can learn from the many existing library districts throughout the nation and can build on the strengths of those districts. He asked the Council to support the League in forming a countywide library district and suggested he bring a resolution of support for the Council to endorse at the Wednesday meeting.

Metz explained that the formal process starts with the establishment of boundaries and cities elect to be in the boundaries. Until that is done, a tax base or service base cannot be calculated. She feels there is a great deal of interest for moving forward with the district in the community. They estimate costs to be around .68/1,000 of assessed property value. This would be the district's permanent rate. They have received information from the county regarding compression and feels it is not an issue. Her job to see if it is economically feasible to form the district and she believes yes, they can provide a good service plan for .68 cents.

Councilor Christman asked, are you saying the rates can never change? Metz answered yes; the rates would not change though the assessed value might go up.

Konopa asked, how will capital replacement be handled and does it come out of Albany's General Fund? She also asked about "under-levying". Metz said that in their budget the money would be spent in July even though it didn't get received until December. The district would take over operations of all the libraries in July at a service level less than the estimated funds to be received in December. New services would be implemented gradually. Metz was hoping that any carry over money would establish a capital replacement fund. If not, the local governments would need to pay for upkeep. There followed discussion regarding capital improvements and tax expenditures.

Olsen asked what amount each city was contributing. Metz said, together it is around \$2.2 million. Gallagher said their estimates from a year ago for each community are: Harrisburg, \$51,000; Scio, \$30,000; Albany, \$1.2 million; with Lebanon and Sweet Home contributing a portion of the rest.

Finance Director Stewart Taylor provided a handout regarding the impacts on Albany's current year line items. The "under-levy" would reduce current Linn County taxes by \$1.581 million and the Public Safety Levy would also decrease. It would affect internal charges, such as Information Technology, Equipment Reserves, and PERS bonds. Property taxes received are currently split 80 percent into the General Fund and 20 percent into the Parks Fund. A reduction in revenue would affect the Parks Fund. He said that revenues would be reduced more than expenditures. Taylor added that there would be major maintenance requirements from Albany's budget.

Johnson asked how the governing board is elected. Metz said candidates would be on the same ballot with the tax measure.

Johnson said, Albany just received a new library from a benefactor and questions the value of giving it away. She is also concerned about employees being retained with the same benefits and protections.

Councilor Reid, asked if you start operations in January 2010, who runs the Library? Metz said a Board of Directors. She explained that planning would take place from January to July 2009, basically an organizing time; then money would be borrowed from July through December to implement the plan. Taylor explained how General Fund revenues are received.

Metz continued a discussion regarding the tax rate and services.

Taylor said that if the City were to under-levy (request less than the permanent rate) for a year or so, there would be flexibility in reestablishing the permanent rate in subsequent years.

Wolf Dyner, an interested citizen, said that when the League surveyed the community for support, that survey suggested that it would be a tradeoff. Whatever the Library District received in taxes, would be the same reduction in City taxes. The League must keep faith with the community. It has to be permanent as long as the district exists.

Christman asked, does the capital improvement money need to come from the City? Metz said yes. In reviewing Albany's budget, she didn't see any transfers to the Library for capital improvements. She doesn't believe it is in the tax rate right now.

Olsen wanted to know what the compression is estimated to be, if the City were to go back to the \$6.40/1,000 tax rate after the district is established.

Johnson thinks the district should gather signatures in order to put the measure on the ballot.

The Council wanted more itemized discussion regarding costs for Albany, how compression would be effected, and more information about the organization of the Library District.

#### **TITLE 18 PROPERTY MAINTENANCE CODE QUARTERLY REPORT**

Assistant Building Official Melanie Adams said the report has been available to the Council and asked if they had any questions.

In regards to a new disability access program that the Building Department has started, Johnson asked if they monitored disability access to public parking areas. Adams said they do and have had good compliance from business owners so far.

Johnson asked, can the City be fined for noncompliance with disability access? Adams said that is always possible, but if the City has a plan in place and is not neglecting its disability access, the Department of Justice will usually be satisfied. There is always the possibility of a private lawsuit as well.

Reid asked, are you working with the Oregon State Police regarding parking lot coverage? Adams said no, she is not familiar with any mutual agreement for cooperation.

Public Works Director Diane Taniguchi-Dennis said that the Building Department's disability access staff looked at the City facilities to make sure the City was complying with the Americans with Disabilities Act (ADA) requirements. Necessary changes will be identified through the Capital Improvement Projects (CIP) process. She said the bus stops, which are currently being reviewed by the Building Department, would probably be the first project.

#### **TRANSPORTATION SYSTEM PLAN UPDATE**

Civil Engineer III Jeni Richardson distributed a new technical memo and explained that the Council would have six weeks to review it. She asked if they would take the map that has all the projects and project numbers and review written information with it, to identify potential other projects. She provided information on concepts of a neighborhood meeting.

Taniguchi-Dennis said the projects are for arterials and collectors. Local streets are a separate issue.

#### **RECOMMENDED CHANGES IN TREE CODES**

Parks and Facilities Maintenance Manager Craig Carnagey explained that the Tree Commission went back to the community, conducted public hearings, and posted articles in the local paper regarding these changes. He said there are no code language changes.

Albany City Council Work Session  
Monday, February 11, 2008

City Attorney Jim Delapoer said that the Code currently requires the City to prove that a violator needed a permit to cut the trees. That is a hard burden to prove. He asked, does the Council want to change it? Basically, staff wants to put in new language that it is a violation to cut trees without a permit and it will not be staff's burden to prove they knew the law.

Olsen asked, if a homeowner cuts a tree by mistake, do they have any recourse? Delapoer said, yes, but it would be for mitigation of the fine.

Council requested staff to move forward with the changes.

#### **COUNCILOR COMMENTS**

There were no Councilor Comments.

#### **CITY MANAGER REPORT**

Management Assistant/Public Information Officer Marilyn Smith said because of other staff responsibilities the Charter revision election date has been postponed to November 2008.

Smith reported that staff had a meeting with the State Fire Marshal in which they discussed compliance actions regarding the Helping Hands Homeless Shelter. She expects them to appeal to the Council on Wednesday, but under state law there is no appeal. There followed discussion regarding numbers of people and types of people housed at the shelter.

#### **ADJOURNMENT**

There being no other business, the meeting was adjourned at 6:00 p.m.

Respectfully submitted by,

Betty Langwell, City Clerk



TO: Albany City Council  
VIA: Wes Hare, City Manager  
FROM: Kevin Kreitman, Fire Chief *KK*  
DATE: March 19, 2008, for the March 26, 2008, City Council Meeting  
SUBJECT: 2008 Assistance to Firefighters Grant

RELATES TO STRATEGIC PLAN THEME: • A Safe City

Action Requested:

Approval from the City Council by resolution to apply for the 2008 U.S. Department of Homeland Security Assistance to Firefighters Grant not to exceed \$175,000 to purchase structural firefighting personal protective equipment and associated supplies.

Discussion:

Structural firefighting personal protective equipment (firefighting coat and pants) are required for all emergency response personnel. The Fire Department's current inventory of this equipment averages more than eight years old and does not comply with current National Fire Protection Association standards.

Funds from the 2008 Assistance to Firefighters Grant would be used to purchase structural firefighting personal protective equipment to outfit all emergency services personnel.

The 2008 U.S. Department of Homeland Security Assistance to Firefighters Grant Program allows funding for operations and firefighter safety, which encompasses personal protective equipment. The application period for the grant ends April 4, 2008.

Budget Impact:

A ten percent match (up to \$17,500) is required and would be paid from the 2008-09 Fire Department budget.

KK:ljh  
Attachment



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE FIRE DEPARTMENT TO APPLY FOR FUNDS NOT TO EXCEED \$175,000 THROUGH THE U.S. DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE PURPOSE OF PURCHASING STRUCTURAL FIREFIGHTING PERSONAL PROTECTIVE EQUIPMENT AND ASSOCIATED SUPPLIES.

WHEREAS, providing required structural firefighting personal protective equipment is necessary in order to maintain a safe and responsive emergency service agency; and

WHEREAS, the National Fire Protection Association establishes standards for structural firefighting personal protection equipment; and

WHEREAS, the Fire Department's current inventory of structural firefighting personal protective equipment does not meet National Fire Protection Association standards; and

WHEREAS, the U.S. Department of Homeland Security is providing \$560 million through the Assistance to Firefighters Grant program for fire departments nationwide; and

WHEREAS, a program for operations and firefighter safety is in the Assistance to Firefighters Grant, and identifies structural firefighting personal protective equipment; and

WHEREAS, the application period for this grant ends April 4, 2008.

NOW, THEREFORE, BE IT RESOLVED the Albany City Council authorizes the Fire Department to apply for up to \$175,000 from the Assistance to Firefighters Grant through the U.S. Department of Homeland Security for the purpose of purchasing structural firefighting personal protective equipment and associated supplies.

DATED AND EFFECTIVE THIS 26TH DAY OF MARCH, 2008.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



TO: Albany City Council

VIA: Wes Hare, City Manager  
Diane Taniguchi-Dennis, P.E., Public Works Director *DSTD*

FROM: Peter Harr, Civil Engineer III *PH*  
Mark Yeager, Utility Services Manager *MY*

DATE: March 18, 2008, for March 26, 2008, City Council Meeting

SUBJECT: Project W-03-02, Grant Application for Hydropower Project Funding

RELATES TO STRATEGIC PLAN THEME: • An Effective Government

Action Requested:

Staff requests that Council approve the attached resolution to apply for possible grant funding for the Albany Hydropower Project from the Pacific Power Blue Sky Grant Award Program.

Discussion:

Pacific Power, as part of their Blue Sky customer program, is soliciting grant applications for community-based, renewable energy projects. The City's hydropower project, now well underway, may be eligible. Despite already receiving a grant from the Oregon Energy Trust, Pacific Power encouraged City staff to apply. Applications are due by May 5, 2008.

Budget Impact:

Reduce City capital costs associated with the project.

PEH:kw  
Attachment

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE CITY OF ALBANY TO SUBMIT A GRANT APPLICATION FOR A PACIFIC POWER BLUE SKY FUND AWARD.

WHEREAS, Pacific Power is offering funding to renewable energy projects through their Blue Sky Award Program; and

WHEREAS, a receipt of these funds will further enhance the economic benefit to be derived from the Vine Street Hydropower Project; and

WHEREAS, a local match might possibly be required; and

WHEREAS, the City is already funding the great majority of the project itself, so that any potential matching requirements are anticipated to be easily met; and

WHEREAS, the Pacific Power Blue Sky Award application will request additional funding in support of the Hydropower Project, a renewable energy project.

NOW, THEREFORE, BE IT RESOLVED that the City of Albany approves and endorses the submittal of a grant application to Pacific Power for the purpose of receiving a Blue Sky Fund Award.

DATED AND EFFECTIVE THIS 26<sup>TH</sup> DAY OF MARCH 2008.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ACCEPTING THE FOLLOWING WARRANTY DEED:

<u>Grantor</u>	<u>Purpose</u>
<b>HAYDEN HOMES, LLC, AN OREGON LIMITED LIABILITY COMPANY</b>	A warranty deed transferring ownership of 3 tracts of land containing drainageways to the City of Albany, as required by the Conditions of Approval for Clover Ridge Station subdivision.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this warranty deed.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the Council and approval by the Mayor.

DATED AND EFFECTIVE THIS 26TH DAY OF MARCH 2008.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **HAYDEN HOMES, LLC, AN OREGON LIMITED LIABILITY COMPANY**; hereinafter called the GRANTOR, does hereby grant, bargain, sell, warrant and convey unto **THE CITY OF ALBANY, OREGON, A MUNICIPAL CORPORATION**, hereinafter called the GRANTEE, and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of Linn and State of Oregon, to wit:

Tracts "A", "B", and "C" as shown on the Clover Ridge Station Phase 5 subdivision plat, a subdivision in Sections 33 and 34, Township 10 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon. As shown on the attached map labeled Exhibit "A".

SUBJECT TO: All those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below, if any; and the Grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true and actual consideration paid for this conveyance, stated in terms of dollars, is \$1.00.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the Grantor has hereunto fixed their hand and seal the day and year written below.

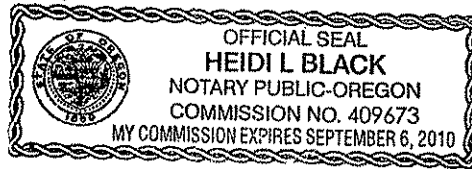
GRANTOR:

Brett Wilson

BRETT WILSON, DIRECTOR OF FINANCE FOR  
HAYDEN HOMES, LLC, AN OREGON LIMITED  
LIABILITY COMPANY

STATE OF OREGON            )  
County of Deschutes    ) ss.  
City of Redmond         )

The foregoing instrument was acknowledged  
before me this 11 day of February, 2008,  
by Brett Wilson, Director of Finance, on behalf of  
HAYDEN HOMES, LLC, AN OREGON LIMITED  
LIABILITY COMPANY, as his voluntary act and  
deed.



Heidi L. Black

Notary Public for Oregon  
My Commission Expires: September 6, 2010

CITY OF ALBANY:

STATE OF OREGON            )  
County of Linn             ) ss.  
City of Albany             )

I, Wes Hare as City Manager of the City of Albany, Oregon, pursuant to Resolution Number \_\_\_\_\_, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

\_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Recorder

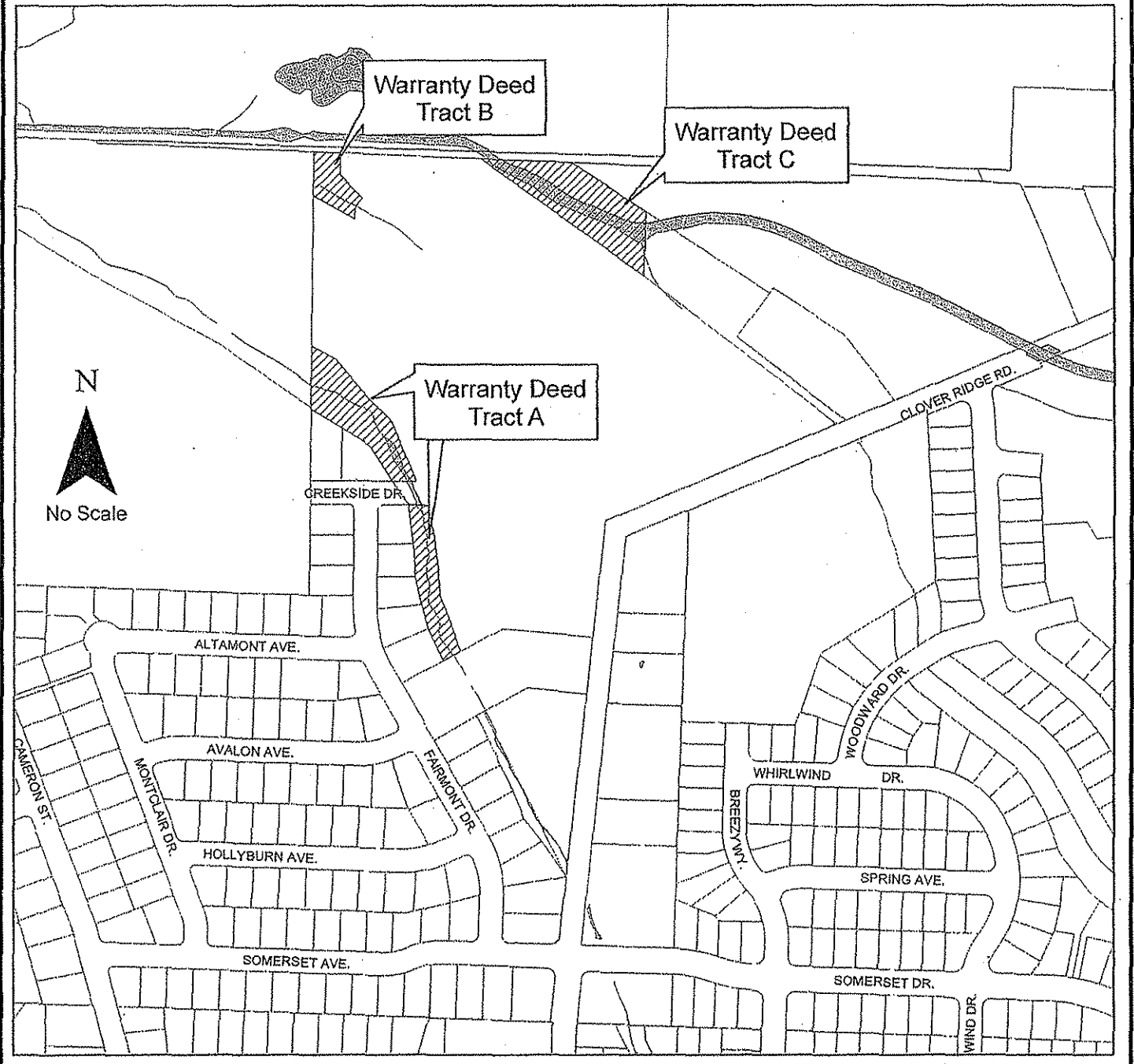
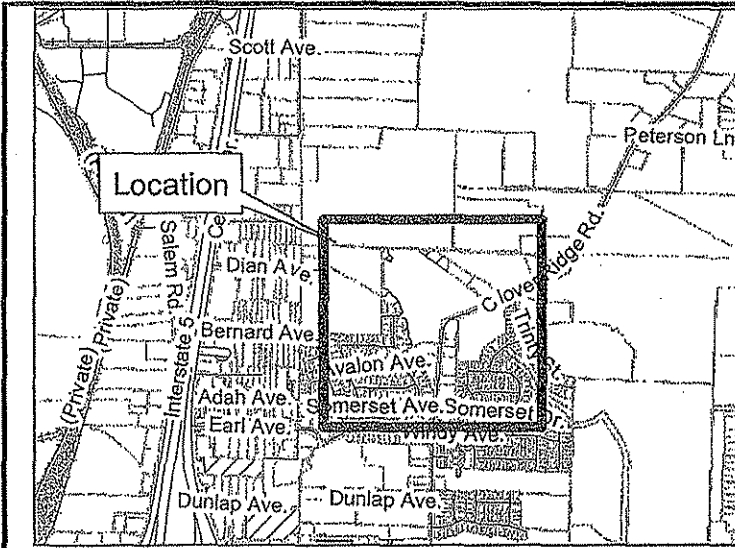
# EXHIBIT A

10S03W34 00919

A Warranty deed transferring ownership of 3 tracts of land containing drainageways to the City of Albany. Clover Ridge Station Subdivision.



Geographic Information Services





TO: Albany City Council

VIA: Wes Hare, City Manager  
Diane Taniguchi-Dennis, P.E., Public Works Director *DSTD*

FROM: Mark W. Shepard, P.E., Assistant Public Works Director / City Engineer *MWS*  
Chris Cerklewski, P.E., Civil Engineer II *CLC*

DATE: March 17, 2008, for the March 26, 2008, City Council Meeting

SUBJECT: West Thornton Lake Drive Right-of-Way Acquisition

RELATES TO COUNCIL GOAL: ● Great Neighborhoods  
● Effective Government

Action Requested:

Public Works staff is seeking Council approval of the purchase price for a new public right-of-way for the future realignment of West Thornton Lake Drive at North Albany Road.

Discussion:

The FY2005-2009 Capital Improvement Program identified a project for the construction of a southbound left turn lane and traffic signal on North Albany Road at the entrance to North Albany Middle School. In addition, the project included the acquisition of a public right-of-way for a future realignment of West Thornton Lake Drive from the west to intersect North Albany Road at the new traffic signal. These improvements are shown in the City's current Transportation System Plan. The turn lane and traffic signal were constructed in 2006. Since then City staff has been in negotiations with the North Albany Community Church which owns the property west of the traffic signal.

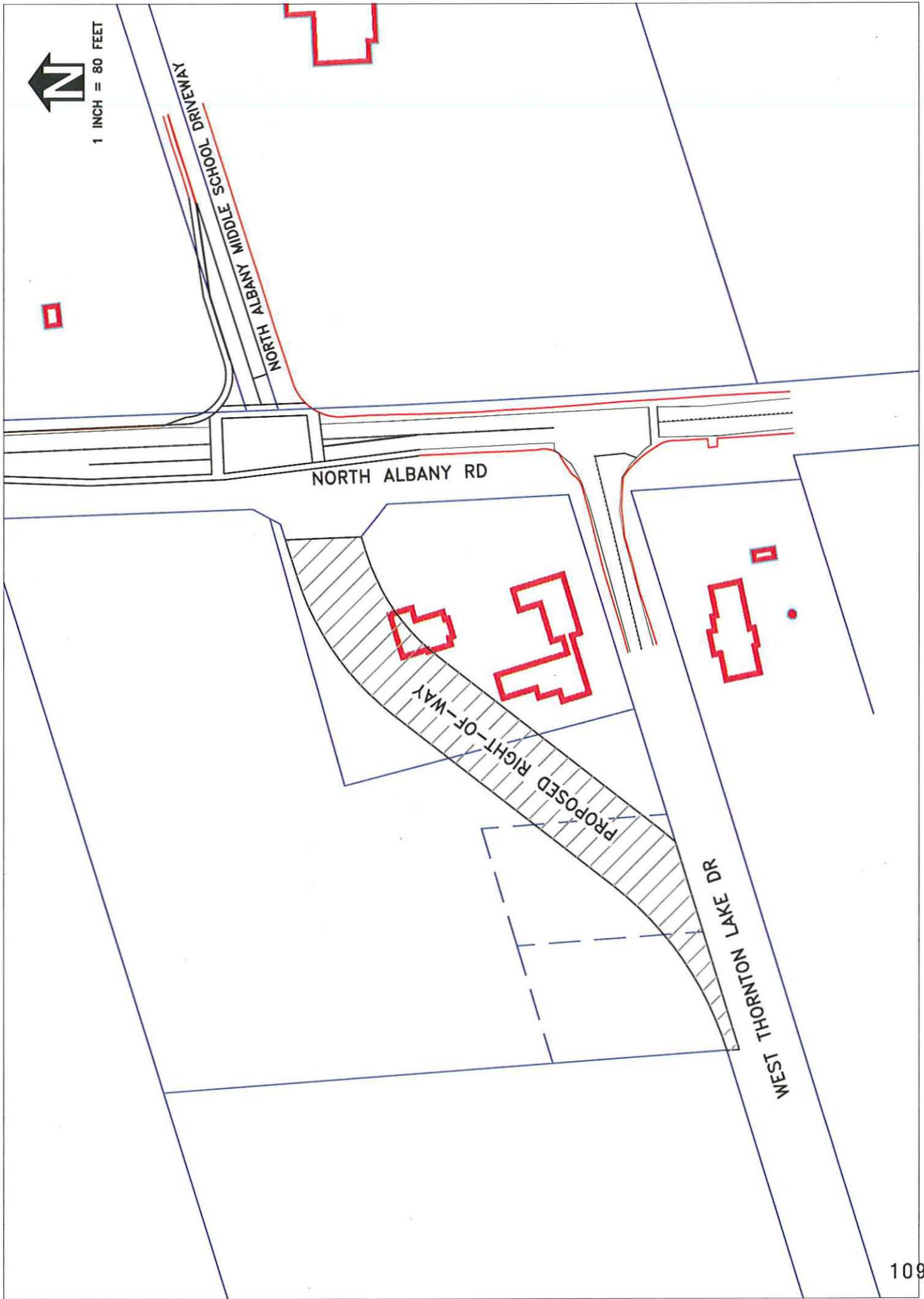
Staff has negotiated a purchase price of \$139,500 with the Church. Staff believes this is a fair price and considers the impact to wetlands and existing buildings on the property.

Budget Impact:

The purchase price would be funded from the Transportation SDC Fund (250-50-2702) as authorized in the scope of the project.

CLC:prj  
Attachments





ATTACHMENT 1: PROPOSED WEST THORNTON LAKE DRIVE RIGHT-OF-WAY