



NOTICE OF PUBLIC MEETING
CITY OF ALBANY
CITY COUNCIL
Council Chambers
333 Broadalbin Street SW
Wednesday, April 9, 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. PRESENTATIONS
 - a. Accepting Tree City USA Award. [Page 2]
Action: _____
 - b. Volunteer recognition (past tree Commissioner). [verbal]
Action: _____
6. SCHEDULED BUSINESS
 - a. Public Hearing
 - 1) Establishing procedures for retrieving and reclaiming abandoned shopping carts. [Pages 3-6]
Action: _____ ORD. NO. _____
 - b. Business from the Public
 - c. Findings for Denial
 - 1) SD-14-06, Link Club Estates, adopting Findings for Denial and making a decision regarding an appeal of the Planning Commission's decision to approve a Subdivision Tentative Plat that would divide a 3.77-acre parcel of land into 12 residential single-family lots. [Pages 7-11]
Action: _____
 - d. First Reading of Ordinance
 - 1) Levying an assessment against property specifically benefited by water connections and the assessment of water system development charges for property described as Tax Lot 701 of Parcel 11S-04W-24 and site address 4522 Pacific Boulevard SW, and declaring an emergency. [Pages 12-14]
Action: _____ ORD. NO. _____
 - e. Second Reading of Ordinance
 - 1) CP-01-08, adopting text amendments to the 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 15-55]
Action: _____ ORD. NO. _____

f. Adoption of Resolutions

- 1) Accepting a proposal from Davidson Fixed Income Management for investment advisory services. [Pages 56-63]

Action: _____ RES. NO. _____

- 2) Authorizing an increase in revenues and expenditures in the Parks and Recreation Fund. [Pages 64-65]

Action: _____ RES. NO. _____

- 3) Setting a public hearing for the purpose of considering a downtown voluntary Economic Improvement District.
[Pages 66-70]

Action: _____ RES. NO. _____

g. Adoption of Consent Calendar

- 1) Approval of Minutes

- a) February 13, 2008, City Council Meeting
b) February 27, 2008, City Council Meeting
c) March 3, 2008, City Council Work Session

- 2) Approving the Urban Forestry Management Plan. [Page 71]

Action: _____

h. Award of Bid

- 1) WL-08-02, 9th, 10th, 15th, and Park Terrace water line. [Pages 72-75]

Action: _____

7. BUSINESS FROM THE COUNCIL

8. NEXT MEETING DATE: Work Session April 21, 2008
Regular Session April 23, 2008

9. ADJOURNMENT

City of Albany Web site: www.cityofalbany.net

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.


Dan Bedore, Mayor



TO: Albany City Council

VIA: Wes Hare, City Manager
Ed Hodney, Parks and Recreation Director

FROM: Craig Carnagey, Parks and Facilities Manager / City Forester

DATE: April 1, 2008, for the April 9, 2008, City Council Meeting

SUBJECT: Acceptance of Tree City USA Award / Recognition of Arbor Week 2008

RELATES TO STRATEGIC PLAN THEME: • Great Neighborhoods

Action Requested:

Acceptance of the Tree City USA Award from the National Arbor Day Foundation presented by the Oregon State Department of Forestry, and acknowledgement of Arbor Week in Albany, April 6 - 12, 2008.

Discussion:

The City of Albany has been named by the National Arbor Day Foundation a Tree City USA for 2008. Albany has won the honor every year since 1994. The Tree City USA designation is awarded to cities that demonstrate commitment to the planting, care, and maintenance of trees within their community. The City of Albany's Urban Forestry Program works hard to provide tree services to the community in order to protect the many public benefits of trees. The Tree City USA award is another recognition of the City of Albany's efforts to improve the quality of life for its residents and businesses.

Budget Impact:

None

CTC



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Edward Boyd, Chief of Police *mms*
Marilyn Smith, Management Assistant/Public Information Officer

DATE: April 2, 2008, for the April 9, 2008, City Council Meeting

SUBJECT: Abandoned Shopping Carts

RELATES TO STRATEGIC PLAN THEME: • Great Neighborhoods
• Effective Government

Action Requested:

Adoption of an ordinance (attached) amending the Albany Municipal Code to establish procedures for retrieving and reclaiming abandoned shopping carts.

Discussion:

Abandoned shopping carts have created itinerant blight throughout Albany for many years. Several times during its tenure, the Code Enforcement Team has discussed a shopping cart roundup to temporarily tidy up streets, sidewalks, and vacant lots. Such a roundup would be done as a public service rather than code enforcement, however, because currently we have no specific code to enforce.

The 2007 Oregon Legislature passed Senate Bill 645, which was sponsored in part by the Northwest Grocery Association. The bill gives local governments the authority to deal with abandoned shopping carts. It calls for all carts to be marked with the store name and a toll-free number to call when a cart is found abandoned. Signs are to be posted at each store, advising the public that removing a cart is against the law. Cities can pick up the carts after 72 hours and charge the cart's owner a fee to get them back.

The Cities of Beaverton and Milwaukie have adopted ordinances that mirror the new state law. The City of Gresham is participating in a pilot program with other cities in the Portland metropolitan area, where at least one private business contracts to retrieve carts. The City of Salem is waiting for six months to see how things work out in other communities.

Our Parks Maintenance crews have been retrieving abandoned carts from city rights-of-way and other city property for years and returning them, free of charge, as a courtesy to the store that owns them. Dick Conolly, Parks & Facilities Maintenance Manager, reports that his crews pick up 300-500 carts each year. Carts that are not clearly marked or come from a place that is out of business go to scrap. Whether we adopt a specific shopping cart ordinance or not, Parks Maintenance crews will continue to remove them from city property.

City staff met on January 11, 2008, to review Senate Bill 645 and discuss how it might work in Albany. The proposed ordinance replicates state law with two changes:

1. We suggest that the cart owners maintain not just a toll-free telephone number but an e-mail address as well to provide a second quick method of reporting carts.
2. We propose to send a monthly bill to owners of carts who do not retrieve them within 30 days with fines doubling every 30 days following. We already use this method for responding to multiple false alarms.

A third suggestion, proposed by Parks Maintenance, is to send a similar bill to owners of carts that are retrieved by city staff as described on the previous page. We see no reason to let an abandoned cart, once discovered, clutter a park or city canal or stream for up to 72 hours while the owner is notified and finds time to respond. The proposed amount is \$20 per cart.

The proposed ordinance does not include the emergency clause in order to allow the stores some time to get the phone line and e-mail address set up, do signage on their premises, and mark their carts accordingly. If adopted April 9, this ordinance would take effect on May 8, 2008.

Copies of the proposed ordinance were mailed to Albany businesses that use shopping carts and to the Northwest Grocery Association prior to this public hearing.

Budget Impact:

Dependent upon fine revenue.

EHB:MMS:de

Attachment

- c: Jim Delapoer, City Attorney
Ed Boyd, Chief of Police
Ed Hodney, Parks & Recreation Director
Dick Conolly, Parks & Facilities Maintenance Manager

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AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE TITLE 7.84, PUBLIC NUISANCE, BY ADDING SECTION 7.84.200 RELATING TO SHOPPING CARTS

WHEREAS, local governments may enact ordinances to provide for the salvage or reclamation of an abandoned shopping cart; and

WHEREAS, shopping carts frequently litter public streets, sidewalks, and parks and are found abandoned in ditches and waterways.

NOW, THEREFORE, the Albany City Council does ordain as follows:

AMC 7.84.200 shall be known and may be cited as the "Shopping Cart Ordinance."

Section 1. AMC 7.84.200 is hereby added to read as follows:

Section 7.84.200 SHOPPING CARTS

7.84.210 Requirements for Shopping Cart Providers

- A. A person that supplies shopping carts for public use at the person's business shall:
1. Post signs in sufficient number to give notice to members of the public entering onto or leaving the business premises that unauthorized appropriation of a shopping cart is a crime under ORS 164.015 and provide a toll-free telephone number **and an e-mail address** that members of the public may use to report abandoned shopping carts.
 2. Identify the person's business on each shopping cart and post a sign on the shopping cart that:
 - a. notifies any member of the public using the shopping cart that unauthorized appropriation of a shopping cart is a crime under ORS 164.015;
 - b. provides a toll-free telephone number **and an e-mail address** for use in reporting an abandoned shopping cart.
 3. Establish, maintain, and make available to the public, at the person's own expense, a toll-free telephone line **and e-mail address** for the purpose of reporting abandoned shopping carts. The person shall forward each report the person receives concerning an abandoned shopping cart to the owner of the shopping carts and to the Police Community Resource Unit.
 4. Retrieve or contract for the retrieval of abandoned shopping carts.

7.84.220 Retrieval and Disposal of Carts; Fees.

- A. A person may agree with other persons to share and to pay expenses related to the toll-free telephone line **and e-mail address** described in AMC 7.84.210(A)(3). The agreement shall provide that any person designated to operate the toll-free telephone line **and monitor the e-mail account** and receive reports concerning abandoned shopping carts must forward the reports in accordance with AMC 7.84.210(A)(3).
- B. A person shall retrieve a shopping cart that the person owns within 72 hours after receiving notification that the shopping cart has been abandoned.
- C. If the City identifies, salvages, or reclaims an abandoned shopping cart, it shall use the toll-free telephone line **or e-mail address** described in AMC 7.84.210(A)(3) to report the existence and location of an abandoned shopping cart, if the owner is identifiable.

- D. The City may take custody of an abandoned shopping cart and impose a fine of \$50 on the owner of the shopping cart if the owner does not retrieve the shopping cart within 72 hours after the City makes a report under subsection (C) or after the owner receives a report under AMC 7.84.210(A)(3).
- E. The City may release a shopping cart in the City of Albany's custody to the owner upon payment of the \$50 fine.
- F. The City may take title to a shopping cart in the City of Albany's custody and dispose of the shopping cart as the City of Albany deems appropriate if the owner does not claim the cart within 30 days.
- G. If the shopping cart owner fails to claim their cart within 30 days, the City may levy an additional \$50 fine, by mail. The assessed fines will double every 30 days for nonpayment. The City may also pursue other civil penalties as allowed by statute.

Section 2. The sections and subsections of this ordinance are severable. If any part of this ordinance is held unconstitutional or otherwise invalid, the remaining parts shall remain in force.

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: _____

Mayor

ATTEST:

City Clerk



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Don Donovan, Planning Manager *DD*
DATE: April 2, 2008 for the April 9, 2008, City Council Meeting
SUBJECT: File SD-14-06, Links Club Estates
Findings for Denial

Action Requested:

Review the attached Findings for Denial and adopt them by passing the attached motion.

Discussion:

At the March 26, 2008 City Council meeting, you reopened the hearing on the Links Club Estates subdivision application, heard additional testimony, and made a tentative decision to deny the application. You directed staff to write findings for denial and bring the findings back to the next City Council meeting for review and adoption. The findings for denial are attached to this memo.

If you conclude that the findings for denial accurately reflect your reasons for denying the subdivision application, the final decision will be made by passing the motion attached to this memo.

If you have questions before the meeting, please let me know.

Budget Impact:

None.

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CITY COUNCIL DECISION

FILE SD-14-06, LINKS CLUB ESTATES SUBDIVISION

MOTION TO DENY

I MOVE that the City Council DENY the application for the Links Club Estates Tentative Plat that would divide a 3.77-acre parcel of land into 12 residential single-family lots (File SD-14-06). This motion is based on the testimony at the public hearings and the Findings for Denial presented by staff to the City Council at the April 9, 2008 City Council meeting.

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**FINDING FOR DENIAL
FILE SD-14-06, LINKS CLUB ESTATES SUBDIVISION
ADOPTED BY THE CITY COUNCIL ON APRIL 9, 2008**

FINDINGS OF FACT

Application History

1. On October 29, 2007, the Albany Planning Commission approved with conditions the Links Club Estates subdivision application. Phyllis Vollstedt appealed the Planning Commission decision to the City Council.
2. On January 23, 2008, the City Council held 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. At their February 27, 2008, meeting, at the request of the applicant, the City Council decided to reopen the hearing to hear new information regarding the sanitary sewer system and the storm drainage system proposed for the subdivision.
3. At their March 26, 2008 meeting, the City Council reopened the hearing and heard testimony from the applicant and other parties. Following the public hearing, the Council deliberated and voted to tentatively deny the subdivision. They directed staff to write findings for denial and bring the findings back to the next meeting for review and adoption. Those findings follow below.

Sanitary Sewer

4. Albany Development Code (ADC) Section 11.180 includes the review criteria for subdivision tentative plats. ADC 11.180(4) requires that "The location and design allows development to be conveniently served by various public utilities."
5. ADC 12.470 requires that all new development must extend and connect to the public sewer system when service is available within 300 feet of the property.
6. There is not a public sewer line within 300 feet of the property where the subdivision would be located. The nearest public sewer line is located in Quarry Road NW, near Cascade Heights Drive NW. The end of this public sewer is located approximately 1,500 feet from the west boundary of the subdivision property. The public sewer in Quarry Road NW is not deep enough to be extended to serve the subdivision.
7. ADC 12.480 says "Where sewer is not available within 300 feet of the property, no development is allowed on private septic systems, except for construction of one single family dwelling on an existing lot of record or on a parcel no smaller than five acres created through the land division process. Any private on-site system allowed by this section must be approved by the county."
8. The "Utility Layout" submitted with the tentative plat for Links Club Estates shows that 8-inch sewer mains would be constructed within the public street rights-of-ways in the subdivision and through an easement to Quarry Road NW. A private pump station would be constructed on the north side of Quarry Road NW. A private 2-inch pressure line would be constructed along the north side of Quarry Road NW from the pump station to the existing 3-inch private pressure line that serves the Springhill Country Club.

9. The entire sewer system in the subdivision and the pump station would be private initially. The private facilities would be maintained by a homeowners' association. The sewer mains would be built to City standards so that the system could be incorporated into the public sewer system in the future.
10. There is no specific provision in the ADC for private sewer systems to serve subdivisions.
11. On November 8, 2004, Ed Schultz, the attorney for the applicants, went to a City Council work session and addressed the Council. Mr. Schultz requested that the Council allow the applicants to develop their property using a private sanitary sewer pump station. The City Manager at the time said that a decision might require a future City Council work session. The City Manager suggested that the applicants meet with staff and bring the issue back to the Council at a future work session. The Council was agreeable to have Mr. Schultz, the applicants, and their engineer work with staff. (Minutes of November 8, 2004 City Council work session, pages 1 and 2).
12. No evidence was presented at the hearings for Links Club Estates that the applicant's attorney, the applicants, or their engineer returned to the City Council for further discussion about the proposed private sanitary sewer system.
13. On November 7, 2005, a representative of the City's Engineering Division wrote the applicants a letter that says, in part "We have concluded that we would approve a proposal where the Packards [applicants] 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 gravity sewer 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."
14. The City Council finds that:
 - a. The proposed private sanitary sewer system would transfer sewage from one sewer basin to another.
 - b. Allowing a subdivision on this property to connect to the public gravity sewer system with a private pressure pump station and a private pressure line without a compelling reason (such as a health hazard) will set an undesirable precedent.
 - c. There is no compelling reason to allow a private sanitary sewer system for the Links Club Estates subdivision.

Street Plan

15. ADC 11.180(3) requires that "The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances."
16. ADC 12.060 says that streets shall be interconnected to reduce travel distance, provide multiple travel routes, and promote the use of alternative modes of travel.
17. ADC 12.190 says that the street pattern may include cul-de-sacs and bulbs only if connectivity and block length standards have been met. A cul-de-sac must be as short as possible and is not to exceed 400 feet. A cul-de-sac must terminate with a circular turnaround. Dead-end streets longer

than 400 feet may be approved by the City Engineer if no other means is available for development of the property.

- 18 ADC 11.090(5) says that block dimensions will be determined by existing street and development patterns, connectivity needs, topography, and adequate lot size. It also requires that average block length not exceed 600 feet unless adjacent layout or physical conditions justify a greater length.
- 19 The plans submitted by the applicants show that Country Club Lane NW will be extended, from where it ends now, about 360 feet into the subdivision. The street extension would end in a circular turnaround. A pedestrian/emergency vehicle path would be constructed from the cul-de-sac bulb to Quarry Road NW.
- 20 A new street would be extended to the west property line of the subdivision. This street extension would provide future access to the public street system for the property to the west and allow for an eventual connection to Quarry Road NW.
- 21 The City Council finds that:
 - a. ADC 12.060 says that streets shall be interconnected. The proposed street plan would allow for an eventual connection to Quarry Road NW, but the timing of that connection would be dependent on development of adjoining property and could be many years in the future.
 - b. Country Club Lane already exceeds the maximum block length. If the street stub shown on the tentative plat is eventually extended to Quarry Road NW, the block length is longer than if Country Club Lane NW is extended straight to Quarry Road NW. In either case, the average block length would exceed the maximum block length identified in ADC 11.090(5).

CONCLUSIONS

1. The location and design of the proposed Links Club Estates subdivision does not allow the subdivision to be conveniently served by the public sanitary sewer system.
2. ADC 12.060 says that streets shall be interconnected. Extending Country Club Lane NW directly south to Quarry Road NW through the proposed subdivision would better meet this standard.
3. The proposed street plan does not afford the best economic, safe, and efficient circulation of traffic possible under the circumstances.
4. Because these two review criteria are not met, and there are no reasonable conditions that can be imposed to assure the criteria are met, the application must be denied.

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ORDINANCE NO. _____

AN ORDINANCE TO LEVY AN ASSESSMENT AGAINST PROPERTY SPECIFICALLY BENEFITED BY WATER CONNECTIONS AND THE ASSESSMENT OF WATER SYSTEM DEVELOPMENT CHARGES FOR PROPERTY DESCRIBED AS TAX LOT 701, OF PARCEL 11S-04W-24, AND SITE ADDRESS 4522 PACIFIC BLVD SW, AND DECLARING AN EMERGENCY.

WHEREAS, the Water System Development Charge, as referred to in this ordinance, is to provide water connections to serve the structure on this property. This charge will be assessed on the property described as Tax Lot 701, of Parcel 11S-04W-24, and site address 4522 Pacific Blvd SW.

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

Section 1: The Water System Development Charge and the assessment for the same will be levied according to the provisions of Albany Municipal Code, Chapter 15.16.

Section 2: The total cost of the Water System Development Charge is \$2,023.00.

(See attached assessment sheet)

Section 3: The City Recorder is hereby directed to enter a statement of the assessment as provided above in the docket of the City liens and give notice thereof as provided by law.

Section 4: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the City of Albany, Oregon, an emergency is hereby declared to exist and this ordinance will be in full force and effect immediately upon passage by the Council and approval by the Mayor.

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: _____

Mayor

ATTEST:

City Clerk

WATER SYSTEM DEVELOPMENT CHARGE
04/01/08 09:49:30

| Name/Address | Description | | |
|---|--|---|----------|
| TUTTLE, BROOKS A 3570 BERNARD AVE NE ALBANY, OR 97321 | ACREAGE 04/09/07 0400248 WSDC040901* | 11-04W-24 -00701 4522 PACIFIC BLVD SW 12542 | 2,023.00 |
| Report total... | 2,023.00 | | |

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY

SEC. 24 T. 11S. R. 04W. W.M. LINN COUNTY, OREGON

1" = 400'

11 4W 24 ALBANY

SEE MAP 11 4W 14

SEE MAP 11 4W 13C

8-1

SEE MAP 11 4W 13CD

SEE MAP 11 4W 13DB

8-2

SEE MAP 11 4W 23AA

SEE MAP 11 4W 13DC

SEE MAP 11 4W 13DD

SEE MAP 11 4W 23

SEE MAP 11 4W 24BB

SEE MAP 11 4W 24BA

8-1

SEE MAP 11 3W 19

SEE MAP 11 4W 23

SEE MAP 11 4W 24BC

SEE MAP 11 4W 24BD

8-1

SEE MAP 11 4W 24CB

SEE MAP 11 4W 24CA

SEE MAP

SEE MAP 11 4W 24DA

RANCHO RIO RALPHO

8-2

SEE MAP 11 4W 24C

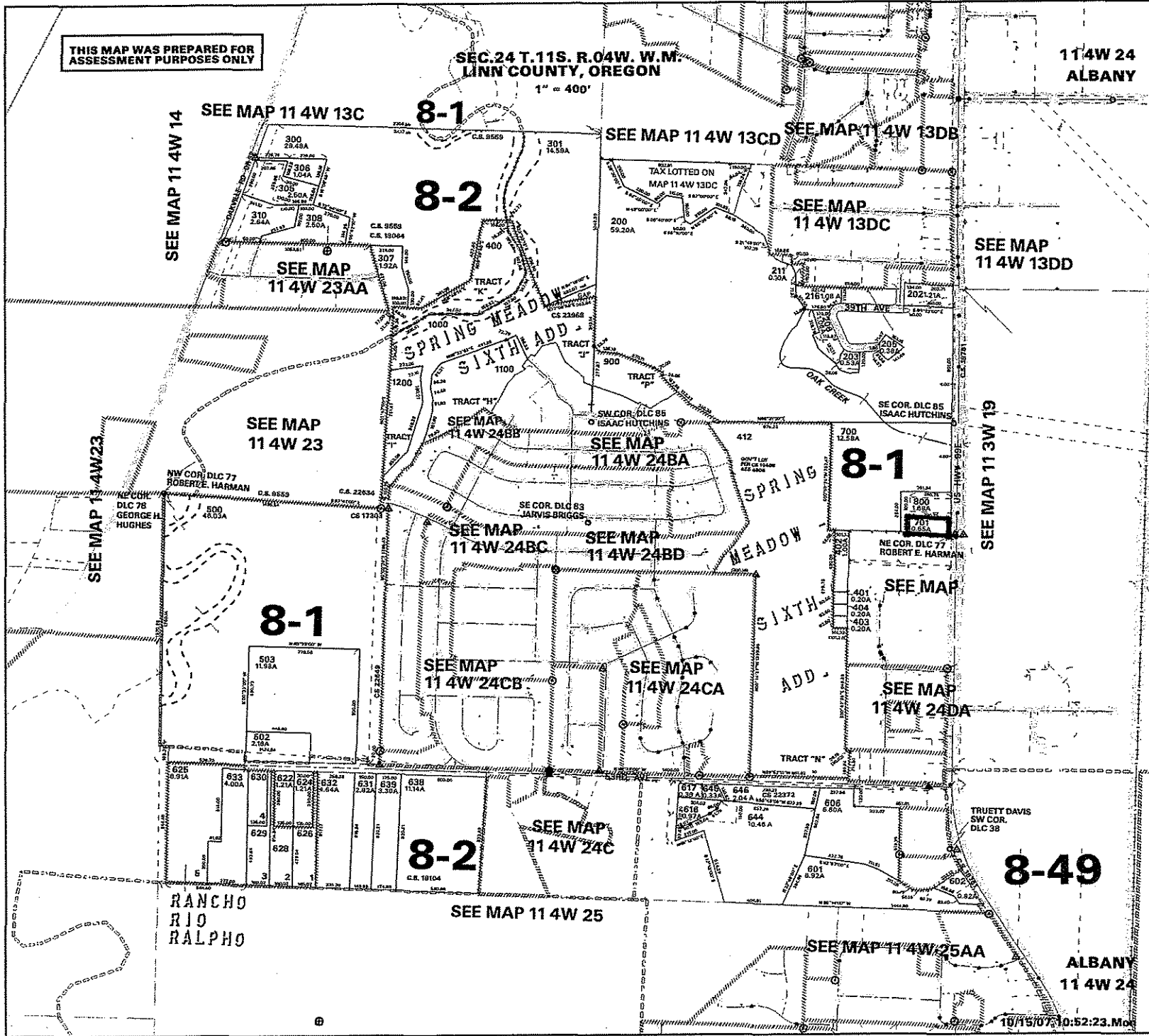
SEE MAP 11 4W 25

SEE MAP 11 4W 25AA

8-49

ALBANY 11 4W 24

10/15/07 10:52:23.Mo





TO: Albany City Council
VIA: Don Donovan, Planning Manager *DDN*
Wes Hare, City Manager
FROM: Heather Hansen, Planner III *HAKH*
DATE: April 2, 2008, for the April 9, 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.

Background

The EOA Update was presented and discussed at a Joint City Council/Planning Commission Work Session on October 15, 2007. At a December 3, 2007 Planning Commission Work Session, the conclusions and recommendations of the EOA Update were discussed one by one with the intent of determining whether there was overall support for them. If substantive changes had been recommended, then the economic development policies in the Comp Plan would be revisited. There was overall support for the recommendations. The upper range of the large commercial sites recommended in the EOA Update was the only item identified for discussion at a public hearing.

A Planning Commission public hearing was held on March 3, 2008. Staff reviewed the size of some local and regional commercial developments to get a better sense of scale, such as Costco, Home Depot, North Albany Village, Heritage Mall, and Keizer Station. The Planning Commission voted unanimously to recommend approval of the amendments as proposed.

On March 12, 2008, the City Council held a public hearing on the Comp Plan Chapter 3-Economic Development text amendments. Following the public hearing, the City Attorney read the Ordinance that would approve the amendments. A second reading of the Ordinance was carried over to the March 26, 2008 Council meeting. On March 26, 2008, the second reading of the Ordinance was tabled until the April 9, 2008 Council meeting.

Discussion

The City is expected to have at least 15,000 additional residents in the next 20 years. These new residents will increase the need for places to work, shop, eat, bank, get a haircut, buy insurance, and generally conduct business. In the EOA Update, ECONorthwest estimates that we will need about 225-340 additional acres of suitable industrial and commercial sites to accommodate these new businesses.

The Council has a choice at this point – either (a) adopt the proposed Comp Plan amendments based on the current Economic Development goals and policies in the Comp Plan that generally support the type of sites the EOA Update says we will need over the next 20 years, or (b) not adopt the amendments and direct staff to bring forward Economic Development goal and policy amendments to the Comp Plan that support a different outcome.

If the City Council chooses to adopt the proposed amendment, there are several ways to address some of the issues raised at the last City Council session, including: (1) Development Code amendments related to the development design, such as design guidelines or density bonuses based

Albany City Council
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April 2, 2008

on performance standards, and (2) an Economic Development Strategy as identified in the City's Strategic Plan and Comp Plan.

Please contact Don Donovan (don.donovan@cityofalbany.net or 917-7550) if you have any questions about this agenda item. (Heather will be out of the office beginning on April 4th.)

Budget Impact

None.

hah

Attachments: Ordinance and Exhibits A-C

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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 strikethrough 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.

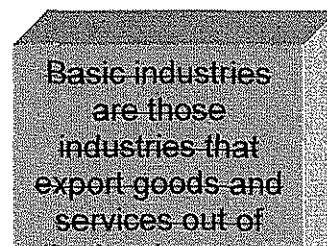
THE DEVELOPMENT OF ALBANY'S ECONOMY

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[†], 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 |
| TOTALS | \$537,204,782 | | 20,659 | | 100% | | |

— 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

[†]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 employment² 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.

| Sector | 1999 | 1999 | New Employment | | | |
|--------------|---------------|-------------|----------------|-------------|--------------|-------------|
| | | | 2020 | 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% |
| Total | 24,755 | 100% | 31,961 | 100% | 7,206 | 100% |

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

²Covered 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 vacant³ and redevelopable⁴ 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.

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

⁴ 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

| Land Use Type | Acres of Land | | Building Sq. Footage | |
|----------------------|----------------------|-------------|-----------------------------|-------------|
| 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% |
| Totals | 269.8 | 100% | 3,143,300 | 100% |

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}

ECONorthwest

ECONOMICS • FINANCE • PLANNING

Phone • (541) 687-0051
FAX • (541) 344-0562
info@eugene.econw.com

Suite 400
99 W. 10th Avenue
Eugene, Oregon 97401-3001

Other Offices
Portland • (503) 222-6060
Seattle • (206) 622-2403

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% |
| Total Covered Employment & Payroll | 40,722 | 41,442 | 720 | 2% | 0.4% |

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 | 3,887 | 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% |
| Total Covered Employment & Payroll | 34,551 | 34,818 | 267 | 1% | 0.2% |

Source: Oregon Employment Department

Table 3 shows a summary of covered employment in the Albany UGB in 2003.¹ 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.

¹ 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

| Sector/Industry | Establishments | Employees |
|---|-----------------------|------------------|
| Agriculture, Forestry, Mining, & Utilities | 8 | 224 |
| Construction | 122 | 582 |
| Construction of Buildings | 38 | 175 |
| Heavy and Civil Engineering Construction | 5 | 12 |
| Specialty Trade Contractors | 79 | 395 |
| Manufacturing | 79 | 2,341 |
| 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 |
| Wholesale Trade | 61 | 357 |
| Merchant Wholesalers, Durable Goods | 25 | 152 |
| Merchant Wholesalers, Nondurable Goods | 20 | 190 |
| Wholesale Electronic Markets and Agents and Brokers | 16 | 15 |
| Retail Trade | 199 | 2,607 |
| 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 |
| Transportation and Warehousing | 22 | 928 |
| Information | 15 | 234 |
| Finance and Insurance | 78 | 704 |
| Real Estate and Rental and Leasing | 77 | 362 |
| Professional, Scientific, and Technical Services | 93 | 403 |
| Management of Companies and Enterprises | 9 | 261 |
| Administrative and Support and Waste Management | 76 | 555 |
| Private Education Services | 7 | 97 |
| Health Care and Social Assistance | 136 | 2,564 |
| Ambulatory Health Care Services | 94 | 1,127 |
| Other Health Care | 22 | 1,259 |
| Social Assistance | 20 | 178 |
| Arts, Entertainment, and Recreation | 15 | 156 |
| Accommodation and Food Services | 116 | 1,641 |
| Accommodation | 9 | 123 |
| Food Services and Drinking Places | 107 | 1,518 |
| Other Services (except Public Admin.) | 137 | 701 |
| Government | 66 | 3,939 |
| Federal Government | 6 | 151 |
| State Government | 4 | 110 |
| Local Government | 56 | 3,678 |
| Total | 1,316 | 18,656 |

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 |
| Natural Resources & Mining | 950 | 890 | -60 | -6.3% |
| Construction | 3,620 | 4,270 | 650 | 18.0% |
| Manufacturing | 14,960 | 13,940 | -1,020 | -6.8% |
| 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% |
| Transportation, & Utilities | 15,550 | 18,300 | 2,750 | 17.7% |
| 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% |
| Information | 1,550 | 1,760 | 210 | 13.5% |
| Leisure & Hospitality | 10,400 | 11,930 | 1,530 | 14.7% |
| 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% |
| Financial Activities | 3,740 | 4,140 | 400 | 10.7% |
| Professional & Business Services | 7,050 | 8,980 | 1,930 | 27.4% |
| Administration and support svcs. | 3,410 | 4,570 | 1,160 | 34.0% |
| Education | 10,270 | 13,140 | 2,870 | 27.9% |
| Health Care & Social Assistance | 9,710 | 12,390 | 2,680 | 27.6% |
| Other Services | 3,130 | 3,510 | 380 | 12.1% |
| Government | 22,320 | 23,960 | 1,640 | 7.3% |
| 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% |
| Total Nonfarm Payroll Emp. | 93,540 | 104,820 | 11,280 | 12.1% |

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.² 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% |
| TOTAL EMPLOYMENT | 18,656 | 79% | 23,560 | 24,616 | 100% |

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).

² 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 |
| Total Employment | 24,616 | 100% | 30,911 | 100% | 6,295 |

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

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

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

| Industry | Lot Size (acres) |
|---|-------------------------|
| Manufacturing | |
| 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 |
| Transportation & Wholesale Trade | |
| Trucking & Warehousing | varies |
| Retail Trade | |
| General Merchandise & Food Stores | 5-10 |
| Eating & Drinking Places | 0.5-5 |
| FIRE & Services | |
| 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 ³ , 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. |

³ 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 |
| Total | 720 | | 146-245 | 55-95 | 91-150 |

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

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

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 |
|--|-------------|--------------|--------------|---------------|----------------|---------------|----------------|
| <u>Inside City Limits</u> | | | | | | | |
| COMMERCIAL | 17 | 7 | 7 | 2 | 1 | 0 | 34 |
| 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 |
| INDUSTRIAL | 3 | 10 | 9 | 4 | 2 | 1 | 29 |
| Light Industrial | 3 | 10 | 6 | 4 | 2 | 1 | 26 |
| Heavy Industrial | 0 | 0 | 3 | 0 | 0 | 0 | 3 |
| <u>Outside City Limits/Inside UGB</u> | | | | | | | |
| COMMERCIAL | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 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 |
| INDUSTRIAL | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Light Industrial | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Heavy Industrial | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| <u>TOTAL Inside UGB</u> | | | | | | | |
| COMMERCIAL | 17 | 7 | 7 | 2 | 1 | 0 | 34 |
| INDUSTRIAL | 3 | 10 | 9 | 4 | 2 | 1 | 29 |
| | 20 | 17 | 16 | 6 | 3 | 1 | 63 |

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 |
|---------------------------------------|-------------|--------------|--------------|---------------|----------------|--------------|----------------|
| Inside City Limits | | | | | | | |
| 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 |
| Outside City Limits/Inside UGB | | | | | | | |
| 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 |
| TOTAL Inside UGB | | | | | | | |
| COMMERCIAL | 16 | 4 | 9 | 2 | 0 | 0 | 31 |
| INDUSTRIAL | 20 | 9 | 11 | 2 | 2 | 0 | 44 |
| TOTAL | 36 | 13 | 20 | 4 | 2 | 0 | 75 |

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 Surpluses (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) ¹ | 50-100 | 33 | 10 | 29 | (21-71) ² |
| Total | 146-245 | 720 | 417 | 55-95 | 73 | | 91-150 | 65 | | | |

Source: City of Albany; analysis by ECONorthwest

¹ 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

² 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 |
| TOTAL | 3-5 | 180-270 | 2-3 | 45-70 | 5-8 | 225-340 |

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

| | |
|--------------------------------|--|
| <u>HEARING BODY</u> | CITY COUNCIL |
| <u>HEARING DATE</u> | Wednesday, March 12, 2008 |
| <u>HEARING TIME</u> | 7:15 p.m. |
| <u>HEARING LOCATION</u> | Council Chambers, Albany City Hall, 333 Broadalbin Street SW |

GENERAL INFORMATION

| | |
|-------------------------|--|
| DATE OF REPORT: | March 5, 2008 |
| FILE: | CP-01-08 |
| TYPE OF REQUEST: | <p>Adopt text amendments to Chapter 3-Economic Development of the Albany Comprehensive Plan (Comp Plan) in the 'Economic Development Background Summary' section that would:</p> <ol style="list-style-type: none"> (1) Add the <i>Healthy Economy</i> 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. <p>Adopt the 2007 EOA Update as a Background Report to the Comprehensive Plan.</p> |
| REVIEW BODY: | <p>City Council (The Planning Commission had a public hearing on March 3, 2008, and recommended the City Council approve the amendments.)</p> |
| 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.

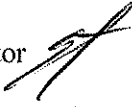
CONCLUSIONS

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.



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Stewart Taylor, Finance Director 
DATE: April 2, 2008 for the April 9, 2008 City Council Meeting
SUBJECT: Bid Award: Investment Advisory Services

RELATES TO STRATEGIC PLAN THEME: ● Effective Government

Action Requested:

Adopt the resolution accepting the proposal from Davidson Fixed Income Management for Investment Advisory Services.

Discussion:

For the past several years, the City of Albany has contracted with FAF Advisors to provide investment advisory services for the portion of the City's invested cash that is not needed for short term operations. The City's total cash portfolio is approximately \$70 million, \$35 million is invested in the Local Government Investment Pool (LGIP) and \$35 million is invested outside the LGIP. All investments are made consistent with the City's investment policy which sets forth priorities for safety, liquidity, and yield.

Proposals were received from five qualified investment advisory firms. While credentials, strategies, and references were good for all of the firms, Davidson Fixed Income Management provided strengths that were determined to be best suited for the City. Among the strengths were methods for duration management of the portfolio and the commitment to work with staff to develop written procedures for ongoing review of the City's investment policy and investment decisions.

Budget Impact:

Costs for investment advisory services are paid directly from earnings on investments. The budget impact will be increased earnings over the current contract.

ST
Attachment: Resolution

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE PROPOSAL FROM DAVIDSON FIXED INCOME MANAGEMENT FOR INVESTMENT ADVISORY SERVICES.

WHEREAS, for several years the City of Albany has contracted for advisory services related to investment of the City's available cash not needed for short term operations; and

WHEREAS, all investments are made consistent with the City's investment policy which sets forth priorities for safety, liquidity, and yield; and

WHEREAS, proposals were received from five qualified investment advisory firms; and

WHEREAS, the proposal from Davidson Fixed Income Management was determined to best meet the requirements of the Request for Proposals and the needs of the City; and

WHEREAS, the City desires to enter into a contract with Davidson Fixed Income Management for Investment Advisory Services, for approximately five years, commencing April 2008, with an option to extend the contract up to an additional two, one-year terms.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby accepts the proposal submitted by Davidson Fixed Income Management for Investment Advisory Services.

BE IT FURTHER RESOLVED that the Finance Director is hereby authorized to enter into a Professional Services Agreement, Attachment A, in substantially the form that is attached and the Fee Proposal submitted by Davidson Fixed Income Management.

DATED AND EFFECTIVE THIS 9TH OF APRIL 2008.

Mayor

ATTEST:

City Clerk

Attachment A

**ALBANY PROFESSIONAL SERVICES AGREEMENT
FOR AGREEMENT TO FURNISH INVESTMENT ADVISORY SERVICES
TO THE CITY OF ALBANY, OREGON**

ARTICLE I: SCOPE

For consideration set forth in Article V of this Agreement, the firm of _____, a professional firm, hereinafter referred to as CONTRACTOR, agrees to provide services to the City of Albany, Oregon, a municipal corporation, hereinafter referred to as CITY. This agreement incorporates all these Standard Terms and Conditions, the promises, representations, and obligations set forth in the complete Request for Proposals, Scope of Work, Fee Proposal, and all Attachments. The CITY shall assist the CONTRACTOR by providing any and all information within its possession or control that may be reasonably helpful in the performance of the services provided herein.

In the event of a conflict between the attachment and this document, the terms of this document shall control. Unless modified in writing as set forth in Article III by the parties hereto, the duties of the CONTRACTOR and the CITY shall not be construed to exceed those services and duties specifically set forth in the agreement. The parties agree that all work products produced by CONTRACTOR in the fulfillment of its obligations under this agreement, and all information, documents and material, gathered or compiled in meeting those obligations, shall be considered property of the CITY, and shall be provided to the CITY upon completion of this agreement or termination of the agreement pursuant to Article XI.

ARTICLE II: PROFESSIONAL COMPETENCE

The services provided by CONTRACTOR, shall, in all respects, meet or exceed the standards of thoroughness, quality, and competence customarily maintained by similar professionals offering such services in the Pacific Northwest. The CONTRACTOR shall not propose solutions, which they should reasonably know will not perform as represented in the Proposal.

_____ will serve as the lead Investment Advisor under the terms of this Agreement. Any change in the designation of this role must be approved by the City.

The CONTRACTOR will not begin work on any of the duties and services listed in Article I until the CITY directs in writing to proceed.

ARTICLE III: MODIFICATIONS

CITY or CONTRACTOR shall not make modifications in the attached agreement or these Standard Terms and Conditions except in writing as an amendment to the agreement. Said modifications shall be agreed to by both parties, with scope of work, schedule, and compensation to be negotiated at the time the modification is proposed by either party. Modifications that do not meet these requirements shall not be binding, and no further compensation will be allowed for any work performed.

ARTICLE IV: STATE AND FEDERAL REQUIREMENTS

The CONTRACTOR covenants and agrees to comply with all of the obligations and conditions applicable to public contracts pursuant to ORS 279 Chapters A and B, as though each obligation or condition were set forth fully herein. In addition the CONTRACTOR covenants and agrees that in the performance of its duties hereunder, it will comply with all other state and federal requirements applicable to the City of Albany for projects of the type in question.

The CONTRACTOR, its subcontractors, if any, and all employers working under this agreement are subject employers under the Oregon Workers' Compensation Law and shall comply with ORS 656.017, which requires them to provide workers' compensation coverage for all their subject workers.

ARTICLE V: COMPENSATION

The services described in Article I shall be performed for the fees stated in the Fee Proposal, Contract Document - Attachment A. The City shall remit payment within thirty (30) days of receipt of a monthly billing from the CONTRACTOR. Such billing shall be only for services provided to that point.

ARTICLE VI: INDEMNIFICATION

The CONTRACTOR agrees to indemnify, defend, and hold harmless the CITY, its agents, officers and employees, from and against any and all liability, claims, suits, loss, damages, costs, and expenses arising out of or resulting from the negligent or intentional acts, errors, or omissions of the CONTRACTOR, its officers, employees, or agents.

ARTICLE VII: INSURANCE

During the life of this agreement, the CONTRACTOR shall maintain the following minimum insurance:

- A. Comprehensive general liability insurance, including personal injury liability, blanket contractual liability, and broad form property damage liability. The combined single limit for bodily injury and property damage shall be not less than \$1,000,000.
- B. Automobile bodily injury and property damage liability insurance covering owned, non-owned, rented, and hired vehicles.
- C. Statutory workers' compensation and employer's liability insurance as required by state law.
- D. Professional liability insurance in the amount of \$1,000,000.

ARTICLE VIII: ASSIGNMENT

This agreement is to be binding upon the heirs, successors, and assigns of the parties hereto and is not to be assigned by either party without first obtaining the written consent of the other. No assignment of this agreement shall be effective until the assignee assumes in writing the obligations of the assigning party and delivers such written assumption to the other original party to this agreement.

Use of subcontractors by the CONTRACTOR or subsidiary or affiliate firms of the CONTRACTOR for technical or professional services shall not be considered an assignment of a portion of this agreement, and the CONTRACTOR shall remain fully responsible for the work performed, whether such performance is by the CONTRACTOR or subcontractors. No subcontractors shall be used without the written approval of the CITY.

Nothing herein shall be construed to give any rights or benefits hereunder to anyone other than CITY and CONTRACTOR.

ARTICLE IX: INTEGRATION

These terms and conditions and the attachments represent the entire understanding of CITY and CONTRACTOR as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. The agreement may not be modified or altered except in writing as specified in Article III.

ARTICLE X: SUSPENSION OF WORK

The CITY may suspend, in writing, and without cause, all or a portion of the work under this agreement. The CONTRACTOR may request that the work be suspended by notifying the CITY, in writing, of circumstances that are interfering with the progress of work. The CONTRACTOR may suspend work on the project in the event the CITY does not pay invoices when due. The time for completion of the work shall be extended by the number of days work is suspended. In the event that the period of suspension exceeds 90 days, the terms of the agreement are subject to renegotiation and both parties are granted the option to terminate work on the suspended portion of the project, in accordance with Article XI.

ARTICLE XI: TERMINATION OF WORK

CITY may terminate all or a portion of the work covered by this agreement for its convenience. Either party may terminate work if the other party fails to substantially perform in accordance with the provisions of the agreement. Termination of the agreement is accomplished by written notice from the party initiating termination no less than fifteen (15) days in advance of the effective date of termination. Such notice of termination shall be delivered by certified mail with a receipt for delivery returned to the sender.

In the event of termination, CONTRACTOR shall perform such additional work as is necessary for the orderly filing of documents and closing of the project. The time spent on such additional work shall not exceed 10 percent (10%) of the time expended on the terminated portion of the project prior to the effective date of termination. CONTRACTOR shall be compensated for work actually performed prior to the date of termination plus work required for filing and closing as described in this Article. Upon termination, CONTRACTOR shall provide to the CITY all work products, material, documents, etc., gathered or compiled, related to the project, whether in CONTRACTOR'S possession at the time of termination or received later.

If no notice of termination is given, relationships and obligations created by this agreement shall be terminated upon completion of all applicable requirements of this agreement.

ARTICLE XII: FORCE MAJEURE

Neither the CITY nor the CONTRACTOR shall hold the other responsible for damages or delay in performance caused by acts of God, strikes, lockouts, accidents, or other events beyond the control of the other or the other's employees and agents.

ARTICLE XIII: DISPUTE COSTS

In the event either party brings action to enforce the terms of this agreement or to seek damages for its breach, or arising out of any dispute concerning the terms and conditions hereby created, the prevailing party shall be entitled to an award of its reasonable attorney fees, costs, and expenses, incurred therein, including such costs and fees as may be required on appeal.

ARTICLE XIV: COOPERATIVE PURCHASING

Pursuant to ORS 279A.205 thru 279A.215, other Public Agencies and members of the Oregon Cooperative Purchasing Program (ORCPP) may use the purchase agreement resulting from this RFP unless CONTRACTOR expressly notes in the proposal that the prices quoted are available to the City only. The condition of such use by other Agencies is that any such Agency must make and pursue contact, purchase order, delivery arrangements, and all contractual remedies directly with the CONTRACTOR; the City accepts no responsibility for performance by either the successful CONTRACTOR or such other Agency using this Agreement. With such condition, the City consents to such use by any other Public Agency.

ARTICLE XV: COURT OF JURISDICTION

The laws of the state of Oregon shall govern the validity of this agreement, its interpretation and performance, and other claims related to it. Venue for litigation shall be in Linn County, Oregon.

CONTRACTOR:

CITY OF ALBANY, OREGON:

Date: _____

Date: _____

By: _____
CONTRACTOR

By: _____
Stewart Taylor,
Finance Director

By: _____

Title: _____

Mailing Address: _____

APPROVED AS TO FORM:

Telephone: _____

By: _____
City Attorney

Fax: _____

Corporation Tax No. (if incorporated)

Social Security No. (if individual)

ATTACHMENT A – FEE PROPOSAL

Fee Proposal

The undersigned hereby proposes and, if selected, agrees to furnish all services in accordance with the Request for Proposal, and Addendums, for the prices shown immediately below.

| Investment Advisory Services | Flat Fee | Percent of Assets Under Management |
|-------------------------------------|--------------------------|---|
| April through December, 2008 | \$ <u>18,750</u> | \$ _____ |
| January through December, 2009 | \$ <u>25,000</u> | \$ _____ |
| January through December, 2010 | \$ <u>30,000</u> | \$ _____ |
| January through December, 2011 | \$ <u>30,000</u> | \$ _____ |
| January through December, 2012 | \$ <u>30,000</u> | \$ _____ |
| Total | \$ <u>133,750</u> | \$ _____ |

Certifications --Non-Collusion

The undersigned Proposer hereby certifies that it, its officers, partners, owners, providers, representatives, employees and parties in interest, including the affiant, has not in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Proposer, potential Proposer, firm or person, in connection with this solicitation, to submit a collusive or sham bid, to refrain from bidding, to manipulate or ascertain the price(s) of other Proposers or potential proposers, or to secure through any unlawful act an advantage over other Proposers or the City. The fees and prices submitted herein have been arrived at in an entirely independent and lawful manner by the Proposer without consultation with other Proposers or potential Proposers or foreknowledge of the prices to be submitted in response to this solicitation by other Proposers or potential Proposers on the part of the Proposer, its officers, partners, owners, providers, representatives, employees or parties in interest, including the affiant.

Conflict Of Interest

The undersigned Proposer and each person signing on behalf of the Proposer certifies, and in the case of a sole proprietorship, partnership, or corporation, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge and belief, no member of the City Council, officer, employee, or person, whose salary is payable in whole or in part by the City, has a direct or indirect financial interest in the award of this Proposal, or in the services to which this Proposal relates, or in any of the profits, real or potential, thereof, except as noted otherwise herein. The undersigned hereby submits this Proposal to furnish all work, services systems, materials, and labor as indicated herein and agrees to be bound by the following documents: Request for Proposal, Professional Services Contract, and associated inclusions and references, specifications, Proposal Form, Proposer response, mutually agreed clarifications, appropriately priced change orders, exceptions which are acceptable to the City, and all other Proposer submittals.

Reciprocal Preference Law - Residency Resident Proposer (X) Non-Resident Proposer ()

Signature Block

The Proposer hereby certifies that the information contained in these certifications and representations is accurate, complete, and current.

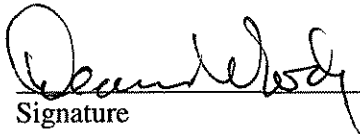
Deanne Woodring, CFA
Managing Director / Portfolio Manager
Davidson Fixed Income Management
Proposer Name

503-243-7770
Proposer Telephone Number

5550 SW Macadam Ave, Suite 110
Portland, OR 97239
Proposer Mailing Address, City, State, Zip

503-243-7771
Proposer Facsimile Number

dwoodring@dadco.com
Proposer E-mail Address


Signature

2/13/00
Date



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Ed Hodney, Director of Parks and Recreation
DATE: April 2, 2008, for the April 9, 2008 City Council Meeting
SUBJECT: Resolution—Increases in Revenues and Expenditures in the Parks and Recreation Fund for the Establishment of Eades Park

RELATES TO STRATEGIC PLAN THEME: • Great Neighborhoods

RELATES TO: • Master Plans

Action Requested:

Consider approval of a Resolution authorizing an increase in revenues and expenditures in the Parks and Recreation Fund.

Discussion:

The expansion of Albany's Water Reclamation Facility required the displacement of Eades Park from its original location on Columbus Street. The original park site was acquired and developed with federal grant money, necessitating a search for replacement property. After meetings were conducted to gather public comment, a new location for the park was chosen at the corner of Alco Street and Linn Avenue. This replacement site is nearly twice the size of the original Eades Park and is immediately adjacent to other lands owned by the City along the Willamette River.

We have begun the design of improvements to the new Eades Park and presented a concept plan to the neighborhood on April 3rd. Once a design has been accepted, construction drawings will be produced and construction initiated. Work on the park will continue in FY 2008-09.

It is necessary to increase both revenues and expenditures in the Parks and Recreation Fund to accommodate this project. An expenditure of \$75,000 is included in the FY 2007-08 Sewer Fund budget to "purchase" the original park site and its improvements. The \$75,000 will be received as revenue in the Parks and Recreation Fund and allocated to project expenditures in the Parks and Recreation Administration Program (202-35-1408). The balance of the \$125,000 project budget will come from reallocated Parks and Recreation Fund money in FY 2007-08 and from an allocation to the project in FY 2008-09.

Budget Impact:

FY 2007-08 revenues in the Parks and Recreation Fund will increase by \$75,000. There will also be a corresponding increase in Parks and Recreation Administration Program expenditures (202-35-1408).

Attachment: Resolution

U:\Parks & Recreation\Parks\COUNCIL\Eades Park\Eades Park Resolution CC memo.docx

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AN INCREASE IN REVENUES AND EXPENDITURES IN THE PARKS AND RECREATION FUND.

WHEREAS, the expansion of Albany's water reclamation facility required the displacement of Eades Park to a new location at the corner of Linn Avenue and Alco Street; and

WHEREAS, the City intends to begin construction on improvements to the new park site in FY 2007-08; and

WHEREAS, the project was not originally included in the FY 2007-08 Parks and Recreation Fund budget, requiring an increase in both revenues and in expenditures to this Fund.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Albany authorizes an increase in Parks and Recreation Fund revenues in the amount of \$75,000 and an increase of \$75,000 in expenditures for the current fiscal year; and

BE IT FURTHER RESOLVED that the transfer will be applied to the following account numbers.

| | <u>Fund/Program/Object Number</u> | <u>Debit</u> | <u>Credit</u> |
|----------------------|-----------------------------------|--------------|---------------|
| Parks and Recreation | 202-35-1401-47017 | \$75,000 | |
| | 202-35-1408-72024 | | \$75,000 |


DATED AND EFFECTIVE THIS 9TH DAY OF APRIL 2008.

Mayor

ATTEST:

City Clerk



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Stewart Taylor, Finance Director 
DATE: April 2, 2008, for the April 9, 2008 Council Meeting
SUBJECT: Extension of Economic Improvement District in Downtown Albany

Action Requested:

Adopt the resolution setting a public hearing on April 23, 2008, at 7:15 p.m. at the City Council Chambers to consider the formation/extension of the Economic Improvement District (EID) in Downtown Albany.

Discussion:

In 2005, downtown property owners extended, through June of 2008, an Economic Improvement District (EID) to help promote downtown Albany. Property owners within the boundaries of the District were assessed based on the square footage of their lots. Revenues resulting from the assessments were used for:

- Promotion of commercial activity or public events
- Business recruitment and development
- Landscaping or other maintenance of public areas
- Parking systems and parking enforcement
- Planning and management of development or improvement activities

The 2005 district will expire on June 30 of this year. The Albany Downtown Association would like to extend the District through June 30, 2013. The previous EID was for three years; however, the proposed new District will be for five years without a rate increase. The first step in extending the District is to schedule the first of two public hearings on these voluntary assessments.

Attached is the letter mailed to all downtown property owners on March 21, 2008, and a map reflecting the Economic Improvement District boundaries.

Budget Impact:

Considerable staff time is in the current budget.

Attachments (4)

cc: Rick Rogers, Albany Downtown Association (ADA)
Linda Lamer, Assessments

RESOLUTION NO. _____

A RESOLUTION SETTING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A DOWNTOWN VOLUNTARY ECONOMIC IMPROVEMENT DISTRICT.

WHEREAS, it is the intention of the Albany City Council to consider a voluntary Economic Improvement District in the Downtown District as of July 1, 2008; and

WHEREAS, ORS 223.112-223.132 establishes requirements for implementing an Economic Improvement District; and

WHEREAS, a public hearing should be held to receive approval of or objections to the proposed assessment; and

WHEREAS, this is the first of two public hearings scheduled for the purpose of considering a Downtown Voluntary Economic Improvement District.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that a public hearing on the matter of establishing a Downtown Voluntary Economic Improvement District for the period beginning July 1, 2008, and expiring on June 30, 2013, be held by the Albany City Council on April 23, 2008.

BE IT FURTHER RESOLVED that the City Recorder shall give notice of the hearing and of the proposed assessments by mailing or personally delivering to the owner of each lot to be assessed a notice stating the amount of the assessment proposed on the property.

DATED AND EFFECTIVE THIS 9TH DAY OF APRIL 2008.

Mayor

ATTEST:

City Clerk



March 21, 2008

Dear property owner,

It is time to renew Downtown Albany's Economic Improvement District (EID) to continue the operations of the Albany Downtown Association (ADA). The EID is the traditional funding source for downtown improvement agencies across the state and is the main funding source for the Albany Downtown Association. The current EID has been in effect since July of 2005 and will expire at the end of June 2008. As a property owner the ADA is asking for your support.

Exciting things are happening in Albany's core area at this time. Downtown Albany is currently in the process of reinventing itself into a viable entertainment and specialty shopping district. The ADA has been instrumental in the current revitalization efforts, acting as an advocate for downtown property owners with the Central Albany Revitalization Agency (CARA), the City's urban renewal agency. Many downtown property owners have received grant and loan funds for building revitalization. The ADA is working with CARA to bring new amenities to Second Ave. and other streets left out of the first round of Streetscape. The ADA has worked hard to recruit new businesses and services into our unique, historic downtown. The ADA buys and maintains the lush flower baskets throughout the downtown in the summer, as well as holiday decorations during the winter. The ADA hosts dozens of events to attract people into the downtown area year around. With the revitalization of many second story living spaces, the annual Upstairs-Downtown tour in May attracts thousands of people for a walking tour of our historic buildings.

The EID is the main funding source that keeps the ADA operating. They are asking for your support to pass a new five-year Economic Improvement District. Due to the current economic climate, the ADA is not asking for a rate increase. The property assessment is based on the square footage of the footprint of each tax lot. There are two assessment areas (see enclosed map), the primary area and a secondary area around the core perimeter. Properties within the primary area are assessed at 4.03 cents per square foot. Properties in the secondary area are assessed at the lower rate of 2.35 cents per square foot. There is a cap of \$500 for any tax lot in the district. The above rates would be frozen in place for the next five years.

CITY HALL

333 Broadalbin SW
P.O. Box 490
Albany, OR 97321-0144
www.cityofalbany.net

(541) 917-7500

ADMINISTRATIVE SERVICES

City Manager's Office

(541) 917-7500

FAX (541) 917-7511

Finance/Recorder

(541) 917-7500

FAX (541) 917-7511

Municipal Court

(541) 917-7740

FAX (541) 917-7748

COMMUNITY

DEVELOPMENT

Planning

(541) 917-7550

FAX (541) 917-7598

Building Division

(541) 917-7553

FAX (541) 917-7598

ECONOMIC DEVELOPMENT

(541) 917-7500

FAX (541) 917-7511

Call-A-Ride

(541) 917-7770

FAX (541) 917-7573

TDD (541) 917-7762

Transit

(541) 917-7667

FAX (541) 917-7573

TDD (541) 917-7678

FIRE ADMINISTRATION

(541) 917-7700

FAX (541) 917-7716

HUMAN RESOURCES

(541) 917-7500

FAX (541) 704-2324

INFORMATION TECHNOLOGY

221 Third Avenue SW

(541) 917-7500

FAX (541) 917-7511

PARKS & RECREATION

ADMINISTRATION

(541) 917-7777

FAX (541) 917-7776

Urban Forestry/

Building Maintenance

(541) 917-7679

FAX (541) 917-7776

PUBLIC WORKS

Engineering

(541) 917-7676

FAX (541) 917-7573

Water/Sewer Billing

(541) 917-7547

FAX (541) 917-7511

On April 30th a second letter will be sent to you noting the proposed assessment on your property. If you have any questions, please feel free to call the ADA Executive Director Rick Rogers at: 541-928-2469.

If you wish to be in the EID supporting the Albany Downtown Association you need do nothing. However, the ADA is asking supporters to write a letter to the Albany City Council showing support. Please address your letter to: City of Albany, c/o Linda Lamer, Finance Dept. 333 Broadalbin St. S.W., Albany, Or. 97321. You can also attend public hearings on the EID set for April 23rd and June 11th in the Albany City Council Chamber, 333 Broadalbin St. S.W. at 7:15 PM. The ADA must have at least 67-percent of eligible property owners in support of the EID for it to pass.

Participation in the EID is voluntary but if you do not wish to be included in the EID you must remonstrate (opt-out) in writing no later than four PM on the day of the public hearing on June 11, 2008. If you do not deliver a letter of remonstrations by that time and date, your property will be included in the EID. The assessment is attached to the property and will continue through the life of the EID if the property is sold. Again, if you wish to support the Albany Downtown Association through the voluntary EID, you do not need to take any action.

NOTE: Non-participation in the last EID does not automatically remove your property from the 2008-2013EID. If you do not wish to support the Albany Downtown Association through the proposed EID you must remonstrate (opt-out) in writing no later than four PM on the day of the public hearing on June 11, 2008 to remove your property from the proposed EID.

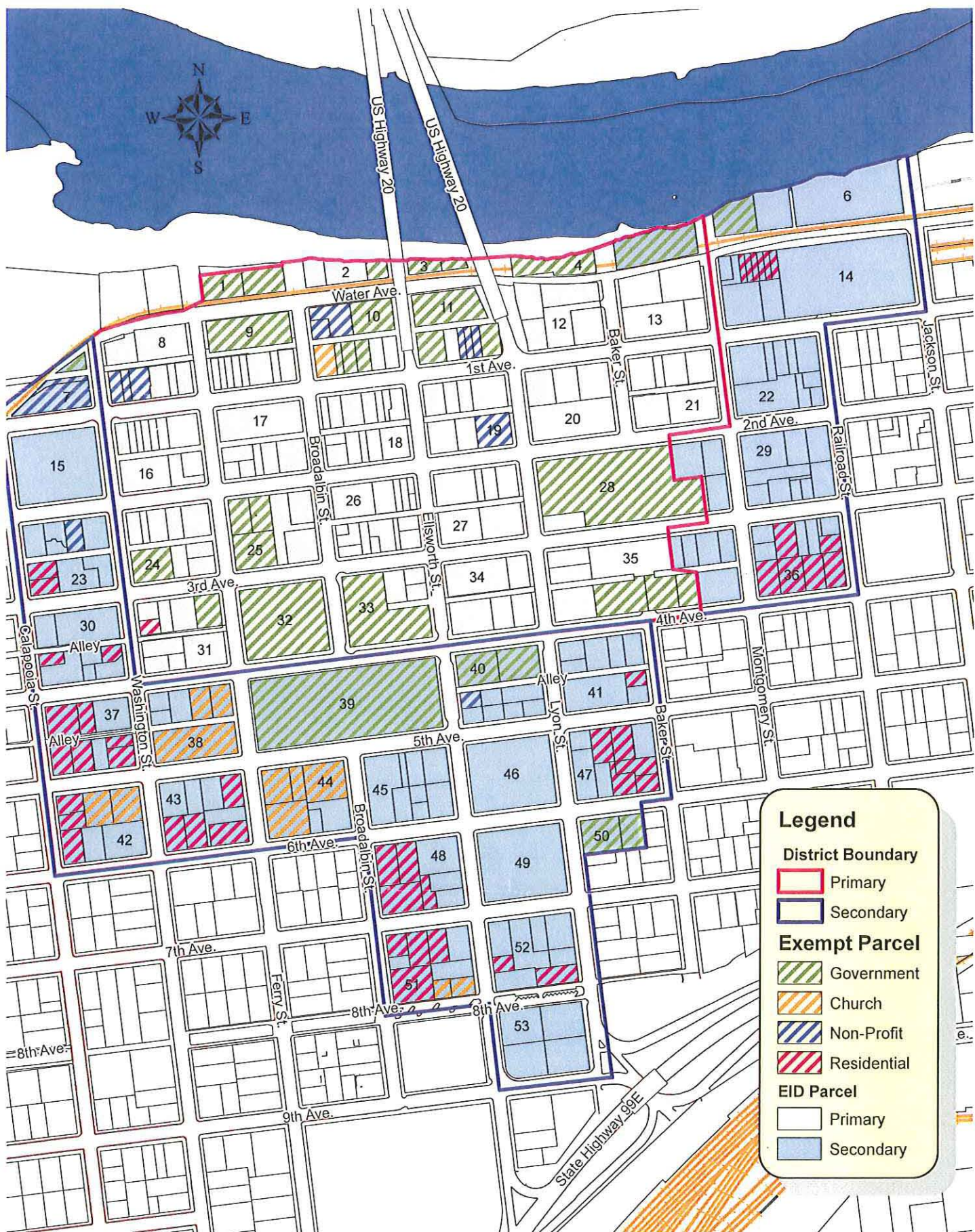
Thank you for your support and we look forward to working with you in the future as downtown Albany continues to grow and prosper.

Sincerely,



Karen Engel
President
Albany Downtown Association

CC: Stewart Taylor, City of Albany Finance Director



Economic Improvement District

APPROVED: _____

NOTICE OF PUBLIC MEETING
CITY OF ALBANY
CITY COUNCIL
Council Chambers
Wednesday, February 13, 2008
7:15 p.m.

MINUTES

CALL TO ORDER

Council President Sharon Konopa called the meeting to order at 7:15 p.m.

Dan Bedore was sworn into office as Mayor.

Floyd Collins was sworn into office as Councilor for Ward I.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Bedore led the pledge of allegiance to the flag.

ROLL CALL

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

SCHEDULED BUSINESS

Business from the Public

Rick Rogers, Executive Director of the Albany Downtown Association (ADA), reported that the ADA would be going out for renewal of their Economic Improvement District (EID) in June, which is their major source of funding. They are having a dinner at the Venetian Theater this Saturday to acquaint the property owners within the downtown district of the advantages that ADA can provide. Their programs will be highlighted and he invited the Council to come as guests. It will be an opportunity to learn more about the ADA.

Richard Owen, 810 Cox Street, reminded the Council of his concerns with the Police Department. He added that he had to go to court regarding barking dog charges even though his dog was asleep in the garage. He said he wasn't given the opportunity to defend himself. He paid a \$170 fine. His son was falsely arrested by Police officers and he had a junk complaint, by an anonymous person, filed against him. Owen said the ordinances need to be changed. He wants the Council to do what they need to do to make changes. He is giving the City 60 days, and then will take them to federal court. He will file a \$1.6 million law suit. Owen agreed to meet with the new Mayor.

James Brooks, 3800 Dunlap Avenue, said that he operates two service stations in Albany and has an issue regarding signs. He received a call from the Code Compliance Officer to remove his moveable sign from the public right-of-way. He noticed that competing businesses along the highway continued to keep their movable signs in the public right-of-way. By putting it there it enhances the visibility of a business, is easily identifiable, and provides them with a competitive edge in the market. He didn't plan on moving his until he was able to see that his competitors had to remove theirs as well. The Compliance Officer confiscated his signs. Upon talking to her, she told him that she is charged with enforcing the code, not writing it. She suggested he talk to the Council. His sign is important to his business. His business has suffered since its removal. The 60 day limit imposed by the code doesn't help a permanent business. He is asking the Council to look at the code and consider a change. The manpower to enforce this code equitably to all similar businesses doesn't exist. Also, there seems to be different rules for the downtown area and the rest of the City. He is not asking for special treatment, but it impacts his business in a negative way.

Konopa asked, what would you suggest? Brooks said a business should have a sign. He provided examples in his handout (in agenda file). Every day that passes, is a day someone else has an advantage over him.

Councilor Olsen asked which sign was his. Brooks identified his sign. Olsen said he was disappointed with the Building Department picking on one person.

City Manager Wes Hare gave a history of the sign code and said the city has to enforce the Municipal Code. Short of having someone going around the City looking for infractions, the City policy is to respond to complaints. He believes the staff has been fair. It is up to the Council to consider policy. He is willing to participate in a dialogue regarding the sign code.

City Attorney Jim Delapoer said that procedurally this issue would need to go through the Planning Commission because it is a land use regulation. From time to time the Council will adopt regulations that they intend to enforce on a complaint basis. This is what happens under those circumstances.

Councilor Christman asked, would it violate the process to have a work session to review the ordinance? Delapoer said that is not legally a problem.

Councilor Collins thinks it should be reevaluated to see if there is a problem.

Assistant Building Official Melanie Adams said the Planning Division is actually looking at the sign code and it will be coming to a work session.

The Council agreed to have it put on the next work session agenda.

Proposal from David Anderer regarding "We the People" 2008.

Mr. Anderer was ill. The Council agreed to postpone this item for two weeks.

Adoption of Resolutions

Establishing a public records policy and setting fees.

Finance Director Stewart Taylor explained that the Oregon State Legislature passed a bill in the 2007 session that directs local Councils to adopt a policy for addressing the procedures for inspection of public records within the City. The proposed policy closely follows the process we have been following for many years.

MOTION: Councilor Johnson moved to adopt the resolution establishing a public records policy and setting fees. Councilor Reid seconded the motion.

Olsen had concerns about the costs associated with requests and the kind of records requested by the public.

VOTE: A vote was taken on the motion and it passed 5-1, with Olsen voting no, and was designated Resolution No. 5546.

Authorizing the City Manager to sign a power sales agreement with Pacific Power for hydroelectric power generation.

Public Works Business Manager Bob Woods explained that when the ownership of the hydroelectric generator facility located in the Vine Street Water Treatment Plant transferred to the City of Albany, a component of the original contract provided for the sale of power generated to Pacific Power. Since that time, actions by the Federal and State governments have resulted in mandated power purchase agreements whose terms are much more favorable to the City than the terms of the existing agreement. The City wishes to take advantage of the additional income that would be realized by the adoption of a replacement agreement. Completing this agreement is also necessary for grants, loans, etc.

Christman asked, what are the City's costs for electricity? Woods said that the City buys electricity now, but he doesn't know at what rate. As an industrial consumer, the City does get a break.

Collins thinks changing the agreement would be a good move forward for the City.

MOTION: Reid moved to adopt the resolution authorizing the City Manager to sign a power sales agreement with Pacific Power for hydroelectric power generation. Johnson seconded the motion and it passed 6-0, and was designated Resolution No. 5547.

Waiving competitive bidding and awarding sole source contract to L.N. Curtis & Sons for the purchase of Task Force Tips brand fire hose nozzles.

Fire Chief Kevin Kreitman said the Fire Department is in the process of purchasing fire equipment to supply the two new engines, which are expected for delivery in February 2008. Purchase of Task Force Tips nozzles for the new vehicles will maintain the same equipment on all fire emergency services vehicles, promoting firefighter familiarity and efficiency, and increasing safety to firefighters and the public. L.N. Curtis & Sons is the sole vendor for Task Force Tips fire hose nozzles and accessories for Oregon customers.

MOTION: Christman moved to adopt the resolution waiving competitive bidding and awarding a sole source contract to L.N. Curtis & Sons. Reid seconded the motion and it passed 6-0, and was designated Resolution No. 5548.

Waiving competitive bidding and awarding sole source contract to Ward Diesel Filter Systems for the purchase of "No Smoke" exhaust filtration systems.

MOTION: Reid moved to adopt the resolution waiving competitive bidding and awarding a sole source contract to Ward Diesel Filter Systems for the purchase of "No Smoke" exhaust filtration systems. Johnson seconded the motion.

Reid asked, when the City built stations #13 and #14, weren't the filter systems put in? Kreitman said they found that they were designed for a specific vehicle and it became a maintenance problem.

Olsen asked, will it equip all vehicles? Kreitman said they will be placed on the last five diesel vehicles.

VOTE: A vote was taken on the motion and it passed 6-0, and was designated Resolution No. 5549.

Authorizing a capital purchase for an additional detective vehicle.

MOTION: Johnson moved to authorize a capital purchase for an additional detective vehicle. Christman seconded the motion and it passed 5-1, with Reid voting no, and was designated Resolution No. 5550.

WWTP 08-02, Wetlands Treatment Project.

Woods said this resolution will provide staff with the legal authorization to adjust the anticipated revenues paid by ATI Wah Chang and the city of Millersburg in the Sewer Fund and to authorize the appropriations necessary to the project.

MOTION: Reid moved to adopt the resolution amending the FY 2007-08 annual budget by providing for the receipt of additional funding and authorizing additional appropriations in the sewer fund relating to project #511021 – WWTP-08-02, Wetlands Treatment Project. Christman seconded the motion and it passed 6-0, and was designated Resolution No. 5551.

Approval of Contract

Municipal Court Judge contract.

Reid asked if this contract included the discussion regarding pro-tems that was held on Monday. Hare said that it was included in the contract.

MOTION: Reid moved to approve the Municipal Court Judge contract. Johnson seconded the motion and it passed 6-0.

Adoption of Consent Calendar

- 1) Approval of Minutes
 - a) January 7, 2008, City Council Work Session
 - b) January 9, 2008, City Council Meeting
- 2) Accepting easements, dedication deeds and warranty deeds:
 - a) Easements:
 - (i) David and Denise Russell. RES. NO. 5552
 - (ii) Jaimy T. Patton and Sarah Castleton. RES. NO. 5553
 - (iii) Jason and Lisa Bethell. RES. NO. 5554
 - (iv) James D. Gutierrez II. RES. NO. 5555
 - (v) Diana Garrison. RES. NO. 5556
 - b) Dedication deeds:
 - (i) Jim Hamel. RES. NO. 5557
 - (ii) Timberhill Corporation and Brandis Family. RES. NO. 5558
 - c) Warranty deeds:
 - (i) Patton Park, LLC. RES. NO. 5559
 - (ii) BBF Development, Breadner Parker & Associates. RES. NO. 5560
- 3) Approving abandonment proceedings for the construction of sanitary sewer improvements:
 - a) SS-07-02, Thornton Lake Place Sewer Extension. RES. NO. 5561
 - b) SS-98-05, Columbus Street sanitary sewer LID. RES. NO. 5562
- 4) Approving abandonment proceedings for ST-03-08, Grand Prairie Road LID. RES. NO. 5563
- 5) Reauthorizing appropriations for ST-07-05, pedestrian island installations for the construction of four pedestrian median islands. RES. NO. 5564
- 6) Authorizing the Fire Department to apply for a \$7,500 grant from the Fred Meyer Foundation and a \$2,000 grant from Joe's Sports & Outdoor Foundation to provide funding for scholarships, materials, and supplies for the Fire Department's Safety Camp program. RES. NO. 5565
- 7) Approving new outlet liquor license for Clemenza Inc., D/B/A Clemenza's Italian-American Café, 236 First Avenue W.
- 8) Accepting the 2007-2009 Biennium Oregon Department of Transportation Public Transit Division discretionary grants for the following:
 - a) Preventive maintenance for Albany Transit System, Linn-Benton Loop, and Albany Paratransit. RES. NO. 5566
 - b) Linn-Benton Loop operating funds. RES. NO. 5567
 - c) Linn County Special Transportation fund intergovernmental agreement for Title XIX Medicaid non-medical transportation grant match reimbursement. RES. NO. 5568
- 9) Appointing Municipal Court Judge Pro Tems. RES. NO. 5569

Konopa asked for item 4) to be pulled for discussion.

MOTION: Reid moved to adopt the Consent Calendar with item 4) removed for discussion. Johnson seconded the motion and it passed 6-0.

Konopa said that item 4) involved a Grand Prairie Local Improvement District. She asked, what would the process be to have those waivers of remonstrance removed from the properties? Public Works Director Diane Taniguchi-Dennis said that staff would be dealing with those to make certain they are removed from their deeds.

MOTION: Konopa moved to adopt item 4) of the Consent Calendar. Reid seconded the motion and it passed 6-0.

Award of Contracts

SS-07-04. North Albany Lift Station property acquisition.

MOTION: Reid moved to authorize the City Manager to execute such agreements as are necessary for the acquisition of a portion of Benton County Assessor's Tax Lot No. 900, Map No. 11-30W-6CB, located at 110 NW Hickory Street. Johnson seconded the motion and it passed 6-0.

53rd Avenue Park, authorizing an increase of \$67,510 to the original contract.

Parks & Facilities Maintenance Manager Craig Carnagey said the increase in the original contract reflects changes that were unexpected and needed to be made. They include but are not exclusive of: wetland negotiations, electrical lighting, and ADA parking and ramp. The changes regarding wetland avoidance basically altered the park. The redesign required that a larger amount of soil be hauled away, rather than spreading it on the site as originally intended.

MOTION: Johnson moved to authorize an increase of \$67,510 (28.2%) to the construction contract awarded originally on May 23, 2007, to Custom Sprinkling Specialist, Inc. Christman seconded the motion.

Reid asked, how many neighborhood parks have off-street parking? Carnagey said just this one. The ramp and parking cost around \$5,000.

Olsen asked, did you have to bring in a certain kind of dirt? Carnagey said they had originally thought they could balance out the park area by using the wetlands dirt on lower areas of the park. But, they ended up shipping it out.

VOTE: A vote was taken on the motion and it passed 6-0.

Personnel Request

Approving FTE increase for a regular, part-time Transit Operator position.

Hare said this item was discussed at the Council's work session. It is an increase from .91 FTE to a full-time position.

MOTION: Johnson moved to approve the FTE increase for a regular, part-time Transit Operator position. Reid seconded the motion and it passed 6-0.

Reports

Receiving Code Enforcement Team Second Quarter Report for Fiscal Year 2007-2008.

Management Assistant/Public Information Officer Marilyn Smith explained that it was a slow quarter as the Code Enforcement team concentrated on Helping Hands.

Johnson asked, has number 13 on the list, 240 Second Avenue SW (ham radio tower installed without permits on top of old City Hall), changed? Smith said that Mr. Lund said he was going to remove the tower during good weather. Delapoer said he would talk to him.

Helping Hands construction project update.

Hare explained that the City had an agreement with Helping Hands to alleviate the Fire Department's concern about using their dining hall for overload sleeping. Helping Hands has agreed to go to rotating shifts. They are hoping that the building will be completed soon.

Judith Hamilton, 20605 Katlin Lane, Monroe, Oregon, had a letter from Dr. Origer (in agenda file) regarding their health concern about overcapacity sleeping at Helping Hands. She said they are equally concerned about staff and homeless clients. They are concerned about resources being spent on that population, when they could be used for the working poor. The increasing number of that population in the area is a concern for the health care community. They want to provide more services to more groups, but feel they are overloaded with clients from Helping Hands. She doesn't believe it is healthy. She wants the Council to limit capacity in the Helping Hands facility.

Johnson said these people need someplace to go. Do you have someplace for them to go? Johnson doesn't believe the other groups have provided an alternative right now. Helping Hands has met the Fire Marshall's requirement.

Hamilton feels Helping Hands can't work without limiting the capacity.

Hare said this is a temporary solution regarding a special problem, during the construction of a new dormitory facility. He provided a history of this particular violation.

Delapoer said that the agreement to bunking eliminates the violation that the Fire Marshall was concerned about.

Initiating a vacation of Jackson Street NE and Jefferson Street NE, north of Water Avenue NE.

Collins declared that he had performed some services for this company in a private capacity and would abstain from voting.

Donovan explained that three owners of property adjacent to Jackson Street NE and Jefferson Street NE, north of Water Avenue NE, have asked that the City Council initiate the vacation of these sections of street rights-of-way. The usual application for a street vacation requires that the applicants obtain the signatures of property owners within 200 feet on either side of the street to be vacated and within 400 feet of the end of the street. If the Council initiates the street vacations, these signatures are not required. The applicants say it would be a time-consuming process to obtain the necessary signatures and they need to proceed with certain preconstruction activities now to expedite their projects. The property is in the Central Albany Revitalization Area district. If the Council initiates the street vacations, the three property owners will still have to submit a street vacation application and pay the required application fee. Surrounding property owners will receive notice of the application, including the railroad. Public hearings before the Planning Commission and City Council will be held and the decision to actually vacate the street rights-of way will be made on the merits of the application. The initiation will only remove them from having to get the signatures.

Delapoer explained that the decision tonight does not ultimately require the Council to vacate the rights-of-way.

Reid was concerned that it creates a four block area of no access to the river. Donovan said they would maintain a right-of-way to the river and access will also be discussed during the public hearings.

Taniguchi-Dennis mentioned that there will be a need for public utility easements.

MOTION: Christman moved to initiate the vacation of Jackson Street NE and Jefferson Street NE, north of Water Avenue NE. Johnson seconded the motion and it passed 5-0.

Appointment

Appointment to the Budget Committee.

MOTION: Konopa moved to appoint C. Jeffery Evans to the City of Albany Budget Committee. Reid seconded the motion and it passed 6-0.

BUSINESS FROM THE COUNCIL

Albany-Millersburg Joint Water Committee vacancy.

MOTION: Reid moved to appoint Mayor Bedore to the City of Albany/City of Millersburg/Joint Water/Wastewater Management Committee. Johnson seconded the motion and it passed 6-0.

Albany Millersburg Economic Development Corporation.

MOTION: Reid moved to appoint Mayor Bedore as an alternate representative to the Albany Millersburg Economic Development Corporation. Johnson seconded the motion and it passed 6-0.

Willamette Criminal Justice Council.

MOTION: Johnson moved to appoint Mayor Bedore and Councilor Collins to the Willamette Criminal Justice Council. Christman seconded the motion and it passed 6-0.

Olsen spoke on homelessness, quoting Martin Luther and saying that he doesn't believe it is the City's burden. He believes the Council should encourage the state to take care of this problem.

Johnson mentioned that after the Judge's annual report, she visited the Municipal Court. She believes they have an unsafe office environment with a lot of overcrowding. Hare said that plans are underway to expand the Court office space.

Albany City Council Regular Session
Wednesday, February 13, 2008

Hare would like to set a date for the Strategic Planning session. The Council agreed to Monday, March 3, at 4:00 p.m. There would be discussion regarding goals and strategic plan items. Christman feels the current plan is good but overwhelming and hard to measure.

Smith reviewed the proposals for the City mail survey and gave options. The Council accepted Option 1, the 6-8 weeks return.

NEXT MEETING DATE

The next Council Work Session is scheduled for Monday, February 25, 2008, at 4:00 p.m., in the Municipal Court Room, at City Hall.

The next Council Regular Session is scheduled for Wednesday, February 27, 2008, at 7:15 p.m., in the Council Chambers, at City Hall.

ADJOURNMENT

There being no other business, the meeting was adjourned at 9:35 p.m.

Respectfully submitted by,

Reviewed by,

Betty Langwell, CMC
City Clerk

Stewart Taylor
Finance Director

CITY OF ALBANY
CITY COUNCIL
Council Chambers
Wednesday, February 27, 2008
7:15 p.m.

MINUTES

CALL TO ORDER

Mayor Bedore called the meeting to order at 7:15 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Bedore led the pledge of allegiance to the flag.

ROLL CALL

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

SCHEDULED BUSINESS

Continued Quasi-Judicial Public Hearing

SD-14-06, appealing the Planning Commission's approval of a Subdivision Tentative Plat that would divide a 3.77-acre parcel of land into 12 residential single-family lots (Links Club Estates).

Bedore explained that on January 23 the Council held a public hearing. The public hearing was closed and due to the lateness of the hour, continued discussion on the appeal was scheduled for the January 30, 2008, special meeting. The applicant's attorney, the appellant's attorney, and the City Attorney later concluded that it may be desirable to allow the applicant to modify the subdivision plan to address concerns raised at the public hearing. The special meeting was canceled and further discussion of the appeal was rescheduled to tonight's meeting. The applicant's attorney has asked to submit new information that will address some of the concerns raised by opponents of the subdivision. If the Council wishes to accept new information, the public hearing must be reopened. If the Council decides to reopen the hearing, a new notice of public hearing must be mailed to surrounding property owners. In order to provide the required advance notice the reopened hearing would have to be set for a date at least two weeks from tonight. Staff would like to discuss the date with the Council.

MOTION: Councilor Christman moved to reopen the public hearing. Councilor Johnson seconded the motion and it passed 6-0.

Planning Manager Don Donovan explained that in order to set a date for the reopened public hearing, they would need at least 10 days to notice it, but must have a decision within the 120 days that the state allows. There followed Council discussion regarding dates.

MOTION: Johnson moved to set the reopened public hearing for March 26. Christman seconded the motion and it passed 6-0.

Quasi-Judicial Public Hearings

VC-03-07, vacating a portion of Ferry Street SW, located between Queen Avenue SW and the Southern Pacific Railroad right-of-way.

Bedore opened the public hearing and explained that the application for the vacation was initiated by the City Council at the request of Gary Brown.

Bedore asked if any members of the Council wished to abstain. No one did.

Bedore asked if any members of the Council wished to declare a conflict of interest, or report any significant ex parte contact or a site visit. Councilor Konopa said that she had received an email from the applicant.

Bedore explained that for all those wishing to testify, please be aware that you must raise an issue with enough detail to afford the Council and parties an opportunity to respond to the issue if you later want to raise that issue on appeal to the Land Use Board of Appeals. Testimony and evidence must be directed towards the approval standards staff will describe or other criteria in the plan or Development Code which you believe apply to the decision. If additional documents or evidence are provided by any party, the City Council may allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. Any continuance or extension of the record requested by the applicant shall result in a corresponding extension to the 120-day limit. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with enough detail to allow the local government or its designee to respond to the issue precludes an action for damages in Circuit Court.

Staff Report

Engineering Tech IV Mike Leopard gave background of the area and the proposed development. Maps were provided on page 18 and 20 of the agenda. Staff notified all affected properties and they had one letter opposed to the proposal. Leopard explained utility locations and said the City will get an access easement. He said the requested vacation must meet five criteria, including that it must be consistent with relevant Comprehensive Plan policies and with any street plan, city transportation plan, or public facility plan. It must not have a negative effect on access between public rights-of-way or to existing properties, potential lots, public facilities or utilities. It must not have a negative effect on traffic circulation or emergency service protection. The portion of the right-of-way that is to be vacated must be brought into compliance with Code requirements, such as landscaping, driveway access, and reconstruction of access for fire safety. Also, the public interest, present and future, must be best served by approval of the proposed vacation. Leopard reviewed the staff report in the agenda which explains findings and conclusions for the five criteria.

Leopard directed the Council to the supplemental findings provided on the dais (in agenda file). The supplemental findings supersede Finding 5.6, conclusions 5.1, 5.2, 5.3, and conditions 5.1, and 5.2 of the Staff Report for VC-03-07. This replacement language is designed to allow the applicant as much time as possible to satisfy the paving condition, while at the same time meeting ORS requirements pertaining to the City's responsibility to take final action on this land use application within the time limits set by the State.

Leopard said the Planning Commission agreed to the vacation before receiving the letter against it.

Johnson asked, is the City considering vacating so the property owners can use more of the street for building? Leopard said yes.

Councilor Collins asked, why is a variance not a viable option? Donovan said that Brown did apply for one initially, but received a response from a property owner who objected. The objector said he didn't believe it met the review criteria and it wasn't consistent with the look of the area. The storage building would be directly up to the street. Staff supports the vacation because the street doesn't go anywhere.

Councilor Olsen asked if use of the pathway for large railroad trucks would destroy the road. Leopard said if the vacation goes through, the City would no longer be responsible for the pavement of the road.

Applicant

Gary Brown, 2828 Marantha Court, Turner, Oregon, explained that the reason they are applying for the vacation and asked the City to initiate the process was they were unable to get the railroad to respond with consenting to the change. If they initiate the vacation, they would need 100 percent approval from the property owners to go forward. The City needs only to notify them of the change. He doesn't see any concerns regarding that street. The reason the street distance was shortened is the railroad has no pavement on their property. The property owners along the street want it paved for emergency vehicles and want to post it as a private road. He explained how he would pave the street. He has no egress or ingress to the street. His only advantage in getting it vacated is he picks up more area for building.

Christman asked, about how far are you going to pave? Brown said approximately 250 feet into the street.

Testimony in Support

No one wished to speak.

Testimony in Opposition

No one wished to speak.

Testimony neither in favor nor opposing the application

Peggy Whippo, 2803 Columbus Street, said they need more information, but for now they are neutral. Their concerns are how wide and how deep the street will be. The property they own is currently being used by PM Property Management and in the course of a month, hundreds of people come and go to their business. Access is important to them. They are not concerned about how close to the street the storage buildings are. Their concern is how the street is going to be built.

Pete Slanning, 1240 Ferry Street, said he was neutral on this issue. He is not sure what vacating a street means. He asked if as a property owner, would there be any liability on his part. Are they responsible in the event of an accident or injury? Do they pay taxes on the road? Heavy equipment could tear up the road. How would the property distribution look like, if it is vacated? Leopard referred to page 22 of the agenda, which included a map showing the property distribution if the street were vacated. Leopard explained that vacated means the original properties that dedicated the public easement to the City for a street would repossess the property after the City "vacated" its easement.

Olsen asked, what would be considered an appropriate width for an industrial street? Leopard said if it is a public street, typically 32 to 45 feet width. Private access is a 24-foot requirement for two-way traffic.

Collins asked, are we limiting future potential growth with the 24 feet width requirement? Leopard said they still have 50 feet available; the City is just requiring the 24 feet.

Applicant Response

Brown said they are providing a paved ingress for the Whippos. It seems to him to be an advantage. They would also like a weight limit for that area to minimize wear and tear on the road. It is not the only entrance for the railroad; they have an entrance off of Jackson Street. He and his partners will bear the expense of the road. They are prepared to put it in. It is also an opportunity to clean up that section of the City. They have had some issues with vandalism. They want to clean it up to encourage businesses in the area.

City Manager Wes Hare said right now it is a public road and there is the potential that the City will maintain it. He asked Brown, can you get an agreement for maintenance of the street from the neighbors? Brown said he thought the City required him to develop a street maintenance agreement with the neighbors in order to pave the road.

Collins asked how the weight limit would be imposed. Brown said they would post it. They would like the general public to know it is a dead-end street, that it is a private street, and that there is a weight limit on it.

Christman asked if the maintenance would fall under an access agreement. Leopard said that initially they were going to require an access agreement between the properties, but he is not sure how the City could enforce it.

Deputy City Attorney Mathew Jarvis said the property owners could create an agreement among themselves and it would be up to each of the easement holders to enforce it.

Christman asked, can the City require that sort of agreement between the property owners as a condition for vacation? Jarvis said that may be a good idea.

Leopard asked, what would be a good agreement? Whatever they were all willing to sign? Christman agreed that whatever the parties were all willing to sign would be a good agreement. Jarvis said the agreement could be part of the same process regarding the second reading that staff is recommending for the pavement requirement.

Olsen is reluctant to give up a City street. He said that some time in the future the City may want to maintain it and bring it up to City standards.

Johnson voiced concern about giving responsibility of upkeep to the neighbors. Other areas of the City have shown that it doesn't always work.

Jarvis warned that there is a risk to the City with this kind of vacation. If an abutting property owner does not consent and there is a significant drop in the market value of the property, the City may be liable for those damages.

Brown said if the City did improve the street, it would cost the property owners much more. If the street is cut off at 250-feet, the railroad would have no responsibility for maintenance. They would have no pavement up to their property. They were considering requiring maintenance based on frontage area on the street, which would be minimal except for him and he is willing to carry the costs.

Donovan said if the railroad is included in any requirement for a maintenance agreement, experience has shown that contacting the railroad for improvements is very difficult. He asked the Deputy City Attorney if the railroad has to be part of the agreement. Jarvis said the railroad could reach their property with an access easement and not be part of the maintenance agreement, but would be responsible for the maintenance of the access easement.

Councilor Reid asked, can the City or the property owners deny them access? Jarvis said they can't be denied access if they have been using it for a significant amount of time.

Olsen asked, what is the problem with Brown getting a variance? Donovan said it is not consistent with the area because of setback requirements and he believes Brown will have a hard time getting approval.

Bedore closed the hearing at 8:18 p.m.

Konopa said to get the street improved would require a Local Improvement District or have the City do it at taxpayers' expense. The other option is what is in front of us now; a vacation. Hare said, or leave it as a dirt road. Leopard said a redevelopment of the parcels, which is what Brown is proposing, would require a street improvement.

Bedore said there is an ordinance in front of the Council and staff is advising to take only one reading in order to give Mr. Brown time to comply with the conditions.

Christman asked, is it valid to require a maintenance agreement before vacating? Donovan said it could be included as a condition.

MOTION: Christman moved to approve the first reading of the ordinance with conditions proposed by staff and have the property owners bring an access maintenance agreement within the same time constraints. Reid seconded the motion.

Christman explained that that his motion requires them to come up with an agreement acceptable to the parties between now and the second reading. There is no need for the Council to approve the agreement; they only need to have one.

Leopard asked if the motion includes the railroad as a necessary part of this agreement condition.

Collins said in his opinion the railroad could retain their easement and responsibility for its upkeep. If the other three property owners were agreeable to the maintenance agreement, the railroad doesn't become a necessary part of the agreement.

Johnson said she struggles with supporting the maintenance of such a short street. She doesn't want to give away a public street.

VOTE: A vote was taken on the motion and it passed 4-2, with Olsen and Johnson voting no.

Jarvis read for the first time in title only "AN ORDINANCE VACATING A PORTION OF FERRY STREET SW, LOCATED BETWEEN QUEEN AVENUE SW AND THE SOUTHERN PACIFIC RAILROAD RIGHT-OF-WAY."

AN-01-07 and ZC-06-07, annexation and zoning map amendment request for properties located at 250, 310, and 320 Clover Ridge Road NE; and 3705, 3749, 3800, 3855 Dunlap Avenue NE.

Bedore explained that the applicants for this annexation and zoning map amendment request were Michael and Roberta Newman, and James and Monica Brooks.

Bedore opened the public hearing at 8:40 p.m.

Bedore asked if any members of the Council wished to abstain. No one wished to abstain.

Bedore asked if any members of the Council wished to declare a conflict of interest, or report any significant ex parte contact or a site visit.

Collins said he had worked with one of the property owners and has a social relationship with another.

Bedore said for all those wishing to testify, please be aware that you must raise an issue with enough detail to afford the Council and parties an opportunity to respond to the issue if you later want to raise that issue on appeal to the Land Use Board of Appeals. Testimony and evidence must be directed towards the approval standards staff will describe or other criteria in the plan or Development Code which you believe apply to the decision. If additional documents or evidence are provided by any party, the City Council may allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. Any continuance or extension of the record requested by the applicant shall result in a corresponding extension to the 120-day limit. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with enough detail to allow the local government or its designee to respond to the issue precludes an action for damages in Circuit Court.

Staff Report

Regarding annexation, Leopard explained that the property is located just south of an area that has already been approved to be placed on the May ballot. He said there are four basic approval criteria for annexations: First, is the property eligible for annexation? Second, is infrastructure adequate, or can it be made adequate in a timely manner? Third, have sufficient planning and other studies been completed for the area? Fourth, is it reasonable from the City's standpoint, to annex the property at this time?

Leopard said the property is eligible for annexation if it lies within the Urban Growth Boundary and it is contiguous with the current City limits. These parcels, when considered as a whole, satisfy this first criterion.

Leopard said that in general this area is located more suitably than most annexation requests in terms of existing infrastructure because it is surrounded by property already in the City. Recent City projects have brought significant infrastructure improvements to the area. These public improvements have been sized and constructed to serve the area as a whole, and each development constructs their own internal

improvements when the development occurs. Because the property is currently surrounded by City limits, City police and fire protection are already serving the surrounding area.

Leopard said the third criterion deals with planning and engineering studies for the area. Existing Utility and Street Master Plans have included this area in their recommendations for system wide improvements. A local wetlands inventory has been prepared and recent periodic review work by the City's Planning Division has led to changes to the Comprehensive Plan for certain parts of this area.

Leopard said the reasonableness criterion gives you the flexibility to consider any other factors that you feel are relevant in determining whether or not it is timely to annex the property. Two factors that were included in the staff report are the fact that the area is within an existing island surrounded by city limits; and, that as new connections are made to existing public infrastructure, the City receives some reimbursement for the cost of installing the improvements.

Regarding the concurrent request for rezoning the property, Leopard said there are five approval criteria for rezoning: first, the requested zone is consistent with the Comprehensive Plan designation. Second, the transportation system is adequate to serve uses allowed in the requested zones. Third, public services are adequate to serve uses allowed in the requested zones. Fourth, unique natural or special features will not be jeopardized as a result of the proposed zoning. Fifth, the proposed zoning best satisfies the goals and policies of the Comprehensive Plan.

Leopard said the current Comprehensive Plan Designations for the subject property are Low Density Residential north of Dunlap Avenue, and Medium Density Residential south of Dunlap Avenue. The most recent Periodic Review work led to some changes in the Comprehensive Plan designations for this area. In particular, the area south of Dunlap Avenue was changed from Low Density to Medium Density Residential. The Development Code gives a variety of zones that will fit into these Comp Plan designations. This request is for RS-5 zoning to the north of Dunlap Avenue, and RM to the south. These zones would be consistent with the Comprehensive Plan and zoning matrix in Article 2 of the Development Code.

Leopard said recent improvements to Clover Ridge Road have made the transportation system adequate to serve the area. Other street improvements would be required within the subject property, when it develops, that would be determined with each specific development request. These street improvement requirements would take into account such factors as Master Plan recommendations, street connectivity, and transportation patterns.

Leopard said the third criterion deals with improvements to public infrastructure. As mentioned with the annexation findings, system improvements have brought infrastructure to the area that is adequate to serve development on the property. Fire and Police protection is already provided to the City areas surrounding the subject property, and a new school is planned for the East I-5 area.

Leopard said there are no historic districts, significant slopes, or 100-year floodplain on the property. There is a small area of wetlands identified by our local inventory that would need to be considered during development. Any future development would be required to satisfy all state requirements pertaining to wetlands. There are some trees on the property that would also need to be considered at the time of development, according to Development Code or Municipal Code requirements.

Regarding the fifth criterion, Leopard said the proposed zoning is compatible with the Comprehensive Plan designations as determined in the Development Code. In addition, the RM zone proposed for the southern portion of the property allows for single-family or multi-family development, so it provides flexibility to meet the market demands at the time of development. Also, the proposed zoning would create a gradual transition from the existing multi-family uses to the south and the single-family uses to the north

Applicant Testimony

Mark Grenz, Multi-Tech Engineering, representing the applicants, said they are involved with the developer of the other annexation that is going on the ballot. They are concerned that the development of the area be the best possible and transition cohesively from multi-family to single-family uses.

Konopa asked if the properties south of these had been contacted to be annexed at the same time. Grenz didn't know if Mr. Newman contacted them. His firm only facilitated putting this annexation together.

Testimony in Support

No one wished to speak.

Testimony in Opposition

No one wished to speak.

Testimony neither in favor nor opposed to the application

No one wished to speak.

Bedore closed the public hearing at 8:47 p.m.

Reid asked for a review of the property lines. Leopard explained the property lines.

Deputy City Attorney Mathew Jarvis read in title only "AN ORDINANCE AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY ZONING MAP, AND ADOPTING FINDS, CONCLUSIONS AND CONDITIONS FOR PROPERTIES LOCATED NORTH OF DUNLAP AVENUE NE AND WEST OF CLOVER RIDGE ROAD NE."

MOTION: Johnson moved to have the ordinance read a second time in title only. Christman seconded the motion and it passed 6-0.

Jarvis read the ordinance for a second time in title only.

MOTION: Johnson moved to adopt the ordinance. Reid seconded the motion and it passed 6-0, and was designated Ordinance No. 5688.

MOTION: Christman moved to adopt the resolution proposing the annexation of properties located north of Dunlap Avenue NE and west of Clover Ridge Road NE (AN-01-07), and forwarding the question of annexation to the voters on the May 20, 2008, ballot. Johnson seconded the motion and it passed 6-0, and was designated Resolution No. 5570.

Business from the Public

Proposal from David Anderer regarding "We the People" 2008.

David Anderer, 614 Breezy Way, provided copies of a proclamation: "We the People 2008." Their goal is to educate people regarding the governmental process and encourage involvement at all levels. He suggested the Council consider the ideas presented on the handout sheet (in agenda file).

Dr. Harrison spoke to what Linn Benton Community College (LBCC) is doing in support of this idea. He teaches history and has encouraged people to participate in City government. He presented the Council with T-shirts from the student government at LBCC.

MOTION: Konopa moved to recognize the proposal for "We the People 2008," and have staff prepare a proclamation. Collins seconded the motion and it passed 6-0.

Other Business from the Public

Bill Root, 2634 NW Valley View Drive, invited the City staff and Councilors to a North Albany Neighborhood Association (NANA) meeting to be held on March 18, at 6:00 p.m., at Ciddici's Pizza Parlor. He also extended an invitation to any person citywide that would like to attend. The meeting would allow any City official the opportunity to speak on any subject. After all of the officials have spoken, the meeting will be opened for questions from the audience.

Dick Owen, 810 Cox Street, brought up tickets he has received and said he has subpoenaed the Municipal Court Judge. He wants to know what the Council is going to do.

Charles Dunm, 1755 17th Street, Corvallis, the Linn Library Bookmobile Librarian, said that services will stop in May and he encouraged the Council to support the proposed library district.

Joselyn Wagner, 4055 Hwy 226, Scio, is in favor of the library district. She believes every child in Linn County deserves to read.

Bedore asked that those having comments regarding the library district be brief and not repeat testimony. There have been numerous opportunities to speak to this subject and the Council received additional testimony at their work session on Monday.

Jean Towns, 30847 Mott Drive, Corvallis, a former school Librarian, commented that she has seen the benefits to library services in Benton County when they went to a district.

Jan Doerfler, 404 Vine Street, serves on the Albany Library Board and watched the Linn Library League evolve. She said the community doesn't stop with the City limits. The community will be richer with a district. She asked the Council to at least consider building better services. People are saying to her that they want to vote.

Kathryn Buchner, 2874 Heron Loop, a former school Librarian, said the Council's concerns about finances made sense but, Albany stands to benefit from a district. The Council should care about services outside the city limits because they would want a healthy economic growth for the community, responsible well educated workers, amenities for citizens, and a place that they can be proud of and that attracts new residents. The economic slowdown will not last forever and the City will grow. The effect on the City

budget is minimal. Their operational grants have been exhausted. The schools do not have libraries. She asked the Council to fulfill their mission of "Providing quality public services for a better Albany."

May Garland, 38795 North Main, Scio, asked, what can the district do for Albany? It will provide more open hours, more materials, more staff, a courier service, centralized ordering, and leadership opportunities.

Linda Ziddich, 38056 Kelly Road, Scio, gave a history of the library district.

Mark Azevedo, 1210 Skyline Drive, said, if you want to diversify the economy, you educate people. This is an opportunity to do that. He supports the library district.

Vi Anderson, 914 North Albany Road, said as a Council, your responsibility is to provide services for the people of Albany. It appears funds would be diverted from the safety departments to support the library district. Albany also has many transportation issues that need funding. She is against diverting funding.

Library Director Ed Gallagher thanked Garland and Ziddich for service to the district. Gallagher believes the district would be able to address all the concerns the Council has.

Adoption of Resolutions

Consenting to the formation of the Linn Library District.

Hare said staff has prepared a new resolution, as directed by Council, which includes the new language regarding the possibility of increased taxes. He explained the loss of \$300,000 revenue to the Parks Department and how policy changes could readjust that amount. There are uncertainties about what services would be needed from the City for the district. \$100-150,000 potentially could be lost from the Safety Levy. He has been preaching about building up reserves in the General Fund and in order to maintain current services money would probably have to come from there. The City would see a decrease in the "rate of increase" in revenues. He said the advantage of a district is that you are spreading the cost over a wider area. The Council would voluntarily under-levy the amount they have authority to tax in order to maintain property taxes at the current level. The voters are intrusting them with additional taxing authority. The city of Lebanon said they are willing to do that, to defer a percentage of taxes for three years. But they qualified that by saying they cannot bind future Councils to that decision.

Collins said he supports library services, but he has to consider what are the current most pressing tax supported functions of the City. He is concerned about the impacts to police, fire, and planning. Those departments have major funding issues. He said it would be easy to move the responsibility over to the voters, but feels that is not the responsible thing to do. The taxing authority gives the City capacity to bring the taxing levy up to the current per-thousand levels. But he doesn't want to be on record as supporting the possibility of raising taxes.

Johnson said she weighed the advantages, including the increase in hours and expanded book inventory. But she can't approve the City putting it on the ballot because it would lower the tax revenues to the City. She doesn't like the idea of under-levying and she doesn't want to double tax. Forming a district is like contracting out. She has a concern about the current employees being able to retain their positions and salaries. She doesn't have enough information regarding fees and maintenance. She believes she was elected to support the City and do what is in the best interest of the City.

Christman agrees with Collins and Johnson. This Council would be giving the new library board taxing authority. The net effect initially is nil, but the future effect is the ability to increase taxes. He approves of giving it to the voters in the manner stated in the resolution.

Bedore was concerned that people be informed as to how forming the district will affect them monetarily. If the Council were to support the district by putting it on the ballot, they would be supporting giving a Board the authority to levy extra taxes.

Reid said he is not in favor of supporting the library district. The district plan would leave the City with no input as to what happens to the current City owned library buildings. It is not in the best interest of the City. There will be increased maintenance and capital costs, and the Council has been asked to trust a Board that doesn't exist. He will vote to send it to the voters through petition.

Olsen said he has mixed emotions about the district because of the authority to levy. He is concerned about the City being able to justify a \$.95 Safety Levy when they have a library district. He is concerned about the hiring of the director and costs associated with the buildings. He has a concern about the makeup and authority of the Board. He gave a brief history of the downtown library.

Konopa said she has great reservations regarding the district. Why would the City give up a new building? It may free up more taxing authority, but she thinks Albany would be subsidizing the district. She believes the petitioners will have a tough time getting it passed. She said they must make voters aware that it will increase taxes.

Johnson has had people tell her that they don't believe it is a good idea. She is concerned about giving away the new library building and the costs for renovation. She thinks the City needs to keep their library.

MOTION: Christman moved to approve the resolution consenting to the formation of the Linn Library District with the added clause "...recognizing that the creation of the district could lead to increased taxes for Albany residents and that the Council believes that voters should decide whether to entrust elected representatives with additional taxing authority." Konopa seconded the motion.

Hare explained it would be the responsibility of the district advocates to place the question on the ballot by petition.

VOTE: A vote was taken on the motion and it passed 4-3, with Collins, Johnson, and Olsen voting no, and was designated Resolution No. 5571.

Adoption of Consent Calendar

- 1) Certifying properties exempt from taxes:
 - a) Songbird Village. RES. NO. 5572
 - b) Periwinkle Place. RES. NO. 5573
 - c) Park Rose Properties. RES. NO. 5574
- 2) Approving liquor licenses for:
 - a) Hausmann Delis, LLC, D/B/A AJ's Dawg Haus, 2530 Pacific Boulevard SE, Suite B.
 - b) Bailey's Inc., D/B/A Bailey's on Elm, 831 Elm Street SW.
- 3) Accepting easements from:
 - a) CGM, LLC. RES. NO. 5575
 - b) Ronald H. Dittmer. RES. NO. 5576

MOTION: Konopa moved to adopt the Consent Calendar. Reid seconded the motion and it passed 6-0.

Award of Contract

WL-08-03, Fourth Avenue, Fifth Avenue, and Chicago area water line replacement.

City Engineer/Assistant Public Works Director Mark Shepard said the project is estimated to come within budget.

MOTION: Collins moved to award a contract for WL-08-03, 4th Avenue, 5th Avenue, and Chicago Area Water Line Replacement, in the amount of \$216,091.79 to the low bidder, Sonoma Pacific Construction. Reid seconded the motion and it passed 6-0.

Approval of Agreement

Approving intergovernmental agreement with Greater Albany Public Schools for the collection of construction excise tax.

MOTION: Konopa moved to approve the intergovernmental agreement with the Greater Albany Public Schools for the collection of construction excise tax. Reid seconded the motion and it passed 6-0.

Personnel Request

Reclassifying positions in Public Works Engineering.

Shepard said that this item was explained at the Monday work session.

MOTION: Johnson moved to approve the elimination of one vacant position and to reclassify four positions in the Public Works Engineering Division as presented at the City Council work session on Monday, February 25. Reid seconded the motion and it passed 6-0.

Appointments

Appointment to the Public Safety Commission and Transportation Demand Management Advisory Committee.

MOTION: Reid moved to appoint Dan Conway to the Public Safety Commission and Dan Bedore to the Transportation Demand Management Advisory Committee. Johnson seconded the motion and it passed 6-0.

BUSINESS FROM THE COUNCIL

Reid reported that the Joint Water Management Committee had considered renaming the Wastewater Treatment Plant to the Albany-Millersburg Reclamation Facility. They would like the Council to formally accept the name.

MOTION: Collins moved to rename the Wastewater Treatment Plant to the Albany-Millersburg Water Reclamation Facility. Christman seconded the motion and it passed 6-0.

Olsen provided a report (in agenda file) from Linn County regarding the cat neutering program. They were hoping that the City would allocate \$10,000 again this budget year if the County does the program. He said currently the Pet Over-Population Prevention Advocates, Inc. (POPPA) is carrying out most of the neutering. They are based in Beaverton and he would like a local cat trapper to be considered for Albany cats.

Konopa said she supports the program, if they use an Albany cat trapper.

Reid said if POPPA is willing to work in Albany, he would support that more than going with Linn County.

MOTION: Konopa moved to award up to \$10,000 to Pet Over-Population Prevention Advocates (POPPA) for the neutering of cats in the City of Albany with the understanding that the Albany trapper's services will be used. Collins seconded the motion and it passed 6-0.

Johnson said she received an e-mail from the League of Oregon Cities scheduling discussions on group homes for forensic patients. Olsen thinks the Council should express a strong objection to them.

Management Assistant/Public Information Officer Marilyn Smith discussed questions for the citywide survey with the Council. The Council will review staff's questions, suggest some of their own, and provide them to Smith at the Monday, March 10 work session.

NEXT MEETING DATE:

The next Council Work Session is scheduled for Monday, March 10, 2008, at 4:00 p.m., in the Municipal Court Room, at City Hall.

The next Council Regular Session is scheduled for Wednesday, March 12, 2008, at 7:15 p.m., in the Council Chambers, at City Hall.

ADJOURNMENT

There being no other business, the meeting was adjourned at 10:26 p.m.

Respectfully submitted by,

Reviewed by,

Betty Langwell, CMC
City Clerk

Stewart Taylor
Finance Director

APPROVED:

CITY OF ALBANY
CITY COUNCIL (WORK SESSION)
Municipal Court Room
Monday, March 3, 2008
4:00 p.m.

MINUTES

CALL TO ORDER

Mayor Dan Bedore called the meeting to order at 4:02 p.m.

ROLL CALL

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

Councilors absent: None.

SCHEDULED BUSINESS

Introduction of BEST Initiative

City Manager Wes Hare said that Albany joined the International City/County Management Association (ICMA) consortium two years ago in order to collect data from cities that can be used to compare performance across jurisdictions. We have not arrived yet at a point where the benchmarks can be established, but staff is developing performance measures that Albany can use.

Hare said there is a consortium of Oregon cities (Corvallis, Salem, Eugene, Wilsonville, Dallas, Hillsboro, etc) which operate under the same laws that Albany does. That information is in the Comparative Performance Measurement Report.

Hare said the goal is to have processes, skills, and tools in place to be able to look at ourselves analytically and critically so we can respond, and do a better job. The City plans to adopt the Building Exceptional Service Together (BEST) initiative. Hare said that Public Works Business Manager Bob Woods has compiled information to see what we are up against.

BEST Initiative Presentation

Woods said that ICMA and the American Water Works Association (AWWA) have performance measures which the City uses, but we have some significant holes to fill.

Woods began a PowerPoint presentation (see agenda file).

Woods had the Council do an exercise which compared work done in large and small batches to see which resulted in more efficiency, by comparing total completed tasks to work-in-process. The lesson learned was that when the batch sizes were reduced, the total tasks completed increased and the work-in-process decreased. Toyota Production System (TPS) has adapted to a continuous flow process, in which tasks are completed one at a time instead of in batches. TPS has greatly increased production using the same number of employees, steps, and time. Most people "batch" their work, thinking that it is more efficient.

Woods said that management will be embarking on a program to train employees in process improvement. The tool set we will be using is Lean Six Sigma. "Lean" focuses on eliminating wasted effort and unnecessary work that occurs in any type of process. "Six Sigma" focuses on eliminating problems in processes that cause customer dissatisfaction and the extra costs that come with fixing the problem.

Woods discussed the successes experienced by Fort Wayne, Indiana as they implemented Six Sigma. Six Sigma is a statistical measure of quality.

Woods said 24 managers from the City of Albany and Councilor Ralph Reid Jr., along with another 23 people from Salem, Aumsville, Linn County, the Department of Standards & Practices, have already attended Six Sigma Executive training. The response was extremely positive. Woods said another Six Sigma Executive training session is scheduled for April 24 and 25 in Salem. He encouraged the Council to attend.

Woods continued the PowerPoint presentation.

Hare added that the process improvement teams help folks to work together and provide enrichment.

Woods said, the goal is to improve customer service. By doing that, we get more done with the same resources we have now.

Councilor Floyd Collins said, this could be applied to policy and reviewed by the Council in the same way staff will be looking at the mechanical processes.

Hare said, this will be an investment in staff time and resources. Woods is working full-time to lead this enterprise. The Public Works Department is paying for his specialized training.

Bedore wholeheartedly supports this and encouraged staff to move forward. He would like feedback periodically from staff along with what is being invested. Hare said short-term, it will be \$100,000 for staff and training in the first year. Long-term benefits will be increased efficiency and better customer service.

Collins said that increased customer satisfaction is the goal. This is an opportunity to increase confidence in government through excellent customer service.

Hare said the key to its success is getting folks to buy into it. Buy-in needs to reach the level of people who do the every-day work. It is also important to get more out of the resources we already have. Growth versus number of employees is a concern. Revenues are decreasing, so we need to figure out how to meet demand for service with less.

Councilor Dick Olsen said Woods should consider taking anonymous evaluations of the Six Sigma training from supervisors and department heads. Woods said the feedback received so far has been amazing, including training participants from outside the City. There is lots of enthusiasm. There are some that want to be certified in this training beyond the two-day initial session. Hare confirmed that this is an initiative that started in Public Works and has spread through the department heads.

Councilor Jeff Christman said, by defining and quantifying processes, the Council can put something in the Strategic Plan that will have finite data to refer to. This eliminates the broad statements in the Strategic Plan that do not have supporting data.

Hare said that in 2008-09 Woods' position will move from Public Works Department to the City Manager's budget.

Integrating the Strategic Plan into the Budget

Finance Director Stewart Taylor would like to incorporate more of the Strategic Plan into the budget process. He gave a sample of Department Themes and Goals using the new process (see agenda file). Each department would have a page of departmental themes and goals after their tab. Directors will define what the goals are for their particular budget, linking the Strategic Plan themes and goals to specific line items in the budget. How the department helps achieve that theme would be presented and objectives would appear in front of each program. These pages will reflect a representative sample of the Strategic Plan. Staff will revisit these periodically. At the bottom of page are performance measures and workload indicators. Taylor is excited about this new direction, as it will give shape to the Budget Committee meetings. The Budget will be an evolving document.

Hare said the Strategic Plan is the "what"; it is a tool to build consensus among the Council and to communicate to the public what is important to the City. What it has not done as effectively as we would like is to be translated into the "how" that is done and what the accountability measures are to make sure it is achieved. Hare said that what has been presented here today will be the tools, the "how" the City can implement the plan.

Review Strategic Plan

The Council began review the Strategic Plan.

The Council decided to make no changes to the Mission, Vision, and Value statements.

Regarding the *Great Neighborhoods* theme, staff has heard criticism that the list is too general and should be prioritized.

There was discussion about considering the objectives as long-range (the "what") and the strategies and actions as the "how" we will get there in the next twelve months. Also, the objectives should be tied directly to the particular goal (for example, Objective 1 should match Goal 1, and so forth). Objectives would align with strategies and actions, which is the work plan to implement the objectives clearly.

City Attorney Jim Delapoer suggested the Council use objectivity in defining these strategies, so they can be more easily measured and cannot be tinkered with.

Hare said the objectives should be what the Council wants, and the strategies and actions should be what staff will do to achieve the objectives.

RECESS

The Council recessed at 6:05 p.m.

RECONVENE

The Council reconvened at 6:43 p.m.

Collins said, the future for the City is driven by our economic forecast. We have to answer those questions first before we proceed. How does the financial impact compare to our forecast model? What are the major funding elements, what is their scope, and what is their funding? Hare said staff does not have that information available tonight, so he suggested the Council review the objectives and tell staff if they are generally agreeable, and charge staff with linking the funding to those objectives under the strategies.

The Council continued their review of the *Great Neighborhoods* theme.

Regarding the theme of *Healthy Economy*, the Council discussed what types of jobs they want to attract and how that conclusion might change the strategies.

Councilor Sharon Konopa stressed the inclusion of attracting sustainable development and environmentally friendly businesses in the Plan.

Fire Chief Kevin Kreitman said Albany has a high concentration of metals facilities. We need to have a manufacturing piece in the Plan so we can attract more businesses here. They are high paying jobs and the companies are already making significant investments in Albany.

Konopa thinks a committee should be organized and tasked with looking at setting sustainability standards.

Under the theme of *Effective Government*, Collins supports work being done toward forming neighborhood associations. The process of involving them in information dispersal, when done in a constructive way, takes time at the front end but saves time overall. A strategy could be to involve more people in local government and perhaps get to better decisions. Police Chief Ed Boyd said there are about 76 Neighborhood Watch groups and enrollment has increased ten percent every year. This item also pertains to the *Safe City* theme.

Delapoe added that we might benefit by adding public staff resources to neighborhood associations to standardize what the groups are doing and to get the organizations running more effectively. We should not see them as our adversaries, but as our allies.

At some point, Collins wants to discuss a transportation bond. The last one was in 1998 and was for a 20 year duration.

Library Director Ed Gallagher said he needs direction from the Council about whether they are on board with the strategies listed for the Library. Increased levels of service and good customer service appear throughout the Plan, but formation of the library district did not get overwhelming Council support. Discussion followed.

The Council consensus was to have staff bring back strategies and actions for the Strategic Plan objectives.

Survey

Public Information Officer/Management Assistant Marilyn Smith handed out revised questionnaires (see agenda file). She said they include the changes suggested by Konopa, Christman, and Hare. She discussed the survey with the vendor to get their recommendations. The vendor indicated that the Council should make the final editing decisions.

Smith said the survey is almost ready to go to printer. There will be 2,500 surveys distributed.

Smith said that at the direction of the Council, she has started the project of organizing the community cleanups. She asked the Council, do you want it to be communitywide, or right-of-ways, or streets? Do you want to organize by block, or by houses? She needs direction. She said to keep in mind that we have a short window of time to plan this, if it is to be scheduled the weekend before the Down by the Riverside river clean up. That weekend is also the AWS recycling roundup and will also give us two weeks of momentum for the "Keep American Beautiful" initiative. Smith said Albany plans to be the first Oregon state to join that initiative. Discussion followed.

Collins sees the clean up as a partnership between property owners, the City, and AWS.

Smith said she and Hare will be going to the League of Oregon Cities (LOC) on Thursday to discuss the siting of state group homes. This LOC meeting is in preparation for a larger meeting with the governor's office.

Smith said there is another community meeting about the Del Rio house on March 19 in the Fireside Room at Linn Benton Community College, at 6:30 p.m. Hare said Delapoe is investigating whether or not we can regulate the number of people in a house, since we cannot legally prevent them from siting here. The city of Milwaukie actually purchased a home by outbidding a potential group home, and is now being sued for alleged violation of fair housing laws.

Albany City Council Work Session
Monday, March 3, 2008

ADJOURNMENT

There being no other business, the Work Session adjourned at 8:28 p.m.

Respectfully submitted,

Mary A. Dibble, CMC
Deputy City Clerk

Reviewed by,

Stewart Taylor
Finance Director



TO: Albany City Council

VIA: Wes Hare, City Manager
Ed Hodney, Parks and Recreation Director *EH*

FROM: Craig Carnagey, Parks and Facilities Manager / City Forester *CC*

DATE: April 1, 2008, for the April 9, 2008 City Council Meeting

SUBJECT: Urban Forestry Management Plan Update

RELATES TO STRATEGIC PLAN THEME: • Effective Government

Action Requested:

Approve Albany's Urban Forestry Management Plan.

Discussion:

The City Tree Commission is charged by the Albany Municipal Code (AMC 2.23) to develop a written plan for the City to provide the community with public tree services. This plan is then presented to the City Council for approval. The Tree Commission has recently completed an update to this plan titled: Albany's Urban Forestry Management Plan. A copy of this plan is attached for your review.

The City of Albany has provided tree services to the community for 20 years and has been recognized as a "Tree City USA" every year since 1994 due to the quality of those services. These include: hazard tree assessments, tree plantings, pruning, and removals along City rights-of-way and on City-owned property including parkland and other public facilities.

The Urban Forestry Management Plan (UFMP) describes the policies, standards, and specifications used by the City's Urban Forestry Program to provide public tree maintenance services. It is used as a guide by City staff to ensure that work performed on trees maintains public safety and tree health. This plan is used by the development community, tree and landscape services industry, and general public on private properties.

The plan's chapters relate to tree preservation and protection, tree removal, tree planting, and tree maintenance. Each chapter includes a statement of purpose that defines the policy related to each type of tree work. Detailed standards, requirements, and operating procedures are then described to show how each policy objective will be achieved and the level of performance that Albany residents have come to expect.

Budget Impact:

None

CTC



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*
 Christopher Goins, Engineering Associate I *CG*

DATE: April 1, 2008, for the April 9, 2008, City Council Meeting

SUBJECT: Award of Bid for WL-08-02, 9th, 10th, 15th, Park Terrace Water Line

RELATES TO STRATEGIC PLAN THEME: • A Safe City

Action Requested:

Staff requests that Council award this contract in the amount of \$343,941.00 to the low bidder, Kamph Construction Company, Inc., of McMinnville, OR 97128.

Discussion:

The water lines on 9th, 10th, 15th, and Park Terrace were identified in the current FY 2007-08 Capital Improvement Program (CIP) for an upgrade in order to replace existing 2-inch, 4-inch, and 6-inch deteriorated and leaky steel and galvanized iron water mains.

The new water lines will include approximately 3,055 feet of 8-inch ductile iron water main line, approximately 294 feet of 4-inch ductile iron water main line, and 82 water services. The new lines will improve system reliability, reduce water loss from the system, improve fire flows, and lower maintenance costs over the long term.

On March 18, 2008, bids were opened for WL-08-02, 9th, 10th, 15th, Park Terrace Water Line.

There were 12 bids submitted for this project, ranging from \$343,941 to \$440,014. The Engineer's estimate was \$438,000.00. A bid summary is attached.

| Project Components | Estimated Cost |
|-------------------------------------|----------------|
| I. Costs | |
| a. Design Engineering | \$ 11,500.00 |
| b. Construction Management | \$ 9,600.00 |
| <i>Engineering Subtotal</i> | \$ 21,100.00 |
| II. Construction Costs | |
| a. Contract | \$343,941.00 |
| b. Contingency (10%) | \$ 34,394.10 |
| <i>Construction Subtotal</i> | \$378,335.10 |
| <i>Total Estimated Project Cost</i> | \$399,435.10 |
| <i>Project Budget</i> | \$507,000.00 |
| <i>Under/(Over) Project Budget</i> | \$107,564.90 |

Albany City Council

Page 2

March 19, 2008, for the April 9, 2008, City Council Meeting

Budget Impact:

This project will be funded from Water System Capital Projects (615-50-2308).

CLG:prj

Attachments (2)

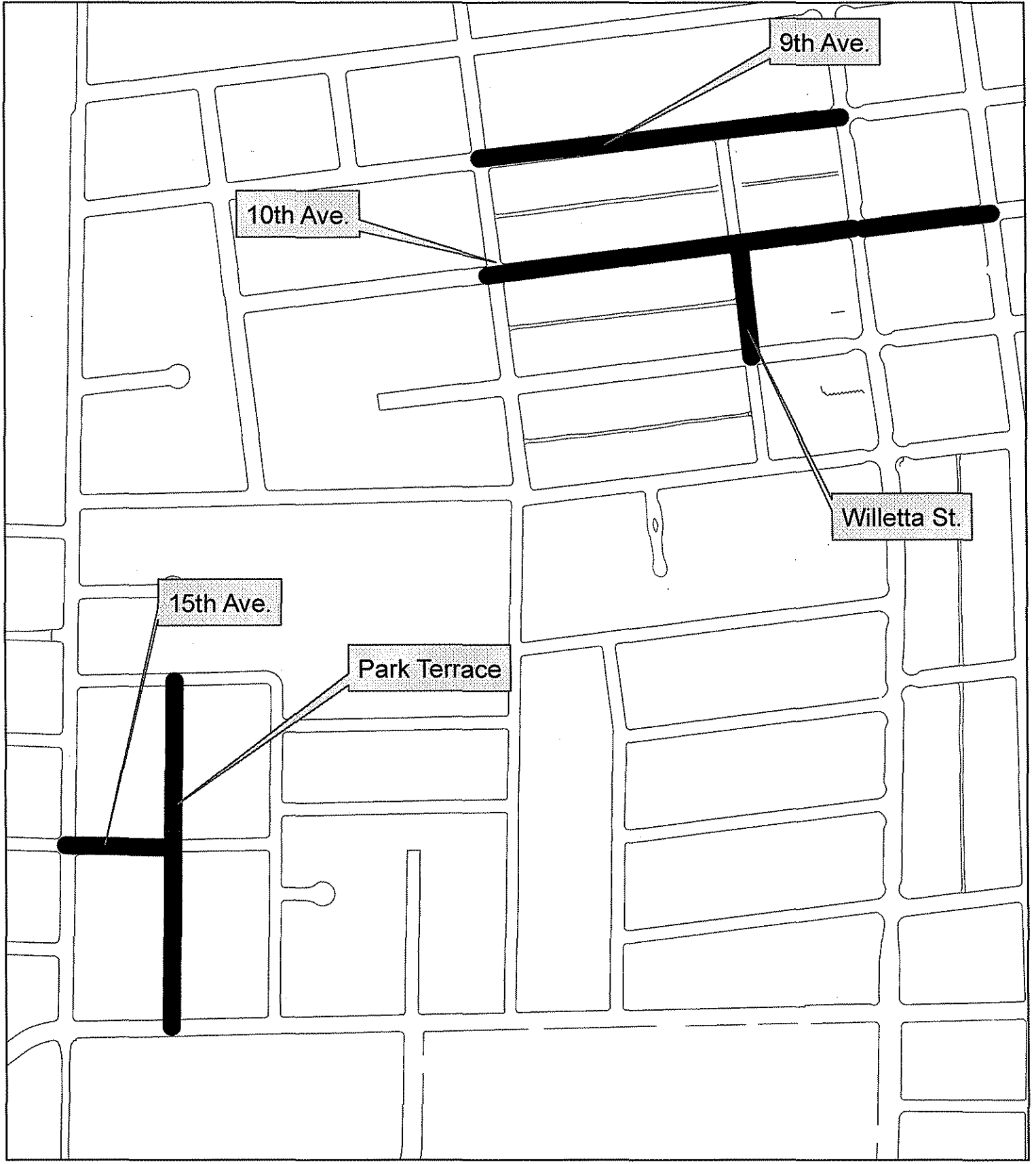


CITY OF ALBANY, OREGON
Public Works Department
Construction Contract Bids

Project: WL-08-02, 9th, 10th, 15th, Park Terrace Water Line

Bid Opening: March 18, 2008

| Engineer's Estimate | Kamph Construction Company, Inc. | Emery & Sons Construction, Inc. | Pacific Excavation, Inc. | R & D Construction, Inc. | North Santiam Paving Co. | Roy L Houck Construction Co. |
|---------------------|----------------------------------|---------------------------------|----------------------------------|--------------------------|--------------------------|------------------------------|
| \$437,200.00 | \$343,941.00 | \$344,170.00 | \$349,785.00 | \$354,899.00 | \$362,100.00 | \$366,096.00 |
| | Canby Excavating, Inc. | Harold Primrose Excavating LLC | Sonoma Pacific Construction Ltd. | Mid-Valley Gravel Co. | Gelco Construction Co. | D. Ray Thornberg, Co., Inc. |
| | \$495,432.50 | \$396,228.00 | \$397,806.00 | \$407,743.00 | \$415,992.00 | \$440,014.00 |



ATTACHMENT 2;
WL-08-02, 9th, 10th, 15th, Park Terrace Area Water Line

