

CITY OF ALBANY
CITY COUNCIL (WORK SESSION)
Municipal Court Room
Monday, November 10, 2008
4:00 p.m.

MINUTES

CALL TO ORDER

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

ROLL CALL

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

Councilors absent: Councilor Ralph Reid Jr.

BUSINESS FROM THE PUBLIC

Mike Quinn, 4455 Sunset Ridge Drive, discussed the potential increase in building permit fees. He said he had been in contact with the Interim Building Official over the last few months because he wants to make sure that when the employees get raises, they are still providing customer service. He is concerned that Building's Beginning Balance is being used up and he wants to know its status. He is not satisfied with the financial information provided to him by the current Building Official Manager. In the past, the public received 90 days notice before fees were raised. The proposed fee increases would be implemented in January. The state administrative rules are a benchmark but they are not going to happen on time in all jurisdictions; he has talked to others and they say they will have different fee adoption dates. Quinn said raising permit fees 20 percent might not represent a 20 percent increase in customer service from the Building Department. Given the potential street System Development Charges and the future school excise tax, Quinn asked that the Council not increase permit fees.

Bill Coburn, 6317 Chapman Court, addressed building fees as well but would like to wait until after the staff presentation on the subject. Bedore agreed.

CENSUS 2010

Gladys Romero, Partnership Specialist for the US Census Bureau, said that a census has been conducted every ten years since the first census in 1790. The last one was in 2000. Population data is instrumental in the distribution of \$300 billion in federal and state dollars. The US Census Bureau hires 1,000 extra employees during a census year. Community leaders can help by issuing a proclamation in support of census and by helping to count residents that might otherwise be overlooked. It is important to have correct, complete counts. Romero distributed the American Community Survey (see agenda file) and a folder which contained several informational brochures (see agenda file). Romero described the Census forms, which come in English and six other languages.

DISABILITY ACCESS PROGRAM OVERVIEW

Disability Access Coordinator Lisa Bennett has been with the City since 2006. She was hired as a Code Compliance Inspector but was moved to this new position a few months ago.

Bennett reviewed the staff memo and gave a Power Point presentation titled "New Disability Access Program Update" (see agenda file).

Councilor Bessie Johnson asked, what is the best way to bring old curbs into compliance with the American Disabilities Act (ADA) regulations? Bennett said the City can issue an Invitation to Bid for contractors to cut concrete and install a useable ramp. It is expensive, so it is not possible to complete the whole City at the same time, but there needs to be a plan in place.

Councilor Floyd Collins asked, what types of funding sources do other communities use? Public Works Director Diane Taniguchi Dennis said there are several options: a new Transportation Act is being discussed to package whole projects; curb improvements could be included as a part of overlay projects or Capital Improvement Program projects, such as on Jackson Street; and street bond money is available. To compete for broader grants, the City needs to package projects together.

Collins advocates for a systematic approach to fixing the curbs and for how the gas tax is prioritized by the state. Discussion followed.

Building Official Melanie Adams said, having a plan in place will help Albany avoid litigation. Bedore asked, is there a standard for substantial progress, or is it subjective? City Manager Wes Hare said, with the Americans with Disabilities Act (ADA), people don't know what their level of compliance is until they are sued. He described the lawsuit brought by disability access advocates against the city of Bend. Albany should be proactive by addressing ADA accessibility now.

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Adams said Bennett has spent a lot of time talking and listening to contractors, groups representing disabled people, and others in the community.

Councilor Jeff Christman asked, does ADA compliance apply to restaurant interiors as well? Bennett said new construction must apply inside the building, but existing construction can only be made to apply to parking lot requirements.

Collins complimented the Building Division for their involvement with the North Albany Community Church parking lot construction. City staff reviewed the design before it was striped, avoiding costly corrections later. They have a proactive approach for compliance.

AMC TITLE 18 UPDATE

Adams referred to the staff report and asked if the Council had any questions.

Christman said there seemed to be a lot of residents that were unaware that enclosing their patio required a permit and asked if that was typically the case – that people are just unaware of the requirements. Adams said that is true; most of the time they are just unaware, which is why her staff takes a slow, measured approach which is heavy on customer service.

Hare said Adams' staff report shows that Albany takes initiative with customer service and gets positive results.

TRANSPORTATION SYSTEM DEVELOPMENT CHARGES

Transportation Systems Analyst Ron Irish explained that so far staff has provided the Council with prioritized project lists, cost estimates, and calculated the System Development Charge (SDC) growth-eligible portion. Tonight, staff would like to step back and discuss transportation SDCs overall. The wastewater treatment plant is an example of how project costs drive the SDC component, but transportation projects are not that way so the Council will need to establish thresholds which staff can apply to the project list.

Irish gave a PowerPoint presentation titled "Transportation SDC Methodology" (see agenda file). Irish also passed out three documents: Transportation SDC for single family chart, Total SDC for single family residence chart, and SDC Funding Eligibility map (see agenda file).

Consultant Debbie Gilardi said the goal is to identify the maximum allowable fee within the state law, and then the Council will decide what to charge within that range. Gilardi continued the PowerPoint presentation.

Collins is concerned about how staff can calculate fees now for a road that will not reach build out until 2030. Irish said there are some streets that will still have capacity past 2030 and can be included in the next Transportation System Program for reimbursement. Collins noted that staff will need to ensure that the City has sufficient right-of-way (ROW) for future capacities.

Councilor Dick Olsen asked, is it true that the higher the growth rate in a city, the higher the fees have to be? Gilardi said, not necessarily; it just might take longer to receive the money to utilize it.

Irish said, once the Council provides the threshold, staff can begin the SDC-I analysis.

Olsen asked, can we increase capacity on roads in North Albany? Irish described possible improvements to Scenic Drive, though they won't really help with congestion problems.

Councilor Sharon Konopa said, growth needs to pay its way. When the City established a fee of \$1,700 in 1997, it wasn't enough and projects were removed from the list. If the City takes out projects to cut the cost, we need to say no to certain developments. We have to look at whatever is reduced from maximum allowable. Irish said that in 1997 the Council reduced residential rates by 6 percent and reduced non-residential rates by 26 percent. The difference is between residential and non-residential residential trip rates. Under that structure, the City was charging a fraction of total allowable fee.

Konopa said, even with the depressed economy, we shouldn't undercharge or we will continue to be underfunding projects. Public Works Director Diane Taniguchi Dennis thinks this new method has the flexibility to allow the City to avoid some of the frustrations Konopa has described. The whole project list will be adopted, and the top ones will be within the threshold the Council sets. If the Council wants to complete a project that is outside of the threshold, they can either swap it for one at the top, or increase the fees.

Christman said, the Council needs to prioritize the list we were given at the last work session. Konopa agreed. Collins said he would like to hear from the community about how to prioritize the list.

Dennis said staff will come up with a prioritizing method to use in the community. She suggested the Councilors identify their own priorities as well.

BUILDING INSPECTION FEES INCREASE PROPOSAL

Community Development Director Greg Byrne said there has not been a building permit fee increase since 2001, although there has been a significant increase in costs over the years. With the downturn in permit activity, reserves could be exhausted by year-end. To make matters worse, now the state is mandating a fee restructure as of January 1, 2009. He said the proposed fee increase will partially offset the increase in costs since 2001. Byrne said he and Adams have already made adjustments in their department in anticipation of these events, such as consolidating two administrative positions into one; reducing front counter staff from three to two; recruiting internally for the Building Official Manager and not filling the Assistant Building Manager position. They have also outsourced their scanning staff to other departments and are receiving fees for the service; reduced Code book purchases to the minimum necessary; and changed driving routes to reduce fuel costs. Building also has two of the five work processes to be evaluated under the Six Sigma program.

Adams said a public hearing on the fees has been scheduled for December 8.

Adams gave a PowerPoint presentation titled "Proposed Fee Changes for January 1, 2009" (see agenda file). She noted a correction to the Budget Impact portion of the staff report, which is reflected in the PowerPoint presentation.

City Manager Wes Hare referred to an article in the *Portland Tribune* about the city of Tigard. The November 6 headline is about eight positions being eliminated in the Building Department (see agenda file). This is a trend in Oregon. Albany has been proactive in taking steps to avoid layoffs but is at a point now that we need to do something. Our experience puts into context what is happening in the building industry overall. Byrne said Albany reduced Building staff by five by not filling vacant positions because staff saw this coming. The Department has a core of highly trained employees that they want to keep.

Adams met with the Homeowners Association last week, and will be speaking at their board meeting this week.

Coburn spoke from the audience. He works for an electrical company. He thinks a 20 percent increase in permit fees is not out of line based on the average cost of living increase of three percent each year since 2001, which is the last time the fees were increased. Albany's proposed electrical fee is more than Corvallis' fee but less than Hillsboro or Portland's fees. He suggested Albany look at e-permitting. Coburn noted that the mobile home inspection fees seemed disproportionate to the stick-built home fees. The mobile home permit includes the electrical feeder, although Coburn is not sure why it would.

Regarding e-permitting, Byrne said Albany has applied with the state Building Codes Division to be a beta testing program site. Initially, however, the current permit program will require reprogramming at an estimated cost of \$59,000. Until that is completed staff will have to do some fee calculations by hand.

SUSTAINIBILITY REPORT

Byrne said that "sustainability" has become a buzzword of late. Used properly, it incorporates environmental, social, and economical aspects. If applied appropriately, sustainability is an important part of the decision-making process for local government. A resolution supporting the City's leadership in sustainability for Albany is in the agenda packet.

Parks & Facilities Maintenance Manager Craig Carnagey said, the purpose here today is to bring this dialogue to the Council to understand where they would like the City to head in the future.

Carnagey said, sustainability has long been a goal of most local governments, creating attractive places for people to live while being good stewards of the environment. With rising concerns about the environment, changing economies, and rising energy costs, sustainability has recently become an even more important concern to the way cities operate and provide core services. One main area in which city government impacts sustainability is through its internal operations, such as the use of energy in buildings. An informal task force met to establish a dialogue about what sustainability means for the way the City operates. A few of the areas they looked at include:

- Areas of consumables used by City operations (fuel, electricity, gas, water, paper, etc...)
- Efforts to reduce or minimize hazardous or toxic materials by City operations
- Where the City tries to minimize and or eliminate pollution in the transportation system
- Where the City encourages a diverse, stable local economy that supports a high quality of life for residents

Carnagey gave examples of what the task force discovered:

- Extensive paper and other office item recycling
- Electronic documents are promoted over paper
- Energy conservation strategies in City buildings including recent audits to identify waste
- Purchase green cleaning products for City facilities
- Obsolete computer equipment is donated or made available for reuse or recycled
- Composted wood chips and leaf debris for reuse in parks
- Water conserving plantings in parks and ROW smart irrigation controls to conserve water

- Integrated pest management in parks to reduce use of toxics
- Tree Preservation measures and tree planting programs
- Hydropower production at the Vine Street Water Treatment Plant
- Reuse of biosolids from the Wastewater Treatment Plant (WWTP) on local farms
- New WWTP will prevent sewer overflows in the Willamette River
- Regular community cleanups, including river cleanup

Carnagey gave examples of what other cities are doing:

- Goals to achieve a recycling rate of 85 percent by 2015. Recycles and then re-uses thousands of yards of concrete and asphalt, and makes compost out of the leaves picked up by street-sweepers, saving nearly \$3 million a year.
- Resolution proposing a 100% landfill waste reduction goal by 2020. Emphasizes closed-loop waste management cycles
- Incorporating renewable energy in public buildings
- Wastewater reuse programs for irrigation of parks and golf courses
- The purchase of hybrid fuel and bio-fuel City vehicles
- Goals to become carbon neutral through use of renewable and sequestration programs

Carnagey said more analysis is needed in order to develop a plan that clearly defines and measures target goals and objectives. Beneficial outcomes might be to reduce operating costs and environmental risk; get ahead of regulations; enhance the organization's standing among residents who are increasingly concerned about these issues; incorporate environmental concerns into the workplace; and build a positive City image.

There will be a brown-bag sustainability lunch for employees. Staff will let the Council know when it is scheduled.

Carnagey said the City will post a list of things it is doing towards sustainability on the website.

Hare said this discussion was initiated by staff a couple of years ago, and it was recognized that there is not a lot of staff time to invest. However, it has been gratifying to see it become a grass-roots campaign within our organization, with staff taking the lead.

Christman commended staff. He would like to see the details and goals for the sustainability program prior to adopting the resolution.

Bedore thinks this is a good first step. The resolution is a general statement that states the City's intent.

Executive Assistant to the City Manager Laura Hyde said this grass-roots project dates back to the early 1990s, when Albany had a sustainability task force focused on recycling. It was a very successful program.

CONSENSUS: There was Council consensus to bring the resolution to the November 24, 2008, Regular Session.

REQUEST TO RESTRICT TURNING MOVEMENTS, OAK STREET AT 11TH AVENUE

Irish explained that 11th Avenue is a local 500 foot long paved street, with a narrow ROW. Following construction of the couplet, residents living in the apartment complex could no longer use 9th Avenue to get to town because Pacific Boulevard was converted to a one-way street. Drivers starting cutting through on 11th Avenue instead. Now that the Albany Boys and Girls Club ball fields and the Lowe's store are under construction, residents along 11th Avenue are again concerned. They are requesting the City convert their street to a one-way, east bound street. Irish said staff suggested restricting turn movements at the intersection instead. The petition presented by the residents is for a one-way street, but Irish thinks they may be in favor of the turn restriction alternative instead.

Christman asked, if there is a third future development, will we have to change the street again? Irish said there is always that potential, but in looking at the traffic pattern the most impact to the neighborhood is the cut-through traffic which would be resolved by the turning movement restrictions. If this solution doesn't fix the problem, we could take a more drastic action such as closing the street. The remedy being proposed is fairly inexpensive.

Olsen asked, can we get ROW from 9th Avenue and Pacific Boulevard and put in a cross street? Irish said that particular project is on the list of TSP projects. ODOT may agree to it, but currently there is a building in the way. The Lowe's traffic study may be looking at that possibility.

MOTION: Collins moved to authorize staff to proceed with a restriction on turn movements from Oak Street onto 11th Avenue. Johnson seconded the motion and it passed 5-0.

COUNCIL COMPENSATION RESOLUTION

Finance Director Stewart Taylor said the last Council compensation resolution was adopted in 1994. It needs to be updated to reflect current practices and regulations.

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Johnson asked, is the proposed resolution different than current practice? Hyde said the changes proposed will bring it into line with current practice.

Taylor explained the new regulations surrounding taxable fringe benefits and IRS guidelines. Over the last few years the IRS has been auditing Oregon cities; most recently, the city of Wilsonville.

COUNCILOR COMMENTS

There were no Councilor comments.

CITY MANAGER REPORT

The City Manager had no report.

ADJOURNMENT

There being no other business, the Work Session adjourned at 6:26 p.m.

Respectfully submitted,

Mary A. Dibble, CMC
Deputy City Clerk

Reviewed by,

Stewart Taylor
Finance Director

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