



NOTICE OF PUBLIC MEETING

CITY OF ALBANY
CITY COUNCIL WORK SESSION
Municipal Court Room
Monday, December 15, 2008
4:00 p.m.

AGENDA

- 4:00 p.m. **CALL TO ORDER**
- 4:00p.m. **BUSINESS FROM THE PUBLIC**
- 4:05 p.m. **TRANSPORTATION SYSTEM DEVELOPMENT CHARGES** – Jeni Richardson
Action Requested: Discussion.
- 4:20 p.m. **OAK STREET IMPROVEMENTS** – Mark Shepard
Action Requested: Information, discussion.
- 4:40 p.m. **LEBANON DEVELOPMENT IMPACTS TO CANAL** – Mark Shepard
Action Requested: Information, discussion.
- 4:55 p.m. **WATER RATES DISCUSSION** – Diane Taniguchi-Dennis
Action Requested: Information, discussion, direction.
- 5:10 p.m. **GIBSON HILL ROAD PATH** – Mark Shepard
Action Requested: Information.
- 5:20 p.m. **GEARY STREET PEDESTRIAN CROSSING** – Ron Irish
Action: Information; direction.
- 5:30 p.m. **FINANCIAL POLICIES** – Stewart Taylor
Action Requested: Information, direction.
- 5:45 p.m. **PROPOSED REPEAL OF TAXI REGULATIONS** – Stewart Taylor
Action Requested: Information and discussion for decision at December 17, 2008 meeting.
- 6:00 p.m. **COUNCILOR COMMENTS**
- 6:20 p.m. **CITY MANAGER REPORT**
 1. Strategic planning, financial forecast sessions
 2. Martin Luther King Day event
- 6:30 p.m. **ADJOURNMENT**

City of Albany Web site: www.cityofalbany.net

The location of the meeting/hearing is accessible to the disabled. If special accommodations to attend or participate in the meeting/hearing are needed, advance notice is requested by notifying the Human Resources Director at 917-7500.



TO: Albany City Council

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

FROM: Jeni Richardson, P.E., Civil Engineer III *JRM*
Ronald G. Irish, Transportation Systems Analyst

DATE: December 10, 2008, for the December 15, 2008, City Council Work Session

SUBJECT: TSP Update – Transportation Financial Plan

RELATES TO STRATEGIC PLAN THEME: ● Great Neighborhoods

Action Requested:

Council is requested to set a special work session to review and discuss transportation projects, priorities, and the SDC and financial plan assumptions. No further action required.

Discussion:

During the past few months, Council has received information supporting the Transportation System Plan (TSP) and Financial Plan. Tonight staff will:

- provide an overview of how these pieces fit together
- review the criteria staff used to set project priorities
- present the reimbursement fee portion of the Transportation System Development Charge (TSDC), and
- work with Council to set a special work session in January 2009 to review the components of the transportation financial plan.

The project website¹ includes links to documents delivered to Council as summarized below:

<i>Work Session Date</i>	<i>Major Topic(s)</i>	<i>Status</i>
August 20, 2008	Project list and map	Accepted
October 6, 2008	Project priorities	Received
October 20, 2008	SDC improvement fee (SDC-I) eligible costs	Received
November 10, 2008	SDC-I maximum fee & SDC community comparisons	Received
December 15, 2008	SDC reimbursement fee (SDC-R) maximum fee	
<i>TBD</i>	Special Work Session	

¹ http://www.cityofalbany.net/publicworks/streets/management_plan/index.php, go to Financial Plan

At the November 10, 2008, Work Session, Council asked for time to ask questions and discuss the financial information presented in October and November. Staff and consultant's availability in January for 2-hour blocks of time includes:

Tuesday	Wednesday	Thursday
Jan 6 th after 4		Jan 8 th after 4
Jan 13 th 4-6 only		
	Jan 21 st after 4	Jan 22 nd 4-6 only
Jan 27 th 4-6 only	Jan 28 th after 4	

We would like Council to select a time and date for the special meeting.

One of the items to discuss at the January work session is the draft project priorities presented at the October 6th work session. Information considered in the project prioritization process included:

- Community input from initial strategy meetings and from on-going public open house and other outreach forums.
- If funding is available or a funding strategy developed for a particular project, that project would have a higher priority.
- The presence of existing congestion or bottlenecks would raise the priority level.
- Improvements to existing facilities were generally prioritized before "green field" or development-driven improvements.
- Projects from the 1997 TSP that had a high priority, but have yet to be constructed were given priority.

New Information Regarding Reimbursement Systems Development Charges (SDC-r)

Staff's report on December 15th will summarize the following information about SDC-r, the reimbursement portion of the TSDC and provide the maximum eligible SDC-r fee.

The SDCr is calculated based on the value of reserve capacity from arterial and collector street improvements built with City funds since 1997. The transportation model was used to determine new development's share of the future 2030 traffic volumes on each roadway segment and intersection (similar to the analysis used to determine growth's share of the TSP projects for the SDCi presented previously).

Projects funded by state and federal government or private contributions are not eligible for reimbursement under Oregon law. Examples of reimbursable City funding sources include:

- TSDC and TSDC credits
- 1999 GO Bond
- North Albany Frontage Fees
- Street Capital Fund (e.g., the City's allocation of state and federal transportation funds, like gas tax)

Projects completed since 1997 that are wholly or partially eligible for reimbursement include:

Roadway projects at:

34th Ave: Hwy 99 to Marion
34th Ave: Marion to Waverly
5th Ave: Elm to Washington
Clover Ridge Rd: Knox Butte to Summerset
Elm St: Queen to 24th
Elm St: Queen to 5th
Geary (10th to 17th)
14th (Geary to Clay)
Clay (Santiam to 14th)
Grand Prairie: Geary to Waverly
Grand Prairie: Waverly to I-5
Hill St: 9th to Queen
Marion: 13th to 24th
Marion: 24th to 34th
Marion: 34th to Railroad
N. Albany Rd: Hickory to Hwy 20
Pacific and 9th: Geary to Jackson
Price Rd: Hwy 20 to Timber St
Queen: Marion to Main
Salem Rd: Chicago to Albany Ave
Salem: Lake to city limits
Santiam: Cleveland to Main
Waverly: Grand Prairie to 36th Ave

Intersection projects at:

14th & Clay
Goldfish Farm Rd & Hwy 20
53rd Ave and Hwy 99E
99E / Hwy 20 / 9th (underpass)
Killdeer & Hwy 99
N. Albany Rd & W. Thornton Lake Dr
N. Albany Rd roundabout
N. Albany Rd & Hickory

Other projects including:

Timber St: Hwy 20 to Three Lakes study
Timber St ROW acquisition
2008 TSP Update

TSP Update – Transportation Financial Plan

Some questions previously asked by Council were further researched and the additional information is provided below:

- Are we building additional capacity for beyond 2030?

Yes, the recommended roadway system has additional available capacity in 2030. The new and existing road and intersection projects are designed to meet the needs within 2030; however, most facilities will have reserve capacity and will be able to accommodate additional growth beyond 2030.

The project list includes additional right-of-way (ROW) for needs beyond 2030 for the 53rd Avenue extension project. This ROW cost is not eligible for inclusion in the improvement fee portion of the SDC although it would be SDC-r (reimbursement fee) eligible in the future. If additional ROW beyond 2030 projects are added, those costs wouldn't be SDCi eligible, so interim funding would be needed.

No additional recommendations have been made for assessing needs beyond 2030. This is primarily because there are too many large scale assessments that remain unanswered including:

- Hwy 20 Corridor Plan (and regional bridge)
- I-5 EIS results (including interchange plans and IAMPs)

- Current restrictions to County-coordinated population & UGB
- Near-term MPO designation
- How do TSDC fees in other cities compare to their SDC-eligible amount?

Results of our limited survey indicate mixed results. Some small to mid-sized cities set their TSDC fee at 100% of the eligible amount while others set it at a smaller fraction with or without a phasing plan. Large cities that are part of a MPO (metropolitan planning organization with a population greater than 50,000) are required to develop a fully funded or financially constrained plan and, therefore, fund 100% of SDC-eligible projects included in their constrained plans with either SDC or other funds.

Budget Impact:

None

JMR:kw



TO: Albany City Council

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

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

DATE: December 8, 2008, for the December 15, 2008, City Council Work Session

SUBJECT: Potential Oak Street Local Improvement District (LID)

RELATES TO STRATEGIC PLAN THEME: ● GREAT NEIGHBORHOODS
● AN EFFECTIVE GOVERNMENT

Action Requested:

None. This report provides information requested by Council.

Discussion:

Project Background and Scope

At the September 22, 2008, Council Work Session, Council requested that staff provide information regarding improvements to Oak Street between Ninth Avenue and Queen Avenue. Council requested information including the estimated cost to bring Oak Street up to urban standards and information on possible Local Improvement District (LID) boundaries and methodologies. This section of Oak Street and a potential LID boundary including parcels that may benefit from the improvements are shown on the attached map titled Potential Boundary. This memo does not represent an Engineer's Report. If Council desires to have an Engineer's Report and Financial Investigation completed, staff will bring a Resolution forward for Council consideration.

This section of Oak Street is currently classified as a local street and has not been improved to urban standards. It is a narrow two-lane road with no bike lanes, curbs, or sidewalks. Except for some intermittent ditches there is no storm drain system serving this section of Oak Street or the adjacent properties. However, in the Transportation System Plan (TSP) update it will be classified as a collector street. As a collector, required improvements would include turn lanes at the Ninth Avenue and Queen Avenue intersection and bike lanes. There is not enough right-of-way to provide on-street parking. The estimated cost for the required street and storm drain improvements is \$2.5 million.

The west side of Oak Street is primarily developed as residential property except for the Ping's Garden restaurant site. There is a Petition and Waiver in effect for the restaurant site obligating this property to street, storm drain and water improvements along Oak Street.

The east side of Oak Street is primarily vacant except for the Church of Christ located at 1555 Oak Street SE. Kinder Park is currently under construction on the site previously approved for the Boys and Girls Club. The Boys and Girls Club development on the Kinder Park was conditioned to improve the park's frontage of Oak Street when the final ball fields were constructed. The Parks Department has taken over development of the park and the plans have changed so the park's responsibility for improvements is unclear. A proposal for a Lowes store

on the east side of Oak Street, south of Ninth Avenue, is currently going through the site plan review process. Development of the site will include demolition of any existing improvements and will likely increase traffic volumes. Development of this site will include requirements for infrastructure improvements on Oak Street. Existing improvements and zoning designations are shown on the attached map titled Potential Boundary - Zoning.

In addition to the street and storm drain system improvements, there are water system improvements that would need to be done prior to street construction so the new street does not have to be cut for future work efforts. The water line work is a combination of upgrades to replace older, inadequately sized sections of water line and completion of missing sections that are needed to complete water system looping along Oak Street. The sections of new water line are the northern 350 feet of Oak Street and from 14th Avenue to Queen Avenue as shown on the attached map titled Potential Boundary with Proposed and Existing Waterlines. The sanitary sewer along Oak Street has been upgraded in recent years and would not impact this project.

Cost Estimate and Local Improvement District Possibilities

Street: Preliminary cost estimates are presented for consideration at this time and are described below. Because of the conceptual nature of this investigation, a significant amount of contingency has been added to the estimate. The total project street improvement cost estimate is \$2,500,000. If Council requests an Engineer's Report and Financial Investigation be completed, costs will be refined at that time. If an LID is initiated, staff will develop the detailed project design and provide the construction services for this improvement project.

The attached map shows properties that may be considered part of an LID for street improvements. All of the properties have frontage on Oak Street with zoning designations that vary significantly in this area. An assessment methodology had to be assumed in order to estimate an order of magnitude of assessments. The suggested methodology is based on trip generation. This methodology accounts for the large difference in traffic generated by properties of different uses that benefit from the same street.

Water: The water improvement cost estimate is \$375,000. In order to estimate an order of magnitude of assessments, the suggested methodology is based on linear front footage. This methodology will account for the portions of the water system that currently exist and maintain consistency with the Water Connection Charge policy. While it is assumed all residential property has water service at this time, any properties not served would be assessed for a fair share of the improvement cost.

Following is a summary of assessments based on the assumptions above. Connection charges that may be due for other currently existing improvements are not included in these estimated costs. Potential assessment amounts for developments and the various types of land use have been rounded to the nearest \$1,000 and are shown below:

Property	Street Assessment	Water Assessment
Lowes Store	\$1,300,000	\$84,000
Ping's Restaurant	\$180,000	\$72,000
Church of Christ	\$55,000	-
Kinder Park	\$165,000	-
Single Family Parcel: \$11,000 per lot by 9 lots	\$99,000	-
Duplex Parcel: \$15,500 per lot by 6 lots	\$93,000	-
Vacant RM: Street: \$160,000 per acre by 3.8 acres Water: \$900 front feet by 240 feet	\$608,000	\$109,500
City pickup for Water infill (west frontage for water line across vacant RM property)		\$109,500
Totals	\$2,500,000	\$375,000

If staff is directed to proceed with the LID project, it is anticipated the Initial Engineer's Report and Financial Investigation could be finalized in early 2009. Design would be initiated upon formation of the LID, with construction targeted for the summer of 2010.

LID Process

The formation and finalization of a Local Improvement District requires multiple steps as outlined below:

1. Staff request and Council authorization to complete an Initial Engineer's Report and Financial Investigation.
2. Development of the Initial Engineer's Report and Financial Investigation.
3. Public hearing for LID formation.
4. Project design and construction
5. Development of the Final Engineer's Report and Financial Investigation.
6. Public hearing for final assessments.
7. Properties assessed and LID closed out.

The first step is straightforward if Council wishes to proceed. It consists of a memo from staff acknowledging Council's interest to investigate the project and a request for direction. Council would need to pass a resolution authorizing staff to proceed with an Engineer's Report.

The second step is development of the Engineer's Report and Financial Investigation. The purpose of the Engineer's Report is to define the project scope, LID boundary and benefited area, a project cost estimate, and estimated assessments for the properties in the LID. As part of the project development, staff would meet with those in the LID to receive input on the project. After submission of the Engineer's Report, Council will be able to consider proceeding with the LID project.

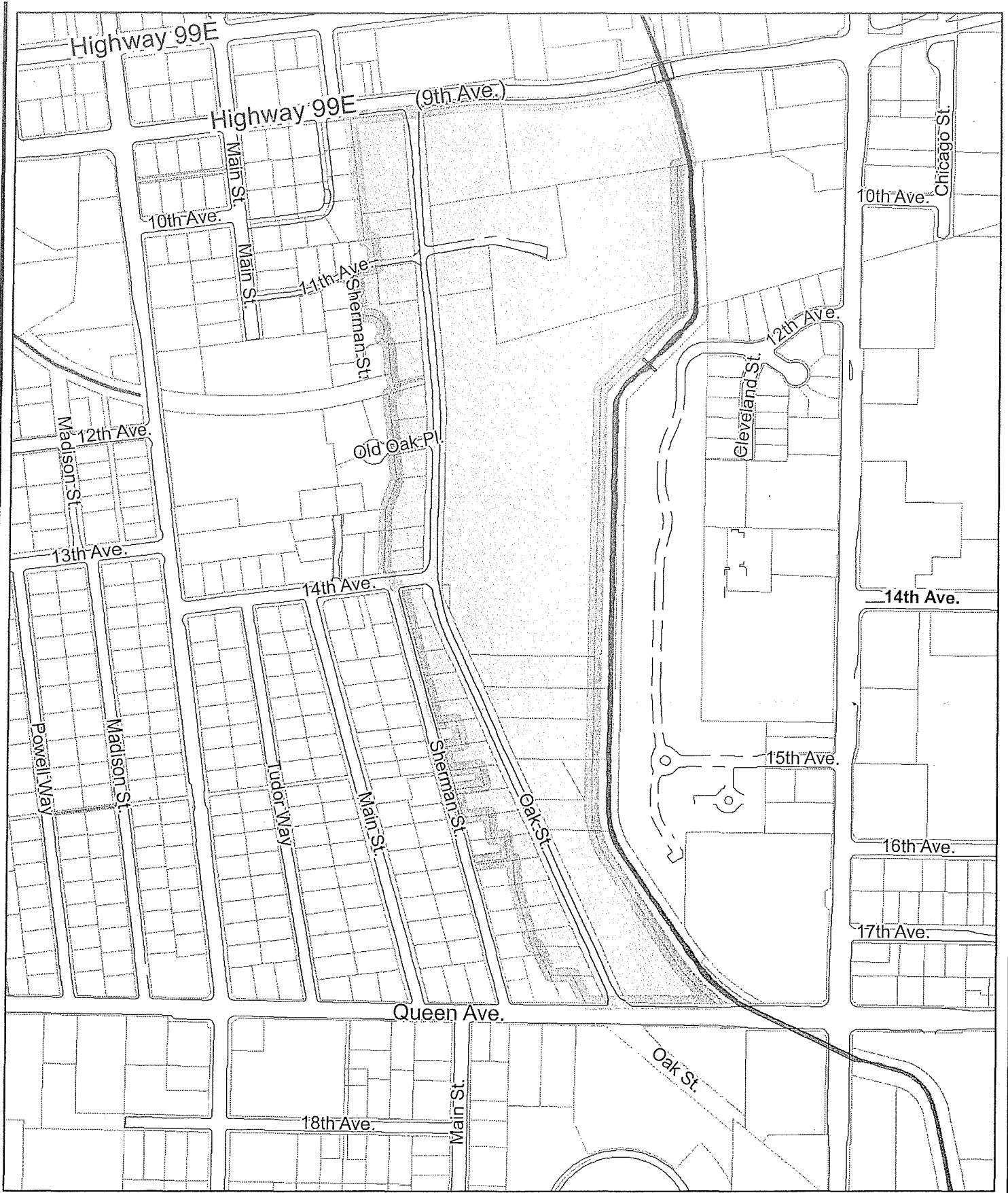
Budget Impact:

As an LID, the improvements to Oak Street and missing sections of water line will be funded by assessments to the benefiting properties. Council could also choose to identify City funding for a portion of the improvements, such as water. These costs could be recovered through Connection Charges when the benefiting properties request service or are developed.

Since Oak Street is not currently identified as a project in the current TSP, no System Development Charge (SDC) funding can be used on this project today without first going through the full public hearing process necessary to amend the TSP by adding the project and funding to the plan. That process could take as long as or longer than finishing the TSP update currently underway. The updated TSP will, however, show Oak Street as a minor collector street with a large portion of the project growth related and, therefore, eligible for Transportation SDC funding. Since the TSP is anticipated to be adopted well before any construction activity could take place on Oak Street, Council could choose to use any Transportation SDC funding assigned to the project with the TSP update to reduce costs assessed to benefited properties with an assessment district. However, the SDC funding would not be identified in the initial Engineer's Report unless it was completed after the updated TSP is adopted.



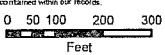
Should this potential LID not be formed, costs incurred to investigate the project and prepare the Initial Engineer's Report and Financial Investigation would not be recoverable and a funding source would have to be identified.

JMW:prj
Attachment



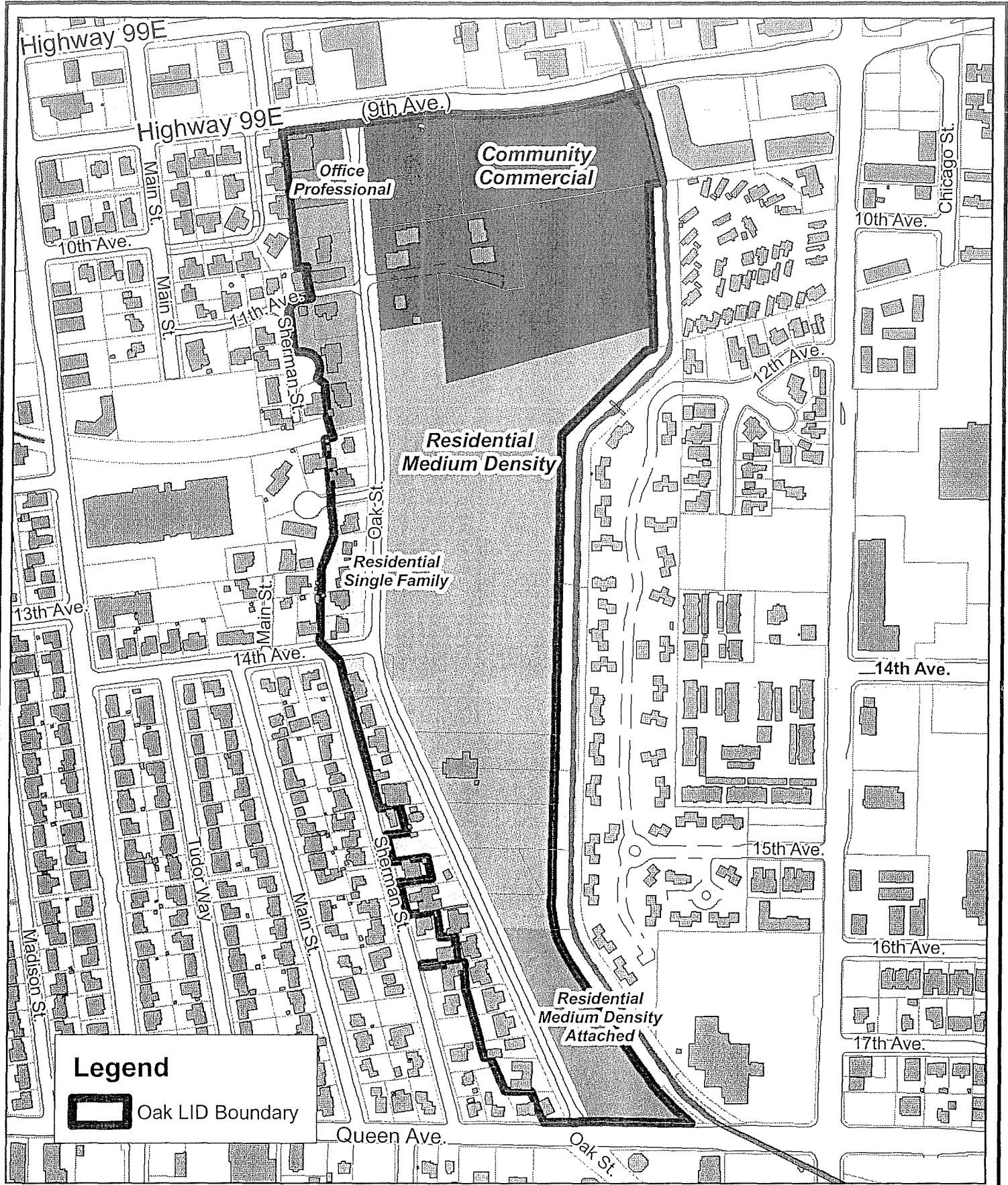
Oak Street Local Improvement District - Potential Boundary

The City of Albany's Infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All the information provided represents current information in a readily available format. While the information provided is generally believed to be accurate, occasionally this information proves to be incorrect, and thus its accuracy is not warranted. Prior to making any property purchases or other investments based in full or in part upon the information provided, it is specifically advised that you independently field verify the information portrayed within our records.

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City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917-7676

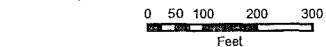


Legend

 Oak LID Boundary

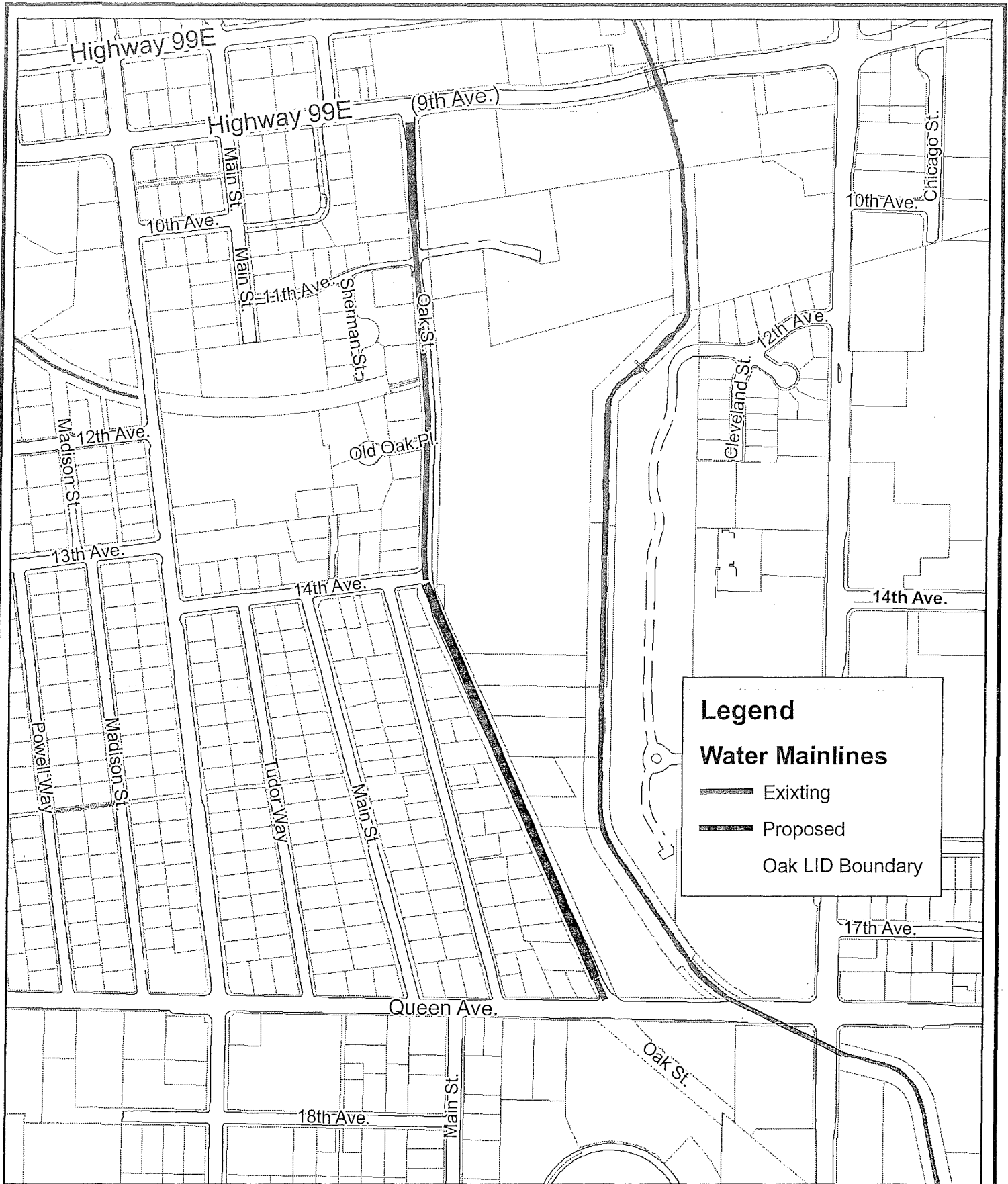
Oak Street Local Improvement District - Potential Boundary - Zoning

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City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917-7676




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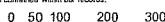
Water Mainlines

-  Existing
-  Proposed
-  Oak LID Boundary

Oak Street Local Improvement District - Potential Boundary with proposed and existing waterlines

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City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917-7676



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Diane Taniguchi-Dennis, P.E., Public Works Director *Diane Dennis*
DATE: December 11, 2008, for the December 15, 2008, City Council Work Session
SUBJECT: Water Rate Discussion

RELATES TO STRATEGIC PLAN THEME: • A Safe City

Action Requested:

Council discussion on water rates.

Discussion:

Over the past year, there has been citizen input regarding their concerns about the financial strain the existing water rate places on them. In addition, the economic trend with increasing cost for other necessities such as food, shelter, electricity, natural gas, cable, telecommunication, and the volatility in the gasoline prices, is significantly impacting citizens. The water rate issue is further compounded by the current recessionary economy and rising unemployment in the region. Given the strained economic condition, it is timely for Council to consider a one-year forbearance of the water rate increase for 2009.

The staff conclusion is that the impact of a forbearance of a water rate increase for January 2009 will result in a decrease in revenue of approximately \$2.3 million over the next five years. In the current fiscal year 2008-2009 budget, the water fund is carrying a \$1.6 million increase in beginning balance over plan. Council can direct staff to segregate this beginning balance with \$1.32 million into a rate stabilization reserve to partially offset the anticipated \$2.3 million revenue reduction associated with a forbearance of the water rate for January 2009 and \$279,000 for the remaining Certificate of Participation debt obligation for the purchase of the Archibald property. The additional beginning balance includes the proceeds from the sale of the Archibald property. The City received payment for the sale of the Archibald property in the amount of \$1,081,024. With the remaining payments that are due to the Archibalds, a net gain of \$801,400 is realized in the FY 2007-2008 budget. Therefore, in order to cover the full loss of revenue, a target of an additional \$200,000 per year will need to be made-up from savings in expenditures or from additional water sales.

The following information on the water rate analysis is provided for Council consideration of this issue:

Water Rate Adjustment History and Background

If the adopted rate plan, established in 2004, is followed for January 2009, the water rates would be increased by the ENR index plus one percent. The 12-month change in the October Seattle ENR Index is 2.3 percent. Therefore, the rate increase effective January 2009 would be 3.3 percent according to the rate plan. With a 3.3 percent increase, the average residential customer's bill would increase approximately \$1.42 per month assuming no change in the amount of water used. The current average residential customer in Albany consumes eight hundred cubic feet (hcf) of water per month (approximately 6,000 gallons per month). If rates are adjusted per the rate plan, the current average residential customer would pay \$43.97 per month for water.

In 2004 Council adopted the long-range water rate plan with the goal of keeping pace with inflation and to slowly expand the water rate base by one percent to address the backlog of capital improvements to the aged water system. The highest priorities included the replacement of the deteriorating steel lines, replacement of canal flow control structures and restoration of canal

channel capacity, increasing reservoir storage volume, and performing maintenance on the Vine Street Water Treatment Plant.

The Water Financial Plan developed by the Mayor's Water Task Force recommended annual water rate increases based on inflation, as measured by the 12-month change of the Seattle Engineering News Record (ENR) Construction Cost Index. The plan called for rate increases equal to the ENR Construction Cost Index plus one percent. The rate plan also put a floor on the rate increase amount of not less than 2.5 percent and a ceiling on the rate increase amount to not more than 6 percent per year. This plan would allow the water utility to maintain service, complete needed capital improvement projects, and pay for the debt service for the water bond projects. The water bond projects included the construction of the Albany-Millersburg Joint Water Treatment Plant, Refurbishment of the Hydropower Facility, and the Fish Screen, Fish Ladder, and Dam Improvements.

The financial model projects future water revenues and is based on several assumptions. The first assumption is that water rates will increase an average of 4.7 percent per year based on the 10-year historical ENR index (3.7 percent) plus one percent. The second assumption is that there is a growth of 1.34 percent each year in water consumption reflecting growth in the City (more customers). The third assumption is that operating expenses have an inflation factor of 4 percent per year.

Between 2004 and January 2008, the Council has followed the adopted rate plan, increasing water rates by the ENR inflation index plus one percent or by the minimum rate of 2.5 percent. Following is a history of water rate adjustments since 2001:

Effective date	Council Action
March 2001	Water rates increased 4 percent
January 2002	Water rates increased 4 percent
January 2003	Water rates increased 9 percent
September 2003	Water rates increased 28 percent
January 2004	No water rate increase
October 2004	Adopted the Water Financial Plan, No water rate increase
January 2005	Water rates increased of 2.5 percent
January 2006	Water rate structure changes to enhance rate equity (implemented a uniform fixed charge for each meter size for all classes, which include residential, multi-family, and non-residential) 2.5 percent revenue increase.
January 2007	Water rates increased of 3.6 percent (2.6% ENR + 1%)
January 2008	Water rates increased of 2.5 percent (-0.2% ENR, minimum 2.5%)

Past and Current Revenues and Expenditures

Since the initiation of the water rate plan in 2004, Council has followed the plan for water rate increases. Revenue collection has been higher than anticipated in the water financial model. The original financial model anticipated that water rate revenue between fiscal year 2004-2005 and fiscal year 2007-2008 would be \$40.4 million. Actual revenue received for this time period was

\$42.5 million. The higher than anticipated revenue could be due to two factors. The first is that growth in the City over those years outpaced the assumed growth in the model. Another possible contributing factor could be that water consumption by existing customers may have been higher than anticipated.

Operation and Maintenance (O & M) expenditures for the water system between fiscal year 2004-2005 and fiscal year 2007-2008 was projected to be \$26.9 million. Actual expenditures (O & M) during this time period essentially matched this projection and are on target.

Expenditures for Capital projects for the water system between fiscal year 2004-2005 and fiscal year 2007-2008 was projected to be \$40 million. Actual expenditures for Capital projects for this time frame were \$43.1 million. There were numerous projects that were not accounted for in the financial plan that the City completed because of need and/or opportunity. These projects accounted for approximately \$2 million in expenditures. In addition, each year the Capital Improvement Plan (CIP) was adjusted to reflect available funding so that additional projects were completed.

Impact of a Water Rate Increase Forbearance for 2009

The following are estimates of revenues and expenditures over the next five years based on a forbearance of the January 2009 rate increase.

Future Revenue Projections:

Predicting the amount of revenue that will be collected is not an exact science. There are many variables outside the City's control that can influence the amount of revenue that the City will receive from water rates. The amount of growth and types of growth can greatly impact revenues. In addition, weather plays a big part in how much water is used in the heavy water use months of the summer. Finally, economic factors can play a role in how much water people use or conserve. The comparative summary of revenues makes assumptions about these factors in order to provide a picture of the impacts of different rate choices.

An analysis to determine the difference in revenues generated if the rate plan is followed as compared to a no rate increase in January of 2009 was completed. The comparison assumes that water rate increases will return to following the rate plan in January 2010. The plan assumes that annual rate increases (starting January 2010) will be the average of 4.7 percent. This is based on the historical records of the ENR inflation index being approximately 3.7 percent per year. This follows the same assumptions made when the rate plan was developed in 2004. In addition, an assumed growth rate within the City of 1.34 percent is also included in the rate revenue comparison just as was used in the original rate plan. Therefore, revenue increases reflect both the increased revenue from rate increases as well as growth of the community. Actual future revenues are subject to trends in growth and conservation and weather conditions. Therefore, rate revenues can be significantly different than currently forecasted.

The comparison shows that if Council chooses to forgo the rate increase that would take effect in January 2009 if the rate plan were followed, it is estimated that the total revenue collected over the next five years will be reduced by a total of \$2.3 million.

Future Expenditure Projections:

Expenditures for the water system fall under three categories; Operation and Maintenance (O&M), Debt Service, and Capital Expenditures.

The current Debit service is fixed by our payment schedule on the outstanding loan held by the water system. Currently SDC revenues are obligated to pay 43 percent of the principle component of the debt service. The SDC share of the debt service this year is \$327,000. As the principal payments grow over the years, so will the amount of SDC's share in those payments. It is not anticipated that there will be a problem with SDCs paying their share of the debt payments in the next few years. However, given the current problems in the housing sector, if SDC funds become inadequate to cover their share of debt service, water rates revenue may be needed to cover the debt service and then be paid back over time from future SDC revenue when it is available. Council will be further briefed if the situation changes as the annual budgets are developed each fiscal year.

Operating and Maintenance expenses for fuel, chemical, electricity, labor, and central service charges all have inflationary components. The maintenance on the facilities has transitioned towards a prioritized and condition-based approach or Asset Management to balance preventative, corrective, and emergency repair needs. The water facilities to be maintained and operated are the Albany-Millersburg plant intake structure and pump station, canal diversion and control structures, two water treatment plants, distribution system pipeline and pump stations, and reservoirs. There are also expenditures for utility billing, water quality, non-project related engineering, and administration. Staff will continue to manage and control operating expenses to keep within targets.

Capital expenditures will be adjusted by managing the timing of when projects are budgeted in order to maintain a balanced budget. It is important for the City to continue to invest in capital improvements on the canal to repair and rehabilitate the antiquated water control structures and on bank stabilization projects. It is also important to continue to invest in replacing the leaking steel water mains. Significant progress has been made on the distribution pipelines. Approximately 10 miles of steel water lines have been replaced since 2001 with 16 miles remaining to be replaced.

Rate Comparison

A comparison of Albany's water rates is attached for Council's information. The rate comparison shows what people in Albany and surrounding communities pay for both sewer and water. The comparison includes both typical winter use (8 hcf per month) and an example of what someone would pay with irrigation during the summer with an assumed 20 hcf of water use per month. Sewer costs remain constant regardless of water use for residential customers because their sewer bill is based on an average of their winter water use.

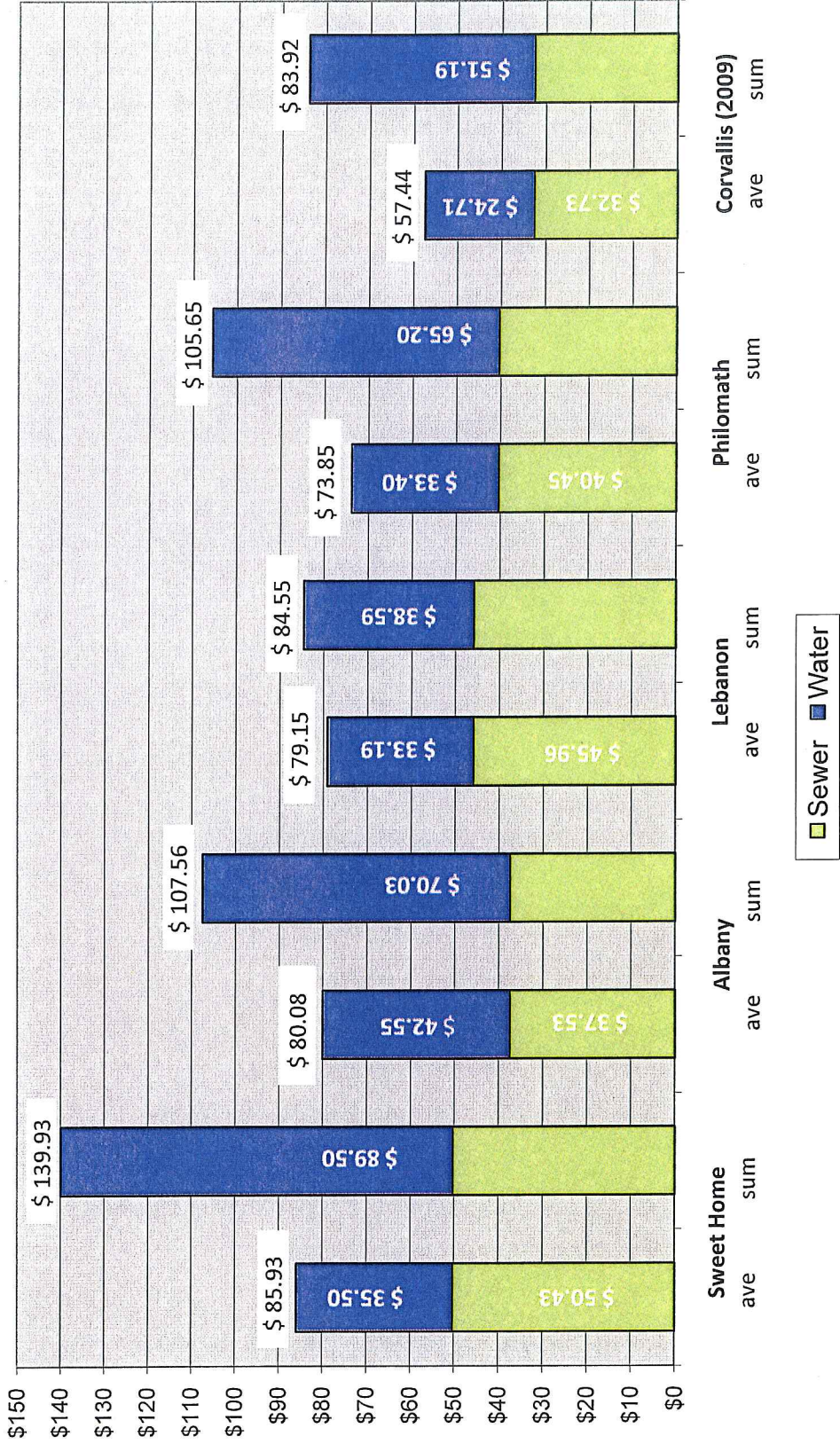
Budget Impact:

The forbearance of a water rate increase for January 2009 will result in a decrease in revenue of approximately \$2.3 million over the next five years. . In the current fiscal year 2008-2009 budget, the water fund is carrying a \$1.6 million increase in beginning balance over plan. Council can direct staff to segregate this beginning balance with \$1.32 million into a rate stabilization reserve to partially offset the anticipated \$2.3 million revenue reduction associated with a forbearance of the water rate for January 2009 and \$279,000 for the remaining Certificate of Participation debt obligation for the purchase of the Archibald property. Therefore, in order to cover the full loss of revenue, a target of an additional \$200,000 per year will need to be made up from savings in expenditures or from additional water sales.

DTD:kw

2008 Residential Water & Sewer Bill Comparison by Community

Assumes 3/4" meter with 8 hcf average & 20 hcf summer water use





TO: Albany City Council

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

FROM: Mark Shepard, P.E., Assistant Public Works Director / City Engineer *MWS*

DATE: December 5, 2008, for the December 15, 2008, City Council Work Session

SUBJECT: Gibson Hill Road Pedestrian Improvements

- RELATES TO:
- Great Neighborhoods
 - A Safe City
 - An Effective Government

Action Requested:

Staff is seeking direction regarding pedestrian improvements along Gibson Hill Road and direction regarding the ultimate improvement plan for Gibson Hill Road.

Discussion:

There has been recent interest in improving pedestrian access in North Albany along North Albany Road and Gibson Hill Road. The City has completed several projects recently to improve pedestrian access and safety along these roadways.

1. In the summer of 2007 the City installed a pedestrian activated flashing light and high visibility cross walk on Gibson Hill Road at Gibson Hill Park.
2. The installation of sidewalk on the east side of North Albany Road between Quarry Road and sidewalk installed with the roundabout was completed prior to school starting this past fall.
3. The City funded a project by the School District to complete improvements to the pathway between North Albany Middle School and Quarry Road.
4. The construction of a pedestrian refuge island and high visibility crosswalks at the intersection of Scenic Drive and Oak Grove was required with the development of Benton Woods in North Albany.

In addition to these completed improvements, staff is still working to complete pedestrian improvements between North Albany Middle School and Quarry Road. Coordination efforts with Benton County resulted in this project lagging the other sidewalk installation on North Albany Road. It is anticipated that the construction of a wide gravel shoulder for pedestrians to walk on will be completed within the next month or two. This work will complete a full pedestrian connection between North Albany Middle School and the Covey Run Subdivision as well as other subdivisions adjacent to Covey Run.

These projects represent significant improvements to pedestrian facilities in North Albany. They provide additional and safe pedestrian access for school children in North Albany. A map showing the North Albany area and the recent projects is included as Attachment A.

Gibson Hill Pedestrian Improvements

Although significant improvements have been made in the vicinity of North Albany Middle and Elementary schools, large sections of roadways in North Albany remain without dedicated pedestrian facilities. Major roadways without pedestrian improvements include Gibson Hill Road, Scenic Drive, Crocker Lane, and unimproved sections of North Albany Road. Rural roadways generally do not provide pedestrian facilities such as sidewalks. As North Albany has been transforming from what was a rural area into an urban environment, many of these County roads have not had pedestrian improvements completed on them. Benton County has, however, provided bike lanes on these major rural roadways.

The City's Bicycle and Pedestrian Advisory Commission and the area's Safe Routes to School Committee have expressed a desire that pedestrian improvements be constructed along Gibson Hill Road. Council directed staff to research options for this pedestrian improvement. The intent of this effort was to evaluate what improvements might be made, how much they were estimated to cost, and what were potential funding sources for making pedestrian improvements. Although the Safe Routes to School committee expressed a desire to extend pedestrian facilities along Oak Grove Drive west of Scenic, City staff did not evaluate this since this is outside the City limits and Urban Growth Boundary and the roadway is under Benton County jurisdiction.

The estimate to construct sidewalk on both sides of Gibson Hill Road between North Albany Road and Scenic Drive is \$1.5 million. The estimated cost to install sidewalk on one side only (south side) is \$800,000. With these high cost estimates, staff has developed a phased plan for installing sidewalks on Gibson Hill Road. This plan will allow the improvements to be completed over time and allow the City Council to balance this need with other pedestrian and transportation needs within the community.

The phasing plan for completing segments of sidewalk was developed by prioritizing the improvements that would bring the most benefit to children walking to school. As such, the improvements start closest to the schools. Four segments were identified in the phasing plan. The improvements include sidewalk installation on the south side of Gibson Hill Road only with the exception of the first segment between Broadway and the roundabout. Following is a discussion of each of the proposed phases. Additional sidewalk installation on the north side of Gibson Hill Road could be added in the future. Attachment B is a map of the phasing plan.

Phase A: This segment will complete sidewalk on both sides of Gibson Hill Road from near North Albany Road (the roundabout) to Broadway Street on the north side and Penny Lane on the south side of Gibson Hill Road. Completion of this section of sidewalk will provide sidewalk for students in the Gibson Hill subdivision which has approximately 100 homes and River View Heights which has approximately 70 homes.

Staff recommends building sidewalk on both sides of Gibson Hill Road in this segment. This will lessen the likelihood that children will attempt to cross Gibson Hill Road at Broadway. This area is near the crest of the hill and sight distance is less than other areas along Gibson Hill Road. Sidewalk on one side only may encourage children to attempt to cross Gibson Hill in this limited sight distance location.

This segment is estimated to cost \$275,000.

Phase B: This segment would provide sidewalk on the south side of Gibson Hill Road from Pulver Lane to Scenic Drive. This will provide sidewalk access from Pulver Lane toward Oak Grove School. The Safe Routes to School committee identified this as a priority. Pedestrian

improvements between Scenic Drive and the school would need to be completed by Benton County since it is along a County road outside of the City limits and Urban Growth Boundary (UGB). Benton County has informed City staff that they previously attempted to get grant funding for a pedestrian path between Scenic and Oak Grove School, but they were unsuccessful. Benton County does not have any other funding available for making this improvement. Therefore, it may be some time before pedestrian improvements will be available for the entire distance between Pulver Lane and Oak Grove School.

This segment inside the UGB is estimated to cost \$300,000.

Phase C: This segment would provide sidewalk along the south side of Gibson Hill Road between Penny Lane and North Heights Drive. This will provide pedestrian access from homes on Skyline Drive and the Orchard Heights Subdivision to North Albany Middle School and Elementary School. There are approximately 115 homes that would be served by this sidewalk as a pedestrian access to North Albany Middle and Elementary School.

This segment is estimated to cost \$275,000.

Phase D: This segment will complete the sidewalk along the south side of Gibson Hill Road providing continuous sidewalk along the south side of Gibson Hill Road for its entirety. It will construct sidewalk between North Heights Drive and Pulver Lane.

This segment is estimated to cost \$160,000.

Funding Options

Since Gibson Hill Road is under the jurisdiction of Benton County, staff initiated discussions with the County to determine what funding they might be able to provide for these improvements. Benton County has indicated that they do not have any funds available to complete the pedestrian improvements. Benton County has scaled back their expenditures on roadways due to budget constraints.

Current City of Albany funding options include using Street Capital and Restoration funds (250-50-2700) or North Albany Frontage Fee Projects funds (250-50-2701). Transportation SDC funding may be made available in the future through the Transportation System Plan (TSP) update that is in progress. Grant funding may also become available in the future.

A benefit to adopting the above phasing plan for these improvements is that the projects can be identified in the City's CIP. The projects can then be programmed for completion as they are balanced and prioritized with other transportation improvement needs. There are other locations in the City where sidewalks are missing and there are significant roadway improvement needs. Council will need to weigh and prioritize all these transportation needs with the limited funding that is available. With the sidewalk improvement phases identified in the City's Capital Improvement Plan (CIP), the City's opportunity to receive grants for these projects may be increased.

Ultimate Roadway Improvements

In previous Council discussions on the issue of pedestrian improvements along Gibson Hill Road, some Council members have expressed an interest in completing full urban street improvements on Gibson Hill Road. Full urban improvements would include installation of curbs, gutters, and sidewalks and a piped storm drain system and elimination of the existing roadside ditches.

Staff has evaluated the long-term transportation needs along Gibson Hill Road and determined that there is not a need to widen the roadway or add lanes for capacity or safety. This evaluation was done as part of the Transportation System Plan (TSP) update effort that is currently underway. Gibson Hill currently has a single vehicle travel lane and bike lane in each direction. The road is built to a rural standard and does not have curb, gutter, sidewalks, or turn lanes. Storm drainage is accommodated by roadside ditches. The pavement on the road is in generally good condition.

The current Transportation System Plan (TSP), as well as the TSP update that is under development, identify full urban improvements for Gibson Hill Road as a potential project. However, these improvements do not improve safety or capacity of the roadway. These improvements are only urban upgrades. Gibson Hill Road has 6-foot-wide bike lanes for its entire length. Therefore, the only improvement that is needed to accommodate the area for the long term is pedestrian facilities.

Ultimately, it is anticipated that a traffic signal will need to be installed at the intersection of Gibson Hill Road and Crocker Lane. When this signal is installed, an east-bound, left-turn pocket will be added to increase safety. This is the only location along Gibson Hill Road that is identified as needing a turn pocket at build out.

Gibson Hill Road is under the jurisdiction and responsibility of Benton County. The City has not accepted jurisdiction over the roadway. The City did enter into an agreement with Benton County several years ago that provides the City of Albany permitting authority over the roadway. In this way Albany can control development and franchise utilities impacts on the roadway.

As the road authority, Benton County currently has the responsibility for maintenance and upgrades of Gibson Hill Road. However, Benton County does not have any funding available to improve the roadway or construct a pedestrian path along the road right-of-way. The County has indicated that they are willing to transfer the road to City jurisdiction. It makes sense administratively for the City to have jurisdiction over Gibson Hill Road. It functions primarily as a City collector and lies entirely within the City limits. The question is if the City wants to take ownership of the roadway without any capital contribution by Benton County toward the improvement of the roadway. If the ultimate roadway section for Gibson Hill Road remains a rural section, there is a much smaller capital expenditure (pedestrian facilities only) responsibility for the City to take on.

If Council is receptive to the plan to leave Gibson Hill Road as a rural section, staff could begin discussions with Benton County regarding what they would provide in return for transfer of jurisdiction. An option Benton County may be open to consider is entering into a long-term Intergovernmental Agreement (IGA) in which Benton County would agree to continue or take on certain maintenance responsibilities in exchange for transfer of the road jurisdiction.

Recommendation: Staff recommends that Gibson Hill Road remain as a rural section roadway with ditches and no curbs and storm drain piping. This is based on the adequate capacity provided with the existing street section. With the limited resources and significant needs in the City, investment of an additional approximately \$10.5 million above the cost to install sidewalks for just an urban upgrade does not seem like a good investment. In addition, any interim sidewalk improvements would most likely have to be removed and replaced as part of a future urban upgrade due to the potential for major grade changes in the roadway. Staff also recommends that a phased pedestrian path project for one side of the current roadway be considered in the next Capital Improvement Program (CIP) planning process to identify the timing and potential funding to complete the pedestrian improvements.

A full urban upgrade of Gibson Hill Road is estimated to cost approximately \$12 million. It would also require acquisition of right-of-way. If a pedestrian path were added to both sides of the existing roadway on Gibson Hill Road, the cost is estimated to be \$1.5 million.

Budget Impact:

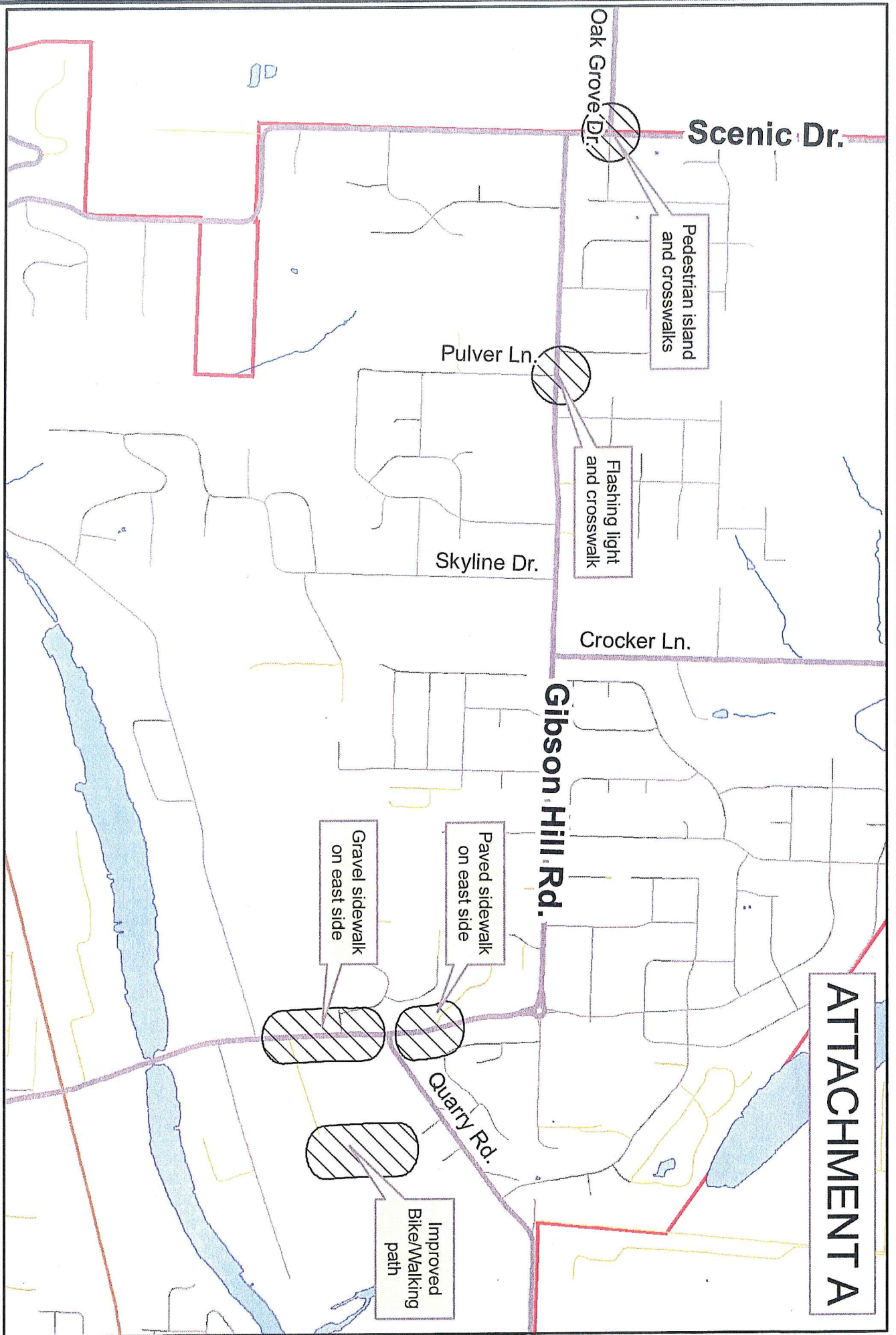
The budget impact of adding the above sidewalk projects to the CIP will be determined in the CIP process. Staff will provide some recommended funding options for the first phase. Subsequent phases will be identified as either grant funded or in the unfunded section of the document.

The budget impact of whether Gibson Hill Road remains a rural section or is upgraded to an urban section will be significant. Bringing Gibson Hill Road up to urban standards will cost approximately \$10.5 million more than just building the sidewalks alone.

MWS:kw

Attachments

ATTACHMENT A

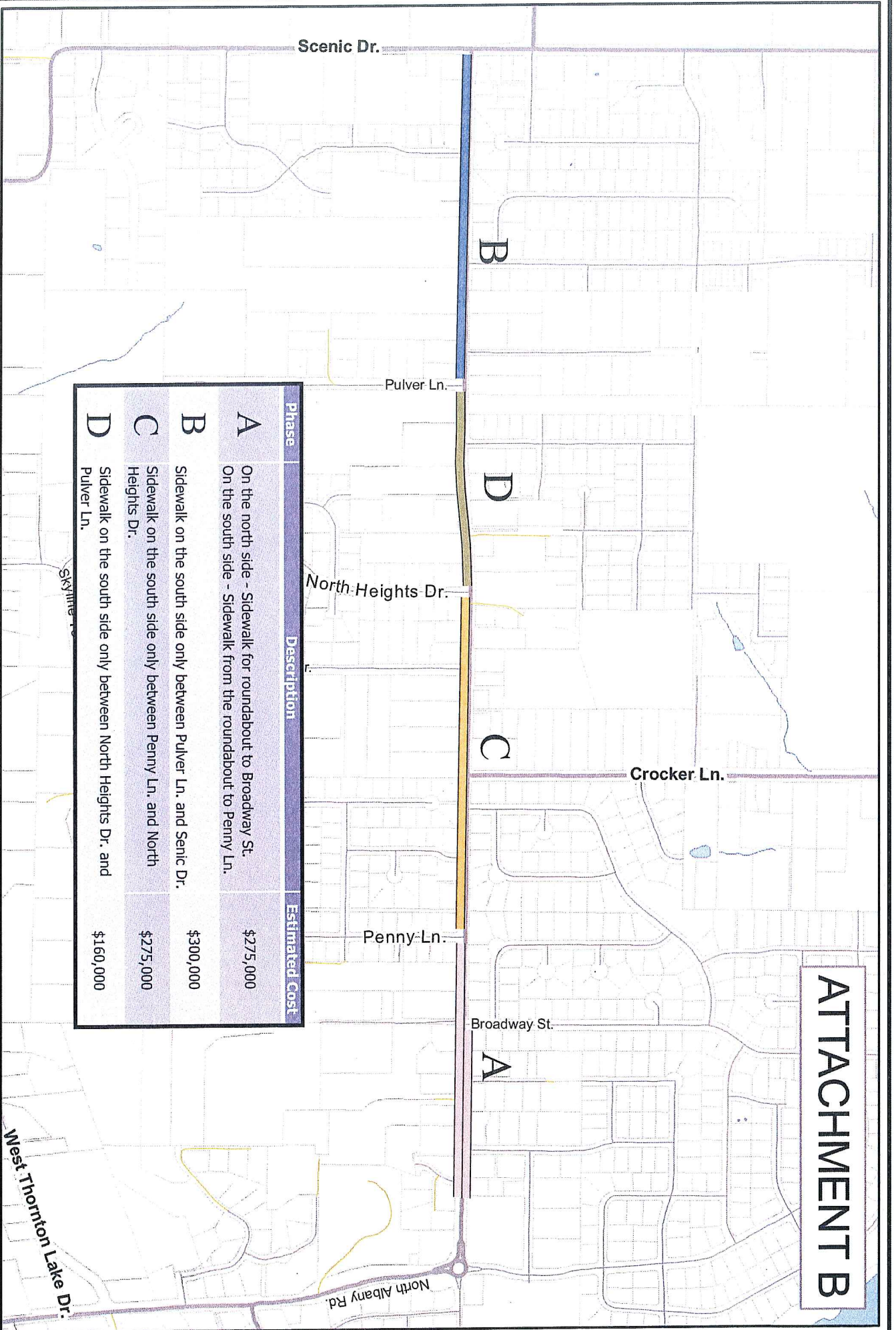


Recent Pedestrian Improvements in North Albany

The City of Albany has implemented various pedestrian improvements to enhance safety and accessibility for all users. These improvements include the installation of pedestrian islands, flashing lights, and crosswalks at key intersections, as well as the construction of paved and gravel sidewalks and improved bike/walking paths. The City of Albany is committed to creating a safer and more walkable community for everyone.

Project File Location:
12/08/2008 10:48:18 AM \\ALDERMAN\DATA\Share\GIS\Engineering\Mark_Shopard\Gibson Hill Rd Sidewalk Plan (Attachment A).mxd
City of Albany - 333 Broadblin St. SW, Albany, Oregon 97321 (541) 917-7676

ATTACHMENT B



Phase	Description	Estimated Cost
A	On the north side - Sidewalk for roundabout to Broadway St. On the south side - Sidewalk from the roundabout to Penny Ln.	\$275,000
B	Sidewalk on the south side only between Pulver Ln. and Senic Dr.	\$300,000
C	Sidewalk on the south side only between Penny Ln. and North Heights Dr.	\$275,000
D	Sidewalk on the south side only between North Heights Dr. and Pulver Ln.	\$160,000

Gibson Hill Rd. -- Sidewalk Phasing Plan



Project File Location:
 12/04/2018 2:23:57 PM VALDERA\AMData\Shared\GIS\Engineering\Mark Shepard\Gibson Hill Rd Sidewalk Plan.mxd
 City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917-7676



TO: Albany City Council

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

FROM: Mark Shepard, City Engineer *MWS*
Ron Irish, Transportation Systems Analyst *R.I.*

DATE: November 13, 2008, for the December 15, 2008, Council Work Session

SUBJECT: Geary Street Pedestrian Crossing

RELATES TO STRATEGIC PLAN THEME: ● A Safe City

Action Requested:

None. This report has been prepared in response to a Council request for information.

Discussion:

On October 8, 2008, Council requested that staff prepare and present a report identifying the various options and costs for constructing an improved pedestrian crossing on Geary Street near 12th Avenue.

Geary Street is classified as a minor arterial street. Improvements include bike lanes, a vehicle travel lane in each direction, and a two-way center left-turn lane. In addition, the driveway access points into the mall include north bound right-turn lanes. Between 9th and 14th Avenues, the road has current average daily trips (ADT) of about 12,000. The posted speed limit is 35 mph. Protected pedestrian crossings currently exist at the traffic signals located at 9th/Geary and 14th/Geary. The distance between those crossings is about 1,600 feet. Heritage Mall is located on the east side of Geary Street just north of 14th Avenue. Land uses along the west side of Geary across from the Mall include an apartment complex, small retail developments, single family homes, and a mobile home park. A significant number of pedestrian trips occur between the mall and the residential land uses on the opposite side of the street. Because of the distance between the signalized pedestrian crossings at 9th and 14th Avenues, many pedestrians choose to cross mid block at either 12th Avenue or just south of 12th Avenue at the northern driveway into the mall.

Given the speed and volume of traffic on Geary Street, any designated pedestrian crossing on this portion of Geary would need to be carefully designed in order to enhance, rather than degrade, the safety of pedestrian crossing movements. Several studies have shown that simply adding a crosswalk to a street increases rather than decreases the risk of a vehicle/pedestrian crash. Staff believes that a new pedestrian crossing on Geary Street would need to include the following features in order to avoid creation of a safety problem:

- Median island refuge: A median island refuge is placed in the center of the roadway, usually within a two-way, center-turn lane, and allows pedestrians crossing a street to deal with one direction of traffic at a time. Median islands need to be located so as to avoid the creation of unwanted restrictions to turn movements at driveways and intersections. Median islands also provide a safe location for pedestrians to pause before crossing the second set of travel lanes, and give drivers an extra visual clue that they should look for and expect pedestrians at that location.

- High visibility crosswalk with advance stop bars: High visibility crosswalks are easier for drivers to see when approaching a crossing than are traditional crosswalk markings. Advance stop bars tell drivers where to stop when a pedestrian is using the crossing.
- Crossing signs: Crossing signs provide drivers with extra advance notice of a pedestrian crossing. Signs would need to be placed on both sides of the crossing as well as within the median island refuge. This section of Geary Street is also a potential location for use of flashing crossing signs, such as were recently installed across Waverly Drive at 36th Avenue and Gibson Hill Road at Pulver Lane. The flashing signs are solar powered and could be included with the initial construction, or added later if the initial improvements were found to not be sufficiently effective.
- ADA compliant pedestrian ramps and connections: Any new marked pedestrian crossing needs to include ADA compliant connections to the public sidewalk. That will necessitate construction of ramps in the existing sidewalk on both sides of Geary Street as well as within the median island refuge. The back of the sidewalk is currently at the right-of way line, so additional right of way will need to be acquired or the sidewalks depressed in order to make the ramps ADA compliant.

Two locations have been identified as potential pedestrian crossings on Geary Street. Staff believes that the first, Option A, is the more desirable of the two options. Sketches are attached to this memo showing the location of the two options.

Option A: This option would place a pedestrian crossing just south of the northern driveway access into Heritage Mall. The crossing would be incorporated into an existing median island across from the new Carino's restaurant. Advantages to this location include its close proximity to the pedestrian attractor (the mall), little if any out-of-direction travel for pedestrians, and the absence of conflicts with left-turning vehicles. A disadvantage is that pedestrians would need to cross two lanes of traffic on the east side of the median island (the northbound through lane and a right-turn lane into the mall).

Option B: This option would place a pedestrian crossing just north of the Geary Street/12th Avenue intersection. The crossing would require construction of a new median island, and the crosswalk would need to be located far enough north of the intersection to allow drivers turning left out of 12th Avenue some distance/time to see and react to a pedestrian in the crosswalk. Drivers turning left across traffic are often focused on gaps in the opposing far travel lane and can often overlook a pedestrian conflict. An advantage of this location is that pedestrians would only need to cross one lane on traffic on either side of the median island. Disadvantages include the lack of a pedestrian attractor adjacent to the crossing (reduces driver expectation), increased out-of-direction travel for pedestrians, and some level of conflict between pedestrians and drivers turning left out of 12th Avenue as well as left turns out of an apartment complex driveway on the east side of Geary Street.

Budget Impact:

No funding has been identified or budgeted for construction of a pedestrian crossing improvement on Geary Street. Option A and Option B would have approximately equal construction costs. Based on the cost of recently installed median island pedestrian island refuges, the construction cost to install a pedestrian crossing on Geary would be about \$25,000. If a decision was made to include flashing pedestrian-activated crossing signs, the cost would increase by an additional \$30,000.

Albany City Council

Page 3

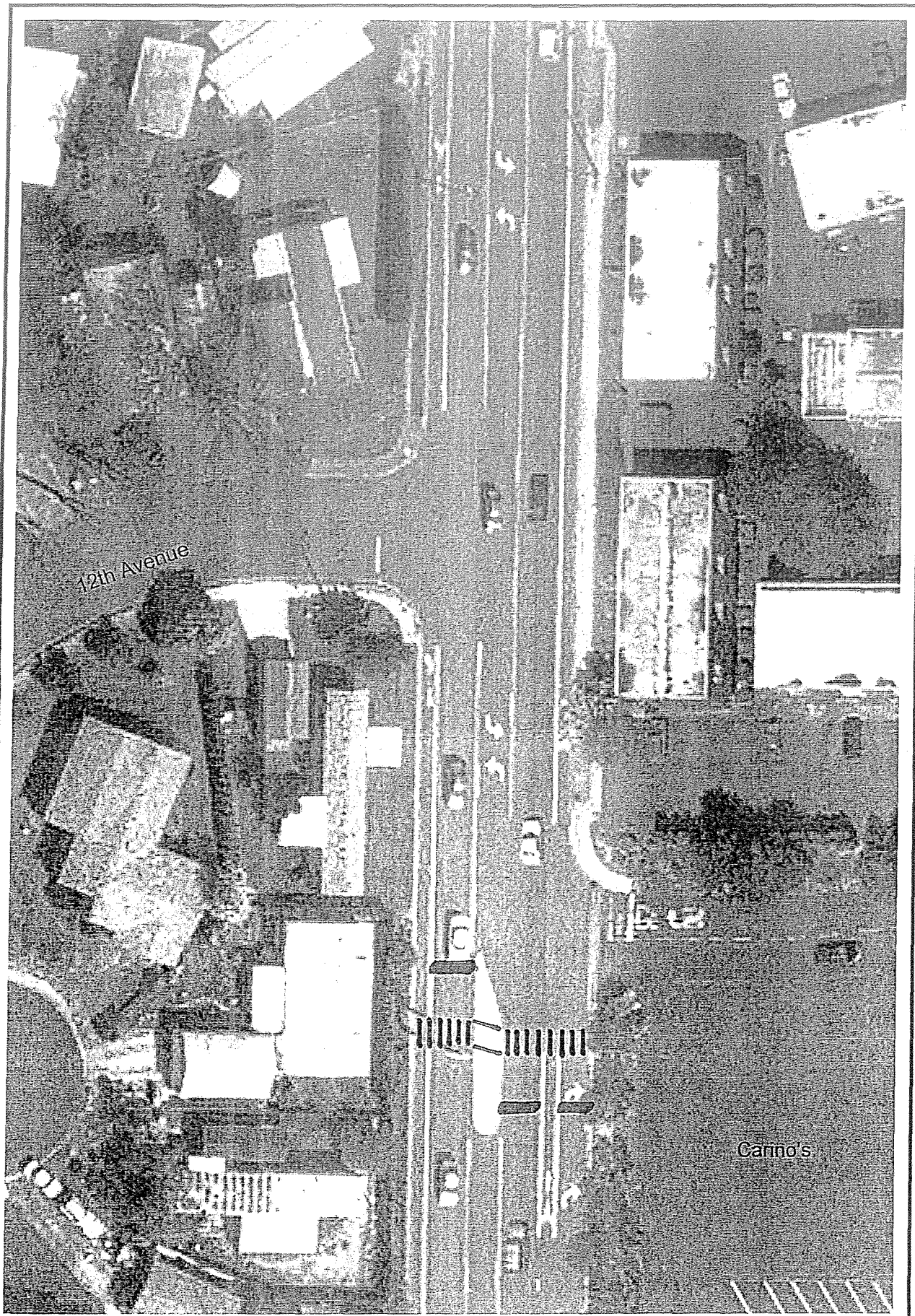
November 13, 2008, for the November 10, 2008, Council Work Session

There are limited funding options for the project. The project could be funded out of the Street Capital and Restoration Fund (250-50-2700). The Waverly Drive project completed last summer came in under budget. This has resulted in more funds being available in the Street Capital and Restoration Fund than anticipated. However, funding of street projects is limited and Council will need to evaluate where to spend the limited resources available for transportation projects. In addition to this project, Council has expressed interest in completing pedestrian improvements along Gibson Hill Road (addressed in another memo to be discussed at the December 15, 2008, work session). These projects and available funding will need to be considered and balanced with other transportation needs such as street restoration projects.

If Council chooses to fund this pedestrian improvement, funding can be made available for this project in two ways. Council can authorize funding for the project in this year's budget by adoption of a Resolution appropriating the money in this fiscal year, or the project can be included in the 2009-2010 budget for consideration and approval. If Council chooses to fund the project in this fiscal year, staff will bring a resolution forward at a future Council meeting for adoption.

RGI:kw

Attachments



Option A



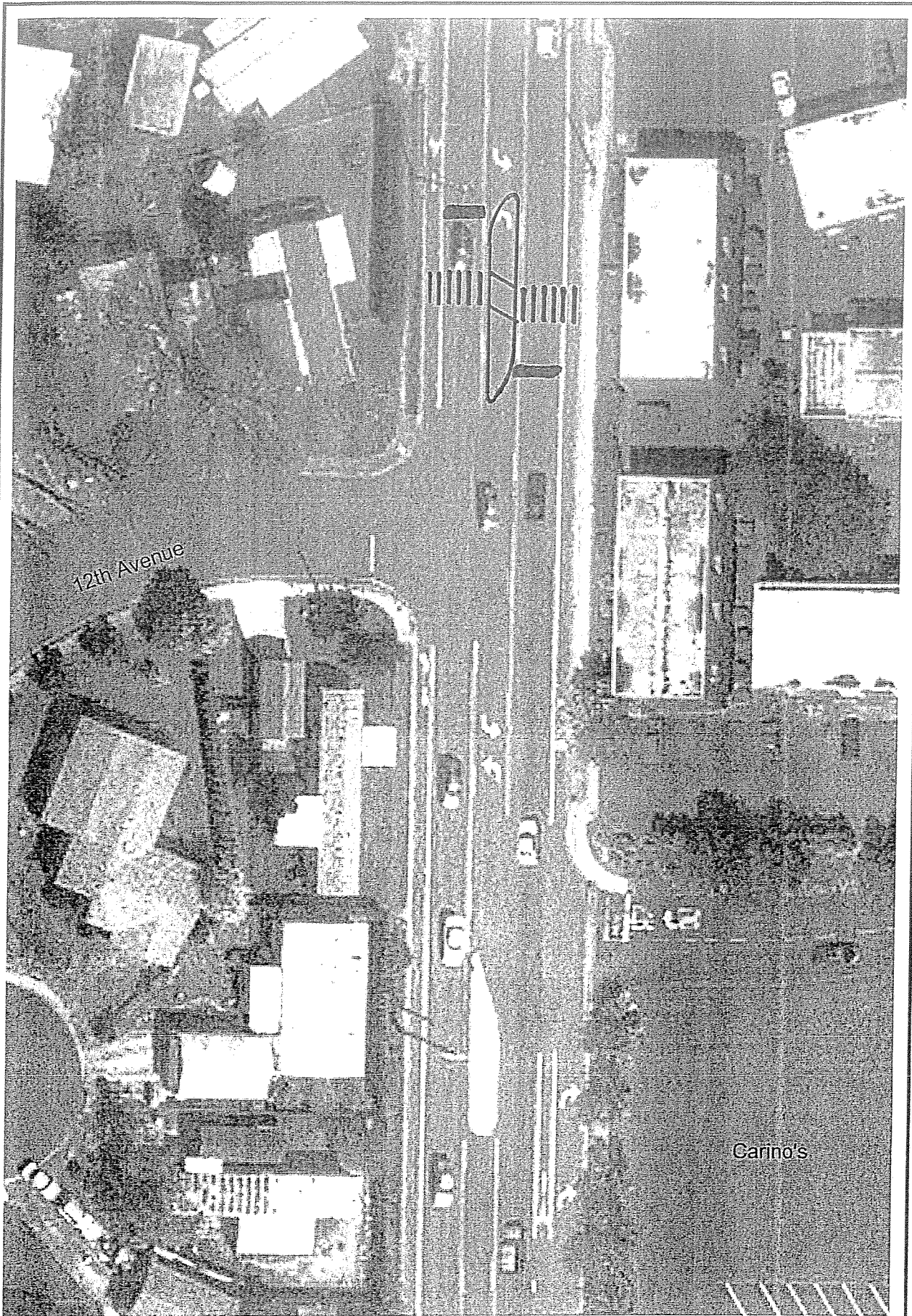
30 0 30 Feet

Engineering

Ron Irish

The City of Albany's Informational Manual, drawings, and other documents have been prepared over many decades using old and new standards for graphic symbols, measurements, and nomenclature. All the information provided is generally believed to be accurate, unless noted. This information pertains to the information and does not constitute a warranty. Please refer to the appropriate manual or other documents for more information. The City of Albany is not responsible for any errors or omissions that may occur in this manual or in any other documents provided. It is specifically advised that you





Option B



30 0 30 Feet

Engineering

Ron Irish

2-117-2008

The City of Albany solicited a request, design, and other documents have been prepared and reviewed using ordinary standards for quality control, documentation, and verification. All the information provided represents current information as it is readily available to the City. The information provided is provided for informational purposes only and does not constitute a contract. The City of Albany is not responsible for any errors or omissions in the information provided. It is specifically advised that you should consult with a professional engineer or architect for any questions or concerns.





TO: Albany City Council

VIA: Wes Hare, City Manager

FROM: Stewart Taylor, Finance Director *ST*

DATE: December 3, 2008, for the December 15, 2008, City Council Work Session

SUBJECT: Financial Policies

RELATES TO STRATEGIC PLAN THEME: ● Effective Government

RELATES TO: ● Create a financial model to support long-term goals

Action Requested:

Give direction regarding the proposed Financial Policies scheduled for adoption at the December 17, 2008, City Council meeting.

Discussion:

Each year the adopted budget includes three policies that largely define the fiscal environment for the budget and all financial operations. The three policies are the Investment Policy, Budget Policies, and the Risk Management Policy. The City Council adopted a revised Investment Policy on October 8, 2008. The Budget Policies have been revised and are scheduled for discussion at this work session and adoption on December 17. A revised Risk Management Policy will be brought to the Council in January or February of 2009.

The previous Budget Policies have been completely rewritten and are now titled "Financial Policies." Both the title and content of the policies have been expanded to include a broader range of issues. The revisions include greater detail in defining the roles of the City Council, City Manager, and Department Directors, and in setting target ranges for fund balances and contingencies. They also establish parameters for future debt and ongoing financial reporting.

The Financial Policies will provide a framework for the City Manager and Department Directors in preparing the Proposed Budget and in administering ongoing financial operations.

Budget Impact:

The Financial Policies establish parameters for the annual budget and ongoing financial operations.

ST:md

Attachment: Financial Policies



City of Albany
Finance Policy
Policy #: F-07-08-001
Title: Financial Policies

Draft

I. POLICY STATEMENT

It is the policy of the City of Albany to actively manage financial, operational, and budgetary affairs within established guidelines in order to maintain financial stability both now and in the future.

II. GENERAL GUIDELINES

1. The City Manager and Department Directors are charged with achieving the themes, goals, and objectives adopted by the City Council in the City's Strategic Plan.
2. The implementing document for the Strategic Plan is the annually adopted Budget. The adopted Budget establishes types and levels of services through both operating and capital budgets. The relationships between the operating and capital budgets will be explicitly recognized and incorporated into the budget process. Resources will be identified to provide designated levels of service, and maintenance or enhancement of related fixed assets.
3. The City will actively measure performance and pursue process improvements to enhance productivity and maximize resources.
4. Adequate reserves will be maintained for all known liabilities, including employee leave balances and explicit post employment benefits.
5. The City will actively seek partnerships with private interests and other government agencies to achieve common policy objectives, share the costs of providing local services, and support favorable legislation at the state and federal levels.
6. The City will seek out, apply for, and effectively administer federal, state, and foundation grants-in-aid that address the City's priorities and objectives.

III. REVENUES

1. The City will actively identify and administer funding sources that create a reliable, equitable, and diversified revenue stream to shelter the City from short-term fluctuations in any single revenue source and to maintain desired levels of services.
2. Revenues will be conservatively estimated in the budget process.
3. Target fund balances for operating budgets will range between 5 and 15 percent of operations.
4. The City will consider full cost recovery and comparable rates charged by other municipalities of similar size in establishing rates, fees, and charges.
5. The City will follow an aggressive policy of collecting revenues.
6. Enterprise and internal service funds are intended to be self-supporting.

IV. EXPENDITURES

1. The City will identify priority services, establish appropriate service levels, and administer the expenditure of available resources to assure fiscal stability and the effective and efficient delivery of services.

2. The City will operate on a current funding basis. Expenditures will be monitored on an ongoing basis so as not to exceed current revenues and targeted fund balances.
3. The City Manager will take immediate corrective actions if at any time during a fiscal year revised revenue and expenditure estimates project a year-end deficit. Mitigating actions may include a hiring freeze, expenditure reductions, fee increases, or use of contingencies. Actions to be avoided include expenditure deferrals into the following fiscal year, short-term loans, and use of one-time revenues to support ongoing operations.
4. Target contingencies for operating budgets will range between 5 and 15 percent of operations.
5. The City Manager will undertake ongoing staff and third-party reviews of City programs to measure efficiency and effectiveness. Privatization and contracting with other governmental agencies will be evaluated as alternatives to in-house service delivery. Programs that are determined to be inefficient and/or ineffective shall be reduced in scope or eliminated.

V. CAPITAL IMPROVEMENT PROGRAM (CIP)

1. The City will monitor and periodically assess the City's capital equipment and infrastructure, setting priorities for its renovation and replacement based on needs and available resources.
2. The City will develop a multi-year program for capital improvements that will be reviewed annually in the budget process.
3. Projects in the Capital Improvement Program will be flagged as either funded or unfunded depending on whether or not the forecasted operating budget can support or fund the project. All funded projects are included in the operating budget for the corresponding budget year.
4. The City will maintain its physical assets at a level adequate to protect the City's capital investment and minimize future maintenance and replacement costs. The budget process will provide for review of maintenance and orderly replacement of capital assets from current revenues where possible.

VI. CAPITAL ASSETS

1. Capital assets are non-consumable assets with a purchase price of \$5,000.00 or greater and a useful life of more than one year.
2. The Finance Department will oversee a physical count/inspection of all capital assets at least on a biennial basis. All additions, deletions, and depreciation of infrastructure will be reported consistent with the requirements of the Government Accounting Standards Board Statement Number 34.
3. Adequate insurance will be maintained on all capital assets.

VII. DEBT

1. The City will generally limit long-term borrowing to capital improvements.
2. The City will follow a policy of full disclosure on every financial report, official statement, and bond prospectus.
3. The City will strive to maintain its high bond rating, currently A2/A+, and will receive credit ratings on all its bond issues.
4. General obligation debt will not be used for self-supporting enterprise activities.

5. The City shall ensure that its debt margins are within the 3% true cash value limitation as set forth in ORS 287.004.
6. The City will use voter-approved general obligation debt to fund general-purpose public improvements that cannot be financed from current revenues. Special purpose debt including certificates of participation, revenue bonds, and loans will be linked to specific funding sources.

VIII. Community Grants

Community organizations that desire financial support from the City must submit applications for funding no later than March 1 in order to be considered for funding in the next budget year. Applications will be reviewed by the Department Director assigned by the City Manager. Primary consideration will be given to requests that further the goals and objectives in the Strategic Plan. Applications that are approved by the Department Director and City Manager shall be included in the Proposed Budget to be considered by the Budget Committee and City Council.

IX. ACCOUNTING, AUDITING, AND FINANCIAL REPORTING

1. The Finance Department is responsible to see that all accounting, auditing, and financial reporting complies with prevailing federal, state, and local statutes and regulations including generally accepted accounting principles as promulgated by the Governmental Accounting Standards Board (GASB), the American Institute of Certified Public Accountants (AICPA), and the Government Finance Officers Association (GFOA).
2. The City will seek out and contract for the assistance of qualified financial advisors, consultants, and auditors in the management and administration of the City's financial functions.
3. The City Council will be provided monthly financial reports of revenues and expenditures.
4. A complete independent audit will be performed annually.
5. The City will issue annual financial reports in accordance with generally accepted accounting principles (GAAP) as outlined in the Governmental Accounting, Auditing, and Financial Reporting (GAAFR) publication.
6. The City will annually seek the GFOA Certificate of Achievement for Excellence in Financial Reporting and the GFOA Distinguished Budget Presentation Award.

Supersedes:	Created/Amended by/date:	Effective Date:



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Stewart Taylor, Finance Director *ST*
DATE: December 3, 2008, for the December 15, 2008, City Council Work Session
SUBJECT: Repeal AMC Chapter 5.14, Taxicabs

RELATES TO STRATEGIC PLAN THEME: ● Effective Government
RELATES TO: ● Effective Service Delivery

Action Requested:

Adopt the attached ordinance repealing Albany Municipal Code Chapter 5.14, Taxicabs, at the December 17, 2008, regular Council meeting.

Discussion:

On November 10, 1999, the City Council adopted Ordinance Number 5424 creating Albany Municipal Code Chapter 5.14, Taxicabs. The ordinance maintained licensing requirements, expanded the definition of taxi service, and added certification of vehicles and registration with the Oregon Secretary of State. Taxi service remains the only type of ongoing business in the city of Albany where a local business license is required.

The background information provided to the City Council in 1999 outlined three levels of potential regulation by the City: full regulation, moderate regulation, and no regulation. The City Attorney's Office, Police Department, and then-Administrative Services Department recommended no regulation, which was based on the premise that any regulation exposes the City to undue liability and that the objective of increased passenger safety could only be achieved with full regulation including regular inspection of vehicles and periodic background checks of drivers. The costs of full regulation were determined to outweigh the potential benefits.

Over the nine years since Chapter 5.14 was adopted, the licensing, certification, and registration requirements have increased the staff time necessary to regulate taxis but have had little impact on the actual service provided. Problems brought to our attention are generally one taxi company telling us how another taxi company is not meeting the ordinance requirements.

The City Attorney's Office, Police Department, and Finance Department recommend again that the City get out of the taxi regulation business. No City regulation would allow market forces to work more freely and would free up staff resources to work on other duties.

Budget Impact:

None.

ST:md

Attachment:

City Council Minutes – November 10, 1999
Ken Thompson Staff Memo – City Council Work Session – July 12, 1999

ORDINANCE NO. 5424

AN ORDINANCE CREATING ALBANY MUNICIPAL CODE CHAPTER 5.14 CONCERNING TAXICABS AND DECLARING AN EMERGENCY.

WHEREAS, the City has assumed a role in monitoring certain business practices of taxicab operators doing business within the City limits; and

WHEREAS, the City has determined it important to its citizens that taxicab operators are duly licensed by both the City and the State of Oregon; and

WHEREAS, the City has determined it important to its citizens that taxicab operators doing business within the City limits have in full force and effect a policy of insurance on all vehicles designated to be driven or operated under the policy; and

WHEREAS, the City has determined it necessary to develop requirements designed to monitor the vehicles designated to be driven or operated by taxicab operators under the required policy of insurance; and

WHEREAS, this ordinance is adopted to address the findings set forth above.

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

Section 1: Albany Municipal Code, Chapter 5.14, is hereby created as follows:

Chapter 5.14

TAXICABS

Sections:

5.14.010	Definitions.
5.14.030	Operator's license.
5.14.050	Taxicabs.
5.14.070	Taxicab certification.
5.14.090	Fees.
5.14.110	Insurance.
5.14.130	Operator's license revocation.
5.14.150	Notice.
5.14.170	Violation - Penalty.

5.14.010 Definitions. Unless otherwise expressly stated, whenever used in this chapter, the following words shall have the meaning given to them by this section:

- (1) "Street" means any street, alley, avenue, court, bridge, lane or public place in the City.
- (2) "Operator" means any person owning, having control of the use or engaged in the business of operating one or more taxicabs within the City.
- (3) "Taxicab driver" means any person who drives a taxicab, whether such person owns the taxicab or is employed by the operator of a taxicab.
- (4) "Person" means and includes one or more persons of either sex, natural persons, corporations, partnerships and associations.
- (5) "Council" means the Council of the City of Albany, Oregon.
- (6) "Alcoholic liquor" means any alcoholic beverage containing more than one-half of one percent alcohol by volume, and every liquid or solid, patented or not, capable of being consumed by a human being.
- (7) "Vehicle certificate" means a numbered decal issued by the City to the operator upon approved license application.
- (8) "Employee" means any person employed by a taxicab company for remuneration or under any contract of hire, written or oral, express or implied, including independent contractors.
- (9) "Taxicab" means any motor vehicle that is operated for hire by the taxicab company, other than a shuttle, limousine, charter, tour bus, accessible vehicle, medical transport vehicle or ambulance. For purposes of this section, the following definitions shall apply:
 - (a) "Shuttle" means any motor vehicle for hire that transports passengers between predetermined destinations (e.g., motels, airport), at fixed rates, and on a fixed schedule.
 - (b) "Limousine" means any luxury class motor vehicle that is operated for hire on a reserved, hourly basis.

(c) "Charter" means any motor vehicle originating from the Albany area, marked with the company's business name, operated for hire to transport a group of seven or more persons with the fare based on a fixed group rate rather than an individual rate.

(d) "Tour bus" means a motor vehicle accepting individual passengers for a fare for sightseeing or guided tours, making occasional stops at certain points of interest and returning the passengers to the point of origin.

(e) "Accessible vehicle" means any motor vehicle constructed and equipped for the non-emergency transportation of persons in wheelchairs, persons using other mobility aids, or with other mobility impairments.

(f) "Medical transport vehicle" means any motor vehicle constructed and equipped for the non-emergency transportation of persons in connection with their illness, injury or disability.

(g) "Ambulance" means any motor vehicle constructed and equipped for the emergency transportation of persons because of or in connection with their illness, injury or disability.

5.14.030 Operator's license. Each applicant for an operator's license shall apply to the City Recorder for such license upon such form as is prescribed by the City Recorder and shall include thereon the following information:

- (1) If a corporation, limited partnership or association, the applicant shall be authorized to conduct business under the laws of the State of Oregon, and shall supply proof of active business registry with the Secretary of State;
- (2) Name and post office address of the applicant (if a partnership or joint venture, the application must so state and contain the names and addresses of all parties thereto);
- (3) The business name under which the operator will do business;
- (4) Evidence of insurance as hereinafter required.

5.14.050 Taxicabs.

- (1) Every taxicab shall be so designated as such by plain visible letters on the side thereof.
- (2) Every taxicab shall have affixed a vehicle certificate as issued by the City upon approved license application.
- (3) Every taxicab shall post a schedule of rates for services where it can be easily read by any and all passengers.
- (4) No taxicab driver or operator shall use a taxicab for the transportation or delivery of an alcoholic beverage. This section shall not prohibit the transportation of a person, for hire, when such person lawfully possesses an alcoholic beverage.
- (5) No taxicab driver or operator shall accept compensation, in any form, for the transportation or delivery of any alcoholic beverage, except as allowed in subsection (4) of this section.

5.14.070 Taxicab certification.

- (1) No operator shall put into service, nor shall any employee drive, any taxicab that has not been certified and issued a vehicle certificate by the City.
- (2) Each vehicle certificate issued by the City shall be affixed to a specific taxicab for identification purposes, placed in a location upon the taxicab as approved by the City Recorder.
- (3) All vehicle certificates issued by the City are nontransferable and may not be removed by anyone without supervision of the City Recorder or its designee.
- (4) No vehicle certificate may be sold, assigned, mortgaged or otherwise transferred.
- (5) Any operator who retires any taxicab from service shall immediately surrender to the City any vehicle certificate issued by the City for the operation of such taxicab, and may not secure an additional vehicle certificate for the operation of such taxicab without making separate application therefor.

5.14.090 Fees.

- (1) Each operator making application for an operator's license shall pay an annual fee as established by the Council by separate resolution.
- (2) An operator shall pay a proportionate amount of the above fees for parts of less than a year and thereafter fees for an operator's license shall become due and payable the first business day of each calendar year.

5.14.110 Insurance.

- (1) No operator shall drive or operate, or cause to be driven or operated, any taxicab in the City of Albany unless the operator has on file with the City, and shall keep in full force and effect, a policy of insurance, approved by the City Recorder as to form and compliance with this Chapter, issued for the benefit of the operator by a responsible and solvent insurance corporation authorized to write policies in the State of Oregon. The policy of insurance shall designate therein which taxicabs may be driven or operated under the policy, and shall contain policy limits not less than as required under the application for operator's license.
- (2) The policy of insurance shall require notification to the City Recorder of any amendment, cancellation or termination of policy. The operator, on or before the effective date of amendment, cancellation or termination of the policy, shall immediately surrender to the City any vehicle certificate issued by the City for the operation of a taxicab which is removed from coverage under the policy of insurance, and may not secure an additional vehicle certificate for the operation of such taxicab without making separate application therefor.
- (3) The City may deny the issuance of any vehicle certificates to any operator who has failed to surrender a prior vehicle certificate as required by this Chapter.

5.14.130 Operator's license revocation. The Council may revoke any operator's license for violation of any provision of this chapter. The Council may utilize any revocation procedure which, at a minimum, provides the operator with mailed notice of the proposed revocation and the grounds therefor, and provides the operator with an opportunity to be heard by the Council.

5.14.150 Notice. Any notice mailed by first class mail by the City shall be mailed to the operator to the primary address as set forth on the license application, and shall be deemed received by the operator three days after mailing. Failure to receive actual notice shall not be a defense.

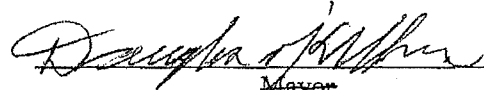
5.14.170 Violation - Penalty. Any person violating any of the provisions of this chapter is subject to those penalties set forth in Section 1.04.010 AMC.

Section 2: 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~~ Council President.

Passed by Council: November 10, 1999

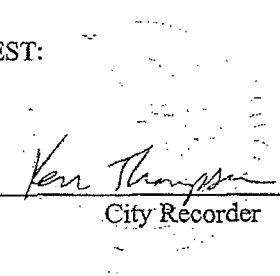

Approved by ^{Council President} ~~Mayor~~ November 10, 1999

Effective Date: November 10, 1999



Mayor
Council President

ATTEST:

City Recorder

the engineering report is a "committee" report. He believes the engineering report needs a fuller analysis. He continued by saying they believe that negotiations on the transfer of this road from Linn County would help the LID. When their project is totally built out they will only generate 15% of the traffic, but under the current assessment they would be paying 56% of the costs. It is not equitable. He said that point 9 of the binder has to do with how the LID boundaries are defined. None of his client's property is on Grand Prairie Road. Others on Grand Prairie Road only pay for the first 150-ft into their property, his clients would like to have the same treatment. Point 11 on page 6 explains that the findings passed with Ordinance #5323 said that Lexington would not be assessed for storm drainage. He said point 13 has to do with land use issues. He also noted that the proposed assessment would significantly increase the cost of housing in the portion of the Lexington project affected by the assessment. He reviewed point 16 saying the costs need to be proportionate to the impact. He finished by saying that on page 2 the three bullets indicated what he and his clients are asking the Council to do tonight, including continuing this hearing to a later date.

Tom Andrews, tax lot #6500, representing his mother, Madeline Burnnet, 3149 Grand Prairie Road SE, believes the property owners should not be penalized because of new development.

Bill Wilt, Edgewood Estates, explained that regarding his agreeing to pick up assessments, it was for single family property owners, with no development potential. He said he had agreed to pick up their street assessments only, not the water and sewer. He understood that the assessments would be based on traffic counts. He has a large land area with few people in it. He also thinks the City should pay for a portion of the LID. He said the LID process is needed for full cooperation between the major players.

No one else wished to speak.

Killin explained that the hearing would be kept open for staff response to what was said here tonight. City Attorney Jim Delapoer said that if the Council wants to reopen the public hearing once they have reviewed staff's response, they have that option.

Taxi regulations and procedures.

Delapoer explained that the Council had directed staff to come up with a draft ordinance regarding taxicab regulations and insurance.

Assistant City Attorney Brian Churchill said one of the main changes to the Albany Municipal Code that the ordinance addresses was expanding the definition section. They defined "vehicle certificate" and "Taxicab" more clearly. The taxicab certification section is new and proof that the business is registered with the Secretary of State is also new. He explained that the insurance provisions have been redrafted.

Killin opened the public hearing.

Mike Mustoe, 33900 Highway 99, co-owner of TimberTown Taxi, said that Albany is the only town that doesn't require meters in the taxicabs. A meter will tell the customer the costs. He would like a regulation for electronic meters that are checked once a year. Also, he thinks there should be a requirement for a physical business office address. He also feels that all the drivers should have taxi licenses, to weed out the child molesters.

Roland Skelton, 1730 SW Berry, owner of American Taxi, agrees with the new regulations. He said the City use to have regulations regarding felons not being drivers. He would like that reinstated. He thinks the certification process will give everyone a fair chance.

Walter Moracle, 1742 Sherman Street, a cab driver, said there should be more regulations of bad drivers.

Mark Daily, 1720 Washington, co-owner of Elite Taxi, doesn't agree with all the new regulations. He agrees with the certificates. He agrees that the vehicles should meet requirements and the operator's license regulated as well. He would like more time allotted for the owners to get insurance coverage because of breakdowns on weekends, holidays, and evenings. He would prefer a time allowance. Insurance issues don't

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needed a regular car to do that and a taxi license. Administrative Assistant I Kim Nelson responded that the state has insurance requirements based on vehicles used for transport.

Withrop said the owners should do criminal checks on their drivers. She agrees with the need for the certificate.

Mark Daily spoke again and gave an example of renting a car while getting brakes fixed on another car. He said they need to be able to use substitute vehicles when others break down.

Mike Mustoe spoke again saying that his insurance is set up in such a way that he can switch cars (14 times in one year) after hours by calling into the insurance company and having it taped.

Roland Skeleton agrees with having meters in vehicles.

Killin closed the public hearing.

Linhart said that the Council's concern was what can the City enforce or not enforce. He believes this ordinance addresses what is enforceable.

Olsen was concerned about the need for certifying another vehicle. Delapoer responded that a procedure was needed to regulate certification for insurance purposes and also so staff time could be reimbursed. Olsen thought that 72 hours for notification wasn't unreasonable.

Killin agreed that the City could only supervise a limited amount of regulations. He said they are having trouble enforcing what the City has now.

Reid said he doesn't want the City to be in the position of running the taxi business. He doesn't want to go farther than what have here tonight.

City Attorney Jim Delapoer read for the first time in title only "AN ORDINANCE REPEALING ALBANY MUNICIPAL CODE CHAPTER 5.12, TAXICABS AND DECLARING AN EMERGENCY." Reid moved to have the ordinance read a second time in title only. The motion was seconded and passed 6-0. Delapoer read the ordinance a second time in title only. Reid moved to adopt the ordinance. The motion was seconded and passed 6-0, and was designated Ordinance No.5423.

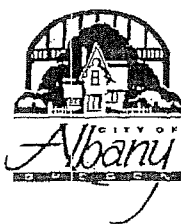
City Attorney Jim Delapoer read for the first time in title only "AN ORDINANCE CREATING ALBANY MUNICIPAL CODE CHAPTER 5.14 CONCERNING TAXICABS AND DECLARING AN EMERGENCY." Reid moved to have the ordinance read a second time in title only. The motion was seconded and passed 6-0. Delapoer read the ordinance a second time in title only. Linhart moved to adopt the ordinance. The motion was seconded. Killin asked the maker of the motion and the second to agree that the signature line would be changed from "Mayor" to "Council President." They agreed. The motion was voted on and passed 5-1, with Olsen voting no, and was designated Ordinance No. 5424.

Bryant explained that the Council would need to set fees for the ordinance. The recommendation for the annual fee for the certificate is \$240.00 and the current annual business license fee is \$100.00. Delapoer suggested the Council pass the fee requirements but ask staff not to enforce them for a reasonable amount of time, allowing current business licenses to continue to the end of the year. Reid moved to set annual certification fees at \$240.00 and business license fees at \$100.00, with current year's fees to be credited until the end of 1999. The motion was seconded and passed 6-0.

RECESS

Killin recessed the Council for five minutes at 9:13 p.m.

RECONVENE



TO: City Council
FROM: *KT* Ken Thompson, Assistant City Manager/Administrative Services Department
KN Kim Nelson, Administrative Assistant I
DATE: July 6, 1999
SUBJECT: Taxi Issues - *for July 12 - work session*

Purpose

The purpose of this memo is to seek Council direction regarding taxi rules and regulations.

Background

During the past year or two City staff have been experiencing an increase in the amount of time required to deal with taxi issues. We have discussed this trend with other cities and have found these difficulties are not unique to Albany.

Roland Skelton made an appearance at City Council some time ago and Council requested that staff look into this issue. Since that time, several meetings have taken place, other cities have been contacted, and the issues with taxis have increased (see attached documentation for details).

Most complaints/calls are from taxi owners/drivers who complain about their competitors. City staff have become "taxi babysitters", encouraging taxi owners to follow the rules but with little success.

Options

Jim Delapoer, Bryan Churchill, Ken Thompson, Lt. Ross Hughes and myself met to discuss our options and what types of recommendations we might make on how to deal with the taxi issue most effectively. We identified three options.

Option 1: Complete/full regulation by the City.

This would obviously be the most time consuming for City staff. The amount of paper work would increase. Staff would need to have regulations for issues dealing with limos, non-emergency medical transport, number of companies allowed to operate in town, business names, minimum fines, employment of felons, insurance and signage requirements, etc. This option also increases the City's risk exposure because the City's involvement indicates city review and approval of taxi company operations. Staff estimates this option will increase the City workload by the equivalent of a half-time Clerk II position. This would be approximately \$15,000 per year, which includes prorated benefits. This option will also increase the workload at the Police Department and at the City Attorney's office.

Option 2: Moderate regulations by the City.

This would be similar to what we are doing now, except more specific and enforceable. Staff would need clear guidelines on how to resolve customer service issues, both to citizens and taxi company personnel. Insurance regulations, business registry and business license regulations would need to be more specific. The City Attorney, Administrative Services, and the Police Department personnel workload would increase to make this option effective. This option will increase the Citywide costs by an estimated \$7,500 per year.

Option 3: No regulations by the City.

This is the option recommended by the City Attorney's office, the Police Department, and the Administrative Services Department staff that deals with taxi issues on a regular basis.

The reason that staff recommends this option is that taxi monitoring has become a very time-consuming task with very few positive rewards for the City, and very little ability to actually resolve issues that arise. It is not a high priority for the Police Department to follow taxis around town to see what rules they might be violating. When they do find a violation and it goes to court, the fines assessed are of minimum value. For example, a fine for \$150 for not having proof of current insurance is much easier for the taxi company owner to pay rather than to pay for six months of insurance on taxi vehicles.

For staff that receive complaints from taxi owners, the most they can do is listen and refer them to the Police Department. For staff that receive complaints from customers, the same applies.

Summary

Staff recommends the City provide no regulation of taxis. The resources required to regulate these businesses could likely be better spent elsewhere. The ultimate goal for City staff is to be able to provide efficient customer service. If the City takes on any amount of regulatory responsibility, the City should be able to provide some assurance that taxi vehicles are safe for citizens to use, should have a program for regulation that would be simple to implement and a method of making the regulations enforceable. We doubt that staff can reach this goal without a significant increase in resources dedicated to the program. It appears that constant monitoring will be needed to ensure compliance for options 1 and 2.

Attachments

c: Steve Bryant, City Manager
Jim Delapoer, City Attorney
Bryan Churchill, Deputy City Attorney
Pat Merina, Police Chief
Lt. Ross Hughes, Albany Police Department
Ofc. Troy Mickelsen, Albany Police Department