



NOTICE OF PUBLIC MEETING
CITY OF ALBANY
CITY COUNCIL
 Council Chambers
 333 Broadalbin Street SW
 Wednesday, January 12, 2011
 7:15 p.m.

OUR MISSION IS

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

OUR VISION IS

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

AGENDA

Rules of Conduct for Public Hearing

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

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. OATH OF OFFICE FOR NEW COUNCIL MEMBERS
4. 2011 MAYOR'S MESSAGE
5. ROLL CALL
6. ELECTION OF COUNCIL PRESIDENT
 Action: _____
7. SPECIAL PRESENTATION
 - a. Albany Visitors Association. [verbal]
 Action: _____
8. SCHEDULED BUSINESS
 - a. Communication
 - 1) Supporting the Linn County Behavioral Health Justice Task Force Grant submission. [Page 1]
 Action: _____ RES. NO. _____
 - b. Public Hearing
 - 1) Proposed Transportation System Development Charge. [Page 2]
 - a) Amending Albany Municipal Code Title 15 to add new language for the implementation of a citywide Transportation Systems Development Charge and declaring an emergency. [Pages 2-4]
 Action: _____ ORD. NO. _____
 - b) Adopting a methodology for the development of a system development charge for the transportation system and repealing Resolution No. 3825. [Pages 2 and 5-27]
 Action: _____ RES. NO. _____
 - c) Establishing system development charges for impacts to the Albany Transportation System, and establishing an appeal fee, and repealing Resolution No. 5806. [Pages 2 and 28-43]
 Action: _____ RES. NO. _____
 - c. Business from the Public
 - d. Adoption of Consent Calendar
 - 1) Approval of Minutes
 - a) December 6, 2010, City Council Work Session. [Pages 44-46]
 - b) December 8, 2010, City Council Regular Session. [Pages 47-50]
 - c) December 13, 2010, City Council Work Session. [Pages 51-53]
 - d) December 15, 2010, City Council Regular Session. [Pages 54-56]
 - 2) Authorizing the Albany Public Library to accept a Ready to Read Grant from the Oregon State Library for collection development, programs, and materials at both libraries. [Pages 57-58] RES. NO. _____
 Action: _____

e. Appointments

1) City Council Representatives. [Page 59]

Action: _____

2) City Boards, Commissions, and Committees. [Pages 60-61]

Action: _____

f. Reports

1) Evaluation of Albany and Corvallis Fire Departments for collaborative opportunities. [Page 62]

Action: _____

2) Historic Albany Recovery Program. [Pages 63-66]

Action: _____

9. BUSINESS FROM THE COUNCIL

- Linn County Local Public Safety Coordinating Council. (Mayor Konopa) [Pages 67-78]

10. RECESS TO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION OR LITIGATION LIKELY TO BE FILED IN ACCORDANCE WITH ORS 192.660 (2)(h)

11. RECONVENE

12. NEXT MEETING DATE: Work Session January 24, 2011
Regular Session January 26, 2011

13. ADJOURNMENT

City of Albany Web site: www.cityofalbany.net

RESOLUTION NO. _____

A RESOLUTION SUPPORTING THE LINN COUNTY BEHAVIORAL HEALTH JUSTICE TASK FORCE GRANT SUBMISSION

WHEREAS, the U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance makes grants available to communities seeking to keep those who suffer from mental illness from entering and remaining in the criminal justice system through the Justice and Mental Health Collaboration Program; and

WHEREAS, the Albany Police Department has actively participated in the planning for this grant with the Linn County Behavioral Health Justice Task Force; and

WHEREAS, the Task Force includes the Linn County Health Department, a Linn County Circuit Court Judge, District Attorney, Court Administrator, Linn County Mental Health Department, Linn County Drug and Alcohol Services, Linn County Sheriff's Office, Albany Police Department, Lebanon Police Department, Sweet Home Police Department, Linn County Defense Bar, and members of the community; and

WHEREAS, the grant will be administered by the Linn County Health Department and would provide critical incident training(CIT) for public safety officers and other persons who provide services to the mentally ill and expanded services for the mentally ill; and

WHEREAS, the Albany City Council is dedicated to assisting those suffering from mental illness to receive the benefit of CIT and expanded mental health services.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council supports the Linn County Behavioral Health Justice Task Force and the submission of this grant.

DATED AND EFFECTIVE THIS 12TH DAY OF JANUARY 2011.

ATTEST:

Mayor

City Clerk



TO: Albany City Council
VIA: Wes Hare, City Manager
Diane Taniguchi-Dennis, P.E., Public Works Director *Diane Taniguchi-Dennis*
FROM: Jeni Richardson, P.E., Civil Engineer III *Jeni*
Ronald G. Irish, Transportation Systems Analyst *R.G.I.*
DATE: December 27, 2010, for the January 12, 2011, City Council Meeting
SUBJECT: Public Hearing for Proposed Transportation System Development Charge

RELATES TO STRATEGIC PLAN THEME: • Great Neighborhoods

Action Requested:

Conduct a public hearing to consider adopting the attached documents supporting the proposed Transportation System Development Charge.

Discussion:

In February this year, the Albany City Council adopted a new Transportation System Plan (TSP) to guide development and upgrades for Albany's road, bike, and pedestrian networks today through the year 2030. The TSP identifies \$242 million dollars worth of transportation projects inside the Albany city limits. About half of those projects will be needed to serve projected future development over the next 20 years.

In July 2010, Council reviewed the methodology which establishes the maximum transportation System Development Charges (TSDC) at \$10,423 per p.m. peak hour trip. Council also reviewed two TSDC fee levels that would move from the current fee of \$1,734 per single family home to \$3,000 either at once or over a five-year period. The two fee options were designed to fund all the near-term projects in the first 10 years. The ramped fee option responds to current slow development activity but would lose an estimated \$1 million in revenues in the first five years, which means certain projects on the list would not get done.

Council directed staff to take these options to the development community in advance preparation for this public hearing. Over the past few months, City staff met with local builders, contractors, developers, and business representatives of the development community to talk about the TSDC methodology and fee options. Any written public testimony received in advance of the hearing will be shared at the meeting.

The public hearing tonight will consider adopting the new TSDC Methodology and fee. TSDC documents supporting the public hearing should be adopted in the attached order beginning with an ordinance implementing administrative changes to Albany Municipal Code Title 15, then a resolution adopting the TSDC Methodology, followed by a resolution adopting the TSDC fee. Separate resolutions for each of the TSDC fee options are attached for Council's consideration.

Budget Impact:

If adopted, the new TSDC fee will become effective on February 1, 2011. The revenue received will vary based upon specific development activity.

JMR:kw

Attachments: Ordinance amending AMC Title 15; Resolution adopting TSDC Methodology; TSDC Methodology; and Resolutions establishing: 1) Ramped TSDC and 2) Non-ramped TSDC

c: Janet Steele, Albany Chamber of Commerce
John Pascone, Albany Millersburg Economic Development
Jerry Running, Willamette Valley Homebuilders Association

ORDINANCE NO. _____

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE TITLE 15 TO ADD NEW LANGUAGE FOR THE IMPLEMENTATION OF A CITYWIDE TRANSPORTATION SYSTEMS DEVELOPMENT CHARGE AND DECLARING AN EMERGENCY.

WHEREAS, the City of Albany is complying with the provisions of ORS 223.207 through 223.208 and 223.297 through 223.314; and

WHEREAS, the Council of the City of Albany has duly advertised and caused notices to be given as required by law and has had a public hearing concerning the establishment of System Development Charges; and

WHEREAS, the said hearing on the 12th day of January 2011 has been duly held and parties were given an opportunity to be heard and the Council being fully informed.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AMENDMENTS TO ALBANY MUNICIPAL CODE TITLE 15 AS FOLLOWS:

15.16.060: Compliance with state law.

(1) The revenues received from the water system development charge shall be deposited to the water improvement fee and/or water reimbursement fee funds. The revenues from the sewer system development charge shall be deposited to the sewer improvement fee and/or reimbursement fee funds. The revenues from the transportation system development charge shall be deposited to the transportation improvement fee and/or reimbursement fee funds. These funds shall be budgeted and expended as provided by state law. The accounting of such revenues and expenditures required by state law shall be included in the City's annual financial audit required by ORS Chapter 294.

(2) The capital improvement plan(s) required by state law as the basis for expending revenues from the improvement fees portion of the systems development charge shall be the **project lists contained within the most recently adopted water, wastewater, stormwater, and transportation system plans or the project list referenced in the associated methodology.** ~~Albany/Millersburg Water System Plan by Brown and Caldwell, Consulting Engineers (1988), the Wastewater Facility Plan and the associated SDC-Eligible Wastewater Collection and Treatment Projects List prepared by CH2M Hill (1998), and the Albany Transportation System Plan and the 20 Year Transportation Plan SDC Funded Capacity Improvement List prepared by Kimley-Horn and Associates (1997).~~

(3) **As provided by state law, the plan or list described in subsection (2) of this section may be modified at any time. If a system development charge will be increased by a proposed modification of the list to include a capacity increasing capital improvement:**

(a) **The City shall provide, at least 30 days prior to the adoption of the modification, notice of the proposed modification to the persons who have requested written notice described in AMC 15.16.100 (1).**

(b) **The City shall hold a public hearing if the City receives a written request for a hearing on the proposed modification within seven days of the date the proposed modification is scheduled for adoption.**

15.16.080: Exemptions.

~~All applications for a building permit that would intensify the use of the transportation network received prior to October 1, 1997, are exempt from the citywide transportation systems development charge imposed in AMC 15.16.050; provided, all fees and other City systems development charges and in lieu of fees (if applicable) have been paid, or the installment payment method has been applied for and approved prior to January 1, 1998.~~

Emergency Clause

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

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: _____

Mayor

ATTEST:

City Clerk

RESOLUTION NO. _____

A RESOLUTION ADOPTING A METHODOLOGY FOR THE DEVELOPMENT OF A SYSTEM DEVELOPMENT CHARGE FOR THE TRANSPORTATION SYSTEM AND REPEALING RESOLUTION 3825 (A RESOLUTION ADOPTING A METHODOLOGY FOR THE DEVELOPMENT OF A SYSTEM DEVELOPMENT CHARGE FOR THE TRANSPORTATION SYSTEM IN ALBANY).

WHEREAS, through the historic adoption of ordinances establishing and amending Albany Municipal Code 15.16 regarding system development charges, the Council of the City of Albany has duly declared its intent to comply with the provisions of ORS 223.207 through 223.208 and 223.297 through 223.314; and

WHEREAS, alternative system development charges (SDC) methodologies that are consistent with Oregon SDC law and current industry practices were evaluated and a methodology that is a combination of reimbursement and improvement fees that results in a maximum allowable SDC of \$10,423 based on February 2010 dollars was developed; and

WHEREAS, a methodology for the calculation of system development charges for the transportation system is specifically described in Exhibit 'A': *Transportation SDC Methodology* (attached hereto), and

WHEREAS, the methodology has been available to the public for comment for the period of time required by state statute, presented at numerous public meetings since July 2010, including a public hearing on the 12th day of January 2011, and parties were given an opportunity to be heard and the Council being fully informed.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the attached methodology specifically described in Exhibit 'A' is hereby adopted; and

BE IT FURTHER RESOLVED that Resolution No. 3825 is hereby repealed.

DATED AND EFFECTIVE THIS 12TH DAY OF JANUARY 2011.

ATTEST:

Mayor

City Clerk

SECTION 1

Introduction

Background

The City of Albany (the City) initiated a process to update system development charges (SDCs) for the transportation system, in conjunction with adoption of the Transportation System Plan (TSP) in February 2010. This report describes the updated SDC methodology and calculations for the City's transportation system. The revised methodology and calculations are consistent with the framework set forth by Oregon SDC legislation (ORS 223.297-314). In Albany, the authority to impose SDCs is contained in Chapter 15.16 of the Albany Municipal Code (AMC).

Oregon SDC Law

Oregon Revised Statutes 223.297-223.314 authorize local governments to assess SDCs for the following types of capital improvements:

- Drainage and flood control (i.e., storm water)
- Water supply, treatment, and distribution
- Wastewater collection, transmission, treatment, and disposal
- Transportation
- Parks and recreation

In addition to specifying the infrastructure systems for which SDCs may be assessed, the SDC legislation provides guidelines on the calculation and modification of SDCs, accounting requirements to track SDC revenues, and the adoption of administrative review procedures. A summary of key provisions is provided below.

SDC Structure

Oregon law allows that an SDC may include a reimbursement fee, an improvement fee, or a combination of the two.

Reimbursement Fee

The reimbursement fee is based on the value of available reserve capacity associated with capital improvements already constructed or under construction. The methodology used to calculate the reimbursement fee must consider the cost of existing facilities, prior contributions by existing users, the value of unused capacity, grants, and other relevant factors. The objective of the reimbursement fee methodology is to require new users to contribute an equitable share of the capital costs of existing facilities. When new users connect, they pay for their share of the available reserve capacity through the SDC reimbursement fee, and the money received can be used to retire existing debt or to fund other capital needs.

Improvement Fee

The improvement fee is designed to recover all or a portion of the costs of planned capital improvements that add system capacity to serve future customers. Revenues generated through the improvement fees are dedicated to funding capacity-increasing capital improvements or the repayment of debt on such improvements.

Credits

The legislation requires that a credit be provided against the improvement fee for the construction of "qualified public improvements." Qualified public improvements are improvements that are required as a condition of development approval, identified in the system's capital improvement program, and either (1) not located on or contiguous to the property being developed, or (2) located in whole or in part, on or contiguous to, property that is the subject of development approval and required to be built larger or with greater capacity than is necessary for the particular development project to which the improvement fee is related.

Albany's SDC Methodology and Policy Framework

In Albany, development of the transportation SDC methodology was guided by the Albany City Council and community stakeholders through numerous public meetings. The 2010 Transportation System Plan provided the project list used to guide financial and policy decisions during the development of the SDC methodology.

SDC Policies

In order to provide equitable and consistent application of the proposed SDCs, the following statements represent the City's most significant policies relating to the implementation and application of SDC fees to customers in Albany:

1. No new development that adds trips to the City transportation system can occur unless the corresponding transportation SDC has been paid or the installment payment method has been applied for and approved.
2. To ensure equity, no exception to the payment of the required SDC fees will be allowed for non-profit organizations, low-income development, public facilities, or other customers adding trips to the transportation system.
3. An SDC shall apply to the particular lot or tract for which it is issued. Any changes of use which add additional trips to the transportation system shall cause an additional SDC to be paid.
4. Because the transportation SDC is closely related to the cost of construction of the capital improvements, the SDC shall be adjusted on the first day of July of each calendar year. The adjustment shall be based upon the Seattle Construction Cost Index published by the Engineering News Record (ENR) by calculating the percentage increase/decrease in the index for the period since the last adjustment and then applying that percentage to the figures used to calculate the SDC.

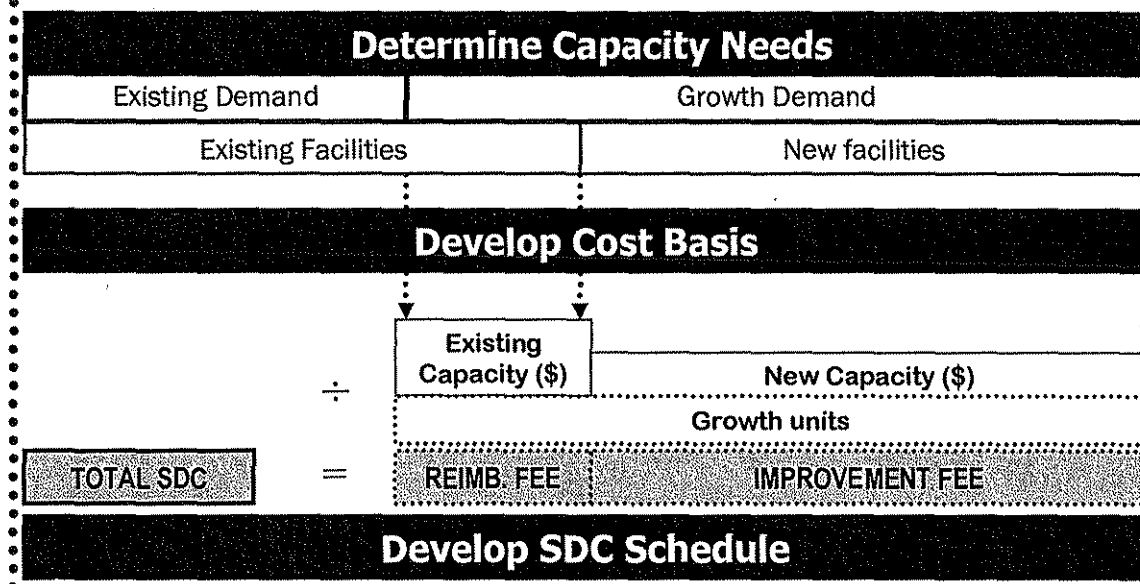
In addition to these policy statements, there may be other policies relating to the implementation of the SDC fees included in the Albany Municipal Code and/or other City rules and regulations.

Overview of Methodology

The recommended SDC methodology is based on a combined reimbursement and improvement structure. This structure, which is shown graphically in Figure 1-1, consists of the following three elements:

- Determine capacity needs
- Develop cost basis
- Develop SDC schedule

FIGURE 1-1—OVERVIEW OF RECOMMENDED SDC METHODOLOGY



The reimbursement fee is based on the value of available capacity in the system that will serve growth. The improvement fee is based on future capital costs associated with providing growth's additional capacity needs (above what is already available in the system). Together, the reimbursement and improvement fees recover costs equal to growth's capacity needs.

The value of existing system available capacity is added to the cost of future improvements needed for growth to determine the SDC cost basis. The cost basis is then divided by the forecast growth units (trips) to determine the system-wide unit cost of capacity (\$/trip). Finally, the SDCs for individual developments are determined by applying the unit costs to the individual development's estimated capacity requirements (trips per unit of development).

SECTION 2

Determine Capacity Needs

Oregon SDC law requires explicit analysis of growth capacity requirements, and demonstration of how those capacity needs will be met through existing and future facilities. This section describes the approach to determining growth capacity needs for different types of improvements.

System-Wide Growth Capacity Requirements

Like most infrastructure systems, roadway systems are designed to accommodate peak rates of use, which typically occur during the weekday afternoon period between the hours of 4 and 6 p.m. (the "PM peak"). Therefore, roadway system capacity is typically measured by trip generation and mobility standards during the PM peak.

The travel demand model used to identify transportation improvement needs in the 2010 Transportation System Plan relied upon weekday PM peak hour trip data. The travel demand model for the City has 20,558 existing trips that travel within or through the Albany Urban Growth Boundary (UGB) area. The existing model includes internal-internal trips, internal-external, external-internal trips, and external-external trips. Each type of trip has two ends, so total existing trip ends are 41,116. Table 2-1 identifies the total number of trip ends for each type of trip under existing conditions and projected 2030 conditions.

Table 2-1

Model Vehicle Trip Ends and Percent Growth

	Internal-Internal	Internal-External & External-Internal	External-External	Total Trip Ends	Net of External-External
Existing Trip Ends	15,622	14,156	11,338	41,116	29,778
Projected Trip Ends	22,006	21,258	17,272	60,536	43,264
Growth Trip Ends	6,384	7,102	5,934	19,420	13,486

As shown in Table 2-1, the travel demand model has 60,536 weekday PM peak hour trip ends of which approximately 32 percent (19,420) are growth-related trips. External-external or "through" trips have neither an origin nor a destination in the City; when external-external trips are removed from total trip ends, the net is 13,486 growth trips.

Project Cost Allocations

The system-wide growth in trips will be accommodated by existing roadway reserve capacity, as well as planned future capacity expansion. Capacity expansion comes in the form of both new facilities and expansion of existing facilities (roadways and intersections).

A key component of the SDC methodology is allocation of existing facility and planned future facility costs to growth, in proportion to estimated capacity requirements. Table 2-1 presented the system-wide capacity requirements of growth; however, for purposes of determining potential SDC-eligibility, individual projects are analyzed to determine the portion of costs needed for future growth requirements versus existing development deficiencies. The cost allocation approaches that form the basis of this methodology are described below. The SDC statutes require that improvement SDC revenues be spent only on the portion of project costs related to future growth. Therefore, the project cost allocations establish the maximum potential SDC-eligibility for each project. The City may elect to reduce the resulting SDC by funding few projects, or smaller portion of project costs from SDCs.

Roadway and Intersection Facilities

The roadway and intersection cost allocation basis by project type is summarized in Table 2-2, and described in subsections below.

Table 2-2
Summary of Project Cost Allocations

Project Type	SDC-eligible	Basis
Existing road improvements Existing intersection improvements Urban upgrades Existing facilities with recent improvements	varies by project	Growth based on share of 2030 trip volume
New roadways or extensions New intersection improvements Right of way associated with existing roadway expansion	100%	No existing deficiency; new capacity needed entirely for growth

Future Improvements (Improvement Fee)

For expansion/upgrade of existing facilities (i.e., roadway capacity projects, urban upgrades, and non-development driven intersection improvements), trip generation data by roadway link (from the City's travel demand model) were used to quantify growth's utilization of future roadway and intersection capacity. Growth capacity utilization is estimated based on the growth in trips over the planning period, as a percentage of total future trips for individual roadway links.

For state-owned roadway facilities, the percentage of 'through trips' (external-external trips) are removed to reduce the SDC-eligible share to trips associated with local growth only. For projects where additional right of way is needed to expand roadway capacity exclusively for growth (i.e., existing mobility standards are being met), the right-of-way costs are allocated 100 percent to new development.

For intersection projects, growth capacity is based on the ratio of future and existing entering vehicle volumes at the intersections, as determined by the City's travel demand model.

New roadways and extensions driven by future development capacity requirements are allocated 100 percent to growth, since the capacity is needed entirely for new development. Similarly, traffic signals that are not needed to meet existing mobility standards, but are needed once the growth trips are added to the intersection, are assumed to be 100 percent growth-related, since there is no existing deficiency.

Existing Facilities (Reimbursement Fee)

For recently constructed facilities, the travel demand 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 future project improvements.

Bike and Pedestrian Capacity Analysis

Unlike roadway and intersection projects, trip data for bike and pedestrian improvements is not available. Therefore, growth capacity needs for bike and pedestrian facilities are evaluated based on the planned level of service (LOS) basis. The planned LOS is defined as the quantity of future facilities per 1,000 population served.

The following equation shows the calculation of the planned LOS:

$$\frac{\text{Existing}Q + \text{Planned}Q}{\text{Future Population Served}} = \text{Planned LOS}$$

Where:

Q = quantity (miles of bike or pedestrian facilities), and
 Future Population Served (within the UGB) = 63.820 (1,000's)

The existing and future miles of bike and pedestrian facilities are shown in Table 2-3. As indicated, the total future miles of bikeways are 87, including the 55 miles existing. Existing and future miles of pedestrian facilities are 57 and 95, respectively.

Table 2-3
 Existing and Future Bike and Pedestrian Facilities

		Existing	Future (Total)	New
Bicycle Facilities	Bike Lanes	55	78	23
	Bike Boulevard	0	6	6
	Sharrows	0	2	2
Bicycle Facility TOTALS		55	87	32
Pedestrian Facilities	Sidewalks on Arterials and Collectors	46	71	25
	Pedestrian Esplanades	0	2	2
	Multi-Use Path	11	22	11
Pedestrian Facility TOTALS		57	95	38

Population for existing and 2030 conditions is presented in Table 2-4. Growth during the planning period is estimated to be 16,190.

Table 2-4
Population Growth

	Existing	Year 2030	Population Growth
Population	47,630	63,820	16,190

Table 2-5 presents the existing and planned LOS for bike and pedestrian facilities, based on the existing and planned future facilities presented in Table 2-3 divided by the existing and projected 2030 population presented in Table 2-4.

Table 2-5
Existing and Planned LOS (miles per 1,000 population)

	Existing LOS	Planned LOS
Bike	1.15473	1.35786
Pedestrian	1.19672	1.48126

The capacity requirements, or number of facility miles, needed for the existing population and for the growth population are estimated by multiplying the planned (future) LOS for each facility type (from Table 2-5) by the population of each group (from Table 2-4). The need for the existing population is equal to the planned LOS multiplied by the existing population (47,630). Existing users' needs are assumed to be met first by the existing inventory of facilities; any shortfall is assumed to come from planned improvements. The total capacity need required by growth is equal to the product of the planned LOS and the projected increase in population over the planning period (16,190).

Total capacity needs for the existing and growth populations are shown in Table 2-6, based on the LOS and population information shown in Tables 2-5 and 2-4. The additional need for facilities by the existing population is equal to the total inventory needed less the existing inventory (from table 2-3). As Table 2-6 indicates, the total additional need (i.e. current deficit) for bikeways is 10 miles, and for pedestrian paths is 14 miles. These deficits, along with growth's capacity needs will be met through the planned improvements.

Table 2-6

Existing and Growth Capacity Needs for Bike and Pedestrian Facilities

	Existing Population Need	Existing Inventory	Existing Need from Improvements	Growth Need
Bike	65	55	10	22
Pedestrian	71	57	14	24

Improvements to the bike and pedestrian systems come from two categories of projects; 1) urban upgrades and 2) bike and pedestrian projects, as shown in Table 2-7. Of the total 32 miles of bikeways, and 38 miles of pedestrian ways added, 20 miles are associated with urban upgrades, and the remaining (12 miles of bike and 18 miles of pedestrian) are associated with new bike and pedestrian projects.

Table 2-7

Existing and Growth Allocation

	Additions from Urban Upgrades (miles)	Additions from Bike/Ped Projects (miles)	Total miles Added (1)	Urban Upgrade Existing Allocation (miles) (2)	Urban Upgrade Growth Allocation (miles) (2)	Bike/ Ped Project Existing Allocation (miles)	Bike/ Ped Project Growth Allocation (miles/%)
Bike	20	12	32	13	7	0	12 (100%)
Pedestrian	20	18	38	13	7	1	17 (94%)

1) From Table 2-3
 2) Based on average of all urban upgrade projects: 65% existing and 35% growth (see Table 3-2 in following section)

The costs of the bike and pedestrian improvements associated with the urban upgrade projects are not itemized separately from the other street improvement costs; therefore, all costs are allocated based on traffic volumes, as described previously. Based on the project list from the adopted TSP, and data from the travel demand model, overall, existing and new development are allocated 65 percent and 35 percent of urban upgrade project costs, respectively. Applying these percentages to the mileage from urban upgrades, results in an allocation of 13 miles for existing and 7 miles for growth.

As indicated in Table 2-5, the existing deficiencies for bike and pedestrian facilities are 10 miles and 14 miles, respectively. For bike improvements, the existing development allocation from urban upgrades (13 miles) is sufficient to address the existing deficiency; therefore, 100 percent of additional bike improvements are allocated to growth. For pedestrian facilities, an existing deficiency of 1 mile remains to be met from the other pedestrian projects. Based on a total of 18 miles of additional pedestrian projects, the maximum growth allocation is 17 miles (94 percent).

Studies

Cost allocations for studies vary based on the type of study. The TSP is allocated in proportion to total future trip generation (growth is 32 percent). Capacity-related projects are allocated 100 percent to growth (e.g., Knox Butte and Santiam studies), and safety and accessibility audits are 0 percent SDC-eligible.

SECTION 3

Cost Basis

The cost basis represents the total costs needed to meet the demands of growth through 2030, as determined by the project cost allocation analysis described in Section 2.

Reimbursement Fee

The SDCr is calculated based on the inflated book value of reserve capacity from arterial and collector street improvements built with city funds (exclusive of grants and developer contributions) since 1997. Specific projects included in the reimbursement fee cost basis are shown in Appendix Table 1. As shown in Table 3-1, the total value of the reimbursement projects is \$18.3 million, of which \$5.9 million is allocated to growth, based on the capacity analysis described in Section 2.

Table 3-1
Reimbursement Fee Cost Basis

	Total	Growth	
		\$	%
Roadways	\$14,994,052	\$4,965,607	33%
Intersections	\$2,644,003	\$621,929	24%
Sidewalk Improvements	\$88,829	\$62,180	70%
TSP	\$570,456	\$285,228	50%
Total	\$18,297,340	\$5,934,945	32%

Improvement Fee

Table 3-2 summarizes the improvement fee cost basis. The improvement fee cost basis reflects allocation of individual projects from the SDC project list; detailed information on the SDC project costs and allocations is provided in Appendix Table 2. Project costs include construction costs and right-of-way (ROW) acquisition, and allocation percentages reflect the approaches described in Section 2 for each project type¹.

Table 3-2
Improvement Fee Cost Basis

	Total	Growth	
		\$	%
NEW ROADWAYS & EXTENSIONS	\$44,679,000	\$44,679,000	100%
INTERSECTIONS - DEVELOPMENT DRIVEN	\$7,215,000	\$7,215,000	100%
OTHER INTERSECTION IMPROVEMENTS	\$10,615,000	\$3,183,090	30%
URBAN UPGRADE	\$89,364,000	\$31,191,600	35%
EXISTING ROADWAY CAPACITY IMPROVEMENTS	\$63,462,000	\$29,992,560	46%
BIKE LANES, SHARROWS, BOULEVARDS	\$2,113,000	\$2,113,000	100%
SIDEWALKS, ESPLANADES & MULTI-USE PATHS	\$23,848,000	\$16,693,600	70%
STUDIES & POLICIES	\$880,000	\$562,000	64%
Total	\$242,176,000	\$134,629,850	56%

As shown in Table 3-2, the total improvement costs are estimated to be \$242.2 million, of which, \$134.6 million (56 percent) is allocated to growth.

¹ Section 2 identifies the maximum allocation of pedestrian improvements that are not part of urban upgrades (sidewalks, esplanades, and multiuse path) as 94%; however, the adopted TSP included these projects as 70% funded from SDCs based on the draft TSP analysis; therefore, these projects are assumed to remain at the lower SDC funding.

SECTION 4

SDC Schedule

The transportation SDC for an individual development is based on the total cost per trip (including the reimbursement and improvement fees) and the number of trips attributable to a particular development.

Maximum-Allowable Unit Costs (\$/Trip)

Based on the approaches outlined in Sections 2 and 3, the maximum-allowable cost per trip is equal to \$10,423, as shown in Table 4-1, and is comprised of the following components:

\$440 (reimbursement fee) + \$9,983 (improvement fee)

Table 4-1
Maximum Allowable Transportation Unit Costs of Capacity (\$/Trip)

	Improvement	Reimbursement	Combined
Cost Basis (1)	\$134,629,850	\$5,934,945	\$140,780,233
Growth Trip Ends (2)	13,486	13,486	
SDC per Trip End	\$9,983	\$440	\$10,423

(1) From Table 3-1 and 3-2

(2) From Table 2-1

Oregon SDC law requires that the methodology demonstrate that the combined SDC charge is not based on providing the same capacity through the reimbursement and improvement fee components. The Albany SDC methodology accomplishes this requirement. Specifically, the methodology determines total growth capacity requirements and the portion of capacity to be met through existing system available capacity and future capacity expansion. Furthermore, when calculating the individual reimbursement and improvement unit costs, the cost bases are divided by the *total* projected growth units for the planning period. Therefore, the combined fee represents a weighted average cost of existing and available capacity.

Trip Generation Rates

The standard practice in the transportation industry is to use Institute of Transportation Engineers (ITE) trip generation rates to determine the SDCs for *individual* developments. ITE trip rates by land use are based on studies from around the country, and in the absence of local data, represent the best available source of trip data for specific land uses. Trip rates for common land use types, from the current volume of the ITE manual, are provided in Table 4-2.

Table 4-2
Trip Rates for Sample Development Types

ITE Code	Description	Units	PM peak trips
210	1 single family	1 dwelling unit	1.01
220	1 apartment	1 unit	0.62
140	Manufacturing	1000 sf	0.73
710	general office	1000 sf	1.49
820	shopping center	1000 sf	3.73
931	quality restaurant	1000 sf	7.49

Pass-By Trip Adjustments

Pass-by trip adjustments are applied to the ITE trip rates for certain land use types. Pass-by trips refer to trips that occur when a motorist is already on the roadway, as in the case of a traveler stopping by a fast-food restaurant on the way home from work. In this case, the motorist making a stop while "passing by" is counted as a trip generated by the restaurant, but it does not represent a new trip on the roadway. Such trip adjustments, also referred to as linked trips or trip chaining, differ by land use and are studied and reported by the ITE.

Table 4-3
Pass-by Trip Adjustments for Sample Development Types

ITE Code	Description	Pass by Factor
210	1 single family	1.00
220	1 apartment	1.00
140	Manufacturing	0.92
710	general office	0.92
820	shopping center	0.50
931	quality restaurant	0.50

Sample SDCs

The transportation SDC for an individual development is based on the cost per trip (including the reimbursement and improvement fees) and the number of trips attributable to a particular development, where the number of development trips is computed as follows:

$$\text{Number of Development Trips} = \text{Trip Generation Rate} \times \text{Pass-By Adjustment} \times \text{Development Units}$$

Example SDCs for sample development types are shown in **Table 4-4**. The maximum allowable SDC for a single family dwelling unit is \$10,527, including SDC_i of \$10,083 and a SDC_r of \$444.

Table 4-4
Sample SDC based on Maximum-Allowable Unit Costs

ITE Code	Description	Units	PM peak trips	Pass by Factor	Cost per Unit		
					"I"	"R"	Combined
210	single family	1 unit	1.01	1.00	\$10,083	\$444	\$10,527
220	apartment	1 unit	0.62	1.00	\$6,189	\$273	\$6,462
140	manufacturing	1000 sf	0.73	0.92	\$6,705	\$296	\$7,000
710	general office	1000 sf	1.49	0.92	\$13,685	\$603	\$14,288
820	shopping center	1000 sf	3.73	0.50	\$18,618	\$821	\$19,439
931	quality restaurant	1000 sf	7.49	0.50	\$37,386	\$1,648	\$39,034

SECTION 5

Implementation Considerations

Adoption of Reduced Fee Level

The SDCs presented in Section 4, represent the maximum-allowable SDCs that the City may charge based on the methodology described in this report, and the SDC Project List. The City may choose to adopt reduced fee levels to balance community interest and objectives.

Impact on Credits for Qualified Public Improvements

As indicated in Section 1, Oregon SDC statutes require that the City provide credits against the improvement fees for construction of "qualified public improvements." If the City adopts an SDC that is below the maximum-allowable, as determined by the methodology and Project List, then the credit need only apply to projects that are funded by the reduced fee level.

SDC Assessment

Exceptional Users

By necessity, an SDC calculation methodology must employ a variety of assumptions about the nature of demands placed by future system users, the costs and timing of growth-related capital improvements, and system capacity use. There are limits to how precise these assumptions may be because of data limitations. For most new developments, the margin of error in predicting system impact is within an acceptable range. However, it is possible that one or a few exceptional prospective users alone may have sufficient impact on future system use and capital improvements to invalidate certain basic assumptions of a particular SDC calculation.

It is recommended that for developments determined during staff review, to exhibit trip characteristics significantly different from those on which the existing rate is based, the City Traffic Engineer will assign a trip rate based on the best available information at the time of actual SDC calculations.

Alternative Trip Generation Calculation

The City's local land use code contains provisions to require a Traffic Impact Analysis (TIA) to be submitted and approved for certain types of developments. Developments that must comply with the TIA requirements are provided with an opportunity to combine that process with a request for an optional alternate trip rate calculation. The data requirements for each process are similar, and taking this into account helps facilitate the establishment of data needed for the alternate trip rate calculation earlier in the development planning process.

Annual Inflationary Adjustments

Per the City's current SDC policy, the transportation SDCs should continue to be adjusted based on an inflationary index. The City uses the Engineering News Record Construction Cost index for Seattle as the basis for adjusting all of its SDCs.

Appendix Table 1 - Reimbursement Fee Project List

Facility	Volume		Growth %	\$	
	Total	Growth		Total	Growth
Roadways					
34th Ave: Hwy 99 to Marion	1,582	627	40%	\$2,680,516	\$1,062,379
34th Ave: Marion to Waverly	1,456	588	40%	\$884,577	\$357,233
Clover Ridge Rd: Knox Butte to Summerset	595	356	60%	\$22,998	\$13,760
Elm St: Queen to 24 th	464	103	22%	\$370,957	\$82,346
Geary (10th/17th), 14th (Geary/Clay) & Clay (Santiam/14th)	3,413	486	14%	\$831,198	\$118,360
Grand Prairie: Waverly to I-5	1,220	603	49%	\$153,378	\$75,809
Hill St: 9th to Queen	849	132	16%	\$1,434,791	\$223,077
Marion: 13th to 24 th	557	258	46%	\$1,431,601	\$663,112
Marion: 24th to 34 th	388	93	24%	\$922,109	\$221,021
Marion: 34th to Railroad	322	203	63%	\$288,102	\$181,630
N. Albany Rd: Hickory to Hwy 20	1,068	49	5%	\$1,258,259	\$57,729
Pacific and 9th: Geary to Jackson	4,789	1149	24%	\$249,557	\$59,875
Queen: Marion to Main	1,254	309	25%	\$885,260	\$218,138
Salem Rd: Chicago to Albany Ave	936	69	7%	\$451,320	\$33,270
Salem: Lake to city limits	734	54	7%	\$1,087,715	\$80,023
Santiam: Cleveland to Main	1,737	1260	73%	\$1,098,882	\$797,117
Waverly: Grand Prairie to 36th Ave	2,103	840	40%	\$369,819	\$147,717
Timber St: Hwy 20 to Three Lakes			100%	\$408,704	\$408,704
Timber/Knox Butte Property Acquisition			100%	\$164,308	\$164,308
TSP			50%	\$570,456	\$285,228
Sidewalk Improvements			70%	\$88,829	\$62,180
COMPLETED INTERSECTION PROJECTS					
Intersection 14th & Clay	1,393	188	13%	\$130,402	\$17,599
Intersection Goldfish Farm Rd & Hwy 20	2,106	951	45%	\$136,245	\$61,524
				\$109,440	\$55,845
Intersection: 99E / Hwy 20 / 9th (underpass)	2,025	325	16%	\$278,533	\$44,703
Intersection: Killdeer & Hwy 99	3,575	1190	33%	\$223,974	\$74,554
Intersection: N. Albany Rd roundabout	1,146	226	20%	\$1,036,098	\$204,326
Intersection: N. Albany Rd & Hickory	1,217	52	4%	\$205,029	\$8,760
Intersection: N. Albany Rd & W. Thornton Lake Dr			29%	\$524,282	\$154,618
				\$18,297,340	\$5,934,945
Reimbursement SDC Cost Basis				\$5,934,945	

Appendix Table 2 Improvement Fee Project List

Project #	Project	Classification	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDC Eligible
B1	14th Avenue	Bike	short	100%	\$2,000	\$2,000
B2	Waverly Drive	Bike	short	100%	\$5,000	\$5,000
B3	Hill Street	Bike	long/dev	100%	\$743,000	\$743,000
B4	24th Avenue	Bike	short	100%	\$5,000	\$5,000
B5	Jackson Street	Bike	short	100%	\$674,000	\$674,000
B6	Center Street	Bike	short	100%	\$6,000	\$6,000
B7	US 20, North Albany	Bike	long/dev	100%	\$31,000	\$31,000
B8	1st Avenue	Bike	long/dev	100%	\$43,000	\$43,000
B9	2nd Avenue	Bike	long/dev	100%	\$43,000	\$43,000
B10	Madison Street/7th Avenue	Bike	long/dev	100%	\$40,000	\$40,000
B11	7th Avenue	Bike	long/dev	100%	\$95,000	\$95,000
B12	Takena	Bike	long/dev	100%	\$53,000	\$53,000
B13	Liberty/Lakewood	Bike	long/dev	100%	\$76,000	\$76,000
B14	12th Avenue (West)	Bike	mid	100%	\$32,000	\$32,000
B15	Bain Street	Bike	long/dev	100%	\$49,000	\$49,000
B16	South Shore Drive	Bike	long/dev	100%	\$33,000	\$33,000
B17	Shortridge Street	Bike	long/dev	100%	\$27,000	\$27,000
B18	24th Avenue	Bike	long/dev	100%	\$44,000	\$44,000
B19	38th Avenue and 39th Avenue	Bike	mid	100%	\$106,000	\$106,000
B20	Lyon Street	Bike	short	100%	\$2,000	\$2,000
B21	Ellsworth Street	Bike	short	100%	\$4,000	\$4,000
I1	Main Street/Salem Avenue/3rd Avenue	Intersection	short	100%	\$1,088,000	\$1,088,000
I2	Main Street/Santiam Avenue/4th Avenue	Intersection	short	69%	\$255,000	\$175,950
I3	14th Avenue/Heritage Mall Access	Intersection	short	100%	\$41,000	\$41,000
I4	14th Avenue/Clay Street	Intersection	short	100%	\$10,000	\$10,000
I5	Waverly Avenue/14th Avenue	Intersection	short	100%	\$41,000	\$41,000
I6	Waverly Avenue/Queen Avenue	Intersection	long/dev	100%	\$72,000	\$72,000
I7	Waverly Avenue/Grand Prairie	Intersection	long/dev	100%	\$175,000	\$175,000
I8	US 20/North Albany Road	Intersection	short	13%	\$40,000	\$5,200
I9	US 20/Springhill Drive	Intersection	short	23%	\$14,000	\$3,220
I10	Knox Butte/Century Drive	Intersection	short	0%	\$345,000	\$0
I11	34th Avenue/Marion Street	Intersection	mid	100%	\$345,000	\$345,000

Project #	Project	Classification	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDC Eligible
I12	US 20 (Lyon Street)/2nd Avenue	Intersection	mid	16%	\$23,000	\$3,680
I13	US 20/Clay Street	Intersection	mid	20%	\$185,000	\$37,000
I14	OR 99E/34th Avenue	Intersection	long/dev	32%	\$192,000	\$61,440
I15	34th Avenue/Hill Street	Intersection	long/dev	100%	\$350,000	\$350,000
I16	Ellingson Road/Columbus Street	Intersection	long/dev	100%	\$345,000	\$345,000
I17	Waverly Avenue/14th Avenue	Intersection	long/dev	100%	\$77,000	\$77,000
I18	Queen Avenue/Geary Street	Intersection	long/dev	100%	\$1,901,000	\$1,901,000
I19	Waverly Avenue/34th Avenue	Intersection	long/dev	100%	\$42,000	\$42,000
I20	US 20 (Ellsworth Street)/1st Avenue	Intersection	mid	22%	\$18,000	\$3,960
I21	US 20 (Lyon Street)/1st Avenue	Intersection	mid	23%	\$11,000	\$2,530
I22	US 20 (Lyon Street)/1st Avenue	Intersection	mid	23%	\$10,000	\$2,300
I23	US 20 (Ellsworth Street)/2nd Avenue	Intersection	mid	23%	\$17,000	\$3,910
I24	OR 99E/Waverly Avenue	Intersection	long/dev	27%	\$959,000	\$258,930
I25	US 20/Waverly Drive	Intersection	long/dev	29%	\$853,000	\$247,370
I26	US 20/Waverly Drive	Intersection	long/dev	29%	\$240,000	\$69,600
I27	OR 99E/Queen Avenue	Intersection	long/dev	26%	\$894,000	\$232,440
I28	OR 99E/34th Avenue	Intersection	long/dev	32%	\$456,000	\$145,920
I29	OR 99E/Killdeer Avenue	Intersection	long/dev	28%	\$3,207,000	\$897,960
I30	US 20/Timber Street	Intersection	long/dev	44%	\$571,000	\$251,240
I31	US 20/Timber Street	Intersection	long/dev	44%	\$619,000	\$272,360
I33	Knox Butte/New North/South Collector	Intersection	long/dev	100%	\$525,000	\$525,000
I34	Springhill Dr./Hickory St.	Intersection	long/dev	100%	\$345,000	\$345,000
I35	Gibson Hill Rd/Crocker Ln	Intersection	mid	100%	\$345,000	\$345,000
I36	Timber Street Extension/18th Avenue/Spicer Drive ROW	Intersection	short	100%	\$650,000	\$650,000
I36	Timber Street Extension/18th Avenue/Spicer Drive	Intersection	long/dev	100%	\$863,000	\$863,000
I37	OR 99E / 29th Ave	Intersection	long/dev	28%	\$106,000	\$29,680
I38	Salem Avenue/Geary Street	Intersection	long/dev	28%	\$845,000	\$236,600
I39	OR 99E/Lyon Street	Intersection	long/dev	16%	\$205,000	\$32,800
I40	OR 99E/53rd Avenue	Intersection	long/dev	38%	\$550,000	\$209,000
L1	53rd Avenue Extension	Roadway Link	long/dev	54%	\$17,986,000	\$9,712,440
L2	Waverly Drive	Roadway Link	long/dev	36%	\$1,394,000	\$501,840
L3	Washington/Calapooia/1st/2nd	Roadway Link	short	42%	\$100,000	\$42,000
L4	Timber Street Extension ROW	Roadway Link	short	100%	\$966,000	\$966,000
L4	Timber Street Extension	Roadway Link	long/dev	100%	\$2,708,000	\$2,708,000
L5	Main Street - 7th Avenue - Hill Street	Roadway Link	mid	64%	\$1,292,000	\$826,880

Project #	Project	Classification	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDC Eligible
L6	North Albany Road	Roadway Link	mid	29%	\$5,847,000	\$1,695,630
L6	North Albany Road ROW	Roadway Link	short	100%	\$19,000	\$19,000
L8	Lochner-Columbus Connector	Roadway Link	long/dev	100%	\$2,742,000	\$2,742,000
L9	Queen Avenue	Roadway Link	long/dev	12%	\$0	\$0
L10	New North Albany Connector	Roadway Link	long/dev	100%	\$5,818,000	\$5,818,000
L11	Spicer Drive Extension (West of Timber St.)	Roadway Link	long/dev	100%	\$982,000	\$982,000
L12	Spicer Drive Extension (East of Timber St.)	Roadway Link	long/dev	100%	\$1,666,000	\$1,666,000
L13	Goldfish Farm Road Extension	Roadway Link	long/dev	100%	\$1,013,000	\$1,013,000
L14	Dogwood Avenue Extension	Roadway Link	long/dev	100%	\$3,294,000	\$3,294,000
L15	New North/South Collector	Roadway Link	long/dev	100%	\$7,497,000	\$7,497,000
L16	New East/West Collector	Roadway Link	long/dev	100%	\$3,723,000	\$3,723,000
L17	Expo Parkway Extension (south of Dunlap)	Roadway Link	long/dev	100%	\$996,000	\$996,000
L18	Timber Street Extension to Somerset Avenue	Roadway Link	long/dev	100%	\$1,720,000	\$1,720,000
L19	Somerset Avenue Extension	Roadway Link	long/dev	100%	\$1,653,000	\$1,653,000
L20	Santa Maria Avenue Extension	Roadway Link	long/dev	100%	\$1,872,000	\$1,872,000
L21	Knox Butte Road Widening ROW	Roadway Link	short	100%	\$1,478,000	\$1,478,000
L21	Knox Butte Road Widening	Roadway Link	long/dev	60%	\$3,169,000	\$1,901,400
L22	Knox Butte Road Widening ROW	Roadway Link	short	100%	\$31,000	\$31,000
L22	Knox Butte Road Widening	Roadway Link	long/dev	56%	\$825,000	\$462,000
L23	Knox Butte Road Widening	Roadway Link	long/dev	52%	\$1,256,000	\$653,120
L24	Knox Butte Road Widening	Roadway Link	long/dev	47%	\$7,688,000	\$3,613,360
L25	Dunlap Avenue Extension	Roadway Link	long/dev	100%	\$1,045,000	\$1,045,000
L26	Springhill Road Widening	Roadway Link	long/dev	61%	\$3,406,000	\$2,077,660
L27	US 20 Widening	Roadway Link	long/dev	18%	\$8,351,000	\$1,503,180
L28	Ellingson Road Extension	Roadway Link	long/dev	61%	\$4,430,000	\$2,702,300
L30	Oak Street	Roadway Link	short	100%	\$2,130,000	\$2,130,000
L31	Fescue Street to Three Lakes Road Connector	Roadway Link	long/dev	100%	\$886,000	\$886,000
L32	Fescue Street Extension	Roadway Link	long/dev	100%	\$3,054,000	\$3,054,000
L33	Three Lakes Road Realignment ROW	Roadway Link	short	59%	\$750,000	\$442,500
L33	Three Lakes Road Realignment	Roadway Link	long/dev	59%	\$1,868,000	\$1,102,120
L34	Looney Lane Extension	Roadway Link	long/dev	100%	\$914,000	\$914,000
L35	Albany Avenue Widening	Roadway Link	long/dev	26%	\$1,177,000	\$306,020
L36	West Thornton Lake Drive, North Albany Road & North Albany Middle School	Roadway Link	long/dev	11%	\$565,000	\$62,150

Project #	Project	Classification	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDC Eligible
L37	Springhill Drive	Roadway Link	long/dev	18%	\$4,158,000	\$748,440
L38	Scenic Drive	Roadway Link	long/dev	10%	\$6,842,000	\$684,200
L39	Century Drive	Roadway Link	long/dev	52%	\$3,199,000	\$1,663,480
L40	Gibson Hill Road	Roadway Link	long/dev	6%	\$3,816,000	\$228,960
L41	Skyline Drive	Roadway Link	long/dev	0%	\$1,523,000	\$0
L42	Crocker Lane	Roadway Link	long/dev	30%	\$4,529,000	\$1,358,700
L43	Valley View Drive	Roadway Link	long/dev	40%	\$3,695,000	\$1,478,000
L44	West Thornton Lake Drive	Roadway Link	long/dev	11%	\$6,097,000	\$670,670
L45	Allen Lane	Roadway Link	long/dev	56%	\$2,689,000	\$1,505,840
L46	Columbus Street	Roadway Link	long/dev	49%	\$2,727,000	\$1,336,230
L47	Grand Prairie Road	Roadway Link	long/dev	53%	\$2,260,000	\$1,197,800
L48	Spicer Drive	Roadway Link	long/dev	32%	\$868,000	\$277,760
L49	Scravel Hill Road	Roadway Link	long/dev	21%	\$9,699,000	\$2,036,790
L50	Quarry Road	Roadway Link	long/dev	21%	\$3,493,000	\$733,530
L51	Spicer Road	Roadway Link	long/dev	54%	\$676,000	\$365,040
L52	Goldfish Farm Road	Roadway Link	long/dev	82%	\$4,444,000	\$3,644,080
L53	Ellingson Road	Roadway Link	long/dev	49%	\$5,847,000	\$2,865,030
L54	Lochner Road	Roadway Link	long/dev	44%	\$5,756,000	\$2,532,640
L55	Three Lakes Road ROW	Roadway Link	short	42%	\$287,000	\$120,540
L55	Three Lakes Road	Roadway Link	long/dev	42%	\$4,569,000	\$1,918,980
L56	US 20 - East of I-5	Roadway Link	long/dev	44%	\$2,068,000	\$909,920
L57	Santa Maria Avenue	Roadway Link	long/dev	91%	\$694,000	\$631,540
L58	Oak Street	Roadway Link	short	65%	\$2,187,000	\$1,421,550
L59	Water Avenue	Roadway Link	short	50%	\$4,070,000	\$2,035,000
L60	US 20 Superelevation and Widening	Roadway Link	long/dev	22%	\$3,122,000	\$686,840
L61	Three Lakes Road	Roadway Link	long/dev	0%	\$1,879,000	\$0
M1	Queen/Geary Periwinkle Path	MultiUse Path	short	70%	\$46,000	\$32,200
M2	Oak Creek Trail	MultiUse Path	long/dev	70%	\$2,645,000	\$1,851,500
M3	West Timber-Linn Trail	MultiUse Path	mid	70%	\$161,000	\$112,700
M4	South Waterfront Trail	MultiUse Path	mid	70%	\$76,000	\$53,200
M5	Albany-Corvallis Multiuse Path	MultiUse Path	mid	70%	\$435,000	\$304,500
M6	Albany-Corvallis Multiuse Path	MultiUse Path	long/dev	70%	\$761,000	\$532,700
M7	East Timber-Linn Trail	MultiUse Path	long/dev	70%	\$277,000	\$193,900

Project #	Project	Classification	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDC Eligible
M8	Bain Street/Waverly Lake Trail	MultiUse Path	long/dev	70%	\$153,000	\$107,100
M9	Lebanon Trail	MultiUse Path	long/dev	70%	\$581,000	\$406,700
M10	Periwinkle Trail Extension	MultiUse Path	long/dev	70%	\$1,528,000	\$1,069,600
M11	East Albany Willamette River Bridge	MultiUse Path	long/dev	70%	\$7,657,000	\$5,359,900
M12	99E/Oak Creek	MultiUse Path	long/dev	70%	\$129,000	\$90,300
M13	US 20/99E Undercrossing	MultiUse Path	long/dev	70%	\$1,500,000	\$1,050,000
P1	Springhill Drive	Pedestrian	mid	70%	\$542,000	\$379,400
P2	99E/24th Avenue	Pedestrian	long/dev	70%	\$129,000	\$90,300
P3	Oregon 99E: Burkhart to Waverly	Pedestrian	long/dev	70%	\$129,000	\$90,300
P4	Ferry Street	Pedestrian	long/dev	70%	\$725,000	\$507,500
P5	Columbus Street	Pedestrian	long/dev	70%	\$277,000	\$193,900
P6	Geary Street	Pedestrian	long/dev	70%	\$791,000	\$553,700
P7	Airport Road	Pedestrian	long/dev	70%	\$485,000	\$339,500
P8	Killdeer Street	Pedestrian	long/dev	70%	\$174,000	\$121,800
P9	Waverly Drive	Pedestrian	long/dev	70%	\$88,000	\$61,600
P10	Albany-Santiam Canal Pedestrian Esplanade	Pedestrian	long/dev	70%	\$1,232,000	\$862,400
P11	Thurston Street Canal Pedestrian Esplanade	Pedestrian	long/dev	70%	\$1,863,000	\$1,304,100
P12	Gibson Hill Road	Pedestrian	short	70%	\$1,034,000	\$723,800
S1	ADA Accessibility Audit	Studies	short	0%	\$25,000	\$0
S2	Hwy 20 Corridor and Downtown Refinement Plan	Studies	short	100%	\$250,000	\$250,000
S3	Safety Audit	Studies	short	0%	\$30,000	\$0
S4	OR 99E Speed Study	Studies	short	0%	\$0	\$0
S5	Downtown STA	Studies	short	0%	\$0	\$0
S6	Albany TSP MPO Update	Studies	mid	32%	\$350,000	\$112,000
S7	Major Corridors	Studies	long/dev	0%	\$0	\$0
S8	Wayfinding	Studies	long/dev	0%	\$25,000	\$0
S9	Interstate 5 / OR 99E / Knox Butte	Studies	long/dev	100%	\$100,000	\$100,000
S10	Interstate 5 / US 20 (Santiam)	Studies	long/dev	100%	\$100,000	\$100,000
T1	ADA Accessibility Projects	Pedestrian	mid	70%	\$430,000	\$301,000
	TOTALS				\$242,176,000	\$134,629,850
	Improvement SDC Cost Basis					\$134,629,850

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING SYSTEM DEVELOPMENT CHARGES FOR IMPACTS TO THE ALBANY TRANSPORTATION SYSTEM, ESTABLISHING AN APPEAL FEE AND REPEALING RESOLUTION NO. 5806 (A RESOLUTION REVISING TRANSPORTATION SYSTEM DEVELOPMENT CHARGES, REAFFIRMING AN SDC CREDIT POLICY, REAFFIRMING AN APPEAL FEE AND REPEALING RESOLUTION NO. 5429).

WHEREAS, through the historic adoption of ordinances establishing and amending Albany Municipal Code 15.16 regarding system development charges, the Council of the City of Albany has duly declared its intent to comply with the provisions of ORS 223.207 through 223.208 and 223.297 through 223.314; and

WHEREAS, a methodology for the calculation of an improvement and reimbursement fee system development charge for the transportation system in Albany has been developed as specifically described in Resolution No. ____; and

WHEREAS, the adopted methodology resulted in a maximum allowable fee of \$10,423; however in the interest of promoting economic development, the City Council deemed it desirable to charge less than the legally allowable charges; and

WHEREAS, the *Engineering News Record* (ENR) Construction Cost Index (Seattle) in February 2010, when the project list and costs within the Transportation System Plan were adopted was 8647.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that Resolution No. 5806 is hereby repealed; and

BE IT FURTHER RESOLVED that an improvement fee and a reimbursement fee transportation system development charge for Albany hereby be established as described herein; and

BE IT FURTHER RESOLVED that an appeal fee is hereby established as described herein; and

BE IT FURTHER RESOLVED that the transportation system development charge improvement fee and reimbursement fee established by this resolution shall be effective (February 1, 2011).

BASE FEE ESTABLISHED

The base unit for the transportation system development charge (SDC) improvement and reimbursement fee will be p.m. peak hour trip end as defined in the latest version of the Trip Generation manual by the Institute of Transportation Engineers (ITE). The base fee for a single trip end ramps up from \$1,716.83 to \$2,970.30 over a 5-year period to account for anticipated slow recovery of development activity. The base fee for a single trip is a combination of an improvement and a reimbursement base fee as shown below.

Year	Base SDCi Fee	Base SDCr Fee	Total Base Fee for a Single Trip End
2011	\$1,281.19	\$435.64	\$1,716.83
2012	\$1,595.05	\$435.64	\$2,030.69
2013	\$1,907.92	\$435.64	\$2,343.56
2014	\$2,220.79	\$435.64	\$2,656.43
2015	\$2,534.65	\$435.64	\$2,970.29

CALCULATING THE SYSTEM DEVELOPMENT CHARGE

Residential, institutional, business and commercial, office, and industrial development SDC fees are computed by multiplying the base SDC fee by the associated basis for trip determination and by the associated p.m. peak hour trip end rate for the given land use. This calculated fee is further reduced to allow for a pass-by trip credit that varies by land use. Pass-by trip factors are 8% for industrial and office (ITE Category 000-199 and 700-799), 20 percent for institutional (ITE Category 300-699), and 50% for business and commercial (ITE Category 800-999).

A sample SDC calculation for a single family house (ITE Category 210) for the first year is shown below.

SDC Calculation for a Single Family House (ITE Category 210)				
	P.M. Peak Trip Rate ¹	Pass-By Factor ²	Base Fee for a Single Trip Fee	SDC Fee
SDCi	1.01	1.00	\$1,281.19	\$1,294
SDCr	1.01	1.00	\$ 435.64	\$ 440
Total			\$1,716.83	\$1,734

¹ P.M. Peak Trip Rate for given land uses are defined in the latest edition of the ITE manual

² Data for pass-by trip reduction factors are taken from an analysis of traffic impact fees developed by Anthony Rufolo, Center for Urban Studies, Portland State University

A sample SDC calculation for other land uses for the first year (2011) is shown below.

ITE Code	Description	Units	PM Peak Trips	Pass by Factor	Base Fee for a Single Trip Fee	SDC Fee
220	1 Apartment	1 unit	0.62	1.00	\$1,716.83	\$1,064
110	Light Industrial	1000 sf	0.91	0.92	\$1,716.83	\$1,437
140	Manufacturing	1000 sf	0.73	0.92	\$1,716.83	\$1,153
520	Elementary School	1000 sf	1.21	0.80	\$1,716.83	\$1,662
710	General Office	1000 sf	1.49	0.92	\$1,716.83	\$2,353
720	Medical Office	1000 sf	3.46	0.92	\$1,716.83	\$5,465
814	Specialty Retail	1000 sf	2.71	0.50	\$1,716.83	\$2,326
820	Shopping Center	1000 sf	3.73	0.50	\$1,716.83	\$3,202
862	Home Improvement Superstore	1000 sf	2.37	0.50	\$1,716.83	\$2,034
911	Walk-In Bank	1000 sf	12.13	0.50	\$1,716.83	\$10,413
931	Quality Restaurant	1000 sf	7.49	0.50	\$1,716.83	\$6,430
932	High Turnover Restaurant	1000 sf	11.15	0.50	\$1,716.83	\$9,571
934	Fast Food W/Drive Thru	1000 sf	33.84	0.50	\$1,716.83	\$29,049

SDC CREDITS

Pursuant to Albany Municipal Code Section 15.16.090, a credit against the transportation SDC fee shall be given in the following situations:

A. Credit for prior use:

Pursuant to AMC 15.16.090 (1), a credit against the reimbursement and improvement fee portions of the SDC shall be given in an amount of the SDCi and SDCr calculated for the existing use if it is less than the SDCi and SDCr calculated for the proposed use. If the change in use results in the SDCi or

SDCr for the proposed use being less than the SDCi or SDCr for the existing use, no SDCi or SDCr shall be required for that fee portion; however, no refund or credit shall be given.

B. Credit for the cost of a qualified public improvement associated with the development:

Pursuant to AMC 15.16.090 (2), a credit against the improvement fee portion of the SDC shall be given for the cost of a qualified public improvement required as a condition of development approval. A qualified public improvement must also be identified in the funded section of the project list in *Figure A: SDC Eligible Projects Funded by the Adopted Fee Schedule* (see below). A funded project can be either wholly or partially funded with SDCi fees. Projects can move between the funded and unfunded sections according to AMC 15.16.060 (3).

The credit shall not exceed the dollar amount (adjusted annually using ENR Seattle Construction Cost Index) in the SDC column in *Figure A* associated with a qualified improvement in the funded projects group. If the credit exceeds the amount of TSDCi to be paid by the development, then the excess credit may be applied against transportation improvement fees that accrue in subsequent phases of the original development project. In summary, credits are possible only for projects identified in *Figure A* as having SDC funding and only to the extent that it is SDC funded.

On-site: A project that meets these qualification criteria and is located in whole or in part, on or contiguous to the property, and that is required to be built with greater capacity than is necessary for the particular development needs and exceeds the minimum standard facility size, will have reserve capacity. The applicant shall have the burden of demonstrating that a particular qualified transportation improvement will have a reserve capacity. The Highway Capacity manual (HCM), or other City-approved traffic engineering methodology, shall be the approved method for calculating reserve capacity. The reserve capacity shall be expressed as a percent of the construction cost for said improvement. That portion of the construction cost that represents the reserve capacity, when multiplied by the percent of said project funded with the SDCi fee as identified in *Figure A* will be the estimated credit. The actual credit will be the lower of the estimated credit and the dollar amount (adjusted using ENR Seattle Construction Cost Index) in the funded SDC column in *Figure A* associated with said project.

Off-site: A project that meets these qualification criteria that is not located on or contiguous to property (an off-site improvement) is qualified for a SDCi credit. The credit shall be the lower of the actual construction cost or the dollar amount (adjusted using ENR Seattle Construction Cost Index) in the funded SDC column in *Figure A* associated with said project.

C. Credit for reducing the number of trip ends the development will generate using automobiles:

Transit or Pedestrian: A credit against the improvement fee portion of the SDC shall be possible if the development is in an established transit or pedestrian district or if a program to be instituted in connection with the development is determined by the City Engineer to materially reduce the number of trip ends the development will generate using automobiles and the extent of improvements necessary to serve the development, and that the reduction will continue for at least 10 years after the development is occupied.

The reduced SDC will be calculated based upon the number of trip ends the development will generate with the trip end reduction program in effect. Before granting the credit, the City shall receive assurances that will bind the owner and the owner's successors to perform the program for the time required.

D. Credit for reducing the number of peak hour trips the development will generate using automobiles:

Off-peak Work Hours: A credit against the improvement fee portion of the SDC shall be possible if a program to be instituted in connection with the development is determined by the City Engineer to

materially reduce the number of peak hour trips the development will generate using automobiles and the extent of improvements necessary to serve the development, and that the reduction will continue for at least 10 years after the development is occupied. The reduced SDC will be calculated based upon the number of trip ends the development will generate with the peak hour trip reduction program in effect. Before granting the credit, the City shall receive assurances that will bind the owner and the owner's successors to perform the program for the time required.

APPEAL PROCEDURE AND FEE

Pursuant to Albany Municipal Code Section 15.16.100(5), an appeal fee of \$100 per appeal is hereby established.

Appeal submittal by parties appealing their calculated fee (AMC Section 15.16.100(3)) shall:

- a) Conform to AMC Section 15.16.100 procedures;
- b) Use standard study methodology and data collection forms and procedures for conducting a local trip generation study described in Albany's adopted "Traffic Impact Study Guidelines" and the ITE Trip Generation Manual; and
- c) Be prepared by or under the direct supervision of a Professional Civil or Transportation Engineer currently licensed to practice within the State of Oregon, and with special training and experience in transportation engineering and planning. The engineer shall certify the document by providing a signature and seal of approval.

Figure A: SDC Eligible Projects Funded by the Adopted Fee Schedule

Year 1-10 funded projects are in column 7. All short- and mid-term projects are funded.
Year 11-20 funded projects are in column 8.

1 Project #	2 Project	3 TSP Priority	4 Growth Percentage	5 Total Project Cost (2010 \$)	6 TSDC Eligible	7 TSDC Eligible & Funded Years 1-10	8 TSDC Eligible & Funded Years 11-20
B1	14th Avenue	short	100%	\$2,000	\$2,000	\$2,000	
B2	Waverly Drive	short	100%	\$5,000	\$5,000	\$5,000	
B3	Hill Street	long/dev	100%	\$743,000	\$743,000		\$743,000
B4	24th Avenue	short	100%	\$5,000	\$5,000	\$5,000	
B5	Jackson Street	short	100%	\$674,000	\$110,000	\$110,000	
B6	Center Street	short	100%	\$6,000	\$6,000	\$6,000	
B7	US 20, North Albany	long/dev	100%	\$31,000	\$31,000	\$31,000	
B8	1st Avenue	long/dev	100%	\$43,000	\$43,000		
B9	2nd Avenue	long/dev	100%	\$43,000	\$43,000		
B10	Madison Street/7th Avenue	long/dev	100%	\$40,000	\$40,000		
B11	7th Avenue	long/dev	100%	\$95,000	\$95,000		
B12	Takena	long/dev	100%	\$53,000	\$53,000		\$53,000
B13	Liberty/Lakewood	long/dev	100%	\$76,000	\$76,000		
B14	12th Avenue (West)	mid	100%	\$32,000	\$32,000	\$32,000	
B15	Bain Street	long/dev	100%	\$49,000	\$49,000		
B16	South Shore Drive	long/dev	100%	\$33,000	\$33,000		
B17	Shortridge Street	long/dev	100%	\$27,000	\$27,000		
B18	24th Avenue	long/dev	100%	\$44,000	\$44,000		\$44,000
B19	38th Avenue and 39th Avenue	mid	100%	\$106,000	\$106,000	\$106,000	
B20	Lyon Street	short	100%	\$2,000	\$2,000	\$2,000	
B21	Ellsworth Street	short	100%	\$4,000	\$4,000	\$4,000	

1	2	3	4	5	6	7	8
Project #	Project	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDC Eligible	TSDC Eligible & Funded Years 1-10	TSDC Eligible & Funded Years 11-20
I1	Main Street/Salem Avenue/3rd Avenue	short	100%	\$1,088,000	\$1,088,000	\$1,088,000	
I2	Main Street/Santiam Avenue/4th Avenue	short	69%	\$255,000	\$175,950	\$175,950	
I3	14th Avenue/Heritage Mall Access	short	100%	\$41,000	\$41,000	\$41,000	
I4	14th Avenue/Clay Street	short	100%	\$10,000	\$10,000	\$10,000	
I5	Waverly Avenue/14th Avenue	short	100%	\$41,000	\$41,000	\$41,000	
I6	Waverly Avenue/Queen Avenue	long/dev	100%	\$72,000	\$72,000		
I7	Waverly Avenue/Grand Prairie	long/dev	100%	\$175,000	\$175,000		
I8	US 20/North Albany Road	short	13%	\$40,000	\$5,200	\$5,200	
I9	US 20/Springhill Drive	short	23%	\$14,000	\$3,220	\$3,220	
I10	Knox Butte/Century Drive	short	0%	\$345,000	\$0	\$0	
I11	34th Avenue/Marion Street	mid	100%	\$345,000	\$345,000	\$345,000	
I12	US 20 (Lyon Street)/2nd Avenue	mid	16%	\$23,000	\$3,680	\$3,680	
I13	US 20/Clay Street	mid	20%	\$185,000	\$37,000	\$37,000	
I14	OR 99E/34th Avenue	long/dev	32%	\$192,000	\$61,440		\$61,440
I15	34th Avenue/Hill Street	long/dev	100%	\$350,000	\$350,000		\$350,000
I16	Ellingson Road/Columbus Street	long/dev	100%	\$345,000	\$345,000		\$172,500
I17	Waverly Avenue/14th Avenue	long/dev	100%	\$77,000	\$77,000		\$77,000
I18	Queen Avenue/Geary Street	long/dev	100%	\$1,901,000	\$1,901,000		\$950,500
I19	Waverly Avenue/34th Avenue	long/dev	100%	\$42,000	\$42,000		
I20	US 20 (Ellsworth Street)/1st Avenue	mid	22%	\$18,000	\$3,960	\$3,960	
I21	US 20 (Lyon Street)/1st Avenue	mid	23%	\$11,000	\$2,530	\$2,530	
I22	US 20 (Lyon Street)/1st Avenue	mid	23%	\$10,000	\$2,300	\$2,300	
I23	US 20 (Ellsworth Street)/2nd Avenue	mid	23%	\$17,000	\$3,910	\$3,910	
I24	OR 99E/Waverly Avenue	long/dev	27%	\$959,000	\$258,930		\$258,930
I25	US 20/Waverly Drive	long/dev	29%	\$853,000	\$247,370		\$247,370
I26	US 20/Waverly Drive	long/dev	29%	\$240,000	\$69,600		\$69,600
I27	OR 99E/Queen Avenue	long/dev	26%	\$894,000	\$232,440		\$232,440
I28	OR 99E/34th Avenue	long/dev	32%	\$456,000	\$145,920		
I29	OR 99E/Killdeer Avenue	long/dev	28%	\$3,207,000	\$897,960		
I30	US 20/Timber Street	long/dev	44%	\$571,000	\$251,240		\$251,240
I31	US 20/Timber Street	long/dev	44%	\$619,000	\$272,360		
I33	Knox Butte/New North/South Collector	long/dev	100%	\$525,000	\$0	\$0	
I34	Springhill Dr./Hickory St.	long/dev	100%	\$345,000	\$345,000		\$345,000
I35	Gibson Hill Rd/Crocker Ln	mid	100%	\$345,000	\$345,000	\$345,000	
I36	Timber Street Extension/18th Avenue/Spicer Drive ROW	short	100%	\$650,000	\$650,000		\$650,000
I36	Timber Street Extension/18th Avenue/Spicer Drive	long/dev	100%	\$863,000	\$863,000		\$441,000
I37	OR 99E / 29th Ave	long/dev	28%	\$106,000	\$29,680		
I38	Salem Avenue/Geary Street	long/dev	28%	\$845,000	\$236,600		\$236,600
I39	OR 99E/Lyon Street	long/dev	16%	\$205,000	\$32,800		
I40	OR 99E/53rd Avenue	long/dev	38%	\$550,000	\$209,000		\$209,000
L1	53rd Avenue Extension	long/dev	54%	\$17,986,000	\$9,712,440		
L2	Waverly Drive	long/dev	36%	\$1,394,000	\$501,840		\$317,772
L3	Washington/Calapooia/1st/2nd	short	42%	\$100,000	\$42,000	\$42,000	
L4	Timber Street Extension ROW	short	100%	\$966,000	\$966,000		\$483,000
L4	Timber Street Extension	long/dev	100%	\$2,708,000	\$2,708,000		\$1,354,000
L5	Main Street - 7th Avenue - Hill Street	mid	64%	\$1,292,000	\$826,880	\$826,880	

1	2	3	4	5	6	7	8
Project #	Project	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDC Eligible	TSDC Eligible & Funded Years 1-10	TSDC Eligible & Funded Years 11-20
L6	North Albany Road	mid	29%	\$5,847,000	\$1,695,630	\$1,695,630	
L6	North Albany Road ROW	short	100%	\$19,000	\$19,000		\$19,000
L8	Lochner-Columbus Connector	long/dev	100%	\$2,742,000	\$2,742,000		\$548,400
L9	Queen Avenue	long/dev	12%	\$0	\$0		
L10	New North Albany Connector	long/dev	100%	\$5,818,000	\$5,818,000		\$2,794,000
L11	Spicer Drive Extension (West of Timber St.)	long/dev	100%	\$982,000	\$982,000		\$491,000
L12	Spicer Drive Extension (East of Timber St.)	long/dev	100%	\$1,666,000	\$1,666,000		
L13	Goldfish Farm Road Extension	long/dev	100%	\$1,013,000	\$1,013,000		\$303,900
L14	Dogwood Avenue Extension	long/dev	100%	\$3,294,000	\$3,294,000		\$658,800
L15	New North/South Collector - LID	short	100%	\$2,548,000	\$0	\$0	
L15	New North/South Collector	long/dev	100%	\$4,949,000	\$4,949,000		\$989,800
L16	New East/West Collector	long/dev	100%	\$3,723,000	\$3,723,000		\$744,600
L17	Expo Parkway Extension (south of Dunlap)	long/dev	100%	\$996,000	\$996,000		\$199,200
L18	Timber St Extension to Somerset Avenue	long/dev	100%	\$1,720,000	\$1,720,000		\$344,000
L19	Somerset Avenue Extension - LID	short	100%	\$383,000	\$0	\$0	
L19	Somerset Avenue Extension	long/dev	100%	\$1,270,000	\$1,270,000		\$254,000
L20	Santa Maria Avenue Extension	long/dev	100%	\$1,872,000	\$1,872,000		\$374,400
L21	Knox Butte Road Widening ROW	short	100%	\$1,478,000	\$1,478,000		\$1,478,000
L21	Knox Butte Road Widening	long/dev	60%	\$3,169,000	\$1,901,000		\$1,901,000
L22	Knox Butte Road Widening ROW	short	100%	\$31,000	\$31,000		
L22	Knox Butte Road Widening	long/dev	56%	\$825,000	\$462,000		
L23	Knox Butte Road Widening	long/dev	52%	\$1,256,000	\$653,120		
L24	Knox Butte Road Widening	long/dev	47%	\$7,688,000	\$3,613,360		
L25	Dunlap Avenue Extension	long/dev	100%	\$1,045,000	\$1,045,000		\$209,000
L26	Springhill Road Widening	long/dev	61%	\$3,406,000	\$2,077,660		
L27	US 20 Widening	long/dev	18%	\$8,351,000	\$1,503,180		
L28	Ellingson Road Extension	long/dev	61%	\$4,430,000	\$2,702,300		
L30	Oak Street	short	100%	\$2,130,000	\$2,130,000	\$2,130,000	
L31	Fescue Street to Three Lakes Road Connector	long/dev	100%	\$886,000	\$886,000		\$177,200
L32	Fescue Street Extension	long/dev	100%	\$3,054,000	\$3,054,000		
L33	Three Lakes Road Realignment ROW	short	59%	\$750,000	\$442,500		
L33	Three Lakes Road Realignment	long/dev	59%	\$1,868,000	\$1,102,120		
L34	Looney Lane Extension	long/dev	100%	\$914,000	\$914,000		\$182,800
L35	Albany Avenue Widening	long/dev	26%	\$1,177,000	\$306,020	\$306,020	
L36	W Thornton Lk Dr, N Albany Rd & N Alb Middle School	long/dev	11%	\$565,000	\$565,000	\$565,000	
L37	Springhill Drive	long/dev	18%	\$4,158,000	\$748,440		
L38	Scenic Drive	long/dev	10%	\$6,842,000	\$684,200		
L39	Century Drive	long/dev	52%	\$3,199,000	\$1,663,480		
L40	Gibson Hill Road	long/dev	6%	\$3,816,000	\$228,960		\$228,960
L41	Skyline Drive	long/dev	0%	\$1,523,000	\$0		
L42	Crocker Lane	long/dev	30%	\$4,529,000	\$1,358,700		
L43	Valley View Drive	long/dev	40%	\$3,695,000	\$1,478,000		
L44	West Thornton Lake Drive	long/dev	11%	\$6,097,000	\$670,670		
L45	Allen Lane	long/dev	56%	\$2,689,000	\$1,505,840		
L46	Columbus Street	long/dev	49%	\$2,727,000	\$1,336,230		
L47	Grand Prairie Road	long/dev	53%	\$2,260,000	\$1,197,800		
L48	Spicer Drive	long/dev	32%	\$868,000	\$277,760		

1	2	3	4	5	6	7	8
Project #	Project	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDC Eligible	TSDC Eligible & Funded Years 1-10	TSDC Eligible & Funded Years 11-20
L49	Scravel Hill Road	long/dev	21%	\$9,699,000	\$2,036,790		
L50	Quarry Road	long/dev	21%	\$3,493,000	\$733,530		
L51	Spicer Road	long/dev	54%	\$676,000	\$365,040		
L52	Goldfish Farm Road	long/dev	82%	\$4,444,000	\$3,644,080		
L53	Ellingson Road	long/dev	49%	\$5,847,000	\$2,865,030		
L54	Lochner Road	long/dev	44%	\$5,756,000	\$2,532,640		
L55	Three Lakes Road ROW	short	42%	\$287,000	\$120,540		\$120,540
L55	Three Lakes Road	long/dev	42%	\$4,569,000	\$1,918,980		
L56	US 20 - East of I-5	long/dev	44%	\$2,068,000	\$909,920		
L57	Santa Maria Avenue	long/dev	91%	\$694,000	\$631,540		
L58	Oak Street	short	65%	\$2,186,645	\$1,588,000	\$1,588,000	
L59	Water Avenue	short	50%	\$4,070,000	\$2,035,000	\$2,035,000	
L60	US 20 Superelevation and Widening	long/dev	22%	\$3,122,000	\$686,840		
L61	Three Lakes Road	long/dev	0%	\$1,879,000	\$0		
M1	Queen/Geary Periwinkle Path	short	70%	\$46,000	\$32,200	\$32,200	
M2	Oak Creek Trail	long/dev	70%	\$2,645,000	\$1,851,500		\$200,000
M3	West Timber-Linn Trail	mid	70%	\$161,000	\$112,700	\$112,700	
M4	South Waterfront Trail	mid	70%	\$76,000	\$53,200	\$53,200	
M5	Albany-Corvallis Multiuse Path	mid	70%	\$435,000	\$304,500	\$304,500	
M6	Albany-Corvallis Multiuse Path	long/dev	70%	\$761,000	\$532,700		
M7	East Timber-Linn Trail	long/dev	70%	\$277,000	\$193,900		\$193,900
M8	Bain Street/Waverly Lake Trail	long/dev	70%	\$153,000	\$107,100		\$107,100
M9	Lebanon Trail	long/dev	70%	\$581,000	\$406,700		
M10	Periwinkle Trail Extension	long/dev	70%	\$1,528,000	\$1,069,600		
M11	East Albany Willamette River Bridge	long/dev	70%	\$7,657,000	\$5,359,900		
M12	99E/Oak Creek	long/dev	70%	\$129,000	\$90,300		
M13	US 20/99E Undercrossing	long/dev	70%	\$1,500,000	\$1,050,000		
P1	Springhill Drive	mid	70%	\$542,000	\$379,400	\$379,400	
P2	99E/24th Avenue	long/dev	70%	\$129,000	\$90,300		
P3	Oregon 99E: Burkhardt to Waverly	long/dev	70%	\$129,000	\$90,300		
P4	Ferry Street	long/dev	70%	\$725,000	\$507,500		
P5	Columbus Street	long/dev	70%	\$277,000	\$193,900		
P6	Geary Street	long/dev	70%	\$791,000	\$553,700	\$553,700	
P7	Airport Road	long/dev	70%	\$485,000	\$339,500		
P8	Killdeer Street	long/dev	70%	\$174,000	\$121,800		
P9	Waverly Drive	long/dev	70%	\$88,000	\$61,600		
P10	Albany-Santiam Canal Pedestrian Esplanade	long/dev	70%	\$1,232,000	\$862,400		
P11	Thurston Street Canal Pedestrian Esplanade	long/dev	70%	\$1,863,000	\$1,304,100		
P12	Gibson Hill Road	short	70%	\$1,034,000	\$723,800	\$723,800	
S1	ADA Accessibility Audit	short	0%	\$25,000	\$0	\$0	
S2	Hwy 20 Corridor and Downtown Refinement Plan	short	100%	\$250,000	\$250,000	\$250,000	
S3	Safety Audit	short	0%	\$30,000	\$0	\$0	
S4	OR 99E Speed Study	short	0%	\$0	\$0	\$0	
S5	Downtown STA	short	0%	\$0	\$0	\$0	
S6	Albany TSP MPO Update	mid	32%	\$350,000	\$112,000	\$112,000	
S7	Major Corridors	long/dev	0%	\$0	\$0		
S8	Wayfinding	long/dev	0%	\$25,000	\$0		

1 Project #	2 Project	3 TSP Priority	4 Growth Percentage	5 Total Project Cost (2010 \$)	6 TSDC Eligible	7 TSDC Eligible & Funded Years 1-10	8 TSDC Eligible & Funded Years 11-20
S9	Interstate 5 / OR 99E / Knox Butte	long/dev	100%	\$100,000	\$100,000	\$100,000	
S10	Interstate 5 / US 20 (Santiam)	long/dev	100%	\$100,000	\$100,000	\$100,000	
T1	ADA Accessibility Projects	mid	70%	\$430,000	\$301,000	\$301,000	
TOTALS				\$242 M	\$131 M	\$15 M	\$20 M

DATED THIS 12TH DAY OF JANUARY 2011, TO BE EFFECTIVE FEBRUARY 1, 2011.

Mayor

ATTEST:

City Clerk

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING SYSTEM DEVELOPMENT CHARGES FOR IMPACTS TO THE ALBANY TRANSPORTATION SYSTEM, ESTABLISHING AN APPEAL FEE AND REPEALING RESOLUTION NO. 5806 (A RESOLUTION REVISING TRANSPORTATION SYSTEM DEVELOPMENT CHARGES, REAFFIRMING AN SDC CREDIT POLICY, REAFFIRMING AN APPEAL FEE AND REPEALING RESOLUTION NO. 5429).

WHEREAS, through the historic adoption of ordinances establishing and amending Albany Municipal Code 15.16 regarding system development charges, the Council of the City of Albany has duly declared its intent to comply with the provisions of ORS 223.207 through 223.208 and 223.297 through 223.314; and

WHEREAS, a methodology for the calculation of an improvement and reimbursement fee system development charge for the transportation system in Albany has been developed as specifically described in Resolution No. ____; and

WHEREAS, the adopted methodology resulted in a maximum allowable fee of \$10,423; however in the interest of promoting economic development, the City Council deemed it desirable to charge less than the legally allowable charges; and

WHEREAS, the *Engineering News Record* (ENR) Construction Cost Index (Seattle) in February 2010, when the project list and costs within the Transportation System Plan were adopted was 8647.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that Resolution No. 5806 is hereby repealed; and

BE IT FURTHER RESOLVED that an improvement fee and a reimbursement fee transportation system development charge for Albany hereby be established as described herein; and

BE IT FURTHER RESOLVED that an appeal fee is hereby established as described herein; and

BE IT FURTHER RESOLVED that the transportation system development charge improvement fee and reimbursement fee established by this resolution shall be effective February 1, 2011.

BASE FEE ESTABLISHED

The base unit for the transportation system development charge (SDC) improvement and reimbursement fee will be p.m. peak hour trip end as defined in the latest version of the Trip Generation manual by the Institute of Transportation Engineers (ITE). The base fee for a single trip is a combination of an improvement and a reimbursement base fee as shown below.

Base SDCi Fee	Base SDCr Fee	Total Base Fee for a Single Trip End
\$2,534.65	\$435.64	\$2,970.29

CALCULATING THE SYSTEM DEVELOPMENT CHARGE

Residential, institutional, business and commercial, office, and industrial development SDC fees are computed by multiplying the base SDC fee by the associated basis for trip determination and by the associated p.m. peak hour trip end rate for the given land use. This calculated fee is further reduced to

allow for a pass-by trip credit that varies by land use. Pass-by trip factors are 8% for industrial and office (ITE Category 000-199 and 700-799), 20 percent for institutional (ITE Category 300-699), and 50% for business and commercial (ITE Category 800-999).

A sample SDC calculation for a single family house (ITE Category 210) is shown below.

SDC Calculation for a Single Family House (ITE Category 210)				
	P.M. Peak Trip Rate ¹	Pass-By Factor ²	Base Fee for a Single Trip Fee	SDC Fee
SDCi	1.01	1.00	\$2,534.65	\$2,560
SDCr	1.01	1.00	\$ 435.64	\$ 440
Total			\$2,970.29	\$3,000

¹ P.M. Peak Trip Rate for given land uses are defined in the latest edition of the ITE manual

² Data for pass-by trip reduction factors are taken from an analysis of traffic impact fees developed by Anthony Rufolo, Center for Urban Studies, Portland State University

A sample SDC calculation for other land uses is shown below.

ITE Code	Description	Units	PM Peak Trips	Pass by Factor	Base Fee for a Single Trip Fee	SDC Fee
220	1 Apartment	1 unit	0.62	1.00	\$2,970.29	\$1,842
110	Light Industrial	1000 sf	0.91	0.92	\$2,970.29	\$2,487
140	Manufacturing	1000 sf	0.73	0.92	\$2,970.29	\$1,995
520	Elementary School	1000 sf	1.21	0.80	\$2,970.29	\$2,875
710	General Office	1000 sf	1.49	0.92	\$2,970.29	\$4,072
720	Medical Office	1000 sf	3.46	0.92	\$2,970.29	\$9,455
814	Specialty Retail	1000 sf	2.71	0.50	\$2,970.29	\$4,025
820	Shopping Center	1000 sf	3.73	0.50	\$2,970.29	\$5,540
862	Home Improvement Superstore	1000 sf	2.37	0.50	\$2,970.29	\$3,520
911	Walk-In Bank	1000 sf	12.13	0.50	\$2,970.29	\$18,015
931	Quality Restaurant	1000 sf	7.49	0.50	\$2,970.29	\$11,124
932	High Turnover Restaurant	1000 sf	11.15	0.50	\$2,970.29	\$16,559
934	Fast Food W/Drive Thru	1000 sf	33.84	0.50	\$2,970.29	\$50,257

SDC CREDITS

Pursuant to Albany Municipal Code Section 15.16.090, a credit against the transportation SDC fee shall be given in the following situations:

A. Credit for prior use:

Pursuant to AMC 15.16.090 (1), a credit against the reimbursement and improvement fee portions of the SDC shall be given in an amount of the SDCi and SDCr calculated for the existing use if it is less than the SDCi and SDCr calculated for the proposed use. If the change in use results in the SDCi or SDCr for the proposed use being less than the SDCi or SDCr for the existing use, no SDCi or SDCr shall be required for that fee portion; however, no refund or credit shall be given.

B. Credit for the cost of a qualified public improvement associated with the development:

Pursuant to AMC 15.16.090 (2), a credit against the improvement fee portion of the SDC shall be given for the cost of a qualified public improvement required as a condition of development approval. A qualified public improvement must also be identified in the funded section of the project list in *Figure A: SDC Eligible Projects Funded by the Adopted Fee Schedule* (see below). A funded project can be either wholly or partially funded with SDCi fees. Projects can move between the funded and unfunded sections according to AMC 15.16.060 (3).

The credit shall not exceed the dollar amount (adjusted annually using ENR Seattle Construction Cost Index) in the SDC column in *Figure A* associated with a qualified improvement in the funded projects group. If the credit exceeds the amount of TSDCi to be paid by the development, then the excess credit may be applied against transportation improvement fees that accrue in subsequent phases of the original development project. In summary, credits are possible only for projects identified in *Figure A* as having SDC funding and only to the extent that it is SDC funded.

On-site: A project that meets these qualification criteria and is located in whole or in part, on or contiguous to the property, and that is required to be built with greater capacity than is necessary for the particular development needs and exceeds the minimum standard facility size, will have reserve capacity. The applicant shall have the burden of demonstrating that a particular qualified transportation improvement will have a reserve capacity. The Highway Capacity manual (HCM), or other City-approved traffic engineering methodology, shall be the approved method for calculating reserve capacity. The reserve capacity shall be expressed as a percent of the construction cost for said improvement. That portion of the construction cost that represents the reserve capacity, when multiplied by the percent of said project funded with the SDCi fee as identified in *Figure A* will be the estimated credit. The actual credit will be the lower of the estimated credit and the dollar amount (adjusted using ENR Seattle Construction Cost Index) in the funded SDC column in *Figure A* associated with said project.

Off-site: A project that meets these qualification criteria that is not located on or contiguous to property (an off-site improvement) is qualified for a SDCi credit. The credit shall be the lower of the actual construction cost or the dollar amount (adjusted using ENR Seattle Construction Cost Index) in the funded SDC column in *Figure A* associated with said project.

C. Credit for reducing the number of trip ends the development will generate using automobiles:

Transit or Pedestrian: A credit against the improvement fee portion of the SDC shall be possible if the development is in an established transit or pedestrian district or if a program to be instituted in connection with the development is determined by the City Engineer to materially reduce the number of trip ends the development will generate using automobiles and the extent of improvements necessary to serve the development, and that the reduction will continue for at least 10 years after the development is occupied.

The reduced SDC will be calculated based upon the number of trip ends the development will generate with the trip end reduction program in effect. Before granting the credit, the City shall receive assurances that will bind the owner and the owner's successors to perform the program for the time required.

D. Credit for reducing the number of peak hour trips the development will generate using automobiles:

Off-peak Work Hours: A credit against the improvement fee portion of the SDC shall be possible if a program to be instituted in connection with the development is determined by the City Engineer to materially reduce the number of peak hour trips the development will generate using automobiles and

the extent of improvements necessary to serve the development, and that the reduction will continue for at least 10 years after the development is occupied. The reduced SDC will be calculated based upon the number of trip ends the development will generate with the peak hour trip reduction program in effect. Before granting the credit, the City shall receive assurances that will bind the owner and the owner's successors to perform the program for the time required.

APPEAL PROCEDURE AND FEE

Pursuant to Albany Municipal Code Section 15.16.100(5), an appeal fee of \$100 per appeal is hereby established.

Appeal submittal by parties appealing their calculated fee (AMC Section 15.16.100(3)) shall:

- a) Conform to AMC Section 15.16.100 procedures;
- b) Use standard study methodology and data collection forms and procedures for conducting a local trip generation study described in Albany's adopted "Traffic Impact Study Guidelines" and the ITE Trip Generation Manual; and
- c) Be prepared by or under the direct supervision of a Professional Civil or Transportation Engineer currently licensed to practice within the State of Oregon, and with special training and experience in transportation engineering and planning. The engineer shall certify the document by providing a signature and seal of approval.

Figure A: SDC Eligible Projects Funded by the Adopted Fee Schedule

Year 1-10 funded projects are in column 7. All short- and mid-term projects are funded.

Year 11-20 funded projects are in column 8.

1 Project #	2 Project	3 TSP Priority	4 Growth Percentage	5 Total Project Cost (2010 \$)	6 TSDC Eligible	7 TSDC Eligible & Funded Years 1-10	8 TSDC Eligible & Funded Years 11-20
B1	14th Avenue	short	100%	\$2,000	\$2,000	\$2,000	
B2	Waverly Drive	short	100%	\$5,000	\$5,000	\$5,000	
B3	Hill Street	long/dev	100%	\$743,000	\$743,000		\$743,000
B4	24th Avenue	short	100%	\$5,000	\$5,000	\$5,000	
B5	Jackson Street	short	100%	\$674,000	\$110,000	\$110,000	
B6	Center Street	short	100%	\$6,000	\$6,000	\$6,000	
B7	US 20, North Albany	long/dev	100%	\$31,000	\$31,000	\$31,000	
B8	1st Avenue	long/dev	100%	\$43,000	\$43,000		
B9	2nd Avenue	long/dev	100%	\$43,000	\$43,000		
B10	Madison Street/7th Avenue	long/dev	100%	\$40,000	\$40,000		
B11	7th Avenue	long/dev	100%	\$95,000	\$95,000		
B12	Takena	long/dev	100%	\$53,000	\$53,000		\$53,000
B13	Liberty/Lakewood	long/dev	100%	\$76,000	\$76,000		
B14	12th Avenue (West)	mid	100%	\$32,000	\$32,000	\$32,000	
B15	Bain Street	long/dev	100%	\$49,000	\$49,000		
B16	South Shore Drive	long/dev	100%	\$33,000	\$33,000		
B17	Shortridge Street	long/dev	100%	\$27,000	\$27,000		
B18	24th Avenue	long/dev	100%	\$44,000	\$44,000		\$44,000
B19	38th Avenue and 39th Avenue	mid	100%	\$106,000	\$106,000	\$106,000	
B20	Lyon Street	short	100%	\$2,000	\$2,000	\$2,000	

1 Project #	2 Project	3 TSP Priority	4 Growth Percentage	5 Total Project Cost (2010 \$)	6 TSDC Eligible	7 TSDC Eligible & Funded Years 1-10	8 TSDC Eligible & Funded Years 11-20
B21	Ellsworth Street	short	100%	\$4,000	\$4,000	\$4,000	
I1	Main Street/Salem Avenue/3rd Avenue	short	100%	\$1,088,000	\$1,088,000	\$1,088,000	
I2	Main Street/Santiam Avenue/4th Avenue	short	69%	\$255,000	\$175,950	\$175,950	
I3	14th Avenue/Heritage Mall Access	short	100%	\$41,000	\$41,000	\$41,000	
I4	14th Avenue/Clay Street	short	100%	\$10,000	\$10,000	\$10,000	
I5	Waverly Avenue/14th Avenue	short	100%	\$41,000	\$41,000	\$41,000	
I6	Waverly Avenue/Queen Avenue	long/dev	100%	\$72,000	\$72,000		
I7	Waverly Avenue/Grand Prairie	long/dev	100%	\$175,000	\$175,000		
I8	US 20/North Albany Road	short	13%	\$40,000	\$5,200	\$5,200	
I9	US 20/Springhill Drive	short	23%	\$14,000	\$3,220	\$3,220	
I10	Knox Butte/Century Drive	short	0%	\$345,000	\$0	\$0	
I11	34th Avenue/Marion Street	mid	100%	\$345,000	\$345,000	\$345,000	
I12	US 20 (Lyon Street)/2nd Avenue	mid	16%	\$23,000	\$3,680	\$3,680	
I13	US 20/Clay Street	mid	20%	\$185,000	\$37,000	\$37,000	
I14	OR 99E/34th Avenue	long/dev	32%	\$192,000	\$61,440		\$61,440
I15	34th Avenue/Hill Street	long/dev	100%	\$350,000	\$350,000		\$350,000
I16	Ellingson Road/Columbus Street	long/dev	100%	\$345,000	\$345,000		\$172,500
I17	Waverly Avenue/14th Avenue	long/dev	100%	\$77,000	\$77,000		\$77,000
I18	Queen Avenue/Geary Street	long/dev	100%	\$1,901,000	\$1,901,000		\$950,500
I19	Waverly Avenue/34th Avenue	long/dev	100%	\$42,000	\$42,000		
I20	US 20 (Ellsworth Street)/1st Avenue	mid	22%	\$18,000	\$3,960	\$3,960	
I21	US 20 (Lyon Street)/1st Avenue	mid	23%	\$11,000	\$2,530	\$2,530	
I22	US 20 (Lyon Street)/1st Avenue	mid	23%	\$10,000	\$2,300	\$2,300	
I23	US 20 (Ellsworth Street)/2nd Avenue	mid	23%	\$17,000	\$3,910	\$3,910	
I24	OR 99E/Waverly Avenue	long/dev	27%	\$959,000	\$258,930		\$258,930
I25	US 20/Waverly Drive	long/dev	29%	\$853,000	\$247,370		\$247,370
I26	US 20/Waverly Drive	long/dev	29%	\$240,000	\$69,600		\$69,600
I27	OR 99E/Queen Avenue	long/dev	26%	\$894,000	\$232,440		\$232,440
I28	OR 99E/34th Avenue	long/dev	32%	\$456,000	\$145,920		
I29	OR 99E/Killdeer Avenue	long/dev	28%	\$3,207,000	\$897,960		
I30	US 20/Timber Street	long/dev	44%	\$571,000	\$251,240		\$251,240
I31	US 20/Timber Street	long/dev	44%	\$619,000	\$272,360		
I33	Knox Butte/New North/South Collector	long/dev	100%	\$525,000	\$0	\$0	
I34	Springhill Dr./Hickory St.	long/dev	100%	\$345,000	\$345,000		\$345,000
I35	Gibson Hill Rd/Crocker Ln	mid	100%	\$345,000	\$345,000	\$345,000	
I36	Timber Street Extension/18th Avenue/Spicer Drive ROW	short	100%	\$650,000	\$650,000		\$650,000
I36	Timber Street Extension/18th Avenue/Spicer Drive	long/dev	100%	\$863,000	\$863,000		\$441,000
I37	OR 99E / 29th Ave	long/dev	28%	\$106,000	\$29,680		
I38	Salem Avenue/Geary Street	long/dev	28%	\$845,000	\$236,600		\$236,600
I39	OR 99E/Lyon Street	long/dev	16%	\$205,000	\$32,800		
I40	OR 99E/53rd Avenue	long/dev	38%	\$550,000	\$209,000		\$209,000
L1	53rd Avenue Extension	long/dev	54%	\$17,986,000	\$9,712,440		
L2	Waverly Drive	long/dev	36%	\$1,394,000	\$501,840		\$317,772
L3	Washington/Calapooia/1st/2nd	short	42%	\$100,000	\$42,000	\$42,000	

1 Project #	2 Project	3 TSP Priority	4 Growth Percentage	5 Total Project Cost (2010 \$)	6 TSDC Eligible	7 TSDC Eligible & Funded Years 1-10	8 TSDC Eligible & Funded Years 11-20
L4	Timber Street Extension ROW	short	100%	\$966,000	\$966,000		\$483,000
L4	Timber Street Extension	long/dev	100%	\$2,708,000	\$2,708,000		\$1,354,000
L5	Main Street - 7th Avenue - Hill Street	mid	64%	\$1,292,000	\$826,880	\$826,880	
L6	North Albany Road	mid	29%	\$5,847,000	\$1,695,630	\$1,695,630	
L6	North Albany Road ROW	short	100%	\$19,000	\$19,000		\$19,000
L8	Lochner-Columbus Connector	long/dev	100%	\$2,742,000	\$2,742,000		\$548,400
L9	Queen Avenue	long/dev	12%	\$0	\$0		
L10	New North Albany Connector	long/dev	100%	\$5,818,000	\$5,818,000		\$2,794,000
L11	Spicer Drive Extension (West of Timber St.)	long/dev	100%	\$982,000	\$982,000		\$491,000
L12	Spicer Drive Extension (East of Timber St.)	long/dev	100%	\$1,666,000	\$1,666,000		
L13	Goldfish Farm Road Extension	long/dev	100%	\$1,013,000	\$1,013,000		\$303,900
L14	Dogwood Avenue Extension	long/dev	100%	\$3,294,000	\$3,294,000		\$658,800
L15	New North/South Collector - LID	short	100%	\$2,548,000	\$0	\$0	
L15	New North/South Collector	long/dev	100%	\$4,949,000	\$4,949,000		\$989,800
L16	New East/West Collector	long/dev	100%	\$3,723,000	\$3,723,000		\$744,600
L17	Expo Parkway Extension (south of Dunlap)	long/dev	100%	\$996,000	\$996,000		\$199,200
L18	Timber St Extension to Somerset Avenue	long/dev	100%	\$1,720,000	\$1,720,000		\$344,000
L19	Somerset Avenue Extension - LID	short	100%	\$383,000	\$0	\$0	
L19	Somerset Avenue Extension	long/dev	100%	\$1,270,000	\$1,270,000		\$254,000
L20	Santa Maria Avenue Extension	long/dev	100%	\$1,872,000	\$1,872,000		\$374,400
L21	Knox Butte Road Widening ROW	short	100%	\$1,478,000	\$1,478,000		\$1,478,000
L21	Knox Butte Road Widening	long/dev	60%	\$3,169,000	\$1,901,000		\$1,901,000
L22	Knox Butte Road Widening ROW	short	100%	\$31,000	\$31,000		
L22	Knox Butte Road Widening	long/dev	56%	\$825,000	\$462,000		
L23	Knox Butte Road Widening	long/dev	52%	\$1,256,000	\$653,120		
L24	Knox Butte Road Widening	long/dev	47%	\$7,688,000	\$3,613,360		
L25	Dunlap Avenue Extension	long/dev	100%	\$1,045,000	\$1,045,000		\$209,000
L26	Springhill Road Widening	long/dev	61%	\$3,406,000	\$2,077,660		
L27	US 20 Widening	long/dev	18%	\$8,351,000	\$1,503,180		
L28	Ellingson Road Extension	long/dev	61%	\$4,430,000	\$2,702,300		
L30	Oak Street	short	100%	\$2,130,000	\$2,130,000	\$2,130,000	
L31	Fescue Street to Three Lakes Road Connector	long/dev	100%	\$886,000	\$886,000		\$177,200
L32	Fescue Street Extension	long/dev	100%	\$3,054,000	\$3,054,000		
L33	Three Lakes Road Realignment ROW	short	59%	\$750,000	\$442,500		
L33	Three Lakes Road Realignment	long/dev	59%	\$1,868,000	\$1,102,120		
L34	Looney Lane Extension	long/dev	100%	\$914,000	\$914,000		\$182,800
L35	Albany Avenue Widening	long/dev	26%	\$1,177,000	\$306,020	\$306,020	
L36	W Thornton Lk Dr, N Albany Rd & N Alb Middle School	long/dev	11%	\$565,000	\$565,000	\$565,000	
L37	Springhill Drive	long/dev	18%	\$4,158,000	\$748,440		
L38	Scenic Drive	long/dev	10%	\$6,842,000	\$684,200		
L39	Century Drive	long/dev	52%	\$3,199,000	\$1,663,480		
L40	Gibson Hill Road	long/dev	6%	\$3,816,000	\$228,960		\$228,960

1	2	3	4	5	6	7	8
Project #	Project	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDC Eligible	TSDC Eligible & Funded Years 1-10	TSDC Eligible & Funded Years 11-20
L41	Skyline Drive	long/dev	0%	\$1,523,000	\$0		
L42	Crocker Lane	long/dev	30%	\$4,529,000	\$1,358,700		
L43	Valley View Drive	long/dev	40%	\$3,695,000	\$1,478,000		
L44	West Thornton Lake Drive	long/dev	11%	\$6,097,000	\$670,670		
L45	Allen Lane	long/dev	56%	\$2,689,000	\$1,505,840		
L46	Columbus Street	long/dev	49%	\$2,727,000	\$1,336,230		
L47	Grand Prairie Road	long/dev	53%	\$2,260,000	\$1,197,800		
L48	Spicer Drive	long/dev	32%	\$868,000	\$277,760		
L49	Scravel Hill Road	long/dev	21%	\$9,699,000	\$2,036,790		
L50	Quarry Road	long/dev	21%	\$3,493,000	\$733,530		
L51	Spicer Road	long/dev	54%	\$676,000	\$365,040		
L52	Goldfish Farm Road	long/dev	82%	\$4,444,000	\$3,644,080		
L53	Ellingson Road	long/dev	49%	\$5,847,000	\$2,865,030		
L54	Lochner Road	long/dev	44%	\$5,756,000	\$2,532,640		
L55	Three Lakes Road ROW	short	42%	\$287,000	\$120,540		\$120,540
L55	Three Lakes Road	long/dev	42%	\$4,569,000	\$1,918,980		
L56	US 20 - East of I-5	long/dev	44%	\$2,068,000	\$909,920		
L57	Santa Maria Avenue	long/dev	91%	\$694,000	\$631,540		
L58	Oak Street	short	65%	\$2,186,645	\$1,588,000	\$1,588,000	
L59	Water Avenue	short	50%	\$4,070,000	\$2,035,000	\$2,035,000	
L60	US 20 Superelevation and Widening	long/dev	22%	\$3,122,000	\$686,840		
L61	Three Lakes Road	long/dev	0%	\$1,879,000	\$0		
M1	Queen/Geary Periwinkle Path	short	70%	\$46,000	\$32,200	\$32,200	
M2	Oak Creek Trail	long/dev	70%	\$2,645,000	\$1,851,500		\$200,000
M3	West Timber-Linn Trail	mid	70%	\$161,000	\$112,700	\$112,700	
M4	South Waterfront Trail	mid	70%	\$76,000	\$53,200	\$53,200	
M5	Albany-Corvallis Multiuse Path	mid	70%	\$435,000	\$304,500	\$304,500	
M6	Albany-Corvallis Multiuse Path	long/dev	70%	\$761,000	\$532,700		
M7	East Timber-Linn Trail	long/dev	70%	\$277,000	\$193,900		\$193,900
M8	Bain Street/Waverly Lake Trail	long/dev	70%	\$153,000	\$107,100		\$107,100
M9	Lebanon Trail	long/dev	70%	\$581,000	\$406,700		
M10	Periwinkle Trail Extension	long/dev	70%	\$1,528,000	\$1,069,600		
M11	East Albany Willamette River Bridge	long/dev	70%	\$7,657,000	\$5,359,900		
M12	99E/Oak Creek	long/dev	70%	\$129,000	\$90,300		
M13	US 20/99E Undercrossing	long/dev	70%	\$1,500,000	\$1,050,000		
P1	Springhill Drive	mid	70%	\$542,000	\$379,400	\$379,400	
P2	99E/24th Avenue	long/dev	70%	\$129,000	\$90,300		
P3	Oregon 99E: Burkhardt to Waverly	long/dev	70%	\$129,000	\$90,300		
P4	Ferry Street	long/dev	70%	\$725,000	\$507,500		
P5	Columbus Street	long/dev	70%	\$277,000	\$193,900		
P6	Geary Street	long/dev	70%	\$791,000	\$553,700	\$553,700	
P7	Airport Road	long/dev	70%	\$485,000	\$339,500		
P8	Killdeer Street	long/dev	70%	\$174,000	\$121,800		\$100,000
P9	Waverly Drive	long/dev	70%	\$88,000	\$61,600		
P10	Albany-Santiam Canal Pedestrian Esplanade	long/dev	70%	\$1,232,000	\$862,400		\$450,000

1 Project #	2 Project	3 TSP Priority	4 Growth Percentage	5 Total Project Cost (2010 \$)	6 TSDC Eligible	7 TSDC Eligible & Funded Years 1-10	8 TSDC Eligible & Funded Years 11-20
P11	Thurston Street Canal Pedestrian Esplanade	long/dev	70%	\$1,863,000	\$1,304,100		\$450,000
P12	Gibson Hill Road	short	70%	\$1,034,000	\$723,800	\$723,800	
S1	ADA Accessibility Audit	short	0%	\$25,000	\$0	\$0	
S2	Hwy 20 Corridor and Downtown Refinement Plan	short	100%	\$250,000	\$250,000	\$250,000	
S3	Safety Audit	short	0%	\$30,000	\$0	\$0	
S4	OR 99E Speed Study	short	0%	\$0	\$0	\$0	
S5	Downtown STA	short	0%	\$0	\$0	\$0	
S6	Albany TSP MPO Update	mid	32%	\$350,000	\$112,000	\$112,000	
S7	Major Corridors	long/dev	0%	\$0	\$0		
S8	Wayfinding	long/dev	0%	\$25,000	\$0		
S9	Interstate 5 / OR 99E / Knox Butte	long/dev	100%	\$100,000	\$100,000	\$100,000	
S10	Interstate 5 / US 20 (Santiam)	long/dev	100%	\$100,000	\$100,000	\$100,000	
T1	ADA Accessibility Projects	mid	70%	\$430,000	\$301,000	\$301,000	
TOTALS				\$242 M	\$131 M	\$15 M	\$21 M

DATED THIS 12TH DAY OF JANUARY 2011, TO BE EFFECTIVE FEBRUARY 1, 2011.

Mayor

ATTEST:

City Clerk

CITY OF ALBANY
CITY COUNCIL (WORK SESSION)
Municipal Court Room
Monday, December 6, 2010
4:00 p.m.

MINUTES

CALL TO ORDER

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

ROLL CALL

Councilors present: Councilors Dick Olsen, Bill Coburn, Floyd Collins, Bessie Johnson, and Ralph Reid, Jr.

Councilors absent: Councilor Jeff Christman.

BUSINESS FROM THE PUBLIC

There was no business from the public.

RISK MANAGEMENT POLICY and FINANCIAL POLICY UPDATE

Finance Director Stewart Taylor explained that the Council reviews three Finance policies on an annual basis. The policies are incorporated into the Budget document. Tonight the Council will review the Financial Policy and the Risk Management Policy.

Staff has no recommended changes to the Financial Policy. The Financial Policy establishes parameters for budgeting and objectives for how the City positions finances throughout the year so the City is in conformance with the Strategic Plan. It also defines targets for fund balances, capital assets, and allowable debt for conformity with Government Finance Officer Association (GFOA) accounting standards.

Councilor Floyd Collins asked if Section V, Capital Improvement Project (CIP), pertains to General Obligation (GO) bonds. Taylor said yes. Collins wants the policy to clarify statutory limitations related specifically to GO debt. Collins' suggestion will be incorporated into the policy and it will come back to a subsequent meeting for adoption via resolution.

Taylor introduced Steve Uerlings of Barker-Uerlings Insurance. Uerlings handed out a Risk Management Report (see agenda file).

Uerlings reviewed the report. It contains a five-year history of insurance coverages and claims. Overall the City's claims history has been good. Compared to other like-size cities, Albany has better loss ratios. The City is managing risk well.

Taylor said another piece of Risk Management is providing driver training, having a Safety Committee, and other things that are done throughout the year to limit exposure.

City Attorney Jim Delapoer said it is very helpful to have Uerling's input when staff has question about contracts, etc. He does a lot more than just purchase insurance for the City.

SOUTH ALBANY AREA PLAN

Community Development Director Greg Byrne said Albany has been awarded a Transportation and Growth Management Grant (TGM) from the state of Oregon to use for planning in the south end of the urban growth boundary. The scope of work is very detailed and Oregon Department of Transportation (ODOT) has assigned the City a Plan Manager.

Byrne gave a PowerPoint presentation (see agenda file).

Councilor Ralph Reid Jr. suggested considering Beta Drive as an undercrossing. He thinks there is enough room from Highway 99 to the railroad tracks for vehicles to get under it. The issue could be an adjacent property with limited access; the City may want to acquire that property if it comes up for sale.

Byrne said the next piece to come before the Council will be technical reports. Staff will present different scenarios to the public in the fall.

FIXED BASE OPERATOR REQUEST FOR PROPOSAL

Airport & Transit Manager Chris Bailey said the Request for Proposal (RFP) for a Fixed Base Operator (FBO) is in the agenda packet. The RFP has been reviewed by the Airport Commission and their recommendations have been incorporated into the document. They want to provide flexibility so interested parties could create a business plan

based on what they think would be successful at the Airport. The RFP has some minimum requirements, like a base proposal without fuel sales and a second proposal that includes fuel sales, if they are interested. The RFP states that the Council will ultimately decide if fuel will be offered. The RFP also asks for references. Bailey said the next step is to have the RFP reviewed by the Purchasing Coordinator and advertise it. She thinks that by the end of February staff could begin negotiations with the successful bidder.

Bailey said the Airport Commission discussed a proposal by Dan Miltenberger, to purchase the FBO building for \$50,000 and the fuel system for \$50,000. They decided to not bring his offer to the Council, but rather to wait and see what responses they get to the RFP. If there are no viable responses, then the Commission would like to revisit other ideas, including Miltenberger's proposal.

The Council discussed the feasibility of having a restaurant at the Airport. Delapoe explained that the current language excludes a restaurant because the building is not set up for it.

Dan Miltenberger, 2825 Jackson Street, asked about the RFP language excluding a restaurant. The Council would like for RFP responders to be able to consider a restaurant so staff will work to change the language so that a restaurant is not excluded.

Councilor Bill Coburn noted that the RFP asks for credit references and a financial analysis; he suggested they also ask for a financial statement. His concern is if a bidder is financially capable to carry through with what they propose. Discussion followed. Delapoe explained that the more wide open this RFP becomes, the more difficult it will be to objectively compare proposals. How much they want a financial statement might be contingent on the plan being proposed, such as in the case of a straight FBO versus a major remodel to include a restaurant. Delapoe will work on language that will reserve the right to ask for additional financial information based on the proposals received.

Councilor Dick Olsen was concerned about the cost of maintenance and asked who would be responsible for exterior items such as the landscaping. Delapoe will work with staff to keep the lease standard but add language indicating that precise terms can be negotiated at a later date.

DEERFIELD PARK FUNDING PLAN

Parks & Recreation Director Ed Hodney described the financing alternatives for purchasing Deerfield Park. The purchase is within an agreement approved by the City Council and the Greater Albany Public Schools (GAPS) that allows the City to purchase Deerfield Park for \$362,600 in a three-year period. GAPS has most recently asked the City to consider accelerating the purchase of the property so they can use the funds for improvements to a track and soccer fields at the new Timber Ridge School.

Hodney has put together three funding strategies which are outlined in the staff report.

Collins asked what the tradeoff is for owning versus leasing the property. Hodney said owning is better than leasing because GAPS could cancel our lease if they needed to sell the property. The advantage to the City is to buy it now, or buy it later for a higher price, or continue a long-term lease.

Olson asked if the soccer fields at Timber Linn Park were irrigated. Hodney said no. The new soccer field at Timber Ridge School would be much nicer and accessible to the whole community. Also, a rubberized track is much easier to maintain than a cinder track; and both would be maintained and irrigated by GAPS so the City would not have maintenance costs.

Reid is reluctant to move forward with this joint project based on the City's experience when taking over the Community Pool at South Albany High School. He does not want to get into a position where GAPS has facilities they can't maintain.

Councilor Bessie Johnson asked about the City's commitment to the East Thornton Lake Natural Area (ETLNA). She is concerned that the City may be on the hook for funding if the grants fall through. She asked the status of the grant applications. Hodney said there are two grants to be submitted in February and a large grant in April, though they won't know the results until July. Johnson does not agree that the City should have to cover the project if the grants are unsuccessful. It could deplete the City's funding for other projects.

Collins said that Deerfield Park is used like a City facility and he would hate to lose the money already invested. He also sees the need for the track and soccer fields at the school, since they can be used by the whole community. Folks in the subdivisions by the school paid Parks SDC fees. He is interested in using the SDCs in Fiscal Year (FY) 2011-12 to make up the difference.

Konopa said that GAPS is worse off financially than the City. They want this project to move forward because it is the only one they will be doing this year. There were requests to give some PepsiCo settlement funds to the schools, so there is concern for school funding in the community. Supporting this project would benefit the kids in that neighborhood and the whole community.

MOTION: Collins moved to direct staff to include \$170,000 in FY 2011-12 Parks System Development Charges (SDCs) program budget for completion of the soccer field and track; and to bring back a financial plan for the remaining \$192,620 needed for the purchase of Deerfield Park. Coburn seconded it and it passed 5-0.

GAPS will finish the project in the current fiscal year (FY) and will be reimbursed by the City in FY 2011-12

COUNCILOR COMMENTS

Collins said he got a call that the cyclone fence at the Arco Station is knocked down. With the current rash of arsons in vacant buildings, this property is at risk. Public Information Officer/Management Assistant Marilyn Smith said the fence is compromised due to a tree laying on it, but the fence is still intact. There is a buyer interested in the property but they need ODOT approval. The last time she talked to them they were conferring with financial investors. They may ask the Council for financial assistance.

Konopa said there is a meeting tonight at 6:30 p.m. in the Council Chambers regarding the arsons. They expect 43 Neighborhood Watch Captains to attend. The meeting will be recorded and the video will be posted on the City's website. Staff will also hand out a list of vulnerable properties and ask leaders to see if there are properties in their neighborhood that should be added to the list. The list will help everyone to keep watch over vacant houses. Tonight's meeting will be a good exchange of information.

Delapoer recalled that at a previous Work Session the Council agreed to lease 3801 Knox Butte Road to Scott Lepman and during that discussion Reid suggested that Lepman should be obligated to help pay for demolition. Delapoer sent a proposal to Lepman that included language stating that Lepman would pay for 25 percent of the demolition. Lepman is not willing to agree to that term but will agree that if he leases the house for seven years, to pay a cost proportionate to seven years. The question for the Council is if they want the contract to obligate Lepman to demolish the house, and in what timeframe. Discussion followed.

Staff reminded the Council what the benefits are for allowing Lepman to lease the vacant property: it is on the tax rolls again, it is insured, and the City does not have to maintain it.

MOTION: Coburn moved to authorize the City to enter into a lease with Scott Lepman, for a seven year term, with the ability for the City to terminate on a shorter notice; and if the City terminates at less than five years, prorated repayment will be made to Lepman for improvement costs; and if the City terminates at less than seven years, prorated repayment will be made to Lepman for demolition costs. Collins seconded it and the motion passed 5-0.

CITY MANAGER REPORT

There was no report.

ADJOURNMENT

There being no further business, the Work Session adjourned at 5:53 p.m.

Respectfully submitted,

Reviewed by,

Mary A. Dibble, MMC
Deputy City Clerk

Stewart Taylor
Finance Director

CITY OF ALBANY
 CITY COUNCIL
 Council Chambers
 Wednesday, December 8, 2010
 7:15 p.m.

MINUTES

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Konopa led the pledge of allegiance to the flag.

ROLL CALL

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

SCHEDULED BUSINESS

Public Hearing

Adopting a supplemental budget to the Fiscal Year 2010-2011 Budget, to consider uses of PepsiCo settlement proceeds.

Konopa opened the public hearing at 7:18 p.m.

Finance Director Stewart Taylor explained that this supplemental budget was to implement direction received from the Council on November 10 regarding creating a loan from PepsiCo settlement proceeds to Local Improvement Districts Construction Projects. On November 17 the Council approved Resolution No. 5959 to transfer appropriations for the purchase of the East Thornton Lake Natural Area property. The appropriation transfers included in this supplemental budget create a more transparent budget by positioning the transaction in the Parks Capital Improvement Projects program.

Councilor Johnson commented on the East Thornton Lake Natural Area property saying that she is concerned that no one will donate funds. She said the land will need to be cleared, developed, and maintained and she believes the City will be paying for those items. She said the North Albany people were antidevelopment, in her opinion. She asked for the sale and agreement papers to be on the dais (in agenda file). She wanted to know if there was anything in them that could benefit the City.

Councilor Collins commented that the decision tonight was where to put the money in the budget. Tonight it is a procedural matter. The decision was already made.

No one else wished to speak.

Konopa closed the public hearing at 7:27 p.m.

MOTION: Collins moved to adopt the resolution adopting a supplemental budget to the Fiscal Year 2010-2011 Budget, to consider uses of the PepsiCo settlement proceeds. Councilor Olsen seconded the motion and it passed 5-1, with Johnson voting no, and was designated Resolution No. 5961.

Business from the Public

Bill Root, 2634 NW Valley View Drive, Chair of the Association for Motorcyclists of Oregon, thanked the Council for their contributions to the success of their toy drive (letter in agenda file). He gave special thanks to several local businesses and individuals in the community. He said there were between 250-350 motorcyclists and they gave out toys to 130 children. Thanks to all who helped.

Adoption of Resolution

Adopting an amendment to the Intergovernmental Services Agreement (IGA) between the City of Albany and the city of Millersburg for wastewater services.

Utility Engineer Chip Ullstad explained that an amendment to the service agreement is necessary to formalize the process and methodology based on principles included in the August 2007 IGA for Albany and Millersburg to share in the capital construction costs, land acquisition costs, and capacity of the Phase 1 Wetland Project. At the time of the original IGA, there was an unfunded portion of the project. Having secured funding, the project is under construction now. Staff has a good idea as to what costs will be. This amendment is needed to formalize the wetlands project. The Joint Management Committee reviewed the amendment at their November 18, 2010, meeting and voted unanimously to recommend that Albany and

Millersburg City Councils adopt the amendment. He said that the city of Millersburg will be adopting a similar resolution on December 14.

There was a brief discussion regarding Pacific Power poles that needed to be relocated.

MOTION: Johnson moved to adopt the resolution adopting an amendment to the IGA between the City of Albany and the city of Millersburg for wastewater services. Councilor Reid seconded the motion and it passed 6-0, and was designated Resolution No. 5962.

Adoption of Consent Calendar

- 1) Approval of Minutes
 - a) November 1, 2010, City Council Work Session.
 - b) November 15, 2010, City Council Work Session.
 - c) November 17, 2010, City Council Regular Session.
- 2) Adopting an updated Risk Management Policy. RES. NO. 5963
- 3) Accepting the Oregon Department of Transportation Electronic Field Data Collection grant. RES. NO. 5964
- 4) Approving a liquor license for Novak's Hungarian Restaurant Corporation, 2306 Heritage Way SE.
- 5) Accepting the following easements:
 - a) Jabon Investments, LLC – Five-foot wide sidewalk easement. RES. NO. 5965
 - b) Paul L. Zehr – Variable width easement. RES. NO. 5966
 - c) Paul L. Zehr – Seven-foot wide franchise utility easement. RES. NO. 5967
 - d) Paul L. Zehr – 15-foot wide slope easement. RES. NO. 5968

Reid asked for item 4) to be removed for discussion.

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

Reid recused himself from voting on item 4) because of a conflict of interest. His granddaughter works at the restaurant.

MOTION: Collins moved to adopt item 4) of the Consent Calendar. Johnson seconded the motion and it passed 5-0.

Report

Vacant property and fire investigation update.

Building Official Manager Melanie Adams and Fire Marshal Mike Trabue provided a PowerPoint (in agenda file) on the current rash of arson fires. Trabue reported that the most recent commercial building fire has been declared an arson fire but that it hasn't yet been connected to the other arsons.

Adams and Trabue said they have been carrying out a coordinated response to the arson fires. The costs to Police, Fire, and Building divisions have been climbing. There is a loss to the community's peace of mind as well as a potential loss of life. The community's concern was evident by the turnout for the public meeting held Monday, December 6. Vacant property is a community problem and their presentation was regarding vacant property.

Adams said there are 150 locations mapped right now as being vacant. Red pins on the displayed map indicated high risk, yellow indicated that they appear vacant but not necessarily attractive to an arsonist, and green indicated that they are not a big concern.

There followed a discussion regarding rising foreclosures in the city.

Adams said some of the arson targets are vacant houses that were cared for by the owner, so neglect isn't always an indictor.

Adams and Trabue asked the Council to consider what level of accountability is appropriate for owners of vacant property – secured, secured but vacant indefinitely, or secured with a plan to reoccupy. Once accountability is defined, how is it enforced? The City has an effective dangerous building code, but only one person is responsible to enforce it due to budget cuts. Other communities have options the Council might consider, including: creating a vacant property registry, fees or other licenses, small grants to assist property owners for boarding up, and enhanced enforcement. Even if the arsonists are caught, these properties will continue to be potential targets for violent crime.

Collins wasn't sure what the right answer was. He believes there should be a due-process, similar to grass abatement.

Other Council members provided information concerning specific properties they feel could be potential targets.

City Manager Wes Hare mentioned that it was not a new problem, just becoming more acute. There is an enforcement process that must take place before the City can take action against someone's property. Though it is not cheap and often there is controversy surrounding the property. Staff would like to be more aggressive in order to address risky property. They have identified some mechanisms to look at, but they are not very attractive. He asked, can the Council provide direction?

City Attorney Jim Delapoer said there is a provision in the Municipal Code for imminent danger. Vacant houses that are unsecured are an imminent danger to the community and costs to secure them can be liened.

Johnson asked if there was a provision for condemnation of a property under these circumstances. Delapoer said the City's condemnation authority is under eminent domain, not dangerous property. He said when there is no response from the property owner regarding the dangerous building code the City can go in and secure the building, but has no authority to condemn the property.

Hare said, if it is the Council's will, staff can come up with a temporary program to fund some special emphasis in this area.

Councilor Coburn said he would like to see any ideas that staff could come up with. He understands that there's no guarantee for whatever the Council decides to put in place will stop the arsons.

Collins said the programs can't protect everything. He is hopeful staff can take action under the dangerous building code. He is okay with staff putting a program together to go after the worst of the worst.

Councilor Christman said he would like to see the program be within the ordinances and processes we already have in place, not creating another ordinance. There may be a need to be more aggressive with our current processes and there is a need for additional resources.

Johnson praised the Fire and Police Departments and other employees involved with this issue.

Coburn said he agrees with the Fire Chief when he said that this is a unique situation; it has never happened before in Albany.

There followed discussion regarding the difficulty in finding owners of houses that have been burned or for any risky property.

Delapoer explained the legalities surrounding foreclosures and that a lien goes with the property, not the owner. A lien holder has no right to control anything on the property.

Hare asked if the Council is willing to have staff come back with temporary resources for temporary measures. He said trying to impose additional costs to property owners doesn't seem like a good thing to do. The plan would take advantage of the code resources the City currently has.

DIRECTION: Council directed staff to prepare a temporary action and funding plan to deal with the current arson issues.

BUSINESS FROM THE COUNCIL

Collins asked, what happened to the fence at the abandoned Arco station on Pacific Boulevard and Albany Avenue? Code Compliance Inspector Mary Gaeta said the fence is gone and Arco has been contacted about cleaning up the lot. She has left a message for them, but has heard nothing.

Olsen provided copies of the Council of Governments, Community and Economic Development, and Industrial Lands – Wetlands Mitigation Banking Strategy Policy Development Task Force talking points (in agenda file). It included the next steps the Task Force would like to take. Olsen said they are anxious to get this finished up. The cities of Corvallis and Lebanon approved the preliminary plan. Olsen provided copies of the Cascades West Regional Consortia Preliminary Business Plan (in agenda file), which include a market analysis and financial plan. He said attachment "A", "Competition for Wetlands Banking" lists existing mitigation banks by region. Attachment "B" has to do with board member voting options. Attachment "C" is a draft of the bylaws.

Collins said the Council may want to invite Pam Silbernagel to a work session for an overview of the wetlands plan.

Johnson said she will be out of town from December 17-24.

Tax Abatement Resolution

Hare reported on the request from Pacific Cast Technologies for an additional two year extension for enterprise zone benefits. They have made an additional investment in the business located in Albany that will create 24 new jobs.

MOTION: Reid moved to adopt the resolution approving an extended property tax abatement agreement between the City of Albany, a cosponsor of the South Santiam Enterprise Zone, and Pacific Cast Technologies, Inc. Johnson seconded the motion and it passed 6-0, and was designated Resolution No. 5969.

Hare provided copies of an e-mail string regarding the Lowe's project (in agenda file). He said since staff hadn't heard any definite commitments from Lowe's, they were getting concerned. The City has spent over \$100,000 in design work on the streets. His recommendation is to stop work on design until the City has a better idea as to the intent of the property owners. Staff would like to continue progression analysis with the Oregon Department of Transportation (ODOT) because to disrupt it right now would not be productive.

Hare said he doesn't want to extend the City any further until Lowe's does what they say they will do.

Delapoer explained that they continue to wait for signatures on the agreement that had been verbally agreed to. They have not received it back from Lowe's.

MOTION: Christman moved to suspend all work on Lowe's infrastructure design and the spending of funds until the Development Agreement is signed, except for work currently being done with ODOT. Reid seconded the motion and it passed 6-0.

Public Information Officer/Management Assistant Marilyn Smith reported that next Monday's work session will be at the Police Station.

Hare reported that staff is working on having Michael Waldock do a presentation for the Council with the Chamber of Commerce.

NEXT MEETING DATE

The next scheduled meeting of the Council is a Work Session, on Monday, December 13, 2010, at 4:00 p.m., in the Municipal Court Room, of City Hall.

The next scheduled Regular Session, is on Wednesday, December 15, 2010, at 7:15 p.m., in the City Council Chambers, of City Hall.

ADJOURNMENT

There being no other business, the meeting was adjourned at 9:07 p.m.

Respectfully submitted by,

Reviewed by,

Betty Langwell, MMC
City Clerk

Stewart Taylor
Finance Director

CITY OF ALBANY
 CITY COUNCIL (WORK SESSION)
 Albany Police Station
 1117 Jackson Street SE
 Monday, December 13, 2010
 4:00 p.m.

MINUTES

CALL TO ORDER

Mayor Sharon Konopa called the meeting to order at 4:02 p.m.

ROLL CALL

Councilors present: Councilors Dick Olsen, Bill Coburn, Floyd Collins, Bessie Johnson, and Ralph Reid, Jr.

Councilors absent: Councilor Jeff Christman.

TOUR OF POLICE DEPARTMENT

Police Chief Ed Boyd thanked the Council for meeting at the Albany Police Department (APD) for the Work Session. He hopes a tour will give the Councilors a better perspective of the space issues that have been discussed in previous Work Sessions at City Hall.

Boyd started the tour in the briefing room.

Boyd noted Albany has received assistance with the recent serial arsonist case from several state and federal agencies, though the group actually has to meet in space leased from Public Works Operations because the only meeting room left at the Police Station is the briefing room; and it is used for every shift change and between shift changes.

The Police Department was built in 1988, when the community was half the size it is now. There have been five remodels over the last 22 years. Boyd showed a former hallway that has been converted into a small office as an example of how the remodels have evolved to fill almost every last space. There is also an office that has a makeshift dressing room built into it, and a computer server room that has a desk in it.

A 1,100 square foot modular on the back of the property, added in 2004, houses 10 detectives.

Councilor Bessie Johnson joined the tour at 4:14 p.m.

The Communications room houses three dispatchers. The HVAC system does not work so the room is either too hot or too cold.

The exercise room was eliminated in a previous remodel so the only changing space is the locker room. The men's locker room has 47 lockers which are shared by 66 male employees, and up to 16 officers change at the same time in the tight space. Boyd explained that the lockers, about the size of high school lockers, are too small for uniforms, gear, and shoes - especially since they are shared - so shoes and boots line the floor. The women's locker room has 20 lockers shared by 28 female employees. Discussion followed about why Police Officers need a locker room and why they can't just change at home before work. Boyd explained that officers sometimes have to change uniforms during a shift due to circumstances like blood or vomit; most shower after their shift before going home; and finally, officers do the same sorts of activities that civilians do after work, such as pick up kids from school, attend sports events, go to the grocery store, etc. When officers stay in uniform after their shift and are seen around town, then the Police Department gets complaints about why Officers are getting "paid" to attend games, go grocery shopping, etc.

Councilor Ralph Reid Jr. pointed out that another overlooked reason for not wearing uniforms home, is for the officer's personal safety and especially that of his/her family.

There are two offices in the evidence room and APD also pays for two additional spaces offsite to house the overflow of evidence.

Boyd explained that the most economical shift rotation is 12 hours with no overlap, but the downside is that there is not enough space in the small report writing area to accommodate the shift change. Officers do some report writing in their cars but that is not always possible.

Councilor Floyd Collins said that Stations 13 and 14 were supposed to include areas that APD can use for report writing.

There are two interview rooms close together. The problem is that they are not soundproof and often there may be a victim in one room and the suspect in the other. Obviously this is not ideal.

There are four Community Service Officers (CSOs), two Education Specialists, three School Resource Officers, and two traffic officers that share office space.

The tour concluded at 4:33 p.m.

The meeting resumed and was audio recorded from this point on.

Boyd said the property that has been purchased on Pacific Boulevard is 4.2 acres combined and has ample parking for future needs. The current location has so little parking that during the week the officers have to park in the neighborhoods.

Collins noted that he passed on an analysis of APD's space needs that was done in 2002-03 to Boyd. He thinks it would be useful for the Council to review that analysis as a way to lay a foundation to look at the future. City Manager Wes Hare said that an executive summary of that analysis was provided to the Council as part of a staff report, though they have not had any requests to see the full document.

Konopa noted that in 1998 there was a study of short-term needs that showed within five years, or 2003, they would need a new police station.

Boyd said that he, Fire Chief Bradner, and Assistant Public Works Director/City Engineer Mark Shepard will be meeting with the first architectural firm to discuss the space needs study, per Council direction at a previous meeting.

Boyd said that the city of Troutdale evaluated a remodel versus new construction, and the costs came in at \$7.3 versus \$7.5. They chose new construction for a 19,000 square foot building and the voters approved it. APD's building right now is 10,500 square feet. The 2003 study indicated the next step should be 30,000 square feet and that APD would need 40,000 square feet by year 2020. The city of Salem is also analyzing their space and need 100,000 square feet for the 300 employees in their police department. Albany has 94 police employees. The city of Philomath has 10 employees that are in a building the same size as Albany's. Lebanon has 23,000 square feet to house a staff that is half the size of Albany's.

Collins asked, how viable would it be to have a fractured staff; for example, if dispatch was moved from APD to another location? Boyd said that has been done in other cities such as Salem and it did not seem to impact their operations. They could do that in Albany, though it does increase the cost for building space. Boyd has also considered using precincts, but he is not sure Albany is large enough to support that. Hare said that he has experience in cities where police operations are all in one building and when the operations have been scattered; in his opinion it makes a big difference when all the operations are in one place. Johnson agrees and thinks there is real value in having folks under one roof.

Collins said the public is asking questions such as, why the Fire Department has their administrative services separated, and why the Police can't do the same for the interim. Boyd said the cost of the two types of buildings is the main reason; police officers respond from their patrol cars, not from a building like fire personnel. Johnson noted that Fire also does not have a dispatch operation. Hare noted that if they were asked, the Fire Department would say they prefer to have their administrative operations under one roof.

Boyd noted that with new construction it is possible for the Police Station to house the fire administration services. The plan was to build 15,000 square feet on two floors, with the third floor framed for expansion to meet space needs for 20 years out.

Councilor Bill Coburn agrees that Boyd's plan for three floors is the way to go because all of the infrastructure would be big enough and would not require upgrades later on.

Discussion followed about the City's Emergency Operations Center (EOC). Boyd would propose to house the EOC in the new Police Station. Currently the EOC is at City Hall, housed in a closet. Collins said there is a lot of criticism aimed at EOCs, until disaster strikes and they are necessary. They are kind of like an insurance policy. He worked for Salem during the floods and having an efficient EOC is vital.

Collins said the Justice Center in Lebanon cost \$11.5 million and included a Municipal Court and a jail. Albany does not plan to add a jail. Boyd said Lebanon Police Chief Healy said that the jail is what sold the Justice Center to the voters and they supported it by 70 percent. The jail holds 12 and the citizenry were tired of folks getting arrested, being hauled away, but then being returned to Lebanon because other jails had no room for them.

Collins said that Benton County is considering a bond for a new jail in the fall. Three years ago a similar bond was defeated; but the need is there.

Konopa appreciates APD staff for performing so well considering their cramped working conditions. She noted that the room the Work Session is taking place in used to be a community room for the public, but the department has evolved and grown so much that the space is no longer available for that purpose. They also lost their weight room and every nook and cranny is being used now.

Collins said a typical office space is 8 x 8 or 10 x 10 feet. Police staff has less than that. He thinks the updated report is critical to show the public what they need.

Konopa pointed out that this newest study means we are spending money, again, to provide an update to what two previously studies have already shown. Those other two studies were already paid for and yet nothing was done for twelve years. She said, we need to take action instead of just continuing to study the space needs. Johnson agrees, and pointed out that the reports we already have verify that this is not just an issue of comfort as some assume; it is weightier than that.

Hare suggested that Councilors take advantage of the officer ride-along program to get a good feel for what goes on in the Police Department.

BUSINESS FROM THE PUBLIC

There was no business from the public.

COUNCILOR COMMENTS

Johnson said when PepsiCo settlement funds are being allocated, she does not want them to end up on the Consent Calendar.

Coburn asked why the speed bump on Marion Street is marked for 15 miles per hour; this speed bump differs from all the others in Albany. Discussion followed. When the street was designed there wasn't enough done to slow down traffic so neighbors, who had participated through a Local Improvement District, asked for more to be done. The speed bumps were put in after the project was completed. There is a difference between speed bumps and humps; Marion Street is a raised intersection so it is considered a speed bump.

CITY MANAGER REPORT

There was no report.

ADJOURNMENT

There being no further business, the Work Session adjourned at 5:03 p.m.

Respectfully submitted,

Reviewed by,

Mary A. Dibble, MMC
Deputy City Clerk

Wes Hare
City Manager

CITY OF ALBANY
 CITY COUNCIL
 Council Chambers
 Wednesday, December 15, 2010
 7:15 p.m.

MINUTES

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE TO THE FLAG

Konopa led the pledge of allegiance to the flag.

ROLL CALL

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

SPECIAL PRESENTATION

Police Chief Ed Boyd presented a plaque to retiring Police Captain Ben Atchley depicting the department coin (copy in agenda file) for people who go above and beyond the call of duty. The presentation was in recognition of his 32 years service to police work.

Historic Albany Recovery Program.

Urban Renewal Manager Kate Porsche introduced Michael Waldock saying he had a community economic concept to present to the Council.

Michael Waldock, 440 East Thornton Lake Drive NW, provided a PowerPoint (in agenda file) regarding creating jobs in Albany through the use of branding. He said that classic marketing strategies could be employed to create jobs, boost tourism, improve schools, and make Albany famous in the process. He said his economic development ideas would capitalize on what Albany could accomplish through his "Historic Albany Recovery Program" (HARP). He said with donations and the hiring of interns from Linn-Benton Community College, around \$68,000 would be needed to jump-start his plan over the course of a year. He wanted to involve the City, the Albany Downtown Association, the Albany Visitors Association, and the Albany Area Chamber of Commerce. He said to be successful; the trick is to do it in little bites.

To draw people to Albany, Waldock suggested acquiring the Jensen Arctic Museum that is planning on moving from the Western Oregon University campus. Also, he suggested selling coffee and made-in-Albany items at the train station on designated "high school band" days. He said during the Christmas holidays, there could be "Magic on First Avenue" entertainment. He suggested the Fire Museum become more visible and when the carousel is finished, the City could encourage carousel conventions in Albany.

A rugby enthusiast, Waldock suggested encouraging Linn Benton Community College and the high schools to adopt the sport for HARP. He outlined how that could morph into national attention and increase the number of jobs in Albany.

Councilor Christman asked, how would the City know if it was succeeding? Waldock said there would be a series of business plans based on experience to date with best guess forecasting. The plans, timelines, investment, income, and actual return on investment would be accumulated and checked against forecasts. HARP would be responsible for these and maintain the focus on employment, consumption, education, and tourism.

Konopa said she thought his ideas were very creative and liked the involvement of the community.

Councilor Johnson said she would support his concepts and that this is what she had in mind for creative ideas for economic development.

Councilor Collins asked what the response has been from other groups he has presented to. Waldock said he has received an enthusiastic response. He would consider it a supportive response.

City Manager Wes Hare said Waldock presents a model similar to what other places have done that have turned themselves around. He gave the city of Ashland with the Shakespeare Festival as an example. He said building and sustaining Waldock's suggestions would be a challenge though.

Christman said he understood the tourist attraction concepts. He asked, but where are the family wage jobs? Waldock gave examples of how his tourist concepts progress from lower paying jobs towards family wage jobs as they build on each other.

Hare commented that he doesn't see it as a tourism strategy. Business flourishes where people want to be. Make Albany a desirable place to live and prosperity will follow.

Councilor Reid gave some history of the Albany Airport and having it incorporated into the concept. Waldock said he agreed and would work hard at making HARP successful.

Collins was uncertain as to how the Council and City government fit into HARP.

Hare believes it would work best as a community partnership, with the Chamber of Commerce, Albany Visitors Association, Albany Downtown Association, or other established community based nonprofits. The City could be a partner, but not the leading money contributor. That would relieve the stigma of it being a government program.

City Attorney Jim Delapoe agreed that a contract with an existing organization would work best and gave examples of how that could be accomplished.

DIRECTION: The Council directed staff to follow up and investigate how the City can participate in the Historic Albany Recovery Program (HARP) and bring it back to the Council within the next 30 days.

Mark Azevedo, 1210 Skyline Drive NW, supports Waldock's vision. He mentioned that Oregon State University has a national champion women's rugby team.

SCHEDULED BUSINESS

Business from the Public

No one wished to speak.

Adoption of Consent Calendar

- 1) Approval of Minutes
 - a) November 10, 2010, City Council Regular Session.
 - b) December 1, 2010, City Council Joint Meeting with Greater Albany Public School Board.
- 2) Adopting Financial Policies. RES. NO. 5970

MOTION: Coburn moved to adopt the Consent Calendar as presented. Johnson seconded the motion and it passed 6-0.

Report

HEART report

Captain Atchley provided the Homeless Enrichment and Rehabilitation Team (HEART) report. He reviewed Heartbeat, a HEART sponsored newsletter. He provided examples from the past year of how HEART programs have been successful. He noted that Albany InReach Services was recently named the Governor's Outstanding Volunteer Program for 2010. InReach is a cooperative effort of volunteer medical professionals that provide dental and medical access for children, low-income adults, families without insurance, laid-off workers between jobs, and the elderly. He mentioned the Homeless Persons' Memorial event to be held at 2:00 p.m., on December 21, in the City Hall Plaza. He provided a brochure (in agenda file) regarding the Jackson Street Youth Shelter that will be coming to Albany. He explained the Toto Fund, saying that it assists people with emergency travel or traveler's aid. He provided examples, explaining how they screen people and the follow up procedures involved. He asked the Council to fund the Toto Fund in the next budget process. Atchley said he looks forward to coming back before the Council as a private citizen.

BUSINESS FROM THE COUNCIL

Councilor Coburn said he was in attendance at the meeting about the current rash of arsons and received a list of potential targets. He mentioned a property that was on the list that he drove by and it looked like someone was living there. So it wasn't vacant and he was surprised to see it on the list. He asked, how does a property get on the list? Community Development Director Greg Byrne said they received addresses from several sources. They are contacting the property owners and if someone is living there or the vacant property has been secured, they remove them from the list. He will have staff check the property Coburn was referring to.

Management Assistant/Public Information Officer Marilyn Smith provided a copy of the "Help Prevent Arson" flyer (in the agenda file) to the Council.

Hare thanked Captain Atchley for his service to the Albany community and his vision regarding the most successful approach in serving the homeless. Hare mentioned that he has seen a noticeable change in the

Albany homeless situation since moving here five years ago. He believes this change is due to the good work of people like Atchley, Mayor Konopa, Marilyn Smith, and many others.

Konopa commented on how they changed the approach to homelessness once they were fully educated about it. She thanked Captain Atchley for participating in HEART and for the respect he has achieved with the homeless.

NEXT MEETING DATE

The next Regular Session of the Council is scheduled for Wednesday, January 12, 2011, at 7:15 p.m., in the City Council Chambers, of City Hall.

The next scheduled Work Session, is Monday, January 24, 2011, at 4:00 p.m., in the Albany Municipal Court Room, of City Hall.

ADJOURNMENT

There being no other business, the meeting was adjourned at 8:43 p.m.

Respectfully submitted by,

Reviewed by,

Betty Langwell, MMC
City Clerk

Stewart Taylor
Finance Director



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Ed Gallagher, Library Director *EG*
DATE: January 3, 2011, for the January 12, 2011, City Council Meeting
SUBJECT: Authorizing Acceptance of Ready to Read Grant
RELATES TO STRATEGIC PLAN THEME: ● Great Neighborhoods

Action Requested:

Authorize the Library to accept a Ready to Read Grant from the Oregon State Library.

Discussion:

This Grant focuses on early childhood literacy and helps support the Summer Reading Program. It will also help improve and enhance the Library's children's collections and materials.

Budget Impact:

None.

EG:kg
Attachment

G: ADMIN EdG CC Memos, etc ReadytoReadGrantAcceptance.meg.doc

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE ALBANY PUBLIC LIBRARY TO ACCEPT A READY TO READ GRANT FROM THE OREGON STATE LIBRARY FOR COLLECTION DEVELOPMENT, PROGRAMS, AND MATERIALS AT BOTH LIBRARIES.

WHEREAS, the Oregon State Library has granted \$5,594 to the Albany Public Library for its Youth Services Department; and

WHEREAS, both the Main and Carnegie branches of the Albany Public Library are committed to providing enhanced and improved collections, programs, and materials for children and young adults; and

WHEREAS, the grant funding will establish, develop, and improve public library service to children in an effort to improve the reading skills of all of Oregon's children, beginning at birth; and

WHEREAS, the Youth Services Department furthers the Citywide Goal of great neighborhoods.

NOW, THEREFORE, BE IT RESOLVED the Albany City Council hereby adopts by resolution the authorization of the Albany Public Library to accept the Ready to Read Grant through the Oregon State Library.

DATED AND EFFECTIVE THIS 12TH DAY OF JANUARY 2011.

Mayor

ATTEST:

City Clerk

CITY COUNCIL REPRESENTATIVES
2011 & 2012

Albany Downtown Association

Sharon Konopa (term expires: 12-31-2012)

Albany Visitors Association

Bessie Johnson (term expires: 12-31-2012)

Albany-Millersburg Economic Development Corporation (AMEDC)

Sharon Konopa (term expires: 12-31-2012)

Jeff Christman (term expires: 12-31-2012)

[Under AMEDC bylaws, the Mayors of Albany and Millersburg are automatic board members.]

Albany-Millersburg Joint Water/Wastewater Management Committee

Floyd Collins *[City Council]* (term expires: 12-31-2012)

Ralph Reid, Jr. *[City Council]* (term expires: 12-31-2012)

Dala Rouse *[Planning Commission]* (term expires: 12-31-2012)

Bill Coburn *[City Council]* (alternate)

Albany Partnership for Housing and Community Development

Sharon Konopa (term expires: 12-31-2012)

Bill Coburn (alternate)

Cascades West Area Commission on Transportation (CWACT)

Ralph Reid, Jr. (term expires: 12-31-2011)

Ron Irish (alternate) (term expires: 12-31-2011)

Linn-Benton Transit Commission

Ralph Reid, Jr. (term expires: 12-31-2012)

Linn County Fair & Expo Advisory Committee

Jeff Christman (term expires: 01-01-2011)

Oregon Cascades West Council of Governments

Sharon Konopa (term expires: 12-31-2012)

Dick Olsen (alternate)

Willamette Criminal Justice Council

Sharon Konopa (term expires: 12-31-2012)

Floyd Collins (term expires: 12-31-2012)

Max Frederick (term expires: 12-31-2012)

(North Albany citizen representative)



TO: Albany City Council
FROM: Sharon Konopa, Mayor
DATE: January 6, 2011, for January 12, 2011, City Council Meeting
SUBJECT: Appointments to City Boards, Committees, and Commissions
RELATES TO STRATEGIC PLAN THEME: • An Effective Government

Action Requested:

Council approval of the following appointments to City advisory groups:

Airport Advisory Commission

John Pascone	(Mayor's reappointment)
Ron Terhaar	(Councilor Olsen's reappointment)
Heath Kasper	(Councilor Reid's reappointment)
Pat Eastman	(Councilor Johnson's reappointment)

Albany Arts Commission

Melissa Babcock Saylor	(Mayor's new appointment)
Chuck Leland	(Mayor's new appointment)

Albany Bicycle and Pedestrian Advisory Commission

Kelly Albers	(Mayor's reappointment)
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Albany Budget Committee

Dick Conolly	(Mayor's new appointment)
Michael Thomson	(Councilor Olsen's new appointment)
Bruce Peters	(Councilor Coburn's reappointment)

Building Board of Appeals

Bill Ryals	(Mayor's reappointment)
Julie Jones	(Mayor's new appointment to fill vacant position for term that expires December 31, 2012)

City Tree Commission

Mark Azevedo	(Mayor's reappointment)
John Vandepas	(Mayor's new appointment)

Human Relations Commission

Michael Thompson	(Mayor's reappointment)
Julie Jones	(Councilor Collin's reappointment)

Landmarks Advisory Commission

Trent Jacobs	(Mayor's reappointment)
David Pinyerd	(Mayor's reappointment)
Keith Semmel	(Mayor's new appointment)

Library Board

Rosemary Bennett	(Mayor's new appointment)
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Parks & Recreation Commission

Sharon Edwards

(Mayor's reappointment)

Keith Underdahl

(Mayor's new appointment)

Planning Commission

Dala Rouse

(Councilor Olsen's reappointment)

Bob Kish

(Councilor Johnson's reappointment)

Public Safety Commission

Larry Nelson

(Councilor Coburn's reappointment)

Lucy Hughes

(Councilor Johnson's reappointment)

Senior Center Endowment Committee

Marian Anderson

(Mayor's reappointment)

Lorraine Taylor

(Mayor's new appointment)

Traffic Safety Commission

Robert Fox

(Mayor's reappointment)

Discussion:

Recommendations for any remaining vacancies on the City advisory groups will be submitted for approval at subsequent Council meetings.

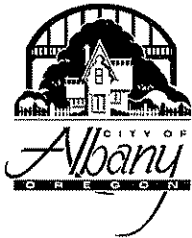
Budget Impact:

None.

SK:ldh

Attachment

U:\Administrative Services\City Manager's Office\Boards-Commissions\2011 Recruitment\2011 appointments-boards & commissions-msk.doc



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: John R. Bradner, Fire Chief *JRB*
DATE: January 5, 2011, for the January 12, 2011, City Council Meeting
SUBJECT: Evaluation of Albany and Corvallis Fire Departments for Collaborative Opportunities
RELATES TO STRATEGIC PLAN THEME: • An Effective Government

Action Requested:

Approval to hire a consultant in conjunction with the City of Corvallis to evaluate both fire departments for collaborative, cost-saving opportunities.

Discussion:

The Cities of Albany and Corvallis are facing similar financial challenges in light of the current economy. In an effort to identify potential cost-saving opportunities, a meeting of the two City Managers and two Fire Chiefs was held. As a result, an additional meeting was held with representatives from Emergency Services Consulting International (ESCI), which specializes in fire and EMS consulting services. ESCI works with fire agencies across the country, recently working with Eugene and Springfield to consolidate some administrative and support functions resulting in savings to taxpayers and more efficient service.

Representatives from both cities acknowledge the potential for cost-savings through collaboration within the fire departments and see value in hiring ESCI to evaluate and make short-term and long-term recommendations toward these efforts.

Budget Impact:

Total cost estimated at \$20,000, to be split evenly between the City of Albany and City of Corvallis. Estimated cost to City of Albany is \$10,000 to be paid from City Manager's contractual services 701-11-1028-60101.

JB:ljh



TO: Albany City Council
VIA: Wes Hare, City Manager
Jim Delapoer, City Attorney
FROM: Kate Porsche, Urban Renewal Manager *Kate*
DATE: January 6, 2011, for the January 12, 2011, City Council Meeting
SUBJECT: Historic Albany Recovery Program (HARP)

RELATES TO STRATEGIC PLAN THEME: • A Healthy Economy

RELATES TO:

- Goal 1: Build and maintain a healthy economy.
- Goal 2: Create a readily identifiable downtown core that is unique and vibrant with a mixture of entertainment, housing, specialty shops, offices, and other commercial uses.

Action Requested:

Review of information, discussion, and funding decision.

Discussion:

Michael Waldock came before you at the December 15, 2010, meeting to introduce himself and give his presentation on the Historic Albany Recovery Program (HARP). After that presentation, you directed staff to follow up and investigate how the City can participate in HARP and bring it back to the Council within the next 30 days. Mr. Waldock will be traveling and unable to attend the meeting; but in working with him, the City Attorney, and the City Manager, staff has prepared this memo outlining the requested information.

Proposed work:

HARP aims to develop and merchandise all of the attributes, skills, and activities of the City of Albany and its residents in a cohesive form. The core objective is to improve historic Albany's economic well-being and the quality of life and experience for our residents and visitors. Specific objectives are to build:

- Tourism
- Consumption
- Education
- Employment

The ideas of coordination and cohesion are critical to this plan, as he outlines, "We have to organize all of our attributes, skills, and activities so that we can build tourism, consumption, education, and employment. All of them, seven days a week, 365 days a year, in a form which is unique, comprehensive, understandable, and promotable." He has stressed that the branding of Albany must be based on the City's authentic assets, including unique historic assets in the neighborhoods and downtown, a tradition of manufacturing and innovation, our identification with railroads, strong educational institutions, and a good base of attractions that can be enhanced with new projects.

Structure:

Since the last meeting, Mr. Waldock has met with the City Attorney to discuss possible structure for HARP. Mr. Delapoer has reviewed this structure, and it has his approval.

The proposed structure is that Mr. Waldock, as the HARP Team Leader, be an unpaid special consultant to the City Manager and that interns be hired as temporary City employees. It has been suggested that Kate Porsche, Urban Renewal Manager, be the official staff liaison to the effort, with Mr. Waldock reporting directly to the City Manager. This proposed structure eliminates the time and money that would be necessary to create a separate business structure (including insurance, worker's compensation, etc.). Creating the structure under the City's umbrella means this necessary infrastructure is already in place. Please see the recommended language below.

Additionally, Mr. Waldock is suggesting that a core group, referred to as the Historic Albany Recovery Team (HART), be created. He outlines that "The HART group should be non-hierarchical to encourage brainstorming, solution generating, and speed." It is anticipated that the HART team will include members from the City, CARA, AVA, and ADA. From the City Council, we are suggesting that the Mayor and Council President be on this team. HART is the facilitator/organizer to enable the launch of HARP initiatives and assist existing individuals and work groups with nonroutine tasks that underpin our economic recovery.

He goes on to say, "The HART core group will constantly scour for ways to enhance the four HARP targets—Tourism, Consumption, Employment, and Education. HART will assign specific members to enable completion of tasks.

Deliverables:

Mr. Waldock has suggested that deliverables include:

- Baseline data: The HARP-HART team will generate a series of baseline data which will be the basis for the economic impact forecast (see below). In order to know how far we've come, we need to know where we started. This information will be pulled together by the HART interns.
- Economic impact sheets created for review by the HART group, and, ultimately, the City Council. These sheets can be thought of as small-scale work plans that outline a specific measureable goal, such as boosting attendance at an event, for example. A measurement against the "baseline" will be included (as outlined above) as a part of this analysis.
- Draft of document outlining the Recovery Program targets.
- Periodic citywide briefings and reporting to the City Council on progress of HARP.

Timeline:

The crux of this work is to create cohesion, life, and connections through the work of HARP. Mr. Waldock has offered several initial ideas for specific projects in this preliminary timeline. We expect that there will be many more suggestions and that each will rely on community acceptance and effort. In fact, we expect the HARP program to be very fluid, taking advantage of opportunities that we cannot predict today. Below is a tentative schedule based on initial ideas:

Timing	Item
January-February	Look for contributions of space, furniture, etc.
March	Review intern list and conduct interviews.
April	HARP-HART starts with an audit of all events and timings for 2011-2013.
April	HART full team produces list of CARA, AVA, ADA, City, and aligned business programs.
May	HART core team produces first draft of Recovery Program targets.
May	Start AMTRAK band welcomes for Starlight Express. First media contacts.
May	Citywide briefings with a clear commonality of purpose.
May	Finalize the HARP story, produce initial press releases, assign Brand Managers, and conduct media training.
June	Contact major media and news organizations and get targeted news releases out.
July	Draft Economic Impact (EI) sheets for HARP plans. Sevens Rugby training commences.
August	Research "Made in Historic Albany" product opportunities. Recommend processes to dramatically improve the portfolio.
September	Work with stores and local businesses to produce a "Magic on First Avenue" Christmas plan and utilize Baseline Economic Audit data to target improvements and yields.
October	Second raft of media contacts.
December	On ground to aid Christmas sales.

Recommended Language:

If approved, the City Attorney has suggested that the Council authorize the City Manager and City Attorney reasonable discretion to structure the relationship in the manner they deem to be in the City's interest. Additionally, as noted below, the amount of \$68,600 should be indicated as "an amount not to exceed \$68,600."

Budget Impact:

The HARP-HART nine-month budget, April-December, as outlined by Mr. Waldock, follows:

Item	Notes	Cost
Interns	1,500 hours @ \$8.50 x 3	\$38,250
Accommodation	500-700 s.f. @ \$750/month	\$ 6,750
Utilities	If not included above - \$200/month	\$ 1,800
Office Supplies	\$1,000 per month	\$ 9,000
Communications	\$500 per month	\$ 4,500
Capital Equipment	Desks, chairs, computers	\$ 3,000
T&E	\$300 per month	\$ 2,700
Band Donation	26 weeks x \$100	\$ 2,600
GRAND TOTAL		\$68,600

If approved, the amount should be indicated as "not to exceed \$68,600," as the amount may be significantly less if donations such as space or office supplies are received.

It should be noted that no account of support time from the City, ADA, AVA, CARA, or the City Council is included in the above. Additionally, Mr. Waldock, as HARP Team Leader, has agreed to donate his time and expertise for this worthy cause.

The spirit of his proposal addresses the notion of ground-up economic development through job creation and tourism and falls in the purview of economic development activities, should you choose to use the Pepsico economic development funds for this project.

KCP:ldh

U:\Economic Development\HARP\HARP Staff Report 01 12 11 CC meeting.doc

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR LINN COUNTY

IN THE MATTER OF APPOINTING
MEMBERS TO THE LINN COUNTY
LOCAL PUBLIC SAFETY COORDINATING
COUNCIL

RESOLUTION NO. 2007-715
(Appointment)

Comment [Watermark1]:

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COMES NOW, Keith L. Miller, Linn County Local Public Safety Coordinating Council Staff, in a regularly scheduled and duly advertised meeting on September 11, 2007, and respectfully requests that the Board of County Commissioners for Linn County (Board) approve the appointment of persons to the Linn County Local Public Safety Coordinating Council (Council); and

WHEREAS, The Board being advised that vacancies exist on the Council;

WHEREAS, Pursuant to the Linn County Local Public Safety Coordinating Council Bylaws, Article III, Section 6, the Board shall appoint fifteen (15) members to the Committee and Article III, Section 7, having terms of office of four (4) year; and

NOTING, That pursuant to the Bylaws, the terms of each position are for four (4) years to expire on August 31st of the fourth year of appointment; and

NOTING, That Position #10 shall remain vacant until further action by the Board; and, now,

Jason Carlile
District Attorney
Linn County, Oregon
P.O. Box 168
Albany, Oregon
97321

therefore, be it

///

///

RESOLVED, That Ric Bergey be reappointed to Position No. 6, that Torri Lynn be reappointed to Position No. 8, and that John Hitt be reappointed to Position No. 11 on the Linn County Local Public Safety Coordinating Council.

Resolved this 11th day of September, 2007 *nunc pro tunc* to August 31, 2007.

LINN COUNTY BOARD OF COMMISSIONERS

Roger Nyquist, Chairman

John K. Lindsey, Commissioner

Wooten, Commissioner

Cliff

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Keith L. Miller
Linn County Local Public
Safety Coordinating Council

Thomas N. Corr
Linn County Legal Counsel

For reference, the table below sets forth the current members appointed by the Linn County Board of Commissioners to the Linn County Local Public Safety Coordinating Council and their respective terms which expire August 31, in the year indicated.

LINN COUNTY LOCAL PUBLIC SAFETY COORDINATING COUNCIL				
POSITION	APPOINTEE	ADDRESS	REPRESENTING	EXPIRES
POSITIONS 1 THROUGH 11 ARE REQUIRED BY OREGON STATE STATUTE				
1	Thor Dahle City of Lebanon Police Chief (541) 451-1751 (w)	40 N 2nd St Suite 100 Lebanon OR 97355	Police Chiefs of Linn County	8/31/2010
2	Timothy K. Mueller Linn County Sheriff 917-6662 (w)	PO Box 100 Albany OR 97321	Linn County Sheriff	8/31/2010
3	Jason Carlile Linn County District Attorney 967-3836 (w)	PO Box 100 Albany OR 97321	Linn County District Attorney	8/31/2010
4	Dan Murphy Circuit Court Judge 967-3848 (w)	PO Box 1749 Albany OR 97321	State Court Judge	8/31/2010
5	Kent Hickam Attorney at Law 928-9304 (w)	PO Box 1041 Albany OR 97321	Public Defender	8/31/2008
6	Ric Bergey, Director Linn County Parole & Probation 967-2005 (w)	118 SE Second Street Suite F Albany OR 97321	Linn County Parole & Probation	8/31/2011
7	Roger Nyquist Linn County Commissioner 967-3825 (w)	PO Box 100 Albany OR 97321	Board of Commissioners	8/31/2009
8	Torri Lynn Linn County Juvenile Department Director 967-3853 x 2168 (w)	PO Box 100 Albany OR 97321	Linn County Juvenile Department	8/31/2011
9	Frank Moore Health Services Administrator (Health/Mental Health Director) 541-905-7937(w)	Linn County Health Department PO Box 100 Albany OR 97321	Linn County Health Department	8/31/2010

LINN COUNTY LOCAL PUBLIC SAFETY COORDINATING COUNCIL				
POSITION	APPOINTEE	ADDRESS	REPRESENTING	EXPIRES
10	VACANT		City Councils or Mayors	8/31/2011
11	John Hitt City Administrator 258-4202 (w)	City of Lebanon 925 Main Street Lebanon OR 97355	City Managers/ City Representative	8/31/2011
POSITION 12 IS A LAY POSITION/STATE STATUTE REQUIRES ONE LAY POSITION				
12	Paul Barnes 541-905-7248	Helping Hands PO BOX 2252 Albany OR 97321	Lay citizen	8/31/2008
POSITIONS 13 AND 14 ARE NON-VOTING REQUIRED BY STATE STATUTE POSITIONS				
13	Lt Mark Cotter Oregon State Police 967-2026 x 2112 (w)	3400 Spicer Road Albany OR 97321	Oregon State Police	8/31/2008
14	Jim Kramer Oregon Youth Authority 967-2041	4400 Lochner Road SE Albany OR 97322	Oregon Youth Authority	8/31/2008
POSITION 15 IS A NON-REQUIRED POSITION				
15	Darwin Merrill Commission on Children and Families Coordinator 967-3823 x 2080 (w)	PO Box 100 Albany OR 97321	Commission on Children and Families	8/31/2008



BYLAWS

Linn County Local Public Safety Coordinating Council



Article I. Name

The name of this body shall be the Linn County Local Public Safety Coordinating Council ("LPSCC"), *hereinafter also referred to as the "Council."*

Adopted 2002-115 eff 4/2/02

Article II. Purpose, Objectives, and Authority

Section 1. Purpose. The purposes of the Council are:

- a. To promote public safety and reduce crime;
- b. To assist the Oregon Department of Corrections by and through its Linn County Parole and Probation Office in the development of the Linn County Community Correction Plan which ensure accountability, responsibility, consequences, and respect for both the adult and juvenile justice systems;
- c. To encourage effective, coordinated, and balanced approaches to the prevention of crime, the reduction of recidivism, and the creation of safe communities in Linn County.

Section 2. Objectives. The Council shall, at a minimum:

- a. Assist the Oregon Department of Corrections by and through its Linn County Parole and Probation Office in the development of the Linn County Community Correction Plan and make recommendation thereon to the Linn County Board of Commissioners (*hereinafter also referred to as the "Board"*) and the Oregon Department of Corrections for use of:
 - (1) State resources to serve the local offender population [ORS 423.560 (3) (a) (A)]; and
 - (2) State and local resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age, which plan must provide for coordination of community-wide services involving prevention, treatment, education, employment resources and intervention strategies [ORS 423.560 (3) (a) (B)]; and
- b. Coordinate local criminal justice policy among affected criminal justice entities [ORS 423.560 (3) (b)]; and
- c. Develop and recommend to the Board a plan for use of state resources to serve the local offender population [ORS 423.565 (1)]; and
- d. Coordinate local juvenile justice policy among affected juvenile justice entities [ORS 423.565 (2)]; and
- e. In consultation with the Linn County Commission on Children and Families, develop and recommend to the Board a plan designed to prevent criminal involvement by youth. The plan must provide for coordination of community-wide services involving treatment, education, employment and intervention strategies aimed at crime prevention [ORS 423.565 (3)].

Section 3. Authority. The Council is established by the Board pursuant to ORS 423.560 to 423.565.

Adopted 2002-115 eff 4/2/02; nmd 2005-146 eff 4/26/05

Article III. Membership of the Council

Section 1. Number. The Council shall consist of fifteen (15) persons.

Section 2. Appointment. The members of the Council shall be appointed by the Board. The Council may make recommendations for appointments to the Board and, if so made, the Board shall consider any recommendations prior to making appointments to the Council. The members of the Council serve

at the pleasure of the Board.

Section 3. Member recommendations. The names and qualifications of persons recommended to serve on this Council shall be submitted in writing to the Board.

Section 4. Representation. The Council shall include, but need not be limited to:

- a. Twelve (12) voting members comprising:
 - (1) A police chief selected by the police chiefs in the county;
 - (2) The sheriff of the county;
 - (3) The district attorney of the county;
 - (4) A state court judge, appointed by the presiding judge of the judicial district in which the county is located;
 - (5) A public defender or defense attorney, appointed by the presiding judge of the judicial district in which the county is located;
 - (6) A director of community corrections, appointed by the Board;
 - (7) A juvenile department director, appointed by the Board;
 - (8) A health or mental health director, appointed by the Board;
 - (9) At least one (1) lay citizen, a resident of the county, appointed by the Board but who may not be an employee of any of the offices or departments above named;
 - (10) A Linn County commissioner, appointed by the Board;
 - (11) No more than two city employees selected by the cities in the county consisting of:
 - (a) A city councilor or mayor; and
 - (b) A city manager or other city representative; and
- b. Three (3) non-voting members comprised of:
 - (1) A representative of the Oregon State Police, who is a nonvoting member of the council, selected by the Superintendent of State Police; and
 - (2) A representative of the Oregon Youth Authority, who is a nonvoting member of the council, selected by the Director of the Oregon Youth Authority; and
 - (3) The coordinator for the Linn County Commission of Children and Families.

Section 5. Resignation. Any member may resign membership by submitting such resignation in writing to the chair of the Council and shall set forth the effective date of the resignation.

Section 6. Terms of appointment. When the first members of the Council are appointed under these Bylaws, the terms of each member shall be as follows:

- a. Six members shall be appointed for a two-year term to expire on August 31 one year next following appointment;
- b. Six members shall be appointed for a three-year term to expire on August 31 two years from January next following appointment;
- c. Six members shall be appointed for a four-year term to expire on August 31 three years from January next following appointment.
- d. Annually thereafter, at a meeting in August, upon the expiration of the term of a member, a successor shall be appointed by the Board to serve for four years.

Section 7. Term of office. The term of office for members of the Council shall be four (4) years. The Board may appoint a member for additional terms or may limit the number of terms that a member may serve.

Section 8. Term limits. There is no limit as to the number of terms that a member may be appointed to and serve on the Council.

Section 9. Vacancies in membership. The secretary shall notify the Board of vacancies in membership and may submit any recommendations made by the Council to fill such vacancies. The minutes of

the Council should reflect such notification and recommendations.

Section 10. Removal of members from the Council

- a. The secretary shall notify the Board of any recommendations to remove a member from membership in the Council and the reasons therefor.
- b. Upon failure of any member, whose membership is not required by state law, to attend five (5) regular meetings in a term or more than (3) consecutive regular meetings, when such absences are not excused, the Council may recommend termination of that member to the Board. Upon confirmation of such recommendation by the Board, the position is vacant. The Board shall make necessary appointments to fill vacancies in accordance with these Bylaws. Such appointments shall be for the remainder of the term. The Secretary shall inform the chair at, and set forth in the minutes of, each regular meeting the names of the persons who have been absent, without excuse for five (5) regular meetings in a term or for more than three (3) consecutive regular meetings.

Adopted 2002-115 eff 4/2/02; amd 2005-146 eff 4/26/05

Article IV. Officers and Terms of Office

Section 1. Officers. The officers of this Council shall consist of a president, a vice-president, and a secretary.

Section 2. Elected officers; terms thereof. At the first meeting of the Council, and each year in September thereafter, the first order of business of the membership shall be to elect a president and a vice-president. Officers may be reelected. Officers elected by the Council shall serve for a one-year term or until their successors have been duly elected and qualified.

Section 3. Secretary. The secretary is not elected but shall be the staff person described in Article VIII. The secretary is not a member of the Council and does not have authority to vote.

Section 4. Duties of Officers

- a. The duties of the officers shall be those customarily performed by such officers together with those responsibilities prescribed by these Bylaws of the Council, and such other duties as may be assigned by the Board.
- b. The duties of the President are:
 - (1) to have general supervisory and direction powers of the Council;
 - (2) to be the official spokesperson for the Council to the Board or otherwise; unless this responsibility is delegated in writing to another member of the Council;
 - (3) to vote on all motions;
 - (4) to preside as chair at all meetings of the Council;
 - (5) to appoint all committees authorized by the bylaws and appoint members to serve on such committees;
 - (6) to be responsible for general management of the Council;
 - (7) to see that all directives of the Board are carried out; and
 - (8) to be an *ex-officio* member of all committees, except that the President shall not be a member of a nominating committee.
- c. The duties of the Vice-President are to assume the duties of the President in the absence of the President, during which time the Vice-President has the duties, powers, and responsibilities of the President.

Section 5. Vacancies in an elected office

- a. The chair shall appoint an officer pro tem at the first meeting of the Council after the vacancy of such office becomes known. The officer pro tem shall serve until the office is filled by vote of the Council pursuant to this section.

- b. Following notice of vacancy of any elected office, a special election shall be held at the next regular meeting, provided that written notice of such vacancy is provided to all members of the Council fourteen (14) days in advance of that next meeting.

Section 6. Vacancies in an appointed office. The president shall fill a vacancy in an office for which the president has appointing authority.

Section 7. Removal of an elected officer. Any elected officer of this Council may be removed from office by affirmative vote of two-third's of the voting members attending a regular or special meeting. Following removal, the Council, as its first item of business, shall elect a person from among its membership to fill the office.

Adopted 2002-115 eff 4/2/02

Article V. Meetings

Section 1. Regular business meetings. The Council shall meet as needed and at the call of the President unless such meeting date is set at the previous meeting.

Section 2. Meeting times. Pursuant to these Bylaws, the Council shall conduct a regular business meeting at least three times each year endeavoring to meet once each four months. The Council may meet more often as the need arises.

Section 3. Meeting location. Every effort shall be made to conduct meetings of the Council at the conference room at the Linn County Sheriff's Office. If the meeting is to be held at another location a notice indicating the location shall be mailed to each member at least fourteen (14) days in advance of the meeting and to the *Albany Democrat Herald* at least 24 hours in advance of such meeting. All meetings shall be conducted in Linn County.

Section 4. Special meetings

- a. Special meetings for any purpose may be scheduled by majority vote or called by call of the President.
- b. Notice of a special meetings called by the President shall contain, in addition to the date, time, and place of the meeting, a list the agenda items to be considered at the meeting. Such notice shall be provided to each member personally, by mail, or by e-mail, reasonably calculated to be received at least seven (7) days prior to such meeting.

Section 5. Executive sessions

- a. The Council may enter executive session in compliance with ORS 192.610 to 192.690.
- b. The President, vice-President, or secretary shall make reasonable effort to obtain advice of County Counsel prior to entering executive session.
- c. During executive session the only members that may be in attendance are the Council, County Counsel, members of the Board, any county staff not expressly excluded, and members of the press.
- d. Minutes shall be kept in accordance with Article V. Section 10.
- e. An executive session may be conducted as part of a regular, special, or emergency meeting. An executive session shall be conducted in compliance with ORS 192.610 to 192.660, and specifically with ORS 192.660.
- f. At the start of the executive session, the chair shall read to any press in attendance the "Statement to the Press" that follows and comply with the actions described in the Statement.

Statement to the Press

"I am going to call this [governing body's name] into executive session pursuant to the authority granted in ORS 192.660 (1) [(?)]."
[Usually (f) (to discuss exempt records) or (h) (to consult with counsel concerning likely/pending litigation)]. . .

At this point, announce the time and close the public meeting by recessing it to time certain, dismiss all unneeded persons, and begin the executive session noting the time. Always state on the record (note in the minutes) every person who is present, and especially indicate which members of the press are present. Finally, before conducting any discussions, give the members of the press who are present the following instructions —

“In addition, I specifically instruct the members of the press not to take notes or to report on or in any other manner disclose the contents of the matters that will be discussed during the executive session. You may take notes and disclose only those matters that this [governing body’s name] specifically tells you that you may do so. Do you understand those limitations?”

[Get an audible affirmative agreement from each member of the press present, and ensure that the minutes reflect the reading of this Statement and the agreement of each member of the press] . . .

“Of course you may take notes and disclose all matters discussed in the open meeting after this executive session is terminated and we return to open meeting.”

Section 6. Quorum and voting requirements.

- a. **Quorum.** The *minimum* number of voting members that must be present to have a valid meeting is 51% of the twelve (12) voting members, i.e., seven (7) members.
- b. **Concurring votes to do business:** At a regular or properly called meeting at which a quorum is present, the *minimum* number of voting members that must concur on matter in order to do business requiring a:
 - (1) majority vote is between five (5) and nine (9) (see Appendix 1); or
 - (2) $\frac{2}{3}$ -vote is between six (6) and ten (10), except as otherwise may be provided by these bylaws and parliamentary rules of order (see Appendix 1).
- c. Nonvoting members of the Council may not be counted in determining whether a quorum exists.

Section 7. Public Meeting Law. All meetings of this Council shall comply with ORS 192.610 to 192.690 (Public Meeting Law).

Section 8. Voting.

- a. Each member of the Council shall be entitled to one vote on matters before the Council.
- b. No vote shall be made by a proxy.
- c. Votes shall be cast by voice or the showing of hands. Verification of a vote may be by showing the hands or a rising vote.
- d. If there is an emergency and it is not feasible to hold a meeting of the Council, a vote otherwise in compliance with these Bylaws, may be taken by conference phone in the hearing of the quorum present in the meeting at which the matter is being considered so long as:
 - (1) a reasonable attempt, if practicable, has been made to notify the press and persons known to be interested in the matter or who have so requested in writing; and
 - (2) minutes complying with ORS 192.610 to 192.690 of the conference phone are made.

Section 9. Notice. The President shall cause notice of a meeting’s date, time, location, and proposed agenda to be provided in accordance with these Bylaws and this section.

- a. Notice of a regular and special meetings shall be provided not less than seven calendar days prior to such meeting.
- b. Notice of an emergency meeting shall be provided as practical under the circumstances.
- c. Notice shall be given to the following:
 - (1) Each member of the Council;
 - (2) the Board, if the member representing the Board is absent when such meeting is scheduled;
 - (3) County Counsel;
 - (4) *Albany Democrat Herald*;

- (5) Any other person who has asked in writing to be notified of such meeting; and
- (6) Any person known to have an interest in a particular agenda item.
- d. Notice of regular meetings shall include a statement that public comment, both orally at the meeting and in writing if submitted in a timely manner, are welcome.
- e. The proposed agenda of the Council shall include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of the Council to consider additional subjects.

Section 10. Minutes

- a. The secretary, or, if the secretary is absent, another person appointed by the chair, shall keep minutes of regular, special, and emergency meetings that comply with ORS 192.610 to 192.690.
- b. A copy of the minutes of regular, special, and emergency meetings shall be provided to the Board and County Counsel within two weeks of the meeting at which the minutes were taken, and if amended by the Council, a copy shall be given within one week of the meeting at which the amendment was approved.
- c. The minutes of a regular, special, or emergency meeting shall contain, in addition to the members, the names and title, if any, of every other person who participates in the meeting. The secretary should also include in the minutes the name of any other person whose presence is considered germane to the proceedings.
- d. If an executive session is conducted during a regular, special, or emergency meeting, the minutes shall contain:
 - (1) the names and title, if any, of every person who is present at any time in the meeting room during the executive session;
 - (2) the reference to the authority for calling the executive session as set forth in ORS 192.660 (1) (a) to (k);
 - (3) the time the executive session commenced and ended; and
 - (4) the action taken, if any, after returning to the public portion of the meeting; and
- e. Minutes of executive sessions shall comply with ORS 192.650.

Adopted 2002-115 eff 4/2/02; amend 2005-146 eff 4/26/05

Article VI. Special committees

Section 1. In order to carry out the work of the Council, committees may be created by a majority vote. The Council shall provide to each committee so created a written description of the purpose and scope of activity of such committee. The written description may be in the form of the minutes if the minutes otherwise complies with the contents required by this section.

Section 2. The chair may create ad hoc task forces or working groups.

Section 3. The chair may appoint committee chairs and members. Such appointments may be from members of the Council membership or otherwise. Committee chairs shall provide written or oral reports of their committee activities to the Council chair. Members appointed to a committee who are not members of the Council may vote only at committee meetings.

Section 4. Special committees as required may be named from time to time by the Chair following a vote to refer a matter to a committee.

Section 5. A special committee shall meet at such times as shall be designated by the chair of the special committee and shall report back to the Council at the time designated by the Chair.

Section 6. A special committee is subject to the Bylaws, Rules of Order, and Standing Rules of the Council, except as the context requires or demands otherwise.

Adopted 2002-115 eff 4/2/02

Article VII. Parliamentary Authority.

Section 1. Authority. Except as otherwise provided by law and except where the Council directs or acts to the contrary, the parliamentary process of the Council shall be governed by the *Basic Parliamentary Rules of Order for Linn County Governing Bodies* adopted by the Linn County Board of Commissioners, Order No. 2001-605, dated October 23, 2001, as amended from time to time by County Counsel, and any Special Rules that the Council may adopt pursuant to those Rules of Order.

Section 2. Notice of Special Rule adoption. Notice of adoption of Special Rules of Order shall be provided in a timely manner to each member of the Council, the Board, and County Counsel.

Section 3. Parliamentary advisor. The secretary shall be familiar with Parliamentary Authority and shall advise the chair on points of Parliamentary law, and also give similar advice to other officers and members upon request. Questions not answered by the Rules of Order or by the Parliamentary Authority, subject to objection, shall be decided by the Chair. Notice of any Special Rules adopted pursuant to this section shall be provided in a timely manner to each member of the Advisory Committee, the Board, and County Counsel. The Council is encouraged to also seek the advise of the County Counsel on doubtful points of parliamentary procedure and rules.

Section 4. Standing Rules of the Council. Following the election of officers pursuant to Article IV, Section 2, the Council shall adopt as necessary and from time to time review Standing Rules to govern the details of the administration of the Council. The Council by affirmative vote of the quorum may suspend such Standing Rules for a meeting. Copies of its current Standing Rules shall be provided in a timely manner to each member of the Council, the Board, and County Counsel. No standing rule may conflict with these Bylaws or the Parliamentary Authority adopted by these Bylaws.

Adopted 2002-115 eff 4/2/02

Article VIII. Staff support to the Council

Section 1. The Board shall provide a staff person to act as secretary to the Council. The secretary is responsible to and reports directly to the Board.

Section 2. The staff secretary shall have the following duties and responsibilities:

- a. To enter and maintain in the books of the Council true minutes of all meetings and executive sessions;
- b. To call the meeting to order in the absence of the president and vice-president and as first order of business elect a chair pro tem;
- c. To give all notices required by these Bylaws, or resolutions;
- d. To correspond on behalf of the Council as required; and
- e. To assist the Council as Parliamentary Authority for the conduct of Council meetings.

Adopted 2002-115 eff 4/2/02; and 2005-146 eff 4/26/05

Article IX. Compliance with Local County Law and Policy

Section 1. The Council and each of its members shall comply with provisions of Linn County Code, Chapter 400 (Boards, Committees, and Commissions) and any Linn County policies whose application includes to such boards, committees, and commissions.

Section 2. The Council shall comply with any directives of the Board.

Section 3. Effect of failure to comply with the Public Meeting Laws. A decision made by the Council that is in violation of ORS 192.610 to 192.690 may be cured if the Council reinstates the decision while in compliance with ORS 192.610 to 192.690.

Adopted 2002-115 eff 4/2/02

Article X. Recommendations and Questions

Section 1. Form of Recommendations. If consideration and approval of a matter before the Council results in a recommendation to the Board, the Council shall make such recommendation on a form that satisfies this section.

Section 2. Contents of the Recommendation. The recommendation shall be in writing and at a minimum contain a description of the matter under discussion by the Council, the date(s) of the discussion on the matter, a brief description of any public comments received that addressed the matter, a recommendation on the matter, sufficient findings of fact to support the recommendation, and the results of the vote on the matter. Each recommendation shall bear the signatures of the chair and secretary.

Section 3. Recommendations and Public Comment. Recommendations made by the Council to the Board must take into consideration any comments made by the public.

Section 4. Submission to the Board. Any recommendation adopted by the Council shall be provided to the Board and County Counsel within two weeks (if not sooner required by the Council) of being signed by the chair and secretary.

Section 5. Questions. The Council may seek the clarification on any matter by submitting to the Board its questions in writing. The Board shall endeavor to respond to such questions in writing as soon as practicable following receipt of the question.

Section 6. Role of County Counsel. The assistance of County Counsel may be sought to advise the Council as to the particulars on the form, wording, or format of any recommendation or questions.

Adopted 2002-115 eff 4/2/02

Article XI. Amendments

Section 1. These Bylaws may be amended:

- a. By direct action of the Board; or
- b. By Board approval of a recommendation adopted by a 2/3-vote of those present and voting at any regular LPSCC meeting at which a quorum is present.

Section 2. Any recommendation to these Bylaws shall be received and approved or disapproved by the Board within 30 days of receiving the recommendation. If the Board does not take any action on the recommendation within the 30-day period, or give alternative instructions on the recommendation to the Council, the Bylaws shall be amended as recommended by the Council.

Adopted 2002-115 eff 4/2/02

Appendix 1

The quorum, the number of concurring votes required to pass or reject a motion by a majority and by a 2/3-vote of those present in a meeting is determined by reference to the following Table.

Quorum, Majority, and Two-thirds Voting Requirements for the Council to Take Action in a Meeting			
Quorum	Number Present who are Voting Members	Majority Vote	2/3-Vote
7	7	4	5
7	8	5	6
7	9	5	6
7	10	6	7
7	11	6	8
7	12	7	8

Adopted 2002-115 eff 4/2/02/01; and 2005-146 eff 4/26/05