



NOTICE OF PUBLIC MEETING
CITY OF ALBANY
CITY COUNCIL
 Council Chambers
 333 Broadalbin Street SW
 Wednesday, April 23, 2014
 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 Meetings

1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the meeting.
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 meeting.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ROLL CALL

4. SCHEDULED BUSINESS

a. Public Hearing

1) Community Development Block Grant plans. [Pages 2-108]

Action: _____

b. Second Reading of Ordinances

1) Imposing local restrictions on medical marijuana facilities and declaring an emergency. (prohibited within 300 feet of residential use). [Pages 109-110]

Action: _____ ORD. NO. _____

2) Imposing local restrictions on medical marijuana facilities and declaring an emergency. (prohibited within 300 feet of residential use NO INDUSTRIAL EXCEPTION). [Pages 111-112]

Action: _____ ORD. NO. _____

a. Business from the Public

b. Adoption of Consent Calendar

1) Approval of Minutes

a) February 26, 2014, City Council Regular Session. [Pages 113-119]

2) Removing a loading zone on Ninth Avenue west of Elm Street. [Pages 120-123] RES. NO. _____

3) Accepting an easement from Robin L. Brillon and Vonda L. Brillon. [Pages 124-129] RES. NO. _____

Action: _____

2. BUSINESS FROM THE COUNCIL

3. NEXT MEETING DATE: Work Session May 12, 2014
 Regular Session May 14, 2014

4. ADJOURNMENT

City of Albany Web site: www.cityofalbany.net

The location of the meeting/hearing is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-917-7508, 541-704-2307, or 541-917-7519.



TO: Albany City Council

VIA: Wes Hare, City Manager
Mark W. Shepard, P.E., Public Works Director and Community Development Director *MWS*

FROM: Anne Catlin, Lead Long Range Planner

DATE: April 16, 2014, for the April 23, 2014 City Council Meeting *acc*

SUBJECT: Public Hearing on the City's Community Development Block Grant Plans

RELATES TO STRATEGIC PLAN THEME: • Great Neighborhoods

Action Requested:

Staff recommends the Council consider testimony at the public hearing as well as other comments submitted to staff before May 13, 2014, regarding the following City of Albany Community Development block Grant (CDBG) documents:

1. Amendments to the Annual Action Plan for Fiscal Year 2013-2014;
2. The Annual Action Plan for Fiscal Year 2014-2015;
3. Albany's Analysis of Impediments to Fair Housing Choice and Fair Housing Plan; and
4. The City of Albany's CDBG Citizen Participation Plan.

Discussion:

Background

On August 14, 2013, City Council adopted a five-year 2013-2017 CDBG Consolidated Plan as a requirement of the CDBG program. The Consolidated Plan identified the following needs that will be the focus of CDBG funding over the life of the Plan:

- a) Reduce housing cost burden for Albany's low-income households.
- b) Expand and improve Albany's affordable housing supply.
- c) Reduce homelessness and expand the supply of housing for the homeless.
- d) Improve low and moderate-income neighborhoods.
- e) Expand economic opportunities for low and moderate-income persons.
- f) Remove barriers to accessibility.
- g) Help Albany's low income residents and residents with special needs.
- h) Affirmatively furthering fair housing.

Staff and the Community Development Commission have been working for the past six months to identify programs and activities to address the needs identified in the Consolidated Plan. As well as developing the remaining plans that are required by HUD as part of the City's participation in the CDBG funding program.

Public Hearing and Comments

A required step in the CDBG program development process is to provide opportunities for the public to review and comment on the components of the City's CDBG program. A public hearing and a 30-day comment period are both required to allow the public to provide feedback prior to final City approval of the program plans.

The public hearing will be held at the April 23, 2014 Council Meeting with the public comment period staying open until May 13, 2014.

At the April 14, 2014, Community Development Commission meeting, the Commission reviewed, approved and now is recommending that Council approve the following documents upon completion of the public comment period:

1. The 2013-2014 Action Plan Amendments. When the 2013-2014 Action Plan was submitted to Housing and Urban Development (HUD), funding was allocated to Public Services and Homeless Housing in general; however, the agencies and programs were not specified. Now that these programs have been determined, the plan requires amendment to reflect these decisions. In addition, the distribution of funding to housing rehabilitation programs is being amended for the 13-14 fiscal year to better reflect anticipated demand.
2. 2014-2015 Action Plan. The Annual Action Plan identifies how the 2014-2015 federal CDBG grant of \$389,457 will be allocated to address the priorities and goals established in the Consolidated Plan.
3. Analysis of Impediments to Fair Housing Choice and Fair Housing Plan. All recipients of federal funding are required to certify that they affirmatively further fair housing. CDBG entitlement cities are required to conduct an analysis of impediments to fair housing and develop an action plan outlining steps to eliminate fair housing discrimination or discriminatory practices that may be occurring within the city. This plan will run the life of the Consolidated Plan and can be amended.
4. Albany's CDBG Citizen Participation Plan. HUD requires citizen participation in the development of CDBG-related plans and requires entitlement cities to follow a citizen participation plan. The foundation of Albany's Citizen Participation Plan is included in the Consolidated Plan. The plan outlines the process the city will follow to engage and inform the public of CDBG related activities and plans.

Next Steps

The required 30-day comment period will close on May 13, 2014. At that time, staff will incorporate all comments received from the public and bring the final documents back to Council for final adoption by the City at the May 14, 2014 City Council meeting. The documents will then be sent to HUD for final review and approval. The review time is consolidated this year due to the short time staff and the Community Development Commission had to complete this work. It is anticipated that in future years the 30-day public comment period will be scheduled to end at the public hearing date in front of Council.

City Council

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April 16, 2014, for the April 23, 2014 City Council Meeting

Budget Impact:

Receiving public input and adoption of the CDBG plans does not have a direct budget impact. However, participation in the CDBG program will provide the City with \$389,457 in funding to address needs in our community, especially for low to moderate income citizens. Up to 20 percent of the total CDBG grant to the City can be used for administration and planning activities which will cover most of the costs the City will incur for administration of the program. The CDBG program and activities are included in the draft 2014-2015 budget.

ALC:er

Attachments (4)

CITY OF ALBANY OREGON

Amendments to the

ANNUAL ACTION PLAN

FOR FISCAL YEAR 2013-14

FOR THE CITY OF ALBANY

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

PREPARED BY THE CITY OF ALBANY, OREGON

COMMUNITY DEVELOPMENT DEPARTMENT

First Adopted: August 14, 2013

PLAN Amendment Package #1 – Overview (5/14/14)

The 2013-14 Annual Action Plan is a one-year plan to address housing and community development needs in the City of Albany, with a particular focus on the needs of Albany's low-income households. The 2013-14 Plan was the city's first action plan towards implementation of Albany's first five-year Consolidated Plan. At the time the 2013-2014 Plan was adopted, the details of all program areas were not known. The Community Development Commission solicited requests for programs and services and has made recommendations for 2013-2014 funded awards. Therefore, the following amendments to the 2013-2014 Action Plan are necessary to reflect these recommendations. Amendments are shown in **bold** and ~~strikethrough~~ within the document:

1: Distribution of Funds for Public Services, Homeless Housing, and Economic Development Activities

Most of the 13-14 Plan amendments relate to distribution of funds to specific program activities. The 2013-14 Annual Action Plan was adopted on August 14, 2013, based upon an allocation of \$402,361 from the federal Community Development Block Grant (CDBG) program. When the 2013-2014 Action Plan was submitted to the Department of Housing and Urban Development (HUD), funds were allocated to Public Services, Homeless Housing, and Economic Development. However, specific awards to agencies and programs were not specified. Now that these programs have been determined, the plan needs to be amended to reflect these decisions.

2. Reallocation of Housing Rehabilitation Funds

The amendment includes redistributing funding allocated to two housing rehabilitation programs to better reflect anticipated demand for the two programs. The Housing Rehabilitation Deferred Loan Program would receive \$15,000 from the Essential Repairs Grant program, resulting in \$75,000 for housing rehabilitation loans and \$5,000 for essential repair grants. The total amount proposed for housing rehabilitation will stay the same at \$80,000.

3. HUD Goal Outcomes – Performance Measures

Program goal outcomes were estimated for program areas described above. The goal outcomes are being amended to better reflect the performance measures of the programs being supported with CDBG funding.

Questions regarding this package of amendments to the Annual Action Plan for Fiscal Year 2013-2014 should be directed to:

Anne Catlin, CDBG Program Administrator
City of Albany
333 Broadalbin Street SW, PO Box 490; Albany, OR 97321-0150
541-917-7560; anne.catlin@cityofalbany.net.

The Action Plan amendment document is available for public review during a 30-day public comment period from April 14, 2014 to May 13, 2014. A public notice announcing its availability was published in the *Albany Democrat Herald* on April 11, 2014 and the amendments were posted on the City's Web site on April 11, 2014. A public hearing on the proposed amendments was scheduled for April 23, 2014, at the Albany City Council meeting.

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Expected Resources

AP-15 Expected Resources

Introduction

The City will receive CDBG funds in the amount of \$402,361 in FY 2013-14, the City's first year as a Community Development Block Grant entitlement grantee.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources \$	Total: \$		
CDBG	Public-Federal	Admin and Planning Economic Development Housing Public Improvements Public Services	\$402,361	\$0	\$0	\$402,361	\$1,600,000	CDBG will leverage private funds, grants, and other public funds

Table 56 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City anticipates providing CDBG funding to a variety of programs and activities over the five year Consolidated Plan period. Each program or activity will be assessed for the need and level of other resources available to ensure the activity is completed. In particular,

- Community development and neighborhood revitalization projects include public improvements to parks and trails. The amount allocated to these activities is gap financing. It is anticipated CDBG funding will leverage state and federal parks grant dollars and local fund-raising.
- Funding for barriers to remove accessibility is expected to leverage local funds and may leverage state or federal funds depending on the activity.
- The housing rehabilitation program will develop a revolving loan fund and will be paired with federal weatherization fund grants when feasible.
- Emergency and transitional housing loans or grants will leverage private sources and may leverage other local, state and federal funding sources.
- Microenterprise assistance will leverage other state education and federal small business funding.
- Funds allocated for public services will likely be gap financing for a non-profit organization that will provide the balance of funds needed for the activity.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City of Albany owns a few properties in one of the City's low and moderate-income census tracts, Tract 204. The tract runs south from the Willamette River to Pacific Boulevard and includes downtown. It is possible that a City-owned property may be used to address needs identified in the FY 2013-2014 Annual Action Plan.

AP-20 Annual Goals and Objectives

Goals Summary, Table 57

Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
Maintain and improve the quality of affordable housing	2013	2014	Affordable Housing Special Needs	Local Target Areas (Census Tracts 204 and 208)	Rehabilitate aging affordable housing stock in LMI areas Increase energy efficiency and affordability in LMI areas	\$80,000	Homeowner Housing Rehabilitated: 4 Rental Housing Units Rehabilitated: 4
Reduce the number of homeless persons; Support goals of the Ten Year Homeless Plan	2013	2014	Homeless	Citywide	Provide safe emergency shelter for homeless families or unaccompanied youth; Move homeless into stable housing	\$32,000	Overnight/Emergency Shelter/Transitional or Permanent Supportive Housing Beds added: 4
Remove barriers to accessibility	2013	2014	Non-Housing Community Development	Local Target Areas	Curb ramp improvements in LMI areas; accessibility improvements at or near public facilities.	\$22,000	Public Facility or Infrastructure Activities other than LMI Housing Benefit: 50 persons benefited
Eliminate blighting influences in low and moderate income (LMI) areas	2013	2014	Non-Housing Community Development	Local Target Areas	Sunrise Park redesign; Periwinkle Path repairs/replacement	\$90,000	Public Facility or Infrastructure Activities other than LMI Housing Benefit: 2,000 persons benefited
Increase economic opportunities	2013	2014	Non-Housing Community Development	Citywide	Microenterprise assistance;	\$20,000	Businesses Assisted: 20 Jobs Created/Retained: 4
Increase economic opportunities	2013	2014	Non-Housing Community Development	Citywide	Job creation; Commercial rehab in LMI areas	\$36,000	Businesses Assisted: 1 Jobs Created/Retained: 2
Support agencies that provide public services	2013	2014	Affordable Housing Homeless Special Needs Non-Housing Community Development	Citywide	Assist homeless , low Income, and special needs populations; jobs skills training	\$60,300	Public Service Activities other than LMI Housing Benefit: 100 persons 20 people assisted
Further fair housing	2013	2014	Fair Housing	Citywide	Training, education and consultation; translation services	\$2,000	Public Service Activities for LMI Housing Benefit: 20 persons assisted

Projects

AP-35 Projects

Introduction

This section lists and describes the projects that the City of Albany Community Development Block Grant programs will carry out during FY 2013-14. The projects reflect a thorough process that determined Albany's priority needs that can be assisted with CDBG funding within the first year.

Community needs were reviewed against eligible activities, existing resources and programs, gaps in service delivery, financial resources, and organizational capacity. The City has prepared a package of projects that balances the priority needs for Albany's low-income and homeless residents, removes blighting influences in low-income neighborhoods, adds economic opportunities, removes barriers to accessibility, and supports area service providers that work with Albany's special needs populations and low-income residents.

The first year's activities reflect programs and projects that can get underway within the year and that can leverage additional financial resources.

Table 59 – Project Information

#	Project Name
1	Housing Rehabilitation Loan Program
2	Essential Repair Grant/Loan Program
3	Homeless Needs
4	Neighborhood Revitalization - Sunrise Park Redesign
5	Neighborhood Revitalization - Periwinkle Path
6	Accessibility Program
7	Microenterprise Assistance
8	Job Creation/Business Assistance
9	Public Services
10	Fair Housing Education and Outreach
11	Program Administration

The following programs have been identified in the FY2013-14 Action Plan.

Housing Rehabilitation Loan and Grant Programs

One of Albany's priority needs is to assist households that are experiencing housing cost burden – those households paying 30 percent or more of incomes on housing cost and severe housing cost burden include households paying 50 percent or more of incomes on housing related costs. Albany has large concentrations of housing units constructed before 1980 and the need for housing rehabilitation and energy efficiency improvements is anticipated to be high.

Many low-income homeowners cannot afford to make necessary home improvements to maintain the health and safety of their homes or replace operating systems and appliances. Low-income renters often live in buildings in need of major repairs, but making the improvements often results in rent increases that make the units less affordable.

The City has an intergovernmental agreement with the Community Housing Services (CHS) division of the Community Services Consortium (CSC) to manage a regional housing rehabilitation revolving loan fund that has been funded with stated CDBG housing rehabilitation funds. The fund balance is projected to run out this year. The City plans to enter into an intergovernmental agreement with ~~CHS~~ **CSC** to deliver a similar revolving loan fund program for Albany property owners. This program would provide \$80,000 for loans **or grants** to property owners of low-income housing for needed repairs. Staff estimates up to ~~8~~ **6** units could be repaired, ~~including 4 owner-occupied and 4 renter-occupied units.~~

CHS CSC will try to match the rehabilitation loans **and essential repairs grants** with federal weatherization grants to help improve energy efficiency and reduce monthly heating and cooling costs when feasible. Health and safety issues, such as safe stairs into a house, need to be addressed prior to receiving weatherization services. The Essential Repairs Program would provide financial assistance for health and safety repairs that are needed to make a dwelling unit eligible for weatherization assistance.

An obstacle to addressing underserved needs may be lack of funding to meet demand.

Homeless Needs

There are many homeless needs within the community. Priority needs include providing an emergency shelter in Albany for families with children and unaccompanied youth so they can stay within the community. The second priority need is supportive housing to help transition residents, including special needs populations, out of homelessness into secure housing.

~~A few agencies have plans underway to add capacity to address the needs of Albany's homeless population. In Fiscal Year 2013-14, \$32,000 in CDBG funds are being~~ **will be** allocated to ~~a new shelter or new shelter beds, or Albany Helping Hands to add 6 beds for supportive transitional housing project.~~

Obstacles to addressing underserved homeless needs may be lack of funding and the ability to secure property for a shelter and/or additional housing.

Suitable Living Environment & Neighborhood Revitalization

Albany has two census tracts identified as "Low and Moderate Income" (LMI), where more than 51 percent of the households earn less than 80 percent of the area median income with concentrations of persons living below the national poverty level, housing cost burden, aging housing stock, concentrations of minority populations, blighted conditions and deteriorating public facilities.

Sunrise Park is located in LMI Census Tract 208. The park was developed in the 1980s and it is one of the City parks that have not been upgraded. The City has a capital improvements backlog of approximately \$1.5 million dollars and only \$26,000 in the parks replacement fund. The 2006 Parks Master Plan identified the following needs for Sunrise Park: new playground equipment, widened pathways, improved vehicle access, and parking. A site visit to the park with the Mayor, staff from the parks and police departments, and a neighboring apartment manager identified several safety issues that contribute to its ongoing vandalism. These issues are deterring residents from using the park rather than the park providing a benefit to the residents in the area.

The City is allocating \$40,000 in CDBG funds for Sunrise Park improvements. These funds will help the City leverage other state and federal grant funds and private donations to improve the park.

Periwinkle Path is a 1.5-mile long trail that runs through Census Tract 208. It connects residents from south/central Albany to the Albany Boys and Girls Club and Kinder Park facilities to the north and Grand Prairie Park to the south. The path was constructed more than 30 years ago. Despite efforts to maintain the path there are sections that must be replaced or closed due to dangerous pavement conditions.

CDBG funds of \$50,000 will assist in leveraging other funds to repair the worst sections of this community path. The obstacle to repairing the path may be the ability to leverage enough funds.

Accessibility Program

The need for public infrastructure improvements specifically related to curb ramps on sidewalks is rising in importance as the community ages and the general population increases. Curb ramp placement and replacement or repair of existing sidewalks is a focus of the City to address accessibility and safety concerns of Albany's residents. As is common in established cities, many areas of city have no curb ramps at intersections, while other areas have older ramps that were placed before the Americans with Disabilities Act (ADA) and do not meet current standards.

Under the City's *Phase III ADA Transition Plan: Curb Ramps*, preliminary reviews have indicated the need for removal of existing barriers in these areas. In addition to these specified areas, public requests for curb ramp improvements are evaluated and prioritized accordingly for incorporation into the plan for barrier removal.

CDBG funds totaling \$22,000 has been allocated to remove barriers to accessibility at or near public facilities, including parks, and schools; to make curb ramps accessible in Albany's low-income census tracts, or to address complaints and requests for curb ramp improvements.

Microenterprise Development

The Linn Benton Community College Small Business Development Center (SBDC) provides micro-enterprise training and assistance to persons in Linn and Benton counties. Since taking over the program in 2010, SBDC has assisted many Albany residents launch a small business through a series of courses and one-on-one advising. The program is open to anyone interested in starting a business or any existing business owner that wants assistance with skill development or business plans to maintain and expand their businesses. The program provides scholarships for low and very-low income persons, displaced workers, and returning veterans. The SBDC partners with other agencies to provide services to the small business community.

CDBG funds of \$20,000 will be allocated to help the SBDC increase their capacity to serve Albany residents, micro-enterprises, and add jobs in the community.

Job Creation/Business Assistance

Linn County's unemployment rate remains one of the highest in Oregon and many residents are underemployed or are in low-paying jobs. The City is allocating \$36,000 in CDBG funds to assist businesses with job creation through special economic development activities. **A portion of these funds would be distributed to the Small Business Management Program at Linn Benton Community College to offset costs for low-income residents to participate in the management program at a greatly reduced cost (\$20,000). The remaining funds (\$16,000) will provide grants to new businesses or existing small businesses to offset start-up or expansion costs.** ~~through no- or low-interest loans to help with~~ Funds can be used for property acquisition, rent, start up costs, reconstruction, rehabilitation, new commercial or industrial buildings, structures, and other real property improvements.

Public Services

While Albany has numerous service providers, there is need for additional services to address the needs of Albany's homeless, low-income and special needs populations. The City ~~will have held~~ a competitive grant application process in FY 2013-2014 for service providers to award \$60,300 (15 percent of the City's total CDBG award). Applicants ~~must were~~ required to demonstrate the need to expand services or add new services. The application criteria ~~will also assessed~~ the ability of CDBG funds to leverage other funds, numbers of persons to be served, agency capacity, and ability to complete the project within the fiscal year. **The following programs were selected for funding in the 2013-2014 program year:**

1. **Community Services Consortium's Youth Build program will receive \$30,150 for job skills training of low-income and unemployed young adults. The program will provide construction-related skills training through housing rehabilitation and will also support the "Improving Albany One Block at a Time" project by improving low-income neighborhoods one block at a time in Census Tracts 204 and 208.**

Goals Addressed: Increase economic opportunities for Albany's low-income residents

Goal Outcome: 10 residents receive jobs skills training

Other Benefits: low-income housing units rehabilitated

2. **The Family Tree Relief Nursery will receive \$30,150 to expand their Early Childhood Program in order to offer home-based services to families with children under the age of two years that are at-risk of child abuse. The program provides crisis intervention services and counseling to prevent child abuse. There are currently 20 children under the age of two on the waiting list.**

Goals Addressed: Support Agencies that provide public services to Albany's low-income and special needs residents

Goal Outcome: 10 residents will benefit from these services

Fair Housing Education and Outreach

The City will work with the Fair Housing Council of Oregon to provide training for Albany property owners, residents and developers. If funds allow, training will be provided to City staff to understand fair

housing laws related to new development. The Fair Housing Council will also provide counseling through their hotline. Brochures will be made available in City Hall and on the City's website.

Funds will also be used for translation services in order to help translate important CDBG and fair housing material into Spanish and other languages as needed.

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Since this is Albany's first year as an entitlement grantee, the funding priorities for the FY2013-14 Annual Action Plan were based on needs that can be addressed either through expansion of existing programs or projects that can begin within the fiscal year. Obstacles to addressing underserved needs include lack of funding and agency capacity and training needs to ensure sub-recipients can be in compliance with HUD standards.

AP38 Project Summary

Project Summary Information

Project Name	Target Area	Goals Supported	Needs Addressed	Funding
Housing Rehabilitation Loan Program	Tracts 204 & 208	Maintain and improve the quality of affordable housing Eliminate blighting influences	Help low-income people maintain their homes Reduce housing cost burden	\$60,000 \$75,000
Essential Repair Grant or Loan Program	Tracts 204 & 208	Maintain and improve the quality of affordable housing	Increase energy efficiency; Reduce housing cost burden	\$20,000 \$5,000
Shelter for Families with Children; or Unaccompanied Youth; and/or Homeless Housing- Albany Helping Hands Supportive Housing	Citywide	Reduce homelessness Support goals of the Ten Year Homeless Plan	Provide emergency shelter for families with children and unaccompanied youth Move homeless persons into stable housing	\$32,000
Sunrise Park Rehabilitation	Tract 208	Remove Blighting Influences in LMI areas	Improve public facilities in LMI areas. Especially in areas with a higher minority concentration	\$40,000
Periwinkle Path Repairs	Tract 204 & 208	Remove Blighting Influences in LMI areas	Improve public facilities in LMI areas. Especially in areas with a higher minority concentration	\$50,000
Sidewalk and Curb Ramp Improvements	Tracts 204 & 208	Public Improvements in LMI areas Remove Barriers to Accessibility	Remove barriers to accessibility	\$22,000

Microenterprise development	Citywide	Business Assistance	Support microenterprise development and job creation	\$20,000
Business Assistance/Job Creation	Citywide	Business Assistance	Help businesses offset costs of job creation; Small business development	\$36,000
Public Services: <ul style="list-style-type: none"> • Youth Build Job Training and housing rehab; • Family Tree Relief Nursery – home-based infant intervention 	Citywide	Support Agencies that Provide Needed Services	Provide services to homeless-low-income, special needs populations: Job training and LMI housing rehab; crisis intervention for at-risk children	\$60,300: Youth Build - \$30,150 Family Tree Relief Nursery - \$30,150
Fair Housing Education & Outreach	Citywide	Fair Housing Education & Outreach	Further fair housing in Albany	\$2,000
Program Planning and Administration	Citywide	All Goals	Low-Income Homeless Special Needs	\$60,061

Table 58 – Project Summary

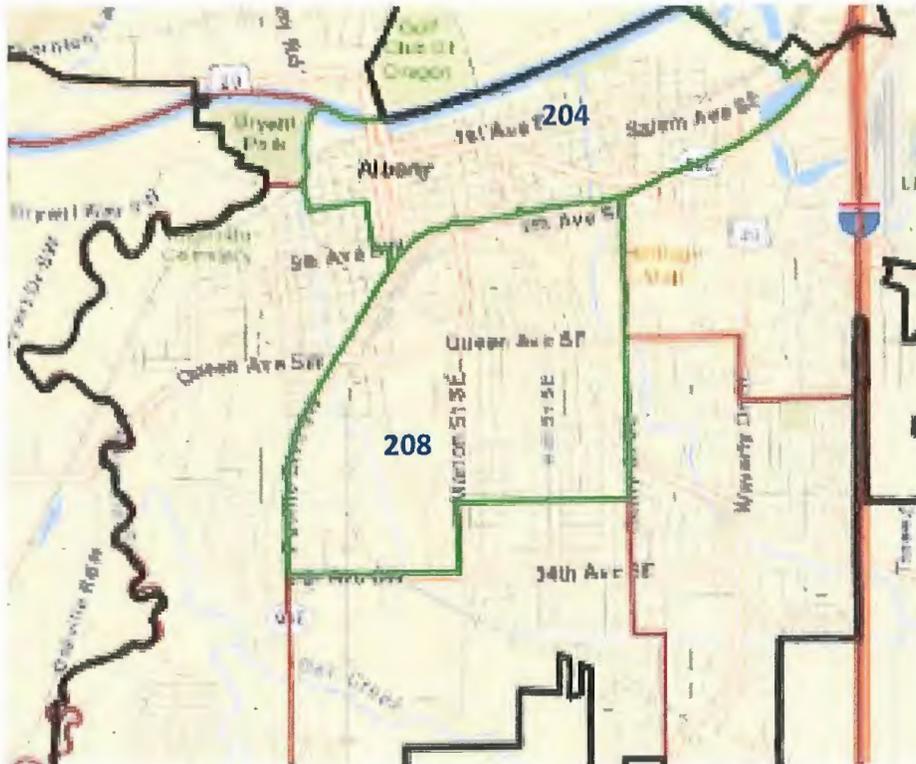
AP-50 Geographic Distribution

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The City of Albany is located in the middle of the Willamette Valley in western Oregon. The Willamette River runs east-west through the City. Interstate 5 runs north-south through the City. Albany has two census tracts that qualified as low-income tracts with over 50 percent of the residents low-income.

Census Tract 204 has the highest percent of persons in poverty, at 39.1%. Census Tract 204 is bordered by the Willamette River to the north and includes historic downtown and older areas in the heart of the City.

Census Tract 208 is south of Tract 204 and is located in the geographic center of the city. Tract 208 is south and east of Pacific Boulevard, State Route 99. It includes a large amount of industrial land, medium density land including apartments and housing built in the 1970s and 1980s. Tract 208 also includes a concentration of Hispanic/Latino households, at 14.2 percent, which is higher than the average for the City. There is also a concentration of other minority populations in the tract.



Geographic Distribution

The table below estimates the percentage of funds that will be directed to projects and programs within the target areas in FY 2013-2014.

Target Area	Percentage of Funds
204 & 208	48 %

Table 60 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

In this Action Plan, the City plans to focus housing rehabilitation and community development projects in the two local priority areas, Census Tracts 204 and 208. The two tracts together contain roughly one fourth of the City's population and households. Due to their size, the City may look to prioritize funding block by block in order to make a difference.

Since Albany is a relatively small community, public services and economic development activities are citywide or regional.

Affordable Housing

AP-55 Affordable Housing

Introduction

The City of Albany's Community Development Block Grant programs will expand affordable housing opportunities for Albany's homeless and non-homeless residents in FY 2013-2014 and over the life of the Consolidated Plan.

Programs that will be funded in FY 2013-2014 include the Housing Rehabilitation Loan Program and Essential Repair **Grant** Program that will be offered to low-income owners and renters, including special needs populations. The City anticipates assisting an agency with acquiring additional emergency shelter beds for unaccompanied youth or families with children, or transitional beds or programs that help transition homeless individuals and households into transitional or permanent housing.

Requests for funding for **homeless housing and** public services to assist Albany's homeless, special needs and low-income residents ~~will be~~ **were** evaluated through an annual application process. ~~Potential~~ **Projects will be** ~~were~~ reviewed against the priority needs, program compliance, and evaluated for readiness to proceed.

The 13-14 CDBG homeless housing program funding will be used to help Albany Helping Hands open two transitional housing units with a total capacity of 6 beds.

One of the public services programs awarded funding, the Community Services Consortium's Youth Build program, will provide construction-related job skills training through housing rehabilitation and property improvements. The program will provide improvements for properties that may not otherwise qualify for the city's housing rehabilitation programs and will be focused in the same target areas as the CDBG rehabilitation programs. These efforts will support the "Improving Albany One Block at a Time" project by improving low-income neighborhoods one block at a time in Census Tracts 204 and 208.

The first Annual Action Plan contains a rough estimate of one year goals for affordable housing assistance.

One Year Goals for the Number of Households to be Supported	
Homeless	4
Non-Homeless	84
Special-Needs	24
Total	14

Table 61 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	4 0
The Production of New Units	0
Rehab of Existing Units	10 4
Acquisition of Existing Units	0
Total	14 4

Table 62 - One Year Goals for Affordable Housing by Support Type

Discussion

Since this is the City's first Action Plan, it is hard to estimate how many housing units will be rehabilitated or households assisted with CDBG funds or how many people will be assisted with CDBG funds.

AP-60 Public Housing

Actions planned during the next year to address the needs to public housing

There are no public housing units in the City of Albany. It is unlikely that the Linn-Benton Housing Authority will add public housing units in FY 2013-14. Section AP-60 is not applicable.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Not applicable.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Not applicable.

AP-65 Homeless and Other Special Needs Activities

Introduction

The Consolidated Planning process identified existing programs and services that assist Albany's homeless, other special needs populations and gaps in the delivery system. The region has a network of homeless assistance providers including emergency and domestic violence shelters, street outreach workers and advocates that work together to refer homeless to services that can help them get back into housing.

The City has allocated \$60,300 in CDBG funds for service providers in order to assist homeless residents and residents with special needs. The CDBG public services funds will be used to expand existing programs and leverage funding for new programs that serve Albany's special needs populations. Public Services funds will be awarded on a competitive basis initially based on the needs addressed in the Consolidated Plan, agency capacity, and ability to use funds immediately.

Homeless Needs – The 2013 Point in Time (PIT) count counted 244 homeless individuals, with 35 of them as unsheltered. The number of individuals placed in permanent supportive housing units in Linn County increased from 25 in 2009 to 120 in 2011, partly due to an increase in the number of units available. Despite local efforts and EHA and ESG funding to assist with homeless programs, there is ongoing need to assist persons that are homeless or at risk of becoming homeless with affordable housing. Ability to pay staffing costs to deliver programs was a significant issue identified in a 2009-2011 provider survey, indicating there may be reductions in programs targeted to assist homeless people or those at risk of becoming homeless.

Special Needs Activities - Albany's non-homeless special needs populations include the elderly and disabled, persons with mental disabilities, persons with alcohol or drug addictions, persons with HIV, and victims of domestic violence or child abuse.

Albany's senior and disabled populations continue to grow and the number of seniors receiving Medicaid-funded long-term service and support is projected to increase. Many seniors have a physical disability and different levels of care are needed from independent living with in-home care to adult foster care to nursing facilities. Many of the existing services offered by the Senior and Disability Services Division of OCWCOG provide support to the elderly and their families to help them stay in their homes as long as possible. There is demand for more support services and also for housing for the frail elderly and those with physical disabilities.

Drug and alcohol addiction is a serious problem in Linn County. These addictions often lead to homelessness, domestic violence, child abuse and incarceration. Linn County Alcohol, Drug and Problem Gambling Services division offers numerous services for Albany residents. In addition, Albany has a recovery drop in center, two agencies counsel parents to strengthen their parenting skills to reduce and prevent child abuse, and there are services for victims of domestic violence in Corvallis.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness

including reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs.

Albany is fortunate to have many agencies that work collaboratively to address issues related to homelessness and to transition people out of homelessness – primarily through the Homeless Enrichment and Rehabilitation Team (HEART) which is spearheaded by the Community Services Consortium (CSC). CSC is the lead agency that plans and coordinates the network of services provided in Benton, Linn and Lincoln counties. As the state and federally recognized Continuum of Care agency for the region, CSC acts as a conduit for federal and state homeless program funding as a member of the state’s Rural Continuum of Care. CSC coordinated the development and update of the *Ten Year Plan to Address Issues Around Housing and Homelessness in Linn County* (Ten-Year Plan).

The plan includes the following strategies in support of reaching out to homeless persons to assess their needs:

- Street-level outreach to bring people off the streets and initiate the continuum of care;
- Provide personal coaches to homeless individuals and families; and
- Expand mentoring programs available to youth.

The City’s FY 2013-2014 one-year actions will include providing financial support to local emergency shelters and service providers for additional services to assess the needs of unsheltered and sheltered homeless people to help transition people out of homelessness. The City’s goal is to assist at least 20 individuals in the first year.

Describe the jurisdictions one-year goals and actions for addressing the emergency shelter and transitional housing needs of homeless persons.

Emergency shelter needs include a family shelter and a shelter for unaccompanied youth. According to the Ten Year Plan update, there is an increasing demand for permanent supportive housing, as demand for transitional housing has decreased.

The City has allocated \$32,000 in CDBG funding to support the development of additional emergency shelter beds for families with children or unaccompanied youth or more permanent supportive housing for homeless adults. **Albany Helping Hands Shelter applied for the 13-14 funding to add two transitional housing units (6 beds total) to their capacity with wrap-around support services.** Jackson Street Youth Shelter is working to find a site for an Albany emergency shelter for unaccompanied youth – with the goal to get the project underway in 2014. Other homeless and housing service providers have plans to add more transitional housing with support services. The City will evaluate which eligible project is ready to proceed in Fiscal Year 2013-14 and will award funding to the agency.

Describe the jurisdictions one-year goals and actions for helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and

independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

The Community Services Consortium (CSC) has received Emergency Housing Assistance (EHA), Emergency Solutions Grant (ESG), and the Housing Stabilization Program (HSP) funding to assist homeless families and individuals or those at risk of becoming homeless into stable housing. The CSC will continue to pursue these federal funds.

The Albany Partnership for Housing and Community Development has several transitional and permanent supportive housing units. They require residents of these supportive units to complete a Life Skills program designed to encourage independent living and reduce the risk of becoming homeless again.

~~The City of Albany anticipates supporting local agencies that work with homeless individuals and families on the issues that caused them to become homeless.~~ Albany's FY 2013-2014 goals and actions to help homeless persons make the transition to permanent and to prevent homelessness include expansion of the following services and programs:

- **Child abuse prevention to reduce the number of children going into foster care;**
- ~~Substance abuse services;~~
- ~~Life skills program support;~~
- ~~Down payment and rental assistance~~ **More transitional housing with supportive services and a "life skills" program; and**
- Job skills training and microenterprise assistance; ~~and~~
- ~~More permanent supportive housing.~~

The City's goal is that CDBG funding will assist five homeless people transition into permanent housing. The City predicts that \$20,000 allocated to microenterprise programs will help 20 residents start or maintain a microenterprise or small business.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

According to the 2013 homeless count results, the leading causes of homelessness included:

unemployment or underemployment (inability to afford rent), drug and alcohol use, and poor rental history/evictions and criminal history.

The following activities and programs are currently working to prevent homelessness and help Albany's low-income families and homeless individuals:

- Nine Oxford Houses (Chapter 19) that provide housing for more than 130 people recovering from drug and alcohol addiction. Many of these individuals have also been incarcerated.
- The local shelters work with persons coming out of jail and try to help them land on their feet and get support services.
- FISH of Albany provides shelter for pregnant teens, provides food boxes citywide, has free clothing, and manages the "toto" fund to help persons return home to support systems if they have become homeless in Albany.
- CARDV, the ABC House and Family Tree Relief nursery provide counseling to parents and family members to reduce the incidences of abuse and homelessness or the number of children being placed in foster care.
- The CSC provides utility assistance, rental assistance, financial fitness classes, and help for homeowners through several programs. They also use federal emergency housing grants to provide emergency housing assistance and rapid re-housing assistance to area homeless and at-risk residents.
- Willamette Neighborhood Housing Services and CSC provide foreclosure prevention counseling for homeowners.

As a new Entitlement Grantee, the City ~~will hold~~ **held** a competitive application process for allocating \$60,300 in FY 2013-2014 and **\$58,400 in FY 2014-2015** for public services, which will include helping to prevent and address homelessness. The following activities and services **that were selected for CDBG public services funding over in the first two program years will** ~~would~~ help individuals and families stay in their homes or transition into stable housing ~~would be eligible for CDBG public services funding:~~

- ~~A "safe" house that provides safe, sober and recovery based housing to eligible parents within the child welfare system to~~ **Home-based early childhood intervention program to help** either prevent children from entering foster care, or expedite the return home from foster care and prevent children from re-entering foster care. ~~The "safe house project" is being developed and coordinated by the Family Tree Relief Nursery in collaboration with the Linn County Department of Human Services (DHS) Child Welfare and Self-Sufficiency programs, Oxford House Chapter 19, and Linn County Alcohol and Drug Treatment;~~
- Domestic violence emergency services;
- **Shelter for homeless women with children with support services;**
- Substance abuse and addiction recovery services;
- Services to help persons transition out of homelessness;
- Life skills development programs;
- **Homeless and at-risk youth outreach and case management; and**
- Outreach to minority populations.

- ~~Seniors and Disabled—Expand the caregiver support and Oregon Project Independence programs provided the Senior and Disability Services division of Oregon Cascades West Council of Governments; and~~
- ~~Other eligible activities and services.~~

AP-75 Barriers to Affordable Housing

Introduction

The largest barrier to affordable housing in Albany is the lack of units affordable to households or individuals earning less than 50 percent of the HAMFI. Despite the many affordable units in Albany, thousands of households are experiencing housing cost burden.

The City did a thorough review of its land use policies and found that many affordable housing policies and strategies are incorporated into the development standards. There are a few additional affordable housing “tools” that could be evaluated to ensure that housing choice and affordable housing options are supported through policies and zoning standards.

Actions planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment.

The City will finalized development of the Analysis of Impediments to Fair Housing Choice and Action Plan (AI) in the 2013-2014 fiscal year. The AI will included ~~discussions on~~ [an analysis of](#) land use regulations, zoning ordinances, building codes, and fees and charges as they relate to fair housing. The information in the AI will provide insight into affordable housing choices in the City of Albany.

An analysis of Albany’s development standards found the following standards support affordable housing choice: small minimum lot sizes and housing variety in most residential zoning districts, accessory dwelling units are allowed in all zoning districts subject to standards; lot sizes may vary in new land divisions, and the City’s planned development standards allow for more flexibility in lot sizes, setbacks, and housing types.

Due to old development and zoning patterns and the cycles of fast growth over time, the City is challenged with a relatively unbalanced disbursement of medium density residential, commercial, and industrial zoning districts around the City. There is a higher concentration of multi-family apartments and housing built in the 1970s and 1980s in the center of the City in Census Tract 208. Mixed-use districts are used sparingly outside of the downtown core. The Balanced Development Patterns Project in 2001 looked comprehensively at land uses and transportation systems to address where future residential housing and employment lands should be located in the City to try to better achieve a balance. This project planned mixed-use commercial sites and medium density land in East Albany and in North Albany to disperse housing types and services around the City. Much of the land designated for medium density residential is still available; however, some have been developed with detached housing in North Albany.

The City has planned the following actions to continue to expand housing opportunities and address any potential barriers to affordable housing:

- Educate the community and policy makers about Albany’s affordable housing needs.
- Evaluate the following Albany Development Code standards to ensure housing opportunities

and housing variety can be achieved within neighborhoods: infill garage or carport requirements, accessory apartment standards, planned development standards, and lot size and housing type variety in new subdivisions.

- Evaluate the Comprehensive Plan policies related to affordable housing and fair housing.
- Increase awareness about fair housing laws through education and outreach to landlords, residents, developers, and the community at large.

Discussion

Despite having several affordable housing incentives, housing affordability for Albany's lowest income households remains an issue. In FY 2013-2014 the City will finalize and adopt the AI and Action plan begin to evaluate any barriers identified above and in the AI.

AP-85 Other Actions

Introduction

Since the City of Albany is a new CDBG entitlement grantee, the City has no program income and few other resources to undertake many additional actions in the first year of the Consolidated Plan cycle.

Actions planned to address obstacles to meeting underserved needs

The primary obstacle is the lack of financial resources to adequately meet all of the City's housing and community development needs. Despite lack of resources, the City will continue to build relationships with and work with area agencies, the local Continuum of Care community action agency, other public and governmental entities to identify areas of need, and coordinate programming to address those needs.

In addition to the actions planned to address priority needs, the City will work to identify other sources of funding that can be leveraged with CDBG funding.

Actions planned to foster and maintain affordable housing

The City will develop a housing rehabilitation loan program to assist owners and renters of low-income housing maintain their homes. Funds are being allocated to repair houses that are currently not eligible for weatherization assistance from the Community Services Consortium to standards that meet eligibility requirements.

Actions planned to reduce lead-based paint hazards

The City currently distributes lead hazard information pamphlets to any resident seeking information regarding housing repairs in historic districts and has links to brochures on the City's historic resources web site. The City will distribute lead-hazard information to each recipient of a housing rehabilitation loan or grant and any sub-recipient that provides shelter or housing to residents in the community. The pamphlets will be available on the City's web page and at the customer counter. The City will also require all contractors working on CDBG-funded housing projects or facilities that may have children in them comply with the EPA Renovator, Repair, and Painting (RRP) law. The RRP law requires that any person doing this work get RRP certification and perform additional recordkeeping and site cleanup. The City may consider sponsoring an RRP training or lead safe practices workshop.

Actions planned to reduce the number of poverty-level families

During FY 2013-2014 the City will lead efforts or provide assistance in the community to reduce the number of poverty-level families. Among these will be:

- Providing CDBG funding to support the Linn Benton Community College (LBCC) Small Business Development Center's Microbusiness Education and Outreach program. The program will provide courses to ~~36~~ **20** low-income Albany residents and help ~~18~~ **4** participants complete a start-up business plan, and ~~12~~ people to launch a microenterprise (a business with five or fewer employees).

- Providing CDBG assistance to **Albany businesses through reduced tuition to enroll in the LBCC Small Business Management Program, and grants to microenterprises or small businesses that create jobs or for a special economic development project.**
- Providing CDBG assistance to non-profit agencies that serve people who are homeless, have special needs, or are low income.

Actions planned to develop institutional structure.

Albany is fortunate to have a comprehensive and effective service delivery system of well-established programs and services.

In order to further develop the institutional structure the City will attend the HEART board meetings, participate on the committee that updates the *Linn County Ten Year Plan to Address Issues Around Housing and Homelessness*, attend regional planning meetings and agency meetings on a regular basis to foster communication with area agencies, and to remain informed about local and regional programs and needs.

The City will work to integrate and coordinate projects within the City that would benefit Albany's low-income residents that may be eligible for CDBG funding.

Actions planned to enhance coordination between public and private housing and social service agencies

Thanks to efforts by several agencies, there is generally a good delivery structure in Albany for addressing homeless issues. Following Albany's first homeless summit in 2006 the Homeless Enrichment and Rehabilitation Team (HEART) was formed with representatives from most agencies that work with homeless populations or those at risk of becoming homeless, homeless advocates, city government, Samaritan's InReach clinic services, the Greater Albany Public Schools, and the new college of osteopathic medicine in Lebanon. HEART members hold regular board meetings and were involved in developing and updating the 10-year plan.

Albany's continuum of care agency, Community Services Consortium, coordinated development of the ten-year homeless plans for Linn and Benton Counties and the region. The Committee to Address Issues Surrounding Housing and Homelessness in Linn County, Oregon, reconvened in January of 2012 as an ongoing process to review, assess, acknowledge challenges and achievements, and update the 10 Year Plan. Two of the goals in the Ten Year Plan related to enhancing coordination include:

- *Expand, develop, and coordinate the supply of affordable housing for the homeless and those at risk of homeless; and*
- *Create a system of collection technology and methodology to better account for homeless program outcomes.*

Each of these goals remains a focus of the Committee and of HEART. CDBG funding can assist with implementing the Linn County Ten Year Plan.

Unlike the coordination among homeless service providers, there is less coordination among affordable housing providers to coordinate service delivery. The housing providers primarily work separately with

social service agencies and the service providers know the programs and housing offered by each housing agency. One of the City's goals is to foster coordination among all affordable housing providers. This coordination would help to ensure that the resources of agencies serving low-income community members are applied efficiently. During FY 2013-2014 the City's efforts to enhance coordination will include:

- Meeting regularly with non-profit affordable and special needs housing developers and providers to assess community needs, identify opportunities to address them, and plan and design affordable housing projects for both short- and long-term implementation;
- Ensuring that the Community Development Commission and the Albany City Council are aware of the types and extent of housing and service needs in the community by coordinating annual public hearings and input processes; and
- Participating in setting priorities and strategies for implementation as a member of the Committee to Address Issues Surrounding Housing and Homelessness in Linn County, Oregon.

Program Specific Requirements

AP-90 Program Specific Requirements

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out. **Note: This is Albany's first year as an Entitlement grantee and has no program income yet so most of the required fields are not applicable.**

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	\$0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	\$0
3. The amount of surplus funds from urban renewal settlements	\$0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	\$0
5. The amount of income from float-funded activities	\$0
Total Program Income	\$0

Other CDBG Requirements

1. The amount of urgent need activities	\$0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit – A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this annual Action Plan.	85.0%



CITY OF ALBANY

DRAFT ANNUAL ACTION PLAN FOR FISCAL YEAR 2014-2015

FOR THE CITY OF ALBANY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS

PREPARED BY THE CITY OF ALBANY, OREGON
COMMUNITY DEVELOPMENT DEPARTMENT
APRIL 9, 2014

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The 2013-2017 Consolidated Plan outlines goals and objectives that will be pursued over the five years to address Albany's low-income community development needs with Community Development Block Grant (CDBG) funds through activities identified in the Annual Action Plans. The Consolidated Plan goals and objectives were developed through the *Needs Assessment*, data analysis and evaluation, consultations with area agencies, and citizen input.

Albany's Fiscal Year 2014-2015 Action Plan identifies programs and activities that will be supported with Community Development Block Grant funds. These activities will address community needs identified in the Consolidated Plan and each activity must meet one of three HUD defined National Objectives:

1. Benefit to low- and moderate- income (LMI) persons: Requires recipients to spend 70% of their CDBG funds to meet the LMI national objective;
2. Aid in the prevention or elimination of slums or blight; and
3. Meet urgent needs to alleviate emergency conditions.

2. Summarize the objectives and outcomes identified in the Plan

The City of Albany identified the following Consolidated Plan objectives and outcomes that will be addressed through application of CDBG resources in the 2014-2015 Annual Action Plan.

Housing Affordability

Objective 1: Reduce the housing cost burden for Albany's low income households by reducing maintenance costs and monthly overhead costs of low-income households earning 60% or less of the HUD adjusted median family income (HAMFI).

Objective 2: Maintain and improve the quality of Albany's affordable housing supply through no-interest deferred loans for housing rehabilitation of low-income occupied housing.

Outcomes: Rehabilitate and/or improve energy efficiency in housing units occupied by low-income households.

Homelessness and Poverty

Objective 1: Expand the supply of housing for homeless families, youth and individuals.

Objective 2: Support the *Linn County Ten Year Plan to Address Issues Around Housing and Homelessness*.

Outcomes: Provide 4 emergency shelter beds for homeless or at-risk youth and 4 transitional beds for homeless families or individuals.

Community Development

Objective: Remove deteriorating and blighted conditions at public facilities in Albany's low-income census tracts.

Outcomes: Replace or repair 400 lineal feet of Periwinkle Path and complete the Sunrise Park remodel. Both projects are in Albany Census Tract 208

Economic Development

Objectives: Expand economic opportunities for Albany's low and moderate-income residents by supporting microenterprise and small business development through training, technical, and financial assistance to create jobs or to help businesses in LMI areas with building or public improvements.

Outcomes: Businesses Assisted: 10; Jobs Created/Retained: 4

Public Services

Objectives: Support public service agencies and programs that improve the lives of Albany's special needs and low-income populations:

- Jackson Street Youth Shelter: Street outreach and case management to at-risk or homeless youth
- FISH: Provide shelter and services for homeless women with children
- CARDV: Albany hotel nights for victims of domestic violence
- C.H.A.N.C.E.: Pay GED costs and support for residents recovering from drug and alcohol addiction.

Outcomes: Public Service Activities other than LMI Housing Benefit: 100 people assisted

Fair Housing

Objectives and Strategies: The City and the Community Development Commission will work to reduce impediments to fair housing. The City will also contract with the Fair Housing Council of Oregon to provide training and counseling for Albany property owners, residents and developers.

Outcomes: Public Service Activities other for LMI Housing Benefit: 25 people assisted

3. Evaluation of past performance.

At the time the 2014-2015 Annual Action Plan was prepared, the City was still launching its 2013-2014 programs and activities.

4. Summary of citizen participation process and consultation process

The City followed its Citizen Participation Plan in carrying out the process to develop this FY 14-15 Action Plan. The City gathered community input regarding needs, priorities, and projects outreach to land networking with local agencies, application proposals, public comments, and public hearings.

The Mayor appointed a Community Development Commission that includes the following representatives: social services, lending institution, housing industry, economic development, residents, the Albany Planning Commission, and the Albany City Council. They provide valuable input on community needs and programs. The Commission meets monthly and meetings are open to the public.

City staff and the Commission spent the first Plan year evaluating and assessing community needs related to economic development, housing, homelessness and public services. The Commission evaluated applications for public services, homeless housing needs and economic development programs that informed the programming and funding recommendations for the FY 2014-2015 Action Plan.

City staff and several Commissioners participate in local boards and committees that are devoted to reducing homelessness, delivering affordable housing, or providing services to Albany's low income, special needs, and minority residents.

5. Summary of public comments

The following comments were received on the DRAFT 2014-2015 Action Plan:

- **TO BE COMPLETED AFTER THE PUBLIC COMMENT PERIOD CLOSSES.**

The list below includes the public comments received in 2013 regarding community development needs that helped to identify the goals and objectives identified in the Consolidated Plan and in the 2014-2015 Action Plan

- Programs for housing rehabilitation and weatherization
- More industry wage jobs, job opportunities and job training and placement
- More support for the homeless including laundry facilities, better food, housing opportunities, cold weather shelters, health and dental care
- Homeless shelter for families with children and for youth
- Detoxification facility
- More transitional and supportive housing
- Clean up Sunrise park and Periwinkle Creek
- Abuse prevention services
- Parenting classes
- Teen counseling
- Programs to prevent children from going into foster care including parenting classes and specialized child care;
- Strategic planning around housing and economic development opportunities for minorities;
- More community gardens, safe routes to parks and gardens, more walking and bike paths to increase physical activity for families;

6. Summary of comments or views not accepted and the reasons for not accepting them

- **TO BE COMPLETED AFTER THE PUBLIC COMMENT PERIOD CLOSSES.**

7. Summary

Albany's 2014-2015 Action Plan reflects coordinated planning and citizen participation to identify the City's top priority needs and eligible projects that can be supported with CDBG funding in this program year.

The 2014-2015 Plan objectives and strategies will support programs that expand housing and economic opportunities for all residents within the City and to improve livability by addressing blighted conditions and community development needs.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Agency Role	Name	Department/Agency
Administration, Planning and Programming	City of Albany	Community Development Department

Table 1 – Responsible Agencies

Narrative (optional)

The City of Albany will be responsible for preparing the Consolidated Plan, Annual Action Plans, and for administration of each grant program and funding source. The City's Community Development Department staff will be responsible for administering Albany's CDBG programs and ensuring compliance with HUD regulations.

The Community Development Commission will review and recommend policies, programs, activities and strategies to the Albany City Council related to the CDBG programs, the Consolidated Plan, Annual Action Plan, and any substantial amendments proposed to those plans. The Commission will review the Consolidated Annual Performance Evaluation Reports (CAPER) each year to examine the performance of the projects funded in whole or in part with CDBG Program funds.

Consolidated Plan Public Contact Information

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AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

The 2014-2015 Action Plan priorities are the results of consultation with area agencies and service providers, community leaders, the public, and applicants for public services and homeless housing funding. The City consulted with other City departments to identify public facility and community development needs. The list of agencies and organizations consulted is listed in Table 2 (that starts on page 8).

City staff attends and participates in meetings that include housing providers, health providers, and service agencies - primarily through the HEART (Homeless Enrichment and Rehabilitation Team) monthly meetings. HEART includes representatives from area leaders and service providers.

The membership of the Community Development Commission was purposefully diverse and will enhance coordination and communication among community leaders and service providers. Appointments to the Commission include a diverse representation of community leaders and interests, and currently includes the Community Services Consortium, a quasi governmental agency, Albany Area Habitat for Humanity, Linn Benton Community College Office of Diversity, Oregon State University Extension – Nutrition Education, Rural Oregon Continuum of Care, and the Albany City Council, Human Resources Commission and Planning Commission.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The Rural Oregon Continuum of Care (ROCC) is a consortium of HUD-funded homeless housing and service providers working in Oregon’s most rural counties, including Linn County. The ROCC holds monthly meetings with the purpose of fostering and enhancing collaborative work and the development of performance measures around the issues of homelessness.

Three agencies in the Albany area are designated as Continuum of Care agencies - the Community Services Consortium (CSC), Linn-Benton Housing Authority (LBHA), and Community Outreach Incorporated. CSC and LBHA are located in Albany and serve Albany residents directly through a variety of programs. Community Outreach, an emergency shelter in Corvallis, serves some of Albany’s homeless families with children.

CSC is the lead local agency that plans and coordinates the network of services provided in Benton, Linn and Lincoln counties. As the state and federally recognized community action agency for the region, CSC acts as a conduit for federal and state homeless program funding. CSC coordinated the development and update of the Ten Year Plan to Address Issues Around Housing and Homelessness in Linn County (Ten-Year Plan).

Representative from CSC and LBHA served on the CDBG task force that helped guide the Consolidated Plan and 2013-2014 Action Plan. A representative from Albany Helping Hands, the City’s largest homeless shelter, and two homeless advocates also served on the task force.

The City of Albany is also a partner in the Homeless Enrichment and Rehabilitation Team (HEART). HEART members include a broad range of service providers, homeless advocates, health providers, and governmental agencies within Linn County with the purpose to coordinate services and prioritize and address Linn County's homeless and housing needs. The HEART meets monthly.

There are quarterly meetings of the Committee to address issues surrounding housing and homelessness in Linn County, Oregon (homeless plan committee).

Both the HEART and the homeless plan committee work to identify and address the needs of Albany's homeless residents and residents that are at risk of becoming homeless.

The City held a meeting with area homeless service providers in late 2013 to determine needs that could be supported with CDBG funding in the 2014-2015 program year. Based on the needs identified, the City requested proposals for eligible CDBG activities that will address the needs of Albany's homeless residents.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The Community Services Consortium (CSC) receives Emergency Solutions Grants (ESG) funds for use in the City of Albany. The City consulted with the CSC regarding the allocation of ESG funds and the performance measures.

Prior to preparing their 2013-2015 biennial application for ESG funds, the CSC hosted a meeting with area providers to determine the priority service needs to address issues around homelessness and to prevent those at risk of becoming homeless to stay in their homes. Performance measures were identified in the master grant agreement and align with goals of the Ten Year Plan to Address Issues Around Homelessness and the CSC's long range plans. The CSC programs include rapid-rehousing and homeless prevention activities. They are also using a portion of the ESG funds for Homeless Management information System (HMIS) record keeping in order to better track program outcomes and to assist in identifying populations that need assistance.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Many Community Development Commissioners (CDC) represent some of Albany's area agencies and organizations. The CDC and City staff consulted with area service providers through two application cycles to identify needs that could be addressed in the 2014-2015 program year. Additional direct consultation by staff provided an opportunity for staff to clarify and expand on the City's understanding of community needs and funding priorities. A list of primary agencies that were consulted in the development of this Plan are outlined below. All agencies are listed in Table 2.

- The **Community Services Consortium (CSC)** is a community action agency that receives Community Services Block Grant funding to operate services in a three-county region that includes Albany. Benton, Linn and Lincoln Counties. CSC provides housing services, rental and utility assistance, job training and ESG funds to reduce homelessness in Albany.
- **Oregon Cascades West Council of Governments (OCWCOG)** is a voluntary association of twenty-one cities, three counties, the Confederated Tribes of the Siletz Indians and two port districts.

OCWCOG helps communities collaborate to solve problems and connects member governments, businesses and individuals with a wide array of resources. OCWCOG also serves as a forum for cross-jurisdictional cooperation.

- **Linn Benton Community College, Small Business Development Center** provides education, training and counseling to small businesses through a team of business advisors and faculty. They offer microenterprise courses and counseling as well as small business management programs to help improve economic opportunities within Albany and the region.
- **Linn County Health Services** is the primary agency providing mental health services in Albany. The Mental Health division offers a Community Support Services team and crisis services for persons with mental illness and disabilities. The County also has an Adult Services Team that helps homeless or near homeless individuals overcome or prevent the conditions of homelessness by facilitating access to comprehensive community-based services by a team that includes representatives from many agencies.
- The **Linn-Benton Housing Authority (LBHA)** oversees HUD Section 8 housing activities in Albany and serves over 2,600 families in the two-county area.

DRAFT

Consolidated Plan Table 2 – Agencies, Groups, Organizations Who Participated in the Plan Process or Consultations

Agency/Group/ Organization	Agency/Group/Org anization Type	What section of the Plan was addressed by Consultation?	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
City of Albany	Local Government	All	Various City departments were consulted to gain insights into employment and economic development needs, infrastructure and public facility needs, parks and recreation needs, housing and affordability needs, lead paint issues and practices, and the impacts of land use planning and policies on housing affordability. This consultation and coordination will be ongoing.
Albany Area Habitat for Humanity	Housing	Housing Needs Assessment, Special Needs Populations	The City consults frequently with Albany Area Habitat for Humanity on affordable housing needs and strategies through work on individual projects. The City will collaborate with Habitat regarding low-income housing needs.
Albany Helping Hands	Services-Homeless	Homeless Needs - all	Albany Helping Hands is the leading homeless provider in Albany. The City consulted with staff and board members regarding homeless needs.
Albany Partnership for Housing and Community Development (APHCD)	Housing Services - Housing, Services - Homelessness	Housing Needs, Homelessness	APHCD was consulted for affordable housing, transitional and permanent supportive housing needs. Consultation and coordination is ongoing.
Benton Linn Health Equity Alliance	Non-Profit	Housing Needs	The City consulted with staff regarding diversity and housing issues. The City will continue to consultations for guidance on housing policies and practices.
OSU Extension, Familia Activas	Other – Hispanic/Latino Community	Housing Needs, Non-Housing Community Development Needs	Staff members were consulted for help in seeking input from the Hispanic/Latino community on housing and community development needs. The City will work to build relationships within the Hispanic/Latino community.

Agency/Group/Organization	Agency/Group/Organization Type	What section of the Plan was addressed by Consultation?	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
City of Corvallis	Local Government	Process, Consultation	The City has consulted with Corvallis staff about their CDBG projects and fair housing issues.
Community Services Consortium (CSC)	Action Agency	Housing Needs Assessment, Anti-Poverty Strategy	The Community Services Consortium (CSC) was consulted directly for input about homelessness data, needs and existing programs, housing rehabilitation and weatherization programs, job training. Collaboration and consultation will be ongoing throughout the five year Consolidated Plan period.
HEART	Services - Homeless	Homeless Needs	Homeless needs and priorities.
Family Tree Relief Nursery (FTRN)	Services – Special Needs, Housing Services – Special Needs	Housing, Special Needs	Staff met with FTRN to discuss needs related to preventing child abuse.
Linn County Health Services	Housing Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Homelessness Services-Health Health Agency Public Funded Institution/System of Care Other government-County	Housing Need Assessment Lead-Based Paint Strategy Homelessness Strategy Non-Homeless Special Needs Economic Development Anti-poverty Strategy	Various representatives of Linn County were consulted for input into the healthcare and services needs of many of the populations described in the Consolidated Plan. The county is involved in the Linn County Ten Year Homelessness Plan and in providing health and mental health care for individuals and families. City and county consultation and collaboration will continue to occur on various fronts on an ongoing basis.
Linn Benton Housing Authority (LBHA)	PHA	Housing – All, Public Housing – All	LBHA provided data regarding Section 8 housing choice voucher use in Albany. Coordination and consultation will continue and improve as the Consolidated Plan is implemented.
FISH of Albany	Services-Homeless	Homeless Needs - all	The City consulted with staff regarding homeless needs. FISH will receive funding to provide services to homeless families.

Agency/Group/ Organization	Agency/Group/Or ganization Type	What section of the Plan was addressed by Consultation?	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
Jackson Street Youth Shelter	Services- Housing, Services- Homelessness	Housing Need Assessment Homelessness Strategy Homelessness Needs- Unaccompanied Youth	Jackson Street Youth Shelter was consulted on the housing and services needs of homeless and at-risk youth in Albany. The City is allocating funding to provide youth case management and to open an emergency shelter and expects to work closely with JSYS in the FY 14-15 Plan.
Oregon Cascades West Council of Governments (OCWCOG)	Housing Services-Elderly Persons Services- Person with Disabilities Services- Employment Regional organization Planning organization	Housing Need Assessment Non-Homeless Special Needs Economic Development Market Analysis Anti-Poverty Strategy	In the 14-15 FY Plan, OCWCOG staff was consulted for economic development and senior housing needs. Consultation will be ongoing.
Center Against Rape and Domestic Violence (CARDV)	Services- Victims Services- Housing	Housing Need Assessment Non-Homelessness Special Needs	Consultation with CARDV was used to identify needs of victims of domestic violence. CARDV will receive funding to help provide shelter and services to survivors of domestic violence. This coordination will be ongoing.
C.H.A.N.C.E.	Services-Homeless	Services-Homeless	C.H.A.N.C.E., Community Helping Addicts Negotiate Change, was consulted for needs to reduce homelessness and addiction In Albany. CDBG funding will be provided for their GED program.
Community Outreach, Inc.	Housing Services- Children Services- Persons with Disabilities Services- Homeless	Homelessness Strategy Homeless Needs- Chronically Homeless Homeless Needs- Families with children Homelessness Needs- Veterans	Community Outreach, Inc. (COI) in Corvallis provides emergency shelter and services for families with children. The City will continue consultations with COI during the plan period to address the needs of Albany's homeless families with children and other support programs.

Agency/Group/ Organization	Agency/Group/Organization Type	What section of the Plan was addressed by Consultation?	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?
Linn Benton Community College Small Business Development Center (LBCC SBDC)	Services-Education Services-Employment	Economic Development Anti-Poverty Strategy	The City will provide CDBG funding for the LBCC microenterprise and small business development programs that will increase economic opportunities for Albany's low-income residents and for Albany's Hispanic/Latino residents.
Fair Housing Council of Oregon (FHCO)	Housing Service-Fair Housing	Housing Need Assessment Fair Housing	The City will work with the Fair Housing Council of Oregon each year to carry out fair housing training activities for area landlords and tenants, and consults on the types and frequency of fair housing-related calls they receive from Albany residents. This consultation has and will continue to provide direction for future fair housing training, outreach and testing efforts.
U. S. Department of Housing and Urban Development	Housing Other Government-Federal	Housing Need Assessment Market Analysis	Much of the data presented throughout this Consolidated Plan was provided to the City through HUD training and publications. HUD also provided American Community Survey (ACS) data. Consultation with HUD regarding eligible activities, plans and monitoring will be ongoing.
Greater Albany Public School District (GAPS)	Housing Services-Children Services- homeless Services-Education Other government-Local	Homelessness Strategy Homeless Needs-Families with children	Consultation with the GAPS McKinney Vinto and youth services coordinator to work with homeless and highly mobile students residing in the Albany district. Consultations will be ongoing.

Table 2 – Agencies, groups, organizations who participated

Identify any Agency Types not consulted and provide rationale for not consulting

NONE IDENTIFIED.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Linn County's 10 Year Plan to Address Issues Around Housing and Homelessness	HEART	The Strategic Plan goals support the Ten Year Plan to Address Issues Around Homelessness goals.
CSC FY 2013-2014 Budget & Multi-Year Strategic Plan	Community Services Consortium	The CSC provides numerous services and programs related to CDBG activities, such as housing rehab, weatherization, job training, homeless support.
Linn-Benton Housing Authority Long Range Plan	Linn Benton Housing Authority	The Strategic Plan goals support the plan goals.
Senior & Disability Services Area Plan for 1/1/13 to 12/31/16	Oregon Cascades West Council of Governments	The Strategic Plan goals support the plan goals.
City of Albany Strategic Plan FY 2013 through FY 2017	City of Albany	The Plan goals support the City's strategic plan goals for great neighborhoods, a safe city and healthy economy.
City 2006 Parks and Recreation Master Plan	City of Albany, Parks and Recreation Department	The Strategic Plan goals support the plan goals.
Cascades Wet Economic Development District 2010-2015 Comprehensive Strategy	Oregon Cascades West Council of Governments	The Plan goals align with the strategy of advancing economic opportunities within the region and partnering to improve workforce training and education.
Linn County Community Health Improvement Plan (CHIP)	Linn County	The CHIP identified health related needs such as access to health care and substance abuse, which are issues facing many homeless and low-income persons.

Table 3 – Other local / regional / federal planning efforts

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

The City's first Consolidated Plan was submitted to HUD in mid-August of 2013. The public participation process for the Consolidated Plan has greatly informed the FY 2014-15 Action Plan priorities. The participation process included a public survey of residents and recipients of support that gathered the most information from Albany's citizens. As part of the Consolidated Plan process, the City held a public open house in June 2013; and public hearings were held July 24, 2013 and August 14, 2013.

The 2014-2015 Action Plan public input consisted of the following:

- The Community Development Commission reviewed applications and heard presentations for requests for funding for eligible activities.
- The Community Development Commission held a public hearing/comment period on April 14, 2014;
- The City Council hearings are scheduled for April 23 and May 14, 2014.
- Public notification included a published legal notice regarding the City Council hearings and 30 day comment period; a press release to local media sources, notices on the City Web site, emails to local agencies, service provider and interested parties.

During the 30-day public comment period, the FY 14-15 Action Plan was available on the City's Website and was available for review at Albany City Hall and both public libraries.

AP-15 Expected Resources

Introduction

The City of Albany will receive Community Development Block Grant (CDBG) funds in the amount of \$389,457 in FY 2014-15. This will be the City's second year as a CDBG entitlement grantee.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 2				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation : \$	Program Income: \$	Prior Year Resources \$	Total: \$		
CDBG	Public-Federal	Admin and Planning Economic Development Housing Public Improvements Public Services	\$389,457	\$0	\$402,361	\$389,457	\$1,100,000	CDBG will leverage private funds, grants, and other public funds

Table 56 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City anticipates providing CDBG funding to a variety of programs and activities over the five year Consolidated Plan period. Each program or activity identified in the 2014-2015 program year was assessed for its need and the level of other resources available to ensure the activity is completed. In particular,

- The housing rehabilitation programs will create a revolving loan fund as no-interest loans are repaid. The program is being paired with the CSC's federal weatherization grant funds when feasible.
- Community development and neighborhood revitalization projects include public improvements to a city park, Sunrise Park, and one trail, the Periwinkle Path. The City is applying for state funding for these two facilities CDBG funding is anticipated to leverage state parks grants, local parks funds, and local fund-raising.
- Funding to remove barriers to accessibility will be used to supplement city funds for public street, sidewalk and facility repairs. Projects may leverage state or federal funds, depending on the activity.
- Emergency and transitional housing loans or grants will leverage private funding and may leverage other local, state and federal funding sources.
- Microenterprise assistance will leverage state education and federal small business funding.
- Funds allocated for public services will likely be gap financing for a non-profit organization that will provide the balance of funds needed for the activity.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Two park facilities owned by the City of Albany with deteriorating conditions and blighting influences were identified in Census Tract 208. The 2013-2014 Action Plan identified improvements to these resources. These improvement projects will continue into the FY 2014-2015 Action Plan.

The City does not anticipate using any City-owned properties in Fiscal Year 14-15 for other CDBG eligible activities.

AP-20 Annual Goals and Objectives

Goals Summary, Table 57

Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	HUD Goal Outcome Indicator
1 - Reduce housing cost burden for LMI households. 2 - Maintain and improve the quality of affordable housing	2013	2017	Affordable Housing Special Needs	Local Target Areas (Census Tracts 204 and 208)	Rehabilitate aging affordable housing stock in LMI areas Increase energy efficiency and affordability in LMI areas	\$68,000	Low-income Housing Rehabilitated: 4
3 - Reduce the number of homeless persons	2013	2014	Homeless	Citywide	Provide safe emergency shelter unaccompanied youth; Move homeless into stable housing	\$43,800	Overnight/Emergency Shelter/Transitional or Permanent Supportive Housing Beds added: 8
4 - Remove barriers to accessibility	2013	2017	Non-Housing Community Development	Citywide	Curb ramp improvements; accessibility improvements at or near public facilities.	\$33,800	Public Facility or Infrastructure Activities other than LMI Housing Benefit: 20 persons benefited
5 - Eliminate blighting influences in low and moderate income (LMI) areas	2013	2014	Non-Housing Community Development	Local Target Areas	Sunrise Park redesign; Periwinkle Path repairs/replacement	\$58,500	Public Facility or Infrastructure Activities other than LMI Housing Benefit: 2,000 persons benefited
6 - Increase economic opportunities	2013	2014	Non-Housing Community Development	Citywide	Microenterprise assistance;	\$19,500	Businesses Assisted:10 Jobs Created/Retained: 2
6 - Increase economic opportunities	2013	2014	Non-Housing Community Development	Citywide	Job creation; Commercial rehab in LMI areas	\$29,550	Businesses Assisted: 5 Jobs Created/Retained: 2
7 - Support agencies that provide public services	2013	2014	Affordable Housing Homeless Special Needs Non-Housing Community Development	Citywide	Assist homeless, low Income, and special needs populations	\$57,400	Public Service Activities other than LMI Housing Benefit: 100 persons assisted
8 -Further fair housing	2013	2014	Fair Housing	Citywide	Training, education and consultation	\$1,000	Public Service Activities for LMI Housing Benefit: 20 persons assisted

Goal Descriptions

Albany's 2014-2015 plan goals are described below.

Goal 1: Reduce Housing Cost Burden for Albany's Low-Income Households.

Goal 2: Maintain and Improve the Quality of Albany's Affordable Housing Supply.

Housing Rehabilitation Loan and Essential Repairs Grant Programs

One of Albany's priority needs is to assist households that are experiencing housing cost burden – those households paying 30 percent or more of their incomes on housing cost and severe housing cost burden include households paying 50 percent or more of their incomes on housing related costs. Albany has large concentrations of housing units constructed before 1980 and the need for housing rehabilitation and energy efficiency improvements is anticipated to be high.

Many low-income homeowners cannot afford to make necessary home improvements to maintain the health and safety of their homes or replace operating systems and appliances. Low-income renters often live in buildings in need of major repairs, but making the improvements often results in rent increases that make the units less affordable.

The City is contracting with Community Services Consortium (CSC) to manage a revolving loan fund program for Albany property owners. The program will provide no-interest deferred loans to property owners of low-income housing for needed repairs. CSC will match the rehabilitation loans with federal weatherization grants to help improve energy efficiency and reduce monthly heating and cooling costs when feasible.

The Essential Repairs Grant program will provide small grants for health and safety repairs that are needed to make a dwelling unit eligible for weatherization assistance. These grants would correct any deficiencies prior to receiving weatherization services.

HUD Outcomes: Rehabilitate 4 housing units occupied by low-income households and improve energy efficiency in 4 housing units.

Goal 3: Reduce Homelessness

There are many homeless needs within the community. Priority needs include adding emergency shelter beds in Albany for families with children and unaccompanied youth. There are currently very limited housing options for these homeless and at-risk populations in Albany. CDBG funding will help FISH add services at their guest house for women with children and will help Jackson Street Youth Shelter make repairs to a house that was purchased to provide both emergency shelter and transitional housing for Albany's unaccompanied youth.

The second priority need is supportive housing to help transition residents, including special needs populations, out of homelessness into secure housing. Albany Helping Hands, a local homeless shelter will receive funding to make repairs to a house that will provide 4 transitional housing beds.

HUD Outcomes: Provide 4 emergency shelter beds and 4 transitional beds for homeless, at-risk and unaccompanied youth; and provide 4 transitional beds for homeless residents.

Goal 4: Remove Barriers to Accessibility

The need for public infrastructure improvements specifically related to curb ramps on sidewalks is rising in importance as the community ages and the general population increases. Curb ramp placement and replacement or repair of existing sidewalks is a focus of the City to address accessibility and safety concerns of Albany's residents. As is common in established cities, many areas of the city have no curb ramps at intersections, while other areas have older ramps that were placed before the Americans with Disabilities Act (ADA) and do not meet current standards.

Under the City's *Phase III ADA Transition Plan: Curb Ramps*, preliminary reviews have indicated the need for removal of existing barriers in these areas. In addition to these specified areas, public requests for curb ramp improvements are evaluated and prioritized accordingly for incorporation into the plan for barrier removal.

CDBG funds totaling \$33,800 have been allocated to remove barriers to accessibility at or near public facilities, including parks, and schools; to make curb ramps accessible in Albany's low-income census tracts, or to address complaints and requests for curb ramp improvements. Remove barriers to accessibility in LMI areas and at or near public facilities

HUD Outcomes: Public Service Activities other than LMI Housing Benefit: 20 people assisted

Goal 5: Remove Blighting Influences in Albany's Low and Moderate Income Neighborhoods

Albany has two census tracts identified as "Low and Moderate Income" (LMI), where more than 51 percent of the households earn less than 80 percent of the area median income with concentrations of persons living below the national poverty level, housing cost burden, aging housing stock, concentrations of minority populations, blighted conditions and deteriorating public facilities.

Sunrise Park is located in LMI Census Tract 208. The park was developed in the 1980s and it is one of the City parks that have not been upgraded. The 2006 Parks Master Plan identified the following needs for Sunrise Park: new playground equipment, widened pathways, improved vehicle access, and parking. A site visit to the park with the Mayor, staff from the parks and police departments, and a neighboring apartment manager identified several safety issues that contribute to its ongoing vandalism. These issues are deterring residents from using the park rather than the park providing a benefit to the residents in the area.

The City allocated \$40,000 in CDBG funds in 2013-2014 for Sunrise Park improvements. These funds will help the City leverage other state and federal grant funds and private donations to improve the park. It is anticipated that additional funds will be needed to complete the park and provide amenities requested by the area residents. An additional \$19,500 is proposed in the FY 2014-2015 Action Plan to complete this activity.

Periwinkle Path is a 1.5-mile long trail that runs through Census Tracts 204 and 208 and beyond. It connects residents from south/central Albany to the Albany Boys and Girls Club and Kinder Park facilities to the north and Grand Prairie Park to the south. The path was constructed more than 30 years ago. Despite efforts to maintain the path there are sections that must be replaced or closed due to dangerous pavement conditions.

CDBG funds of \$50,000 in FY 2013-2014 will repair roughly 600 lineal feet of path. CDBG funds of \$38,000 in FY 2014-2015 will repair an additional 500 feet of path. The path repairs will remove blighting influences in Census Tract 208. The obstacle to repairing the path may be the ability to leverage enough funds to complete repairs to remaining sections of the path.

HUD Outcomes: Replace or repair 500 lineal feet of Periwinkle Path in LMI Census Tract 208.

Goal 6: Increase Economic Opportunities for Low and Moderate Income (LMI) Persons

Microenterprise Development. The Linn Benton Community College (LBCC) Small Business Development Center (SBDC) provides micro-enterprise training and technical assistance to persons in Linn and Benton counties. SBDC has assisted many Albany residents launch a small business through a series of courses and one-on-one advising. The program is open to anyone interested in starting a business or any existing business owner that wants assistance with skill development or business plans to maintain and expand his or her business. The program provides scholarships for low and very-low income persons, displaced workers, and returning veterans. The SBDC partners with other agencies to provide services to the small business community.

CDBG funds of \$19,500 are proposed for LBCCs microenterprise development programs so that the SBDC can provide scholarships to eligible Albany residents, micro-enterprises, and add jobs in the community.

Job Creation/Business Assistance. Linn County's unemployment rate remains one of the highest in Oregon and many residents are underemployed or are in low-paying jobs. The City proposes \$10,000 in CDBG funds to provide scholarships for small business owners to offset the costs of the Small Business Management Program.

CDBG funds of \$19,550 are proposed to be available in small grants to businesses to assist micro-enterprises and small businesses grow and add jobs. Funds will be available to offset microenterprise startup costs or to help existing small businesses that don't qualify for conventional financing by securing loans through Cascades West Council of Governments. Funds can be used to assist with property acquisition, reconstruction, rehabilitation, new commercial or industrial buildings, structures, and other real property improvements.

HUD Outcomes: Businesses Assisted: 15; Jobs Created/Retained: 4

Goal 7: Support Agencies that Provide Public Services to Albany's Low Income and Special Needs Residents

While Albany has numerous service providers, there is demand for more services to address the needs of Albany's homeless, low-income and special needs populations. The City held a competitive grant application process to identify eligible services and programs that could address Plan priorities. Applicants were required to demonstrate the need to expand services or add new services.

Public services include, but are not limited to, services for the homeless and those at risk of becoming homeless, seniors and the disabled, persons with mental or other physical disabilities, victims of domestic violence or sexual assault, child-abuse prevention, and low-income persons such as working parents.

Objectives and Strategies: Provide funding and staff support to the following public service agencies and programs:

- Jackson Street Youth Shelter: Street outreach and case management to homeless and at-risk youth.
- FISH of Albany: Services and shelter for homeless and women with children
- CARDV (Center Against Rape and Domestic Violence): Albany hotel nights for victims of domestic violence
- C.H.A.N.C.E. (Communities Helping Addicts Negotiate Change): Pay GED training and testing costs for residents recovering from drug and alcohol addiction.

HUD Outcomes: Public Service Activities other than LMI Housing Benefit: 100 people assisted

Goal 8: Further Fair Housing in Albany

The City will continue to work with the Fair Housing Council of Oregon (FHCO) to provide training for Albany property owners, landlords, developers, and others in the housing industry. Funds from 2013-2014 will carry over into FY 2014-2015. If funds are available, training will be offered to City staff to understand fair housing laws related to new development. The Fair Housing Council will also provide counseling through their hotline. Brochures will be made available in City Hall and on the City's website.

Objectives and Strategies:

- Fair housing education and outreach: Sponsor fair housing training provided by the FHCO for landlords and others working in the housing industry. (2013-2014 program year funds will carry over).
- Increase community awareness of fair housing issues by increasing the distribution of fair housing information and resources in English and in Spanish.
- Work with the Hispanic and Latino community to enhance communication and delivery of fair housing resources in order to identify and stop acts of discrimination.
- The City of Albany will monitor rental and mortgage ads for discrimination.

HUD Outcomes: Public Service Activities for LMI Housing Benefit: 20 people assisted

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b):

The City does not receive any HOME funds. Not Applicable.

AP-35 Projects – 91.220(d)

Introduction

This section lists and describes the projects that the City of Albany Community Development Block Grant programs will carry out during FY 2014-15. The projects reflect priorities that have been identified within the 2013-2017 Consolidated Plan.

Albany's community development needs were reviewed against eligible activities, existing resources and programs, gaps in service delivery, financial resources, and organizational capacity. The City has prepared

a package of projects that balance the priority needs for Albany’s low- income and homeless residents, removes blighting influences in low-income neighborhoods, adds economic opportunities, removes barriers to accessibility, and supports area service providers that work with Albany’s special needs populations and low-income residents.

The second year of projects continues several programs and projects that were started in the FY 2013-14 program year and proposes four new public services activities.

Table 59 – Project Information

#	Project Name
1	Housing Rehabilitation Loan Program
2	Essential Repair Grant Program
3	Homeless Housing
4	Neighborhood Revitalization - Sunrise Park Redesign
5	Neighborhood Revitalization - Periwinkle Path
6	Remove Barriers to Accessibility
7	Microenterprise Development
8	Job Creation/Business Assistance
9	Public Services
10	Fair Housing Education and Outreach
11	Program Administration

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The Community Development Commission assessed the priorities in both the programs and funding identified in the FY 2013-14 Annual Action Plan as a starting point for FY 2014-15 allocations.

Requests for proposals were reviewed for public services and homeless housing needs. Projects were selected based on needs identified in the Consolidated Plan, programs that expand existing services or capacity, and program performance measures. There was more demand for financial assistance for public services than funds available.

The need to improve incomes of Albany’s low-income residents and provide more economic opportunities were the reasons to allocate funding to economic development activities. Economic development priorities were informed by presentations and information received from the Linn Benton Community College Small Business Development Center, Cascades West Council of Governments, and the City’s Economic Development Director.

Lack of funding is the primary obstacles to addressing underserved needs.

AP38 Project Summary

Project Summary Information

Project Name	Target Area	Goals Supported	Needs Addressed	Funding
Housing Rehabilitation Loan Program	Tracts 204 & 208	Maintain and improve the quality of affordable housing Eliminate blighting influences	Help low-income people maintain their homes Reduce housing cost burden	\$63,000
Essential Repair Grant Program	Tracts 204 & 208	Maintain and improve the quality of affordable housing	Increase energy efficiency; Reduce housing cost burden	\$5,000
Shelter for Unaccompanied Youth	Tract 208	Reduce homelessness Support goals of the Ten Year Homeless Plan	Provide emergency shelter for unaccompanied youth	\$35,000
Helping Hands Supportive Housing	Tract 208	Reduce homelessness Support goals of the Ten Year Homeless Plan	Move homeless into supportive housing	\$8,800
Sunrise Park Rehabilitation	Tract 208	Remove Blighting Influences in LMI areas	Improve public facilities in LMI areas and areas with a higher minority concentration	\$19,500
Periwinkle Path Repairs	Tract 208	Remove Blighting Influences in LMI areas	Improve public facilities in LMI areas and areas with a higher minority concentration	\$39,000
Remove Barriers to Accessibility	Tracts 204 & 208, public facilities	Remove Barriers to Accessibility; Public Improvements in LMI areas	Accessibility improvements to city sidewalks and facilities	\$33,800

Microenterprise development	Citywide	Business Assistance	Support LBCC's microenterprise programs	\$19,500
Business Assistance/Job Creation	Citywide	Business Assistance	Support small businesses and job creation	\$29,550
Public Services: Jackson Street Youth Shelter	Citywide	Reduce Homelessness of Youth	Emergency Housing for Homeless/At-Risk Youth	\$21,000
Public Services: CARDV Albany Shelter Nights	Citywide	Support victims of domestic violence	Provide hotel nights for Albany victims	\$17,000
Public Services: C.H.A.N.C.E. GED Program	Citywide	Reduce recidivism of substance abuse	GED Training and Testing	\$10,000
Public Services: FISH Guest House	Citywide	Reduce Homelessness of Families	Provide shelter for women with children	\$9,400
Fair Housing Education and Outreach	Citywide	Further Fair Housing	Increase awareness of fair housing laws and resources	\$1,000
Program Planning and Administration	Citywide	All Goals	Manage delivery of all programs and program monitoring	\$77,900

Table 58 – Project Summary

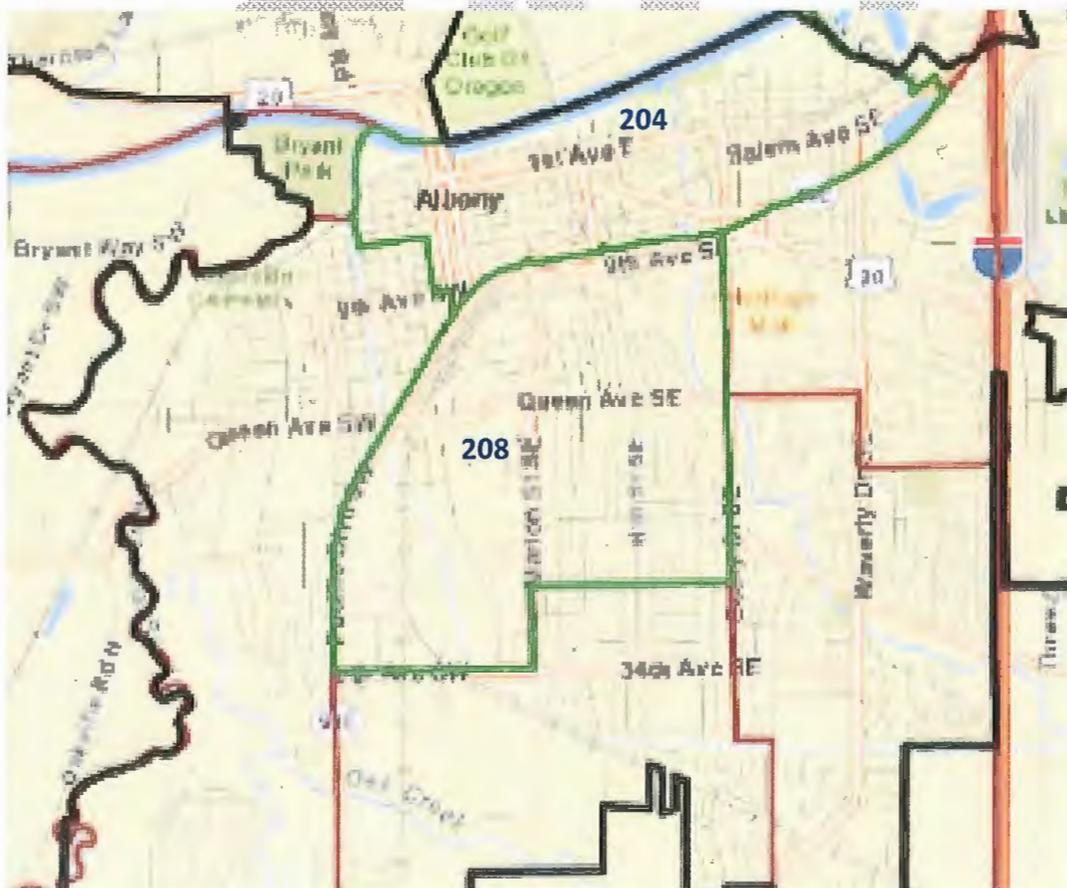
AP-50 Geographic Distribution

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The City of Albany is located in the middle of the Willamette Valley in western Oregon. The Willamette River runs east-west through the City. Interstate 5 runs north-south through the City. Albany has two census tracts that qualified as low-income tracts with over 50 percent of the households with incomes less than 80% of the area median income.

Census Tract 204 has the highest percent of persons in poverty, at 39.1%. Census Tract 204 is bordered by the Willamette River to the north and includes historic downtown and older areas in the heart of the City.

Census Tract 208 abuts Tract 204 to the south and is located in the geographic center of the city. Tract 208 is south and east of Pacific Boulevard, State Route 99. It includes a large amount of industrial land, apartments, and housing built in the 1970s and 1980s. Tract 208 also includes a concentration of Hispanic/Latino and other minority households.



Geographic Distribution

The table below estimates the percentage of 2014-2015 Program Year funds that will be directed to projects and programs within the two target area census tracts 204 and 208.

Target Area	Percentage of Funds
204 & 208	52%

Table 60 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

In this Action Plan, the City plans to focus housing rehabilitation and community development projects in the two local priority areas, Census Tracts 204 and 208. The two tracts together contain roughly one fourth of the City's population and households. The two census tracts also contain a large percentage of Albany's older housing stock and have the highest poverty rates.

The City's goal is to focus Housing Rehabilitation Loan and Essential Repairs Grant program funding in a few blocks in order to make a greater impact. The YouthBuild job skills training program for low-income and homeless young adults will concentrate housing improvements in Census Tracts 204 and 208, in the same neighborhoods where housing rehabilitation and essential repairs funds are allocated.

The Homeless Housing Program will provide funding to help rehabilitate two existing houses that located in Census Tract 204. One house will be used as a shelter and transitional housing for youth and the other will be a transitional supportive house for adults.

Affordable Housing

AP-55 Affordable Housing

Introduction

The City of Albany's Community Development Block Grant programs will expand affordable housing opportunities for Albany's homeless and non-homeless residents in FY 2014-2015 and over the life of the Consolidated Plan.

The FY 2014-2015 Action Plan will provide funding to improve Albany's existing affordable housing stock through the Housing Rehabilitation Loan and Essential Repairs Grant programs.

FY 14-15 CDBG funding will provide financial support to three agencies in order to add transitional supportive housing beds to reduce homelessness for unaccompanied youth, families with children, and adults. These programs will help residents to transition out of homelessness and into supportive housing.

The City estimates the following goals for affordable housing assistance provided in FY 2014-2015.

One Year Goals for the Number of Households to be Supported	
Homeless	4
Non-Homeless	3
Special-Needs	1
Total	8

Table 61 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	4
Acquisition of Existing Units	0
Total	4

Table 62 - One Year Goals for Affordable Housing by Support Type

Discussion

The Housing Rehabilitation Loan Program will provide no-interest deferred-payment loans to Albany homeowners or occupants earning 60% or less of the area median income. The loan minimum is \$10,000 and the maximum is \$20,000. The Essential Repairs Grants program will award grants up to \$2,000 to make homes eligible for free weatherization assistance and may or may not be paired with the Housing Rehabilitation Loan Program. It is estimated that at least four housing units will be repaired or weatherized in the 2014-2015 Program year through these two CDBG programs.

Transitional housing for homeless residents is discussed in AP-65.

AP-60 Public Housing

Actions planned during the next year to address the needs related to public housing

There are no public housing units in the City of Albany. Section AP-60 is not applicable.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Not applicable.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Not applicable.

DRAFT

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The consolidated planning process identified existing programs and services that assist Albany's homeless, other special needs populations and gaps in the delivery system.

Homelessness– The region has a network of homeless assistance providers including emergency shelters, support for victims of domestic violence, child abuse prevention, medical and dental support, soup kitchens, and food and clothing pantries for the homeless. Providers and advocates that work together to refer the homeless to services that can help them get into housing.

The 2013 Point in Time (PIT) count counted 244 homeless individuals, with 35 of them as unsheltered. The number of individuals placed in permanent supportive housing units in Linn County increased from 25 in 2009 to 120 in 2011, partly due to an increase in the number of units available. Despite local efforts and Emergency Homeless Assistance and Emergency Solutions Grant funding to assist with homeless programs, there is ongoing need to assist persons that are homeless or at risk of becoming homeless with affordable housing. Ability to pay staffing costs to deliver programs was a significant issue identified in the 2009-2011 provider survey, indicating there may be reductions in the programs targeted to assist homeless people or those at risk of becoming homeless.

Special Needs Activities - Albany's non-homeless special needs populations identified in the 2014-2015 Plan include persons with alcohol or drug addictions, and victims of domestic violence or child abuse.

- Victims of Domestic Violence: public services funding will be awarded to CARDV to expand their services for Albany residents. Funds will be used to purchase hotel rooms in Albany in order to keep victims close to their support network.
- Addiction Services: C.H.A.N.C.E. will receive CDBG funding to pay for the costs associated with clients who need to take the GED test and any preparatory courses. This program will help clients gain skills and move forward to further their education and employment and will hopefully reduce recidivism and help addicts get back on their feet.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs.

The Consolidated Plan and the FY 14-15 Action Plan include the following one-year goals and actions for reducing homelessness, and providing outreach to homeless persons.

Goal: Support the *Linn County Ten Year Plan to Address Issues Around Housing and Homelessness*

Goal: Break the cycles of addiction and abuse

The 2014-2015 Plan includes support to Jackson Street Youth Shelter to expand their services to provide street outreach and case management for Albany's at-risk and homeless youth. This program will assess the needs of Albany's youth and connect them with services and support. The goals of the program are to reconnect youth with families and keep them off the streets.

C.H.A.N.C.E., an addiction recovery center, will receive CDBG public services funds to pay for GED

training and test taking. With this type of educational opportunity it will help clients who are struggling to stay sober improve their lives by giving them access to tools and skills that will help them develop plans for their future.

The Plan includes funds to help support CARDV so they will be able to expand their services to Albany by providing emergency shelter at Albany area hotels in combination with counseling.

Describe the jurisdictions one-year goals and actions for addressing the emergency shelter and transitional housing needs of homeless persons.

Goal: Reduce Homelessness

Goal: Support the *Linn County Ten Year Plan to Address Issues Around Housing and Homelessness*

Priority needs for the 2014-2015 program year include adding emergency shelter beds in Albany for families with children and unaccompanied youth. There are currently very limited housing options for homeless families and youth in Albany. The 2012 homeless count provided by the Albany School District found there were 306 children in grades K through 12 that were considered homeless (including families staying with friends or relatives). Of these, 87 were unaccompanied youth. The one night point in time count in 2012 counted 96 homeless children on the streets or in shelters. The Linn County Juvenile Department reported 185 runaway youth in 2011.

In 2014-2015 CDBG funding will be allocated to the following projects that will provide emergency and transitional housing needs for homeless residents:

- Homeless and At-Risk Youth: Jackson Street Youth Shelter (JSYS) requested public services funding to expand services to provide street outreach and case management of Albany's at-risk and homeless youth. JSYS also requested "homeless housing" funding to make necessary improvements to a house that will provide shelter and transitional housing for youth in Albany.
- Homeless Families with Children: FISH of Albany requested public services funding to expand their services at their existing guest house to serve homeless women with children.
- Homeless Individuals and Households: Albany Helping Hands requested funding to rehabilitate a house for transitional housing and help acquire a second home for the same purpose. The program will provide supportive housing services to residents for a year.

Outcomes: Provide 4 emergency shelter beds and 4 transitional beds for homeless, at-risk and unaccompanied youth; and provide 4 transitional beds for homeless individuals.

Describe the jurisdictions one-year goals and actions for helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

The City of Albany's FY 2014-2015 Action Plan to help homeless persons make the transition to permanent housing and to help prevent homelessness include expansion of the following services and programs (already described in the Plan):

- Substance Abuse – C.H.A.N.C.E recovery center staff will work with clients to help them prepare for and take the GED, an important first step in providing a foundation for the future.
- Unaccompanied Youth – Jackson Street Youth Shelter will provide street outreach and counseling to Albany's unaccompanied youth. They are also working on making repairs to a house that will become a youth shelter with transitional housing and support services for Albany's youth. Youth who do not have a place to return to can enroll in the Transitional Living Program. The program promotes self-sufficiency and will develop and work on a case plan using the Positive Youth Development approach.
- Homeless Individuals – Albany Helping Hands Homeless Shelter will open two new transitional housing units that will add 6 beds. The agency will enroll clients in a life improvement plan and provide supportive services for approximately 12 months to include numerous life skills classes. This program will help six individuals over the next year gain self-sufficiency skills and prepare them for independent living.
- Women with Children – The Fish Guest House will expand its services to provide shelter and other services to women with children until they are able to find adequate and affordable housing.
- Victims of Domestic Violence – CARDV will expand its services for Albany residents by offering them emergency shelter nights in an Albany hotel as well as provide counseling and referral services. The program will keep these residents safe until they are able to return home or make arrangements for safe housing.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

According to the 2013 homeless count results, the leading causes of homelessness included: unemployment or underemployment (inability to afford rent), drug and alcohol use, and poor rental history/evictions and criminal history.

The following activities and programs are currently working to prevent homelessness and help Albany's

low-income families and homeless individuals:

- Nine Oxford Houses (Chapter 19) that provide housing for more than 130 people recovering from drug and alcohol addiction. Many of these individuals have also been incarcerated and have difficulty finding and staying in permanent housing on their own.
- The local shelters provide shelter, clothes, and food. They also work with people coming out of jail and try to help them get their lives back in order and get any necessary support services.
- FISH of Albany provides shelter for pregnant teens and young mothers; they provide food boxes citywide, and offer free clothing. They also manage the “toto” fund that helps people return home to their local support systems if they have become homeless in Albany.
- The ABC House and Family Tree Relief nursery provide counseling to parents and family members to reduce the incidences of abuse and homelessness. This type of help can reduce the number of children being placed in foster care.
- The CSC provides utility assistance, rental assistance, financial fitness classes, and help for homeowners through several programs. They also use federal emergency housing grants to provide emergency housing assistance and rapid re-housing assistance to area homeless and at-risk residents.
- Willamette Neighborhood Housing Services and CSC provide foreclosure prevention counseling for homeowners.

The City held a competitive application process for allocating \$58,400 in FY 2014-2015 to public service agencies to help address the issues identified in this section. The following services (described earlier in the Plan) will receive CDBG funding:

- Domestic violence emergency services;
- Substance abuse and addiction recovery services;
- Services to help persons transition out of homelessness;
- Youth outreach and case management;

AP-75 Barriers to Affordable Housing - 91.220(j)

Introduction

The largest barrier to affordable housing in Albany is the lack of units that are affordable to households or individuals earning less than 50% of the area median family income. Despite the many affordable dwelling units in Albany, thousands of households are experiencing housing cost burden due to insufficient incomes.

The City did a thorough review of its land use policies and found that many affordable housing policies and strategies are incorporated into the development standards. There are a few additional affordable housing “tools” that could be evaluated to ensure that housing choice and affordable housing options are supported through policies and zoning standards.

Actions planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment.

The City of Albany completed development of the Analysis of Impediments to Fair Housing and Fair Housing Plan (AI). Availability of affordable housing was identified as a barrier to affordable housing. While the City has a large supply of relatively affordable housing, there are many households in Albany that earn less than 50% of the area median income that struggle to find housing that is affordable to them.

The AI identified limited public policies that may be barriers to affordable housing. The concentration of affordable housing in older areas of the City was also identified as an issue. This issue is primarily the result of growth patterns over the last few decades and an aging housing stock. Findings are discussed below.

The City of Albany Comprehensive Plan includes several policies that promote the development and maintenance of affordable housing in the City. Policies also promote housing variety, mixed use housing, and infill development.

The following standards in the Albany Development Code support affordable housing choices:

- small minimum lot sizes and housing variety are permitted in 3 residential zoning districts and all mixed-use districts;
- accessory dwelling units are permitted in all zoning districts subject to standards;
- group homes are permitted and considered as a single-family residents when serving 5 or fewer individuals; and
- Albany’s planned development and cluster development standards allow for more flexibility in lot sizes, setbacks, and housing types.

Regarding the concentration of affordable housing, the City is working to promote redevelopment and maintenance through public and private investments within the Central Albany urban renewal district. The City housing rehabilitation loan and grant programs are also targeted to these areas.

In the 2014-2015 program year, the City will undertake the following actions to identify and remove any potential barriers to affordable housing:

- Evaluate the City's accessory apartment standards and affordable housing incentives in the Albany Development Code;
- Evaluate the Comprehensive Plan policies related to affordable and fair housing.
- Increase awareness about fair housing laws through education and outreach to landlords, residents, developers, and the community at large.
- Concentrate public funds and programs in Albany's low income census tracts to encourage reinvestment and stability of these neighborhoods and housing stock.

Discussion

Despite incorporating numerous strategies to allow development of affordable housing, it still remains an issue for Albany's lowest income households.

Other impediments to fair housing identified in the AI and actions proposed in 2014-2015 to address these barriers include:

- Lack of Understanding of Fair Housing Issues – The City will provide training for landlords and will continue increase distribution of fair housing information within the community.
- Cultural and linguistic barriers – The City will enhance outreach to the Spanish and non-English speaking communities in order to provide them with fair housing resources and support.
- Discriminatory Practices in the Housing Market – The City will monitor rental and mortgage ads for potential acts of discrimination and will work with the Fair Housing Council of Oregon to identify situations that may need further testing.

AP-85 Other Actions– 91.220(k)

Introduction

Since the City of Albany is a new CDBG entitlement grantee, the City has not developed any program income and there are limited resources to undertake any "other" actions that have not already been discussed in the FY 2014-2015 Action Plan.

Actions planned to address obstacles to meeting underserved needs

The primary obstacle to meeting underserved needs is the lack of funding to adequately meet all of the City's housing, community and economic development needs. Despite lack of resources, the City will continue to work with area agencies and other public and governmental entities to identify ways to collaborate resources to do more in the community, and to coordinate programming to address those needs.

The City will try to identify other sources of funding that can be leveraged with CDBG program funds.

Actions planned to foster and maintain affordable housing

The City will develop a housing rehabilitation loan program to assist owners and renters of low-income housing maintain their homes. The Essential Repairs Grant program will allocate funding to help repair homes that are currently not eligible for weatherization assistance from the Community Services Consortium. This assistance will help bring the houses up to standards that meet those eligibility requirements.

CSC's YouthBuild program will provide construction-related job skills training to young adults. The program will identify housing and property maintenance needs within Albany's low-income census tracts and will piggyback on Albany's Housing Rehabilitation Loan Program. The program will be able to assist Albany's low-income households that do not qualify for the housing rehabilitation loan program due to property maintenance issues.

Actions planned to reduce lead-based paint hazards

The City currently distributes lead hazard information pamphlets to any resident seeking information regarding housing repairs in historic districts. The City also offers links on its historic resource web site that will take you to this information.

The City will distribute lead-hazard information to each recipient of a housing rehabilitation loan or grant and any sub-recipient that provides shelter or housing to residents in the community. The pamphlets will be available on the City's web page and at the customer counter. The City will also require all contractors working on CDBG-funded housing projects or facilities that may have children in them to comply with the EPA Renovator, Repair, and Painting (RRP) law. The RRP law requires that anyone doing this work be RRP-certified and perform additional recordkeeping and site cleanup.

Actions planned to reduce the number of poverty-level families

The following actions are planned during FY 2014-2015 to reduce the number of poverty-level families:

- Provide funding to recovering addicts to obtain their GED.
- Providing funding to support the Linn Benton Community College Small Business Development Center's Microbusiness programs. This program will provide free courses and counseling to an estimate of 10 low-income Albany residents and help 4 participants complete a start-up business plan, and 2 people to launch a microenterprise (a business with five or fewer employees).
- Providing grants to businesses that create jobs or for a special economic development project.

Actions planned to develop institutional structure.

Albany is fortunate to have agencies with well-established service delivery structures within the City.

In order to further develop the CDBG institutional structure, the City will work to develop program policies, contract templates, report templates and monitoring guidelines.

The City will work with sub recipients to assess their needs in order to ensure successful implementation of the CDBG programs and desired outcomes.

Actions planned to enhance coordination between public and private housing and social service agencies

Thanks to efforts by several agencies, there is a good communication and delivery structure in Albany for addressing homeless needs. Following Albany's first homeless summit in 2006 the Homeless Enrichment and Rehabilitation Team (HEART) was formed with representatives from most agencies that work with homeless populations or those at risk of becoming homeless, homeless advocates, city government, Samaritan's InReach Clinic services, the Greater Albany Public Schools, and the new college of osteopathic medicine in Lebanon. HEART members hold regular board meetings and were involved in developing and updating the 10-year plan.

The Committee to Address Issues Surrounding Housing and Homelessness in Linn County, Oregon, reconvened in January of 2012 as an ongoing process to review, assess, acknowledge challenges and achievements, and update Linn County's 10 Year Plan to Address Issues Around Homelessness. Two of the goals in the Ten Year Plan related to enhancing coordination include:

- Expand, develop, and coordinate the supply of affordable housing for the homeless and those at risk of being homeless; and
- Create a system of collection technology and methodology to better account for homeless program outcomes.

There is coordination among Albany's social service agencies and governmental agencies, such as the Department of Human Services. There is also coordination with affordable housing providers to connect clients and residents to services and/or housing.

One of the City's goals in FY 2014-2015 is to foster coordination among all affordable housing providers and service providers to look collectively at community needs and possible partnerships that can be formed to address these needs. This coordination would help to ensure that the resources of agencies serving low-income community members are applied efficiently and that residents/clients are supported throughout the housing continuum.

Program Specific Requirements

AP-90 Program Specific Requirements - 91.220(I)(1,2,4)

Introduction

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out. **Note: This is Albany's second year as an Entitlement grantee and has not generated any program income yet so most of the required fields are not applicable.**

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	\$0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	\$0
3. The amount of surplus funds from urban renewal settlements	\$0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	\$0
5. The amount of income from float-funded activities	\$0
Total Program Income	\$0

Other CDBG Requirements

1. The amount of urgent need activities	\$0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit – A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this annual Action Plan.	85.0%



CITY OF ALBANY

DRAFT

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE AND FAIR HOUSING PLAN

CITY OF ALBANY, OREGON
COMMUNITY DEVELOPMENT DEPARTMENT
APRIL 9, 2014

City of Albany

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

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City of Albany

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

SECTION I - EXECUTIVE SUMMARY

A. Introduction

The U.S. Department of Housing and Urban Development (HUD) requires recipients of federal funding to certify that they will affirmatively further fair housing. The City of Albany became a Community Development Block Grant Entitlement (CDBG) city in 2013 and began receiving CDBG funding in fiscal year 2013-2014.

The Analysis of Impediments to Fair Housing Choice (AI) is an associated document with the City of Albany's 2013-2017 Consolidated Plan and will serve as the basis for the City's fair housing efforts for the next five years. This is the City's first fair housing analysis and plan.

The purpose of the AI is to identify possible barriers to fair housing choice and assess conditions affecting fair housing choice such as availability of affordable and accessible housing and a review of possible discriminatory practices that may exist within the City of Albany. It serves as the basis for fair housing planning; provides information for policy makers, staff, housing providers and the public; and makes recommendations to further fair housing within the City. In order for the City of Albany to certify to the HUD that the city is affirmatively furthering fair housing, Albany is required to:

- 1) Conduct an Analysis of Impediment to Fair Housing Choice (AI);
- 2) Take appropriate action to overcome the effects of impediments identified through that analysis; and
- 3) Maintain records reflecting the analysis and actions.

Impediments to fair housing choice may include actions, omissions, or decisions taken because of, or which have the effect of restricting availability of housing choices for members of any of the federally protected classes (race, color, religion, sex, disability, familial status, and national origin) and Oregon protected classes (marital status, source of income and sexual orientation).

The City of Albany is committed to pursuing actions and policies that provide housing opportunities for all residents.

B. Conclusions

The analysis of public and private sector policies and practices identified the following areas of barriers or potential impediments to fair housing choice in Albany:

- 1) Lack of understanding of fair housing laws and resources available to address fair housing resources.
- 2) Albany's growing minority population presents linguistic and cultural barriers that make communication around fair housing and reporting fair housing issues more challenging.
- 3) Discriminatory practices related to housing are occurring in Albany; some have been reported and many have not due to fear of retaliation.
- 4) The availability of affordable housing was identified as a barrier for Albany's lowest income households.
- 5) Concentrations of low-income housing could be a barrier to housing choice.
- 6) Lead-based paint and an aging housing stock can create barriers to housing choice especially for families with children or elderly who do not want to expose their children to potential lead-based paint hazards.

The City has developed suggested actions to try to remove the identified barriers and improving fair housing choice within Albany over the next five years. These actions are detailed in Section V of this plan.

C. Methodology

The information contained in this *Analysis of Impediments to Fair Housing Choice* focuses on policies, procedures, and practices within the jurisdiction that affect the location, availability and accessibility of housing, the current residential patterns, and other conditions related to fair housing choice.

A number of data sources and organizations were relied upon during the completion of this analysis to provide information regarding fair housing complaints and concerns, affordable housing conditions, and demographic and income patterns and data in Albany. These sources and organizations include the following:

- 1990, 2000 and 2010 Census population estimates;
- 2005-2009 American Community Survey Four Year estimates;
- 2009-2011 American Community Survey Three Year Estimates;
- 2008-2012 Home Mortgage Disclosure Act (HMDA) public loan data;
- Department of Housing and Urban Development (HUD) – civil rights complaints and income data;
- Fair Housing Council of Oregon – Number of Albany complaints in 2013;
- Bureau of Labor and Industries (BOLI) – complaints regarding Oregon’s protected class laws;
- National Fair Housing Alliance for national trends in fair housing
- 2011-2015 Oregon Analysis of Impediments to Fair Housing Choice (dated July 30, 2010);
- City of Albany Development Code, Zoning Map and Comprehensive Plans

Community Input

The City was able to collect general information from attendees at fair housing trainings the City sponsored for residents (one in English and one in Spanish). The City also distributed a fair housing survey to Albany residents through a network of area social service providers, on the City of Albany’s website, and to various stakeholders working with protected classes and low-income people in Albany. The fair housing training attendees and surveys provided data on potential acts of discrimination, and potential impediments to fair housing.

D. Fair Housing Laws

Numerous acts, laws, and presidential executive orders have been enacted in order to create fair housing opportunities throughout the US. This legislation is summarized below. More detailed information is available from the US Department of Housing and Urban Development (HUD) website: <http://www.hud.gov/offices/fheo/FHLaws/index.ctm>.

1963 - Presidential Executive Order 11063: John F. Kennedy in 1963 began the legislation for fair housing by issuing presidential executive order 11063. The terms of the order stated that “discrimination in the sale, leasing, rental, or other disposition of properties and facilities” is prohibited if the properties or facilities are owned, operated, or funded by the government.

1964 - Civil Rights Act: The Civil Rights Act was introduced in 1964. According to Title VI of the act, “discrimination on the basis of race, color, or national origin” is prohibited in programs and activities receiving federal financial assistance.

1965 - Presidential Executive Order 11246: issued by Lyndon B. Johnson. According to this amended presidential order, discrimination based on race, color, religion, sex, or national origin was forbidden in federal employment.

1968 - Fair Housing Act (the Act): The federal Fair Housing Act of 1968, which is Title VIII of the Civil Rights Act, prohibits discrimination or other unfair actions against persons, which “otherwise make unavailable or deny a dwelling to any person because of race, color, religion, sex, familial status, disability, or national origin.” The Act provides for a broad range of sanctions and remedies to cure existing and prevent future violations.

Oregon law forbids discrimination based on your marital status, sexual orientation, the source of your income, the fact that you are a victim of domestic violence, sexual assault or stalking, or the fact that you have won an eviction case brought by a former landlord.

The Act prohibits housing discrimination and disparate treatment – whether intentional or not, and actions or policies that may not seem to discriminate but that have a negative effect on fair housing choice or restricting housing choice, such as:

- Community resistance when minorities, persons with disabilities and/or low-income persons first move into white and/or moderate- to high-income areas.
- Community resistance to the siting of housing facilities for persons with disabilities because of the persons who will occupy the housing.
- Land use and zoning regulations.

State law also makes clear that housing discrimination is unlawful whether it is deliberate and intentional or has the effect – intentional or not – of having a greater or ‘disparate’ impact on people who are in a protected group.

In the sale and rental of housing, it is illegal to take any of the following actions, omissions or decisions based on a protected class:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable
- Deny a dwelling
- Set different terms, conditions or privileges for sale or rental of a dwelling
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection, sale or rental
- For profit, persuade owners to sell or rent (blockbusting), or
- Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing.

In addition, it is illegal for anyone to:

- Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right
- Advertise or make any statement that indicates a limitation or preference based on race, color, national origin, religion, sex, familial status, or handicap. This prohibition against discriminatory advertising applies to single-family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single family housing sold or rented without the use of a real estate agent or broker, housing operated by organizations and private clubs that limit occupancy to members, and housing for older persons.

1968 - Architectural Barriers Act: In 1968 the Architectural Barriers Act was enacted to increase accessibility for handicapped individuals. The act “requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds [...] must be accessible to and useable by handicapped persons.”

Additional protections for persons with disabilities: The landlord may not refuse to allow:

- Reasonable modifications to the dwelling or common use areas, at the tenant’s expense and where the unit can be restored to the original condition, or
- Reasonable accommodations in rules, policies, practices or services, if necessary for the disabled person to use the property.

1973 - Rehabilitation Act: A provision of the federal Fair Housing Act, Section 504 of the act prohibits a “refusal to make accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford them [the handicapped person] equal opportunity to use and enjoy a dwelling [...] including public and common use areas.” This act reaches nearly all public activities that can adversely affect housing for handicapped people and is not limited to federally funded projects.

1974 – Housing and Community Development Act (HCDA): Section 109 of Title I of the HCDA was created in order to protect against discrimination when HUD funds are involved. That is, “programs and activities receiving financial assistance from HUD’s Community Development and Black Grant Program cannot discriminate based on race, color, national origin, sex, or religion.

1975 - Home Mortgage Disclosure Act (HMDA): The HMDA was passed by Congress in order to make loan information publicly available so the data can help determine how financial institutions are responding to the housing needs in their respective communities. HMDA also assists public officials in assessing fair lending practices. In mortgage lending: No one may take any of the following actions, omissions or decisions based on a protected class:

- Refuse to make a mortgage loan
- Refuse to provide information regarding loans
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees
- Discriminate in appraising property
- Refuse to purchase a loan, or
- Set different terms or conditions for purchasing a loan.

SECTION II. DEMOGRAPHICS, INCOME, AND HOUSING DATA

This section presents general demographic, economic and housing information. This data is used to examine the conditions that affect housing choice, impediments to housing choice, and the prevalence of persons protected under fair housing law, as well as the geographic distribution of these residents within the city. Population, race, familial status, disability, income and housing characteristics are examined in greater detail.

A. Population

Population is a critical indicator of current and future needs within Albany. Albany has added 17,000 new residents since 1990 for a 2011 population of 50,520. Albany grew faster than Oregon, Linn and Benton Counties in each decade from 1970 to 2011. Albany's population grew by 24% between 2000 and 2011 with an average annual growth rate of 2.1% between 2000 and 2011, up from 1.55% between 1980 and 1999.

Table 1. Regional Population Growth 1990-2011

	1990	2000	2011	Percent Change	
				1990-2000	2000-2011
Albany	33,523	40,852	50,520	21.9%	23.7%
Linn Co.	29,558	35,030	43,822	18.5%	25.1%
Benton Co.	3,965	4,980	6,698	25.6%	34.5%
Linn County	91,227	103,069	117,340	13.0%	13.8%
Benton County	70,811	78,153	85,995	10.4%	10.0%
Oregon	2,842,321	3,421,399	3,857,625	20.4%	12.7%

Sources: U.S. Census Bureau for 1990 and 2000, and Center for Population Research and Census, Portland State University for 2011

B. Age Distribution

Albany's population is continuing to age and is expected to see gradual improvements in life expectancy. Albany's median age was up to 34.9 in 2012, 32.7 in 2000, and 32.7 in 1990.

The aging baby boomers caused the population 55 to 64 to increase from 8% of the population in 2000 to 12% in 2010. Those 65 and older increased slightly between 2000 and 2010 from 12.7 to 13.2%. The percentage of the population over 55 is projected to grow over the next decade. The needs of those over 65, and especially those over 75, could have a significant impact on housing needs in Albany. The growing retired population will also have an impact on the economy, industry and services.

Table 2. Age Groups as a Percentage of Albany's Population

Age Ranges	2000		2010		2012	
0 to 14	9,012	22%	10,533	21%	11,053	22%
15 to 24	5,715	14%	6,858	14%	6,732	13%
25 to 34	5,914	14%	7,230	14%	7,385	15%
35 to 44	6,070	15%	6,521	13%	6,380	13%
45 to 54	5,583	14%	6,439	13%	6,531	13%
55 to 64	3,358	8%	5,988	12%	5,577	11%
65 to 74	2,298	6%	3,489	7%	3,667	7%
75 and older	2,902	7%	3,100	6%	2,914	6%
Total	40,852		50,158		50,239	
Median Age	32.7		34.6		34.9	

Source: U.S. Census Bureau and American Community Survey

C. Race and Ethnicity

An important component of a fair housing analysis is an examination of the concentration of racial and ethnic minorities within a jurisdiction to detect evidence of segregation. In most cases, housing prices are likely to have the biggest influence on where minorities choose to live. Sometimes it is a reflection of preferences to live in a particular area due to schools or proximity to amenities or family.

Housing needs and preferences are sometimes different. For example, household size has been higher for families of Hispanic/Latino origin, which may indicate more children or more than one generation living in a household. (The average Hispanic/Latino household size was 3.47 in 2000, compared with 2.49 for the entire Albany population.) According to a public survey of community development needs, several Hispanic/Latino residents requested rental housing without wall-to-wall carpet.

Albany's population has become more racially and ethnically diverse since the 2000 Census. According to the 2010 Census, Albany's non-Hispanic or Latino "white alone" population constitute 82.9% of the population, down from 89% in 2000. Albany's Hispanic/Latino population has almost quadrupled since 1990 going from just under 3% of Albany's population in 1990 to 11.4% in 2010. Albany has also experienced an increase in other ethnic populations and the number of persons of two or more races.

Table 3. Albany's Racial and Ethnic Make-up in 2000 and 2010

	2000		2010	
Total population	40,852	100.0 %	50,158	100.0 %
Hispanic or Latino	2,489	6.1%	5,700	11.4%
Not Hispanic or Latino	38,363	93.9%	44,458	88.6%
White alone	36,361	89.0%	41,591	82.9%
Black or African American alone	217	0.5%	275	0.5%
American Indian and Alaska Native alone	500	1.2%	473	0.9%
Asian alone	465	1.1%	657	1.3%
Native Hawaiian & Other Pacific Islander alone	86	0.2%	88	0.2%
Some Other Race alone	1,084	2.7%	63	0.1%
Two or More Races	1,047	2.6%	1,311	2.6%

Source: U.S. Census Bureau, 2010.

Figures 1 & 2 show the location of Albany's Hispanic/Latino and "Two or More Races" minority groups are located within the City. The City's other minority residents are located throughout the city. Persons of Hispanic Origin account for more than 15% of the population in three of Albany's census tracts. Two of the tracts qualify as low and moderate income (LMI) tracts by HUD because more than 50% of the households earn less than 80% of the area median income. Persons of Two or More Races, Not of Hispanic Origin are concentrated around the center of the city, also in two of Albany's LMI census tracts.

Figure 1: Concentration of Persons of Hispanic Origin

Persons of Hispanic Origin

- <1.0%
- 1.0%-8.25%
- 8.25-12.0%
- 12.9-15.68%
- >15.68%

Census Tracts



Low-Med Census Tracts

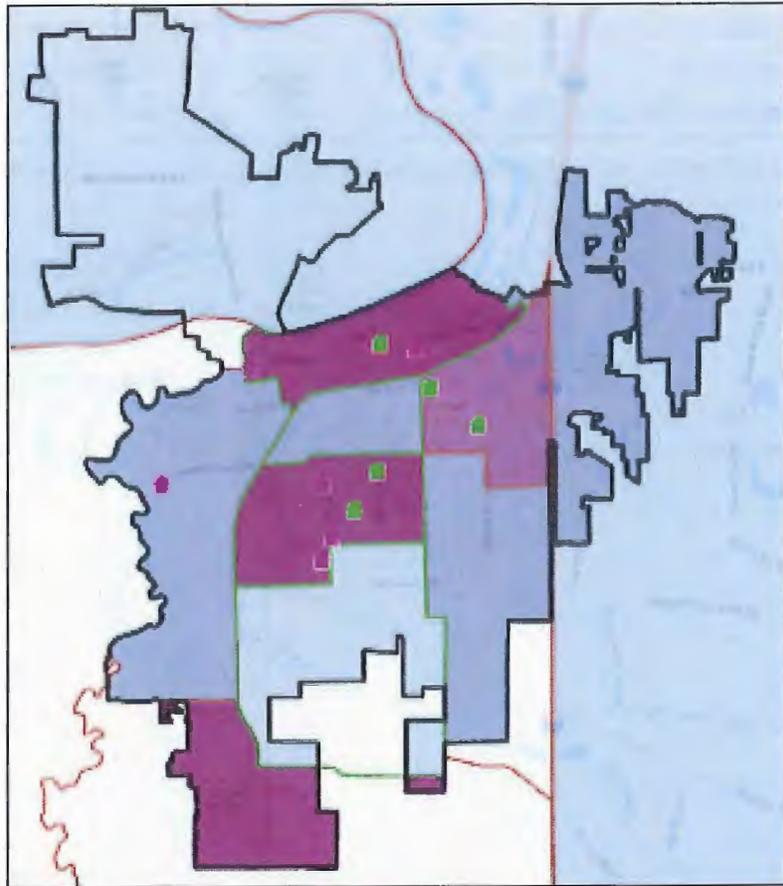
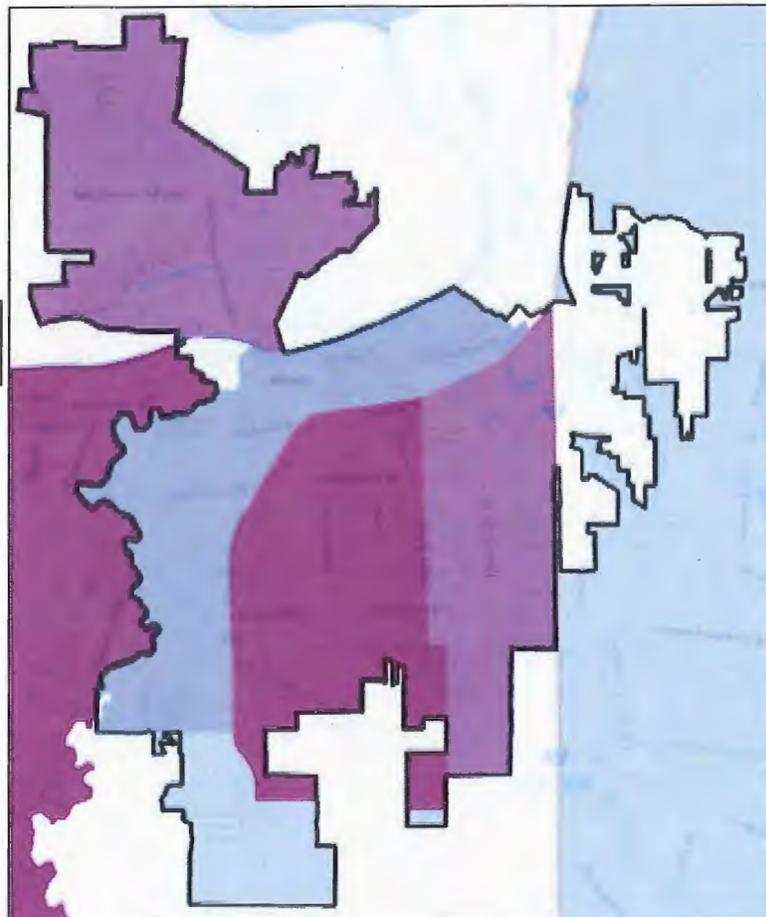


Figure 2: Concentration of Persons of Two or More Races (not Hispanic in Origin)

Two or more races (not Hispanic)

- <0.31%
- 0.31-1.21%
- 1.21-1.27%
- 1.27-2.06%
- >2.06%



D. Persons with Disabilities

The Census’s definition of disability status is based on individual answers to several Census survey questions. According to the Census, individuals have a disability if any of the following three conditions are true: (1) they were 5 years old and over and had a response of “yes” to a sensory, physical, mental or self-care disability; (2) they were 16 years old and over and had a response of “yes” to going outside the home disability; or (3) they were 16 to 64 years old and had a response of “yes” to employment disability.

Many persons with disabilities require housing that has accessibility features, is near supportive services and public transit, and is affordable. Persons with disabilities are also at greater risk of experiencing housing discrimination, oftentimes due to a lack of knowledge about laws governing accommodations for the disabled. Persons with disabilities may also have greater challenges finding affordable and appropriate housing.

All three of the fair housing complaints in Albany processed by HUD were filed on the basis of disability. Ten of the 12 complaints filed in Albany with the Fair Housing Council of Oregon were based on disability status and most were due to failure to make reasonable accommodations.

According to the 2009-11 American Community Survey, a total of 8,351 of Albany’s residents aged 5 and older live with disabilities. That number corresponds to 17.8% of the population over the age of 5, which is a little higher than the statewide percentage of the population with disabilities (16.5%). Of those with disabilities, 46.8% are sensory, 42.2% cognitive, 45.6% ambulatory/physical; 17% self-care, 27.5% with an independent living difficulty. (Note: individuals may identify more than one disability.)

Table 5. Albany Residents with a Disability, 2009-2011

Age	5 to 17	18 to 64	65 +	Total	%
Albany’s Total Civilian Non-institutionalized Population by Age Group	9,439	31,075	6,360	46,874	100%
Population with a Disability	851	4,907	2,593	8,351	17.82%
With a hearing difficulty	113	1,288	1,234	2,635	31.6%
With a vision difficulty	87	798	381	1,266	15.2%
With a cognitive difficulty	691	2,224	611	3,526	42.2%
With an ambulatory difficulty	131	2,163	1,514	3,808	45.6%
With a self-care difficulty	152	750	503	1,405	16.8%
With an independent living difficulty		1,460	834	2,294	27.5%

Source: U.S. Census Bureau, American Community Survey 2009-2011

In addition to physical and mental disabilities, many of Albany’s homeless residents and households living in poverty struggle with unemployment and a variety of other issues such as addictions and criminal records.

E. Households and Household Composition

Albany had a total of 19,705 households in 2010 – with family households accounting for 65.4%. Almost half of all households include both a husband and wife, one-third of all households have children under 18 and almost one quarter of all households have a person 65 years or older. Single person households make up 26.7% of all households. Single households over 65 are 10%, with most of those being female.

Table 4. Households by Type, 2010

Total households	19,705	100%
Family households (families)	12,894	65.4%
With own children under 18 years	5,991	30.4%
Husband-wife family	9,428	47.8%
With own children under 18 years	3,849	19.5%
Male householder, no wife present	1,029	5.2%
With own children under 18 years	635	3.2%
Female householder, no husband present	2,437	12.4%
With own children under 18 years	1,507	7.6%
Nonfamily households	6,811	34.6%
Householder living alone	5,268	26.7%
Male	2,258	11.5%
65 years and over	517	2.6%
Female	3,010	15.3%
65 years and over	1,436	7.3%
Households with individuals under 18 years	6,645	33.7%
Households with individuals 65 years +	4,720	24.0%

Source: U.S. Census Bureau, 2010.

As of 2010, 2,142 households in Albany were single-parent families. This represents about 11% of all households in the City. Most of these single-parent households (1,507) were female-headed.

F. Economy and Income

Albany’s diverse economic landscape and educated workforce have much to offer businesses both small and large. The Albany area is the center of one of the most diversified non-metropolitan economies in Oregon. Manufacturing industries include specialty metals, finished building products, transportation-related services, and agricultural products including foodstuffs and their processing.

As with other communities throughout the state and nation, the trade and services sectors are becoming a more important part of the local economy as manufacturing jobs are lost. Linn County continued to lose jobs across most sectors in 2012 including manufacturing, government, private education and health, trade, transportation and utilities. In 2011, the Albany economy was led by the following sectors: education and health services; retail trade; manufacturing; arts, entertainment and accommodations.

Table 6. Household and Family Incomes, 2009-2011

	All Households	%	Families	Families %	Non-Family HHs	Non-Family HHs %
TOTALS	19,996		12,810		7,186	
Less than \$10,000	1,567	7.8%	721	5.6%	846	6.6%
\$10,000 to \$14,999	1,321	6.6%	751	5.9%	570	4.4%
\$15,000 to \$24,999	2,613	13.1%	1,457	11.4%	1,156	9.0%
\$25,000 to \$34,999	2,400	12.0%	992	7.7%	1,408	11.0%
\$35,000 to \$49,999	3,281	16.4%	1,904	14.9%	1,377	10.7%
\$50,000 to \$74,999	3,796	19.0%	2,701	21.1%	1,095	8.5%
\$75,000 to \$99,999	2,638	13.2%	2,119	16.5%	519	4.1%
\$100,000 to \$149,999	1,910	9.6%	1,760	13.7%	150	1.2%
\$150,000 to \$199,999	289	1.4%	224	1.7%	65	0.5%
\$200,000 or more	181	0.9%	181	1.4%	0	0.0%
Median Income (dollars)	\$45,426		\$54,008		\$28,478	

Source: U.S. Census Bureau, American Community Survey, 2009-2011 in 2011 Inflation Adjusted Dollars.

Table 6 shows Albany household and family incomes. According to the ACS data in Table 6, roughly 46% of Albany’s families had incomes less than \$50,000 in 2009-11. Despite increases in incomes since 2000, roughly 28% of Albany’s households earned less than \$25,000 in 2009-2011 and another 12% had earnings less than \$35,000. According to Table6, more than half of Albany’s households earning less than \$25,000 annually were families. Albany’s median family income reported by HUD has decreased the last few years and was \$51,600 in 2014 for a family of four likely due to the slowed economy and higher unemployment rates.

According to the Census, Albany has a higher percentage of residents receiving public assistance when compared to the rest of Linn County and Oregon.

Table 7. Albany Households with Supplemental Incomes, 2009-2011

Total Households	19,996	100%	Mean Income
With Social Security Income	6,130	30.7%	\$16,355
With Supplemental Security Income	1,214	6.1%	\$8,093
With Retirement Income	3,931	19.7%	\$20,143
With Cash Public Assistance Income	1,010	5.1%	\$4,523
With Food Stamp/SNAP in past 12 mo.	3,992	20.0%	

Source: U.S. Census Bureau, American Community Survey 2009-2011

HUD has established definitions for moderate, low, very low, and extremely low-income households as percentages of the median family income (MFI) for an area as noted below. (The 2014 Linn County income equivalent for a family of 4 is provided in parentheses.)

- **Moderate-income** households whose incomes are between 81% and 95% of an area’s MFI (\$42,501 to \$49,020 for a family of four in Linn County in 2014);
- **Low-income** households are those earning less than 80% of the area’s MFI (\$42,500 for a family of four in 2014)
- **Very Low-income** households are those earning between less than 50% of the area’s MFI (\$26,550 for a family of four in Linn County in 2014),
- **Extremely low-income** households as those at or below 30% of an area’s MFI (\$15,950 for a family of four in Linn County in 2014).

Albany’s lowest income households are concentrated in the older areas of the City - in Tract 204 east of historic downtown, and in the center of the City south and east of state route 99E as seen in the following map figures.

Figure3- Concentration of Low Income Households (earning 50 < 80% of the median income)

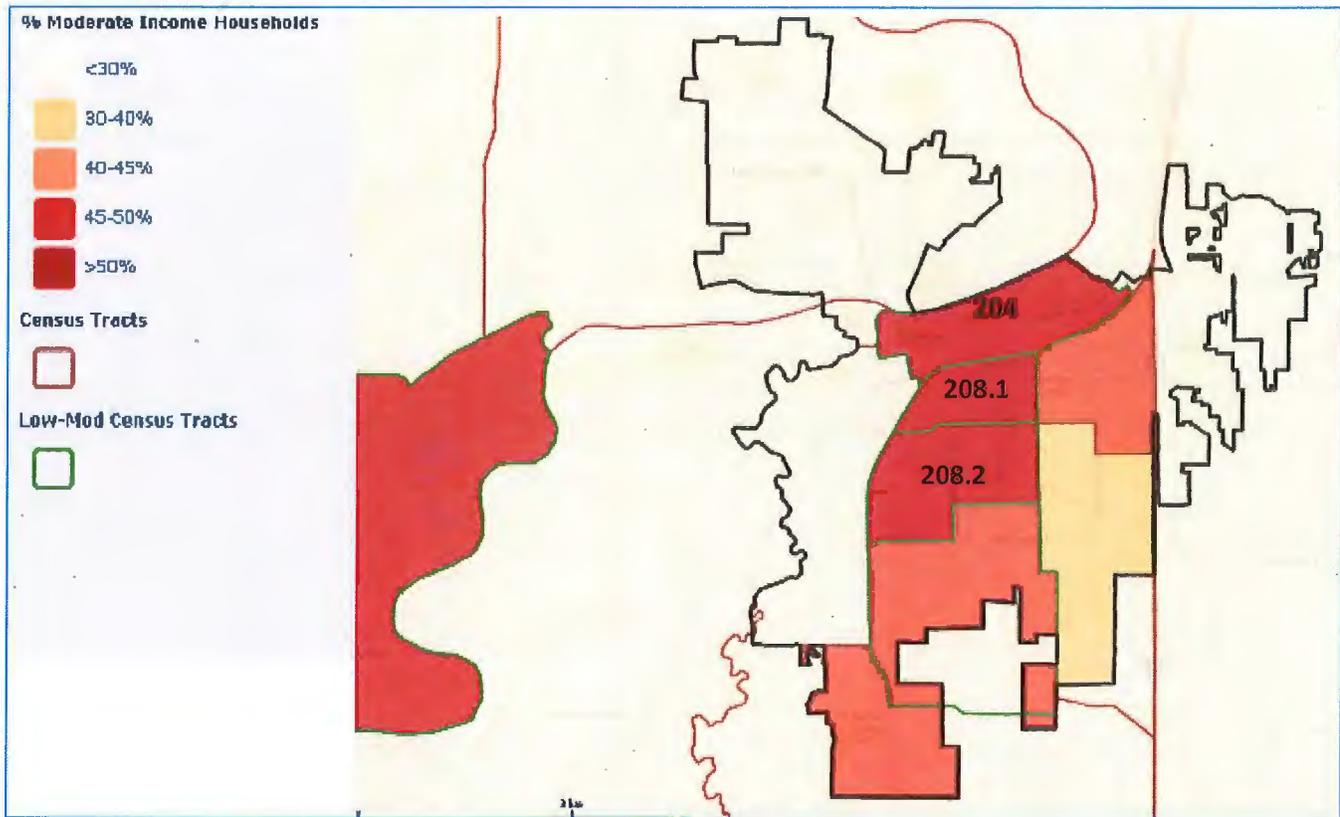


Figure 4 - Concentration of Albany's Very Low Income Households (Earning less than 50% of the median income)

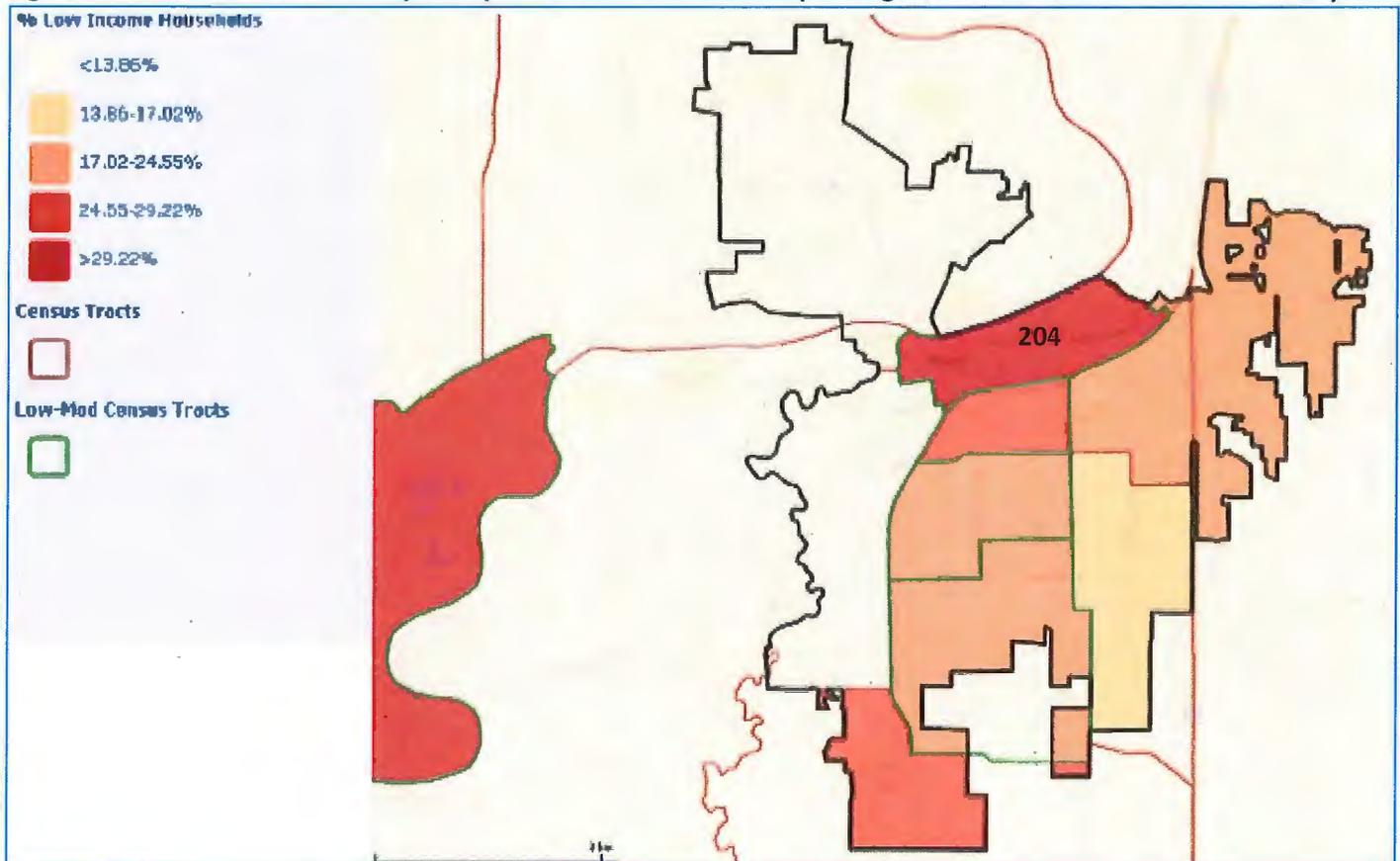
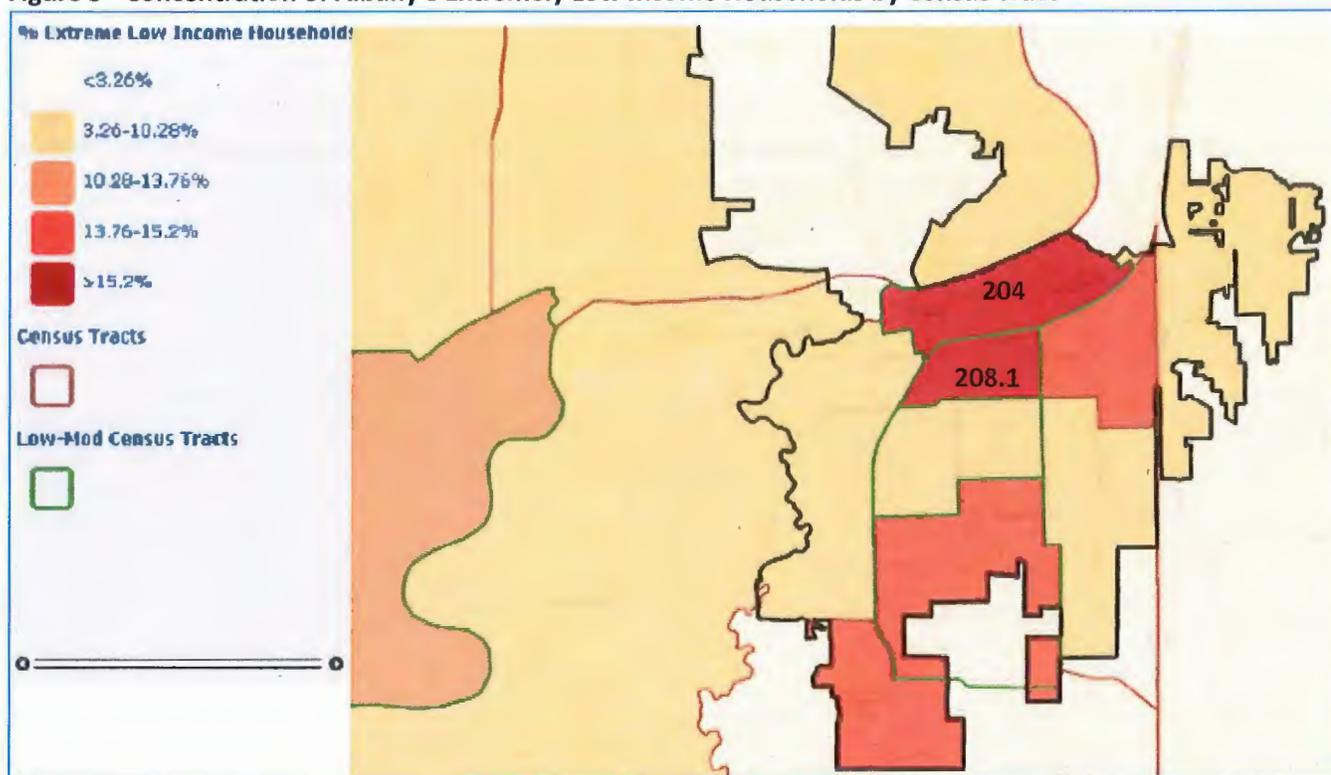


Figure 5 - Concentration of Albany's Extremely Low Income Households by Census Tract



G. Poverty

The US Census Bureau establishes poverty income limits annually to determine which households are living in poverty. These limits are based on the Consumer Price Index to reflect cost of living and are adjusted by family size and composition. Originally, the Social Security Administration created the poverty definition in 1964 for food programs.

According to *The 2008 Job Gap*, a study published by the Northwest Federation for Community Organizations, the federal poverty thresholds were based simply on food expenditures are outdated and do not fully reflect the true cost of living. Since the 1960's, the cost of housing, gasoline, utilities, health care and child care expenses have increased much faster than the cost of food. This study further indicates that many families with incomes above the federal poverty threshold still lack sufficient resources to meet their basic needs.

More than 20% of Albany's population was below the poverty level in the 2009-11 ACS. Of those below the poverty level, more than one third were under 18. The 2010 United States poverty level was \$10,830 for one person, \$14,570 for a two-person household, and \$22,050 for a four-person family. The federal poverty levels had not increased much by 2014, rising to \$11,670 for a 1-person household, \$15,730 for two, and \$23,850 for a four-person family or household.

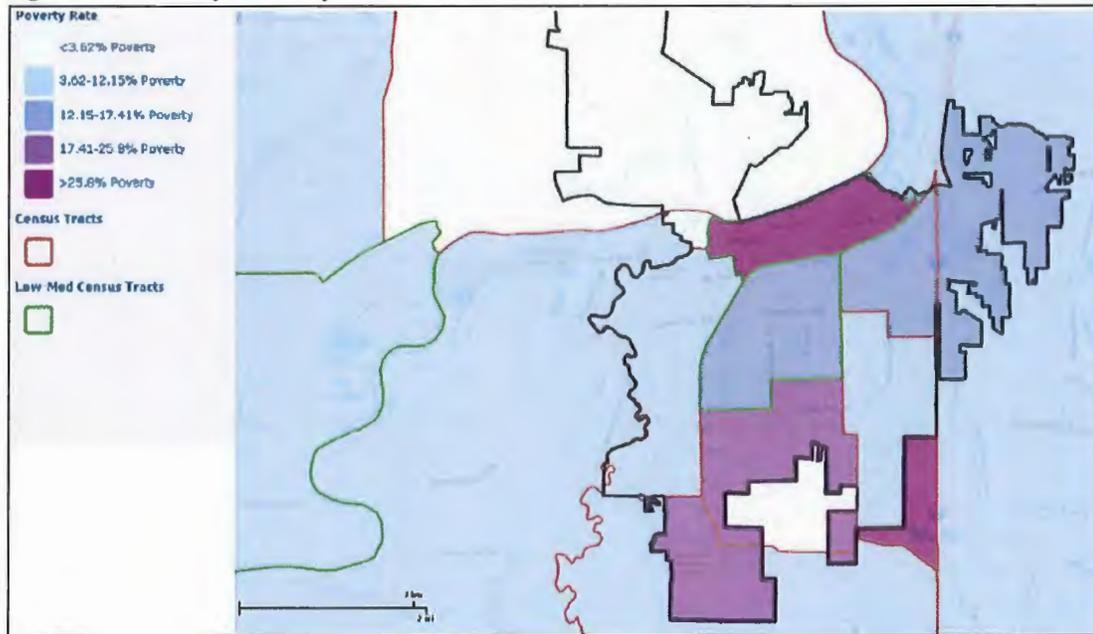
Table 8. Persons with Incomes Below the Poverty Level, 2009-11

Total Population for which poverty status is determined:	50,346	100%
Income below poverty level total population:	10,540	20.9%
Under 18 years	4,385	34.7%
18 to 64 years	5,654	18.0%
65 years and over	501	7.9%
SEX		
Male	4,676	19.8%
Female	5,864	22.0%
Employed	1,729	
Unemployed	902	

Source: U.S. Census Bureau, American Community Survey, 2009-2011.

The next map figure shows the concentration of poverty, by percentage of the population. Census Tract 204 has the highest poverty rate at over almost 40%.

Figure 6 – Poverty Rates by Census Tract



H. General Characteristics of the Housing Stock

According to the Census, Albany’s housing mix has not changed greatly over the last few decades. Table 9 provides data reported in the 2009-11 American Community Survey. Approximately 20% of Albany’s housing stock is apartments of 3 or more units; 12% is single-family attached and duplex units; and 67% is detached housing (including manufactured homes and RVs). Of note, the city staff estimates of multi-family units of 5 or more per property is approximately 3,900 apartment units. The discrepancy may be due to how the figures were reported by the Census (by building or by property, for example).

Half of Albany’s rental housing units are two-bedroom units, 27% are 3 or more bedroom units, while 84% of owner-occupied units of 3 or more bedrooms.

Albany’s home-ownership rate was 60% in 2010.

Table 9 – Residential Properties by Housing Type, 2009-11

Property Type	No. Units	%
1-unit detached structure	13,025	61%
1-unit, attached structure	1,133	5%
2 units	1,530	7%
3-4 units	1,713	8%
5-9 units	890	4%
10-19 units	674	3%
20 or more units	987	5%
Mobile Home, boat, RV, van, etc	1,286	6%
Totals	21,238	100%

Data Source: 2009-2011 ACS Data

I. Housing Affordability

Albany's housing stock provides a diverse mix of housing in different price ranges for owner-occupied and rental dwelling units. Albany's housing values and rents on average are generally much lower than those in Corvallis, Salem and Eugene, but are similar to Lebanon's. Due to much higher housing prices many residents that work in Corvallis or are students attending Oregon State University can't afford to live there so they live in Albany. Lebanon recently added a new medical campus that is also putting demands on Albany's housing stock.

Rents have gone up the last few years while incomes have decreased. The median contract rent increased from \$597 in the 2005-2009 ACS data to \$759 in the 2009-11 data. Looking at Table 10, the number of households paying less than \$500 for rent dropped from 2,112 in 2009 to 924 in 2011. The 2012 HUD calculated median income for Linn County was \$58,700. The 2013 Linn County median income was down to \$55,700 and down in 2014 to \$51,600. The cost of housing is greater than the ability for an average household's ability to purchase

While rents increased, home sales declined from an average high of \$218,279 in 2007 to \$170,488 in 2011 as reported by the Willamette Valley Multiple Listing Service (WVMLS). The WVMLS reported the 2012 average sales price of a single-family Albany home was \$159,435 in Linn County and \$244,420 in North Albany in Benton County where homes are larger and the price per square foot is higher.

Table 10—Cost of Rent and Mortgage Payments in 2011

Amount Paid	Rent #	Rent %	Housing w/ Mortgage #	Housing w/ Mortgage %
Less than \$299	338	4%	0	0%
\$300-499	586	7%	115	1.4%
\$500-749	3,022	37%	270	3.4%
\$750-999	2,688	33%	990	12.4%
\$1,000-1,499	1,256	15%	3,050	38.1%
\$1,500 or more	319	4%	2,176	27.2%
Total	8,209	100.0%	8,012	100.0%

Table 11 calculates affordable housing for income ranges in Albany up to \$50,000. Housing is considered affordable when housing costs, including utilities, do not exceed 30% of a household's gross income.

Table 11 - Albany Household Incomes (in 2011 inflation Adjusted \$)

			30% of Gross Monthly Income
Total households	19,996	100%	
Less than \$10,000	1,567	7.8%	\$250
\$10,000 to \$14,999	1,321	6.6%	\$250 - \$375
\$15,000 to \$24,999	2,613	13.1%	\$375 - \$625
\$25,000 to \$34,999	2,400	12.0%	\$625 - \$875
\$35,000 to \$49,999	3,281	16.4%	\$875 - \$1,250
Median household income	\$45,428		
Mean household income	\$53,315		

Data Source: 2005-2009 ACS

Housing cost burden is a substantial housing issue for a majority of Albany's very low- and extremely-low income households. The total number of households earning less than 80% of the area median income (AMI) and experiencing housing cost burden greater than 30 or 50% included 3,125 renter households and 1,045 owner households, which accounted for 38% of Albany's 18,164 households in 2005-09. These households include a mix of individuals, elderly, small and large households.

The data in Table 12 provides the number of Albany housing units that were affordable to extremely low, very low and

low-income households in Albany. Given the sluggish economy and flat wages coupled with increasing rents between 2009 and 2011, there are likely fewer housing units that are affordable to persons earning less than 50% of HAMFI in 2013.

Table 12 - Housing Affordability 2009-2011

# Units Affordable to Households earning	Renter	Owner
30% HAMFI	175	No Data
50% HAMFI	1,330	315
80% HAMFI	4,250	1,320
100% HAMFI	No Data	2,130
Total	5,755	3,765

Data Source: 2009-11 American Community Survey

J. Assisted and Subsidized Housing

The Albany Partnership for Housing and Community Development (APHCD), a local non-profit housing provider, currently owns 133 affordable units in Albany in four locations. APHCD’s units served the following income ranges in 2013: 27 households earning less than 30% of the area median income (AMI), 45 households at 50% of the AMI, 41 households at 60% of the AMI, and 2 earning less than 80% of the AMI.

The Linn-Benton Housing Authority (LBHA or Housing Authority) distributes Housing and Urban Development (HUD) vouchers in Linn and Benton Counties and owns and manages low-income housing and, but owns no public housing units. Linn Benton Housing Authority’s housing also serves Albany’s very low-income households, providing most of Albany’s affordable housing for seniors, elderly and disabled populations.

Section 8 Housing Choice Voucher Program. HUD’s Section 8 Housing Choice Voucher Program provides rental subsidies to qualifying households who find rental housing in the private market. The Linn Benton Housing Authority (LBHA) operates the Housing Choice Voucher program. Families pay a portion of the rent and utilities, generally equal to 40% of their adjusted monthly income. LBHA pays the landlord the balance of the rents on behalf of the families. The Section 8 voucher program is the primary housing assistance for special needs populations, including those at-risk or formerly homeless and persons with disabilities. The program is popular because it offers families a wide range of choices about where to live and, it is the best program available to assist the very low-income households. The waiting list to participate in the program is long.

In 2013, 979 Albany households received Section 8 Housing Choice Vouchers and there were 1,158 Albany households on the waiting list. The current Section 8 waitlist is extensive and requires a 3 year wait or longer for a voucher.

In the LBHA service area, 38 percent of housing vouchers are being used by families with at least one disabled family member; 44% are going to families with children, and 10% of voucher holders are elderly.

Despite the number of existing affordable units and housing choice vouchers, the long housing choice voucher waiting list and the data in the tables above indicate there continues to be a large demand for affordable housing.

K. Housing Condition and Lead Based Paint

Albany’s housing stock includes a large collection of units built before 1980, which are now more than 30 years old. Data collected for the Consolidated Plan indicate the number of substandard conditions – such as housing units experiencing overcrowding or lacking complete plumbing or kitchen facilities is relatively low. Combine the lack of income with the numerous housing units built before 1980, there are likely many housing units that are in need of rehabilitation, but the property owner can’t afford to address maintenance issues or make necessary repairs or improvements, or can’t afford to refinance or do not qualify to refinance. In addition, many of the homes may not have adequate insulation or energy efficient heating or appliances, adding to the monthly housing costs.

Since lead-based paint was banned from residential use in the U.S. in 1978, housing units built before 1980 are more likely to contain lead hazards. According to HUD, lead-based paint was used more extensively on housing units built before 1950 and paint had a higher concentration of lead. More than half of Albany’s housing units were constructed before 1980 and may contain lead hazards.

Table 13 – Housing Age, 2009-11

Year Unit Built	TOTAL	
	Number	%
2000 or later	4,212	20%
1980-1999	5,194	24%
1950-1979	8,534	40%
Before 1950	3,298	16%
Totals	21,238	100%

Data Source: 2009-11 ACS

Lead paint abatement can be costly and safe lead practices add costs to rehabilitation projects.

The goals of Albany’s housing rehabilitation loan program are to improve Albany’s housing stock and address lead paint hazards.

SECTION III. IDENTIFYING IMPEDIMENTS TO FAIR HOUSING CHOICE

This section identifies fair housing barriers in Albany. It includes an analysis of zoning and land use laws and policies; contains an analysis of lending activity; barriers identified by the community; and reports fair housing complaints data.

Impediments to fair housing are defined as:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin that restrict housing choices or the availability of housing choice.
- Any actions, omissions, or decisions that have this effect.

Impediments to fair housing choice include actions that:

- Constitute violations, or potential violations, of the Fair Housing Act.
- Are counterproductive to fair housing choice, such as:
 - Community resistance when minorities, persons with disabilities and/or low-income persons first move into white and/or moderate- to high-income areas.
 - Community resistance to the siting of housing facilities for persons with disabilities because of the persons who will occupy the housing.
- Have the effect of restricting housing opportunities on the basis of race, color, religion, sex, disability, familial status, or national origin.

A. Public Sector

Housing Policies

The Albany Comprehensive Plan provides land use goals and policies related to housing and community development. The goals of Albany's housing policies are to:

- Provide a variety of development and program opportunities that meet the housing needs of all Albany's citizens.
- Create a city of diverse neighborhoods where residents can find and afford the values they seek.

The following Plan policies are adopted in support of fair housing choice:

1. Provide a variety of choices regarding type, location, density and cost of housing units corresponding to the needs and means of city residents.
16. Encourage the development of affordable housing in a range of types and appropriate sizes to meet Albany's housing needs. Examples include accessory apartments, manufactured housing, and attached single-family houses.
17. Recognize groups needing specialized housing such as the elderly, handicapped, homeless, and other disadvantaged groups when identifying housing programs and opportunities.
18. Encourage providers of transitional housing units, shelters and single-room occupancy housing to locate near Village Centers, employment centers, and public transportation.
19. Comply with federal, state, and local fair housing laws and policies that affirm access to housing opportunities for all persons in Albany.

Zoning and Land Use Review

The Fair Housing Act does not pre-empt local land use and zoning laws. The City of Albany Development Code, Zoning Map, and Comprehensive Plan were reviewed for potential barriers to affordable housing or negative effects on fair housing choice. Over the years, the City has incorporated many affordable housing strategies into its land use regulations such as mixed use zones, flexibility in lot sizes in subdivisions, accessory apartments, and density bonuses for housing constructed for households earning less than the area median income. Consequently, there is no particular

policy with negative effects. When asked if survey respondents were aware of any zoning or land use laws that create barriers to fair housing choice or encourage segregation, all responses were “no.”

Residential Zoning. Albany has several residential zoning districts throughout the City. Two medium-density residential zoning districts allow for a variety of housing types and densities to promote affordable housing, mixed income housing and housing diversity. The RM Residential Medium Density zone allows detached single-family dwellings on 3,500 square foot lots, attached housing and multi-family units up to 25 units/acre. The RMA district allows attached housing up to 35 units an acre.

The RS-5 single-family district allows attached housing on individual lots and smaller lot housing to allow for reduced cost housing. The RS-10 and RS-6.5 zones only allow detached single-family, except duplexes are permitted on corner lots. Minimum lots sizes are larger, so housing prices in these districts are more expensive and there is a higher home-ownership rate.

Accessory dwelling units attached to a single-family home or in accessory buildings on the same property allow for intergenerational living and rents can help the primary homeowner. The City allows accessory dwelling units that are attached to or incorporated into a dwelling unit up to 750 SF or 50% of the size of the main dwelling unit in all zoning districts if one of the units is owner occupied. Detached accessory dwelling units are allowed in limited circumstances - in areas developed after 2007 or in a building constructed prior to Feb 1, 1998.

The Code allows *group homes* for five or fewer residents in all residential zoning districts and they are considered a single-family dwelling. The Code also allows for assisted living and group facilities as conditional uses. The definitions could be clarified to include all classes protected by the Fair Housing Act and in Oregon law.

The Code does not restrict housing opportunities for disabled residents.

Housing Diversity. Survey responses indicate that lack of diversity in housing in neighborhoods is a barrier to affordable housing. New development is not required to provide a mix of housing sizes or types, or meet a minimum density.

The City allows lot sizes in subdivisions to be up to 30% smaller if the average lot size meets the minimum. This is not required. *Planned developments* allow for flexibility in housing types in exchange for 40% set aside in common area or natural resource protection. *Clustered developments* reduce costs of extending public utilities and streets that could be passed on to the residents.

Mixed Use Zoning Districts. Albany has numerous mixed-use zoning districts that provide options for developing a variety of housing types that are often found to be more affordable due to size and use of the land including small-lot housing, attached housing and apartments.

Infill Development. New units on infill properties are required to provide a garage or carport if 50% or more of the houses within 150 feet have them. Garages can add cost to constructing a dwelling unit. This standard has added costs for houses constructed by Albany Area Habitat for Humanity, as they typically do not construct garages.

Developer Fees. Like other Oregon cities, the City of Albany has systems development charges for city utilities, transportation and for parks and recreation. The fees help offset the demand on these utilities or services created by new development. There is no policy to allow reduced fees for affordable housing development.

Affordable Housing Incentives. The City has a sliding scale density bonus between 5 and 15% for projects that provide a percentage of units affordable to households with income up to 1.2 times the median income for the counties. The incentives do not specifically address housing for very-low and extremely-low income households, those earning less than 50% of the area median income.

Available Land. The 2005 Albany Housing Needs Analysis concluded that there will be demand for more medium density housing and land in the next 20 years. Since the analysis some land was rezoned from single-family to medium density in

South Albany to help offset projected demand.

B. Home Mortgage Disclosure Act (HMDA) Data Analysis

This section contains an analysis of home loan data reported by lending institutions as required by the Home Mortgage Disclosure Act (HMDA). Concern about discriminatory lending practices in the 1970s led Congress to adopt the HMDA that requires financial institutions to collect and report HMDA data to determine whether potentially discriminatory lending patterns are present in a jurisdiction.

Lending institutions meeting specific criteria are required to report data each year regarding their loan transactions as well as information about the clients and properties involved in those transactions. This transaction data includes:

- Application and applicant data for loans;
- Loans approved and denied by purpose (e.g., home improvement, home purchases, refinancing, etc.);
- Loans approved and denied by type (e.g., conventional loans or government insured loans);
- Loans purchased or sold by the financial institution.

Information reported about applicants includes demographic information such as race, gender, marital status and income level. Data collected on the related property includes the location by Census tract, type of housing, value of housing, loan value, purpose, and loan type.

HMDA data can be used to determine disparities in loan originations and interest rates among borrowers of different races, ethnicities, genders, and location of the property they hope to own. The data can also be used to explain many of the reasons for any lending disparities (e.g., poor credit history). Despite expansions in the data reported, HMDA analyses remain limited because of the information that is *not* reported.

A review of the loan purpose from 2008 through 2012 in Table 14 finds that 68% were refinances, 28% were for home purchases, and 4% of loans were for home improvements. Over the five-year period, 67% of the loans were originated or purchased by the institution, 16% were denied, and 17% were either withdrawn, incomplete or were not accepted upon approval.

Table 14. Action Taken on Loan Applications by Loan Type 2008-2012

2008-2012 Type of Loan	Total No. of Applications		Loan Denied		Loan Originated		Loan purchased by the institution		Other: File closed, withdrawn, approved but not accepted	
Home Improvement	2,055	3.7%	747	36.4%	771	37.5%	175	8.5%	17.6%	361
Home Purchase	15,760	28.4%	1,549	9.8%	7,711	48.9%	4,364	27.7%	13.5%	2135
Refinancing	37,630	67.9%	6,646	17.7%	18,662	49.6%	5,472	14.5%	18.2%	6,849
Totals	55,443	100%	8,942	16.1%	27,144	49.0%	10,011	18.1%	16.9%	9,345

Source: Home Mortgage Disclosure Act (HMDA), 2008-2012.

Loan applications for home purchases had the highest origination rates, while home improvements had the highest denial rates. Approximately 36% of home improvement loans were denied, indicating some difficulty in accessing home equity for home improvement projects. Almost half of all home purchase loan applications were originated, and 28% were purchased by the bank.

Table 15 compares the most recent data available for the year 2012 with the last five years. The percent of loans originations increased in 2012 over the average of the last five years to almost 56%, with another 15% purchased by the institution.

Table 15. Action Taken on Loan Applications, Albany, 2012 and 2008-2012

Action Taken on Loan Applications	2012		2008-2012	
	No. of Applications	%	No. of Applications	%
Loan originated	1,994	55.6%	27,144	49.0%
Loan purchased by the institution	547	15.3%	10,011	18.1%
Application denied by financial institution	470	13.1%	8,942	16.1%
Application approved but not accepted	119	3.3%	2,463	4.4%
Application withdrawn by applicant	327	9.1%	5,331	9.6%
File closed for incompleteness	127	3.5%	1,551	2.8%
Totals	3,584	100%	55,442	100%

Source: Home Mortgage Disclosure Act (HMDA), 2008 - 2012.

Tables 16 indicate that the Hispanic or Latino applicants have denial rates of more than 6 basis points and applications for Non Hispanic or Latino applicants were 10 points higher than for Hispanic and Latino applicants. Table 17 indicates that American Indians or Alaska Native applicants have the highest denial rate by more than 10 percentage points with the next highest denial rates by Native Hawaiian or Other Pacific Islander applicants.

Table 16. Loan Action by Ethnicity, 2008-2012

Action by Ethnicity	Hispanic or Latino		Not Hispanic or Latino		Info not Provided	
	No. of Applications	%	No. of Applications	%	No. of Applications	%
Application denied	357	23.2%	7,311	16.5%	1,256	21.7%
Loan originated	663	43.1%	23,654	53.3%	2,634	45.6%
Loan purchased by the institution	197	12.8%	5,793	13.1%	486	8.4%
File closed for incompleteness	44	2.9%	1,205	2.7%	296	5.1%
Applic. withdrawn by applicant	189	12.3%	4,348	9.8%	784	13.6%
Applic. approved but not accepted	87	5.7%	2,049	4.6%	321	5.6%
TOTALS	1,537		44,360		5,777	

Source: Home Mortgage Disclosure Act (HMDA), 2008 - 2012.

Table 17. Loan Action by Race, 2008-2012

2008-2012 Applicant Race	Total No. of Applications	Loans Denied		Loans Originated		Loans purchased by the institution		Other: File closed, withdrawn, not accepted by appl.	
		No. of Applications	%	No. of Applications	%	No. of Applications	%	No. of Applications	%
American Indian or Alaska Native	387	119	30.7%	167	43.2%	43	11.1%	68	15.0%
Asian	1,163	168	14.4%	636	54.7%	138	11.9%	221	19.0%
Black or African American	147	25	17.0%	66	44.9%	25	17.0%	31	21.1%
Native Hawaiian or Other Pacific Islander	147	29	19.7%	75	51.0%	22	15.0%	21	14.3%
White	44,011	7,313	16.6%	23,391	53.1%	5,744	13.1%	7563	17.2%

Ethnicity Not Provided by Applicant	15,328	1,271	8.3%	2,621	17.1%	10,011	65.3%	1,425	9.3%
Not applicable	3,753	17	0.5%	188	5.0%	3,532	94.1%	16	0.4%
TOTALS	64,936	8,942		27,144		19,515		9,345	

Source: Home Mortgage Disclosure Act (HMDA), 2008 - 2012.

Table 18. Loan Activity by Income and Ethnicity, 2008-2012

Income/Ethnicity	Total No. of Applications	Originated	Purchased by lender	Denied	Other*
<\$50,000					
Hispanic or Latino	584	38.9%	13.0%	29.1%	19.0%
Not Hispanic or Latino	11,524	47.8%	15%	21.4%	16.8%
>\$50,000					
Hispanic or Latino	838	45.2%	12.9%	20.6%	21.2%
Not Hispanic or Latino	29,089	55.1%	12.1%	15.0%	17.7%

Source: Home Mortgage Disclosure Act (HMDA), 2008 - 2012.

Table 18 shows the ethnicity of applicants submitted by Hispanic or Latino and Non Hispanic Latino and breaks out by incomes less than \$50,000 and greater than \$50,000 from 2008 to 2012. The denial rates for is higher for lower income applicants than those earning more than \$50,000. The Hispanic or Latino applicants have a higher loan denial rate than the Non Hispanic or Latino applicants – 29.1% for applicants earning less than \$50,000 compared to 21.4%; and 20.6% for those earning more than \$50,000 compared to 15%.

Table 20 shows the reasons loan applications were denied over the last five years. Lack of collateral was most commonly cited as the reason for the denial, followed by debt-to-income ratio, and credit history was third.

Table19. Reasons Loans were Denied, 2008-2012

Reason	Number	%
Collateral	1,844	27.9%
Credit application incomplete	700	10.6%
Credit history	1,189	18.0%
Debt-to-income ratio	1,379	20.9%
Employment history	86	1.3%
Insufficient cash (down payment, closing costs)	132	2.0%
Mortgage insurance denied	10	0.2%
Other	1,025	15.5%
Unverifiable information	246	3.7%
Totals	6,611	100%

Source: Home Mortgage Disclosure Act (HMDA), 2008 - 2012.

Predatory Lending. The Community Reinvestment Act (CRA) was enacted by Congress in 1977 to encourage depository institutions to meet the credit needs of the communities in which they operate, including low and moderate income neighborhoods. The CRA requires four federal bank supervisory agencies to assess performance periodically. Performance is evaluated in terms of the institution (capacity, constraints and business strategies), the community (demographic and economic data, lending, investment, and service opportunities), and competitors and peers. Ratings assigned are: outstanding, satisfactory, needs to improve, and substantial noncompliance.

There was no information the Federal Financial Institutions Examination Council website that provides CRA data specific to banks operating in the City of Albany. Several large banks, like Wells Fargo, receive outstanding or satisfactory ratings.

C. FAIR HOUSING COMPLAINTS

National Trends

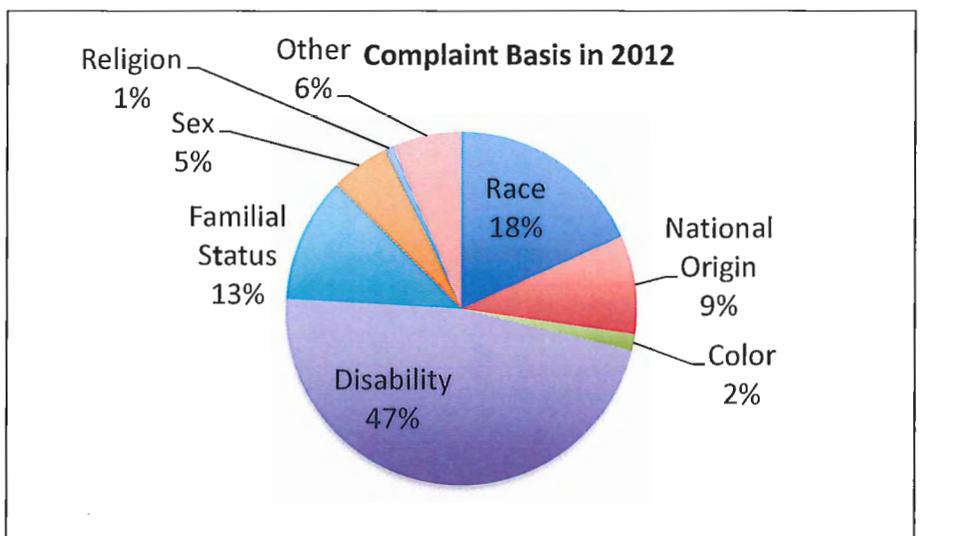
Each year the National Fair Housing Alliance (NFHA) collects data from both private, non-profit fair housing organizations and government entities to present a snapshot of fair housing enforcement in the United States. The *2013 Fair Housing Trends Report* provides housing discrimination data for 2012.

In 2012, private fair housing agencies saw an increase in complaints in all areas that data is collected except in the homeowner's insurance category. Private agencies investigated 69 percent of the year's complaints. Federal, state and local Fair Housing Assistance Program (FHAP) agencies accounted for the rest. HUD saw an increase in each transaction category, except in the rental category. HUD filed four times more "Secretary-initiated complaints" than in 2011. With budget cuts, FHAP agencies saw a decrease in complaints. The Department of Justice (DOJ) filed fewer cases in 2012; however, the cases it pursued were bold and far-reaching. DOJ's focus remained on fair lending and design and construction activities.

A total of 28,519 fair housing complaints were filed in 2012 nationally. Complaint data only reflect the reported incidences of housing discrimination. Many don't report housing discrimination since as many don't know where to go or whether anything will be done about it, or they fear consequences. According to the NFHA, a conservative estimate puts the number of fair housing violations at four million annually nationwide.

Reported Discrimination by Protected Class – Nationally

According to NFHA data, disability claims account for almost half of all fair housing complaints in 2012 against federally protected classes.



Source: 2013 Fair Housing Trends Report, published by the National Fair Housing Alliance

Agencies also receive complaints about discrimination against groups protected only by state and local laws. NFHA members reported receiving the following complaints from several classes of persons not protected by the federal Fair Housing Act:

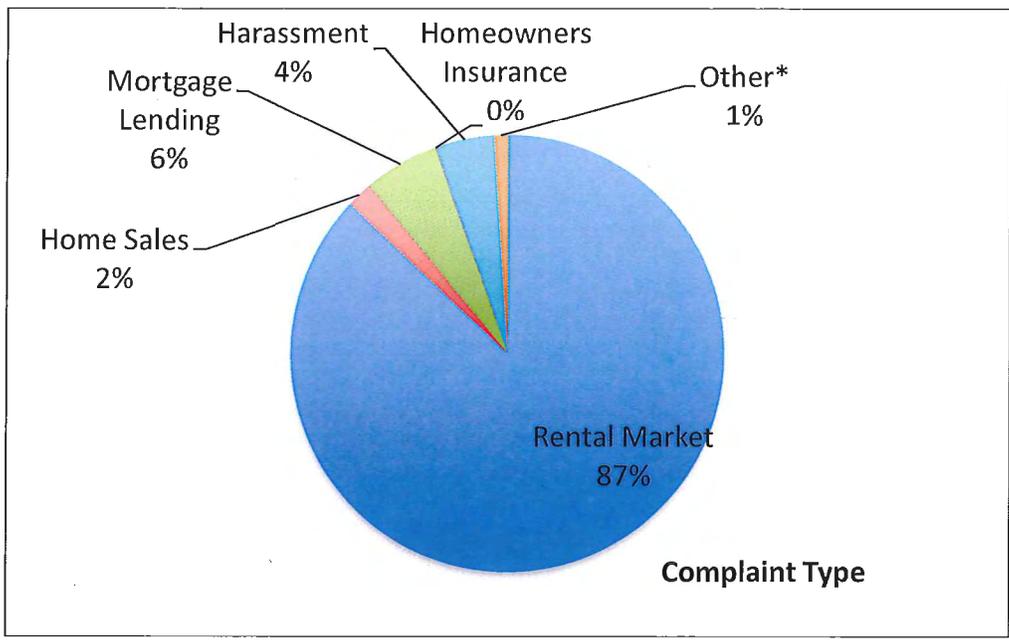
- 569 – Source of Income
- 222 – Age
- 175 – Sexual Orientation
- 135 – Marital Status
- 45 – Gender Identity or Expression

NFHA members also reported 122 complaints that involved discrimination based on criminal background, ancestry, lineage, military status, domestic violence, student status, lawful occupation, place of residence, family responsibility, or “arbitrary” status.

HUD has shown a willingness to investigate complaints of gender identity and sexual orientation discrimination if they fall under sexual discrimination. HUD also issued final regulation that makes it illegal to discriminate against LGBT people in any HUD-funded or Federal Housing Administration insured housing.

Complaints by Type, Nationwide

Most complaints reported are in related to rental market transactions. Mortgage lending and home sales are a distant second. The “other” category includes discrimination in other housing-related transactions including zoning-related activities, retaliation, homeowner associations, advertisements and homeless shelters.



Source: 2013 Fair Housing Trends Report, published by the National Fair Housing Alliance

Complaint Process

Albany residents who feel that they might have experienced a violation of the Fair Housing Act can contact one or more of the following organizations:

- The Department of Housing and Urban Development’s (HUD) Office of Fair Housing and Opportunity (FHEO);
- The Civil Rights Division of the Oregon Bureau of Labor and Industries (BOLI)
- Fair Housing Council of Oregon (FHCO); and
- Legal Aid.

HUD FHEO has the responsibility to enforce the Fair Housing Act. BOLI has separate jurisdiction over claims of discrimination covered under state law, but not covered under federal law.

The Fair Housing Council of Oregon is a private fair housing organization that receives HUD funding under the Fair Housing Initiatives Program (FHIP) to provide education at the local level to the housing industry and potential victims of housing discrimination. They also provide intake calls from Oregon residents related to fair housing. They process complaints and provide testing to substantiate claims of discrimination.

Valid complaints that are filed with HUD or BOLI may be investigated directly by HUD or BOLI or may be investigated and processed by the Fair Housing Council of Oregon (FHCO), which receives reimbursement from HUD under the Fair Housing Assistance Program (FHAP).

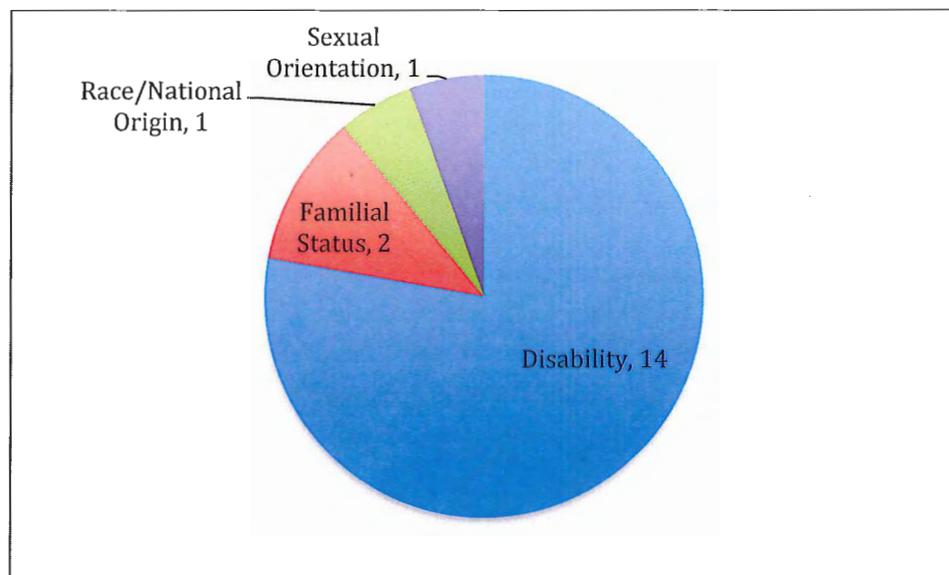
Albany Complaints

Between January 1, 2010 and December 31, 2012, HUD took in twelve legitimate fair-housing allegations from Albany. All but one complaint concerned rental property transactions. Disability was the basis of ten complaints regarding: rent terms and conditions, reasonable accommodations, and in one case, refusal to rent by the landlord. There was one complaint regarding refusal to rent due to sexual orientation; and the last was refusal to sell due to numerous eligible basis – familial status, national origin, source of income and age. Nine of these allegations were filed in 2012, so there may be an increase in violations.

BOLI received three cases from Albany in 2011 and 2012. The basis of all three cases was disability. One case was closed due to lack of substantial evidence and two were in presenter review upon receipt of the data. In 2012, BOLI also concluded a settlement of unlawful discrimination charges against an Albany apartment complex. BOLI's charges against the property owners alleged attempts to charge a non-refundable "deposit" for allowing a resident with a disability to keep a companion animal. The settlement agreement included a \$50,000 payment, policy revisions, annual training for the respondents' staff, and ongoing monitoring by the Civil Rights Division at BOLI. Respondents have to report every disability accommodation request received and how it is resolved for two years.

The Fair Housing Council of Oregon (FHCO) received two legitimate allegations in 2011 and 2012. Familial status was the basis of one call and disability – refusal to rent was the basis of the second allegation.

Local Complaint Basis



FHCO staff are able to mitigate the situation themselves in roughly 75% of the cases, and 25% are not. For the roughly 25% allegations that the FHCO does not resolve working with the landlord, approximately 65% of these are referred to BOLI or to HUD. The FHCO received 12 calls from Albany residents in 2012 requesting fair housing information, and 22 additional calls for general information or information related to landlord/tenant laws. In all cases, the callers were asking about rental transactions.

D. Community Input

Both a resident and agency/provider survey were developed in order to assist in identifying knowledge of fair housing laws, whether there is unreported discrimination, barriers to affordable housing, and suggestions for how to remove barriers. The City also collected this information from attendees of a fair housing training for tenants.

Understanding of Fair Housing Laws. Very few residents elected to answer the fair housing law scenarios. There may be a lack of knowledge or awareness of all types of protected classes in Oregon and there is only general, limited knowledge about fair housing laws.

Most survey respondents said they did not know who to contact if they experienced or saw discrimination. Latino families that attended the fair housing training did not know whom to contact regarding discrimination. They were also afraid of retaliation, eviction, and don't know or understand the process.

City staff is unaware of any previous fair housing law training for the public in Albany and is unsure how fair housing law information is distributed throughout the City.

Service Provider Information. All of the service providers that responded indicated they were very knowledgeable of fair housing laws. They serve Albany's low-income, elderly, homeless families, victims of domestic violence, person with mental illness or physical disabilities, youth, immigrants, and people with substance abuse issues.

Resident Survey: Is housing discrimination an issue in Albany? Residents feel that housing discrimination is an issue in Albany. None of the residents that completed the survey had experienced discrimination themselves, possibly because of their demographics (single, white, and healthy).

Discriminatory activities that are believed to be occurring in Albany include reported through surveys include:

- Refusal to make reasonable accommodations for tenants with disabilities,
- Discriminatory advertising,
- Providers placing certain tenants in the least desirable units,
- Real estate agents directing clients to rental or for sale housing only in certain neighborhoods, and
- Sellers refusing to show their homes to certain buyers.

Reasons discrimination not reported: Responses included a fear of retaliation, eviction, lack of knowledge about rights or the complaint process, and language and cultural barriers.

Basis for Discrimination. Providers believe that the most common reasons for housing discrimination in Albany are due to race/ethnicity, national origin, income, and religion. Interestingly, most complaints that have been filed were related to disabilities and failure to provide reasonable accommodation.

Provider answers generally indicate that it is "somewhat likely" for their clients to experience discrimination. However, many felt that more than half the incidents of discrimination are unreported. One provider has reported acts of discrimination to HUD. Providers were asked to indicate what percentage of the different populations they serve were the most likely to have experienced discrimination in the past. Responses included people with development or physical disabilities, low-income residents, victims of domestic violence, and immigrants.

Barriers to Fair Housing: The following barriers were identified or suggested through the surveys and discussion with residents, but were not investigated to determine the extent of the barrier:

- Economic barriers (education, employments and being low-income);
- Language and cultural barriers – in reporting allegations of discrimination, completing rental applications and other forms, lack of social security number, and communicating housing issues and concerns;
- Lack of knowledge among residents, tenants and real estate agents regarding fair housing;
- Concentration of low-income housing in certain areas;
- Concentration of group homes in certain areas of the City;
- Lack of diversity in housing in neighborhoods; and
- Lack of knowledge among real estate agents regarding fair housing.

Suggestions for potential changes in fair housing practices and/or to remove impediments to fair housing include: providing more knowledge and education about fair housing issues generally, holding public meetings, providing fair housing information at public facilities and on the City's Website, providing bilingual advertisements about events, radio announcements, and using cable television programming.

SECTION IV. FAIR HOUSING ACTIVITIES

A. Fair Housing Enforcement

Persons who believe they have been discriminated against under the provisions of the Federal Fair Housing act have the right to file an administrative complaint directly with the U.S. Department of Housing and Urban Development (HUD) and the Oregon Bureau of Labor and Industry (BOLI). Residents and others may also call the Fair Housing Council of Oregon (FHCO) to get more information about fair housing laws and to talk to staff to determine if an act of discrimination has occurred. The FHCO staff will first determine if an alleged violation has occurred. If so, they may conduct further investigation or field testing to verify whether or not discrimination has occurred. The FHCO will first work to resolve the case favorably. Cases that can't be resolved are referred to HUD or BOLI.

HUD has the primary authority for enforcing the Fair Housing Act. HUD investigates the complaints it receives and determines if there is a "reasonable cause" to believe that discrimination occurred. If reasonable cause is established, HUD brings the complaint before an Administrative Law Judge. Parties to the action can also elect to have the trial held in a federal court (in which case the Department of Justice brings the claim on behalf of the plaintiff).

HUD further defines fair housing choice as "the ability of persons of similar incomes to have available to them the same housing choices regardless of race, color, religion, sex, disability, familial status or national origin. Policies, practices or procedures that appear neutral on their face but operate to deny or adversely affect the provisions of housing to persons (in any particular protected class) may constitute such impediments."

Residents and landlords may also file complaints directly HUD online or through the toll-free Fair Housing line (<http://www.hud.gov/complaints/housediscrim.cfm> or 1-800-669-9777), while providers would be referred to either to HUD or the Office of Fair Housing and Equal Opportunity in Seattle, Washington to determine an appropriate referral.

When HUD receives a complaint, HUD will notify the person who filed the complaint and will normally notify the alleged violator and allow that person to submit a response. The complaint will be investigated to determine whether there has been a violation of the Fair Housing Act.

A complaint may be resolved in a number of ways. First, HUD will try to reach an agreement between the two parties involved. A conciliation agreement must protect the filer of the complaint and public interest. If an agreement is signed, HUD will take no further action unless the agreement has been breached. HUD will then recommend that the Attorney General file suit. If, during the investigative, review, and legal process, HUD finds that discrimination has occurred, the case will be heard in an administrative hearing within 120 days, unless either party prefers the case to be heard in Federal district court.

B. Fair Housing Actions

Since becoming an Entitlement City in 2013, the City of Albany has taken the following steps to raise awareness about fair issues and agencies.

- The City worked with the Fair Housing Council of Oregon to provide fair housing training for residents in English and in Spanish. The training helped provide a better understanding about resources available to Albany's Hispanic and Latino population.
- The City is working with agencies that advocate for tenant awareness and that advocate for diversity and equity in the region, such as the Benton Linn Health Equity Alliance and Familia Activas.
- The City of Albany's put links to fair housing resources on the City's Website with direct links to and descriptions about the FHCO, HUD, and BOLI.
- Fair housing posters and brochures in English and Spanish were distributed at agency meetings and located in City Hall and in the two libraries.

- The CDBG program manager has attended several fair housing trainings and events to provide a foundation of understanding of fair housing laws and resources.

C. Regional and Statewide Advocacy

Several agencies advocate for education and awareness about fair housing and reducing discrimination regionally and statewide.

The Fair Housing Council of Oregon (FHCO) is a nonprofit civil rights organization driven to eliminate illegal housing discrimination through enforcement and education across Oregon. They promote equal access to housing by providing education, outreach, technical assistance, and enforcement opportunities specifically related to federal, state, and local fair housing laws. The FHCO receives FHIP funding.

The Housing Alliance engages with agencies statewide to explore state legislative strategies and administrative actions that will increase housing choice, housing opportunity, and will affirmatively further fair housing. The Alliance also provides support to local jurisdictions and partners as they work to address their local needs.

The Oregon Rental Housing Association consists of 14 local chapter organizations throughout the state, including the Linn-Benton chapter. The association and local chapter are both dedicated to training and educating owners about changes in laws and providing monthly educational opportunities, including fair housing training. For example, the chapter has offered training about special accommodations and companion animals by the Fair Housing Council of Oregon. Oregon Rental Housing Association's membership caters to smaller rental owner/operators; most members have between one and ten units.

The Willamette Association of Realtors provides links to fair housing information and training on their website.

The Rental Housing Alliance of Oregon provides fair housing information, training and legislative updates as part of its regular education sessions and newsletters. The alliance has more than 1,800 members, most of whom are small business landlords throughout the state.

SECTION V. CONCLUSIONS AND FAIR HOUSING ACTION PLAN

A. Conclusions

Albany is a growing and changing community. In 2013, Albany's population had reached 50,720.

- Albany is becoming more racially and ethnically diverse. The non-white percent of Albany's population grew from 6% in 2000 to almost 12% in 2010. Albany's Hispanic or Latino population grew from 2,488 in 2000 to 5,700 in the 2010 Census accounting for 11.4% of Albany's population.
- Despite relatively affordable housing prices, affordable housing is an issue as the median family income is relatively low.
- The City has a large stock of housing built before 1980; much of the aging housing stock is concentrated into older areas of City and in areas with lower incomes.

B. Fair Housing Action Plan

The following impediments to fair housing choice were identified through this analysis. Suggested strategies and actions for the City to address over the next five years follow.

Impediment I: Lack of Understanding of Fair Housing Laws. Generally, there is a lack of knowledge about fair housing laws, rights and responsibilities among both consumers and providers. There is also a lack of understanding about the resources available to address fair housing issues and how to access these resources. Better education and outreach can help resolve disparate treatment of renters and homeowners on the basis of race, color, national origin, familial status, disability and persons with low incomes.

Suggested Actions:

1. The City will work with the Fair Housing Council of Oregon (FHCO) to deliver fair housing education events at least once a year tailored to the needs of the Albany residents and landlords. Training, workshops, events, and materials for residents will be offered in both English and Spanish.
2. The City will work to educate developers, property owners, landlords, realtors and home owner associations about fair housing laws and the ADA. The City will coordinate with the City of Corvallis and the FHCO to offer landlord/property owner training in the region annually.
3. The City will expand the fair housing information available to the public through brochures at city facilities and more information on the City's website.
4. The City will work to educate City leaders and elected official on Affirmatively Furthering Fair Housing requirements.
5. The City will seek guidance from the FHCO on how other communities are addressing similar issues of discrimination that may occur in Albany.

Impediment II: Overcoming Cultural and Linguistic Barriers. Language and cultural differences make communication around fair housing issues and addressing fair housing barriers more challenging.

Suggested Actions:

1. The City will work to build relationships with Albany's Latino and Hispanic community to enhance communication and delivery of resources in order to identify barriers to fair housing and work to eliminate acts of discrimination. The City will seek cultural leaders and volunteers to help promote awareness and education about fair housing laws.
2. The City will provide access to materials and education in Spanish and other languages as identified.

Impediment III: Discriminatory Practices in the Housing Market. HUD, FHCO and BOLI have pursued fair housing allegations in Albany. The primary basis was disability and the act was failure to make reasonable accommodations. Familial status, national origin, source of income, and sexual orientation were also the basis of complaints.

Suggested Actions:

1. Work with the Fair Housing Council of Oregon to facilitate fair housing testing and investigations in Albany as recommended.
2. Develop targeted fair housing training and programs for housing providers to achieve a better understanding of protected classes and fair housing responsibilities.
3. Identify and correct advertisements that indicate the potential for discrimination.
4. Encourage victims to report acts of discrimination or potential discrimination.

Impediment IV: Availability of Affordable Housing. Despite a large amount of housing that is relatively affordable regionally and for residents earning above the median income, lack of affordable housing for Albany's lowest income residents continues to be a problem.

Suggested Actions:

1. The City of Albany will review its land development policies and standards to ensure that they do not present obstacles to development of affordable or accessible housing, accessory units, and other forms of housing that are needed within the community.
 - Evaluate the infill development standards to ensure they are not creating barriers to affordable housing.
 - Review accessory dwelling unit standards and consider allowing units in detached buildings in more circumstances.
 - Evaluate other development and financial incentives. For example, developments restricted for households earning less than 50% of AMI could receive more generous incentives than those for households earning less than 80% of AMI.
2. The City will review its available land inventory and the zoning of vacant land and land with redevelopment potential.
3. The City will allocate Community Development Block Grant funding to economic development activities that support business development and job creation and to programs that provide job skills training.

Impediment V: Concentration of Affordable Housing Stock. The American Community Survey data show that there are higher concentrations of low-income and minority populations in older areas of the City, primarily in Census Tracts 204 and 208. These areas also have a higher percentage of older housing stock, likely making housing more affordable. Most social and civic services are located in these areas; so many group homes are concentrated in these areas. On a positive note, these areas are close to services and employment.

Suggested Actions:

1. Review land development standards to ensure there are no obstacles to infill development or redevelopment in Albany's older neighborhoods.
2. When feasible, layer public investments in these areas to improve the condition of public facilities and infrastructure in order to attract private investment and improvements.
3. The City will focus housing rehabilitation and weatherization funds in Albany's low-income neighborhoods to gradually improve the housing stock over time.

Impediment VI: Lead Paint and Housing Conditions. Albany has over 11,800 housing units constructed before 1980, and roughly 3,300 units constructed before 1950.

Suggested Actions:

1. The City will focus housing rehabilitation loan and grant money in Albany's lowest income Census Tracts.
2. Lead-based paint testing is a requirement of housing rehabilitation projects on buildings constructed before 1978. Contractors will be required to be licensed lead renovators and follow lead-safe practices. When required, lead paint stabilization or abatement will be done.



City of Albany, Oregon DRAFT Citizen Participation Plan

I. Introduction

As an entitlement city, the City of Albany is eligible to receive Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Community Development (HUD). These funds are used to administer housing and community development programs within the City through the Community Development Department.

The Community Development Block Grant (CDBG) is a formula grant provided annually to the City to develop viable urban communities through the provision of decent housing, a suitable living environment and expanded economic opportunities for low- and moderate-income persons. As a recipient of these entitlement program funds, the City is required to produce the following documents:

Consolidated Plan – Every five years, the City of Albany, with the assistance of Community Development Commission will develop a new Consolidated Plan. The Consolidated Plan identifies community needs and formulates a five-year strategic plan with objectives, implementation strategies, and outcomes that address the needs for housing, community and economic development, and human service needs of the city.

Annual Action Plan – The Consolidated Plan guides the development of an Annual Action Plan. The Annual Action Plan outlines the City's funding priorities and set goals during the program year to address the needs identified in the Consolidated Plan. The annual plan allocates CDBG funding to specific projects that will be undertaken over the course of the upcoming fiscal year.

Before a Consolidate Plan or Annual Action Plan is adopted, the city will make public the amount of funds available and the range of activities that can be undertaken with each grant, the estimated amount of funds that will be used to benefit low- and moderate-income persons.

Consolidated Annual Performance and Evaluation Report (CAPER) – The CAPER is an annual report that evaluates and documents accomplishments and use of CDBG funds. The performance measurements are designed to monitor all programs and to determine the impacts of the City's CDBG programs and activities.

II. Federal Citizen Participation Requirements

The Citizen Participation Plan requirements are designed to encourage citizens to participate in the planning, development, implementation, and evaluation of the City's CDBG plans and programs. It focuses on public involvement in the process of developing the City's Consolidated Plan, Annual Action Plan, and a review of the annual Consolidated Annual Performance Report (CAPER). Substantial amendments to the Consolidated Plan and the Annual Action Plan require public review and comments before they are approved.

Annual program applications submitted to the U.S Department of Housing and Urban Development (HUD) must:

1. Contain proper provisions for community involvement in the review and preparation of the Consolidated Plan and Annual Action Plan.

2. Give maximum feasible priority to programs that will principally benefit low – and moderate income families or aid in the prevention of slum and blighted conditions.
3. Have provided citizens with the amount of funds expected to be annually available, including any annual grant program income that is expected to be received during the program year and any program income received during the preceding program year that has not yet been allocated to a project during the development of the annual program.
4. Set out costs and other resources to be used, as well as a description of the targeted areas.

III. Stages of the Citizen Participation Process

Each year citizens and interested agencies will be notified of the funding level of assistance expected in the upcoming year when that information is received from HUD. Initial information may be based on local estimates. Citizen and interested entities will also be informed of the amount of funding expected to benefit low- and moderate- income persons.

1. Assessment and identification of housing and community development needs.
2. The Draft Consolidated Plan and or Annual Action Plan.
3. Formal approval by the City Council of the Consolidated Plan and/or final Annual Action Plan.
4. Substantial and Minor amendments necessary to change the use of funds already budgeted in an Annual Action Plan or established in the Consolidated Plan.
5. Performance Reviews in the CAPER.

Except as outlined in Amendments, the types of activities funded each year will be determined through the process outlined in this Citizen Participation Plan.

IV. Public Notice

At least two public hearings will be held every year to obtain citizen views and to respond to proposals at different stages of the CDBG programs administered by the Community Development Department, specifically: the development of the Consolidated Plan, the solicitation of project proposals for the Annual Action Plan; and the annual hearing on the prior year's CAPER.

The City of Albany will provide a 30-day advanced notice once any of the following documents are available for public comment.

1. Consolidated Plan,
2. Annual Action Plan,
3. Proposed Amendments, and the
4. Consolidated Annual Performance Report.

Notice regarding the above plans will be published in a newspaper of general circulation to advise citizens of the hearings and deliberations scheduled. Information of the date, time and place of these hearing will be made available through these advertisements and other publication. Efforts will be made to provide notice in media that serves non-English speaking households in the city.

Other CDBG Related Documents

All other CDBG related documents requiring public comment and review, such as Environmental Review Records, will be advertised by posting notice on the City's website and preparing a press release about the comment period.

Accessibility to Persons with Disabilities: The locations of all public hearings as described herein shall be made accessible to persons with disabilities. A sign language interpreter will be provided whenever the City is notified in advance that one or more deaf persons will be in attendance, according to the instructions provided in the Public Hearing Notice. The City shall provide a qualified reader whenever the City is notified in advance that one or more visually impaired persons will be in attendance. Additionally, the City shall provide reasonable accommodations whenever the City is notified in advance that one or more persons with mobility or developmental disabilities will be in attendance.

Limited English Proficiency Residents: The City of Albany recognizes the need to undertake reasonable actions to facilitate the participation of persons with Limited English Proficiency. Local officials will undertake all reasonable actions necessary to allow such persons to participate in the community development process. Such actions may include the provision of an interpreter and/or the provision of materials in the appropriate language or format for persons with Limited English Proficiency.

30-Day Comment Period: Prior to final adoption of the Consolidated Plan and Annual Action Plan, a 30 day comment period will be required to receive written comments. The comment period will be included in the notice published in the paper; a press release announcing the notice will be prepared and distributed according to City of Albany policies, posted on the City's website, and will be emailed to interested parties.

Distribution of Information: A variety of methods, including the City's internet site, shall be used to facilitate the review and evaluation of proposed housing and community development policies, programs, and projects. All Plans will be posted on the City's website and links to the documents will be emailed to interested parties. A brief summary of a plan will be provided in Spanish and if feasible, in other languages as needed. The notice will also provide information about the location where complete copies of the plan may be reviewed.

Community Development Commission Meetings

Citizens will be given reasonable and timely access to local meetings, information, and records relating to the proposed use of community development funds. Copies of all reports and material relevant to a Community Development Commission meeting will be available on the Thursday before the Monday meeting on the City's website and at the Community Development Department, Albany City Hall, 333 Brodalbin Street SW, Albany, Oregon.

Public meetings to hear comments on other plans, documents and records will be posted according to City of Albany policy for public meeting procedures.

V. Encouraging Citizen Participation

The Citizen Participation Plan outlines the City's responsibility for providing opportunities for citizen participation. The goals of the Citizen Participation process are to:

- Encourage citizen participation by all Albany residents, emphasizing the involvement of low- and moderate-income residents, people living in CDBG target neighborhoods, people with disabilities, minorities, and residents of assisted housing;
- Inform citizens of the Albany Consolidated Plan and the Annual Action Plans and eligible activities under these programs;

- Give all citizens an opportunity to identify and respond to priority needs;
- Give all citizens an opportunity to identify and respond to priority proposed projects and the use of funds; and
- Give all citizens an opportunity to review and comment on program performance.

Technical Assistance

The staff of the City of Albany shall provide technical assistance to individual citizens and citizen groups, with particular attention to those groups representative of persons of low or moderate income, as may be required to adequately provide for citizen participation in the planning, implementation and assessment of CDBG programs.

Technical assistance will also be provided to groups and agencies representing low- and moderate income person in requesting assistance in developing project/funding proposals.

Technical assistance is intended to further meaningful citizen participation in the community development decision making process. Technical assistance will also be utilized to foster public understanding of CDBG program requirements.

Technical assistance will be provided on request and may include, but not necessarily be limited to: interpreting the CDBG program and its rules, regulations, procedures and other requirements; providing information and/or materials concerning the programs; and, assisting low and moderate income citizens, and residents of blighted neighborhoods to develop statements of views, identify their needs, and to develop activities and proposals for projects which, when implemented, will advance the resolution of those needs.

Technical assistance may be obtained by contacting the Community Development Department at 541-917-7550, or through the City of Albany website at www.cityofalbany.net/cdbg.

VI. Procedure for Comments, Objections, and Complaints

The scheduled public hearings described in this Citizen Participation Plan are designed to facilitate public participation in all phases of the community development process. Citizens are encouraged to submit their views on all aspects of programs during review and comment periods and public hearings. However, to ensure that citizens are given the opportunity to assess and comment on all aspects of the community development program on a continuous basis, citizens may, at any time, submit written comments or complaints to the City.

Citizens or citizen's groups desiring to comment or object to any phase of the planning, development, approval or implementation of CDBG activities should submit such comments or objections in writing to the City through a progressive level of review. Comments, objections, complaints and grievances should be sent to the Community Development Department, 333 Broadalbin St. SW, Albany, Oregon 97321.

Local officials shall make every effort to provide written responses to citizen proposals or complaints within fifteen (15) working days of the receipt of such comments or complaints where practicable. If, after a reasonable period, a party believe the comment or complaint has not been properly addressed or considered, then the aggrieved may appeal his/her case to the City Manager, and finally, after a reasonable period of time, to the City Council.

Should the City Council be unable to sufficiently resolve an objection or complaint, it may be forwarded by the aggrieved party to HUD.

Citizens may, at any time, contact HUD directly to register comments, objections or complaints concerning the City's CDBG application(s) and/or program(s). Citizens are encouraged, however, to attempt to resolve any complaints at the local level as outlined above prior to contacting HUD.

All comments or complaints submitted to HUD should be addressed in writing to:

HUD Office of Community Planning and Development
U.S. Department of Housing and Urban Development
1220 SW 3rd Avenue, Suite 400
Portland, OR 97204-2825

VII. Substantial Amendments to the Consolidated Plan or Annual Action Plan

Substantial and minor amendments to the Consolidated Plan and Annual Action Plan may be made subject to the following procedure and requirements. The Community Development Commission may allow the Community Development Director or designee, the authority to decide minor amendments to the Consolidated Plan or Annual Action Plan. All substantial amendments must be acted on by the Albany City Council.

Substantial Amendments

A substantial amendment to the Consolidated Plan means an amendment that changes the intent of the plan by modifying adopted priority needs, implementation strategies, or location policies. Substantial amendments to an Annual Action Plan mean any amendment that changes an approved project if at least one of the conditions below exists:

- a. A proposed project site is relocated a distance greater than ½ mile radius from the site identified in the Annual Action Plan;
- b. There is a change in approved federal funding sources;
- c. A proposal that changes a land use to one that requires a special or conditional use permit or is likely to result in a 50% change in capacity or amount of service provided;
- d. There is a change in the priority needs served by the original proposal;
- e. The cost of completing the project or conducting a program exceeds the original approved budget by 50% or more; or
- f. A project is added.

Substantial amendments require a public hearing and City Council approval. The Community Development Commission and City staff shall review substantial amendments. Either the Commission or City staff may provide recommendations to the City Council. Written notices of City Council consideration of substantial amendment shall be provided follow the process outlined above for initial adoption of the applicable Plan.

Minor Amendments

- a. Amendments that change the text of the Consolidated Plan or Annual Action Plan to correct errors, or changes to text, which will not modify the intent of the plan by changing adopted priority needs, implementation strategies or location policies; or
- b. Any amendment that does not qualify as a substantial amendment as defined above.

The Community Development Department Director or designee is granted authority to decide minor amendments to the Consolidated Plan and Action Plan. Notwithstanding this authority, the Director or designee may refer a minor amendment to the Community Development Commission for action. The decision of the Director and the Community Development Commission is the final local determination unless acted upon by the City Council.

Prohibited within 300 feet of residential use

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ALBANY, OREGON IMPOSING LOCAL RESTRICTIONS ON MEDICAL MARIJUANA FACILITIES AND DECLARING AN EMERGENCY.

WHEREAS, the Oregon legislature enacted House Bill 3460 (2013) which requires the Oregon Health Authority to develop and implement a process to register medical marijuana facilities; and

WHEREAS, House Bill 3460 (2013) directs that persons who operate or are employed by a registered medical marijuana facility would enjoy immunity from state prosecution; and

WHEREAS, the issue of whether a local government believes a certain type of business should operate within its jurisdictional limits, and particular time, place, and manner restrictions on such businesses, are local government decisions, the enforcement of which are subject to the general and police powers of that jurisdiction; and

WHEREAS, the Oregon Legislature enacted Senate Bill 1531 (2014) which expressly authorized a city to adopt ordinances that impose reasonable regulations on the operation of medical marijuana facilities which regulations may include reasonable limitations on the hours during which a medical marijuana facility may be operated, reasonable limitations on where a medical marijuana facility may be located, and reasonable conditions in a manner in which a medical marijuana facility may dispense medical marijuana; and

WHEREAS, the City Council of the City of Albany believes it is in the best interests of the health, safety and welfare of the citizens of Albany to enact the reasonable restrictions set forth in this ordinance on medical marijuana facilities operating within the jurisdictional boundaries of the City of Albany;

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

SECTION 1: CREATION OF AMC 5.08.025.

AMC 5.08.____ is hereby created to read as follows:

5.08.025. LIMITATIONS ON OPERATION OF MEDICAL MARIJUANA FACILITIES

(1) In addition to such limitations and regulations as may be imposed by state law on medical marijuana facilities which dispense marijuana pursuant to ORS 475.314, no such facility nor any person operating as an employee or agent of such facility shall operate, locate, or dispense marijuana within 300 feet of any property lawfully zoned to allow residential use. This restriction does not apply to property that is zoned industrial which is located within 300 feet of any property lawfully zoned to allow residential use.

(2) In addition to such limitations and regulations as may be imposed by state law on medical marijuana facilities which dispense marijuana pursuant to ORS 475.314, no such facility nor any person operating as an employee or agent of such facility shall locate or operate a

medical marijuana facility or dispense medical marijuana without an annual payment to the City of Albany in the amount of \$ _____ as a permit fee to defray law enforcement costs associated with reasonable inspections, oversight, and enforcement actions associated with the operation of medical marijuana facilities within the jurisdictional limits of the City of Albany.

(3) Violation of this section shall be a misdemeanor punishable under the general penalty set forth at AMC 1.04.

SECTION 2: REMEDIES NOT EXCLUSIVE. The remedies available under Senate Bill 1531 (2014) are not exclusive of any other remedies available under any applicable federal, state or local law. It is within the discretion of the City of Albany to seek cumulative remedies for a violation of this ordinance. Such cumulative remedies include, but are not limited to, punishment, charged as a misdemeanor under the general penalty set forth at AMC 1.04.

SECTION 3: SEVERABILITY. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

SECTION 4: EMERGENCY. In as much as this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the city of Albany, and an emergency is hereby declared to exist; and this Ordinance shall take effect and be in full force and effect when signed by the Mayor.

Passed by Council:

Approved by Mayor: _____

Effective Date: _____

ATTEST:

Mayor

City Clerk

Prohibited within 300 feet of residential use NO INDUSTRIAL EXCEPTION

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ALBANY, OREGON IMPOSING LOCAL RESTRICTIONS ON MEDICAL MARIJUANA FACILITIES AND DECLARING AN EMERGENCY.

WHEREAS, the Oregon legislature enacted House Bill 3460 (2013) which requires the Oregon Health Authority to develop and implement a process to register medical marijuana facilities; and

WHEREAS, House Bill 3460 (2013) directs that persons who operate or are employed by a registered medical marijuana facility would enjoy immunity from state prosecution; and

WHEREAS, the issue of whether a local government believes a certain type of business should operate within its jurisdictional limits, and particular time, place, and manner restrictions on such businesses, are local government decisions, the enforcement of which are subject to the general and police powers of that jurisdiction; and

WHEREAS, the Oregon Legislature enacted Senate Bill 1531 (2014) which expressly authorized a city to adopt ordinances that impose reasonable regulations on the operation of medical marijuana facilities which regulations may include reasonable limitations on the hours during which a medical marijuana facility may be operated, reasonable limitations on where a medical marijuana facility may be located, and reasonable conditions in a manner in which a medical marijuana facility may dispense medical marijuana; and

WHEREAS, the City Council of the City of Albany believes it is in the best interests of the health, safety and welfare of the citizens of Albany to enact the reasonable restrictions set forth in this ordinance on medical marijuana facilities operating within the jurisdictional boundaries of the City of Albany;

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

SECTION 1: CREATION OF AMC 5.08.025.

AMC 5.08. ___ is hereby created to read as follows:

5.08.025. LIMITATIONS ON OPERATION OF MEDICAL MARIJUANA FACILITIES

(1) In addition to such limitations and regulations as may be imposed by state law on medical marijuana facilities which dispense marijuana pursuant to ORS 475.314, no such facility nor any person operating as an employee or agent of such facility shall operate, locate, or dispense marijuana within 300 feet of any property lawfully zoned to allow residential use.

(2) In addition to such limitations and regulations as may be imposed by state law on medical marijuana facilities which dispense marijuana pursuant to ORS 475.314, no such facility nor any person operating as an employee or agent of such facility shall locate or operate a medical marijuana facility or dispense medical marijuana without an annual payment to the City

of Albany in the amount of \$ _____ as a permit fee to defray law enforcement costs associated with reasonable inspections, oversight, and enforcement actions associated with the operation of medical marijuana facilities within the jurisdictional limits of the City of Albany.

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Passed by Council:

Approved by Mayor: _____

Effective Date: _____

ATTEST:

Mayor

City Clerk

CITY OF ALBANY
CITY COUNCIL
Council Chambers
Wednesday, February 26, 2014
7:15 p.m.

MINUTES

CALL TO ORDER

Mayor Sharon 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: Councilors Rich Kellum, Bill Coburn, Bessie Johnson, Ray Kopczynski, Dick Olsen, and Floyd Collins.

Councilors absent: None.

SCHEDULED BUSINESS

First Reading of Ordinance

DC-02-13, amending Ordinance No. 4441, which adopted the City of Albany Development Code and Zoning Map by amending the Development Code text related to redemption centers, adopting findings, and declaring an emergency.

City Attorney Jim Delapoer read the ordinance for the first time in title only.

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

Delapoer read the ordinance for the second time in title only.

MOTION: Olsen moved to adopt the ordinance. Councilor Bill Coburn seconded the motion.

Councilor Rich Kellum said that he drove to the area at 4:00 a.m. to survey it. He is concerned that the Council is rejecting a business because they don't fit into specific parameters. He heard testimony about noise issues, but he doesn't think there was evidence of that. As to security issues, as long as the river is on one end and Helping Hands is on the other, there will be people traveling through the area. He is opposed to the ordinance.

VOTE: A vote was taken on the motion and it passed 4-2, with Kellum and Councilor Ray Kopczynski voting no, and was designated Ordinance No. 5831.

Konopa read the Notice of Decision: Within five days of the decision the Community Development Director provides written notice of the decision to the applicant and any other parties entitled to notice. A decision of the City Council may be appealed to the Land Use Board of Appeals by filing a Notice of Intent to Appeal not later than 21 days after the decision becomes final.

Business from the Public

Greg Bechtel, 978 Ferry Street SW, distributed a document titled "Recommended Additional Regulations for Dispensaries in Albany" (see agenda file). He is the Chief Financial Officer for Albany Alternative Health Solutions (AAHS). He thanked the Council for considering the Planning Commission's recommendation.

Bechtel said Senate Bill 1531 would allow for municipalities to provide additional, reasonable regulations for medical marijuana dispensaries. Bechtel hopes to own the first marijuana dispensary in Albany. Compliance is important to him. He said the state has only hired four auditors, yet with the anticipated 100-150 dispensaries that will apply in March, Bechtel thinks that just four auditors is woefully inadequate. The reason this is a problem is because it will undoubtedly fall to local municipalities to ensure compliance, which comes with an added cost and burden. His business is patient-oriented and he wants to protect patients first, so he suggests that since the added cost for compliance will fall to municipalities, that the Council enact a dispensary compliance fee. To maintain an atmosphere in Albany that is a professional business, dispensaries should contribute to local communities. He recommends a small monthly fee, for example \$100-200 per month. The revenue would offset costs that may come from additional compliance measures the City might take; the revenue would lessen the burden to the City.

Bechtel said there are neighborhood concerns with dispensaries. In his experience as a patient there are some dispensaries he would not go to again. Dispensaries are a business and businesses should not be in

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neighborhoods. He thinks a 300 foot buffer from residential is not prohibitive; it is the same as adult shops. Bechtel said that he doesn't think adult shops and dispensaries should be put in the same category, he understands that businesses should be clumped together because it is better for a city model. Because of Albany's geography, enacting a buffer will actually decrease the number of dispensaries that can open in Albany.

Bechtel said he spoke with the Albany Police Department (APD) staff and their biggest concern is redistribution points. Dispensaries have a stigma for redistribution; he is also concerned about that and he has done many things internally to prevent that. He does not think the regulations with the state law go far enough regarding persons responsible for facilities; he thinks that there should be provisions in Albany that specifically prohibit the ownership operation or the person responsible for a facility in Albany if they have distribution charges for marijuana. Bechtel said, if they have done it before, once they have an actual store front, the potential is great that they would redistribute again. He said, responsible patients support additional regulations. Patient access should always be the first priority, and protecting neighborhoods from potential abuses should be a close second.

Bechtel said that AAHS will be opening on March 3. He invited the City Council to visit on March 2 and learn about what AAHS does.

Konopa asked if Bechtel is suggesting an additional fee on top of the state's fee. Bechtel said yes; he represents AAHS and they recommend an additional fee because there won't be enough auditing from the state. He said, four employees to monitor so many dispensaries is not reasonable; most dispensaries won't even get a visit in their first year. Bechtel said he wants to make sure others follow the rules like they do.

Konopa asked if Senate Bill 1531 is in limbo. Bechtel said the Senate amended it to allow municipalities to add additional reasonable restrictions. He gave an update on its current status.

Tom Cordier, 3340 Park Terrace NW, spoke to the decision to not allow the redemption center in the old Salvation Army building. Konopa said that the public hearing was closed last week so the Council was not able to allow any more comments before deliberation. Cordier said several Councilors received a two-page email from Michael O'Rourke of More Ink, located in the Carriage House Plaza. Cordier said that O'Rourke surveyed businesses in the Plaza and that the businesses wanted the redemption center to locate in the Salvation Army building. Cordier said he thinks the public hearing notification process is insufficient. Cordier said he talked personally to the business owners in the Plaza and they didn't know about the public hearing or the tentative decision regarding the redemption center.

Cordier said that the people that O'Rourke polled do not agree with the Council's decision. Cordier said their reason is the same as Hasso Hering's testimony at a Planning Commission when he stated that the redemption center would vastly increase recycling, and that benefit outweighs the Main Street zoning issue. It could attract more traffic, and therefore business, to the Plaza and that is what the business owners want. Cordier said the redemption center was going to spend \$350,000 to renovate the building; he pointed out it was not urban renewal or public money. Cordier said the Council talks about being a business friendly community, but actions speak louder than words.

Cordier said he spoke to Stephanie Marcus from the Oregon Beverage Recycling Cooperative; he said she is dismayed by the Council's decision. He was also told the City was trying to find a different location, and if that is the case, he said, Marcus doesn't know that. Discussion followed. Konopa explained to Cordier that she will personally show Marcus other buildings in the correct zones, but the Council cannot do that before the decisions are made in this land use hearing; before the decision is made, by law the Council must stay silent.

Economic Development and Urban Renewal Director Kate Porsche said she will be contacting Marcus tomorrow to see how she can be of service to find a location for the redemption center that would meet current zoning. As the Mayor stated, staff cannot move forward with contacting the applicant until after the final decision was made tonight. Porsche said, we do want their business here in Albany, just not in that location.

Johnson said that what Cordier said about the City's public notice for land use hearings is not correct. The neighbors in that area testified at the February 12, 2014, public hearing. She said, it is not fair to say just because someone didn't know about it, that the City didn't properly notify. The business people had the same opportunity to testify. Kellum said there is a difference in giving the notice to the property owner instead of the business. Konopa said there is also signage about the public hearing on the building.

Delapoer said the notice is a creature of state law in land use. Land use is as highly formalized process; the City Council does not make the rules, the state does. Delapoer said there is an entire quasi-judiciary statutory procedure. Albany's noticing requirements equal or exceed state law. Delapoer said, we could do more, but if we depart from state law to do more, then those on the other side of the matter could take issue and the result could be that the hearing is derailed. Historically, prior to the recession when there was a lot of land use decisions to be made, there was no shortage of people participating in the hearings; Delapoer said that is evidence that the City's notification process does work. The City also has to meet the 120 day clock and adding additional notices to what the law requires could impact that requirement.

Cordier asked if either of the Ward I Councilors went to the businesses to talk to the owners. Delapoer said they cannot legally do that because it would be an ex parte communication. Land use is like a court trial in front of a judge or jury. In a quasi-judicial hearing, the Council is governed by very structured rules, and they can only

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base their decision on what comes before them. If the Council is aware that there is a land use matter pending, they would be having an ex parte communication, which requires that the Councilor disclose all that they have learned. Ex parte contacts are actually discouraged because the Council wants the people attending the hearing to have confidence that the process was fair. He said, it is the same reason that you wouldn't want a judge to get the information before a trial starts. Delapoe said that since 2008, there have been very few quasi judicial hearings. In 2005, they happened all the time with Council meetings going to midnight and 100 people testifying.

Konopa added that the Council has to disclose even if they drive by a site. She recalls during the Costco land use issue, she had to submit several pages of all the people that contacted her and the substance of the conversation as ex parte contact.

Jim Clausen, 1403 15th Street, is concerned about over regulating and driving away business. He is also concerned about the updated physical force plan for Linn County that is on the agenda. He does not think police force should be regulated too much. He thinks they do a fantastic job and most are very conscientious. He is worried that if an officer has an incident that they would be bound by these rules. He thinks the decision to use force should be at the discretion of the officer.

Adoption of Resolutions

Authorizing the Finance Director to sign a contract with Boldt, Carlisle, and Smith, LLC, for professional auditing services for five years beginning with the 2014 year-end financial audit.

Johnson asked if there were other bids. Finance Director Stewart Taylor said the City invited Requests for Proposals (RFP) from auditing firms. They received six but one was late so it was disqualified. A review committee looked at the technical aspects, including cost, technical merits, and professional references. From the initial evaluation two were invited for interviews with an auditor review panel which included Budget Committee Chair Sue Folden, Senior Accountants Anne Baker and Mike Murzynsky, and Taylor. Through the scoring process, Boldt, Carlisle, and Smith, LLC was ranked the highest. The range of costs over the five years was \$99,000 between high and low. Boldt, Carlisle, and Smith, LLC was in about the middle of the range.

MOTION: Councilor Floyd Collins moved to adopt the resolution and Kopczynski seconded it.

Kellum asked, what is the biggest reason you picked them? Taylor said they had the highest score in each criterion. Taylor ranked them high due to his confidence in the work they have done and the relationship that the auditors have with City management in ways to bolster internal controls or accounting changes. Their suggestions have been very helpful with the implementation of new regulations and rules.

VOTE: A vote was taken on the motion to adopt the resolution and it passed 6-0 and was designated Resolution No. 6298.

Approving the updated physical force plan for Linn County. (The complete Plan is available for review at the City Manager's Office.)

District Attorney Doug Marteeny said that Senate Bill 111 passed about six years ago and required each county to come up with a deadly physical force plan. Five years ago, a committee met and passed the plan. They wanted to give autonomy to each agency to incorporate their own policies and procedures. They recently updated the plan to better reflect current policies. The committee included Sheriff Tim Muller, Lieutenant Dave Mouser from Oregon State Police, Albany Police Chief Mario Lattanzio, police unions, citizen Andy Thrower, a member from the Lebanon police department, and Marteeny.

Marteeny spoke to Clausen's concern about binding police officers while they are doing their job. Marteeny said this plan was proposed by law enforcement officers and is consistent with nationwide protocols and with police officer training.

Marteeny shared a story that demonstrates the wisdom of this plan. Police have a vested interest that public sees them as good, upstanding citizens. There was a police shooting by Brownsville last year; at a traffic stop a driver pointed a gun at the police officer from just nine yards away. The training that the officer had had kicked in, shots were fired, and the driver was hit with one bullet that severed an artery. As soon as the scene was secure, the same police officer rendered aid and saved his life. This reflected very well on the police officer. For those reasons it makes sense to adopt the plan and he urges the Council's approval.

MOTION: Kellum moved to adopt the resolution and Coburn seconded it. The motion passed 6-0 and was designated Resolution No. 6299.

Adoption of Consent Calendar

- 1) Approval of Minutes
 - a) January 6, 2014, City Council Work Session.
 - b) January 8, 2014, City Council Regular Session.

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- 2) Adopting revisions to the Public Records Request Policy, F-05-08; the standard public records request form; and the Fire Department records request form; and repealing Resolution No. 6209. RES. NO. 6300
- 3) Certifying properties exempt from property taxation:
 - a) Songbird Village. RES. NO. 6301
 - b) Periwinkle Place. RES. NO. 6302
 - c) Parkrose Properties. RES. NO. 6303
 - d) 1680-1682 Oak Street SE. RES. NO. 6304
 - e) 515 Geary Streets SE. RES. NO. 6305
- 4) Approving contract renewal for Municipal Court Judge Robert Scott.
- 5) Appointing Municipal Court Judge Pro Tems and repealing Resolution No. 6198. RES. NO. 6306
- 6) Declaring an APD 2005 Harley Davidson motorcycle as surplus property.
- 7) Approving an extended property tax abatement agreement and waiving employment requirement on short-term exemption for investment for Beta Seed, "Inc." RES. NO. 6307
- 8) Authorizing the City Manager to enter into an Intergovernmental Agreement with Linn County for an Oregon Department of Transportation 2013-2015 biennium operating grant.

Olsen requested that item 5) be pulled for discussion. Coburn requested that item 7) be pulled for discussion.

MOTION: Johnson moved to adopt the Consent Calendar with item 5) and 7) removed for discussion. Kellum seconded the motion and it passed 6-0.

To item 5), Olsen noted that the City of Albany is very fortunate to have Municipal Court Judge Robert Scott.

MOTION: Olsen moved to approve item 5) and Kopczynski seconded it. The motion passed 6-0.

To item 7), Coburn disclosed that Beta Seed is a customer of EC Electric where he works. It does not involve his department and he is not involved in the action. Delapoer confirmed that he and Coburn discussed this item; neither Coburn nor his company has a pecuniary benefit with this particular vote. He has disclosed it per Delapoer's counsel, and he is not prohibited from voting.

Konopa said she has toured the plant, and it is quite an operation. She said, we are fortunate to have them near Albany. It is a growing global business.

Collins said that John Pascone from Albany Millersburg Economic Corporation (AMEDC) invests a lot of time with businesses like Beta Seed. The work he does is behind the scenes but is very valuable. He appreciates AMEDC's work.

MOTION: Kellum moved to adopt item 7). Collins seconded the motion and it passed 6-0.

Award of Bid

WL-14-01, Zone 1, Phase I Water Lines – Ferry, Jefferson, and Thurston Streets.

Public Works Director Mark Shepard said that the project is slightly over budget by about \$15,000 as described on page 69 of the agenda packet. The overage includes a 10% contingency that won't be used unless there are change orders. Generally, they don't have significant change orders so Shepard expects that it will come in at budget.

MOTION: Collins moved to award the contract in the amount of \$468,885 to Pacific Excavation and Kopczynski seconded the motion.

Coburn said there is often discussion about local business being involved in the bid process. He pointed out that Pacific Excavation has an office in Albany and in other cities. He noted that the bidders included four contractors from Salem, and one from Stayton, Eugene, Philomath, and Washington.

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

BUSINESS FROM THE COUNCIL

Collins wants to reconsider the motion at the Work Session on Monday, February 24, 2014, regarding the pending civil penalty to City Manager Wes Hare for allegedly violating election laws. Collins said the issue is not the \$75 fine; at the Work Session the Council agreed to pay the fine on Hare's behalf because they stand behind him. Collins thinks that that approach was partially right, but now he wants to take a two-prong approach. The first is to approach elected officials and have them work it through either the legislative process or have a legislative member work with the Secretary of State (SOS) office to address the underlying rule. The second is to go ahead and authorize the City Attorney to file on behalf of the City for a contested case. Collins said, my concern is that the Oregon Administrative Rules (OARs) and the adopted guidance manual for the implementation of ORS 260.432 goes beyond the scope of the intent of the statute. As Delapoer has pointed out, the statute is 2-3 paragraphs long, yet the guidance manual is 22 pages. He believes that as written, the guidance manual may infringe upon freedom of speech as guaranteed in the constitution. Collins said, without some clarification and an amendment to the election laws, if left unchallenged, it will be a detriment to this city

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and all other cities in the future in our attempt to get factual information to the public to inform them of what the issues are that they will be voting on.

Collins said that in speaking to Delapoer, one of his concerns was addressed, and that was the potential legal fees which could be \$5,000 - \$20,000. Collins said Delapoer has indicated that he is willing to do this free of charge for the City. Collins said, that is an exceptional offer on behalf of Delapoer, and it goes to address the underlying issue of the protection of constitutional rights. Collins said he has dealt with state agencies and he knows that OARs are drafted by staff members and sometimes they take liberties that go beyond the intent of the state statute; he thinks this may be one of those cases.

Collins said Delapoer drafted a resolution (see agenda file) that authorizes him to file a contested case. They would also continue to work through their elected officials to see if something can be done in the interim. Collins had a brief conversation with Representative Andy Olson and he too is concerned with the issue. Olson will be contacting the SOS office to initiate the process at that end. Collins wants the motion made on Monday to be reconsidered and for this resolution to be considered.

Kopczynski asked if they would still pay the fine on behalf of Hare. Collins said they would not pay the fine before they contest the case.

Kellum asked about the context of a meeting that Konopa and other staff had with the SOS office last year to discuss ethics and elections, at which they were told by SOS staff that if there is a problem, they should pursue contesting it. Kellum asked if that was correct.

Management Assistant/Public Information Officer Marilyn Smith attended the meeting and described the conversation. Konopa, Smith, Delapoer, and Porsche met with Secretary of State Kate Brown and her then-Elections Director Steve Trout at the SOS office in Salem. Staff and Konopa went to discuss these very same issues. City representatives explained the concern about being unable to get meaningful information to the people who need it, when they need it; and concerns about the First Amendment right to free speech as public employees and citizens. Smith said Secretary of State Brown said, ".....challenge the statute, I am serious." Smith said Brown said the City should have a conversation with the American Civil Liberties Union and their volunteer lawyers. Brown also said she had appointed an advisory group that would change the OARs before the 2014 election cycle.

Hare said the amount of the fine is not the issue. The question is, being able to share information with the public about issues they will be voting on, and what are the limits? He said he has had three complaints filed against him for allegedly violating election laws, and not one has been upheld. But in the review of the third complaint, the SOS found an alleged violation that he hadn't even been accused of, which resulted in the fine. The public doesn't understand the law because they are filing complaints that are not valid; and Hare doesn't understand it because he was just fined. So if reasonable people who read the statute can't agree on what it means, then that is evidence that the subject needs clarification. He thanked Delapoer, and noted he is the best suited person in the state to take on this fight and it is generous of him to donate his time to do so.

Collins said, another issue is that if the penalty is allowed to continue and citations are issued for violating the rules, we have already seen evidence - even in the last two days - that some members of the community say that the City Manager violates the law. Collins doesn't think they can let that stand when there is such a lack of clarity. It undermines Hare's credibility in the community and as the City's Chief Financial Officer. It affects the ability of the public to have trust in their local government. Collins thinks they need to be challenged on multiple points, and that this is a good way to do that.

MOTION: Collins moved to reconsider the February 24, 2014, motion that the Mayor and Councilors each write a check for \$10.72 to the Secretary of State's office to cover the fine assessed to the City Manager and that the checks be delivered along with a letter of objection. Kopczynski seconded the motion and it passed 6-0.

MOTION: Collins moved to adopt the resolution to authorize and direct the City Attorney to contest a proposed civil penalty against City Manager Wes Hare stemming from an alleged violation of ORS 260.432 and Johnson seconded it.

Konopa read the resolution out loud:

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO CONTEST A PROPOSED CIVIL PENALTY AGAINST CITY MANAGER WES HARE STEMMING FROM AN ALLEGED VIOLATION OF ORS 260.432

WHEREAS, on or about February 20, 2014, City Manager Wes Hare and the City of Albany received a notice from the Oregon Secretary of State advising of a proposed civil penalty to be assessed against City Manager Hare, stemming from an alleged violation of ORS 260.432; and

WHEREAS, the proposed civil penalty stems from actions of the City Manager which were undertaken pursuant to express City Council direction; and

WHEREAS, the City Council directed the City Manager to announce to the public the Council decision to involve members of the public in developing plans for new fire and police stations; and

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WHEREAS, the aforesaid actions by the City Manager did not, in the judgment of the Council, constitute or require advocacy as prohibited by statute; and

WHEREAS, the City Manager has not requested or sought in any fashion the assistance of the City Attorney, which is authorized by this resolution; and

WHEREAS, an acceptance without appeal of the proposed civil penalty will, in the judgment of the Council, have a significant and undesirable chilling effect on the willingness of City staff and others within the scope of ORS 260.432 by unlawfully limiting their free speech, precluding them from sharing factual and technical information with the City Council and the public, reducing the volume and quality of information that can ultimately be provided to the public when future city measures are pending for voter consideration; and

WHEREAS, this action is taken exclusively for the benefit of the public and not for the private benefit of City Manager Hare; and

WHEREAS, any incidental benefit that the City Manager could be deemed to receive from this action is hereby determined by the Council to be authorized compensation; and

WHEREAS, the City Attorney has expressed a willingness to bear the cost of the contested case proceeding and subsequent appeals, if any, without charge to the City.

NOW, THEREFORE, BE IT RESOLVED that the City Attorney is hereby authorized and directed to contest the civil penalty proposed for assessment against City Manager Wes Hare under the circumstances set forth in the recitals above and is further authorized, in the event of an adverse ruling, to prosecute an appeal thereof to the Court of Appeals of the State of Oregon should he determine the appeal to be meritorious and should he be willing to continue to provide legal representation in this matter without cost to the City.

BE IT FURTHER RESOLVED that the recitals set forth above are incorporated as facts in this resolution.

DATED AND EFFECTIVE THIS 26th DAY OF FEBRUARY 2014.

Delapoer said that a lot of the language in the resolution is technical; the reason is to express the action that the Council is authorizing is not for Hare, rather it is to try to relieve staff and other volunteers who would be subject to the statute from fear that when doing their best to provide factual information they will be subject to being charged with election law violations, and ultimately being held up to a certain degree of public censure even in the event of a nominal fine. If that kind of circumstance is allowed to stand, the Council will find that the voices the public will hear will be of the people who are the least informed. Delapoer thinks that is so important from a City perspective, that he is willing to spend his time doing it. He said, even if we lost, we would be better off because there would be clearer direction. The legalese in the resolution is to make it clear Hare is not the beneficiary; no one is doing this to save him \$75, especially since at the Work Session the Council had decided to pay it on his behalf.

Konopa said that it was difficult for the Council, as elected officials, to try to explain the measures on the ballot. She said in recent elections she was publicly accused of lying and yet she could not use City staff to back her up. That is not right. Staff has to be silent, so the Council is doing their best to be the voice and they get accused of lying with no way to counter the accusations. It is not fair to the voters either; voters need the facts. Better decisions are made with factual information, but their hands are tied because the employees who can best explain the facts have to be silent.

Delapoer said that no one is saying staff would engage in advocacy or tell folks how to vote. He pointed out that even the SOS didn't find that Hare had advocated; rather the violation was for a technicality, yet the statute speaks in terms of advocacy. He shares the concern that there is a disconnect between the statute and the OAR as it is being interpreted, and his concerns run deeper than that. No one is suggesting, and Delapoer will not be arguing, that staff should advocate on the public's expense for or against measures before the voters.

VOTE: The motion passed 6-0 and was designated Resolution No. 6308.

Kellum reiterated his concern about Main Street. He said that viewed from the outside, the Council is pushing a business away that wanted to put money into Albany. He thinks that is the wrong message.

Collins said at the root of Kellum's concern is the underlying zoning hat has been in place for 18-19 years. If they have difficulty enforcing the zoning then they need to modify the zone during periodic review, during a process that is not specific to an application. The Council could initiate a review of the area and if it should be zoned Main Street, Village Center, or Neighborhood Commercial. Kellum said he understands, but it doesn't make a difference if the Council is right or wrong; the outside businesses and the public form their view by the information they see. He said, rumors become truth.

Konopa said the periodic review process is detailed and thorough, and includes a lot of public input about how they want Albany to grow and what it should look like in the future. Generally, the time to demand a change to the zoning is if the City doesn't have any more land in that particular zoning category. But in this situation, for the redemption center, there are plenty of other vacant buildings for sale in Community Commercial and Regional Commercial zones. Konopa said, if we change the rules for every applicant who doesn't want to comply with the zoning, then why have a Comprehensive

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Plan? She said, if citizens think we should not have a Main Street zone, then we should go through periodic review for a Comprehensive Plan update.

Johnson said she read the *City Bridges* article about grocery carts. A few years ago, the Council passed an ordinance to address grocery carts. She asked for an update because she sees as many now as she did before the ordinance was passed.

Konopa suggested they have a Work Session to review the shopping cart ordinance. Smith said the Community Resource unit from APD has been doing aggressive enforcement recently, which is why the *City Bridges* story was run. APD is providing phone numbers to call to report abandoned carts. Many of the stores contract with businesses that retrieve carts; other stores want to be contacted directly. After a special round of enforcement, APD loosely counted 60 carts on one particular day, which totals about \$18,000. It is a problem and they are working on it more aggressively than in the past. If people see carts out of place, the numbers to call are also listed in *City Bridges*. Discussion followed.

Konopa asked the Code Enforcement Team to look at the ordinance and let the Council know if there needs to be a change.

Coburn said he and Kopczyński received an email about what times garbage trucks can start running. Someone was woken up at 6:00 a.m. and thought that was too early. Hare said they have not received a lot of complaints about garbage trucks, though it has been past practice for many years that they start that early in the morning. Coburn said he wonders what Republic Services (RS) does. Smith said RS has extensive rules about what and when they start, and she discussed this issue with Kevin Hines from RS the same day that Coburn received the email complaint. Smith said they don't start before 6:00 a.m. The time was set after years of trying different schedules to make things work for the majority of the community. They also have to consider when streets will be clear of cars; it is a complicated analysis. Coburn would be interested in Hines' sharing information so he can pass it on to his constituents.

Delapoer noted that in terms of Council authority, there is little the Council can do about the issue immediately because it would need to be addressed in RS's franchise agreement. The City's noise ordinance monitors construction noise, but it does not address incidental noise from vehicle traffic.

Smith will ask Hines to respond to the Councilor's questions.

Olsen said he appreciates the decision to protect the neighborhood in Ward I. He thinks that zoning and planning should not be an effort to necessarily maximize the number of businesses in a city; he prefers that the goal be to allow everyone to live in a great neighborhood. In order to have a great neighborhood there needs to be a gradation between business and commercial, and neighborhoods.

Hare commended Public Works staff on the 10 bids received for the water lines on Ferry Street, Jefferson Street, and Thurston Street. It reflects their good job of getting the word out. The range of bids was narrow and it reflects good work by the engineers involved.

Shepard said he has a suggestion following the discussion in today's meeting about land use. Staff was planning to have a training session for the Planning Commission on the land use process. It has been a long time since training was conducted and there are some new Councilors who have not gone through it. Shepard invited the Council to attend the training. Land use is complicated; the training would not mean that the citizens would understand the results of decisions, but the Council could be confident the proper process was followed.

Delapoer added that Cordier was initially very critical of the process but when the constraints of the law were explained he understood. Delapoer suggested that rather than having a training session, he could offer training during a Council meeting for about an hour; that way it would also be televised so the audience could also understand why the Council is under rigorous constraints. Discussion followed.

Shepard would like for the Landmarks Advisory Commission and Planning Commission to be able to attend and ask questions. He asked for Council direction. Konopa suggested having a special meeting which could be televised. Smith and Shepard will work to identify possible dates.

NEXT MEETING DATE: Work Session March 10, 2014
 Regular Session March 12, 2014

ADJOURNMENT

There being no other business, the meeting was adjourned at 8:47 p.m.

Respectfully submitted,

Reviewed by,

Mary A. Dibble, MMC
City Clerk

Stewart Taylor
Finance Director



TO: Albany City Council

VIA: Wes Hare, City Manager
Mark W. Shepard, P.E., Public Works Director and Community Development Director: *MWS*

FROM: Jeff Blaine, P.E., Assistant Public Works Director/City Engineer *JB*
Ron Irish, Transportation Systems Analyst *R.I.*

DATE: April 11, 2014, for the April 23, 2014, City Council Meeting

SUBJECT: Loading Zone Removal Request – Ninth Avenue at Elm Street

RELATES TO STRATEGIC PLAN THEME: • Great Neighborhoods

Action Requested:

Staff recommends Council, by resolution, authorize the removal of the loading zone on the north side of Ninth Avenue west of Elm Street.

Discussion:

The owner of the property on the northwest corner of Ninth Avenue and Elm Street has submitted a request (attachment 1) to have an existing loading zone removed along the site's frontage on Ninth Avenue. The loading zone was utilized by a past tenant of the building. Samaritan Orthopedics now owns and occupies the building, no longer needs the loading zone, and prefers it be converted back to standard on-street parking.

AMC 12.12.090 requires that changes involving parking regulations on public streets be accomplished by resolution of the Council.

Budget Impact:

None

RGI:ms

Attachments (3)

Irish, Ron

From: Suzanne Swan [sswan@samhealth.org]
Sent: Wednesday, March 19, 2014 1:35 PM
To: Irish, Ron
Subject: FW: Loading zone sign

From: Suzanne Swan
Sent: Wednesday, March 19, 2014 1:19 PM
To: 'ronirish@cityofalbany.net'
Subject: Loading zone sign

Hi Ron,

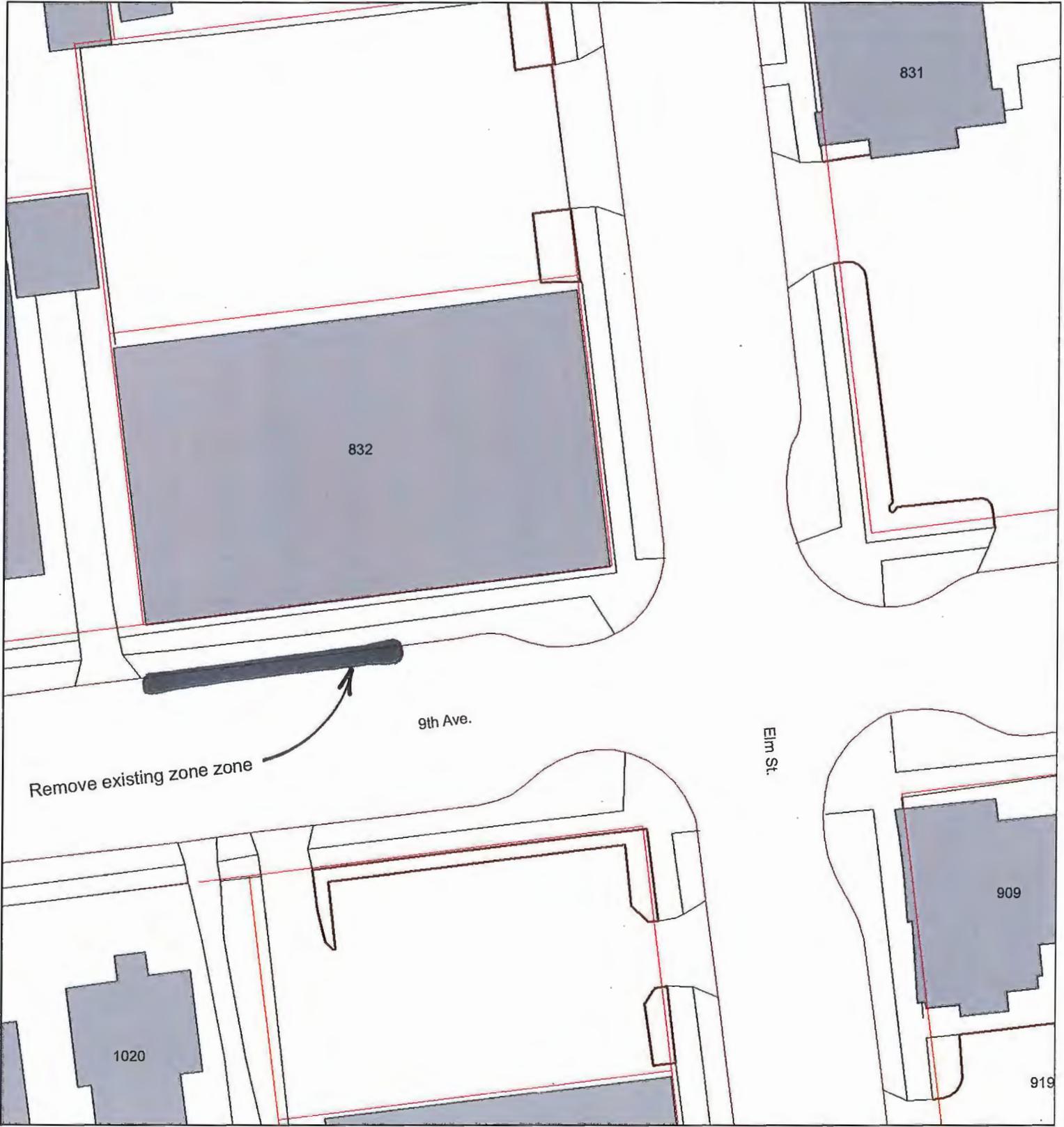
I manage the Samaritan clinic on the corner of 9th St and Elm in Albany. When we moved into this building there was a "loading zone no parking sign" on the north side of 9th street next to our building for the previous tenant. We don't require a loading zone but our parking is very limited around our clinic and would like to utilize that space for additional parking. With that said, I would like to request the removal of the loading zone sign and to have the yellow curb stripe removed.

Any assistance you could offer would be greatly appreciated.

Thanks,
Suzy

Suzanne Swan
Samaritan Orthopedics
Samaritan Urology-Elm
Samaritan Breast Surgical Spec
832 Elm St.-Albany
541-812-5826
sswan@samhealth.org

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832 Elm Street - Loading Zone Removal Request

RESOLUTION NO. _____

RESOLUTION TO REMOVE A LOADING ZONE ON NINTH AVENUE WEST OF ELM STREET.

WHEREAS, a marked and designated loading zone currently exists on the north side of Ninth Avenue at 832 Elm Street; and

WHEREAS, the loading zone was used by a previous tenant of the property; and

WHEREAS, the building at 832 Elm Street has been purchased and remodeled by Samaritan Orthopedics; and

WHEREAS, Samaritan Orthopedics has indicated they have no need for the loading zone and desire that it be converted to standard on-street parking.

NOW, THEREFORE, BE IT RESOLVED the City Council does hereby declare the loading zone on the north side of Ninth Avenue at 832 Elm Street be removed and converted to standard on-street parking.

DATED AND EFFECTIVE THIS 23rd DAY OF APRIL 2014.

Mayor

ATTEST:

City Clerk

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

Purpose

Robin L. Brillon and Vonda L. Brillon

A 15.0 foot wide easement for a public water line as part of WL-14-03, Picardy Lane Water Line Project.

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

DATED AND EFFECTIVE THIS 23RD DAY OF APRIL 2014.

Mayor

ATTEST:

City Clerk

EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 14 day of April 2014, 2014, by and between Robin and Vonda Brillon, hereinafter called Grantor, and the CITY OF ALBANY, a Municipal Corporation, herein called "City."

WITNESSETH:

That for and in consideration of the total compensation to be paid by the City, the grantor has this day bargained and sold and by these presents does bargain, sell, convey, and transfer unto the City of Albany, an easement, including the right to enter upon the real property hereinafter described, and to maintain and repair public utilities for the purpose of conveying public utilities services over, across, through, and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said public utilities and the further right to remove trees, bushes, under-growth, and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

1. The easement hereby granted consists of:

A 15.0 foot wide easement for a public water line. See legal description on attached Exhibit A and easement maps on attached Exhibits B and C.
2. The permanent easement described herein grants to the City, and to its successors, assigns, authorized agents, or contractors, the perpetual right to enter upon said easement at any time that it may see fit, for construction, maintenance, evaluation and/or repair purposes.
3. The easement granted is in consideration of **\$2,000.00**, receipt of which is acknowledged by the Grantor, and in further consideration of the public improvements to be placed upon said property and the benefits grantors may obtain therefrom.
4. The Grantor does hereby covenant with the City that they are lawfully seized and possessed of the real property above-described and that they have a good and lawful right to convey it or any part thereof and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.
5. Upon performing any maintenance, the City shall return the site to original or better condition.
6. No permanent structure shall be constructed on this easement.

IN WITNESS WHEREOF, the Grantor has hereunto fixed their hand and seal the day and year written below.

GRANTOR:

Robin and Vonda Brillon

Robin Brillon
Robin Brillon

Vonda Brillon
Vonda Brillon

STATE OF Oregon)
County of Linn) ss.
City of Albany)

STATE OF Oregon)
County of Linn) ss.
City of Albany)

The foregoing instrument was acknowledged before me this 14th day of April, 2014, by Robin Brillon as his voluntary act and deed.

The foregoing instrument was acknowledged before me this 14th day of April, 2014, by Vonda Brillon as her voluntary act and deed.

C. Marie Redner
Notary Public for Oregon
My Commission Expires: 7/29/16

C. Marie Redner
Notary Public for Oregon
My Commission Expires: 7/29/16



CITY OF ALBANY:

STATE OF OREGON)
County of Linn) ss.
City of Albany)

I, Wes Hare as City Manager of the City of Albany, Oregon, pursuant to Resolution Number _____, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this _____ day of _____ 2014.

City Manager

ATTEST:

City Clerk

K & D ENGINEERING, Inc.

Engineers • Planners • Surveyors

EXHIBIT "A"

Legal Description

Picardy Lane Utility Easement

A Tract of land for easement purposes located over a portion of that Brillon Tract described by deed recorded in M-244107-98 in the Benton County, Oregon Deed Records on April 6, 1998 that is more particularly described as follows:

Beginning at the most westerly southwest corner of said Brillon Tract; thence North 00°02'33" West, along the west line of said Brillon Tract, 15.00 feet; thence North 89°57'27" East 55.20 feet; thence South 00°02'33" East 2.50 feet to an angle point on the south line of said Brillon Tract; thence South 00°02'33" East, along the south line of said Brillon Tract, 12.50 feet; thence South 89°57'27" West, along the south line of said Brillon Tract, 55.20 feet to the Point of Beginning.

March 11, 2014
EXHIBIT "A"
Brillon easement 1
(13-135) JJC:ls

File Ref: z:/projects/2013/13-135/surveying/documents/brillon.doc

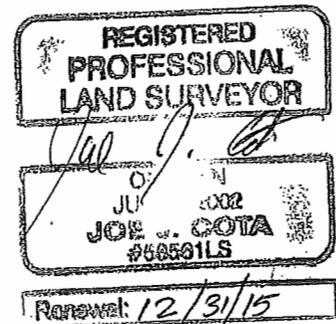
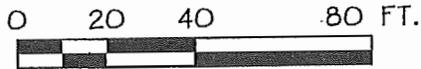


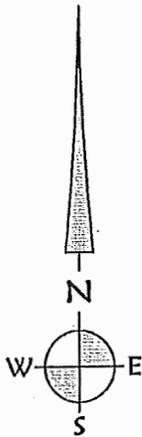
EXHIBIT "B"

CITY OF ALBANY UTILITY EASEMENT
 TAX LOT 2700, ASSESSOR MAP 115-3W-06BB
 207 PICARDY LANE, ALBANY, OREGON

MARCH 12, 2014



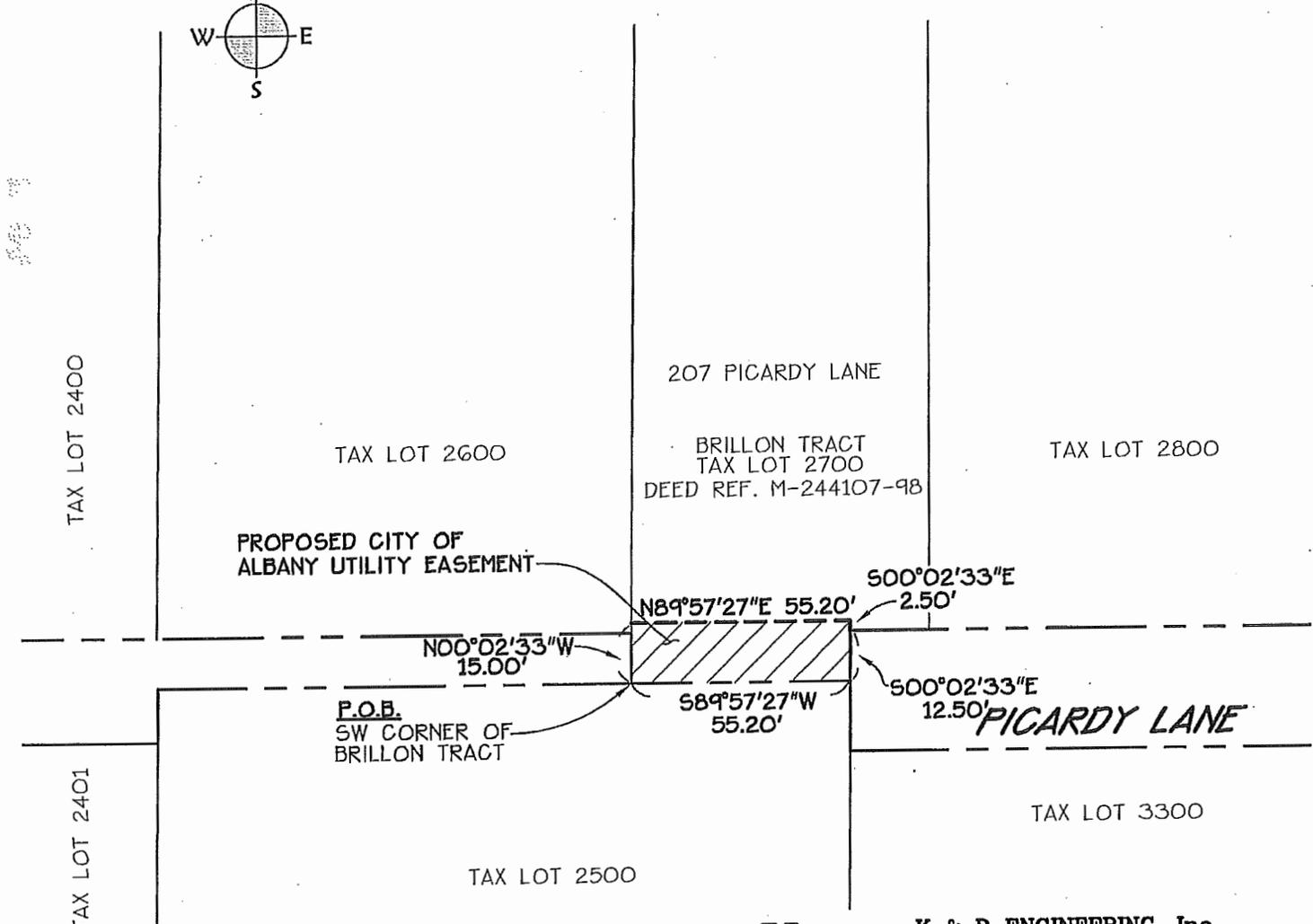
SCALE: 1" = 40'



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Joe J. Cota
 OREGON
 JULY 9, 2002
JOE J. COTA
 #58561LS

Renewal: 12/31/15



Date: 3/12/2014 Time: 8:36
 Scale: 1=40
 File: dwg\2013\13-135\13-135_exht.dwg (Brian)



K & D ENGINEERING, Inc.
 276 N.W. Hickory Street P.O. Box 725
 Albany, Oregon 97321
 (541) 928-2583

EXHIBIT C

11S03W06BB02700

A 15 foot wide easement for a public water line as part of WL-14-03, Picardy Lane Water Line Project.



Geographic Information Services

