



NOTICE OF PUBLIC MEETING

CITY OF ALBANY

CITY COUNCIL

Council Chambers

333 Broadalbin Street SW

Wednesday, May 28, 2014

7:15 p.m.

AGENDA

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ROLL CALL

4. SPECIAL PRESENTATIONS

- a. Police Department Lifesaving Award. [verbal]

Action: _____

- b. 2014 Historic Preservation Awards. [Page 3]

Action: _____

5. SCHEDULED BUSINESS

- a. Business from the Public

- b. Adoption of Resolutions

- 1) Directing an Engineer's Report and a Financial Investigation Report be prepared for construction of storm system and full street improvements on Valley View Drive NW from Crocker Lane to 870 Feet west, on Crocker Lane NW from Valley View Drive south 2,150 feet to Meadow Wood Drive, and on Bloom Lane NW from Crocker Lane East 1,015 feet. [Pages 4-16]

Action: _____ RES. NO. _____

- 2) Authorizing the Finance Director to sign a contract with Government Portfolio Advisors, LLC, for professional investment advisory services for five years beginning in June 2014. [Pages 17-18]

Action: _____ RES. NO. _____

- 3) Directing the use of litigation settlement proceeds for development of a Request for Proposals to prepare a conceptual design for a police station. [Pages 19-24]

Action: _____ RES. NO. _____

- c. Adoption of Consent Calendar

- 1) Approval of Minutes

- 2) March 26, 2014, City Council Regular Session. [Pages 25-34]

- 3) Approving liquor licenses for:

- a) Misty Meadows Winery, Inc., 2031 Meadow Wood Drive NW. [Page 35]

- b) Albany Historic Carousel and Museum, 503 First Avenue NW. [Page 36]

- c) The Flinn Steakhouse, 222 First Avenue West. [Page 37]

- 4) Approving annual liquor license renewals. [Pages 38-39]

Action: _____

- d. Award of Bid

- 1) SS-14-02, 2014 Pipe Bursting Projects. [Pages 40-46]

Action: _____

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."

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.

6. BUSINESS FROM THE COUNCIL
7. NEXT MEETING DATE: Work Session June 9, 2014
Regular Session June 11, 2014
8. 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 Shepard, P.E., Public Works Director and Community Development Director *MWS*

FROM: Anne Catlin, Community Development Planner *alc*

DATE: May 20, 2014, for the May 28, 2012, City Council Meeting

SUBJECT: 2014 Historic Preservation Awards

RELATES TO STRATEGIC PLAN THEME: • Great Neighborhoods

National Preservation Month was instituted by the National Trust to raise awareness about the power that historic preservation has to protect and enhance our homes, downtowns, neighborhoods and cities. "New Age of Preservation: Embark, Inspire, Engage," is this year's theme.

To celebrate National Historic Preservation month, the Landmarks Advisory Commission has selected the following property owners to receive awards at the May 28, 2014, City Council meeting for their good stewardship and rehabilitation projects:

- United Presbyterian Church of Albany for rehabilitation of the stained glass windows made by the Povey Brothers of Portland in the church at 330 Fifth Avenue SW;
- Melinda Sorte for a complete rehabilitation of the Bungalow at 915 Maple Street SW;
- Kenneth Armstrong for extensive front porch repairs and restoration and new paint colors on his Queen Anne at 222 Fourth Avenue SE;
- Thad and Shannon Olivetti for restoring integrity to the storefront at 409 First Avenue W;
- Ryan Schumann and Dylan Williams for removing several layers on the exterior to restore the house at 630 Fourth Avenue SE to what it looked like in the 1860s; and
- Jomell and Gerald Fritz for saving and rehabilitating the Western Farmhouse at 627 Fifth Avenue SE that had substantial fire and water damage from a December 2012 fire.

Alc:er



TO: Albany City Council

VIA: Wes Hare, City Manager
Mark Shepard, PE, Public Works Director *MWS*

FROM: Jeff Blaine, PE, CWRE, Assistant Public Works Director/City Engineer *JB*
Gordon Steffensmeier, PE, PLS, Civil Engineer III *GS*

DATE: May 21, 2014, for the May 28, 2014, City Council Meeting

SUBJECT: Street Improvements to Crocker Lane, Valley View Drive, and Bloom Lane

RELATES TO STRATEGIC PLAN THEME: • Great Neighborhoods

Action Requested:

Staff recommends that City Council adopt the attached Resolution directing staff to prepare an Engineer's Report and Financial Investigation for the establishment of a Local Improvement District to construct street improvements along 870 feet of Valley View Drive, 2,150 feet of Crocker Lane, and 1,015 feet of Bloom Lane.

Discussion:

Per Council direction from the May 12, 2014, City Council work session, staff has prepared a Resolution which directs staff to prepare an Engineer's Report and Financial Investigation for Improvements to Valley View Drive, Crocker Lane, and Bloom Lane. The current need for action to improve these streets is primarily the pending expiration in 2015-2016 of Petition/Waivers for the majority of properties along Crocker Lane and Valley View Drive. Other factors prompting the formation of a Local Improvement District to improve these street sections are a proposed development south of Valley View Drive and west of Crocker Lane and the proposed donation of most of the wooded portion of that parcel to the Benton County Parks Department. Bloom Lane is included in the proposed project because the cost to improve the street will be greatly reduced if it is part of a larger project. These factors are further discussed in the attached May 12, 2014, City Council work session memo.

Staff recommends that the Engineer's Report be based on a rural street section for Valley View Drive, and an urban street section for Crocker Lane. Staff recommends that options for Bloom Lane be explored and that staff include a recommendation for a street section for Bloom Lane in the Engineer's Report.

Budget Impact:

None. Existing City staff will prepare the Engineer's Report and Financial Investigation.

GPS:ms

Attachments: 2



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
Ron Irish, Transportation Systems Analyst

DATE: May 7, 2014, for May 12, 2014, City Council Work Session

SUBJECT: Crocker Lane and Valley View Drive Discussion

RELATES TO STRATEGIC PLAN THEME: Great Neighborhoods

Action Requested:

The purpose of today's discussion is twofold:

- 1) To request direction on whether the ultimate design for Valley View Drive should reflect an urban section with curb and gutter, or a rural section with ditches and setback sidewalk/path.
- 2) To provide Council with background information on topics scheduled for decision at the regular Council meeting on May 28. At that meeting staff will be seeking direction on the following questions:
 - o Should staff begin work on an Engineer's Report for the formation of a Local Improvement District (LID) for the northern 2,150 feet of Crocker Lane and Valley View Drive from Crocker Lane 870 feet west?
 - o If Council does want an Engineer's Report prepared, should it also include Bloom Lane?

Background

The current need for direction on these topics is primarily due to the pending expiration of a Petition for Improvement/Waiver of Remonstrance (P&W) on property (about 47 acres) located on the southwest corner of the Crocker/Valley View intersection (see Exhibit 1). The P&W was recorded in 1996 with a partition of the property and will expire in 2016. That property was also the subject of a three-phase subdivision (SD-01-07) in 2007. The first phase of the development was constructed, and the second two phases expired prior to construction. Street improvements on Crocker Lane were tied to the second phase, and street improvements to Valley View were tied to the third phase. Consequently, the required street improvements were never constructed.

A new land use application will be needed to develop what was the second and third phase of SD-01-07, and it will not be possible to condition that future application to construct street improvements across street frontage of the original subdivision's first phase. Forming an LID before the P&W expires would allow for construction of street improvements across the entire frontage of the original subdivision with financial participation on the part of all involved properties. As time passes, lots within the first phase of the original development will continue be developed and sold, ultimately increasing the number of property owners involved should an LID be formed.

The undeveloped land comprising the second and third phases of SD-01-07 went into foreclosure and was recently purchased by a developer interested in submitting a new development application on the site. Negotiations are currently underway between Benton County and the

developer regarding purchase of the forested area at the north end of the site and its inclusion into North Albany Park. The parties are working together on how to assign responsibility for future infrastructure improvements along the forested area's frontages on both Crocker Lane and Valley View Drive. A successful outcome of those negotiations would expand North Albany Park and protect a significant tree grove for the public. As part of the acquisition negotiations, both parties would like some certainty regarding possible future road improvement obligations and costs, particularly along Valley View Drive. The magnitude of that obligation varies significantly depending on whether the ultimate plan for Valley View Drive is for an urban versus a rural section (see Exhibit 2).

Several subdivisions and partitions have occurred along the east side of Crocker Lane opposite SD-01-07 (see Exhibit 3). In two instances subdivisions constructed curb, gutter, and sidewalk on their frontage along the east side of the street. A third subdivision did not construct curb, gutter, or sidewalk, but did pay an improvement assurance into the North Albany Arterial/Collector Street Fund for the improvements. Parcels that were the subject of partitions provided a P&W. Those waivers have expiration dates ranging from 2015 to 2025. Just over 83 percent of the street frontage along the north 2,128 feet of Crocker Lane (the street frontage of SD-01-07) are either covered by a P&W, paid an improvement assurance, or have curb, gutter, and sidewalk.

Valley View Drive Cross Section

The section of Valley View Drive between Crocker Lane and Scenic Drive is 4,550 feet in length and has a right-of-way width of 60 feet. Street improvements currently consist of a paved width of approximately 24 feet, providing for 10-foot vehicle travel lanes and a 4-foot shoulder along the north side of the road. With the exception of the large forested parcel on the southwest corner of the Valley View/Crocker intersection, most of the lots that adjoin the road are developed with single family homes and have limited development potential. The lack of large adjoining parcels means there will not be an opportunity in the future to condition land use applications to construct significant portions of the street improvements.

The cost estimate in the TSP (in 2010 dollars) to improve Valley View Drive between Crocker Lane and Scenic Drive to urban standards is \$3,695,000. That project includes curb and gutter, a vehicle travel lane in each direction, on-street bike lanes, and setback sidewalks. Installation of curb and gutter on the street would necessitate removal of the roadside ditches and installation of a piped storm drainage system. Projected traffic volumes at year 2030 are below 1,000 average daily trips (ADT). The primary transportation benefit of the urban improvement over the current situation would be improved facilities for pedestrians and bicyclists.

Staff's recommendation is that a rural design standard be developed for Valley View Drive as an alternative to the urban design envisioned by the TSP. A rural design standard would need to provide for the same transportation modes (vehicle, pedestrian, bicycle) as an urban design, but could be constructed at a significantly reduced cost. Possible improvements could include widening of road shoulders to provide for bike facilities together with setback sidewalks, or installation of a multi-use path along one side of the road together with crossing/traffic calming features located at intervals along the road. Under both of those scenarios the roadside ditches could remain, development of a piped storm water system would not be necessary, and the current elevation and grade of the road could be maintained if desired. The road would also maintain more of the rural character desired by many residents of North Albany.

Crocker Lane and Valley View Drive LID

Crocker Lane and Valley View Drive are both currently under the jurisdiction of Benton County and are classified as minor arterial streets. Albany's Transportation System Plan (TSP) includes projects that would improve both streets to urban standards with curb, gutter, and sidewalk. The TSP estimated the construction cost for each project in 2010 dollars at approximately \$812 per lineal foot. Both projects are eligible for Transportation System Development Charge (TSDC) funding and/or credit, but neither is currently identified as funded. The maximum TSDC-eligible amount for Crocker Lane is 30 percent or \$243.60 per foot, and 40 percent or \$324.80 per foot for Valley View Drive.

Because of the pending expiration of the P&W associated with SD-01-07, staff's recommendation is that an LID be formed for construction of urban street improvements along its frontage on Crocker Lane and rural street improvements along its frontage on Valley View Drive. The current construct cost estimate for North Albany Road (scheduled for construction in 2015) is below its budgeted amount. If the actual bid cost for that project ends up close to the current estimate, some of the TSDC funding currently targeted for North Albany Road in the TSDC methodology could be redirected to Crocker Lane and/or Valley View without impacting the TSDC funding allotted to other projects in the Transportation System Plan.

Bloom Lane

In the event that Council chooses to consider formation of an LID for Crocker Lane and Valley View Drive, an additional consideration would be whether or not to expand that project to include Bloom Lane. Bloom Lane is classified as a local street. It was a gravel road up until approximately five years ago, when it received an oil mat surface. A series of partitions have since occurred along the road (see Exhibit 4), with each of them providing a P&W. Just over 50 percent of the road frontage is now covered by a P&W. The waivers have expiration dates ranging between 2025 and 2026. A reason to consider including Bloom Lane in an LID with Crocker Lane and Valley View Drive is not because the P&W's will expire in the near future, but because adding it to a larger project would result in reduced project costs and lower the assessments ultimately levied on the benefiting properties.

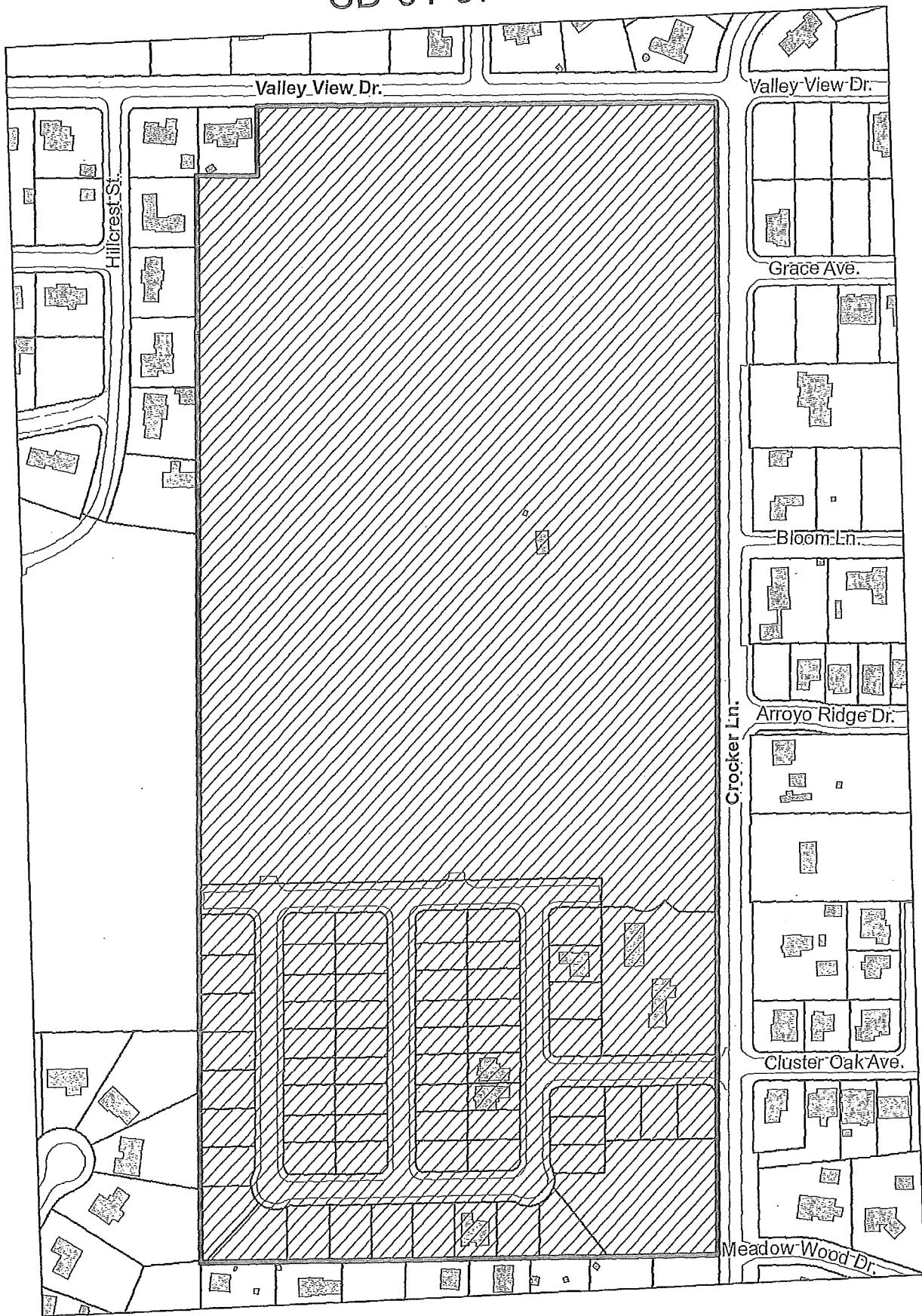
Budget Impact:

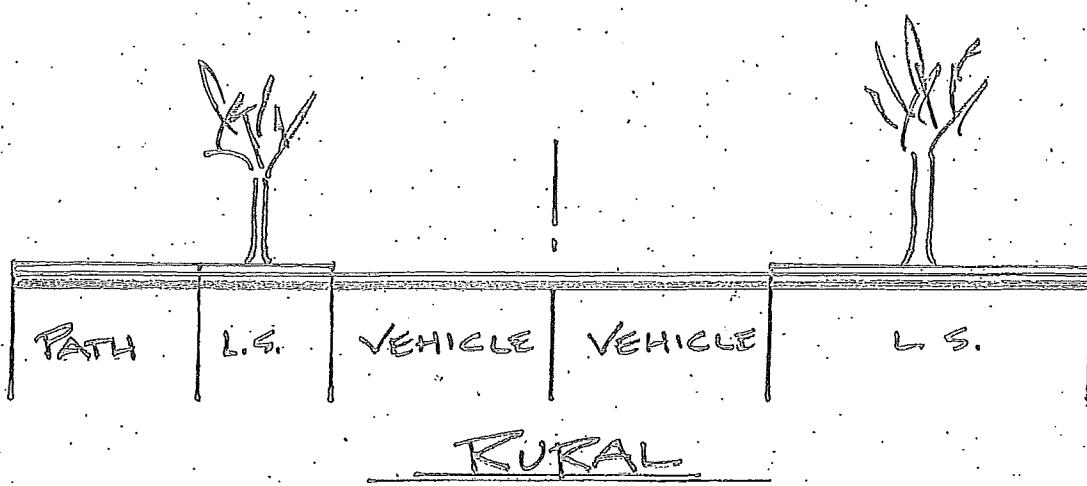
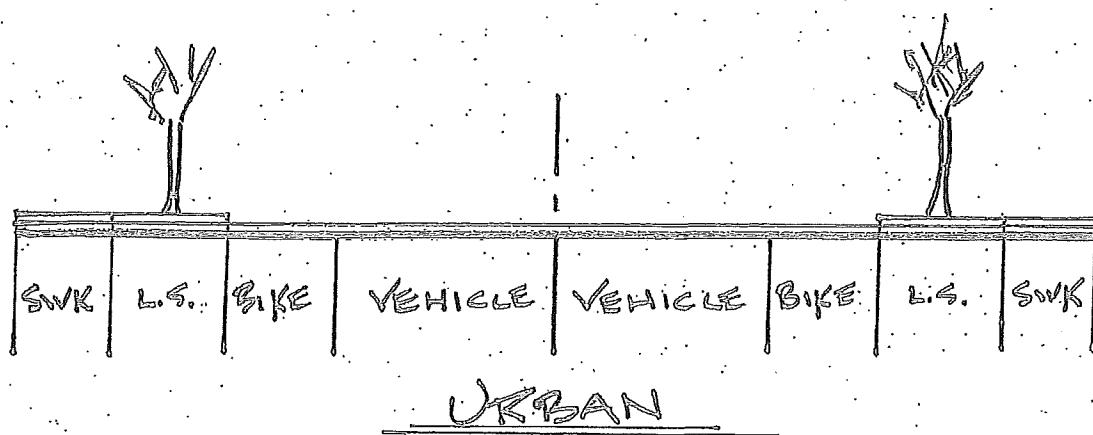
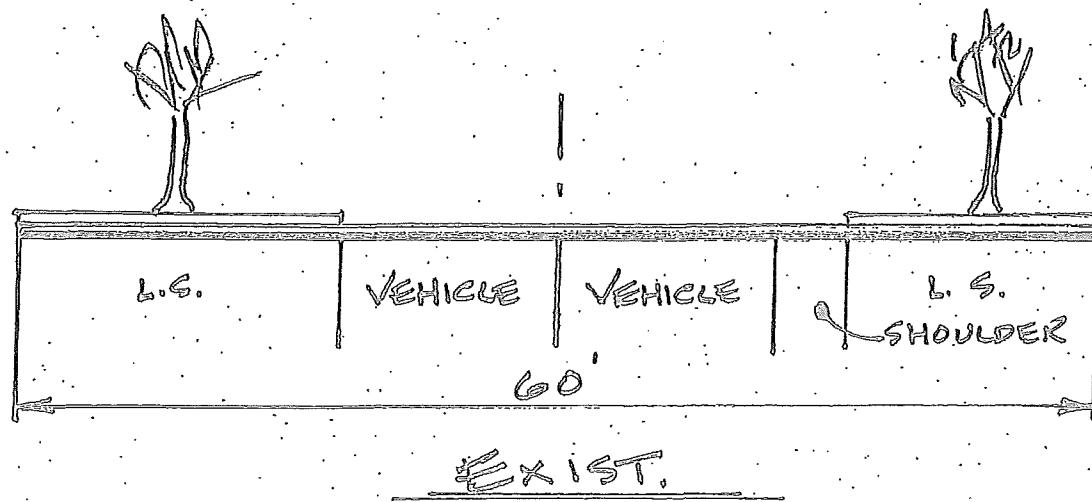
None at this time.

RGI:kw

Attached Exhibits (4)

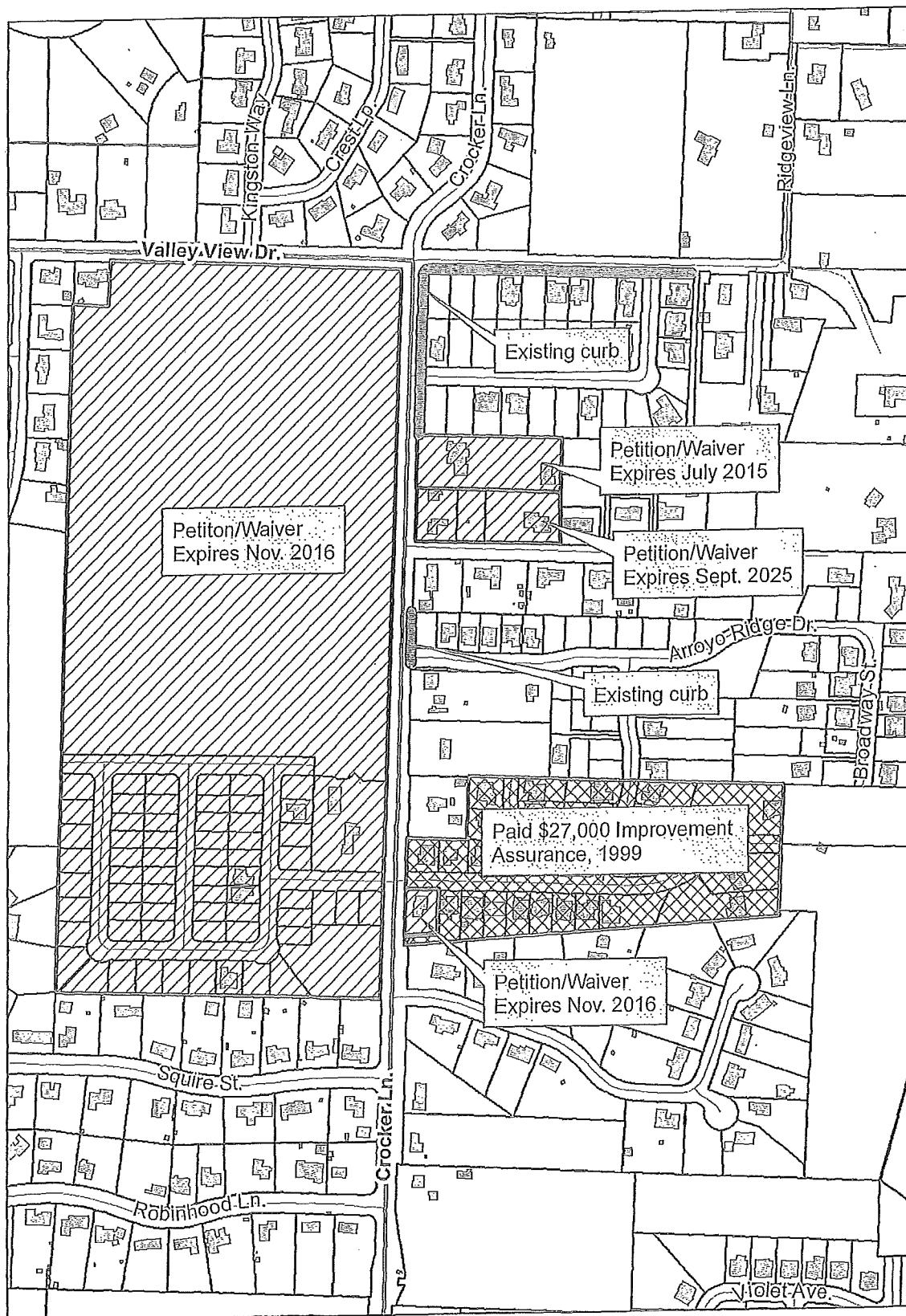
SD-01-07



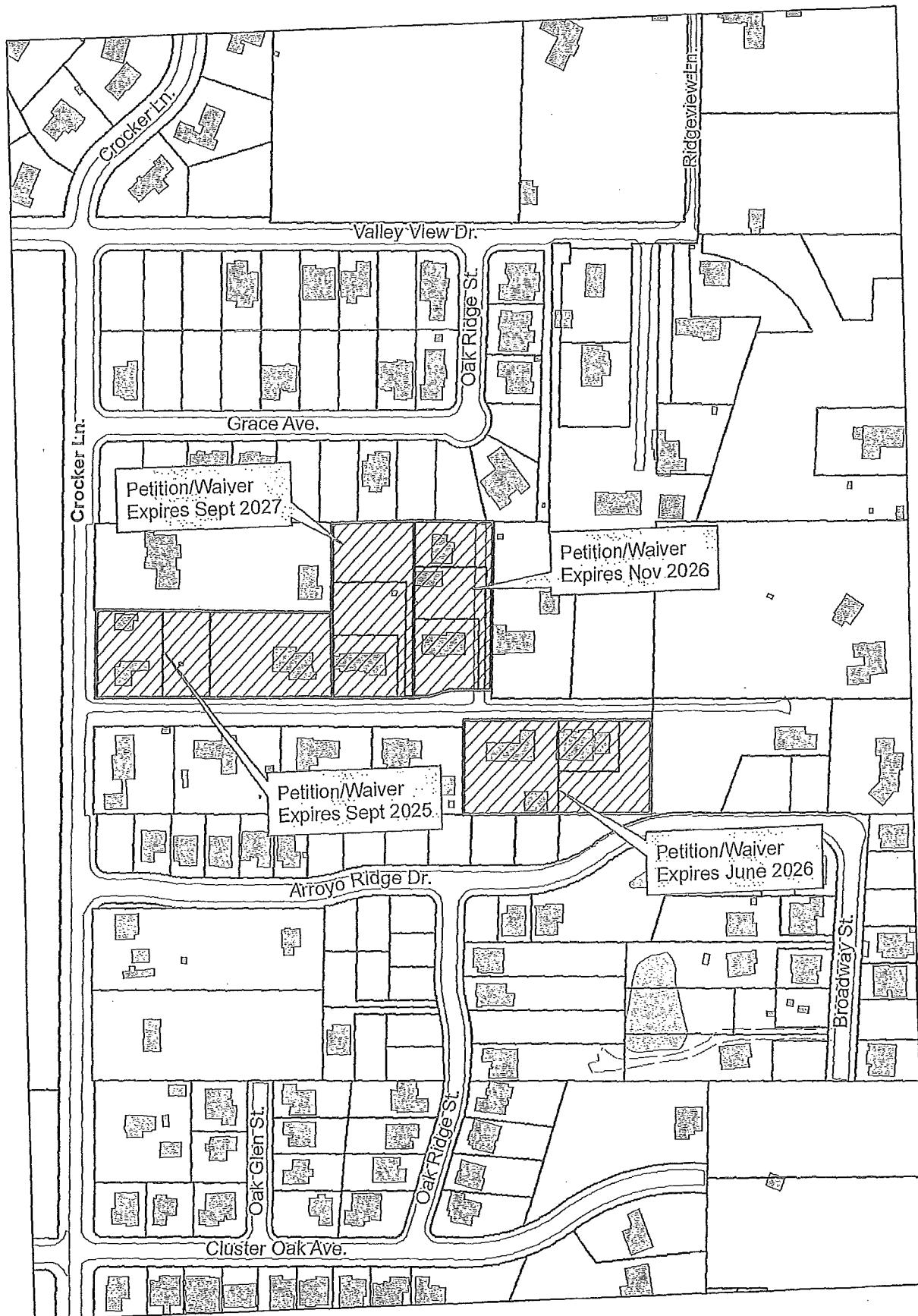


VALLEY VIEW DRIVE

Valley View Drive and Crocker Lane



Bloom Lane



May 20th, 2014

To: The City of Albany
City Council

FROM: Brian and Sarah Frazzini
Residents of Bloom Lane NW, Albany

Dear Mayor and Councilors,

In the last week it was brought to the attention of the property owners and residents of Bloom Lane NW that the Albany City Council is looking into forming a Local Improvement District (LID) for areas of North Albany including Crocker Lane, Valley View Drive, and Bloom Lane. We understand that these projects are early in the planning stages (engineering studies / cost analysis, etc.), but we feel it is critically important for our community decision makers to understand the opinion and desires of the property owners on Bloom Lane.

Throughout this past week I have made individual contact with all the property owners and residents on Bloom Lane. I gave each of them an informal letter explaining the project and made specific reference to the City of Albany website that contains your City Council work session notes from Monday May 12th, 2014. I also provided them with the listed e-mail addresses for each of you so they could reach out individually with their thoughts and opinions.

The overwhelming response and opinion from every property owner and resident on Bloom Lane was that in no way do any of us want to be a part of an LID in any way. Additionally, not one person on Bloom Lane wanted any improvement or widening of our Street. Everyone I spoke to wanted our street to stay just the way it is. I am sure you have all read e-mails from myself and other Bloom Lane property owners explaining why it is we want to keep our street just the way it is.

After I provided information to all my neighbors, and showed them your City Council work session notes from May 12, 2014, every property owner signed the attached document indicating their desire to not participate or be a part of any LID for Bloom Lane. Furthermore, by placing their name on the attached document, all of Bloom Lane wants the City Council to know that no one wants Bloom Lane to be expanded or widened. The property owners were very clear to me that they were worried about the financial burden. More importantly however, everyone I talked to seemed more concerned about the character of our neighborhood being destroyed by speeding up traffic, cutting into front yards, and destroying large mature old growth trees.

I understand that sometimes the Council must make unpopular decisions and place financial burden on it's citizens for street improvements. This can be necessary if the street improvements make sense for the overall improvement of our City and the "bigger

picture" for all our residents. I encourage each of you to visit Bloom Lane prior to your City Council meeting on May 28 so you can see our quaint little dead end street. I am confident that you will see that if an LID was formed for Bloom Lane it would be unpopular, costly, and in no way would benefit any other citizens of Albany. It just does not make sense.

Please refer to the attached two-page document for the signatures by all the property owners / residents of Bloom Lane NW.

Thank you for your time and consideration in this matter. As all of you can appreciate, this is having quite an impact on the lives of your Bloom Lane property owners and residents. Please feel free to call or e-mail me if you have any additional questions.

Respectfully,



Brian Frazzini
Sarah Frazzini
Bloom Lane NW, Albany

541-905-3351

Bloom Lane Local Improvement District (LID)

Roadway Expansion Project

TO: The City of Albany
City Council

FROM: Property Owners and Residents of Bloom Lane NW, Albany

The listed property owners and residents do not wish to participate in an LID involving the expansion and / or widening of Bloom Lane NW in Albany:

NAME:

ADDRESS:

SIGNITURE:

Brian & Sarah Fazzini 1904 Bloom Ln NW

Brian & Sarah Fazzini

Tony & Laura Nova 1882 Bloom Ln NW

Laura Nova Tony D2

Pete & KATHY Belisle

1828 Bloom Lane

P. Belisle

DARVIN & MARSHA BLACK

1575 Bloom Lane AT THE END

D. Black

of the road

Marshe Black

Joseph Coburnville

1937 Bloom Ln.

Judy Stibbs 2030 Bloom Ln ~~Kelton~~

Ron Stibbs

Rose Dougherty 2055 Bloom Lane NW Rose Dougherty

Condi Jurosky 2795 Crocker Lane Bloom

Steve and Chanté Killan 1949 Bloom Ln. NW Chanté Killan

Steve M. Killan

Bloom Lane Local Improvement District (LID) Roadway Expansion Project

TO: The City of Albany
City Council

FROM: Property Owners and Residents of Bloom Lane NW, Albany

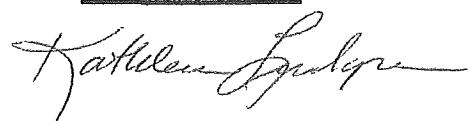
The listed property owners and residents do not wish to participate in an LID involving the expansion and / or widening of Bloom Lane NW in Albany:

NAME:

ADDRESS:

SIGNITURE:

Kathy & Len Lundgren 2140 NW Bloom Ln.



Chris Kenton 1875 Bloom



Rick & Aleisha Fields 1925 Bloom Lane



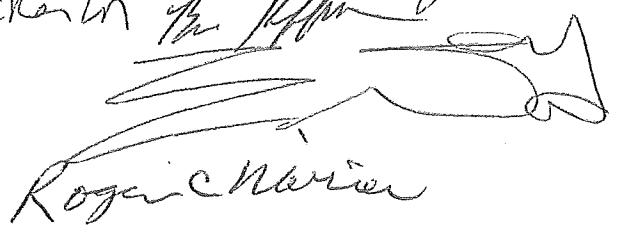
Benjamin + Amanda Kauffman 2005 Bloom Ln.



Erica + Wayne Green 2817 NW Crocker Ln



Roger + Marie 1958 NW Bloom Ln.



RESOLUTION NO. _____

A RESOLUTION DIRECTING AN ENGINEER'S REPORT AND A FINANCIAL INVESTIGATION REPORT BE PREPARED FOR CONSTRUCTION OF STORM SYSTEM AND FULL STREET IMPROVEMENTS ON VALLEY VIEW DRIVE NW FROM CROCKER LANE TO 870 FEET WEST, ON CROCKER LANE NW FROM VALLEY VIEW DRIVE SOUTH 2,150 TO MEADOW WOOD DRIVE, AND ON BLOOM LANE NW FROM CROCKER LANE EAST 1,015 FEET.

WHEREAS, City-standard street and storm drainage improvements do not exist along the above-listed sections of Valley View Drive, Crocker Lane, and Bloom Lane; and

WHEREAS, over 50 percent of the abutting properties adjacent to these sections of roadway are subject to existing Petitions for Improvements/Waivers of Remonstrance for street and storm drainage improvements; and

WHEREAS, a majority of the Petition for Improvements/Waiver of Remonstrance Agreements along Crocker Lane and Valley View Drive will expire in 2015 and 2016; and

WHEREAS, combining improvements to Bloom Lane with a larger project including Crocker Lane and Valley View Drive would result in lower project costs and assessments for the benefitting properties on Bloom Lane; and

WHEREAS, at the May 12, 2014, City Council work session the Council directed staff to prepare a Resolution directing the preparation of an Engineer's Report and Financial Investigation for the above-listed sections of Valley View Drive, Crocker Lane, and Bloom Lane; and

WHEREAS, Subsection 15.04.010 of the Albany Municipal Code requires the City Council to declare by resolution that it intends to make said improvements.

NOW, THEREFORE, BE IT RESOLVED that the City Council intends to make the improvements and hereby directs the City Engineer to make a survey of the improvements and file a written Engineer's Report with the City Recorder.

BE IT FURTHER RESOLVED that the Finance Director is to prepare a financial investigation report which addresses AMC 15.04.030 (1), (2), (9), and (10). The Financial Investigation Report is to follow the form customarily used for such purposes (a spreadsheet showing account number, owner of record, property description, percent of property, total assessment, bond maximum, true cash value, other assessments, assessment percentage of true cash value, 10-year semi-annual payment and 10-year monthly payment).

BE IT FURTHER RESOLVED that the Engineer's Report and Financial Investigation Report, upon completion, are to be filed with the City Recorder in compliance with AMC 15.04.040.

DATED AND EFFECTIVE THIS 28TH DAY OF MAY 2014

Mayor

ATTEST:

City Clerk



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Stewart Taylor, Finance Director *ST*
DATE: May 20, 2014, for the May 28, 2014, City Council Meeting
SUBJECT: Investment Advisory Services Contract Award

RELATES TO STRATEGIC PLAN THEME: • Effective Government

Action Requested:

By resolution, accept the proposal and award a contract to Government Portfolio Advisors, LLC (GPA) and authorize the Finance Director to sign a contract between the City of Albany and GPA for professional investment advisory services for five years with options to extend the contract for two additional one-year terms.

Discussion:

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

The City used a formal, competitive, impartial process and requested proposals by advertisement in the *Daily Journal of Commerce* and the *Democrat-Herald*. The request was posted for 30 days and received inquiries from several investment firms. Proposals were received from PFM Asset Management LLC (PFM) and GPA. Both are highly qualified advisory firms. Davidson Fixed Income Management did not submit a proposal and with recent internal changes is experiencing a rapidly diminishing presence in Oregon. PFM is a highly qualified firm that has a good presence in Oregon, California, and throughout the nation. GPA was organized in February 2014 when a team of highly qualified and credentialed advisors left Davidson Fixed Income Management and established GPA in Portland, Oregon.

While credentials, strategies, and references are strong for both proposals, GPA provides strengths that were determined to be best suited for the City. Among the strengths were methods for duration management of the portfolio, a very strong Oregon presence, and the commitment to work with staff to maintain strict written procedures for ongoing review of the City's investment policy and investment decisions. GPA is solely focused on local government investing and its relationship managers participate on the Oregon Short Term Fund Board as well as with local and national finance officer associations.

The City of Corvallis participated with the City of Albany in the review process and intends to use the cooperative purchasing language in the contract to negotiate a comparable contract with GPA.

Budget Impact:

Costs for investment advisory services are paid directly from earnings on investments. The GPA cost proposal is a fixed rate of \$25,000 per year for the duration of the contract. The GPA proposal is approximately \$40,000 lower over the life of the contract, than the fixed rate plus percent of assets under management proposal submitted by PFM.

ST:md

Attachment: Resolution

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO SIGN A CONTRACT WITH GOVERNMENT PORTFOLIO ADVISORS, LLC FOR PROFESSIONAL INVESTMENT ADVISORY SERVICES FOR FIVE YEARS BEGINNING IN JUNE 2014.

WHEREAS, the City conducted an open and competitive process to request proposals for professional investment advisory services; and

WHEREAS, proposals were received from two highly qualified advisory firms, PFM Asset Management LLC (PFM) and Government Portfolio Advisors, LLC (GPA); and

WHEREAS, GPA scored higher than PFM overall in the evaluation criteria, and their strengths were determined to be best suited for the City of Albany; and

WHEREAS, among the strengths were methods for duration management of the portfolio, a very strong Oregon presence, and the commitment to work with staff to maintain strict written procedures for ongoing review of the City's investment policy and investment decisions; and

WHEREAS, GPA is solely focused on local government investing and its relationship managers participate on the Oregon Short Term Fund Board as well as with local and national finance officer associations; and

WHEREAS, over the life of the contract, the GPA proposal is more than \$40,000 lower than the competing proposal; and

WHEREAS, the contract would be for five years with options for two one-year extensions and the cost proposal is a fixed rate of \$25,000 per year for the duration of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council hereby accepts the proposal submitted by Government Portfolio Advisors, LLC for professional investment advisory services for five years; and

BE IT FURTHER RESOLVED that the Finance Director is hereby authorized to sign a professional services contract between the City of Albany and Government Portfolio Advisors, LLC for professional Investment Advisory Services beginning in June 2014.

DATED AND EFFECTIVE THIS 28TH DAY OF MAY 2014.

Mayor

ATTEST:

City Clerk

TO: Albany City Council
FROM: Public Safety Facilities Review Committee
DATE: May 15, 2014, for May 28, 2014, City Council meeting
SUBJECT: Police Department Facility Recommendation

The Public Safety Facilities Review Committee finds that the Albany Police Department building as it exists today is inadequate to support the current needs, let alone future needs, of the sworn officers and support staff who work there. The building is woefully inadequate.

When the building was constructed in 1988, the Police Department employed about 50 personnel. The Police Department staff and the Albany population have since doubled. The building has been internally reconfigured multiple times, and a modular unit has been added to the site to meet changing space requirements. All members of the Committee have toured the building and conclude that nothing else can be done within the existing building envelope; the status quo is not acceptable for current or future needs.

The Committee's recommendation is based in part on the following findings:

- The very small public lobby creates unexpected contact for residents, business representatives, children, and other building visitors with offenders, such as sex offenders who are required to report to the building to register, creating unacceptable risks for the public and liability to the City.
- The building does not have sufficient backup power to operate during an emergency and to continue to provide necessary services during a critical incident.
- The building does not have secure interview or holding rooms.
- Years of retrofit have virtually eliminated training and meeting spaces.
- Storage is not sufficient for the keeping of critical evidence.
- The heating and cooling system, which must operate 24 hours a day because of the building's use, is completely inefficient because of the extensive reconfiguration. The Police Department is the biggest user of electricity of any City office building.
- Current configuration requires many employees to change clothes in private offices or in shared work spaces. Additional space is required for lockers and storage.
- Crime prevention volunteers need work space.
- Rest rooms for the public and staff are inadequate.
- Parking is completely inadequate for the public and employees.
- The current building configuration creates barriers to effective communication among work groups, especially detectives and patrol officers. Most all work stations are inadequate due to space constraints.

The City of Albany needs a single police department location where all the services to the public are housed. The Department currently utilizes some offsite storage of larger items and evidence vehicles; however, no personnel are stationed offsite. Dividing out services and personnel to multiple buildings creates frustration for the public and increases operational and personnel costs and creates logistical and supervisory issues for the Department. The Police Department would need additional personnel to operate multiple facilities. The Committee recommends one central station.

Public Safety Facilities Review Committee

Page 2

May 15, 2014

The Department has reviewed the previous programming and needs assessments and has found that there could be reductions in such areas as meeting rooms, rest rooms, lockers, and office room sizes. In addition, it is believed that the city population will not grow as fast as originally projected. Instead of 2 percent annual growth rate, it is now predicted in the range of 1.4 percent, which will impact the number of staff needed and reduce the future size of the building. In order to take these changes into account, the Committee recommends that the City hire a qualified design firm to work with Police staff to reevaluate programming needs and bring a new programming and needs assessment document to the Committee for review. When the new programming and needs assessment document has been reviewed, the design firm should be asked to provide conceptual drawings and cost estimates for the current site.

The Committee has reviewed a comparative cost analysis, prepared by the City, for expanding the existing facility versus relocation to the Pacific Boulevard property. The Committee finds that the current location is the preferred site.

The comparative cost analysis for the existing location reflects the acquisition of additional property with three options (see attached map and spreadsheet):

Option 1: additional 0.45 acres

Options 1 and 2: together provide an additional 1.5 acres

Options 1, 2, and 3: together provide an additional 2.2 acres

The total of Options 1 and 2, along with the existing property, yield 3.19 acres and the comparative cost of 1 and 2 are marginally less than the cost of building new on Pacific Boulevard. The purchase of Options 1, 2, and 3 together yield a total 3.89 acres and will add approximately \$1 million above the Pacific Boulevard option.

Upon review by the Department, it is believed that the addition of Options 1 and 2 for a total of 3.19 acres may accommodate the Department's needs for 20 years. However, since the building program is in need of refinement, the Committee is hesitant to make that recommendation at this time. The Committee instead recommends that the City and the design firm make every effort to consolidate the Department's needs for the next 20 years onto the Option 2 (3.19 acres) sites.

Nonetheless, the Committee believes it is important to provide additional land for required expansion beyond a 20-year time horizon; and, to that end, the Option 3 land should be secured by the City. Thus, an estimated \$600,000 could be saved from the Options 1, 2, and 3 alternative. The Committee recommends that the City immediately enter into negotiations to secure those properties through option agreements which would allow sufficient time to work through all the program and design criteria. The Committee believes it is important to know as soon as possible if acquisition of these properties is viable.

Note: The Committee also considered the purchase of property owned by the Union Pacific Railroad north of the existing building and east of the Linn County Jail. Staff in the railroad's Real Estate and Operating Department reports that the property is not for sale.

The Pacific Boulevard site should be held as a backup option if the City is unable to successfully secure the necessary properties at the Jackson Street site. Therefore, the Committee recommends making immediate application to the Oregon Department of Transportation for a permit to allow access from the site onto Pacific Boulevard.

Public Safety Facilities Review Committee

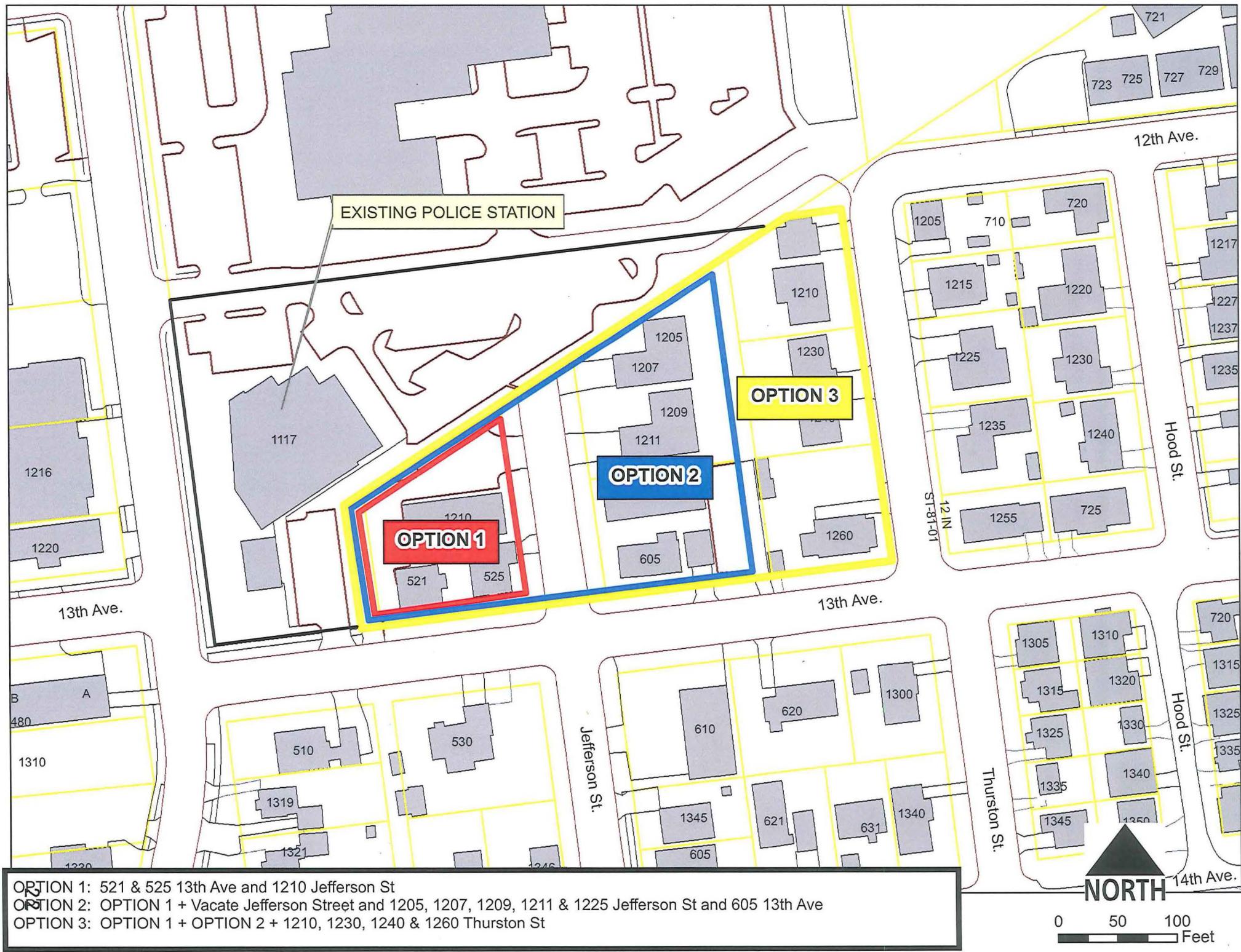
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May 15, 2014

The Committee recommends the City include an option in the RFP for conceptual design and cost estimates for the Pacific Boulevard property.

The Committee recommends the design criteria reflect building needs for 20 years with sufficient land available to meet needs in 40 years. As with the Fire Station, the design should incorporate energy-efficient systems to keep lifecycle costs affordable.

FLM,DKB:mms



Approximate Costs Current Building vs New Building 05/08/14

Item	Remodel/Addition 1117 SE Jackson Street (current size 1.69 Acres)			New Building on SW Pacific Blvd Property
Options	#1 - .45 Acre Addition .45 Acres Parcel #1 Grand Total 2.14 Acres	#2 - 1.5 Acre Addition .45 Acres Parcel #1 1.05 Acres Parcel #2 Grand Total 3.19 Acres	#3 - 2.2 Acre Addition .45 Acres Parcel #1 1.05 Acres Parcel #2 .7 Acres Parcel #3 Grand Total 3.89 Acres	3.69 Acres
Additional Property Cost 1	\$725,000	\$1,748,480	\$2,179,780	\$0
Demolition Cost 2	\$42,000	\$87,300	\$120,300	\$0
Site Development 3	\$779,720	\$1,694,480	\$2,304,320	\$2,914,720
Remodel Savings 4			\$1,102,500	\$0
Value of other property 5			\$900,000	\$1,275,000
Estimated Site Cost	\$455,780	\$1,527,760	\$2,601,900	\$1,639,720
Annual Tax Revenue L/G 6	-\$7,156	-\$17,070	-\$23,550	+\$9,388
Pros	<ul style="list-style-type: none"> • Location is already established • Proximity to Jail • Some value in existing building shell 			<ul style="list-style-type: none"> • Large empty square lot • Access to Pacific Blvd
Cons	<ul style="list-style-type: none"> • Displaces 11, 28, or 32 residents • Challenge to remodel 24/7 building 			<ul style="list-style-type: none"> • New use for neighborhood

Option #1: 521 & 525 13th Ave and 1210 Jefferson St (1 property owner of 14 rental units)

Option #2: Option #1 + Vacate Jefferson St and 1205, 1207, 1209, 1211 & 1225 Jefferson St and 605 13th Ave (2 total property owners of 28 rental units)

Option #3: Option #1 + Option #2 + 1210, 1230, 1240 & 1260 Thurston St (6 total property owners of 30 rental units and 2 owner occupied homes)

1 = Cost to potentially purchase additional properties based on property tax statements, conversations with property owners, and evaluations by a realtor. All owners were contacted and are willing to consider an offer.

2 = Demolition Cost is the estimated cost to gut the current PD, remove structures, and prepare site for construction. Provided by a contractor and does not include any lead or asbestos identification/abatement.

3 = Site Development is the estimated cost of permits, utilities, parking lots, exterior lighting, fencing, gates, etc (@ \$20 sq foot for bare land, \$10 sq foot to remodel existing PD outdoor space). Provided by an architectural/engineering firm.

4 = Amount saved by remodeling our current 10,500 sq foot police building vs. building a new 10,500 sq foot building. Provided by an architectural/engineering firm.

5 = Value of other property is the value of the property we could sell to offset costs based on property tax statements and evaluations by a realtor.

6 = Annual Tax Revenue Loss by purchasing additional properties around current building based on property tax statements, or **Gain** by selling the Pacific Blvd property.

RESOLUTION NO. _____

A RESOLUTION DIRECTING THE USE OF LITIGATION SETTLEMENT PROCEEDS FOR DEVELOPMENT OF A REQUEST FOR PROPOSAL TO PREPARE A CONCEPTUAL DESIGN FOR A POLICE STATION

WHEREAS, the City Council has, by resolution and by motion, directed the use of litigation settlement proceeds for specific purposes; and

WHEREAS, at the May 12, 2014, Work Session, the City Manager reported on the progress of the Public Safety Facilities Review Committee; and

WHEREAS, the Review Committee has come to a consensus to recommend that the City Council move forward with the development of site plans and conceptual drawings for a new police station; and

WHEREAS, on August 14, 2013, the City Council, by Res. No. 6260, restated uses of litigation settlement proceeds for public safety facilities and economic development; and

WHEREAS, the City Council desires to use litigation settlement proceeds designated for public safety facilities for development of requests for proposals to prepare conceptual designs for a police station; and

WHEREAS, the Review Committee recommends that site plans and conceptual designs be prepared for both the police station's current location and for City-owned vacant property on Pacific Boulevard Southwest; and

WHEREAS, the City Council desires to direct the use by resolution.

NOW, THEREFORE, BE IT RESOLVED that litigation settlement proceeds designated for public safety facilities are authorized for development of Requests For Proposals to prepare conceptual designs for a police station.

DATED AND EFFECTIVE THIS 28th DAY OF MAY, 2014.

Mayor

ATTEST:

City Clerk

CITY OF ALBANY
CITY COUNCIL
Council Chambers
Wednesday, March 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.

PROCLAMATIONS

National Service Recognition Day.

Konopa read the National Service Recognition Day proclamation.

Konopa said, the Parks & Recreation Department coordinates the Foster Grandparent Program. The City is proud to host the program.

Child Abuse Prevention and Awareness Month.

Konopa read the Child Abuse Prevention and Awareness Month proclamation.

Konopa said there is a representative from the ABC House, Karen Scheeler, in the audience. Konopa said the ABC House is a wonderful organization.

Scheeler thanked the Council for the proclamation. Scheeler represents the Linn County Committee For the Prevention of Child Abuse, which is a group of many nonprofits. She said she has been an advocate for children all of her life, and over the last 11 years particularly those who have been abused. There are many events in the community across the county. The Day of Hope is on Tuesday, April 1, at 7:00 p.m. It is a ceremony to recommit to protecting children and honoring children who have passed away due to abuse, and to learn new ways as parents, grandparents, and community members to raise children. She said, it is an ugly subject but if we are not educated, we cannot help eradicate abuse. Statistics have gone down but her experience is that they will go back up. Children deserve a lifetime of happiness, not just a few years. Child abuse follows them their entire life. They can recover and become successful citizens, but they need help.

Scheeler said that on Thursday, April 3, Lebanon is hosting a similar event, where they will be turning their town blue. Interested people can contact the ABC House or Linn County Court Appointed Special Advocate (CASA) to buy lights and ribbons for \$5. Scheeler said the point is to open up conversations with neighbors about child abuse. People can also attend training at ABC House and Linn County CASA to learn how they can help educate adults and protect children.

On April 19 at the Heritage Mall, Scheeler said they will be collecting shoes for kids in foster care. They have been doing this for five years. There are over 400 children a year in Linn County in foster care. Many come with the clothes on their back and many of those clothes don't fit. This is one small way that people can help. She said that there are also a lot of teens in foster care who need shoes also.

On April 30, Scheeler said there will be a meeting at the Samaritan Center in Lebanon to discuss an educational forum which will bring people from all over Linn County. All are invited to attend. She also suggested reaching out to nonprofits, law enforcement, and the Department of Human Services (DHS.) Those people work hard but it can't be left just to those agencies; child abuse is an epidemic.

Scheeler said that one in every four girls and one in every six boys will be sexually abused before they reach age 18. That statistic has stood for many years, and includes only the children that they know about. When abuse is kept secret, it is very powerful and very damaging. She said, as adults, we owe it to the kids in our community to be educated.

SCHEDULED BUSINESS

Business from the Public

Konopa asked for a show of hands for those in the audience who wished to comment on medical marijuana. Konopa asked the audience to consider if someone has already made the point they want to make, to please not repeat the same point, taking into consideration that there are many who wish to speak tonight.

Konopa asked for a show of hands in the audience for those that do not live in the city limits of Albany. She noted that the Council can enact City policies and that if a person lives outside the city limits, they are affected by Linn County rules and regulations.

There were several comments related to medical marijuana on the dais: an email from Bob Brendle; an email from Casey Costa; an email from Diana Sutherlin; an email from Lucy Diamond; an email from Rhea Graham; an email from John McAnally; a letter from Rhea Graham; an email from Tim J. Spencer; an email from Marcy Cardwell; an email from Jill Morgan; and an email from Bessie Ludhal (see agenda file).

Greg Bechtel, 978 Ferry Street SW, said he didn't know this was child prevention awareness month. He said a couple of months ago he was approached by Bikers Against Child Abuse to ask if they could put brochures at his business, Albany Alternative Health Solutions at 820 Pacific Boulevard. He said folks should come to his business to get a brochure.

Bechtel said the Council is considering two ordinances, one a moratorium as authorized by Senate Bill (SB) 1531 and the other would amend the Albany Municipal Code. Bechtel said Deputy City Attorney Sean Kidd was mistaken at a previous meeting when he said the ban is the only ordinance that has a deadline of May 1. According to SB 1531, additional regulations have no due date. Bechtel said if the Council is trying to decide which way to go, the regulations allow more time.

Bechtel said there was also concern about the form marijuana is used in. The City has the purview to require a pharmacy on call or on site, which he thinks is a regulation they could add instead of doing a ban. The ban removes all access, not just the "bad" access. Bechtel said the Council recently heard from neighbors about the proposed redemption center, and 7-9 people in the audience dissented. The Council voted not to allow the redemption center and when asked why, said it was because of public opinion. Bechtel pointed out that there are more than 7-9 people in the audience tonight. It was also mentioned at the Work Session that 21 out of 242 cities in Oregon have banned medical marijuana. Albany would only be the 22nd city to ban it. He said, if you do, you owe an explanation as to why people cannot have safe and local access. Marijuana provides a way to get off of opiates. He thinks the Council's choice is simple.

Rhea Graham, 1440 Lawnridge, owns Canna Kitchen & Research. She wants her business to be grandfathered in to any changes the Council makes. She was granted a permit two years ago and has been working diligently and legally to help others; she said she can't imagine having to stop. She said she has not made any money doing what she does, and has taken several thousand dollars in equity out of her home in order to do the work. She said the reason is to help others get well and to stop poisoning themselves with pharmaceuticals. She said, the Council worries about marijuana getting into the hands of children; but it is already easier for them to get marijuana than alcohol. At stores where other medicine and other deadly items like alcohol and cigarettes are sold, those items can be regulated; when you keep marijuana sales on the streets and out of the stores, it will be in the hands of youth even more.

Graham encouraged the City to get funding from the Oregon Medical Marijuana Program (OMMP) for the dual enforcement they seek. She said there are funds given to other Oregon Health Authority (OHA) programs instead of the OMMP, where she said they should fall. She said according to the state, the OMMP is funded entirely by fees generated by the program. She gave a breakdown on funds given to other OHA programs. She said the majority of the patients in the OMMP are senior citizens' programs and yet senior citizens are allotted just \$5,000. She said there will be nine million in excess and she hopes the Albany City Council will ask for some of that.

Karen Chambers, 3472 College Loop SE, said her son broke his collar bone when he was a teen and the next day his friends called to buy his prescription drugs from him. She also has a friend with an addiction to opiates. She said, opiates are a serious issue and they are killing a lot of people; cannabis does not. She asked the Council to consider how they would feel if a doctor gave their child or grandchild a death sentence, and they were presented with an alternative, albeit controversial, treatment that at best had been shown to contain effective cancer-treating properties, and its worst could provide pain relief and comfort. She said in 2006 her 19 year old nephew, Levi, was diagnosed with a soft tissue cancer that is quite rare. There were only 200 other known cases in the United States (US). He was given a bleak prognosis, that he would be dead in three months. His father is a store manager, and was approached by his pharmacist and encouraged to pursue medical cannabis as a treatment. They live in Colorado and it was legal for medicinal use. He started using it in various forms, from ingesting to tincture and smoothies, to vaporizing. She said Levi eventually succumbed to the cancer but the cannabis allowed him to eat, reduced the cell destruction that is the result of chemotherapy, and in between chemotherapy rounds he experienced cell regeneration. It helped him to function during the most difficult time of his life and were they not able to access it locally and purchase it legally, they would not have had the additional three years they had with Levi.

Chambers said she has a close friend who was diagnosed with esophageal cancer. The day of his diagnosis he started a daily dose of Rick Simpson oil (RSO), and four weeks later was cancer free. As a positive side effect of using RSO, he had decades-old scars slough off and reveal new skin. He won't stop taking the oil because of its positive effects.

Chambers said she had another friend suffer from Post Traumatic Stress Disorder (PSTD) as result of an attack. The medical marijuana helps to keep her PTSD in check. She still has bad days but they are fewer and further between and she knows she has access to some relief for her crippling symptoms. Prior to the attack this person was outgoing and vivacious, and after the attack she did not want to leave her home and had panic attacks. Through the use of cannabis she has become closer to the person she used to be although she will be forever changed.

Chambers said she assumes the Councilors each know someone who is an OMMP patient but they probably haven't disclosed it because of the stigma, or don't want to be categorized as a "stoner" that just wants to smoke legally. She said, as a community we need to move past that mentality and not lump OMMP patients in the stoner or drug abuser category. She said, we are not talking about recreational use, but patients that who suffer from a myriad of ailments. It is about patients and their ability to access medication legally and locally. The OMMP community is asking to be able to legally access the medication that works for them at a local, licensed, regulated facility. They have chosen not to use synthetic medication for many reasons, including all the negative side effects. Dispensaries are a necessary part of the OMMP. When patients get a card they often do not have a grower, or the grower relocates. It is more effective when it is used regularly. Some patients are unable to eat or move or leave home without it. She said if she had known then what she knows now, she would have given it to her father after his cancer diagnosis. She said, you don't have to agree with or participate in OMMP, but we are asking you to not make a decision that would negatively impact countless people who have benefited so greatly from this legal, medicinal approach to medical issues, based on false information.

Corwin Brown, 440 Churchill Downs, is an OMMP patient and a disabled veteran. He is an advocate for his fellow veterans. One friend, a mentor who was in Special Forces, took a mortar round to his hip. Brown said that when he went into Special Forces this friend told him that when he is done, if he needs to go to the Veteran Administration (VA), to be very careful. His friend is slowly dying and has seen other veterans who are loaded up on opiates. Brown said when his father returned from the Air Force and Vietnam, his mother became a nurse in the US. Brown said he was brought up being told what not to do because it is bad for you. He said, I believe that if it is your body, do what you want. He does not smoke and doesn't drink often. He said it is all about stigma.

Brown said after he got out of the military it was like a car that was going 40 mph and suddenly stopped. He had an injury to his lower back. He didn't want opiates because he has seen what they do. He did research and since April he has been an OMMP member. He wanted something natural. He also has a kidney disease and he is now pain free, able to sleep at night, has lost weight, and is gaining his strength back. It takes time but it was his choice to pay for his OMMP card. Like the others in the audience, he said he chose a more natural path rather than an opiate path. His doctor said he qualified for OMMP. He said Israel uses marijuana for their military and for treating cancer.

Brown said he had met Sanjay Gupta. Gupta has two documentaries: *Why I Changed My Mind on Weed*, and *Doubling Down on Weed*. He is one of the most sought after neurosurgeons in the world and is Chief Medical Officer for CNN. In 2009, he said weed has no medical benefits and CNN sent him around the world for a year; he looked through the past 300 years of laws and records, traveled extensively to study, and ultimately apologized to American people that he didn't look further and do more research. He said the US government has been lying to the people for the last 70 years about its benefits. Brown suggested the Council learn more about Gupta. Brown is an advocate for veterans. He is living proof that marijuana can turn the clock around.

Lisa Grisham, 1505 Walnut Street, said thank you to the Council for listening to public comments. She was unaware the Child Abuse Prevention and Awareness Month proclamation was on the agenda; OMMP is an emotional issue so she was going to be factual in her presentation. However, the proclamation triggered a response because she is a survivor. Grisham said she is neither a cardholder nor a business person. She supports the regulation of medical marijuana, not a ban. She said all have heard about its medicinal value. There are other options, such as regulating it for six months and then doing a progress check; or do nothing and wait to see what happens. She said it is a moving target. They could also tax and regulate it. Colorado has shown that it is an economic boom and they have made over one million dollars in taxes in the first month alone. She said the Umatilla County Commissioner said in the newspaper, that either way, it is a difficult decision.

Michael Holloway, 620 Peachtree, a veteran, said if marijuana were legal more people would have probably stayed in the military. Alcohol and pills are big problem. Cannabis would solve a lot. In his current job he sees a lot of negative things and being an OMMP cardholder helps. He had serious injuries and they wanted to give him pills. He didn't take them. He said, one bong hit would do the same thing as the pills. He wishes the pharmacies had to follow the same rules that OMMP does. He asked the Council, why wouldn't you want to do this? He said, as a taxpayer and a voter, you are on watch and you will lose my vote. Please don't support organized crime and a bunch of corporations getting rich. The VA offered him pills, which he declined; they even offered to mail them to him if he changed his mind. The police have better things to do. He said that when he travels it is hard to

find it; he wishes he could just get it legally, so that it is not laced and it is purchased from the right people rather than organized crime. He wants the money out of their pockets and into the community.

JD Harris Jr., 1537 SE Salem, has been here for 30 years. He is from an area in California that is a drug haven. He has been smoking marijuana since age 16. He played sports, was in lots of fights, was in a lot of pain, and under stress. Drugs are dangerous for all. He doesn't see a better avenue than to allow this regulation to happen. He said it would minimize crime, and help kids who are too young to understand what they are doing. He said this is a lost world. He is not trying to say drugs are good. He said, we need them for certain things but when a person takes too much of a synthetic drug, it is not good for our bodies. He said, God gave us this plant, marijuana, for our own use. He said, we judge without understanding. He said, we have been trying opiates and other drugs for so many years for many reasons but they are causing more problems. They need to take a real look at this. There have been so many hypocritical ideas and lies for so long and now people think that is just the way it is.

Harris said, open your minds and thoughts to where we are now, where we are headed, and where we come from. He knows there are drug problems out there, but education is what they need. He used to work for a company that made pharmaceutical drugs and he has seen the solvents used. They destroy the body and are not natural. He said, let's open our hearts to what is natural and true instead of the superstitious lies. Don't block something that will benefit people. It is good for the air too because marijuana uses carbon and produces oxygen. He said, we need to be more open and look at the situation instead of closing our eyes to it.

Konopa asked the audience to please keep comments germane to the two ordinances before the Council tonight; one is for regulating dispensaries and the other is for a moratorium.

Wendy Trent, 30762 SW Larsen Road, Lebanon, is a veteran with service over 20 years. Her father is a veteran as well and did two tours. She said she may be one of the first veterans that have marijuana on their medical records as something to take for pain. The reason she has it is because she followed the rules. She did physical therapy, medications, etc, everything they asked her to do. She said marijuana is not addictive, it's habituated. This is the first time in three years that she has been out of her house to a social event, and first time ever to a political event. She has PTSD anxiety, but she is here because this is really important. She said, while we are chatting people are dying or just died, but they were able to eat before they died because people donated cannabis so they could make it through the last moments of their lives.

Trent said she suffers from tremendous anxiety and her weight goes up and down. Her PTSD made itself known after 30 years, and affected her and her family. There were weeks that she couldn't get out of bed, and her dogs and friends suffered too. She didn't know about this City Council meeting, and if not for her OMMP friends, she would not be here tonight. She is glad the City Council recognized child abuse awareness; it is incredibly important. The reason she is here is about the moratorium or restrictions. For restrictions, she said it sounds like the Council would be making it almost impossible for people to find a location that meets all the criteria. She said that is very smart if you are anti-medical marijuana. A moratorium is a year of someone's life, and some don't have a year. Some don't have three months or even a day. She doesn't think they are clear on what they are doing and why. She said, they don't have time to sit around and make a decision because people are dying. Even if she had children she would not have a problem having a dispensary near her house. She wonders about testing, where it originated, and why. Konopa said that testing is not part of the ordinances. In summary, Trent said she is a veteran and supports the veterans, she did everything they told her to do when she got out of the military and none of it worked until she tried medical marijuana, she is now 90% pain free. It is much safer, she knows where it comes from, and she trusts the people who process it. People need the help and they don't have the time.

Ross Broffle, 2920 Railroad Street, has lived at that address since 1991. He was a drug addict and lived in a halfway house. He went to treatment so he could get his life back in order and be productive. His wife also has PTSD and can't do much of anything; he said he has lost her. The last things he ever thought would come back into his life was drugs because he had been through it before; but he started looking at marijuana. He eventually found people who donate marijuana starts at Oregon Green Free (OGF). He started growing it for his wife and donated the extra back to OGF. Often there is moldy marijuana which can make people sick, so he has to make sure his is really clean; this is where the dispensaries can help. He said, regulations and restrictions have to be done with anything. Marijuana is not as evil as alcohol. Having dispensaries away from schools makes sense, but restricting them to within 350 feet of residential areas doesn't because Canna Kitchen is just 150 feet away from another house. He moved to Albany for its schools and to find jobs. He doesn't think Albany is a town that just sits on its laurels, yet a moratorium would be just that. He doesn't care what other counties are doing; this is where he wants to live. He said if they choose a moratorium, to consider grandfathering in Canna Kitchen and other similar businesses. If they mess up, then they would know it won't work. There is a lot of risk in growing pot yourself. There are a lot of people that are passionate about this.

Scott Pierson, 1908 NW Cascade Heights, said he wasn't going to speak, but he knows people here and is a close friend to Karen Chambers. He knows their stories and the pain they have had. It is hard to listen to their individual stories. At the same time, he does not believe this is a debate on crime, opiates, marijuana, or healthcare; those decisions are made by other individuals or agencies. The fact is the state of Oregon has passed a law for medical marijuana. He said, this is a tough decision and you can't win either way; the decision will be unpopular no matter what. Management has to make tough decisions. He said, this is a business decision. From a

business point of view, to figure out what is in the best interest of Albany as a city, you must give significant weight and gain an understanding of the issues.

Pierson posed several questions for the Council to consider: Do they have enough information and facts to make a decision regarding the ramifications to the community, youth, businesses, neighborhoods, law enforcement, etc.? Is there a sense of urgency? Does Albany need to be an early adopter before other sister cities in the area? Is there a critical city need in Albany not being addressed? Is there a sizable need or hardship created for citizens seeking legalized medical treatment? Is there a stable legislative environment? Pierson said the political landscape will change in next 12-18 months. There will likely be a marijuana proposition on the November ballot. At the federal level in two years there will be a new president, and possibly a new Attorney General, so a lot could change. Pierson recalled that the City Attorney talked about legal ramifications and wording; this also needs to be considered. Pierson said, this is an emotional group testifying before the Council, and he feels for them because he knows many and knows their stories. At the same time the Council has a tough business decision - a business decision – and he encouraged them to weigh it with their heart and mind. Sometimes the unpopular is the best decision. He said, you are not stopping people if you choose to have a moratorium, and you are not stopping them from seeking medical aid. You are not stopping crime and you are not causing people to die; you are just saying you are not going to create a business opportunity in our city.

Roland Smith, 3133 North Shore Drive, said he has a daughter-in-law who used medical marijuana for scoliosis. He said, the question is if cannabis is a real medication. If it is, then why was it made illegal? He researched it and found out that there are two types: cannabis that is used for medical and can be ingested; and industrial cannabis. In the 1920-30's it was common for doctors to prescribe cannabis for various diseases and it was distributed through pharmacies. In the early 1930's, Andrew Mellon, Treasurer for Dupont Paint Company, later became the US Secretary of the Treasury but was still heavily invested in Dupont. Mellon appointed Harry Anslinger to the Federal Bureau of Narcotics. As soon as Anslinger was appointed he put together a massive film program for the schools in the nation on the evils of the "reefer." The films told kids that if they smoked marijuana they will become violent, evil, sex-driven scoundrels.

Smith said that during the same period, William Randolph Hearst began a printed campaign against marijuana. Smith said Dupont was pushing it because they had come up with a substance called nylon that was in direct competition with hemp rope. They went after medical marijuana because they couldn't go after the industrial marijuana. Hearst had extensive timberlands and he was in competition with industrial marijuana because they had found out they could make paper pulp cheaply out of industrial marijuana, and he was concerned about his timber holdings. He asked, why don't doctors still use marijuana? In 1937 the federal government passed a marijuana tax against doctors and pharmacies that were prescribing and supplying it. Along with the tax was a great deal of paperwork, so the doctors and pharmacies just quit. Smith said this is the reason that marijuana is illegal. It doesn't have to do with people smoking it, it's because people went after the industrial, not the medical marijuana.

Konopa noted that there has been one hour of testimony so far with eleven people speaking. For the rest that wish to speak, she asked that they keep their testimony short and indicate if they are for or against the ordinances.

Vernon Forty, 2485 Columbus Street, said he lost son to suicide not long ago. Forty had been on a lot of drugs and just started the OMMP program. It has helped and he would not be here otherwise. He asked the Council to look at this closely.

Bonnie Wilkens, 1010 14th Avenue, said she is for land to grow this on to make people feel better. She said she is living proof. One year ago opiates had brought her to rock bottom. She was taking large doses of oxytocin and went to rehab to get off of them. Her back pain finally got better with marijuana. Wilkens said her mom went blind and is a diabetic; she tried marijuana and her eyesight came back. She said it cannot be said that marijuana does not cure things because she has seen it work. She said, give us the land to make the medicine.

Kathy Srp, 4870 NW Fir Place, said, we all did pledge allegiance to the flag; the last section was *to one nation under God, indivisible, with liberty and justice for all*. She said, to pass an ordinance for a moratorium to stop a law that was created by state, is putting a divide between people. It is also taking liberties away from a certain section of people. She wonders how far away from residences or schools they have to be. It is easy for a kid to go into a store and steal alcohol and cigarettes; with the dispensaries, they would be required to have a vault to store the medication and have to have 30 days of film based on state regulations. The OHA also has rules. In her opinion the City should let it be as it is and see what happens. She is against fees and more regulations. Some people have already been here doing business and there has been no trouble. With a regulated dispensary industry it helps people getting their OMMP card find access to a local grower. She asked that the Council not put more stumbling blocks in the way.

Michael Dee, 927 20th Avenue SW, has lived here for eight years. He is a disabled veteran and also has stories about how marijuana has helped him medically. His concern is the moratorium or more restrictions. He said the only harm that comes from marijuana is young people using it. It is harmful for teenagers to use it unless it is for a medical reason. He doesn't think that dispensaries will have an effect on the availability of marijuana to kids. If kids want it they can get it at school or other places. They know who to talk to. He doesn't like how some people think of dispensaries as a recreational establishment like a bar; he is offended by that. It is the same as a pharmacy except the state has segregated marijuana to be separate until the laws change. His concern is that the

medicine should be available to the over 1,500 OMMP patients in Linn County. They need access. The state has supplied the rules necessary to keep businesses safe. He said heroin addicts got started because of their opiate addiction which began at a pharmacy. They get cut off from the pain pills and then move to heroin. Marijuana is a better alternative. Dee is against both ordinances.

John Randle, 156 Cherry Lane, moved here from Florida 18 months ago because his brother was diagnosed with leukemia. They had to figure out what to do to help him. Randle is a disabled veteran. It is also illegal in Florida but because he couldn't take pain pills for 20 years he needed to find marijuana; he had to buy it at crack houses. He said if the Council chooses the moratorium they will be turning all the people who jumped through the state's hoops to get OMMP cards into criminals.

Mickey Fluckiger, 3030 Oxford Avenue SE, said she is not a card-holder but a caregiver for cardholder. Her husband has been through 30 years of prescription medicine, but people can't do that forever. She said they fought over whether he should try medical marijuana for years. She read the City of Albany vision statement. She noted that the City also recognized the National Service Recognition Day. She commended all the people in the room because the medical marijuana laws have required that most of the work be done on a volunteer basis, so they are providing a needed service.

Fluckiger is opposed to a moratorium; it is a legal medication in the state. All the cardholders have paid their dues and got their cards, so should be treated as legal citizens and should have access to a service that is legal in state of Oregon. Fluckiger supports some restrictions. She thinks having a business fee makes sense, and it is important that the dispensaries are inspected. The fee should cover the hours and time for the people to inspect them. She said there were doctors that asked her husband if he wanted to go the medical marijuana route, and they started researching it and had a steep learning curve because they had to go to Salem, Eugene, or Portland for information. Having a service like this in the local community would be wonderful, especially for those who are newly diagnosed, so they would have access to good information. She does not support the moratorium, but does support reasonable regulations.

Chad Smith, 1105 Bain Street, said he is a caregiver for a patient. He said the Council is trying to put a ban on what is essentially the pharmacy for medical marijuana patients. It will put further financial hardship on people. Most patients have already paid thousands in medical bills. He said, now you are asking us to travel further away, which will cost more. He is opposed. He said it is time to stand up and do what is right.

Joseph Munoz, 4035 Spring Avenue NE, said that representing young adults and having lived here for eight years, the dispensaries will not be introducing students to marijuana. It has always been here. The argument against the dispensaries that the kids will be around, it is a faulty argument. It is already around and easy to get.

Coquille Rex, 575 Burkhart Street, said she is against the moratorium and does support some reasonable regulations. Because of medical marijuana she was able to get off of massive painkillers and is able to work 20 hours a week as a tutor. She is able to get up in the morning and be a positive, influential member of society. She said if it weren't for the medical marijuana she wouldn't be able to get up in the morning. She doesn't smoke anything anymore now that she can use medibels. Her life has changed.

Jim Clausen, 1403 15th, said he doesn't have a problem with medical marijuana. It does have benefits. He has a problem with dispensaries and that is because they do an end run around the normal route for dispensing drugs. Prescription drugs are regulated, and marijuana is regulated too in that it is against the law. It is the only prescription drug out there that has no regulation for its use, such as taking a certain amount at a specific time; instead it is up to the person how much and how often they use it. He thinks it should be handled by pharmacies rather than dispensaries. As to the business aspect, is the City's response to its future use. It is against the federal law; he asked, so which federal laws does the City Council obey and which laws do they not obey? He thinks that is the crux of the whole matter.

Clausen said Lars Larson did an interview with Doctor Mike Nelson, the head of Oregon State University Forestry Department. Nelson spent the last 20 years looking at wetlands, fish, and creeks. In higher elevations where the water is cold the fish were smaller and fewer, and in lower altitudes the fish were bigger and adapted to the warmer water. Clausen said he thought of sewer plant and the one degree rise in temperature. Clausen said that Nelson said that over the past 20 years the fish have adapted very well unless the change is extreme. He thinks they could have saved the money that was spent on the Talking Waters Gardens.

June Buechting, 2487 40th Avenue, does not support the moratorium. Her sister is a patient and she is her caregiver. She said, when you get your OMMP card you are supposed to list a grower but if you aren't involved in the culture you don't know who to write down. So she had a friend take them to a back door dispensary in Portland because her sister needed to get off narcotics. From there they had to look around to find others but not being in the culture they didn't know the lingo. She gave examples. She decided to grow it herself. It took 3-6 months to produce flowers that can be used, and two years to produce enough to make cannabis oil. If there were a dispensary, it would be much easier to access quality medicine. If someone has cancer, they don't have the time to find a grower or learn to grow, etc. She supports the Canna Kitchen due to the service it provides for smokeless medication. Buechting doesn't think it is a dispensary and should not go under those rules. She is a caregiver, grower, and now a patient, and she does not support either ordinance.

Danielle Dye, 5202 Jackson Street SE, said she has been in Albany since last year and an OMMP patient since 2006. When she got her card, she didn't know what to do. She ended up meeting a back shop doctor from Bend in a hotel. Since then there have been changes in leaps and bounds with OHA and OMMP. As to regulations, there is a packet they receive to make sure they are being legal. Dye said her daughter has epilepsy and is a minor. About five years ago she started having seizures. They saw several pediatricians and tried different pharmaceutical medicine but she continued to have seizures. While under the care of a medical doctor and using several pharmacies they learned she was having seizures as a result of the specific anti-seizure medication that had been prescribed. This had gone on for two years. She has never given cannabis to her daughter, however because of pharmaceuticals her daughter now has severe vision problems, her IQ has suffered, and she is now in special education. Dye said it has been a nightmare going through the legitimate medical avenues because there is a stereotype about cannabis. She is offended that someone said medical marijuana is not regulated, because there are so many rules they have to follow. They want to be the ones to set a good example.

Konopa called for a short recess.

RECESS

The Regular Session recessed for a short break at 9:08 p.m.

RECONVENE

The Regular Session reconvened at 9:18 p.m.

First Reading of Ordinance

Konopa said the first ordinance they will look at is declaring a moratorium.

Konopa explained to the audience what an emergency clause in an ordinance does.

- 1) Declaring a moratorium on medical marijuana facilities and declaring an emergency.
or
- 2) Imposing local restrictions on medical marijuana facilities and declaring an emergency.

Deputy City Attorney Sean Kidd read the ordinance declaring a moratorium for the first time in title only: AN ORDINANCE OF THE CITY OF ALBANY, OREGON DECLARING A MORITORIUM ON MEDICAL MARIJUANA FACILITIES AND DECLARING AN EMERGENCY.

MOTION: Councilor Bessie Johnson moved that the ordinance be read for a second time in title only and Councilor Rich Kellum seconded it. The motion failed 4-2, with Councilor Dick Olsen and Councilor Bill Coburn voting no. It takes a unanimous vote of the Council for a second reading in the same meeting. This item will come back the next Regular Session.

Kidd said they cannot adopt the ordinance tonight because it was not read a second time, but they can discuss it.

Kellum said he has a cousin who uses marijuana for glaucoma. The state has a law that went on top of the federal law, and people can still grow a limited number. He said that most of the audience probably drove to the meeting tonight. Medical marijuana will be available in dispensaries in Corvallis. The bottom line is that when the dispensaries open people can go to Corvallis or Salem. He said, we don't know where this will go; the legislature is divided on the issue. He wants to get past November because it may then be moot. He doesn't want to start something and then have to stop it. Patients can get their medical marijuana the way they got it before, or go to a dispensary in another city. He is in favor of moratorium.

Councilor Ray Kopczynski read a statement he had prepared:

"I just don't know how we can look folks straight in the face and tell them we do not want them to be allowed to have local, safe access, but it's perfectly acceptable to go back underground to a totally unregulated process and/or drive to another town. It just seems a classic NIMBY reaction – Not In My Back Yard.

The state of Oregon says it is perfectly acceptable to allow folks to kill themselves via assisted suicide, and that is being very compassionate and caring, yet we're saying that is unacceptable to allow folks to alleviate their pain via a local, safe, regulated process. The irony and hypocrisy are palpable to me.

To my peers on the dais, I suggest you try and look into the eyes of every constituent in the audience and tell them they do not deserve the right to locally acquire state-approved and medically proven remedies for their suffering. I believe taking that position is unconscionable and morally indefensible."

Councilor Floyd Collins said four years ago he lost a daughter to cancer. She lived in a different state and he doesn't know if she tried a form of medical marijuana or not. That said, he has great sympathy when a drug has medical benefits and people need to find access. He is very upset that the federal and state government has

shoved this to the local level. Ideally, he would make it a controlled substance approved by the Food and Drug Administration and distribute it through pharmacies and doctors, with a Quality Assurance/Quality Control program, and it would be a legitimate, regulated drug. People would have access to it and doctors would know what the uses are and patients would benefit.

Collins said on the other hand, in 2010 the question of marijuana was put before the voters. He said 56% of Oregonians said no and 48% said yes. Specifically in Linn County 63% said no and 33% said yes, and in Benton County 50.40% said no and 49.60% said yes. Collins said, in 2010, Oregon voters spoke; yet after that the legislature stepped in and made the waters very muddy. As he reads the paper, he sees that Salem and Eugene have been approved and Corvallis has five dispensaries pending. There are 21 cities with moratoriums and 14 with regulations; and two counties with moratoriums and more considering them.

Collins also considered the fact that every one of the local law enforcement officials and the District Attorney have asked for the moratorium. The moratorium is until May 15, 2015; he doesn't know what is going to happen after that, but something will happen in November, in his opinion. In the very least, they will have some experience with the dispensaries by then in whatever communities they are in. He said, if we have reasonable standards, he prefers they be based on actual performance, not speculation. In this instance, he does not think the City of Albany should be on the cutting edge; he thinks they should have a moratorium until at least after the first of the year, see what happens in November, and then monitor the situation to see what the effect is.

Olsen said he had similar experience to Smith as a youth. He also watched the "reefer madness" movies in middle school. Over the years he has been curious about marijuana but has never tried it. However, in researching why marijuana is so bad, he came across an article that explained the role William Randolph Hearst and Dupont played in making marijuana illegal because hemp pulp was cheaper than wood pulp for making paper, and that was a financial threat. He passed out the article (see agenda file).

Olsen said he also learned how when Richard Nixon got in trouble, he thought it was because of the "hippies", so to get rid of the hippies he decided to get rid of their marijuana. He appointed the Shafer Commission to study it and come back with a report. Olsen said the report said it's not so bad and should be legalized. Nixon didn't like that and started the war on drugs. Olsen said, we have the most people in jail anywhere in the world percentage wise.

Olsen is opposed to the moratorium. If worse comes to worse, there is a move to legalize it anyway. He said the prohibition of alcohol in the 1920s benefited organized crime. The country finally got rid of the prohibition, then law enforcement sided with Dupont and Hearst, and started going after marijuana. He thinks it should be legal and supports those petitions. He is opposed to the moratorium and is also against charging a fee.

Coburn said it is a tough decision. When posed with a difficult decision, he likes to get all the information and sort out the facts from opinions. Coburn said that when Kellum was speaking and there was an outburst from the audience, it demonstrated the challenge the Council has. On one hand they have been aware of this issue since November, but he is still not sure he has as much information as he needs or if he has had the opportunity to absorb it. There is a new letter on the dais that he wants to read, and he wants to watch some of the programs on *YouTube* that were mentioned. He is also unaware of the "testing issue."

Coburn said he got a call from Representative Andy Olson who explained the program has been around 16 years and seems to be working at some level of success. Coburn said he won't say he understands the pain some folks are in, because he has no idea and has been blessed with fairly good health. He thinks it may be easier for some folks to go to a dispensary in Corvallis than what they are currently doing, but perhaps that is not true. Going to Corvallis will certainly be easier than going to Portland. There is a value in a moratorium because it gives the Council an opportunity to get more information. Coburn said that Olson said is a mess with consequences; the legislature rushed into it and now it needs sorting out. Having more time would allow them to see what happens at the state level. Coburn is also curious to see how things go in Corvallis. He is not opposed to a dispensary, but he is opposed to the unintended consequences which they only find out when it's too late. He recalled an occasion when the City allowed a bar to operate across the street from a house as an example of unintended consequences.

Coburn hopes things go well in Corvallis and that there aren't any problems, or that some things could be tweaked to make it better. Or it could be a disaster, and Albany would be glad to avert a disaster. Coburn said he talked to Kidd because he wants to figure out a way to keep Canna Kitchen in business. He thinks he understands the sense of urgency for the audience, but the Council still needs to be careful. If they do a moratorium to gather more information, would that include Canna Kitchen? If so, that would not be his intent, but having more time to make sure exactly what the consequences would be is helpful. He noted the Council doesn't have to wait a year, as it just takes four votes of the Council to take action and change a previous decision. He thinks they do need more time, if nothing else for him personally to absorb all the information. The more information he gets, the better educated decision he can make for the entire City.

Johnson said when she first brought this up in November and that she wanted to be proactive rather than reactive and find out what this issue was all about.

Johnson read a statement she had prepared:

"I don't believe any of this Council wants more regulations, but in this case I feel it is the best thing available to address this issue. A few years ago, the Legislature passed a law that allowed medical marijuana dispensaries even after the voters said no in the prior election. All of the counties in Oregon except Multnomah County voted down the Measure. In the recent past, this Council has been chastised for not listening to the voters and yet the Legislature did this and no one says a word. During the 2014 session, the Legislature gave local governments the opportunity to place moratoriums to ban the dispensaries until May of 2015. This was an important move by the Legislature because the law allowing dispensaries is not real clear and most local governments asked for the chance to get the clarification needed to see which way they will proceed. The City of Corvallis has received at least five applications for dispensaries and if their Council does not vote for a moratorium, we will be able to observe them and other cities and Counties who follow suit to see how the dispensaries fare. We will then be able to make a more educated decision as to how to proceed. One thing that must be brought up is that if a moratorium is passed tonight, we will not be taking anything away from medical marijuana card holders. They will be able to continue as they have been. I have talked with many people since our Monday's Work Session and 99% agree the moratorium is the best thing for now. I will be voting for the first Ordinance. No one knows what will happen in the future but as for now in my opinion, it is the right thing to do."

Konopa explained that it takes four votes of the Council to decide a question. The moratorium ordinance will be come back to the April 9, 2014, Regular Session.

Konopa stated her opinion. She said, it is our duty is to see how we want the City of Albany to grow, how to revitalize areas, how new neighborhoods should look, how commercial and industrial should look, etc. Her main concern is to keep dispensaries in commercial zones and not next to residential zones. She said, we need to keep neighborhoods livable; there are lots of citizens that don't want a dispensary in their neighborhood. The Council has to find a balance for all citizens.

Konopa said the compliance fee was for the Police Department so they can randomly go into a dispensary to make sure they are following state law, not for testing the marijuana. For example, there are communities that have head shops and if we don't want those in our community to possibly distribute marijuana in the future, then the only tool the City has is zoning. Konopa said most people don't want to come forward and state their opinion, but she has heard from hundreds of citizens on the other side of this issue. The Council needs to make the decision about what will work in this community. It is not an easy decision and no matter what, people will be displeased.

Collins said there was additional testimony before the legislature, and at that time they said there would be less than 5,000 applications for OMMP cards, yet now there are over 60,000. He has no problem with people who have a legitimate need, but he does with people who are abusing the system. There are people writing prescriptions who should not be, and for those in the audience and community that want to have a legitimate process, they should ask the legislature to tighten down on the physicians that are allowing abuse of the system. Ultimately, it is that abuse that generates the fear in the community.

Coburn wants staff to consider language in the ordinance to allow Canna Kitchen to continue operating. He asked to have that information at the April 7, Work Session. In his opinion Canna Kitchen helps a lot of people.

Kellum said that Canna Kitchen does not grow it; rather they take other people's marijuana and convert it. That is something to take back to a legislative body and ask them to differentiate between growers and distributors, and those who just convert it. Olsen disagrees; he thinks often there are questions best left unasked. He considers Canna Kitchen to be a kitchen.

Kopczynski said some of the Councilors said they need more information, so he hopes they tour a real dispensary.

Konopa said that since this is not a quasi-judicial item, citizens can contact the Council between now and the April 9, 2014 meeting to make comments. At the meeting, Konopa said usually the second reading is taken before Business from Public. Discussion followed.

Adoption of Resolution

Authorizing the City Manager to execute and record a restrictive covenant for park purposes.

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

Parks & Recreation Director Ed Hodney said this is the area in subdivision at the end of 53rd Avenue. The subdivision is surrounded by green space. All the land came to the City via donation over several years from a developer who was required to donate, set aside, and protect the land as his mitigation requirements related to filling of wetlands in the subdivision. It is Stu Stone's Oak Creek Park Development. This kind of restrictive covenant has applied to every tract that Stone donated to the City with the exception of one tract, Tract N. Hodney thinks it was an oversight by Department of State Lands (DSL). DSL asked Stone to ask the City if we

would accept and then file a restrictive covenant on the only remaining tract. It is basically clean up from DSL's perspective.

VOTE: A vote was taken on the motion and it passed 6-0 and was designated Res. No. 6312.

Adoption of Consent Calendar

- 1) Approval of Minutes
 - a) January 22, 2014, City Council Regular Session.
- 2) Accepting the Albany Transit System 2014 Title VI program.
- 3) Adopting the Strategic Plan for FY2014 through FY2018.

RES. NO. 6313

Collins asked Finance Director Stewart Taylor about the public safety facility bond measure mentioned in the Strategic Plan (SP). Taylor said that goal has been in the SP for a couple of years and the target date had been March 2015; and that the goal had been satisfied in November 2013 with the measure that was referred to the voters. Collins asked, so that date is not there to predispose the recommendation coming from the Public Safety Facility Task Force? Taylor said that is correct. Taylor said the dates in the SP are generally target dates.

MOTION: Collins moved to adopt the Consent Calendar as presented and Kopczynski seconded it. The motion passed 6-0.

BUSINESS FROM THE COUNCIL

Kellum said he is glad the Council can disagree without being disagreeable.

Collins said at the Metropolitan Planning Organization (MPO) meeting, they had a presentation from folks doing environmental assessments about the options from the South Jefferson exit to Highway 20. He requested that the City Council ask Public Works Director Mark Shepard to schedule time at a Work Session to bring forth what the current environmental assessment is considering and the implications to the City of Albany. Collins said when the Council adopted the Transportation System Program they passed a resolution addressing the potential closure of Airport Road; the resolution said the Council would not support anything that routed additional traffic through North Shore Drive and South Shore Drive. They are aware of that, but things are moving along significantly that may deal with Airport Road and Collins thinks the Council should be brought up to date.

Collins said there was an email from the federal highway administration that said they spent all the money in the trust fund. Collins said they can probably expect cut backs to the states and ultimately to the MPOs. It may defer construction of major projects within the state and within the local area, and could also impact the availability of funding for transit systems. Konopa said the I-5 study group was supposed to convene a meeting last fall and did not.

Collins said, we are extremely fortunate to have Amy Ramsdale in the regional office; she understands our concerns and does a great job representing our interests to the design engineers.

Coburn asked if they planned on using Bain Street. Collins said, they backed away from that because of Title 6, which is a federal requirement that says if you impact significantly a lower income housing group to benefit the greater community, it then involves property acquisition, displacement, and reimbursement. The state doesn't want to do that so there is another plan being proposed to cul-de-sac Airport Road, sending all the southbound traffic out to the freeway. Discussion followed.

Shepard said one issue they discussed when talking about those concerns is adding an extra lane between the South Jefferson interchange and the Santiam Highway interchange, and between Knox Butte and Santiam Highway, adding a fourth lane southbound to facilitate people getting on and off the freeway. They are looking at other mitigations too. Collins asked staff to get an expanded map to show how it might work. He described how the state is proposing to route the traffic.

NEXT MEETING DATE: Work Session April 7, 2014
 Regular Session April 9, 2014

ADJOURNMENT

There being no other business, the meeting was adjourned at 10:20 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
FROM: Mario Lattanzio, Chief of Police *W*
DATE: May 21, 2014, for May 28, 2014, City Council Meeting
SUBJECT: New Outlet, Winery, Liquor License Application for Misty Meadows Winery, Inc., located at 2031 NW Meadow Wood Drive.

Action Requested:

I recommend the New Outlet, Winery, Liquor License Application for Misty Meadows Winery, Inc., located at 2031 NW Meadow Wood Drive, be approved. They will only be processing the grapes on-site; no customers will be coming to the location.

Discussion:

Benjamin and Pamela Watts on behalf of Misty Meadows Winery, Inc., have applied for a New Outlet, Winery, liquor license. Based on a background and criminal history investigation through Albany Police Department records, the applicants have no criminal record.

Budget Impact:

None.

MSR



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Mario Lattanzio, Chief of Police *W*
DATE: May 21, 2014, for May 28, 2014, City Council Meeting
SUBJECT: New Outlet, Limited Off-Premises Sales, Liquor License Application for Albany Historic Carousel and Museum, located at 503 First Avenue NW.

Action Requested:

I recommend the New Outlet, Limited Off-Premises Sales, Liquor License Application for Albany Historic Carousel and Museum, located at 503 First Avenue NW, be approved.

Discussion:

Linda Hart, Karen Engel, Florence Kirby, and MaryEllen Eagles on behalf of Albany Historic Carousel and Museum have applied for a New Outlet, Limited Off-Premises Sales liquor license. Based on a background and criminal history investigation through Albany Police Department records, the applicants have no criminal record.

Budget Impact:

None.

MSR



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Mario Lattanzio, Chief of Police *M*
DATE: May 21, 2014, for May 28, 2014, City Council Meeting
SUBJECT: Commercial Establishment, Greater Privilege, Liquor License Application for SCC Restaurants, LLC, dba The Flinn Steakhouse, located at 222 First Avenue West.

Action Requested:

I recommend the Commercial Establishment, Greater Privilege, Liquor License Application for SCC Restaurants, LLC, dba The Flinn Steakhouse, located at 222 First Avenue West, be approved.

Discussion:

Candace Dahlstedt and Shawn Vatcoskay on behalf of SCC Restaurants, LLC, dba The Flinn Steakhouse, have applied for a Commercial Establishment, Greater Privilege liquor license. Based on a background and criminal history investigation through Albany Police Department records, the applicants have no criminal record.

Budget Impact:

None.

MSR



TO: Albany City Council
VIA: Stewart Taylor, Finance Director
FROM: Linda Booth, Parks & Recreation Clerk III
DATE: May 21, 2014, for the May 28, 2014 City Council Meeting
SUBJECT: Annual Liquor License Renewals

RELATES TO STRATEGIC PLAN THEME: • A Safe City

Action Requested:

Council approval for these annual liquor license renewals

Discussion:

Following is a list of businesses that have submitted an application for liquor license renewal. These businesses have paid their fees.

7-Eleven Store #2363-21911D	MQP Enterprises Inc	6190 Pacific Blvd SW
7-Eleven Store #2363-23022B	Lyle Enterprises Inc	222 Main St SE
7-Eleven Store #2363-23216C	BKG Enterprises Inc	1815 Queen Ave SE
Abby's Legendary Pizza of Albany	A-II LLC	3033 Santiam Hwy
Arco AM/PM	Younger Oil Company	522 SW Pacific Blvd
Bob's Family Market	Elizabeth N Brown	2515 Geary St SE
Calapooia Brewing Co	Zone 7 Inc	140 Hill St NE
Carino's Italian Restaurant	Johnny Carino's of Albany LLC	1825 14 th Ave SE
Carniceria Los Compadres	Juan C Orozco	2530 Pacific Blvd SE
Cellar Selections	Marcia J Morse	1907 Marion St SE
Circle K Store #1153	Circle K Stores Inc	333 34 th Ave SE
Circle K Store #1397	Circle K Stores Inc	300 SE Queen
Costco Wholesale #682	Costco Wholesale Corp	3130 Killdeer Ave SE
Eagles Lodge #2255 Albany	Eagles Lodge #2255 Albany	127 N Broadalbin St
Fastbreak Market	Fast Break Mart LLC	1203 Century Dr NE
Favorite Mistake	Nyquist Hospitality Inc	5420 Pacific Blvd SW
Fox Den Eatery	James E Fox	2224 Santiam Hwy SE
Gametime Sportsbar & Grill	Gametime Sportsbar & Grill Inc	2211 Waverly Dr SE
Java Network	Java Network Inc	5444 Pacific Blvd
K 1 Chinese Restaurant	Kawang Inc	637 NW Hickory St #160
Lake Shore Lanes	Nyquist Bowl Inc	5432 Pacific Blvd SW
Lum Yuen Restaurant	Yang's LLC	1236 Price Rd SE
Momiji Japanese Restaurant	Yong's Inc	641 Hickory St
Pepper Tree Sausage House	Michael S Campbell	1125 Salem Ave SE
Red Robin Restaurant	Restaurant Development Co	1845 14 th Ave SE
Riley's Billiards Bar & Grill	Relf X 2 Enterprises LLC	124 Broadalbin St SW
Rite Aid #5365	Thrifty Payless Inc	1235 Waverly Dr SE
Sizzler #246	Double S Foods LLC	21448 Santiam Hwy

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Smokehouse Café	James E Fox	1167 Waverly Dr SE
Stop & Go Market	Westkred Enterprises Inc	628 Ellsworth SW
Stop N Save Market #8	Preet Inc	1737 Salem Ave SE
Stop N Save #9	Atwal Inc	423 2 nd Ave SE
Taqueria Alonzo	Sandra Gutierrez	250 Broadalbin SW #107
The Fox Den Eatery	James E Fox	249 Pacific Blvd SW
Tom Tom Deli & Market	RJW & Sons Inc	321 Airport Rd SE
US Market #170	US Market #170 LLC	2211 Waverly Dr SE #7
US Market #180	US Market #180 LLC	1709 Hill St
US Market #250	US Market #250 LLC	1012 34 th Ave SE
VFW Post #584 Albany	VFW Post #584	1469 Timber St
Walgreens #06530	Walgreen Co	1700 Pacific Blvd SE
Wilhelm's	Wilhelm's LLC	1520 SE Pacific Blvd

Budget Impact:

Revenue of \$1435.

Ib



TO: Albany City Council

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

FROM: Jeff Blaine, P.E., Assistant Public Works Director/City Engineer *JB*
Lori Vollmer, Engineering Associate I *LYM*

DATE: May 21, 2014, for the May 28, 2014, City Council Meeting

SUBJECT: Award of Bid for SS-14-02, 2014 Pipe Bursting Projects

RELATES TO STRATEGIC PLAN THEME: Great Neighborhoods

Action Requested:

Staff requests that Council award this contract in the amount of \$176,975 to the low bidder, Canby Excavating of Canby, Oregon.

Discussion:

On Tuesday, May 13, 2014, bids were opened for SS-14-02, 2014 Pipe Bursting Projects. There were five bids submitted for this project, ranging from \$176,975 to \$225,760. The Engineer's estimate was \$180,000. A bid summary is attached as Attachment 1.

Project Description

The 2014 pipe bursting and open trench projects envisioned in the budget were combined and bid as a single project. Consequently, this project will rehabilitate approximately 760 feet of deteriorated 8-inch sewer mains using pipe bursting technology and an additional 240 feet of 8-inch sewer main using traditional open trench construction. The existing sewer mains are in very poor condition and cannot be maintained because of partially collapsed pipe sections and poor access. The project locations are shown in Attachments 2 through 5. The pipe bursting process is a trenchless technology that breaks up the existing pipe in place and pulls a new pipe through the void. When feasible, pipe bursting technology is used in lieu of traditional open trench construction methods as it is typically less expensive and less disruptive for citizens, without sacrificing quality.

Summary of Total Estimated Project Costs

Based on the project bid and anticipated related costs, a summary of the total estimated project cost is shown in the table below. The amounts have been rounded to the nearest \$100.

Project Components	Estimated Cost
I. Costs	
a. Engineering	\$ 21,700
b. Construction Inspection	\$ 23,700
<i>Engineering Subtotal</i>	\$ 45,400
II. Construction Costs	
a. Construction Contract	\$177,000
b. Construction Contingency (10%)	\$ 17,700
<i>Construction Subtotal</i>	\$194,700
<i>Total Estimated Project Cost</i>	\$240,100
<i>Project Budget</i>	\$215,000
<i>Under/(Over) Project Budget</i>	(\$ 25,100)

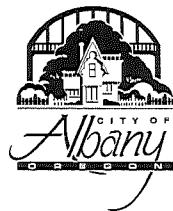
Albany City Council
Page 2
May 13, 2014, for the May 28, 2014, City Council Meeting

Budget Impact:

The pipe bursting portion of this project is under budget by \$12,400, which includes \$8,990 in contingency funds. The open trench portion of this project went over budget by \$37,500 which includes \$8,705 in contingency funds. During design, it was determined this line should be relocated to the adjacent street and the increased cost reflects the work required to turn private plumbing and restore pavement following construction.

This project will be funded from the Sewer System Capital Projects fund (605-50-2500). Any costs over the budgeted amounts will be covered by savings on other projects within the respective fund for the overage.

LLV:ms
Attachment



**CITY OF ALBANY, OREGON
Public Works Department**

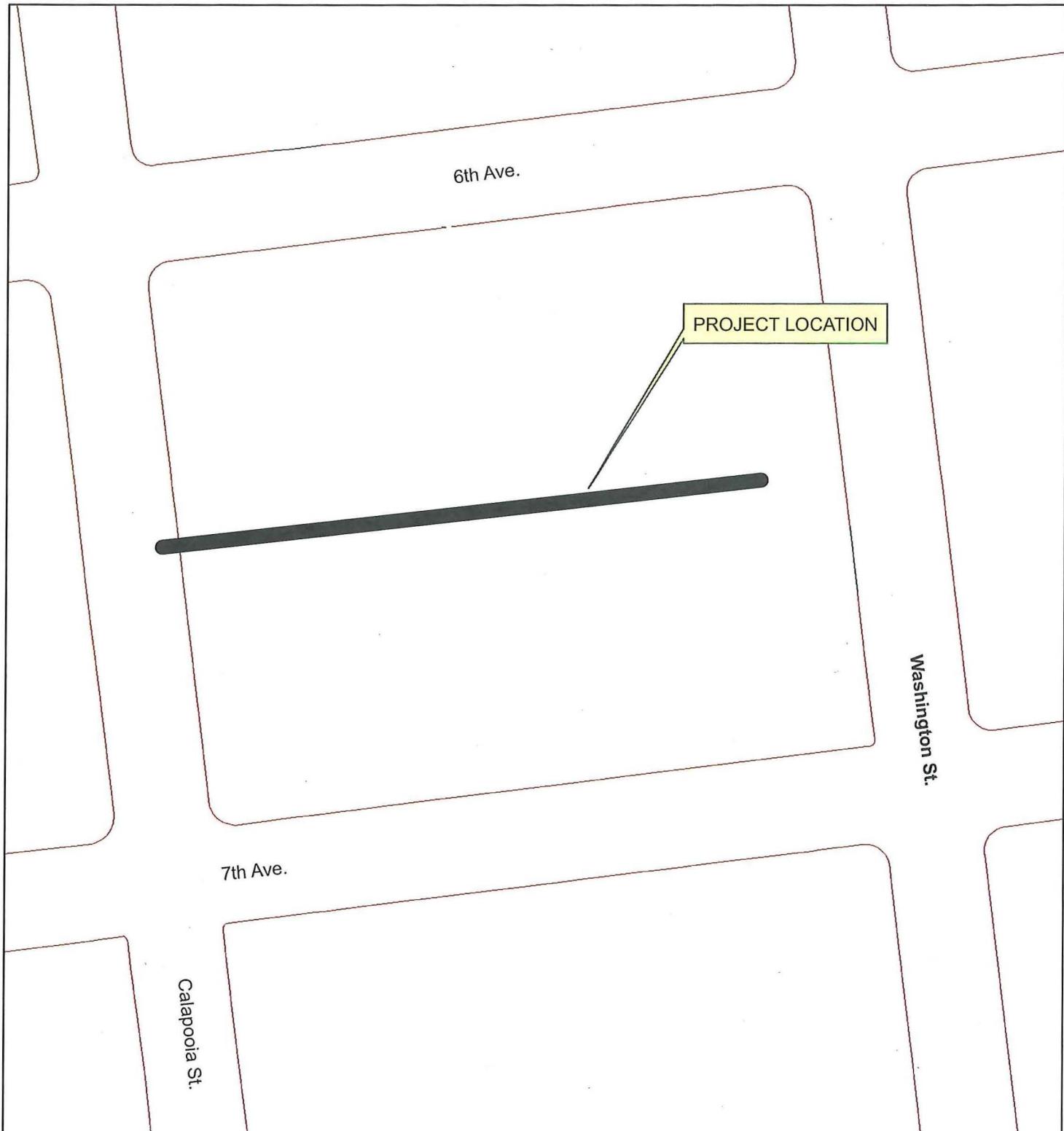
Construction Contract Bids

Project: SS-14-02, Pipe Bursting Projects

Bid Opening: Tuesday, May 13, 2014

Engineer's Estimate	Canby Excavating (Canby, OR)	K & R Plumbing (Clackamas, OR)	Pacific Excavation (Eugene, OR)	Jesse Rodriguez Const. (Silverton, OR)	Emery & Sons (Salem, OR)
\$180,000	\$176,975	\$191,575	\$203,940	\$207,925	\$225,760

ATTACHMENT 2



VICINITY MAP
SS-14-02, PIPE BURSTING PROJECTS
SEGMENT 7114



0 25 50 100 150 200 Feet

ATTACHMENT 3

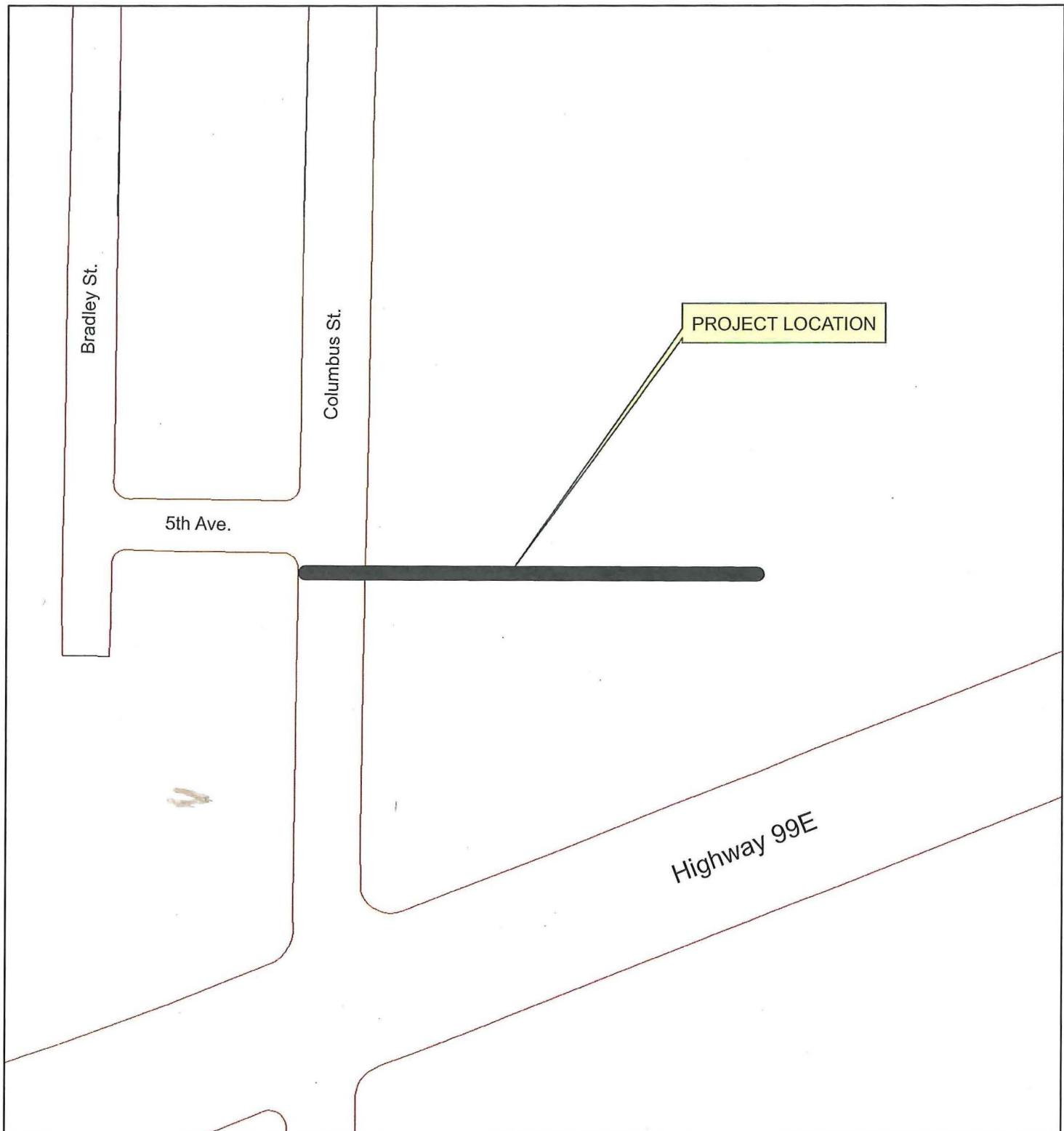


VICINITY MAP
SS-14-02, PIPE BURSTING PROJECTS
SEGMENT 7235



0 25 50 100 150 200 Feet

ATTACHMENT 4

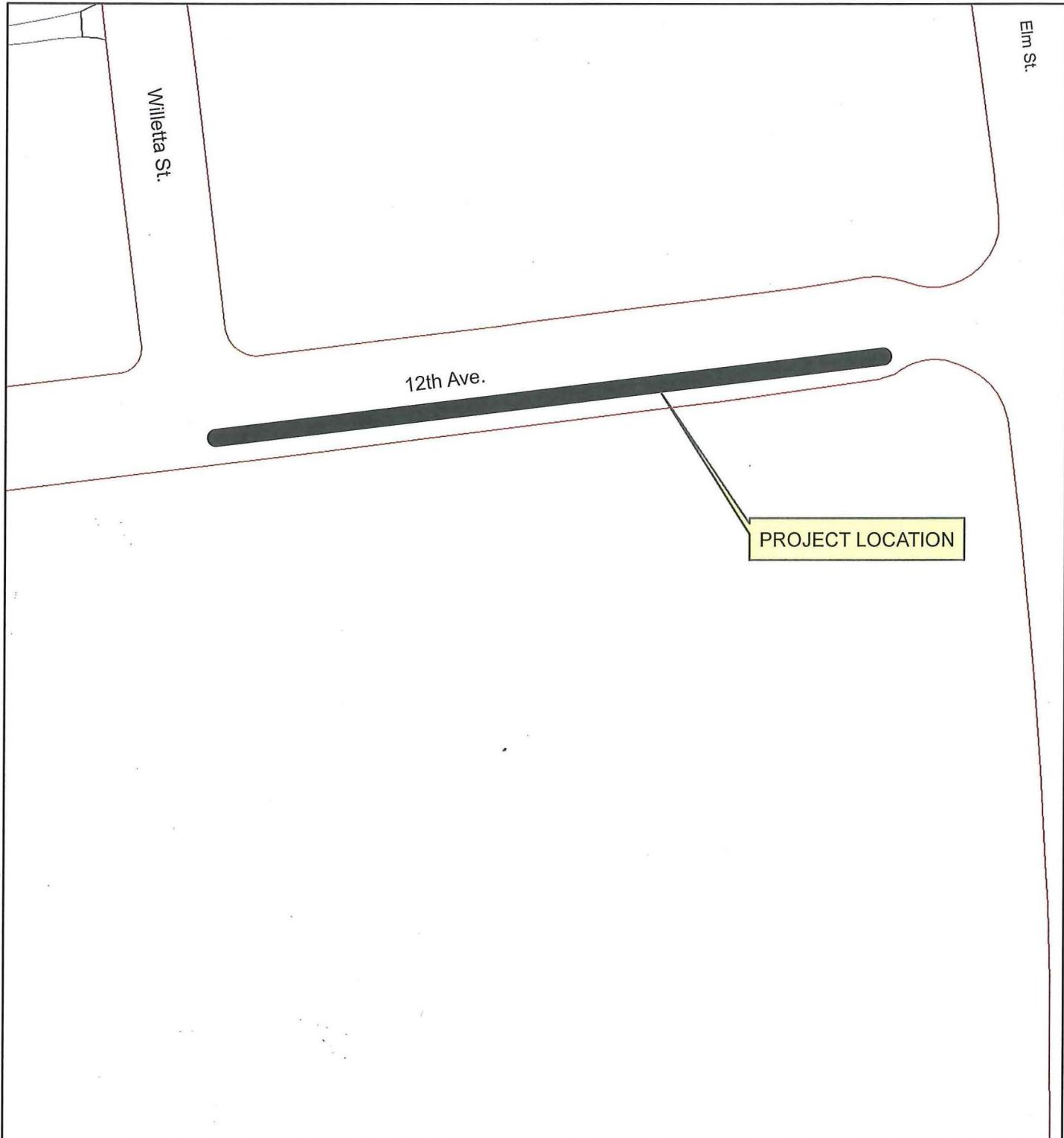


VICINITY MAP
SS-14-02, PIPE BURSTING PROJECTS
SEGMENT 5708



0 37.5 75 150 225 300 Feet

ATTACHMENT 5



VICINITY MAP
SS-14-02, PIPE BURSTING PROJECTS
SEGMENT 7224



0 25 50 100 150 200 Feet