NOTICE OF PUBLIC MEETING
CITY OF ALBANY
CITY COUNCIL
Council Chambers
333 Broadalbin Street SW
Wednesday, October 8, 2014
7:15 p.m.

AGENDA

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.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ROLL CALL

4. SCHEDULED BUSINESS

   a. Public Hearing
      1) CU-01-14, Conditional Use Permit for a new 120-foot tall telecommunications facility (appeal). [Pages 2-78]
      Action: _____

   b. Business from the Public

   c. First Reading of Ordinance
      1) Establishing a tax on the sale of marijuana and marijuana-infused products in the city of Albany. [Pages 79-84]
      Action: _____ ORD. NO. _____

   d. Adoption of Resolution
      1) Establishing tax rates for the sale of marijuana, medical marijuana, and marijuana-infused products in the city of Albany. [Page 85]
      Action: _____ RES. NO. _____

   e. Adoption of Consent Calendar
      1) Approval of Minutes
         a) July 23, 2014, City Council Regular Session. [Pages 86-91]
      2) Accepting a sidewalk easement from Glorietta Bay, LLC. [Pages 92-97] RES. NO. _____
      Action: _____

   f. Approval of Funding Request
      1) TLT Ad Hoc Committee. [Item will be walked in at meeting.]
      Action: _____

5. BUSINESS FROM THE COUNCIL

6. NEXT MEETING DATE: Work Session: October 20, 2014
   Regular Session: October 22, 2014

7. 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, Director of Public Works and Community Development

FROM: Bob Richardson, Planning Manager
Melissa Anderson, Planner

DATE: October 1, 2014, for the October 8, 2014, City Council Meeting

SUBJECT: Public Hearing on Appeal (Planning File CU-01-14)

RELATES TO STRATEGIC PLAN THEME: Great Neighborhoods

Action Requested:

The City Council is requested to complete the public hearing, deliberate, and make a tentative decision on the appeal of a Conditional Use Permit for a new 120-foot tall telecommunications facility that is Planning File CU-1-14.

Discussion:

On July 7, 2014, the Albany Planning Commission held a public hearing on a Conditional Use permit application by Verizon Wireless to construct a new 120-ft tall telecommunication tower (cell tower) on a site that is zoned Mixed Use Commercial (MUC). During this hearing, the Planning Commission directed staff to prepare findings of fact to deny the application. On July 21, 2014, the Planning Commission denied the Conditional Use permit application. This decision was appealed by the applicants to the City Council.

On August 27, 2014, the Albany City Council conducted a *de novo* public hearing on the appeal. . The Council continued the public hearing to October 8th, to allow participants time to provide additional information regarding the application.

On September 24, 2014, the applicant submitted additional information, which is attached to this memorandum. As part of this new information, the applicant proposes to relocate the proposed cell tower further west to increase the distance between the proposed cell tower and the existing bowling alley building to address some of the concerns brought up during the public hearing on August 27, 2014.. As proposed in the revised materials, the cell tower would be located over 120 feet away from the bowling alley building, but would remain outside of the floodplain and natural resource overlays on the site.

The applicable review criteria for the Conditional Use permit application continue to apply to this revised site plan. Therefore, a decision by Council should take into consideration compatibility with the intended character of the base zone and the operating characteristics of the neighborhood, and compatibility with existing or anticipated uses of the MUC zone.

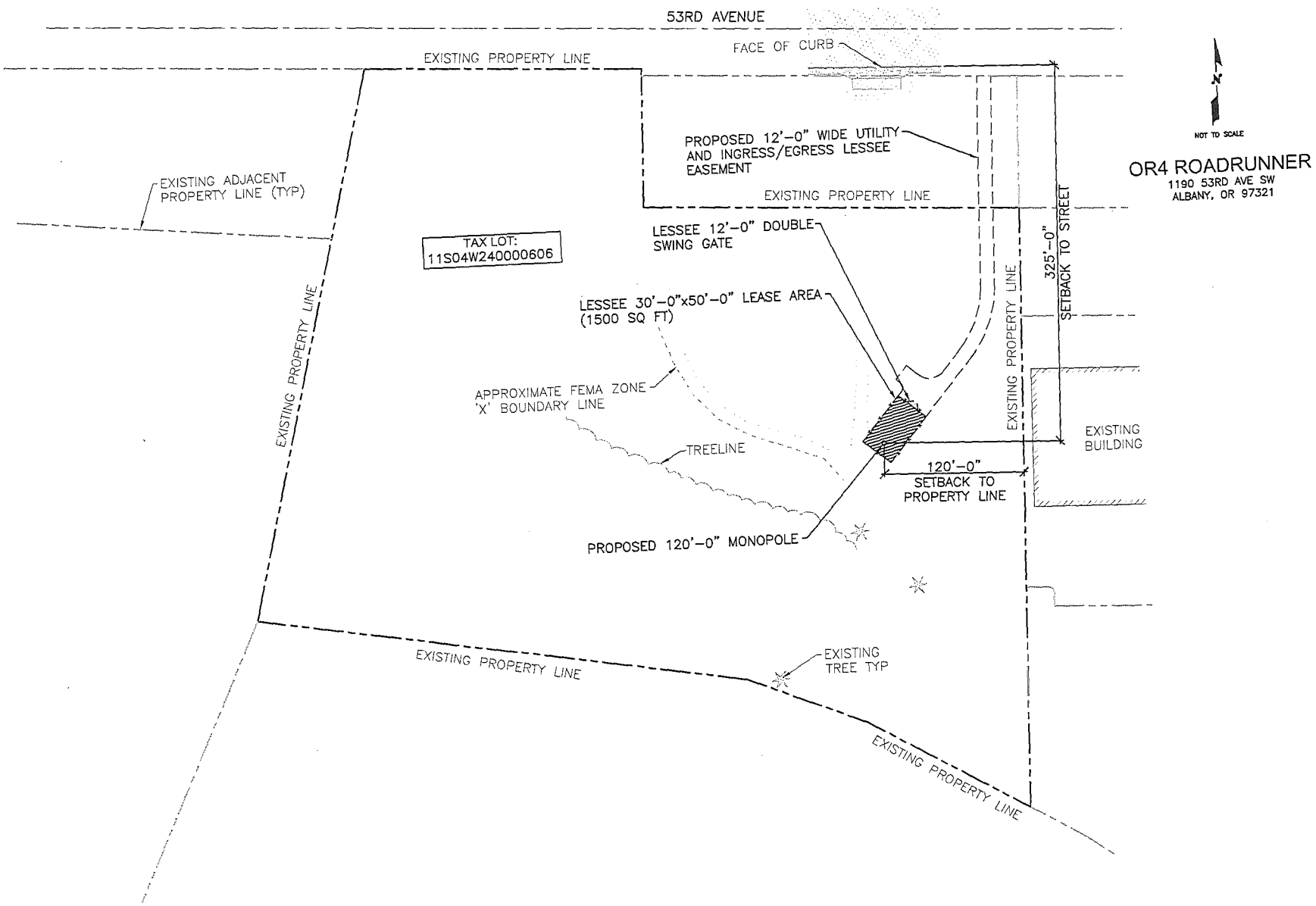
Recommendation:

The findings adopted by the Planning Commission to deny the subject application formed the basis for the Staff findings and conclusions presented to the City Council in the August 20, 2014, memorandum. Analysis in that memorandum finds that the subject application does not satisfy all applicable review criteria. Preliminary staff analysis finds that moving the cell tower as proposed would not necessarily result in conformance with applicable review criteria. However, because evaluation of the proposal against the applicable review criteria requires the use of discretion, the City Council may reasonably reach a different conclusion than Staff. In either case, Council is requested to make a tentative decision and direct staff to return at a future Council meeting with final findings for the Council's consideration and adoption.

Budget Impact:
None

MA
Attachments:

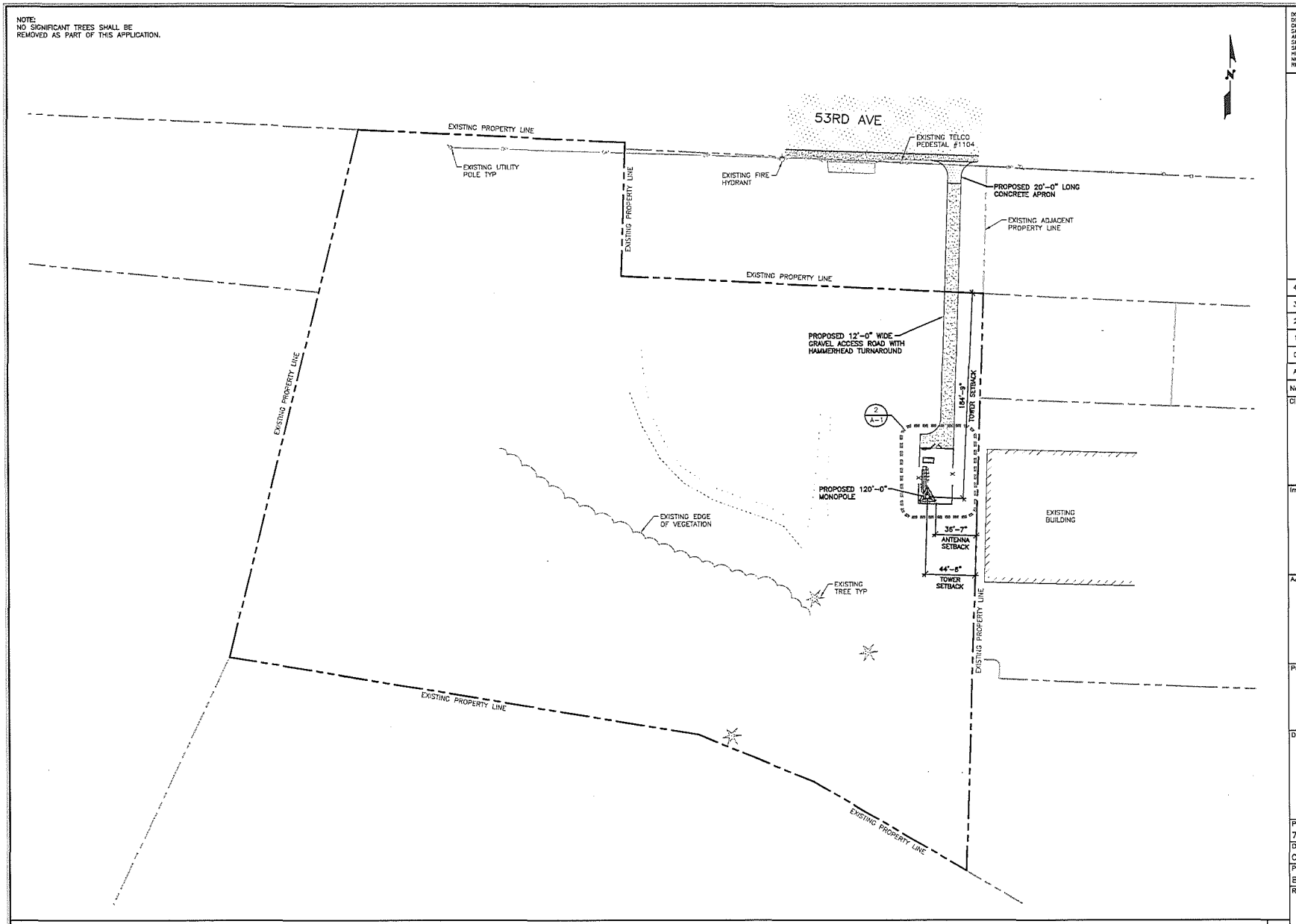
- New Proposed Location of Cell Tower
- Previous Proposed Location of Cell Tower
- Conditional Use and Design Standards Criteria
- Applicant's submittal (dated 9/24/14)



OR4 ROADRUNNER
1190 53RD AVE SW
ALBANY, OR 97321

NEW PROPOSED LOCATION

NOTE:
NO SIGNIFICANT TREES SHALL BE REMOVED AS PART OF THIS APPLICATION.



22"x34" SCALE: 1" = 40'-0"
11"x17" SCALE: 1" = 80'-0"
40' 20' 0' 40'

SITE PLAN | 1

DO NOT SCALE DRAWINGS. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND ADVISE CONSULTANTS OF ANY ERRORS OR OMISSIONS. NO VARIATIONS OR MODIFICATIONS TO WORK SHOWN SHALL BE IMPLEMENTED WITHOUT PRIOR WRITTEN APPROVAL. ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED BY THE LATEST REVISION. ALL DRAWINGS AND SPECIFICATIONS REMAIN THE PROPERTY OF MORRISON HERSHFIELD CORPORATION. NEITHER MORRISON HERSHFIELD NOR THE ARCHITECT WILL BE PROVIDING CONSTRUCTION REVIEW OF THIS PROJECT.

REGISTERED ARCHITECT
ROBERT J. LARA
License # 5897
PLANTATION, FL
STATE OF OREGON

ROBERT JERRY LARA
REGISTERED ARCHITECT
STATE OF OREGON
5897

No.	Date	Revision
4	–	–
3	3/18/14	REVISED PER COMMENTS
2	11/26/13	REVISED PER COMMENTS
1	10/21/13	REVISED PER COMMENTS
0	9/30/13	REVISED PER COMMENTS
A	9/11/13	ISSUED FOR REVIEW

Client:
verizon wireless

Implementation Team:
JIM JAGGERS
9895 MONTEGRINO COURT
ELK GROVE, CA 95757
(916) 213-8407

A&E Team:
MORRISON HERSHFIELD
10900 NE 8TH STREET, SUITE 810
BELLEVUE, WA 98004 Tel:
425.451.1301 Fax: 425.451.1369
www.morrisonhershfield.com

Project Info:
OR4
ROADRUNNER
53RD AVE AND PACIFIC BLVD SW
ALBANY, OR 97321

Drawing Title:
SITE PLAN

Project Number:	Date:
7130028	7/18/13
Drafter: CL	Designer: BW
Project Manager: BW	Professional of Record: RL
Revision No: 3	Sheet No: C-1

PREVIOUS PROPOSED LOCATION

APPROVAL STANDARDS FOR PROPOSED CELL TOWER

ALBANY DEVELOPMENT CODE CONDITIONAL USE REVIEW CRITERIA (ADC 2.250)

(1) The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.

(2) The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping or the proposal calls for mitigation of difference in appearance or scale through such means as setbacks, screening, landscaping or other design features.

(3) The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts and pedestrian safety.

(4) Public services for water, sanitary and storm sewer, water management and for fire and police protection are capable of servicing the proposed use.

(5) The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to: (a) Noise, glare, odor, litter, and hours of operation. (b) Privacy and safety issues.

(6) Activities and developments within special purpose districts must comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

TELECOMMUNICATION FACILITIES DESIGN STANDARDS CRITERIA (ADC 8.500)

Telecommunication Facilities. Every telecommunication facility shall comply with the following standards and applicable standards of the zone.

(1) No new tower shall be permitted unless the applicant demonstrates that co-location is not feasible on existing towers.

(2) New towers or facilities 50 feet or more in height must provide for future co-location of other telecommunications providers.

(3) Monopole construction is preferred over the lattice style.

(4) The applicant shall consider the following locations as the preferred order of location of for a proposed communication facility: a) existing broadcasting or communication facilities; b) public structures such as water reservoirs, utility structures, fire stations, bridges, and other public buildings within all zoning districts not used primarily for residential uses; c) property zoned Light Industrial, Heavy Industrial, Industrial Park, and Heavy Commercial.

(5) Towers and antennas shall be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment, except when the color is dictated by federal or state authorities such as the Federal Aviation Administration.

(6) Towers should be located in an area where they are unobtrusive and do not substantially detract from aesthetics or neighborhood character, due to either location, nature of surrounding uses, or to lack of

visibility caused by natural growth or other factors.

(7) Towers shall not be located between the principal structure and a public street.

(8) Tower setbacks shall be at least the height of the tower from public streets.

(9) Tower guys and accessory structures shall satisfy the minimum setback requirements of the underlying zoning district. Vegetative screening shall be provided around any accessory building as prescribed by Section 9.250.

(10) All towers and associated facilities shall be removed within six months of the cessation of operations at the site unless the Community Development Director approves a time extension. If a tower is not removed within six months, the City may remove the telecommunications facilities and assess the costs of removal against the owner and property.

Hathaway Koback Connors LLP

520 SW Yamhill St.
Suite 235
Portland, OR 97204

E. Michael Connors
503-205-8400 main
503-205-8401 direct

mikeconnors@hkcllp.com

September 24, 2014

VIA HAND DELIVERY

City Council
City Albany
c/o Ms. Melissa Anderson
Planning Division
333 Broadalbin Street SW
Albany, Oregon 97321

Re: Verizon Wireless (OR4 Roadrunner)
Planning File No. CU-01-14
Response to Appeal Hearing Issues

Dear Mayor Konopa and Councilors:

As you know, this office represents the applicant Verizon Wireless ("Verizon") concerning the above-referenced land use application for a telecommunications facility. At the conclusion of the August 27, 2014 appeal hearing, the City Council granted our request to continue the hearing so we could address several issues raised at the hearing. We are submitting this letter and the attached documents in response to those issues.

1. Clarification and additional information regarding the alternative sites.

The City Council requested clarification and additional information regarding the alternative sites Verizon considered for this facility, in particular the HI (Heavy Industrial) and LI (Light Industrial) zoned properties to the north and east of the subject property. The enclosed letters from John Dassan, Verizon Radio Frequency (RF) engineer, dated September 23, 2014, and Jim Jaggers at Black Rock, the site consultant who prepared the alternative site analysis, dated September 24, 2014, address these issues.

As explained in Mr. Dassan and Mr. Jaggers' letters, the initial process of identifying a new site for a facility requires the identification of a search area that includes those properties that could address the necessary coverage objectives and capacity deficiencies. The search area is identified by RF engineers and provided to the site consultant at the beginning of the process so they can contact those properties within that area to inquire about their interest in leasing space for a new facility. In this case, the search area provided a limited number of properties as potential candidates due to the large number of parcels zoned open space or residential, which do not allow wireless communication facilities. After performing the initial field work, Verizon

determined that there were no viable candidates within the search area because none of the property owners with properties in the search area that could accommodate the facility were willing to lease space. After discussing the lack of available properties within the search area, Verizon's RF engineer instructed Mr. Jaggers to explore suitable sites as close to the search area as possible.

As Mr. Jaggers explained in his September 24 letter, several properties in the immediate surrounding area were not viable candidates because the property owners were not interested in leasing space for the facility and/or the facility could not be accommodated on the property. After completing this second phase of field work, Mr. Jaggers identified three properties close to the search area that could potentially accommodate a wireless communication facility for RF consideration. The three properties included: (A) a Heavy Industrial (HI) zoned property to the north of the search area (3651 Pacific Blvd SW); (B) a Light Industrial (LI) zoned property to the north and slightly east of the search area (112 41st Ave. SE); and (C) the subject property for this application. RF engineering ruled out the first two sites because they were too far from the search area to provide the coverage and capacity objects designed for this site and where too close to existing Verizon communication facilities which would cause interference with these facilities. Mr. Jaggers also noted this fact in the original alternative sites analysis

Since the City Council inquired about sites (A) and (B) noted above and they were previously evaluated by the Verizon RF engineer previously assigned to this site, we asked Mr. Dassan to reevaluate these sites. As Mr. Dassan confirmed in his September 23 letter, these properties will not fulfill the capacity deficiency and coverage objective for this site because they are too far from the search area and will interfere with nearby existing Verizon facilities.

Although the other HI and LI zoned properties to the north and east of the subject property are similarly well outside the search area, we asked Mr. Dassan to evaluate these industrial zoned properties. As stated in his September 23 letter, Mr. Dassan confirmed that locating a facility in this area will not fulfill the capacity deficiency and coverage objective for this site for the same reasons as sites (A) and (B).

The City Council also inquired if any of the alternative sites were ruled out because Verizon's proposed rent was too low for the property owner. The alternative sites analysis provided the reasons why the alternative sites were ruled out and none of them state it was due to the rent figures. Nonetheless, Mr. Jaggers confirmed this fact again in his September 24 letter.

After the August 26 appeal hearing, Ron Litwiller, President of the Mennonite Village Retirement Community in Albany, contacted us to inquire about locating the facility on their campus. A copy of Mr. Litwiller's September 3, 2014 email is enclosed. The Mennonite Village Retirement Community campus is located approximately two miles east of the subject property. As Mr. Dassan explained in his September 23 letter, Verizon evaluated this property and determined that it is well outside the search area and will not fulfill the capacity deficiency and coverage objective for this site.

As we explained at the August 27 hearing, if Verizon could satisfy its coverage and capacity objectives with an industrial zoned property it certainly would have selected such a property since the siting process and criteria would be significantly easier. Verizon selected this property

because it is the only feasible property. Verizon submitted substantial evidence demonstrating that the subject property is the only property capable of satisfying the coverage and capacity objectives with a property owner willing to lease space, and provided this additional evidence in response to inquiries from the City Council. No evidence to the contrary has been submitted into the record.

2. **Verizon is willing to move the monopole location 120 feet from the adjacent property owner.**

The adjacent property owner and operator of the Lakeshore Lanes bowling center, Roger Nyquist, expressed concern at the hearing about the proximity of the proposed 120-foot monopole to the bowling center building. In particular, Mr. Nyquist expressed safety concerns in the event the monopole fell since it is less than 120 feet from his building. Although the Albany Development Code (ADC) does not impose setback requirements from buildings for these types of facilities and the proposed monopole exceeds all building and seismic code requirements, Verizon agreed to consider moving the tower further away from Mr. Nyquist's building.

After considering Verizon's engineering requirements, the City code, environmental boundaries (including the 100 year floodplain, open space zone, riparian areas, wetlands, and all their associated overlays and buffers), the impact on future development of the property and the property owner's willingness to lease space for a new location, Verizon is able to relocate the monopole 120 feet from Mr. Nyquist's property line. We've attached a revised site plan with the new proposed location for the monopole. Since the new location for the monopole is 120 feet from the property line, and the bowling center building is setback close to 10 feet from the property line, the new location will be approximately 130 feet from the building, more than the height of the tower. It is important to note that Verizon may be required to slightly modify the location by a few feet after we confirm the environmental boundaries, but we are willing to agree to a condition of approval that any adjustments to the location of the monopole will ensure that it is not located closer than 120 feet from Mr. Nyquist's property line.

We believe this new location addresses Mr. Nyquist's primary concern. We provided Mr. Nyquist a copy of the revised site plan via email on September 23, 2014, but we have not had an opportunity to discuss it with him further prior to submitting this letter. We will follow up with Mr. Nyquist between now and the October 8, 2014 scheduled hearing.

3. **Supplemental information for additional issues.**

The enclosed letter from Konrad Hyle at Black Rock, the site consultant who attended the August 27 appeal hearing, and attached documents address several other issues that came up at the hearing. Mr. Hyle's letter provides additional information regarding the public benefits of this facility, an overview of wireless networks, the structural integrity and safety of the facility, and photo simulations for the new proposed location.

Conclusion

We appreciate your willingness to grant an extension and allow us additional time to address these issues. We hope that this additional information clarifies these issues and provides the City Council the necessary information to support our application. We look forward to discussing these issues with you further at the October 8 hearing.

Very truly yours,

HATHAWAY KOBACK CONNORS LLP

E. Michael Connors

E Michael Connors

EMC/df
Enclosures

5430 NE 122nd Avenue
Portland, OR 97230

September 23, 2014

City of Albany – Planning Division
Attn: Melissa Anderson, AICP, PMP, CFM
333 Broadalbin Street SW
Albany, Oregon 97321

RE: CU-01-14 - VERIZON WIRELESS OR4 ROADRUNNER

Dear Ms. Anderson:

This letter is a supplement to my locational needs analysis letter, dated March 5, 2014, and responds to issues raised at the City Council's August 27, 2014 appeal hearing for the above referenced project.

During the City Council appeal hearing several questions were posed relating to siting the proposed facility for this project on industrial zoned properties located outside of the search area, in particular the LI (Light Industrial) or HI (Heavy Industrial) industrially zoned properties to the north and east of the search area as shown on the attached zoning map. As we previously explained, the initial process of identifying a new facility site requires the identification of a search area that includes those properties that could address the necessary coverage objectives and capacity deficiencies. Although these properties are well outside the search area, we evaluated them and confirmed that locating a facility in this area will not fulfill the capacity deficiency and coverage objective for this site.

In addition, we evaluated three (3) specific properties identified below and determined that none of these properties will achieve the required coverage objective or fulfill the capacity deficiency for the reasons provided below:

1. 3651 Pacific Blvd SW, Albany, OR (APN: 11S 04W 13DD 00100) Coordinates: Latitude: 44.608077° Longitude: -123.109066°. RF Response: This location is significantly north of the required search target area to achieve the coverage objective and will not fulfill the capacity need for the OR4 Roadrunner area. This location would also be too close to the adjacent proposed Verizon site area (OR4 Lyon site) proposed to the north and would cause significant interference with that facility.

2. 112 41st Ave SE Albany, OR (APN: 11S 03W 19A 01700) Coordinates: Latitude: 44.601622° Longitude: -123.101791° 228'. RF Response: This location is significantly north and east of the required search target area to achieve the coverage objective and will not fulfill the capacity need for the OR 4 Roadrunner area. This location would also be too close to the

adjacent proposed Verizon site area (OR4 Lyon site) and would cause significant interference with that facility.

3. Mennonite Village Retirement Community. Address: SE Columbus Street and 53rd Avenue SE Albany, OR. Coordinates: Latitude: 44.597550° Longitude: -123.082244°. RF Response: We evaluated this site because it is my understanding that a representative of the Mennonite Village Retirement Community proposed their property as a potential alternative after the appeal hearing. This location is significantly east of the required search target area to achieve the coverage objective and will not fulfill the capacity need for the OR4 Roadrunner area. Currently Verizon has adequate capacity in this area and no new service needed.

Sincerely,

/s/

John Dassan
Verizon Wireless
Pacific Northwest Region
Network Department – System Design

September 24, 2014

City Council
City Albany
c/o Ms. Melissa Anderson
Planning Division
333 Broadalbin Street SW
Albany, Oregon 97321

Re: Verizon Wireless (OR4 Roadrunner)
Planning File No. CU-01-14

Dear Mayor and Councilors:

I am a representative of Black Rock and work as a site consultant for Verizon Wireless. In Spring of 2012 my company was assigned this particular site (OR4 Roadrunner) and I was provided the search area data for this site. The search area data provided a limited number of parcels as potential candidates due to the large number of parcels zoned open space or residential, which do not allow wireless communication facilities. In late Spring of 2012 I began my field work contacting or attempting to contact owners of parcels within the search area that were viable for the development of a wireless communications facility. After much work I was turned down by all potentially viable property owners within the search area. In most, if not all, cases I never got to the point of discussing potential rents or other terms as the property owners rejected our proposal outright because they had future development plans that were not compatible with Verizon Wireless' facility or the property owner felt that a wireless communication facility was not compatible with their existing operations/use of their property. None of these property owners rejected our proposal due to the rent.

After discussing the lack of available opportunities with the RF engineer then in charge of the site, I was instructed to explore suitable sites as close to the search area as possible. Several properties in the immediate surrounding area were not viable candidates because the property owners were not interested in leasing space for the facility and/or the facility could not be accommodated on the property. After completing this phase of my field work, I identified three properties close to the search area that could potentially accommodate a wireless communication facility: A) a Heavy Industrial (HI) zoned property to the north (herein after referred to as "A"); B) a Light Industrial (LI) zoned property to the north and slightly east of the search area (herein after referred to as "B"); and C) the property now the subject of this conditional use process. The RF engineer ruled out sites A and B because they were too far from the search area to provide the coverage and capacity objects designed for this site and where too close to existing Verizon Wireless communication facilities which would cause interference with these facilities. As a result of my field work, the only viable property for the proposed wireless communications facility is the property now subject to this conditional use process.

Jim Jaggers

Jim Jaggers
On behalf of Verizon Wireless

BLACK ROCK

Developing Tomorrow's Infrastructure for Wireless, Renewable Energy & Gas

September 24, 2014

City Council
City Albany
c/o Ms. Melissa Anderson
Planning Division
333 Broadalbin Street SW
Albany, Oregon 97321

Via: Delivery

RE: Appeal request CU-01-14 (Verizon Wireless/OR4 Roadrunner) - ADDITIONAL EVIDENCE

Dear Mayor and Councilors:

I am a representative of Black Rock and work as a site consultant for Verizon Wireless. I am submitting this additional evidence for your consideration and in response to issues raised by City Council at the August 27, 2014 appeal hearing.

VERIZON SYSTEM and PUBLIC BENEFITS

Verizon Wireless is upgrading and expanding its physical system network throughout Oregon. Upon completion of this update, Verizon Wireless will operate a state of the art digital network of wireless communication sites throughout Oregon, and in connection with other nationwide Verizon Wireless market areas.

The need for specific service is determined by market demand, capacity requirements for a specific geographic area, and the need to provide continuous coverage from one site to another in a particular geographic region. Once the need for additional capacity or enhanced coverage in a particular area has been established, Verizon Wireless Radio Frequency (RF) engineers identify a target area ("search area") to locate a new facility.

The required site location and antenna height is determined by an engineering study. This study evaluates radio signal propagation over the desired coverage area based on

topography, geographic features and possible signal attenuation due to seasonal changes in vegetation. It is desirable to have direct line of sight from the base station antennas to the required coverage objectives.

This proposed development would allow Verizon Wireless to continue to provide the needed service to the City of Albany and surrounding rural area. It is crucial for Verizon Wireless to have adequate coverage in this area in order to serve customers in compliance with its FCC license regulations

Wireless technology will provide many benefits to the residents, businesses, and motorists that travel or live near the proposed project site. These benefits include:

- Quick access to 911 Emergency, even in remote regions, allowing motorists to summon emergency aid and report dangerous situations.
- Support for emergency services by providing wireless communications access to paramedics, firefighters, and law enforcement agencies that use this technology.
- A backup system to the landline telephone services in the event of power outages, natural or man-made disasters.
- The ability to transmit data over the airwaves allowing for immediate access to vital information to emergency services.
- Provide quality wireless communications including voice, paging, and digital data capabilities for email, facsimile and Internet access.
- Enhance the communications systems of residents and business around the project coverage area.

In addition, by Presidential proclamation, cell towers have been designated critical infrastructure of the United States (see attached Proclamation- EXHIBIT E). Critical infrastructure are the assets, systems, and networks, so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, national economic security, public health or safety.

NETWORK OVERVIEW

Since their introduction, wireless telecommunications systems have proved to be an invaluable communications tool in the event of emergencies (traffic accidents, fires, etc.) and natural disasters (earthquakes, floods, etc.) where normal land line communications are often disrupted, overlooked, or inaccessible during and after an event has occurred. This service and similar technology are utilized by numerous governmental and quasi-governmental agencies that provide emergency service. Wireless telecommunications systems, including cellular telephones, have also proved to be invaluable tools in business communications and everyday personal use. In this sense, wireless telecommunications system networks have proved to be desirable in the interest of public convenience, health, safety, and welfare.

Wireless communication is accomplished by linking a network of radio wave transmitting devices such as portable and car phones, to the conventional telephone system through a series of short-range, contiguous cells. Similar to a honeycomb pattern, a wireless system is composed of many neighboring and interconnecting cells called, "cell sites," covering specific geographical areas. Each cell site contains transmitting/receiving antennas and

radio transmitting equipment. As a customer enters one cell and exits another, the call is transferred between the cells by a computer at the main switch station. Calls are transmitted or received on a cell phone, PDA or other wireless devices as each cell site share a fixed number of frequencies on the network grid. A caller may initiate a call from within the radius of one cell antenna, as the caller travels through the network, the call is transferred from one cell to the next, thus enabling continuous, uninterrupted transmission.

Wireless technology operates on a line of sight, as such, the antennas must be mounted high enough to overcome challenges posed by local topography, existing vegetation, avoid interference with other wireless infrastructure, and surrounding structures/development. The distance between cell sites will normally range from ½ mile to 9 miles, depending on the population density, consumer usage, existing vertical elements, and the geographical terrain. The required height for antennas is usually proportional to a combination of the distance each cell site can service and the customer demand within their sphere of influence. Typical placement for antennas is on freestanding towers, guyed towers, and lattice or self-support towers. Antennas can also be placed on rooftops, integrated into the building's architecture, and other building features if the structure has sufficient height to meet the needs of the service area. Wireless facilities located throughout the service area are intended to provide seamless call coverage, capacity and quality to its network. The following are some of the basic types of cell sites:

Coverage sites serve to expand coverage in large areas or in areas with difficult terrain and to enhance coverage for portable systems. Coverage sites allow users to make and maintain calls as they travel between cells.

Capacity sites serve to increase the capacity when surrounding sites have reached their practical channel limits. As the years pass, the number of subscribers increases exponentially creating a strain on the existing network. In order to alleviate this strain, capacity sites are implemented into the systems network to accommodate the increase in customer demand.

SEISMIC/STRUCTURAL/SAFETY

Questions regarding structural integrity and safety factors of cell towers were raised by some Council members and a person whom testified at the hearing. Verizon completed a geotechnical engineering report, structural design calculations, structural foundation design, and a structural tower permit drawing for the proposed project (EXHIBITS F1 –F4). These reports were submitted to City as part of the original application, but we included them with this letter for your convenience. The Geotech report on page 5 notes the seismic design parameters. On the tower permit drawing we have highlighted in red outline the code design requirements for wind, wind& ice, tower loading, and seismic. The proposed tower and foundation design exceeds all required design elements for State of Oregon building code requirements.

ALTERNATE SITES ANAYSIS

We included a revised alternative site analysis (EXHIBIT D) and RF letter response (John Dassan letter and EXHIBIT A) addressing sites outside of the search area.

SETBACK TO BOWLING ALLEY – SITE LOCATION/ ENVIRONMENTAL/NOISE

To address concerns raised by the adjacent property owner who owns and operates the Lakeshore Lanes bowling center, Roger Nyquist, we are proposing a revised site location as shown on the attached site plan (EXHIBIT B). The revised site plan shows the tower location 325 feet from 53rd Avenue and 120 feet from the property line to the east which would be over 130 feet from the bowling center building. The revised location is closer to but also will have no impact on any environmental areas (floodplain, wetlands, riparian area etc), overlays, open space zones, or buffers (EXHIBIT B1). This location also minimizes the visual impact of the facility as evidenced by the revised Photosims. In addition, the revised location eliminates the need for any noise mitigation measure due to greater setbacks from property lines See attached email memo form Alan Burt, acoustical engineer (EXHIBIT G).

VISUAL COMPATABILITY

Given the revised site location for the tower, we provided new photo simulations (EXHIBIT C). The greater setback from the public street and bowling center minimizes the visual impact of the facility. The proposed tower location blends in with the context of the environment due to the height of several large utility poles and transmission lines in the immediate vicinity.

Sincerely,

Konrad Hyle

Konrad Hyle
Black Rock
22135 SW Cole Court
Tualatin, OR 9762

On Behalf of Verizon Wireless

EXHIBITS

A. SEARCH AREA/ZONING MAP

B. REVISED SITE PLAN

B1. SITE PLAN WITH ENVIRONMENTAL BOUNDARY

C. PHOTOSIMS

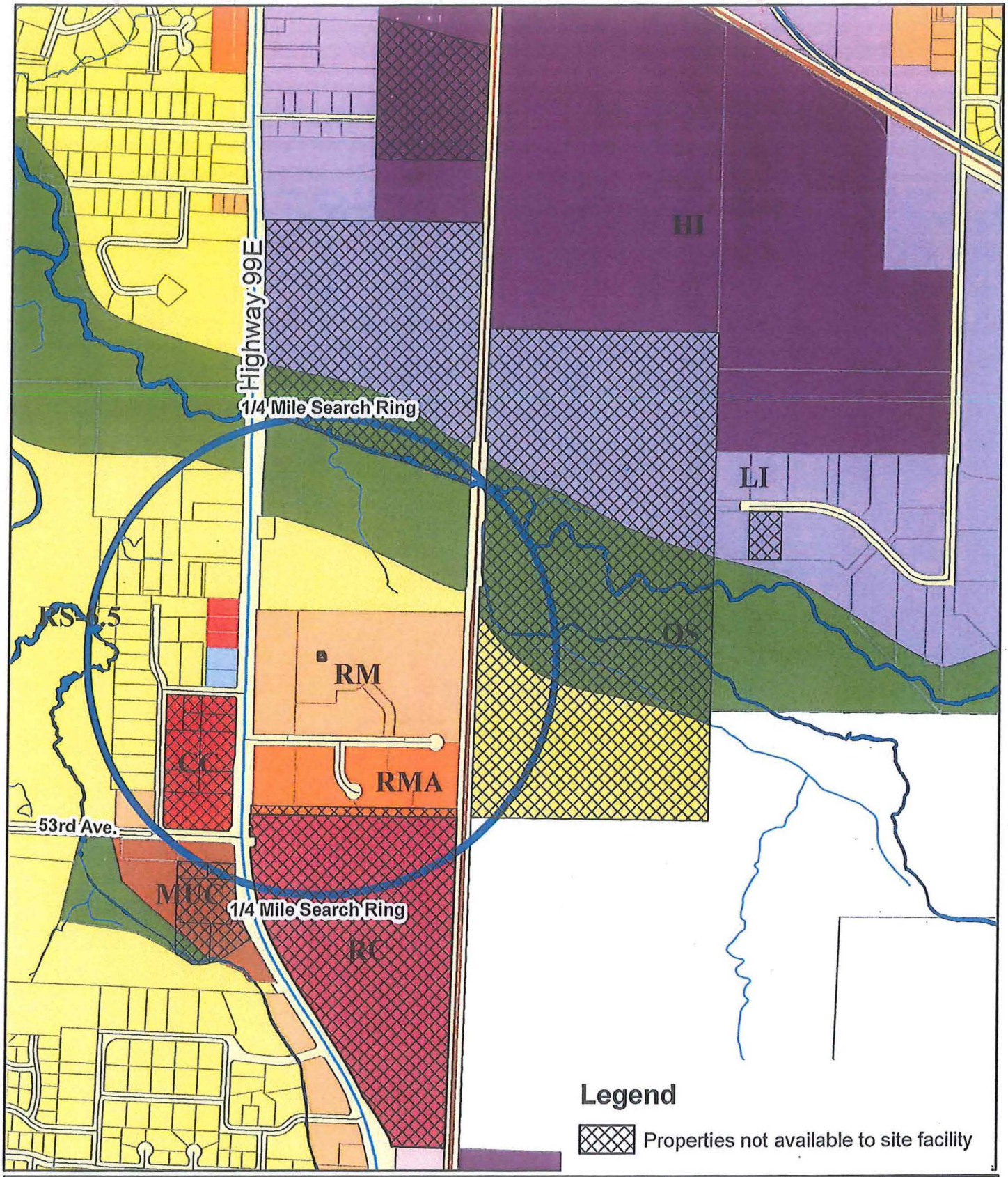
D. ALTERNATIVE SITE ANALYSIS

E. CTITICAL INFRASTRUCTURE PROCLAMATION

F. F1-F4: GEOTECH, STRUCTURAL CALCS, FOUDATION DESIGN, TOWER DESIGN

G. NOISE MEMO

H. MENNONITE VILLAGE EMAIL



Alternative Site Analysis

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

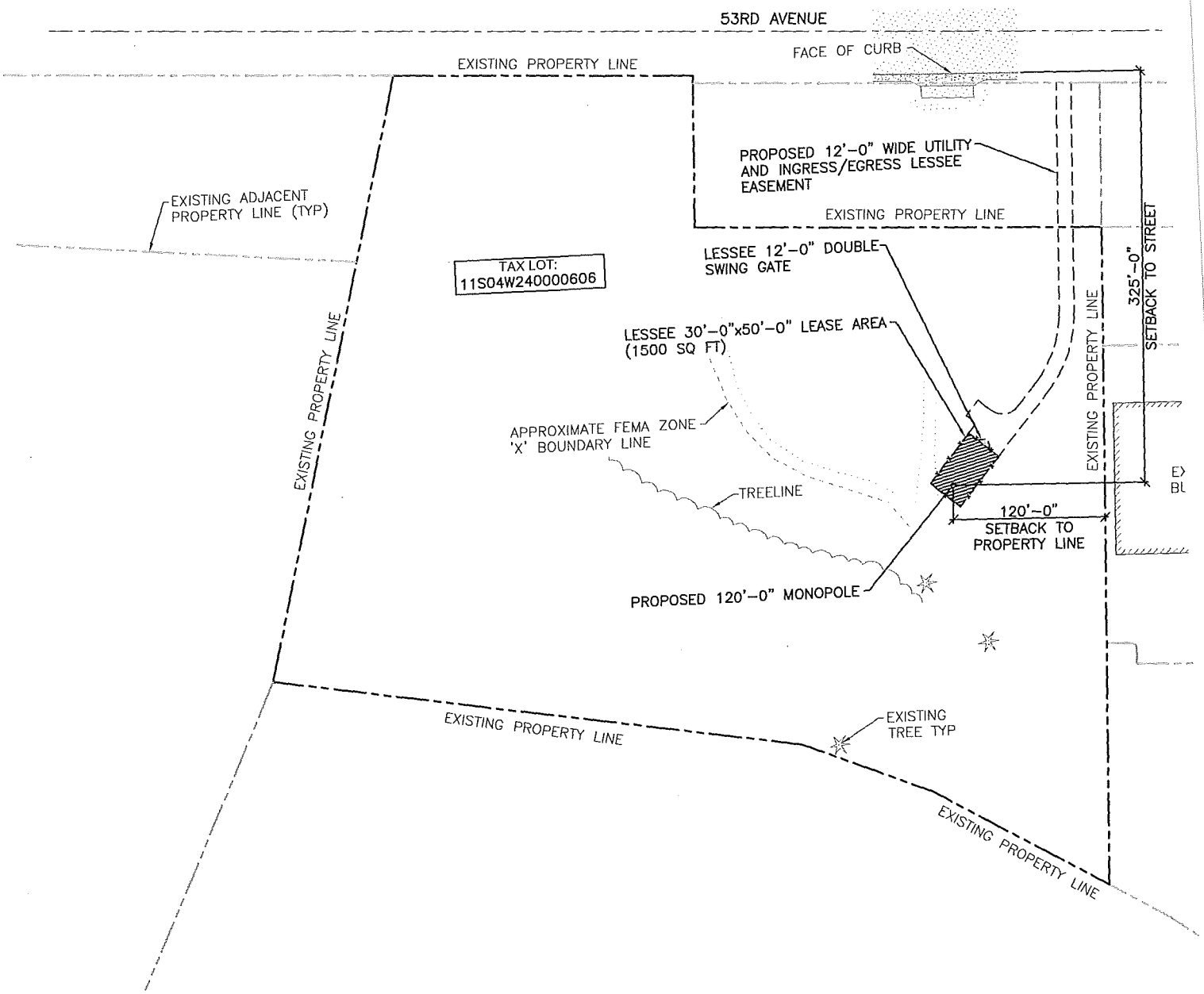
N

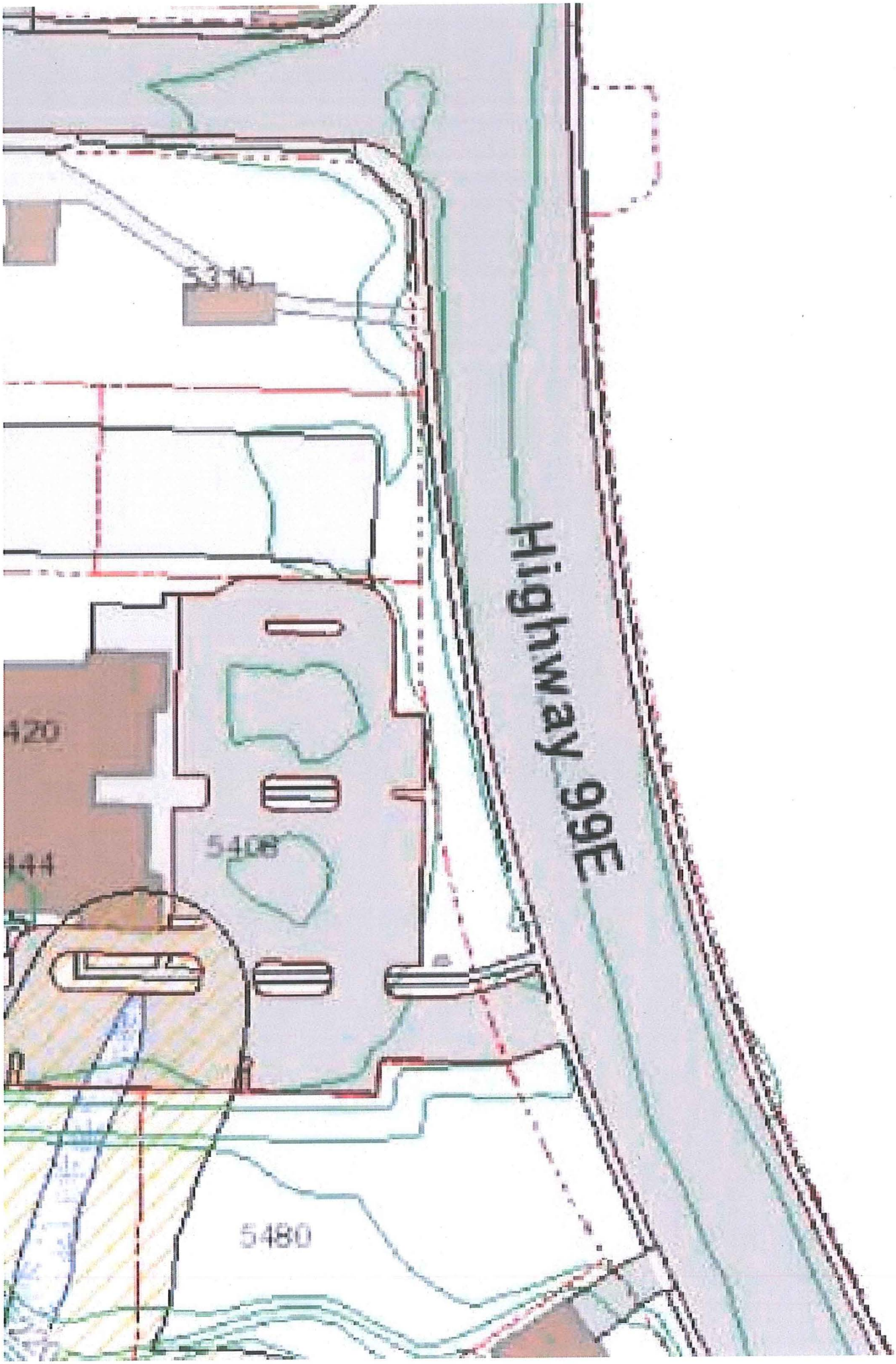
0 170 340 680 1,020 1,360 Feet

June 19, 2014

Planning Divsion

City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917- 7550

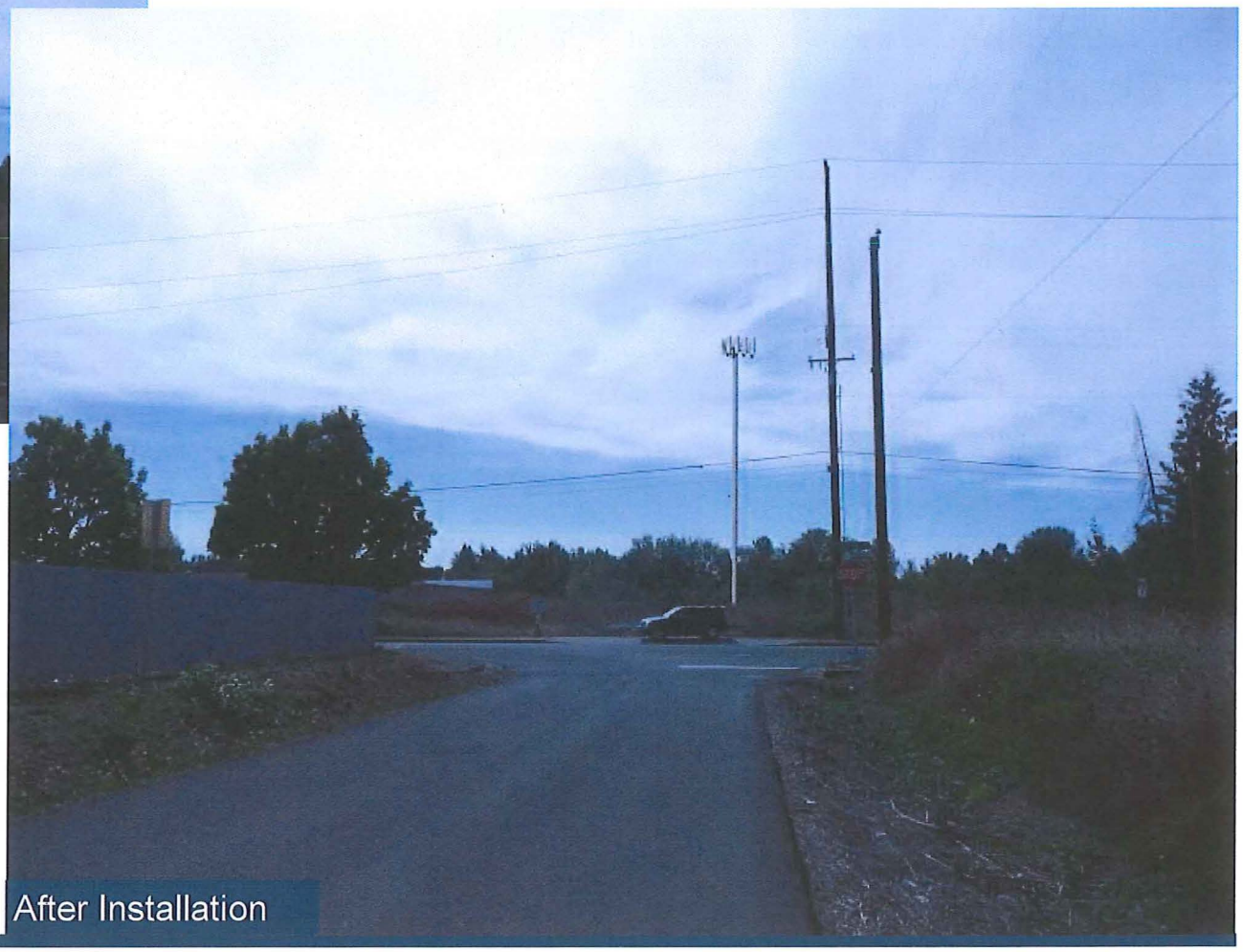

53RD AVENUE
FACE OF CURB
EXISTING PROPERTY LINE
PROPOSED 12'-0" WIDE UTILITY AND INGRESS/EGRESS LESSEE EASEMENT
EXISTING PROPERTY LINE
EXISTING ADJACENT PROPERTY LINE (TYP)
TAX LOT: 11S04W240000606
LESSEE 12'-0" DOUBLE SWING GATE
325'-0" SETBACK TO STREET
EXISTING PROPERTY LINE
LESSEE 30'-0"x50'-0" LEASE AREA (1500 SQ FT)
EXISTING PROPERTY LINE
APPROXIMATE FEMA ZONE 'X' BOUNDARY LINE
TREELINE
120'-0" SETBACK TO PROPERTY LINE
PROPOSED 120'-0" MONOPOLE
EXISTING PROPERTY LINE
EXISTING TREE TYP
EXISTING PROPERTY LINE


Highway 99E
5310
5408
5480

OR4 ROADRUNNER - View 1

53RD AVE & PACIFIC BLVD SW

VIEW FROM WILLETTA ST SW LOOKING SOUTH



MORRISON HERSHFIELD
10900 NE 8th St., Suite 810
Bellevue, WA 98004

S

OR4 ROADRUNNER - View 2

53RD AVE & PACIFIC BLVD SW

VIEW FROM 53RD AVE SW LOOKING SOUTH EAST

After Installation

MORRISON HERSHFIELD
10900 NE 8th St., Suite 810
Bellevue, WA 98004

S

OR4 ROADRUNNER - View 3

53RD AVE & PACIFIC BLVD SW

VIEW FROM 53RD AVE SW & HWY 99 LOOKING SOUTH EAST

MORRISON HERSHFIELD
10900 NE 8th St., Suite 810
Bellevue, WA 98004

S

OR4 ROADRUNNER - View 4

53RD AVE & PACIFIC BLVD SW

VIEW FROM HW 99E ST SW LOOKING WEST

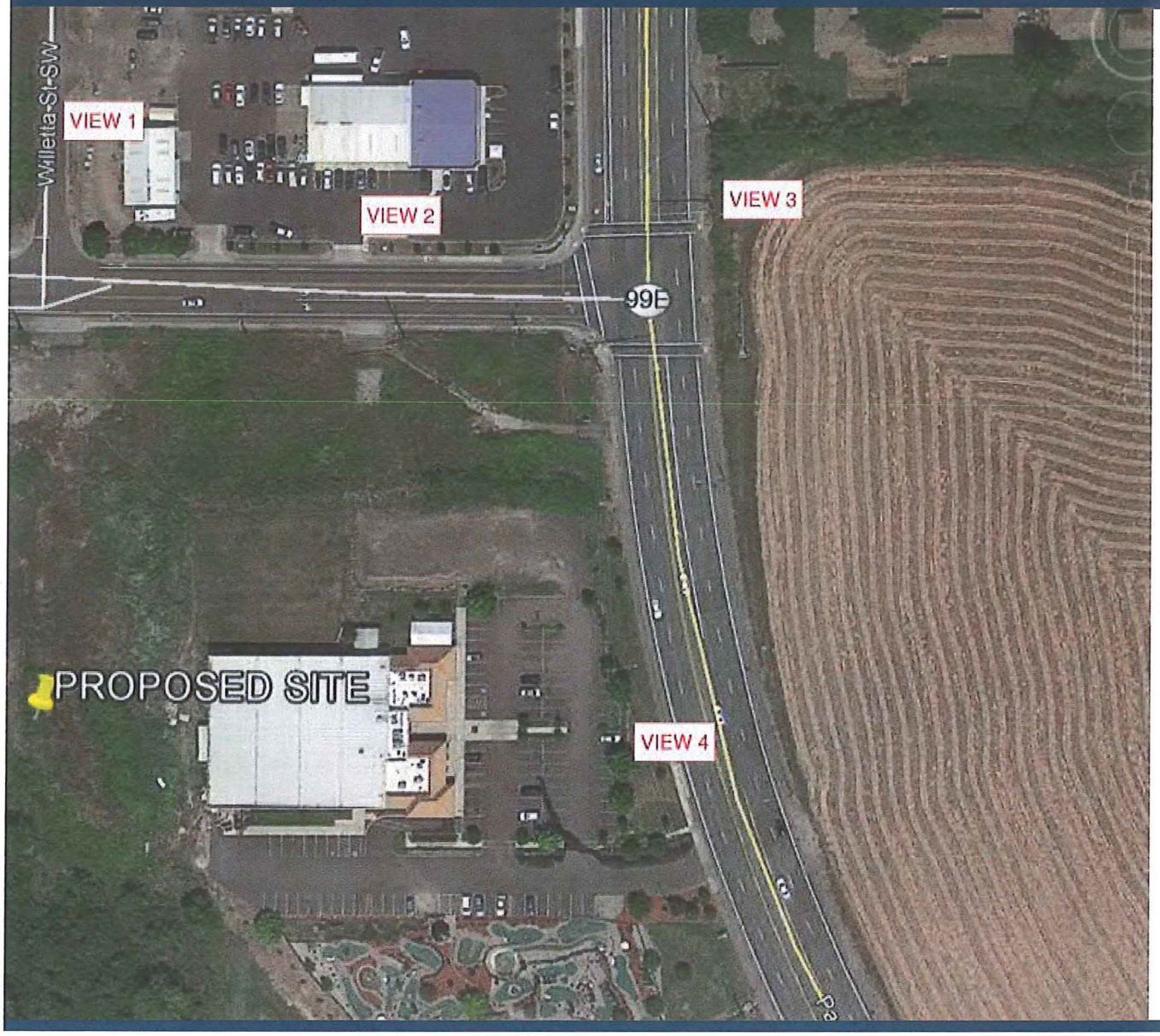
After Installation

MORRISON HERSHFIELD
10900 NE 8th St., Suite 810
Bellevue, WA 98004

S

OR4 ROADRUNNER - MAP

53RD AVE & PACIFIC BLVD SW



NORTH

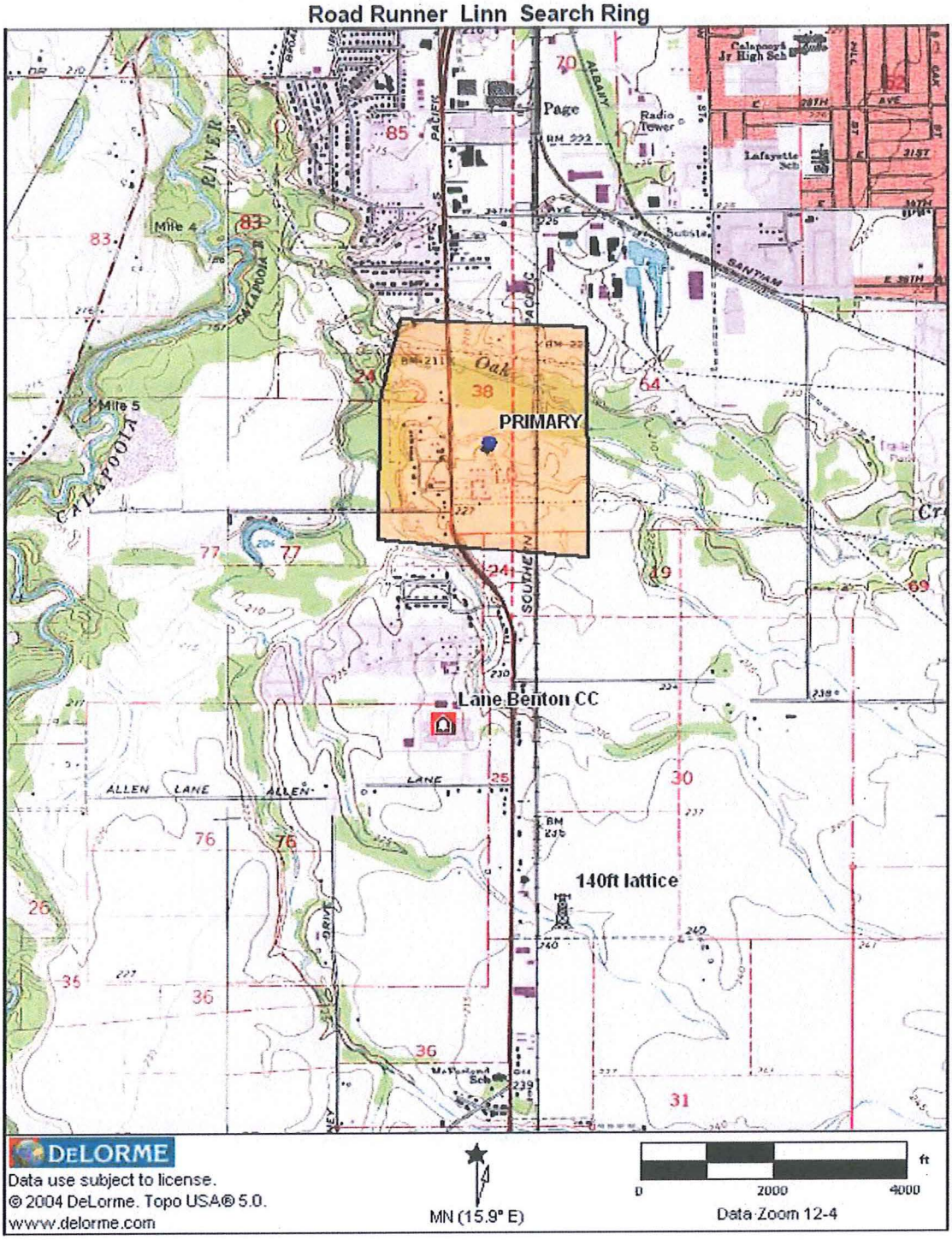
MORRISON HERSHFIELD
10900 NE 8th St., Suite 810
Bellevue, WA 98004

S

OR4 Road Runner
Alternative Site Analysis

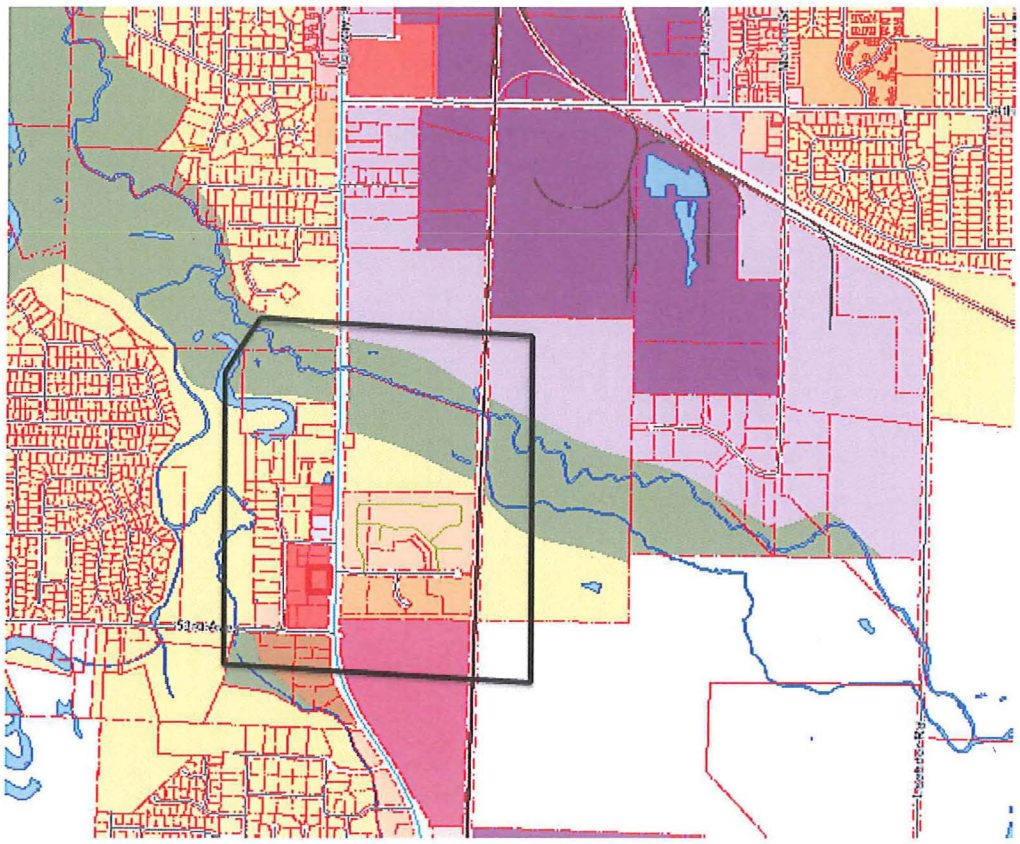
Site Location: SW of 53rd Ave and Pacific Blvd SW, Albany, OR 97103 (APN: 11S04W240000606)
Coverage Objective: Verizon issued Search Ring Polygon:

Search Ring with topography:



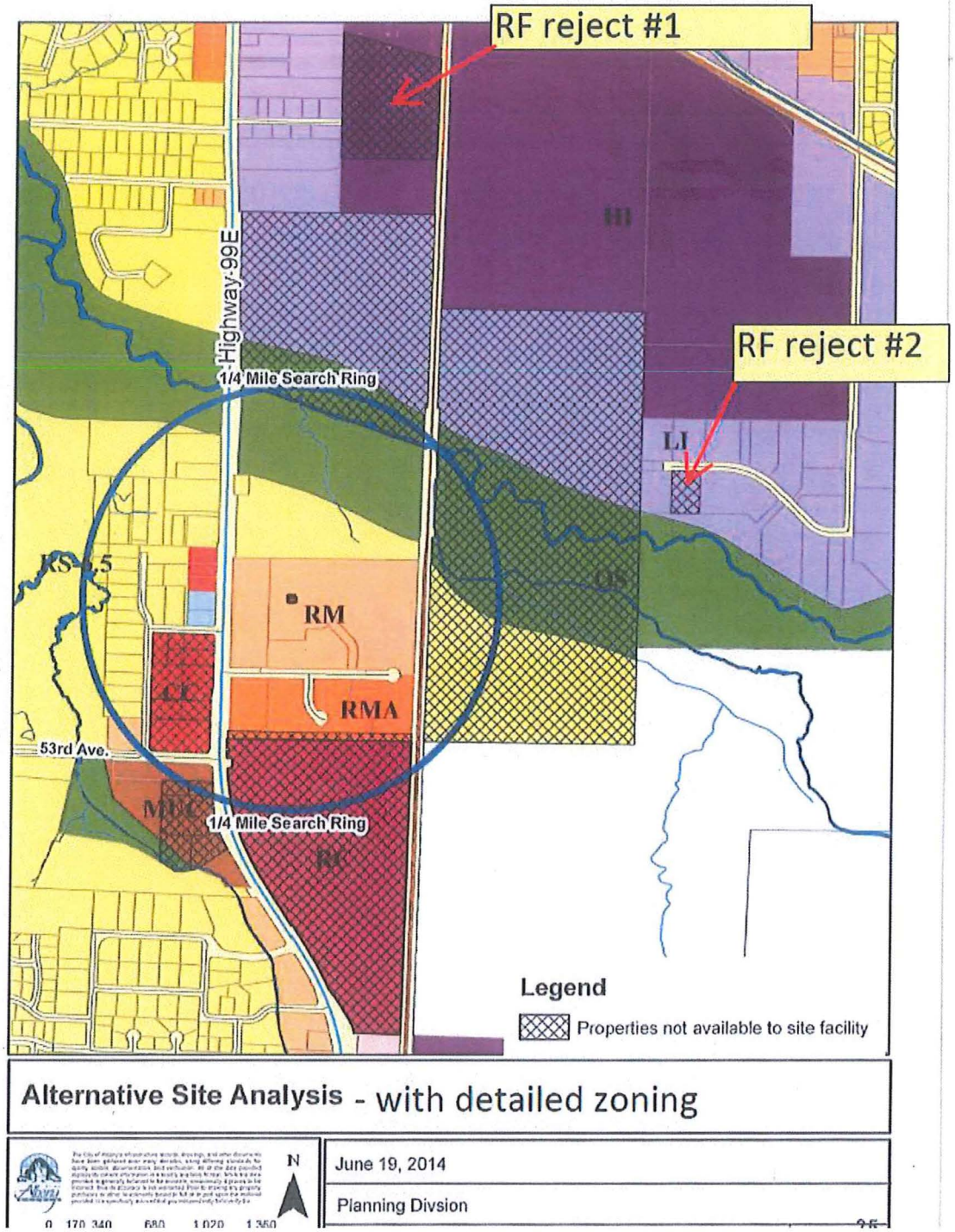
Search Ring with general zoning:

OR4 Road Runner Search Area



****Approximate area of Search Ring.**

Search Area: To meet the coverage objective, Verizon's need for a facility was constrained to a ¼ mile radius, which was centered at the intersection of Red Oak Place and Red Oak Ct. From this point, properties generally within a quarter mile were considered and evaluated for the proposed facility. The search area is composed of primarily residential, residential commercial, open space, and mixed-use commercial properties. Here is the ¼ Mile Radius map as prepared by City planning staff showing detailed zoning:



Based upon questions and feedback from Albany City Council members we have included a more detailed analysis and response regarding nearby industrial zoned and other potential candidate sites within the search parameters. A visual representation of this information is shown on the Alternate Analysis Combined Map.

Rejected Candidates are as follows:

- SELL - 5040 Pacific Blvd SW, Albany, OR (APN: 11S 04W 24DA 01001, -00500, 00600, -01003, -00400, -00300, -00100, -00103, -00101, -00300, -00102)- rejected due to property owner not willing to enter into a lease agreement with Verizon. Labeled "S" in the property ownership Key of the Alternate Analysis combined Map – Robert and Brenda Sell Trust parcels.

- NYQUIST - 5432 thru 5408 Pacific Blvd SW, Albany, OR (APN: 11S 04W 24DA 01400, 1401, 1402, 1500, & 1501) - rejected due to constraints of property does not have enough space to allow for a new facility. Property owner not willing into enter into a lease agreement with Verizon. Labeled "N" in the property ownership Key of the Alternate Analysis combined Map – Nyquist Ventures LLC parcels.

- 3651 Pacific Blvd SW, Albany, OR (APN: 11S 04W 13DD 00100)- rejected by RF engineer. Site location is outside of objective coverage area. Labeled RF Reject #1 on above Alternate Site Analysis with detailed zoning map. (See attached updated RF Justification letter).

- 112 41st Ave SE Albany, OR (APN: 11S 03W 19A 01700) - rejected by RF engineer. Site location is outside of objective coverage area. Labeled RF Reject #2 on above Alternate Site Analysis with detailed zoning map. (See attached updated RF justification letter).

- Mennonite Village Retirement Community. Address: SE Columbus Street and 53rd Avenue SE Albany, OR. Coordinates: Latitude: 44.597550° Longitude: -123.082244°. RF Response: This location is significantly east of the required target area to achieve the coverage objective. Verizon does not have a capacity issue at this location. Location is too far to east (over 1.7 miles away) to show up on map. (See attached updated RF justification letter).

- ATI (Oregon Metallurgical Corp.) - No address (APN: 11S 03W 19 00402)- ATI/Oregon Metallurgical legal counsel responded with email dated 6/18/14 documenting owners rejection of lease interest due to conflicts with future use. The property is vacant and siting a new tower would limit future development potential and market viability. Portions of this property also lay within the wetland overlay and were deemed to be unfavorable location due to only a portion of this parcel was within the search area. . Labeled "A" in the property ownership Key of the Alternate Analysis combined Map – ATI parcel.

- GRANADA - 3943 Pacific Blvd SW, & 343 Ellingson Road SW Albany, OR (APN: 11S 03W 19 00304, 00400, 00414, & 00500). Rejected due to property owner unwilling to enter into a lease agreement with Verizon

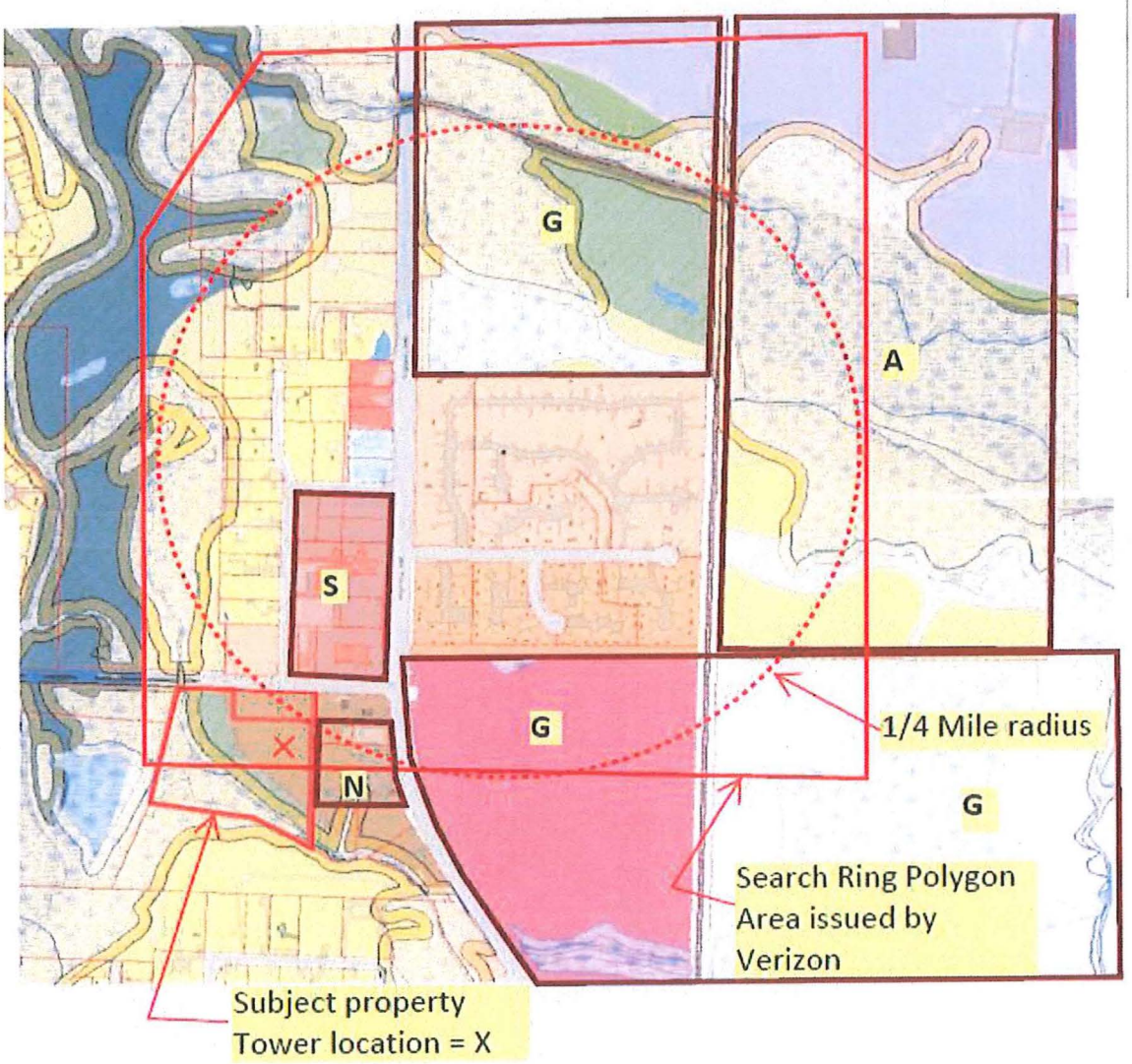
Wireless. Please see the letter from Mr. Larry Epping of the Granada Land Co, LLC. Portions of these properties also lay within the wetland overlay and were deemed to be unfavorable location due to only a portion of this parcel was within the search area. Also portions of these properties are significantly lower topographically, and even if were viable would require a much taller tower. Labeled "G" in the property ownership Key of the Alternate Analysis combined Map – Granada Land Co. LLC parcels.

- Residential zoned and smaller properties generally north of 53rd Avenue and west of Highway 99E. - all residentially zoned properties and small lot parcels adjacent to existing homes were rejected due to facilities over 50 feet in height are prohibited in residential zoning districts and are unfavorable locations for siting telecommunication facilities.

ALTERNATE ANALYSIS COMBINED MAP

PROPERTY OWNERSHIP KEY:

A = ATI (Oregon Metallurgical Corp.).
G = Granada Land Co. LLC.
N = Nyquist Ventures LLC
S = Sell (Russell & Brenda Sell Trust)



CONCLUSION

This Alternate Analysis for the proposed Verizon ROADRUNNER facility demonstrates that due to lack of available alternate properties with: 1) an owner willing to lease property for a proposed facility; 2) viable zoning and space/setbacks; 3) space outside of wetlands, floodplain or other environmental constraints; 4) a viable existing structure with collocation opportunity; or 5) viable location and or height that will meet Verizon's required coverage objectives; that the selected site location is the only viable property that will achieve the coverage objective and siting requirements for this wireless communication facility. Final site selection was based off of the selected site being located within the existing RF engineer's coverage objective area, the willingness of the landowner to enter into agreement with Verizon Wireless, consideration of the zoning of the property, and Verizon Wireless agreeing to leasing terms with the property owner.

CRITICAL INFRASTRUCTURE PROTECTION MONTH, 2009

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Critical infrastructure protection is an essential element of a resilient and secure nation. Critical infrastructure are the assets, systems, and networks, whether physical or virtual, so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, national economic security, public health or safety. From water systems to computer networks, power grids to cellular phone towers, risks to critical infrastructure can result from a complex combination of threats and hazards, including terrorist attacks, accidents, and natural disasters. During Critical Infrastructure Protection Month, we pledge to work together to shelter our communities from the harm of uncertain threats.

My Administration is committed to ensuring our country's essential resources are safe and capable of recovering from disruptive incidents. The Department of Homeland Security is leading a coordinated national program to reduce risks and improve our national preparedness, timely response, and rapid recovery in the event of an attack, natural disaster, or other emergency. The Department, in collaboration with other Federal stakeholders, State, local, and tribal governments, and private sector partners, has developed the National Infrastructure Protection Plan (NIPP) to establish a framework for securing our resources and maintaining their resilience from all hazards during an event or emergency.

During Critical Infrastructure Protection Month, we rededicate ourselves to safeguarding and strengthening our Nation's infrastructure. Additionally, members of the public and private sectors should work with their appropriate State, regional, and local authorities to engage in critical infrastructure protection activities being coordinated across the country. Americans can learn more about the NIPP and its partnership framework by visiting: *www.dhs.gov/criticalinfrastructure.*

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 2009 as Critical Infrastructure Protection Month. I call upon the people of the United States to recognize the importance of partnering to protect our Nation's resources and to observe this month with appropriate events and training to enhance our national security and resilience.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of December, in the year of our Lord two thousand nine, and of the Independence of the United States of America the two hundred and thirty-fourth.

Adapt Engineering
10725 SW Barbur Boulevard, Suite 200
Portland, Oregon 97219

Tel (503) 892-2346
Fax (503) 892-2348
www.adaptengr.com

November 15, 2013

Adapt Project No. OR13-18764-GEO

Verizon Wireless
15900 SE Eastgate Way
Bellevue, WA 98088

Attention: Mr. Jim Jaggers

Subject: Geotechnical Engineering Evaluation
POR Roadrunner
53rd Avenue and Pacific Boulevard SW
Albany, Oregon 97410

Dear Mr. Jaggers:

Adapt Engineering (Adapt) is pleased to submit this report describing our recent geotechnical engineering evaluation for the POR Roadrunner tower site. The purpose of our work was to interpret general surface and subsurface site conditions in order to provide recommendations for design and construction. Our scope of services consisted of a surface reconnaissance, a subsurface exploration, geotechnical analyses, and report preparation. This project was authorized by Verizon Wireless (Verizon).

We prepared this report in accordance with generally accepted geotechnical engineering practices at the time we prepared it, for the exclusive use of Verizon and their agents, for specific application to this project. Use or reliance upon this report by a third party is at their own risk. Adapt does not make any representation or warranty, express or implied, to such other parties as to the accuracy or completeness of this report or the suitability of its use by such other parties for any purpose whatever, known or unknown, to Adapt.

We appreciate the opportunity to be of service to you. If you have any questions, or if we can be of further assistance to you, please contact us at (503) 892-2346.

Respectfully Submitted,

Adapt Engineering

Robert Nystrom, R.G.
Staff Geologist

REGISTERED PROFESSIONAL ENGINEER
15648
OREGON
SEPT. 17, 1991
JEANNE M. NIEMER
EXPIRES: 12/31/14

Jeanne M. Niemer, P.E., G.E.
Senior Engineer

Attachment A	Figures	
	Figure 1	Site Location Map
	Figure 2	Site & Exploration Plan
Attachment B	Subsurface Exploration Log	

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Verizon Wireless
Geotechnical Engineering Evaluation

POR Roadrunner Tower Site
Albany, Oregon

OR13-18764-GEO
November 2013

PROJECT DESCRIPTION

The site is located near the intersection of 53rd Avenue and Pacific Boulevard SW, in Albany, Linn County, Oregon, as shown on the attached Site Location Map (Figure 1). The project will consist of constructing a new 120-foot monopole communication tower, associated communication equipment cabinets, and generator pad within a fenced lease area. A new gravel road, extending from 53rd Avenue, will also be required.

SITE CONDITIONS

Surface Description

The proposed lease area is located on the eastern edge of the subject property and is vacant. The lease area (not staked) includes berms up to 7 feet high that consist of uncontrolled fill and vegetation. The area appears to have been excavated approximately 3 feet below grade and then backfilled with mounds of fill material. The berms extend north and south for over 100 feet and connect another berm fill that extends to the east and west. Several mounds of fill material are visible throughout the property and portions of the property appear to have been graded level, obscuring the boundary between native soils and imported fill. Our boring was advanced on a level area northwest of the approximate tower center in an area covered with apparent fill material. There was no standing water present in the lease area at the time of our site visit.

Subsurface Conditions

We explored the subsurface conditions at the project site on November 6, 2013. We drilled one boring (designated B-1) near the planned communication tower, as shown on the attached Site and Exploration Plan (Figure 2). We performed Standard Penetration Tests (ASTM D 1586) at regular two and a half to five foot intervals. We logged and classified the subsurface materials in general accordance with the Manual Visual Classification Method (ASTM D 2488).

In boring B-1, we encountered approximately medium stiff silt varying amounts of clay and gravel that graded to very stiff with to approximately 27 feet bgs. The silt was underlain by medium dense silty fine sand to approximately 40 feet bgs. At 40 feet bgs we encountered dense sand with gravel and we terminated B-1 at 41.5 feet bgs in the dense sand with gravel.

We did not encounter groundwater in the boring; however, we noted wet soil (not saturated) at 40 feet bgs and groundwater rose up through the boring to approximately 24 feet bgs after the drilling was completed. Groundwater levels can be expected to fluctuate in response to precipitation patterns and site utilization.

CONCLUSIONS

Based on our exploration and analyses, the site can be developed as proposed. The proposed tower can be supported on a drilled pier that derives its support from the very stiff silt and dense sand that we encountered below 27 feet. The equipment shelter can be supported on spread footings bearing on the medium stiff silt or structural fill.

Our specific geotechnical design and construction recommendations are presented in the following sections.

GEOTECHNICAL DESIGN RECOMMENDATIONS

Seismic Design Parameters

Based on our analysis and understanding of the site, we interpret the on-site subsurface conditions to correspond to Site Class D, as defined by Table 1613.5.2 of the 2009 International Building Code. Our recommended seismic design parameters are summarized in the table below.

Seismic Design Parameters		
	Short Period	**1 Second**
Mapped Spectral Acceleration Values	S_S=0.737	S_1=0.346
Site Class	D	
Site Coefficient	F_a=1.21	F_v=1.708
Design Spectral Response Acceleration Parameters	S_{DS}=0.595	S_{D1}=0.394

Based on the consistency of the site soils, we conclude that the potential for liquefaction during a design level earthquake is negligible. For purposes of seismic site characterization, we extrapolated the soil conditions that we observed below the exploration termination depth, based on our knowledge of the regional geology.

Drilled Pier Design Recommendations

Axial Capacity – Skin Friction:

For frictional resistance along the shaft of the drilled piers, acting both downward and in uplift, we recommend using the ultimate skin friction values listed in the table below. Skin friction should be neglected in the top two feet. These values of allowable skin friction capacity include a factor of safety of 2 from our calculated nominal (ultimate) values.

Allowable Skin Friction	
Depth (feet)	**Skin Friction (psf)**
0-2	0
2-20	200
20-27	350
27-40	450

Axial Capacity – End Bearing:

We recommend that the drilled pier penetrate a minimum of five feet into the very stiff silt and dense sand that underlies the site at a depth of approximately 27 feet bgs To limit estimated settlements to approximately one percent of the pier diameter, we recommend using the value of allowable end bearing capacity, presented in the table below. If the pier diameter exceeds five feet, the allowable end bearing capacity should be reduced by the ratio 5/B, where B is equal to the pier diameter in feet.

Allowable End Bearing Capacity		
Depth (feet)	**Allowable Bearing Capacity (tsf)**	**Limiting Point Resistance (tsf)**
27-30	1.3 D/B	14.4
30-40	2.6 D/B	18.2

Notes: D = the embedment depth (in feet) into the bearing layer. B = pier diameter (feet).

Drilled Pier Lateral Capacity

Drilled pier foundations for communication towers are typically rigid and act as a pole, which rotates around a fixed point at depth. Although more complex and detailed analysis is available, either the simplified passive earth pressure method or the subgrade reaction method is typically used to determine the pier diameter and depth required to resist groundline reaction forces and moments. These methods are described below.

Passive Earth Pressure Method: The passive earth pressure method is a simplified approach that is generally used to estimate an allowable lateral load capacity based on soil wedge failure theory. Although the lateral deflection associated with the soil wedge failure may be estimated, design lateral deflections using the passive earth pressure method should be considered approximate, due to the simplified nature of the method. A lateral deflection on the order of one-half inch would be required to mobilize the passive pressure presented below. Our recommended allowable passive earth pressures for the soil layers encountered at this site are presented in the table below. These values are expressed as an equivalent fluid unit weight to reflect the linear increase with depth and include a factor of safety of 1.5. They may be assumed to act over an area measuring two pier diameters wide by eight pier diameters deep.

Allowable Lateral Passive Earth Pressures	
Depth (feet)	**Allowable Passive Pressure (pcf)**
0-2	0
2-20	200
20-27	350
27-40	450

Note: These allowable values include a factor of safety of 1.5

Subgrade Reaction Method: The subgrade reaction method is typically used to compute lateral design loads based on allowable lateral deflections. Using this method, the soil reaction pressure (p) on the face of the pier is related to the lateral displacement (y) of the pier by the horizontal subgrade modulus (k_h); this relationship is expressed as $p=k_h y$. Because soil modulus values are based on small scale, beam load test data, and are usually reported as a vertical subgrade modulus (k_v), they must be converted to horizontal subgrade modulus values representative for larger scale applications (such as large pier diameters) by means of various scaling factors, as discussed below.

In addition to the scaling and loading orientation, the soil-pier interaction governing k_h is also affected by the soil type. For cohesionless soils (sand, non-plastic silt) and soft cohesive soils (clay, cohesive silt), the horizontal subgrade modulus (k_h) increases linearly with depth (z). This relationship is expressed as $k_h = n_{hz}(1/B)$, where n_h is the coefficient of horizontal subgrade reaction and (1/B) is the scaling factor.

For stiff or hard cohesive soils (clay, cohesive silts), the horizontal subgrade modulus (k_h) is essentially the same as the vertical subgrade modulus (k_v) and is considered constant with depth. This relationship is expressed as $k_h=k_v[1(ft)/1.5B]$, where [1(ft)/1.5B] is the scaling factor (B is expressed in feet).

Our recommended values for the coefficient of horizontal subgrade reaction (n_h) and the vertical subgrade modulus (k_v) for the soil layers encountered at this site are presented in the table below. These values do not include a factor of safety since they model the relationship between contact pressure and displacement. Therefore, the structural engineer or monopole manufacturer should select an appropriate allowable displacement for design, based on the specific requirements of the communication equipment mounted on the tower.

Recommended Horizontal Subgrade Reaction Values		
Depth Interval,(feet)	**n_h (pci)**	**k_v (pci)**
0-2	0	N/A
2-20	10	N/A
20-27	N/A	75
27-40	50	N/A
Coefficient of Horizontal Subgrade Reaction (pci)	**$k_h = n_h(z/B)$ (Sand & Soft Clay)**	**$k_h = k_v/(1.5B)$ (Stiff Clay)**

Drilled Pier Construction Considerations: We encountered groundwater in B-1 in the sand layer near the bottom of our boring. If groundwater is encountered during drilling, it may be necessary to pump accumulated groundwater prior to pier concrete placement. Alternatively, the use of bentonite slurry could be utilized to stabilize the drilled pier excavation. The foundation-drilling contractor should be prepared to case the excavation to prevent unanticipated caving and raveling of the pier shaft sidewall.

The drilling contractor should be prepared to clean out the bottom of the pier excavation if loose soil is observed or suspected, with or without the presence of slurry or groundwater. As a minimum, we recommend that the drilling contractor have a cleanout bucket on site to remove loose soils and/or mud from the bottom of the pier. If groundwater is present and abundant within the pier hole, we recommend that the foundation concrete be tremied from the bottom of the hole to displace the water and minimize the risk of contaminating the concrete mix. We recommend that concrete be placed by tremie methods if more than 3 inches of water has accumulated in the excavation.

Spread Footings

Lightly loaded structures such as the equipment shelter can be supported on spread footings. Continuous-wall and isolated-spread footings should be at least 18 and 24 inches wide, respectively. For frost protection, the footings should be founded at least 24 inches below the lowest adjacent grades or deeper if required by local building code.

Footings should bear directly on medium stiff silt or structural fill placed in accordance with our recommendations and should be sized for an allowable bearing capacity of 2,000 psf. We estimate post construction settlements will be less than one inch for the above recommended bearing capacity. We estimate that the differential settlement will be approximately half of the total settlement. Our recommended bearing capacity is based on limiting settlements and includes a minimum factor of safety of 3 against bearing capacity failure.

Lateral loads acting on the foundations can be resisted by passive earth pressures on the sides of the foundation and by friction along the soil-concrete interface at the base of the foundation. We recommend using an allowable passive earth pressure of 250 pounds per cubic foot (pcf) for foundations confined by medium stiff silt or structural fill placed in accordance with our recommendations. The passive pressure within the upper two feet of embedment should be neglected. We recommend an allowable coefficient of friction of 0.30 for foundations bearing on the medium stiff silt or structural fill, respectively. In order to develop these capacities, concrete must be poured neat in excavations, the adjacent grade must be level, and the static ground water level must remain below the base of the footing throughout the year. These allowable lateral resistance values include a minimal factor of safety of 1.5.

Floor Slabs

We recommend a 6-inch-thick layer of imported granular structural fill should be placed and compacted over the prepared subgrade. The granular fill should be placed in 6-inch-thick lifts and compacted to at least 95 percent of the maximum dry density, as determined by the American Society for Testing and Materials (ASTM) D 1557. A modulus of subgrade reaction value of 100 pounds per cubic inch (pci) may be used to design the floor slab.

Foundation Construction Considerations

A geotechnical engineer from Adapt (or their representative) should confirm suitable bearing conditions and evaluate the foundation subgrades. Observations should also confirm that loose or soft material, organics, unsuitable fill, or old topsoil zones were removed. Localized deepening of footing excavations may be required to penetrate any deleterious materials.

Because foundation stresses are transferred outward as well as downward into the bearing soils, all footing over-excavations should extend horizontally outward from the footing edge a distance equal to the one half the over-excavation depth for the structural backfill.

CONSTRUCTION RECOMMENDATIONS

Site Preparation

Clearing and Stripping: After surface and near-surface water sources have been controlled, the construction areas should be cleared and stripped of organic matter and other deleterious materials. Silt fences, hay bales, buffer zones of natural growth, sedimentation ponds, and granular haul roads should be used as required to reduce sediment transport during construction to acceptable levels.

Where present, fill and existing topsoil should be stripped and removed from proposed development locations and for a five-foot-margin around such areas. Based on our explorations, we anticipate the depth of stripping to be on the order of 12 inches, although greater stripping depths may be required if deleterious materials are encountered. Deleterious materials encountered during site preparation should be removed from the subgrade soils and

hauled off site for disposal. Stripped material should be transported off site for disposal or stockpiled for use in landscaped areas. If stripping operations occur during wet weather, a generally greater stripping depth might be required in order to remove disturbed moisture-sensitive soils; therefore, stripping is best performed during a period of dry weather.

Excavations: Where required, temporary soil cuts associated with site excavations or regrading activities should be adequately sloped back to prevent sloughing and collapse, unless a shoring box or other suitable excavation side wall bracing is provided. It is the responsibility of the contractor to ensure that excavations are properly sloped or braced for worker safety protection, in accordance with OSHA safety guidelines.

Dewatering: Based on our subsurface exploration, we do not anticipate groundwater seepage within the tower mat excavation. If water is encountered, we anticipate that pumping from sumps located in the trench will likely be effective in removing water resulting from seepage or perched groundwater.

Final Grades: Final site grades should slope downward away from the structure at a minimum of two percent and runoff should be conveyed to a suitable drainage outlet. Additionally, the area surrounding the structure could be capped with concrete, asphalt or compacted, low-permeability soils to reduce surface water infiltration into the subsurface soils near the foundation.

Structural Fill

The following recommendations for structural fill are provided for design and construction purposes, if required.

Materials: Structural fill includes any fill materials placed under footings, pavements, or driveways and backfill over the embedded mat foundation. Typical materials used for structural fill include: clean, well-graded sand and gravel; clean sand; crushed rock; controlled-density fill (CDF); lean-mix concrete; and various soil mixtures of silt, sand, and gravel. Recycled concrete, asphalt, and glass derived from pulverized parent materials may also be used as structural fill. Use of the on-site soils as structural fill is also feasible.

Placement and Compaction: When used as structural fill, the on-site soils should be placed in lifts with a maximum thickness of 8 inches and compacted to not less than 92 percent of the material's maximum dry density, as determined by ASTM D-1557. The on-site soils should moisture-conditioned to a moisture content within 3 percent of the optimum moisture content (ASTM D-1557). If the on-site soils cannot be properly moisture-conditioned, we recommend using imported granular material for structural fill.

Imported granular structural fill should consist of angular pit or quarry run rock, crushed rock, or crushed gravel and sand that is fairly well graded between coarse and fine particle sizes. The

fill should contain no organic matter or other deleterious materials, have a maximum particle size of one inch, and have less than 5 percent passing the U.S. No. 200 Sieve. In deep excavations, or where subgrade soils require stabilization, the particle size may be increased to four inches. The percentage of fines can be increased to 12 percent of the material passing the U.S. No. 200 Sieve if placed during dry weather and provided the fill material is moisture-conditioned, as necessary, for proper compaction. The material should be placed in lifts with a maximum uncompacted thickness of 12 inches and be compacted to not less than 95 percent of the maximum dry density, as determined by ASTM D-1557. During the wet season or when wet subgrade conditions exist, the initial lift thickness should be increased to 24 inches and should be compacted by rolling with a smooth-drum, nonvibratory roller.

CDF and lean-mix concrete do not require special placement or compaction procedures. Regardless of location or material, all structural fill should be placed over firm, unyielding subgrade soils. If earthwork takes place during freezing conditions, we recommend that all exposed subgrades be allowed to thaw and be recompacted prior to placing subsequent lifts of structural fill.

CONSTRUCTION OBSERVATIONS

Satisfactory earthwork performance depends on the quality of construction. Sufficient monitoring of the contractor's activities is a key part ensuring that work is completed in accordance with the construction drawings and specifications. We recommend that a representative from Adapt observe that the subsurface conditions observed during our site investigation are consistent with those encountered during construction, and that foundation subgrades are suitable for placement of structural fill, rebar, or concrete for the new structures.

CLOSURE

We have prepared this report for use by the owner/developer and other members of the design and construction team for the proposed POR Roadrunner tower site. The opinions and recommendations contained within this report are not intended to be, nor should they be, construed as a warranty of subsurface conditions, but are forwarded to assist in the planning and design process.

We have made observations based on our explorations that indicate the soil conditions at only those specific locations and only to the depths penetrated. These observations do not necessarily reflect soil types, strata thickness, or water level variations that may exist in other locations. If subsurface conditions vary from those encountered in our site exploration, Adapt should be alerted to the change in conditions so that we may provide additional geotechnical recommendations, if necessary. The future performance and integrity of the improvements will depend largely on proper initial site preparation, drainage, and construction procedures. Observation by experienced geotechnical personnel should be considered an integral part of the construction process.

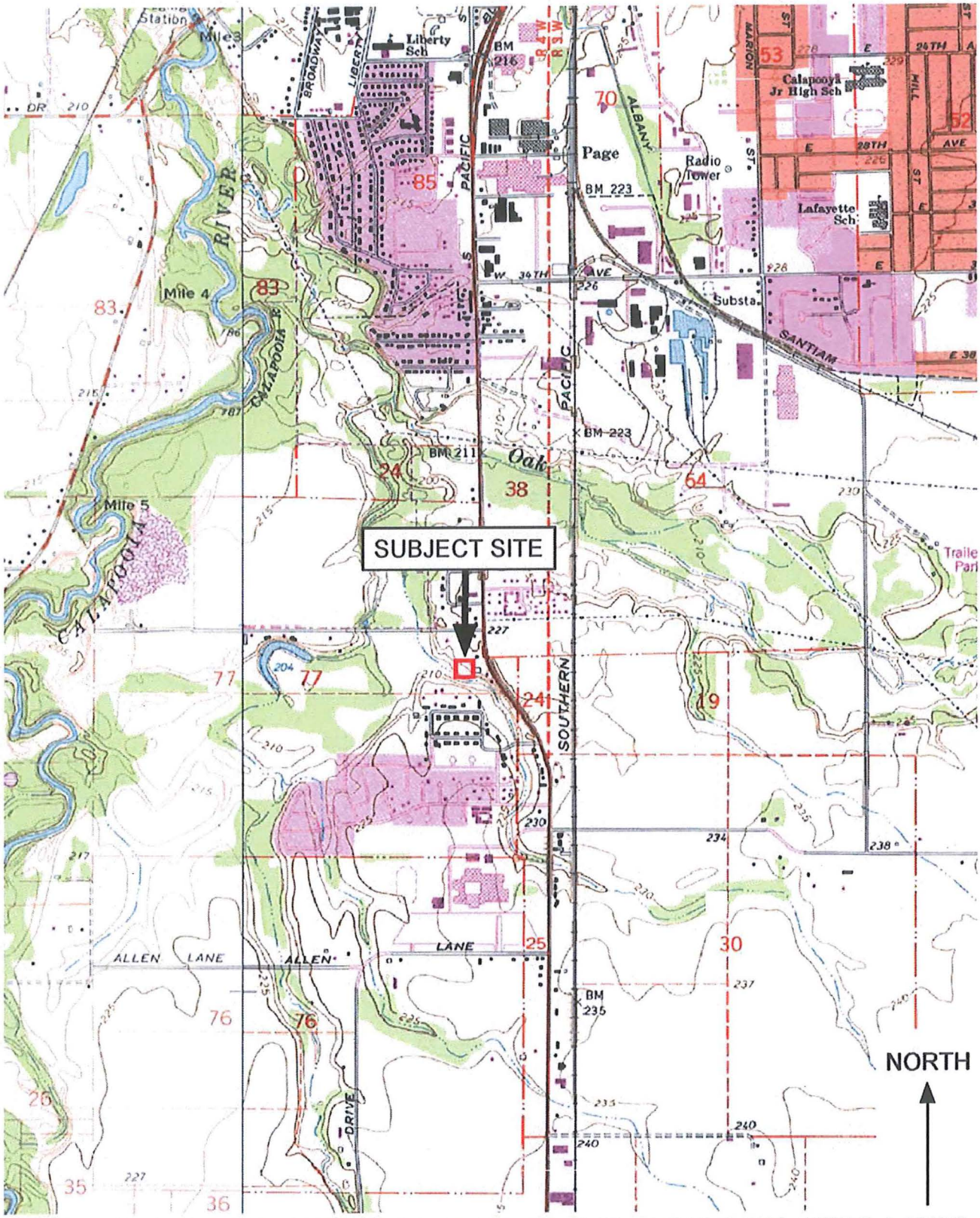
The conclusions and recommendations contained in this report are based on our understanding of the currently proposed project, as derived from written and verbal information supplied to us by Verizon. When the design has been finalized, we recommend that the design and specifications our firm review it to see that our recommendations have been interpreted and implemented as intended. If design changes are made, we request that we be retained to review our conclusions and recommendations and to provide a written modification or verification.

The scope of our services does not include services related to construction safety precautions, and our recommendations are not intended to direct the contractor's methods, techniques, sequences, or procedures, except as specifically described in our report for consideration in design.

Within the limitations of scope, schedule, and budget, our services have been executed in accordance with the generally accepted practices in this area at the time this report was prepared. No warranty or other conditions, express or implied, should be understood.

ATTACHMENT A

FIGURES



Base Map provided by U.S.G.S. 7.5-Minute Topographic Map, "Tangent, Oreg." Quadrangle (1969, photorevised 1986) Scale 1:24,000

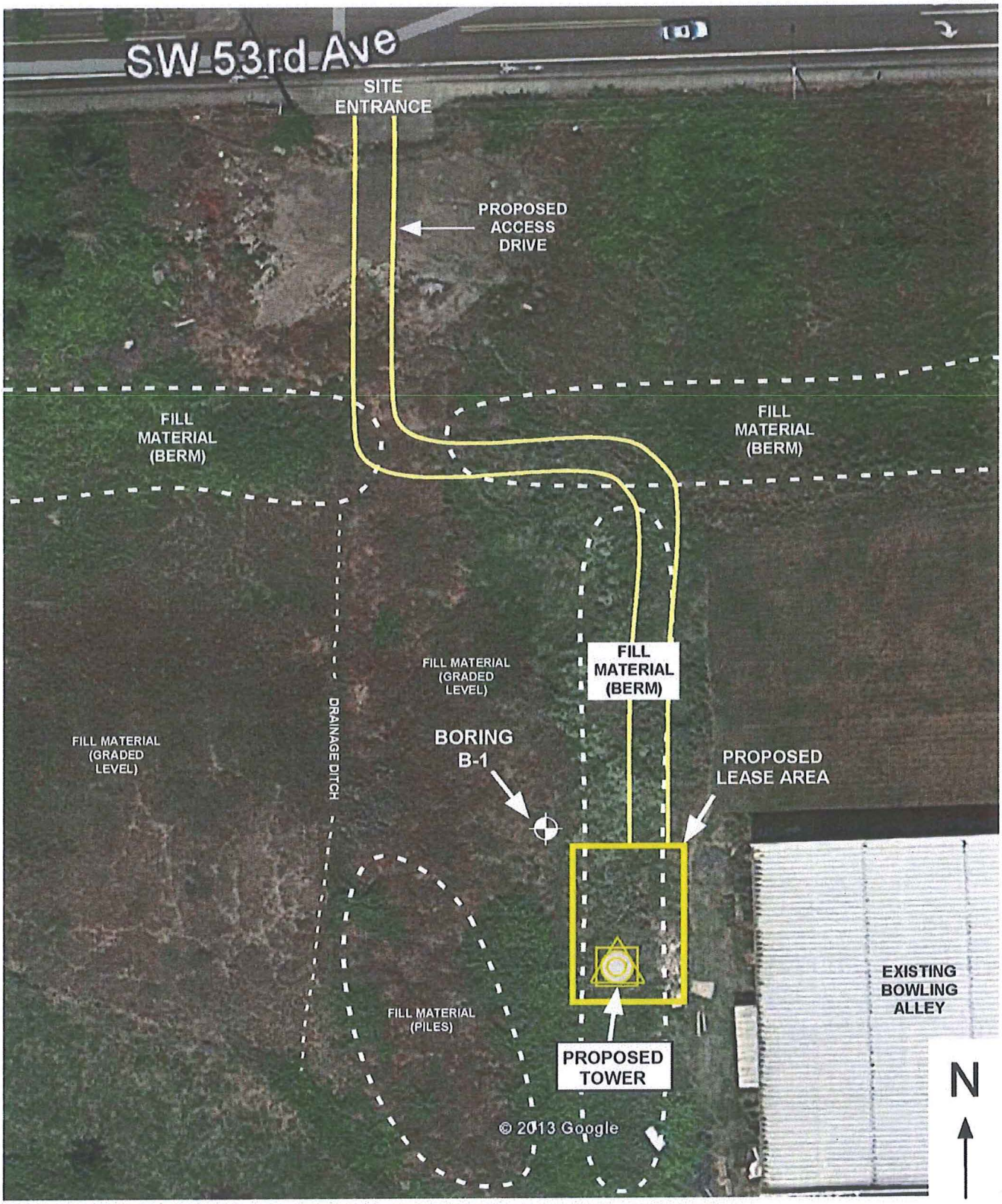
Adapt Engineering
10725 SW Barbur Blvd., Suite 200
Portland, Oregon 97219
Tel: (503) 892-2346 Fax: (503) 892-2348

FIGURE 1 - Site Location Map

Location : POR Roadrunner
53rd Avenue and Pacific Boulevard SW
Albany, Oregon 97410

Client : Verizon Wireless

Date : 11/15/13 **Job # :** OR13-18764-GEO



Aerial Photograph provided by Google Earth, Not to Scale

Adapt Engineering
10725 SW Barbur Blvd., Suite 200
Portland, Oregon 97219
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FIGURE 2 - Site & Exploration Plan

Location : POR Roadrunner
53rd Avenue and Pacific Boulevard SW
Albany, Oregon 97410

Client : Verizon Wireless

Date : 11/15/13 **Job # :** OR13-18764-GEO

ATTACHMENT B

SUBSURFACE EXPLORATION LOG

BORING LOG

Adapt Engineering
10725 SW Barbur Blvd., Suite 200
Portland, Oregon 97219
TEL:503.892.2346 FAX: 503.892.2348

PROJECT : POR Roadrunner
53rd Avenue and Pacific Boulevard SW
Albany, Oregon 97410

Job Number: OR13-18764

Boring No.: **B-1**

Elevation Reference :
Ground Surface Elevation :

Well Completed : N.A.
Casing Elevation : N.A.

DEPTH (feet)		SAMPLE TYPE	SAMPLE NUMBER	BLOW COUNT	POCKET PEN	TORVANE	GROUND WATER	OBSERVATIONS	TESTING
0	Medium stiff, brown, moist, SILT (ML), trace clay and gravel, fine roots		1	1 1 4	1.5			Possible fill material, slightly plastic	
	Becomes soft		2	1 1 2	1.5			Slightly plastic	
5	Becomes medium stiff		3	1 3 5	1.5			Possible native material below 5', slightly plastic	
	Some clay		4	3 3 5	2.0 to 3.0			Slightly plastic	
10			5	2 2 4	0.5 to 1.0			Slightly plastic	
15	Becomes soft		6	2 2 2	0.5			Slightly plastic	
								Gravel at 18.5'	
20	Stiff, light brown, moist, CLAY (CL), some gravel		7	2 3 7	2.0	2.6		Medium plasticity	
								Gravel at 22.5', decrease in drilling speed	
25	Very stiff, light brown-pale yellow, moist, sandy SILT (ML), some gravel		8	5 4 12	1.5			Slightly plastic	
								Further decrease in drilling speed below 27'	

LEGEND

I	2-inch O.D. Split-Spoon Sample	DATE	Static Water Level at Drilling		Grab Sample
II	1" Geoprobe	DATE	Static Water Level	WTFH-O Ex 6010	Type of Analytical Testing Used
X	Sample not Recovered		Perched Groundwater	NR	No Recovery
				ATD	At Time of Drilling

Drilling Start Date: 11/6/13 Drilling Completion Date: 11/6/13 Logged By: RN

BORING LOG

Adapt Engineering
10725 SW Barbur Blvd., Suite 200
Portland, Oregon 97219
TEL:503.892.2346 FAX: 503.892.2348

PROJECT : POR Roadrunner
53rd Avenue and Pacific Boulevard SW
Albany, Oregon 97410

Job Number: OR13-18764

Boring No.: **B-1**

Elevation Reference :
Ground Surface Elevation :

Well Completed : N.A.
Casing Elevation : N.A.

DEPTH (feet)		SAMPLE TYPE	SAMPLE NUMBER	BLOW COUNT	POCKET PEN	TORVANE	GROUND WATER	OBSERVATIONS	TESTING
30	Medium dense, gray, moist, SAND (SM), trace clay below 30'		9	4 7 13				Distinct color change from brown to gray at 30' 2"	
35			10	3 5 6					
40	Dense, brown, wet, SAND (SW), some gravel		11	15 23 19				Not saturated. Fine, medium, and coarse sand.	
	Boring terminated at approximately 41.5 feet bgs. No groundwater encountered during drilling, however, groundwater rose up into the boring to 24 feet bgs after drilling was complete.								
45									
50									
55									

LEGEND

I	2-inch O.D. Split-Spoon Sample	DATE	Static Water Level at Drilling		Grab Sample
II	1" Geoprobe	DATE	Static Water Level	NTEH-D Ex 8010	Type of Analytical Testing Used
X	Sample not Recovered		Perched Groundwater	NR	No Recovery
				ATD	At Time of Drilling

Drilling Start Date: 11/6/13 Drilling Completion Date: 11/6/13 Logged By: RN

valmont

STRUCTURES

VALMONT MICROFLECT
3575 25th St. SE
Salem, OR 97302
PHONE: 1-800-547-2151
ENGINEER: Jonathon Neumann 6639
Reviewed by: MJ

COMMUNICATION POLE DESIGN CALCULATIONS

Verizon Wireless
VALMONT ORDER #240062
SITE NAME: OR4 Roadrunner
POLE HEIGHT: 119 FT (120 FT AGL)

valmont STRUCTURES

2/20/14

ENGINEERING DATA

for

Verizon Wireless
OR4 Roadrunner
VALMONT QUOTATION 240062

1) STRUCTURE DESIGN CONFORMS TO EIA/TIA-222-G INCLUDING:
95.0 MPH WIND (3 SECOND GUST, 50 YR. RETURN PERIOD)
30.0 MPH ICE WIND (50 YR. RETURN PERIOD)
DESIGN ICE THICKNESS = 0.50 INCHES
EXPOSURE CATEGORY C
STRUCTURE CLASSIFICATION II
TOPOGRAPHIC CATEGORY 1
60.0 MPH BASIC WIND SPEED WITH NO ICE FOR TWIST AND SWAY
SPECTRAL RESPONSE ACCELERATION AT SHORT PERIODS AND 1 SEC.: Ss = 0.74 & S1 = 0.35
2) FEEDLINES ARE ASSUMED TO BE PLACED INTERIOR TO THE POLE.
3) ALL MICROWAVE ASSUMED TO BE 6 GHz UNLESS OTHERWISE NOTED.
4) TOTAL POLE HEIGHT IS 120 FT AGL.
5) ELEVATIONS ARE MEASURED FROM TOP OF BASE PLATE (APPROX. 1 FT AGL).
6) LOADING AS FOLLOWS:
119.0' POLE
4 - BXA-70063/8CF (w/PM) @ 119.0
4 - AXP19-60 (w/PM) @ 119.0
2 - BXA-70080/8CF (w/PM) @ 119.0
2 - AXP18-80 (w/PM) @ 119.0
6 - Ericsson RRUS-12 (20.4"x18.6"x7.4") @ 119.0
3 - Andrew E15R05P19 @ 119.0
1 - 12' SP1 LP Platform w/HR @ 119.0
2 - 6' HIGH PERFORMANCE (w/PM) (6 GHz) @ 79.0
12 - BXA-70040/8CF (w/PM) @ 69.0
1 - 12' SP1 LP Platform w/HR @ 69.0

STRUCTURE ANCHORAGE INFORMATION

POLE HEIGHT(FT):	119	NUMBER OF A.B.'s:	10
BOLT CIRCLE(IN):	49.15	DIA. OF A.B.'s(IN):	2.25
BASE VERTICAL(K):	21.70	LENGTH OF A.B.'s(IN):	66.00
BASE SHEAR(K):	23.50	PROJECTION LENGTH(IN):	12.00
BASE MOMENT(FT-K):	1843	TEMPLATE OD(IN):	52.65

valmont STRUCTURES

BY_____ DATE _____
CHKD. BY _____ DATE _____ SHEET NO. _____

2/20/14

ENGINEERING DATA

for

Verizon Wireless
OR4 Roadrunner
VALMONT QUOTATION 240062

EIA/TIA-222-G

BASIC WIND:	95.0 MPH	DESIGN ICE THICKNESS:	0.5 IN.
WIND & ICE:	30.0 MPH	EXPOSURE CATEGORY:	C
TWIST & SWAY:	60.0 MPH	STRUCTURE CLASS.:	II
S_S:	0.74	TOPOGRAPHIC CATEGORY:	1
S_1:	0.35		

			DATA W.O. ICE		DATA W/ ICE	
QTY	DESCRIPTION	HEIGHT	EPA	WT	EPA	WT
4	BXA-70063/8CF (w/PM)	@ 119.0 '	20.36	213	24.28	884
4	AXP19-60 (w/PM)	@ 119.0 '	10.92	148	13.60	538
2	BXA-70080/8CF (w/PM)	@ 119.0 '	15.12	121	17.54	483
2	AXP18-80 (w/PM)	@ 119.0 '	7.28	82	8.92	277
6	Ericsson RRUS-12 (20.4"x18.6"x7.4")	@ 119.0 '	9.96	479	11.70	990
3	Andrew E15R05P19	@ 119.0 '	1.74	135	2.28	290
1	12' SP1 LP Platform w/HR	@ 119.0 '	27.02	1407	36.75	2225
2	6' HIGH PERFORMANCE (w/PM)	@ 79.0 '	76.54	744	82.50	1420
12	BXA-70040/8CF (w/PM)	@ 69.0 '	134.52	951	150.60	4251
1	12' SP1 LP Platform w/HR	@ 69.0 '	27.02	1415	36.29	2190

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
Fuse 1.10.0.528

32-bit

*** SUMMARY ***

Design Code: TIA-222-G Addendum 2

---------- DESIGN SUMMARY ----------

Height Above Base Plate (ft) 119.00 Ground Line Diameter (in) 42.000 Pole Shaft Weight (lbs) 10763

Top Diameter (in) 18.004

Pole Taper (in/ft) 0.2090 Shape: 18 Sides

Connections Between Sections	/First/	/Second/
Height Above Ground (ft)	43.50	82.00
Type	Slip Joint	Slip Joint
Overlap Length (in)	59	48
Maximum Axial Force (lbs)	24773	9876

Section Characteristics	/First/	/Second/	/Third/
Base Diameter (in)	42.000	34.436	26.573
Top Diameter (in)	32.908	25.362	18.004
Thickness (in)	0.31250	0.25000	0.18750
Length (ft)	43.500	43.417	41.000
Weight (lbs)	5453	3476	1835
Yield Strength (ksi)	65.00	65.00	65.00

---------- ANALYSIS SUMMARY ----------

	Pt. of Fixity	Governing Level Sec.1	Governing Level Sec.2	Governing Level Sec.3	Pole Top
Governing Load Case	WIND	WIND	WIND	WIND	WIND
Height (ft)	0.00	0.00	43.50	82.00	119.00
Resultant Moment (in-kips)	22118	22118	10494	2708	28
Shear Force (lbs)	23540	23540	20899	7166	4995
Axial Force (lbs)	20141	20141	12109	4673	2600
Effective Yield Strength (ksi)	75.60	75.60	75.76	75.01	82.55
Combined Interaction Value	0.77	0.77	0.72	0.42	0.01
Total Deflection (in)	0.00	0.00	11.69	41.67	83.88

Note: Diameters are outside, measured across the flats
Forces and moments are reported in the local element coordinate system

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
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*** POLE SHAFT POINT OF FIXITY REACTIONS ***

Loading Case Identifier	Moments About X-Axis (in-kips)	Moments About Y-Axis (in-kips)	Moments Resultant (X & Y) (in-kips)	Moments Torsional (in-kips)	Vertical Force (lbs)	Shear In X-Direction (lbs)	Shear In Y-Direction (lbs)	Shear Resultant (X & Y) (lbs)	Notes
WIND	16943	-14217	22118	0	20189	15105	18002	23499	
ICE + WIND	1516	-1272	1979	0	33886	1365	1627	2123	
D+S	3769	-3162	4920	0	16480	3374	4021	5249	
Seismic	2914	-2445	3804	0	19750	1914	2281	2978	

Note: Positive vertical force is downward.
Reactions are considered in the global coordinate system.

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
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*** INPUT LOADS ***

Design Code TIA-222-G Addendum 2
Loading Case WIND

Basic Wind Velocity is 95.00 mph Ice Thickness 0.00
Wind Orientation is 50.0 Degrees Clockwise From -X- Axis
Structure Weight Overload Factor is 1.200
Exposure C, Gust Factor 1.10
Structure Category 2, Topographic Category 1, Crest Height 0.00 ft
Orientations are Measured Clockwise From -X- Axis
Positive -Y- Axis is 90 Degrees Clockwise From -X- Axis
Foundation Rotation of 0.00 Degrees
Elevation of structure base above surrounding terrain = 1.00 ft

Orientation of System

```
                +******* +X-Axis
              * *       (Transverse)
             *  *
            *   *
(Longitudinal) *    * (Vertical)
     +Y-Axis  *     * +Z-Axis
```

Load Number	Mounting Height (ft)	Load Height (ft)	Load Eccentricity (ft)	Orientation in XY Plane (Degrees)	Force-X (lbs)	Force-Y (lbs)	Force-Z (lbs)	EPA (ft^2)	
1	119.00	119.00	0.00	50.00	665	792	256	20.35	4-BXA-70063/8
2	119.00	119.00	0.00	50.00	357	425	177	10.93	4-AXP19-60
3	119.00	119.00	0.00	50.00	494	588	145	15.12	2-BXA-70080/8
4	119.00	119.00	0.00	50.00	238	284	99	7.29	2-AXP18-80
5	119.00	119.00	0.00	50.00	326	388	575	9.97	6-Ericsson RR
6	119.00	119.00	0.00	50.00	57	68	162	1.74	3-Andrew E15R
7	119.00	120.50	0.00	50.00	885	1054	1689	27.02	1-12' SP1 LP
8	79.00	79.00	0.00	50.00	2295	2735	893	76.55	2-6' HIGH PER
9	69.00	69.00	0.00	50.00	3921	4673	1141	134.51	12-BXA-70040/8
10	69.00	70.50	0.00	50.00	791	943	1698	27.02	1-12' SP1 LP

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
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*** INPUT LOADS ***

Design Code TIA-222-G Addendum 2
Loading Case ICE + WIND

Basic Wind Velocity is 30.00 mph Ice Thickness 0.50
Wind Orientation is 50.0 Degrees Clockwise From -X- Axis
Structure Weight Overload Factor is 1.200
Exposure C, Gust Factor 1.10
Structure Category 2, Topographic Category 1, Crest Height 0.00 ft
Orientations are Measured Clockwise From -X- Axis
Positive -Y- Axis is 90 Degrees Clockwise From -X- Axis
Foundation Rotation of 0.00 Degrees
Elevation of structure base above surrounding terrain = 1.00 ft

Orientation of System

```
          +******* +X-Axis
        * *       (Transverse)
       *  *
      *   *
(Longitudinal) *    * (Vertical)
    +Y-Axis  *      * +Z-Axis
```

Load Number	Mounting Height (ft)	Load Height (ft)	Load Eccentricity (ft)	Orientation in XY Plane (Degrees)	Force-X (lbs)	Force-Y (lbs)	Force-Z (lbs)	EPA (ft^2)	
1	119.00	119.00	0.00	50.00	49	59	1060	24.27	4-BXA-70063/8
2	119.00	119.00	0.00	50.00	28	33	645	13.59	4-AXP19-60
3	119.00	119.00	0.00	50.00	36	43	580	17.54	2-BXA-70080/8
4	119.00	119.00	0.00	50.00	18	22	333	8.91	2-AXP18-80
5	119.00	119.00	0.00	50.00	24	28	1188	11.73	6-Ericsson RR
6	119.00	119.00	0.00	50.00	5	6	348	2.29	3-Andrew E15R
7	119.00	120.50	0.00	50.00	75	89	2670	36.75	1-12' SP1 LP
8	79.00	79.00	0.00	50.00	154	184	1704	82.51	2-6' HIGH PER
9	69.00	69.00	0.00	50.00	274	326	5101	150.55	12-BXA-70040/8
10	69.00	70.50	0.00	50.00	66	79	2628	36.29	1-12' SP1 LP

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
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*** INPUT LOADS ***

Design Code TIA-222-G Addendum 2
Loading Case T+S

Basic Wind Velocity is 60.00 mph Ice Thickness 0.00
Wind Orientation is 50.0 Degrees Clockwise From -X- Axis
Structure Weight Overload Factor is 1.000
Exposure C, Gust Factor 1.10
Structure Category 2, Topographic Category 1, Crest Height 0.00 ft
Orientations are Measured Clockwise From -X- Axis
Positive -Y- Axis is 90 Degrees Clockwise From -X- Axis
Foundation Rotation of 0.00 Degrees
Elevation of structure base above surrounding terrain = 1.00 ft

Orientation of System

```
                +******* +X-Axis
              * *       (Transverse)
             *  *
            *   *
(Longitudinal) *    * (Vertical)
     +Y-Axis  *     * +Z-Axis
```

Load Number	Mounting Height (ft)	Load Height (ft)	Load Eccentricity (ft)	Orientation in XY Plane (Degrees)	Force-X (lbs)	Force-Y (lbs)	Force-Z (lbs)	EPA (ft^2)	
1	119.00	119.00	0.00	50.00	148	177	213	20.35	4-BXA-70063/8
2	119.00	119.00	0.00	50.00	80	95	148	10.93	4-AXP19-60
3	119.00	119.00	0.00	50.00	110	131	121	15.12	2-BXA-70080/8
4	119.00	119.00	0.00	50.00	53	63	82	7.29	2-AXP18-80
5	119.00	119.00	0.00	50.00	73	87	479	9.97	6-Ericsson RR
6	119.00	119.00	0.00	50.00	13	15	135	1.74	3-Andrew E15R
7	119.00	120.50	0.00	50.00	197	235	1407	27.02	1-12' SP1 LP
8	79.00	79.00	0.00	50.00	512	610	744	76.55	2-6' HIGH PER
9	69.00	69.00	0.00	50.00	875	1042	951	134.51	12-BXA-70040/8
10	69.00	70.50	0.00	50.00	177	210	1415	27.02	1-12' SP1 LP

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
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*** INPUT LOADS ***

Design Code TIA-222-G Addendum 2
Loading Case Seismic
Seismic analysis following the equivalent modal analysis procedure
Structure Category: 2
Site Class: D
Response Acceleration at short periods: 0.74
Response Acceleration at one second: 0.35
The above are used to obtain the acceleration and velocity based site coefficients Fa and Fv

Foundation Rotation of 0.00 Degrees
Elevation of structure base above surrounding terrain = 1.00 ft

Load Number	Mounting Height (ft)	Load Height (ft)	Load Eccentricity (ft)	Orientation in XY Plane (Degrees)	Force-X (lbs)	Force-Y (lbs)	Force-Z (lbs)	EPA (ft^2)	
1	119.00	119.00	0.00	50.00	0	0	256	20.35	4-BXA-70063/8
2	119.00	119.00	0.00	50.00	0	0	177	10.93	4-AXP19-60
3	119.00	119.00	0.00	50.00	0	0	145	15.12	2-BXA-70080/8
4	119.00	119.00	0.00	50.00	0	0	99	7.29	2-AXP18-80
5	119.00	119.00	0.00	50.00	0	0	575	9.97	6-Ericsson RR
6	119.00	119.00	0.00	50.00	0	0	162	1.74	3-Andrew E15R
7	119.00	120.50	0.00	50.00	0	0	1689	27.02	1-12' SP1 LP
8	79.00	79.00	0.00	50.00	0	0	893	76.55	2-6' HIGH PER
9	69.00	69.00	0.00	50.00	0	0	1141	134.51	12-BXA-70040/8
10	69.00	70.50	0.00	50.00	0	0	1698	27.02	1-12' SP1 LP

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
Fuse 1.10.0.528

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*** Properties ***

Connection Locations	Distance From Base (ft)	Diameter Across Flats (in)	Wall Thickness (in)	D/t Across Flats	w/t Across Flats	Moments of Inertia (in^4)	Area (in^2)
Top of Sect 3	119.00	18.004	0.1875	96.02	15.17	425	10.60
	114.00	19.049	0.1875	101.59	16.15	504	11.22
	109.00	20.094	0.1875	107.17	17.13	593	11.85
	104.00	21.139	0.1875	112.74	18.12	691	12.47
	99.00	22.184	0.1875	118.31	19.10	800	13.09
	94.00	23.229	0.1875	123.89	20.08	919	13.71
	89.00	24.274	0.1875	129.46	21.06	1050	14.33
	84.00	25.319	0.1875	135.03	22.05	1193	14.96
	82.00	25.737	0.1875	137.26	22.44	1253	15.20
Top of Sect 2	82.00	25.362	0.2500	101.45	16.12	1587	19.93
EPA 8	79.00	25.989	0.2500	103.95	16.57	1709	20.42
Base of Sect 3	78.00	26.198	0.2500	104.79	16.71	1751	20.59
	74.00	27.034	0.2500	108.13	17.30	1925	21.25
EPA 9	69.00	28.079	0.2500	112.31	18.04	2160	22.08
	64.00	29.124	0.2500	116.49	18.78	2412	22.91
	59.00	30.169	0.2500	120.67	19.51	2684	23.74
	54.00	31.214	0.2500	124.85	20.25	2975	24.57
	49.00	32.259	0.2500	129.03	20.99	3286	25.40
	44.00	33.304	0.2500	133.21	21.73	3619	26.23
	43.50	33.408	0.2500	133.63	21.80	3653	26.31
Top of Sect 1	43.50	32.908	0.3125	105.31	16.80	4338	32.33
	39.00	33.849	0.3125	108.32	17.34	4725	33.26
Base of Sect 2	38.58	33.936	0.3125	108.59	17.38	4762	33.35
	34.00	34.894	0.3125	111.66	17.93	5180	34.30
	29.00	35.939	0.3125	115.00	18.51	5664	35.34
	24.00	36.984	0.3125	118.35	19.10	6177	36.37
	19.00	38.029	0.3125	121.69	19.69	6721	37.41
	14.00	39.074	0.3125	125.04	20.28	7295	38.44
	9.00	40.119	0.3125	128.38	20.87	7901	39.48
	4.00	41.164	0.3125	131.72	21.46	8540	40.52
Pt of Fixity	0.00	42.000	0.3125	134.40	21.93	9075	41.35

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
Fuse 1.10.0.528

32-bit
Forces and Moments for Pole in the Local Element Coordinate System

Loading Case WIND

Dist. From Base (ft)	Mx (in-kips)	My (in-kips)	Resultant Mx & My (in-kips)	Torsion (in-kips)	Shear X-Dir. (lbs)	Shear Y-Dir. (lbs)	Resultant Shear (lbs)	Axial (lbs)
119.00	21	-18	28	0	3211	3826	4995	2600
114.00	257	-216	335	0	3378	4025	5255	2828
109.00	505	-424	659	0	3552	4233	5525	3075
104.00	765	-642	999	0	3732	4448	5806	3339
99.00	1039	-872	1357	0	3919	4670	6097	3620
94.00	1327	-1113	1732	0	4112	4900	6397	3918
89.00	1628	-1366	2126	0	4310	5137	6705	4231
84.00	1944	-1631	2538	0	4518	5384	7028	4550
82.00	2075	-1741	2708	0	4606	5489	7166	4673
82.00	2075	-1741	2708	0	4600	5482	7157	4687
79.00	2275	-1909	2970	0	4747	5658	7386	5121
79.00	2275	-1909	2970	0	7076	8433	11008	5740
78.00	2377	-1994	3103	0	7118	8483	11074	5908
74.00	2789	-2340	3641	0	7289	8687	11340	6289
69.00	3319	-2785	4333	0	7525	8968	11707	6730
69.00	3338	-2801	4357	0	12335	14700	19189	9104
64.00	4228	-3548	5519	0	12547	14953	19519	9654
59.00	5134	-4308	6702	0	12759	15205	19849	10232
54.00	6055	-5081	7905	0	12970	15457	20177	10835
49.00	6992	-5867	9127	0	13179	15707	20504	11462
44.00	7943	-6665	10369	0	13408	15979	20859	12055
43.50	8039	-6746	10494	0	13434	16009	20899	12109
43.50	8039	-6746	10494	0	13413	15986	20868	12163
39.00	8910	-7477	11631	0	13638	16253	21216	13307
38.58	8992	-7545	11738	0	13638	16253	21217	13464
34.00	9893	-8301	12915	0	13826	16477	21509	14203
29.00	10891	-9138	14217	0	14028	16718	21824	15027
24.00	11903	-9988	15538	0	14225	16952	22130	15874
19.00	12929	-10848	16877	0	14413	17177	22423	16744
14.00	13968	-11720	18234	0	14590	17388	22699	17636
9.00	15019	-12603	19606	0	14762	17592	22965	18549
4.00	16083	-13495	20995	0	14940	17805	23243	19472
0.00	16943	-14217	22118	0	15131	18033	23540	20141

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
Fuse 1.10.0.528

32-bit
Deflections and Stresses for Pole

Loading Case WIND

*** Deflections and Stresses ***

Distance From Base (ft)	Defl. X-Dir (in)	Defl. Y-Dir (in)	Defl. Resultant X & Y (in)	Defl. Z-Dir (in)	Rotation (deg.)	Axial Interaction Term	Flexural Interaction Term	Shear Interaction Term	Torsion Interaction Term	Combined Stress Interaction	Effective Yield Strength (ksi)
119.00	53.9	64.3	83.9	3.2	5.96	0.00	0.01	0.03	0.00	0.01	82.55
114.00	49.9	59.5	77.7	2.9	5.91	0.00	0.09	0.03	0.00	0.09	82.41
109.00	46.0	54.8	71.5	2.6	5.80	0.00	0.16	0.03	0.00	0.16	81.25
104.00	42.1	50.2	65.6	2.3	5.65	0.00	0.22	0.03	0.00	0.22	80.09
99.00	38.4	45.8	59.7	2.0	5.46	0.00	0.27	0.03	0.00	0.27	78.94
94.00	34.8	41.5	54.1	1.7	5.25	0.00	0.32	0.03	0.00	0.32	77.78
89.00	31.3	37.4	48.8	1.5	5.02	0.00	0.36	0.03	0.00	0.37	76.63
84.00	28.1	33.4	43.6	1.3	4.77	0.00	0.40	0.03	0.00	0.41	75.47
82.00	26.8	31.9	41.7	1.2	4.67	0.00	0.42	0.03	0.00	0.42	75.01
82.00	26.8	31.9	41.7	1.2	4.67	0.00	0.30	0.02	0.00	0.30	82.44
79.00	24.9	29.7	38.8	1.1	4.55	0.00	0.31	0.02	0.00	0.32	81.92
79.00	24.9	29.7	38.8	1.1	4.55	0.00	0.31	0.04	0.00	0.32	81.92
78.00	24.3	29.0	37.8	1.0	4.51	0.00	0.32	0.04	0.00	0.33	81.74
74.00	21.9	26.1	34.1	0.9	4.33	0.00	0.36	0.04	0.00	0.36	81.05
69.00	19.1	22.8	29.7	0.7	4.10	0.00	0.40	0.04	0.00	0.40	80.18
69.00	19.1	22.8	29.7	0.7	4.10	0.01	0.40	0.06	0.00	0.41	80.18
64.00	16.4	19.6	25.5	0.6	3.84	0.01	0.47	0.06	0.00	0.48	79.31
59.00	13.9	16.6	21.7	0.5	3.56	0.01	0.54	0.06	0.00	0.55	78.45
54.00	11.6	13.9	18.1	0.3	3.25	0.01	0.60	0.06	0.00	0.61	77.58
49.00	9.6	11.4	14.9	0.3	2.93	0.01	0.66	0.06	0.00	0.67	76.71
44.00	7.7	9.2	12.0	0.2	2.60	0.01	0.71	0.05	0.00	0.72	75.85
43.50	7.5	9.0	11.7	0.2	2.56	0.01	0.71	0.05	0.00	0.72	75.76
43.50	7.5	9.0	11.7	0.2	2.56	0.01	0.55	0.04	0.00	0.56	81.63
39.00	6.0	7.2	9.4	0.1	2.30	0.01	0.58	0.04	0.00	0.59	81.01
38.58	5.9	7.0	9.2	0.1	2.28	0.01	0.58	0.04	0.00	0.59	80.95
34.00	4.6	5.5	7.1	0.1	2.01	0.01	0.61	0.04	0.00	0.62	80.32
29.00	3.3	4.0	5.2	0.1	1.71	0.01	0.64	0.04	0.00	0.65	79.62
24.00	2.3	2.7	3.5	0.0	1.41	0.01	0.66	0.04	0.00	0.67	78.93
19.00	1.4	1.7	2.2	0.0	1.12	0.01	0.69	0.04	0.00	0.70	78.24
14.00	0.8	0.9	1.2	0.0	0.82	0.01	0.71	0.04	0.00	0.72	77.54
9.00	0.3	0.4	0.5	0.0	0.52	0.01	0.73	0.04	0.00	0.74	76.85
4.00	0.1	0.1	0.1	0.0	0.23	0.01	0.75	0.04	0.00	0.76	76.16
0.00	0.0	0.0	0.0	0.0	0.00	0.01	0.76	0.04	0.00	0.77	75.60

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
Fuse 1.10.0.528

32-bit
Forces and Moments for Pole in the Local Element Coordinate System

Loading Case ICE + WIND

Dist. From Base (ft)	Mx (in-kips)	My (in-kips)	Resultant Mx & My (in-kips)	Torsion (in-kips)	Shear X-Dir. (lbs)	Shear Y-Dir. (lbs)	Resultant Shear (lbs)	Axial (lbs)
119.00	2	-2	3	0	275	328	429	6820
114.00	22	-19	29	0	298	355	464	7171
109.00	45	-37	58	0	321	383	500	7542
104.00	69	-57	89	0	345	411	537	7932
99.00	94	-79	123	0	369	440	574	8341
94.00	121	-102	159	0	394	469	612	8770
89.00	151	-126	197	0	419	499	651	9217
84.00	182	-152	237	0	445	530	692	9684
82.00	194	-163	254	0	456	544	710	9876
82.00	194	-163	254	0	455	542	708	9876
79.00	214	-180	280	0	474	565	737	10493
79.00	214	-180	280	0	635	757	988	12195
78.00	223	-188	292	0	640	763	996	12405
74.00	261	-219	340	0	661	787	1028	12888
69.00	309	-259	403	0	691	823	1074	13512
69.00	311	-261	406	0	1058	1261	1646	21239
64.00	387	-325	506	0	1082	1290	1683	21887
59.00	466	-391	608	0	1106	1318	1721	22557
54.00	546	-458	713	0	1130	1346	1757	23249
49.00	628	-527	820	0	1153	1374	1793	23963
44.00	712	-597	929	0	1179	1406	1835	24698
43.50	720	-604	940	0	1183	1409	1840	24773
43.50	720	-604	940	0	1179	1405	1834	24773
39.00	797	-669	1040	0	1205	1436	1875	26207
38.58	804	-675	1050	0	1204	1435	1873	26342
34.00	884	-742	1154	0	1225	1459	1905	27171
29.00	972	-816	1269	0	1247	1486	1940	28098
24.00	1063	-892	1387	0	1268	1511	1973	29050
19.00	1154	-969	1507	0	1289	1536	2005	30024
14.00	1248	-1047	1629	0	1308	1559	2035	31019
9.00	1342	-1126	1752	0	1326	1581	2064	32034
4.00	1438	-1207	1877	0	1346	1604	2094	33063
0.00	1516	-1272	1979	0	1369	1631	2129	33885

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
Fuse 1.10.0.528

32-bit
Deflections and Stresses for Pole

Loading Case ICE + WIND

*** Deflections and Stresses ***

Distance From Base (ft)	Defl. X-Dir (in)	Defl. Y-Dir (in)	Defl. Resultant X & Y (in)	Defl. Z-Dir (in)	Rotation (deg.)	Axial Interaction Term	Flexural Interaction Term	Shear Interaction Term	Torsion Interaction Term	Combined Stress Interaction	Effective Yield Strength (ksi)
119.00	4.9	5.8	7.6	0.1	0.54	0.01	0.00	0.00	0.00	0.01	82.55
114.00	4.5	5.4	7.0	0.1	0.53	0.01	0.01	0.00	0.00	0.02	82.41
109.00	4.1	4.9	6.4	0.1	0.53	0.01	0.01	0.00	0.00	0.02	81.25
104.00	3.8	4.5	5.9	0.1	0.51	0.01	0.02	0.00	0.00	0.03	80.09
99.00	3.5	4.1	5.4	0.0	0.49	0.01	0.02	0.00	0.00	0.03	78.94
94.00	3.1	3.7	4.9	0.0	0.48	0.01	0.03	0.00	0.00	0.04	77.78
89.00	2.8	3.4	4.4	0.0	0.45	0.01	0.03	0.00	0.00	0.04	76.63
84.00	2.5	3.0	3.9	0.0	0.43	0.01	0.04	0.00	0.00	0.05	75.47
82.00	2.4	2.9	3.7	0.0	0.42	0.01	0.04	0.00	0.00	0.05	75.01
82.00	2.4	2.9	3.7	0.0	0.42	0.01	0.03	0.00	0.00	0.03	82.44
79.00	2.2	2.7	3.5	0.0	0.41	0.01	0.03	0.00	0.00	0.04	81.92
79.00	2.2	2.7	3.5	0.0	0.41	0.01	0.03	0.00	0.00	0.04	81.92
78.00	2.2	2.6	3.4	0.0	0.41	0.01	0.03	0.00	0.00	0.04	81.74
74.00	2.0	2.3	3.1	0.0	0.39	0.01	0.03	0.00	0.00	0.04	81.05
69.00	1.7	2.0	2.7	0.0	0.37	0.01	0.04	0.00	0.00	0.05	80.18
69.00	1.7	2.0	2.7	0.0	0.37	0.01	0.04	0.01	0.00	0.05	80.18
64.00	1.5	1.8	2.3	0.0	0.34	0.01	0.04	0.01	0.00	0.06	79.31
59.00	1.2	1.5	1.9	0.0	0.32	0.01	0.05	0.00	0.00	0.06	78.45
54.00	1.0	1.2	1.6	0.0	0.29	0.01	0.05	0.00	0.00	0.07	77.58
49.00	0.9	1.0	1.3	0.0	0.26	0.01	0.06	0.00	0.00	0.07	76.71
44.00	0.7	0.8	1.1	0.0	0.23	0.01	0.06	0.00	0.00	0.08	75.85
43.50	0.7	0.8	1.0	0.0	0.23	0.01	0.06	0.00	0.00	0.08	75.76
43.50	0.7	0.8	1.0	0.0	0.23	0.01	0.05	0.00	0.00	0.06	81.63
39.00	0.5	0.6	0.8	0.0	0.21	0.01	0.05	0.00	0.00	0.06	81.01
38.58	0.5	0.6	0.8	0.0	0.20	0.01	0.05	0.00	0.00	0.06	80.95
34.00	0.4	0.5	0.6	0.0	0.18	0.01	0.05	0.00	0.00	0.07	80.32
29.00	0.3	0.4	0.5	0.0	0.15	0.01	0.06	0.00	0.00	0.07	79.62
24.00	0.2	0.2	0.3	0.0	0.13	0.01	0.06	0.00	0.00	0.07	78.93
19.00	0.1	0.2	0.2	0.0	0.10	0.01	0.06	0.00	0.00	0.07	78.24
14.00	0.1	0.1	0.1	0.0	0.07	0.01	0.06	0.00	0.00	0.08	77.54
9.00	0.0	0.0	0.0	0.0	0.05	0.01	0.07	0.00	0.00	0.08	76.85
4.00	0.0	0.0	0.0	0.0	0.02	0.01	0.07	0.00	0.00	0.08	76.16
0.00	0.0	0.0	0.0	0.0	0.00	0.01	0.07	0.00	0.00	0.08	75.60

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
Fuse 1.10.0.528

32-bit
Forces and Moments for Pole in the Local Element Coordinate System

Loading Case T+S

Dist. From Base (ft)	Mx (in-kips)	My (in-kips)	Resultant Mx & My (in-kips)	Torsion (in-kips)	Shear X-Dir. (lbs)	Shear Y-Dir. (lbs)	Resultant Shear (lbs)	Axial (lbs)
119.00	5	-4	6	0	712	848	1107	2560
114.00	57	-48	74	0	749	892	1165	2746
109.00	112	-94	146	0	787	938	1225	2943
104.00	170	-142	221	0	827	986	1287	3151
99.00	230	-193	301	0	868	1035	1351	3369
94.00	294	-247	384	0	911	1086	1418	3598
89.00	361	-303	471	0	955	1138	1486	3838
84.00	431	-362	562	0	1001	1193	1558	4088
82.00	460	-386	600	0	1021	1217	1588	4191
82.00	460	-386	600	0	1020	1215	1586	4192
79.00	504	-423	658	0	1052	1253	1636	4555
79.00	504	-423	658	0	1571	1872	2444	5285
78.00	527	-442	688	0	1580	1883	2459	5409
74.00	618	-519	807	0	1618	1929	2518	5696
69.00	736	-617	961	0	1670	1991	2599	6064
69.00	740	-621	966	0	2741	3267	4264	8407
64.00	938	-787	1224	0	2788	3323	4338	8794
59.00	1139	-956	1487	0	2836	3380	4412	9196
54.00	1344	-1128	1754	0	2883	3436	4485	9613
49.00	1552	-1302	2026	0	2931	3492	4559	10043
44.00	1764	-1480	2302	0	2982	3553	4639	10486
43.50	1785	-1498	2330	0	2987	3560	4647	10531
43.50	1785	-1498	2330	0	2983	3556	4641	10533
39.00	1979	-1660	2583	0	3033	3615	4719	11447
38.58	1997	-1676	2607	0	3034	3616	4720	11535
34.00	2197	-1844	2868	0	3077	3667	4786	12068
29.00	2419	-2030	3158	0	3123	3722	4859	12666
24.00	2645	-2219	3452	0	3168	3776	4929	13281
19.00	2873	-2411	3751	0	3212	3828	4997	13915
14.00	3105	-2605	4053	0	3254	3877	5062	14566
9.00	3339	-2802	4359	0	3294	3926	5124	15235
4.00	3577	-3001	4669	0	3336	3976	5190	15920
0.00	3769	-3162	4920	0	3379	4026	5256	16478

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
Fuse 1.10.0.528

32-bit
Deflections and Stresses for Pole

Loading Case T+S

*** Deflections and Stresses ***

Distance From Base (ft)	Defl. X-Dir (in)	Defl. Y-Dir (in)	Defl. Resultant X & Y (in)	Defl. Z-Dir (in)	Rotation (deg.)	Axial Interaction Term	Flexural Interaction Term	Shear Interaction Term	Torsion Interaction Term	Combined Stress Interaction	Effective Yield Strength (ksi)
119.00	12.0	14.3	18.6	0.2	1.32	0.00	0.00	0.01	0.00	0.01	82.55
114.00	11.1	13.2	17.3	0.2	1.31	0.00	0.02	0.01	0.00	0.02	82.41
109.00	10.2	12.2	15.9	0.1	1.29	0.00	0.03	0.01	0.00	0.04	81.25
104.00	9.4	11.2	14.6	0.1	1.25	0.00	0.05	0.01	0.00	0.05	80.09
99.00	8.5	10.2	13.3	0.1	1.21	0.00	0.06	0.01	0.00	0.06	78.94
94.00	7.7	9.2	12.0	0.1	1.17	0.00	0.07	0.01	0.00	0.07	77.78
89.00	7.0	8.3	10.8	0.1	1.11	0.00	0.08	0.01	0.00	0.08	76.63
84.00	6.2	7.4	9.7	0.1	1.06	0.00	0.09	0.01	0.00	0.09	75.47
82.00	6.0	7.1	9.3	0.1	1.04	0.00	0.09	0.01	0.00	0.10	75.01
82.00	6.0	7.1	9.3	0.1	1.04	0.00	0.07	0.01	0.00	0.07	82.44
79.00	5.5	6.6	8.6	0.1	1.01	0.00	0.07	0.01	0.00	0.07	81.92
79.00	5.5	6.6	8.6	0.1	1.01	0.00	0.07	0.01	0.00	0.07	81.92
78.00	5.4	6.4	8.4	0.1	1.00	0.00	0.07	0.01	0.00	0.07	81.74
74.00	4.9	5.8	7.6	0.1	0.96	0.00	0.08	0.01	0.00	0.08	81.05
69.00	4.2	5.1	6.6	0.0	0.91	0.00	0.09	0.01	0.00	0.09	80.18
69.00	4.2	5.1	6.6	0.0	0.91	0.01	0.09	0.01	0.00	0.09	80.18
64.00	3.7	4.4	5.7	0.0	0.85	0.01	0.11	0.01	0.00	0.11	79.31
59.00	3.1	3.7	4.8	0.0	0.79	0.01	0.12	0.01	0.00	0.13	78.45
54.00	2.6	3.1	4.0	0.0	0.72	0.01	0.13	0.01	0.00	0.14	77.58
49.00	2.1	2.5	3.3	0.0	0.65	0.01	0.15	0.01	0.00	0.15	76.71
44.00	1.7	2.0	2.7	0.0	0.58	0.01	0.16	0.01	0.00	0.16	75.85
43.50	1.7	2.0	2.6	0.0	0.57	0.01	0.16	0.01	0.00	0.17	75.76
43.50	1.7	2.0	2.6	0.0	0.57	0.00	0.12	0.01	0.00	0.13	81.63
39.00	1.3	1.6	2.1	0.0	0.51	0.00	0.13	0.01	0.00	0.13	81.01
38.58	1.3	1.6	2.0	0.0	0.51	0.01	0.13	0.01	0.00	0.13	80.95
34.00	1.0	1.2	1.6	0.0	0.45	0.01	0.14	0.01	0.00	0.14	80.32
29.00	0.7	0.9	1.2	0.0	0.38	0.01	0.14	0.01	0.00	0.15	79.62
24.00	0.5	0.6	0.8	0.0	0.31	0.01	0.15	0.01	0.00	0.15	78.93
19.00	0.3	0.4	0.5	0.0	0.25	0.01	0.15	0.01	0.00	0.16	78.24
14.00	0.2	0.2	0.3	0.0	0.18	0.01	0.16	0.01	0.00	0.16	77.54
9.00	0.1	0.1	0.1	0.0	0.12	0.01	0.16	0.01	0.00	0.17	76.85
4.00	0.0	0.0	0.0	0.0	0.05	0.01	0.17	0.01	0.00	0.17	76.16
0.00	0.0	0.0	0.0	0.0	0.00	0.01	0.17	0.01	0.00	0.18	75.60

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
Fuse 1.10.0.528

32-bit
Forces and Moments for Pole in the Local Element Coordinate System

Loading Case Seismic

Dist. From Base (ft)	Mx (in-kips)	My (in-kips)	Resultant Mx & My (in-kips)	Torsion (in-kips)	Shear X-Dir. (lbs)	Shear Y-Dir. (lbs)	Resultant Shear (lbs)	Axial (lbs)
119.00	17	-14	22	0	1404	1674	2185	3040
114.00	120	-101	157	0	1488	1773	2314	3261
109.00	229	-192	299	0	1552	1849	2414	3496
104.00	342	-287	446	0	1598	1904	2486	3745
99.00	457	-384	597	0	1628	1940	2533	4009
94.00	575	-482	750	0	1644	1960	2558	4286
89.00	692	-581	904	0	1650	1966	2566	4576
84.00	811	-680	1058	0	1649	1965	2565	4879
82.00	858	-720	1120	0	1649	1965	2566	5002
82.00	858	-720	1120	0	1647	1962	2562	5004
79.00	928	-779	1212	0	1645	1961	2560	5440
79.00	928	-779	1212	0	1640	1955	2552	6334
78.00	952	-799	1242	0	1637	1950	2546	6484
74.00	1045	-877	1365	0	1630	1943	2536	6829
69.00	1162	-975	1517	0	1632	1945	2539	7271
69.00	1162	-975	1517	0	1648	1964	2563	10114
64.00	1280	-1074	1671	0	1646	1961	2560	10576
59.00	1399	-1174	1826	0	1651	1967	2568	11056
54.00	1517	-1273	1981	0	1661	1980	2585	11552
49.00	1637	-1374	2137	0	1677	1998	2608	12065
44.00	1758	-1475	2295	0	1699	2025	2644	12594
43.50	1770	-1485	2311	0	1702	2029	2648	12648
43.50	1770	-1485	2311	0	1698	2023	2641	12649
39.00	1881	-1579	2456	0	1753	2089	2728	13743
38.58	1892	-1587	2470	0	1754	2091	2729	13847
34.00	2008	-1685	2621	0	1779	2120	2767	14482
29.00	2136	-1793	2789	0	1806	2152	2809	15196
24.00	2267	-1902	2959	0	1831	2182	2849	15930
19.00	2399	-2013	3132	0	1855	2211	2887	16686
14.00	2533	-2125	3306	0	1878	2238	2922	17463
9.00	2668	-2239	3483	0	1897	2261	2952	18261
4.00	2805	-2353	3661	0	1911	2277	2972	19080
0.00	2914	-2445	3804	0	1919	2286	2985	19749

BY VALMONT INDUSTRIES FOR: VERIZON WIRELESS 120' POLE, SITE: OR4 ROADRUNNER 240062 DATE 02/20/14
Fuse 1.10.0.528

32-bit
Deflections and Stresses for Pole

Loading Case Seismic

*** Deflections and Stresses ***

Distance From Base (ft)	Defl. X-Dir (in)	Defl. Y-Dir (in)	Defl. Resultant X & Y (in)	Defl. Z-Dir (in)	Rotation (deg.)	Axial Interaction Term	Flexural Interaction Term	Shear Interaction Term	Torsion Interaction Term	Combined Stress Interaction	Effective Yield Strength (ksi)
119.00	12.7	15.2	19.8	0.2	1.67	0.00	0.01	0.01	0.00	0.01	82.55
114.00	11.6	13.8	18.0	0.2	1.65	0.00	0.04	0.01	0.00	0.04	82.41
109.00	10.5	12.5	16.3	0.2	1.60	0.00	0.07	0.01	0.00	0.07	81.25
104.00	9.4	11.3	14.7	0.1	1.53	0.00	0.10	0.01	0.00	0.10	80.09
99.00	8.4	10.1	13.1	0.1	1.45	0.00	0.12	0.01	0.00	0.12	78.94
94.00	7.5	8.9	11.7	0.1	1.36	0.00	0.14	0.01	0.00	0.14	77.78
89.00	6.6	7.9	10.3	0.1	1.26	0.00	0.15	0.01	0.00	0.16	76.63
84.00	5.8	6.9	9.0	0.1	1.15	0.01	0.17	0.01	0.00	0.17	75.47
82.00	5.5	6.5	8.5	0.1	1.11	0.01	0.17	0.01	0.00	0.18	75.01
82.00	5.5	6.5	8.5	0.1	1.11	0.00	0.12	0.01	0.00	0.13	82.44
79.00	5.1	6.0	7.9	0.1	1.06	0.00	0.13	0.01	0.00	0.13	81.92
79.00	5.1	6.0	7.9	0.1	1.06	0.00	0.13	0.01	0.00	0.13	81.92
78.00	4.9	5.9	7.6	0.1	1.04	0.00	0.13	0.01	0.00	0.13	81.74
74.00	4.4	5.2	6.8	0.1	0.98	0.00	0.13	0.01	0.00	0.14	81.05
69.00	3.7	4.5	5.8	0.0	0.89	0.00	0.14	0.01	0.00	0.14	80.18
69.00	3.7	4.5	5.8	0.0	0.89	0.01	0.14	0.01	0.00	0.15	80.18
64.00	3.2	3.8	4.9	0.0	0.81	0.01	0.14	0.01	0.00	0.15	79.31
59.00	2.6	3.2	4.1	0.0	0.73	0.01	0.15	0.01	0.00	0.15	78.45
54.00	2.2	2.6	3.4	0.0	0.65	0.01	0.15	0.01	0.00	0.16	77.58
49.00	1.8	2.1	2.8	0.0	0.57	0.01	0.15	0.01	0.00	0.16	76.71
44.00	1.4	1.7	2.2	0.0	0.50	0.01	0.16	0.01	0.00	0.16	75.85
43.50	1.4	1.6	2.1	0.0	0.49	0.01	0.16	0.01	0.00	0.16	75.76
43.50	1.4	1.6	2.1	0.0	0.49	0.01	0.12	0.01	0.00	0.13	81.63
39.00	1.1	1.3	1.7	0.0	0.43	0.01	0.12	0.01	0.00	0.13	81.01
38.58	1.1	1.3	1.7	0.0	0.43	0.01	0.12	0.01	0.00	0.13	80.95
34.00	0.8	1.0	1.3	0.0	0.37	0.01	0.12	0.01	0.00	0.13	80.32
29.00	0.6	0.7	0.9	0.0	0.31	0.01	0.13	0.01	0.00	0.13	79.62
24.00	0.4	0.5	0.6	0.0	0.26	0.01	0.13	0.01	0.00	0.13	78.93
19.00	0.3	0.3	0.4	0.0	0.20	0.01	0.13	0.01	0.00	0.13	78.24
14.00	0.1	0.2	0.2	0.0	0.14	0.01	0.13	0.01	0.00	0.14	77.54
9.00	0.1	0.1	0.1	0.0	0.09	0.01	0.13	0.01	0.00	0.14	76.85
4.00	0.0	0.0	0.0	0.0	0.04	0.01	0.13	0.01	0.00	0.14	76.16
0.00	0.0	0.0	0.0	0.0	0.00	0.01	0.13	0.00	0.00	0.14	75.60

MINIMUM DEFLECTION RATIO // DEFLECTION LIMIT / DEFLECTION // IS

*** ANCHOR BOLT CHARACTERISTICS GOVERNED BY LOADING CASE WIND ***

NUMBER OF BOLTS	DIAMETER (IN.)	LENGTH (IN.)	WEIGHT (LB.)	SHIPPED AS	PROJECTION LENGTH (IN.)	GALVANIZED LENGTH (IN.)	THREAD SIZE
10	2.250	66	1161	BOLTS, TEMPLATES	12.00	66.00	4.5-UNC-2A

STEEL SPECIF.	MAXIMUM BOLT FORCE (LB.)	MAXIMUM BOLT SHEAR FORCE (LB.)	FACTORED NOMINAL TENS. STRENGTH (LB.)	STRESS AREA (SQ. IN.)	INTERACTION VALUE	CONFIGURATION OF BOTTOM END
A615	182035	2350	260000	3.250	0.72	THREADED WITH HEAVY HEX HEAD NUT

NOTE: BOLT INTERACTION VALUE WAS CALCULATED BY DIVIDING SHEAR FORCE BY FACTOR RELATED TO DETAIL TYPE d) IN EIA-G SPECS.

*** BOLT COORDINATES AND FORCES ***

BOLT NO.	X-COORD	Y-COORD	MAX TENSION-LB	MAX FORCE-LB	*	BOLT NO.	X-COORD	Y-COORD	MAX TENSION-LB	MAX FORCE-LB
1	24.574	0.00	59549	63587	*	2	19.881	14.444	147222	151260
3	7.594	23.371	177887	181925	*					

MAX. BOLT CIRCLE = 49.15 IN. TEMPLATE DIAMETER = 55.15 IN.

*** BASE PLATE CHARACTERISTICS GOVERNED BY LOADING CASE WIND ***

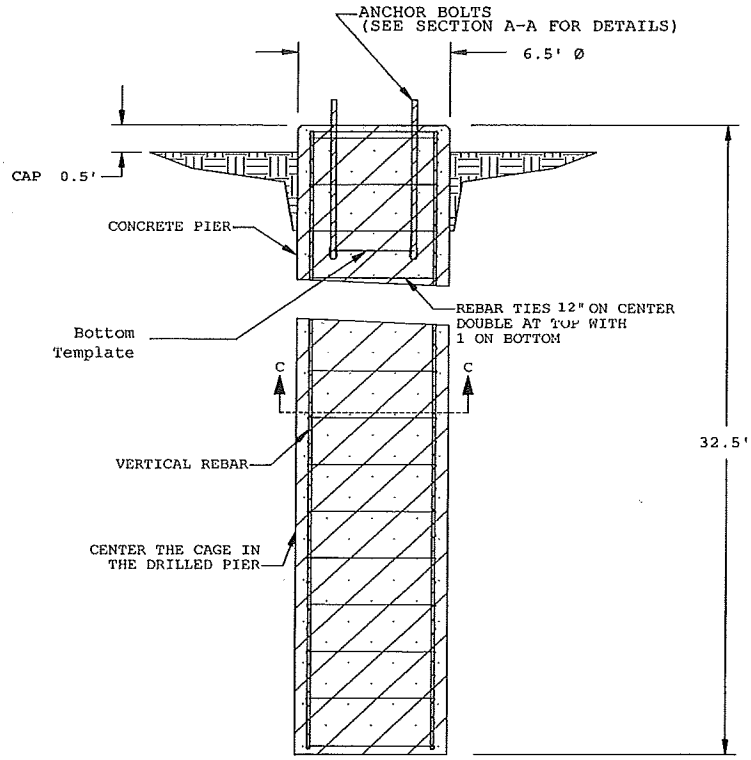
DRAWING NUMBER	OVERALL LENGTH (IN.)	OVERALL WIDTH (IN.)	THICKNESS (IN.)	ACTUAL WEIGHT (LB.)	RAW MATERIAL WEIGHT (LB.)	SIDE LENGTH (IN.)
SD18-99	55.15	56.00	3.0000	1507	2625	9.72

TOP WIDTH (IN.)	POLE DIAM. (MAJOR DIAM.) (IN.)	CRITICAL FAILURE MODE	TOTAL LENGTH OF FAIL MODE LINE (IN.)	EFFECTIVE LENGTH (IN.)	TOTAL MOMENT ALONG FAIL LINE (IN.-LB.)
9.72	42.00	5	43.14	27.08	1134085

STEEL SPECIF. VALMONT	STEEL SPECIF. OTHER	BENDING STRESS (PSI)	EFFECTIVE YIELD STRESS (PSI)	MAX. VERTICAL SHEAR STRESS (PSI)
S56	A572	27920	50000	5933

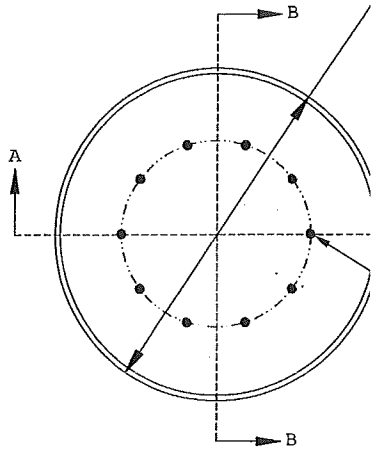
** LOADS AT POLE BASE IN THE GLOBAL COORDINATE SYSTEM ********** LOADING CASES **********

LOADING CASE IDENTIFICATION	WIND	ICE	T+S	Seis	]MAX CRITERION-	LOAD CASE
MOMENT ABT. X-AXIS (IN-KIP)	16943	1516	3769	2914	]MOMENT ABT. X	WIND
MOMENT ABT. Y-AXIS (IN-KIP)	- 14217	- 1272	- 3162	- 2445	]MOMENT ABT. Y	WIND
SHEAR FORCE (LB.)	23499	2123	5249	2978	]RES. MOMENT	WIND
VERTICAL FORCE (LB.)	20189	33886	16480	19750	]SHEAR FORCE	WIND
					]BOLT FORCE	WIND
					]BOLT TENSION	WIND



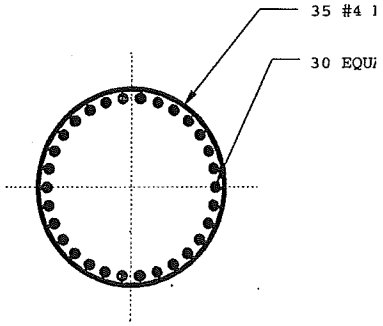
SECTION B-B

PIER ELEVATION
(NO SCALE)



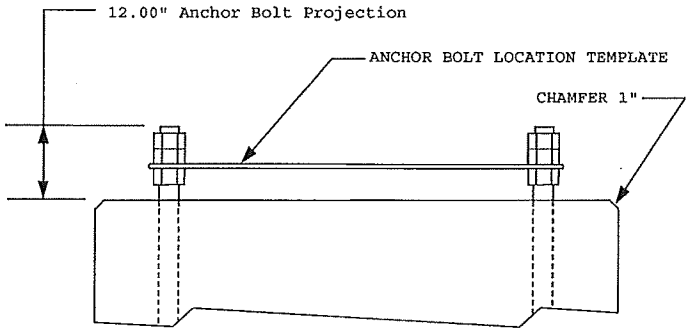
FOUNDATION & ANCHOR BOLT LAYOUT I

(NO SCALE)



SECTION C-C

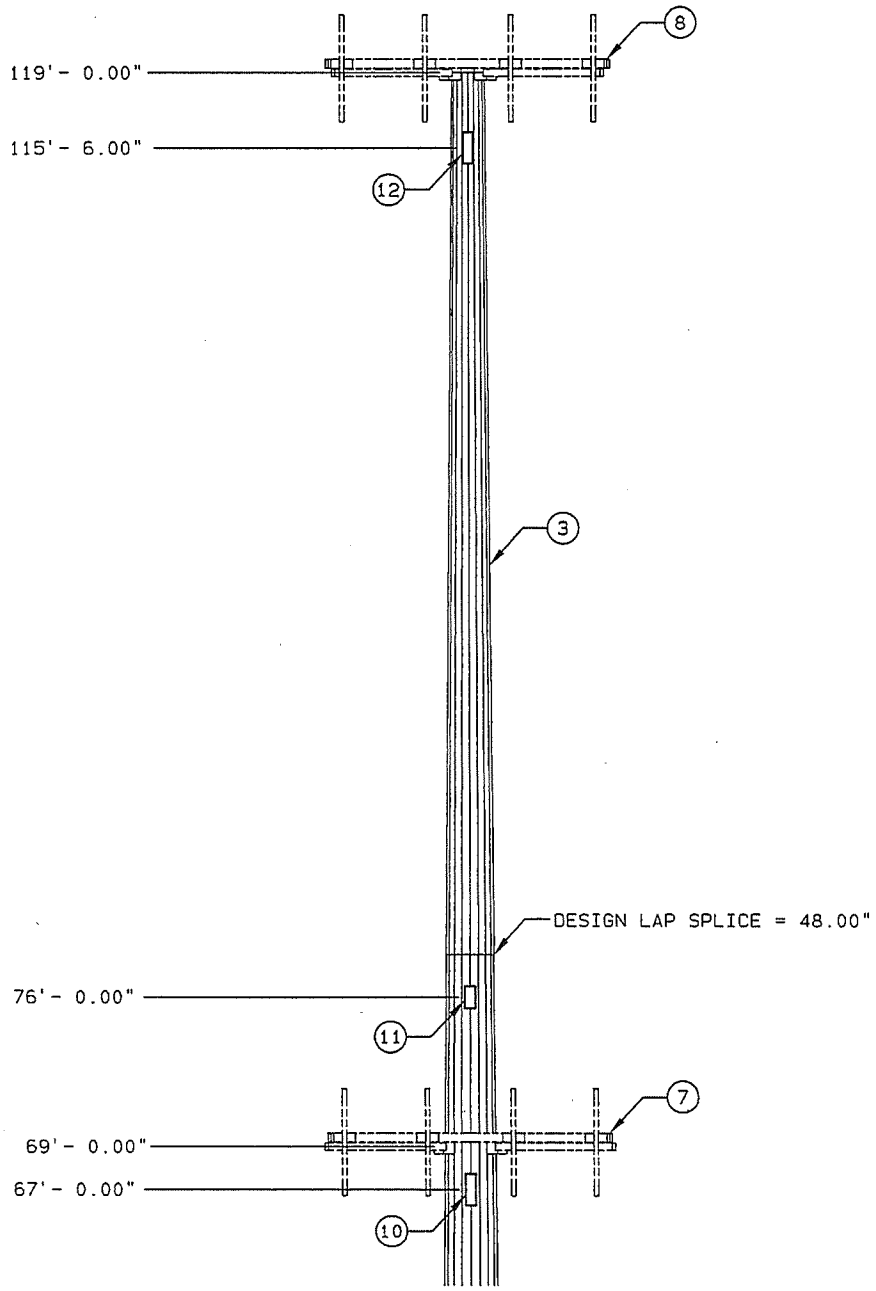
PIER REBAR LAYOUT
(NO SCALE)



SECTION A-A TYP

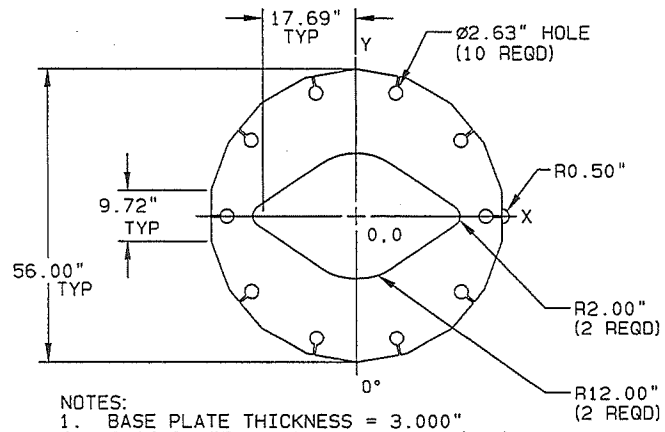
ANCHOR BOLT ELEVATION
(NO SCALE)

Note: EXTREME CARE SHOULD BE TAKEN TO ENSURE THAT ALL BOLTS ARE LEVEL WITH RESPECT TO EACH OTHER TO ENSURE ADEQUATE NUT ENGAGEMENT



ITEM ID	NO. REQD	FEATURES	UNIT WEIGHT (LBS)	WEIGHT (LBS)
1	1	SECTION A VALMONT S-22 0.313" THK (A572 GR65)	5,453	5,453
2	1	SECTION B VALMONT S-22 0.250" THK (A572 GR65)	3,476	3,476
3	1	SECTION C VALMONT S-22 0.188" THK (A572 GR65)	1,835	1,835
4	1	BOTTOM CAGE PLATE	99	99
5	10	2.25" ANCHOR BOLT, LENGTH=5.50' A615 GR75	92	914
6	1	BASE PLATE VALMONT S-56 3.000" THK (A572 GR50)	1,507	1,507
7	1	12' SP1 LP PLATFORM W/HR	1,385	1,385
8	1	12' SP1 LP PLATFORM W/HR	1,385	1,385
	1	TOP CAGE PLATE (REMOVE BEFORE SETTING POLE)	130	130
	1	SAFETY CLIMBING CABLE (LENGTH = 109.00')	88	88
	3	GROUNDING LUG	2	6
		GALVANIZING	294	294
	86	STEP AND CLIP (VALMONT STANDARD)	1	43
9	3	HAND HOLE STD (9" x 24")	48	144
10	3	HAND HOLE STD (6" x 18")	18	54
11	2	HAND HOLE STD (6" x 12")	22	44
12	3	HAND HOLE STD (6" x 18")	18	54
	1	POLE CAP	18	18

HOLE COORDS (INCHES)	
X-COORD	Y-COORD
24.57	0.00
19.88	14.44
7.59	23.37



NOTES:
1. BASE PLATE THICKNESS = 3.000"
2. BASE PLATE ALLOWABLE STRESS (KSI) = 50
3. ANGLES ARE MEASURED CLOCKWISE FROM 0 DEGREES
4. MAXIMUM BOLT CIRCLE DIAMETER = 49.15"
5. MAXIMUM CAGE TEMPLATE DIAMETER = 55.15"

BASE PLATE / ANCHORAGE CHARACTERISTICS

NOTES:

1. FACTORED REACTIONS FOR FOUNDATION DESIGN.
   MOMENT = 22,118 IN-KIPS
   SHEAR = 23,500 #
   VERTICAL = 21,696 #
2. GALVANIZED PER ASTM A-123.
3. DESIGN CRITERIA: ANSI/TIA 222-G ADDENDUM 2
4. THIS STRUCTURE HAS BEEN DESIGNED FOR THE FOLLOWING LOADING:
   EXPOSURE CATEGORY = C
   STRUCTURE CLASSIFICATION = 2
   TOPOGRAPHY CATEGORY = 1
   EARTHQUAKE SPECTRAL RESPONSE ACCELERATION AT SHORT PERIODS Ss = 0.74
   EARTHQUAKE SPECTRAL RESPONSE ACCELERATION AT ONE SECOND S1 = 0.35
   EARTHQUAKE SITE CLASS = D
   WIND LOAD CASES ARE BASED ON 3 SECOND GUST AND 50 YEAR WIND RETURN PERIOD

Konrad Hyle

From: Alan Burt <Alan@ssaacoustics.com>
Sent: Tuesday, September 23, 2014 1:00 PM
To: Konrad Hyle
Cc: Jim Jaggers
Subject: RE: OR4 ROADRUNNER

Konrad,

According to the revised site location, the generator will be located about 110 feet from the east property line. The proposed generator has a 65 dBA noise level at 23 feet. The resulting noise reduction due to distance will be 13 dB, which will result in 52 dBA at the east property line. The resulting level will therefore meet the 55 dBA daytime code limit. The noise mitigation proposed in our noise report for the initial site location can therefore be eliminated.

Please contact me if you have questions or need further information.

Regards,

Alan Burt, PE
Associate Partner
Acoustical Consultant

SSA acoustics
206.839.0819 office
206.683.6870 mobile
www.ssaacoustics.com

From: Konrad Hyle [mailto:konrad@blk-rock.com]
Sent: Tuesday, September 23, 2014 11:12 AM
To: Alan Burt
Subject: OR4 ROADRUNNER

Alan,

Attached s the updated site plan we just discussed the tower will now be 120' from the east property line and 325' from 53rd Avenue.. The generator would be about 10' closer respectively.

Can you review and let me know if this would eliminate the need for noise mitigation? Thanks

BLACK ROCK

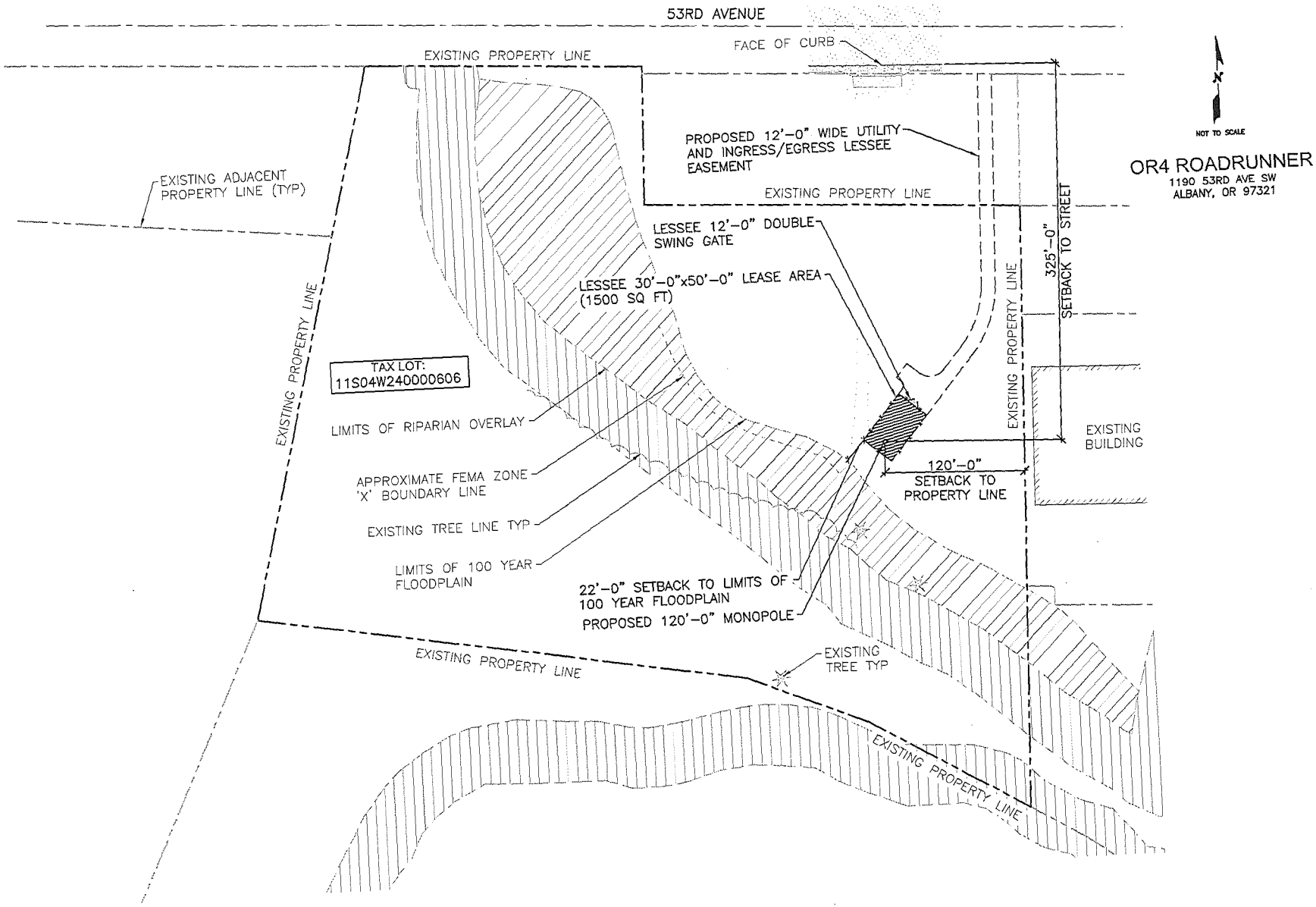
Konrad Hyle Senior Real Estate Specialist

503-522-0634 konrad@blk-rock.com

Konrad Hyle

From: Ron Litwiller <Ron@mennonitevillage.org>
Sent: Wednesday, September 3, 2014 8:38 AM
To: Mike Connors
Subject: Verizon cell tower - Albany

Good morning, Mennonite Village Retirement Community in Albany is located about 2 miles due east of your proposed Verizon cell phone tower off highway 99. We would suggest that you consider placing the tower on our 250 acre campus. We have wooded areas as well as open spaces that could accommodate a tower. We have an excellent relationship with the City of Albany and believe that a tower could be placed on our campus to better serve our residents – many of whom use Verizon but are unhappy with reception coverage. I can be reached at ron@mennonitevillage.org or 541.928.7232 or my direct line at 541.704.4208. Thanks Ron Litwiller President.


53RD AVENUE
FACE OF CURB
EXISTING PROPERTY LINE
PROPOSED 12'-0" WIDE UTILITY AND INGRESS/EGRESS LESSEE EASEMENT
EXISTING PROPERTY LINE
EXISTING ADJACENT PROPERTY LINE (TYP)
LESSEE 12'-0" DOUBLE SWING GATE
LESSEE 30'-0"x50'-0" LEASE AREA (1500 SQ FT)
325'-0" SETBACK TO STREET
EXISTING PROPERTY LINE
EXISTING PROPERTY LINE
TAX LOT: 11S04W240000606
LIMITS OF RIPARIAN OVERLAY
EXISTING BUILDING
120'-0" SETBACK TO PROPERTY LINE
APPROXIMATE FEMA ZONE 'X' BOUNDARY LINE
EXISTING TREE LINE TYP
LIMITS OF 100 YEAR FLOODPLAIN
22'-0" SETBACK TO LIMITS OF 100 YEAR FLOODPLAIN
PROPOSED 120'-0" MONOPOLE
EXISTING PROPERTY LINE
EXISTING TREE TYP
EXISTING PROPERTY LINE
NOT TO SCALE
OR4 ROADRUNNER
1190 53RD AVE SW
ALBANY, OR 97321

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A TAX ON THE SALE OF MARIJUANA AND MARIJUANA-INFUSED PRODUCTS IN THE CITY OF ALBANY

WHEREAS, Chapter I, Section 4 of the Albany City Charter provides:

> "The City shall have all powers which the constitution, statutes and common law of the United States and this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers;" and

WHEREAS, the City desires to tax the sale or transfer of marijuana and marijuana-infused products within the City.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY, OREGON, DO ORDAIN AS FOLLOWS:

SECTION 1. Title 3, Revenue and Finance of the Albany Municipal Code hereby adds a new Chapter 3.05 entitled "Marijuana Tax," establishing a tax on the sale of marijuana and marijuana-infused products as follows:

SECTION 3.05. Purpose.
For the purposes of this Chapter, every person who sells marijuana, medical marijuana or marijuana-infused products in the City of Albany is exercising a taxable privilege. The purpose of this Chapter is to impose a tax upon the retail sale of marijuana, medical marijuana, and marijuana-infused products.

SECTION 3.05.220. Definitions.
When not clearly otherwise indicated by the context, the following words and phrases as used in this chapter shall have the following meanings:

A. "Director" means the Director of Finance for the City of Albany or his/her designee.
B. "Gross Taxable Sales" means the total amount received in money, credits, property, or other consideration from sales of marijuana, medical marijuana and marijuana-infused products this is the subject to the tax imposed by this chapter.
C. "Marijuana" means all parts of the plant of the cannabis family Moraceae, whether growing or not; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its resin, as may be defined by Oregon Revised Statutes as they currently exist or may from time to time be amended. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted there from), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.
D. "Oregon Medical Marijuana Program" means the office within the Oregon Health Authority that administers the provisions of ORS 475.300 through 475.346, the Oregon Medical Marijuana Act, and all policies and procedures pertaining thereto.
E. "Person" means natural person, joint venture, joint stock company, partnership, association, club, company, corporation, business, trust, organization, or any group or combination acting as a unit, including the United States of America, the State of Oregon

and any political subdivision thereof, or the manager, lessee, agent, servant, officer, or employee of any of them.

F. "Purchase or Sale" means the retail acquisition or furnishing for consideration by any person of marijuana within the City and does not include the acquisition or furnishing of marijuana by a grower or processor to a seller.

G. "Registry identification cardholder" means a person who has been diagnosed by an attending physician with a debilitating medical condition and for whom the use of medical marijuana may mitigate the symptoms or effects of the person's debilitating medical condition, and who has been issued a registry identification card by the Oregon Health Authority.

H. "Retail Sale" means the transfer of goods or services in exchange for any valuable consideration and does not include the transfer or exchange of goods or services between a grower or processor and a seller.

I. "Seller" means any person who is required to be licensed or has been licensed by the State of Oregon to provide marijuana or marijuana-infused products to purchasers for money, credit, property or other consideration.

J. "Tax" means either the tax payable by the seller or the aggregate amount of taxes due from a seller during the period for which the seller is required to report collections under this chapter.

K. "Taxpayer" means any person obligated to account to the Finance Director for taxes collected or to be collected, or from whom a tax is due, under the terms of this chapter.

SECTION 3.05.030. Levy of Tax.

A. There is hereby levied and shall be paid a tax by every seller exercising the taxable privilege of selling marijuana and marijuana-infused products as defined in this chapter.

B. The amount of tax levied shall be established by a City Council resolution.

SECTION 3.05.040. Deductions.

The following deductions shall be allowed against sales received by the seller providing marijuana:

A. Refunds of sales actually returned to any purchaser.

B. Any adjustments in sales which amount to a refund to a purchaser, providing such adjustment pertains to the actual sale of marijuana or marijuana-infused products and does not include any adjustments for other services furnished by a seller.

SECTION 3.05.050. Seller Responsible for Payment of Tax.

A. Every seller shall, on or before the last day of the month following the end of each calendar quarter (in the months of April, July, October, and January) make a return to the Director, on forms provided by the City, specifying the total sales subject to this chapter and the amount of tax collected under this chapter. The seller may request or Director may establish shorter reporting periods for any seller if the seller or Director deems it necessary in order to insure collection of the tax and the Director may require further information in the return relevant to the payment of the tax. A return shall not be considered filed until it is actually received by the Director.

B. At the time the return is filed, the full amount of the tax collected shall be remitted to the Director. Payments received by the Director for application against existing liabilities will be credited toward the period designated by the taxpayer under conditions that are not prejudicial to the interest of the City. A condition considered prejudicial is the imminent expiration of the statute of limitations for a period or periods.

C. Non-designated payments shall be applied in the order of the oldest liability first, with the payment credited first toward any accrued penalty, then to interest, then to the underlying tax until the payment is exhausted. Crediting of a payment toward a specific reporting period will be first applied against any accrued penalty, then to interest, then to the underlying tax. If the Director, in his or her sole discretion, determines that an alternative order of payment application would be in the best interest of the City in a particular tax or factual situation, the Director may order such a change. The Director may establish shorter reporting periods of any seller if the Director deems it necessary in order to insure collection of the tax. The Director also may require additional information in the return relevant to payment of the liability. When a shorter return period is required, penalties and interest shall be computed according to the shorter return period. Returns and payments are due immediately upon cessation of business for any reason. All taxes collected by sellers pursuant to this chapter shall be held in trust for the account of the City until payment is made to the Director. A separate trust bank account is not required in order to comply with this provision.

D. Every seller required to remit the tax imposed in this chapter shall be entitled to retain five percent (5%) of all taxes due to defray the costs of bookkeeping and remittance.

E. Every seller must keep and preserve in an accounting format established by the Director records of all sales made by the dispensary and such other books or accounts as may be required by the Director. Every seller must keep a preserve for a period of three (3) years all such books, invoices, and other records. The Director shall have the right to inspect all such records at all reasonable times.

SECTION 3.05.060. Penalties and Interest.

A. Any seller who fails to remit any portion of any tax imposed by this chapter within the time required shall pay a penalty of ten percent (10%) of the amount of the tax, in addition to the amount of the tax.

B. Any seller who fails to remit any delinquent remittance on or before a period of 60 days following the date on which the remittance first became delinquent, shall pay a second delinquency penalty of ten percent (10%) of the amount of the tax in addition to the amount of the tax and the penalty first imposed.

C. If the Director determines that the nonpayment of any remittance due under this chapter is due to fraud, a penalty of twenty-five (25%) of the amount of the tax shall be added thereto in addition to the penalties stated in subparagraphs A and B of this section.

D. In addition to the penalties imposed, any seller who fails to remit any tax imposed by this chapter shall pay interest at the rate of one percent (1%) per month or fraction thereof on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent until paid.

E. Every penalty imposed, and such interest as accrues under the provisions of this section, shall become a part of the tax required to be paid.

F. Notwithstanding any contrary provision of this code, all sums collected pursuant to the penalty provisions in paragraphs A and C of this section shall be distributed to the City or Albany Central Service Fund to offset the costs of auditing and enforcement of this tax.

G. Waiver of Penalties. Penalties and interest for certain late tax payments may be waived.

SECTION 3.05.070. Failure to Report and Remit Tax-Determination of Tax by Director.

If any seller should fail to make, within the time provided in this chapter, any report of the tax required by this chapter, the Director shall proceed in such manner as deemed best to obtain facts and information on which to base the estimate of tax due. As soon as the Director shall procure such facts and information as is able to be obtained, upon which to base the assessment of any tax imposed by this chapter and payable by any seller, the Director shall proceed to determine and assess against such seller the tax, interest and penalties provided by for this chapter. In case such determination is made, the Director shall give a notice of the amount so assessed by having it served personally or by depositing it in the United States mail, postage prepaid, addressed to the seller, so assessed at the last known place of address. Such seller may make an appeal of such determination as provided in section 3.05.080. If no appeal is filed, the Director's determination is final and the amount thereby is immediately due and payable.

SECTION 3.05.080. Appeal. Any seller aggrieved by any decision of the Director with respect to the amount of such tax, interest and penalties, if any, may appeal pursuant to an Administrative Appeals Process established by the Finance Director for that purpose, except that the appeal shall be filed within 30 days of the serving or mailing of the determination of tax due. The hearings officer shall hear and consider any records and evidence presented bearing upon the Director's determination of amount due, and make findings affirming, reversing or modifying the determination. The findings of the hearings officer shall be final and conclusive, and shall be served upon the appellant in the manner prescribed above for service of notice of hearing. Any amount found to be due shall be immediately due and payable upon the service of notice.

SECTION 3.05.090. Refunds.

A. Whenever the amount of any tax, interest or penalty has been overpaid or paid more than once, or has been erroneously collected or received by the City under this chapter, it may be refunded as provided in subparagraph B of this section, provided a claim in writing, stating under penalty of specific grounds upon which the claim is founded, is filed with the Director within one year of the date of payment. The claim shall be on forms furnished by the Director.

B. The Director shall have 20 calendar days from the date of receipt of a claim to review the claim and make a determination in writing as to the validity of the claim. The Director shall notify the claimant in writing of the Director's determination. Such notice shall be mailed to the address provided by claimant on the claim form. In the event a claim is determined by the Director to be a valid claim, in a manner prescribed by the Director, a seller may claim a refund, or take as credit against taxes collected and remitted, the amount overpaid, paid more than once or erroneously collected or received. The seller shall notify Director of claimant's choice no later than 15 days following the date Director mailed the determination. In the event claimant has not notified the Director of claimant's choice within the 15 day period and the seller is still in business, a credit will be granted against the tax liability for the next reporting period. If the seller is no longer in business, a refund check will be mailed to claimant at the address provided in the claim form.

C. No refund shall be paid under the provisions of this section unless the claimant established the right by written records showing entitlement to such refund and the Director acknowledged the validity of the claim.

SECTION3.05.100. Actions to Collect.

Any tax required to be paid by any seller under the provisions of this chapter shall be deemed a debt owed by the seller to the City. Any such tax collected by a seller which has not been paid to

the City shall be deemed a debt owed by the seller to the City. Any person owing money to the City under the provisions of this chapter shall be liable to an action brought in the name of the City of Albany for the recovery of such amount. In lieu of filing an action for the recovery, the City of Albany, when taxes due are more than 30 days delinquent, can submit any outstanding tax to a collection agency. So long as the City of Albany has complied with the provisions set forth in ORS 697.105, in the event the City turns over a delinquent tax account to a collection agency, it may add to the amount owing an amount equal to the collection agency fees, not to exceed the greater of fifty dollars ($50) or fifty percent (50%) of the outstanding tax, penalties and interest owing.

SECTION 3.05.110. Violations.

All violations of this chapter are punishable as set forth in AMC Chapter 1.04. It is a violation of this chapter for any seller or other person to:

1) Fail or refuse to comply as required herein;
2) Fail or refuse to furnish any return required to be made;
3) Fail or refuse to permit inspection of records;
4) Fail or refuse to furnish a supplemental return or other data required by the Director;
5) Render a false or fraudulent return or claim; or
6) Fail, refuse or neglect to remit the tax to the City by the due date.

SECTION 3.05.120. Confidentiality.

Except as otherwise required by law, it shall be unlawful for the City, any officer, employee or agent to divulge, release or make known in any manner any financial information submitted or disclosed to the City or under the terms of this chapter. Nothing in this section shall prohibit:

A. The disclosure of the names and addresses of any person who is operating a licensed establishment from which marijuana is sold or provided; or
B. The disclosure of general statistics in a form which would not reveal an individual seller's financial information; or
C. Presentation of evidence to the court, or other tribunal having jurisdiction in the prosecution of any criminal or civil claim by the Director or an appeal from the Director for amount due the City under this chapter; or
D. The disclosure of information when such disclosure of conditionally exempt information is ordered under public records law procedures; or
E. The disclosure of records related to a business' failure to report and remit the tax when the report or tax is in arrears for over six months or the tax exceeds five thousand dollars ($5,000). The City Council expressly finds and determines that the public interest in disclosure of such records clearly outweighs the interest in confidentiality under ORS 192.501(5).

SECTION 3.05.130. Audit of Books, Records or Persons.

The City, for the purpose of determining the correctness of any tax return, or for the purpose of an estimate of taxes due, may examine or may cause to be examined by an agent or representative designated by the City for that purpose, any books, papers, records, or memoranda, including copies of seller's state and federal income tax return, bearing upon the matter of the seller's tax return. All books, invoices, accounts and other records shall be made available within the City limits and be open at any time during regular business hours for examination by the Director or authorized agent of the Director. If any taxpayer refuses to voluntarily furnish any of the foregoing information when requested, the Director may immediately seek a subpoena from the

Albany Municipal Court to require that the taxpayer or a representative of the taxpayer attend a hearing or produce any such books, accounts and records for examination.

SECTION 3.05.140. Forms and Regulations.

A. The Director is hereby authorized to prescribe forms and promulgate rules and regulations to aid in the making of returns, the ascertainment, assessment, and collection of said medical marijuana tax and in particular and without limiting the general language of this chapter, to provide for:

1) A form of report on sales and purchases to be supplied to all vendors;
2) The records which sellers providing marijuana and marijuana-infused products are to keep concerning the tax imposed by this chapter.

SECTION 2. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 3. Savings. Notwithstanding any amendment/repeal, the City ordinances in existence at the time any criminal or civil enforcement actions were commenced shall remain valid and in full force and effect for purposes of all cases filed or commenced during the times said ordinance(s) or portions thereof were operative. This section simply clarifies the existing situation that nothing in this Ordinance affects the validity of prosecutions commenced and continued under the laws in effect at the time the matters were originally filed.

Passed by Council: _____

Approved by Mayor: _____

Effective Date: _____

_____
Mayor

ATTEST:

_____
City Clerk

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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL ESTABLISHING TAX RATES FOR THE SALE OF MARIJUANA, MEDICAL MARIJUANA AND MARIJUANA-INFUSED PRODUCTS IN THE CITY OF ALBANY

WHEREAS, the Albany City Council on _____ adopted Ordinance No. _____, establishing a tax on marijuana and marijuana infused products in the City of Albany which shall be codified as Chapter _____ of the Albany Municipal Code; and

WHEREAS, per Section _____ of the Albany Municipal Code, the Council shall by resolution establish a tax rate for the sale of such products.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that:

SECTION 1: Pursuant to Section _____ of the Albany Municipal Code, the City Council of the City of Albany establishes a tax rate of zero percent (0%) of the gross sale amount paid to the seller by a registry identification cardholder, as defined in Section _____ of the Albany Municipal Code.

SECTION 2: Pursuant to Section _____ of the Albany Municipal Code, the City Council of the City of Albany established the tax rate of ten percent (10%) of the gross sale amount paid to the seller of marijuana and marijuana-infused products by individuals who are not purchasing marijuana under the Oregon Medical Marijuana Program

DATED AND EFFECTIVE THIS 8th DAY OF OCTOBER 2014.

_____
Mayor

ATTEST:

_____
City Clerk

CITY OF ALBANY
CITY COUNCIL
Council Chambers
Wednesday, July 23, 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.

SPECIAL PRESENTATION

GFOA Awards of Excellence.

Konopa introduced Jeff White, Chief Financial Officer for Marion County and Oregon Municipal Finance Officers' Association (OMFOA) liaison with the national Government Finance Officers' Association (GFOA).

White said OMFOA is a chapter of GFOA. OMFOA has 500 members from counties, cities, school districts, special districts, and other government entities, along with partners from associated businesses such as banks, software companies, attorneys, and bond underwriters. It was instituted to promote professionalism and excellence in public financial management. OMFOA provides training for members and a certification program. White said that Senior Accountant Anne Baker is the current President of OMFOA.

White said GFOA was founded in 1906 and represents public finance officials throughout the United States. It has 18,000 members from federal, local, and state government. GFOA provides best practices guidance, consulting, networking opportunities, publications, recognition programs, research, and training.

White is here to present three awards to the City of Albany. He described the awards:

- The Distinguished Budget Presentation Award program was established in 1984 to encourage and assist state and local governments to prepare budget documents at the highest quality to reflect guidelines established by the National Advisory Counsel on state and local budgeting and GFOA's best practices. Albany's budget document was reviewed by selected reviewers who are either members of the GFOA or outside reviewers with experience in public sector budgeting. Receiving this award is not an easy task. Three separate reviewers must agree that your document has met specific criteria that the budget is transparent, effective, useful, organized, and informative. There are 90 criteria that are evaluated, of which 50 are mandatory. In Oregon only 43 government entities got this award last year. This is 23rd consecutive year Albany has received it. White said, that is the eighth longest running streak in Oregon and demonstrates Albany is a leader. It takes the combined support and efforts of the Mayor, City Council, Budget Committee, City Manager, Finance staff, and other staff to win this award. Citizens of the City of Albany should be proud.

- The Popular Annual Financial Reporting (PAFR) is being awarded to Albany for the second year in a row. GFOA established the PAFR award program in 1991 to encourage state and local governments to extract information from the Certification for Achievement of Excellence in Financial Reporting (CAFR) for the PAFR. The PAFRs are specifically designed to be readily accessible and understandable to the general public and others who do not have a background in public finance. This is also not an easy award to receive. White described the evaluation process used by four judges. In Oregon only four cities received this award. Albany continues to lead the way.

  White invited Senior Accountant Anne Baker forward to receive the GFOA 2012-2013 Award for Outstanding Achievement in PAFR (2 consecutive years) and the 2013-2014 Distinguished Budget Presentation Award (23 consecutive years) on behalf of the City of Albany.

- The third award is the GFOA Certificate for Excellence in Reporting program for the CAFR, which was established in 1945 to encourage state and local governments to go beyond the minimum requirements of Generally Accepted Accounting Principles (GAAP) to prepare a CAFR that evidences the spirit of transparency and full disclosure. In his opinion this is the most difficult award to achieve. The requirements checklist used is 79 pages long and 500 items must be addressed, of which 124 are specific and if any one of them are not correct that one failure can disqualify the entire report from the award process. In Oregon there

are only 112 recipients of this award and of those, only 39 are cities. That puts the City of Albany in a group of only 16% of cities in Oregon. This is 30th consecutive year that Albany has received this award. Albany is a leader in financial excellence.

White said that Senior Accountant Mike Murzynsky will be receiving this award on behalf of the City of Albany for the last time. White recognized the years of dedicated service Murzynsky has given to the City of Albany and its citizens. White invited Murzynsky forward to receive the GFOA 2012-2013 Certificate for Excellence in Reporting for the CAFR on behalf of the City of Albany (30 consecutive years).

White said the recognition for the awards should include all of the Finance staff, other City staff, the City Manager, Mayor, Council, and Budget Committee. Albany has an environment of excellence.

Konopa noted that this will be the last City Council meeting Murzynsky will attend, as he took a job as Finance Director in Newport. He will be missed. He also volunteers a great deal in the community at events such as River Rhythms and Northwest Art & Air. She said, we were fortunate to have had him.

City Manager Wes Hare thanked Murzynsky for his service to the City of Albany. It has been a pleasure and honor to work with someone with his competence and integrity over the last nine years. Hare said he will make a great Finance Director for Newport. He will be missed.

SCHEDULED BUSINESS

Business from the Public

David Koopman, 501 Pacific Blvd SW, represents Best Buyers. Koopman has a couple issues with the proposed ordinance. Page 8 has rules about consignment. With a true consignment there is next to no risk for being a gateway for stolen property, especially if the consigner is not getting paid for 30 days. They get a check mailed to their home, so it will be tracked including an address and bank information. He thinks if it is a true consignment, and they are not getting paid until the items sell, it is like being an agent for that person no different than an auction or estate sale representative. If consignments are part of a second hand dealer, then auctions and estate sales should also have to follow the second hand ordinance.

Koopman doesn't have a problem reporting the item and putting it on the shelf to sell, but they still have to hold it for 14 days which is inconvenient for a potential buyer and the seller. Thieves want their money now, and won't wait 30 days; and they want cash, not a check. The purpose of the ordinance is for high risk items. Consignment is low risk.

On page 8 of the ordinance, under 7.90.080, Koopman suggested item c. should say $20.01 instead of $20.00. He said, if the police will give us a list so we aren't putting out money and becoming a victim, he thinks it would be good to include that in the ordinance.

On page 4 of the ordinance, item 16, Koopman noted that the Police Chief can make a decision at will. He said a change to the ordinance should first come to the City Council. Konopa said that any language changed in the ordinance would come before the Council.

Koopman asked the Council to consider that consignment stores are ultimately acting as agents, no different than an auction.

Nick Russell, 1225 Pacific Boulevard SE, said that consignments are almost never an issue with theft. If someone is willing to wait for the money, then they didn't steal it. If consignments were exempt since no money changes hands at the time, it would make it simpler for owners and the police. They would still report the item that they took in, but since no money is exchanged until later he suggested that consignments be exempt from the 14 day hold.

Russell said that regarding gift cards, why not buy the gift card, give the information to the police, and if the Police see a pattern they can pursue it. If the gift cards are being sold online or Craigslist instead, the Police won't know about it. He said it is not a big issue; he occasionally buys them. Rather than make him a criminal for buying it, why not keep the purchase out in the open so the Police know about it. Otherwise, someone will be willing to buy them somewhere. This has happened in Salem, where they became strict with jewelry, and now there are sales out of garages with no record of the sale. Russell said in Albany they are getting a jump start on it before there is even a problem. He thinks most of what is in the ordinance is pretty good.

Russell said he would add tires and rims to the list. There is a huge industry.

Councilor Rich Kellum asked, if someone wanted to consign something, and it sold that same day, would there be a problem if the consigner had to wait to wait a period of time to get the money? Russell said if they had to wait the minimum 14 days, that would work. Russell said it would not be an imposition on the owners.
Koopman said that on page 9, under item 5., regarding identifying marks that are illegible due to obvious normal use, a 90 day hold is extreme. He also hopes this ordinance would apply to all second hand dealers, including scrap dealers selling regulated property.

Kevin Manske, 1100 Pacific Boulevard SE, said it should be passed as is. If it needs to be tweaked later it can be. He thinks Albany needs this ordinance.

First Reading of Ordinance

Amending the Albany Municipal Code Title 7 by amending Chapter 7.90 previously entitled buying and selling used jewelry, gem stones, and silverware and retitling it to secondhand dealers and transient merchants and declaring an emergency.

Police Sergeant Steve Dorn said the concern that was previously addressed by the Council has been added to the last page; that there could not be changes to the ordinance without the approval of the City Council. Dorn said they did meet with businesses; three showed up at the last meeting. One business was not able to make it so they met with them separately. That owner suggested quite a few changes; the one change Dorn did not agree with was regarding gift cards because their value can perpetuate crime.

Konopa asked Dorn if tires and rims should be added to the list of regulated property. Dorn said there has not been a recent crime trend for those items, though it could be added at a later time. Discussion followed.

City Manager Wes Hare asked Dorn to explain Albany Police Department's (APDs) perspective on consignments and delaying payment for 14 days. Dorn thinks that would not be a problem. The main purpose of the ordinance is reporting the information. He doesn't have a problem making the change to consignments as suggested. Discussion followed about ways to change the ordinance that would address the concerns.

Delapoer noted that the ordinance could be revisited in 60-90 days after there was some working experience to consider adjustments. Discussion followed.

Councilor Ray Kopczynski asked Dorn if APD can give the owners a list of stolen property. Dorn said yes.

MOTION: Kellum moved to accept two amendments to the proposed ordinance: to Section 7.90.020 (2), create a new subsection "c": "Acquisition of property for consignment sale wherein payment is not made to the owner within 14 days of consignment."; and to Section 7.90.090, 1. c., delete the second sentence "Consigned items may be displayed for sale; however the hold period of 14 days still applies." Kopczynksi seconded the motion and it passed 6-0.

City Attorney Jim Delapoer read the ordinance for the first time in title only: AN ORDINANCE AMENDING THE ALBANY MUNICIPAL CODE TITLE 7 BY AMENDING CHAPTER 7.90 PREVIOUSLY ENTITLED BUYING AND SELLING USED JEWELRY, GEM STONES, AND SILVERWARE AND RETITLING IT TO SECONDHAND DEALERS AND TRANSIENT MERCHANTS AND DELCARING AN EMERGENCY."

MOTION: Kopczynski moved to have the City Attorney read the ordinance for the second time in title only. Councilor Bill Coburn seconded the motion and it passed 6-0.

The City Attorney read the ordinance for a second time in title only.

MOTION: Councilor Floyd Collins moved to adopt the ordinance and Kellum seconded it. The motion passed 6-0 and was designated Ordinance No. 5837.

Hare commended the businesses community and APD for working together. He noted that the ordinance can also be changed if there are problems in its administration.

Adoption of Consent Calendar

1) Approval of Minutes
   a) May 28, 2014, City Council Regular Session.
   b) June 9, 2014, City Council Work Session.
2) Appointing City Manager Pro Tems and repealing Resolution No. 5661. RES. NO. 6352
3) Extending City of Albany's workers' compensation coverage provided by City/County Insurance Services (CIS) to volunteers for policy year 2014-2015. RES. NO. 6353

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

Appointment

Reappointing Rosemary Bennett to the Library Board.

MOTION: Councilor Bessie Johnson moved to reappoint Rosemary Bennett to the Library Board. Coburn seconded the motion and it passed 6-0.

Reports

New Police Building property.

Police Chief Mario Lattanzio said that when he met with the Public Safety Facility Review Committee (PSFRC), he was asked, all things being equal, where would APD want to be located. Lattanzio had replied, at their current location on Jackson Street, which had not been explored recently in terms of cost. So the PSFRC asked Lattanzio to move forward with exploring that option. They came up with different scenarios for that location, as outlined in the staff report as Option 1, 2, or 3.

Lattanzio said one of the property owners increased their price by $250,000; so now Lattanzio recommends that they move to the Pacific Boulevard site instead. Option 1 and 2 is an increase of $2.1 million, and doesn't allow them to move to Option 3 because one of those property owners is asking for 40% more than the assessed value and the other two property owners do not want to sell.

Lattanzio said they just completed the Request for Qualifications (RFQ) process. He has told three of the companies that were selected that they have until next Monday to protest. Once that step is complete Lattanzio needs to tell them which site was selected.

Collins said he looked at the minutes where there was discussion with PSFRC Cochairs Morse and Burright and Lattanzio about what factors would make one location a better choice than the other. They said they would leave that decision to the City Council. Now the Chief has provided new information that shows that if they stay at the current site they would be paying more than expected and would not have any security beyond 20 years; and no financing to buy property beyond that. Collins said, we did our due diligence by doing the homework and in trying to get the properties. But they have certainty with the Pacific Boulevard site; they know the acreage, and the projections will last beyond 20 years. There is future capacity. He said, we would not be getting ourselves in same box we got in 22 years ago. Collins agrees with the conclusion that Lattanzio reached and he supports his recommendation.

Kopczynski asked if making this choice means there would be a change to the Request for Proposal (RFP) process. Lattanzio said, no; by the time we get to the RFP we will tell them which site to use.

Kellum asked if the email that Lattanzio got about the property owner wanting $250,000 more, sounded like it was final and there were no possibilities to negotiate. Lattanzio said it is an investment property; if they were to sell they would want to reinvest somewhere else but can't find anything else to invest in, and they are worried about some of the tax implications. Lattanzio said the City increased the offer from the original price to include some of the tax implications based on an appraisal by a realtor, but the owner asked for more than that amount to include lost money for future years. Kellum thinks they should leave open the opportunity to go back to that owner one more time. Discussion followed.

Konopa said she heard from others who did not want to sell.

Delapoer asked when the decision needs to be made. Lattanzio said they could make an adjustment to the time if they needed to. Discussion followed about possible motions to facilitate Kellum's suggestion.

Johnson said the property owners have had a chance to sell. She wants to make a clean break and focus on the Pacific Boulevard site.

MOTION: Johnson moved to direct staff to plan for the new Police Station to be on the Pacific Boulevard site and Coburn seconded it. The motion passed 5-1, with Kellum voting no.

November and December 2014 Council meeting dates.

Konopa asked the Council if the meeting dates are acceptable. They Council concurred. Discussion followed about whether a motion was necessary.

BUSINESS FROM THE COUNCIL

Kopczynski said that he was at work and noticed a fire hydrant with a traffic cone on it. Crews were doing preventative maintenance on about 250 hydrants. Kopczynski described the process.

Johnson said she is sad to hear that Western Tool Supply closed.

Johnson said she was watching Channel 28 and the sound is off again. Discussion followed about different issues with Channel 28 and 23. Johnson thinks that if they are going to televise meetings, they should do it well.

Hare said that if people are generally dissatisfied with the televised meetings, then the City should not do it because there are no resources for it. He has been an advocate for a long time for broadcasting meetings, but the most reliable way to see them is online, where they can be watched at the viewer's convenience. In his opinion the television portion was a secondary way for folks to watch. Some do watch, but if the City needs to upgrade and make the product more

professional, they don't have the money to invest for the very few that watch the televised meetings. Discussion followed about who is watching Council meetings on Comcast versus on the City's website.

Collins wants to know the magnitude of the problem first. He thinks they should talk to Comcast to see what, if anything, can be done to fix it and the cost. If it is not reasonable to fix it, then they should not televise. Staff will look into it.

Kellum said Western Tool Supply started in Albany in the 1970s. They grew to 20 stores and it is ironic that the Albany store closed. His understanding is that a piece of them moved to Ferry Street.

Coburn said he heard from a citizen who recently moved here who complained that the sewer bill seems high compared to their water usage. Public Works Director and Community Development Director Mark Shepard said that his staff had a long conversation with the customer. If a new customer has no history the City starts with 8 hcf until they have established their own; then the following winter the sewer usage portion would be based on their water use. Coburn said his request was to match the sewer use to water use until his own history established. Shepard said staff could investigate that if the Council wanted; it would take Council action to change the billing methodology. Coburn said he understands how and why the City bills that way but from the citizen's viewpoint, using 3 hcf of water and being charged 8 hcf for sewer doesn't seem right. Shepard said the Council granted the Public Works Director some authority for changes in sewer-only customers. He said they can look for some flexibility in addressing water and sewer customers who do not have established use and can bring something back to the Council.

Coburn said he understands there is a balance between what staff has time to do, versus being able to help citizens. Shepard said they may want to avoid accommodating just those who complain; rather they should focus on treating people equitably.

Councilor Dick Olsen commented on the fire hydrant work that Kopczynski described. He said he was pleased with the cheerfulness of City staff and how quickly they worked.

Konopa noted that the Albany Municipal Code Section 2.04.010 specifies that Council meetings are on the second and fourth Wednesday at 7:15 p.m., so changing the schedule for November and December should be done with a formal motion.

MOTION: Coburn moved to adopt the November – December 2014 schedule for City Council Regular Sessions and Work Sessions as presented in the staff report. Johnson seconded the motion and it passed 6-0.

Discussion followed about the different start times for Work Sessions, Regular Sessions, Central Albany Revitalization Agency (CARA), and other meetings.

Hare said there is an issue to discuss regarding a request from Greater Albany Public Schools (GAPS). They will be making improvements to the field at South Albany High School and have asked if the City would be willing to waive or forgive the permitting fees. Hare said Public Works can refund the Erosion and Sediment Control Program (ESCP) fee that GAPS already paid, which is about $1,000. The other issue is $4,600 for plumbing permits, but the City has less discretion. He advised the Council not to waive that fee because we have to pay a large percentage to the state. Hare said if the Council wants to honor GAPS' request, they could designate funds to pay the permits for them. State law requires that building department fees can only be used for the building department so they can't be waived. The fees would need to be paid with other funds.

Konopa said there have been other requests made over the years to waive fees, such as by nonprofits, so the City's policy has been not to waive them. They have waived some for CARA projects because that contribution goes through System Development Charges (SDCs) and they still get paid with an inter-fund transfer. Hare said that is the same type of transaction they are discussing.

Kopczynski asked, are they requesting it because it is critical for to their funding or because they want us as a partner? Hare said, both. They did point out that the City of Millersburg gave them $25,000. Coburn asked, do we see opportunity for the City to use the field, such as for Parks & Recreation programs, to justify a donation? Hare said there may be some opportunity, though the Parks & Recreation Director noted that there is nothing on the immediate horizon. Discussion followed.

Konopa noted that if the Council decides to contribute then they should be prepared for West Albany High School to ask also.

Johnson doesn't see it as an economic development issue so she is not sure she supports the request.

Coburn wants to find a way to tie it onto something that makes sense, like Transient Lodging Tax (TLT). Hare said GAPS did point out that a better field would be attractive to tournaments, etc.

Konopa said there is a program within the TLT policy that they may qualify for; they could put in a request for those funds. Discussion followed.

MOTION: Collins moved to direct staff to find a way to pay the equivalent of the plumbing permit fee on behalf of GAPS for South Albany High School; and identify a reasonable relationship between the funding source and GAPS. Coburn seconded the motion and it passed 6-0.

Shepard said Council asked when Portland Western Railroad would be moving from the Queen Avenue yard to the new switch yard in Millersburg. Construction is complete but there are a couple of switches that ODOT still needs to approve since they are the funding source.

Shepard passed out two graphs titled "7-day Average Water Demand" and "Daily Water Production" (see agenda file). They demonstrate how the recent dry spell has effected production at the Water Treatment Plants (WTP). The first chart shows the spike in water demand and the second chart shows the Albany-Millersburg WTP and the Vine Street WTP.

Kellum asked if the Vine Street WTP is on in the winter time. Shepard said yes, occasionally; and it will be used more often moving forward in order to meet state regulations. Kellum asked if the Albany-Santiam Canal gets water from Lebanon's storm water. Shepard said yes; though Albany has asked them to do what they can to divert storm water flow or to help pay to clean up the flow.

NEXT MEETING DATE: Work Session August 11, 2014
Regular Session August 13, 2014

ADJOURNMENT

There being no other business, the meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Mary A. Dibble, MMC
City Clerk

Reviewed by,

Stewart Taylor
Finance Director

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor	Purpose
Glorietta Bay, LLC	A variable-width sidewalk easement along North Albany Road required for the construction of street improvements as part of ST-13-03, North Albany Road Rehabilitation.

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

DATED AND EFFECTIVE THIS 8TH DAY OF OCTOBER 2014.

_____
Mayor

ATTEST:

_____
City Clerk

EASEMENT FOR PUBLIC SIDEWALK

THIS AGREEMENT, made and entered into this 23rd day of September, 2014, by and between Glorietta Bay, LLC, hereinafter called Grantor, and the CITY OF ALBANY, a Municipal Corporation, herein called "City."

WITNESSETH:

That for and in consideration of the total compensation to be paid by the City, the grantor has this day bargained and sold and by these presents does bargain, sell, convey, and transfer unto the City of Albany, an easement, including the right to enter upon the real property hereinafter described, and to construct, maintain, and repair a public sidewalk for the purpose of providing pedestrian access and sidewalks over, across, and through the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said public sidewalk and the further right to remove trees, bushes, under-growth, and other obstructions interfering with the location and maintenance of the said public sidewalk.

This agreement is subject to the following terms and conditions:

1. The right-of-way hereby granted consists of:

   A variable width sidewalk easement on the east side of North Albany Road, as part of ST-13-03, North Albany Road project.

   See legal description on attached Exhibit A and maps on attached Exhibit B and Exhibit C.

2. The permanent easement described herein grants to the City, and to its successors, assigns, authorized agents, or contractors, the perpetual right to enter upon said easement at any time that it may see fit, for construction, maintenance, evaluation and/or repair purposes.

3. The easement granted is in consideration of $1.00, receipt of which is acknowledged by the Grantor, and in further consideration of the public improvements to be placed upon said property and the benefits grantors may obtain therefrom.

4. The Grantor does hereby covenant with the City that they are lawfully seized and possessed of the real property above-described and that they have a good and lawful right to convey it or any part thereof and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

5. Upon performing any maintenance, the City shall return the site to original or better condition.

IN WITNESS WHEREOF, the Grantor has hereunto fixed their hand and seal the day and year written below.

GRANTOR:

Glorietta Bay, LLC

Scott Lepman, Managing Member

STATE OF OREGON)
County of Linn) ss.
City of Albany)

The foregoing instrument was acknowledged before me this 23rd day of September, 2014, by Scott Lepman, Managing Member, as a representative of Glorietta Bay, LLC, as his voluntary act and deed.

Tonia N. McDaniel
Notary Public for Oregon
My Commission Expires: July 17, 2015

OFFICIAL SEAL
TONIA N MC DANIEL
NOTARY PUBLIC-OREGON
COMMISSION NO. 460125
MY COMMISSION EXPIRES JULY 17, 2015

CITY OF ALBANY:

STATE OF OREGON)
County of Linn) ss.
City of Albany)

I, Wes Hare as City Manager of the City of Albany, Oregon, pursuant to Resolution Number _____, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this _____day of _____ 2014.

City Manager

ATTEST:

City Clerk

K & D ENGINEERING, Inc.

Engineers • Planners • Surveyors

EXHIBIT "A"

Legal Description

North Albany Road Easement

A portion of that property conveyed by deed to Glorietta Bay, LLC an Oregon Limited Liability Company (hereinafter referred to as "Glorietta Bay Tract") recorded in Microfilm No. M-240247-98 in the Benton County, Oregon Deed Records that is more particularly described as follows:

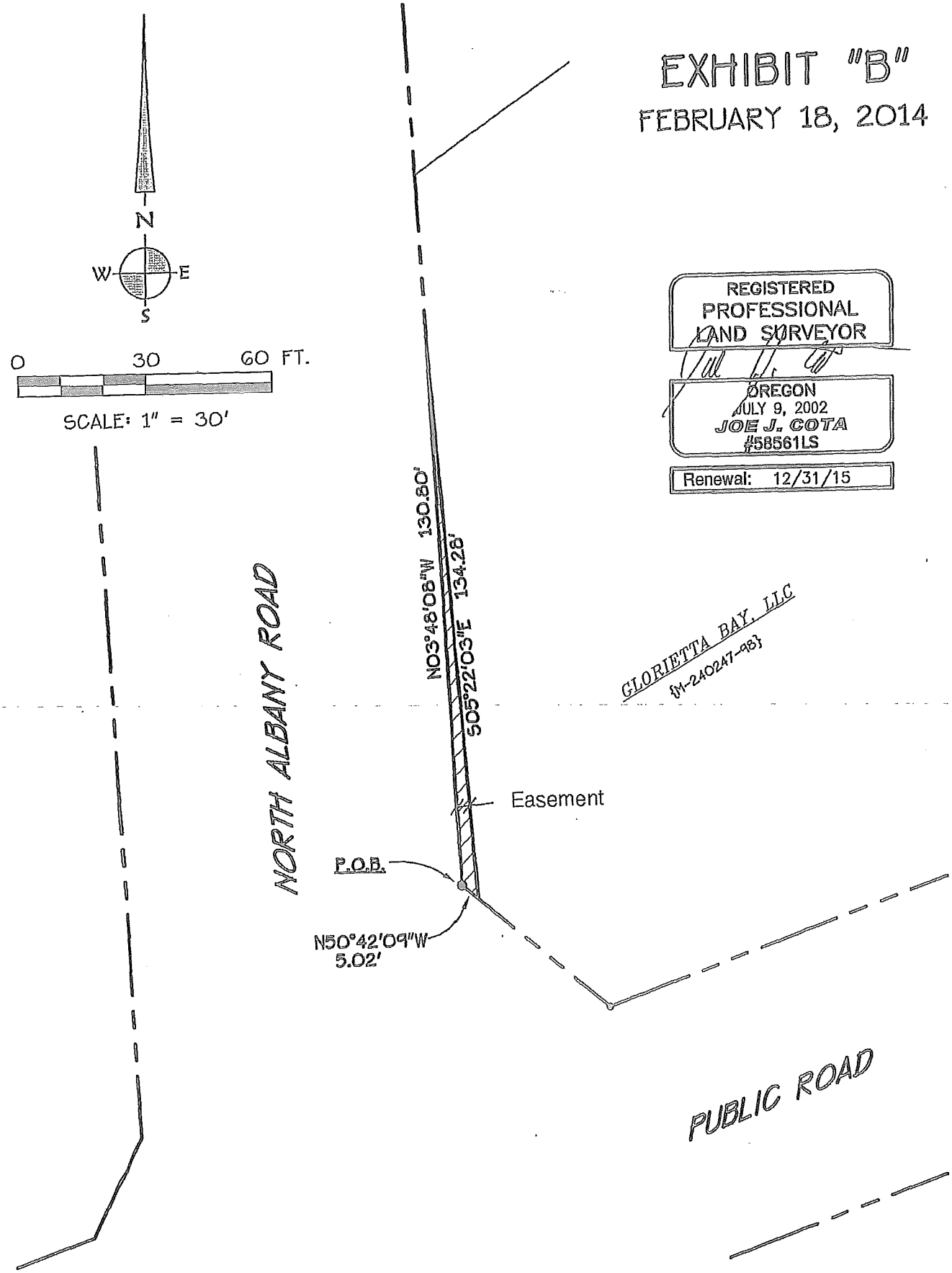
> Beginning at a 5/8 inch rod at the most westerly southwest corner of said Glorietta Bay Tract; thence North 03°48'08" West, along the west line of said Glorietta Bay Tract, 130.80 feet; thence South 05°22'03" East 134.28 feet to a point on the south line of said Glorietta Bay Tract; thence North 50°42'09" West 5.02 feet to the POINT OF BEGINNING.

February 14, 2014
EXHIBIT "A"
NORTH ALBANY ROAD EASEMENT
(12-116) JJC:ls
File Ref: z:/projects/2012/12-116/surveying/documents/lepman.doc

276 N.W. Hickory Street • P.O. Box 725 • Albany, OR 97321 • (541) 928-2583 • Fax: (541) 967-3458

EXHIBIT "B"

FEBRUARY 18, 2014



K&D

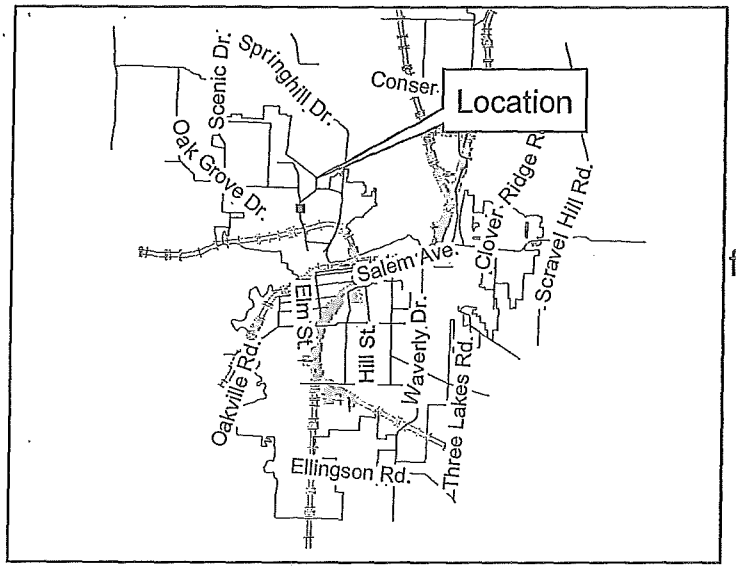
K & D ENGINEERING, Inc.
276 N.W. Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 928-2583

Date: 2/18/2014 Time: 11:53
Scale: 1=30
File: dwg\2012\12-116\12-116_lepman.dwg (Briancpu54)

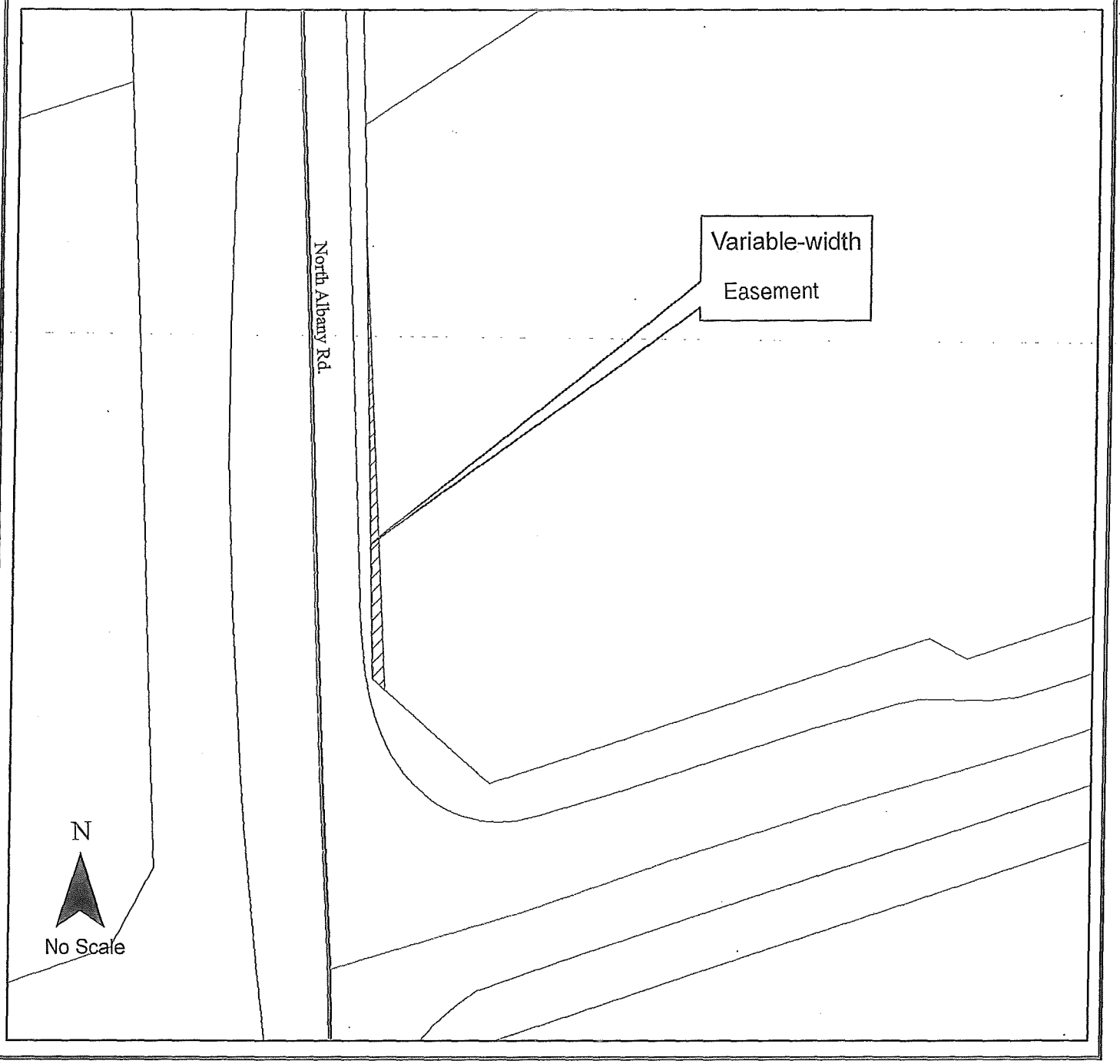
EXHIBIT C

10S04W36DD00600

A variable-width Easement
along North Albany Road required
for the construction of street imporvements
as part of ST-13-03, North Albany Road
Rehabilitation



Geographic Information Services



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