



**NOTICE OF PUBLIC MEETING**  
**CITY OF ALBANY**  
**CITY COUNCIL**  
 Council Chambers  
 333 Broadalbin Street SW  
 Wednesday, July 22, 2015  
 7:15 p.m.

**OUR MISSION IS**

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

**OUR VISION IS**

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

**AGENDA**

Rules of Conduct for Public Meetings

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

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL
4. SCHEDULED BUSINESS

a. Business from the Public

b. Second Reading of Ordinance

- 1) Granting an electric utility franchise and general utility easement. [Pages 3-4]

Action: \_\_\_\_\_ ORD. NO. \_\_\_\_\_

c. Adoption of Resolution

- 1) Accepting state grant agreement #30410, Bus and Bus Facility (FTA Section 5339 Capital Project) for the purchase of a transit bus for the Linn-Benton Loop. [Pages 5-6]

Action: \_\_\_\_\_ RES. NO. \_\_\_\_\_

d. Adoption of Consent Calendar

1) Approval of Minutes

- a) June 10, 2015, City Council Regular Session. [Pages 7-12]
- b) June 22, 2015, City Council Work Session. [Page 13]

2) Approving annual liquor license renewals. [Page 14]

3) Accepting the following easements:

- a) A 2.5-foot sidewalk easement on the west side of North Albany Road as part of ST-13-03, North Albany Road Reconstruction project. [Pages 15-20] RES. NO. \_\_\_\_\_

- b) Two ten-foot utility easements for City of Albany utilities as part of the SS-15-02, 2015 Pipe Bursting projects:

- 1.) 11S04W12DB 07900. [Pages 21-26] RES. NO. \_\_\_\_\_
- 2.) 11S04W12DB 08000. [Pages 27-32] RES. NO. \_\_\_\_\_

Action: \_\_\_\_\_

e. Award of Contracts

- 1) Professional services agreement for owner's representative for fire and police stations project. [Page 33]

Action: \_\_\_\_\_

- 2) Professional services contract for architecture and engineering services for fire and police stations project. [Pages 34-38]

Action: \_\_\_\_\_

f. Approval of Contract Increase

- 1) Contract increase in excess of ten percent (10%) to Pacific Excavation for SS-15-03, Century Drive Lift Station Improvements. [Pages 39-40]

Action: \_\_\_\_\_

g. Approval of Agreement

- 1) Authorizing the Assistant City Manager/Chief Information Officer to continue to work under an existing intergovernmental agreement with Linn County Sheriff's Office (LCSO) to share in the purchase and upgrade of the City of Albany and LCSO Computer Aided Dispatch (CAD)/Record Management System (RMS) and Corrections System. [Pages 41-43]

Action: \_\_\_\_\_

h. Appointment

- 1) Appointing Denise Hughes-Tafen to the Human Relations Commission. [Pages 44-46]

Action: \_\_\_\_\_

i. Report

- 1) November and December 2015 Council meeting dates. [Page 47]

Action: \_\_\_\_\_

5. BUSINESS FROM THE COUNCIL

6. NEXT MEETING DATE: Work Session: August 10, 2015  
Regular Session: August 12, 2015

7. ADJOURNMENT



TO: Albany City Council

VIA: Wes Hare, City Manager

FROM: Stewart Taylor, Finance Director  
Jim Delapoer, City Attorney

DATE: July 17, 2015, for the July 22, 2015, City Council Meeting

SUBJECT: Grant of Electric Utility Franchise and General Utility Easement

RELATES TO STRATEGIC PLAN THEME: ● Effective Government

● Safe Neighborhoods

Action Requested:

Move to amend the ordinance to conform with the version which will be on the dais and then proceed to the second reading of the ordinance by title only. The revised ordinance is exactly the same as the earlier version with regard to the terms of the new PacifiCorp franchise, but it does not replace or eliminate our existing Privilege Tax Ordinance since that needs to remain in effect to govern our relationship with Consumers Power Inc. The revision makes it clear that PacifiCorp is not subject to the Privilege Tax so long as it maintains a franchise with the City.

Background:

The City Council had the first reading of this ordinance on July 8, 2015. The item is on this agenda for a second reading and consideration for adoption because the motion for a second reading at the July 8, 2015, meeting did not receive a unanimous vote.

This ordinance fundamentally transforms the City's relationship with electrical utility provider, PacifiCorp. Previously, the City unilaterally imposed a privilege tax whereby any electrical power and light business was required to pay a percentage of its gross revenue to the City. Our ordinance was one page long and did not set forth mutual rights and responsibilities with regard to the use of the public right-of-way. A privilege tax is one alternative available to the City to obtain revenue from a utility provider who uses the public right-of-way. A franchise is an alternative arrangement which is based upon contract negotiations and which typically goes much further in defining the parties' mutual rights and expectations.

The City currently has extensive franchise contracts with BNSF Railway, Comcast Telecommunications, Albany-Lebanon Sanitation Company, AT&T Corp, MCI Communication Services, Advanced Telecom, Inc., Light Speed, Astound Broadband, LLC, and Casco Communications, Inc. The current privilege tax arrangement with PacifiCorp is the only example of a unilaterally imposed privilege tax which we currently maintain. The proposed ordinance brings the City's relationship with this utility provider into conformance with the City's customary practice of utilizing negotiated contractual franchises.

As with all of our other franchise agreements, the contract with PacifiCorp followed lengthy negotiations which dealt with a range of issues relevant to the utility services being provided and the anticipated impact on the public right-of-way. The proposed PacifiCorp franchise contains 24 sections spread over 11 pages. Of these various provisions, only one, Section 15, deals principally with financial compensation to the City and increases the compensation paid to the City by two (2) percent over and above that which was unilaterally charged under the City's Privilege Tax Ordinance. This compensation should best be thought of as "rent" for the use of the public right-of-way.

The compensation provision of the franchise ordinance does not create a tax. Rather, it provides for compensation to the public for the benefits the utility obtains from access to the public right-of-way and for the inconvenience suffered by the public when the utility must install, maintain, or remove its facilities or equipment.

In the present instance, the franchise agreement was negotiated over the course of many meetings following numerous telephone conversations and other communications. It was negotiated in an "arms length" fashion with both sides and both sides seeking terms beneficial to their interests. The Franchise Agreement, while set forth as an ordinance, depends upon written acceptance by PacifiCorp within 60 days of the passage of the ordinance. This formality allows PacifiCorp's authorized officers adequate time to review all of the ordinance's terms and to determine whether or not the corporation is willing to consent. This acceptance provision is set forth at Section 3 to the franchise and provides that unless formal acceptance is received within the agreed time period, the ordinance and all of the rights granted therein shall be null and void.

Confirmation that this ordinance deals with much more than just revenue is found by reference to the subject headings in the ordinance which clarify the contractual nature of the relationship and which specify the parties' understandings with regard to nonfinancial matters. These subjects include: City Regulatory Authority, Indemnification, Annexation, Construction, Maintenance and Relocation, Restoration of Public Ways, Reservation of City Public Ways, Use of Grantee's Facilities by City, Vacation of Public Ways, Subdivision/Partition Plat Application Notification, Vegetation Management, Renewal, Transfer of Franchise, Amendment, Non-Contestability – Breach of Contract, Notices, Severability, and Waiver of Jury Trial.

In addition to the foregoing nonfinancial aspects of the Franchise Agreement, the increase in compensation to the City was discussed and considered by the Budget Committee and City Council on several prior occasions.

On November 20, 2014, the Budget Committee and City Council received a report from the City Manager and Finance Director regarding issues shaping the 2015-2016 Budget. An increase in the electric franchise fee was presented as one option for sustaining service levels in the General Fund, particularly for police and fire services.

On May 7, 2015, the City Manager, acting in his role as Budget Officer, presented the 2015-2016 Proposed Budget to the Budget Committee. The Budget Message began as follows:

*"Albany's proposed Fiscal Year 2015-2016 Budget is a plan to maintain existing service levels despite financial pressures created by population growth unaccompanied by corresponding increases in revenue. I am proposing a two percent increase in the franchise fee charged to our electric utility just to maintain current service levels."*

On May 7, 14, and 21, the Budget Committee invited public comment on the proposed budget and received budget presentations from the various department directors. The Budget Committee approved the Budget on May 21, 2015.

The City Council conducted a public hearing and adopted the Budget on June 10, 2015.

Budget Impact:

The change in the franchise fee is included in the 2015-2016 Adopted Budget.

ST:JVBD:md:ldh:hr



TO: Albany City Council

VIA: Wes Hare, City Manager  
Chris Bailey, Interim Public Works Operations Director *CB*

FROM: Jon Goldman, Transportation Superintendent  
Barry Hoffman, Transit Programs Supervisor *[Signature]*

DATE: July 13, 2015, for the July 22, 2015, City Council Meeting

SUBJECT: ODOT Public Transit Grant Agreement #30410

- RELATES TO STRATEGIC PLAN THEME: ● Great Neighborhoods  
● An Effective Government

Action Requested:

Staff recommends Council authorize the acceptance of Grant Agreement #30410 from the Oregon Department of Transportation (ODOT) Public Transit Division in the amount of \$420,000 for the purchase of one transit bus to be used for the Linn-Benton Loop (Loop).

Discussion:

In 2014 staff applied for a Federal Transit Administration (FTA) section 5339 replacement grant, through an ODOT competitive process. The State has awarded that grant and has set aside funds as Grant #30410 for the City of Albany.

The \$420,000 will be used to purchase one new transit bus. The grant is comprised of 83 percent federal dollars, with a 17 percent local match rate. The maximum allowable FTA reimbursement will be \$348,600 or 83 percent of allowable costs, whichever is less. There are sufficient funds in the Linn-Benton Loop Equipment Replacement fund for the required local match (\$71,400). If the grant is accepted, staff will order the new bus as soon as possible, however the expenditures and revenues will be budgeted in the Linn-Benton Loop budget for FY 2016-2017 because of an average 18-month delay in manufacturing a new transit bus. When the new bus is received, an existing 2003 Gillig bus with over 600,000 miles, which is currently used as the primary backup bus for the Loop system, will be disposed of through the property disposal process.

Budget Impact:

Fund 213-50-1107 (Loop)  
FY 2016-2017

Revenues:

Grant Funds	\$348,600
Transfer in from Equipment Replacement	\$ 71,400

Expenditures:

Capital Equipment	\$420,000
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BH:prj  
Attachment

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ACCEPTING STATE GRANT AGREEMENT #30410, BUS AND BUS FACILITY (FTA SECTION 5339 CAPITAL PROJECT) FOR THE PURCHASE OF A TRANSIT BUS FOR THE LINN-BENTON LOOP.

WHEREAS, the Oregon Department of Transportation has submitted the Bus and Bus Facility funding grant agreement for the City of Albany; and

WHEREAS, the City of Albany is the service provider for the Linn-Benton Loop transit system.

NOW, THEREFORE, BE IT RESOLVED that the City of Albany accepts the 5339 Capital project grant funding from the Oregon Department of Transportation (ODOT), Transit Division for \$420,000 for the replacement of one Linn-Benton Loop bus; and

BE IT FURTHER RESOLVED that the City Council of the City of Albany, Oregon, accepts these funds and authorizes the Public Works Operations Director to execute the agreement and conditions for their acceptance.

DATED AND EFFECTIVE THIS 22<sup>nd</sup> DAY OF JULY 2015.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

CITY OF ALBANY  
CITY COUNCIL  
Council Chambers  
333 Broadalbin Street SW  
Wednesday, June 10, 2015  
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

ROLL CALL

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

Councilors Absent: None

PROCLAMATION

American Cancer Society Relay for Life

Konopa read the proclamation in the agenda packet. She said the Relay is a great event with many volunteers. She encouraged everyone to check it out and see if they would like to participate.

SCHEDULED BUSINESS

Public Hearings

Declaring the City's eligibility to receive state revenues and election to receive state revenues

Open: Konopa opened the two public hearings at 7:17 p.m.

Finance Director Stewart Taylor reviewed the staff memo. In order to be eligible to receive state revenue sharing, the City provides two opportunities for public comments regarding the use of those monies. The first opportunity was before the Budget Committee on May 7, 2015, and the second opportunity is at these two public hearings. Council is asked to certify by resolution that the City is eligible to receive state revenue sharing, and to state by resolution that the City wants to receive state revenue sharing for Fiscal Year (FY) 2015-2016.

There was no one signed up to speak to the eligibility to receive state revenues (see agenda file) or the election to receive state revenues (see agenda file). Konopa called for public testimony. There was none.

Close: Konopa closed the two public hearings at 7:19 p.m.

MOTION: Councilor Floyd Collins moved to adopt the resolutions. Councilor Ray Kopczynski seconded. The motion passed 6-0, and was designated Resolution Nos. 6419 and 6420.

Adopting the 2015-2016 Annual Budget

Konopa noted that there was a revised resolution on the dais for the adoption of the 2015-2016 Approved Budget (see agenda file).

Open: Konopa opened the public hearing at 7:20 p.m.

Taylor said the Budget Committee met on May 7, 2015, to receive the 2015-2016 Budget as proposed by the City Manager, followed by two additional meetings. The Budget Committee, comprised of the City Council and lay members, completed its work and approved a budget which was forwarded to the City Council. Since that time, Council has heard two items that invite consideration this evening. First, based on an updated calculation of the amount that would be available under a minor amendment, Council approved an increased transfer from Central Albany Revitalization Area (CARA) to the City in support of the public facilities project. Second, an item of discussion at the Council Work Session related to Transient Lodging Taxes (TLT) included a recommendation by the City Manager that a portion of the TLT be used for equipment replacement in Police and Fire. Both of these concepts are reflected in the revised resolution before the Council.

Konopa called for public testimony.

Scott Pierson, 1908 NW Cascade Heights, Budget Committee member, said the City Manager presented the Budget Committee with a breakdown of TLT uses, including possible redistribution toward equipment

replacement. After talking with local hoteliers, he is no longer leaning toward reallocation of the TLT for equipment. Although TLT revenue is up, occupancy is down. He is particularly concerned about the decline in rooms booked in advance and large group business. He doesn't know how this can be fixed; however, he sees this as a drop in the bucket as far as what is needed in terms of Police and Fire equipment replacement, and he thinks that money could be better invested in marketing and tourism to encourage book-ahead and longer stays. Pierson said if he'd had an opportunity to investigate prior to the recommendation, he would probably not have supported the Budget Committee's recommendation. Instead, he would have supported approving the current TLT allocation with a recommendation that the City undertake a review of the TLT allocation process.

There was no one else signed up to speak (see agenda file).

Close: Konopa closed the public hearing at 7:30 p.m.

MOTION: Kopczynski moved to adopt the revised resolution for the adoption of the 2015-2016 Approved Budget and Councilor Dick Olsen seconded it.

In response to a question from Council, City Manager Wes Hare said the TLT is a volatile revenue source and, while it is now at an all-time high, there is no guarantee that will continue into the future. Part of the reason for his recommendation was that under current policy, if not used for equipment replacement, the funds would go to programs that haven't been able to spend the money they have been getting. He thinks it makes good sense over the next year to look at TLT revenue, as well as the issue of equipment replacement.

Councilor Bill Coburn said he thinks it's prudent to adopt the budget; Council would still be able to consider adjustments to the TLT allocation in a future process.

Collins noted the City is transferring money to Linn County toward a consultant to do some of the needed marketing work.

Councilor Rich Kellum added that the project with Linn County to market the Expo includes marketing for multiple night stays, which is what the hoteliers need.

VOTE: A vote was taken on the motion and it passed 6-0 and was designated as Resolution No. 6421.

#### Adopting the 2016-2020 Capital Improvement Program

Open: Konopa opened the public hearing at 7:37 p.m.

Senior Accountant Jeff Babbitt said the preparation of the Capital Improvement Program (CIP) is a long process that starts early in the year and coincides with the budget process. A joint work session of the City Council, Planning Commission, and Budget Committee was held on April 2, 2015, to review and comment on the draft 2016-2020 CIP document. Following the Work Session, the document was made available for public review. One comment has been received and it is attached to the staff report. Council is asked to consider and adopt by resolution the 2016-2020 CIP.

There was no one signed up to speak (see agenda file). Konopa called for public testimony. There was none.

Collins asked for additional information about the request for a pickleball court. Parks and Recreation Director Ed Hodney said a brand new court might cost around \$40,000 to \$50,000. He suggested that all emerging needs be incorporated into the Parks master planning process with the future CIP to reflect that Master Plan. This is the process that has been used for 10 years, and it would potentially make pickleball courts eligible for System Development Charge (SDCs).

Close: Konopa closed the public hearing at 7:42 p.m.

MOTION: Collins moved to adopt the resolution and Kopczynski seconded it. The motion passed 6-0 and was designated Resolution No. 6422.

#### Business from the Public

Kasey Tegner, 221 Waverly Drive SE, said that following the public hearing on CP-01-14 and ZC-100-14, she found that most of her neighbors were either unaware or didn't understand the proposal. She said a number of people are in attendance to comment on this issue, and she asked that the public hearing be reopened.

City Attorney Jim Delapoe said the public hearing cannot be reopened for new testimony without new notice so those on the other side have an opportunity to respond. Council could decide to reopen and re-notice the public hearing for a later date.

Second Reading of Ordinance

CP-01-14 and ZC-100-14, amending Ordinance 4447, which adopted the City of Albany Comprehensive Plan Map; amending Ordinance 4441, which adopted the City of Albany Zoning Map; adopting findings for property located at 241 Waverly Street SE; Linn County Assessor's Map No. 11S-3W-05DD, Tax Lot 400, and declaring an emergency

Kellum said he is in favor of the request to reopen the public hearing.

Olsen said he is not in favor of the zone change.

Delapoer said Councilors who were absent from the public hearing would not be qualified to vote on the request unless they have reviewed the record; however, all Councilors could vote on a motion to reopen the public hearing. Another option would be to table the matter to allow Councilors an opportunity to review the record.

Coburn said he would support reopening the public hearing.

Collins said there was a noticed public hearing and testimony was received; he expressed concern about the process and precedent.

Olsen said Council might not reopen a public hearing for one person, but in this case, a fairly sizable number of people either didn't hear about or didn't understand the proposal.

MOTION: Olsen moved to reopen the public hearing and Coburn seconded it.

Hare commented that it is appropriate for Council to exercise discretion and recognize the characteristics of a specific case. He doesn't see this as a dangerous precedent and he doesn't think any harm is done to the future decision by reopening the public hearing. Delapoer agreed.

VOTE: A vote was taken on the motion and it passed 4-2, with Collins and Kopczynski voting no.

Adoption of Resolution

Authorizing the City of Albany to sell the General Obligation Public Safety Facility Bonds that the City's voters authorized on May 19, 2015, and providing for related matters.

Konopa called for discussion or a motion.

MOTION: Johnson moved to adopt the resolution. Kopczynski seconded.

In response to a question from Collins, Taylor said the intent is to go forward in one sale in a competitive bid around the end of July. Collins said the 10-year Treasury is climbing; it would make sense to sell as soon as possible, as low as possible.

Kopczynski asked if staff had a sense of where the rate would come in. Taylor said that, through the process, movement in the rates was anticipated and a cushion was built-in. He is still reasonably confident the rate will be better than what was anticipated in the ballot measure.

VOTE: A vote was taken on the motion and it passed 6-0 and was designated Resolution No. 6423.

Adoption of Consent Calendar

- 1) Approval of Minutes
  - a) April 20, 2015, City Council Work Session
  - b) May 11, 2015, City Council Work Session
  - c) May 13, 2015, City Council Regular Session
- 2) Accepting the abstract of votes regarding the ballots cast in the special election held Tuesday, May 19, 2015, regarding Measure 22-135, a City of Albany Charter amendment authorizing issuance of General Obligation Bonds RES. NO. 6424
- 3) Approving annual liquor license renewals
- 4) Accepting easements from Woodland Square Limited Partnership
  - a) A ten-foot sidewalk easement RES. NO. 6425
  - b) A 4.38 foot by 12.11 foot water easement RES. NO. 6426

Kellum requested that Item 3 be pulled.

MOTION: Kopczynski moved to adopt the Consent Calendar with the exception of Item 3. Kellum seconded. The motion passed 6-0.

Kellum asked if "Three Sheets Brewing" is an actual brewery. Konopa said that is a home-based business located in North Albany.

MOTION: Kellum moved to adopt Item 3. Olsen seconded the motion, and it passed 6-0.

#### Award of Bids

##### SS-15-03. 2015 Sewer Rehabilitation Project

Assistant Public Works Director/City Engineer Jeff Blaine reviewed the staff recommendation to award the contract in the amount of \$335,550 to the low bidder, K&R Plumbing Construction Company Inc., Clackamas, Oregon. In response to an inquiry from Kopczynski, Blaine said there are certainly qualified local contractors that chose not to bid. He reviewed the three bids submitted for each schedule of the project.

MOTION: Collins moved to approve the requested action. Kopczynski seconded the motion, and it passed 6-0.

##### SS-15-02. 2015 Pipe Bursting Projects

Blaine reviewed the staff recommendation to award the contract in the amount of \$540,125 to the low bidder, K&R Plumbing Construction Company Inc., Clackamas, Oregon. In response to an inquiry from Kellum, Blaine said the Engineer's estimate is \$590,000.

MOTION: Collins moved to approve the requested action. Kopczynski seconded the motion, and it passed 6-0.

#### Appointment

##### Appointing Bernard Brown to the Willamette Criminal Justice Council

MOTION: Collins moved to approve the appointment. Kopczynski seconded the motion, and it passed 6-0.

#### Reports

##### Sewer Rate and Industrial Permit Increase for July 1, 2015

Blaine gave a slide presentation (see agenda file). He said the purpose is to discuss current rate recommendations, provide updated five-year rate projections, and receive direction for the June 24, 2015, Council meeting. Rate money is used for debt repayment, operations and maintenance, and capital investment in infrastructure. A rate increase is needed to meet O&M and debt service requirements and to stay on track to reach the target for funding annual capital improvements of \$2.6 million per year by FY 2017. In May 2014, staff estimated that a 9% rate increase would be required in July 2015; however, updated revenue and expenditure information indicates a rate increase of 6% will keep the program on track. There is also about \$30 million in high-priority projects which are not included in the rate discussion. Efforts are being made to drive down those costs, and staff will be bringing back a funding plan discussion. If Council wants to start building a reserve to address those needs, they could consider the 9% increase. A 6% sewer rate increase will generate about \$900,000 in additional revenue; a 9% increase will generate about \$1.2 million. He reviewed slides showing amounts customers would pay under each scenario, the five-year actual and projected rates, and a comparison of Albany with other communities.

Following brief discussion, Council directed that staff advertise the public hearing for a sewer rate increase of up to 9%.

##### Transportation System Development Charge Adjustment

Transportation Systems Analyst Ron Irish reviewed the staff memo. The Transportation System Development Charge (TSDC) fee resolution adopted by Council includes a five-year ramping schedule. If both the fifth step of the ramp and the annual Engineering News Record (ENR) Construction Cost Index adjustments envisioned in the TSDC fee resolution are implemented on July 1, 2015, the list of funded projects in the Transportation System Plan (TSP) will not change. If either of the adjustments is foregone or reduced, the project list will need to be modified. The TSDC resolution indicated that ramp increases would only be implemented with Council action based on an analysis of economic indicators – Oregon personal income and Oregon's nonfarm employment. A summary of the indicators for calendar years 2011 through 2016 is presented in the written staff report. Projections for 2015-2016 have both economic indicators trending up.

There was general agreement that staff would bring back a recommendation with both the step increase and the inflationary component.

##### Public Safety Facilities Project Update

Konopa said this update was provided at the last Council Work Session. It was noted that there is a motion on the table, which failed to pass with four votes at the last Council meeting. If there are not four votes in affirmative or negative, the question is considered again at the next meeting when all members are present.

MOTION: Kopczynski restated the motion: "Any funds received from the sale or transfer of the existing Jackson Street Police facility shall be held in an account until completion of both facilities authorized in the May 19, 2015 election. The net proceeds shall only be used to cover any project costs which exceed the proposed budget of \$24.4 million or in the alternative shall be applied to the General Obligation Bond debt repayment schedule."

Coburn asked if it is possible to make a principal-only bond payment. Taylor said yes, the bond could be structured so there would be no penalty for doing so.

Olsen asked how much the facility is worth. Hare said he was pleasantly surprised by the amount the City received for the old library building when it sold. He can't predict what the City might get for the Police Station.

Konopa said the motion states an intent which could be changed by four votes of Council when the building sells.

Collins said that at the last Public Safety Facilities Committee meeting, he said he would support any revenue received be used to reduce the debt service for the public. This is an opportunity to do that and he supports the motion. Brief discussion followed.

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

#### BUSINESS FROM THE COUNCIL

Kellum said the CARA Advisory Board recently heard a loan request from the owners of Novak's, during which it was stated that an American with Disabilities Act (ADA) bathroom was required on the second floor of their building. He said there is no elevator in the building and he doesn't think that requirement makes sense. He asked that staff investigate whether a second floor ADA bathroom is mandatory.

Johnson said many cities have started addressing the recreational marijuana situation. Hare said a number of communities are making decisions about marijuana facilities; however, the question is whether any of those will survive the state regulations. Council did take action in creating an ordinance that marijuana facilities cannot be located within 300 feet of a residential zone. The question is what will happen in January when the state issues rules about how marijuana can be sold. Konopa suggested that Council wait until the state gives clear direction before taking any further action on this issue.

Konopa said the Woodwind Apartments grand opening will be held June 17, 2015, 1:30 to 3:30 p.m.

Konopa shared a letter from the Oregon Parks and Recreation Department, noting the Albany Hebrew Cemetery is now listed in the National Register of Historic Places.

RECESS TO EXECUTIVE SESSION TO DISCUSS CURRENT LITIGATION OR LITATION LIKELY TO BE FILED IN ACCORDANCE WITH ORS 192.660(2)(h)

The Regular Session recessed to Executive Session at 8:50 p.m.

#### RECONVENE

The Regular Session reconvened at 9:20 p.m.

#### NEXT MEETING DATE

Work Session: June 22, 2015  
Regular Session: June 24, 2015

#### ADJOURNMENT

There being no other business, the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Reviewed by,

Teresa Nix

Wes Hare

Albany City Council  
June 10, 2015

Administrative Assistant

City Manager

CITY OF ALBANY  
CITY COUNCIL WORK SESSION  
Municipal Court Room  
Monday, June 22, 2015  
4:00 p.m.

MINUTES

CALL TO ORDER

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

ROLL CALL

Councilors Present: Councilors Bill Coburn, Floyd Collins, Bessie Johnson, Rich Kellum, Ray Kopczynski, Dick Olsen

Councilors Absent: None

BUSINESS FROM THE PUBLIC

None.

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

Regular Session recessed to Executive Session at 4:02 p.m.

RECONVENE

The Regular Session reconvened at 5:22 p.m.

COUNCILOR COMMENTS

Councilor Floyd Collins said the North Albany Road project appears to be going very well; the contractors are doing a great job and the project is moving quickly.

Konopa said she traveled to the Seattle area recently and she was surprised to see that their right-of-ways are not maintained; ODOT should be commended on how they maintain the right-of-ways in Oregon.

CITY MANAGER REPORT

Engineering Manager Staci Belcastro stated that changed conditions were encountered during construction of the Century Drive lift station, and it is anticipated that the increased costs will exceed 10 percent. A report will be coming to Council in July.

ADJOURNMENT

There being no other business, the meeting was adjourned at 5:30 p.m.

Respectfully submitted,

Reviewed by,

Teresa Nix  
Administrative Assistant

Wes Hare  
City Manager



TO: Albany City Council  
VIA: Stewart Taylor, Finance Director  
FROM: Kandice Easdale, Parks & Recreation Clerk II  
DATE: July 15, 2015, for the July 22, 2015 City Council Meeting  
SUBJECT: Annual Liquor License Renewals  
RELATES TO STRATEGIC PLAN THEME: ● A Safe City

Action Requested:

Council approval for these annual liquor license renewals

Discussion:

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

Ciddici's Pizza	Chanda Corporation	859 Belmont Ave SW #110
Ciddici's Pizza	Chanda Corp	133 5 <sup>th</sup> Ave
Sweet Red Coffee Bistro & Wine Bar	Sweet Red Inc	208 W 1 <sup>st</sup> Ave

Budget Impact:

Revenue of \$105.

ke

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

Purpose

Dennis and Kathryn Fromcke

A 2.5-foot wide sidewalk easement on the west side of North Albany Road, as part of ST-13-03, North Albany Road Reconstruction project.

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

DATED AND EFFECTIVE THIS 22<sup>ND</sup> DAY OF JULY 2015.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## EASEMENT FOR PUBLIC SIDEWALK

THIS AGREEMENT, made and entered into this 2ND day of JUNE, 2015, by and between Dennis and Kathryn Fromcke, 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 2.5-foot wide sidewalk easement on the west side of North Albany Road, as part of ST-13-03, North Albany Road Reconstruction 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 \$620.00, receipt of which is acknowledged by the Grantor, and in further consideration of the public improvements to be placed upon said property and the benefits grantors may obtain therefrom.
4. The Grantor does hereby covenant with the City that they are lawfully seized and possessed of the real property above-described and that they have a good and lawful right to convey it or any part thereof and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.
5. Upon performing any maintenance, the City shall return the site to original or better condition.
6. The 2015 project shall maintain a minimum wall height of 6 feet along the sidewalk.
7. With construction of the 2015 project, the sidewalk will be 5 feet wide and the landscape strip will be 10 feet wide for a total width of 15 feet.

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

**GRANTOR:**

*Dennis Fromcke*  
Dennis Fromcke

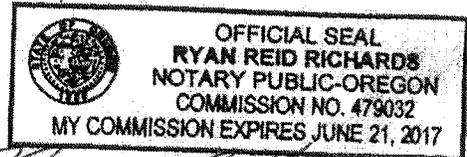
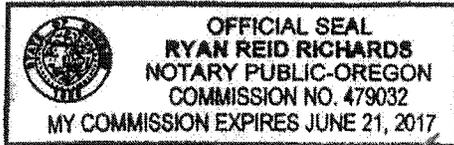
*Kathryn Fromcke*  
Kathryn Fromcke

STATE OF OREGON )  
County of ~~Linn~~ *Benton* ) ss.  
City of Albany )

STATE OF OREGON )  
County of ~~Linn~~ *Benton* ) ss.  
City of Albany )

The foregoing instrument was acknowledged before me this 2nd day of June, 2015, by Dennis Fromcke as his voluntary act and deed.

The foregoing instrument was acknowledged before me this 2nd day of June, 2015, by Kathryn Fromcke as her voluntary act and deed.



*Ryan Richards*  
Notary Public for Oregon  
My Commission Expires: June 21, 2017

*Ryan Richards*  
Notary Public for Oregon  
My Commission Expires: June 21, 2017

**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 \_\_\_\_\_ 2015.

\_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

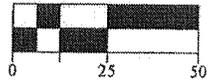
## **Exhibit A**

### **Legal Description for Sidewalk Easement**

A 2.5-foot sidewalk easement lying over the eastern 2.5-feet of Lot 1, Northwood Subdivision, in the SE 1/4 of Section 36, T10 South, R4 West, Willamette Meridian, City of Albany, Benton County, Oregon, more particularly described as follows;

The eastern 2.5 feet of Benton County Oregon assessor's tax lot 10S04W36DC01900, said tax lot consisting of Lot 1, Northwood Subdivision, and as described in Benton County Oregon deed records, M449991-09. The easement is as shown on the attached maps labeled Exhibits B and C, attached hereto and incorporated herein by this reference.

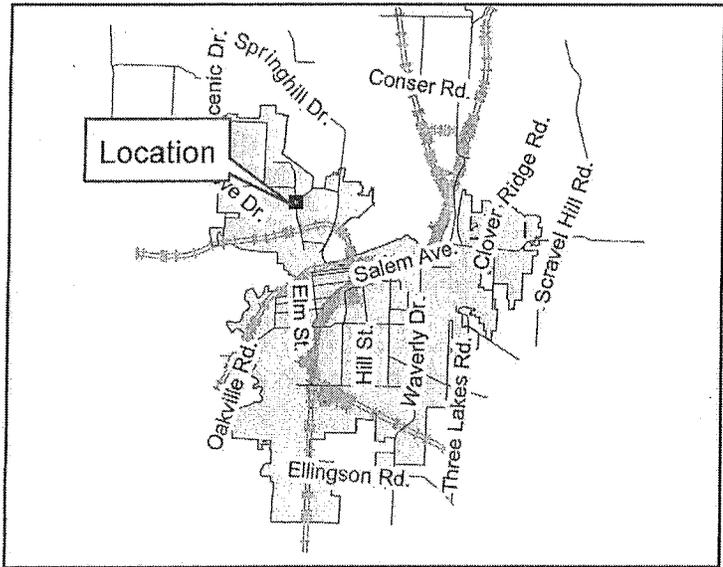
EXHIBIT B  
SIDEWALK EASEMENT  
DENNIS AND KATHRYN FROMCKE



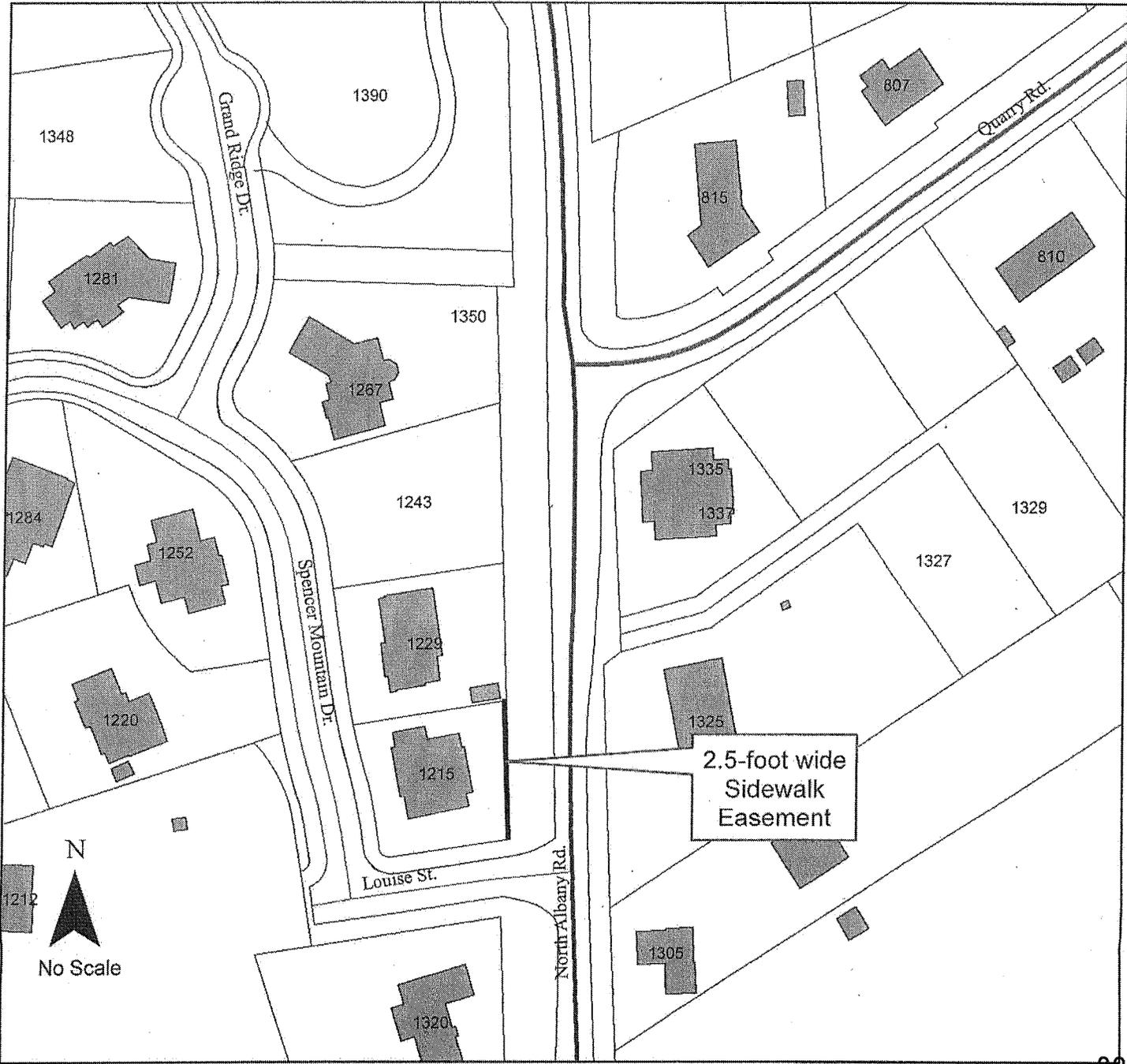
# EXHIBIT C

10S04W36DC- 01900

A 2.5 foot wide sidewalk easement,  
as part of ST-13-03, North Albany  
Road Reconstruction project



Geographic Information Services



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

Kimberly Sue Shelby

Purpose

A 10-foot wide utility easement for City of Albany utilities as part of the SS-15-02 2015 Pipe Bursting Projects. 11S04W12DB 07900

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

DATED AND EFFECTIVE THIS 22ND DAY OF JULY 2015.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

### EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 12<sup>TH</sup> day of JUNE, 2015, by and between Kimberly Sue Shelby, hereinafter called Grantor, and the CITY OF ALBANY, a Municipal Corporation, herein called "City."

#### WITNESSETH:

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

This agreement is subject to the following terms and conditions:

1. The easement hereby granted consists of:

A 10-foot wide utility easement for City of Albany utilities as part of SS-15-02 2015 Pipe Bursting Projects. See legal description on attached Exhibit A and easement maps on attached Exhibits B and C.

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

3. The easement granted is in consideration of \$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.

6. No permanent structure shall be constructed on this easement.

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

**GRANTOR:**

Kimberly Sue Shelby

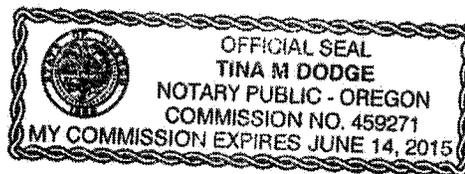
*Kimberly Sue Shelby*

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

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of June, 2015,  
by Kimberly Sue Shelby, as her voluntary act and deed.

*Tina Dodge*

Notary Public for Oregon  
My Commission Expires: June 14, 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 \_\_\_\_\_ 2015.

\_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

# EXHIBIT A

K & D ENGINEERING, Inc.

Engineers • Planners • Surveyors

Legal Description

City of Albany Easement

Located over a portion of

1098 13<sup>th</sup> Ave SW, Albany, Oregon

A 10.00 foot wide strip of land of even width located over the most southerly 10.00 feet of Lot 13 of Block 6 of "Linnmont Addition to Albany, Oregon", a subdivision recorded in the Linn County, Oregon Book of Plats.

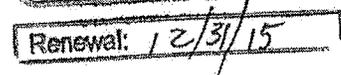
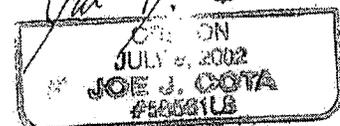
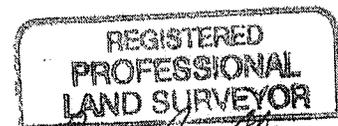
June 2, 2015

LEGAL DESCRIPTION

COA EASEMENT – 1098 13<sup>TH</sup> AVE.

(15-67) JJC:ls

File Ref: z:/projects/2015/15-67/surveying/documents/Legal Description #1.doc

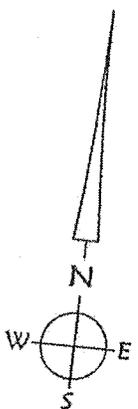


EXHIBIT

EXHIBIT MAP  
10' WIDE SEWER EASEMENT  
FOR  
CITY OF ALBANY

LOCATED OVER  
A PORTION OF LOT 13, BLOCK 6 OF  
"LINNMONT ADDITION TO ALBANY, OREGON"  
CITY OF ALBANY, LINN COUNTY, OREGON

JUNE 2, 2015



SCALE: 1" = 30'

13TH AVENUE

UMATILLA STREET

SITE ADDRESS:  
1098 13TH AVE.  
ALBANY, OR

10' WIDE SEWER  
EASEMENT

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Joe J. Cota*

OREGON  
JULY 9, 2002  
JOE J. COTA  
#58561LS

Renewal: 12/31/15

K & D

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

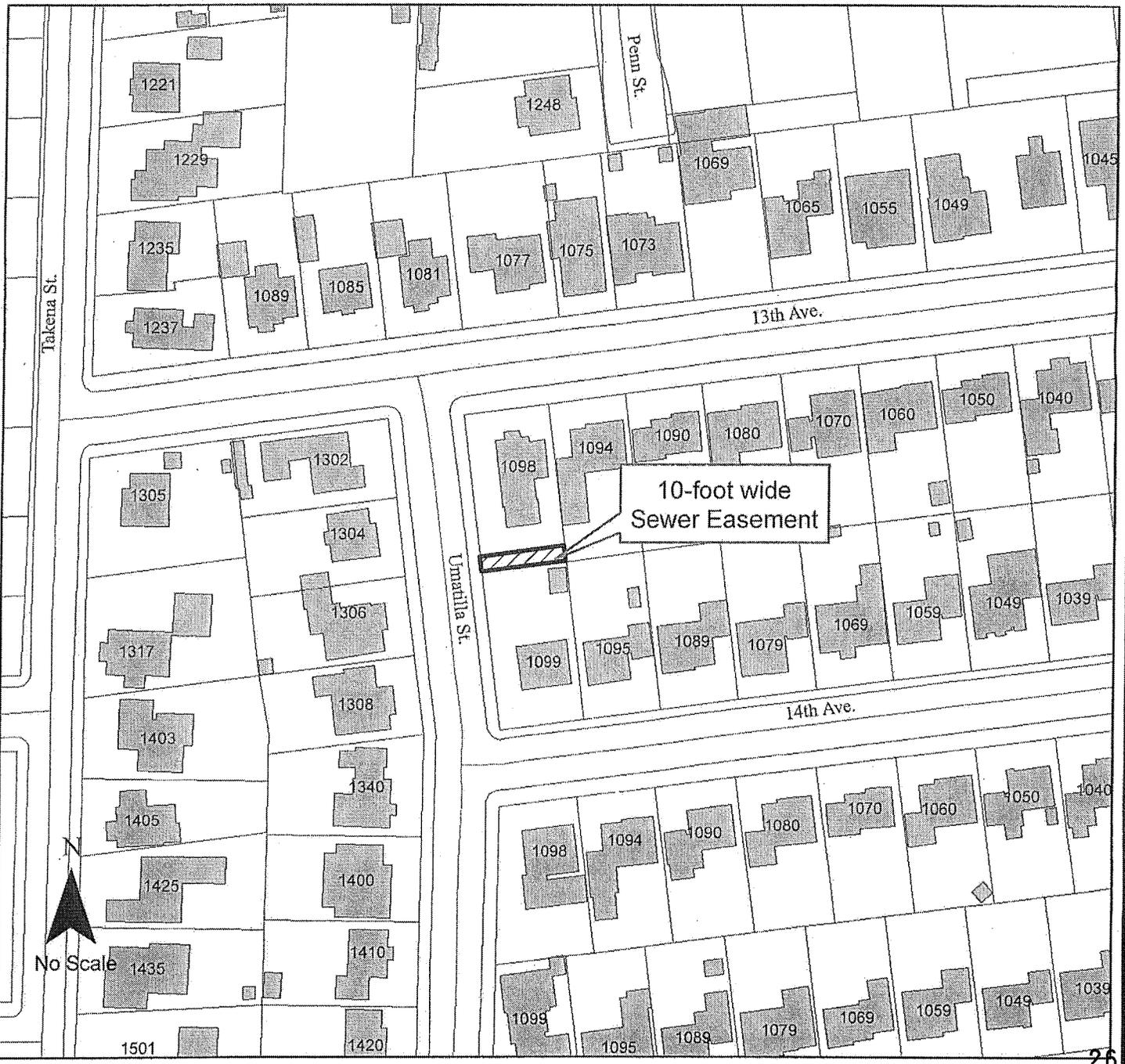
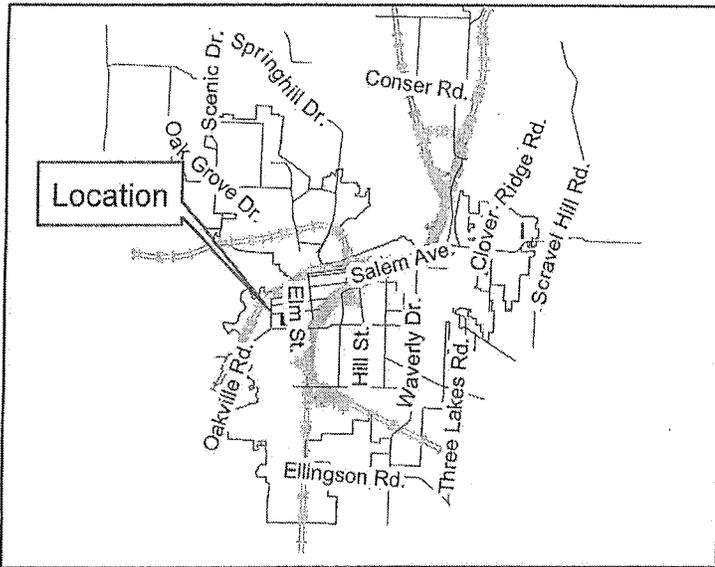
Date: 6/2/2015  
Scale: 1=30

Time: 14:22

# EXHIBIT C

11S04W12DB-07900

A 10-foot wide Sewer Easement  
as part of SS-15-02  
2015 Pipe Bursting Projects



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

Kimberly Sue Shelby

Purpose

A 10-foot wide utility easement for City of Albany utilities as part of the SS-15-02 2015 Pipe Bursting Projects. 11S04W12DB 08000

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

DATED AND EFFECTIVE THIS 22ND DAY OF JULY 2015.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

### EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 12<sup>TH</sup> day of JUNE, 2015, by and between Kimberly Sue Shelby, hereinafter called Grantor, and the CITY OF ALBANY, a Municipal Corporation, herein called "City."

#### WITNESSETH:

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

This agreement is subject to the following terms and conditions:

1. The easement hereby granted consists of:  
  
A 10-foot wide utility easement for City of Albany utilities as part of SS-15-02 2015 Pipe Bursting Projects. See legal description on attached Exhibit A and easement maps on attached Exhibits B and C.
2. The permanent easement described herein grants to the City, and to its successors, assigns, authorized agents, or contractors, the perpetual right to enter upon said easement at any time that it may see fit, for construction, maintenance, evaluation and/or repair purposes.
3. The easement granted is in consideration of \$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.
6. No permanent structure shall be constructed on this easement.

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

**GRANTOR:**

Kimberly Sue Shelby

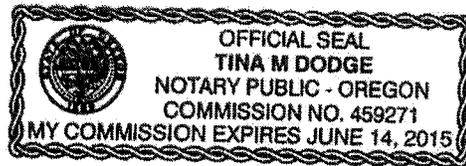
Kimberly Sue Shelby

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

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of June, 2015,  
by Kimberly Sue Shelby, as her voluntary act and deed.

Tina Dodge

Notary Public for Oregon  
My Commission Expires: June 14, 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 \_\_\_\_\_ 2015.

\_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

Legal Description

City of Albany Easement

Located over a portion of

1099 14<sup>th</sup> Ave SW, Albany, Oregon

A 10.00 foot wide strip of land of even width located over the most northerly 10.00 feet of Lot 14 of Block 6 of "Linnmont Addition to Albany, Oregon", a subdivision recorded in the Linn County, Oregon Book of Plats.

June 2, 2015

LEGAL DESCRIPTION

COA EASEMENT - 1099 14<sup>TH</sup> AVE.

(15-67) JJC:ls

File Ref: z:/projects/2015/15-67/surveying/documents/Legal Description #2.doc

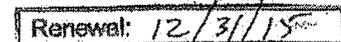
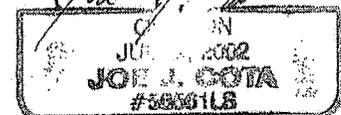
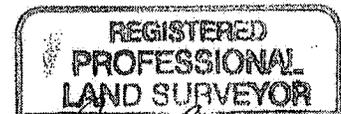


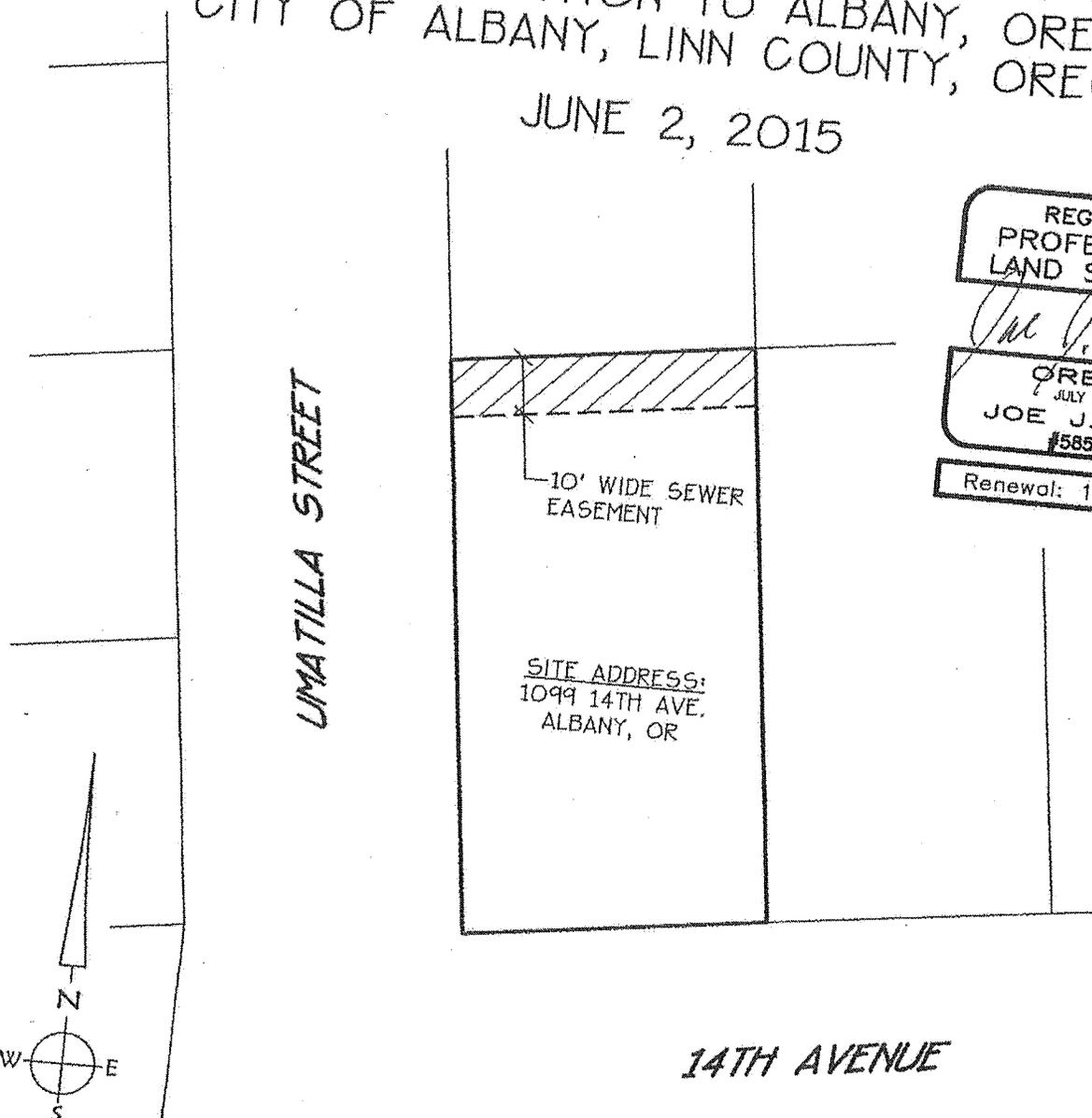
EXHIBIT MAP  
10' WIDE SEWER EASEMENT

EXHIBIT B

FOR  
CITY OF ALBANY

LOCATED OVER  
A PORTION OF LOT 14, BLOCK 6 OF  
"LINNMONT ADDITION TO ALBANY, OREGON"  
CITY OF ALBANY, LINN COUNTY, OREGON

JUNE 2, 2015



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Joe J. Cota*  
OREGON  
JULY 9, 2002  
JOE J. COTA  
#58561LS  
Renewal: 12/31/15

SCALE: 1" = 30'

**K & D**

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

Date: 6/2/2015

Scale: 1=30

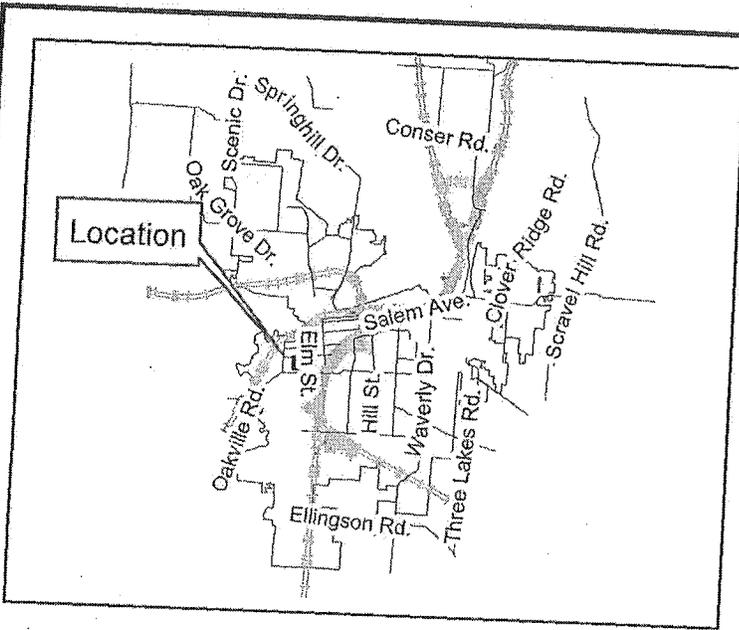
File: dwg\2015\15 CT

Time: 14:22

# EXHIBIT C

11S04W12DB-08000

A 10-foot wide Sewer Easement  
as part of SS-15-02  
2015 Pipe Bursting Projects



Geographic Information Services





TO: Albany City Council

VIA: Wes Hare, City Manager  
John R. Bradner, Fire Chief  
Mario Lattanzio, Police Chief

FROM: Staci Belcastro, P.E., Acting City Engineer *SLB*

DATE: July 14, 2015, for the July 22, 2015, City Council Meeting

SUBJECT: Award of Professional Services Agreement for Fire & Police Station Project  
Owner's Representative

RELATES TO STRATEGIC PLAN THEME:

- A Safe City
- An Effective Government

Action Requested:

Staff recommends Council award this professional services agreement in the amount of \$275,000 to David Evans and Associates, Inc., of Salem, Oregon.

Discussion:

On June 17, 2015, proposals were received for the Fire and Police Station Project in response to the Police and Fire Station Project Owner's Representative Request for Proposals (RFP). There were six proposals submitted in response to the RFP. The selection review committee, consisting of representatives from the Fire Department, Police Department, Public Works, and Finance, selected David Evans and Associates in accordance with the criteria defined in the RFP.

*Project Background*

The City's Strategic Plans, as early as 2007, identified the need for a new downtown fire station (Fire Station 11). The City also identified a need to replace or expand the Police station over a decade ago.

In 2014 a Public Safety Facilities Review Committee, made up of 14 Albany residents, evaluated current and future needs at Fire Station 11 and the Albany Police Department building. The results of this evaluation confirmed earlier conclusions determined by Council and staffs. After considerable research it was determined that the fire station should be built on approximately 1.65 acres in the 500 and 600 blocks of Lyons Street SW, expanding on its current site, and the police station should be replaced at the new site in the 2400 block of Pacific Boulevard SW on 3.69 acres of vacant property.

*Owner's Representative*

Mackenzie of Portland, Oregon, was hired in December 2014 to complete preliminary design services for the new fire and police stations. Needs assessments completed during the preliminary design phase for the fire and police stations identified the need for an Owner's Representative, and an estimated budget ranging from \$275,000 to \$300,000 was included in the Project Cost Estimate for the stations. The Fire and Police Station Project Owner's Representative will provide professional, technical, and expert project management services to oversee the design development and construction of the new stations.

Budget Impact:

This project will be funded from the 402-10-1052-60101 Contractual Services.

SLB:kw



TO: Albany City Council  
 VIA: Wes Hare, City Manager  
 John R. Bradner, Fire Chief  
 Mario Lattanzio, Police Chief

FROM: Staci Belcastro, P.E., Acting City Engineer *SB*

DATE: July 14, 2015, for the July 22, 2015, City Council Meeting

SUBJECT: Award of Professional Services Contract for Fire and Police Station Project Architecture and Engineering Services

- RELATES TO STRATEGIC PLAN THEME:
- A Safe City
  - An Effective Government

Action Requested:

Staff recommends that Council award this Professional Services Contract for Phase II - Design Development and Phase III - Construction Services to in the amount of \$1,564,480 to Mackenzie, of Portland, Oregon.

Discussion:

On December 10, 2014, staff provided a memo to Council that included an update on executing two contracts with Mackenzie for Phase I - Preliminary Design Services for the Fire and Police Station projects. The December 10, 2014, memo is included as Attachment A. Preliminary Design services for the Fire and Police Station were executed administratively because the total contract amount was less than \$150,000.

Preliminary Design Services included development of the design, refining the cost estimate, and other tasks required in preparation of a Public Safety Bond. Voters approved up to \$18 million on a bond that was placed on the May 19, 2015, ballot as part of a larger funding package to pay for the new stations.

Costs for all three phases are provided in the table below. Cost savings of approximately \$14,000 has been realized during the Phase I design work for both the Fire and Police Stations. The amounts have been rounded to the nearest \$10.

Architectural & Design Components	Estimated Cost	Estimated Final Cost
<b>I. Police Station Architectural and Design Services</b>		
a. Phase I: Preliminary Design	\$ 112,850	\$ 99,390
b. Phase II: Design Development	\$ 704,640	\$ 704,640
c. Phase III: Construction Services	\$ 243,660	\$ 243,660
<i>Subtotal</i>	\$ 1,061,150	\$ 1,047,690
<b>II. Fire Station Architectural and Design Services</b>		
a. Phase I: Preliminary Design	\$ 105,550	\$ 91,470
b. Phase II: Design Development	\$ 435,660	\$ 435,660
c. Phase III: Construction Services	\$ 180,520	\$ 180,520
<i>Subtotal</i>	\$ 721,730	\$ 707,650

Budget Impact:

Funding of Phase II and III for the Fire and Police Station project will be from 402-10-1052-60264 Public Safety Building Design.

SB:kw  
 Attachment

# Attachment A



TO: Albany City Council  
VIA: Wes Hare, City Manager  
Mario Lattanzio, Police Chief  
John R. Bradner, Fire Chief  
FROM: Staci Belcastro, P.E., Assistant City Engineer/Engineering Manager *SB*  
DATE: December 4, 2014, for the December 10, 2014, City Council Meeting  
SUBJECT: Professional Services Contract for Preliminary Engineering for the Police Station and Fire Station 11

## Action Requested:

None. This memo provides an update on executing two contracts with Mackenzie, of Portland, Oregon, for Phase I - Preliminary Design Services for the Police Station and Fire Station 11.

## Discussion:

### *Police Station*

It has been determined that Albany's Police Department has outgrown the existing Police station. The existing station has been internally reconfigured multiple times to meet the department's changing space requirements and there are a number of needs that the current police station is unable to meet. Since construction of the existing Police station, Albany's population has nearly doubled and police staffing has increased to meet the needs of the growing community. In 2009, the City purchased a 3.69 acre property to facilitate construction of a new Police Station. A vicinity map of the proposed site is included as Attachment 1.

### *Fire Station 11*

Albany's existing downtown Fire Station 11 and its site are not able to meet the fire and medical emergency response needs of the community. The existing station does not meet seismic standards and will most likely collapse during a significant earthquake. Emergency power and electrical wiring are substandard; the station lacks appropriate restrooms and locker space for employees; it is not accessible to people with physical limitations; it has structural weight limitations that restrict placement of emergency vehicles. The size of the existing station and site limits its use as an emergency facility. The City has purchased property in the vicinity of the existing station in order to expand and allow for construction of a new downtown Fire Station. A vicinity map of the expanded site is included as Attachment 2.

### *Background*

A 14-member citizen committee, Public Safety Facilities Review (PSFR) Committee, was appointed in January 2014 to study current conditions and future needs at Fire Station 11 and the Albany Police Department building following voter rejection of the 2013 Public Safety Facility Bond. The PSFR Committee confirmed Council's and staff's earlier conclusions and, after considerable research, determined that the police station should be replaced at the new site and the fire station should be replaced at its expanded current site.

The Committee wanted Albany residents to see how the new buildings might look and also wanted to develop accurate cost estimates for the facilities. They requested a two-step process be used to first identify three design consultants via a request for qualifications, and second to receive from those consultants written proposals, cost estimates, oral presentations and drawings or other visual representations for public display and comment.

*Design Consultant Selection*

A total of five design consultants provided written proposals and completed presentations in response to the Request for Proposals (RFP); Mackenzie was the only consultant responding to both the Fire and Police RFPs. A seven-member selection review committee reviewed the written proposals, attended the presentations, and then met to evaluate the proposals and presentations. Consultants were scored based on criteria listed in the RFP, resulting in the selection of Mackenzie to provide preliminary design services for both facilities.

*Budget Discussion*

Mackenzie provided a schedule and cost proposal for Phase I - Preliminary Design; Phase II - Design Development; and Phase III - Construction Services. Phase I includes development of the design, refining the cost estimate, and other tasks required in preparation of a public safety facilities bond measure in May 2015. Execution of contracts with Mackenzie for work outlined in Phases II and III will be determined based on available funding sources. Costs for all three phases are provided in the table below. The amounts have been rounded to the nearest \$10.

Architectural & Design Components	Estimated Cost
<b>I. Police Station Architectural and Design Services</b>	
a. Phase I: Preliminary Design	\$ 112,850
b. Phase II: Design Development	\$ 704,640
c. Phase III: Construction Services	\$ 243,660
<i>Subtotal</i>	\$ 1,061,150
<b>II. Fire Station Architectural and Design Services</b>	
a. Phase I: Preliminary Design	\$ 105,550
b. Phase II: Design Development	\$ 435,660
c. Phase III: Construction Services	\$ 180,520
<i>Subtotal</i>	\$ 721,730

Budget Impact:

This phase of design services will be funded from Public Safety Building Design (208-10-1037-60264). Funding of Phases II and III will be determined.

SLB:kw

Attachment

# ATTACHMENT 1

## POLICE STATION VICINITY MAP (2400 BLOCK PACIFIC BLVD SW)



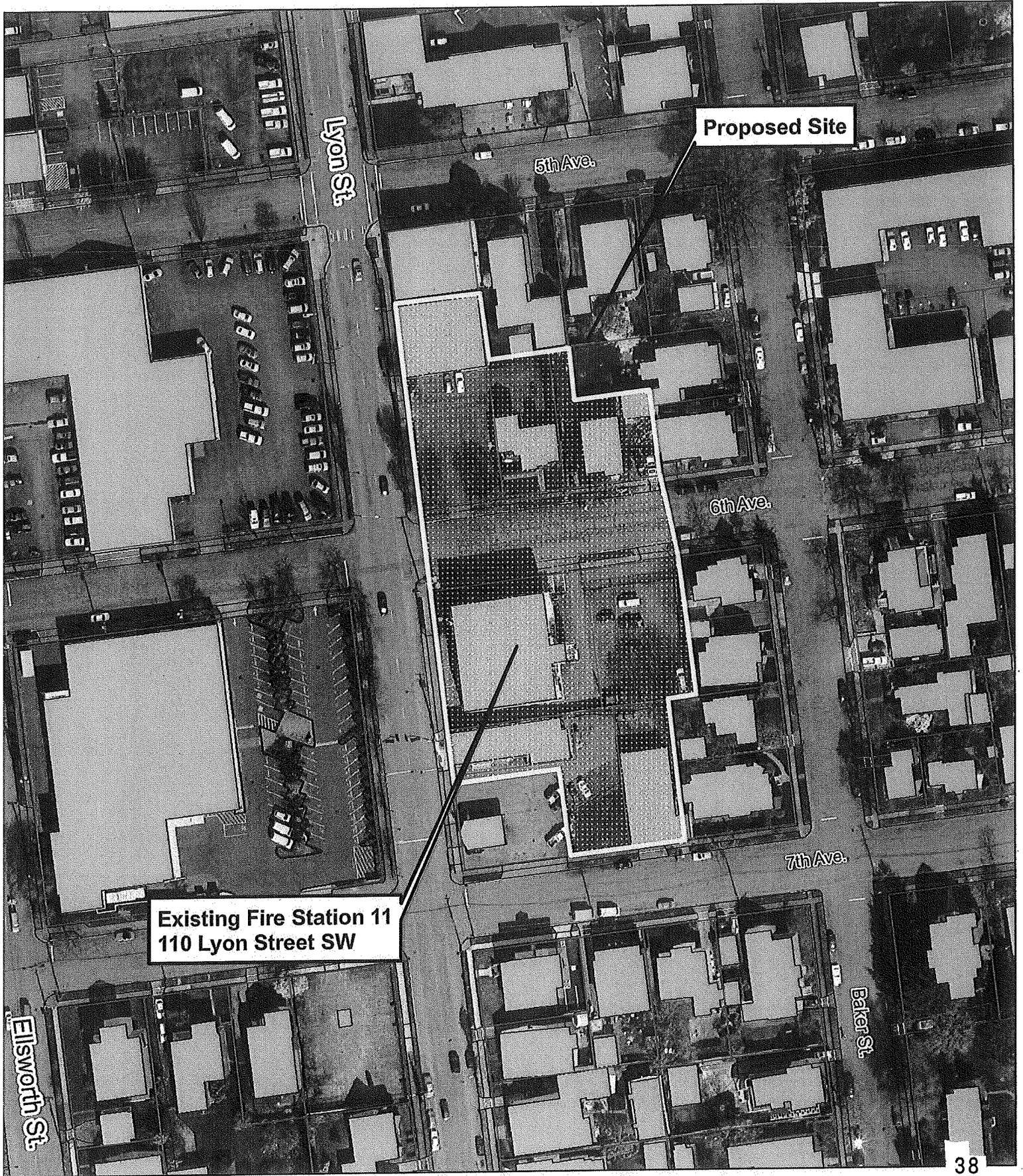
0 50 100 Feet





# ATTACHMENT 2 FIRE STATION 11 VICINITY MAP

0 50 100  
Feet



Proposed Site

Existing Fire Station 11  
110 Lyon Street SW



TO: Albany City Council

VIA: Wes Hare, City Manager  
Jeff Blaine, P.E., Interim Public Works Engineering and Community Development Director *JB*

FROM: Staci Belcastro, P.E., Acting City Engineer *SB*  
Nolan Nelson, P.E., Civil Engineer III

DATE: July 14, 2015, for the July 22, 2015, City Council Meeting

SUBJECT: SS-15-03, Century Drive Lift Station Improvements  
Contract Increase in Excess of 10 percent

RELATES TO STRATEGIC PLAN THEME:

- A Safe City
- An Effective Government

Action Requested:

Staff recommends Council approve a construction contract increase in excess of 10 percent to Pacific Excavation for the SS-15-03, Century Drive Lift Station Improvements.

Discussion:

*Project Description*

On January 28, 2015, Council approved a contract with Pacific Excavation, Inc. in the amount of \$194,900 to construct the Century Drive Lift Station Improvements. Improvements included the removal of a package pump station, replacement of the pumps with two new submersible pumps, extending the wetwell to the ground surface, and replacement of supporting instrumentation.

*Changed Conditions*

There are times when unknown or unforeseen circumstances arise during construction. Since these issues are not in the original contract, they typically are dealt with by issuing a change order to the contractor. Per AMC 2.66.040, Council approval is required for any change orders in excess of 10 percent above the originally approved contract amount; however, in order to avoid significant inconveniences to the public and added costs, it was critical to address the issues immediately in the field. As a result, Council approval of the change order requested in this memo will result in payment to Pacific Excavation for work they have already completed. Staff made Council aware of anticipated change orders in excess of 10 percent at the June 22, 2014, Council Work Session

*Quantified Change Orders*

Staff completed the design of lift station improvements using information from as-built drawings and measured field conditions. However, a number of discrepancies between the as-built drawings and actual conditions were discovered during excavation. While staff routinely potholes existing infrastructure to assist design, it was not practical to pothole the lift station piping and wet well due to their depth. The estimated contract increase resulting from discrepancies between field conditions and as-built drawings is approximately \$21,600. Following is a description of these issues:

- The wet well was approximately two-feet lower than anticipated. This required additional excavation work and extra materials were needed to bring the wet well up to grade.

- As-built drawings indicated the connection between the wet well and the drywell was a simple grouted connection and would not require much effort to separate the connection. Once the piping was excavated, it was discovered that a significant amount of concrete was used to make the connection and required extra effort to remove the concrete in order to separate the piping.
- Piping connections to the pigging station required installation of additional piping and fittings in order to deflect new piping to reconnect the pressure main.

During construction City staff identified changes to the original design that would improve the station's service life, reliability, and reduce maintenance costs. These changes included: 1) addition of a ductile iron sleeve to accommodate removal of the flow meter, 2) use of corrosion-resistant stainless steel bolts and pipe supports within the wet well, and 3) modification of check valve parts to assist with pump operation. The contract increase resulting from these changes is approximately \$11,800.

*Summary of Total Estimated Project Costs*

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

<b>Project Components</b>	<b>Estimated Cost at Time of Award</b>	<b>Estimated Final Cost</b>
<b>I. Engineering Design/Construction Inspection</b>		
a. Engineering	\$18,000	\$25,000
b. Construction Management	\$10,000	\$12,000
<i>Engineering Subtotal</i>	\$28,000	\$37,000
<b>II. Construction Costs</b>		
a. Construction Contract	\$194,900	\$194,900
b. Construction Contingency 10%	\$19,500	N/A
c. Current Approved Change Orders	N/A	\$0
d. Proposed Change Order (17%)	N/A	\$33,400
e. Miscellaneous Project Costs <i>(Control Parts, City portions of construction work and demolition)</i>	N/A	\$5,000
<i>Construction Subtotal</i>	\$214,400	\$233,300
<i>Total Estimated Construction Cost</i>	\$242,400	\$270,300
<i>Project Budget</i>	\$500,000	\$500,000
<i>Under/(Over) Project Budget</i>	\$257,600	\$229,700

Budget Impact:

After the proposed changes, the final total project costs are anticipated to be \$229,700 below the project budget of \$500,000. This project is funded from the Sewer Capital Projects Fund (601-50-2500).

SS:kw



TO: Albany City Council  
VIA: Wes Hare, City Manager  
FROM: John Bradner, Fire Chief  
Mario Lattanzio, Police Chief  
Jorge Salinas, Assistant City Manager/Chief Information Officer  
DATE: July 16, 2015, for the July 22, 2015, Council Meeting  
SUBJECT: Computer Aided Dispatch (CAD)/Record Management System (RMS) and  
Corrections System Upgrade

RELATES TO STRATEGIC PLAN THEME: ● Public Safety

Action Requested:

Staff is seeking Council approval to continue work with Linn County Sheriff's Office (LCSO), under an existing intergovernmental agreement (IGA), to share in the purchase and upgrade of the City of Albany and LCSO CAD/RMS and Corrections System.

Discussion:

LCSO and City of Albany have concluded the request for proposal process (RFP) and are now ready to move forward with a recommendation for the CAD/RMS and Corrections System. The recommended solution includes software licenses for the required modules, professional services, technical/user training, and ongoing maintenance/support.

The current CAD/RMS System used by LCSO and City of Albany is over 25 years old. With Council approval, LCSO and the City of Albany will continue to work under an existing IGA to share in the purchase and ongoing maintenance and support of the new CAD/RMS (law enforcement and fire) and Corrections System.

The RFP objectives were to identify qualified vendors that could provide the City and LCSO the following:

- Upgrade our law enforcement and fire system:
  - Computer Aided Dispatch (CAD)/Records Management System (RMS) and Corrections System.
- Convert and migrate existing database from our existing Sungard Public Sector Navaline applications. (Version 9.1.1.0.02) running on an AS400, IBM operating system with a DB2 database.
- Assist and support in an effort to configure the new system.
- Provide user, administration, and technical training.
- Provide on-going support and maintenance and regular upgrades.
- Provide excellent customer service and a cost competitive contract.

The following areas were evaluated and scored throughout the RFP process:

<u>Areas Evaluated and Scored</u>	<u>Score</u>
1. LCSO and City of Albany user and system requirements	30%
2. Ease of use	20%
3. Vendor interviews (top two vendors)	10%
4. Reference check (top two vendors)	15%
5. Cost	25%

The vendors evaluated through this RFP process included:

- Custom Micro Interactive (CMI)
- Public Safety Systems Incorporated (PSSI)
- New World Systems
- SunGard Public Sector

Budget Impact:

Consideration and provisions for payment:

All costs related to purchase and initial setup/configuration, including data conversion, system integration, training, and professional services will be based on the percentages in the following table:

SOFTWARE MODULES	LCSO	APD	AFD
CAD (Dispatch)	45%	45%	10%
RMS – Law Enforcement	50%	50%	0%
RMS - Fire	0%	0%	100%
Corrections	100%	0%	0%

The total forecasted project cost is \$1,300,000 with a distribution as follows:

- City of Albany \$685,161.05
- LCSO \$614,843.95

Detailed cost distribution:

- Software modules, professional services, training, support and first-year maintenance:
  - \$968,320 (COA \$535,161.05, LCSO \$426,843.95)
    - The main cost distribution difference is due to the Fire RMS module and integration cost which is \$138,315. This would be the City of Albany's responsibility.
- IT infrastructure cost:
  - \$100,000 (COA \$50,000, LCSO \$50,000)
- Additional professional services/modules/integration with other required software:
  - \$200,000 (COA \$100,000, LCSO \$100,000)
- Contract management/temp services:
  - \$38,000 (LCSO \$38,000)

Albany City Council

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July 17, 2015, for the July 24, 2013, Council Meeting

Council's approval authorizes the Assistant City Manager/Chief Information Officer to continue work with the Linn County Sheriff's Office (LCSO), under an existing intergovernmental agreement, for the purchase and ongoing maintenance and support of the City of Albany and LCSO CAD/RMS system upgrade.

JS:hr



TO: Albany City Council  
FROM: Sharon Konopa, Mayor  
DATE: July 9, 2015, for July 22, 2015, City Council Meeting  
SUBJECT: Appointment to the Human Relations Commission

RELATES TO STRATEGIC PLAN THEME: • An Effective Government

Action Requested:

Council approval of the following appointment:

***Human Relations Commission***

Denise Hughes-Tafen

(Councilor Kopczynski's new appointment to fill  
vacancy for term that expires 12-31-2017)

Discussion:

To fill the vacancy due to Debbie Berg's resignation.

Budget Impact:

None.

SK:ldh

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BOARD, COMMISSION, AND COMMITTEE APPLICATION

RECEIVED JUL 08 2015 City of Albany City Manager's Office

CITY HALL 33 Broadalbin Street SW P.O. Box 490 Albany, OR 97321-0144 www.cityofalbany.net

(541) 917-7500

(Please print legibly or type)

Board, Commission, and/or Committee Preference:

Human Relations Commission

(list all for which you are applying)

Name: Denise Hughes-Tafen Preferred First Name: Denise

Residential Information:

Home Address: Albany, OR 97321 Phone: 304-906-6134 Cellular: E-mail: detafen@me.com Fax: (Optional)

Employment Information:

Employer's Name: Linn Benton Community College Work Address: Family Connections, LBCC 6500 Pacific Boulevard SW Albany, OR Phone: (541) 917-4899 Cellular: E-mail: hughesd@linnbenton.edu Fax: (Optional)

Please provide information as requested below to describe your qualifications to serve on this City of Albany Board, Commission, or Committee. Feel free to provide additional information that you may wish to share with the City.

- List current or most recent occupation, business, trade, or profession: Inclusion Specialist, Linn Benton Community College (present) Early Intervention/ Early Child Education Specialist, LBL ESD EI/ ECSE program Instructor, College of Education, West Virginia University Teacher of English to second language adult learners, Montreal, Canada.

For City use only: Ward: (I) II III or Lives Outside City Limits (Circle One) If lives outside city limits, does applicant meet special definition for the specific b/c/c for which applying? Yes No If yes how?

BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

Page 2

- List community/civic activities. Indicate activities in which you are or have been active:

~~-Coordinating Committee Member, Community Action for Racial Equity, Albany OR Involved in disseminating information and participating in events targeted at access to equity for all.~~

~~-Oral history educator, Albany Regional Museum, Albany OR. Lead training sessions about oral history collection.~~

~~-CASA volunteer, CASA, Albany OR. Facilitated sessions for volunteers on cultural competency.~~

~~-First Christian Church, Albany OR. Children's Ministries. Assisted with the Children's Ministries.~~

~~Volunteer, LBL Early Childcare Special Education, Albany, Oregon. Served as a volunteer classroom assistant.~~

- Indicate why you are interested in serving on this board, commission, or committee and what other qualifications apply to this position.

~~I am interested in serving on this board because I am committed to working with others to create inclusive communities. I would like to contribute my skills and experiences to enhance the community I call home. I believe that the Human Rights Commission has a very important charge in adding quality to the lives of everyone who live here; to ensure that everyone feel welcomed and can access resources without bias.~~

~~I believe that my academic qualification (Ph. D Social/ Cultural Foundations of Education, M.S International Studies and Special Education) gives me a particular lens in examining communities and offering solutions. My personal experiences working and living with people who come from different walks of life enhance my ability to recognize needs and work towards solutions.~~

- What contributions do you hope to make?

~~-I am also hoping to contribute by creating spaces for dialogue about diversity and inclusion.~~

~~-Continue the work that has already been done in making Albany a welcoming town.~~

~~- Find out about factors/ situations that threaten the openness of our communities.~~

~~- Find out more about how social factors (poverty, immigration, race, disability) are affecting the lives of people living in Albany.~~

  
Signature of Applicant

  
Date



TO: Albany City Council  
FROM: Marilyn Smith, Management Assistant/Public Information Officer <sup>mms</sup>  
DATE: July 15, 2015, for the July 22, 2015, City Council Meeting  
SUBJECT: November and December 2015 Council Meeting Dates

RELATES TO STRATEGIC PLAN THEME: • An Effective Government

Action Requested:

Council's direction for changes in the meeting schedule for November and December.

Discussion:

Staff recommends the following meeting schedule for November and December.

***November***

- Monday, November 2 Work Session @ 4:00 p.m.
- Wednesday, November 4 Council Meeting @ 7:15 p.m.
- Monday, November 9 Work Session @ 4:00 p.m.
- Wednesday, November 11 City Holiday: Veterans' Day
- Monday, November 16 Potential date for Work Session or Meeting
- Wednesday, November 18 CARA & ARA Meetings @ 5:15 p.m.
- Monday, November 23 No Work Session or Meeting
- Wednesday, November 25 No Work Session or Meeting
- November 26 & 27 City Holidays: Thanksgiving & day after Thanksgiving

***December***

- Monday, November 30 No Work Session or Meeting;
- Wednesday, December 2 Council Meeting @ 7:15 p.m.
- Monday, December 7 Work Session @ 4:00 p.m.
- Wednesday, December 9 Council Meeting @ 7:15 p.m.
- Monday, December 14 Potential date for Work Session or Meeting
- Wednesday, December 16 CARA & ARA Meetings @ 5:15 p.m.
- Monday, December 21 No Work Session or Meeting
- Wednesday, December 23 No Work Session or Meeting
- Friday, December 25 City Holiday: Christmas
- Monday, December 28 No Work Session or Meeting
- Wednesday, December 30 No Work Session or Meeting
- Friday, January 1, 2016 City Holiday: New Year's Day

Budget Impact:

None.

MMS:ldh

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