

CITY OF ALBANY  
CITY COUNCIL  
Council Chambers  
333 Broadalbin Street SW  
Wednesday, July 22, 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: Mayor Sharon Konopa and Councilors Floyd Collins, Bill Coburn, Bessie Johnson, Rich Kellum, Ray Kopczynski, and Dick Olsen

Councilors Absent: None

SCHEDULED BUSINESS

Business from the Public

Tom Cordier, 2240 NW Park Terrace, said a second reading of the ordinance granting an electric utility franchise and general utility easement is on the agenda, and he looks at that as a failure of process. While the City claims this is a second reading, he claims that it is a first reading because the ordinance has changed. The other issue he wishes to speak to is the lack of transparency. The documentation indicates that compensation paid to the City will increase 2 percent; however, raising the City fee from 5 percent of gross revenue to 7 percent is actually a 40 percent increase in the amount paid to the City. He said it looks like the City is trying to hide something and he doesn't think that is right. He said, that 40 percent increase means something to some people. He is opposed in general to sales tax, and in particular he is opposed to targeted regressive sales tax, which he thinks this is. He encouraged the City Council to hold a hearing and see how people feel about what he believes is a 40 percent increase in the portion of the electric bill that goes to the City.

Second Reading of Ordinance

Granting an electrical utility franchise and general utility easement.

Konopa said two versions of the ordinance are on the dais (see agenda file). The original version has already had a first reading.

MOTION: Councilor Bill Coburn moved to have a second reading of the original ordinance. Councilor Dick Olsen seconded the motion, and it passed 6-0.

City Attorney Jim Delapoe read the ordinance for a second time in title only: AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE (AMC) CHAPTER 3.04, PRIVILEGE TAX – ELECTRICAL POWER AND LIGHT BUSINESS; GRANTING AN ELECTRIC UTILITY FRANCHISE AND GENERAL UTILITY EASEMENT TO PACIFICORP; AND DECLARING AN EMERGENCY.

MOTION: Coburn moved to adopt the ordinance. Councilor Ray Kopczynski seconded.

Councilor Rich Kellum said he explained at the Work Session that he thinks the emergency clause is used too much and that it should only be used when there is a real emergency. Konopa noted that Council has agreed to look at this issue.

The motion passed 5-1 with Kellum voting no, and was designated Ordinance No. 5855.

Delapoe said staff will bring back an amendment that will put the adopted ordinance in the proper place in the Albany Municipal Code and make clear that the privilege tax section will no longer apply to PacifiCorp.

City Manager Wes Hare referred to testimony about the financial impact of the change, and he clarified that for a \$100 electrical bill, the old rate resulted in a fee of \$5 and the new rate will result in a fee of \$7. A customer paying \$100 per month will pay \$24 more per year for the fee. The City has in no way tried to conceal the fee, and it is clearly laid out on the bills.

Adoption of 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.

Interim Public Works Operations Director Chris Bailey said Transit staff applied for a Federal Transit Administration grant for a replacement bus for the Linn-Benton Loop, and the State awarded the grant. Approval of this item will allow staff to accept the grant, purchase a new transit bus, retire a very-old bus, and put a less-old bus into backup service. These funds won't be budgeted for expenditure until Fiscal Year 2016-2017.

MOTION: Kopczynski moved to adopt the resolution. Councilor Floyd Collins seconded the motion, and it passed 6-0 and was designated Resolution No. 6443.

#### Adoption of Consent Calendar

- 1) Approval of Minutes
  - a) June 10, 2015, City Council Regular Session
  - b) June 22, 2015, City Council Work Session
- 2) Approving annual liquor license renewals
- 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 RES. NO. 6444
  - 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 RES. NO. 6445
    2. 11S04W12DB 08000 RES. NO. 6446

MOTION: Coburn moved to adopt the Consent Calendar. Olsen seconded the motion, and it passed 6-0.

#### Award of Contracts

##### Professional services agreement for owner's representative for fire and police stations project.

Engineering Manager Stacy Belcastro reviewed the staff report. Staff recommends that Council award a professional services agreement for owner's representative in the amount of \$275,000 to David Evans and Associates, Inc. The need for an owner's representative was identified during the needs assessment, which was completed during the preliminary design phase for the fire and police stations.

MOTION: Kopczynski moved to approve the requested action. Kellum seconded the motion.

Collins asked how this compares to the amount paid for similar services for the Library. Hare said staff could be asked to provide that information. Collins said his issue is with the State statute on how we acquire these services, by putting out a Request for Qualifications without knowing the price until we get into negotiations. He encourages continued work with the League of Oregon Cities to get that system changed in the future. He objects to the underlying statute but not to the requested action.

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

##### Professional services contract for architecture and engineering services for fire and police stations project.

Belcastro said staff recommends Council award a professional services contract for Phase II – Design Development and Phase III – Construction Services in the amount of \$1,564,480 to Mackenzie.

Collins asked if the contract amount is a not-to-exceed value. Belcastro said yes, all billings are on a time and materials not-to-exceed basis.

MOTION: Collins moved to approve the requested action. Councilor Bessie Johnson seconded the motion and it passed 6-0.

#### Approval of Contract Increase

##### Contract increase in excess of ten percent (10%) to Pacific Excavation for SS-15-03, Century Drive Lift Station Improvements.

Belcastro said staff recommends that Council approve a construction contract increase in excess of 10 percent to Pacific Excavation for the Century Drive Lift Station improvements.

In response to inquiries from Council, Belcastro said that this was a case where the as-builts were inaccurate. The previous contractor is not the current contractor. Collins said this shows the value of having good as-builts.

MOTION: Kopczynski moved to approve the contract increase. Kellum seconded the motion, and it passed 6-0.

Approval of Agreement

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.

Assistant City Manager/Chief Information Officer Jorge Salinas gave a slide presentation and report on CAD/RMS Project Phase 1, a Request for Proposal process to identify qualified vendors to replace the CAD/RMS for both the Linn County Sheriff's Office and the City of Albany. The upgrade is needed because the current system is 25 years old and it is not compatible with Windows 8.1, to save time that officers currently spend making entries in multiple systems, and to address concerns that have been expressed by Council and others. In addition, the current Oregon Uniform Crime Reporting format is set to retire in 17 months.

Salinas said that, in evaluating the responding vendors, consideration was given to LCSO and City of Albany user and system requirements (30%), ease of use (20%), vendor interviews (10%), reference checks (15%), and cost (25%). The four vendors involved were PSSI, CMI, SunGard, and New World. SunGard and New World had the highest score in terms of system requirements and ease of use. CMI had the highest score in terms of cost; however, the system did not meet the requirements for the multi-jurisdictional approach. After a very detailed selection process, SunGard obtained the highest overall score and is the team's recommended vendor for LCSO and City of Albany CAD/RMS implementation. The forecasted project cost is \$1.3 million, of which LCSO's portion is \$684,000 and the City's portion is \$616,000. He reviewed the detail cost distribution and budget impact information as detailed in the written staff report. Staff is seeking council approval to continue work with LCSO under an existing Intergovernmental Agreement to share in the purchase and upgrade of the City of Albany and LCSO CAD/RMS and Corrections System. City of Albany funding for the project will come out of the Information Technology Equipment Replacement fund as a loan to the Fire Department and Police Department.

In response to an inquiry from Kopczynski, Salinas said the Linn County Commissioners have approved the request.

MOTION: Kellum moved to approve the requested action. Kopczynski seconded the motion.

Hare clarified that the motion will approve the City's expenditure of \$616,000 as its share of the new CAD/RMS system.

Kellum said he thinks the payoff in terms of officers' time will be substantial, in reducing the time required to enter information into multiple systems.

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

Appointment

Appointing Denise Hughes-Tafen to the Human Relations Commission.

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

Report

November and December 2015 Council meeting dates.

Konopa referred to the staff memo and proposed Council meeting schedule for November and December 2015. There was consensus to adopt the schedule as presented.

**BUSINESS FROM THE COUNCIL**

Belcastro distributed and reviewed a memo dated July 21, 2015, regarding the vacation of a portion of Cathy Creek within City right of way (see agenda file). Staff recommends that Council initiate street vacation proceedings for the Police station project and direct staff to prepare the street vacation application. Initiating this street vacation facilitates coordination of the street vacation application with the conditional use application for the Police station. Initiating the street vacation is not a decision on the future street vacation application or the Police station conditional use application. It is recommended that any future decision to approve a street vacation be contingent upon approval of the Conditional Use application.

MOTION: Collins moved to initiate street vacation proceedings and direct staff to prepare a vacation application for a portion of Cathy Creek for the proposed police station. Kopczynski seconded the motion and it passed 6-0.

Johnson referred to a recent newspaper article about the City's new e-plan system, including how well it is working and how much money it may save in the future. She commended staff on getting that implemented.

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Kopczynski reported that he attended a very positive meeting yesterday with the Albany Visitors Association and some local hoteliers, as well as Sandy Roberts from the Albany Police Department. A lot of information was shared and another meeting is scheduled for late October.

NEXT MEETING DATE

Work Session: August 10, 2015  
Regular Session: August 12, 2015

ADJOURNMENT

There being no other business, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Reviewed by,

Teresa Nix  
Administrative Assistant

Wes Hare  
City Manager