



Revised

NOTICE OF PUBLIC MEETING
CITY OF ALBANY
CITY COUNCIL
Council Chambers
333 Broadalbin Street SW
Wednesday, August 12, 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. SPECIAL PRESENTATIONS
 - a. Police Department Lifesaving Award. [verbal]
Action: _____
 - b. Seeking Council's endorsement for the American Legion Post 10 to pursue a Flag City designation for the City of Albany. – Steve Adams, Post 10 Commander [verbal]
Action: _____
5. SCHEDULED BUSINESS
 - a. Business from the Public
 - b. Adoption of Resolutions
 - 1) Authorizing the City Manager to sign a property lease agreement with Greater Albany Public Schools for the use of the South Albany High School Community Pool through June 2019. [Pages 3-9]
Action: _____ RES. NO. _____
 - 2) Authorizing the City of Albany Parks and Recreation Department to accept a Boating Facility Grant from the Oregon State Marine Board for the replacement of the Bowman Park rest room building and delegating authorizing to the Parks and Recreation Director to sign related documents. [Pages 10-12]
Action: _____ RES. NO. _____
 - c. Adoption of Consent Calendar
 - 1) Approval of Minutes
 - a) June 24, 2015, Regular Session minutes. [Pages 13-17]
 - b) July 6, 2015, Work Session minutes. [Pages 18-19]
 - 2) Extending workers' compensation coverage provided by CityCounty Insurance Services (CIS) to City of Albany volunteers. [Pages 20-22] RES. NO. _____
Action: _____
 - d. Appointment
 - 1) Reappointing Mario Lattanzio to the Linn County Local Public Safety Coordinating Council. [Page 23]
Action: _____
 - e. Report
 - 1) Recommending approval of expenditure of up to \$150,000 in Water Economic Development funds to facilitate fire line backflow device compliance. [Pages 24-25]
Action: _____

6. BUSINESS FROM THE COUNCIL
7. NEXT MEETING DATE: Work Session: August 24, 2015
Regular Session: August 26, 2015
8. ADJOURNMENT

City of Albany Web site: www.cityofalbany.net



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Ed Hodney, Director of Parks and Recreation *EH*
DATE: August 5, 2015 for the August 12, 2015 City Council Meeting
SUBJECT: Renewal of South Albany Community Pool Lease
RELATES TO COUNCIL GOAL: ● Great Neighborhoods

Action Requested:

Adopt a resolution authorizing the City Manager to sign a property lease agreement with Greater Albany Public Schools for the use of the South Albany High School Community Pool through June 2019.

Discussion:

In May 2005, the Albany City Council authorized a three-year property lease agreement with Greater Albany Public Schools (GAPS). The lease was renewed in 2008 and expired in 2011. The City's use has continued on a year-to-year basis.

A new lease is proposed, providing for the City's use of the pool until June 2019. All original conditions and responsibilities from the original lease remain the same. The agreement limits the City's financial obligations to routine expenses related directly to the staffing and operations of the swimming pool, making the district responsible for maintenance of the building itself. The lease gives the City full control over the scheduling, programming and management of the pool, including all revenues generated at the facility. In consideration for the leased space, the City will pay GAPS \$100 rent annually and will allow the District to use the pool up to 800 hours per year for its educational purposes.

Either party may exercise their right to terminate the lease pursuant to section 18.

Budget Impact:

The Parks and Recreation budget (Aquatics Program 202-35-10) provides sufficient funds for the routine operation, maintenance, and staffing of the community pool and related programs.

Attachment: Resolution
Proposed Lease

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A PROPERTY LEASE AGREEMENT WITH GREATER ALBANY PUBLIC SCHOOLS FOR THE USE OF THE SOUTH ALBANY HIGH SCHOOL COMMUNITY POOL THROUGH JUNE 2019

WHEREAS, City of Albany, Oregon City Council previously authorized the lease of the community pool from Greater Albany Public Schools for the City's aquatics programs; and

WHEREAS, the most renewal of the original lease has expired, and the City has been operating the community pool on a year-to-year basis; and

WHEREAS, a new lease has been negotiated to continue the lease arrangement through June 2019 unless terminated with adequate notice by either party; and

NOW, THEREFORE, BE IT RESOLVED the City Council hereby authorizes the City Manager to sign the lease with Greater Albany Public Schools.

DATED AND EFFECTIVE THIS 12th DAY OF AUGUST 2015.

ATTEST:

Mayor

City Clerk

LEASE

Date: July 28, 2015

Between: Greater Albany Public School District 8J (*"District"*)

And: City of Albany, Oregon, a Municipal Corporation (*"City"*)

Section 1. Lease

District leases to City and City leases from District that public recreation facility commonly known as the Albany Community Pool, along with related facilities, more particularly described with reference to the diagram attached hereto as Exhibit "A" and by this reference incorporated herein. The property has street address of 3685 Columbus Street SE; Albany, OR 97322.

Section 2. Occupancy

2.1 Term. The term of this lease shall commence July 1, 2011, and continue through June 30, 2019, unless sooner terminated as provided herein.

2.2 Renewal. While no renewal obligation is contained within the terms of this lease, the parties hereto express to one another their desire to enter into renewal discussions and agree that should either party seek renewal at the end of the original term, they will open discussions not later than January, 2019.

Section 3. Consideration

Consideration. As consideration for this lease, City shall pay the District \$100 as prepaid rent for this lease period. The receipt of this sum, and adequacy of the consideration is acknowledged by District. As additional consideration, City agrees that during the time that the Albany Community Pool is being operated by City, it will provide 800 hours per year, of Albany Community Pool facilities for District educational programs which do not generate financial revenue from the use of the Albany Community Pool facilities. City will have exclusive control over the scheduling of such use but agrees to work cooperatively with District to coordinate community use of the leased facilities. The 800 hour per year commitment shall run from lease anniversary date, to lease anniversary date, and not on a calendar or fiscal year basis.

Section 4. Use of the Premises

Permitted Use. City may use the Premises for any lawful activity related to or incidental to City's recreation activities conducted through City's Parks and Recreation Department. City shall be entitled to all revenue generated from use of the Premises.

Section 5. Repairs and Maintenance

Obligations. City will be responsible for the ordinary and routine operating costs to utilize the Albany Community Pool and its related facilities. These obligations will include utility expenses, chemical expenses, staffing expenses, and routine internal maintenance and cleaning. District shall be responsible for repairs and maintenance of the roof, gutters, exterior walls, bearing walls, structural members, floor slabs, and foundation. District shall maintain the driveways, curbs, parking areas, and areas used in common by City and District. District shall maintain water, sewage, gas, and electrical services up to the point of entry to the leased Premises and shall be responsible for any repairs of the heating and air conditioning systems other than ordinary maintenance.

Section 6. Extraordinary Expenses

In the event that the leased facilities require extraordinary expenses outside the ordinary maintenance and repair obligations described in Section 5, the parties agree to immediately communicate with one another concerning the nature of the problem and the extent of anticipated repairs and to thereafter work cooperatively to determine if agreement can be reached concerning an equitable division of the expenses of repair. Upon notification by City to District that an extraordinary repair is required, City may suspend operation of the Albany Community Pool.

Areas that may need attention in the next three years, in accordance with extraordinary expenses, are the pool deck and the potential for separation of the concrete bottom.

If the parties cannot agree on an equitable division of the expenses of extraordinary repair, either party may exercise their rights under the termination clause hereinafter provided.

Section 7. Liability Insurance Prior to use and possession of the District's swimming pool and general premises, the City of Albany shall procure and keep in force during the term of the lease, and at City's expense, the following insurance coverage with an insurance company(s) approved by District and licensed to do business in the State of Oregon:

- General Liability Insurance with limits no less than the Oregon Tort Claim Act cap limit per occurrence and \$5,000,000 in the aggregate;
- Workers' Compensation Insurance, statutory limits, minimum EL limits of \$500,000, 500,000, \$500,000; and
- Auto Liability Insurance with limits no less than \$1,000,000 Combined Single Limit.

Such insurance shall name the District as an additional insured. Certificates evidencing such insurance and additional insured endorsement shall be provided prior to possession and use of the facility. The City's insurance shall also mail a 30 day notice of cancellation in favor of the District.

District agrees that the requirement for City to procure and keep in force insurance coverage, as set forth above, shall be deemed satisfied so long as City maintains its status as a Member of City County Insurance Services Trust ("CIS") and maintains coverage through CIS as described in the CIS Liability Coverage Agreement and CIS Workers' Compensation Coverage Agreement, with limits of coverage at least equal prescribed in this section.

Section 8. Indemnification

The City shall indemnify and defend District from, and reimburse District for, any cost, claim, loss, or liability suffered directly or from a third-party claim arising out of or related to any activity of City on the Premises or any condition of the Premises in the possession or under the control of City including, but not limited to, parking areas and sidewalks used to access the Premises except for such cost, claim, loss, or liability that may be caused primarily by District's own negligence. The District shall indemnify and defend City from, and reimburse City for, any cost, claim, loss, or liability suffered directly or from a third-party claim caused primarily by District's own negligence involving the Premises.

Section 9. Liens

(1) Except with respect to activities for which District is responsible, City shall pay as due all claims for work done on and for services rendered or material furnished to the Premises, and shall keep the Premises free from any liens. If City fails to pay any such claims or to discharge any lien, District may do so and collect the cost as additional rent. Any amount so added shall bear interest at the rate of 12% per annum from the date expended by District and shall be payable on demand. Such action by District shall not constitute a waiver of any right or remedy which District may have on account of the City's default.

(2) City may withhold payment of any claim in connection with a good-faith dispute over the obligation to pay, as long as District's property interests are not jeopardized. If a lien is filed as a result of nonpayment, City shall, within 10 days after knowledge of the filing, secure the discharge of the lien or deposit with District cash or their surety satisfactory to District in an amount sufficient to discharge the lien plus any costs, attorney fees, and other charges that could accrue as a result of a foreclosure or sale under the lien.

Section 10. Fire Insurance

(1) **Insurance Required.** District shall keep the Premises insured at District's expense against fire and other risks covered by a standard fire insurance policy with an endorsement for extended coverage. The City shall bear the expense of any similar insurance insuring the property of the City on the Premises against such risks but shall not be required to insure.

(2) **Waiver of Subrogation.** Neither party shall be liable to the other (or to the other's successors or assigns) for any loss or damage caused by fire or any of the risks enumerated in a standard fire insurance policy with an extended coverage endorsement, and in the event of insured loss, neither party's insurance company shall have a subrogated claim against the other. This waiver shall be valid only if the insurance policy in question expressly permits waiver of subrogation or if the insurance company agrees in writing that such a waiver will not affect coverage under the policies. Each party agrees to use best efforts to obtain such an agreement from its insurer if the policy does not expressly permit a waiver of subrogation.

Section 11. Taxes

(1) **Property Taxes.** In the event that District, City or either parties' assigns are somehow required to pay taxes and assessments regarding the premises, such taxes and assessments shall be paid by City. City shall pay as due all taxes on its personal property located on the Premises. City shall pay as due all real property taxes and special assessments levied against the Premises. As used herein, real property taxes include any fee or charge relating to the ownership, use, or rental of the Premises, other than taxes on the net income of District or City.

(2) **Contest of Taxes.** City shall be permitted to contest the amount of any tax or assessment as long as such contest is conducted in a manner that does not cause any risk that Landlord's interest in the Premises will be foreclosed for nonpayment. District shall cooperate in any reasonable manner with such contest by City.

(3) **Proration of Taxes.** City's share of real property taxes and assessments for the years in which this lease commences or terminates shall be prorated based on the portion of the tax year that this lease is in effect.

(4) **New Charges or Fees.** If a new charge or fee relating to the ownership or use of the Premises or the receipt of rental therefrom or in lieu of property taxes is assessed or imposed, then, to the extent permitted by law, City shall pay such charge or fee. City, however, shall have no obligation to pay any income, profits, or franchise tax levied on the net income derived by District from this lease.

Section 12. Utility Metering Reading

(1) City shall pay when due all charges for services and utilities incurred in connection with the use, occupancy, operation, and maintenance of the Premises, including (but not limited to) charges for fuel, water, gas, electricity, sewage disposal, power, refrigeration, air conditioning, telephone, and janitorial services.

(2) District agrees to pay the costs to provide separate utility metering for electric, gas, and water utilities for the leased Premises. City's obligation to pay utility expenses shall not begin until such separate metering as been installed.

Section 13. Parking

The leased Premises shall include not less than the number and location of dedicated Pool parking spaces as existed on May 1, 2014 without mutual consent.

Section 14. Eminent Domain

All proceeds of condemnation whatsoever, whether partial or total, shall go to District. City shall not have recourse against District for compensation.

Section 15. City's Right to Install Signage and Make External Modifications

Notwithstanding any other provisions of this agreement, City shall have the right to install signs and paint portions of the exterior of the Albany Community Pool building as City may deem necessary or desirable to enhance community usage and identify the facility as one being operated under City control. Such signage and painting will be undertaken at City expense. District will be consulted concerning the design and location of any such signage.

At the end of the lease term, upon demand of the District, City shall remove any signage or painting installed by City which is deemed by District to be incompatible with facilities future use.

Section 16. Disputes, Arbitration, Court.

If any dispute arises between the parties involving this agreement either party may request for final and binding arbitration. Only one arbitrator shall be utilized. That arbitrator shall be decided upon mutual consent of the parties. If the parties cannot agree, then the Linn County Circuit Court shall decide the arbitrator.

Section 17. Assignment and Subletting

No part of the Premises may be assigned, mortgaged, or subleased, nor may a right of use of any portion of the property be conferred on any third person by any other means, without the prior written consent of District; such consent may be unreasonably withheld.

Section 18. Termination

(1) Either party may terminate this agreement for reason listed in Section 6 above by giving the other party written notice in which event, both parties shall be relieved of any requirements of this Agreement and the District may retake possession of the leased premises. If there is a suspension of pool operations under Section 6, the District may terminate this Agreement and both parties shall be relieved of any requirements of the Agreement.

(2) Except as provided in Sections 6 and 19(1) above, either party may terminate this agreement, without cause, by giving six (6) months notice, in writing, to the other party.

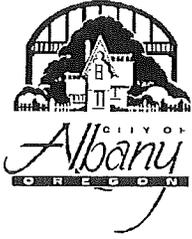
IN WITNESS WHEREOF, the parties hereto have executed this Lease the date and year first above written.

District:

By: _____
Title: _____

City:

By: _____
Title: _____



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Ed Hodney, Director of Parks and Recreation
DATE: August 5, 2015 for the August 12, 2015 City Council Meeting
SUBJECT: Resolution to accept a grant application for replacement of the Bowman Park restroom building

RELATES TO STRATEGIC PLAN THEME: ● Great Neighborhoods

Action Requested:

Consider a resolution authorizing the City of Albany Parks and Recreation Department to accept a Boating Facility Grant from the Oregon State Marine Board for the replacement of the Bowman Park restroom building and delegating authority to the Parks and Recreation Director to sign related documents.

Discussion:

By Resolution No. 6401, the Albany City Council authorized an application for grant funds from the Oregon State Marine Board to replace the existing public restroom building in Bowman Park. The project has since been approved by the Marine Board. The project budget is \$110,995, of which \$83,100 is supplied by the grant and the balance by the Parks and Recreation Fund. The City's share is in the form of in-kind services and force account labor. Parks and Recreation staff will manage the project.

The project should be completed by Fall 2015.

Budget Impact:

The City's matching funds and in-kind services are included in the adopted FY 2015-2016 budget. However, the budget will have to be amended through a supplemental appropriation to receive and spend the grant funds. Staff will bring back a supplemental request to a future Council meeting when we have received contract documents.

Attachment: Resolution

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY OF ALBANY PARKS & RECREATION DEPARTMENT TO ACCEPT A BOATING FACILITY GRANT FROM THE OREGON STATE MARINE BOARD FOR THE REPLACEMENT OF THE BOWMAN PARK RESTROOM BUILDING, AND AUTHORIZING THE PARKS & RECREATION DIRECTOR TO SIGN RELATED DOCUMENTS.

WHEREAS, the Oregon State Marine Board has awarded the City of Albany a Boating Facility Grant in the amount of \$83,100; and

WHEREAS, the City of Albany desires to participate in this grant program to the greatest extent possible as a means of providing needed park and recreation acquisitions, improvements and enhancements; and

WHEREAS, the City of Albany City Council has identified the replacement of the Bowman Park restroom building as a high priority need in the City of Albany; and

WHEREAS, the applicant has previously certified that the matching share for this application is readily available at this time in the Parks & Recreation Fund.

NOW, THEREFORE IT BE RESOLVED that the City of Albany Parks & Recreation Department is authorized to accept the Boating Facility Grant from the Oregon State Marine Board, and that the Parks and Recreation Director be authorized to sign related documents.

DATED AND EFFECTIVE THIS 12th DAY OF AUGUST, 2015.

Mayor

ATTEST:

City Clerk



Oregon

Kate Brown, Governor

State Marine Board

435 Commercial St NE, Suite 400

PO Box 14145

Salem, OR 97309-5065

(503) 378-8587

Fax (503) 378-4597



July 6, 2015

Gary Carlson, Park Operations Supervisor
City of Albany
PO Box 490
Albany, OR 97321

RE: Facility Grant #1539 Bowman Park
Flush restroom replacement project

Dear Mr. Carlson;

I am pleased to inform you that the State Marine Board approved a grant for \$83,100 in dedicated state recreational boater funds for the above referenced Boating Facility Grant at its June 23, 2015 meeting in Salem, Oregon.

Altogether, the Board awarded 29 projects obligating nearly \$2.6 million in dedicated recreational boater funds for recreational boating improvements worth nearly \$6.7 million statewide. Your project, along with the other approved grants will help serve Oregon's boaters, encourage local tourism, and contribute to local economies.

A cooperative grant agreement will be sent to you electronically within the next 30 days. Please remember that according to Boating Facility Program rules you may not begin any construction until the Cooperative Agreement is signed by all parties. We are pleased to be able to enter into this partnership with you and look forward to the successful completion of this project by June 30, 2017. If you have any questions about this grant project contact Janine Belleque, Boating Facility Manager at 503-378-2628 or email janine.belleque@state.or.us.

Sincerely,

Scott Brewen
Director

Cc: Senator Sara Gelser
Representative Andy Olson
Stella Transue, City of Albany



CITY OF ALBANY
CITY COUNCIL
Council Chambers
Wednesday, June 24, 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

Konopa led the pledge of allegiance to the flag.

ROLL CALL

Councilors present: Councilors Rich Kellum, Bessie Johnson, Ray Kopczynski, Dick Olsen, and Floyd Collins.

Councilors absent: Councilor Bill Coburn was excused.

SCHEDULED BUSINESS

ROLL CALL

SPECIAL PRESENTATION

Marketing plan for the Linn County Fair & Expo Center.

Greg Hansen, of GQG International, said his firm was retained a month ago to help Linn County with marketing and outside sales. They have been in "discovery and assessment" mode. He thanked Councilor Rich Kellum for arranging the presentation tonight. He said GQG's emphasis is on securing more events at the Expo Center, especially events involving overnight stays in Albany. To do that, we need to assess what is, define what ought to be, and decide how to get there.

Hansen presented a list of questions they've been asking to do an assessment (see agenda file). The Expo has a lot of competitors. He asked, how do we position ourselves to compete? How do we measure success? Albany is a wonderful community. Having events come here will be huge for the community, and will make others aware of Albany's amenities. The next step is to draft a marketing strategy. We will need metrics to measure success. We are all marketing partners for the Expo Center, and we can all participate by spreading the word. Most people want to help, if you ask.

Councilor Floyd Collins asked if GQG is doing a physical assessment of the Expo Center facility, and if they will develop a capital budget or a plan to bring it back to the desired level. Hansen said he was asked to take a comprehensive look at the Fair and Expo. They will be suggesting some improvements to make it a "Class A" facility.

Collins mentioned the Albany Airport, which is one of the few in the northwest where people can fly in to an event center. The City's Master Plan calls for getting aircraft right into the Expo Center. Aircraft and the Expo Center together would attract a core group of people and benefit both. Hansen said I-5 is the biggest asset. According to the Oregon Department of Transportation, 50,000 vehicles travel I-5 through Albany both ways, every day. Albany needs to have attractions so they stop here.

Councilor Dick Olsen asked if Hansen had talked to any local hoteliers. Hansen said he has visited all ten of them, some of them a couple of times. They are very supportive. They've made a significant investment here and want to be full, especially mid-week and off-season. Olsen asked if Hansen will write an initial report stating where we are now. Hansen said yes. Olsen asked if he would include statistics for rooms rented in the report as a baseline to measure improvement. Hansen said yes. GQG will be considering hotel and Expo Center rates in comparison with other venues.

Hansen invited emails or telephone calls with other ideas and questions.

PROCLAMATION

Community Accessibility Awareness Month

Konopa read the proclamation. She said many will realize the importance of accessibility as they age.

SCHEDULED BUSINESS

Public Hearings

1) Setting rates for wastewater system use and repealing Resolution No. 6332.

Open: Konopa opened the public hearing at 7:38 p.m.

Assistant Public Works Director/City Engineer Jeff Blaine showed a Power Point presentation (see agenda file). The resolution is for a 9% increase in sewer rates. He explained where the money goes (debt repayment, operations and maintenance, capital investment).

Kellum asked if having our own Cured in Place Pipe equipment would be more reasonable than contracting out. Wastewater Collections Supervisor Jeff Gill said staff has looked into it, but the number of incidents does not warrant purchasing our own equipment.

Blaine explained why Public Works is proposing a rate increase. Several years ago, Public Works and the Council looked at the results of a condition survey and identified a required dollar amount to address the worst problems. The goal was to reach \$2.6 million by 2017. It's easier for people to accept predictable, moderate rate increases than one large rate increase. In May of 2014, staff estimated that a 9% increase in sewer rates would be needed in July 2015. Updated information suggests that a 6% increase would keep the City on track to reach the funding goal. This is because, last year, Council approved an 8% increase instead of the minimum 6% increase. Based on that action, Council could decide to "buy down" this requested increase from 9% to 6%.

Blaine remembers that last year's discussion of large capacity needs to meet regulatory requirements drove the 8% increase. If that is still a concern for the Council, they can choose to approve the requested 9% this year. If they would rather set the concern aside for now, they can choose to approve 6%. He showed slides describing the impact of each increase to residential sewer bills.

Blaine said rate revenue has generally increased over the last five years, consistent with the adopted rate increases. System Development Charges (SDC) revenues fluctuate with building activity. Public Works is conservative in projecting SDC revenues. If they are better than expected, it could have a positive effect on future rates. In the next few years, the City will exhaust its SDC reserves, which pay part of the debt payment for the Water Reclamation Facility and Talking Water Gardens. He said, if we run out of SDC reserves, we will need to use rate revenue to cover SDC's share, which would require rate increases in order to maintain the target amount available for perpetual life replacement projects. It will likely happen, but we don't know yet to what degree. Restructuring of operations and maintenance processes has helped to reduce the annual increase in expenditures, but we still expect to see expenditures increase over time.

Collins asked, given the \$2.6 million and the condition survey, what pieces would fail in the next five years? Blaine described the coding system for pipes. There are about 222 miles of gravity pipes. Collins said that over 10 percent of the 222 miles is likely to fail in 10 years. Blaine said, in the last few years before the plan, we were not spending enough money on the wastewater collection system. The \$2.6 million target allows somewhere between a 100-year and 200-year replacement schedule.

There was no one signed up on the signup sheet (see agenda file).

No one in the audience wished to testify.

Close: Konopa closed the public hearing at 8:07 pm.

Councilor Ray Kopczynski said that since Parks & Recreation is also increasing their rates, he would like to stay with the 6% sewer rate increase. Blaine noted that there was a resolution on the dais calling for a 6% increase (see agenda file).

MOTION: Kopczynski moved to adopt the revised resolution on the dais for a 6% increase and Kellum seconded it. The motion passed 5-0 and was designated Resolution No. 6427.

2) Adjustments to System Development Charges and connection charges.

Konopa declared the public hearing open at 8:09 p.m.

Civil Engineer III Jeni Richardson, P.E., called attention to replacement page 51 on the dais, which corrects a minor error in the sewer connection charge resolution (see agenda file).

Richardson explained that System Development Charges (SDCs) and connection fees are in place to make sure that as the community develops, new development helps pay its share of the cost for services. Each year the SDCs and the connection charges are evaluated for a potential increase based on the Engineering News Record (ENR), which tracks the cost of construction. The closest index, and one the City has used historically, is the Seattle index.

Richardson said the items before the Council are annual adjustments to all the SDCs and connection charges based on this year's ENR index of 2.41%. The Albany Municipal Code says the increases are made

automatically; however, it has been Council's tradition to hold a public hearing. The one exception to the index increase is the Transportation SDC, which has two increases proposed: the index increase and also a ramp increase. When the new Transportation System Plan was implemented a few years ago, rather than implement the full fee all at once the Council chose to look at economic indicators. As long as the indicators were positive they would implement the ramp increase over five years. This is the fifth and final year of the ramp process.

Richardson said that the agenda packet also includes some special cases, such as the North Albany in-lieu-of assessments for sewer work that was done in the early 1990's, and the Columbus Street sanitary sewer lift station work done in the late 1990's. In each case, the City prepaid some improvements and as development happens it is paid back in today's dollars.

There was no one listed on the signup sheet (see agenda file).

No one in the audience wished to testify.

Konopa closed the public hearing at 8:12 p.m.

MOTION: Kopczynski moved to adopt System Development Charges and connection charges resolutions a) through d) and f) through j) as presented; and for item e), to adopt the revised resolution on the dais. Collins seconded the motion.

Councilor Bessie Johnson asked what area the in-lieu-of assessment was in. Richardson identified item h), the North Albany sanitary sewer basin, in early 1990s, and item i), the Columbus Street sanitary lift station. She confirmed that the assessments are being paid, not forgiven.

Collins said, the staff report says that the City Council would use forward-looking economic indicators in setting rates. When the indicators are positive, rates rise. This reflects the continuation of that policy.

VOTE: A vote was taken on the motion and it passed 5-0 and was designated as follows:

- a) Revising water system development charges, reaffirming an appeal fee, and repealing Resolution No. 6334. RES. NO. 6428
- b) Revising transportation system development charges for impacts to the Albany Transportation System, reaffirming the appeal fee, and repealing Resolution No. 6417. RES. NO. 6429
- c) Revising sewer system development charges for connection to the public sanitary sewer system, reaffirming an appeal fee, and repealing Resolution No. 6336. RES. NO. 6430
- d) Revising connection charges for street connections to improved city streets of unassessed properties in the city of Albany and repealing Resolution No. 6337. RES. NO. 6431
- e) Revising connection charges for sewer connections of unassessed properties in the city of Albany and repealing Resolution No. 6338. RES. NO. 6432
- f) Revising connection charges for water connections of unassessed properties in the city of Albany and repealing Resolution No. 6339. RES. NO. 6433
- g) Revising connection charges for storm connections of unassessed properties in the city of Albany and repealing Resolution No. 6340. RES. NO. 6434
- h) Revising in-lieu-of assessment charges for the North Albany sanitary sewer basin and repealing Resolution No. 6341. RES. NO. 6435
- i) Revising special connection charges for a portion of the Columbus Street sanitary sewer lift station project costs, which are allocated to unassessed properties within the lift station service area, and repealing Resolution No. 6342. RES. NO. 6436
- j) Revising the improvement assurance charges for the non-oversized portion of future arterial and collector street improvements for streets located within the North Albany area and repealing Resolution No. 6343. RES. NO. 6437

Business from the Public

There was none.

b. Adoption of Resolutions

1) Adopting the 2014-2015 Supplemental Budget.

Finance Director Stewart Taylor said there are two reasons for a supplemental budget. One is revision of an action that the Council gave direction on earlier. In this case, the Building Division is transferring money back to the Settlement fund to prepay their portion of the loan for Accella. The other reason is for adjustments to individual line items. As an example, 2014's dry summer caused more maintenance expense for parks and ball fields. It isn't known until late in the budget year whether the expenses will exceed the budget authority allowed when the budget was adopted. The supplemental budget transfers from an under-spent item to an exceeded item to stay within the budget for the program or category. This is still consistent with the action of the City Council when the budget was adopted.

Collins said on page 65 there are two transfers out, for in-lieu-of franchise fees. These fees are calculated on revenue generated internally to the City, and excludes the revenue requirement for debt service. Taylor said that is correct. He described the policy. Collins said he wants to be sure capital is excluded. Taylor said it is.

MOTION: Kellum moved to approve the resolution adopting the 2014-2015 Supplemental Budget and Kopczynski seconded it. The motion passed 5-0 and was designated Resolution No. 6438.

- 2) Approving exemption from the competitive bidding requirements through a contract with Kittitas County Public Hospital District 2 and Braun Northwest, Inc.; issuing a notice to aware a proposed contract with Braun Northwest, Inc.; and authorizing the Fire Chief to enter into a contract with Braun Northwest, Inc., not to exceed \$130,649 to remount/refurbish a 2006 Lifeline ambulance.

Fire Chief John Bradner said the Fire Department has three ambulances built in 2006. Last year, Council approved waiving competitive bidding to remount one of the units. In this budget, the Department is asking to again waive competitive bidding to buy an ambulance from Kittitas County.

Kellum asked Bradner to clarify that they can waive the bid process because the bid process already happened somewhere and we are tagging onto it. Bradner said yes.

Kopczynski thanked the Fire Department for trying to make do with what they have. Bradner said rebuilding instead of buying new will mean a significant cost savings.

MOTION: Kellum moved to approve the resolution and Kopczynski seconded it.

Johnson asked how long it would take to get the new ambulance. Bradner said it will be towards the end of summer or early fall before it arrives.

Olsen asked how long the medical unit box lasts. Bradner said the boxes last about twice as long as the chassis. The department hopes to get about 20 years out of them.

VOTE: A vote was taken on the motion and it passed 5-0 and was designated Resolution No. 6439.

- 3) Repealing Resolution No. 6344 and revising fees and charges for Parks and Recreation services for FY2015-2016.

Konopa asked Parks & Recreation Director Ed Hodney about COOL! Pool fees. Hodney said the youth fees are going up by 25 cents. Konopa asked if we still offer a low-cost pass for children that live right in the COOL! Pool neighborhood. Hodney said that they have a fund that's largely privately funded and is used to buy down the cost of the experience for those who can't afford it. Some people use the pool for very low cost compared to the market rate. Johnson asked how people find out about the program. Hodney said it's heavily promoted in Parks & Recreation flyers. They have similar funds for all activities, not just the pools. It's fairly well known in the community.

Kellum asked about softball fees, which are higher for coed teams than for single-sex teams. Hodney said there are costs associated with coed leagues that don't occur with the other leagues.

MOTION: Johnson moved to adopt the resolution and Kopczynski seconded it. The motion passed 5-0 and was designated Resolution No. 6440.

Adoption of Consent Calendar

- 1) Approval of Minutes
 - a) April 22, 2015, City Council Regular Session.
 - b) May 18, 2015, City Council Work Session.
- 2) Approving liquor licenses for:
 - a) Ds Albany, LLC, d/b/a 76 Food Mart, 3135 Santiam Highway SE.
 - b) Azteca Real 2, LLC, d/b/a Azteca Real Mexican Family Restaurant, 2987 Santiam Highway SE.
- 3) Approving annual liquor licenses.

MOTION: Kopczynski moved to adopt the Consent Calendar as presented. Johnson seconded the motion and it passed 5-0.

Report

Selection of owner's representative for new fire and police stations.

Engineering Manager Staci Belcastro referred to a memo on the dais (see agenda file). She said staff is requesting approval by motion to begin negotiations with David Evans & Associates. The owners representative will do project management during design and construction. The position was included in the project costs the Council reviewed in February. Evans' team has a lot of experience locally and throughout

the Northwest. Most of them live in and around Albany. Belcastro thinks they are very qualified and will look after Albany's best interests. Public Works will bring a request to award the contract to the Council, probably the second meeting in July.

Konopa said David Evans & Associates has done several projects in Albany, including the train station, the North Albany Park & Ride, the seismic upgrade at the Vine Street Water Treatment Plant, and the sidewalk replacement on Gibson Hill.

Collins said he dislikes the "two-envelope" process even though it is consistent with state law. It requires a city to select a proposal, and then negotiate the contract, yet one of the important things to evaluate with a proposal is the price. City Manager Wes Hare said the idea behind the process is to get the most qualified proposal, not just the cheapest.

Konopa asked, if David Evans' price is too high, can we reject it? Belcastro said yes, we could start negotiations with the number two proposer. She said they could go through all six proposers if necessary. All six proposers were responsive and well-qualified.

MOTION: Collins moved to approve to begin negotiating a contract for the Police and Fire Station Project Owner's Representative to provide professional, technical, and expert project management services to oversee the preliminary design contract and the construction of the Police and Fire Station Project with the apparent successful proposer, David Evans and Associates Inc. Kopczynski seconded the motion and it passed 5-0.

BUSINESS FROM THE COUNCIL

Kopczynski reported that the foundation for Lowe's has been poured and steel beams are set. The walls for the new Auto Zone are up and the façade for Novak's Restaurant is underway. There are positive things happening in Albany.

NEXT MEETING DATE: Work Session: July 6, 2015, and Regular Session: July 8, 2015

ADJOURNMENT

There being no other business, the meeting was adjourned at 8:43 p.m.

Respectfully submitted,

Reviewed by,

Mary A. Dibble, MMC
City Clerk

Stewart Taylor
Finance Director

CITY OF ALBANY
CITY COUNCIL WORK SESSION
Municipal Court Room
Monday, July 6, 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 Bessie Johnson, Rich Kellum, Bill Coburn, Ray Kopczynski, Dick Olsen, and Floyd Collins.

Councilors absent: None.

BUSINESS FROM THE PUBLIC

There was none.

EAST I-5 TRANSPORTATION SYSTEM PLAN UPDATE

Transportation System Analyst Ron Irish handed out a map and projected a map of the area to be discussed (see agenda file). He pointed out Project L15, the Timber Ridge Street extension. He said the proposed street alignment dates back to the first Transportation System Plan (TSP) in 1997. At that time, Linn County's Clover Ridge Road bridge over Truax Creek was in poor condition. A new bridge was planned at a different location aligned with the proposed Timber Ridge extension. It was expected that development along the road would finance the road. Development and Linn County would build the new bridge, and Linn County would build the section of the new road outside Albany's Urban Growth Boundary (UGB).

Irish said that since 1997 development in the area of the project has slowed. The Truax Creek bridge is now close to failure, and Linn County will need to rebuild it before the City has money available for the road extension. Wetlands in the area are larger than they were originally plotted, and a high-pressure gas pipeline, which requires large setbacks, runs through the area. Staff recommends deleting the Timber Ridge extension (Project L15) from the TSP. If the Council agrees, the next step would be public hearings on the TSP change.

Councilor Floyd Collins asked about the classification of Clover Ridge Road. Irish said it is classified as a minor collector street. Without the Timber Ridge extension, more traffic would use Clover Ridge, intersecting with Knox Butte Road there instead of at the new roundabout. The City would probably have to build a new intersection, possibly including a traffic signal. Collins asked if a new signal would be too close to the existing signal at Goldfish Farm Road and Knox Butte. Irish said it might require work on the Goldfish Farm intersection. The City has other intersections as close together that seem to work.

Councilor Bill Coburn said someday the City might want both bridges. He doesn't see it as an either/or. Irish said that the existing bridge needs to be rebuilt in any case. Keeping L15 in the TSP would mean building a second bridge, which the county will not want to do.

Councilor Dick Olsen asked, if the new bridge is built and Clover Ridge is cut at the creek, how would people on Clover Ridge get back on Clover Ridge across the creek? Irish said there would be no direct way to do that.

Brian Grenz, of MultiTech Engineering, showed a map (see agenda file) and pointed out the proposed project. He said they are working on a wetlands delineation, and the wetlands are larger than they were originally mapped. Any development on the property will require mitigation with the Department of State Lands (DSL) and the Army Corps of Engineers. It will be difficult to build the Timber Ridge extension as planned. If it were built, it would be hard to place development along it. Developers won't be willing to pay for a road they can't develop alongside.

Coburn said that in that case, Project L19 is not feasible, either. Irish said Public Works proposes removing the part of L19 that crosses the wetlands from the TSP. They would leave in the TSP a short section that could later connect north and south of the wetland area. L19 is classified as a minor collector. Collins said if L19 were eliminated, the connection to Timber Ridge would be a residential street. Irish said that L19's primary purpose was not to handle traffic volumes, but to link Draperville and the school.

Councilor Ray Kopczynski asked, even if the eastern part of L19 were built, would any development be possible there? Irish said yes, but any development north of there would have to connect along the north side of the area to Sagecrest Drive. Collins said that traffic would use Santa Maria Avenue, Charlotte and Marilyn Streets. Charlotte and Marilyn are gravel roads.

ACTION: the Council directed Public Works to proceed to public hearings. They directed Irish to prepare traffic volume projections for Marilyn and Charlotte Streets.

ODOT I-5 ENVIRONMENTAL ASSESSMENT

Amy Ramsdell, of the Oregon Department of Transportation (ODOT), updated the Council on the progress of ODOT's proposed I-5 and Highway 20 project. She said that the last time she appeared before the Council, ODOT was close to a draft environmental assessment for the project. However, given current funding, they don't have enough money to build. Instead of spending money to finalize and publish the draft document for the larger project, they are creating an alternative analysis using resources already available. They are concentrating on neighborhood connections, especially on Highway 20 and Airport Road. The new analysis will be published this fall. They plan to break the overall project into smaller pieces and fund the pieces as money becomes available.

Kopczynski asked, if ODOT did complete the environmental assessment, would it have a lifespan? Ramsdell said yes, it would have to be refreshed every three years, which would cost money. Collins asked, if the project is built piece by piece, how much of the smaller pieces would be wasted when the next section happened? Ramsdell said it would depend on how the projects were phased. Some would be wasted, but each piece would mean some improvement before all the money for the large project became available. Collins said the City and Linn County have each put about \$200,000 into the project for planning. He asked if that were now wasted? Ramsdell said no. A lot of that planning could go into the State's Transportation System Plan. Coburn asked if the smaller projects could be done at the usual funding of 90% federal, 10% state? Ramsdell said yes.

Konopa commended ODOT for their care of the state highways. She was in Washington a few weeks ago and noticed that the Washington highways all had tall dead grass right up to the edge of the road.

PUBLIC SAFETY FACILITIES PROJECT UPDATE

Engineering Manager Staci Belcastro said pre-application meetings have been held for both the new fire station and the new police station. Boundary surveys and geotechnical surveys are complete. Public Works is negotiating an owner's representative contract with David Evans and Associates. They expect to bring the contract to the Council at the July 22, 2015, meeting. Meetings are being held every two weeks on design development. The construction contracts are projected to bid in January and construction should start in May, 2016.

COUNCILOR COMMENTS

Councilor Bessie Johnson said she is curious about fire activity over the July 4th weekend. Konopa reported that she had talked to Fire Marshal Mike Trabue. He said the Fire Department had fewer calls than the Police Department over the weekend. Marilyn Smith said the police had 246 calls in a 24-hour period, 60 of them related to fireworks.

Councilor Rich Kellum reported that the new bottle redemption center is making good progress. They hope to open August 20.

Olsen said he went to the River Rhythms concert Thursday and really enjoyed it. He appreciates what Parks and Recreation does for Albany.

Collins said the new diagnostic center near the former Ray's Market has broken ground, and there may be another senior care center built there, too. He said Public Works is doing a good job on the North Albany Road work.

CITY MANAGER REPORT

City Manager *pro tem* Jorge Salinas said he will be presenting the vendor recommendation for the CAD/RMS project at the July 22, 2015 City Council meeting.

ADJOURNMENT

There being no other business, the meeting was adjourned at 5:18 p.m.

Respectfully submitted,

Reviewed by,

Allison Liesse
Accounting Specialist

Jorge Salinas
City Manager *pro tem*

7. **Public Events**

Applicable Non-applicable X

Volunteers at the following public events will be covered under workers' compensation coverage using verified hourly Oregon minimum wage as basis for premium and/or benefit calculation: (List specific events)

8. **Other Volunteers**

Volunteer exposures not addressed here will have workers' compensation coverage if, prior to the onset of the work provided, that City of Albany:

- a. Provides at least two weeks' advance written notice to CIS underwriting requesting the coverage;
- b. CIS approves the coverage and date of coverage;
- c. CIS provides written confirmation of coverage.

WHEREAS, the City of Albany agrees to maintain verifiable rosters for all volunteers including volunteer name, date of service, and hours of service and make them available at the time of a claim or audit to verify coverage.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council to provide workers' compensation coverage as indicated above.

DATED AND EFFECTIVE THIS 12TH DAY OF AUGUST 2015.

Mayor

ATTEST:

City Clerk

CITY VOLUNTEER BOARDS/COMMISSIONS/COMMITTEES/TASK FORCES
Fiscal Year 2015-2016

<u>Board/Commission/Committee/Task Force Name</u>	<u>Assumed Annual Wage</u>
Airport Advisory Commission	\$2,500
Albany Arts Commission	2,500
Albany Bicycle and Pedestrian Advisory Commission	2,500
Albany Budget Committee	2,500
Albany City Council (including Mayor)	2,500
Albany-Millersburg Joint Water/Wastewater Management Committee	2,500
Albany Revitalization Agency (ARA)	2,500
Albany Revitalization Agency (ARA) Budget Committee	2,500
Audit Committee	2,500
Building Board of Appeals	2,500
Central Albany Revitalization Area (CARA) Advisory Board	2,500
City Tree Commission	2,500
Community Development Commission	2,500
Hospital Facility Authority	2,500
Human Relations Commission	2,500
Landmarks Advisory Commission	2,500
Library Board	2,500
Parks & Recreation Commission	2,500
Planning Commission	2,500
Planning Commission Hearings Board	2,500
Public Safety Commission	2,500
Senior Center Endowment Committee	2,500
Traffic Safety Commission	2,500
Transient Lodging Tax Advisory Committee	<u>2,500</u>
	TOTAL <u>\$60,000</u>



TO: Albany City Council
FROM: Sharon Konopa, Mayor
DATE: August 6, 2015, for August 12, 2015, City Council Meeting
SUBJECT: Reappointment to the Linn County Local Public Safety Coordinating Council
RELATES TO STRATEGIC PLAN THEME: • An Effective Government

Action Requested:

Council approval of the following reappointment to fill the term that will expire August 31, 2015:

Linn County Local Public Safety Coordinating Council

Mario Lattanzio, Police Chief (4-year term expires: 08-31-2019)

Discussion:

None.

Budget Impact:

None.

SK:ldh

G:\Administrative Services\City Manager's Office\Boards-Commissions\2015 Recruitment\^2015 Linn County Local Public Safety Coordinating Council-msk.doc



TO: Albany City Council

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

FROM: Karen Kelley, Water Utility Superintendent

DATE: July 28, 2015, for the August 12, 2015, City Council Meeting

SUBJECT: Private Fire Protection Service Line Compliance

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

Action Requested:

Staff recommends City Council approve expenditure of up to \$150,000 in Water Economic Development funds to facilitate fire line backflow device compliance.

Discussion:

Background

At the July 20, 2015, City Council Work Session, Public Works staff provided a plan forward to ensure private fire protection service lines are fully compliant with city and state requirements. This plan includes the installation of flow detection meters and improvement of backflow prevention devices as needed.

Detection Meters

Albany Municipal Code 11.01.150 authorizes the City to install a proportional or detection meter on private fire service lines in order to detect any unauthorized use of the fire line for non-fire system purposes. Unauthorized use can range from intentional water theft to accidental use by tapping the wrong line on properties with complex pipe networks. The recent audit of private fire protection service lines within the city identified 24 private fire lines that do not currently have detection meters. Staff recommends using funds budgeted in the Water Distribution program to purchase and install these detection meters within this fiscal year.

Backflow Prevention Assemblies

Albany Municipal Code 11.01.225 and Oregon Administrative Rule 333-061-0070 require a double detector check valve assembly to be installed on fire system lines to prevent objectionable water intrusion during a backflow or backsiphonage event. This backflow prevention assembly is required to protect drinking water quality within the public system. The recent audit identified 12 private fire protection systems that have either no, or inadequate, backflow protection.

As discussed at the Council Work Session, there is a potentially significant expense associated with installation of these devices. Therefore, staff recommends Council approve allocation of up to \$150,000 of Water Economic Development funds to help customers gain compliance with backflow requirements including hiring a contractor to perform a hydraulic analysis of the fire system to ensure fire flow requirements are met. City staff will manage the contracts for the fire system analysis, and purchase and installation of the required backflow prevention device.

Albany City Council

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July 28, 2015, for the August 12, 2015, Council Meeting

Budget Impact:

Fire System Evaluation and Backflow Prevention Devices:

Up to \$150,000

Water Economic Development Budget (615-50-2309)

CB:prj

c: Chris Bailey, Interim Public Works Operations Director (via e-mail)

Jeff Blaine, P.E., Interim Public Works Engineering and Community Development Director (via e-mail)

Mike Trabue, Fire Marshall (via e-mail)

Mark Yeager, P.E., Utility Services Manager (via e-mail)