

NOTICE OF PUBLIC MEETING
CITY OF ALBANY
CITY COUNCIL
 Council Chambers
 333 Broadalbin Street SW
 Wednesday, September 9, 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

- 1) Request for after-hours construction work in accordance with Albany Municipal Code 7.08.050(5). [Page 3]

b. Second Reading of Ordinance

- 1) CP-01-15, amending the Comprehensive Plan text of the Transportation System Plan (TSP) to remove portions of Timber Ridge Avenue and Somerset streets from the TSP project list (projects L15 & L19), and install traffic signals at the Knox Butte/Clover Ridge Road intersection and the Knox Butte/Goldfish Farm Road intersection. [Pages 4-28]

Action: _____ ORD. NO. _____

c. Adoption of Consent Calendar

- 1) Approval of Minutes
 - a) August 10, 2015, Work Session minutes. [Pages 29-31]
- 2) Accepting a 20-foot wide sanitary sewer easement as part of the Autozone Development Project. [Pages 32-37]

Action: _____ RES. NO. _____

d. Award of Bid

- 1) WL-15-04, College Park Drive Water Line. [Pages 38-41]

Action: _____

e. Report

- 1) Designating a Voting Delegate and Alternate for the 2015 League of Oregon Cities Conference. [Page 42]

Action: _____

f. Approval of Agreement

- 1) Benton County Intergovernmental Agreement for Jurisdictional Road Transfer. [Pages 43-57]

Action: _____

5. BUSINESS FROM THE COUNCIL

6. NEXT MEETING DATE: Work Session: September 21, 2015
 Regular Session: September 23, 2015

7. ADJOURNMENT

City of Albany Web site: www.cityofalbany.net

The location of the meeting/hearing is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-917-7508, 541-704-2307, or 541-917-7519.

ROBINSON

CONSTRUCTION CO.

21360 NW Amberwood Drive Hillsboro, OR 97124-6925 • Phone: (503) 645-8531 • Fax: (503) 645-5357 • CCB# 63147

September 3, 2015

City of Albany, OR
632 35th Avenue SE
Albany, OR 97322

RE: Lowe's of Albany – Concrete Pour Work Hour Variance Request

Dear City Council,

We recognize the City of Albany's mandated construction work hours are 7 AM -7 PM. We are requesting a variance to these hours to allow us to pour the concrete slabs outside the mandated work hours.

There are several reasons for our variance request, as we hope you consider the following:

Providing a Better Concrete Finish Product: Early morning temperatures are cooler with less humidity which helps control the loss of moisture from the slab surface, slows down the rate of evaporation and helps minimize cracking and curling. Being able to complete the slab pours, saw cutting and curing the slab prior to the heat of the day slows down drying conditions caused by heat and direct sunlight. Winds are also normally calmer at night and early morning which helps reduce evaporation and surface cracking and crazing. These all lead to a better finish product for our client.

Better Concrete Service and Ease of Traffic Congestion: Starting earlier helps reduce the concrete mixing trucks traveling time and eases congestion on the roadways during daytime traffic. There will be approximately seven pours for the slabs. Our anticipated six largest pours are 250 to 300 cubic yards of concrete that are generally poured at a rate of 100 – 200 cubic yards per hour. This is hard to achieve during early morning peak rush hour traffic.

We respectfully ask permission to start the concrete pours at 4:00 AM. If the variance is granted, we would plan to route the concrete deliveries away from residential areas by restricting the concrete delivery trucks to access the jobsite from 9th Ave SE to Oak St, with minimal traffic passing in front of the adjacent homes.

We are grateful for your consideration and hope to have the opportunity to discuss this with you and any other requests or comments you might have to allow us to perform this work outside of the mandated work hours.

Respectfully Submitted,

ROBINSON CONSTRUCTION CO.



Nicholas Pennington
Project Manager



TO: Albany City Council

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

FROM: Melissa Anderson, Project Planner *WA*

DATE: September 2, 2015 for the September 9, 2015, City Council Meeting

SUBJECT: Public Hearing (Planning File CP-01-15)

RELATES TO STRATEGIC PLAN THEME: • Great Neighborhoods

Action Requested:

Staff recommends Council approve the proposed Comprehensive Plan text amendment to the Transportation System Plan as presented in the attached Ordinance.

Discussion:

The City Council held a public hearing on the proposed Comprehensive Plan text amendment to the Transportation System Plan on August 26, 2015. Based on the Council's direction, the emergency clause was removed from the ordinance and the second reading of the proposal was postponed until the next City Council meeting.

Staff recommends Council hear the second reading of the attached Ordinance and take action to approve the Comprehensive Plan text amendment to the Transportation System Plan.

Budget Impact:

None

MA:rk
Attachments (2)

AN ORDINANCE AMENDING ORDINANCE NO. 4447, WHICH ADOPTED THE CITY OF ALBANY COMPREHENSIVE PLAN AND MAP, BY AMENDING THE ALBANY COMPREHENSIVE PLAN TEXT OF THE TRANSPORTATION SYSTEM PLAN, AND ADOPTING FINDINGS.

WHEREAS, the Albany Planning Commission held a public hearing on July 20, 2015, and considered public testimony on the proposed Comprehensive Plan text amendment to the Transportation System Plan (TSP), and recommended approval based on evidence presented in the Staff Report presented at the public hearing for City of Albany Planning File CP-01-15; and

WHEREAS, the proposed TSP amendments are discussed in detail in the Staff Report, and the specific text amendments are presented as Exhibits A through E of this Ordinance; and

WHEREAS, the Albany City Council held a public hearing on the proposal on August 26, 2015, and reviewed the findings of fact and testimony presented at the public hearing and then deliberated.

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

Section 1: The Findings of Fact and Conclusions included in the Staff Report are hereby adopted in support of this decision.

Section 2: Project L15, Timber Ridge Road north of Somerset Avenue, attached as Ordinance Exhibit A, is hereby amended.

Section 3: Project L19, Somerset Avenue east of Timber Ridge Road, attached as Ordinance Exhibit B, is hereby amended.

Section 4: Project I143, a new intersection project to construct a traffic signal at the Clover Ridge Road/Knox Butte Road intersection, attached as Ordinance Exhibit C, is hereby added.

Section 5: Project I144, a new intersection project to construct a traffic signal at the Goldfish Farm Road/Knox Butte Road intersection, attached as Ordinance Exhibit D, is hereby added.

Section 6: The project funding list of the TSP, attached as Ordinance Exhibit E, is hereby amended.

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: _____

Mayor

ATTEST:

City Clerk

EXHIBIT A

Albany TSP
February 2010 June 2015

Project #: 6497.0
Page 74

Project #: L15		New North/South Collector			
Description: A new collector north/south from Somerset Avenue south to Clover Ridge Road at the northern urban growth boundary to US 20 (Santiam). Bicycle and pedestrian only traffic on Clover Ridge Road across Truax Creek. Right of way has been dedicated for the section from Somerset to Burkhardt Creek. The construction of I33 and a portion of L15 and L19 (ST-08-04) during the summers of 2009-2010 has been financially assured by the creation of a Local Improvement District (LID). Project cost assumes ROW will be dedicated.					
Category: New Road or Alignment		Classification: Major Collector		Agency Coordination:	
				Time Frame: Long-term	
Project Costs:	Const./Eng.	ROW	Other	Total Cost	SDC Eligible:
	\$7,497,000 \$6,210,260	\$0	\$0	\$7,497,000 \$6,210,260	100%
Project Goals Met:					
Efficiency <input checked="" type="checkbox"/>	Capacity <input checked="" type="checkbox"/>	Safety <input type="checkbox"/>	Transit <input type="checkbox"/>	Ped/Bike <input checked="" type="checkbox"/>	Livability <input type="checkbox"/>
Project Location:			Related Projects: L14, L16, L19, L23, L24, L56, I33		
Illustrative Section:					

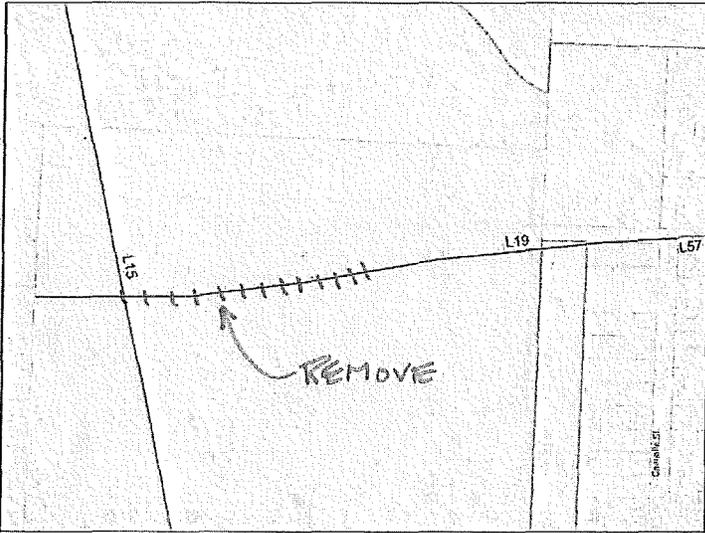
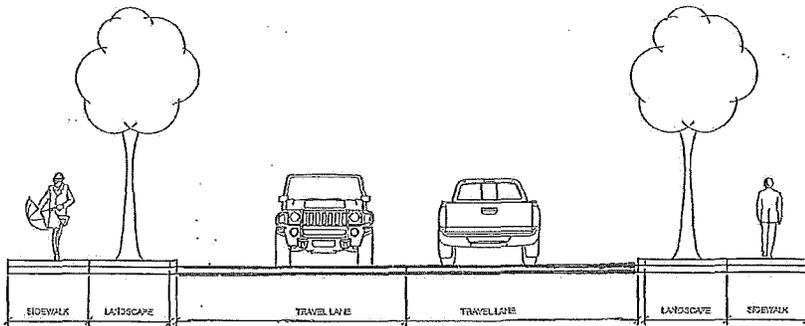
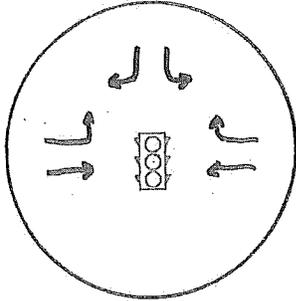
Project #: L19		Somerset Avenue Extension			
Description: Extends Somerset Drive west from L15, and from a wetland east to connect with Santa Maria Avenue. The construction of I33 and a portion of L15 and L19 (ST-08-04) during the summers of 2009-2010 has been financially assured by the creation of a Local Improvement District (LID). Project cost assumes ROW will be dedicated.					
Category: New Road or Alignment		Classification: Minor Collector		Agency Coordination:	
				Time Frame: Long-term	
Project Costs:	Const./Eng.	ROW	Other	Total Cost	SDC Eligible:
	\$1,653,000 \$865,600	\$0	\$0	\$1,653,000 \$865,600	100%
Project Goals Met:					
Efficiency <input checked="" type="checkbox"/>	Capacity <input checked="" type="checkbox"/>	Safety <input type="checkbox"/>	Transit <input type="checkbox"/>	Ped/Bike <input checked="" type="checkbox"/>	Livability <input type="checkbox"/>
Project Location:			Related Projects: L15, L20, L57		
					
Illustrative Section:					
					

EXHIBIT C

Project #: 6497.0

Albany TSP
June 2015

Project #: I43		Knox Butte Road/Clover Ridge Road			
Description: Develop a traffic signal once warrants are met.					
Category: Traffic Signal		Classification: Principal Arterial / Minor Collector		Agency Coordination: None	Time Frame: Long-term
Project Costs:	Const./Eng.	ROW	Other	Total Cost	SDC Eligible:
	\$350,000	\$0	\$0	\$350,000	100%
Project Goals Met:					
Efficiency <input checked="" type="checkbox"/>	Capacity <input checked="" type="checkbox"/>	Safety <input type="checkbox"/>	Transit <input type="checkbox"/>	Ped/Bike <input type="checkbox"/>	Livability <input type="checkbox"/>
Project Location: L21, L22			Related Projects:		
					
Illustrative Section:					
					

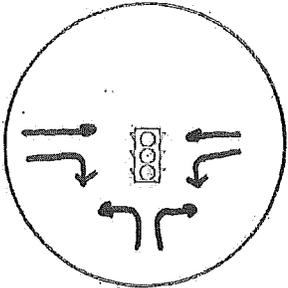
Project #: I44		Knox Butte Road/Goldfish Farm Road			
Description: Develop a traffic signal once warrants are met.					
Category: Traffic Signal		Classification: Principal Arterial/Minor Collector		Agency Coordination: None	Time Frame: Long-term
Project Costs:	Const./Eng.	ROW	Other	Total Cost	SDC Eligible:
	\$350,000	\$0	\$0	\$350,000	100%
Project Goals Met:					
Efficiency <input checked="" type="checkbox"/>	Capacity <input checked="" type="checkbox"/>	Safety <input type="checkbox"/>	Transit <input type="checkbox"/>	Ped/Bike <input type="checkbox"/>	Livability <input type="checkbox"/>
Project Location:			Related Projects: L21, L22		
					
Illustrative Section:					
					

EXHIBIT E.1

TSDCi Eligible & Funded Projects – with 2015 proposed modifications

Costs are based on the *Engineering News Record* (ENR) Construction Cost Index (Seattle) in February 2010 of 8647.

1	2	3	4	5	6
Project #	Project	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDCi Eligible
B1	14th Avenue	short	100%	\$2,000	\$2,000
B2	Waverly Drive	short	100%	\$5,000	\$5,000
B3	Hill Street	long/dev	100%	\$743,000	\$743,000
B4	24th Avenue	short	100%	\$5,000	\$5,000
B5	Jackson Street	short	100%	\$674,000	\$674,000
B6	Center Street	short	100%	\$6,000	\$6,000
B7	US 20, North Albany	long/dev	100%	\$31,000	\$31,000
B8	1st Avenue	long/dev	100%	\$43,000	\$43,000
B9	2nd Avenue	long/dev	100%	\$43,000	\$43,000
B10	Madison Street/7th Avenue	long/dev	100%	\$40,000	\$40,000
B11	7th Avenue	long/dev	100%	\$95,000	\$95,000
B12	Takena	long/dev	100%	\$53,000	\$53,000
B13	Liberty/Lakewood	long/dev	100%	\$76,000	\$76,000
B14	12th Avenue (West)	mid	100%	\$32,000	\$32,000
B15	Bain Street	long/dev	100%	\$49,000	\$49,000
B16	South Shore Drive	long/dev	100%	\$33,000	\$33,000
B17	Shortridge Street	long/dev	100%	\$27,000	\$27,000
B18	24th Avenue	long/dev	100%	\$44,000	\$44,000
B19	38th Avenue and 39th Avenue	mid	100%	\$106,000	\$106,000
B20	Lyon Street	short	100%	\$2,000	\$2,000
B21	Ellsworth Street	short	100%	\$4,000	\$4,000
I1	Main Street/Salem Avenue/3rd Avenue	short	100%	\$1,088,000	\$1,088,000
I2	Main Street/Santiam Avenue/4th Avenue	short	69%	\$255,000	\$175,950
I3	14th Avenue/Heritage Mall Access	short	100%	\$41,000	\$41,000
I4	14th Avenue/Clay Street	short	100%	\$10,000	\$10,000
I5	Waverly Avenue/14th Avenue	short	100%	\$41,000	\$41,000
I6	Waverly Avenue/Queen Avenue	long/dev	100%	\$72,000	\$72,000
I7	Waverly Avenue/Grand Prairie	long/dev	100%	\$175,000	\$175,000
I8	US 20/North Albany Road	short	13%	\$40,000	\$5,200
I9	US 20/Springhill Drive	short	23%	\$14,000	\$3,220
I10	Knox Butte/Century Drive	short	0%	\$345,000	\$0
I11	34th Avenue/Marion Street	mid	100%	\$345,000	\$345,000
I12	US 20 (Lyon Street)/2nd Avenue	mid	16%	\$23,000	\$3,680
I13	US 20/Clay Street	mid	20%	\$185,000	\$37,000
I14	OR 99E/34th Avenue	long/dev	32%	\$192,000	\$61,440
I15	34th Avenue/Hill Street	long/dev	100%	\$350,000	\$350,000
I16	Ellingson Road/Columbus Street	long/dev	100%	\$500,000	\$500,000
I17	Waverly Avenue/14th Avenue	long/dev	100%	\$77,000	\$77,000
I18	Queen Avenue/Geary Street	long/dev	100%	\$1,901,000	\$1,901,000
I19	Waverly Avenue/34th Avenue	long/dev	100%	\$42,000	\$42,000
I20	US 20 (Ellsworth Street)/1st Avenue	mid	22%	\$18,000	\$3,960
I21	US 20 (Lyon Street)/1st Avenue	mid	23%	\$11,000	\$2,530
I22	US 20 (Lyon Street)/1st Avenue	mid	23%	\$10,000	\$2,300
I23	US 20 (Ellsworth Street)/2nd Avenue	mid	23%	\$17,000	\$3,910
I24	OR 99E/Waverly Avenue	long/dev	27%	\$959,000	\$258,930

EXHIBIT E.2

1	2	3	4	5	6
Project #	Project	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDCi Eligible
I25	US 20/Waverly Drive	long/dev	29%	\$853,000	\$247,370
I26	US 20/Waverly Drive	long/dev	29%	\$240,000	\$69,600
I27	OR 99E/Queen Avenue	long/dev	26%	\$894,000	\$232,440
I28	OR 99E/34th Avenue	long/dev	32%	\$456,000	\$145,920
I29	OR 99E/Killdeer Avenue	long/dev	28%	\$3,207,000	\$897,960
I30	US 20/Timber Street	long/dev	44%	\$571,000	\$251,240
I31	US 20/Timber Street	long/dev	44%	\$619,000	\$272,360
I33	Knox Butte/New North/South Collector	long/dev	100%	\$525,000	\$525,000
I34	Springhill Dr./Hickory St.	long/dev	100%	\$345,000	\$345,000
I35	Gibson Hill Rd/Crocker Ln	mid	100%	\$345,000	\$345,000
I36	Timber St Extension/18th Ave/Spicer Dr ROW	short	100%	\$650,000	\$650,000
I36	Timber Str. Extension/18th Ave/Spicer Dr	long/dev	100%	\$863,000	\$863,000
I37	OR 99E / 29th Ave	long/dev	28%	\$106,000	\$29,680
I38	Salem Avenue/Geary Street	long/dev	28%	\$845,000	\$236,600
I39	OR 99E/Lyon Street	long/dev	16%	\$205,000	\$32,800
I40	OR 99E/53rd Avenue	long/dev	38%	\$550,000	\$209,000
I41	Ellingson Road / Lochner Road	long/dev	100%	\$500,000	\$500,000
I42	53 rd Avenue Extension / Industrial Property Access	long/dev	100%	\$500,000	\$500,000
I-43	Clover Ridge Road / Knox Butte	long/dev	100%	\$350,000	\$350,000
I-44	Goldfish Farm Road / Knox Butte	long/dev	100%	\$350,000	\$350,000
L1	53rd Avenue Extension	long/dev	54%	\$18,600,000	\$10,044,100
L2	Waverly Drive	long/dev	36%	\$1,394,000	\$501,840
L3	Washington/Calapooia/1st/2nd	short	42%	\$100,000	\$42,000
L4	Timber Street Extension ROW	short	100%	\$966,000	\$966,000
L4	Timber Street Extension	long/dev	100%	\$2,708,000	\$2,708,000
L5	Main Street - 7th Avenue - Hill Street	mid	64%	\$1,292,000	\$826,880
L6	North Albany Road	mid	29%	\$5,847,000	\$1,695,630
L6	North Albany Road ROW	short	100%	\$19,000	\$19,000
L9	Queen Avenue	long/dev	12%	\$0	\$0
L10	New North Albany Connector <i>Funding is for 15% construction west of Crocker (\$145/lf) and 40% construction east of Crocker</i>	long/dev	100%	\$5,818,000	\$5,818,000
L11	Spicer Drive Extension (West of Timber St.)	long/dev	100%	\$982,000	\$982,000
L12	Spicer Drive Extension (East of Timber St.)	long/dev	100%	\$1,666,000	\$1,666,000
L13	Goldfish Farm Road Extension	long/dev	100%	\$1,013,000	\$1,013,000
L14	Dogwood Avenue Extension	long/dev	100%	\$3,294,000	\$3,294,000
L15	New North/South Collector – LID Knox Butte to Somerset	short	100%	\$2,548,000	\$2,548,000
L15	New North/South Collector – Knox Butte to US 20 (Santiam)	long/dev	100%	\$4,949,000 \$3,662,260	\$4,949,000 \$3,662,260
L16	New East/West Collector	long/dev	100%	\$3,723,000	\$3,723,000
L17	Expo Parkway Extension (south of Dunlap)	long/dev	100%	\$996,000	\$996,000
L18	Timber St Extension to Somerset Avenue	long/dev	100%	\$1,720,000	\$1,720,000
L19	Somerset Avenue Extension - LID	short	100%	\$383,000	\$383,000
L19	Somerset Avenue Extension – wetlands to Charlotte	long/dev	100%	\$1,270,000 \$482,600	\$1,270,000 \$482,600
L20	Santa Maria Avenue Extension	long/dev	100%	\$1,872,000	\$1,872,000
L21	Knox Butte Road Widening ROW	short	100%	\$1,478,000	\$1,478,000
L21	Knox Butte Road Widening	long/dev	60%	\$3,169,000	\$1,901,000

EXHIBIT E.3

1	2	3	4	5	6
Project #	Project	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDCi Eligible
L22	Knox Butte Road Widening ROW	short	100%	\$31,000	\$31,000
L22	Knox Butte Road Widening	long/dev	56%	\$825,000	\$462,000
L23	Knox Butte Road Widening	long/dev	52%	\$1,256,000	\$653,120
L24	Knox Butte Road Widening	long/dev	47%	\$7,688,000	\$3,613,360
L25	Dunlap Avenue Extension	long/dev	100%	\$1,045,000	\$1,045,000
L26	Springhill Road Widening	long/dev	61%	\$3,406,000	\$2,077,660
L27	US 20 Widening	long/dev	18%	\$8,351,000	\$1,503,180
L28	Ellingson Road Extension	long/dev	61%	\$5,740,000	\$3,501,400
L30	Oak Street	short	100%	\$2,130,000	\$2,130,000
L31	Fescue Street to Three Lakes Road Connector	long/dev	100%	\$886,000	\$886,000
L32	Fescue Street Extension	long/dev	100%	\$3,054,000	\$3,054,000
L33	Three Lakes Road Realignment ROW	short	59%	\$750,000	\$442,500
L33	Three Lakes Road Realignment	long/dev	59%	\$1,868,000	\$1,102,120
L34	Looney Lane Extension	long/dev	100%	\$914,000	\$914,000
L35	Albany Avenue Widening	long/dev	26%	\$1,177,000	\$306,020
L36	W Thornton Lk Dr, N Albany Rd & N Alb Middle School	long/dev	11%	\$565,000	\$62,150
L37	Springhill Drive	long/dev	18%	\$4,158,000	\$748,440
L38	Scenic Drive	long/dev	10%	\$6,842,000	\$684,200
L39	Century Drive	long/dev	52%	\$3,199,000	\$1,663,480
L40	Gibson Hill Road	long/dev	6%	\$3,816,000	\$228,960
L41	Skyline Drive	long/dev	0%	\$1,523,000	\$0
L42-a	Crocker Lane North (LID)	short	30%	\$1,721,020	\$516,306
L42-b	Crocker Lane South	long/dev	30%	\$2,807,980	\$842,394
L43	Valley View Drive	long/dev	40%	\$3,695,000	\$1,478,000
L44	West Thornton Lake Drive	long/dev	11%	\$6,097,000	\$670,670
L45	Allen Lane	long/dev	56%	\$2,689,000	\$1,505,840
L46	Columbus Street	long/dev	49%	\$4,549,000	\$2,229,010
L47	Grand Prairie Road	long/dev	53%	\$2,260,000	\$1,197,800
L48	Spicer Drive	long/dev	32%	\$868,000	\$277,760
L49	Scravel Hill Road	long/dev	21%	\$9,699,000	\$2,036,790
L50	Quarry Road	long/dev	21%	\$3,493,000	\$733,530
L51	Spicer Road	long/dev	54%	\$676,000	\$365,040
L52	Goldfish Farm Road	long/dev	82%	\$4,444,000	\$3,644,080
L53	Ellingson Road <i>Funding is for 24ft of right-of-way (3 to 5 lanes) at \$6/s.f. and 25% construction</i>	long/dev	49%	\$5,847,000	\$2,865,030
L54-a	Lochner Road – North	short	44%	\$3,721,500	\$1,637,460
L54-b	Lochner Road - South	long/dev	44%	\$4,548,500	\$2,001,340
L55	Three Lakes Road ROW	short	42%	\$287,000	\$120,540
L55	Three Lakes Road	long/dev	42%	\$4,569,000	\$1,918,980
L56	US 20 - East of I-5	long/dev	44%	\$2,068,000	\$909,920
L57	Santa Maria Avenue	long/dev	91%	\$694,000	\$631,540
L58	Oak Street	short	65%	\$2,186,645	\$1,421,550
L59	Water Avenue	short	50%	\$4,070,000	\$2,035,000
L60	US 20 Superelevation and Widening	long/dev	22%	\$3,122,000	\$686,840
L61	Three Lakes Road	long/dev	0%	\$1,879,000	\$0
L62	Oak Creek Parkway <i>Funding is for 25% construction west of Columbus</i>	long/dev	100%	\$16,456,000	\$16,456,000
M1	Queen/Geary Periwinkle Path	short	70%	\$46,000	\$32,200

EXHIBIT E.4

1	2	3	4	5	6
Project #	Project	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDCi Eligible
M2-a	Oak Creek Loop Trail (south of Oak Creek)	long/dev	70%	\$2,680,000	\$1,876,000
M2-b	Oak Creek Loop Trail (north of Oak Creek)	long/dev	70%	\$1,787,000	\$1,250,900
M2-c	Oak Creek Crossing Trails	long/dev	70%	\$838,000	\$586,600
M3	West Timber-Linn Trail	mid	70%	\$161,000	\$112,700
M4	South Waterfront Trail	mid	70%	\$76,000	\$53,200
M5	Albany-Corvallis Multiuse Path	mid	70%	\$1,477,000	\$1,033,900
M6	Albany-Corvallis Multiuse Path	long/dev	70%	\$761,000	\$532,700
M7	East Timber-Linn Trail	long/dev	70%	\$277,000	\$193,900
M8	Bain Street/Waverly Lake Trail	long/dev	70%	\$153,000	\$107,100
M9	Lebanon Trail	long/dev	70%	\$581,000	\$406,700
M10	Periwinkle Trail Extension	long/dev	70%	\$1,528,000	\$1,069,600
M11	East Albany Willamette River Bridge	long/dev	70%	\$7,657,000	\$5,359,900
M12	99E/Oak Creek	long/dev	70%	\$129,000	\$90,300
M13	US 20/99E Undercrossing	long/dev	70%	\$1,500,000	\$1,050,000
P1	Springhill Drive	mid	70%	\$542,000	\$379,400
P2	99E/24th Avenue	long/dev	70%	\$129,000	\$90,300
P3	Oregon 99E: Burkhart to Waverly	long/dev	70%	\$129,000	\$90,300
P4	Ferry Street	long/dev	70%	\$725,000	\$507,500
P5	Columbus Street	long/dev	70%	\$277,000	\$193,900
P6	Geary Street	long/dev	70%	\$791,000	\$553,700
P7	Airport Road	long/dev	70%	\$485,000	\$339,500
P8	Killdeer Street	long/dev	70%	\$174,000	\$121,800
P9	Waverly Drive	long/dev	70%	\$88,000	\$61,600
P10	Albany-Santiam Canal Pedestrian Esplanade	long/dev	70%	\$1,232,000	\$862,400
P11	Thurston Street Canal Pedestrian Esplanade	long/dev	70%	\$1,863,000	\$1,304,100
P12	Gibson Hill Road	short	70%	\$1,034,000	\$723,800
S1	ADA Accessibility Audit	short	0%	\$25,000	\$0
S2	Hwy 20 Corridor & Downtown Refinement Plan	short	100%	\$250,000	\$250,000
S3	Safety Audit	short	0%	\$30,000	\$0
S4	OR 99E Speed Study	short	0%	\$0	\$0
S5	Downtown STA	short	0%	\$0	\$0
S6	Albany TSP MPO Update	mid	32%	\$350,000	\$112,000
S7	Major Corridors	long/dev	0%	\$0	\$0
S8	Wayfinding	long/dev	0%	\$25,000	\$0
S9	Interstate 5 / OR 99E / Knox Butte	long/dev	100%	\$100,000	\$100,000
S10	Interstate 5 / US 20 (Santiam)	long/dev	100%	\$100,000	\$100,000
T1	ADA Accessibility Projects	mid	70%	\$430,000	\$301,000
TOTALS				\$267 M \$266 M	\$155 M \$154 M



Community Development Department

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STAFF REPORT

Comprehensive Plan Text Amendment to the Transportation System Plan

HEARING BODY:	PLANNING COMMISSION	CITY COUNCIL
HEARING DATE:	Monday, July 20, 2015	Wednesday, August 26, 2015
HEARING TIME:	5:15 p.m.	7:15 p.m.
HEARING LOCATION:	Council Chambers, Albany City Hall, 333 Broadalbin Street SW	

SUMMARY

The proposal is a legislative Comprehensive Plan Text Amendment to the Transportation System Plan (TSP) to remove portions of Timber Ridge Avenue and Somerset Streets from the TSP project list, install traffic signals at the Knox Butte Road/Clover Ridge Road intersection and at the Knox Butte Road/Goldfish Farm Road intersection. Amendments also include changes to the project funding list related to these proposed changes.

The City of Albany TSP was last adopted in its entirety as a supporting document to the Comprehensive Plan by the City Council in 2010. Since that time, the TSP was updated in 2012 with the concurrent adoption of the South Albany Area Plan. The proposal amends the TSP to address changes that have occurred since the last TSP update. New information is available concerning the anticipated timing of bridge reconstruction on Clover Ridge Road across Truax Creek, and the extent of jurisdictional wetlands located north and east of the intersection of Timber Ridge Road and Somerset Avenue. The proposed amendments are recommended to meet changing conditions and new information regarding the noted bridge reconstruction.

Staff finds the proposal meets all applicable review criteria and recommends that the Planning Commission recommend APPROVAL of the proposed amendments to the City Council.

GENERAL INFORMATION

DATE OF REPORT: July 9, 2015

FILE: CP-01-15

TYPE OF REQUEST: Legislative, Type IV Decision: Comprehensive Plan Text Amendment to the TSP, to remove portions of Timber Ridge Avenue and Somerset Streets from the project list, and install traffic signals at the Knox Butte Road/Clover Ridge Road intersection and at the Knox Butte Road/Goldfish Farm Road intersection. Amendments also include changes to the project funding list related to these proposed changes.

REVIEW BODIES: Planning Commission and City Council

APPLICANT: City of Albany, Community Development Department

STAFF: Melissa Anderson, Project Planner; and Ron Irish, Transportation Analyst

NOTICE INFORMATION AND PROCESS SUMMARY

Notice was provided to the Oregon Department of Land Conservation and Development (DLCD) on June 15, 2015, at least 35 days before the first evidentiary hearing on July 20, 2015, in accordance with Oregon Administrative Rule (OAR) OAR 660-018-0020 and the Albany Development Code (ADC) 1.640.

Intergovernmental project review notice was also provided on June 10, 2015, to various agencies, including Greater Albany Public Schools, Linn County Planning, Linn County Road Department, Linn County 911, and the Oregon Department of Transportation.

Notice of the public hearing before the Planning Commission and the City Council was published in the *Albany Democrat-Herald* on July 8, 2015, at least one week before the public hearing on July 20, 2015, in accordance with ADC 1.600. In addition, the staff report for the proposed TSP amendment was posted on the City's website on July 13, 2015, at least seven days before the first evidentiary public hearing.

As of the date of this report, no comments have been received by the Community Development Department.

APPEALS

Within five days of the City Council's final action on these applications, the Community Development Director will provide written notice of the decisions to the applicant and any other parties entitled to notice. A City Council decision can be appealed to the Oregon Land Use Board of Appeals (LUBA) if a person with standing files a Notice of Intent to Appeal within 21 days of the date the decision is reduced to writing and bears the necessary signatures of the decision makers.

STAFF ANALYSIS

Comprehensive Plan Text Amendment to the Transportation System Plan

The Albany Development Code includes the following review criteria that must be met for this quasi-judicial map amendment to be approved. Code criteria are written in *bold italics* and are followed by findings and conclusions.

ADC 2.220: Amendments to the Comprehensive Plan will be approved if the Council finds that the application meets the following applicable criteria:

Criterion 1: A legislative amendment is consistent with the goals and policies of the Comprehensive Plan, the statewide planning goals, and any relevant area plans adopted by the City Council.

FINDINGS OF FACT

- 1.1 The City of Albany Transportation System Plan (TSP) was prepared by the City of Albany and consultants Kittelson and Associates, Inc., and adopted in its entirety as a supporting document to the Comprehensive Plan by the City Council in February, 2010 (Ordinance 5729 and as amended by Ordinance 5753). Since that time, the TSP was updated in 2012 with the concurrent adoption of the South Albany Area Plan (Ordinance 5801).
- 1.2 The proposal is a Comprehensive Plan Text Amendment to the TSP to address changes that have occurred since the last TSP update. New information is available concerning the anticipated timing of bridge reconstruction on Clover Ridge Road across Truax Creek, and the extent of jurisdictional wetlands located north and east of the intersection of Timber Ridge Road and Somerset Avenue.
- 1.3 The proposed amendments include removal of portions of Timber Ridge Avenue and Somerset Streets from the project list, and the addition of traffic signals at the Knox Butte Road/Clover Ridge Road intersection and the Knox Butte Road/Goldfish Farm Road intersection. The project funding list for these and other projects is also updated to reflect these proposed amendments.
- 1.4 The content of the TSP is guided by Oregon Revised Statute (ORS) 197.712 and the Department of Land Conservation and Development (DLCD) Oregon Administrative Rule (OAR), known as the Transportation Planning Rule (TPR, OAR 660-012). Appendix A of the 2010 TSP references the ORS and OARs that apply and explains how the Albany TSP complies with the applicable state law and rules. The 2010 TSP and subsequent amendment in 2012 have both been acknowledged by DLCD.

The following Comprehensive Plan goals and policies identified in *bold italics* are relevant in considering the ability of the proposed amendments to satisfy applicable ADC review criteria. They are organized by Statewide Planning Goals.

Goal 1 Citizen Involvement: *Ensure that local citizens and other affected groups, neighborhoods, agencies, and jurisdictions are involved in every phase of the planning process. Policies include involving the public in the evaluation and update of the Plan and seek input from citizens, agencies and interested parties, and ensuring information is made available to the public.*

FINDINGS OF FACT:

- 1.5 The proposed TSP amendment is a Type IV legislative land use decision, which is processed in accordance with ADC 1.58-1.660. The City's Development Code requires that notice be published in the Albany Democrat-Herald at least one week before the hearing and additionally as may be required by state law. Notice of the public hearing before the Planning Commission and the City Council was published in the Albany Democrat-Herald on July 8, 2015, at least one week before the public hearing on July 20, 2015. In addition, the staff report for the proposed TSP amendment was posted on the City's website July 13, 2015, at least seven days before the first evidentiary public hearing.
- 1.6 Oregon Administrative Rule (OAR) OAR 660-018-0020 and the ADC 1.640 require notice be provided to the Oregon Department of Land Conservation and Development (DLCD) at least 35 days before the first evidentiary hearing of a post-acknowledgement Comprehensive Plan amendment. Notice was provided to DLCD on June 15, 2015, at least 35 days before the first evidentiary hearing on July 20, 2015.
- 1.7 The first public hearing on the application is required to be held before the Planning Commission. Interested persons may comment during the hearing or submit written comments in advance. At the conclusion of the public hearing the Planning Commission will prepare a recommendation that is forwarded to the City Council.
- 1.8 A second public hearing process is required to be held before the City Council. Interested persons may comment during the hearing or submit written comments in advance of a decision. At the conclusion of the public hearing, the City Council will make a decision regarding the proposed Amendments.

Goal 12, Transportation:

Goal 1: Provide an efficient transportation system that provides for the local and regional movement of people and goods.

Goal 2: Provide a safe transportation system.

Goal 3: Provide a transportation system that ensures mobility for all members of the community and provides alternatives to automobile travel.

Goal 4: Provide a transportation system that balances financial resources with community livability and economic vitality.

Policy 2) Maintain acceptable roadway and intersection operations where feasible considering environmental, land use, and topographical factors.

Policy 3) Identify and remedy unsafe intersection and roadway locations with known safety issues and ensure the multi-modal transportation system is structurally and operationally safe.

Policy 4) Minimize conflicts along high volume and/or high speed corridors.

- 1.9 The purpose of this TSP update is to address changes that have occurred since the last TSP update. New information is available concerning the anticipated timing of bridge reconstruction on Clover Ridge Road across Truax Creek, and the extent of jurisdictional wetlands located north and east of the intersection of Timber Ridge Road and Somerset Avenue.

- 1.10 The proposed TSP update would modify the TSP project list as follows:
 - a. Eliminate the portion of project L15 (Timber Ridge Road) north of Somerset Avenue (Attachment B).
 - b. Eliminate a portion of project L19 (Somerset Avenue) just east of Timber Ridge Road (Attachment C).
 - c. Add a new intersection project to construct a traffic signal at the Clover Ridge Road/Knox Butte Road intersection (Attachment D).
 - d. Add a new intersection project to construct a traffic signal at the Goldfish Farm/Knox Butte Road intersection (Attachment E).
 - e. The project funding list is also revised to reflect changes in the projects listed above (Attachment F).
- 1.11 The existing bridge on Clover Ridge Road is under County jurisdiction, is in poor condition, and is in danger of being weight restricted. The 2012 TSP included an assumption (project L15) that the existing bridge would be replaced by a new bridge located to the east, along an extension of Timber Ridge Road; Timber Ridge Road would be extended north across Albany's Urban Growth Boundary (UGB) and would reconnect to Clover Ridge Road at a new intersection located outside the UGB, in Linn County. The construction of the new intersection and street segment north of the UGB would be a County project, and would involve road construction and right of way acquisition within Exclusive Farm Use (EFU) designated farmland (Attachment B).
- 1.12 The condition of the existing bridge is such that Linn County is now moving forward with plans to reconstruct it in place. Once that occurs there will be no need or justification for Linn County to consider construction of a second bridge and new road alignment that would occur north of the UGB within EFU land.
- 1.13 The decision to replace the existing bridge in place changes the need for TSP project L15 (Attachment B). The primary function of the portion of that project north of Somerset Avenue is to connect a new collector street to a new bridge location. Retaining the existing bridge makes the street connection and new bridge unnecessary.
- 1.14 An additional consequence of the decision to replace the bridge in place will be higher traffic volumes on Clover Ridge Road at the TSP's horizon year of 2030. Trips to and from the area north of the UGB would occur on Clover Ridge Road instead of Timber Ridge Road.
- 1.15 The increase in projected trips on Clover Ridge Road would eventually result in the need to construct a traffic signal at the Clover Ridge Road/Knox Butte Road intersection. The TSP does not currently identify the need for a traffic signal at that location.
- 1.16 New information is available concerning the extent of jurisdictional wetlands located north and east of the intersection of Timber Ridge Road and Somerset Avenue. The wetland is larger than previously thought and would be impacted by TSP projects L15 (Timber Ridge Road extension) and L19 (Somerset Avenue extension).
- 1.17 Project L15 as currently envisioned by the TSP would need to cross and impact a significant amount of wetlands. Elimination of the north section of project L15 as discussed above would prevent street intrusion into the wetlands while maintaining an interconnected arterial, collector, and local road system.
- 1.18 Project L19 as currently envisioned by the TSP would extend Somerset Avenue to connect Timber Ridge Road with Santa Maria Avenue (Attachment C). The majority of that road alignment would occur over and impact wetlands. The primary benefit of the road connection is to provide a connection between the Draperville neighborhood and Timber Ridge Elementary school. Elimination of a portion of Somerset Avenue would allow for a local street connection between the neighborhood and the school and a reduction in impacts to the wetland.

- 1.19 Increasing development in the area will also increase traffic volumes on Goldfish Farm Road and could result in the need for construction of a traffic signal prior to 2030, the horizon year of the TSP.

CONCLUSIONS

- 1.1 The proposal is a Comprehensive Plan Text Amendment to the Transportation System Plan to address changes that have occurred since the last TSP update.
- 1.2 Goal 1, Citizen Involvement. Citizen involvement was solicited through public noticing procedures, and citizen input was encouraged through the public hearing process prior to a final decision on the proposed legislative amendment.
- 1.3 Goal 12, Transportation. Amendments to the 2010 Albany TSP are recommended to ensure adequate transportation facilities will be provided to accommodate long-term growth.
- 1.4 The proposals are consistent with applicable transportation policies, two through four, by ensuring multimodal transportation facilities will be safe and intersections will operate safely, especially along high volume corridors.
- 1.5 This review criterion is met.

Criterion 2: A legislative amendment is needed to meet changing conditions or new laws.

FINDINGS OF FACT

- 2.1 The most recent version of the TSP was adopted in 2012, concurrent with the adoption of the South Albany Area Plan.
- 2.2 Since the adoption of the TSP in 2012, new information is available concerning the timing of bridge reconstruction on Clover Ridge Road across Truax Creek, and the extent of jurisdictional wetlands located north and east of the intersection of Timber Ridge Road and Somerset Avenue.
- 2.3 Addressing the changed conditions will require modification of TSP projects L15 (Timber Ridge Road extension; Attachment B) and L19 (Somerset Avenue extension; Attachment C).

CONCLUSIONS

- 2.1 The TSP amendment is proposed to plan for change and development to ensure adequate infrastructure and facilities are accommodated and to meet existing laws, while reducing impacts to protected wetlands.
- 2.2 This criterion is met.

OVERALL CONCLUSION

The proposed Comprehensive Plan Text Amendment to the Transportation System Plan meets all of the applicable review criteria as outlined in this report.

OPTIONS FOR THE PLANNING COMMISSION

The Planning Commission has two options with respect to the proposed zone change:

- Option 1: Approve the request based on findings presented in this staff report; or
- Option 2: Deny the request based on findings provided by the Planning Commission.

STAFF RECOMMENDATION

Based on the analysis in this report, staff recommends the Planning Commission make a recommendation to the City Council to approve the proposed Comprehensive Plan Text amendment to the Transportation System Plan.

ATTACHMENTS

- A. Summary of proposed amendments to the Transportation System Plan
- B. Proposed amendment to Project L15
- C. Proposed amendment to Project L19
- D. Proposed amendment to Project I143
- E. Proposed amendment to Project I144
- F. Proposed amendment to the TSDCi Eligible and Funded Projects List

PROPOSED AMENDMENTS TO THE TRANSPORTION SYSTEM PLAN

DESCRIPTION:

The proposal is a Comprehensive Plan Text Amendment to the Transportation System Plan. The amendments will remove portions of Timber Ridge Avenue and Somerset Streets from the project list, and add construction of a traffic signal at the Knox Butte Road/Clover Ridge Road intersection and at the Knox Butte Road/Goldfish Farm Road intersection. These amendments are described in more detail below.

The attached exhibits include modified project descriptions and modified funded projects list in **bold** and ~~strike~~.

TSP Project L15: Timber Ridge

The amendment removes the north portion of Timber Ridge Road (between Clover Ridge Road and Somerset Avenue) from the TSP project list. The reasons for the removal include recent identification and mapping of a large wetland, and the current urgent need to reconstruct the Clover Ridge Road Bridge over Truax Creek in place.

TSP Project L19: Somerset Avenue

The amendment removes the section of Somerset Road between Timber Ridge Road and a large wetland to the east from the TSP project list. The reason for the removal is to avoid impacts to the wetlands.

TSP Project I43: Knox Butte Road/Clover Ridge Road Intersection

The amendment would add construction of a traffic signal at the Knox Butte Road/Clover Ridge Road intersection. The traffic signal will be needed prior to year 2030 to accommodate the additional traffic expected on Clover Ridge Road that will result from eliminating the northern section of Project L15 as described above.

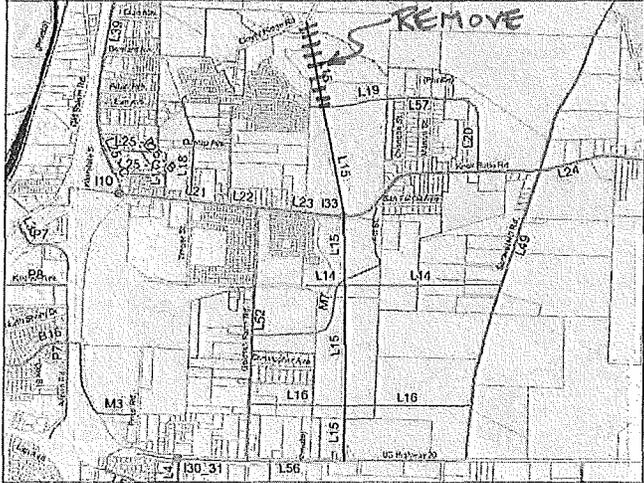
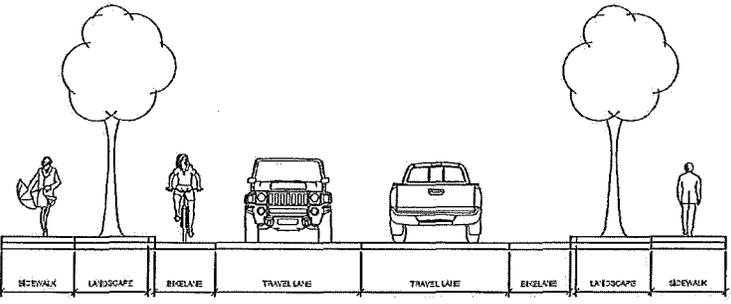
TSP Project I44: Knox Butte Road/Goldfish Farm Road Intersection

The amendment would add construction of a traffic signal at the Knox Butte Road/Goldfish Farm Road intersection. The traffic signal will be needed prior to year 2030 to accommodate the increasing development in the area which in turn would increase traffic volumens on Goldfish Farm Road.

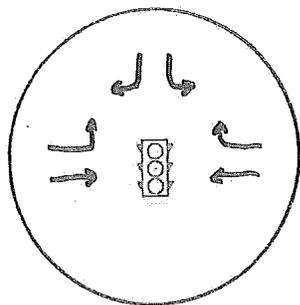
ATTACHMENT B

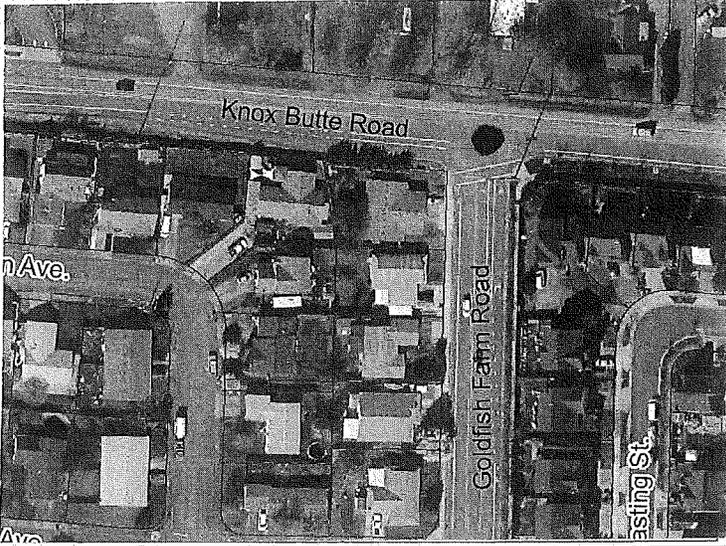
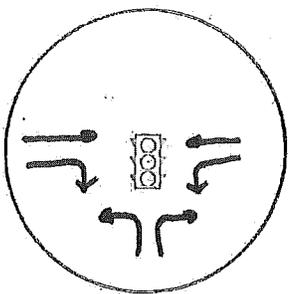
Albany TSP
February 2010 June 2015

Project #: 6497.0
Page 74

Project #: L15		New North/South Collector			
<p>Description: A new collector north/south from Somerset Avenue south to Clover Ridge Road at the northern urban growth boundary to US 20 (Santiam). Bicycle and pedestrian only traffic on Clover Ridge Road across Truax Creek. Right of way has been dedicated for the section from Somerset to Burkhardt Creek. The construction of I33 and a portion of L15 and L19 (ST-08-04) during the summers of 2009-2010 has been financially assured by the creation of a Local Improvement District (LID). Project cost assumes ROW will be dedicated.</p>					
Category: New Road or Alignment		Classification: Major Collector		Agency Coordination:	Time Frame: Long-term
Project Costs:	Const./Eng.	ROW	Other	Total Cost	SDC Eligible:
	\$7,497,000 \$6,210,260	\$0	\$0	\$7,497,000 \$6,210,260	100%
Project Goals Met:					
Efficiency <input checked="" type="checkbox"/>	Capacity <input checked="" type="checkbox"/>	Safety <input type="checkbox"/>	Transit <input type="checkbox"/>	Ped/Bike <input checked="" type="checkbox"/>	Livability <input type="checkbox"/>
Project Location: 			Related Projects: L14, L16, L19, L23, L24, L56, I33		
Illustrative Section:					
					

Project #: L19		Somerset Avenue Extension			
<p>Description: Extends Somerset Drive west from L15, and from a wetland east to connect with Santa Maria Avenue. The construction of I33 and a portion of L15 and L19 (ST-08-04) during the summers of 2009-2010 has been financially assured by the creation of a Local Improvement District (LID). Project cost assumes ROW will be dedicated.</p>					
<p>Category: New Road or Alignment</p>		<p>Classification: Minor Collector</p>		<p>Agency Coordination:</p>	<p>Time Frame: Long-term</p>
Project Costs:	Const./Eng.	ROW	Other	Total Cost	SDC Eligible:
	\$1,653,000 \$865,600	\$0	\$0	\$1,653,000 \$865,600	100%
Project Goals Met:					
Efficiency <input checked="" type="checkbox"/>	Capacity <input checked="" type="checkbox"/>	Safety <input type="checkbox"/>	Transit <input type="checkbox"/>	Ped/Bike <input checked="" type="checkbox"/>	Livability <input type="checkbox"/>
Project Location:			Related Projects: L15, L20, L57		
Illustrative Section:					

Project #: I43	Knox Butte Road/Clover Ridge Road				
Description: Develop a traffic signal once warrants are met.					
Category: Traffic Signal		Classification: Principal Arterial / Minor Collector		Agency Coordination: None	Time Frame: Long-term
Project Costs:	Const./Eng.	ROW	Other	Total Cost	SDC Eligible:
	\$350,000	\$0	\$0	\$350,000	100%
Project Goals Met:					
Efficiency <input checked="" type="checkbox"/>	Capacity <input checked="" type="checkbox"/>	Safety <input type="checkbox"/>	Transit <input type="checkbox"/>	Ped/Bike <input type="checkbox"/>	Livability <input type="checkbox"/>
Project Location: L21, L22			Related Projects:		
					
Illustrative Section:					
					

Project #: I44		Knox Butte Road/Goldfish Farm Road			
Description: Develop a traffic signal once warrants are met.					
Category: Traffic Signal		Classification: Principal Arterial / Minor Collector		Agency Coordination: None	Time Frame: Long-term
Project Costs:	Const./Eng.	ROW	Other	Total Cost	SDC Eligible:
	\$350,000	\$0	\$0	\$350,000	100%
Project Goals Met:					
Efficiency <input checked="" type="checkbox"/>	Capacity <input checked="" type="checkbox"/>	Safety <input type="checkbox"/>	Transit <input type="checkbox"/>	Ped/Bike <input type="checkbox"/>	Livability <input type="checkbox"/>
Project Location:			Related Projects: L21, L22		
					
Illustrative Section:					
					

ATTACHMENT F.1

TSDCi Eligible & Funded Projects – with 2015 proposed modifications

Costs are based on the *Engineering News Record* (ENR) Construction Cost Index (Seattle) in February 2010 of 8647.

1	2	3	4	5	6
Project #	Project	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDCi Eligible
B1	14th Avenue	short	100%	\$2,000	\$2,000
B2	Waverly Drive	short	100%	\$5,000	\$5,000
B3	Hill Street	long/dev	100%	\$743,000	\$743,000
B4	24th Avenue	short	100%	\$5,000	\$5,000
B5	Jackson Street	short	100%	\$674,000	\$674,000
B6	Center Street	short	100%	\$6,000	\$6,000
B7	US 20, North Albany	long/dev	100%	\$31,000	\$31,000
B8	1st Avenue	long/dev	100%	\$43,000	\$43,000
B9	2nd Avenue	long/dev	100%	\$43,000	\$43,000
B10	Madison Street/7th Avenue	long/dev	100%	\$40,000	\$40,000
B11	7th Avenue	long/dev	100%	\$95,000	\$95,000
B12	Takena	long/dev	100%	\$53,000	\$53,000
B13	Liberty/Lakewood	long/dev	100%	\$76,000	\$76,000
B14	12th Avenue (West)	mid	100%	\$32,000	\$32,000
B15	Bain Street	long/dev	100%	\$49,000	\$49,000
B16	South Shore Drive	long/dev	100%	\$33,000	\$33,000
B17	Shortridge Street	long/dev	100%	\$27,000	\$27,000
B18	24th Avenue	long/dev	100%	\$44,000	\$44,000
B19	38th Avenue and 39th Avenue	mid	100%	\$106,000	\$106,000
B20	Lyon Street	short	100%	\$2,000	\$2,000
B21	Ellsworth Street	short	100%	\$4,000	\$4,000
I1	Main Street/Salem Avenue/3rd Avenue	short	100%	\$1,088,000	\$1,088,000
I2	Main Street/Santiam Avenue/4th Avenue	short	69%	\$255,000	\$175,950
I3	14th Avenue/Heritage Mall Access	short	100%	\$41,000	\$41,000
I4	14th Avenue/Clay Street	short	100%	\$10,000	\$10,000
I5	Waverly Avenue/14th Avenue	short	100%	\$41,000	\$41,000
I6	Waverly Avenue/Queen Avenue	long/dev	100%	\$72,000	\$72,000
I7	Waverly Avenue/Grand Prairie	long/dev	100%	\$175,000	\$175,000
I8	US 20/North Albany Road	short	13%	\$40,000	\$5,200
I9	US 20/Springhill Drive	short	23%	\$14,000	\$3,220
I10	Knox Butte/Century Drive	short	0%	\$345,000	\$0
I11	34th Avenue/Marion Street	mid	100%	\$345,000	\$345,000
I12	US 20 (Lyon Street)/2nd Avenue	mid	16%	\$23,000	\$3,680
I13	US 20/Clay Street	mid	20%	\$185,000	\$37,000
I14	OR 99E/34th Avenue	long/dev	32%	\$192,000	\$61,440
I15	34th Avenue/Hill Street	long/dev	100%	\$350,000	\$350,000
I16	Ellingson Road/Columbus Street	long/dev	100%	\$500,000	\$500,000
I17	Waverly Avenue/14th Avenue	long/dev	100%	\$77,000	\$77,000
I18	Queen Avenue/Geary Street	long/dev	100%	\$1,901,000	\$1,901,000
I19	Waverly Avenue/34th Avenue	long/dev	100%	\$42,000	\$42,000
I20	US 20 (Ellsworth Street)/1st Avenue	mid	22%	\$18,000	\$3,960
I21	US 20 (Lyon Street)/1st Avenue	mid	23%	\$11,000	\$2,530
I22	US 20 (Lyon Street)/1st Avenue	mid	23%	\$10,000	\$2,300
I23	US 20 (Ellsworth Street)/2nd Avenue	mid	23%	\$17,000	\$3,910
I24	OR 99E/Waverly Avenue	long/dev	27%	\$959,000	\$258,930

ATTACHMENT F.2

1	2	3	4	5	6
Project #	Project	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDCi Eligible
I25	US 20/Waverly Drive	long/dev	29%	\$853,000	\$247,370
I26	US 20/Waverly Drive	long/dev	29%	\$240,000	\$69,600
I27	OR 99E/Queen Avenue	long/dev	26%	\$894,000	\$232,440
I28	OR 99E/34th Avenue	long/dev	32%	\$456,000	\$145,920
I29	OR 99E/Killdeer Avenue	long/dev	28%	\$3,207,000	\$897,960
I30	US 20/Timber Street	long/dev	44%	\$571,000	\$251,240
I31	US 20/Timber Street	long/dev	44%	\$619,000	\$272,360
I33	Knox Butte/New North/South Collector	long/dev	100%	\$525,000	\$525,000
I34	Springhill Dr./Hickory St.	long/dev	100%	\$345,000	\$345,000
I35	Gibson Hill Rd/Crocker Ln	mid	100%	\$345,000	\$345,000
I36	Timber St Extension/18th Ave/Spicer Dr ROW	short	100%	\$650,000	\$650,000
I36	Timber Str. Extension/18th Ave/Spicer Dr	long/dev	100%	\$863,000	\$863,000
I37	OR 99E / 29th Ave	long/dev	28%	\$106,000	\$29,680
I38	Salem Avenue/Geary Street	long/dev	28%	\$845,000	\$236,600
I39	OR 99E/Lyon Street	long/dev	16%	\$205,000	\$32,800
I40	OR 99E/53rd Avenue	long/dev	38%	\$550,000	\$209,000
I41	Ellingson Road / Lochner Road	long/dev	100%	\$500,000	\$500,000
I42	53 rd Avenue Extension / Industrial Property Access	long/dev	100%	\$500,000	\$500,000
I-43	Clover Ridge Road / Knox Butte	long/dev	100%	\$350,000	\$350,000
I-44	Goldfish Farm Road / Knox Butte	long/dev	100%	\$350,000	\$350,000
L1	53rd Avenue Extension	long/dev	54%	\$18,600,000	\$10,044,100
L2	Waverly Drive	long/dev	36%	\$1,394,000	\$501,840
L3	Washington/Calapooia/1st/2nd	short	42%	\$100,000	\$42,000
L4	Timber Street Extension ROW	short	100%	\$966,000	\$966,000
L4	Timber Street Extension	long/dev	100%	\$2,708,000	\$2,708,000
L5	Main Street - 7th Avenue - Hill Street	mid	64%	\$1,292,000	\$826,880
L6	North Albany Road	mid	29%	\$5,847,000	\$1,695,630
L6	North Albany Road ROW	short	100%	\$19,000	\$19,000
L9	Queen Avenue	long/dev	12%	\$0	\$0
L10	New North Albany Connector <i>Funding is for 15% construction west of Crocker (\$145/lf) and 40% construction east of Crocker</i>	long/dev	100%	\$5,818,000	\$5,818,000
L11	Spicer Drive Extension (West of Timber St.)	long/dev	100%	\$982,000	\$982,000
L12	Spicer Drive Extension (East of Timber St.)	long/dev	100%	\$1,666,000	\$1,666,000
L13	Goldfish Farm Road Extension	long/dev	100%	\$1,013,000	\$1,013,000
L14	Dogwood Avenue Extension	long/dev	100%	\$3,294,000	\$3,294,000
L15	New North/South Collector – LID Knox Butte to Somerset	short	100%	\$2,548,000	\$2,548,000
L15	New North/South Collector – Knox Butte to US 20 (Santiam)	long/dev	100%	\$4,949,000 \$3,662,260	\$4,949,000 \$3,662,260
L16	New East/West Collector	long/dev	100%	\$3,723,000	\$3,723,000
L17	Expo Parkway Extension (south of Dunlap)	long/dev	100%	\$996,000	\$996,000
L18	Timber St Extension to Somerset Avenue	long/dev	100%	\$1,720,000	\$1,720,000
L19	Somerset Avenue Extension - LID	short	100%	\$383,000	\$383,000
L19	Somerset Avenue Extension – wetlands to Charlotte	long/dev	100%	\$1,270,000 \$482,600	\$1,270,000 \$482,600
L20	Santa Maria Avenue Extension	long/dev	100%	\$1,872,000	\$1,872,000
L21	Knox Butte Road Widening ROW	short	100%	\$1,478,000	\$1,478,000
L21	Knox Butte Road Widening	long/dev	60%	\$3,169,000	\$1,901,000

ATTACHMENT F.3

1	2	3	4	5	6
Project #	Project	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDCi Eligible
L22	Knox Butte Road Widening ROW	short	100%	\$31,000	\$31,000
L22	Knox Butte Road Widening	long/dev	56%	\$825,000	\$462,000
L23	Knox Butte Road Widening	long/dev	52%	\$1,256,000	\$653,120
L24	Knox Butte Road Widening	long/dev	47%	\$7,688,000	\$3,613,360
L25	Dunlap Avenue Extension	long/dev	100%	\$1,045,000	\$1,045,000
L26	Springhill Road Widening	long/dev	61%	\$3,406,000	\$2,077,660
L27	US 20 Widening	long/dev	18%	\$8,351,000	\$1,503,180
L28	Ellingson Road Extension	long/dev	61%	\$5,740,000	\$3,501,400
L30	Oak Street	short	100%	\$2,130,000	\$2,130,000
L31	Fescue Street to Three Lakes Road Connector	long/dev	100%	\$886,000	\$886,000
L32	Fescue Street Extension	long/dev	100%	\$3,054,000	\$3,054,000
L33	Three Lakes Road Realignment ROW	short	59%	\$750,000	\$442,500
L33	Three Lakes Road Realignment	long/dev	59%	\$1,868,000	\$1,102,120
L34	Looney Lane Extension	long/dev	100%	\$914,000	\$914,000
L35	Albany Avenue Widening	long/dev	26%	\$1,177,000	\$306,020
L36	W Thornton Lk Dr, N Albany Rd & N Alb Middle School	long/dev	11%	\$565,000	\$62,150
L37	Springhill Drive	long/dev	18%	\$4,158,000	\$748,440
L38	Scenic Drive	long/dev	10%	\$6,842,000	\$684,200
L39	Century Drive	long/dev	52%	\$3,199,000	\$1,663,480
L40	Gibson Hill Road	long/dev	6%	\$3,816,000	\$228,960
L41	Skyline Drive	long/dev	0%	\$1,523,000	\$0
L42-a	Crocker Lane North (LID)	short	30%	\$1,721,020	\$516,306
L42-b	Crocker Lane South	long/dev	30%	\$2,807,980	\$842,394
L43	Valley View Drive	long/dev	40%	\$3,695,000	\$1,478,000
L44	West Thornton Lake Drive	long/dev	11%	\$6,097,000	\$670,670
L45	Allen Lane	long/dev	56%	\$2,689,000	\$1,505,840
L46	Columbus Street	long/dev	49%	\$4,549,000	\$2,229,010
L47	Grand Prairie Road	long/dev	53%	\$2,260,000	\$1,197,800
L48	Spicer Drive	long/dev	32%	\$868,000	\$277,760
L49	Scravel Hill Road	long/dev	21%	\$9,699,000	\$2,036,790
L50	Quarry Road	long/dev	21%	\$3,493,000	\$733,530
L51	Spicer Road	long/dev	54%	\$676,000	\$365,040
L52	Goldfish Farm Road	long/dev	82%	\$4,444,000	\$3,644,080
L53	Ellingson Road <i>Funding is for 24ft of right-of-way (3 to 5 lanes) at \$6/s.f. and 25% construction</i>	long/dev	49%	\$5,847,000	\$2,865,030
L54-a	Lochner Road – North	short	44%	\$3,721,500	\$1,637,460
L54-b	Lochner Road - South	long/dev	44%	\$4,548,500	\$2,001,340
L55	Three Lakes Road ROW	short	42%	\$287,000	\$120,540
L55	Three Lakes Road	long/dev	42%	\$4,569,000	\$1,918,980
L56	US 20 - East of I-5	long/dev	44%	\$2,068,000	\$909,920
L57	Santa Maria Avenue	long/dev	91%	\$694,000	\$631,540
L58	Oak Street	short	65%	\$2,186,645	\$1,421,550
L59	Water Avenue	short	50%	\$4,070,000	\$2,035,000
L60	US 20 Superelevation and Widening	long/dev	22%	\$3,122,000	\$686,840
L61	Three Lakes Road	long/dev	0%	\$1,879,000	\$0
L62	Oak Creek Parkway <i>Funding is for 25% construction west of Columbus</i>	long/dev	100%	\$16,456,000	\$16,456,000
M1	Queen/Geary Periwinkle Path	short	70%	\$46,000	\$32,200

ATTACHMENT F.4

1	2	3	4	5	6
Project #	Project	TSP Priority	Growth Percentage	Total Project Cost (2010 \$)	TSDCi Eligible
M2-a	Oak Creek Loop Trail (south of Oak Creek)	long/dev	70%	\$2,680,000	\$1,876,000
M2-b	Oak Creek Loop Trail (north of Oak Creek)	long/dev	70%	\$1,787,000	\$1,250,900
M2-c	Oak Creek Crossing Trails	long/dev	70%	\$838,000	\$586,600
M3	West Timber-Linn Trail	mid	70%	\$161,000	\$112,700
M4	South Waterfront Trail	mid	70%	\$76,000	\$53,200
M5	Albany-Corvallis Multiuse Path	mid	70%	\$1,477,000	\$1,033,900
M6	Albany-Corvallis Multiuse Path	long/dev	70%	\$761,000	\$532,700
M7	East Timber-Linn Trail	long/dev	70%	\$277,000	\$193,900
M8	Bain Street/Waverly Lake Trail	long/dev	70%	\$153,000	\$107,100
M9	Lebanon Trail	long/dev	70%	\$581,000	\$406,700
M10	Periwinkle Trail Extension	long/dev	70%	\$1,528,000	\$1,069,600
M11	East Albany Willamette River Bridge	long/dev	70%	\$7,657,000	\$5,359,900
M12	99E/Oak Creek	long/dev	70%	\$129,000	\$90,300
M13	US 20/99E Undercrossing	long/dev	70%	\$1,500,000	\$1,050,000
P1	Springhill Drive	mid	70%	\$542,000	\$379,400
P2	99E/24th Avenue	long/dev	70%	\$129,000	\$90,300
P3	Oregon 99E: Burkhart to Waverly	long/dev	70%	\$129,000	\$90,300
P4	Ferry Street	long/dev	70%	\$725,000	\$507,500
P5	Columbus Street	long/dev	70%	\$277,000	\$193,900
P6	Geary Street	long/dev	70%	\$791,000	\$553,700
P7	Airport Road	long/dev	70%	\$485,000	\$339,500
P8	Killdeer Street	long/dev	70%	\$174,000	\$121,800
P9	Waverly Drive	long/dev	70%	\$88,000	\$61,600
P10	Albany-Santiam Canal Pedestrian Esplanade	long/dev	70%	\$1,232,000	\$862,400
P11	Thurston Street Canal Pedestrian Esplanade	long/dev	70%	\$1,863,000	\$1,304,100
P12	Gibson Hill Road	short	70%	\$1,034,000	\$723,800
S1	ADA Accessibility Audit	short	0%	\$25,000	\$0
S2	Hwy 20 Corridor & Downtown Refinement Plan	short	100%	\$250,000	\$250,000
S3	Safety Audit	short	0%	\$30,000	\$0
S4	OR 99E Speed Study	short	0%	\$0	\$0
S5	Downtown STA	short	0%	\$0	\$0
S6	Albany TSP MPO Update	mid	32%	\$350,000	\$112,000
S7	Major Corridors	long/dev	0%	\$0	\$0
S8	Wayfinding	long/dev	0%	\$25,000	\$0
S9	Interstate 5 / OR 99E / Knox Butte	long/dev	100%	\$100,000	\$100,000
S10	Interstate 5 / US 20 (Santiam)	long/dev	100%	\$100,000	\$100,000
T1	ADA Accessibility Projects	mid	70%	\$430,000	\$301,000
TOTALS				\$267 M	\$155 M
				\$266 M	\$154 M

CITY OF ALBANY
CITY COUNCIL WORK SESSION
Municipal Court Room
Monday, August 10, 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 Rich Kellum, Bill Coburn, Ray Kopczynski, Dick Olsen, Bessie Johnson, and Floyd Collins.

Councilors absent: None.

BUSINESS FROM THE PUBLIC

Konopa introduced Peggy Burrus, the new director of the Albany Downtown Association (ADA). Burrus reported that the Movies at Monteith series has been well attended this year. Next week, the ADA will begin planning for Halloween trick-or-treating, and then for the Christmas tree lighting and parade.

Konopa mentioned that the Economic Improvement District (EID), which funds Parkwise, is up for renewal in 2016. Burrus said she will begin talking to downtown property owners in the next few days to prepare for the renewal.

Stephanie Lo, 6395 Chapman Court SW, said she is working with Public Information Officer Marilyn Smith on the public access channel. Lo thinks it's not being used to the fullest. She would like to contact non-profits and associations to see if they have video or other presentations to put on the channel. She also mentioned a booth at the Farmer's Market where City departments could promote their programs.

Councilor Floyd Collins said he has heard complaints about the lack of a program menu for the TV channel. Lo agreed that it's an issue. There aren't enough programs now to have a program menu. She has solicited several videos this year, from the Calapooia Watershed Council, the Library, Master Gardeners, and WIC, among others.

Konopa said there are two issues: TV channel programming, and outreach. She encouraged Lo to continue collecting videos that Information Technology (IT) can simply plug into the system. Managing the system will require some staff time, and a policy on acceptable organizations and presentations.

Rebecca Landis, of Corvallis/Albany Farmers Markets, P O Box 2602, Corvallis, 97339, said they already allow non-profits to do outreach at the market. The City would need to take into account the physical considerations of a booth, and the best location for wifi connection. The Market does not give space to fund-raising activities, and keeps political and religious activity on the edges. Landis said Smith has a copy of the Farmers Market's written policy.

Konopa said before the Council can make a decision, they will need a report from IT on Channel 28.

PUBLIC SAFETY FACILITIES PROJECT UPDATE

Engineering Manager Staci Belcastro reported that neighborhood meetings for both new facilities will be held this week. Belcastro and Police Chief Mario Lattanzio will attend this week's meeting of the Arts Commission to request funding for a water feature on the Police Station's plaza. The land-use application for both stations is scheduled to come before the Council on September 9, 2015.

Councilor Rich Kellum said he has heard that Edward Jones' new building may not be ready by the time they have to leave their current building. What will they do in the meantime? City Manager Wes Hare said the City paid the brokerage firm "a substantial amount" to move Edward Jones. Konopa said the City and the Council will work to make sure they have a space in the interim if needed.

PROPOSED LICENSE TO OCCUPY CITY PROPERTY NEAR BROADWAY RESERVOIR

Civil Engineer III Gordon Steffensmeier directed the Council's attention to Attachment 1 of his agenda submission, and explained the existing Licenses on neighboring properties. He handed out a revised agreement form that had minor changes from the form in the agenda packet (see agenda file). Deputy City Attorney Sean Kidd suggested using the revised agreement. Steven Ho'okano, the property owner, said they don't want to use the City land, just to mow it to help keep their own yard weed-free.

MOTION: Kellum moved to approve the revised License to Occupy. Councilor Ray Kopczynski seconded the motion, which passed 6-0.

MARIJUANA LAWS

Kidd handed out several pages of questions and answers about local regulation of marijuana (see agenda file). He explained how local law relates to state and federal law. He said that the City can't make marijuana illegal but can regulate or prohibit new marijuana facilities. Hare asked if the Council can choose to prohibit marijuana facilities outright, or only to refer the question to voters. Kidd said the Council can pass an Ordinance, which acts as a moratorium on new facilities until an election can occur.

Kellum asked if existing recreational marijuana facilities would be grandfathered in, in case of a ban. Kidd said only medical facilities can be grandfathered in. He added that if Albany decided to ban recreational facilities, the City would not get to share in the state tax revenue. He also said that beginning October 1, 2015, medical marijuana facilities will be able to sell marijuana for recreational use, but only until the Oregon Liquor Control Commission (OLCC) begins licensing recreational facilities.

The Council discussed public vs. private spaces.

Kidd advised the Council that they can prohibit medical facilities from selling for recreational use without an election. He asked the Council to let him know to start working on it if they want to get it done before October 1.

Konopa asked if Albany could have recreational dispensaries by January 2016. Kidd said, yes in theory, but it isn't likely. Before issuing licenses, the OLCC will check land-use compliance with the City, which has 21 days to reply. The OLCC will not issue dual licenses.

The Council discussed state vs. local taxes.

Konopa asked if any Councilors planned to take the marijuana tour at the League of Oregon Cities (LOC) conference. None plan to at this time. Hare said he would take a marijuana tour while he is in Seattle at the International City Managers Association (ICMA) conference.

Hare said the Council should consider what process they want to use to consider the issue of restrictions. It's a tough issue with a fair amount of passion behind it. He said he can't guess what citizens will want in the way of opportunity to speak to the Council about the issue. Collins asked to see the City vote count for legalization. Konopa said she has the precinct lists. The measure passed in Albany by over 300 votes.

Kopczynski asked if staff time, crime, or maintenance had increased at all due to marijuana facilities? Captain Jeff Hinrichs, in the audience, said he is not aware of any crimes at the facilities. He hasn't seen an increase in DUIIs or crime. He suspects there will be some change from alcohol DUIIs to marijuana DUIIs. The police have cited a few people for smoking marijuana in public.

Konopa reminded the Council that the City has an ordinance regulating marijuana facilities based on zoning. Kidd said the Council can create a zoning class for recreational marijuana now, before early sales start. Hare said the Council can create time and place restrictions, but as a city can be overruled by the state. At this point, the state has not preempted cities' ability to rule, but they could.

Konopa asked the Council what they would like to do.

Councilor Bessie Johnson said she would like to think about it, and see if she has questions.

Collins also said he wants to spend some time thinking about it. He would rather not have medical facilities selling recreational marijuana, but keep them completely separate. He would like to add restrictions on placement and zoning, especially regarding children. He thinks the Council should aim for an election on the November 2016 ballot.

Councilor Dick Olsen said if the City bans recreational marijuana, it will give up income. The Council discussed taxes on marijuana and came to a consensus that the potential loss would be relatively small.

The Council decided to take some time to think the issue over before deciding on a course of action.

Konopa and the Council thanked Kidd for his work.

COUNCILOR COMMENTS

Johnson handed out a copy of Albany Municipal Code (AMC) Chapter 2.96, One Percent for Art (see agenda file). She said she thinks the percentage should be less for very large projects. Kellum said he feels that a space which doesn't get a lot of public contact doesn't need art as much as a more public space, and the money could be better spent. Collins suggested an exclusion proportional to the construction value of a space.

Councilor Bill Coburn said he doesn't like 2.96.010(2). It seems to mandate "cramming" art into facilities with the space to accommodate, just because the money's available.

Konopa said she remembers when the Ordinance was passed. City Hall was built to be an art gallery, and the intent of the Ordinance was to get some art dollars into City Hall rather than other facilities with little public space.

Kopczynski said he likes the proposal to juxtapose water treatment with art for the fountain Belcastro mentioned earlier. Belcastro said about \$77,000 will be available for art in the new Fire station, and about \$100,000 for the Police station. The Police station doesn't have a lot of public space, so placing art outside would bring it to the public.

Olsen asked if the museum at the 34th Avenue fire station would be eligible for public art dollars. Hare said Fire is talking about incorporating some of the museum's historical apparatus into the new Fire station lobby. Belcastro said that Fire Chief John Bradner will bring a proposal to refurbish the Department's old steam engine to the Arts Commission in September. The refurbished engine and an old bell and flagpole would be moved into the new lobby, which has a lot of glass, so people on the street can see in.

Kellum said the Council told Albany citizens that these buildings would be functional, not froufrou. Refurbishing an old steam engine is not "functional." Collins said the Council agreed the buildings themselves would be functional.

Konopa mentioned that the Police Department needs to have its Wall of Honor in its new building.

Hare said if the Council wants to change the 1% for Art, it needs to go on a meeting agenda. Konopa said the Arts Commission needs to be included in any discussion. Hare said that public art is a big issue in a lot of communities. The public should have the opportunity to comment. He will alert the Arts Commission and put the issue on the Council agenda for August 26, 2015.

Collins asked if the Council can override the Arts Commission if they make a decision the Council doesn't agree with. Konopa read 2.96.030(1), Acquisitions, aloud. Hare said his interpretation is that the Council has complete discretion. Konopa said the goal is to get art into the community. It's possible that some future City Council might not be inclined to support art in the community. That's why the Ordinance involves several different groups.

Kellum told the Council that the Auto Zone is now open, and so is the Sportsman's Warehouse.

Collins said he represented the City at the Governor's Solutions Team meeting here in City Hall. He did a joint presentation with Linn-Benton Community College (LBCC) on the Workforce Development Project. The audience was impressed that all parties came together to work on the imbalance between job creation and trained employees. LBCC will present the Workforce Development Project at a symposium later this year. Collins has asked them to tie the project back to the City's Strategic Plan.

Konopa reported that she attended the Mayors' Conference two weeks ago. All the state agencies were there. Several mayors commended Albany for its urban renewal, and several asked Konopa for advice about solutions. Albany is very fortunate to have Central Albany Revitalization Agency and our urban renewal plan.

CITY MANAGER REPORT

Hare said Linn County has expressed interest in the current police station. They are willing to share the cost of an appraisal with the City. The property has been nominally assessed at \$1.2 million, but should have a full independent appraisal if the City intends to sell. A full appraisal will cost about \$6,000 to \$7,000. Collins asked if the City would own the appraisal. Hare said yes. The City would be able to use the appraisal as a basis for sale to anyone.

Hare said the Council may also need to act on the possible future transfer of the grassy swale off of Somerset Avenue. The developer of the subdivision was supposed to be responsible for the swale, but the property was foreclosed on and Linn County now owns it. The City gets complaints because the County isn't mowing. The property has potential value to the City. Parks and Recreation Director Ed Hodney thinks it would cost about \$1,000 per year to own and maintain.

Konopa said she was at National Night Out last week at North Pointe. Residents believe the City owns a drainage way there but is not maintaining it. Collins said he doesn't know if it belongs to the City or to the Homeowners' Association (HOA). Konopa said the Council may need to figure out a policy on maintenance of public space in new developments.

Kopczynski noted that Fire Marshal Mike Trabue has accepted a position with the state. He asked if the City has a replacement ready. Hare said he doesn't know Chief Bradner's plans.

ADJOURNMENT

There being no other business, the meeting was adjourned at 5:50 p.m.

Respectfully submitted,

Allison Liesse
Accounting Specialist

Reviewed by,

Stewart Taylor
Finance Director

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT:

Grantor

Purpose

Autozone Parts, Inc.

A 20 foot wide sanitary sewer easement, as part of the Autozone Development Project.

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

DATED AND EFFECTIVE THIS 9TH DAY OF SEPTEMBER 2015.

Mayor

ATTEST:

City Clerk

EASEMENT FOR SANITARY SEWER

THIS AGREEMENT, made and entered into this 28TH day of AUGUST, 2015, by and between AutoZone Parts, Inc. A Nevada Corporatoin, 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 and right-of-way, including the right to enter upon the real property hereinafter described, and to maintain and repair a sanitary sewer utility for the purpose of conveying public sanitary sewer service 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 sanitary sewer and the further right to remove trees, bushes, under-growth, and other obstructions interfering with the location and maintenance of the said public sanitary sewer.

This agreement is subject to the following terms and conditions:

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

A 20 foot wide easement over an new public sanitary sewer. See legal description on attached Exhibit A and map 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:

AutoZone Parts, Inc.

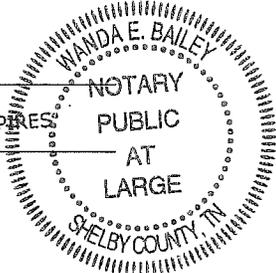
Maia Leggett
[Signature]

Approved by AutoZone
Legal & Business Personnel
[Signature]

STATE OF Tennessee
County of Shelby ss.
City of Memphis

The foregoing instrument was acknowledged before me this 28th day of August 2015,
by Maia Leggett James C. Griffith as his/her voluntary act and deed on behalf of Autozone
Parts, Inc. Vice President Vice President

Wanda E. Bailey
Notary Public for _____
My Commission Expires: MY COMMISSION EXPIRES
MAY 7, 2018



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 _____ 2013.

City Manager

ATTEST:

City Clerk

Easement Exhibit

An area of land lying in the Northwest 1/4 of Section 8, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon being more particularly described as follow;

Beginning at a point on the west line of and bearing South 7°15'18" East 93.03 feet from a 5/8" iron rod with aluminum cap marking the Northwest corner of that land described in Linn County Deed Microfilm Volume 1151 Page 735 in the Northwest 1/4 of Section 8, Township 11 South, Range 3 West, Willamette Meridian, City of Albany, Linn County, Oregon; thence North 73°02'58" East 99.55 feet; thence North 82°44'42" East 75.89 feet; thence South 52°15'18" East 34.17 feet; thence North 85°50'38" East 31.68 feet; thence North 7°15'18" West 6.49 feet; thence North 82°53'15" East 10.00 feet; thence South 07°15'18" East 7.01 feet; thence North 85°50'38" East 3.73 feet; thence South 04°09'22" East 20.00 feet; thence South 85°50'38" West 53.08 feet; thence North 52°15'18" West 33.54 feet; thence South 82°44'42" West 65.90 feet; thence South 73°02'58" West 101.28 feet; thence North 07°15'18" West 20.29 feet to the point of beginning.

Based on Linn County Survey No. 24937

REGISTERED
PROFESSIONAL
LAND SURVEYOR

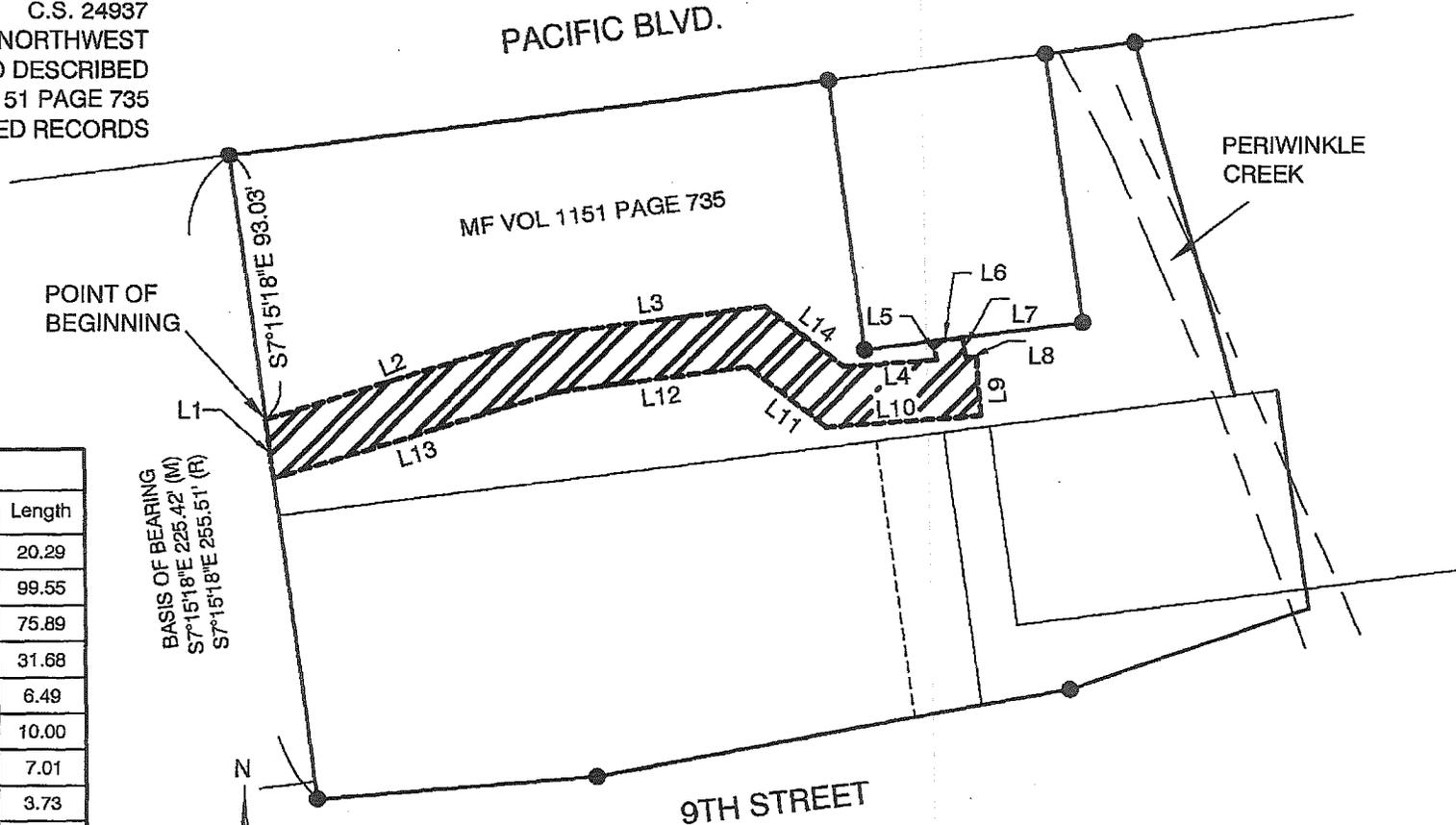
D. M. Crawford
OREGON
JAN. 9, 2007
DERON M. CRAWFORD
#76980 LS

EXPIRATION DATE: 12/31/2015

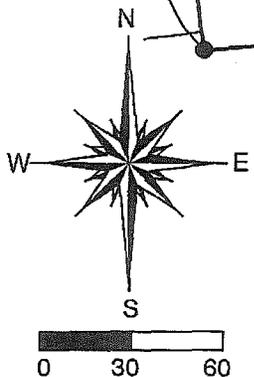
EASEMENT EXHIBIT

NW 1/4 OF SECTION 8, T11 S, R 3 W, W.M.
CITY OF ALBANY, LINN COUNTY, OREGON
SURVEYED: MAY 29, 2014

FD 5/8" IR W/ALUM CAP
C.S. 24937
HELD AS NORTHWEST
COR OF THE LAND DESCRIBED
IN MF VOL 1151 PAGE 735
LINN COUNTY DEED RECORDS



Line Table		
Line #	Direction	Length
L1	N7°15'18"W	20.29
L2	N73°02'58"E	99.55
L3	N82°44'42"E	75.89
L4	N85°50'38"E	31.68
L5	N7°15'18"W	6.49
L6	N82°53'15"E	10.00
L7	S7°15'18"E	7.01
L8	N85°50'38"E	3.73
L9	S4°09'22"E	20.00
L10	S85°50'38"W	53.08
L11	N52°15'18"W	33.54
L12	S82°44'42"W	65.90
L13	S73°02'58"W	101.28
L14	S52°15'18"E	34.17



LEGEND

- MONUMENT FOUND
- FD FOUND
- C.S. COUNTY SURVEY
- IR IRON ROD

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Deron M. Crawford

OREGON
JAN. 9, 2007
DERON M. CRAWFORD
#76980 LS

**CRAWFORD,
DRUMMOND &
ASSOCIATES, INC.**

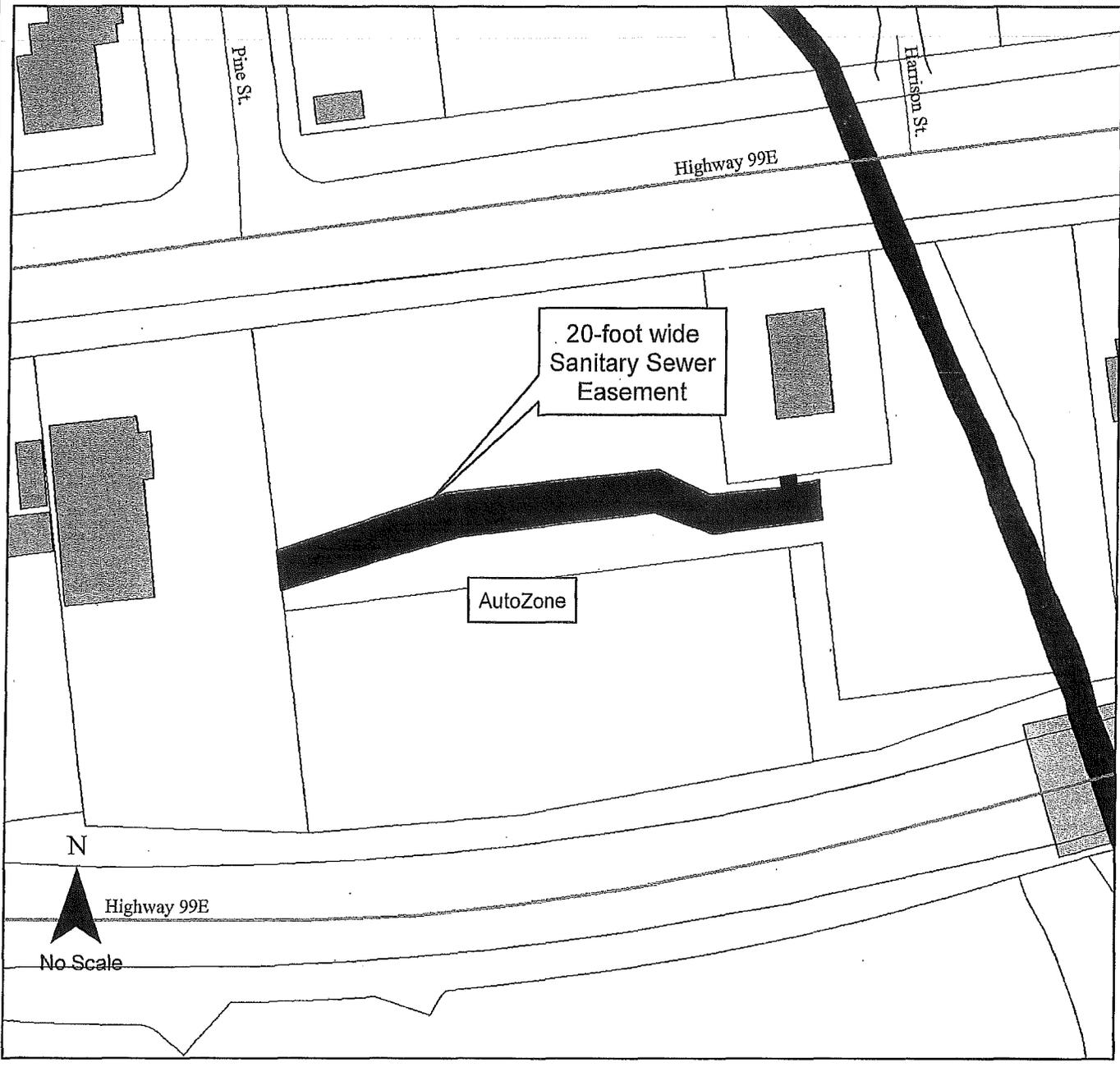
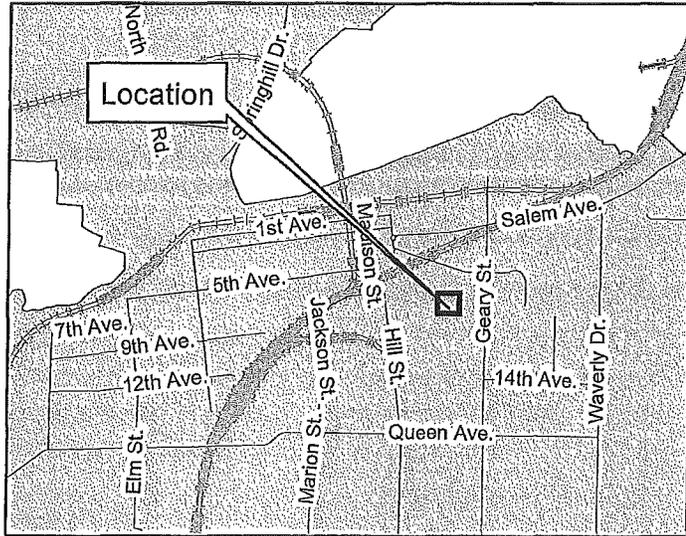
1055 AIRWAY ROAD, BLDG B
PO BOX 2385, LEBANON, OREGON 97355
PH: (541) 258-8833 FAX: (541) 258-8834

EXPIRES: 12-31-2015

EXHIBIT C

11S03W08BB- 04400

A 20 foot wide Sanitary sewer easement, as part of the AutoZone Development Project





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*
 Chris Cerklewski, P.E., Civil Engineer III

DATE: September 1, 2015, for the September 9, 2015, City Council Meeting

SUBJECT: Award of Bid for WL-15-04, College Park Drive Water Line

RELATES TO STRATEGIC PLAN THEME: • A Safe City

Action Requested:

Staff recommends that Council award this contract in the amount of \$574,775 to the low bidder, Trench Line Excavation, Inc. of Corvallis.

Discussion:

On Tuesday, August 18, 2015, bids were opened for WL-15-04, College Park Drive Water Line. There were four bids submitted for this project, ranging from \$574,775 to \$645,500. The Engineer's estimate was \$540,000. A bid summary is provided as Attachment 1.

Project Description

This project includes construction of approximately 1,100 feet of 12-inch water line on College Park Drive east of Pacific Boulevard as shown on the project vicinity map provided as Attachment 2. In addition to water line construction, this project also includes significant pavement restoration, installation of over 135 water services, fire hydrants, and related appurtenances. The new water line will replace deteriorated water lines, thereby increasing system reliability and reducing the number of emergency responses required to fix leaks.

Summary of Total Estimated Project Cost

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

Project Components	Estimated Cost
I. Costs	
a. Engineering	\$17,000
b. Construction Inspection	\$23,000
<i>Engineering Subtotal</i>	\$40,000
II. Construction Costs	
a. Construction Contract	\$575,000
b. Contingency (10%)	\$57,500
<i>Construction Subtotal</i>	\$632,500
<i>Total Estimated Project Cost</i>	\$672,500
<i>Project Budget</i>	\$593,000
<i>Under/(Over) Project Budget</i>	(\$79,500)

Albany City Council

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August 31, 2015, for the September 9, 2015, City Council Meeting

Budget Impact:

There are adequate funds in water capital reserves to cover costs over the budgeted amount. Approximately \$57,500 of the estimated total project cost is contingency funds that are held to deal with changed conditions during construction. While these funds may be required to complete the project, if changes are minimal, much of the \$57,500 could be saved thus reducing total project cost impacts.

This project will be funded from the Water System Capital Fund (615-50-2308).

CC:SB:kw

Attachment

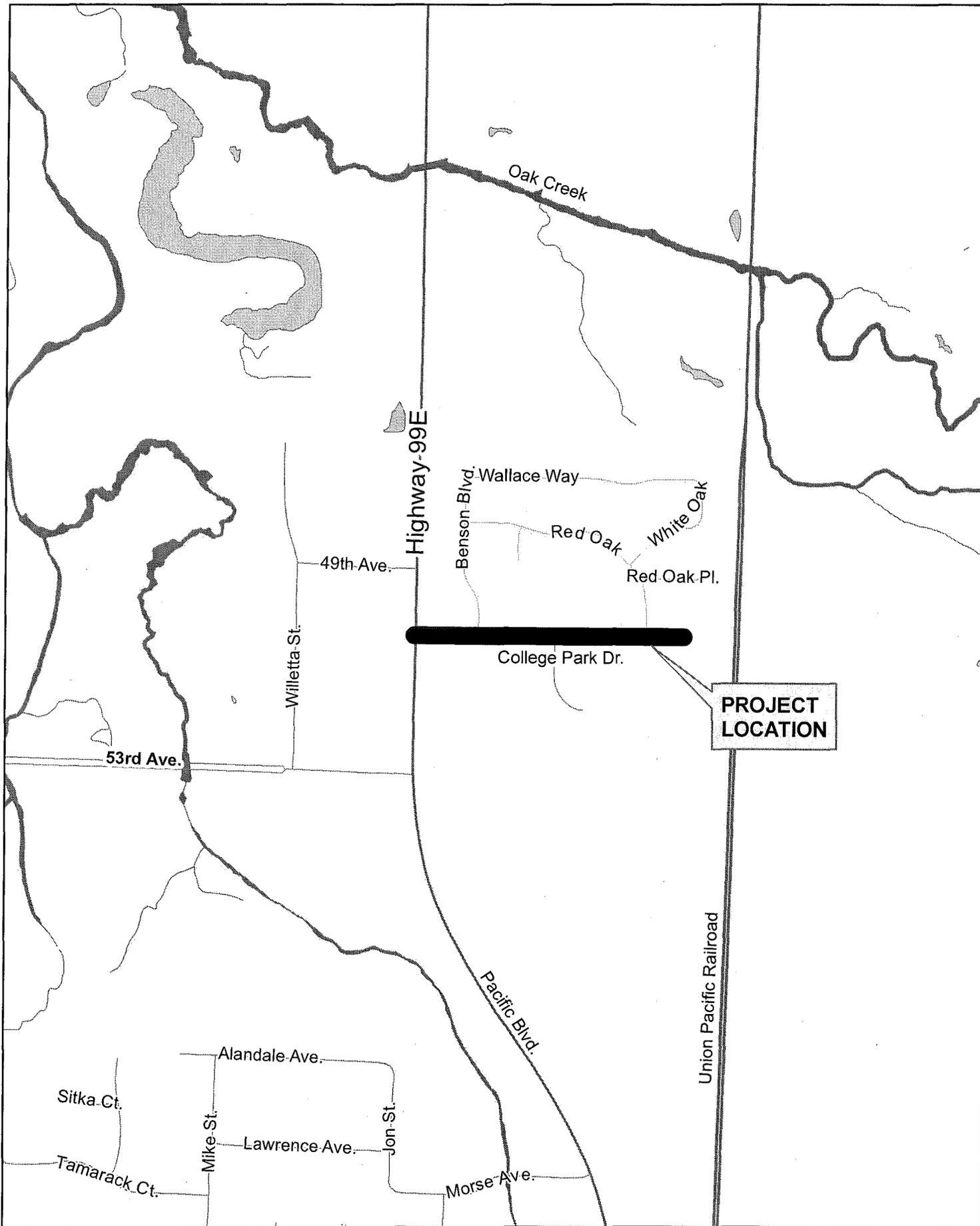


CITY OF ALBANY, OREGON
Public Works Department
Construction Contract Bids

Project: WL-15-04, College Park Drive Water Line

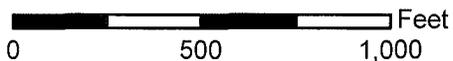
Bid Opening: Tuesday, August 18, 2015

Engineer's Estimate	Trench Line Excavation (Corvallis)	H&J Construction (Eugene, OR)	Pacific Excavation (Eugene, OR)	Landis & Landis Construction (Marylhurst, OR)
\$540,000	\$574,775	\$579,003.25	\$593,763	\$645,500



ATTACHMENT 2

COLLEGE PARK DRIVE WATER LINE VICINITY MAP





TO: Albany City Council

VIA: Wes Hare, City Manager

FROM: Laura Hyde, Executive Assistant to the City Manager *Laura*

DATE: August 28, 2015, for the September 9, 2015, City Council Meeting

SUBJECT: League of Oregon Cities Conference: Designation of Voting Delegate and Alternate

RELATES TO STRATEGIC PLAN THEME: • An Effective Government

Action Requested:

Designation of a Voting Delegate and Alternate for the annual LOC membership meeting on Saturday morning, September 26.

Discussion:

The City received its notice about designation of a voting delegate, and the League wants the information returned no later than September 11.

Each city is entitled to cast one vote at the LOC business meeting. To do so, the Council needs to officially designate a Voting Delegate and Alternate who are registered to attend the LOC Conference. Those attending are the following: Sharon Konopa, Jorge Salinas, and Sean Kidd.

Budget Impact:

None.

G:\Administrative Services\City Manager's Office\LOC Conference\Voting Delegate-2015-mlh.doc



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Chris Bailey, Interim Public Works Operations Director
Jeff Blaine, P.E., Interim Public Works Engineering and Community Development Director *AB*

DATE: August 27, 2015, for the September 9, 2015, City Council Meeting

SUBJECT: Benton County Road Transfer Intergovernmental Agreement

RELATES TO STRATEGIC PLAN THEME:

- A Safe City
- An Effective Government

Action Requested:

Staff recommends that Council approve the attached Intergovernmental Agreement (IGA) with Benton County for road transfers in the City of Albany.

Discussion:

The City of Albany and Benton County have a long history of working well together. The recent collaboration to secure property for expansion of North Albany Park and improvement of a portion of Crocker Lane is one successful example. Other examples include Benton County's willingness to provide a temporary bridge for Albany residents when a culvert failed on Belmont Avenue in 2012, coordinated outreach and support for the North Albany floodplain study, and water delivery to North Albany County Service District (NACSD) customers. Under a 2005 IGA, similar partnership approaches have been used to manage, improve, and transfer Benton County roads that are located within the City of Albany.

Benton County recently approached Albany staff to discuss alternatives for near-term improvement and transfer of jurisdiction for several roads in North Albany (Attachment 1 shows all of the roads within Albany's city limits that are under Benton County jurisdiction). Benton County wanted to invest in their infrastructure located within Albany's boundaries in order to facilitate a transfer of jurisdiction of those roads to the City of Albany as envisioned in the 2005 IGA. These investments will not take place without an associated transfer agreement. A transfer of jurisdiction is beneficial for Benton County as they would no longer be responsible for long-term operations and maintenance. A transfer of jurisdiction is beneficial for Albany because Albany then has control over roads that are within the Albany city limits, we avoid confusion for residents that want issues addressed on a road located in the City of Albany but under Benton County jurisdiction, and we can more efficiently review and approve development proposals or other capital projects that impact those roads.

The two Public Works' staffs have identified a subset of the roads shown in Attachment 1 that are thought to be appropriate for near-term transfer. Keeping with the spirit of the 2005 IGA, staffs developed a proposed list of improvements on these roads that were believed to best serve the residents and represent a fair level of investment prior to taking over jurisdiction of the roads. As a result, some roads are not proposed to have any improvements, while others have significant improvements. In this way, we are targeting funds where they are needed most and not taking jurisdiction of a road that requires near-term maintenance.

At the July 20, 2015, Council Work Session, staff presented a draft IGA with Benton County for road transfers in the City of Albany. Staff incorporated Council's feedback on the draft agreement and presented the final draft to Council and the Benton County Commissioners at a joint meeting

Albany City Council

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August 27, 2015, for the September 9, 2015, City Council Meeting

held on August 18, 2015. Both Council and the Commissioners requested time to review the latest revisions prior to taking action. The IGA under consideration is provided as Attachment 2 and is unchanged from what was distributed on August 18.

Staff recommends that Council approve the IGA with Benton County to facilitate near-term improvement and transfer of jurisdiction for the identified roads in North Albany.

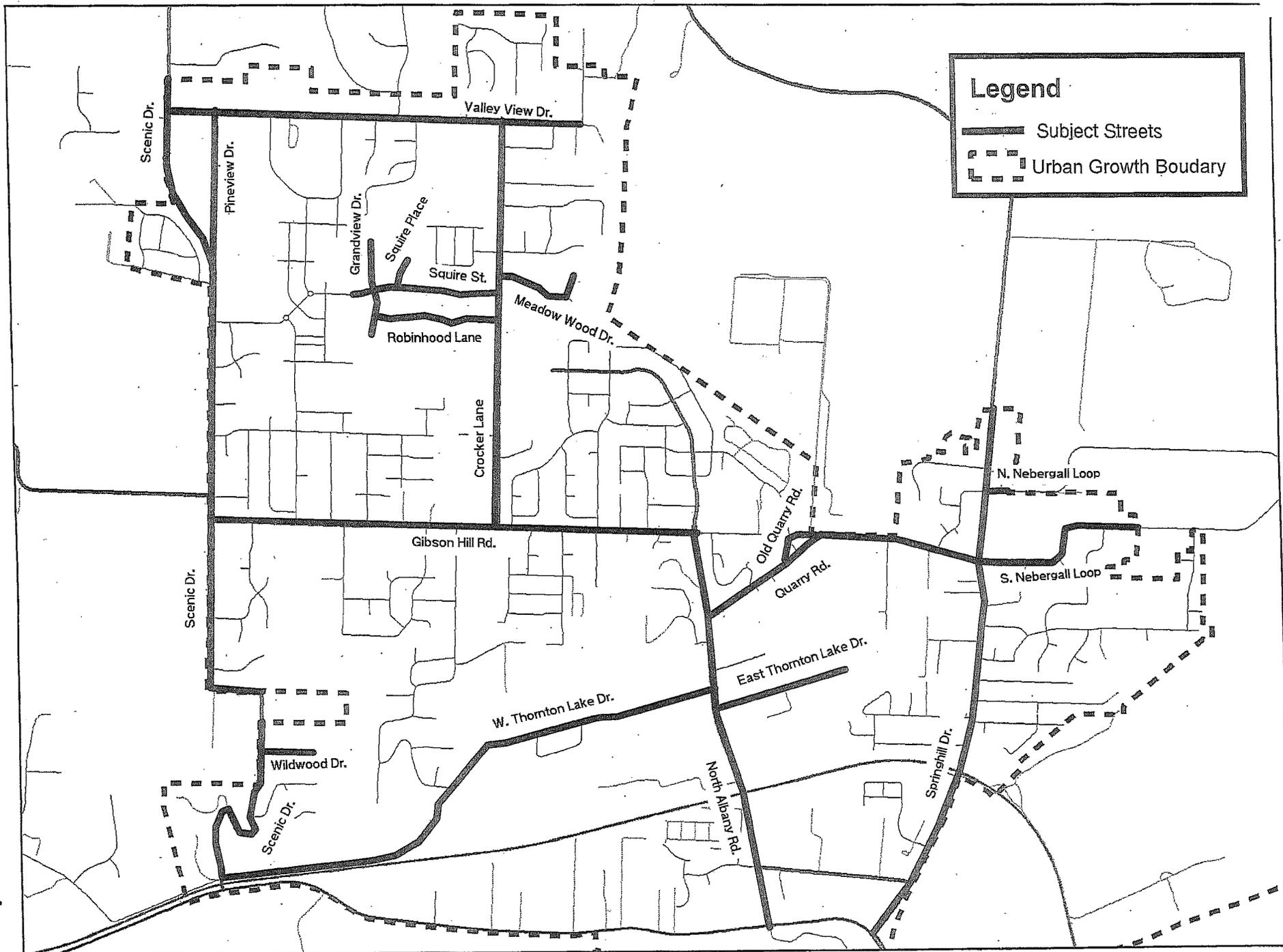
Budget Impact:

There is no budget impact at this time.

JJB:kw

c: Jon Goldman, Transportation Superintendent
Staci Belcastro, P.E., Acting City Engineer
Ronald G. Irish, Transportation Systems Analyst

Attachment 1 - Subject Streets



Benton County and City of Albany
**Intergovernmental Agreement
for
Jurisdictional Road Transfer**

This Intergovernmental Agreement made and entered into in duplicate original as of the _____ day of _____ 2015, by and between The City of Albany, a municipal corporation of the State of Oregon, hereinafter referred to as CITY and Benton County, a political subdivision of the State of Oregon, hereinafter referred to as COUNTY, and jointly referred to as PARTIES, or individually as a PARTY, identifies terms for jurisdictional road transfers.

RECITALS

WHEREAS, Oregon Statutes grant general authority for Intergovernmental Agreements by units of local government pursuant to the provisions of ORS 190.010 to 190.110, 368.016(2); 373.260; and 294.950(2); and

WHEREAS, certain roadways presently exist within the CITY's Urban Growth Boundary and City Limits for which the COUNTY presently retains jurisdiction, control, and maintenance responsibility; and

WHEREAS, the CITY and the COUNTY entered into an Intergovernmental Agreement dated **May 11, 2005**, that outlined an orderly process, method and timeliness for the transfer of jurisdiction and maintenance responsibility of COUNTY roads within the CITY's Urban Growth Boundary (UGB) to the CITY; and

WHEREAS, the COUNTY and CITY agree that the parties operated well under the May 11, 2005, intergovernmental agreement (IGA); and

WHEREAS, specific streets have been transferred from COUNTY to CITY jurisdiction and maintenance responsibility under the terms of the May 11, 2005, IGA; and

WHEREAS, additional negotiations between the COUNTY and CITY have made replacing the May 11, 2005 IGA timely; and

WHEREAS, this agreement replaces and supersedes the Intergovernmental Agreement between the CITY and the COUNTY dated **May, 11, 2005**; and

WHEREAS, the CITY and the COUNTY desire to agree upon the responsibilities of the operation, maintenance and safety of certain streets, hereinafter "subject streets," in a timely manner; and

WHEREAS, the CITY and the COUNTY acknowledge and agree that a systematic process for transfer of subject streets is desirable; and

WHEREAS, it is in the best interest of the CITY, COUNTY and public that permitting, inspection, and regulation of subject streets responsibilities be transferred to the CITY as soon as possible; and

WHEREAS, a subset of the "subject streets" are identified for near term transfer; and

WHEREAS, the identified improvements and timelines associated with said subset are considered as an overall transfer improvement package and are not separable without agreement between both PARTIES; and

WHEREAS, COUNTY will transfer title of that COUNTY-owned property described in M-57929-84, Benton County Deed Records, located at the southwest corner of North Albany Road and NW Gibson Hill Road to the CITY as part of the transfer of jurisdiction of the above said roads; and

WHEREAS, improvements will be constructed within the timelines identified herein and jurisdictional transfers will be completed in phases.

NOW THEREFORE, in consideration of the recitals above and mutual covenants, terms, provisions, and performances as set forth below, the PARTIES agree as follows:

1. ROADWAYS SUBJECT TO THIS INTERGOVERNMENTAL AGREEMENT

A. Set forth below are the COUNTY roads within the CITY’s Urban Growth Boundary (UGB) which are expressly subject to the terms of this Agreement. This list may be supplemented or modified from time to time by mutual agreement of the PARTIES. Roads identified with an asterisk (*) are the subset of streets subject to a near term transfer plan as described herein. Crocker Lane, Valley View Drive, and West Thornton Lake Drive have portions of the existing roads that are subject to near-term transfer and portions that do not yet have an assigned transfer schedule. The limits of the near-term transfer are identified in the following sections:

SUBJECT STREETS

Crocker Lane *	Robinhood Lane *
East Thornton Lake Drive *	Scenic Drive (Portions within City Limits)
Gibson Hill Road *	South Nebergall Loop (Spring Hill Drive to City Limits)
Grandview Drive *	Spring Hill Drive (HWY 20 to City Limits)
Meadow Wood Drive *	Squire Place *
North Albany Road HWY 20 to Roundabout)*	Squire Street *
North Nebergall Loop (Spring Hill Drive to City Limits)	Valley View Drive*
Old Quarry Road	West Thornton Lake Drive*
Pineview Drive	Wildwood Drive *
Quarry Road	

This agreement acknowledges that all other streets in North Albany are either under City jurisdiction, State jurisdiction, or are private. This agreement does not obligate the City to any specific level of maintenance on any roads now identified as under City jurisdiction.

2. NEAR-TERM IMPROVEMENTS AND TRANSFER

- A. The COUNTY shall transfer to the CITY and the CITY shall accept jurisdiction of the streets identified in Sections 2-F through 2-J below based on the improvements and timelines outlined herein. Road transfers shall include the transfer of associated easements (i.e. road drainage or slope easements), or assignment of rights/responsibilities for associated easements, as legally allowed. In the event any of the rights for easements, etc, are non-assignable, County agrees, pursuant to ORS 190.030, that City is vested with all powers, rights and duties relating to those easements that are vested with County.
- B. The PARTIES shall hold a pre-construction meeting prior to constructing any of the identified improvements to ensure that the scope and extents of the work is clearly defined before commencing construction. For major improvements requiring engineering design and development of construction drawings, the COUNTY will provide ample opportunities for the CITY to review and comment on the proposed improvements. Improvements shall be constructed consistent with the most recent version of the City of Albany Engineering Standards and Standard Construction Specifications.
- C. COUNTY and the CITY agree that jurisdictional transfer will occur only upon completion of the improvements identified in Sections 2-F through 2-J below. Completion shall be achieved upon written notice by COUNTY to CITY that such improvements have been accomplished, and CITY by written notice to COUNTY that said improvements have been satisfactorily completed. The COUNTY and the CITY acknowledge that if unforeseen circumstances arise, the timeline set forth may be adjusted and revised upon mutual written consent.
- D. Both PARTIES agree that until such time as the jurisdictional transfers of each identified street occurs, the PARTIES will retain their current operation and maintenance responsibilities, including those identified in the Letters of Understanding provided as Exhibits A and B.

- E. The PARTIES agree that upon completion by COUNTY and acceptance by CITY, COUNTY shall initiate the road(s) transfer and the CITY agrees it shall accept such transfer. The PARTIES agree that such transfers may occur singly, or as a combination of some or all of the identified streets. Public Works staff for both PARTIES shall work together to put forward such transfers.
- F. Roads to be transferred by December 2015, with no additional improvement required:
- **NW Wildwood Drive** (County Road Number 14301);
 - **NW North Albany Road** (County Road Number 14400);
 - **NW West Thornton Lake Drive** (County Road Number 04420) easterly 470 feet.
- G. Roads to be transferred by December 2015 upon completion of the following improvements by COUNTY:
- **NW Valley View Drive** (County Road Number 04441) from NW Crocker Lane to NW Ridgeview Lane: spot repairs and additional 2-inch overlay approximately 170 feet on the east end – work to be completed by October 2015;
 - **NW East Thornton Lake Drive** (County Road Number 14402): spot repairs, 2-inch overlay – work to be completed by October 2015.
- H. Roads to be transferred by December 2016 upon completion of the following improvements to be performed by COUNTY:
- **NW Robinhood Lane** (County Road Number 04435): widen road to approximately 26 feet and apply a 2-inch overlay;
 - **NW Meadow Wood Drive** (County Road Number 04434): 75 feet of a 2-inch overlay starting at the intersection of Crocker and double chip seal. CITY shall complete water line replacement within project area prior to COUNTY completing said improvements.
 - **NW Squire Street** (County Road Number 04433): repaint striping in 2016;
 - **NW Squire Place** (County Road Number 04437): spot repairs, crack seal and chip/slurry seal - work to be completed by October 2016;
 - **NW Grandview Drive** (County Road Number 04436): spot repairs, crack seal and chip/slurry seal – work to be completed October 2016; and
- I. Roads to be transferred by December 2021 upon completion of the following improvements to be performed by COUNTY:
- **NW Gibson Hill Road** (County Road Number 04910): drainage improvements including shallowing ditches and replacing deteriorated or undersized stormwater piping, incorporation of post-construction stormwater quality facilities as required by City standards, pedestrian facilities including sidewalks and crossings (see Exhibit C), structural repairs and treatments resulting in a structural section that will withstand a 20-year design traffic-loading period with 90 percent reliability and acceptable ride quality, and new thermoplastic pavement markings. CITY and COUNTY shall collaborate and agree on the scope of improvements proposed to meet the specified criteria prior to initiating construction. Improvements shall be completed as not to interfere with future intersection treatments anticipated at the intersection with Gibson Hill Road and Crocker Lane. These improvements will be phased over several years.
- J. Roads to be transferred following completion of urban upgrades by the CITY and \$200,000 payment from COUNTY to CITY for said upgrades:
- **NW Crocker Lane** (County Road Number 04403): northerly 2,090 feet between Valley View Drive and Meadow Wood Drive. The COUNTY shall make the \$200,000 payment to the CITY no later than December 31, 2017.

3. LONG-TERM IMPROVEMENTS AND TRANSFERS

- A. Subject Streets, and remaining sections of Subject Streets, not identified for improvement and transfer in Section 2 shall remain in COUNTY jurisdiction until such time that the street has been brought up to urban standards consistent with the CITY's Development Code, Engineering Standards, and Standard Construction Specifications, or as otherwise agreed by both PARTIES; AND the CITY has agreed to accept jurisdiction. If CITY is accepting from COUNTY a roadway that has been improved to qualifying standards, the CITY shall accept the roadway without any additional maintenance compensation.
- B. Where CITY accepts jurisdiction and maintenance responsibility of a roadway in its existing condition without improvement to urban standards prior to transfer, COUNTY shall pay to CITY, in lieu of construction, the twenty- (20) year present worth value of anticipated maintenance costs. Calculations shall be made consistent with the principles described within the latest edition of *Principles of Engineering Economy*, by Grant and Iverson, or other method mutually agreed upon by the PARTIES.
- i. In determining the twenty- (20) year present worth calculation, the PARTIES shall use the current *R.S. Means* as the basis for estimating construction costs, current value, and salvage value (if any), unless they mutually agree to use other estimating techniques.
 - ii. The items to be considered in order to maintain the roadway for its intended twenty- (20) year future life shall be:
 - Slurry Seal at seven (7) years and at fourteen (14) years; and
 - A two-inch grind/overlay at twenty (20) years; and
 - The value of sweeping the roadway once a month; and
 - The value of re-striping the roadway once per year.
 - Any known wetland constraints/mitigation requirements for planned maintenance, improvement, or urban conversion.All other items which are not specifically identified shall be excluded.
 - iii. The sum of twenty- (20) year maintenance shall include an interest factor that shall be calculated by utilizing the preceding three- (3) year rolling averages of the LGPI published interest rate for municipal investments.
 - iv. PARTIES agree that some roadways will require an alternate method for determining the basis for computing the cash equivalent in lieu of roadway improvement. Various road classifications and partially improved roadways will likely require unique methods and negotiations to determine the cash equivalent. Any alternate methods shall be mutually agreed upon in writing by the PARTIES.
 - v. Nothing herein obligates COUNTY to transfer a road at CITY request.
- C. PARTIES agree that individual IGAs will be executed for each individual or group transfer of roads. These IGAs shall outline the specific details of each transfer agreement.
- D. PARTIES agree that road transfers shall include the transfer of associated easements (i.e. road drainage or slope easements), or assignment of rights/responsibilities for associated easements, as legally allowed. In the event any of the rights for easements, etc, are non-assignable, County agrees, pursuant to ORS 190.030, that City is vested with all powers, rights and duties relating to those easements that are vested with County.

4. NOTIFICATIONS REGARDING POTENTIAL ROADWAY IMPROVEMENTS

- A. CITY agrees to notify COUNTY of proposed Site Improvement projects, Site Plan Reviews, or potential Local Improvement Districts that might result in the improvement of COUNTY roads within the CITY's urban growth boundary.
- B. COUNTY agrees to notify CITY of proposed construction or reconstruction of any COUNTY roads within CITY's urban growth boundary to ensure proper coordination of various improvements.

5. MAINTENANCE AGREEMENTS AND RESOURCE SHARING

- A. PARTIES agree that individual maintenance and jurisdictional agreements may be made as is beneficial and approved by both PARTIES. This may allow jurisdictional changes or maintenance agreements to occur in conjunction with or independent of IGA transfer agreements.
- B. In order to minimize the cost of various roadway maintenance activities to the citizens of the CITY and COUNTY, the PARTIES agree to contract with one another (subject to availability and to the extent that it is economically feasible) for the performance of services in connection with this Agreement in those circumstances where one PARTY has the expertise or resources to perform the service in the most cost-effective manner.

6. LAW ENFORCEMENT

- A. Nothing in this agreement shall affect the jurisdiction or responsibilities of the law enforcement agencies of the CITY or COUNTY.

7. DISPUTE RESOLUTION

- A. The PARTIES agree to resolve all disputes that may arise pursuant to the terms of this Agreement by binding Arbitration. In the event the PARTIES cannot agree upon a single mutually acceptable Arbiter, they shall apply to the presiding Judge of Benton County for the appointment of such Arbiter. The costs of Arbitration shall be borne equally by both PARTIES and the Arbiter's decision shall be binding and final. Except for the streets identified for near-term improvement and/or transfer in Section 2, this Arbitration Clause shall not obligate either PARTY to transfer or accept a roadway in the event of a disagreement. Arbitration shall only be utilized to resolve disputes that arise subsequent to a transfer decision having been made and accepted.

8. TERM

- A. This Agreement shall be perpetual so long as there are COUNTY roads within the CITY urban growth boundary. With the exception of the provisions outlined in Section 2, either PARTY may terminate this agreement upon two (2) years written notice to the other. Notwithstanding the right to terminate, the PARTIES agree that all near-term improvements and transfers as described above in Section 2 shall be completed by the PARTIES.
- B. If COUNTY terminates this agreement prior to the CITY utilizing the full cash equivalent of in-kind services due from COUNTY, COUNTY shall make a cash payment to CITY for the cash equivalent of in-kind services.

FOR COUNTY OF BENTON:

FOR CITY OF ALBANY:

Jay Dixon, Commissioner Chair

Sharon Konopa, Mayor

Annabelle Jaramillo, Commissioner Vice Chair

Wes Hare, City Manager

Anne Schuster, Commissioner

Approved as to Content:

Approved as to Content:

Jeff Blaine, P.E., Interim Public Works Engineering and Community Development Director

Joshua Wheeler, Public Works Director

Chris Bailey, Interim Public Works Operations

Approved as to Form:

Vance M. Croney, County Counsel

Director

Approved as to Form:

James Delapoer, City Attorney

DRAFT

EXHIBIT A

BENTON COUNTY & CITY OF ALBANY LETTER OF UNDERSTANDING

RECITALS

WHEREAS the CITY and the COUNTY desire to agree upon the responsibilities of the operation, maintenance and safety of NW North Albany Road, County Road Number 14400, and NW Gibson Hill Road, County Road Number 04910 in a timely manner,

WHEREAS the CITY and the COUNTY have entered into an intergovernmental agreement dated May 11, 2005 that outlines an orderly process, which may be utilized to determine the method and timeliness of the transfer of jurisdiction and maintenance responsibility for County Roads within the City's Urban Growth Boundary to the CITY,

WHEREAS it is in the public interest to have only one governmental agency responsible for the operation and safety of any given street and the CITY is the logical and appropriate provider for these services,

WHEREAS urbanized development along North Albany Road and Gibson Hill Road continues as a rapid pace,

WHEREAS it is in the CITY'S, COUNTY'S and public's best interest that permitting, inspection, and regulation of North Albany Road and Gibson Hill Road responsibilities be transferred to the CITY as soon as possible,

WHEREAS a full jurisdictional transfer action will take an extended length of time to evaluate, negotiate and obtain approval for both the City Council and County Board of Commissioners,

THEREFORE, THE CITY AND THE COUNTY AGREE AS FOLLOWS:

Administrative Items

- It is the intent of the parties that the COUNTY delegates to the CITY responsibility for all of the operation and safety over NW North Albany Road, County Road Number 14400, and NW Gibson Hill Road, County Road Number 04910.
- CITY agrees to accept all administration, operation and safety responsibilities of NW North Albany Road, County Road Number 14400, and NW Gibson Hill Road, County Road Number 04910 until the transfers of jurisdiction of the above roads have been completed.
- The CITY will issue all permits, perform all inspections for construction within the right of way of North Albany Road and Gibson Hill Road. COUNTY maintenance of these roads will not require a permit.
- The CITY will handle traffic speed and safety issues, provide for traffic control enforcement and establish traffic regulation for North Albany Road and Gibson Hill Road.
- The CITY will maintain traffic control signs, street improvements and pavement markings for all sections of roadway improved to urban standards.
- The COUNTY will maintain traffic control signs, pavement markings, shoulder, roadside vegetation, and drainage ditches for all sections of roadway that are not improved to urban standards.

- To the extent it is permitted by law, COUNTY agrees to delegate to the CITY full authority to award construction contracts for maintenance and construction or reconstruction of facilities, to collect fees for services per the City of Albany ordinances or fee structure.
- COUNTY will offer that County owned property described in M-57929-84, Benton County Deed Records, located at the southwest corner of North Albany Road and NW Gibson Hill Road to the CITY as part of the transfer of jurisdiction of the above said roads.
- COUNTY will evaluate raising the existing bridge on NW North Albany Road that spans Thornton Lake to an elevation that is 1 foot above the 100-year flood elevation.
- COUNTY will dedicate to the CITY the necessary right of way for the construction of a roundabout at the intersection of North Albany Road and Gibson Hill Road at no cost to the CITY.
- CITY and COUNTY agree to work together to arrive at a solution acceptable to both parties in order that the transfer of jurisdiction of NW North Albany Road, County Road Number 14400, and NW Gibson Hill Road, County Road Number 04910, can be considered by the Albany City Council and the Benton County Board of Commissioners for approval.
- CITY and COUNTY agree that this Letter of Understanding does not bind the Benton County Board of Commissioners or the City of Albany Council to enter into any agreement or take action.

Enforcement

- Nothing in this agreement shall affect the jurisdiction or responsibilities of the law enforcement agencies of the CITY or COUNTY.

Termination

- This agreement shall not be terminable, except by mutual agreement of the CITY and COUNTY, or upon the transfer of jurisdiction of the above-mentioned roads.

CITY OF ALBANY

By *Trane J. Negelbauer* 5-1-05
Public Works Director Date

CITY OF ALBANY

By *J. W. Y.* 6-7-05
City Attorney Date

BENTON COUNTY

By *M. Mc. Pin* 5-25-05
Director of Public Works Date
Contracting Officer

APPROVED

By *David M. Crony* 5-18-05
County Counsel Date

BENTON COUNTY BOARD OF COMMISSIONERS

By *Annabelle Jaramillo*
Annabelle Jaramillo, Chair Date

BENTON COUNTY & CITY OF ALBANY
LETTER OF UNDERSTANDING

RECITALS

WHEREAS the CITY and the COUNTY desire to agree upon the responsibilities of the operation, maintenance and safety of these streets in a timely manner herinafter "subject streets":

NW Crocker Lane, (County Road Number 04403)
NW Squire Street, (County Road Number 04433)
NW Squire Place, (County Road Number 04437)
NW Robinhood Lane, (County Road Number 04435)
NW Grandview Drive (County Road Number 04436)

WHEREAS the CITY and the COUNTY have entered into an intergovernmental agreement dated May 11, 2005 that outlines an orderly process, which may be utilized to determine the method and timeliness of the transfer of jurisdiction and maintenance responsibility for County Roads within the City's Urban Growth Boundary to the CITY,

WHEREAS it is in the public interest to have only one governmental agency responsible for the operation and safety of any given street and the CITY is the logical and appropriate provider for these services,

WHEREAS urbanized development along subject streets continues at a rapid pace.

WHEREAS it is in the CITY'S, COUNTY'S and public's best interest that permitting, inspection, and regulation of subject streets responsibilities be transferred to the CITY as soon as possible,

WHEREAS a full jurisdictional transfer action will take an extended length of time to evaluate, negotiate and obtain approval for both the City Council and County Board of Commissioners,

THEREFORE, THE CITY AND THE COUNTY AGREE AS FOLLOWS:

Administrative Items

- It is the intent of the parties that the COUNTY delegates to the CITY responsibility for all of the operation and safety over subject streets.
- CITY agrees to accept all administration, operation and safety responsibilities of subject streets until the transfers of jurisdiction of the above subject streets have been completed.
- The CITY will issue all permits; perform all inspections for construction within the right of way of subject streets. COUNTY maintenance of these subject streets will not require a permit.
- The CITY will handle traffic speed and safety issues, provide for traffic control enforcement and establish traffic regulation for subject streets.

- The CITY will maintain traffic control signs, street improvements and pavement markings for all sections of roadway improved to urban standards.
- THE CITY will operate and maintain traffic control signals that may be installed on subject streets.
- The COUNTY will maintain traffic control signs, pavement markings, shoulder, roadside vegetation, and drainage ditches for all sections of subject streets that are not improved to urban standards.
- To the extent it is permitted by law, COUNTY agrees to delegate to the CITY full authority to award construction contracts for maintenance and construction or reconstruction of facilities, to collect fees for services per the City of Albany ordinances or fee structure.
- CITY and COUNTY agree to work together to arrive at a solution acceptable to both parties in order that the transfer of jurisdiction of subject streets, can be considered by the Albany City Council and the Benton County Board of Commissioners for approval.
- CITY and COUNTY agree that this Letter of Understanding does not bind the Benton County Board of Commissioners or the City of Albany Council to enter into any agreement or take action.

Enforcement

- Nothing in this agreement shall affect the jurisdiction or responsibilities of the law enforcement agencies of the CITY or COUNTY.

Termination

- This agreement shall not be terminable, except by mutual agreement of the CITY and COUNTY, or upon the transfer of jurisdiction of the above-mentioned roads.

CITY OF ALBANY

By *Arnie Auguchter*
Public Works Director Date 06-12-06

CITY OF ALBANY

By *[Signature]* 6-20-07
City Attorney Date

BENTON COUNTY

By *[Signature]* 3 Jul 07
Director of Public Works Date
Contracting Officer

APPROVED

By *[Signature]* 6-29-07
County Counsel Date

BENTON COUNTY BOARD OF COMMISSIONERS

By *[Signature]* 10/16/07
Annabelle Jaramillo, Chair Date

A2007-122

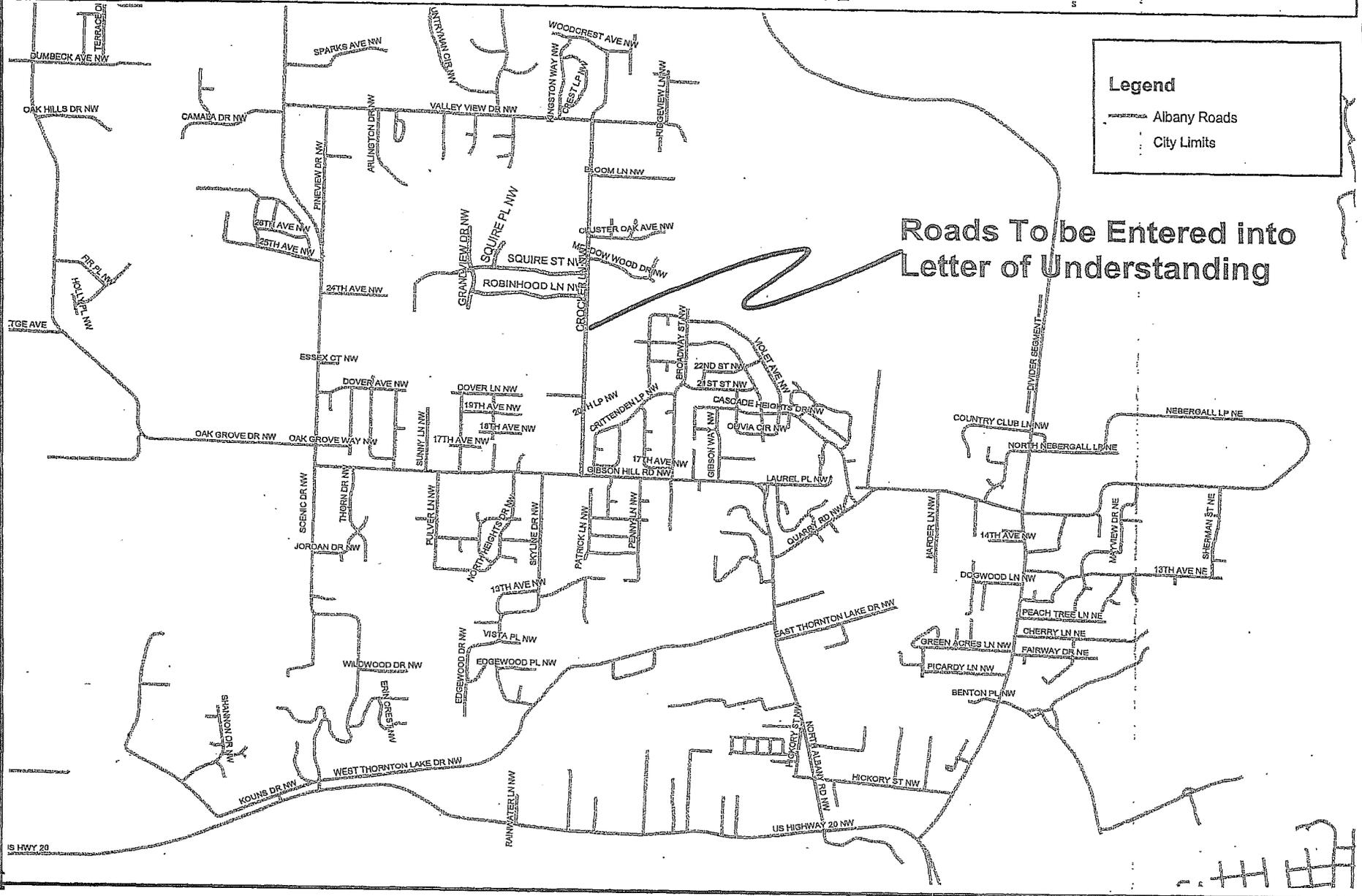
NORTH ALBANY



Legend

- Albany Roads
- City Limits

Roads To be Entered into
Letter of Understanding



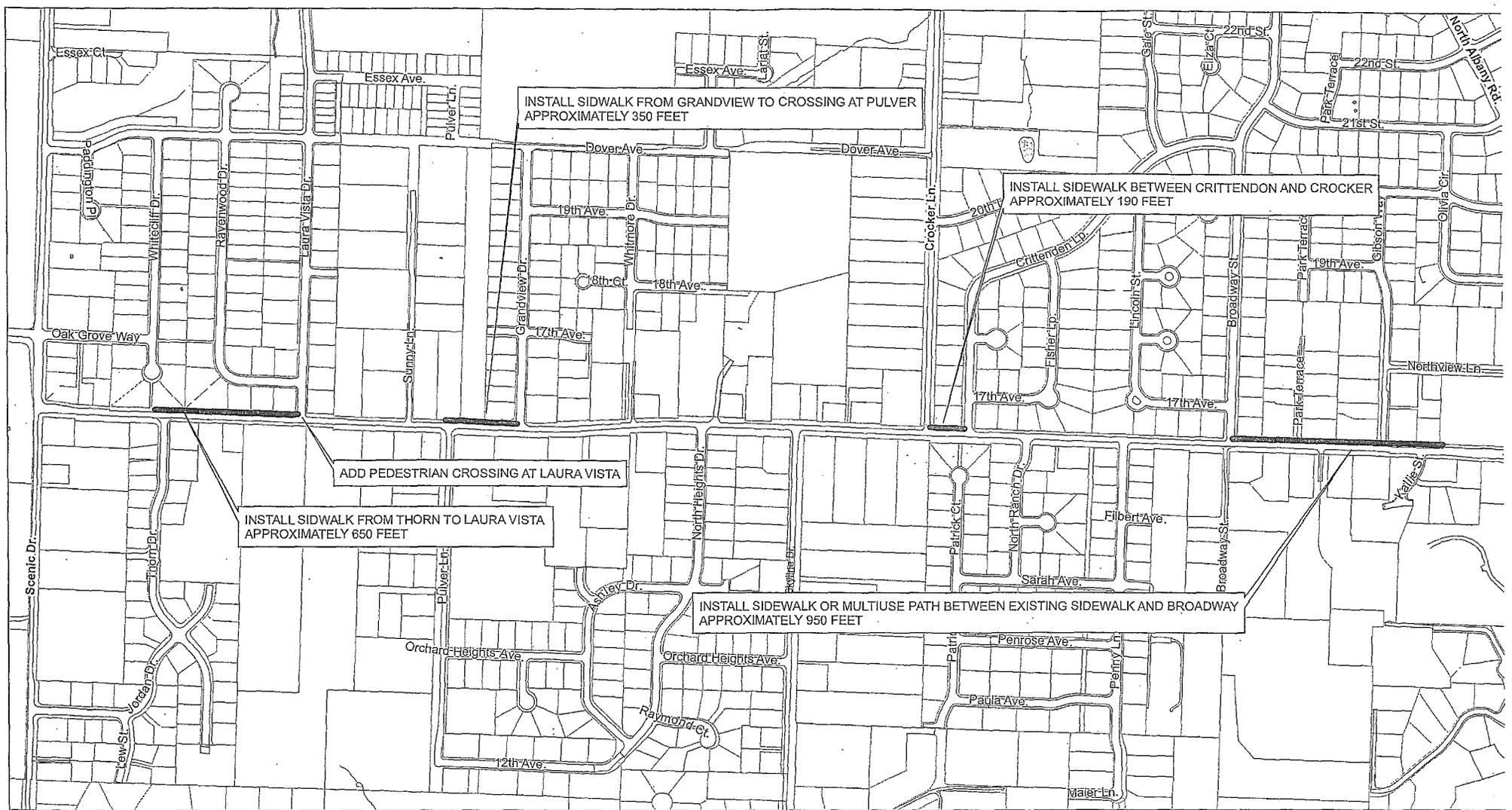


EXHIBIT C

BENTON COUNTY PEDESTRIAN AMENITIES CONTRIBUTION