



NOTICE OF PUBLIC MEETING
CITY OF ALBANY
CITY COUNCIL
 Council Chambers
 333 Broadalbin Street SW
 Wednesday, October 26, 2016
 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. PROCLAMATION
 - a. Extra Mile Day. [Page 3]
 Action: _____
5. SCHEDULED BUSINESS
 - a. Communications
 - 1) Economic development request. [Pages 4-9]
 Action: _____
 - 2) Request for Comprehensive Plan amendment and zone change for property on the east side of Lochner Road and south of the railroad tracks (tax map 11S03W20-00-00603). [Page 10]
 Action: _____
 - b. Business from the Public
 - c. First Reading of Ordinance
 - 1) Amending Chapters 12.01.010, Intent and Purpose, and 12.01.040, Definitions, and creating Chapter 12.30, Stormwater Utility, of the Albany Municipal Code. [Pages 11-16]
 Action: _____ ORD. NO. _____
 - d. Adoption of Resolutions
 - 1) Authorizing a loan from the Oregon Infrastructure Finance Authority and an intergovernmental agreement with the Albany Revitalization Agency for the repayment of that loan. [Pages 17-24]
 Action: _____ RES. NO. _____
 - 2) Waiving competitive bidding and establishing a contract-specific procurement for Scinor Water America, LLC, membrane modules. [Pages 25-29]
 Action: _____ RES. NO. _____
 - 3) Repealing Resolution No. 4712 and accepting the Albany Municipal Airport Master Plan dated September 2014. [Pages 30-31]
 Action: _____ RES. NO. _____
 - e. Adoption of Consent Calendar
 - 1) Approval of Minutes
 - a) September 12, 2016, Work Session minutes. [Pages 32-35]
 - 2) Liquor license recommendation to OLCC:
 - a) Grant the additional privilege, off-premises sales, liquor license application for The Growler Garage & Tap House, LLC, d/b/a The Growler Garage & Tap House, located at 229 Third Avenue SW. [Page 36]
 Action: _____

6. BUSINESS FROM THE COUNCIL
7. RECESS TO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION OR LITIGATION LIKELY TO BE FILED IN ACCORDANCE WITH ORS 192.660 (2)(h)
8. RECONVENE
9. NEXT MEETING DATE: Work Sessions: Wednesday, November 2, 2016; and Monday, November 7, 2016
Regular Session: Wednesday, November 9, 2016
10. ADJOURNMENT

City of Albany Web site: www.cityofalbany.net

PROCLAMATION

EXTRA MILE DAY

November 1, 2016

WHEREAS, Albany is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

WHEREAS, Albany is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, Albany is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

WHEREAS, Albany acknowledges the mission of Extra Mile America to create 575 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2016.

NOW, THEREFORE, I, Sharon Konopa, Mayor of the City of Albany, do hereby proclaim November 1, 2016, to be

Extra Mile Day

and urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Albany to be affixed this 26th day of October 2016.

Sharon Konopa, Mayor



Incentives Summary and Estimate for Project Column

From: Redmond Economic Development, Inc. (REDI)

09.14.16

Presented to: Todd Piller
Project: Company Acquisition and Relocation



Dear Todd,

We are extremely excited about your continued interest in Redmond and the potential relocation of a pending acquisition of your new venture! This document is designed to provide a concise but comprehensive overview of state, regional and local incentives for the relocation of an injection mold facility in Redmond, Oregon. Included in this proposal are two sites for your consideration. Specific incentives within this overview have been estimated based on the following assumptions:

Assumptions:

New Jobs: 25 relocated or hired in Redmond
Space Needs: >25,000/sf
Capital Equipment to be moved or purchased: \$1,115,000
Taxable Building Improvements: \$150,000

ECONOMIC DEVELOPMENT INCENTIVES

Generally, economic development incentives in Oregon that are customized to meet the specific needs of each company. As such, there are few cash grant programs that are offered as a simple “bag of money” – an approach used in other areas of the U.S. These programs are designed to help with Oregon’s already competitive costs for businesses in their least profitable years – at start up or in the early stages following major equipment or other real property investment, hiring of employees, or deployment of new technology.

Oregon has positioned itself to provide significant financial benefits to a company’s investment in new plant and equipment – including used equipment brought into the state. As one of a few states without a sales tax, the only two major taxes for companies are local property taxes and corporate income tax.

Most incentive programs have metrics jointly established by the company and the agency or organization overseeing the incentive. These include:

- 1) number of new jobs,
- 2) overall average compensation of those jobs, and
- 3) capital investment.



Incentives include: property tax exemptions, income tax credits, income tax exemptions, and in some cases, state or local cash grants to help cover relocation costs, building costs or improvements, and equipment purchases. Oregon has positioned itself to provide significant financial benefits to companies’ investment in new facilities and equipment.

One incentive included in this proposal offers cash: The Deschutes County Forgivable Loan Fund. The program has broad discretion for use of the funds. The following pages will provide a detailed overview and information relating to the incentives being offered for a location in Deschutes County and within the Greater Redmond Enterprise Zone. Following that is a summary using the above assumptions to estimate the value of these incentives.

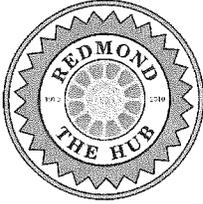
PROGRAM INFORMATION/DETAILS

Enterprise Zone

Perhaps Oregon's very best economic development program is the Enterprise Zone program because it provides 100% exemptions – for up to 3-5 years under the standard and extended program and 7-15 years under the long-term program – on eligible equipment, building/tenant improvements and new facilities. Equipment need not be new, but only new to the zone. Best of all, there is no limit to how many times a company can use the program. All communities and 99% of the industrial-zoned land in the Central Oregon area are within one of the region's five enterprise zones.

Over the past 20 years, more than 200 companies (new and existing) in the Central Oregon region have utilized the benefits of the program, which have saved more than \$200 million in property tax payments. For complete program information visit [this section](#) of the Business Oregon website. You will find forms and detailed information in a box on this page on the right side in black and grey.

A flyer on the Redmond Zone can be downloaded [here](#). Additional local incentives in the form of sewer & water rebates, SDC reductions, permit and planning fee reductions are available in Redmond. Also, Redmond now offers SDC fee deferrals such that these development costs can be paid at the time of occupancy. REDI and EDCO manage the Redmond Zone, so [applications](#) are quick and approvals can occur in 48 hours for 3 year programs and 30-45 days for extended (5 year) abatements. In order to request an "extended abatement" companies must compensate each new employee at 150% of Deschutes County's most recent published wage, which is presently \$58,649. This number includes company paid non-mandatory benefits. Based on the wages noted in the assumptions provided, we can confidently say you would be eligible and qualify for the standard three year program. Savings estimates for both property taxes and local permit fee's are in the table below.



The Long Term Rural Enterprise Zone (LTREZ) program offers, with local zone sponsor approval, 7-15 year 100% property tax exemptions for buildings, equipment and even personal property (excludes land). Minimum investment to participate in the program is \$12.5 million, required within the first year of occupancy (which can include purchase of an existing building, land, etc.). According to the provisions of the program, eligible companies have three years to meet minimum employment requirements and five years to meet the average compensation threshold (150% of the average annual wage for all industries within the county).

An additional benefit and provision of the LTREZ program is that with Governor approval eligible companies may also receive Oregon corporate income tax credits for 7-15 years equal to 62.5% of annual payroll expenses. Because of minimum corporate income tax thresholds, we believe this incentive may not be of value to your company, so a value has not been provided in this analysis. For complete information, visit [this section](#) of the Business Oregon website.

Deschutes County Loan Fund



For promising companies looking to relocate or grow in Deschutes County, there is a **Forgivable Loan Fund** program available to help growing companies create jobs. The program offers “forgivable loans” that convert to grants with verified and sustained job creation. The fund offers new or existing companies creating jobs forgivable loans in the \$1,000-\$2,000 per job range. Maximum awards of \$50,000 per project can be approved. Our organization works closely with companies and Deschutes County in the application and approval processes. Based on our conversations and the assumptions noted above, we feel that we can bring about \$50,000 in funding to help with your move to Redmond and improvements to the building. This is based on the creation of 25 new jobs in Deschutes County by January 1, 2018.

Energy Trust – New and Existing Building Programs

The Energy Trust of Oregon also has several incentive programs for companies that install lighting, HVAC, high efficiency windows that exceed industry standards in order to conserve energy or produce renewable energy. The value of these incentives has not been calculated in this document.



INCENTIVES ESTIMATE

The table below is an estimate based on the assumptions referenced at the beginning of this proposal. Please note that some values are savings or credits on fees and taxes and some are of cash value, in the form of a check. We based these assumptions and our incentives estimates on the both tenant improvements to an existing building, relocated capital equipment to the Redmond Enterprise Zone and the jobs, wage and benefits information you provided. Our plan is to present this estimate via e-mail, however a conversation should provide sufficient detail and understanding to the benefits.

INCENTIVE	Estimated Cost Reduction Value	Cash Value	TOTAL Incentives Redmond
Redmond Enterprise Zone – 3 year exemption	\$58,013*	-	\$58,013
Redmond Local Benefits	N/A	-	N/A
Deschutes Co. Forgivable Loan Fund	-	\$50,000	\$50,000
TOTALS	\$58,013	\$50,000	\$108,013

*Estimate is based on current tax millage rate of \$18.3628 adjusted with a change property ratio of .0808 in Deschutes County.

(Note: The information above is for example illustration only and is obtained from sources deemed reliable but not guaranteed and some are only estimates. A more accurate estimate is available from the City of Redmond via a "Mock Routing" of your proposed project as part of the "Pre-Development" process. No tax advice is given nor intended and

future projections only represent general assumptions based on current laws and regulations. Use of any or all of this data is at your own risk.

SITES

Property Options

Two property options exist over 25,000 square feet in Redmond. Both are listed on Loopnet.



601 East Antler – The first is a 28,000 sf flex space in a former Millsite. The space provides significant parking, outside storage (sits on 70+ acres), high ceilings, adequate power, rail access (if needed) and quick access to Hwy 97 and 126. The Loopnet listing can be [downloaded here](#). It's advertised at .35 /sf + NNN, which the listing shows the CAM's at .07/sf.



875 NE Kingwood – The second is the space we shared a few years back, which is still available for sale or for lease. This is a 25,000 sf building with significant outside storage/parking/truck access, has 7,000 sf of office/showroom, which a portion can be used as warehouse for inventory, raw materials or other. The Loopnet flyer is [available here](#). Presently the space is listed at .50 /sf +NNN.

Peter May is the broker on both these properties and he can be reached at 541-848-4057.

Build-to-Suit – Should for some reason neither of these properties adequately meet your site needs, REDI has developed relationships with a half dozen developers with capacity and the construction and design resources to construct a build-to-suit green-field space for you. With more than 1,200 acres of developable industrial land at affordable prices, I am confident we can make a match for you and your company. It's important to note that the cost of this option does not match up with our current market prices noted with the above spaces.

SUMMARY

Hopefully this information is helpful and provides a reference document to assist you and your firm in evaluating this potential relocation investment. Should you have any questions or want further information about these incentives, properties or to discuss other ways we can assist you, please don't hesitate to contact me.

We are sincerely interested in finding you a suitable location for relocation here in Redmond and look forward to our continued discussions. We have helped more than two dozen companies – in coordinating incentives, development assistance, financing and being a concierge to the community – make this very transition over the past decade. Our proposal outlines programs and sites for your consideration during this evaluation process. It represents a commitment by state, regional and local leadership to be a partner in your company's future success, as well as a smooth transition process from your current location.

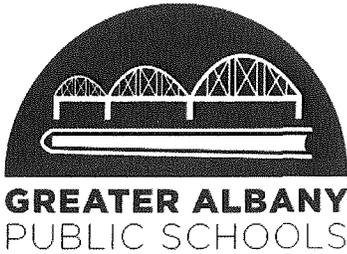
Thank you again for your consideration.

Sincerely,



Jon Stark
Sr. Manager
Redmond Economic Development, Inc. (REDI)





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October 12, 2016

Wes Hare
City Manager
333 Broadalbin Street SW
Albany, OR 97321

Dear Wes:

In 2012 the City Council adopted the South Albany Area Plan. The Area Plan envisions varied housing, mixed-use centers, schools, employment sites (commercial and industrial), parks, and natural resource areas to create livable neighborhoods. Included in the plan is a 29.46 acre parcel owned by the School District on the east side of Lochner Road and south of the railroad tracks (tax map 11S03W20-00-00603). The property is currently zoned for residential development but the plan identifies the property as being better suited as an employment area (the plan states that this will help provide local job opportunities to make South Albany a complete community).

The School District encourages the City to pursue rezoning of the property from Residential Single Family to Light Industrial, the zone designation identified in the South Albany Area Plan. We believe this will make the property more marketable and help further the economic and livability goals of the City.

Please let me know how we can best work together in effecting this change.

Sincerely,

Jim Golden
Superintendent



TO: Albany City Council

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

FROM: Mark A. Yeager, P.E., Utility Services Manager *u*

DATE: October 19, 2016, for the October 26, 2016, City Council Meeting

SUBJECT: Amend Albany Municipal Code to Create a Stormwater Utility

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

Action Requested:

Staff recommends Council adopt the attached ordinance to amend the Albany Municipal Code to create a stormwater utility, establish a stormwater fund, and provide authority to impose a service charge.

Discussion:

City Council has been considering stormwater system needs, regulatory requirements, and funding alternatives for nearly two years. At the October 10, 2016, City Council Work Session, Council reviewed options for securing additional funding for the provision of stormwater services in Albany. Council confirmed their previous direction to pursue a two-step process of amending the Albany Municipal Code (Title 12) by ordinance to create a stormwater utility, establish a stormwater fund, and provide authority to impose a service charge. Adoption of the ordinance does not result in the implementation of any new fees for stormwater services. Following the adoption of the Municipal Code amendments, Council will, at a separate meeting, consider adoption of a stormwater rate resolution that establishes charges for stormwater services.

The attached ordinance is identical to the ordinance Council reviewed and approved in April 2016, with two minor changes. First, Section 12.30.20(3) has been modified to clarify the stormwater bill appeal process. Second, Section 12.30.30 has been modified to ensure compliance with Oregon public records law.

Budget Impact:

There is no budget impact at this time.

JR:MAY:rk

Attachment

- c: Kristin Preston, Wastewater Superintendent (via email)
Staci Belcastro, P.E., City Engineer (via email)
Jeni Richardson, P.E., Civil Engineer III (via email)
Jeff Babbitt, Senior Accountant (via email)

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12.01.010 INTENT AND PURPOSE, AND AMENDING CHAPTER 12.01.040 DEFINITIONS, AND CREATING CHAPTER 12.30, STORMWATER UTILITY, OF THE ALBANY MUNICIPAL CODE.

WHEREAS, the Federal Environmental Protection Agency and the State Department of Environmental Quality will require Albany to prepare a National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Phase II permit application and management plan to reduce stormwater pollution under the authority of the Federal Clean Water Act; and

WHEREAS, the City of Albany, as a designated management agency (DMA), is required to manage stormwater to minimize impacts to the Willamette River in accordance with the City's Water Quality Management Plan adopted to comply with the State Department of Environmental Quality's Willamette River Total Maximum Daily Load (TMDL); and

WHEREAS, the existing stormwater system assets of piped and open conveyances are valued at more than \$100 million and should be properly managed and maintained; and

WHEREAS, the City Council finds that in order to properly manage and maintain the stormwater system, and to comply with regulatory requirements such as the Willamette River TMDL and NPDES MS4 Phase II requirements, the City's stormwater system must be funded in a manner enabling on-going maintenance, operation, regulation, and improvement of the system; and

WHEREAS, the City Council finds that if not properly managed, existing stormwater may cause property damage and erosion; may carry concentrations of nutrients, heavy metals, oil and toxic materials into receiving waters and ground water; may degrade the integrity of City streets and the transportation system; may reduce citizen access to emergency services; and may pose hazards to both residents and property; and

WHEREAS, the City Council of the City of Albany (the "City") has determined that the City's physical growth and urban development will continue to increase the volume of stormwater collected in and routed through the City's man-made and natural stormwater facilities and system; and

WHEREAS, the City Council has determined that stormwater must be managed in a manner that protects the public health, safety, and welfare; and

WHEREAS, the City Council has determined that there is inadequate funding available to properly operate, maintain, repair, or replace the existing stormwater system in Albany.

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

Section 1: Albany Municipal Code Chapter AMC 12.01.010, Intent and Purpose, is hereby amended:

The intent and purpose of this title is **to enable the City of Albany to comply with applicable State and Federal laws; to provide for the effective management of stormwater to protect the health, safety, and general welfare of the citizens of the City of Albany; and to protect the health and safety of City employees working in the stormwater system; to facilitate the orderly development and extension of the stormwater system;** to protect and enhance the water quality and natural functions of watercourses and water bodies through the regulation of stormwater discharges; to set forth uniform requirements for direct and indirect contributors to the stormwater system; **and to help meet the City of Albany's environmental stewardship responsibilities.** ~~and to enable the City of Albany to comply with applicable State and Federal laws.~~

Formation of a stormwater utility with appropriate resources, responsibility, and authority is the most effective way to manage, improve, and control the stormwater system and to address the purposes set forth herein.

Notwithstanding the forgoing, nothing herein shall be deemed to impose a duty on the City to protect the property, health, or safety of third parties. (Ord. 5727 § 1, 2010; Ord. 5498 § 1, 2001).

Section 2: Albany Municipal Code Chapter AMC 12.01.040, Definitions, is hereby amended as follows:

(1) "Agricultural activity" means private or commercial activities directly engaged in the production of nursery stock, sod, fruits, vegetables, forages, cover crops, field crops (grain, corn, oats, beans, etc.), timber, and livestock, or other related activities determined by the Director to conform to this definition, but shall not include construction or other activities for structures associated with agricultural activities.

(2) "Best management practices (BMPs)" means schedules of activities; prohibitions of deleterious practices; general good housekeeping practices; physical, structural, or chemical interventions; pollution prevention and educational activities; maintenance activities; and other management practices that prevent or minimize to the greatest extent practicable the discharge of pollutants directly or indirectly to public rights of way, the municipal stormwater system, receiving waters, or Waters of the State.

(3) "City" means the City of Albany, a municipal corporation of the State of Oregon.

(4) "City Manager" means the person chosen by the Albany City Council to meet the requirements of Section 22 of the Albany Charter or such person as may be designated by the City Manager to act in his/her name and capacity.

(5) "Clean Water Act" means the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and any subsequent amendments thereto.

(6) "Construction activity" means activities related to any land development or construction project, including but not limited to clearing and grubbing, grading, excavating, and demolition.

(7) "Director" means the person designated by the City Manager to supervise the Public Works Department and who is charged with certain duties and responsibilities by this title, or the duly authorized representative.

(8) "Discharger" means any person who discharges or causes to be discharged any pollutant onto public rights of way or into the municipal stormwater system, receiving waters, or Waters of the State.

(9) "Floodplain" means the relatively flat or lowland area adjoining a river, stream, watercourse, lake, or other water body that has been, or may be, inundated temporarily by floodwater.

(10) "Hazardous materials" means any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

(11) "Illegal discharge" means any direct or indirect pollutant-bearing discharge to the municipal stormwater system, receiving waters, or Waters of the State, except as exempted by AMC 12.10.010.

(12) "Illicit connection" is defined as either of the following:

(a) Any drain or conveyance, whether on the surface or subsurface, that allows an illegal discharge to enter the stormwater system including, but not limited to, any conveyances that allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the stormwater system and any connections to the stormwater system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by a government agency; or

(b) Any drain or conveyance connected from a commercial or industrial land use to the stormwater system that has not been documented in drawings, maps, or equivalent records and approved by the City.

(13) "Impervious surface" means an improved, altered, or constructed surface which generally prevents infiltration of surface water, including but not limited to paved streets, graveled or paved areas such as parking lots and driveways, oiled, macadam or other treated surfaces, walkways, roof surfaces, and patios.

(14) "Land-disturbing activity" means any activity that exposes the soil to erosion.

(15) "National Pollutant Discharge Elimination System (NPDES) stormwater discharge permit" means a permit issued by the Environmental Protection Agency or the State of Oregon that authorizes the

discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

(16) "New development" means a project that creates and/or expands the area of impervious surfaces, including but not limited to:

- (a) Structural development, including construction of a new building or other structure;
- (b) Expansion or alterations of an existing structure that result in an increase in the area of impervious surfaces;
- (c) Construction of new parking lots, roads, alleys, pathways, and other impervious surfaces; and
- (d) Expansion or alterations of parking lots, roads, alleys, pathways, and other impervious surfaces that results in an increase in the area of impervious surfaces.

(17) "Nonpoint source" means any source of water pollution that is not associated with point sources. Generally, a nonpoint source is a diffuse or unconfined source of pollution that can either enter into or be conveyed by the movement of water into the municipal stormwater system, receiving waters, or Waters of the State.

(18) "Non-stormwater discharge" means any discharge to the stormwater system that is not composed entirely of stormwater.

(19) "Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agents, or assigns. The masculine gender shall include the feminine; the singular shall include the plural where indicated by the context.

(20) "Point source" means any discernible, confined, and discrete conveyance, including but not limited to pipes, ditches, channels, tunnels, or conduits from which pollutants are or may be discharged to a receiving water(s).

(21) "Pollutant" means any material or substance that may alter the chemical, physical, biological, and/or radiological condition of the Waters of the State.

(22) "Pollution" means the human-made or human-induced contribution of any pollutant into the municipal stormwater system, receiving waters, or Waters of the State.

(23) "Post-construction stormwater quality" means the quality of stormwater runoff, after construction is complete, from a development or redevelopment project.

(24) "Post-construction stormwater quality facility" means permanent stormwater infrastructure incorporated into a development or redevelopment project designed to reduce pollutant loads and runoff velocity from impervious surfaces, and which may also include improvements constructed to reduce the quantity of stormwater runoff leaving the site.

(25) "Premises" means any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

(26) "Property owner (owner)" means the person(s) or entity(ies) holding legal title to the subject property.

(27) "Redevelopment" means a project that alters or improves the "footprint" of an existing site and/or building. Redevelopment includes the replacement, alteration, or upgrade of an impervious surface that is not part of a routine maintenance activity.

(28) "Stormwater Fund" means an Enterprise fund through which the cost of providing utility service will be primarily user fee financed and is analogous in its structure and operation to other Enterprise funds maintained by the City, such as the sewer and water funds.

(2829) "Stormwater system" means any watercourse or facility by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems or ditches, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures. The municipally-owned portion of the stormwater system may also be referred to as a municipal separate storm sewer system (MS4).

(2930) "Stormwater" means any surface flow, runoff, and drainage consisting entirely of water from precipitation events.

(3031) "Toxic" means any substance or combination of substances listed as toxic in regulations promulgated by the Environmental Protection Agency in Section 307(a)(1) of the Clean Water Act or Title III Section 313 of the Superfund Amendments and Reauthorization Act.

(3132) "Vegetated post-construction stormwater quality facility" means a post-construction stormwater quality facility wherein the primary means of stormwater treatment is by filtration through soil and plant material. This may also be referred to as a low impact development (LID) facility.

(3233) "Water or Waters of the State" means all natural waterways, intermittent streams, constantly flowing streams, lakes, wetlands, and all other navigable and nonnavigable bodies of water which are wholly or partially within or bordering the State or within its jurisdiction.

(3334) "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently and, if the latter, with some degree of regularity. Watercourses may be either natural or artificial. (Ord. 5841 § 3, 2014; Ord. 5727 § 1, 2010; Ord. 5498 § 1, 2001).

Section 3: Albany Municipal Code Chapter AMC 12.30, Stormwater Management Fees, is hereby created as follows:

Chapter 12.30, Stormwater Management Fees is hereby re-titled to **Stormwater Utility**.

12.30.010 Stormwater Utility

There is created and established a stormwater utility with the assets, authority, and responsibility for administration, planning, design, construction, maintenance, and operation of stormwater conveyances and facilities. Additional specific mandates, authority, and delegations may occur, from time to time, by appropriate City Council actions. All references to "the Utility" in this title refer to the Stormwater Utility. The administration of the Utility shall be as set forth herein.

12.30.020 Stormwater Fund.

The "stormwater fund" is created and established.

- (1) **Service Charge Imposed.** A stormwater service charge shall be imposed on all persons or premises that contribute to the stormwater system or that otherwise use or benefit from the stormwater system, and said persons shall be responsible for paying the stormwater service charge. All monies received from stormwater service charges shall be deposited into the stormwater fund.
- (2) **Service Charge Rates Set by Council Resolution.** Stormwater service charge rates will be set by Council resolution. The stormwater service charge shall be developed and implemented such that it is not a tax subject to the property tax limitation of Article XI, Section 11b of the Oregon Constitution. The Director shall recommend adjustments to the stormwater service charge rates to the City Council as it becomes necessary. The City Council shall consider such recommendations and may approve or further adjust the stormwater service charges as the Council deems necessary to meet policy objectives, to meet the Utility's revenue requirements, or to meet the overall financial needs of the Utility.
- (3) **Customer Classification.** Customer account classification and other stormwater charge-related calculations shall be determined by the Director or the duly authorized representative. Any appeal of the Director's determination shall be made in writing to the Director in accordance with Council policy. Any request for review of the Director's appeal determination shall be made in writing to the City Manager. The City Manager's determination will be final.

12.30.030 Adjustments, back-billing, and refunds.

The Utility may make adjustments, back-bill, pay refunds, or waive fees and charges in accordance with City Council policy. If no Council policy exists, the Utility may make adjustments where it is deemed necessary on a case-by-case basis as determined by the Director for the proper conduct of the business of the Utility. A full explanation of the reason for the adjustment or refund must be filed with the office records and, subject to Oregon public records law, will be made available upon request. Refunds are to be made to the party that made the payment.

12.30.040 System Development Charges.

When adopted in accordance with Chapter 15.16 of the Albany Municipal Code, all monies received from stormwater system development charges shall be deposited into the stormwater fund. Such funds shall be accounted for separately from those received from stormwater service charges.

Section 4: Utility Assets. Relevant stormwater-related property and assets assigned to the Public Works Department, including but not limited to real property, easements, pipes, manholes, inlets, outfalls and equipment, known by the City to exist, are hereby transferred to the Utility and shall be separately accounted for in official City records per customary municipal accounting principles. Stormwater-related property and assets may from time to time be added to or removed from the Stormwater Utility asset inventory, and the authority to make those changes is hereby delegated to the Public Works Director or the duly authorized representative.

Section 5: Effective Date. Because this ordinance is intended to provide a complete legislative framework for the creation and administration of the Utility, this ordinance shall take effect and be in force thirty (30) days after its passage and approval.

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: _____

Mayor

ATTEST:

City Clerk



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Stewart Taylor, Finance Director
DATE: October 20, 2016, for the October 26, 2016, City Council Meeting
SUBJECT: Agreement to Provide Infrastructure Funding for CARA
RELATES TO STRATEGIC PLAN THEME: ● Healthy Economy
RELATES TO: ● A unique and vibrant downtown

Action Requested:

The Finance Director recommends that the City Council, by resolution, authorize the City to enter into an intergovernmental agreement with the Albany Revitalization Agency (ARA) to fund streetscape improvements in the downtown area.

Discussion:

On October 7, 2016, the Business Oregon Infrastructure Finance Authority awarded a loan to the City of Albany in the amount of \$8,400,000. The City was an eligible applicant for the Special Public Works Fund funding on behalf of ARA. The loan approval is contingent upon the City entering into an agreement with ARA for management of the project and repayment of the loan funds.

The purpose of the loan is to fund streetscape improvements in the historic downtown area of the Central Albany Revitalization Area. The project includes installing lighting, replacing and expanding curbs, replacing gutters and sidewalks, installing more efficient and clearly designated parking, and landscaping along sidewalks and medians. Twenty-six blocks will be improved with the loan.

The City Council is specifically permitted to authorize this borrowing under Section 44 d) of the City Charter which reads as follows:

State law override. The City Council may borrow money without approval of the City's electors if an Oregon statute authorizing the borrowing provides that the authority is not limited by other laws, such as a local charter.

The following Oregon Revised Statute authorizes the borrowing without limitation by a local charter:

285B.437 Contract with municipality; required provisions; repayment.

(3) Notwithstanding any other provision of law or any restriction on indebtedness contained in a charter, a municipality may borrow from the Special Public Works Fund by entering into a contract with the authority. The contract may be repaid from:

- (a) The revenues of the project, including special assessment revenues;
- (b) Amounts withheld under ORS 285B.449 (1);
- (c) The general fund of the municipality; or
- (d) Any other source.

(4) A loan contract authorized under subsection (3) of this section shall be authorized by an ordinance, order or resolution adopted by the governing body of the municipality.
[Formerly 285.717; 2001 c.883 §30d; 2003 c.773 §35; 2005 c.835 §12; 2009 c.830 §99]

The design of the streetscape improvements is well underway. The project is expected to go to bid in January 2017 and be completed about the same time as the new fire and police stations.

Budget Impact:

The streetscape project funding is included in the current budget.

ST

Attachments 2

c: Ed Hodney, Parks & Recreation Director



October 10, 2016

Sharon Konopa, Mayor
C/o Stewart Taylor, Finance Director
333 Broadalbin Street SW
PO Box 490
Albany, OR 97321-0144

RE: Award for Special Public Works Fund, Downtown Streetscape Project, Project #L17004,
October 7, 2016

Dear Mayor Konopa:

Congratulations on your successful application for the above-referenced project to make improvements to the downtown streetscapes to support economic development and increase community safety.

The award consists of a loan of \$8,400,000. The interest rate on the loan will be 2.55% for a maximum term of 15 years. The full terms and conditions of your award are contained in a contract, which will be sent to you shortly for your signature.

Please note that the legal obligations for funding and for reimbursement of project expenses are subject to execution of the contract.

Your project is being administered through the Infrastructure Finance Authority. We encourage you to offer appropriate media opportunities to help build public awareness of your project's purposes and benefits. Please notify us of any event celebrating your project.

As always, we are available to answer questions that may arise during the implementation of your project. If you need assistance, please contact me at (503)983-8857 or by email at Melissa.murphy@oregon.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa Murphy", written over a horizontal line.

Melissa Murphy, Regional Coordinator
Infrastructure Finance Authority

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF ALBANY, OREGON AUTHORIZING A LOAN FROM THE OREGON INFRASTRUCTURE FINANCE AUTHORITY AND AN INTERGOVERNMENTAL AGREEMENT WITH THE ALBANY REVITALIZATION AGENCY FOR THE REPAYMENT OF THAT LOAN.

WHEREAS, the City of Albany, Oregon (the "City") proposes to obtain a loan in the amount of not more than \$8,400,000 from the Special Public Works Fund by entering into a contract with the Oregon Infrastructure Finance Authority (the "IFA Contract") to finance projects described in the urban renewal plan for the Central Albany Revitalization Area, including sidewalk and street improvements, lighting installation, curb extensions, drainage work and landscaping (the "Projects"); and,

WHEREAS, Section 44 of the City Charter states that the City Council shall not authorize any borrowing unless the borrowing is specifically permitted by Section 44 of the City Charter; and,

WHEREAS, Section 44(d) of the Charter states: "The City Council may borrow money without approval of the City's electors if an Oregon statute authorizing the borrowing provides that the authority is not limited by other laws, such as a local charter limitation;" and,

WHEREAS, the City Council may authorize the IFA Contract because ORS 285B.437(3) states "Notwithstanding any other provision of law or any restriction on indebtedness contained in a charter, a municipality may borrow from the Special Public Works Fund by entering into a contract with the authority;" and,

WHEREAS, the Albany Revitalization Agency (the "Agency") is willing to pay the debt service on the IFA Contract from tax increment revenues of the Central Albany Revitalization Area; and,

WHEREAS, Oregon Revised Statutes Chapter 190 authorizes the City to enter into an intergovernmental agreement with the Agency under which the Agency agrees to provide tax increment revenues to the City in sufficient amounts to pay all amounts due from the City under the IFA Contract; and,

WHEREAS, all of the Projects will be located within the Central Albany Revitalization Area and owned by the Agency or the City or held thereby as public right-of-way; and,

WHEREAS, the Agency is projected to have sufficient tax increment revenues to pay the amounts due from the City under the IFA Contract.

NOW, THEREFORE, the City of Albany, Oregon resolves as follows:

Section 1. IFA Contract Authorized. The City Council hereby authorizes the City to enter into the IFA Contract with the Oregon Infrastructure Finance Authority in the amount of not more than \$8,400,000 to finance the Projects. The City Manager, the Finance Director of the City or a person designated by the City Manager shall be authorized to act under this resolution, each of whom is referred to in this resolution as a "City Official," may, on behalf of the City and without further action by the City Council:

- (1) negotiate the final terms of the IFA Contract;
- (2) pledge the City's full faith and credit and taxing power to pay amounts due from the City under the IFA Contract;
- (3) pledge the tax increment revenues of the Central Albany Revitalization Area that the City receives under the intergovernmental agreement authorized by Section 2 of this resolution to pay amounts due from the City under the IFA Contract; and
- (4) execute the IFA Contract and any other documents, and take any other actions, that the City Official determines are desirable to borrow up to \$8,400,000 from the Special Public Works Fund for the Projects.

Section 2. Intergovernmental Agreement Authorized. The City Council hereby authorizes the City to enter into an intergovernmental agreement with the Agency to pay the amounts due from the City under IFA Contract, but solely from the tax increment revenues of the Central Albany Revitalization Area. The intergovernmental agreement shall be in substantially the form attached to this resolution as Exhibit A, but with such changes as the City Official may approve. The City Official is hereby authorized, on behalf of the City and without further action by the City Council, to finalize the terms of and execute the intergovernmental agreement and take any other action desirable to put the intergovernmental agreement into effect.

Section 3. Effective Date. This resolution is effective immediately upon adoption.

DATED AND EFFECTIVE THIS 26th DAY OF OCTOBER 2016.

City of Albany, Oregon

Mayor

ATTEST:

City Clerk

**Intergovernmental Agreement to Transfer Tax Increment Revenues
of the Central Albany Revitalization Area
to the City of Albany to pay a Special Public Works Fund Loan**

This Intergovernmental Agreement (the "Intergovernmental Agreement") is dated as of _____, 2016, and is entered into by and between the Albany Revitalization Agency (the "Agency") and the City of Albany, Oregon (the "City"). The parties hereby agree as follows:

Section 1. Definitions and Recitals.

(1) Definitions.

Unless the context clearly requires otherwise, capitalized terms used in this Intergovernmental Agreement that are defined in this Section 1(1) shall have the following meanings:

"Area" means the Central Albany Revitalization Area described in the Plan.

"IFA Contract" means the contract with the Oregon Infrastructure Finance Authority under which the City obtains a loan in the amount of not more than \$8,400,000 from the Special Public Works Fund to finance the Projects.

"Plan" means the Agency's Central Albany Revitalization Area Urban Renewal Plan approved by City Ordinance No. 5496, adopted on August 8, 2001, as that plan has been, and may in the future be, amended.

"Projects" means projects described in the Plan, including sidewalk and street improvements, lighting installation, curb extensions, drainage work and landscaping.

"Tax Increment Revenues" means all revenues that the Agency collects for the Area under the provisions of Article IX, Section 1c of the Oregon Constitution and Oregon Revised Statutes Chapter 457.

(2) Findings.

- (A) The City has entered into the IFA Contract to finance costs of the Projects.
- (B) The Agency is authorized to spend Tax Increment Revenues to pay for the costs of the Projects.
- (C) This process enables significant cost savings, through reduced interest rates and fees, for the Agency by having the City as applicant.
- (D) The Projects will assist the Agency in carrying out its Plan.
- (E) The Agency will only spend the proceeds of the IFA Contract on Projects if the Projects are described in the Plan, located in the Area, and owned by the City or the Agency.
- (F) The Agency will appropriate funding needed for payments in each years' budget.

- (G) The Agency has \$37,767,405 of unused maximum indebtedness available prior to executing this Intergovernmental Agreement.

Section 2. Payments.

- (1) The City is obligated under the IFA Contract to pay IFA up to \$8,400,000 in principal amount over a period of 15 years, with interest at a rate of 2.55% per annum. The schedule of payments the City must make to IFA under the IFA Contract will be finalized when the Projects are complete and closed. The City will notify the Agency of the payment schedule when the payment schedule is finalized.
- (2) The Agency hereby agrees to pay to the City the amount of each payment due from the City under the IFA Contract, not less than one business day prior to the date each payment is due.
- (3) This Intergovernmental Agreement shall constitute indebtedness of the Agency. The Agency is obligated to make the payments due under this Intergovernmental Agreement solely from the Tax Increment Revenues. Pursuant to Oregon Revised Statutes Section 287A.310, the Agency pledges the Tax Increment Revenues to pay the amounts described in Section 2.2 of this Intergovernmental Agreement. This pledge shall be subordinate to the tax increment indebtedness of the Agency that are outstanding on the date this Intergovernmental Agreement is executed, but shall be superior to all other obligations of the Agency except to the extent that the City subsequently agrees in writing to subordinate this pledge.

Section 3. Estoppel.

The Agency hereby certifies, recites and declares that all things, conditions and acts required by the Constitution and Statutes of the State of Oregon and by this Intergovernmental Agreement to exist, to have happened and to have been performed precedent to and in the execution and the delivery of this Intergovernmental Agreement, do exist, have happened and have been performed in due time, form and manner, as required by law, and that this Intergovernmental Agreement is a valid and binding obligation of the Agency that is enforceable against the Agency in accordance with its terms, except to the extent that enforceability may be limited by applicable bankruptcy, insolvency, fraudulent conveyance, reorganization, moratorium or other laws or judicial decisions or principles of equity relating to or affecting the enforcement of creditors' rights or contractual obligations generally.

Section 4. Miscellaneous.

- (1) Binding Effect.

This Intergovernmental Agreement shall inure to the benefit of and shall be binding upon the Agency and the City and their respective successors and assigns.

- (2) Severability.

In the event any provisions of this Intergovernmental Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provisions hereof.

(3) Amendments.

This Intergovernmental Agreement may be amended only by a writing signed by both parties.

(4) Execution in Counterparts.

This Intergovernmental Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute the same instrument.

(5) Applicable Law.

This Intergovernmental Agreement shall be governed by and construed in accordance with the laws of the State of Oregon. Any action regarding this Intergovernmental Agreement or the transactions contemplated hereby shall be brought in an appropriate court of the State of Oregon in Linn County, Oregon.

(6) Rules of Construction.

References to section numbers in documents that do not specify the document in which the section is located shall be construed as references to section numbers in this Intergovernmental Agreement.

(7) Headings.

The headings, titles and table of contents in this Intergovernmental Agreement are provided for convenience and shall not affect the meaning, construction or effect of this Intergovernmental Agreement.

IN WITNESS WHEREOF, the Agency and the City have executed this Intergovernmental Agreement as of the date indicated above.

For the Albany Revitalization Agency

Ed Hodney, Agency Official

For the City of Albany, Oregon

Stewart Taylor, City Official



TO: Albany City Council

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

FROM: Karen Kelley, Water Superintendent *(K)*

DATE: October 19, 2016, for the October 26, 2016, City Council Meeting

SUBJECT: Special Procurement for Scinor Water America, LLC Membrane Modules

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

Action Requested:

Staff recommends the City Council, acting as the Local Contract Review Board, adopt the attached Resolution that will establish a contract-specific special procurement for the Public Works Department to purchase 320 Scinor Water America, LLC membrane modules in the amount of \$168,320.

Discussion:

The Albany-Millersburg Water Treatment Plant utilizes low-pressure vacuum-driven submerged membrane filtration technology that was originally installed in November 2005. The membrane filters have an approximate 7 to 10-year life span. The City's water system is regulated under the Oregon Administrative Rules (OAR) for Public Water Systems Chapter 333 Division 061 as administered by the Oregon Health Authority Drinking Water Services (OHA). OAR 333-061-0060 requires the City to submit plans to OHA prior to any major addition or modification to the water system. These plans must meet the construction standards set forth in OAR 333-061-0050(4)(c) which require the membrane filters to be approved by the National Sanitation Foundation (NSF) and the *Giardia* and *Cryptosporidium* removal credit to be verified by an OHA approved challenge study. Replacement of these membranes began in 2015 when a total of 960 modules were installed. At the time, there was only one replacement module that met approval requirements, which was manufactured by Evoqua Water Technologies in Australia under the brand name Memcor S10N (previously known as Siemens). Therefore, the membrane modules were purchased under sole-source procurement from Evoqua.

In summer 2016, a second replacement module received NSF and OHA approval for use with vacuum-driven submerged membrane filtration technology. This module is manufactured by Beijing Scinor Water Technology, Co., Ltd. The list of approved "Alternate Treatment Technology Units Meeting Challenge Study Criteria" shows the only two membrane modules approved for Albany's treatment system include the Evoqua Memcor S10N and the Scinor SMT 600-S26. The City budgeted to replace another 320 membrane modules in FY17 at a projected cost of \$180,000. Given that the City has only two choices for OHA and NSF approved membrane modules, both Evoqua and Scinor were invited to submit proposals through a Request for Information process.

The existing State of Oregon purchasing rules, which the City has adopted, allow for exceptions to competitive bidding requirements and allow purchases to be made under "Special Procurements" with approval of the City Council, acting as the Local Contract Review Board. ORS 279B.085 and OAR 137-047-0285 define the requirements allowing a contract-specific special procurement. They are:

- The use of the procedure will be unlikely to encourage favoritism in the awarding of public contracts, or substantially diminish competition for public contracts; and
- Result in substantial cost savings to the contracting agency or to the public; or
- Substantially promote the public interest in a manner that could not practicably be realized by complying with the other available methods of procurement; and
- Public notice of the approval must be given at least seven days before award of the contract and affected persons may protest the request.

Staff recommends approval for a contract-specific special procurement to purchase 320 SMT 600-S26 membrane modules from Scinor Water America, LLC. This contract-specific special procurement request meets the procurement requirements for approval as described below:

This contract-specific special procurement will be unlikely to encourage favoritism in the awarding of public contracts because the only two state-approved membrane manufacturers provided proposals and an equitable review was conducted. The Water Superintendent and Water Treatment Supervisor developed a cost and quality comparison of the two proposals (Attachment A). A review panel, including the Water Superintendent, Water Treatment Supervisor, Wastewater Superintendent, and Wastewater Treatment Supervisor, used the comparison to rate the proposals. The results indicate the Scinor product is of sufficient quality, has a more robust warranty, and will meet the needs and requirements of the City at a lower cost and within the budgeted amount. In particular, the Scinor product is of comparable quality, is \$55,000 less, and the warranty lasts three years longer than the Evoqua product.

The use of the contract-specific special procurement will result in substantial cost savings to the City and will substantially promote the public interest by allowing the City to award the contract immediately. While it is possible that other manufacturers have NSF approval for a membrane module that would work in Albany's system, it can take months for OHA challenge study review and approval. Award of this special procurement will expedite the procurement process and reduce administrative costs that would be incurred if the contract-specific class procurement was not approved.

The attached Resolution (Attachment B) authorizes the use of the contract-specific special procurement process after adopting the findings needed to satisfy City and State purchasing requirements. Public notice of this request will be made in accordance with state purchasing requirements. Contract award will be made if no protests have been received after seven days of its notice of intent to award a contract, per Oregon Administrative Rules (OAR) 137-047-0285.

Budget Impact:

This project will be funded from Water System Equipment Replacement (615-50-2311-70005).

KEK:rk

Attachment (2)

FY17 Membrane Purchase – Cost & Quality Analysis			
Key Factors	Evoqua MEMCOR CS Low-Pressure UF S10N (PVDF DIPS)	Scinor SMT 600-S26 (PVDF TIPS)	Advantage
Water Quality			
Water Quality Rating Oregon Health Authority (OHA) Challenge Study Review ¹	Cyrpto 4.0 Giardia 4.0 Virus 0	Crypto 4.0 Giardia 4.0 Virus 0	Equal
National Sanitation Foundation Certification (NSF)	NSF 61 (NSF/Ansi 419)	NSF 419	Equal
Capacity			
Maximum Flow/Module ¹ (gallons per minute - gpm)	14.2	23.5	Scinor
Maximum Flux (gfd@20°C) ¹	80	106	Scinor
Flow rate across filter in gallons/diameter/ft ²			
Surface Area	249.5 ft ² ⁴	280 ft ² (increased production lower TMP) ²	Scinor
Nominal Pore Size	0.04 micron ⁴	0.1 micron ²	Scinor for uniformity and permeability
Average Wall Thickness	245 microns ³	175 microns ³	Scinor due to filtration capacity
Cost			
Warranty	1 year at no cost. Another 6 years on extended warranty (replacement upon pro-rata values of a total of 84 months and does not include freight). ⁴	1 year at no cost. Another 9 years pro-rated. Neither warranty period includes cost of freight. ⁵	Scinor
Cost	\$685/Module (prior to 9/30/16) = \$219,200 \$750/Module (9/30/16-9/30/17) Freight: FOB, 1.9% = \$4,164.80 ⁴	\$510/Module (minimal order 320 prior to 11/1/2016) = \$163,200 Freight: DDB, not to exceed \$16/module = \$5,120 ²	Scinor
Shipment	8-10 weeks after receipt of PO ⁴	8-10 weeks ²	Equal
Customer Service - Installation	8-hour service days for installation supervision ⁴	On-site oversight during installation and start-up ²	Equal
Utility application	City of Albany & North Clackamas County W.C.	San Patricio Municipal Waste Water District ⁸	Evoqua
Maintenance & Operating Conditions			
Operational Programming (OHA Required)	More restrictive conditions	Wider range of conditions	Scinor
Customer Service - Ongoing	Scheduled as needed at \$1650/day/person plus travel expenses at cost plus 5% mark up. ⁴	1-year complimentary phone support ²	Scinor
Backwash Frequency	Every 15-60 minutes based on ntu for 160 seconds using 10.6 gallons per module	Frequency same as Evoqua for proposed application ^{7, 8}	Equal
Maintenance	Max CL2 concentration 1000 mg/l /pH range 6-9 (2-10 CIP) ⁴	Max CL2 concentration 5000 mg/l /pH range 1-11 (1-13CIP) ²	Scinor
Organic Fouling	Less permeable (requires CIP more often)	More permeable (requires CIP less often)	Scinor
Shelf life	1 year	1 year	Equal
Other Considerations			
Typical Filtered Water Capacity	3.7-18.3 gpm/module ⁶	2.9-13.6 gpm/module (NSF Certification)	N/A
Maximum allowable TMP at any time (psi@20°C) ¹	22	12	N/A
Minimum Direct Integrity Test (psi) ¹	11.4	20	N/A
Spares & Tools	Hardware spares, repair pins, o-ring grease ⁴	6-10 pins (expectation is will not need more) ²	Evoqua
Weight (empty)	15 lbs ³	13.2 lbs ²	Scinor

¹ OHA Alternative Treatment Technology Units Meeting Challenge Study Criteria

² Scinor Ultrafiltration Module Proposal

³ Memcor Membrane Comparison

⁴ Memcor CS Membrane Filtration System Future Membrane Replacements – Budgetary Proposal

⁵ Scinor 10 Year Prorated Module Performance Warranty

⁶ Memcor Data Sheet For Memcor SM Auto Automated Simple Membrane Filters

⁷ Scinor Rep Joe Tardio stated this in email 10/10/16.

⁸ Per Jim Vickers, P.E. with San Patricio Waste Water District, via phone call 10/10/16; author of the EPA Membrane Guidance Manual for membrane manufacturers; advisor to other drinking water plants with membrane operation.

RESOLUTION NO. _____

A RESOLUTION OF THE ALBANY CITY COUNCIL, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, WAIVING COMPETITIVE BIDDING AND ESTABLISHING A CONTRACT-SPECIFIC SPECIAL PROCUREMENT FOR SCINOR WATER AMERICA, LLC. MEMBRANE MODULES.

WHEREAS, Albany Municipal Code 2.66.060 (11), Oregon Revised Statutes 279B.085, and OAR 137-047-0285 allow the City Council, acting as the Local Contract Review Board, to authorize the use of the contract-specific special procurement process for the selection of goods and services contractors for a special purpose; and

WHEREAS, such authorization must be based on written findings submitted by the department seeking the exemption that describes the selected special procurement method to be used and the circumstances that support the use of the special procurement as set forth below; and

WHEREAS, the Public Works Department needs to replace 320 membrane modules in Fiscal Year 2017 at the Albany-Millersburg Water Treatment facility; and

WHEREAS, the Public Works Department Albany-Millersburg Water Treatment Plant must utilize membrane modules approved by the National Sanitation Foundation (NSF) and Oregon Health Authority (OHA) for low-pressure vacuum-driven submerged membrane filtration technology; and

WHEREAS, the City invited the only two state-approved membrane manufacturers to submit proposals using a Request for Information process and conducted an equitable review of their proposals; and

WHEREAS, awarding a contract to Scinor Water America, LLC is unlikely to encourage favoritism or to substantially diminish competition for public contracts; and

WHEREAS, the use of a contract-specific special procurement process to purchase Scinor Water America, LLC SMT 600-S26 membrane modules is expected to result in substantial cost savings to the City; and

WHEREAS, procurement of Scinor Water America, LLC SMT 600-S26 membrane modules allows for compatibility with other existing equipment, maintains efficient operations, and promotes the public's best interest in a manner that could not practicably be realized by complying with requirements that are under ORS 279B.055, 279B.060, 279B.065 or 279B.070 or under any rules adopted thereunder.

NOW, THEREFORE, BE IT RESOLVED BY THE ALBANY CITY COUNCIL, ACTING AS THE LOCAL CONTRACT REVIEW BOARD:

SECTION 1: Adopts the following findings:

1. The City requires the replacement of membrane modules in FY 2017 and a contract-specific special procurement of Scinor Water America, LLC SMT 600-S26 membrane modules for the Albany-Millersburg Water Treatment facility is needed in order to maintain consistency and efficiency in operations.
2. The Public Works Department conducted an equitable review of proposals from the only two state-approved membrane manufacturers and found Scinor Water America, LLC SMT 600-S26 membrane modules are of sufficient quality, have a more robust warranty and will meet the needs and requirements of the City at a lower cost than the FY 2017 budgeted amount.

3. There are only two state-approved membrane manufacturers and awarding a contract-specific special procurement to Scinor Water America, LLC would be unlikely to diminish competition or encourage favoritism.

SECTION 2: Notwithstanding the provisions of City Code Section 2.66.060, the Public Works Department is authorized and directed to use the contract-specific special procurement method to procure Scinor Water America, LLC SMT 600-S26 membrane modules.

SECTION 3: The Public Works Operations Director is hereby directed to award a contract for Scinor Water America, LLC SMT 600-S26 membrane modules to Scinor Water America, LLC after the City has given public notice for seven days of its intent to award a contract and no protests have been received, per Oregon Administrative Rules (OAR) 137-047-0285.

DATED AND EFFECTIVE THIS 26TH DAY OF OCTOBER 2016.

Mayor

ATTEST:

City Clerk



TO: Albany City Council

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

FROM: Jon Goldman, Transportation Superintendent 

DATE: October 19, 2016, for the October 26, 2016, City Council Meeting

SUBJECT: Adoption of Albany Municipal Airport Master Plan Update

RELATES TO STRATEGIC PLAN THEME: ● Effective Government

Action Requested:

Staff recommends that City Council adopt the attached Resolution to accept the updated Airport Master Plan.

Discussion:

In August 2012, the City of Albany contracted with Century West Engineering, Inc. to develop an update to the 2002 Albany Municipal Airport Master Plan. There were some delays due to multiple staff changes in the Seattle branch of the Federal Aviation Administration (FAA).

The project was funded through an FAA grant in the amount of \$162,000, with a local match of \$18,000.

The Master Plan is a 313-page document, which can be found on the City's website at www.cityofalbany.net/airportmasterplan. Some specific items that came from the updating process are:

- authorization of transition of the Paved Overruns into Displaced Thresholds, adding 655 feet to the length of the runway;
- supplies a layout for future development (hangars and structures);
- Exhibit A of the Plan outlines the borders of the Airport property; and
- the first step toward the development of a straight-in, instrument (GPS) approach.

The Master Plan will serve multiple purposes, including:

- providing a guideline for future development to occur in an orderly and efficient manner within our Airport boundaries;
- an updated Master Plan is required by the FAA for grants to fund capital projects; and
- the Capital Improvement Program contained within the document will be used by both the City and the FAA to prioritize future project and funding requirements.

Budget Impact:

None

JCG:rk
Attachment

RESOLUTION NO. _____

A RESOLUTION REPEALING RESOLUTION NO. 4712 AND ACCEPTING THE ALBANY MUNICIPAL AIRPORT MASTER PLAN.

WHEREAS, the Federal Aviation Administration (FAA) awarded the City of Albany a grant to update the existing Airport Master Plan; and

WHEREAS, the City of Albany contracted with Century West Engineering and completed the Airport Master Plan; and

WHEREAS, the Airport Master Plan will provide the City with guidelines for future development at the Airport; and

WHEREAS, the Airport Master Plan will be used by both the FAA and the City of Albany to prioritize future projects and funding.

NOW, THEREFORE, BE IT RESOLVED that the City of Albany accepts and adopts the Albany Municipal Airport Master Plan, dated September 2014; and

BE IT FURTHER RESOLVED that the City Council of the City of Albany, Oregon, accepts and adopts the recommendations of the Airport Master Plan and directs staff to submit the approved plan to the FAA.

BE IT FURTHER RESOLVED that Res. No. 4712 is hereby repealed.

DATED AND EFFECTIVE THIS 26th DAY OF October 2016.

Mayor

ATTEST:

City Clerk

CITY OF ALBANY
CITY COUNCIL WORK SESSION
Municipal Court Room
Monday, September 12, 2016
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, and Bessie Johnson.

Councilors absent: Councilor Floyd Collins was excused.

BUSINESS FROM THE PUBLIC

There was none.

QUEEN AVENUE CROSSING DISCUSSION – Ron Irish and Frannie Brindle (ODOT)

Transportation Systems Analyst Ron Irish introduced Frannie Brindle, Areas 4 and 5 Manager, Oregon Department of Transportation (ODOT), and Richard Shankle, Crossing Safety Manager at ODOT Rail. Irish said that in May a group met at the Queen Avenue rail crossing to discuss safety issues. The meeting included representatives from the rail companies and the City of Albany. The result of the meeting is a package of improvements, shown on a sketch Irish passed out (see agenda file). He summarized the proposed changes, including eliminating one lane of traffic westbound on Queen Avenue. Staff is looking for direction from Council whether or not to move forward toward an intergovernmental agreement with ODOT Rail to make the improvements.

Councilor Ray Kopczynski asked if a traffic study has been done to show how eliminating the traffic lane will affect the traffic stackup when the crossing is blocked. Irish said 300 feet of one traffic lane instead of two equals about 12 cars. He added that currently, all vehicles in the right lane at the crossing are trapped when the crossing is blocked and can't escape by a left turn on Ferry or a U-turn. A single lane of traffic would solve that problem.

Konopa said it's always hard to turn west on Queen from Ferry because of traffic. If there's only one lane, won't it be even harder to make this movement? She asked if staff has done traffic counts there to calculate the effect. Irish said they haven't done a count. It would be hard to get an accurate idea of the potential change because a traffic count would vary depending on the time of day and how long the crossing was blocked.

Irish said the two most recent fatalities at the crossing happened while Pacific and Western (P & W) was switching in the yard; P & W uses the three easternmost tracks for switching. In the two incidents, the train had stopped and the crossing arms were down. A pedestrian and a bicyclist went around the crossing arms and each was hit by a train on the main line west of the switching lines. The proposed improvements would result in a better-defined pedestrian crossing. Union Pacific would also take advantage of the construction to replace the crossing surface with concrete panels, which would make the crossing smoother.

Councilor Bessie Johnson said the concrete median on the sketch narrows the roadway. She thinks that will cause more problems than it will cure. The safety problem is a problem of people who won't obey the law. We're talking about spending money on a project that she thinks will make the problem at the Ferry Street intersection worse. Irish said that when the crossing gates are down, no traffic can turn left from Ferry anyway. He said the median wouldn't have to be concrete. It could just be striping. The idea is to stop people drifting into the area that was the left lane.

Councilor Rich Kellum asked if there will be a fence next to the crossing arms to keep people from walking around them? Ron said he doesn't know. The primary pedestrian safety benefit in the plan is a level surface across the tracks, and a sign warning of trains on the main line.

Brindle said the project is a local agency project. If the Council approves it, ODOT would like the City to design it, but Albany isn't a "certified agency," so it can't spend federal dollars. Linn County and the City of Corvallis are certified agencies, so they could oversee the design. The plan would be to do an intergovernmental agreement among the certified agency, the City of Albany, and ODOT. The design for improvement in the right-of-way could be done in 2017, and construction would take place in 2019. Mark Foster, the local agency liaison, would work with the City and the certified agency to oversee the project, and with ODOT Rail to make sure the intent of the funding agreement was met.

Kopczynski asked if the project could go to the MPO for partial funding? Brindle said it would make sense for the MPO to get updates, but the intent is for the City to do the design in-house, without additional funding. The City can make sure the project goes to the top of the rail funding list by doing the design in-house.

Shankle said that, with pedestrian gates, there has to be some kind of channelization (such as fencing); otherwise the gates are ineffective. The discussions have included fencing on the west side of the main line. There also has to be a gate so someone caught between the tracks can escape. This crossing has been looked at several times in the last few years, but none of the previous plans have worked. He wants to make this one work. If we don't eliminate the traffic lane, we would have to get railroad right-of-way, which would cost another \$4 million for relocating track in the yard. He thinks this is a good project.

Kellum said if there weren't trains being switched in this yard, it wouldn't be a problem. Shankle agreed. ODOT Rail has an accident prediction model that shows that every year this crossing is near the top of the list. Eliminating switching there would make it safer but not completely solve the problem. Kellum said that at one point we thought switching was going to be done in the yard

north of town. Shankle said the Millersburg yard was expanded using ConnectOregon funds. The expansion was supposed to remove most of the Queen Avenue switching operations to Millersburg, but that hasn't happened. No baseline study was done before the ConnectOregon project, so we can't determine whether there's been a reduction in use of the south Albany yard. ODOT Rail has no authority to require switching to move north without the baseline.

Kellum asked if P & W understands that reducing switching at Queen Avenue was the reason for the ConnectOregon project. Shankle said yes. Their application stated that they would reduce the Queen Avenue operations by 50 percent. But without the baseline study, we don't know what that figure is, and we can't enforce it. Kellum said if the railroad is knowingly disregarding us, they should understand from people in authority that they may be able to get away with it, but we will remember it. People are being harmed today who might not have been harmed if there was less traffic on that crossing.

Councilor Bill Coburn said he doesn't like closing a traffic lane. He asked if it would be possible to do just the pedestrian improvements. Shankle said not without getting right-of-way from the railroad. The switch is right at edge of the asphalt path, and can't be moved without moving all the switches along that piece of track. The sidewalk stops at the switch, and pedestrians have to walk around it.

Kellum asked if we could close the north side pedestrian access. He asked how much pedestrian traffic there is? Shankle said ODOT Rail did a video log, and there is a lot of pedestrian traffic. Kellum how much of an inconvenience it would be to eliminate pedestrian access on the north side? Kopczynski said he's been stopped by trains there, and it's just an inconvenience. He shuts down the engine and waits a few minutes. He suggested comparing that inconvenience to a young pedestrian getting killed.

Irish said he doesn't think we can design successfully to force pedestrians to the south side of the street.

City Manager Wes Hare said this is similar to the 1st Avenue trestle. There are multiple warnings, but trucks keep hitting it. If we can make a bad situation better, that's worth an investment.

Brindle added that ODOT can look at creating an interaction between the crossing signals and the traffic light at Highway 99.

Council directed staff to refine the proposed design and do preliminary engineering, and bring it back to Council.

ALBANY HELPING HANDS PROPERTY REQUEST -- John Donovan

John Donovan said he's been on the board of Albany Helping Hands for a long time. Helping Hands currently has 26 well-behaved working people who are having a very hard time renting apartments in the private market because they are ex-felons. He said Helping Hands owns two houses behind the shelter, where staff members live and pay rent. The City owns four empty lots in that block. Helping Hands would like to acquire those lots and do a housing project to move people out of the shelter and into a rent-paying situation. He is asking the Council to consider if there is a way Helping Hands could acquire the properties.

Konopa said this conversation has been continuing for a few years with the goal of expanding space in the shelter to serve more people. It's a good location. The City has never had real plans for those lots beyond the possibility of ODOT needing right-of-way to expand the overpass. If there are possible plans for the properties, the City should talk to ODOT about how much right-of-way they'd need. She thinks it's worth working with Helping Hands to develop a vision for the area. Johnson thinks it's a good idea. She asked how many apartments they are interested in developing. Donovan said the ultimate goal would be to have an apartment complex. They have good support from key people in the community who would help. He previously was able to solve a housing problem for CARDV with help from local developers and Oregon contractors, and might be able to do something similar again.

Johnson said the City is hanging onto the lots and not doing anything with them. Let's allow them to do some good.

Kellum asked if Helping Hands has a business plan. Donovan said they're in the process of developing one. Kellum asked if the staff who are paying rent are paying market rate or close to it? Donovan said they are not quite paying market rate because they need to be close and their service is so valuable. Kellum said people with a marketable skill and a job should pay market rate, even if they are felons. Donovan agreed. Kellum said he would be willing to be one of a couple of Councilors to look at the business side of the proposal.

Kopczynski asked if the people renting now would be on Section 8. Donovan said he doesn't know if they'd qualify. Kopczynski asked if the property would come back on the tax rolls. Konopa said not if they are a non-profit. Kopczynski asked if that could eventually happen. Kellum said it would take a different kind of business to put them back on the tax rolls, but there are ways to do it.

Coburn suggested that there might be a negative reaction from the neighborhood to an apartment building to house ex-felons. Would the City be liable to litigation as the owner of properties whose development lowered property values? City Attorney Jim Delapoe said there is nothing illegal in the City constructing a use that affects property values. If the neighbors say they don't want it because of their perception that it would affect property values, it's a political issue. No one has ever been able to submit hard data on either side of such an argument. Legally, the City wouldn't incur liability by putting in a public change that incidentally affects property values.

Hare said since he invited Donovan to come before the Council, he's learned that there is a complication with the parcels. The properties' zoning permits homeless shelters as a conditional use, but it doesn't permit permanent housing. That doesn't mean this can't be done, but it complicates the process and probably makes it take longer. He wants everyone to know that at the front end of the discussion. If the City has to do a Comprehensive Plan change and zone change, any opposition to the project will lengthen the process considerably.

Councilor Dick Olsen said he is sympathetic to the problem and the proposal, but he would like to hear more about ODOT's plans for the overpass and look at the neighborhood before making a decision.

Donovan said it was encouraging that when Helping Hands had to get a conditional use permit to move to their current location, not one person spoke against it at the hearing. Since then, they've acquired two nearby houses and haven't had complaints from

neighbors. The neighbors are all renters, and Helping Hands has had a good relationship with them for several years. They haven't talked to the owners of the houses.

Kellum said the area is rundown and could be turned into something different. He wants to have the renters and property owners in the conversation before giving a go-ahead. Konopa said the Council is acquainted with the home owners and she thinks they'll be easy to work with.

The Council agreed to go ahead with discussions and explore options.

CONNECTION TO CITY SEWER, 2650 NW SKYLINE TERRACE – Staci Belcastro

City Engineer Staci Belcastro referred to the memo in the agenda packet, which outlines several sewer extension alternatives. She introduced Levi McDonald, the owner of the property in question, who approached staff about options for sewer to his property. The property has not been occupied since 2011. The septic system has failed. The DEQ prohibits repair or replacement of a septic system if sewer is available within 300 feet of the property. The first three alternatives in the memo are specific to McDonald's property. The fourth alternative includes the potential for three other properties whose owners have expressed interest in connecting to the sewer.

Public Works Engineering and Community Development Director Jeff Blaine said one of the memo options proposes using sewer connection fee reserves to connect the properties to the sewer. This is exactly the intent of those moneys.

Kellum asked McDonald if he knew the septic system had failed when he bought the house. McDonald said yes. Kellum: at that point did you ask the City about options? McDonald said he didn't know that, because of the proximity of the City sewer, he'd be forced to connect. Kellum asked if 2657 Skyline Terrace is connected to the sewer. Belcastro said no. A number of nearby homes are on septic. A recent project extended sewer to within reach of the McDonald property.

Kellum asked if the existing sewer was put in by the City or by people who wanted to connect. Blaine said it was put in through private development.

Kopczynski asked if making this connection would improve opportunities for other properties on the map. Who would be benefitted besides these four properties? Belcastro said a number of the nearby properties are on septic. If their septic failed, they would be required to connect. Kopczynski said the reserve fund was designed to help with this type of infill. He prefers Alternative 4.

Coburn said he doesn't have a preference. He's sure the property owners would like the City to pay for everything. He asked if there are previous cases to draw from to encourage participation by the property owners. Blaine said when they connect, property owners have to pay connection fees. The fees won't cover the construction cost. A Local Improvement District (LID) is the way to get owner contribution. If it's okay to use the connection fee reserve, just ask staff to do that. The City will build the project, and the property owners will pay their connection fees when they connect. Coburn asked McDonald if his house was habitable. McDonald said it's functional, to an extent, but it's failing and not to code.

Belcastro said construction wouldn't happen until next spring or summer.

McDonald said he had talked to Civil Engineer III Gordon Steffensmeier about the possibility of a temporary sewer tap until the project was complete. Steffensmeier said yes, but a proposal has not been submitted. Belcastro and Blaine said that alternative taps would need to be submitted for review by the City and also be approved by Benton County. Kellum asked if a temporary use would involve just pumping the tank periodically. Steffensmeier said yes. Blaine said using the system in a nonfunctioning state makes issues for neighbors. Kellum said if you build a hundred houses on bare land, you put in the sewer system, and the people who buy houses there pay for it. This is putting in the system and letting the owners pay a piece of it, not what it actually cost. Everyone ought to pay if they're getting the benefit. McDonald said he is willing to pay his fair share.

Konopa said this area was apparently excluded from the 1991 annexation infrastructure. Blaine said it's only recently that the sewer came this far up the hill. Discussion followed about the map and the cost per property.

Johnson said she would like to see what the Council can do to help the neighbors out without costing them an arm and a leg. Konopa said if we pay the \$269,000 to connect to the four properties, it would cost us a net amount of \$200,000, with what we would receive in connection fees. We have \$700,000 in the reserve fund. This project would reduce that to \$500,000. How much more need is there? Once we start contributing owner portions we're going to get more requests to do the same thing. Then how much farther will the \$500,000 go?

Blaine understands the concern about spending reserves when in other situations the developer pays the whole amount. But we've spent money on Valley View and Crocker, the American Legion and Sno-Temp, the same as we would here. We don't collect the cost of improvements through connection fees. Ideally, we would build this project on the front end and then get reimbursed by each connecting property owner. Our connection fees are artificially low; we decided about 2001 to not be fully reimbursed by the connection fees.

Hare said the state legislature recently passed legislation related to a case in The Dalles that took away the City's right to collect total installation costs. He thinks Blaine is right to collect what we can in user fees, and go ahead and do the project.

Olsen asked how much the connection fee is, and how much we would have to raise it to come out even. Belcastro said currently the connection fee is \$57 per foot. Blaine said the fee would have to be double the water connection fee to break even, or \$65 per foot. Coburn said that might have to be part of a discussion down the road.

ACTION

Konopa asked for a motion. Kopczynski moved to direct staff to pursue Alternative 4. Johnson seconded the motion, which passed 6-0.

UNIVERSITY OF OREGON SUSTAINABLE CITY YEAR UPDATE – Bob Richardson and UO staff

Planning Manager Bob Richardson introduced Marc Schlossberg, Sustainable City Year Program (SCYP) Director, and Megan Banks, Program Manager. Schlossberg said the purpose of the partnership is to help Albany move its interests forward in any way they can. Overall, the process is going really well, far ahead of any partnership they've had with any city in the past. He said a lot of that is due to Richardson.

Banks passed out a list of tentative projects they have matched with students so far (see agenda file). She said it's amazing how successfully the partnership is going. Faculty members have actually requested to work on Albany projects. She thanked the Council and the City. They are looking forward to continuing the relationship, with lots of projects to work on.

Schlossberg mentioned the official launch on September 29 at U of O. He handed out a flier (see agenda file). Konopa will be attending. Schlossberg thanked Hare for his support. These projects only work when the City Manager's Office works to make them happen.

Kopczynski asked if there will be a presentation or report to the Council at the end of fall term. Schlossberg said at the end of every term, each class will do a final presentation here and at the University. Many classes do a site visit to the community in Weeks 1-3 of the term. It means a lot to the students to hear from staff, councilors, and professionals about their work. At the end of the project, classwork is compiled into a professional report that the City will receive, and there will be a celebration at the end of the year.

Banks said staff and the Council bring different perspectives that are equally important to the students. She encouraged the Council to participate.

Olsen asked what kind of projects the program has done in other cities. Banks mentioned landscape architecture, planning, law, geography, starting a nonprofit, and several more. Many cities are interested in the same kinds of things. She handed out a list of projects they did last year in Redmond (see agenda file).

COUNCILOR COMMENTS

Kopczynski said at the last Council meeting they helped Bo-Mack's BBQ get a delivery parking space. He remembers the Council said they'd help Novak's with a similar issue, but the solution apparently wasn't what they were hoping for. He talked to Novak's owner, who is upset. They want a 10-minute space for buses to offload. Peggy Burris, Albany Downtown Association, said she called the Novak sisters, but they haven't gotten back to her yet, so she doesn't know just what they want. Kopczynski said his conversation indicated that they wanted a place to offload and pick up customers from buses. That shouldn't take any longer than picking up takeout.

Irish said that depends on the kind of bus. If it's a van that fits in a standard parking space, it would work fine. If they want a City bus-sized vehicle, a loading zone takes half the block and uses a lot of customer parking. Kopczynski said he wouldn't have a problem with a larger bus double-parking for a few minutes. Burris said she would be happy to place cones for them if they wanted to do that. She wants to make it easy for Novak's customers. Coburn suggested asking the Novaks to come and talk to the Council. We're getting a lot of information second-hand. Konopa's recollection is that they wanted a 10-min loading zone. We need to hear from them directly. Burris said she will connect with them.

Konopa said she heard that this is Delapoer's last work session before he retires. She said that's sad to think about. Delapoer said it's been a lot of fun. Wednesday night will be his last Council meeting. Konopa thanked him and said the Council will miss him.

CITY MANAGER REPORT

Hare said he received an invitation to meet with a woman from Business Oregon who is working to establish international ties. He will be meeting next week with her and someone else who is trying to establish some connections with China.

ADJOURNMENT

There being no other business, the meeting was adjourned at 5:48 p.m.

Respectfully submitted,

Allison Liesse
Accounting Specialist

Reviewed by,

Wes Hare
City Manager



TO: Albany City Council

VIA: Wes Hare, City Manager

FROM: Mario Lattanzio, Chief of Police

M. LATTANZIO

DATE: October 19, 2016, for October 26, 2016, City Council Meeting

SUBJECT: Additional Privilege, Off-Premises Sales, Liquor License Application for The Growler Garage & Tap House, LLC, dba The Growler Garage & Tap House located at 229 Third Avenue SW.

Action Requested:

I recommend the Additional Privilege, Off-Premises Sales, Liquor License Application for The Growler Garage & Tap House, LLC, dba The Growler Garage & Tap House located at 229 Third Avenue SW, be approved.

Discussion:

Tracy and Bonnie Bertalotto on behalf of The Growler Garage & Tap House, LLC, dba The Growler Garage & Tap House, have applied for a Additional Privilege, Off-Premises Sales, liquor license. Based on a background and criminal history investigation through Albany Police Department records, the applicants have no criminal record.

Budget Impact:

None.

MSR