

# Revised



ALBANY CITY COUNCIL

## AGENDA

### Wednesday, May 13, 2020

This meeting will be conducted remotely. At 7:15 p.m., join the meeting from your computer, iPad, or smartphone by clicking the link below:

<https://www.gotomeet.me/cityofalbany/ccm>

You can use your built-in microphone or dial in using your phone.

Toll free: [1-646-749-3129](tel:1-646-749-3129)

Access code: [491-970-829](tel:491-970-829)

Microphones will be muted and webcams will be turned off for presenters and members of the public unless called upon to speak.

If participant(s) disrupt the meeting, the participant(s) microphone and webcam will be turned off.

If disruption continues, the participant(s) will be removed from the meeting.

1. Call to order and pledge of allegiance

2. Roll call

3. Proclamations

a. Historic Preservation Month. [Page 4]

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

b. Police Week. [Page 5]

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

c. Public Works Week. [Page 6]

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

4. Public Hearing

*Persons wanting to address the council during public hearings have two options:*

1- *Mail or email your comments to [anne.catlin@cityofalbany.net](mailto:anne.catlin@cityofalbany.net). Comments must be received before 5:00 p.m. on the day of the meeting in order to be considered by the council.*

2- *To appear virtually during a public hearing, register by emailing [jennifer.sullivan@cityofalbany.net](mailto:jennifer.sullivan@cityofalbany.net) before 5:00 p.m. on the day of the meeting. During public testimony, the mayor will call upon those who have registered to speak first, followed by any others.*

a. Community Development Block Grant

1) Amending the Community Development Block Grant 2018-2022 consolidated plan and 2018 action plan as adopted by Resolution No. 6720. [Pages 7-15]

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



5. Business from the public

*Persons wanting to address the council during "business from the public" must send their written comments by email to [cityclerk@cityofalbany.net](mailto:cityclerk@cityofalbany.net). Please limit comments to one page and include your name and address. Emails received before 5:00 p.m. on the day of the meeting will be read aloud during "business from the public."*

6. Second reading of ordinance

- a. ZC-06-19, 2710 Grand Prairie Road SE. [Pages 16-18]

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

7. First reading of ordinance

- a. Amending Albany Municipal Code Chapter 13.21.112, Central Albany Parking Area. [Pages 19-22]

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

8. Adoption of resolutions

- a. Approving the purchase of four transit buses. [Pages 23-25]

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

- b. Applying for HB 2001 amendments grant funding. [Pages 26-28]

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

9. Award of contracts

- a. Auditing services to Boldt, Carlisle + Smith LLC. [Pages 29-30]

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

- b. ST-19-01, Crocker and Gibson Hill traffic signal. [Pages 31-34]

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

10. Approval of agreement

- a. Maple Lawn Preschool operations and maintenance intergovernmental agreement. [Pages 35-41]

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

11. Adoption of consent calendar

- a. Approval of minutes

1) Wednesday, March 9, 2020, work session. [Pages 42-44]

2) Wednesday, April 8, 2020, meeting. [Pages 45-48]

- b. Adoption of resolutions

1) Application for FY 19-20 Assistance to Firefighters COVID-19 supplemental grant. [Pages 49-50] RES NO. \_\_\_\_\_

2) Application for Gary Sinise Foundation First Responders grant. [Pages 51-52] RES NO. \_\_\_\_\_

3) Accepting Michigan Public Health Institute Sound Off grant. [Pages 53-55] RES NO. \_\_\_\_\_

c. Accepting funds

- 1) Charitable contribution from Ion Enterprises, LLC. [Pages 56-57]
- 2) Charitable contribution from Country Financial. [Pages 58-59]
- 3) Receipt of CARES Act stimulus funds. [Pages 60]

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

12. Staff report

- a. Multimodal station restroom grant – Chris Bailey. [Verbal]

13. Business from the council

14. Recess to executive session to discuss labor negotiations in accordance with ORS 192.660 (2)(d).

15. Reconvene

16. Next meeting dates

- Wednesday, May 27, 2020; 7:15 p.m. regular meeting  
Monday, June 8, 2020; 4 p.m. work session

17. Adjournment

Due to Governor Brown's Executive Order No. 20-12, prohibiting public gatherings during the COVID-19 pandemic, this meeting is accessible to the public only via phone and video connection. Remote access information is listed at the top of this agenda.

# PROCLAMATION

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## Historic Preservation Month May 2020

WHEREAS, Albany is well known for its large and varied collection of historic buildings that date from the 1840's through the 1950's; and

WHEREAS, historic preservation is an effective tool for economic development, promoting tourism, revitalizing neighborhoods, creating livable and sustainable communities, fostering local pride, and creating community character; and

WHEREAS, it is important to celebrate the role history and tangible aspects of heritage have in shaping our lives and communities now and in the future; and

WHEREAS, "This Place Matters" is the theme of National Historic Preservation Month celebrated across America and sponsored by the National Trust for Historic Preservation; and

WHEREAS, Historic Preservation Month provides an opportunity for citizens of all ages and backgrounds to celebrate the special places that are meaningful to them and their communities, and the importance of preservation and its place in all of our lives.

NOW, THEREFORE, I, Sharon Konopa, Mayor of the City of Albany, Oregon, do hereby proclaim the month of May 2020 as

### Historic Preservation Month

in Albany, and I encourage all residents to take time this month to appreciate Albany's many historic resources and to participate in activities celebrating our heritage.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Albany to be affixed this 13th day of May 2020.

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Sharon Konopa, Mayor

# PROCLAMATION

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## Police Week May 10 – 16, 2020

WHEREAS the Congress of the United States of America has designated the week of May 10 - 16, 2020 to be dedicated as "*National Police Week*" and May 15 of each year to be "*Police Memorial Day*" in honor of the Federal, State and Municipal Officers who have been killed or disabled in the line of duty; and

WHEREAS it is known that on average, one law enforcement officer is killed in the line of duty somewhere in the United States every 55 hours. Since the first known line-of-duty death in 1786, more than 21,000 U.S. law enforcement officers have made the ultimate sacrifice; and

WHEREAS law enforcement officers, including City of Albany Police Officers are our guardians of life and property and defenders of the individual rights of freedom; and

WHEREAS the City of Albany is proud of our law enforcement officers and wish to recognize their commitment to the public safety profession; and

WHEREAS the Albany Police Department and officers provide the highest quality services and are committed to the highest professional standards, working in partnership with our community, to meet the challenges of reducing crime, creating a safe environment, and improving our quality of life.

NOW, THEREFORE BE IT PROCLAIMED that the City of Albany designates the week of May 10-16, 2020 as

### **Police Memorial Week**

in the City of Albany to call attention to Albany Police Officers for the outstanding service they provided to our community. The City Council also calls upon our residents and businesses to express their thanks to the men and women who make it possible for us to leave our homes and family in safety each day and return to our homes knowing they are protected by men and women willing to sacrifice their lives if necessary, to guard our loved ones, property, and government against all who would violate the law.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Albany to be affixed this 13th day of May 2020.

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Sharon Konopa, Mayor

# PROCLAMATION

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## Public Works Week May 17 - 23, 2020

WHEREAS, Public Works professionals focus on infrastructure, facilities, and services that are of critical importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of our community; and

WHEREAS, the Public Works programs and services provided to our community are an integral part of our residents' everyday lives; and

WHEREAS, the support of an understanding and informed community is vital to the efficient operation of Public Works systems and programs such as drinking water treatment and distribution, wastewater collection and treatment, stormwater management, street maintenance, engineering services, and transportation systems; and

WHEREAS, the quality and effectiveness of these services, programs, and facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of Public Works professionals; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff Public Works departments is materially influenced by the community's attitude and understanding of the importance of the work they perform; and

WHEREAS, 2020 marks the 60th annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE, I, Sharon Konopa, Mayor of the City of Albany, do hereby proclaim the week of May 17, 2020, to May 23, 2020, as

### Public Works Week

in the City of Albany, and I call upon all residents and civic organizations to acquaint themselves with the issues involved in providing our Public Works services and to recognize the contributions that Public Works employees make every day to our health, safety, economic vitality, and quality of life.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Albany to be affixed this 13th day of May 2020.

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Sharon Konopa, Mayor



# MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager *PT 5/17*  
 Jeff Blaine, P.E., Public Works Engineering and Community Development Director *JB*

FROM: David Martineau, Planning Manager *DM*  
 Anne Catlin, Planner III *aca*

DATE: May 5, 2020, for the May 13, 2020, City Council Meeting

**SUBJECT:** Community Development Block Grant (CDBG) Plan Amendments  
 Relates to Strategic Plan theme: Great Neighborhoods

### Action Requested:

Staff requests that council hold a public hearing to receive comments on substantial amendments to the CDBG 2018 Action Plan and the 2018-2022 Consolidated Plan. Following the public hearing, staff recommends council make any desired modifications to the plans and pass the attached resolution to modify the adopted plans.

### Discussion:

#### *CDBG Background and Consolidated Planning Process*

As an entitlement jurisdiction, the City of Albany receives an annual grant from the U.S. Department of Housing and Urban Development (HUD) through the CDBG program. HUD requires that grantees develop a strategic plan every five years called the Consolidated Plan and submit an annual action plan to HUD that describes how the City will use its annual CDBG allocation to address needs identified in the Consolidated Plan. The 2020-2021 fiscal year will be the third year of the 2018-2022 Consolidated Plan cycle.

#### *2018 Action Plan Substantial Amendment #1*

Amendments to the 2018 Action Plan include reallocating unspent funds to address demand for emergency small business support (\$29,000) and low- and moderate-income owner-occupied housing rehabilitation (\$36,000).

#### *2018-2022 Consolidated Plan Substantial Amendment #1*

The five-year plan will be amended to add Coronavirus Aid, Relief, and Economic Security (CARES) Act funds and associated goal and plan priority; and updating projected allocations and performance measures due to unspent 2018 and 2019 program year funds.

### Budget Impact:

None.

ALC:js

Attachments: 1





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

A RESOLUTION AMENDING ALBANY'S COMMUNITY DEVELOPMENT BLOCK GRANT 2018-2022 CONSOLIDATED PLAN AND 2018 ACTION PLAN AS ADOPTED BY RESOLUTION NO. 6720

WHEREAS, the City of Albany is entitled to annual Community Development Block Grant (CDBG) funding provided by the U.S. Department of Housing and Urban Development (HUD) to develop viable urban communities by providing decent housing, a suitable living environment, and expanding economic opportunities, principally for low- and moderate-income persons; and

WHEREAS, the City is required to develop a five-year strategic plan to assess housing and community development needs and set goals and priorities to address needs over the 2018-2022 Consolidated Plan period; and

WHEREAS, the 2018 Action Plan describes the activities and programs to be delivered with 2018 CDBG program year funds to address priority needs identified in the 2018-2022 Consolidated Plan; and

WHEREAS, the City adopted the 2018-2022 Consolidated Plan and 2018 Action Plan by Resolution No. 6720 on June 27, 2018; and

WHEREAS, the Plans anticipated demand for property acquisition for affordable housing and a proposal for a specific property and project has not been received to date; and

WHEREAS, the City received an additional allocation of CDBG funds to prevent the spread of and mitigate the impacts of the novel coronavirus (COVID-19) on businesses and residents, and demand for housing rehabilitation is currently greater than the need for property acquisition; and

WHEREAS, the City proposes to substantially amend the 2018-2022 Consolidated Plan and 2018 Action Plan to respond to changing priority needs and to COVID-19; and

WHEREAS, the City held a 30-day comment period on the proposed substantial amendments and published notice of the comment period and council hearings in the Albany Democrat-Herald; and

WHEREAS, the Albany Community Development Commission held a public meeting regarding the proposed amendments on April 20, 2020, and the Albany City Council held a public hearing on May 13, 2020, on the amendments, and all comments were accepted.

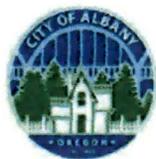
NOW, THEREFORE, BE IT RESOLVED that the Albany City Council hereby amends the 2018-2022 Consolidated Plan and 2018 Action Plan adopted by Resolution No. 6720 as described and attached hereto as "Exhibit A."

DATED AND EFFECTIVE THIS 13TH DAY OF MAY 2020.

\_\_\_\_\_  
Mayor

ATTEST:

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



# ALBANY 2018-2022 CONSOLIDATED PLAN SUBSTANTIAL AMENDMENT #1

## SUMMARY OF AMENDMENTS:

- A. **Coronavirus Aid, Relief, and Economic Security (CARES) Act Award** – Add CARES CDBG award and allocation to the 2018-2022 Consolidated Plan.
- B. **2019 Carryover Funds** – Reallocate undistributed 2019 program year funds to emergency small business loans.
- C. **2018 Carryover Funds** – Reallocated \$65,000 from 2018 program year funds to emergency small business support (\$19,000) and owner-occupied housing rehabilitation (\$36,000).

## BACKGROUND AND PURPOSE OF PROPOSED AMENDMENTS:

*The 2018-2022 Consolidated Plan (Con Plan) was prepared in Fiscal Year 2017-2018. Since that time, the City has seen an increase in home prices, land costs, and a dwindling supply of land for affordable housing, and most recently, impacts due to the novel coronavirus (COVID-19). Amendments are proposed to update strategic plan goals, priorities, funding and projected outcomes.*

- A. **CARES Act Award** – The City of Albany will receive \$220,804 in Community Development Block Grant (CDBG) funding from the Federal CARES Act to help prevent, prepare for, and respond to the impacts of the coronavirus on individuals, families, and businesses. The Con Plan will be updated to include emergency response to COVID-19 as a Con Plan priority and goal, and the proposed funding distribution and performance measures for associated activities.

The City proposes to allocate CARES funds to address economic and housing market disruptions to help Albany's small and independent businesses stay afloat during the pandemic and to keep residents housed. A portion of the funds are proposed for emergency food boxes, supplies, and measures to prevent the spread of COVID-19 within the community.

- B. **2019 Carryover Funds** - Reallocate \$89,311 to emergency business loans from property acquisition. Due to no timely project for the use of the property acquisition funding, and local emergency needs arising over the last two months, the City proposes to reallocate funds to emergency support for small businesses.
- C. **2018 Carryover Funds** - Due to lack of demand for down payment assistance funds and no timely project for property acquisition funds, the City proposes to shift unspent funds to emergency business support due to the coronavirus pandemic, and to help fund the 2020 application for housing rehabilitation program funding, which has a waiting list.

**2108-2022 CONSOLIDATED PLAN AMENDMENTS:**

Proposed amendments are shown using red underline for new text and ~~strikeout~~ formatting indicates text to be deleted. Only applicable Consolidated Plan sections are shown.

**Staff Comments: Add Goal 8 and modify Goal 5.**

**ES-05 Consolidated Plan Goals**

The following goals and objectives were identified and developed through agency consultations, citizen participation, community partnerships and capacity, and area resources.

**GOAL 1:** Create affordable housing opportunities through property acquisition, redevelopment, and homebuyer down-payment assistance programs.

**GOAL 2:** Preserve and improve Albany’s affordable housing through housing rehabilitation and weatherization programs.

**GOAL 3:** Reduce and prevent homelessness by providing housing and public services.

**GOAL 4:** Provide Albany’s special needs and low- and moderate-income residents with needed public services by supporting service agencies that serve highly vulnerable and underserved populations such as unaccompanied youth, persons with disabilities, homeless, elderly, and agencies that further fair housing.

**GOAL 5:** Create economic opportunities by investing in job readiness services, microenterprise development, and economic development programs that create or retain jobs principally for low- or moderate-income residents.

**GOAL 6:** Improve access to opportunities including services, employment, schools, and amenities by investing in safety and accessibility improvements.

**GOAL 7:** Remove blighting influences to revitalize and strengthen neighborhoods by investing in the City’s critical public infrastructure and housing needs.

**GOAL 8: Prevent, prepare for, and respond to the impacts of the novel coronavirus on individuals, families, and businesses.**

**SP-25 Priority Needs**

**Staff Comments: Add COVID-19 priority and modify priorities 1 and 5.**

1	Priority Need Name	Increase affordable housing opportunities
	Priority Level	<del>High</del> <u>Low</u>
2	Priority Need Name	Improve Existing Affordable Housing
	Priority Level	High
3	Priority Need Name	Reduce Homelessness
	Priority Level	High
4	Priority Need Name	Help non-homeless residents with special needs
	Priority Level	Low
5	Priority Need Name	Create economic opportunities for LMI residents
	Priority Level	<del>Low</del> <u>High</u>
6	Priority Need Name	Improve access to opportunities

	Priority Level	Low
<b>7</b>	Priority Need Name	<u>Prevent and respond to impacts of COVID-19</u>
	Priority Level	<u>High</u>

**SP-45 Goals Summary – 91.215(a)(4)**

*Staff Comments: Add COVID-19 goal and update estimated CDBG funding and performance outcomes.*

	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Create affordable housing opportunities	2018	2022	Affordable Housing Homeless Non-Homeless Special Needs	Census Tracts 204, 205, 208.1, 208.2	Increase affordable housing opportunities Reduce Homelessness	CDBG: <del>\$566,700</del> <u>\$250,000</u>	Homeowner Housing Added: <del>2</del> <u>1</u> Units Direct Financial Assistance to Homebuyers: <del>104</del> Households Assisted <u>Property Acquisition: 1 Buildings Demolished: 2 Buildings</u>
2	Preserve affordable housing	2018	2022	Affordable Housing	Census Tracts 204, 205, 208.1, 208.2	Improve Existing Affordable Housing	CDBG: <del>\$4065</del> <u>0,000</u>	Homeowner Housing Rehabilitated: <del>1520</del> Household Housing Unit
3	Reduce and prevent homelessness	2018	2022	Homeless	Census Tract 204 Census Tract 208.1	Reduce Homelessness	CDBG: <del>\$150,000</del> <u>\$180,000</u>	Homeless Person Overnight Shelter: 500 Persons Assisted <del>Homelessness Prevention: 10 Persons Assisted</del>
4	Provide needed public services	2018	2022	Homeless Non-Homeless Special Needs Fair housing	Citywide	Reduce Homelessness Help non-homeless residents with special needs	CDBG: <del>\$118,600</del> <u>\$130,000</u>	Public service activities other than Low/Moderate Income Housing Benefit: <del>250</del> <u>2,000</u> Persons Assisted

	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
5	Create economic opportunities	2018	2022	Economic Development	Citywide	Enhance economic opportunities for LMI residents	CDBG: <del>\$95,600</del> <u>\$300,000</u>	<del>Homelessness Prevention: 50 Persons Assisted Jobs Created/Retained: 20 jobs</del> Businesses assisted: <u>2040</u> <u>Residents assisted: 30</u>
6	Improve access to opportunities	2018	2022	Non-Housing Community Development	Census Tract 204 Census Tract 208.1 Census Tract 205 Census Tract 208.2	Improve access to opportunities	CDBG: <del>\$17898,000</del>	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 1000 Persons Assisted
7	<u>Respond to COVID-19</u>	<u>2018</u>	<u>2022</u>	<u>Economic Development</u> <u>Housing</u> <u>Homeless</u> <u>Non-Homeless</u> <u>Special Needs</u>	<u>Citywide</u>	<u>Mitigate impacts of COVID-19</u> <u>Prevent spread of COVID-19</u>	<u>\$220,804</u>	<u>Businesses Assisted: 10</u> <u>Households Assisted: 30</u> <u>Persons Assisted: 500</u>

Table 1 – Goals Summary

**Goal Descriptions Table**

The proposed goals respond to community needs identified during the 2018-2022 Consolidated Plan outreach process and in the development of the 2019 Action Plan. Goal 5 is proposed to be updated below and Goal 7 is proposed to be added to respond to needs and impacts caused by the coronavirus pandemic.

5	<b>Goal Name</b>	Create economic opportunities
	<b>Goal Description</b>	Create economic opportunities by investing in job readiness services, microenterprise development, and economic development programs that create <u>or retain</u> jobs principally for low- or moderate-income residents.
7	<b>Goal Name</b>	<u>Prevent and Respond to COVID-19</u>
	<b>Goal Description</b>	<u>Prevent, prepare for, and respond to the impacts of the coronavirus on individuals, families, and businesses.</u>



# CITY OF ALBANY

## 2018 ACTION PLAN SUBSTANTIAL AMENDMENT #1

**SUMMARY OF AMENDMENTS:**

Reallocate unspent \$65,000 in the 2018 Action Plan to emergency small business support (\$29,000) and housing rehabilitation (\$36,000).

**PURPOSE OF PROPOSED AMENDMENTS:**

Due to lack of demand for down payment assistance funds and no timely project for property acquisition funds, the City proposes to shift unspent funds to emergency business support due to the coronavirus pandemic, and to help fund the 2020 application for housing rehabilitation program funding, which has a waiting list.

**PLAN AMENDMENTS:**

Proposed amendments are shown using red underline for new text and ~~strikeout~~ formatting indicates text to be deleted. Only applicable 2018 Action Plan sections are shown.

### AP-20 Annual Goals and Objectives

**Staff Comments:** 2018 annual goals are proposed to be reordered and modified to address changing community needs.

#	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
<del>1</del>	<del>Create Affordable Housing Opportunities</del>	<del>2018</del>	<del>2022</del>	<del>Affordable Housing</del>	<del>Citywide</del>	<del>Increase Affordable Housing Opportunities</del> <del>Acquire or create new affordable housing</del>	<del>\$20,000</del> <del>\$45,000</del>	<del>Direct Financial Assistance to Homebuyers: 2</del> <del>Households Assisted</del> <del>Acquisition: 1 Properties</del>
<u>1</u>	<u>Small Business Support</u>	<u>2018</u>	<u>2022</u>	<u>Economic Development</u>	<u>Citywide</u>	<u>Support small businesses, create/retain jobs</u>	<u>\$29,000</u>	<u>Jobs created/retained: 3</u> <u>Businesses Assisted: 3</u>
2	Preserve Affordable Housing	2018	2022	Affordable Housing	Tract 204 Tract 205 Tract 208.1 Tract 208.2	Improve Livability of Affordable Housing	\$90,000 <u>+\$36,000</u> <u>\$126,000</u>	Homeowner Housing Rehabilitated: <del>3</del> <u>4</u> Housing Units

**Goal Descriptions**

The proposed goals respond to community needs identified during the 2018-2022 Consolidated Plan outreach process and in the development of the 2019 Action Plan. The original 2018 Plan goal is being replaced with the goal below to respond to needs and impacts caused by the coronavirus pandemic.

1	Goal Name	<u>Small Business Support</u>
	Goal Description	<u>Help small businesses respond to the impacts of the coronavirus to retain or create jobs.</u>

**AP-35 Projects – 91.220(d)**

**Introduction**

This section lists and describes the projects that will be carried out under the City of Albany Community Development Block Grant program during federal PY 2018. The projects reflect priorities that were identified in the development of the 2018-2022 Consolidated Plan. Project details are provided in Section AP-38 Project Summary Information.

**Staff Comments: 2018 projects are being modified to address current needs.**

#	Project Name
1	<del>2018 Homebuyer Assistance</del> <u>Small Business Support</u>
2	<del>2018 Property Acquisition and Clearance</del>
3	2018 Housing Rehabilitation
4	2018 Youth Shelter Case Management Services
5	2018 Emergency Shelter Operations
6	2018 Child Abuse Prevention Services
7	2018 Food and Furniture Distribution
8	2018 Senior Companion Program
9	2018 Microenterprise Development
10	2018 Sunrise Park Public Improvements
11	2018 Sidewalk and Curb Ramp Program
12	2018 CDBG Administration and Planning

Table 4 2 – Project Information

**AP-38 Projects Summary Information**

**Staff Comments: The content in original Projects #1 and #2 will be deleted; new Project #1 is proposed, and Project #3 is amended.**

1	Project Name	<u>Small Business Support</u>
	Target Area	<u>Citywide</u>
	Goals Supported	<u>Enhance Economic Opportunities</u>
	Needs Addressed	<u>Create and retain jobs</u>
	Funding	<u>CDBG: \$29,000</u>
	Planned Activities	<u>Low-interest loans to small businesses</u>
	Target Date	<u>12/31/2020</u>

	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	<u>Three businesses</u>
3	<b>Project Name</b>	<b>2018 Housing Rehabilitation</b>
	<b>Target Area</b>	Citywide
	<b>Goals Supported</b>	Preserve Affordable Housing
	<b>Needs Addressed</b>	Improve the condition and livability of existing affordable housing
	<b>Funding</b>	CDBG: <del>\$90,000</del> <u>\$126,000</u>
	<b>Description</b>	This activity will provide housing rehabilitation services to preserve housing occupied by LMI households and will improve housing conditions and longevity and will reduce housing-cost burden for the benefiting household.
	<b>Target Date</b>	<del>6/30/2019</del> <u>12/31/2020</u>
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	<del>Three</del> <u>Four</u> LMI households will benefit from this activity



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY ZONING MAP, BY AMENDING THE ALBANY ZONING MAP AND ADOPTING FINDINGS FOR THE PROPERTY LOCATED AT 2710 GRAND PRAIRIE ROAD SE; LINN COUNTY ASSESSOR’S MAP NO. 11S-03W-17D TAX LOT 101.

WHEREAS, on December 24, 2019, the Albany Community Development Department received an application for a zoning map amendment for a property located at 2710 Grand Prairie Road SE (Planning File ZC-06-19); and

WHEREAS, a zoning district map and legal description for the subject property are provided in Ordinance Exhibits A and B, respectively; and

WHEREAS, the application is to amend the zoning map from residential medium density (RM) to residential medium density attached (RMA) for the same property; and

WHEREAS, the proposed zoning map amendment is discussed in detail in the March 9, 2020, staff report; and

WHEREAS, on March 16, 2020, the Albany Planning Commission held a public hearing, considered public testimony, deliberated on the proposed map amendment, and recommended approval of the proposal based on evidence presented in the staff report and during the public hearing; and

WHEREAS, on April 22, 2020, the Albany City Council held a public hearing on the proposal, reviewed the findings of fact and testimony presented at the public hearing, and then deliberated.

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

Section 1: The findings of fact and conclusions included in the staff report are hereby adopted in support of the decision.

Section 2: The zoning district map is hereby amended from residential medium density (RM) to residential medium density attached (RMA) on the property located in the City of Albany, Linn County, Oregon, as shown in Exhibit A and described in Exhibit B of this ordinance.

Section 3: A copy of this ordinance shall be filed in the Office of the City Clerk of the City of Albany and these changes shall be made on the official City of Albany zoning map.

Section 4: A copy of this ordinance shall be filed with the Linn County Assessor’s Office within 90 days of the effective date of this ordinance.

Passed by the Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_

Effective Date: \_\_\_\_\_

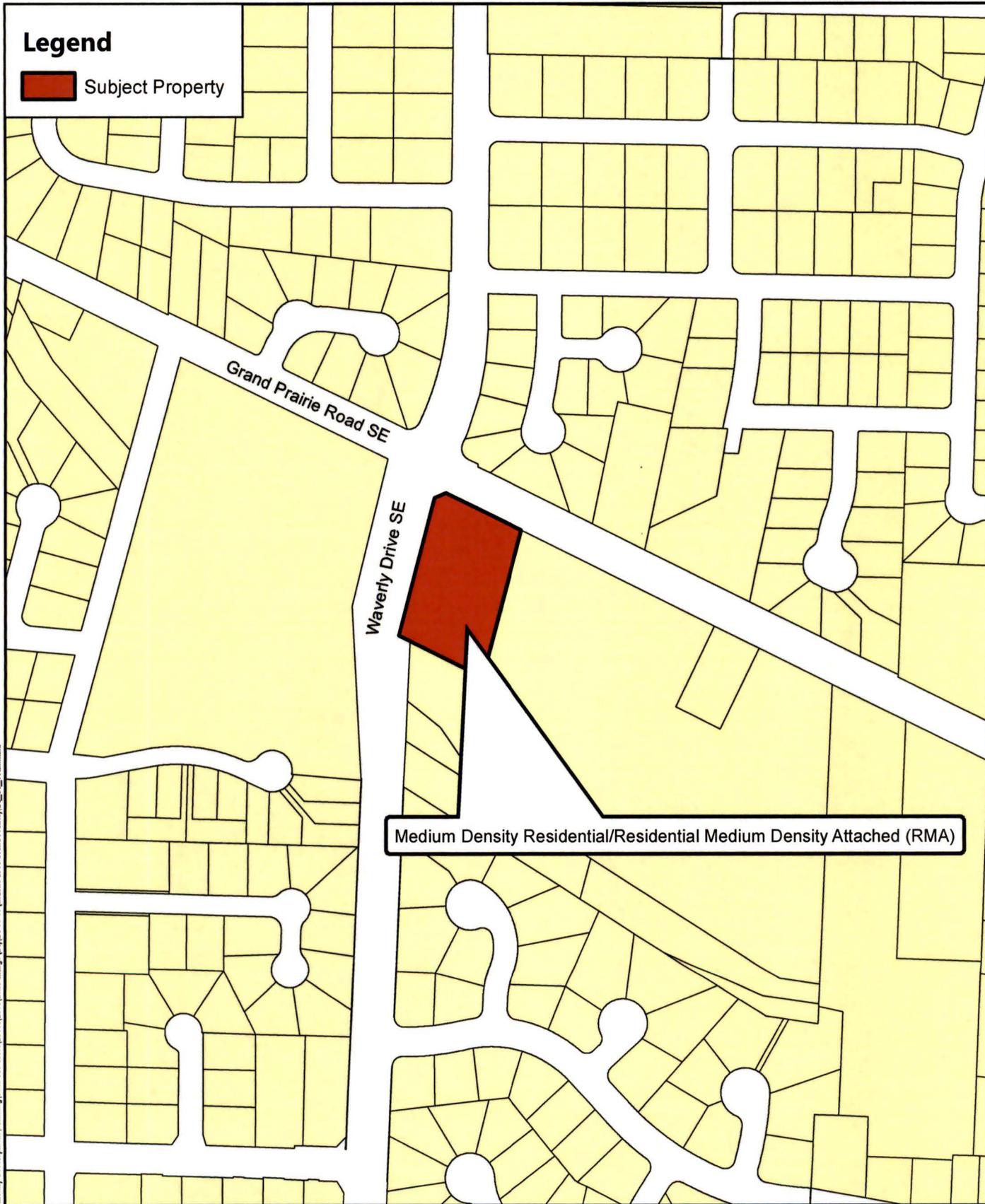
\_\_\_\_\_  
Mayor

ATTEST:

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

**Legend**

 Subject Property



G:\Community Development\Planning\Land Use Cases\2019\2019\_Zone\_Change\_(ZC)\ZC-06-19 (Hazine 2710 Grand Prairie)\ZC\_06\_19\_Inv.mxd



0 50 100 200  
Feet



Date: 2/20/2020 Map Source: City of Albany

**2710 Grand Prairie Road SE**

**Proposed Comprehensive Plan and Zoning Designation**

### Legal Description

A tract of land being situated in the Southeast Quarter of Section 17, Township 11 South, Range 3 West of the Willamette Meridian, in the City of Albany, County of Linn, State of Oregon, more particularly described as follows:

Beginning in the center line of the county road South 369.65 feet from the Southwest corner of the Anderson Cox Donation Land Claim No. 49, in Township 11 South, Range 3 West of the Willamette Meridian; thence North 65°58' West, along the centerline of said county road, 45.71 feet to the Northerly extension of the Easterly line of Lot 7 of Jason Wheeler's Home Farm; thence South 13°02' West, along the Easterly line of Lot 7, a distance of 345.0 feet to a 1/2 inch iron; thence South 65°56' East 191.0 feet to a 1/2 inch iron; thence North 13°02' East, parallel to the Easterly line of said Lot 7, a distance of 345.0 feet to the centerline of the county road; thence North 65°55' West, along said centerline, 145.29 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the City of Albany by deed recorded July 24, 1973 in Volume 63, page 767, Microfilm Records for Linn County Oregon.

FURTHER EXCEPTING THEREFROM that portion conveyed to the City of Albany by deed recorded April 24, 1998 in Volume 938, page 988, Microfilm Records for Linn County, Oregon.

TOGETHER WITH an easement for ingress and egress created by instrument recorded March 12, 2007 as 2007-6104, Microfilm Records for Linn County, Oregon.



# MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager

*PT 5/7*

FROM: Kristopher Schendel, Code Compliance Officer

DATE: May 4, 2020, for the May 13, 2020, City Council Meeting

**SUBJECT:** Amendment of Albany Municipal Code Chapter 13.21.112, Central Albany Parking Area

**Action Requested:**

Amend Chapter 13.21.112 Central Albany Parking Area to add sections 13.21.112(5) and 13.21.112(6).

**Discussion:**

After ratification of Chapter 13.21.112, Central Albany Parking Area, by the Albany City Council on March 11, 2020, staff discovered that 13.70.040 was improperly cited for the towing of vehicles out of the area. To address this issue and to make the code more transparent, Sections 13.21.112(5) and 13.21.112(6) were added. These new sections stay within the original intent of the code while correcting the improper citation.

**Budget Impact:**

None.

KS:hr



AN ORDINANCE AMENDING THE ALBANY MUNICIPAL CODE (AMC) TITLE 13 BY THE REVISION OF CHAPTER 13.21.112 TITLED CENTRAL ALBANY PARKING AREA AND DECLARING AN EMERGENCY

WHEREAS, the Albany City Council ratified AMC Chapter 13.21.112, Central Albany Parking Area, on March 11, 2020, to address areas within the city where unlawful activity had increased; and

WHEREAS, it was discovered that AMC Chapter 13.70.040 improperly cited towing; and

WHEREAS, the creation of AMC Chapter 13.21.112(5) and 13.21.112(6) would address the issue within the code.

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

Amending AMC Title 13, Vehicles and Traffic. AMC Title 13 is hereby amended to revise Chapter 13.21.112 titled Central Albany Parking Area as follows:

**13.21.112 Central Albany Parking Area.**

**(1) It is unlawful for any vehicle to park on the public streets, listed below, without a valid Central Albany Parking Area permit.**

**(a) Area.**

- (i) 11th Avenue SE, west of Jackson Street SE to Montgomery Street SE**
- (ii) Montgomery Street SE, west of 11th Avenue SE to 13th Avenue SE**
- (iii) 13th Avenue SE, west of Jackson Street SE to Industrial Way SW**
- (iv) Howard Drive SE, north of 13th Avenue SE to dead end**
- (v) Industrial Way SW, south of 13th Avenue SE to Queen Avenue SW**

**(2) Enforcement.**

**(a) Any enforcement actions described in this section shall be in line with or in addition to other sections of AMC 13.21.**

**(b) Upon first offense of the Central Albany Parking Area, a parking citation, as laid out in AMC 13.21.155, shall be issued.**

**(i) If the operator of the vehicle is contacted upon issuance of the parking citation, the vehicle shall be removed immediately from the Central Albany Parking Area.**

**(ii) If the operator of the vehicle is not contacted upon issuance of the parking citation, the vehicle shall be removed from the Central Albany Parking Area within 24 hours.**

**(iii) If the vehicle is not removed within the time allotted, the vehicle shall be towed pursuant to ~~AMC 13.70.040~~ **AMC 13.21.112(5)**.**

**(c) Upon any additional violation of the Central Albany Parking Area by any vehicle, the vehicle shall be towed pursuant to ~~AMC 13.70.040~~ **AMC 13.21.112(5)**.**

**(3) Permits.**

**(a) All Central Albany Parking Area permits shall be the sole property of the City of Albany.**

**(b) Upon initial implementation of the Central Albany Parking Area, each business shall be given one parking permit per employee working at the local office, free of charge. Each business will also be given, free of charge, visitor parking permits equal to 15 percent of their**

employee permits. If the final number is uneven, the number shall be round up to the next number.

- (i) Any additionally needed parking permits, employee or visitor, shall be obtained at the cost of \$5.00 per permit.
- (ii) The number of employee parking permits shall not exceed the number of employees on the payroll.
- (iii) The number of visitor parking permits shall not exceed 30 percent of the number of employees on the payroll.
- (iv) Additional permit requests shall be made through the Albany police records division.
- (v) All permits shall be the sole property of the City of Albany and may be revoked for any misuse.

(c) Locations with addresses in the Central Albany Parking Area may apply to the Albany Police Department for a group parking permit exemption during special events or construction. These exemptions may be removed for any misuse.

**(4) Records.**

- (a) It shall be the responsibility of each business to keep a record of permit issuance. These records shall include:
  - (i) Employee name.
  - (ii) Permit number issued.
- (b) It shall be the responsibility of the business to retrieve any permits issued when an employee no longer works for them.
  - (i) In cases of an employee refusing to return a permit, said permit shall be filed as stolen with the Albany Police Department.
- (c) It shall be the responsibility of the business to report any lost or stolen permits to the Albany Police Department. This report shall be made as soon as possible and within reason.
  - (i) Replacement of lost or stolen permits shall cost \$5.00.

**(5) Towing.**

- (a) Upon discovering a vehicle in violation of the Central Albany Parking Area code, the Chief of Police or their designee may immediately cause the vehicle to be towed and impounded.
- (b) The owner of the vehicle shall be responsible for all costs of towing and storing the vehicle.

**(6) Towing and storage liens.**

(a) A person who, at the request of the Chief of Police, takes a vehicle into custody under the provisions of this chapter shall have a lien on the vehicle and its contents for reasonable towing and storage charges, may retain possession of the vehicle until the charges are paid, and may have the vehicle sold at public auction to satisfy the lien. The lien that attaches to the vehicle and its contents shall be a possessory chattel lien in accordance with ORS 87.152 and may be foreclosed in the manner provided in ORS 87.152 to 87.212. If the appraised value of the vehicle is \$1,000 or less, the vehicle may be disposed of in the manner provided in ORS 819.220.

(b) If the vehicle is taken into custody under the provisions of this chapter and held by the City rather than by a private garage, the vehicle and its contents shall be disposed of in the manner provided in ORS 819.210 to 819.260.

~~(5)~~ **(7) Sunset Clause**

(a) This Chapter shall remain in effect until October 10, 2020; and, as of that date, this Chapter is repealed unless an extension or reauthorization of the Chapter is approved by the Albany City Council.

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Emergency Clause. In as much as this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the city of Albany, or to facilitate the prompt and timely completion of important City business, an emergency is hereby declared to exist; and this ordinance shall take effect and be in full force and effect when signed by the Mayor.

Passed by the Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_

Effective Date: \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

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



# MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager *PT*  
Chris Bailey, Public Works Operations Director *CB*

FROM: Barry Hoffman, Transit Program Supervisor *BH*  
Diane M. Murzynski, Purchasing Coordinator *DM*

DATE: May 5, 2020, for the May 13, 2020, City Council Meeting

**SUBJECT:** Cooperative Purchase of Transit Buses  
Relates to Strategic Plan theme: Effective Government

### Action Requested:

Staff recommends council approve by resolution (Attachment A) an exemption from the competitive bidding process for the purchase of four Xcelsior transit buses through an existing cooperative contract established by the State of Oregon Department of Transportation (ODOT) and New Flyer of America Inc. through the Oregon Cooperative Procurement Program, and to authorize the Public Works Operations Director to enter into a contract for an amount not to exceed \$1,937,393 with New Flyer of America Inc. for four Xcelsior transit buses.

### Discussion:

The Public Works Operations Department was awarded State Transit Improvement Funds (STIF) from Linn and Benton Counties and has designated STIF funds to implement portions of the Albany Transit Development Plan and the Linn-Benton Loop Development Plan. The plan requires additional capital equipment and the State of Oregon has existing transit bus contracts that meet the needs of Albany Transit and bus design specifications for two 35-foot and two 40-foot Xcelsior expansion buses to use for ATS and Loop.

The State of Oregon Department of Transportation conducted competitively advertised request for proposals and awarded multiple price agreements. Government agencies that are members of the Oregon Cooperative Purchasing Program may use the negotiated price agreements. ODOT requires agencies to conduct an additional competitive request for best price quotes from the awarded price agreement vendors for federally funded purchases. ORS 279A.210 allows public entities in a procurement network to use the cooperative price agreements established by the state's procurement program. The City of Albany requested price quotes from two awarded price agreement vendors, Schetky and New Flyer of America Inc., and selected New Flyer of America Inc. as the best solution for the purchase of four Xcelsior transit buses.

The department recommends that council waive the competitive bidding process and approve the use of ODOT's price agreement for transit vehicle purchases from New Flyer of America Inc., for four Xcelsior transit buses, and authorize the Public Works Operations Director to enter into a contract with New Flyer of America Inc. to purchase the transit vehicles.

**Budget Impact:**

Allocations for two 35-foot buses will be paid from Transit ATS 21340100-700000 for \$963,696.50, and two 40-foot buses will be paid from Transit Loop 21340105-700000 for \$973,696.50.

DM:ss

Attachments (1)



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

A RESOLUTION OF THE ALBANY CITY COUNCIL, ACTING AS THE LOCAL CONTRACT REVIEW BOARD, WAIVING COMPETITIVE BIDDING, APPROVING THE USE OF A STATE OF OREGON DEPARTMENT OF TRANSPORTATION COOPERATIVE CONTRACT, AND AUTHORIZING THE PUBLIC WORKS OPERATIONS DIRECTOR TO ENTER INTO A CONTRACT WITH NEW FLYER OF AMERICA INC. TO PURCHASE FOUR XCELSIOR TRANSIT BUSES AT A COST NOT TO EXCEED \$1,937,393.

WHEREAS, the City has applied for and received State Transit Improvement Funds (STIF) from Linn County and Benton County; and

WHEREAS, the City desires to use STIF funds to implement portions of the Albany Transit Development Plan and the Linn-Benton Loop Development Plan; and

WHEREAS, the implementation of the ATS and Loop Development Plan requires additional capital equipment; and

WHEREAS, the Oregon Department of Transportation (ODOT) conducted and advertised a competitive request for proposals to establish a price agreement for bus purchases which resulted in multiple price agreements awarded; and

WHEREAS, ODOT incorporated all required federal grant contractual clauses and procurement requirements within the solicitation and contract documents; and

WHEREAS, the City is a member of the Oregon Cooperative Procurement Program and is authorized to use joint cooperative price agreements pursuant to ORS Chapter 279A.210; and

WHEREAS, to use the price agreement, ODOT requires the City to request best price quotes from the awarded price agreement vendors; and

WHEREAS, the City requested price quotes from New Flyer of America Inc. and Schetky and selected New Flyer of America Inc. as the best solution for the purchase of four Xcelsior expansion transit buses.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council authorizes the Public Works Department an exemption from the competitive bidding process for the purchase of four Xcelsior transit buses through an existing cooperative contract with the State of Oregon Department of Transportation and New Flyer of America Inc.; and

BE IT FURTHER RESOLVED that the Albany City Council authorizes the Public Works Operations Director to enter into a contract not to exceed \$1,937,393 with New Flyer of America Inc. to purchase four Xcelsior transit buses.

DATED AND EFFECTIVE THIS 13TH DAY OF MAY 2020.

\_\_\_\_\_  
Mayor

ATTEST:

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



# MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager *PT 5/7*  
 Jeff Blaine, P.E., Public Works Engineering and Community Development Director *JB*

FROM: David Martineau, Planning Manager *DM*

DATE: May 5, 2020, for the May 13, 2020, City Council Meeting

**SUBJECT:** HB 2001 Code Assistance and Department of Land Conservation and Development Direct (DLCD) Grant  
 Relates to Strategic Plan theme: Great Neighborhoods

### Action Requested:

Staff recommends that Council adopt the attached resolution in support of an application to the State of Oregon’s Department of Land Conservation and Development (DLCD) for a \$165,000 direct grant to provide funding for House Bill 2001 code assistance.

### Discussion:

House Bill 2001 (HB2001) passed in the 2019 Legislative Session and was signed into law by Governor Brown in August 2019. Known as “the middle housing bill”, HB2001 requires cities to update their comprehensive plans and development codes to allow more middle housing options (duplexes, triplexes, quads, etc.) on properties historically zoned for one single-family-residential dwelling per lot. Cities with more than 25,000 residents must implement HB2001 by June 30, 2022. Those that do not, will be forced to use the state’s model code that goes beyond the minimum requirements of HB2001.

The Legislature provided \$3.5M in funds to support local governments with implementation. On April 29, 2020, staff applied to DLCD for a \$165,000 direct grant for HB2001 code assistance. A direct grant was pursued to enable Albany to hold the contract with the selected consultant, not DLCD. This will better ensure that policy updates and code amendments consider Albany’s unique context. For our application to be deemed complete, we must document “local official support” for the grant. Staff recommends that council pass the attached resolution to document their support.

The HB2001 compliance project will have three phases: a code audit, development of code concepts, and preparation of “hearings-ready” text amendments. Despite the June 30, 2022, deadline for our local government to comply with House Bill 2001 provisions, all funded work must be completed by June 30, 2021, due to the end of the State’s biennial budget period. Given the uncertainty over the likelihood of future grant funding, this competitive grant may be our only chance at securing necessary funding.

Grant awards will be announced around June 30, 2020.



**Budget Impact:**

The grant does not require a local match; however, a demonstration of local commitment can tip the balance in favor of some proposals. We propose \$15,000, a nine percent match, of the total project cost. The City match would be provided through staff time on the project.

DEM:js

Attachment: 1



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

A RESOLUTION IN SUPPORT OF THE 2019 TECHNICAL ASSISTANCE GRANT APPLICATION TO THE OREGON DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT FOR THE HOUSE BILL 2001 COMPLIANCE PROJECT.

WHEREAS, during the 2019 legislative session the Oregon legislature passed and Governor Brown signed into law House Bill 2001 concerning middle housing; and

WHEREAS, House Bill 2001 requires the City of Albany to take certain actions to audit and potentially change the City's Comprehensive Plan and Development Code; and

WHEREAS, the City needs to understand the potential impact on the City's infrastructure as a result of implementing the state requirements; and

WHEREAS, the City desires to update its policies to comply with House Bill 2001 that consider Albany's unique context rather than default to the state model codes that would otherwise apply; and

WHEREAS, House Bill 2001 and its requirements were not anticipated during the last City budget cycle and will require additional resources to complete the necessary work; and

WHEREAS, the legislature made certain state funds available for assistance to local jurisdictions for planning related work, including compliance with House Bill 2001; and

WHEREAS, City staff determined it prudent to seek state funds to support City efforts to comply with House Bill 2001 through available grant programs; and

WHEREAS, City staff submitted an application for a technical assistance grant from the Oregon Department of Land Conservation and Development by the deadline of April 30, 2020; and

WHEREAS, the grant requests \$165,000 to fund technical services to support the Albany House Bill 2001 Compliance project; and

WHEREAS, the grant application includes \$15,000 in matching funds; and

WHEREAS, a requirement of the grant is to have "local official support" of the grant application; and

WHEREAS, this resolution meets the requirement for "local official support."

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the council endorses the submittal of the application for a Department of Land Conservation and Development technical assistance grant of \$165,000 for the Albany House Bill 2001 Compliance project; and

BE IT FURTHER RESOLVED that the City of Albany agrees to provide a staff match of at least \$15,000 (nine percent) from wages and salaries 100-40-1601-510010 for Fiscal Year 2021 as a grant match; and

BE IT FURTHER RESOLVED that the city council authorizes the mayor to write a letter in support of the grant application on behalf of the City.

DATED AND EFFECTIVE THIS 13TH DAY OF MAY 2020.

\_\_\_\_\_  
Mayor

ATTEST:

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



# MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager 

FROM: Jeanna Yeager, Finance Director  
Diane M. Murzynski, Purchasing Coordinator

DATE: May 5, 2020, for the May 13, 2020, City Council Meeting

**SUBJECT:** Award of a Contract for Audit Services  
RELATES TO STRATEGIC PLAN THEME: An Effective Government

### Action Requested:

Staff requests that the council adopt the attached resolution accepting the proposal and awarding a contract for audit services to Boldt, Carlisle + Smith LLC and authorizing the finance director to sign a contract for audit services with Boldt, Carlisle + Smith LLC for five years with an option to extend the contract for two additional one-year terms.

### Discussion:

The most recent contract for conducting the annual financial audit expired following the 2018-2019 audit. To prepare for the upcoming Fiscal Year 2019-2020 audit for ARA and the City, the finance department conducted an advertised request for proposals (RFP) process on March 16, 2020 and received electronic proposal submittals from two qualified firms: Boldt, Carlisle + Smith LLC (Albany, OR) and Pauly, Rogers and Co., PC (Tigard, OR).

An evaluation committee consisting of three finance department staff reviewed the proposals based on evaluation criteria covering technical competence and experience, professional references, proposed project team and cost. Based on the review, both firms were invited to participate in interviews to further evaluate their suitability for the audit services contract.

Boldt, Carlisle + Smith LLC ranked the highest in both the initial review and the interview process. The firm scored higher in project team experience and qualifications and their proposed cost was four percent less. The City has previously contracted with the firm to provide audit services. Their familiarity with the City's Munis financial software implementation and extensive internal control testing this past year reduced their proposed hours to conduct the audit, which in turn was reflected in their cost proposal. The firm rotates field auditors on their audit team while providing continuity through oversight of the process by their principal partner and in-charge auditor.

The committee recommends that the council award a contract to Bold, Carlisle + Smith LLC for a five-year term, beginning May 2020, with an option to extend the contract for two additional one-year terms; and, contingent on no protests received after a seven-day protest period of an intent to award has ended, to authorize the finance director to sign a contract with Bold, Carlisle + Smith LLC to provide audit services.

### Budget Impact:

The total cost for audit services over the five-year term is \$313,690. The cost for FY 20-21 is \$59,400 and is within the department's current approved biennial budget and will not require additional funds. (70110050-600005)

DM

Attachments (1)



A RESOLUTION ACCEPTING THE PROPOSAL AND AWARDING A CONTRACT TO BOLDT, CARLISLE + SMITH LLC AND AUTHORIZING THE FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH BOLDT, CARLISLE + SMITH LLC FOR AUDIT SERVICES.

WHEREAS, the most recent contract for conducting the annual financial audit for the City and the Albany Revitalization Agency expired following the FY 2018-2019 audit; and

WHEREAS, in preparation for the upcoming FY 2019-2020 financial audit, the finance department conducted a formal, competitive request for proposals process on March 16, 2020, and received two responsive proposals; and

WHEREAS, the evaluation committee reviewed and scored each proposal based on the proposer’s experience, qualifications, and project team; project approach, understanding and workplan; cost summary, references and participation in the interview process; and

WHEREAS, upon completion of the evaluation process, the firm Boldt, Carlisle + Smith LLC ranked the highest in both the technical proposal review and the interview process and was determined most suitable for the audit services contract; and

WHEREAS, the evaluation committee recommends that the City award and enter into a contract with Boldt, Carlisle + Smith LLC for a five-year term, beginning May 2020, with an option to extend the contract up to two additional one-year terms.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council hereby accepts the proposal and awards a contract to Boldt, Carlisle + Smith LLC for five years, with an option to extend the contract two additional one-year terms for audit services; and

BE IT FURTHER RESOLVED that the finance director is hereby authorized to sign a contract between the City of Albany and Boldt, Carlisle + Smith LLC to provide audit services.

DATED AND EFFECTIVE THIS 13TH DAY OF MAY 2020.

\_\_\_\_\_  
Mayor

ATTEST:

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



# MEMO

TO: Albany City Council *JS 5/7*

VIA: Peter Troedsson, City Manager  
 Jeff Blaine, P.E., Public Works Engineering and Community Development Director *JB*

FROM: Staci Belcastro, P.E., City Engineer *SB*  
 Chris Cerklewski, P.E., Civil Engineer III *CLC*

DATE: April 17, 2020, for the May 13, 2020, City Council Meeting

**SUBJECT:** Award of Contract for ST-19-01, Crocker And Gibson Hill Traffic Signal  
 Relates to Strategic Plan theme: Great Neighborhoods

**Action Requested:**

Staff recommends that Council award this contract in the amount of \$536,512.25 to the low bidder, Emery and Sons Construction Group LLC of Salem, Oregon.

**Discussion:**

On Thursday, April 16, 2020, bids were opened for ST-19-01, Crocker And Gibson Hill Traffic Signal. There were six bids submitted for this project, ranging from \$536,512.25 to \$775,166.00. The Engineer’s estimate was \$557,800.00. A bid summary is provided as Attachment 1.

*Project Description*

This project includes construction of a new traffic signal at the intersection of Crocker Lane and Gibson Hill Road, and a southbound right turn lane on Crocker Lane. This traffic signal is identified in the 2019-2023 Capital Improvement Program and the Transportation System Plan to accommodate increasing traffic volumes and safety related issues at this intersection. A project vicinity map is provided as Attachment 2.

Gibson Hill Road is currently under the jurisdiction of Benton County; ownership will be transferred to the City of Albany once the county completes street, stormdrain, and sidewalk improvements on Gibson Hill Road as defined in the Intergovernmental Agreement that was executed between the two agencies in October 2015. During project design, Benton County contacted staff to request that a segment of infill sidewalk between Crocker Lane and Crittenden Loop be included with the project as a separate schedule. Benton County believed they would realize cost savings if the sidewalk were constructed with the signal project due to their close proximity. This infill sidewalk was bid as Schedule B, and Benton County will reimburse the city for all costs, including design fees, associated with its construction.

*Summary of Estimated Project Cost*

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



Project Components	Estimated Cost
<b>I. Engineering Costs</b>	
a. Design Engineering	\$132,000
b. Construction Inspection	\$25,000
c. Right-of-Way Acquisition	\$48,600
<i>Engineering Subtotal</i>	\$205,600
<b>II. Construction Costs</b>	
a. Construction Contract Schedule A	\$468,700
c. Construction Contingency Schedule A (10%)	\$46,900
b. Construction Contract Schedule B (Benton County)	\$67,800
c. Construction Contingency Schedule B (10%)	\$6,800
<i>Construction Subtotal</i>	\$590,200
<i>Total Estimated Project Cost</i>	\$795,800
<i>Project Budget Schedule A</i>	\$521,600
<i>Project Budget Schedule B (Benton County)</i>	\$85,600
<i>Subtotal Project Budget</i>	\$607,200
<i>Under/ (Over) Project Budget</i>	(\$188,600)

**Budget Impact:**

Schedule A of this project will be funded from Transportation System Development Charges (TSDC) Improvement Projects Fund (250-40255). There are adequate reserves in the TSDC fund to cover the estimated overage. Additionally, approximately \$46,900 of the total estimated project cost of Schedule A is contingency funds that are held to deal with changed conditions during construction. While these funds may be required to complete the project, if changes are minimal, much of the contingency can be saved.

Schedule B of this project will be funded by Benton County.

CLC:ss

Attachments: 2

c: Jon Goldman, Transportation Superintendent

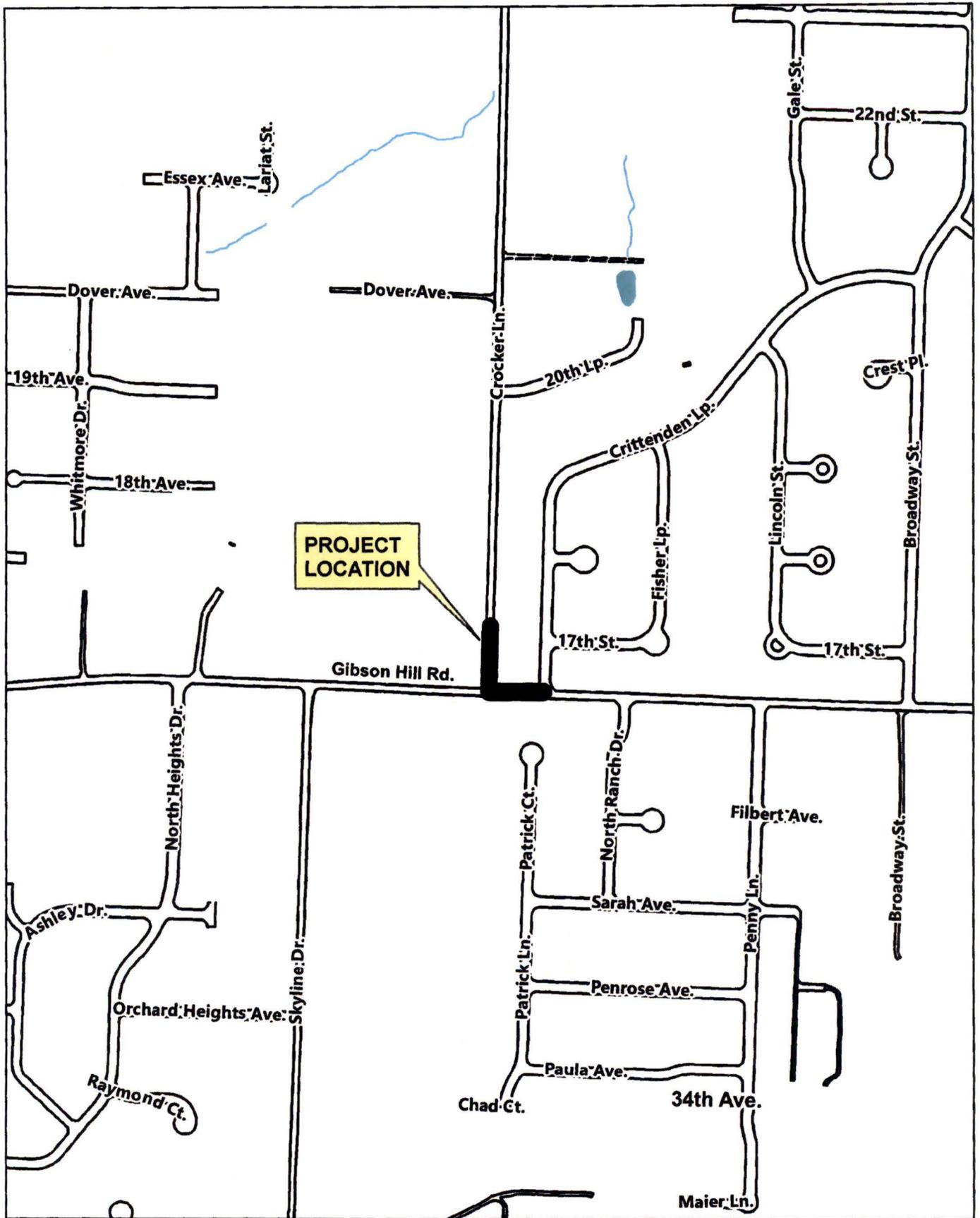


**CITY OF ALBANY, OREGON**  
**Public Works Department**  
**Construction Contract Bids**

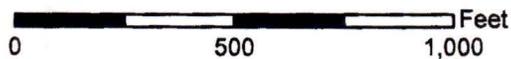
**Project:** ST-19-01, Crocker and Gibson Hill Traffic Signal

**Bid Opening:** Thursday, April 16, 2020

Engineer's Estimate	Emery and Sons Construction Group LLC (Salem)	M. L. Houck Construction Co. (Salem)	K. and E. Excavating Inc. (Salem)	Pacific Excavation Inc. (Eugene)	Brown Contracting Inc (Eugene)	North Santiam Paving Co. (Stayton)
<b>Schedule A</b>	<b>Schedule A</b>	<b>Schedule A</b>	<b>Schedule A</b>	<b>Schedule A</b>	<b>Schedule A</b>	<b>Schedule A</b>
\$491,200.00	\$468,726.25	\$473,923.45	\$481,922.50	\$500,135.00	\$569,780.00	\$654,920.00
<b>Schedule B</b>	<b>Schedule B</b>	<b>Schedule B</b>	<b>Schedule B</b>	<b>Schedule B</b>	<b>Schedule B</b>	<b>Schedule B</b>
\$ 66,600.00	\$ 67,786.00	\$ 82,658.40	\$ 73,495.00	\$ 77,729.00	\$ 86,425.00	\$120,246.00
<b>Total A and B</b>	<b>Total A and B</b>	<b>Total A and B</b>	<b>Total A and B</b>	<b>Total A and B</b>	<b>Total A and B</b>	<b>Total A and B</b>
\$557,800.00	\$536,512.25	\$556,581.85	\$555,417.50	\$877,864.00	\$656,205.00	\$775,166.00



**ATTACHMENT 2**  
**ST-19-01, CROCKER AND GIBSON HILL TRAFFIC SIGNAL VICINITY MAP**



**ALBANY AND GREATER ALBANY PUBLIC SCHOOLS INTERGOVERNMENTAL AGREEMENT  
FOR MAPLE LAWN PRESCHOOL OPERATIONS AND MAINTENANCE**

This Intergovernmental Agreement (“Agreement”) is made and entered into this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ between the City of Albany, a municipal corporation of the State of Oregon (hereinafter called “ALBANY”), and the Greater Albany Public Schools, a municipal corporation of the State of Oregon (hereinafter called “GAPS”). This Agreement defines the respective responsibilities between ALBANY and GAPS for operation and maintenance of the Maple Lawn Preschool (hereinafter called “MLPS”).

**WITNESSETH:**

WHEREAS, ORS 190.003 et. seq. provides for intergovernmental cooperation in the interest of furthering economy and efficiency of local units of government; and

WHEREAS, ORS 190.003 for purposes of such intergovernmental cooperation defines a unit of local government as including a county, city, district, or other public corporation, commission, authority, or entity organized and existing under statute or county or city charter; and

WHEREAS, ORS 190.010 provides that a unit of local government may enter into a written agreement with any other unit or units of local government for the performance of any or all functions and activities that are party to the Agreement, its officers or agencies have authority to perform; and

WHEREAS, the Parties have a history of cooperatively working together for mutual benefit; and

WHEREAS, the Parties wish to build upon that cooperative history and sustain the early childhood services in Albany; and

WHEREAS, the Parties have determined that it is in the best interest of each organization and mutually beneficial to establish a joint agreement for GAPS to contract with ALBANY for Maple Lawn Preschool; and

WHEREAS, the Parties wish to establish this collaborative agreement to ensure continued consideration of opportunities for cooperation which may arise; and

WHEREAS, the negotiations concerning the adoption of a fair and equitable charge to be paid and the terms of coverage should be reduced to writing; and

WHEREAS, the funding for MLPS is transitional only and the program, and use of the building, will dissolve once GAPS operates and manages preschool programs across the city. After the transition, the building may be used for other non-preschool Parks & Recreation programs.

NOW, THEREFORE, under the contractual authority of ORS 190, it is agreed between the Parties as follows:

**COVENANTS OF GAPS**

GAPS will support MLPS in the following ways:

- A. Starting on July 1, 2020, GAPS will financially cover all expenses related to the MLPS program, such as program staffing along with facility utilities and services based on a nine-month prorated term.

- B. GAPS will pay for the following: 2.94 FTE program staff and benefits, materials and supplies, registration and supervisory support, registration processing fees (3.8%), electricity, water/sewer actual usage, garbage, custodial, information technology services, phone, internet, and a portion of building maintenance services and materials. The estimated costs for the 2021-2022 school year are noted in Exhibit A.
- C. GAPS will pay annual salary and benefit increases at the estimated rate of 2% COLA, 38% PERS, 18% Insurance, plus step increases (as eligible).
- D. GAPS will pay annual increases for utilities, materials, and support services at an estimated 3%.
- E. GAPS will be responsible for any increase in MLPS staff retirement payouts incurred due to the extension of the program beyond the FY20 school year.
- F. GAPS will be responsible for any liability or workers' compensation associated with MLPS staff during the Agreement term.
- G. GAPS will be responsible for third party costs associated with employee relations between the MLPS AFSCME staff and CITY management staff. Except as otherwise specified in this Agreement, GAPS will be responsible for third party or employment costs or claims relating to the operations of MLPS that are not the result of negligent or wrongful acts by City management or employees.
- H. GAPS will reimburse for any additional professional development required of MLPS staff.
- I. GAPS will provide payment within 30 days after receiving a monthly invoice from Albany.
- J. GAPS may assist with the interview and hiring process for program staff as they see fit.

## **CONVENANTS OF ALBANY**

Albany will perform the following operations and maintenance services in accordance with department guidelines. The services listed below will be subject to the charges and rates listed in Exhibit A.

- A. ALBANY shall continue to operate MLPS under the same program format with the same number of participants. ALBANY will provide 2.94 FTE to operate the following preschool classes:
  - 1. Apple Blossom (18 max enrollment)
  - 2. Peach Blossom (18 max enrollment)
  - 3. Red Rose (18 max enrollment)
  - 4. Yellow Rose (18 max enrollment)
  - 5. AM Ready, Set Go! (8 max enrollment)
  - 6. PM Ready, Set Go! (8 max enrollment)

ALBANY will reserve one spot in each program for a GAPS teen parent program participant.

- B. ALBANY shall advertise MLPS programs online and through Activate! guide. ALBANY will assist in registering students, collecting payment, and following up with program staff when issues arise. ALBANY will notify parents when payment has not been received and when services will be cancelled.
- C. ALBANY will not increase program registration fees by more than 3% and the supply fee by \$5.00 annually without written concurrence by both parties.
- D. ALBANY will invoice GAPS on the first (1<sup>st</sup>) of each month for actual costs associated with the programs minus collected revenue (regardless of how many classroom spots are filled).
- E. ALBANY program staff will not need to obtain additional certifications in order to continue teaching with the program. Should staff wish to apply for GAPS positions after the transition, they are accountable and financially responsible for their own professional development. All additional required professional development for GAPS will be completed on their own time without compensation.
- F. ALBANY will have primary use of MLPS building from five (5) business days after school ends to ten (10) business days before the first day of school in addition to winter and spring breaks.
- G. ALBANY will continue to have primary use of the basement.
- H. ALBANY will track and monitor expenses through a separate program grant fund to ensure no costs will be absorbed.
- I. ALBANY shall clean, maintain, and secure the MLPS building and surrounding park space to meet department guidelines.

## **BUDGETS, COSTS AND BILLING**

- A. ALBANY will prepare and deliver to GAPS an estimate for service fees annually for the district's budget cycle by January first (1<sup>st</sup>) each year.
- B. Charges for services will be based on an itemized program budget:
  - 1. Labor will be billed at an hourly rate, which includes the costs of direct labor and the benefits for the hours required to perform the work.
  - 2. Materials will be billed at cost.
  - 3. Equipment will be billed at cost.
  - 4. Services will be billed at the prevailing rates.
  - 5. GAPS will be billed monthly in a combined invoice that includes a breakdown of revenue, staffing charges, material and service charges, and building/equipment use fees. Payments are due within 30 business days after the receipt. Late payments shall bear interest at 9% per annum.

## OTHER TERMS AND CONDITIONS

- A. **Term and Termination.** This Agreement begins upon the date stated above and will remain in effect for a three-year period unless amended or terminated as provided herein. At the end of the three-year period, the Parties may be extended for an additional two year(s) with approval of the Albany City Council and GAPS Board.
- a. **Amendment.** This Agreement may be amended by mutual written agreement, signed by authorized representatives of each party.
  - b. **Termination.** Any party may elect to terminate this Agreement by giving written notice of termination to the other party and stating a date of termination, which shall not be less than six months from the date of notice, but shall not allow for termination during the nine-month school year.
- B. **ALBANY Obligations Subject to Appropriation and Emergency.** All ALBANY obligations are subject to the availability of funds, adequate for work and designated for such purpose by the Albany City Council. The Parks & Recreation Department agrees to recommend necessary funding, but the City Council reserves final discretion for the allocation of available resources. In the event of conditions deemed to constitute an emergency by either party, the parties' obligations hereunder may be suspended or reduced.
- C. **Hold Harmless.** ALBANY will use its best efforts and professional judgment to maintain the MLPS to the extent called for in this Agreement. Each party agrees to hold harmless, and indemnify the other party, and its officers, agents and employees, from and against any and all claims, costs, demands, and damages, of any kind, arising from each party's own actions or failures, other than that party's negligence or gross negligence, whether occurring to the MLPS program or to third parties as a result of the operation and maintenance of activities identified in this Agreement. This obligation shall extend to all claims, costs, damages and demands, as well as costs of defense. As long as ALBANY operates the MLPS, it will maintain liability insurance covering against all claims normally associated with a preschool program in a form and amount acceptable to GAPS.
- D. **Indemnification.** GAPS agrees to defend, indemnify and hold ALBANY harmless from and against any and all liability, fines, penalties, claims, demands or lawsuits brought by any governmental entity or third party under any theory of law relating to or resulting in any manner from the actions, omissions or responsibilities of GAPS arising out of operation and maintenance of MLPS, or GAPS failure to comply with the terms of this Agreement.
- E. **Dispute Resolution.** If a dispute arises between the parties regarding breach of this Agreement or interpretation of any term of this Agreement, the parties shall first attempt to resolve the dispute by informal negotiation, followed by mediation. In the absence of an agreement between the parties, either part may apply to the presiding judge of the Linn County Circuit Court for the appointment of suitable mediator(s) or arbitrator(s), and the persons so appointed shall establish the rules of procedure. If mediation is unsuccessful,

the dispute shall be resolved through binding arbitration that shall take place in Linn County, and the prevailing party shall be entitled to such reasonable attorney's fees and costs as may be awarded by the arbitrator.

- F. City Council Approval Required. No committee or entity created by this Agreement may obligate either party to expend any Albany funds or take any actions, other than expressly provided herein, without the approval of the respective City Council or Board.
- G. References. References in this Agreement referring to statutes, laws, rules, ordinances, or code sections mean as they may be updated from time to time.
- H. Notices. Except as specifically provided herein, any notice required or permitted to be given shall be given in writing, shall be effective when actually received, and may be given by hand delivery or by United States mail, first class postage prepaid, addressed to the parties as follows:

If to City: Peter Troedsson, City Manager  
City of Albany  
P.O. Box 490  
Albany, OR 97321

If to GAPS: Melissa Goff, Superintendent  
Greater Albany Public Schools  
718 SW 7<sup>th</sup> Avenue  
Albany, OR 97321

- I. Parties Bound. This Agreement shall be binding on and inure to the benefit of Albany and GAPS and their respective successors and permitted assigns. No party may assign the rights and obligations provided by this Agreement without the other party's prior written consent.
- J. Enforceability by Third Parties. This Agreement is expressly not intended for any third party's benefit and is expressly not enforceable by any third party.
- K. Entire Agreement. This Agreement, including all attached exhibits, each of which is incorporated into this Agreement by reference, contains the entire agreement between the parties, and unless otherwise provided in this Agreement, no modification or waiver of any of the provisions, or any future representation, promise or addition shall be binding unless made in writing and signed by both parties.
- L. Severability. If a court of competent jurisdiction determines that any of this Agreement's provisions are invalid or otherwise unenforceable, all of the Agreement's remaining provisions shall remain in full force and effect.
- M. Attorney Fees; Consequential Damages. In the event action is instituted to enforce any term of this Agreement, the prevailing party shall be entitled to recover from the losing party reasonable attorney fees and expenses incurring in such action as set by the arbitrator or trial court and, in the event of appeal, as set by the appellate court. In no event shall any party to

this Agreement be liable for punitive damages except to the extent such damages are awarded to or recoverable by a third part unrelated to the party seeing recovery.

- N. Survival of Covenants. The rights and obligations of the parties in Sections D and C shall survive termination or expiration of this Agreement, along with any other provision that creates an indemnity obligation or provides for rights, obligations or remedies that by their nature continue after termination or expiration of this Agreement.
- O. Execution in Counterparts. This Agreement may be executed in multiple counterparts, all of which shall constitute one and the same Agreements. Facsimile and electronic signatures will be valid for all purposes of this Agreement.
- P. Choice of Law. This Agreement, and any dispute arising from the relationship between the parties to this Agreement, shall be governed by Oregon law, venue being in the Circuit Court in and for Linn County, Oregon.
- Q. Interpretation. When used in this Agreement, the words “will” and “shall” have the same meaning and the word “or” is not exclusive.
- R. Waiver. Failure of either party at any time to require performance of any provision of this Agreement shall not limit the party’s right to enforce the provision, nor shall any waiver of any breach of any provision constitute a waiver of the provision unless the waiver is in writing and signed by the waiving party. The waiver by a party of a provision shall not constitute or be deemed to be a waiver of any other provision, nor shall it constitute or be deemed to be a waiver of any subsequent breach of the same or any other provision.

IN WITNESS WHEREOF the parties have caused this document to be executed pursuant to the authorities of the City Council and Board by the City Manager of Albany, and the Superintendent of GAPS.

GREATER ALBANY SCHOOL DISTRICT

CITY OF ALBANY, OREGON

By: \_\_\_\_\_  
Melissa Goff

By: \_\_\_\_\_  
Peter Troedsson

Title: Superintendent

Title: City Manager

Dated: \_\_\_\_\_, 2020

Dated: \_\_\_\_\_, 2020

EXHIBIT A

<b>Estimates</b>	<b>FY21-22</b>	<b>FY22-23</b>	<b>FY23-24</b>	<b>FY24-25</b>	<b>FY25-26</b>
<b>Revenue</b>					
Registration & Supply Fees	\$131,621.80	\$131,621.80	\$131,621.80	\$131,621.80	\$131,621.80
	<u>\$131,621.80</u>	<u>\$131,621.80</u>	<u>\$131,621.80</u>	<u>\$131,621.80</u>	<u>\$131,621.80</u>
<b>Expense</b>					
Staffing	\$194,915.00	\$211,987.00	\$223,698.00	\$234,048.00	\$246,272.00
Materials & Supplies	\$5,150.00	\$5,304.50	\$5,463.64	\$5,627.54	\$5,796.37
Supervision Support	\$6,370.50	\$6,561.62	\$6,758.46	\$6,961.22	\$7,170.05
Retirement Payouts	TBD	TBD	TBD	TBD	TBD
Registration/Payment Support	\$6,300.00	\$6,489.00	\$6,683.67	\$6,884.18	\$7,090.71
Processing Fees	\$5,001.63	\$5,001.63	\$5,001.63	\$5,001.63	\$5,001.63
Electric	\$1,000.00	\$1,030.00	\$1,060.90	\$1,092.73	\$1,125.51
Water/Sewer Usage	\$2,773.89	\$2,857.11	\$2,942.82	\$3,031.10	\$3,122.04
Garbage	\$500.00	\$515.00	\$530.45	\$546.36	\$562.75
Custodial	\$3,300.00	\$3,399.00	\$3,500.97	\$3,606.00	\$3,714.18
Computer & Phone	\$5,760.00	\$5,932.80	\$6,110.78	\$6,294.11	\$6,482.93
Security	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Pest Control	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Mowing	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Park & Building Maintenance					
Services	\$4,335.00	\$4,465.05	\$4,599.00	\$4,736.97	\$4,879.08
Repair Materials	\$2,187.50	\$2,253.13	\$2,320.72	\$2,390.34	\$2,462.05
Health Inspection	\$180.00	\$185.40	\$190.96	\$196.69	\$202.59
Central Services	\$18,000.00	\$18,540.00	\$19,096.20	\$19,669.09	\$20,259.16
Mifi	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Fire Safety	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	<u>\$255,773.52</u>	<u>274521.2251</u>	<u>\$287,958.20</u>	<u>\$300,085.96</u>	<u>\$314,141.05</u>
Estimated GAPS Subsidy	\$124,151.72	\$142,899.43	\$156,336.40	\$168,464.16	\$182,519.25



**MINUTES**

Wednesday, March 9, 2020

Work Session

Council Chambers, City Hall

Approved: **DRAFT**

CALL TO ORDER

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

ROLL CALL

Councilors present: Mayor Sharon Konopa, Councilors Rich Kellum, Bill Coburn, Bessie Johnson, Alex Johnson II, Dick Olsen, and Mike Sykes

Councilors absent: None.

Business from the public

None.

Final Downtown Parking Study and Plan

**4:00 p.m.**

Rick Williams presented a slide show that gave an overview of the Downtown Parking Study and Plan (see agenda file). Williams spoke about the current state, best practices, and a proposed step by step iterative plan.

Kellum asked why businesses would let the City use their parking spots. Williams said that the money from the parking spots would go to the property owner, not to the City.

Responding to a request from Coburn, Williams explained renaming City lots after their street addresses. He said that changing the names would reduce user confusion concerning the lots' locations and entrances.

Councilor Bessie Johnson said that many of the downtown parking spots have different time limits and asked if they could be standardized. Williams said that standardizing the parking in front of all businesses to three hours, with few exceptions, is in the plan.

Reclassification of Accounting Supervisor Position

**4:23 p.m.**

Finance Director Jeanna Yeager gave a brief history of staff changes in the finance department and asked the council to approve reclassifying a position at their next meeting. Yeager said that the net savings for changing this position would be \$33,000 a year. Yeager also spoke about Munis, saying that there are still bugs that need to be worked out and implementation is taking longer than expected.

Responding to a concern from Johnson, Yeager said the department will be careful not to assign too many tasks to this new position.

Ordinances updating the Albany Municipal Code regarding wildlife control, Central Albany parking area, and motor vehicle or recreational vehicle use for sleeping or housekeeping purposes **4:34 p.m.**

Code Compliance Officer Kris Schendel said that he had spoken with Oregon Fish and Wildlife about wild turkeys in Albany and they had recommended the City pass a no-feed ordinance before issuing hunting licenses.

The council directed staff to not pursue the no-feed ordinance. It would be too easy to violate and too hard to enforce. Schendel said that he would pursue hunting licenses.

Schendel presented code to the council concerning the Central Albany parking area. Kellum suggested that the ordinance be amended to sunset six months after implementation.

Responding to a question from Johnson II, Schendel said that the time of year does not make a substantial difference with regard to how many cars are on the streets.

Johnson said that the last time this topic came up, three-hour-maximum parking signs were going to be put up. Schendel said that local businesses said that would negatively impact their employees, some of whom park on the street for their full shift. Schendel said that the City will issue the permits and the businesses will monitor and track them.

After discussion, the council agreed to ask staff to revise the ordinance to include a sunset six months after implementation.

Schendel presented the third ordinance, concerning private property owners who allow recreational vehicles to be used for housekeeping in violation of code. Schendel said that the proposal would be amended before the next meeting to include the penalty for violation.

COVID-19 update

**5:09 p.m.**

Emergency Manager/Safety Officer Chuck Perino presented an update on COVID-19 in Oregon and areas close to Albany. Perino said that there has been good communication with both Linn and Benton counties.

Fire Chief Shane Wooton shared the measures that the fire department had been taking to limit contamination. Wooton also mentioned that a recently acquired AeroClave can be used to sanitize ambulances after runs.

Police Captain Alan Lynn spoke about the precautions that the police department had been taking to protect officers from the virus.

Management Assistant/Communications Officer Marilyn Smith said that there are links to the Centers for Disease Control and the Oregon Health Authority on the City website.

Councilors requested that the dais be wiped down as a part of sanitization of city hall.

Draft amendments to tree regulations

**5:34 p.m.**

Public Works Engineering and Community Development Director Jeff Blaine and Park and Facilities Maintenance Manager Rick Barnett presented amendments to tree regulations.

Kellum asked that the cost be changed from the fee plus three times the fee to only three times the fee so as to be in line with state and federal language.

Blaine said that fee revenue would go to forestry-related issues in the parks budget.

The council asked that the topic of the fee be separated from the rest of the amendments and be brought back at a later date with a full presentation. The rest of the amendments will be brought up at the next meeting.

Business from the council

**6:02 p.m.**

Johnson II noted that many events had been cancelled and that people seemed like they were gearing up for COVID-19.

Adjournment

There being no other business, the meeting was adjourned at 6:05 p.m.

Respectfully submitted,

Reviewed by,

Gabriel Shepherd  
Recorder

Peter Troedsson  
City Manager



**MINUTES**

Wednesday, April 8, 2020

Regular Session

REMOTE

**Approved: DRAFT**

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Sharon Konopa called the meeting to order at 7:15 p.m. The mayor led the pledge of allegiance.

ROLL CALL

Councilors present: Mayor Sharon Konopa and Councilors Rich Kellum, Bill Coburn, Bessie Johnson, Alex Johnson II, Dick Olsen, and Mike Sykes

Councilors absent: None.

BUSINESS FROM THE PUBLIC

*Persons wanting to address the council during "business from the public" sent their comments by email to [CityClerk@cityofalbany.net](mailto:CityClerk@cityofalbany.net).*

Management Assistant/Communications Officer Marilyn Smith read a letter submitted by Albany Downtown Association (ADA) Executive Director Lise Grato (see agenda file) regarding parking downtown and the farmer's market.

Smith stated that the city received 37 emails regarding the resolution supporting second amendment rights. Smith read the emails (see agenda file).

ADOPTION OF RESOLUTIONS

- a. Supporting Second Amendment rights. **8:00 p.m.**

City Manager Peter Troedsson noted that this resolution was requested by councilors in February, before the current coronavirus crisis, or COVID-19 pandemic started. The council could make a decision tonight or table the discussion.

Councilor Alex Johnson II said he supports postponing the decision. He is not comfortable voting tonight; if he did, he would be voting no.

MOTION: Councilor Dick Olsen moved to table this item until there can be a meeting open to the public in the council chambers. Johnson II seconded.

Councilor Mike Sykes said the arguments made for protecting families and reducing domestic violence are valid, but they have nothing to do with the resolution. He supports tabling the item until the public can attend. He said the article in the local newspaper was very misleading.

Councilor Rich Kellum supports postponing this topic.

Councilor Bessie Johnson supports postponing the decision.

Johnson II noted that the word "sanctuary" appears nowhere in the resolution.

Councilor Bill Coburn said that many of the writers clearly didn't read the resolution. They are saying things that aren't a part of it. His point is that there needs to be accurate information for people to comment on.

Konopa said, please consider if we need this document in the city's archives. It may not be appropriate for local legislation.

VOTE: The motion passed 6-0.

- b. Releasing sewer easement, Cox Creek Interceptor improvements.

City Engineer Staci Belcastro said the project is complete and the easement is no longer needed.

MOTION: Johnson moved to adopt the resolution and Johnson II seconded. The motion passed 6-0 and was designated Resolution No. 6875.

#### AWARD/AUTHORIZATION OF CONTRACTS

Belcastro summarized the four contracts. The first two relate to Lochner Road, a construction agreement and a railroad agreement for a planned expansion at SnoTemp. The low bid was under budget by \$340,000. The project will also reconstruct two railroad crossings.

Staff recommends awarding the contract to K & E Excavating for the Ninth Avenue Street improvements.

For the Vine Street water plant, staff is requesting a payment increase for work that has already been completed.

- a. Awarding contract for Lochner Road improvements, ST-19-02.

MOTION: Coburn moved to award the contract for \$2,407,559.00 to North Santiam Paving Co. Kellum seconded and the motion passed 6-0.

- b. Awarding contract for Ninth Avenue street improvements, ST-20-01.

MOTION: Coburn moved to award the contract for \$1,387,485.00 to K & E Excavating Inc. Kellum seconded and the motion passed 6-0.

- c. Authorizing railroad crossing reconstruction agreement with Albany & Eastern Railroad (AERC).

MOTION: Kellum moved to authorize the public works engineering and community development director to execute an agreement with AERC for two railroad crossings in the amount of \$210,895.79. Coburn seconded and the motion passed 6-0.

- d. Approving increase, Vine Street WTP Accelerator improvements, WTP-18-01.

MOTION: Coburn moved to approve a construction contract increase in excess of 10 percent to McClure and Sons, Inc. Kellum seconded.

Johnson asked if the money spent on the Vine Street plant is warranted given its age. Belcastro said it provides additional capacity and flexibility.

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

ADOPTION OF CONSENT CALENDAR

**8:25 p.m.**

- a. Appointing Steph Nappa to the Traffic Safety Commission.
- b. Approval of minutes
  - 1) November 4, 2019, joint work session.
  - 2) January 13, 2020, joint work session.
  - 3) February 10, 2020, work session.
  - 4) February 26, 2020, council meeting.
- c. Adoption of resolutions
  - 1) Accepting a sewer easement from Michael Clifton. RES NO. 6876
  - 2) Accepting a sewer easement from Sharon K. Gutierrez. RES NO. 6877
  - 3) Accepting a sewer easement from Nora L. Sonne and the Estate of Donald A. Sonne. RES NO. 6878

MOTION: Coburn moved to adopt the consent calendar as presented. Johnson seconded and the motion passed 6-0.

EXTENDING DEADLINE

- a. Extending the deadline for CTP project spending to June 30, 2021.

Konopa said Peggy Burriss from the ADA is in support of extending the Collaborative Tourism Promotion (CTP) grant deadline.

Economic Development Manager Seth Sherry said that given current events, grant recipients are unable to spend funds by the deadline. This gives them an additional year to expend the already committed dollars.

MOTION: Johnson moved to extend the deadline for CTP grants to June 30, 2021. Coburn seconded and the motion passed 6-0.

BUSINESS FROM THE COUNCIL

**8:30 p.m.**

Johnson said she attended a League of Oregon Cities virtual meeting on finance and taxation. They were looking for ideas for this legislative session or next, for revenue producers or cost reductions. Councilors should send their ideas to Johnson.

Johnson II noticed there are new signs at Albany's entrances. Parks & Recreation crew put the signs in.

Emergency Manager/Safety Officer Chuck Perino said the Emergency Operations Center (EOC) has been activated for a couple of weeks. It has been successful in meeting goals and uncovering challenges. The focus will be moving to community support. The city's website has the Albany Recovers program, where citizens can volunteer, ask for help, or donate.

Troedsson gave an update on the City's Small Business Emergency Loan Program. There were 17 completed applications received within the deadline, which is less than expected. Emergency funds will

be available to recipients next week. Sherry spoke about the rapid changes in the state and federal environment over the last few weeks and the impact on the application process.

Troedsson said Albany will receive \$220,804 in Community Development Block Grant (CDBG) funds through the CARES Act, for disruptions due to the COVID-19 virus. Staff is suggesting that \$110,000 of that be added to the Small Business Emergency Loan program, \$105,000 to emergency assistance, and \$5,800 for emergency supplies. The council can modify those amounts at the hearing being held at the next council meeting, on April 22.

Planner II Anne Catlin said staff is seeking input on how to best use the funds for businesses and households through this unprecedented time. Sherry is conducting a survey and they will learn more from that. Recipients have to be CDBG eligible. Catlin asked the councilors to pay attention to needs that could be addressed with the funds to prevent the spread of COVID-19 or respond to the destruction caused by the pandemic.

Troedsson said public works staff wanted to remind the council that water and sewer utilities have economic development funds for development and retention. We are considering how they can be put to work for businesses in need because of COVID-19. Staff is also considering how to help residential customers with those funds.

Johnson spoke about furloughs taking place in other cities and asked if Albany would have some too. Troedsson said there are about nine, with the possibility of more coming. He pointed out that we have no sales tax.

Smith said the city has held two Facebook Live events so far in the EOC, for the fire chief and police chief, and the city manager and mayor. A third has been scheduled for public works.

The police chief and fire chief gave updates about how their departments are managing the current crisis.

#### NEXT MEETING DATES

Wednesday, April 22, 2020; 7:15 p.m. regular meeting  
Wednesday, May 13, 2020; 7:15 p.m. regular meeting

#### ADJOURNMENT

There being no other business, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Reviewed by,

Mary Dibble  
City Clerk

Peter Troedsson  
City Manager



# MEMO



TO: Albany City Council

VIA: Peter Troedsson, City Manager

5/7

FROM: Shane Wooton, Fire Chief

DATE: May 5, 2020, for the May 13, 2020, City Council Meeting

**SUBJECT:** Application for FY19-20 Assistance to Firefighters Grant COVID-19 Supplemental  
Relates to Strategic Plan theme: A Safe City; An Effective Government

**Action Requested:**

Council approval by resolution to apply for the FY19-20 Assistance to Firefighters Grant Program COVID-19 Supplemental (AFG-S) through the U.S. Department of Homeland Security.

**Discussion:**

Albany Fire Department has incurred approximately \$45,000 in COVID-19 related expenses since March 1, 2020. These costs do not include wages and salaries for staff time dedicated to response efforts. The Department of Homeland Security released a supplemental AFG opportunity for both reimbursement and future funding for PPE dedicated to the COVID-19 response. Eligible expenses are for specific categories such as eye and face protection, gowns and gloves, and related supplies, of which the department has spent almost \$41,000 at this time.

**Budget Impact:**

The request will be approximately \$45,000 to cover past and future eligible expenses. If awarded, funds would be credited to the city's COVID-19 grant fund and the required 10% local match will be paid through the department's appropriate operational budget line items.

SW:RB

Attachment (1)



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

A RESOLUTION AUTHORIZING THE ALBANY FIRE DEPARTMENT TO APPLY FOR GRANT FUNDS THROUGH THE U.S. DEPARTMENT OF HOMELAND SECURITY TO REIMBURSE AND PURCHASE FUTURE PERSONAL PROTECTIVE EQUIPMENT FOR COVID-19 RESPONSE.

WHEREAS, the U.S. Department of Homeland Security provides funding for personal protective equipment (PPE) related to the COVID-19 response; and

WHEREAS, the Albany Fire Department has purchased PPE for COVID-19; and

WHEREAS, the program requires a 10 percent match; and

WHEREAS, the application period for this grant ends May 15, 2020.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council authorizes the fire department to apply for funding for PPE related to COVID-19.

DATED AND EFFECTIVE THIS 13TH DAY OF MAY 2020.

\_\_\_\_\_  
Mayor

ATTEST:

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



# MEMO



TO: Albany City Council

VIA: Peter Troedsson, City Manager 

FROM: Shane Wooton, Fire Chief 

DATE: May 5, 2020, for the May 13, 2020, City Council Meeting

**SUBJECT:** Application for the Gary Sinise Foundation First Responders Grant  
 Relates to Strategic Plan theme: A Safe City

**Action Requested:**

Council approval by resolution to apply for the Gary Sinise Foundation First Responders Grant to purchase three automatic CPR devices.

**Discussion:**

Two things that increase survival rates in cardiac arrest patients are early and uninterrupted CPR, and cardiac defibrillation. Defibrillation is an intervention that Albany Fire Department currently uses on all cardiac arrest patients, but CPR, while performed on every cardiac arrest, can be interrupted and can be problematic in the pre-hospital setting. An automatic CPR device is a tool that provides uninterrupted CPR throughout the cardiac resuscitation process, even while moving the patient. Purchase of three automatic CPR devices would help first responders meet the American Heart Association’s cardiac arrest protocol. The devices would be placed in the medic units that most commonly respond to cardiac arrest calls.

**Budget Impact:**

The devices are expected to cost approximately \$43,000 in total and would be paid entirely from grant funds (20325800-70000).

SW:rb  
Attachment (1)



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

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A RESOLUTION AUTHORIZING THE ALBANY FIRE DEPARTMENT TO APPLY FOR FUNDS TO PURCHASE THREE AUTOMATIC CPR DEVICES THROUGH THE GARY SINISE FOUNDATION FIRST RESPONDERS GRANT.

WHEREAS, the Gary Sinise Foundation provides up to \$50,000 through its First Responders Grant; and

WHEREAS, the American Heart Association recommends continuous CPR during cardiac arrest resuscitation; and

WHEREAS, the Albany Fire Department is in need of automatic CPR devices to provide continuous CPR while moving patients and providing defibrillation; and

WHEREAS, the application period for this grant is limited to once per year.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council authorizes the Fire Department to apply for funding for three automatic CPR devices.

DATED AND EFFECTIVE THIS 13TH DAY OF MAY 2020.

\_\_\_\_\_  
Mayor

ATTEST:

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



# MEMO



TO: Albany City Council

VIA: Peter Troedsson, City Manager *PT 5/7*

FROM: Shane Wooton, Fire Chief *SW*

DATE: May 5, 2020, for the May 13, 2020, City Council Meeting

**SUBJECT:** Accept and Appropriate Sound Off Grant from the Michigan Public Health Institute  
 Relates to Strategic Plan theme: A Safe City; An Effective Government

**Action Requested:**

Council approval by resolution to accept and appropriate a grant from the Michigan Public Health Institute for public education activities.

**Discussion:**

The fire department’s life safety division conducts community outreach and education activities as part of its mission to prevent and protect from harm. The department was requested by the Office of the State Fire Marshal to receive \$430 from the Michigan Public Health Institute as a sub-recipient to the U.S. Department of Homeland Security/FEMA Home Fire Safety Patrol (Sound Off) Grant. Activities allowed under the grant supplement current programming, including presentation to third-graders, home safety visits to install smoke alarms, and printed materials.

**Budget Impact:**

There is minimal budget impact from accepting and allocating these funds to be paid from 20325809-610405.

SW:rb  
 Attachments (2)



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

A RESOLUTION ACCEPTING AND APPROPRIATING FUNDS FROM THE MICHIGAN PUBLIC HEALTH INSTITUTE FOR THE U.S. DEPARTMENT OF HOMELAND SECURITY/FEMA HOME FIRE SAFETY PATROL SOUND OFF GRANT.

WHEREAS, the mission of the Albany Fire Department is to prevent and protect from harm; and

WHEREAS, the Albany Fire Department conducts community risk reduction activities; and

WHEREAS, the Albany Fire Department was requested by the Office of the State Fire Marshal to participate as a subrecipient to a grant which funds community risk reduction activities; and

WHEREAS, Oregon Local Budget Law provides that expenditures in the year of receipt of grants, gifts, bequests, or devices transferred to local government in trust for a specific purpose may be made after enactment of a resolution or ordinance authorizing the expenditure (ORS 294.326(3)).

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the Fire Department is approved and authorized to receive funds in the amount of \$430 from the Michigan Public Health Institute; and

BE IT FURTHER RESOLVED that the Home Fire Safety Patrol Sound Off grant funds are hereby appropriated as follows:

Resources:	Debit	Credit
20325809-428330		\$430
Requirements:		
20325809-610405	\$430	

DATED AND EFFECTIVE THIS 13TH DAY OF MAY 2020.

\_\_\_\_\_  
Mayor

ATTEST:

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

**Agreement for Services**  
**Michigan Public Health Institute**  
**February 24, 2020**

**Letter of Agreement between Michigan Public Health Institute and**  
**City of Albany**

This serves as a letter of agreement between the City of Albany and the Michigan Public Health Institute (MPHI). The City of Albany will be a Mentee Community Team with the Home Fire Safety Patrol (Sound Off) grant from U.S. Department of Homeland Security/FEMA from September 18, 2019 – September 17, 2020. The City of Albany will be responsible for participating in one live Sound Off training, meeting with local school administrators to gain commitment for Sound Off in high-risk areas of the community, working with administrators and teachers to select pilot classrooms, conducting Sound Off with pilot classrooms, conducting home safety visits to install alarms, conducting evaluation and reporting requirements, and for participating regularly in conference calls with the Sound Off team.

MPHI agrees to pay the City of Albany a stipend of \$430 for expenses incidental to conducting Sound Off, for example but not exclusively, duplicating costs, mileage costs and materials costs.

DocuSigned by:  
*Jana L. Dean*  
181A7DDB81C24D0  
\_\_\_\_\_  
Jana L. Dean  
  
CFO  
2/28/2020  
\_\_\_\_\_  
Date

DocuSigned by:  
*Shane Wooton*  
7181B52C756C42B  
\_\_\_\_\_  
Shane Wooton  
  
Fire Chief  
2/27/2020  
\_\_\_\_\_  
Date



# MEMO



TO: Albany City Council

VIA: Peter Troedsson, City Manager *PT 5/7*

FROM: Shane Wooton, Fire Chief *SW*

DATE: May 5, 2020, for the May 13, 2020, City Council Meeting

**SUBJECT:** Acceptance of Charitable Contribution from Ion Enterprises, LLC  
 Relates to Strategic Plan theme: **An Effective Government**

**Action Requested:**

Council acceptance of a donation of personal protective equipment (PPE) from Ion Enterprises, LLC.

**Discussion:**

The PPE is described as 15 boxes of size large, full body PVC splash suits/gowns with 20 per box, and 9 boxes of size extra-large, full body gowns with hoods with 20 per box. This PPE is for use during COVID-19 response efforts by authorized Albany Fire Department employees. City is not responsible or liable for property prior to acquisition and is not responsible for prior owner(s) personal tax implications. The city agrees to accept property “as-is” and has inspected the property prior to acceptance.

**Budget Impact:**

The budget impact is minimal for current and future years by accepting this donation valued at \$9,600.

SW:rb  
Attachment (1)





## City of Albany, Oregon

### CHARITABLE CONTRIBUTION RECEIPT

Internal Revenue Code Section 170(f)8(A) requires that donors of any single charitable gift of \$250 or more be evidenced by written confirmation of the receipt of such gift, including a description of any goods and services provided by the donee in exchange for making the gift.

In order to comply with this requirement, the Fire Department certifies that a contribution was received from:

Name: David Brown  
Address: Ion Enterprises LLC  
PO Box 946  
Albany, OR 97321

Purpose of donation: PPE for COVID-19 response efforts.

Cash/check amount received: N/A

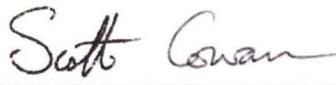
Non-cash gift value: \$9,600

Description of property: 15 boxes of full body PVC splash suits/gowns LG 20/box  
9 boxes of full body gown with hood XLG 20/box

Date contribution received: March 2020

Were goods and/or services provided in return for the contribution (meals, entertainment, gifts, etc.) If yes, value: No

City of Albany Tax ID No.: 93-6002114

Signature of Department Representative: 

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Title: Scott Cowan, Training Division Chief

Date: April 8, 2020



# MEMO



TO: Albany City Council

VIA: Peter Troedsson, City Manager

*PT 5/7*

FROM: Shane Wooton, Fire Chief *SW*

DATE: May 5, 2020, for the May 13, 2020, City Council Meeting

**SUBJECT:** Acceptance of Charitable Contribution from Country Financial  
Relates to Strategic Plan theme: An Effective Government

**Action Requested:**

Council acceptance of a donation of \$1,500 from Country Financial.

**Discussion:**

Country Financial has donated \$1,500 from their Operation Helping Heroes program. These funds will be used for equipment for the department's new rescue boat.

**Budget Impact:**

Funds will be allocated and spent from equipment replacement.

SW:rb

Attachment (1)





## City of Albany, Oregon

### CHARITABLE CONTRIBUTION RECEIPT

Internal Revenue Code Section 170(f)(8)(A) requires that donors of any single charitable gift of \$250 or more be evidenced by written confirmation of the receipt of such gift, including a description of any goods and services provided by the donee in exchange for making the gift.

In order to comply with this requirement, the Fire Department certifies that a contribution was received from:

**Name:** Allison Brock  
**Address:** Country Financial  
775 SW Bonnett Way, Ste 200  
Bend, OR 97702

**Purpose of donation:** Equipment for new rescue boat.

**Cash/check amount received:** \$1,500

**Non-cash gift value:** N/A

**Description of property:** N/A

**Date contribution received:** April 2020

**Were goods and/or services provided in return for the contribution (meals, entertainment, gifts, etc.) If yes, value:** No

**City of Albany Tax ID No.:** 93-6002114

**Signature of Department Representative:**

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**Title:** Shane Wooton, Fire Chief

**Date:** April 13, 2020



# MEMO



TO: Albany City Council  
VIA: Peter Troedsson, City Manager *PT 5/7*  
FROM: Shane Wooton, Fire Chief *SW*  
DATE: May 5, 2020, for the May 13, 2020, City Council Meeting

**SUBJECT:** Receipt of CARES Act Stimulus Funds  
Relates to Strategic Plan theme: *An Effective Government*

**Action Requested:**  
Information only.

**Discussion:**  
On April 17, 2020, the City received a CARES Act relief payment of \$52,406.65 via direct deposit from the U.S. Department of Health and Human Services. This payment is part of the \$100 billion approved for hospitals and other healthcare providers responding to COVID-19. Funding amounts are based on 2019 Medicare fee-for-service reimbursements. The payment is not a loan and will not need to be repaid. Staff is working to determine if additional funds will be available.

**Budget Impact:**  
Funds will be used to offset department costs for COVID-19 response efforts.

SW:rb