

CITY COUNCIL

Wednesday, May 27, 2020

This meeting will be conducted remotely. At 7:15 p.m., join the meeting from your computer, tablet, 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

Access code: 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. 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. 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 included in the record.

4. First reading of ordinance

- a. Amending Albany Municipal Code 3.14.020 – 3.14.050, Transient Room Tax. [Pages 3-6]
Action: _____ ORD NO. _____
- b. Increasing NW Natural Gas privilege tax. [Pages 7-8]
Action: _____ ORD NO. _____

5. Adoption of resolutions

- a. Accepting CARES Act funding for Albany transit. [Pages 9-10]
Action: _____ RES NO. _____
- b. Authorizing financing of systems development charges for 3454 Oak Grove Way NW. [Pages 11-18]
Action: _____ RES NO. _____

6. Award of contracts

- a. Auditing services to Boldt, Carlisle + Smith LLC. [Pages 19-20]
Action: _____ RES NO. _____
- b. Utility bill printing and mailing services to InfoSend, Inc. [Pages 21-22]
Action: _____ RES NO. _____



7. Approval of agreement
 - a. Albany-Millersburg stormwater intergovernmental agreement. [Pages 23-27]
Action: _____

8. Adoption of consent calendar
 - a. Approval of minutes
 - 1) March 18, 2020, special session. [Pages 28-29]
 - 2) March 30, 2020, work session. [Pages 30-31]
 - 3) April 22, 2020, meeting. [Pages 32-34]
 - b. Adoption of resolutions
 - 1) Release part of an easement, Pacific Cast Technologies. [Pages 35-37]
RES NO. _____
 - c. Recommendation to OLCC
 - 1) Approve off-premises sales liquor license application for Denny's, 3430 Spicer Drive SE. [Page 38]
 - 2) Approve off-premises sales liquor license application for Taqueria Alonzo, 250 Broadalbin Street SW. [Page 39]
 - 3) Approve off-premises sales liquor license application for He Got All the Whiskey, Inc., DBA Albany Liquor, 2350 Pacific Boulevard SE. [Page 40]
 - 4) Annual liquor license renewals. [Pages 41-42]

Action: _____

9. Staff report
 - a. Reclassification request, facilities maintenance electrician, public works. [Page 43]
Action: _____
 - b. Transient lodging tax funding discussion. [Verbal]
Action: _____

10. Business from the council

11. Business from the city manager

12. Adjournment

Due to Governor Brown's Executive Orders limiting public gatherings during the COVID-19 pandemic, this meeting is accessible to the public via phone and video connection. Remote access information is listed at the top of this agenda.



MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager 

FROM: Seth Sherry, Economic Development Manager

DATE: May 19, 2020, for the May 27, 2020, City Council Meeting

SUBJECT: Transient Lodging Tax Code Update

Action Requested:

The Transient Lodging Tax Advisory Committee recommends that council pass the attached ordinance to amend Chapter 3.14 of the Albany Municipal Code (AMC) as it exempts structures with fewer than six units and private homes, vacation cabins, or like facilities from any owner who rents such facilities incidentally to his/her own use thereof from paying transient lodging tax.

Discussion:

At its May 20, 2019, meeting, the city council voted to amend the AMC as recommended above. The attached proposed ordinance has been prepared by staff and is ready for council action.

There are many implementation details that are yet to be finalized as staff waits on the State of Oregon to finalize their collection and remittance program. It was the intention that the AMC would be updated at the same time the State implemented its collection and remittance program. However, the State has advised that a transition to that program will be easier if the AMC already reflects the change.

Budget Impact:

This action would allow the City to collect transient lodging tax (TLT) at its current rate of 9 percent from all lodging establishments within the Albany city limits. The exact budget impact would fluctuate with the number of rooms available, occupancy, room rates, and other factors that may impact TLT revenue over time.

SD:ss
Attachment



ORDINANCE NO. _____

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE (AMC) SECTION 3.14.020 THROUGH 3.14.050, TRANSIENT ROOM TAX, BY REMOVING CERTAIN EXEMPTIONS

WHEREAS, small establishments and vacation rentals were previously exempted from City of Albany transient lodging tax; and

WHEREAS, the number of these types of establishments has grown significantly since the last ordinance was passed; and

WHEREAS, the Transient Lodging Tax Advisory Committee, staff, and regional partners recommend this change.

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

Section 1: Amending AMC Chapters 3.14.020 through 3.14.050, Transient Room Tax, to remove certain exemptions including but not limited to small establishments, private homes, and vacation cabins as outlined in Exhibit A.

Section 2: The text of Title 3.14, Chapters 3.14.020 through 3.14.050 of the Albany Municipal Code is hereby amended as shown in Exhibit A of this ordinance.

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: _____

Mayor

ATTEST:

City Clerk

EXHIBIT A

3.14 Transient Room Tax

3.14.010 Title.

The ordinance codified in this chapter shall be known as the “Transient Room Tax Ordinance” of the City. (Ord. 4080 § 1, 1977).

3.14.020 Definitions.

Except where the context otherwise requires, the definitions given in this section govern the construction of the chapter:

(1) “Accrual accounting” means the operator enters the rent due from a transient on his/her records when the rent is earned whether or not it is paid.

(2) “Cash accounting” means the operator does not enter the rent due from a transient on his/her records until rent is paid.

(3) “City Council” means the City Council of the City of Albany, Oregon.

(4) “Hotel” means any structure, or any portion of any structure, which is occupied or intended or designed for transient occupancy for 30 days or less for dwelling, lodging or sleeping purposes, and includes any hotel, inn, tourist home or house, **bed and breakfast**, motel, studio hotel, bachelor hotel, lodginghouse, roominghouse, apartment house, **vacation rental**, public or private club, space in mobile home or trailer parks, or similar structure or portions thereof so occupied, provided such occupancy is for less than a 30-day period.

(5) “Occupancy” means the use or possession or the right to the use or possession for lodging or sleeping purposes of any room or rooms in a hotel or space in a mobile home or trailer park or portion thereof.

(6) “Operator” means the person who is proprietor of the hotel in any capacity. Where the operator performs his/her functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this chapter and shall have the same duties and liabilities as his/her principal. Compliance with the provisions of this chapter by either the principal or the managing agent shall be considered to be compliance by both.

(7) “Person” means any individual, firm, partnership, joint venture, association, social club, fraternal organization, fraternity, sorority, public or private dormitory, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate or any other group or combination acting as a unit.

(8) “Rent” means the consideration charged, whether or not received by the operator, for the occupancy of space in a hotel valued in money, goods, labor, credits, property or other consideration valued in money less discounts for seniors, AAA, Good Sam Club, etc.

(9) “Rent package plan” means the consideration charged for both food and rent where a single rate is made for the total of both. The amount applicable to rent for determination of transient room tax under this chapter shall be the same charge made for rent when consideration is not a part of a package plan.

(10) “Tax” means either the tax payable by the transient or the aggregate amount of taxes due from an operator during the period for which he/she is required to report his/her collections.

(11) “Tax Administrator” means the Finance Director of the City.

(12) “Transient” means any individual who exercises occupancy or is entitled to occupancy in a hotel for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days. The day a transient checks out of the hotel shall not be included in determining the 30-day period if the transient is not charged rent for that day by the operator. Any such individual so occupying space in a hotel shall be deemed to be a transient until the period of 30 days has expired, unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. Any individual so occupying space in a hotel for consecutive days beyond the 30-day period shall no longer be deemed to be a transient. In determining whether a person is a transient, uninterrupted periods of time extending both prior and subsequent to the effective date of the ordinance codified in this chapter may be considered. A person who pays for lodging on a monthly basis, irrespective of the number of days in such month, shall not be deemed a transient. (Ord. 5692 § 1, 2008; Ord. 5013 § 1, 1992; Ord. 4851 § 1, 1989; Ord. 4080 § 2, 1977).

3.14.025 Small establishments exempted.

~~The definition of hotel or motel as set forth in AMC [3.14.020](#) shall not apply to any structure or collection of units at one location when the total number of units is less than six or when the assessed value of the improvements on the real property is less than \$100,000. In order for this exclusion to apply, it shall be necessary for the owner to make application to the Tax Administrator for the exclusion of being exempt from the provisions of AMC [3.14.040](#). (Ord. 4851 § 1, 1989; Ord. 4421 § 1, 1981).~~

3.14.030 Administration of funds.

Repealed by Ord. 5275. (Ord. 5121 § 1, 1994; Ord. 4080 § 16(a), 1977).

3.14.040 Imposition.

For the privilege of occupancy in any hotel, on and after July 1, 1999, each transient shall pay a tax in the amount of nine percent of the rent charged by the operator. The tax constitutes a debt owed by the transient to the City, which is extinguished only by payment to the operator or to the City. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. The operator shall enter the tax on his/her records when rent is collected, if the operator keeps his/her records on the cash accounting basis, and when earned if the operator keeps his/her records on the accrual accounting basis. If rent is paid in installments, a proportionate share of the tax shall be paid by the transient or the operator with each installment. If for any reason the tax due is not paid to the operator of the hotel, the Tax Administrator may require that such tax be paid directly to the City. In all cases, the rent paid or charged for occupancy shall exclude the sale of any goods, services and commodities, other than the furnishing of rooms, accommodations, and parking space in mobile home parks or trailer parks. (Ord. 5400 § 1, 1999; Ord. 5121 § 2, 1994; Ord. 5013 § 1, 1992; Ord. 4693 § 1, 1985; Ord. 4080 § 3, 1977).

3.14.050 Exemptions.

No tax imposed under this chapter shall be imposed upon:

- (1) Any occupant for more than 30 successive calendar days. A person who pays for lodging on a monthly basis, irrespective of the number of days in such month, shall not be deemed a transient;
- ~~(2) Any occupant whose rent is of a value less than \$2.00 per day;~~
- ~~(3) Any person who rents a private home, vacation cabin or like facility from any owner who rents such facilities incidentally to his/her own use thereof;~~
- (4) Any occupant whose rent is paid for a hospital room or to a medical clinic, convalescent home or home for aged people.
- (5) Any occupant who is a federal employee traveling on federal business.
- (6) Any occupant whose rent is being paid by the Red Cross or other relief organization for temporary emergency housing. (Ord. 5692 § 1, 2008; Ord. 4080 § 6, 1977).



MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager

JY 5/21

FROM: Jeanna Yeager, Finance Director

DATE: May 19, 2020, for the May 27, 2020, City Council Meeting

SUBJECT: Increasing the Natural Gas Privilege Tax

Relates to Strategic Plan theme: Effective Government

Action Requested:

By ordinance, update Albany Municipal Code 5.36.020, Gas Utility Tax, Amount, by increasing the privilege tax for natural gas utilities from 5 percent to 7 percent.

Discussion:

Recent revenue enhancement discussions with the city council resulted in the council's desire to increase privilege taxes and franchise fees that are currently below 7 percent.

The current municipal code language regarding gas utilities provides for a 5 percent privilege tax. Staff discussed the proposed change with Northwest Natural gas management, who have agreed to the increase as early as July 1, 2020.

The attached ordinance amends the municipal code to reflect the increase to 7 percent.

Budget Impact:

General fund revenues would increase by approximately \$220,000 per year.

JLY:hr
Attachment





ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ALBANY, OREGON, AMENDING ALBANY MUNICIPAL CODE CHAPTER 5.36, NATURAL GAS UTILITY TAX, AMOUNT

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

Section 1. Albany Municipal Code Chapter 5.36, Gas Utility Tax, Section 5.36.020, Amount, is hereby amended to read as follows:

5.36.020 Amount. The occupational tax upon the natural gas utilities system for the privilege of engaging in business within the City is hereby continued. The tax shall be paid monthly equal to the sum of seven percent of gross local service revenues as defined in Order Number 43946 of the Public Utility Commissioner of the State of Oregon, this order being entered November 6, 1967.

Section 2. Effective Date. This ordinance shall become effective on July 1, 2020.

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 5/21*
FROM: Chris Bailey, Public Works Operations Director *CB*
DATE: May 20, 2020, for the May 27, 2020, City Council Meeting

SUBJECT: Acceptance of Coronavirus Aid Relief and Economic Security (CARES) Act Funds for Albany Public Transit

Relates to Strategic Plan theme: Effective Government

Action Requested:

Staff recommends Council authorize the acceptance of Coronavirus Aid Relief and Economic Security (CARES) Act funds from the Federal Transit Administration (FTA) in the amount of \$2.8 million for the operation and maintenance of Albany public transit programs.

Discussion:

Unlike traditional grant funds for the Albany public transit programs, the City did not have to apply for CARES Act funding. The federal government established the total amount of funding for public transit nationwide and the FTA developed allocations for small and large urban public transit systems as well as rural transit systems. As the operator of a small urban transit system, Albany's allocation was established by the FTA without the need for a request from the City. The FTA allocated \$2,815,285 for Albany's public transit programs.

CARES Act funds for public transit are similar to other FTA grant funds the City regularly receives, such as Section 5307 funds, in that the grant is paid to the City on a reimbursement basis. CARES Act funds are also similar to Section 5307 funds in that they can be used for operating, maintenance, capital, or planning expenses but cannot be used for indirect costs such as central service charges. The CARES Act funds can be requested for eligible expenses incurred after January 20, 2020, and can be rolled into future fiscal years. The primary difference between CARES Act and other federal transit grant funds is that there is no match required for CARES Act grant funds.

Based on the current approved budget for Fiscal Year (FY) 2020-2021 and forecasted revenues and expenditures for the next three fiscal years, staff estimates requesting reimbursement of CARES Act for ongoing operational expenditures in the Albany Transit and Paratransit programs through FY 2022-2023. These funds will supplement other sources of public transit funding including FTA Section 5307 and Oregon Special Transportation Improvement Funds (STIF). CARES Act funds are not currently anticipated to be used as revenue for the Linn Benton Loop.

Budget Impact:

The acceptance of CARES Act funding will have no impact to current appropriation levels; these funds will be used to pay for ongoing operational costs.

CB:ss
Attachment





RESOLUTION NO. _____

A RESOLUTION ACCEPTING CORONAVIRUS AID RELIEF AND ECONOMIC SECURITY (CARES) ACT FUNDING FROM THE FEDERAL TRANSIT ADMINISTRATION FOR THE ALBANY PUBLIC TRANSIT PROGRAMS

WHEREAS, the CARES Act was signed into federal law on March 27, 2020 to provide emergency appropriations in response to the Covid-19 pandemic; and

WHEREAS, the Federal Transit Administration allocated \$2,815,285 million in CARES Act funding for public transit services in the City of Albany; and

WHEREAS, the CARES Act funding will provide reimbursement for eligible operating, maintenance, capital or planning expenses for Albany public transit programs.

NOW, THEREFORE, BE IT RESOLVED that the City of Albany accepts CARES Act funding from the Federal Transit Administration in the amount of \$2,815,285 million for eligible operating, maintenance, capital and planning expenses of Albany public transit programs; and

BE IT FURTHER RESOLVED that the City Council of the City of Albany, Oregon, accepts these funds and authorizes the Public Works Operations Director to execute the agreement and conditions for their acceptance.

DATED AND EFFECTIVE THIS 27TH DAY OF MAY 2020.

Mayor

ATTEST:

City Clerk



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE EXECUTION OF A FINANCING AGREEMENT AND THE LEVY OF ASSESSMENTS AGAINST REAL PROPERTY SPECIALLY BENEFITED BY SEWER AND WATER CONNECTION AND THE ASSESSMENT OF SEWER, WATER, TRANSPORTATION AND PARKS SYSTEM DEVELOPMENT CHARGES FOR PROPERTY DESCRIBED AS TAX LOT 13100 OF THE PARCEL 10435AC, SITE ADDRESS 3454 OAK GROVE WAY NW

WHEREAS, the sewer system development charge, as referred to in this resolution, is to provide sewer connections to serve the structures on this property; and

WHEREAS, the water system development charge, as referred to in this resolution, is to provide water connections to serve the structures on this property; and

WHEREAS, the transportation system development charge is intended to assess charges for future expansion or capacity increases to the system and is aimed at providing additional levels of services to the existing road network; and

WHEREAS, the parks system development charge is intended to impose a portion of the public cost of capital improvements for parks upon properties where developments create the need or increase the demand for park improvements; and

WHEREAS, Albany Municipal Code provides for the financing of system development charges to be secured by assessments levied against the real property being served by connection. The sewer, water and transportation system development charges and the assessments for the same will be levied according to the provisions of Albany Municipal Code (AMC) Chapter 15.16. The parks system development charge and the assessment for the same will be levied according to the provisions of AMC Chapter 15.20.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the City of Albany Finance Director is authorized to execute a financing agreement and levy assessments against real property specially benefited by sewer connection and the assessment of sewer, transportation, and parks system development charges for property described as tax lot 13100, of parcel number 104535AC, and site address 3454 Oak Grove Way NW (see map provided as Exhibit A).

BE IT FURTHER RESOLVED that the total cost of the sewer, transportation, and parks system development charges is \$12,210.79 (Exhibit B); and

BE IT FURTHER RESOLVED that the finance director is hereby directed to enter a statement of assessments as provided above in the docket of the city liens and give notice thereof as required by law.

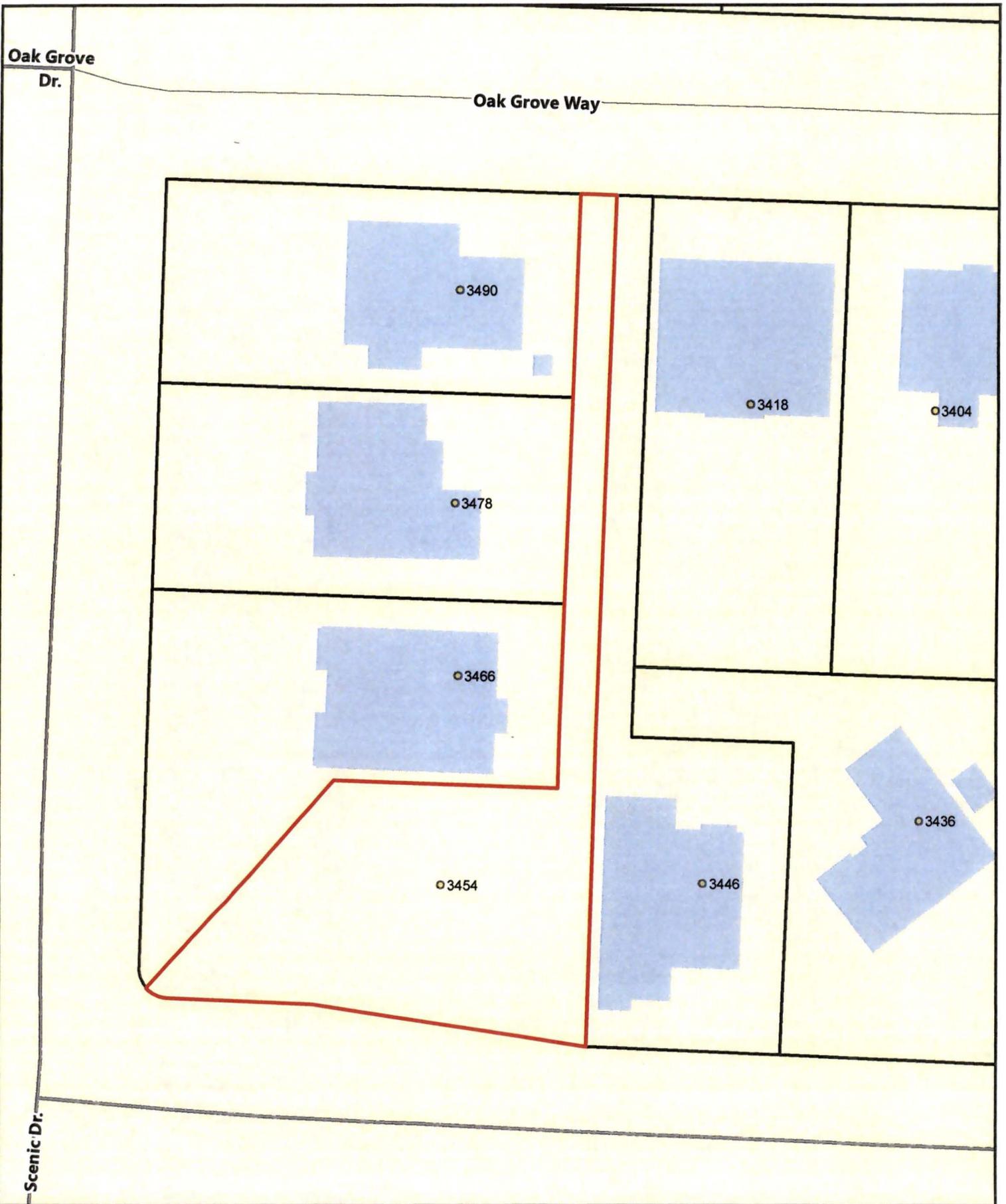
DATED AND EFFECTIVE THIS 27th DAY OF MAY 2020.

Mayor

ATTEST:

City Clerk

Exhibit A



L:\Richard\ArcMap Projects\City Manager & Finance\ExhibitA.mxd



N
1 in = 42 ft

Date: 5/18/2020 Map Source: City of Albany

3454 Oakgrove Way NW
10435AC13110

Exhibit B

OWNER OF RECORD	PROPERTY DESCRIPTION	ASSESSMENT DESCRIPTION
MICHAEL F QUINN LINDA L QUINN PO BOX 2437 ALBANY OR 97321	3454 OAK GROVE WAY NW ALBANY OR 97321 10435AC13100	SEWER SDC AMOUNT \$3,560.00 ACCT NO: SSSDC2020-002
MICHAEL F QUINN LINDA L QUINN PO BOX 2437 ALBANY OR 97321	3454 OAK GROVE WAY NW ALBANY OR 97321 10435AC13100	PARKS SDC AMOUNT \$1,708.79 ACCT NO: PSSDC2020-001
MICHAEL F QUINN LINDA L QUINN PO BOX 2437 ALBANY OR 97321	3454 OAK GROVE WAY NW ALBANY OR 97321 10435AC13100	TRANSPORTATION SDC AMOUNT \$4,085.00 ACCT NO: STSD2020-002
MICHAEL F QUINN LINDA L QUINN PO BOX 2437 ALBANY OR 97321	3454 OAK GROVE WAY NW ALBANY OR 97321 10435AC13100	WATER SDC AMOUNT \$2,857.00 ACCT NO: WSD2020-001
		REPORT TOTAL: \$12,210.79



REQUEST TO MAKE INSTALLMENT PAYMENTS FOR SYSTEM DEVELOPMENT CHARGES

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | PHONE 541-917-7500

The undersigned, **Michael F & Linda L Quinn**, as owner(s) of the subject property listed below, requests to make installment payments for each of the following system development charges (SDC), as calculated by the City of Albany Public Works Department for Permit No. **B-0346-20 & W0052-20**:

Sewer SDC:	\$3,560.00	Assessment No. SSDC2020-002
Transportation SDC:	\$4,085.00	Assessment No. STSD2020-002
Water SDC:	\$2,857.00	Assessment No. WSDC2020-001
Parks SDC:	\$1,708.79	Assessment No. PSDC2020-001

Total Financed: \$12,210.79

Two methods of payment are available:

1. Full payment within 10 days without interest from the date, the city council approves the lien.
2. Equal payment by installments over 10 years together with interest at a rate of 6.55 percent per annum. For monthly installment plans, the first payment will become due one month from the effective date of the assessing ordinance. For semiannual installment plans, the first payment will become due six months from the effective date of the assessing ordinance. Simple interest is charged on the unpaid lien balance.

As security, the undersigned agrees to have a lien placed against the subject property in the amount of each SDC listed above. The subject property is described as follows:

Owner of Record: **Michael F Quinn
Linda L Quinn**

Parcel (Map & Tax Lot): **10435AC13100**

Property Address: **3454 Oak Grove Way NW, Albany, Oregon**

Tax Account #: **418611**

Billing Information:

Customer Number: **007216**

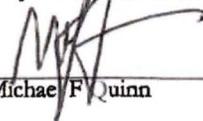
Name: **Michael F Quinn
Linda L Quinn**

Phone Number: **971-303-0479**

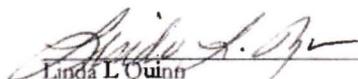
Address: **PO Box 2437
Albany OR 97321**

I request to make payment by the installment method. I understand installment payments for system development charges are contingent upon the approval of the Albany City Council and that the City of Albany will require an assessment installment application be completed, after the city council approves the lien.

City liens are secured by real property and are not subject to subordination to other liens of record.


Michael F Quinn

Date 5-14-2020


Linda L Quinn

Date 5-15-2020



ASSESSMENT INSTALLMENT APPLICATION

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | PHONE 541-917-7500

Resolution No. [Click or tap here to enter text.](#) Effective Date: June 1, 2020

PLEASE NOTE: Assessment installment application must be completed and returned by 06/01/2020.

Return to: City of Albany Finance Department, 333 Broadalbin Street SW, P.O. Box 490, Albany, Oregon 97321

Customer No. 007216	Property Description: Acreage	Account #: SSDC2020-002
MICHAEL F QUINN	Map/Tax Lot #: 10435AC13100	Amount: \$3,560.00
LINDA L QUINN	Site Address: 3454 OAK GROVE WAY NW	
PO BOX 2437	Tax Account #: 903558	
ALBANY OR 97321		

PLEASE CHECK APPLICABLE BOX(ES):

- Payment in full enclosed: \$3,560.00
- Partial payment enclosed: \$_____ (*remaining amount to be financed via the payment option selected below*)
- Monthly payments over 10 Years
- Semiannual payments over 10 Years

I acknowledge that I am the property owner of the above property, that the improvement is a local improvement, and that the payment of the final assessment can be spread over a minimum of 10 years according to Oregon Revised Statutes. The City of Albany has informed me that a five-year payment plan is available from the City to property owners who may require financing their assessments over a shorter duration. Therefore, I, the property owner, consent to make assessment payments to the City of Albany in accordance to the payment schedule I have elected above.

In accordance with the provisions of Oregon Revised Statutes Section 223.215 and the Acts amendatory thereof, the undersigned owner(s) of land hereinabove specified, hereby makes application to pay the assessment in installments in accordance with the provisions of said act, and agree to pay said assessment in monthly installments, for a total of 10 years at 120 monthly payments, or 20 semi-annual payments, together with interest at a rate of 6.55 percent per annum on all of said installments which have not been paid as required by said act. The assessment is to be secured by lien against the real property listed above and is not subject to subordination to other liens of record. The assessment herein referred to has been made by the Council of the City of Albany, Oregon, to defray the expenses of public improvement. In order to secure a division of said assessment and payments thereof in installments, I do hereby expressly waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to cause the local improvement for which the final assessment is levied and in the apportionment of the actual costs thereof.

All of the said lots, tracts or parcels of land, being in the city of Albany, Linn County, Oregon.

I have hereunto set my hand this **1st** day of **June 2020**.

Michael F Quinn

Date

Linda L Quinn

Date



ASSESSMENT INSTALLMENT APPLICATION

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | PHONE 541-917-7500

Resolution No. [Click or tap here to enter text.](#) Effective Date: June 1, 2020

PLEASE NOTE: Assessment installment application must be completed and returned by 06/01/2020.

Return to: City of Albany Finance Department, 333 Broadalbin Street SW, P.O. Box 490, Albany, Oregon 97321

Customer No. 007216	Property Description: Acreage	Account #: PSDC2020-001
MICHAEL F QUINN	Map/Tax Lot #: 10435AC13100	Amount: \$1,708.79
LINDA L QUINN	Site Address: 3454 OAK GROVE WAY NW	
PO BOX 2437	Tax Account #: 903558	
ALBANY OR 97321		

PLEASE CHECK APPLICABLE BOX(ES):

- Payment in full enclosed: \$1,708.79
- Partial payment enclosed: \$ _____ (*remaining amount to be financed via the payment option selected below*)
- Monthly payments over 10 Years
- Semiannual payments over 10 Years

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All of the said lots, tracts or parcels of land, being in the city of Albany, Linn County, Oregon.

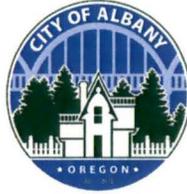
I have hereunto set my hand this 1st day of **June 2020**.

Michael F Quinn

Date

Linda L Quinn

Date



ASSESSMENT INSTALLMENT APPLICATION

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | PHONE 541-917-7500

Resolution No. [Click or tap here to enter text.](#) Effective Date: June 1, 2020

PLEASE NOTE: Assessment installment application must be completed and returned by 06/01/2020.

Return to: City of Albany Finance Department, 333 Broadalbin Street SW, P.O. Box 490, Albany, Oregon 97321

Customer No. 007216	Property Description: Acreage	Account #: STSD2020-002
MICHAEL F QUINN	Map/Tax Lot #: 10435AC13100	Amount: \$4,085.00
LINDA L QUINN	Site Address: 3454 OAK GROVE WAY NW	
PO BOX 2437	Tax Account #: 903558	
ALBANY OR 97321		

PLEASE CHECK APPLICABLE BOX(ES):

- Payment in full enclosed: \$4,085.00
- Partial payment enclosed: \$ _____ (*remaining amount to be financed via the payment option selected below*)
- Monthly payments over 10 Years
- Semiannual payments over 10 Years

I acknowledge that I am the property owner of the above property, that the improvement is a local improvement, and that the payment of the final assessment can be spread over a minimum of 10 years according to Oregon Revised Statutes. The City of Albany has informed me that a five-year payment plan is available from the City to property owners who may require financing their assessments over a shorter duration. Therefore, I, the property owner, consent to make assessment payments to the City of Albany in accordance to the payment schedule I have elected above.

In accordance with the provisions of Oregon Revised Statutes Section 223.215 and the Acts amendatory thereof, the undersigned owner(s) of land hereinabove specified, hereby makes application to pay the assessment in installments in accordance with the provisions of said act, and agree to pay said assessment in monthly installments, for a total of 10 years at 120 monthly payments, or 20 semi-annual payments, together with interest at a rate of 6.55 percent per annum on all of said installments which have not been paid as required by said act. The assessment is to be secured by lien against the real property listed above and is not subject to subordination to other liens of record. The assessment herein referred to has been made by the Council of the City of Albany, Oregon, to defray the expenses of public improvement. In order to secure a division of said assessment and payments thereof in installments, I do hereby expressly waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to cause the local improvement for which the final assessment is levied and in the apportionment of the actual costs thereof.

All of the said lots, tracts or parcels of land, being in the city of Albany, Linn County, Oregon.

I have hereunto set my hand this **1st** day of **June 2020**.

Michael F Quinn

Date

Linda L Quinn

Date



ASSESSMENT INSTALLMENT APPLICATION

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | PHONE 541-917-7500

Resolution No. [Click or tap here to enter text.](#) Effective Date: June 1, 2020

PLEASE NOTE: Assessment installment application must be completed and returned by 06/01/2020.

Return to: City of Albany Finance Department, 333 Broadalbin Street SW, P.O. Box 490, Albany, Oregon 97321

Customer No. 007216	Property Description: Acreage	Account #: WSDC2020-001
MICHAEL F QUINN	Map/Tax Lot #: 10435AC13100	Amount: \$2,857.00
LINDA L QUINN	Site Address: 3454 OAK GROVE WAY NW	
PO BOX 2437	Tax Account #: 903558	
ALBANY OR 97321		

PLEASE CHECK APPLICABLE BOX(ES):

- Payment in full enclosed: \$2,857.00
- Partial payment enclosed: \$_____ (*remaining amount to be financed via the payment option selected below*)
- Monthly payments over 10 Years
- Semiannual payments over 10 Years

I acknowledge that I am the property owner of the above property, that the improvement is a local improvement, and that the payment of the final assessment can be spread over a minimum of 10 years according to Oregon Revised Statutes. The City of Albany has informed me that a five-year payment plan is available from the City to property owners who may require financing their assessments over a shorter duration. Therefore, I, the property owner, consent to make assessment payments to the City of Albany in accordance to the payment schedule I have elected above.

In accordance with the provisions of Oregon Revised Statutes Section 223.215 and the Acts amendatory thereof, the undersigned owner(s) of land hereinabove specified, hereby makes application to pay the assessment in installments in accordance with the provisions of said act, and agree to pay said assessment in monthly installments, for a total of 10 years at 120 monthly payments, or 20 semi-annual payments, together with interest at a rate of 6.55 percent per annum on all of said installments which have not been paid as required by said act. The assessment is to be secured by lien against the real property listed above and is not subject to subordination to other liens of record. The assessment herein referred to has been made by the Council of the City of Albany, Oregon, to defray the expenses of public improvement. In order to secure a division of said assessment and payments thereof in installments, I do hereby expressly waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to cause the local improvement for which the final assessment is levied and in the apportionment of the actual costs thereof.

All of the said lots, tracts or parcels of land, being in the city of Albany, Linn County, Oregon.

I have hereunto set my hand this **1st** day of **June 2020**.

Michael F Quinn

Date

Linda L Quinn

Date



MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager *PT 5/21*

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

DATE: May 20, 2020, for the May 27, 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 multiyear contract for audit services with Boldt, Carlisle + Smith LLC for five years.

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 Boldt, Carlisle + Smith LLC 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 to provide a fresh perspective while providing oversight by their senior partners. Best audit practices supported by the Government Finance Officers Association allow for multiyear agreements of a minimum of five years in duration to obtain quality government audit services, greater continuity of service, minimal potential for disruption in connection with the audit, and reduction of audit fees.

The committee recommends that the council award a contract to Boldt, Carlisle + Smith LLC for a five-year term, beginning May 2020, and to authorize the finance director to sign a contract with Boldt, 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)



RESOLUTION NO. _____

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; and

WHEREAS, the Government Finance Officers Association (GFOA) recommends multiyear agreements for continuity of service, to minimize potential work disruption during the audit, and to reduce audit fees resulting from decreased startup costs while maintaining a fresh perspective by audit staff rotation.

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; 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 27TH DAY OF MAY 2020.

Mayor

ATTEST:

City Clerk



MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager *PT 5/21*
Jeff Blaine, P.E. Public Works Engineering and Community Development Director

FROM: Sean Park, Information Technology Project Manager
Diane M. Murzynski, Purchasing Coordinator

DATE: May 20, 2020, for the May 27, 2020, City Council Meeting

SUBJECT: Award of a Contract for Utility Bill Printing and Mailing Services
RELATES TO STRATEGIC PLAN THEME. An Effective Government

Action Requested:

Staff requests that Council adopt the attached resolution accepting the proposal and awarding a contract for utility bill printing and mailing services to InfoSend, Inc. and authorizing the Public Works Engineering and Community Development Director to sign a contract for utility bill printing and mailing services with InfoSend, Inc. for five years with an option to extend the contract for two additional one-year terms.

Discussion:

The most recent contract for the provision of utility bill printing and mailing services will expire October 24, 2020. To prepare for the upcoming migration from Springbrook Utility Billing to Munis Utility Billing during the fourth quarter of 2020, the Public Works Engineering and Community Development Department conducted an advertised Request for Proposals process on March 16, 2020, and received electronic proposal submittals from four qualified firms: Doxim, Inc. (Washington, DC), Dataprose Inc. (Coppell, TX), InfoSend Inc. (Anaheim, CA), and Moonlight, LLC (Bend, OR).

An evaluation committee, consisting of one Information Technology Department and two Public Works Department employees, reviewed the proposals based on evaluation criteria regarding cost, implementation strategy, references, technical requirements, and vendor interviews. Based on the review, two firms (InfoSend, Inc. of Anaheim, CA and Moonlight, LLC of Bend, OR) were analyzed for ease of use to further evaluate their suitability for the utility bill printing and mailing services contract.

InfoSend, Inc. scored the highest on technical requirements and ease of use while their proposed cost was 3.11 percent less than the nearest proposer (Moonlight, LLC). The City is currently contracted with InfoSend, Inc. to provide utility bill printing and mailing services.

The evaluation committee recommends that the city council award a contract to InfoSend, Inc. for a five-year term, beginning May 2020, with an option to extend the contract for two additional one-year terms; and authorize the Public Works Engineering and Community Development Director to sign a contract with InfoSend, Inc. to provide utility bill printing and mailing services.

Budget Impact:

The total cost for utility bill printing and mailing services over the five-year term is \$650,000. The cost for FY 2020-2021 is \$130,000 and is within the department's current approved biennial budget and will not require additional funds. (70540610-600400).

SP:DM

Attachments (1)



A RESOLUTION ACCEPTING THE PROPOSAL AND AWARDING A CONTRACT TO INFOSEND, INC. AND AUTHORIZING THE PUBLIC WORKS ENGINEERING AND COMMUNITY DEVELOPMENT DIRECTOR TO ENTER INTO A CONTRACT WITH INFOSEND, INC. FOR UTILITY BILL PRINTING AND MAILING SERVICES

WHEREAS, the most recent contract for providing utility bill printing and mailing services ends October 2020; and

WHEREAS, in preparation for the upcoming FY 2020-2021 migration from Springbrook Utility Billing to Munis Utility Billing, the City conducted a formal, competitive request for proposals (RFP) process on March 16, 2020, and received four responsive proposals; and

WHEREAS, the evaluation committee reviewed and scored each proposal based on the proposer's cost, ease of use, implementation strategy, references, technical requirements, and vendor interviews; and

WHEREAS, upon completion of the evaluation process, the firm InfoSend, Inc. ranked the highest in ease of use and technical requirements, provided the lowest cost, and was determined most suitable for the utility bill printing and mailing services contract; and

WHEREAS, the evaluation committee recommends that the City award and enter into a contract with InfoSend, Inc. 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 InfoSend, Inc. for five years, with an option to extend the contract two additional one-year terms, for utility bill printing and mailing services; and

BE IT FURTHER RESOLVED that the Public Works Engineering and Community Development Director is hereby authorized to sign a contract between the City of Albany and InfoSend, Inc. to provide utility bill printing and mailing services.

DATED AND EFFECTIVE THIS 27TH DAY OF MAY 2020.

Mayor

ATTEST:

City Clerk



MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager *PT 5/21*

FROM: Chris Bailey, Public Works Operations Director *CB*

DATE: May 18, 2020, for the May 27, 2020, City Council Meeting

SUBJECT: Albany-Millersburg Stormwater Intergovernmental Agreement (IGA)

Action Requested:

Staff recommends Council adopt the attached Albany and Millersburg IGA for stormwater services.

Discussion:

The attached IGA is the first proposed agreement between Albany and Millersburg related to stormwater. Unlike our relationship regarding the water and wastewater utilities, Albany has no ownership or regulatory interest in the Millersburg stormwater system. However, because the two communities have a history of working closely together on the other water utilities, expanding our set of agreements to include some shared work related to Millersburg's stormwater utility is a logical move.

The Albany-Millersburg IGA for stormwater data and location services defines the services Albany will provide for Millersburg's public stormwater system. Millersburg has recently completed a Stormwater Master Plan update which included a detailed survey of the city's public stormwater infrastructure. This data was compiled by their consultant in an electronic format that can be integrated into a Computerized Maintenance Management System (CMMS). Millersburg does not have such a system, but Albany already has Millersburg's water and wastewater infrastructure assets in our CMMS. The IGA under consideration here would require Albany to host Millersburg's stormwater data in our CMMS but does not require Albany to perform any infrastructure maintenance on Millersburg's stormwater system. Albany staff may provide maps or generate CMMS reports of Millersburg's stormwater system at their request and would bill Millersburg for the time it takes to do the requested work.

The other aspect of this IGA is the requirement for Albany to perform underground location services for the public stormwater system in Millersburg. Albany already provides location services for Millersburg's water and sewer systems; adding the stormwater system will mean our staff will perform the same location services in Millersburg as in Albany.

The IGA has a ten-year term with options to extend for additional five-year terms if both parties agree. The agreement has been reviewed by both city attorneys and was approved by the Millersburg City Council at their May 12, 2020 meeting.

Budget Impact:

Albany will bill Millersburg for actual expenses for time worked on their stormwater data or performing locates, as well as a proportionate charge for maintaining the software. These charges will be applied as revenue to the stormwater fund (General Ledger Program 62540500).

CB:ss

Attachment

- c: Kristin Preston, P.E., Wastewater Superintendent (via email)
- Jeff Blaine, P.E., Public Works Engineering and Community Development Director (via email)

cityofalbany.net



**ALBANY AND MILLERSBURG INTERGOVERNMENTAL AGREEMENT
FOR MAINTENANCE OF MILLERSBURG’S STORMWATER INFRASTRUCTURE DATA AND
STORMWATER LOCATION SERVICES**

THIS AGREEMENT is made and entered into this ____ day of _____ 2020, by and between the City of Albany, a municipal corporation of the State of Oregon (Albany) and the City of Millersburg, a municipal corporation of the State of Oregon (Millersburg). The respective Council or designated representative of each City is referred to as “party” or “parties” in this Agreement. This Agreement defines the relationship between and the respective responsibilities of Albany and Millersburg regarding the maintenance of Millersburg’s stormwater infrastructure data.

WITNESSETH:

WHEREAS, Millersburg owns a network of public stormwater infrastructure, collectively referred to as the “Millersburg stormwater system”; and

WHEREAS, Millersburg desires to have the geospatial and mapping data, and infrastructure asset information for its stormwater system maintained electronically; and

WHEREAS, Albany stores, maintains, and utilizes similar information on its own stormwater assets.

NOW, THEREFORE, the parties agree that data regarding Millersburg’s stormwater system will be maintained by Albany in accordance with the following terms and conditions:

1. Maintenance of Stormwater System Data.

- (a) **Initial Data:** Millersburg will provide Albany with stormwater system data known to date upon execution of this Agreement. Albany shall enter and maintain data on the stormwater system pipes, manholes, culverts, catch basins, inlets, and other components within Albany’s Geographic Information System (GIS) and Computerized Maintenance Management System (CMMS) programs using the data made available by Millersburg. When necessary, Albany will coordinate with Millersburg to adapt the original data to meet National Association of Sewer Service Companies (NASSCO) standards, software and data normalization requirements.
- (b) **Ongoing Data Updates:** When new stormwater system assets are installed, Millersburg will provide Albany with as-built record drawings for system connections, improvements, pipe replacements or expansions, and other stormwater system improvements within 60 days after completion of the project. Albany will update GIS/CMMS programs using these as-builts. In the case of stormwater system updates that occur outside of new construction, Millersburg will provide as complete a record as possible of the stormwater assets to be added to the database. Millersburg will provide all maintenance event data to Albany to be recorded in the CMMS. Televised pipeline inspections and manhole inspections shall be in accordance with NASSCO standards and compatible for import into the Albany CUES Granite inspection software system.
- (c) **Stormwater System Analysis:** Albany agrees to provide Millersburg reports or other data regarding their stormwater system upon request, including basic system maps. Mapped data will be available on the public GIS portal. Albany does not agree to perform complex mapping services or system data analysis without prior discussion with Millersburg regarding the time and costs of such a project.
- (d) **System Locates (One-call System):** Albany shall respond to requests for stormwater facility location markings based upon Albany GIS mapping of the Millersburg stormwater system and in compliance with OAR Chapter 952, Division 001. Albany’s ability to provide this service is dependent on timely receipt from Millersburg of accurate as-built drawings of Millersburg stormwater facilities.

2. Budgets, Costs, and Billing.

- (a) **Total Fiscal Year Stormwater Data Management Budget:** Albany will prepare and deliver to Millersburg a budget for the next fiscal year’s costs associated with maintenance of Millersburg’s stormwater data no later than February 1 of each year. Annual costs will include a proportionate share of

the software license fees and costs developed as an estimate of Albany's staff and equipment time that is likely to be spent on Millersburg's stormwater system. Millersburg staff may request a meeting with Albany staff to discuss budget details.

- (b) **Quarterly Billing:** Millersburg will be billed quarterly by Albany in a combined invoice that includes charges for services described above and charges other services Albany provides to Millersburg unrelated to this Agreement. Payments are due within 30 business days after receipt. Late payments shall bear interest at nine (9) percent per annum.

Each quarterly billing will include one-quarter of the annual share of the actual software license fees as described above; and charges based on actual staff and equipment hours spent on Millersburg stormwater locates and on maintaining, manipulating, entering, updating, or otherwise working with the Millersburg stormwater system data.

3. Other Terms and Conditions. The following terms and conditions apply to this Agreement:

- (a) **Term and Termination.** This Agreement begins upon execution and will remain in effect for a 10-year period unless amended or terminated as provided herein. At the end of the 10-year period, this Agreement automatically extends for succeeding 5-year terms subject to the terms herein.
 - (i) **Amendment.** This Agreement may be amended by mutual written agreement, signed by authorized representatives of each party.
 - (ii) **Termination for Breach.** Failure to make a payment when due or other material breach of this Agreement shall be cause for the non-defaulting party to terminate this Agreement. In the event of an election to terminate, the non-defaulting party shall give notice and a 30-day period for the defaulting party to cure the breach. If cure cannot be accomplished within 30 days but is diligently begun, the non-defaulting party may grant additional cure time.
 - (iii) **Migration of Data.** Upon termination of this Agreement, the parties will develop a mutually agreed upon plan to migrate the Millersburg stormwater system data to a recipient designated by Millersburg. Data will be provided in an agreed-upon standard format at the time of termination. In the absence of such an agreed upon plan, the parties shall initiate Dispute Resolution as provided in Section (d) below.
- (b) **Withdrawal.** Either party may elect to withdraw from this Agreement by giving written notice of its intent to withdraw to the other party and stating a date for withdrawal that shall not be less than one year from the date of notice.
- (c) **Indemnification.** Millersburg 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 Millersburg arising out of maintenance of the Millersburg stormwater system data or failure to comply with the terms of this Agreement. Likewise, Albany agrees to defend, indemnify, and hold Millersburg 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 Albany arising out of the maintenance Millersburg stormwater system data or failure to comply with the terms of this Agreement.
- (d) **Dispute Resolution.** If a dispute arises between the parties regarding breach of this Agreement or interpretation or implementation of any term of this Agreement, the parties shall first attempt to resolve the dispute by negotiation, followed by mediation. In the absence of an agreement between the parties, either party 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.

CITY OF MILLERSBURG:

DATED this ____ day of _____ 2020.

Kevin Kreitman, City Manager

ATTEST:

Kim Wollenburg, City Recorder

APPROVED AS TO FORM:

Forrest Reid, Millersburg City Attorney

CITY OF ALBANY:

DATED this ____ day of _____ 2020.

Peter Troedsson, City Manager

ATTEST:

Mary Dibble, City Clerk

APPROVED AS TO FORM:

Sean Kidd, Albany City Attorney



MINUTES

Wednesday, March 18, 2020

Special Session

Council Chambers, City Hall

Approved: DRAFT

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Sharon Konopa called the meeting to order at 5:15 p.m. and led the pledge of allegiance.

ROLL CALL

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

Councilors absent: None.

ADOPTION OF RESOLUTION

- a. Adoption of Resolution No. 6873 declaring a local state of emergency as a result of the COVID-19 pandemic.

City Manager Peter Troedsson explained that the primary purpose and impact of the resolution is to allow the City to make emergency purchases. The Albany Municipal Code requires that the city council ratify the declaration once the mayor has signed.

Councilor Rich Kellum said a concerned constituent asked him whether residents' rights were going to be stripped away with the ratification of this resolution. They had concerns about martial law.

Troedsson said the option of declaring an emergency has existed in not only Albany's code but many cities' codes for many years. Staff recently located a 1918 emergency proclamation related to the Spanish Flu. He assured the council that the resolution doesn't take individual rights away; it provides greater flexibility to the city manager for conducting City operations.

MOTION: Councilor Mike Sykes moved to ratify the mayor's approval of the resolution. Councilor Bessie Johnson seconded the motion, which passed 6-0. RES NO. 6873

Troedsson noted that access to City Hall will be limited to City staff and residents who make appointments to conduct business that cannot be completed online or by phone.

Sykes wanted to make sure that police and fire operations are functioning okay, and the chiefs said yes, they are doing well.

The city councilors noted their interactions within the community over the past week and encouraged residents to be courteous and considerate to one another, not to panic, and to find alternate ways of doing business that allow them to implement social distancing measures.

Troedsson noted that the City is working on a website to connect resources with needs.

NEXT MEETING DATES

Monday, March 23, 2020; 4 p.m. work session

Monday, March 25, 2020; 7:15 p.m. council meeting

ADJOURNMENT

There being no other business, the meeting was adjourned at 5:30 p.m.

Respectfully submitted,

Reviewed by,

Holly Roten
Senior Administrative Supervisor

Peter Troedsson
City Manager



MINUTES

Monday, March 30, 2020

Work Session

Remote

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 and Councilors Rich Kellum, Bill Coburn, Bessie Johnson, Alex Johnson II, and Mike Sykes were present by video. Dick Olsen was present by telephone.

Councilors absent: None.

Emergency Loan Fund – Seth Sherry

4:03 p.m.

Economic Development Manager Seth Sherry said the idea of offering small emergency loans is to bridge the gap before other state and federal funds become available, and to try to protect local businesses from taking on predatory loans. The proposed program would offer loans of between \$5,000 and \$15,000 to be used for rent payments, operating expenses, and other business costs. The loans could not be used to pay a business owner's personal debts. No payments would be due for the first six months of the loan, and interest-only payments would be made for months 7-12. The rest of the loan would be amortized over four years.

Community Lending Works (CLW) set up a similar program for Lane County, Eugene, and Springfield a couple of weeks ago. This proposal would use \$200,000 from the City's economic opportunity ("Pepsi") fund, plus a four percent fee to CLW.

Lynn Meyers of CLW said the process includes a two-page application, and providing basic financial information and a written emergency plan. Businesses will need to show they were viable before COVID-19 happened. The goal is to get money quickly to businesses that need it. In Lane County, they were able to start putting funds into accounts within five days. He said there will be significant losses, as some businesses won't survive even with help. Losses could be 30 percent or more.

Councilor Rich Kellum said small-business owners often pay business expenses with a personal card. He asked if CLW would look at personal credit cards as part of their approval process. Meyers said no, but they will have a conversation about the business's plan.

Councilor Alex Johnson II asked if the loans would be called in if the economy turns around sooner than expected. Meyer said no. He said there would also be no prepayment penalty.

Councilor Mike Sykes asked if Albany can afford to lose 30 percent on these loans. Sherry said there is over \$2 million in the economic opportunity fund. We could start with \$200,000 and add more later if we wanted to.

Meyers said these are unprecedented times. We don't know what the losses may be, but we do know that businesses need capital in their hands immediately. Kellum said we could lose some money, but we will definitely lose if we lose the businesses. Over the long term, we'll get the vast majority of the money back.

Councilor Dick Olsen said he thinks it's the right thing to do.

City Manager Peter Troedsson said in the next few months Albany will face much bigger problems than losses on this \$200,000. Losing the businesses would probably be a bigger loss than the \$200,000.

MOTION: Johnson II moved to authorize the city manager to enter an agreement with Community Lending Works to offer small loans to Albany businesses. Johnson seconded the motion, which passed 6-0.

Amending Resolution No. 6873, Extending the Local State of Emergency

MOTION: Johnson moved to ratify the mayor's approval of Resolution 6874. Sykes seconded the motion, which passed 6-0.

Business from the Council

4:45 p.m.

The council discussed whether to allow RVers to park in local parking lots because RV parks are closed. No decision was reached or direction given.

City Manager Report

Troedsson discussed graphs of police and fire calls showing the effect of COVID-19 (see agenda file).

Adjournment

There being no other business, the meeting was adjourned at 5:01 p.m.

Respectfully submitted,

Reviewed by,

Allison Liesse
Deputy City Clerk

Peter Troedsson
City Manager



MINUTES

Wednesday, April 22, 2020

Regular Session

REMOTE

Approved: **DRAFT**

CALL TO ORDER

Mayor Sharon Konopa called the meeting to order at 7:15 p.m.

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.

PROCLAMATIONS

7:17 p.m.

- a. Arbor Day 2020
The mayor read the proclamation.
- b. Mental Health Month
The mayor read the proclamation.
- c. Global Love Day
The mayor read the proclamation.

BUSINESS FROM THE PUBLIC

7:23 p.m.

There was none.

PUBLIC HEARINGS

7:25 p.m.

- a. ZC-06-19, 2710 Grand Prairie Road SE
No councilors wished to declare conflicts of interest, *ex parte* contact, or site visits. No councilors wished to abstain. No one challenged the participation of any councilor.

OPEN: Konopa opened the public hearing at 7:25 p.m.

Planner II Travis North presented the staff report with Powerpoint slides (see agenda file). He described the Type IV application process. The Planning Commission recommends approval of the application.

Councilor Mike Sykes said one of the public comments received (see agenda file) says the staff report doesn't prove the application meets Statewide Planning Goal 10 requirements. North said staff has talked to the commenter. The Goal 10 analysis was included in a different section of the report than usual.

Councilor Bessie Johnson asked if the easements from the church are irrevocable, in case of change of ownership. The applicant, Peter Seaders of MSS Engineering, said the easements are permanent.

Councilor Dick Olsen asked how many notices were sent to neighbors. Planning Manager David Martineau said 17 notices were sent. The notice area is 300 feet measured from property line to property line.

Olsen asked several questions about development on the site. Konopa reminded the council that there is no development proposal. The council is not allowed to evaluate this application based on a possible development on the site.

Konopa said no one signed up to speak at the hearing. She asked any attendees who wished to speak to unmute themselves and raise a hand. No one did so.

Seaders gave a short presentation about the application (see agenda file).

Konopa said Olsen's concerns are valid, and the council should look at the highest rate of usage allowed in the zone.

CLOSE: Konopa closed the public hearing at 8:02 p.m.

City Attorney Sean Kidd read the ordinance the first time in title only: 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.

Johnson moved to read the ordinance a second time in title only. Councilor Rich Kellum seconded the motion. The motion failed 5-1, with Olsen voting no. A second reading in title only in the same meeting requires a unanimous vote of the council. This item will come back to the May 13, 2020, council meeting for a second reading.

- b. Community Development Block Grant (CDBG) **8:05 p.m.**
OPEN: Konopa opened the public hearing at 8:05 p.m.

Management Assistant/Communications Officer Marilyn Smith read a letter submitted by Oregon Representative Alissa Keny-Guyer advocating the use of CDBG funds for rent assistance (see agenda file).

Planner III Anne Catlin showed slides detailing proposed reallocation of CDBG funds and use of Coronavirus Aid, Relief, and Economic Security (CARES) Act funds (see agenda file). The short-term greatest need is food boxes; the greatest medium-term need will be to help people stay housed.

Councilor Alex Johnson II asked why so much more support is going to small businesses than to emergency housing assistance. Catlin said early assistance efforts aimed to try to keep people employed so they could continue to pay rent. The CARES Act money will probably be available by the end of the month.

The council discussed helping local businesses versus helping individuals.

Konopa called on George Matland, who had signed up to speak, but he was not present.

Lieutenant Charles DeJesus, of the Salvation Army, said food boxes in Albany are valued at \$48. \$20,000 in funds would provide just over 400 boxes, fewer than were given out at Christmas this year. Emergency Manager/Safety Officer Chuck Perino thanked the Salvation Army for their support throughout the COVID crisis.

CLOSE: Konopa closed the public hearing at 8:43 p.m.

MOTION: Sykes moved to approve the three remaining resolutions, including the reallocations proposed by Catlin.. Kellum seconded the motion, and it passed 6-0. The resolutions were:

- 1) Adopting a revised Community Development Block Grant citizen participation plan. Resolution No. 6879
- 2) Adopting the Community Development Block Grant 2020 action plan. Resolution No. 6880
- 3) Amending the Community Development Block Grant 2019 action plan as adopted by Resolution No. 6805. Resolution No. 6881
- 4) Amending the Community Development Block Grant 2018-2022 consolidated plan and 2018 action plan as adopted by Resolution No. 6720.

This item was removed from the agenda and will come back to a future meeting.

ADOPTION OF RESOLUTIONS

- a. Authorizing parks and recreation to accept a collaborative tourism grant from the economic development division.
- b. Approving appropriation of collaborative tourism grant funds.

These items were removed from the agenda.

AWARD OF CONTRACT

SS-19-05-A, Riverfront lift station and force main, Phase 2

8:45 p.m.

Civil Engineer III Chris Cerklewski said the contract is for the second and final phase of the Riverfront lift station project. Funding comes from the Department of Environmental Quality loan to reduce sewer overflows into the Willamette River.

MOTION: Johnson II moved to award the contract to Insituform Technologies, LLC, as outlined in the staff report. Kellum seconded the motion, which passed 6-0.

ADOPTION OF CONSENT CALENDAR

8:50 p.m.

- a. Approval of minutes
 - 1) March 11, 2020, meeting.
- b. Recommendation to OLCC
 - 1) Approve limited on-premises sales liquor license application, Arellano's Music Parlor, LLC, 329 Second Avenue SW.
- c. Adoption of resolutions
 - 1) Releasing easement, Teledyne Wah Chang. RES NO. 6882
 - 2) Accepting right-of-way dedication, Eugene Freezing & Storage Company. RES NO. 6883
 - 3) Extending workers' compensation coverage to volunteers. RES NO. 6884

Sykes moved to approve the consent calendar as presented. Johnson seconded the motion, which passed 6-0.

BUSINESS FROM THE COUNCIL

8:51 p.m.

Sykes asked that someone remind drivers of City vehicles to obey speed limits.

City Manager Peter Troedsson asked the council to consider whether they want to delay increases in development code fees until the state resumes normal operations.

Economic Development Manager Seth Sherry said the loan fund the council authorized on March 30 has been exhausted, with money loaned to 15 local businesses. He suggested waiting to offer more money until we have a better idea how much federal assistance will be available.

RECESS TO EXECUTIVE SESSION

The council recessed to executive session at 9:01 p.m.

RECONVENE

The council reconvened into regular session at 9:18 p.m.

MOTION: Johnson moved to approve the proposed two-year contract with the Albany Police Association. Johnson II seconded the motion, and it passed 6-0.

MOTION: Kellum moved to approve a temporary ten percent reduction in the city manager's salary through December 31, 2020. The motion was made at Troedsson's request. Sykes seconded the motion, and it passed 6-0.

NEXT MEETING DATES

Wednesday, May 13, 2020; 7:15 p.m. regular meeting
Wednesday, May 27, 2020; 7:15 p.m. regular meeting

ADJOURNMENT

There being no other business, the meeting was adjourned at 9:21 p.m.

Respectfully submitted,

Reviewed by,

Allison Liesse
Deputy City Clerk

Peter Troedsson
City Manager

Note: Staff handouts referred to in the minutes as (see agenda file) are available on the website in the "Staff Handouts" column.



RESOLUTION NO. _____

A RESOLUTION DIRECTING STAFF TO RELEASE/TERMINATE A PORTION OF A SEWER EASEMENT

<u>Grantor</u>	<u>Purpose</u>
City of Albany	Releasing a portion of a 420-foot wide sewer easement as part of a Property Line Adjustment for Pacific Cast Technologies, Inc.
<u>Grantee</u>	11S03W07CD 01103, 01105, and 01106
Pacific Cast Technologies	

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby direct staff to execute the attached Release and Termination of Easement document.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the council and approval by the mayor.

DATED AND EFFECTIVE THIS 27TH DAY OF MAY 2020.

Mayor

ATTEST:

City Clerk

After Recording Return to:

City of Albany
P.O. Box 490
Albany, OR 97321

Grantor
City of Albany

Grantee
Pacific Cast Technologies, Inc.

RELEASE AND TERMINATION OF PORTION OF AN EASEMENT

KNOW ALL PEOPLE BY THESE PRESENTS, that THE CITY OF ALBANY, a municipal corporation, does hereby abandon and terminate a portion of the following easement, described as follows, to wit:

Legal Description

The Western 370 feet of the Southern 985 feet of a 420-foot wide Sewer Easement across that property described in Linn County Deed Records MF 262-0937 and 2014-01760. The Sewer easement was recorded in 1957 in Linn County, Oregon Deed Records **Book 253-690**.

The City of Albany expressly retains the sewer easement over the remainder of the 420-foot wide easement not excluded above. See map on attached Exhibit A attached hereto and made a part hereof.

To Have and to Hold the same unto said CITY OF ALBANY, OREGON and its successors and assigns forever.

IN WITNESS WHEREOF, the CITY OF ALBANY, OREGON has executed this instrument this ____ day of _____, 2020.

CITY OF ALBANY:

STATE OF OREGON)
County of Linn) ss.
City of Albany)

I, Peter Troedsson, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number _____, do hereby execute this instrument on behalf of the City of Albany, pursuant to the terms thereof this ____ day of _____ 2020.

City Manager

ATTEST:

City Clerk

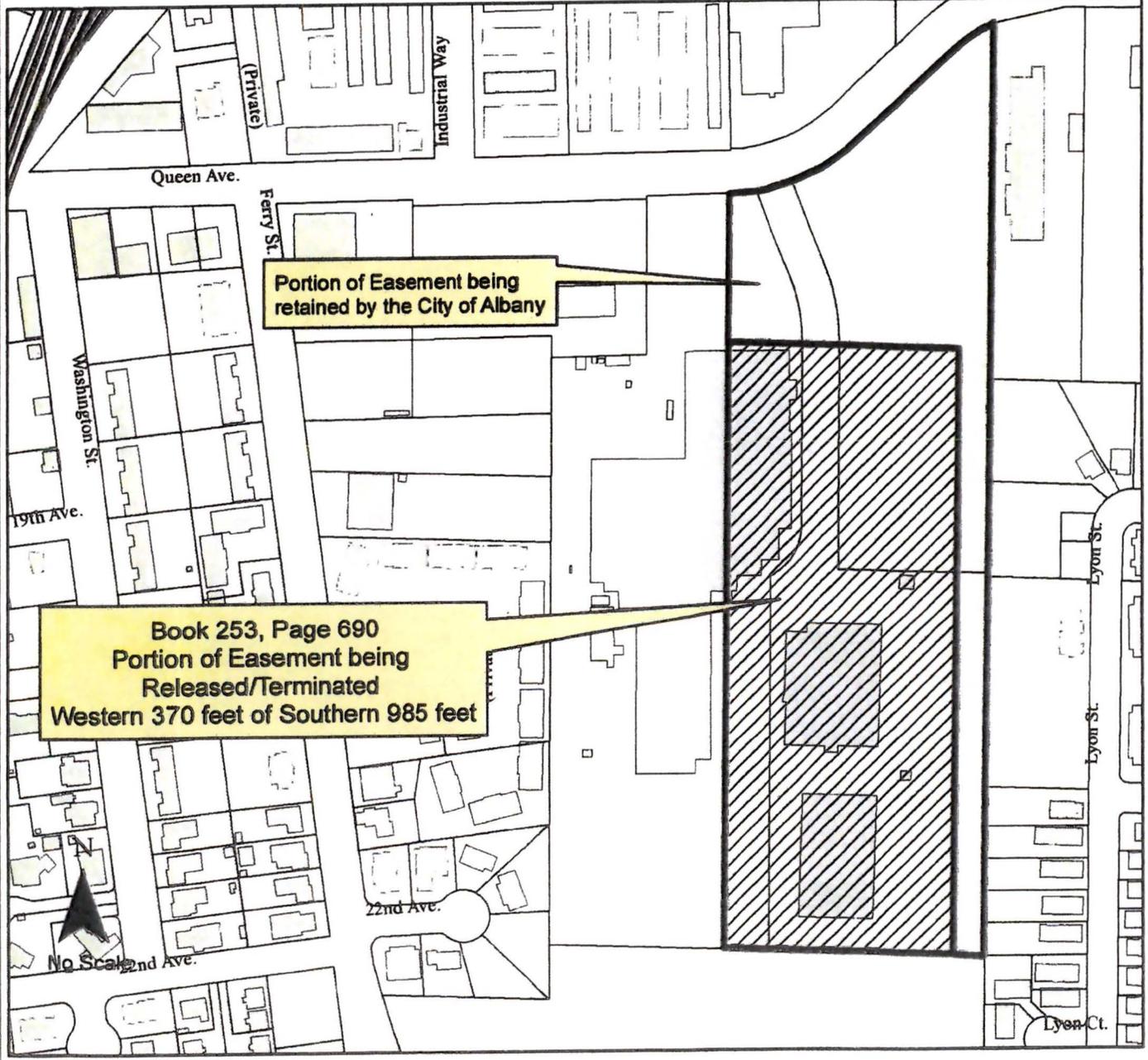
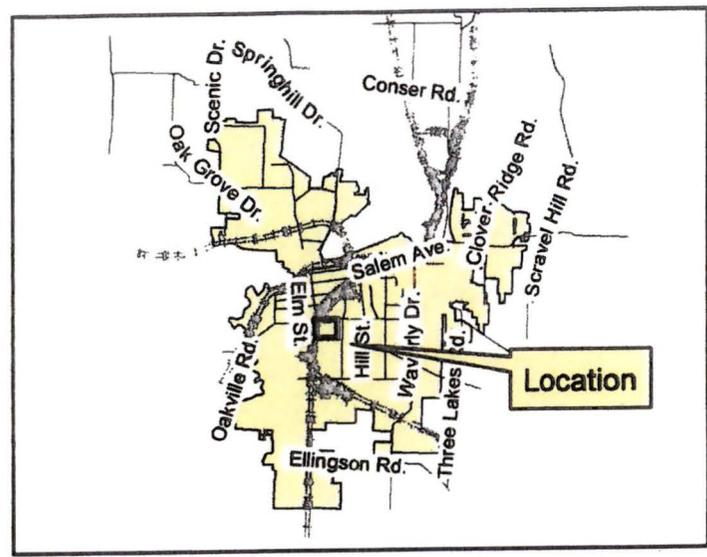
EXHIBIT A

11S03W07CD- 01103, 01105, 01106

Release of a 985' x 370' portion of a 420-foot wide Sewer Easement, part of a Property Line Adjustment for Pacific Cast Technologies



Geographic Information Services





MEMO



TO: Albany City Council

VIA: Peter Troedsson, City Manager *[Signature]* 5/21

FROM: Marcia Harnden, Chief of Police *[Signature]*

DATE: May 18, for the May 27, 2020, City Council Meeting

SUBJECT: Off-Premises Sales, Liquor License Application for Denny's, location at 3430 Spicer Drive SE.

Action Requested:

I recommend the off-premises sales, liquor license application for Denny's, location at 3430 Spicer Drive SE, be approved.

Discussion:

Paul Fox, on behalf of Denny's, have applied for an off-premises sale, liquor license. Based on a background and criminal history investigation through Albany Police Department records, the applicant has no criminal record.

Budget Impact:

None

MH:sd



MEMO



TO: Albany City Council

VIA: Peter Troedsson, City Manager *PT 5/21*

FROM: Marcia Harnden, Chief of Police *MH*

DATE: May 18, for the May 27, 2020, City Council Meeting

SUBJECT: Off-Premises Sales, Liquor License Application for Taqueria Alonzo, location 250 Broadalbin Street SW.

Action Requested:

I recommend the off-premises sales, liquor license application for Taqueria Alonzo, location 250 Broadalbin Street SW, be approved.

Discussion:

Alonzo and Sandra Gutierrez, on behalf of Taqueria Alonzo, have applied for an off-premises sale, liquor license. Based on a background and criminal history investigation through Albany Police Department records, the applicants have no criminal record.

Budget Impact:

None

MH:sd



MEMO



TO: Albany City Council

VIA: Peter Troedsson, City Manager

FROM: Marcia Harnden, Chief of Police *MH 101*

DATE: May 20, 2020, for the May 27, 2020, City Council Meeting

SUBJECT: Off-Premises Sales, Liquor License Application for He Got All the Whiskey, Inc., DBA Albany Liquor, location at 2530 Pacific Boulevard SE.

Action Requested:

I recommend the off-premises sales, liquor license application for He Got All the Whiskey, Inc., DBA Albany Liquor, location at 2530 Pacific Boulevard SE, be approved.

Discussion:

Kirk Triance, on behalf of He Got All the Whiskey Inc., DBA Albany Liquor, has applied for an off-premises sales, liquor license. Based on a background and criminal history investigation through Albany Police Department records, the applicant has no criminal record.

Budget Impact:

None

MH:sd



MEMO

Handwritten signature and date: 5/21

TO: Albany City Council

VIA: Jeanna Yeager, Finance Director

FROM: Linda Booth, Parks & Recreation Clerk III

DATE: May 20, 2020, for the May 27, 2020 City Council Meeting

SUBJECT: Annual Liquor License Renewals
 Relates to Strategic Plan theme: A Safe City

Action Requested:
 Council approval for these annual liquor license renewals

Discussion:

Following is a list of businesses that have submitted an application for liquor license renewal. These businesses have paid their fees.

Dari Mart Store #21	Dari-Mart Stores Inc	1005 W Queen Ave
Dari Mart Store #22	Dari-Mart Stores Inc	105 Clover Ridge Rd
Rite Aid #5365	Thrifty Payless Inc	1235 Waverly Dr SE
Costco Wholesale #682	Costco Wholesale Corp	3130 Killdeer Ave SE
House of Noodle (2)	House of Noodle LLC	2025 Santiam Hwy SE
Abby's Legendary Pizza of Albany	Abby's Inc an Arizona Corp	3033 Santiam Hwy
Rainbow House	Rainbow House Inc	1236 Price Rd SE
Pix Theatre	Movie Geek Enterprises LLC	321 2 nd Ave SW
Margin Coffee LLC	Margin Coffee LLC	206 2 nd Ave SW
Taqueria Alonzo	Alonzo Gutierrez	250 Broadalbin SW #107
Stop N Save #9	Atwal, Inc	423 2 nd Ave SE
Sizzler #246	Double S Foods LLC	21448 Santiam Hwy
Gamberettis	DTG II Inc	211 First Ave W #102
Linger Longer Tavern (2)	Ruth Smith Enterprises Inc	145 Main St SE
American Legion Post #10 Albany	American Legion Post #10 Albany	1215 Pacific Blvd SE
Walmart #5396	Walmart Inc	1330 SE Goldfish Farm Rd
Novak's Hungarian Restaurant	Novak's Hungarian Restaurant Inc	208 2 nd St SW
Tom Tom Deli & Market	RJW & Sons Inc	321 Airport Rd SE



Budget Impact:

Revenue of \$700.

LB



MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager *BT 5/21*
Chris Bailey, Public Works Operations Director *CB*

FROM: Mike Bryan, Public Works Technical Services Manager

DATE: May 15, 2020, for the May 27, 2020, City Council Meeting

SUBJECT: Reclassification Request

Action Requested:

Staff requests City Council authorize reclassifying an existing 1.00 FTE Facilities Maintenance Electrician position in the Public Works Department to Automation and Controls Electrician at salary range A150.

Discussion:

The Public Works Department Facilities Maintenance Electrician performs highly skilled technical work including the design, construction, integration, and troubleshooting of complex electrical and automation control systems. The knowledge, skills, and experience required to perform these tasks are not something a typical Journeyman Electrician would employ. Prior to having an electrician on staff who could do this work in-house, the City would have to hire contract electricians, electrical engineers, or consultants to perform this work at significant expense. In addition to these cost-saving skills and abilities, the incumbent in this position has a signing supervisor's license as a Journeyman Electrician in the state of Oregon. This allows our staff person to take out electrical permits for City projects without the additional cost of having a contractor involved.

The Facilities Maintenance Electrician is currently at salary range A145 (\$4,447-\$5,778 per month). In accordance with the American Federation of State County and Municipal Employee (AFSCME) Collective Bargaining Agreement, staff requested that the Human Resources (HR) Department evaluate expectations of the position to determine if it was appropriately classified. Upon review, HR determined that the responsibilities of the position were significantly different from that of a Facilities Maintenance Electrician and recommended that the position be reclassified to an Automation and Controls Electrician at salary range A150 (\$5,109-\$6,635 per month). In determining the appropriate salary range, HR evaluated how Albany's total compensation package compares to similar positions in other similarly situated Oregon communities and how the position compares internally. The responsibilities of this position are somewhat unique because most cities in Oregon that are similar in size do not have in-house staff with the skills and abilities to perform these highly skilled electrical tasks.

Budget Impact:

If approved, additional costs resulting from the reclassification would be \$7,994-\$10,296 per year. Adequate funds are available in the water and sewer funds to absorb this cost increase.

CB:ss