



ORDINANCE NO. 6016

AN ORDINANCE CREATING AN ECONOMIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH ORS. 223.112 THROUGH 223.132.

WHEREAS, the Albany City Council previously adopted Resolution No. 7197 on April 12, 2023, in which it announced that the City intended to create a voluntary economic improvement district in the downtown district as of July 1, 2023; and

WHEREAS, a public hearing in the matter of establishing such a district was held before Albany City Council on May 12, 2023, and June 14, 2023; and

WHEREAS, ORS 223.112-223.132 permits the creation of economic improvement district;

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

Section 1: Project Description. The economic improvement district (EID) is hereby created to provide funding for economic development in the Albany downtown district. The funds generated shall be used to assist the city in the planning or management of development or improvement activities; landscaping or other maintenance of public areas; promotion of commercial activities or events; activities in support of business recruitment and development; and for improvements in parking systems or parking enforcement.

Section 2: Preliminary Estimate of Cost. It is proposed that the preliminary estimate of the probable cost of the economic improvements referred to above will be as follows for each of the years that this district is in place:

2023-2024	52876.00
2024-2025	53934.00
2025-2026	55013.00

Section 3: Proposed Formula for Apportioning Costs. Assessments will be based on the real market value (RMV) of the property. The entire district EID will be \$0.80 per \$1,000 of value. Fees will be a minimum of \$50.00 and a maximum of \$500.00 per property. The EID rate will be frozen for three years but the EID fee will go up or down each year depending on the RMV determined by the county assessor for the previous year.

Section 4: Boundary of Economic Improvement District. The Boundary of the EID shall be defined as an area beginning at a point at the most northwesterly corner of Map 11S-04W-01DD, Tax Lot 300; thence southerly along the most westerly property line, a distance of approximately 342 feet, to the intersection of the north line of 1st Avenue; thence southerly along the centerline of Calapooia Street, approximately 1,475 feet; thence easterly along the centerline of 6th Avenue to the Centerline of Broadalbin Street; thence southerly to the centerline of 8th Avenue; thence easterly to the centerline of Ellsworth Street; thence southerly to the centerline of 9th Avenue; thence easterly to the eastern most line of Lyon Street; thence northerly approximately 718 feet; thence easterly approximately 178.4 feet; thence northerly approximately 143.67 feet to the centerline of 6th Avenue; thence easterly approximately 107 feet to the centerline of Baker Street; thence northerly to the centerline of 4th Avenue; thence easterly to the centerline of Railroad Street; thence northerly to the centerline of 1st Avenue; thence easterly to the centerline of Jackson; thence northerly to the northeasterly corner of Block 107 of Hackleman's Addition; thence westerly along the Willamette River to the northwesterly most edge of Broadalbin Street; thence southerly approximately 10 feet; thence westerly approximately 275 feet; thence southerly approximately 83 feet; thence westerly along the northern most edge of Water Avenue to the point of beginning. A map showing the approximate location of the EID is attached hereto as Exhibit "A" and by this reference incorporated herein. Should any discrepancy exist between the map and the written description set forth above, the map shall control.

Section 5: Term. This assessment will be levied for a term of three (3) years beginning July 1, 2023, and ending June 30, 2026.

Section 6: Notice of Public Hearing. On April 12, 2023, the Albany City Council adopted Resolution No.7197. This Resolution provided for notices to be mailed or delivered personally to affected property owners and announced the intention of the Council to undertake this EID and to assess benefited properties for the cost. The notice set the first public hearing for Wednesday, May 10th, 2023, at 6:00 p.m., in the City Hall Council Chambers, 333 Broadalbin SW, Albany, Oregon. On April 12, 2023, the Albany City Council adopted Resolution No.7197. This Resolution set a second Public Hearing for June 14, 2023, at 6:00 p.m., in the City Hall Council Chambers, 333 Broadalbin SW, Albany, Oregon. The notice also set forth a description of the proposed project, a preliminary estimate of its costs, a description of the formula for apportioning the proposed cost to specially benefited properties, the proposed term of the District, and further advise the recipients of their right to remonstrate against the creation of the EID by writing to the City on or before June 14, 2023. The notice also informed the recipients the Albany City Council would consider their failure to respond to that notice as an approval of the proposed assessment and a specific request for EID services. Thereafter, a hearing was held at the time, date and place referred to above and remonstrances were received. Said remonstrances did not exceed the thirty-three percent (33%) level that would bar creation of the improvement District pursuant to ORS 223.118(a). Individual property remonstrance data is set forth on the sheets attached hereto Exhibit "B" and by this reference incorporated herein.

Section 7: Voluntary Nature of Assessment, Exclusion of Property. Pursuant to ORS 223.118, the EID project described above shall be undertaken but assessments shall not be levied on any lot or parcel of property in those instances where the owner of that property submitted written objections prior to or at the aforesaid public hearing. Such properties are hereby excluded from assessment and the individual property and assessment data hereinafter set forth shall recognize such exclusion. The formula for assessment referred to in Section 3 shall be used to determine the assessment on each property to be assessed and the actual amount levied will be adjusted accordingly from the preliminary estimate referred to in Section 2 above.

Section 8: Limitations. The City shall not be authorized to:

- (a) Levy assessments in an EID in any year that exceed one percent (1%) of the real market value of all the real property located within the district.
- (b) Include within the EID any area of the City that is not zoned for commercial or industrial use.
- (c) Levy assessments on residential real property or any portion of a structure used for residential purposes.
- (d) Levy assessment on property owned by a church, non-profit, or government entity.

Section 9: Individual Property and Assessment Data. Individual property and assessment data is set forth on the sheets attached hereto as Exhibit "C" and by this reference incorporated herein.

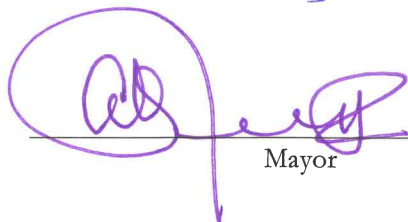
Section 10: Notice of Proposed Assessment Notice of proposed assessment referred to above shall be mailed or personally delivered to the owner of each lot to be assessed and shall state the amount of assessment proposed on the property of the owner receiving the Notice.

Section 11: Docketing of Liens. The City Recorder is hereby directed to enter a statement of the assessments as above provided in the docket of the City Liens and give notice thereof as provided by law.

Passed by the Council: June 14, 2023

Approved by the Mayor: June 14, 2023

Effective Date: July 14, 2023



Mayor

ATTEST:

Allison Luise

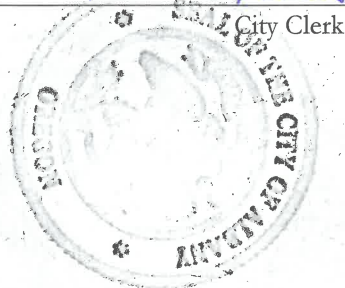
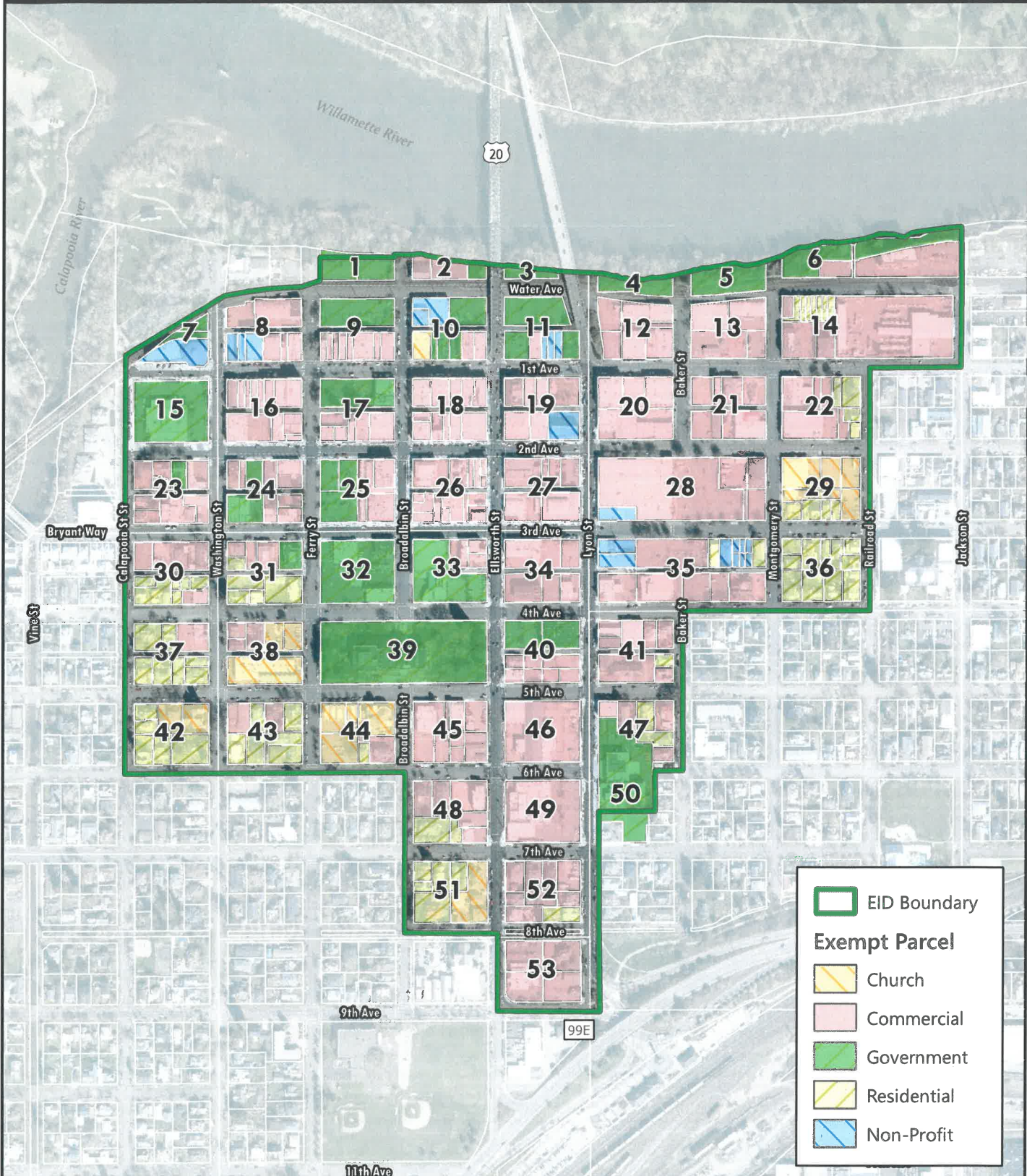


Exhibit A



Economic Improvement District - 2023



Exhibit "B"

2023-2026 EID Remonstrances

Dir. Cnt.	Parcel	Class	PRIMACCNUM	OwnerLine1	OwnerLine2	OwnerLine3	MailAddr	MailAddr2	MailCity	MailState	MailZIP	SiteAddress	SiteAddress2	ST/EAD/CITY
Y	138	COMMERCIAL IMPROV	11509W06C005200	82993 300 EAST FIRST AVENUE LLC			C/O FERLENEIN STEV 631 NW KOONS DR		ALBANY	OR	97321	237 2ND AVE SE		ALBANY
Y	179	COMMERCIAL IMPROV	11509W06C006600	82467 300 EAST FIRST AVENUE LLC			C/O FERLENEIN STEV 631 NW KOONS DR		ALBANY	OR	97321	300 1ST AVE E		ALBANY
Y	292	COMMERCIAL IMPROV	11509W07B005000	82467 300 EAST FIRST AVENUE LLC			C/O FERLENEIN STEV 631 NW KOONS DR		ALBANY	OR	97321	190 LYON ST SW		ALBANY
Y	197	COMMERCIAL IMPROV	11509W06C006900	82700 MARK & THA SEGHER REV LIVING TRUST	BARTHE STYERNE I TR		516 S WASHINGTON ST BROOK RD		ALBANY	OR	97321	325 1ST AVE W		ALBANY
Y	204	COMMERCIAL IMPROV	11509W07B004000	82700 MARK & THA SEGHER REV LIVING TRUST	SEGHER MARK B & THA A TR		516 S WASHINGTON ST BROOK RD		ALBANY	OR	97321	325 1ST AVE W		ALBANY
Y	251	COMMERCIAL IMPROV	11509W07B003000	82700 MARK & THA SEGHER REV LIVING TRUST	SEGHER MARK B & THA A TR		516 S WASHINGTON ST BROOK RD		ALBANY	OR	97321	325 1ST AVE W		ALBANY
Y	314	COMMERCIAL IMPROV	11509W01D002100	130241 NOW DEVELOPMENT LLC			433 4TH AVE SW		ALBANY	OR	97321	439 4TH AVE SW		ALBANY
Y	114	COMMERCIAL IMPROV	11509W06C011500	82996 OHANAMARUA LLC			1867 NW BLOOM LN		ALBANY	OR	97321	240 WASHINGTON ST ALBANY		ALBANY
Y	7	COMMERCIAL IMPROV	11509W06C01900	80768 PORIS LINDA F			7885 NE TODD DR		CORVALLIS	AZ	85630	421 WATER AVE NE		ALBANY
Y	195	MISC COMMERCIAL HI	11509W06C000600	80768 PORIS LINDA F			245 E ALLEN LN		HUACHUCA	AZ	85636	301 1ST AVE W		ALBANY
Y	189	COMMERCIAL IMPROV	11509W06C000700	81892 SWOBODA ALLAN CHARLES & JACQUELINE MAY	SWOBODA CHUCK		2587 2ND AVE SE		ALBANY	OR	97322	415 1ST AVE W		ALBANY
Y	201	COMMERCIAL IMPROV	11509W06C000700	81892 SWOBODA ALLAN CHARLES & JACQUELINE MAY			104 1ST AVE E		ALBANY	OR	97321	104 1ST AVE E		ALBANY
Y	281	RESIDENTIAL IMPROV	11509W01D003801	81892 SWOBODA ALLAN CHARLES & JACQUELINE MAY			439 4TH AVE SW		ALBANY	OR	97321	106 1ST AVE SE		ALBANY
Y				712899 AIRBNB ANYWHERE LLC			685 FAUTHER RD		INDEPENDENCE	OR	97331	680 WASHINGTON ST ALBANY		ALBANY

Total number of remonstrances 15
 Total value remonstrances \$ 5,727
 Percentage remonstrances 31%

Exhibit "C"

2023-2026 EID Property Assessments

Opt Out Y/N	Parcel L-1	Class	PRIMACCNUM	OwnerLine1	OwnerLine2	OwnerLine3	MailAdd1	MailAdd2	MailCity	MailState	MAILZIP	SiteAddress	SITEADDRESS
N	184	RESIDENTIAL IMPROV	11503W06C008701	82673 BRIGGS ERIC & MERIDEE			4831 VIEW DR		EVERETT	WA	98203	332 3RD AVE SE	ALBANY
N	187	RESIDENTIAL IMPROV	11503W079A01100	89850 BROWN CHANDLER			9235 N VANHOE ST		PORTLAND	OR	97203	118 5TH AVE SE	ALBANY
N	192	RESIDENTIAL IMPROV	11503W06C008500	83624 MARTI BARLOW PROPERTIES LLC			PO BOX 2300		CORVALLIS	OR	97339	306 3RD AVE SE	ALBANY
N	198	RESIDENTIAL IMPROV	11503W06C008600	82857 ZENGER TERESA L			PO BOX 2225		ALBANY	OR	97321	318 3RD AVE SE	ALBANY
N	212	RESIDENTIAL IMPROV	11503W079B01200	87311 DARLED UP PROPERTY INVESTMENTS INC			1037 357 AVE NE		ALBANY	OR	97321	331 MONTGOMERY ST ALBANY	ALBANY
N	255	RESIDENTIAL IMPROV	11503W079B00400	91136 CLEARPOINT HOMES LLC			PO BOX 664		ALBANY	OR	97321	118 7TH AVE SW	ALBANY
N	272	RESIDENTIAL IMPROV	11503W079B00500	91346 CLEARPOINT HOMES LLC			PO BOX 664		ALBANY	OR	97321	118 7TH AVE SW	ALBANY
N	273	RESIDENTIAL IMPROV	11503W079B00600	91708 BECOHAM DAVID B & SUE K			PO BOX 664		ALBANY	OR	97321	118 7TH AVE SW	ALBANY
N	254	RESIDENTIAL PLEX 2-4	11503W079B003000	91294 REID RICHARD M & LISA MARIA			3888 SAINT ANDREWS LP S		SALEM	OR	97202	318 6TH AVE SW	ALBANY
N	210	RESIDENTIAL PLEX 2-4	11503W079A00700	89819 SIDDQUII TIM S			1414 9TH AVE SW		ALBANY	OR	97321	328 FERRY ST SW	ALBANY
N							PO BOX 605		ALBANY	OR	97321	434 BAKERS ST SE	ALBANY

Total properties in district	184
Total number of remonstrances	15
Total proposed assessments	169
Total value district	\$ 33,127
Total value remonstrances	\$ 5,727
Total proposed value district assessments	\$ 47,400
Percentage remonstrances	11%
Percentage district assessments	89%