



**NOTICE OF PUBLIC MEETING**

CITY OF ALBANY  
CITY COUNCIL WORK SESSION  
Municipal Court Room  
Monday, October 6, 2008  
4:00 p.m.

**AGENDA**

- 4:00 p.m. **CALL TO ORDER**
- 4:00 p.m. **ROLL CALL**
- 4:00 p.m. **BUSINESS FROM THE PUBLIC**
- 4:05 p.m. **TRANSPORTATION SYSTEM PLAN UPDATE** – Jeni Richardson  
*Action Requested: Information.*
- 4:15 p.m. **INVESTMENT POLICY & MARKET UPDATE** – Stewart Taylor, Deanne Woodring  
*Action Requested: Information.*
- 4:30 p.m. **COMMUNITY APPEARANCE AND CODE ENFORCEMENT** – Marilyn Smith, Melanie Adams, Mike Trabue, Ed Hodney  
*Action Requested: Information, discussion, direction.*
- 5:15 p.m. **STREET SWEEPING UPDATE** – Diane Taniguchi-Dennis  
*Action Requested: Information, discussion.*
- 5:30 p.m. **ICMA BOOK REPORT** – Bob Woods  
*Action Requested: Information.*
- 5:35 p.m. **RECESS TO EXECUTIVE SESSION PURSUANT TO O.R.S. 192.660 (1) (h) TO DISCUSS CURRENT LITIGATION OR LITIGATION LIKELY TO BE FILED**
- 5:45 p.m. **RECONVENE**
- 5:45 p.m. **COUNCILOR COMMENTS**
- 5:55 p.m. **CITY MANAGER'S REPORT**
- 6:00 p.m. **ADJOURNMENT**

*City of Albany Web site: [www.cityofalbany.net](http://www.cityofalbany.net)*

*The location of the meeting/hearing is accessible to the disabled. If special accommodations to attend or participate in the meeting/hearing are needed, advance notice is requested by notifying the Human Resources Director at 917-7500.*



TO: Albany City Council

VIA: Wes Hare, City Manager  
Diane Taniguchi-Dennis, P.E., Public Works Director *DSTD*

FROM: Jeni Richardson, P.E., Civil Engineer III  
Ronald G. Irish, Transportation Systems Analyst

DATE: October 1, 2008, for the October 6, 2008, City Council Work Session

SUBJECT: TSP Update – Project Descriptions, Costs and Priorities

RELATES TO STRATEGIC PLAN THEME: ● Great Neighborhoods

Action Requested:

No action required at this meeting.

Discussion:

At this meeting, staff will deliver lists and maps of all the auto and non-auto transportation projects currently included in the Transportation System Plan (TSP). This comprehensive list of projects will also include staff's first draft of project costs and prioritization. Staff will also deliver revised versions of Memorandum #6A and #6B that include changes reflecting the addenda accepted by Council.

Over the past year, the Albany community and various agencies have reviewed maps and lists showing auto and non-auto TSP projects. During the discussion, the community also identified those projects they believed had a high priority or a low priority. Many of their comments were incorporated into the technical memorandums accepted by Council and are included in the auto and non-auto project lists and maps that will be distributed at the work session.

The project lists will include a project number, name and description; a total cost; and a priority level. The total cost for each project includes the costs of construction, right-of-way, engineering, and contingency. The accompanying maps will visually show a potential prioritization of projects into three categories; short-term (0 – 5 year), mid-term (5 – 10 year), and a third category for all long-term or project driven improvements.

This will be Council's first look at project costs and prioritization, an important step necessary for upcoming financial plan discussions. Council is encouraged to provide comments to staff via phone, e-mail, and/or personal visit. Over the next several weeks, staff will take this information to the community via typical outreach (open house, web, and media) and presentations to community focus groups including the Chamber of Commerce, homebuilders groups, senior citizens, neighborhoods, and more. Community input will be returned to Council at a later meeting with staff's recommendations.

Budget Impact:


None

JMR:prj  
Attachments



TO: Albany City Council

VIA: Wes Hare, City Manager

FROM: Stewart Taylor, Finance Director 

DATE: October 2, 2008, for the October 6, 2008, City Council Work Session

SUBJECT: Investment Policy and Market Update

RELATES TO STRATEGIC PLAN THEME: • Effective Government

Action Requested:

Discuss the changes proposed in the current investment policy and receive a market update from the City's investment advisor. The Council will consider adopting the proposed policy at its regular council meeting on Wednesday, October 8, 2008.

Discussion:

The City's current investment policy was last reviewed and adopted by the City Council as Resolution No. 5214 on November 21, 2005. Both the current policy and ORS 294.135 require the City Council to review the policy on a periodic basis.

Staff has worked closely with the City's current Investment Advisor, Davidson Fixed Income Management, to review the current policy. Changes are recommended in the following areas:

- Approvals for investment transactions are recommended to be changed from discretionary to non-discretionary. Non-discretionary approvals require the City's investment officer to affirmatively direct the investment advisor to conduct a trade before the trade is made.
- The maximum duration of an investment is recommended to be extended from three to five years with a weighted average maturity still limited to eighteen months. The extended duration would give the City greater flexibility in a changing market while maintaining a short duration in the overall portfolio.
- The maximum participation in Commercial Paper and Corporate Indebtedness is recommended to be reduced to ten percent in order to reduce the risk of investment in those markets.

The proposed changes were reviewed by the Oregon Short Term Fund Board on Wednesday, October 1, 2008. The board recommended additional changes to reduce the maximum investment in a single issuer of GSE Government Agency Securities from 40 percent to 33 percent and to encourage reporting to the governing board on a more frequent basis. The two changes have been incorporated into the proposed policy.

Budget Impact:

The policy sets parameters for the investment of cash not needed to meet current obligations.

ST:de

Attachment: Investment Policy

## INVESTMENT POLICY AND PORTFOLIO GUIDELINES

### I. POLICY STATEMENT

It is the policy of the City of Albany ("City") that the administration of its funds and the investment of those funds shall be handled as its highest public trust. Investments shall be made in a manner that will provide the maximum security of principal invested, employing limitations on maturities and diversification of the portfolio while meeting the daily cash flow needs of the City and conforming to all applicable state and City statutes governing the investment of public funds. The receipt of a market rate of return will be secondary to safety and liquidity requirements. It is the intent of the City to be in complete compliance with local, state, and federal law. The earnings from investment will be used in a manner that best serves the public trust and interests of the local government.

### II. SCOPE

This policy applies to activities of the City of Albany with regard to investing the financial assets of all funds. In addition, funds held by trustees or fiscal agents are excluded from these rules; however, all funds are subject to regulations established by the State of Oregon. Other than bond proceeds or other unusual situations, the total of all funds ranges from \$50 million to \$100 million.

The City commingles its daily cash into one pooled investment fund for investment purposes for efficiency and maximum investment opportunity. The following funds, and any new funds created by the City, unless specifically exempted by the City Council and this policy, are defined in the City's Comprehensive Annual Financial Report.

- General Fund
- Special Revenue Funds
- Debt Service Funds
- Capital Project Funds
- Enterprise Funds
- Internal Service Funds
- Permanent Funds

These funds will be invested in compliance with the provisions of all applicable Oregon Revised Statutes. Investments of any tax-exempt borrowing proceeds and any related Debt Service funds will comply with the arbitrage restrictions in all applicable Internal Revenue Codes.

### III. OBJECTIVES AND STRATEGY

It is the policy of the City that all funds shall be managed and invested with five primary objectives, listed in order of their priority.

**A. Legality.** The Investment Policy will be in conformance with federal laws, state statutes, local ordinances, and internal policies and procedures.

**B Safety of principal.** Safety of principal is the foremost objective of the City. Investments of the City shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.

**C. Liquidity.** The City's investment portfolio will remain sufficiently liquid to enable it to meet all operating requirements that might be reasonably anticipated.

**D. Diversification.** Diversification of the portfolio will include diversification by maturity and market sector and will include the use of a number of broker/dealers for diversification and market coverage.

## INVESTMENT POLICY AND PORTFOLIO GUIDELINES

**E. Yield.** The City's investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the City's risk constraints and the cash flow of the portfolio. "Market rate of return" may be defined as the average yield of the current three-month U.S. Treasury bill or any other index that most closely matches the average maturity of the portfolio.

Effective cash management is recognized as essential to good fiscal management. Cash management is defined as the process of managing monies in order to ensure maximum cash availability. The City shall maintain a comprehensive cash management program that includes collection of accounts receivable, prudent investment of its available cash, disbursement of payments in accordance with invoice terms, and the management of banking services.

### IV. LEGAL LIMITATIONS, RESPONSIBILITIES, AND AUTHORITY

Direct specific investment parameters for the investment of public funds in Oregon are found in the Oregon Revised Statutes (ORS 294.035) with the exception of 294.035 (10) which we do not consider a legal investment.

### V. ETHICS AND CONFLICT OF INTEREST

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees, officers, and their families shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City. Officers and employees shall, at all times, comply with the State of Oregon Government Standards and Practices code of ethics set forth in ORS 244.

### VI. DELEGATION OF INVESTMENT AUTHORITY

The Finance Director, acting on behalf of the City Council, is designated as the Investment Officer of the City and is responsible for investment management decisions and activities. The Council is responsible for considering the quality and capability of staff, investment advisors, and consultants involved in investment management and procedures. All participants in the investment process shall seek to act responsibly as custodians of the public trust.

The Investment Officer shall designate a staff person as a liaison/deputy in the event circumstances require timely action and the Investment Officer is not available.

### VII. INVESTMENT LIMITATIONS

Before any security purchase or sale is initiated, the Investment Officer shall first determine the appropriateness of seeking competitive bids or offers. Such factors to consider include where the securities are held, the size of the transaction, and the term to maturity. Competitive bids and offers shall always be sought for security purchases and sales of bond funds, when tax laws or bond covenants require such action.

Investments listed below shall not exceed the percentages of the total portfolio as indicated.

U.S. Treasury Bills, Notes, Strips, and Bonds <i>ORS 294.035 (1)</i> (and obligations secured by U.S. Treasury)	100%	36 months
U.S. Gov. Agency Discount Notes and Bonds <i>ORS 294.035 (1)*</i>	45-50%	36 months
Bankers Acceptances (Oregon Issued) (1) <i>ORS 294.035 (8) (a)</i>	25%	6 months
Corporate Indebtedness (2) (Aa/P1, A-1/AA, National market) (2)	35%	9 months

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Single issuer <i>ORS 294.035 (9) (b)</i>	5%	9 months
Corporate Indebtedness (2) (P-2/A, A-2/A or better, Oregon Issue) (3)	35%	9 months
Single issuer <i>ORS 294.035 (9) (c)</i>	5%	9 months
Time Certificates of Deposit - Commercial Banks (3) <i>ORS 294.035 (4)</i>	25%	1 year
Repurchase Agreements (4) <i>ORS 294.035 (11)</i>	25%	10 days
Local Government Investment Pool (5) <i>ORS 294.810 (1)</i>	90%	Daily Demand
State of Oregon and its Political Subdivisions (Rated A or better) <i>ORS 294.035 (2)</i>	10%	36 months
State of California, Idaho, and Washington and their Political Subdivisions (Rated AA or better) <i>ORS 294.035 (3)</i>	10%	36 months

\* *No more than 15 percent per entity.*

**(1) Bankers Acceptances – *ORS 294.035 (8) (a)***

All Bankers Acceptances will be purchased from Oregon institutions, must be eligible for discount by the Federal Reserve System, and issued by a qualified institution with a credit rating in the highest category. The Bankers Acceptances with any one financial institution shall not exceed 25 percent of the portfolio or five percent in any single corporate entity.

**(2) Corporate Indebtedness - (National and Oregon Market) – *ORS 294.035 (9) (b & c)***

Corporate indebtedness in both Oregon issuer and the national market may not exceed 35 percent of the portfolio and must not exceed 5 percent of portfolio in any one issuer.

**(3) Time Certificates of Deposit - (Commercial Banks) – *ORS 294.035 (4)***

All Time Certificates of Deposit will be purchased from Oregon institutions. Investment in any one institution shall not exceed 15 percent of portfolio.

**(4) Repurchase Agreements– *ORS 294.035 (11)***

Repurchase Agreements shall be secured by U.S. Government and U.S. Agency Debt Obligations, and will be held in safekeeping at the issuing institution's trust department per *ORS 294.035 (11)*. (No more than 5 percent per entity.)

**(5) Local Government Investment Pool– *ORS 294.810 (2)***

The maximum amount of funds to be invested will be per *ORS 294.810 (1)*, increased in proportion to the increase occurring after September 9, 1995, in the CPI as allowed by Oregon Revised Statutes.

### VIII. MATURITY STRUCTURE

Investment maturities will be staggered so as to coincide with projected cash flow needs (payroll, bond payments, accounts payable, etc.) as well as considering cash collections (taxes, franchise fees). The Investment Officer shall also consider current market conditions when considering the average length of maturity of the portfolio. To measure the average length the weighted average maturity of securities in the portfolio will be used. The weighted average maturity of the portfolio shall not exceed 18 months.

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The following maturity schedule will assist the Investment Officer when considering a securities maturity date.

Under 36 months	100%
Under 18 months	50% minimum
Under 6 months	20% minimum

### IX. PRUDENCE

The standard of prudence to be used in the investment function shall be the “prudent person” standard and shall be applied in the context of managing the overall portfolio. This standard states:

“Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the expected income to be derived.”

**Limitation of personal liability.** The Investment Officer and those delegated investment authority under this policy, when acting in accordance with the written procedures and this policy, and in accord with the Prudent Person Rule, shall be relieved of personal responsibility and liability in the management of the portfolio.

### X. INTERNAL CONTROLS

The City will maintain a structure of internal controls sufficient to assure the safekeeping and security of all investments. All out of compliance situations under this policy will be corrected and brought into compliance as soon as prudently possible.

The Investment Officer shall develop and maintain written administrative procedures for the operation of the investment program that are consistent with this investment policy. Procedures will include reference to safekeeping, wire transfers, banking services contracts, and other investment-related activities.

The Investment Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials and staff.

No officer or designee may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Investment Officer and approved by the Council.

### XI. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS

The Investment Officer shall maintain a list of all authorized brokers/dealers and financial institutions that are approved for investment purposes or investment dealings. Any firm is eligible to make an application to the City of Albany and upon due consideration and approval will be added to the list. Additions and deletions to the list will be made at the discretion of the Finance Director. At the request of the City of Albany, the firms performing investment services shall provide their most recent financial statements or Consolidated Report of Condition for review. Further, there should be in place, proof as to all the necessary credentials and licenses held by employees of the brokers/dealers who will have contact with the City of Albany as specified by, but not necessarily limited to the National Association of Securities Dealers (NASD), Securities and Exchange Commission (SEC), etc. The Investment Officer shall conduct an annual evaluation of each firm’s credit worthiness to determine if it should remain on the list. Securities brokers/dealers not affiliated with a bank shall be required to have an office located in

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Oregon and be classified as reporting dealers affiliated with the Federal Reserve as primary dealers.

All dealers with whom the City transacts business will be provided a copy of this Investment Policy to ensure that they are familiar with the goals and objectives of the investment program.

The City of Albany may enter into contracts with external investment management firms as it applies to the investment of its short-term operating funds and capital funds including bond proceeds and bond reserve funds.

If an Investment Manager is hired, the Manager will serve as a fiduciary for the City of Albany and comply with all requirements of this investment policy. Exceptions to the investment policy must be disclosed and agreed upon in writing by both parties. The Investment Officer remains the person ultimately responsible for the prudent management of the portfolio.

Factors to be considered when hiring an investment management firm may include, but are not limited to:

1. The firm's major business.
2. Ownership and organization of the firm.
3. The background and experience of key members of the firm, including the portfolio manager expected to be responsible for the City of Albany's account.
4. The size of the firm's assets base, and the portion of that base which would be made up by the City of Albany's portfolio if the firm were hired.
5. Management Fees.
6. Cost Analysis of Manager.
7. Performance of the investment management firm, net of all fees, versus the Local Government Investment Pool over a given period of time.

The Investment Manager will provide promptly a copy of every investment transaction ticket and trade confirmation to the Investment Officer of the City. No less often than quarterly, the Investment Officer of the City will conduct a review of investment activity subject to this policy. In support of such review, the Investment Manager will prepare a written report including a list of investment transactions during the period under review; a list of then - current investment holdings; the par or face value, cost, current market value, yield at cost, and maturity or average life of each such holding; and the percentage, measured at cost, which each holding represents in proportion to the total cost of all investments in the fund or account.

### XII. PURCHASE OF DERIVATIVES AND REVERSE REPURCHASE AGREEMENTS

The purchase of derivatives and use of reverse repurchase agreements are specifically prohibited by this policy.

### XIII. SAFEKEEPING AND COLLATERALIZATION

The laws of the State and prudent treasury management require that all purchased securities be bought on a delivery versus payment basis and be held in safekeeping by the City, an independent third-party financial institution, or the City's designated depository.

All safekeeping arrangements shall be designated by the Investment Officer and an agreement of the terms executed in writing. The third-party custodian shall be required to issue original safekeeping receipts to the City listing each specific security, rate, description, maturity, and cusip number. Each safekeeping receipt will clearly state that the security is held for the City or pledged to the City.

All securities pledged to the City for certificates of deposit or demand deposits shall be held by an



## INVESTMENT POLICY AND PORTFOLIO GUIDELINES

independent third-party bank. The safekeeping bank may not be within the same holding company as the bank from which the securities are pledged.

### **Collateralization**

In order to anticipate market changes and provide a level of additional security for all funds, the collateralization level will be as follows:

US Treasury Obligations	102%
US Agency Discount and Coupon Securities	102%
Mortgage Backed and Other	*103%
* Limited to ORS 294.035 (1)	

## XIV. PERFORMANCE EVALUATION AND REPORTING

The performance of the City of Albany will be measured against the performance of the Local Government Investment Pool, using monthly net yield of both portfolios as the yardstick. Preservation of capital and maintenance of sufficient liquidity will be considered prior to attainment of market return performance. Given these considerations, the City's portfolio should provide a net yield that is equal or better to that attained by the Local Government Investment Pool. When comparing the performance of the City's portfolio, all fees and expenses involved with managing the portfolio shall be included in the computation of the portfolio's rate of return. This would include any in-house management of the funds, as well as outside management.

The Investment Officer shall submit monthly and annual reports to the local governing board containing sufficient information to permit an informed outside reader to evaluate the performance of the investment program.

At minimum, this report shall contain:

- Beginning and ending market value of the portfolio by market sector and total portfolio
- Beginning and ending book value of the portfolio by market sector and total portfolio
- Detailed reporting on each asset (book, market, and maturity dates at a minimum)
- Overall current yield to maturity of the portfolio
- Overall weighted average maturity of the portfolio
- Maximum maturities in the portfolio

## XV. INVESTMENT POLICY ADOPTION BY GOVERNING BOARD

This investment policy will be formally adopted by the Albany City Council. The policy shall be reviewed on an annual basis by the Investment Officer and the Albany City Council. Material revisions to this policy will require a review by the Oregon Short Term Fund Board, pursuant to ORS.

The City of Albany shall comply with all required legal provisions and Generally Accepted Accounting Principles (GAAP). The accounting principles are those contained in the pronouncements of authoritative bodies including but not necessarily limited to, the American Institute of Certified Public Accountants (AICPA); the Financial Accounting Standards Board (FASB); and the Government Accounting Standards Board (GASB).



TO: Albany City Council

VIA: Wes Hare, City Manager

FROM: Ed Hodney, Parks & Recreation Director  
Mike Trabue, Fire Marshal  
Melanie Adams, Building Official Manager  
Marilyn Smith, Management Assistant/Public Information Officer

DATE: October 2, 2008, for the October 6, 2008, City Council Work Session

SUBJECT: Community Appearance

RELATES TO STRATEGIC PLAN THEME:

- Great Neighborhoods
- A Safe City
- A Healthy Economy
- Effective Government

Action Requested:

Staff seeks Council direction on interpretation and enforcement of regulations that affect community appearance.

Discussion:

City staff hosted a forum in early September 2007 to find out what people think about Albany's appearance and to ask for suggestions for how to improve it. Comments from that event, attached to this memo, align with what staff hears daily from residents:

- "My neighbors haven't mowed their lawn all summer. The dandelions are going to seed and they'll blow right into my yard."
- "The house across the street has been empty for at least five years and this old pickup is in the driveway with a bunch of other junk. I'm tired of looking at it."
- "What do you do about those portable basketball hoops?"
- "I'm trying to sell my house, but there's a guy down the street whose yard is full of old tires and appliances and piles of lumber."
- "Why is the SKATE sign still there?"
- "The guy across the street has two cars parked on the lawn."
- "There's a path into the trees near my house and the weeds are brown. I shouldn't have to look at that."
- "The grass at (a long-defunct business) is getting really tall, and it looks bad."
- "That old gas station is a real eyesore."

From what we heard at the forum and what we hear from residents and visitors, Albany needs a makeover – on private property, public rights-of-way, and commercial and industrial sites. The City's Code Enforcement Team has tackled some of the most intractable problems since 1999 using the Albany Municipal Code and friendly persuasion. Adding the property maintenance/dangerous buildings section of the code in 2006, the Building Division has been able to clean up problems that the old code couldn't touch.

We find, however, that our codes and our staffing still have limits:

**Abandoned buildings:** The Code Enforcement Team and the Building Division routinely carry a handful of complaints about abandoned buildings. These can be homes that are empty due to foreclosure, unemployment, or economic or health changes in an owner's circumstances. When someone walks away from a home or a commercial structure, grass and weeds grow, litter appears, and neighbors begin to fear that the buildings will become flophouses for transients or targets for crime, reducing the value of their own adjacent holdings. These buildings also create a fire and safety hazard to both our citizens and our firefighters. Our codes limit our role to assuring that the properties are secured from illegal entry. Tracking down responsible parties has taken, in at least one case, more than two years.

**Dangerous or dilapidated?** The property maintenance code was meant to address properties that had become dangerous due to lack of maintenance. These standards have been invaluable in cleaning up properties such as 1415 Salem Avenue and the former Cottage Court Apartments, 301 Main Street. The standards are limited, however, in that enforcement only begins when the property becomes a hazard to the health, safety, and welfare of the occupants or the public. Staff receives continual complaints about properties that are severely dilapidated, filthy, covered in mold, with barely-functioning appliances, but which are not dangerous under the provisions of the Municipal Code. Because the City does not otherwise regulate rental property, staff provides tenants with Oregon Bar Association information on landlord-tenant laws, documents the condition of the property, and closes the case.

**Junk and trash:** These complaints are generally handled by the Police Department Community Resource Unit with a variety of enforcement options. A 30-day letter demanding cleanup usually solves the problem. In other cases, offenders have no idea how or are physically or emotionally unable to clean up their property. Occasionally, we provide dumpsters and instructions for how to fill them. This has been marginally successful. Some cases involve eccentrics or hoarders and last for years without appreciable change. We cite people into court, they pay fines, but they don't clean up their messes.

**Signs:** City staff dedicated greater resources to sign code enforcement several months ago, and the community has since weighed in. Some feel that ubiquitous sandwich board signs and real estate signs are "litter on a stick," creating clutter. Others, mostly business owners who rely heavily on signs as a cost-effective way to attract customers in a highly-competitive market, believe the City should limit enforcement to signs that create a public safety hazard. When an unpermitted sign is reported to Community Development, staff contacts the owner by letter and by phone, giving a set time to remove the sign or get a permit, if possible. If follow-up attempts at voluntary compliance fail, staff removes the sign and sends a postcard to the owner with information about how to retrieve it. The process usually gets results but requires a lot of staff time. To keep up with the current number of signs in the city, Community Development has had to dedicate nearly half of its compliance resources to sign code enforcement. When compliance staff is needed for urgent dangerous-building or other high-priority cases, illegal signs may go unchecked for months, frustrating those who follow the rules.

**Tall grass and weeds:** Albany's noxious vegetation, weed, and grass abatement program became part of the Municipal Code in 1981 to reduce a large number of fires in overgrown

vacant lots and in response to increasing citizen complaints about tall grass and weeds on those lots and along public rights-of-way. It addressed both fire and vision clearance concerns and has been modified six times as needs changed. The program is enforced today on a complaint-only basis, limited to conditions that the Public Works Department determines to be a traffic vision hazard or the Fire Chief determines to be a fire hazard – dry vegetation that is more than 15 inches tall and within 50 feet of a structure. Citizen complaints typically begin in the early spring. “Fire season” usually is not declared until mid-summer, causing many complaints to pileup and go unaddressed. Many complaints reoccur at the same properties year after year. In some cases, the property owners expect the City to mow or clear the property every year and send them a bill. The Fire Department has an efficient process in place for handling these complaints, though the process is time-consuming and expensive; in addition to a clerk’s time in preparing and mailing letters to complaint properties, a Deputy Fire Marshal spends an average of five hours per complaint on follow-up. We have received 75 complaints, 64 of them were found to be a fire hazard during this weed season.

Questions and Solutions:

Our efforts to enforce codes that deal with dangerous properties or visual clutter are currently limited, but successes have created expectations of ongoing improvement. We have observed changes in those expectations over time: new residents expect properties to be kept up according to rules in communities where they used to live while long-time Albany residents become annoyed with neighbors, old and new.

Staff needs to know how Council wants Albany to look and where we should focus our efforts.

If Council decides to step up our code enforcement activities, we should:

- shore up Municipal Code language to reflect community priorities and current practice, provide for consistent penalties for all violations, and add enhanced penalties for repeat offenders;
- consolidate enforcement efforts to save money and provide a central point of contact for citizens; and
- establish a central database for the same reasons and to align with our BEST (performance measurement) project.

Staff is planning to join Keep America Beautiful as its first Oregon affiliate and will continue the semiannual river cleanups in conjunction with SOLV. Additional neighborhood cleanups, like the one held May 10, 2008, in the Hackleman neighborhood, are planned for spring 2009.

Budget Impact:

Dependent on direction.

MMS:de  
Attachment

Community Appearance Forum  
Albany Senior Center  
Monday, September 17, 2007  
5:30-8:30 p.m.

### Meeting Summary

Ed Hodney, Parks & Recreation Director, welcomed about 40 people to the meeting and explained the purpose. City staff are receiving increasing complaints about the community's appearance due to abandoned buildings, tall grass, weeds, and litter. The *Albany Democrat-Herald* has received several letters to the editor in the last year on the same subjects. This meeting was called to find what interested Albany residents and business owners see as the problems we face and, to suggest solutions.

Hodney introduced Kim Johnson, an intern with Parks & Recreation this year, who organized the meeting. Johnson introduced Sue Smith, director of education and training for Keep America Beautiful, who was invited to serve as meeting facilitator and to talk about the Keep America Beautiful program.

Johnson directed the group, seated at round tables of 6-8 individuals each, to identify Albany's community strengths, weaknesses, opportunities, and threats related to community appearance.

The following lists are the result. An asterisk (\*) indicates the number of times this was written on a Post-it note:

#### Strengths

- Historic districts and buildings \*\*\*\*\*
- Parks and green space \*\*\*\*\*
- Landscaping, trees and flowers \*\*\*\*\*
- Beautiful natural assets and the weather to take advantage of them \*
- People who care \*\*\*\*\*
- City Hall building
- Close-knit, small-community feel
- Good street-sweeping practices
- The clock tower at the train station
- Riverfront, river walking paths \*\*\*\*\*
- Traffic flow and street patterns
- Community awareness/support \*\*\*\*\*
- Museums, the carousel
- Cleanliness \*
- The environment
- Newer housing developments \*\*\*
- Library
- Schools

- Senior Center
- Business support for community activities
- Murals
- Downtown \*\*\*\*
- Rivers, woods, farmland
- Concerts in the park
- Farmers' Market
- Fairgrounds
- Existing codes and enforcement staff \*\*\*
- Volunteerism \*\*
- Churches
- Neighborhood Watch groups
- Family involvement \*
- Code enforcement is a high priority in city government \*\*\*
- Active civic organizations \*
- Good water
- Paint Your Heart Out

#### Weaknesses

- Transients \*\*\*\*\*
- Punk kids
- Rundown properties, neglected landscaping \*\*\*\*\*
- Litter \*
- Empty lots
- Lack of self-awareness of Albany's charm \*\*
- Bedroom community \*\*\*
- Businesses don't care about their sidewalks or planter strips \*\*
- Limited volunteer events, community involvement in clean-up \*\*\*
- Lack of youth's ability to enter the work force
- Upkeep of rail lines \*\*
- Loss of traffic in the historic districts/diverted to main thoroughfares
- Not a lot of foot traffic – we're mostly car owners
- No ownership of trash \*
- Not all community portals are attractive \*
- Stigma about the paper mill (smell)
- Not enough public education \*\*\*\*\*
- Respect for property
- Vandalism
- Lawn maintenance
- Abandoned properties and absentee owners \*\*
- Signs that are ugly, outdated or incorrect
- The Waverly Duck is gone \*\*\*
- Property maintenance on rentals \*
- Graffiti

- Lack of parental support, management, education
- Setbacks with fences
- Too much concrete or asphalt in some locations
- Unkempt medians
- Trash blowing around
- Cultural or class differences (parking cars on the lawn)
- No county parks involvement
- Code enforcement – functions at less formal level, disorganized \*
- North Albany traffic congestion

### Opportunities

- Revitalization of downtown and the riverfront \*\*
- Volunteers, spirit of community involvement \*\*
- Plans are already in the works
- Improve attitudes, take pride \*\*
- Get youth involved; create a theme
- Improve city bus services
- Proximity to Interstate 5 \*\*
- Proximity to colleges
- Room for growth \*\*\*\*
- Involve schools
- Skatepark
- Retirees
- Affordable activities for kids
- Need more affordable housing
- Juvenile and adult work crews
- Great outdoor potential
- Policy makers review codes to enhance/give more teeth \*
- Recycling and reuse \*\*\*
- Blend clean-up efforts with sustainable philosophy
- Pacific Boulevard
- Parks \*
- Places to put trash
- Rail line beautification
- Doo-doo bags for dogs
- More education for seniors about crime prevention and safety
- Better housing for the homeless
- Strengthen parks and recreation programs
- A community that cares \*\*
- More meetings like this one \*\*
- Educate kids, river cleanups \*
- Add vegetation on the main gut \*
- Ninth Avenue/Santiam Highway/Pacific Boulevard

- Partner with school district for community service education/graduation requirements \*
- Recycling drop-off for the homeless

### Threats

- Inadequate resources for/lack of code enforcement \*\*\*\*\*
- Absentee or neglectful property owners \*\*\*\*
- All things related to transients – camps, trash, drugs\*\*\*\*\*
- Drugs \*\*\*\*\*
- Unsafe areas
- Community sprawl/North Albany
- Homeless shelters in established neighborhoods \*\*\*
- People who don't care about their neighbors \*\*\*\*\*
- Access to I-5
- Disinterest, weakening social order \*\*\*\*
- Air quality, smell
- Rundown houses and yards\*
- Businesses moving out of town \*
- Difficulty getting the word out about taking care of your yard
- Graffiti, gangs \*
- Cost of water= brown lawns \*\*
- Fears – what do I have to do? Who will make me?
- Seniors on fixed incomes
- Livable wages \*\*
- Open campuses at schools – kids go to drug houses, do graffiti, vandalism
- Economics/cost of living – staying in your own property, maintenance costs
- Continue to work on blighted neighborhoods \*\*
- Nothing for kids to do at night

Sue Smith continued the discussion by noting that the concerns mentioned by those at the meeting are threshold quality-of-life issues – litter prevention, waste reduction and recycling, and beautification. Education is the key to any effort, and no one can do it alone. It takes cooperation of citizens, businesses and government. Most importantly, individuals have to take responsibility; that makes a resident a citizen.

With a Powerpoint presentation, she noted the seven sources of litter. She also outlined the history of the Keep America Beautiful effort and its spread throughout the world. Cost to join as an affiliate community is \$2,900, then \$200 per year afterward. Affiliation puts communities in place for grants and other forms of help with local clean-up and beautification efforts.

Hodney summed up: notes from the meeting would be compiled and distributed to attendees within 10 days, and within 60 days, the City will have a suggested plan of attack. A core group of interested persons will reconvene before the end of the year.