



NOTICE OF PUBLIC MEETING
CITY OF ALBANY
CITY COUNCIL WORK SESSION
Municipal Court Room
333 Broadalbin Street SW
Monday, August 8, 2016
4:00 p.m.

AGENDA

OUR MISSION IS

*"Providing quality public services
for a better Albany community."*

OUR VISION IS

*"A vital and diversified community
that promotes a high quality of life,
great neighborhoods, balanced
economic growth, and quality public
services."*

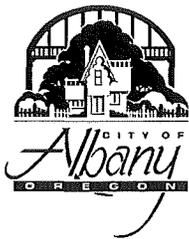
Rules of Conduct for Public Meetings

1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the meeting.
2. Persons shall not testify without first receiving recognition from the presiding officer and stating their full name and residence address.
3. No person shall present irrelevant, immaterial, or repetitious testimony or evidence.
4. There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the meeting.

- 4:00 p.m. CALL TO ORDER
- 4:00 p.m. ROLL CALL
- 4:05 p.m. BUSINESS FROM THE PUBLIC
- 4:10 p.m. RECORDS INFORMATION MANAGEMENT POLICIES REVIEW – Mary Dibble. [Pages 2-35]
Action Requested: Information, discussion, and direction.
- 4:20 p.m. 401 MAIN STREET PROPERTY UPDATE – Chris Bailey. [Pages 36-37]
Action Requested: Information, discussion, and direction.
- 5:15 p.m. FOOD CART REGULATIONS – Bob Richardson. [Page 38]
Action Requested: Information, discussion, and direction.
- 5:45 p.m. BUSINESS FROM THE COUNCIL
- 5:55 p.m. CITY MANAGER REPORT
- 6:00 p.m. ADJOURNMENT

City of Albany Web site: www.cityofalbany.net

The location of the meeting/hearing is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-917-7508, 541-704-2307, or 541-917-7519.



TO: Albany City Council
VIA: Wes Hare, City Manager
Stewart Taylor, Finance Director
FROM: Mary Dibble, City Clerk
DATE: August 4, 2016, for the August 8, 2016, Work Session
SUBJECT: Annual Records Information Management (RIM) Policy Updates

RELATES TO STRATEGIC PLAN THEME: ● Effective Government, Transparency

Action Requested:

Council's annual review of Records Information Management (RIM) Program policies. There are no resolutions or other actions required as a result of these policy updates; this is for Council information only.

Background

Staff reviews the City of Albany's RIM Program policies annually to verify that they continue to comply with the state of Oregon public records laws.

There are four RIM policies and 22 RIM Coordinators in the City. RIM Coordinators serve as educators for their department's staff. Mary Dibble and Allison Liesse provide education to the RIM Coordinators through periodic memos, meetings, and training.

RIM Policies

Here is a summary of the policies:

1. F-05-08, Public Records Requests

In 2015 the City Clerk's Office coordinated 88 requests and Municipal Court responded to 155 requests. Police and Fire have their own forms based on the most common types of requests they receive.

Policy Revisions: The proposed policy changes address unpaid balances and clarify that electronic searches include email.

2. F-04-08, Identification Theft Protection Policy

The Oregon Identity Theft Protection Act (OITPA) has authority over local governments. The four primary ways we facilitate the protection of personal information are: an annual meeting of the Identity Theft Protection Team; annual training for employees; routing important and timely information to Team members; and investigating potential security breaches quickly.

The Identity Theft Protection Team has a representative from each City department. Team members meet annually to discuss identity fraud-related topics and any security breaches that may have occurred. Discussions of protected documents in other departments helps Team members to identify loopholes in their own departments so that they can improve processes for protecting personal identifying information.

The annual training is provided by an OITPA Outreach Coordinator from the Oregon Division of Finance & Corporate Securities and is offered to City employees who handle private information on a regular basis (such as cashiers, counter staff, and utility billing staff). An APD detective is also invited to the annual training in order to describe recent identity theft trends to watch for. APD Detective Brian Corbett provided the training in 2016. Almost 40 employees attended.

Policy Revisions: This policy has several proposed changes. The OITPA definitions have been expanded and since their format is easier to read, it has been incorporated into the City's policy. The mandatory notification to the Attorney General for breaches involving 250 or more has been added, and the outdated Business Guide has been removed as a reference.

3. F-09-08, Records Management Policy

This policy sets the framework for the City's RIM Program. It adopts the Oregon Secretary of State's Retention Schedule and sets guidelines for how categories of records should be retained based on their retention periods.

Policy Revisions: The changes are housekeeping in nature.

4. F-10-09, Digital Image as Original (DIO)

The DIO policy was first adopted in 2009 and was one of the first in Oregon. Since then several other cities have adopted similar policies. Albany maintains several DIO record series, but we have slowed down on creating more, simply because many records come in electronic format already. The advent of electronic records in the last decade has dramatically changed the role of RIM for cities; fortunately, Oregon has a strong group of City Clerks/Recorders who are involved in the legislature's conversations about records retention and exemptions, with the goal of making sure any legislative changes are actually manageable in a practical sense for big and small cities alike.

Policy Revisions: The changes are housekeeping in nature.

Closing

The City's RIM policies demonstrate our commitment to customer service and compliance with the law. RIM Coordinators take on additional duties as trainers and records managers. Their willingness to do so is a valuable component of managing and protecting the City's records.

Budget Impact:

None.

MD

Attachments

c: Stewart Taylor, Finance Director



City of Albany
Finance/City Clerk's Office
Policy #: F-05-08-0076
Title: Public Records Requests

Purpose To outline procedures for public records requests in order to comply with ORS guidelines.

Scope This policy applies to all City employees.

Policy The City strives to provide timely and open access to public records and information not specifically exempted from access as set forth in ORS 192.501 and 192.502.

Each department shall be responsible for implementing this policy with oversight by the department's Records Information Management (RIM) Coordinator.

Policy F-05-08 sets public records fees and outlines the internal procedures to meet public records requests.

This policy does not apply to City employees seeking records from other City employees for use in performance of their duties.

The Police Department and the Fire Department use their own Public Records Request Forms.

- Guidelines**
1. **Documentation.** All public records requests must be documented. The three acceptable forms of documentation are:
 - a. Completion of the Public Records Request Form. This is the preferred method for efficiency in tracking the City's compliance with public records laws and compiling statistical data.
 - b. A request made via e-mail that contains the following: date of request, requestor's name and contact information, and information regarding the document(s) requested.
 - c. A letter that contains the following: date of request, requestor's name and contact information, and information regarding the document(s) requested.

All requests must be specific enough for the City to determine the nature and content of the records, and the department where the



City of Albany
Finance/City Clerk's Office
Policy #: F-05-08-0076
Title: Public Records Requests

records may be located.

2. **Responsible Department.** RIM Coordinators should coordinate public records requests. If the records requested are in a different department, the RIM Coordinator is responsible to forward the request to the appropriate RIM Coordinator promptly. If the request was made using the Public Records Request Form, write the date the request was received on the Form in the "For Staff Use" section and then forward.
3. **Mandatory Notification.** ORS 192.440 requires that for written public records requests, the public body must respond in writing as soon as practicable and without unreasonable delay. Mandatory notification is a formal acknowledgement of the receipt of the request and includes a specific statement (ORS 192.440)(2)(a-f). The mandatory statements are listed in the "For Staff Use" section on the Public Records Request Form.
4. **Notification Process.** Timeliness is key to public records requests. If the request is filled promptly, then statement ORS 192.440 (2) (b) applies (the request is complete and the records are enclosed/attached.) No further notification is necessary if (b) applies.

If the request cannot be filled promptly, provide the notification promptly using the appropriate statement from ORS 192.440 (2) (a)(c-f). The City provides three mechanisms for written mandatory notification:

- a. Form: Provide a copy of the form via mail, e-mail, fax, or in person with the appropriate box checked in the "For Staff Use" section to the requestor.
 - b. Letter: Use ~~a the~~ letter with the appropriate statement included when a formal letter is more appropriate than a copy of the form. Contact the City Clerk for an example of a formal letter
 - c. E-mail: Reply to the sender using the appropriate statement.
5. **Exempt Records.** Certain public records are exempt from disclosure per ORS 192.501 and 192.502. **The RIM Coordinator completing the request is responsible for verifying that the records being released are not exempt.** If there is question about whether or not a record can be disclosed, please contact the City Clerk's Office or the City Attorney.
 6. **Fees.** ORS 192.440 authorizes the public body to charge fees associated with requests, including requesting a portion of the fees in advance as a condition of receiving the public records. Additionally, public bodies are required to publish the fees. City of Albany Records



City of Albany
 Finance/City Clerk's Office
 Policy #: F-05-08-0076
 Title: Public Records Requests

request fees are listed on the ~~back of the Public Records Request Form~~ the forms.

- a. Requests with fees that are estimated to exceed \$25 require written notification of the estimated amount followed by confirmation from the requestor to proceed with the public records request.
- b. Prepayment will ~~may~~ be required for requests that are estimated to exceed \$25.
- ~~b.c.~~ The balance for previous public records requests must be paid in full before new requests for the same requestor will be processed.

Directors may designate the revenue account for public records request fees.

7. **Personal External Sources Used for Copies of Public Records.** Personal CDs, DVDs, or USB flash drives presented by the public for the copying of City records are prohibited. The City will provide a CD, DVD, or a USB flash drive for the fee designated in the Fee Schedule.

- a. Any other type of personal equipment or external source presented by the requestor in order to copy a public record must be approved by the IT Director or his/her designee.
- b. In all scenarios where public records are prepared for copying, Research and Inspection fees apply.

8. **Billing.** The department responding to the request is responsible for collecting and processing the payment through their cashiering system. ~~For payments that exceed \$1.00, departments may choose to have the Finance Department bill the requestor by completing a Request for A/R Billing Form and verifying that previous balances have been paid before new requests from the same requestor are processed.~~

9. **Archiving.** Once the request is satisfied, RIM Coordinators should send documentation of the original request and the mandatory notification to the City Clerk's Office for archival (except for Police, Municipal Court, and Fire, who keep their requests at their location).

9. ~~Three dates should be written on the documentation:~~

- a. ~~The date the request was received~~

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City of Albany
Finance/City Clerk's Office
Policy #: F-05-08-0076
Title: Public Records Requests

- b. ~~The date of the notification~~
- e. ~~The date the request was completed~~

10. **Identity Theft Protection.** Records released as part of a public records request must be in compliance with F-04-08, Identity Theft Protection.

Supersedes: F-05-08-0065	Created/Amended by/date: June 9, 2010/November 28, 2011/March 26, 2012/March 13, 2013/February 1, 2015 August 3, 2016	Effective Date: February 11, 2015 August 10, 2016
Finance Director:	City Manager:	



City of Albany
Finance/City Clerk's Office
Policy #: F-05-08-007
Title: Public Records Requests

Purpose To outline procedures for public records requests in order to comply with ORS guidelines.

Scope This policy applies to all City employees.

Policy The City strives to provide timely and open access to public records and information not specifically exempted from access as set forth in ORS 192.501 and 192.502. Each department shall be responsible for implementing this policy with oversight by the department's Records Information Management (RIM) Coordinator.

Policy F-05-08 sets public records fees and outlines the internal procedures to meet public records requests.

This policy does not apply to City employees seeking records from other City employees for use in performance of their duties.

The Police Department and the Fire Department use their own Public Records Request Forms.

- Guidelines**
1. **Documentation.** All public records requests must be documented. The three acceptable forms of documentation are:
 - a. Completion of the Public Records Request Form. This is the preferred method for efficiency in tracking the City's compliance with public records laws and compiling statistical data.
 - b. A request made via e-mail that contains the following: date of request, requestor's name and contact information, and information regarding the document(s) requested.
 - c. A letter that contains the following: date of request, requestor's name and contact information, and information regarding the document(s) requested.

All requests must be specific enough for the City to determine the nature and content of the records, and the department where the records may be located.

2. **Responsible Department.** RIM Coordinators should coordinate public



records requests. If the records requested are in a different department, the RIM Coordinator is responsible to forward the request to the appropriate RIM Coordinator promptly. If the request was made using the Public Records Request Form, write the date the request was received on the Form in the "For Staff Use" section and then forward.

3. **Mandatory Notification.** ORS 192.440 requires that for written public records requests, the public body must respond in writing as soon as practicable and without unreasonable delay. Mandatory notification is a formal acknowledgement of the receipt of the request and includes a specific statement (ORS 192.440)(2)(a-f). The mandatory statements are listed in the "For Staff Use" section on the Public Records Request Form.
4. **Notification Process.** Timeliness is key to public records requests. If the request is filled promptly, then statement ORS 192.440 (2) (b) applies (the request is complete and the records are enclosed/attached.) No further notification is necessary if (b) applies.

If the request cannot be filled promptly, provide the notification promptly using the appropriate statement from ORS 192.440 (2) (a)(c-f). The City provides three mechanisms for written mandatory notification:

- a. Form: Provide a copy of the form via mail, e-mail, fax, or in person with the appropriate box checked in the "For Staff Use" section to the requestor.
 - b. Letter: Use a letter with the appropriate statement included when a formal letter is more appropriate than a copy of the form. Contact the City Clerk for an example of a formal letter
 - c. E-mail: Reply to the sender using the appropriate statement.
5. **Exempt Records.** Certain public records are exempt from disclosure per ORS 192.501 and 192.502. **The RIM Coordinator completing the request is responsible for verifying that the records being released are not exempt.** If there is question about whether or not a record can be disclosed, please contact the City Clerk's Office or the City Attorney.
 6. **Fees.** ORS 192.440 authorizes the public body to charge fees associated with requests, including requesting a portion of the fees in advance as a condition of receiving the public records. Additionally, public bodies are required to publish the fees. Records request fees are listed on the forms.
 - a. Requests with fees that are estimated to exceed \$25 require



City of Albany
 Finance/City Clerk's Office
 Policy #: F-05-08-007
 Title: Public Records Requests

written notification of the estimated amount followed by confirmation from the requestor to proceed with the public records request.

- b. Prepayment may be required for requests that are estimated to exceed \$25.
- c. The balance for previous public records requests must be paid in full before new requests for the same requestor will be processed.

Directors may designate the revenue account for public records request fees.

- 7. **Personal External Sources Used for Copies of Public Records.** Personal CDs, DVDs, or USB flash drives presented by the public for the copying of City records are prohibited. The City will provide a CD, DVD, or a USB flash drive for the fee designated in the Fee Schedule.
 - a. Any other type of personal equipment or external source presented by the requestor in order to copy a public record must be approved by the IT Director or his/her designee.
 - b. In all scenarios where public records are prepared for copying, Research and Inspection fees apply.
- 8. **Billing.** The department responding to the request is responsible for collecting and processing the payment through their cashiering system and verifying that previous balances have been paid before new requests from the same requestor are processed.
- 9. **Archiving.** Once the request is satisfied, RIM Coordinators should send documentation of the original request and the mandatory notification to the City Clerk's Office for archival (except for Police, Municipal Court, and Fire, who keep their requests at their location).
- 10. **Identity Theft Protection.** Records released as part of a public records request must be in compliance with F-04-08, Identity Theft Protection.

Supercedes: F-05-08-006	Created/Amended by/date: August 8, 2016	Effective Date: August 08, 2016
Finance Director:		City Manager:



PUBLIC RECORDS REQUEST FORM

City of Albany
City Clerk's Office

For Police Dept. public records contact: 541.917.7680. For Fire Dept. public records contact 541.917.7700.

Notice: Public Records laws are addressed in ORS Sections 192.420, 192.440, and 192.501. City of Albany Policy F-05-08, Public Record Requests, outlines the City's procedures. Fees are listed on the back of this form. Prepayment and confirmation to proceed will be required for requests that exceed \$25.

Your signature below acknowledges that you have read, understand, and accept financial responsibility for the fees associated with this public records request.

Signature: _____ Date: _____

Requestor Information:

Name Mailing Address

City State Zip Code

Daytime Phone Number Fax Number E-mail address

Document Information:

Describe the information/records you are requesting. Be specific enough for the City to determine the nature and content of the records, and the department where the records you are requesting may be located. Provide specific dates whenever possible. Use additional sheets of paper/pages if necessary.

Return Form To: Mail or ~~drop-off~~ deliver to: City Hall, Finance Dept, 333 Broadalbin Street SW, Albany, OR 97321

Fax: 541.917.7511 E-mail: cityclerk@cityofalbany.net

For Staff Use

Send copy of this form to City Clerk when request is complete.

Date received: _____	Date Notification Provided: _____	Date completed: _____
RIM Coordinator: _____	Notification Method: <input type="checkbox"/> Copy of Form	Completed by Total Fees: _____
Dept Calendar Year request #: _____	<input type="checkbox"/> E-mail <input type="checkbox"/> Mail <input type="checkbox"/> Fax	Total Fees Date paid in full: _____

Staff Notes:

Mandatory Notification Statement per ORS 192.440 (2)(a-f)

Dear Requestor, thank you for your public records request. Your request:

- (a) was unable to be completed because the City does not possess or is not the custodian of the records.
- (b) is attached/enclosed.
- (c) will require more time to process (estimated date) _____ and will require a deposit of \$ _____.
- (d) will require more time to process. An estimate will be provided within a reasonable time.
- (e) has been forwarded to the _____ Dept to determine if the record exists; you will be contacted shortly.
- (f) was unable to be completed because the records are exempt under state or federal law: _____
- Other: requires additional or more specific information: _____

PUBLIC RECORDS FEE SCHEDULE

City of Albany
City Clerk's Office

1. Copies of Public Records: For 8.5 x 11 black and white, copies will be .25 cents per page; and .50 cents per page for duplexed copies. For 11 x 17 black and white, copies will be .50 cents per page; and \$1.00 per page for duplexed. For 8.5 x 11 color, copies will be .50 cents per page; and \$1.00 per page for duplexed. For 11x17 color, copies will be \$1.00 per page; and \$2.00 per page for duplexed. Photo quality paper will be an additional charge. For the Fire Department, a \$7.00 research fee includes up to ten single-sided copies. To certify as a true copy the fee is \$5.00-in addition to the copy charges.
2. Personal External Sources Used for Copies of Public Records. CDs, DVDs, or USB flash drives presented by the public are prohibited. The City will provide the following items for a fee:
 - a. CD, DVD, or USB flash drive: \$5.00
 - b. Audio tape: \$15.00 for the first tape and \$5.00 for each tape thereafter.
 - c. Video tape: actual cost to reproduce the video tape.
 - d. Any other type of personal equipment or external source presented by the requestor in order to copy a public record must be approved by the IT Director or his/her designee.

In all scenarios where public records are prepared for copying, Research and Inspection fees apply.

3. Copies of Maps and other Nonstandard Documents: Charges for maps, large documents, or other nonstandard size documents shall be charged in accordance with the actual costs incurred by the City to reproduce them.
4. Inspection Fees and Research Fees: Inspection means official records that are inspected by the public while in the presence of a staff member. Research includes locating, collating, and copying public records. Staff may waive inspection or research fees for not more than **five** Level 1 public records requests from the same requestor in a calendar year.

Level 1: Up to 30 minutes	Copy cost plus \$10 (flat fee)
Level 2: 30 minutes to 2 hours	Copy cost plus \$25 per hour (prorated)
Level 3: Over 2 hours	Employee costs (wages plus benefits)(prorated)
5. Written Notification: Requests with fees that are estimated to exceed \$25 require written notification of the estimated amount followed by confirmation from the requestor to proceed with the public records request. Prepayment in full is required for requests that are estimated to exceed \$25. If the actual time and cost are less than estimated, the excess money shall be refunded to the requestor. If the actual cost and time are in excess of the estimated cost, the difference shall be paid at the time the records are produced.
6. Archived Scanned Copies: Scanned copies archived in the City of Albany Laserfiche system or other electronic records which are readily available to the RIM Coordinator may be sent to an e-mail address provided by the requestor for the cost of Inspection or Research fees.
7. Electronic Searches: For non-exempt public record requests (including e-mail searches) or other electronic records stored on any City network and not readily available to the RIM Coordinator, the fee is \$100 per hour for inspection, research, and copying time with a minimum one-hour charge. The information will be provided on a CD, DVD, or USB flash drive for the designated fee.
8. Additional Charges: If a request is of such magnitude and nature that compliance would disrupt the City's normal operation, the City may impose such additional charges as necessary to reimburse the City for its actual costs of producing the records, including but not limited to excessive postage fees.
9. Reduced Fee or Free Copies: Whenever the City determines that providing copies of public records at a reduced fee or without costs would be in the public interest, the City may so authorize per ORS 192.440(5).

Copies per page		Electronic Formats	
.25 (.50 for duplexed)	8.5 x 11 black & white	5.00	Each DVD, CD, or USB flash drive
.50 (1.00 for duplexed)	11 x 17 black & white	15.00	First audio tape
.50 (1.00 for duplexed)	8.5 x 11 color	5.00	Each add'l audio tape
1.00 (2.00 for duplexed)	11 x 17 color	Actual cost to reproduce	Video tape
Additional charge	Photo quality paper	Additional charge	See 8.
Inspection Fees and Research Fees		Maps & Nonstandard	To Certify as a True Copy

Up to 30 minutes	Copy costs plus \$10	Actual cost for reproduction	\$5.00 in addition to copy charges
30 minutes to 2 hours	Copy cost plus \$25 an hr	Electronic Searches (includes e-mail searches)	
Over 2 hours	Employee cost (wages plus benefits)	\$100 per hour	One hour minimum
Police Department		Fire Department	
Refer to Police Department Records Request Form		\$7.00 research fee includes up to 10 single-sided copies Refer to Fire Department Records Request Form	



PUBLIC RECORDS REQUEST FORM

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City Clerk's Office

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Your signature below acknowledges that you have read, understand, and accept financial responsibility for the fees associated with this public records request.

Signature: _____ Date: _____

Requestor Information:

_____		_____	
Name		Mailing Address	
_____		_____	
City	State	Zip Code	
_____		_____	
Daytime Phone Number	Fax Number	E-mail address	

Document Information:

Describe the information/records you are requesting. Be specific enough for the City to determine the nature and content of the records, and the department where the records you are requesting may be located. Provide specific dates whenever possible. Use additional pages if necessary.

Return Form To: Mail or deliver to: City Hall, Finance Dept, 333 Broadalbin Street SW, Albany, OR 97321
Fax: 541.917.7511 E-mail: cityclerk@cityofalbany.net

For Staff Use

Send copy of this form to City Clerk when request is complete.

Date received: _____	Date Notification Provided: _____	Date completed: _____
RIM Coordinator: _____	Notification Method: <input type="checkbox"/> Copy of Form	Total Fees: _____
Calendar Year request # _____	<input type="checkbox"/> E-mail <input type="checkbox"/> Mail <input type="checkbox"/> Fax	Date paid in full: _____

Staff Notes:

Mandatory Notification Statement per ORS 192.440 (2)(a-f)

Dear Requestor, thank you for your public records request. Your request:

- (a) was unable to be completed because the City does not possess or is not the custodian of the records.
- (b) is attached/enclosed.
- (c) will require more time to process (estimated date) _____ and will require a deposit of \$ _____.
- (d) will require more time to process. An estimate will be provided within a reasonable time.
- (e) has been forwarded to the _____ Dept to determine if the record exists; you will be contacted shortly.
- (f) was unable to be completed because the records are exempt under state or federal law: _____
- Other: requires additional or more specific information: _____

PUBLIC RECORDS FEE SCHEDULE

City of Albany
City Clerk's Office

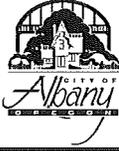
1. Copies of Public Records: For 8.5 x 11 black and white, copies will be .25 cents per page; and .50 cents per page for duplexed copies. For 11 x 17 black and white, copies will be .50 cents per page; and \$1.00 per page for duplexed. For 8.5 x 11 color, copies will be .50 cents per page; and \$1.00 per page for duplexed. For 11x17 color, copies will be \$1.00 per page; and \$2.00 per page for duplexed. Photo quality paper will be an additional charge. For the Fire Department, a \$7.00 research fee includes up to ten single-sided copies. To certify as a true copy the fee is \$5.00 in addition to the copy charges.
2. Personal External Sources Used for Copies of Public Records. CDs, DVDs, or USB flash drives presented by the public are prohibited. The City will provide the following items for a fee:
 - a. CD, DVD, or USB flash drive: \$5.00
 - b. Audio tape: \$15.00 for the first tape and \$5.00 for each tape thereafter.
 - c. Video tape: actual cost to reproduce the video tape.
 - d. Any other type of personal equipment or external source presented by the requestor in order to copy a public record must be approved by the IT Director or his/her designee.

In all scenarios where public records are prepared for copying, Research and Inspection fees apply.

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7. Electronic Searches: For non-exempt public record requests (including e-mail searches) or other electronic records stored on any City network and not readily available to the RIM Coordinator, the fee is \$100 per hour for inspection, research, and copying time with a minimum one-hour charge. The information will be provided on a CD, DVD, or USB flash drive for the designated fee.
8. Additional Charges: If a request is of such magnitude and nature that compliance would disrupt the City's normal operation, the City may impose such additional charges as necessary to reimburse the City for its actual costs of producing the records, including but not limited to excessive postage fees.
9. Reduced Fee or Free Copies: Whenever the City determines that providing copies of public records at a reduced fee or without costs would be in the public interest, the City may so authorize per ORS 192.440(5).

Copies per page		Electronic Formats	
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.50 (1.00 for duplexed)	11 x 17 black & white	15.00	First audio tape
.50 (1.00 for duplexed)	8.5 x 11 color	5.00	Each add'l audio tape
1.00 (2.00 for duplexed)	11 x 17 color	Actual cost to reproduce	Video tape
Additional charge	Photo quality paper	Additional charge	See 8.
Inspection Fees and Research Fees		Maps & Nonstandard	To Certify as a True Copy
Up to 30 minutes	Copy costs plus \$10	Actual cost for reproduction	\$5.00 in addition to copy charges
30 minutes to 2 hours	Copy cost plus \$25 an hr	Electronic Searches (includes e-mail searches)	
Over 2 hours	Employee cost (wages plus benefits)	\$100 per hour	One hour minimum
Police Department		Fire Department	
Refer to Police Department Records Request Form		Refer to Fire Department Records Request Form	



City of Albany

Finance Policy

Policy #: F-04-08-0065

Title: Identity Theft Protection Policy

Purpose

To outline procedures for compliance with the Oregon Identity Theft Protection Act (OITPA), Oregon Revised Statutes 646A.600 through 646A.628.

Scope

This policy applies to all City employees.

Policy

It is the policy of the City of Albany to protect identifying information and comply with the OITPA.

~~This policy is used in conjunction with: OITPA – A Business Guide, published by the Oregon Department of Consumer and Business Services.~~

Guidelines

1. **Safeguarding Personal Information:** The City of Albany shall maintain reasonable safeguards, including proper document disposal of expired records and a secure chain of custody, to protect Personal Information.

~~The OITPA definition of Personal Information is:~~

- ~~a. A person's name in combination with a Social Security Number (SSN); Oregon driver's license number or Oregon identification card number; or passport number; or financial, credit, or debit card numbers along with security or access codes or passwords that would allow access to a financial account.~~

Personal information, under Oregon law, is defined as a consumer's first name or first initial and last name in combination with any one or more of the following:

- Social Security number
- Driver's license number or state identification card issued by the Department of Transportation
- A passport number or other identification number issued by the United States
- A financial account, credit card, or debit card number **along with** any required security or access code or password that allows someone to use that account
- Data of the consumer's physical characteristics, such as an image of a fingerprint, retina, or iris, used to authenticate their identification for a



City of Albany

Finance Policy

Policy #: F-04-08-0065

Title: Identity Theft Protection Policy

financial transaction

- Health insurance policy number or subscriber identification number in combination with any other unique identifier that a health insurer uses to identify the consumer
- Any information about a consumer's medical history or mental or physical condition, or the consumer's medical diagnosis or treatment by a medical professional.

2. **Social Security Number Protection:** The following activities are prohibited:

- a. Printing SSNs on any mailed materials not requested by the employee or customer unless redacted; and
- b. Printing SSNs on cards used to access products, services, or City buildings (such as employee identification cards); and
- c. Publicly posting or displaying SSNs.

Exceptions to the printing of SSNs are:

- a. Requirements by the state of Oregon and federal laws including documents such as W2s, 1099s, or similar documents; and
- b. Records used for internal verification or administrative processes; and
- c. Records used for enforcing a judgment or court order; and
- d. Other exceptions identified in 646A.620.

3. **Notification of Security Breach:** If an employee suspects there may have been a security breach, they must contact a member of the Identity Theft Protection Team so that immediate action to contain the breach can be taken if necessary. The Team member should contact the Finance Director and/or the City Clerk to help assess and document the possible breach. The Finance Director and/or City Clerk will consult with the IT Director and the City Attorney as needed.

4. **Process For Notification:** In the event that Personal Information in an electronic format has been subject to a security breach, the City will provide notification of the breach to the customer(s) or the employee(s) as soon as possible:

- a. In writing; or
- b. Electronically if that is the primary manner of communication with the customer or employee; or
- c. By telephone, if direct contact is made with the person whose information may have been compromised; or
- d. With substitute notice as defined in 646A.604.



City of Albany
 Finance Policy
 Policy #: F-04-08-0065
 Title: Identity Theft Protection Policy

e. If the breach of security affected more than 250 customers, the agency must report the incident to the Attorney General by sending an e-mail to:

<https://justice.oregon.gov/consumer/DataBreach/Home/Submit>

ef. If the breach of security affected more than 1,000 consumers and requires disclosure, all consumer reporting agencies that compile and maintain reports on consumers on a nationwide basis shall be notified as defined in 646A.604.

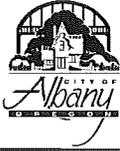
Exceptions to notification of a security breach are:

- a. If notification would impede a criminal investigation; or
- b. If there is no reasonable likelihood of harm as defined by 646A.6042.

Responsibility

1. **Information Technology Department (IT):** IT is responsible to establish technical controls to safeguard personal information stored in electronic format and to document safeguard practices in writing.
2. **Human Resources Department (HR):** HR is responsible to include this Identity Theft Protection Policy as part of new employee orientation by documenting its review.
3. **Department Directors:** Department Directors are responsible to be familiar with the OITPA and to document review of this policy in temporary employee orientation. Each department will have a representative on the Identity Theft Protection Team.
4. **Employees:** Employees are responsible to comply with this policy and any internal processes as directed by their department. Noncompliance may result in formal disciplinary action up to and including termination of employment. Employees should contact their supervisor if they have questions about compliance with this policy.

Supersedes: F-04-08-004005	Created/Amended: Mar 4, 2008; Oct 22, 2008; November 28, 2011; March 11, 2013; February 24, 2014; <u>August 10, 2016</u>	Effective Date: February 26, 2014 <u>August 10, 2016</u>
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City of Albany
Finance Policy
Policy #: F-04-08-006
Title: Identity Theft Protection Policy

Purpose To outline procedures for compliance with the Oregon Identity Theft Protection Act (OITPA), Oregon Revised Statutes 646A.600 through 646A.628.

Scope This policy applies to all City employees.

Policy It is the policy of the City of Albany to protect identifying information and comply with the OITPA.

Guidelines 1. **Safeguarding Personal Information:** The City of Albany shall maintain reasonable safeguards, including proper document disposal of expired records and a secure chain of custody, to protect Personal Information.

Personal information, under Oregon law, is defined as a consumer's first name or first initial and last name in combination with any one or more of the following:

- Social Security number
- Driver's license number or state identification card issued by the Department of Transportation
- A passport number or other identification number issued by the United States
- A financial account, credit card, or debit card number **along with** any required security or access code or password that allows someone to use that account
- Data of the consumer's physical characteristics, such as an image of a fingerprint, retina, or iris, used to authenticate their identification for a financial transaction
- Health insurance policy number or subscriber identification number in combination with any other unique identifier that a health insurer uses to identify the consumer
- Any information about a consumer's medical history or mental or physical condition, or the consumer's medical diagnosis or treatment by a medical professional.



2. **Social Security Number Protection:** The following activities are prohibited:

- a. Printing SSNs on any mailed materials not requested by the employee or customer unless redacted; and
- b. Printing SSNs on cards used to access products, services, or City buildings (such as employee identification cards); and
- c. Publicly posting or displaying SSNs.

Exceptions to the printing of SSNs are:

- a. Requirements by the state of Oregon and federal laws including documents such as W2s, 1099s, or similar documents; and
- b. Records used for internal verification or administrative processes; and
- c. Records used for enforcing a judgment or court order; and
- d. Other exceptions identified in 646A.620.

3. **Notification of Security Breach:** If an employee suspects there may have been a security breach, they must contact a member of the Identity Theft Protection Team so that immediate action to contain the breach can be taken if necessary. The Team member should contact the Finance Director and/or the City Clerk to help assess and document the possible breach. The Finance Director and/or City Clerk will consult with the IT Director and the City Attorney as needed.

4. **Process For Notification:** In the event that Personal Information in an electronic format has been subject to a security breach, the City will provide notification of the breach to the customer(s) or the employee(s) as soon as possible:

- a. In writing; or
- b. Electronically if that is the primary manner of communication with the customer or employee; or
- c. By telephone, if direct contact is made with the person whose information may have been compromised; or
- d. With substitute notice as defined in 646A.604.
- e. If the breach of security affected more than 250 customers, the agency must report the incident to the Attorney General by sending an e-mail to:
<https://justice.oregon.gov/consumer/DataBreach/Home/Submit>.
- f. If the breach of security affected more than 1,000 consumers and requires disclosure, all consumer reporting agencies that compile and maintain reports on consumers on a nationwide basis shall be notified as defined in 646A.604.

	City of Albany Finance Policy Policy #: F-04-08-006 Title: Identity Theft Protection Policy	
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Exceptions to notification of a security breach are:

- a. If notification would impede a criminal investigation; or
- b. If there is no reasonable likelihood of harm as defined by 646A.604.

Responsibility

1. **Information Technology Department (IT):** IT is responsible to establish technical controls to safeguard personal information stored in electronic format and to document safeguard practices in writing.
2. **Human Resources Department (HR):** HR is responsible to include this Identity Theft Protection Policy as part of new employee orientation by documenting its review.
3. **Department Directors:** Department Directors are responsible to be familiar with the OITPA and to document review of this policy in temporary employee orientation. Each department will have a representative on the Identity Theft Protection Team.
4. **Employees:** Employees are responsible to comply with this policy and any internal processes as directed by their department. Noncompliance may result in formal disciplinary action up to and including termination of employment. Employees should contact their supervisor if they have questions about compliance with this policy.

Supersedes: F-04-08-005	Created/Amended: Mar 4, 2008; Oct 22, 2008; November 28, 2011; March 11, 2013; February 24, 2014; August 08, 2016	Effective Date: August 08, 2016
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Purpose To outline procedures for records management in compliance with state guidelines and the City of Albany Records Information Management (RIM) Program.

Scope This policy applies to all City employees.

The RIM Program is comprised of the City of Albany's records management related Policies, Procedures, Resolutions, and Forms. All documents are located on the Intranet.

The City Clerk or his/her designee is the official Records Custodian for the City. The City Clerk's Office administers the RIM Program.

"RIM Coordinators" are responsible for records management compliance and education in their respective Departments.

Directors are responsible to appoint a RIM Coordinator for their Department.

Policy The City will comply with ORS (192) and OAR (166-030 – Division 30) guidelines as they pertain to the management of public records. The City Clerk's Office will rely on advice and direction from the City Attorney when these guidelines require interpretation. This policy outlines the process to be used to ensure that applicable City records are retained, preserved, and destroyed in accordance with the Oregon State Archives Retention Schedule, and works together with the ORS and OAR guidelines and Albany's RIM Program.

Non-compliance with this policy creates risk-management and liability issues for the City. Compliance with this policy is mandatory.

This policy applies to the "official copy" of a public record.

Definitions **Access and Disclosure.** Public records may be subject to disclosure under Oregon Public Records Law unless the record or material is exempt. Refer to ORS 192.410 for the definition of a public record as it pertains to inspection. Also see ORS 192.420; 192.440; and ORS 192.501.

Convenience Copy. Also known as a "non-record copy," it is a copy or duplicate of an official copy. Retention and disposition do not apply, but access and disclosure may apply.

Custody. Immediate charge and control exercised by an authority.



Electronic Records – Structured and Unstructured. A structured electronic record is a database; examples are Eden and Springbrook. An unstructured electronic record is not a data-driven; examples are Word, PowerPoint, Excel, PDF, and Publisher.

Official Copy. The designated public record, when multiple copies exist. Records that are not the “official copy” are “convenience copies.”

Public Record. ORS 192.005 (5) refers to the definition of a public record as it relates to archiving. “Public record” means any information that:

- (a) Is prepared, owned, used, or retained by a state agency or political subdivision;
- (b) Relates to an activity, transaction or function of a state agency or political subdivision; and
- (c) Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the state agency or political subdivision.

Record Series. Record Series are defined in the Oregon State Archives Retention Schedule.

Transitory. Temporary or transitory records are an exchange of communication that is fulfilled almost immediately upon request. Keep record until the task is complete or its value has passed. Documentation of disposal of transitory records is not required.

Procedures

1. **Retention Schedule.** The City of Albany has adopted the Oregon State Archives Retention Schedule. RIM Coordinators are responsible for applying the Retention Schedule to “official copy” records in their Department. Unless otherwise stated in the Retention Schedule, a retention period shall be calculated from the creation date.
2. **Archiving Official Copies of Records.** The location of archived records that are official copies is determined according to their minimum retention period, which is listed with the record series in the Retention Schedule.
 - a. **Custody of short-term records** (records with retention of two years or less). Retained and managed by employee, except for:
 - i. records the RIM Coordinator takes custody of based on their content or administrative relevance; and
 - ii. the following Record Series, which should be forwarded to the City Clerk's Office:
 - News Releases
 - Competitive Bid Records - rejected bids and bid exemptions
 - b. **Custody of long-term records** (records with retention of more than two



City of Albany

Finance/City Clerk's Office

Policy #: F-09-08-0067

Title: Records Management Policy

years, but less than 100 years). Retained and managed by the RIM Coordinator or City Clerk's Office. The RIM Coordinator should contact the City Clerk's Office for instruction about whether a particular Record Series should be retained and managed by the City Clerk or by the RIM Coordinator.

- c. **Custody of 100 years or more to permanent records** (permanent records are identified as such in the Retention Schedule). These records have a permanent or enduring historical, administrative, legal, or fiscal value and must be retained in paper format. RIM Coordinators will forward permanent records to the City Clerk's Office, except for certain police, ambulance, or legal records which are retained in the Police Department, Fire Department, or City Attorney's Office.
3. **Electronic Records Retention.** Records may be electronically retained in approved formats only. The Information Technology (IT) RIM Coordinator or IT Director must confirm that a migration plan will be included in future software related projects in order to ensure that information continues to be accessible during the required retention period, or legacy software will be maintained and supported for cases where migration is not possible.
4. **Annual Records Inventory Review.** RIM Coordinators will review their Department's records inventory on an annual basis. Review will include: verification that the media being used will outlive the record series' minimum retention, or that a migration plan is in place; evaluation of Justification Forms on file; and an evaluation of records eligible for disposal. The Annual Review Form will be due March 1 of each year.
5. **Exceptions to the Schedule.** Retaining or destroying records outside of the schedule exposes the City to risk of litigation; thus, records should be retained no less and no more than their retention schedule. There are two exceptions for retaining records past the minimum retention period: legal holds and completion of a Justification Documentation form.
 - a. **Legal Hold.** In the event a record series becomes subject to a legal hold, all disposal must cease, even if the records were retained past their retention date. The City Clerk's Office and the City Attorney's Office must be notified immediately upon receipt of a legal hold.
 - b. **Justification Documentation form.** If a RIM Coordinator decides that a record series warrants retention *beyond* its assigned disposal date, or if a *unique or new* record series is not included in the Retention Schedule, the RIM Coordinator may submit a Justification Documentation form to the City Clerk's Office for approval.
6. **Records Disposal.** Destruction Logs must be approved by the City Clerk's Office prior to ~~the~~record disposal.



City of Albany
 Finance/City Clerk's Office
 Policy #: F-09-08-0067
 Title: Records Management Policy

- a. ~~**Destruction Log—Paper Records.**~~ Use for disposal of paper records.
 - b. ~~**Destruction Log—Non paper Records.**~~ Use for disposal of Digital Image as Originals (DIOs) and the official copy of unstructured electronic records.
 - e-b. **Structured electronic records.** Disposal of the official copy of structured electronic records does not have to be recorded on a Destruction Log. Disposal of structured electronic records and their data migration plans are reviewed during the Annual Records Inventory Review.
7. **Identity Theft Protection.** Storage and disposal of all public records (including convenience copies) must be in compliance with ORS and the F-04-08, Identity Theft Protection Policy.
 8. **Convenience Copies.** Employees are discouraged from keeping convenience copies, as this is a liability and cost issue for the City in the event of Public Records Requests and legal holds. Employees should carefully consider the need for a convenience copy versus the risk and cost of discovery. Employees are responsible to locate their convenience copies that are on portable storage in the event of a public records request or legal hold.
 9. **Procedures & Training.** RIM Coordinators are responsible for implementing records management procedures in their Departments which includes: the transfer of custody of official copies of records from the employee to the RIM Coordinator; training current and new employees in their Department on records management; and attending periodic RIM training sessions as scheduled by the City Clerk's Office.

Supercedes: F-09-08-0056	Created/Amended by/date: February 1, 2015 August 8, 2016	Effective Date: February 11, 2015 August 8, 2016
Finance Director:		City Manager:



City of Albany
Finance/City Clerk's Office
Policy #: F-09-08-007
Title: Records Management Policy

Purpose To outline procedures for records management in compliance with state guidelines and the City of Albany Records Information Management (RIM) Program.

Scope This policy applies to all City employees.

The RIM Program is comprised of the City of Albany's records management related Policies, Procedures, Resolutions, and Forms. All documents are located on the Intranet.

The City Clerk or his/her designee is the official Records Custodian for the City. The City Clerk's Office administers the RIM Program.

"RIM Coordinators" are responsible for records management compliance and education in their respective Departments.

Directors are responsible to appoint a RIM Coordinator for their Department.

Policy The City will comply with ORS (192) and OAR (166-030 – Division 30) guidelines as they pertain to the management of public records. The City Clerk's Office will rely on advice and direction from the City Attorney when these guidelines require interpretation. This policy outlines the process to be used to ensure that applicable City records are retained, preserved, and destroyed in accordance with the Oregon State Archives Retention Schedule, and works together with the ORS and OAR guidelines and Albany's RIM Program.

Non-compliance with this policy creates risk-management and liability issues for the City. Compliance with this policy is mandatory.

This policy applies to the "official copy" of a public record.

Definitions

Access and Disclosure. Public records may be subject to disclosure under Oregon Public Records Law unless the record or material is exempt. Refer to ORS 192.410 for the definition of a public record as it pertains to inspection. Also see ORS 192.420; 192.440; and ORS 192.501.

Convenience Copy. Also known as a "non-record copy," it is a copy or duplicate of an official copy. Retention and disposition do not apply, but access and disclosure may apply.

Custody. Immediate charge and control exercised by an authority.



City of Albany
Finance/City Clerk's Office
Policy #: F-09-08-007
Title: Records Management Policy

Electronic Records – Structured and Unstructured. A structured electronic record is a database; examples are Eden and Springbrook. An unstructured electronic record is not data-driven; examples are Word, PowerPoint, Excel, PDF, and Publisher.

Official Copy. The designated public record, when multiple copies exist. Records that are not the “official copy” are “convenience copies.”

Public Record. ORS 192.005 (5) refers to the definition of a public record as it relates to archiving. “Public record” means any information that:

- (a) Is prepared, owned, used, or retained by a state agency or political subdivision;
- (b) Relates to an activity, transaction or function of a state agency or political subdivision; and
- (c) Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the state agency or political subdivision.

Record Series. Record Series are defined in the Oregon State Archives Retention Schedule.

Transitory. Temporary or transitory records are an exchange of communication that is fulfilled almost immediately upon request. Keep record until the task is complete or its value has passed. Documentation of disposal of transitory records is not required.

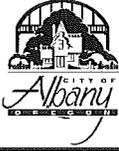
Procedures

1. **Retention Schedule.** The City of Albany has adopted the Oregon State Archives Retention Schedule. RIM Coordinators are responsible for applying the Retention Schedule to “official copy” records in their Department. Unless otherwise stated in the Retention Schedule, a retention period shall be calculated from the creation date.
2. **Archiving Official Copies of Records.** The location of archived records that are official copies is determined according to their minimum retention period, which is listed with the record series in the Retention Schedule.
 - a. **Custody of short-term records** (records with retention of two years or less). Retained and managed by employee, except for:
 - i. records the RIM Coordinator takes custody of based on their content or administrative relevance; and
 - ii. the following Record Series, which should be forwarded to the City Clerk's Office:
 - News Releases
 - Competitive Bid Records - rejected bids and bid exemptions
 - b. **Custody of long-term records** (records with retention of more than two



years, but less than 100 years). Retained and managed by the RIM Coordinator or City Clerk's Office. The RIM Coordinator should contact the City Clerk's Office for instruction about whether a particular Record Series should be retained and managed by the City Clerk or by the RIM Coordinator.

- c. **Custody of 100 years or more to permanent records** (permanent records are identified as such in the Retention Schedule). These records have a permanent or enduring historical, administrative, legal, or fiscal value and must be retained in paper format. RIM Coordinators will forward permanent records to the City Clerk's Office, except for certain police, ambulance, or legal records which are retained in the Police Department, Fire Department, or City Attorney's Office.
3. **Electronic Records Retention.** Records may be electronically retained in approved formats only. The Information Technology (IT) RIM Coordinator or IT Director must confirm that a migration plan will be included in future software related projects in order to ensure that information continues to be accessible during the required retention period, or legacy software will be maintained and supported for cases where migration is not possible.
4. **Annual Records Inventory Review.** RIM Coordinators will review their Department's records inventory on an annual basis. Review will include: verification that the media being used will outlive the record series' minimum retention, or that a migration plan is in place; evaluation of Justification Forms on file; and an evaluation of records eligible for disposal. The Annual Review Form will be due March 1 of each year.
5. **Exceptions to the Schedule.** Retaining or destroying records outside of the schedule exposes the City to risk of litigation; thus, records should be retained no less and no more than their retention schedule. There are two exceptions for retaining records past the minimum retention period: legal holds and completion of a Justification Documentation form.
 - a. **Legal Hold.** In the event a record series becomes subject to a legal hold, all disposal must cease, even if the records were retained past their retention date. The City Clerk's Office and the City Attorney's Office must be notified immediately upon receipt of a legal hold.
 - b. **Justification Documentation form.** If a RIM Coordinator decides that a record series warrants retention *beyond* its assigned disposal date, or if a *unique or new* record series is not included in the Retention Schedule, the RIM Coordinator may submit a Justification Documentation form to the City Clerk's Office for approval.
6. **Records Disposal.** Destruction Logs must be approved by the City Clerk's Office prior to record disposal.



City of Albany
 Finance/City Clerk's Office
 Policy #: F-09-08-007
 Title: Records Management Policy

- a. **Destruction Log.** Use for disposal of records.
 - b. **Structured electronic records.** Disposal of the official copy of structured electronic records does not have to be recorded on a Destruction Log. Disposal of structured electronic records and their data migration plans are reviewed during the Annual Records Inventory Review.
7. **Identity Theft Protection.** Storage and disposal of all public records (including convenience copies) must be in compliance with ORS and the F-04-08, Identity Theft Protection Policy.
 8. **Convenience Copies.** Employees are discouraged from keeping convenience copies, as this is a liability and cost issue for the City in the event of Public Records Requests and legal holds. Employees should carefully consider the need for a convenience copy versus the risk and cost of discovery. Employees are responsible to locate their convenience copies that are on portable storage in the event of a public records request or legal hold.
 9. **Procedures & Training.** RIM Coordinators are responsible for implementing records management procedures in their Departments which includes: the transfer of custody of official copies of records from the employee to the RIM Coordinator; training current and new employees in their Department on records management; and attending periodic RIM training sessions as scheduled by the City Clerk's Office.

Supersedes: F-09-08-006	Created/Amended by/date: August 8, 2016	Effective Date: August 8, 2016
Finance Director:		City Manager:



City of Albany
 Finance/City Clerk's Office
 Policy #: F-10-09-003004
 Title: Digital Images as Originals (DIO)

Purpose To outline procedures for using Digital Images as Originals (DIO) for the purposes of records management. This policy works with state of Oregon guidelines and the City of Albany Records Information Management (RIM) Program.

Scope This policy applies to RIM Coordinators.

Policy The City recognizes that implementing DIO for records management saves file storage space. Records can also be directly transferred to the City's digital imaging system, Laserfiche, rather than be printed to paper and scanned, reducing the use of expensive resources such as paper, ink, and energy. It also increases staff efficiency by reducing the amount of time it takes to archive and dispose of records.

This policy applies to the "official copy" of a public record.

Procedures

- Authority.** In accordance with ORS 192.050, with approval of proper budgetary authority, all records captured by a digital imaging system shall be deemed an original; and a transcript, exemplification, or certified copy of any such reproduction shall be deemed a transcript, exemplification, or certified copy, of the original.

- ~~2. **Digital Image vs. Electronic Record.** Word, Excel, Mail Server (Outlook), and Sharepoint are electronic records, not digital images, and are acceptable formats for Short-term (two years or less) retention.. Records retained electronically in Word, Excel, Outlook, and SharePoint that have been retained electronically which become eligible for Long-term (two years or more, less than 100 years/permanent) retention may be converted to digital images and a RIM Coordinator may apply DIO. RIM Coordinators can use "Overview - Choosing records for DIO," on the Intranet, to determine if a record series is appropriate for DIO.~~

- ~~2.~~
- ~~3. **System Documentation.** In accordance with OAR 166-017-0020, System Documentation, the The Information Technology - Digital Imaging Plan (DIP) commits to migrating Laserfiche documents to a current technology when Laserfiche technology expires without loss of information. This plan is maintained and implemented by Information Technology (IT). It applies to records with retention of ten years or more.~~

- ~~4. **Image Quality Verification and Documentation.** In accordance with OAR 166-017-0030, Image Quality:~~

- Digital images shall be verified for their quality prior to disposal of the

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Title: Digital Images as Originals (DIO)

original document. The RIM Coordinator is responsible to evaluate the quality of the images by spot-checking a sample of documents in the scanned batch. Following the determination that the digital records are of good quality, the original paper records may be destroyed. (The disposal of the paper copy immediately following its being scanned in as a DIO does not need to be documented on the Records Storage & Disposal Log—~~Non-paper Records~~, because it is no longer considered the “original” record.)

- b. Documentation describing inspections shall include the date of inspection, name of inspector, group of documents inspected, and sample size (or number of documents). ~~The City Clerk's Office will reconcile DIO Master List annually to meet this requirement.~~
 - c. If scanning the record may compromise its validity (such as an embedded “void” watermark on the document), DIO is not recommended.
5. **Records Eligible for Scanning.** The state of Oregon identifies two categories of digital images, based on their retention, which are eligible for DIO.
- a. Eligible records
 - i. *Ten years or less.* Records must be verified for image quality.
 - ii. *Ten to 99 years.* Records must be verified for image quality and are subject to the DIP Policy.
 - b. Non-eligible records
 - i. *100 years to Permanent.* These records are not eligible for DIO. Records can be scanned for ease in locating files but the digital image does not take the place of the original. The original record must be retained permanently in its original form (i.e., paper). All records with retention of 100 years to Permanent are retained by the City Clerk's Office.
6. **Identity Theft Protection.** Scanned documents must be in compliance with F-04-08, Identity Theft Protection. RIM Coordinators can use the redaction function in Laserfiche to meet this requirement.
7. **Annual Inspection.** ~~In accordance with OAR 166-017-0050 (d), Storage Requirements, d~~Digital images ~~must are be~~ inspected annually. Inspection includes:
- a. *Visual inspection and playback.* The RIM Coordinator verifies the quality of the images by spot-checking a sample of the digital records. A minimum of 20 digital records is required for each record series. If loss of digital quality exists, the RIM Coordinator should notify the City Clerk's Office and IT immediately.
 - b. *Documentation.* Complete the Annual DIO Inspection form, which includes



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the date of inspection, name of inspector, group of documents (record series) inspected, sample size (20), and the estimated number of images in the record series. Annual DIO Inspection forms are due to the City Clerk's Office by February 1 of each year.

- 8. **Purging Records.** RIM Coordinators are responsible for purging DIO records in their department.
 - a. RIM Coordinators should have a system in place to remind them to purge DIO records that have met their retention based on the Purge Date in the template.
 - b. RIM Coordinators ~~use must use Section B of the~~ Records Storage & Disposal Log ~~Non-paper Records~~ to record the deletion of DIO records which have met their retention period. Forward the original copy of the Log to the City Clerk's Office. ~~Departments may keep a copy of the Log for their records.~~

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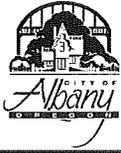
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Supersedes: Res. No. 5690	Created/Amended by/date: February 1, 2015 August 8, 2016	Effective Date: February 11, 2015 August 8, 2016
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City of Albany
Finance/City Clerk's Office
Policy #: F-10-09-004
Title: Digital Images as Originals (DIO)

Purpose To outline procedures for using Digital Images as Originals (DIO) for the purposes of records management. This policy works with state of Oregon guidelines and the City of Albany Records Information Management (RIM) Program.

Scope This policy applies to RIM Coordinators.

Policy The City recognizes that implementing DIO for records management saves file storage space. Records can also be directly transferred to the City's digital imaging system, Laserfiche, rather than be printed to paper and scanned, reducing the use of expensive resources such as paper, ink, and energy. It also increases staff efficiency by reducing the amount of time it takes to archive and dispose of records.

This policy applies to the "official copy" of a public record.

- Procedures**
1. **Authority.** In accordance with ORS 192.050, with approval of proper budgetary authority, all records captured by a digital imaging system shall be deemed an original; and a transcript, exemplification, or certified copy of any such reproduction shall be deemed a transcript, exemplification, or certified copy, of the original.
 2. **Digital Image vs. Electronic Record.** Word, Excel, Mail Server (Outlook), and Sharepoint are electronic records, not digital images, and are acceptable formats for Short-term (two years or less) retention.. Records retained electronically in Word, Excel, Outlook, and SharePoint that become eligible for Long-term (*two years or more, less than 100 years/permanent*) retention may be converted to digital images and a RIM Coordinator may apply DIO.
 3. **System Documentation.** The Information Technology – Digital Imaging Plan (DIP) commits to migrating Laserfiche documents to a current technology when Laserfiche technology expires without loss of information. This plan is maintained and implemented by Information Technology (IT). It applies to *records with retention of ten years or more.*
 4. **Image Quality Verification and Documentation.** Image Quality:
 - a. Digital images shall be verified for their quality prior to disposal of the original document. The RIM Coordinator is responsible to evaluate the quality of the images by spot-checking a sample of documents in the scanned batch. Following the determination that the digital records are of good quality, the original paper records may be destroyed. (The disposal of the paper copy immediately following its being scanned in as a DIO does not



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need to be documented on the Records Storage & Disposal Log, because it is no longer considered the "original" record.)

- b. Documentation describing inspections shall include the date of inspection, name of inspector, group of documents inspected, and sample size (or number of documents)..
 - c. If scanning the record may compromise its validity (such as an embedded "void" watermark on the document), DIO is not recommended.
5. **Records Eligible for Scanning.** The state of Oregon identifies two categories of digital images, based on their retention, which are eligible for DIO.
- a. Eligible records
 - i. *Ten years or less.* Records must be verified for image quality.
 - ii. *Ten to 99 years.* Records must be verified for image quality and are subject to the DIP Policy.
 - b. Non-eligible records
 - i. *100 years to Permanent.* These records are not eligible for DIO. Records can be scanned for ease in locating files but the digital image does not take the place of the original. The original record must be retained permanently in its original form (i.e., paper). All records with retention of 100 years to Permanent are retained by the City Clerk's Office.
6. **Identity Theft Protection.** Scanned documents must be in compliance with F-04-08, Identity Theft Protection. RIM Coordinators can use the redaction function in Laserfiche to meet this requirement.
7. **Annual Inspection.** Digital images are inspected annually. Inspection includes:
- a. *Visual inspection and playback.* The RIM Coordinator verifies the quality of the images by spot-checking a sample of the digital records. A minimum of 20 digital records is required for each record series. If loss of digital quality exists, the RIM Coordinator should notify the City Clerk's Office and IT immediately.
 - b. *Documentation.* Complete the Annual DIO Inspection form, which includes the date of inspection, name of inspector, group of documents (record series) inspected, sample size (20), and the estimated number of images in the record series. Annual DIO Inspection forms are due to the City Clerk's Office by February 1 of each year.
8. **Purging Records.** RIM Coordinators are responsible for purging DIO records in their department.



City of Albany
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- a. RIM Coordinators should have a system in place to remind them to purge DIO records that have met their retention based on the Purge Date in the template.
- b. RIM Coordinators use the Records Storage & Disposal Log to record the deletion of DIO records which have met their retention period. Forward the original copy of the Log to the City Clerk's Office

Supercedes: Res. No. 5690	Created/Amended by/date: August 8, 2016	Effective Date: August 8, 2016
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TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Kate Porsche, Economic Development Director *Kate*
Chris Bailey, Public Works Operations Director *CB*
DATE: August 3, 2016, for the August 8, 2016, City Council Work Session
SUBJECT: 401 Main Street Southeast Property Update
RELATES TO STRATEGIC PLAN THEME: ● Great Neighborhoods

Action Requested:

Staff will provide an update, and requests Council provide direction regarding the City-owned property at 401 Main Street Southeast.

Discussion:

History

In January 2000, the City purchased two tax lots at 401 Main Street SE. One lot is vacant and has been used as the parking lot for the adjacent tax lot, which holds the historic Cumberland Presbyterian Church building. At the time, staff recommended purchasing the property to acquire Right-of-Way (ROW) for the Santiam Road reconstruction project that was to begin shortly thereafter, as well as to facilitate a future project to realign and improve the intersection of Santiam Road and Main Street as identified in the Transportation Master Plan. The purchase price of \$150,000 was paid using the Street Bond Fund.

After the improvements to the Santiam Road/Main Street intersection were completed in 2014, Council directed staff to issue a Request for Proposals (RFP) for purchase and use of the property. The RFP was issued and staff began negotiations with one of two proposing groups, Good Samaritan Ministries. Unfortunately, before they could complete the land use approval process, the project manager for Good Samaritan Ministries was forced to withdraw from the project for personal reasons. The group was not able to find a suitable replacement and the City notified them that their proposal would be denied. The RFP was subsequently closed.

Present Status

The property is currently rented on a month-to-month basis for storage. Staff continues to take phone calls and emails expressing interest in the property and has compiled a list of interested parties.

At this point, Council has several options for moving forward with the property. The course of action primarily depends on the level of input and guidance the Council would like to have regarding the property. The property could simply be leased; it could be advertised for sale with the required public notice; or, the City could issue another RFP and move through that process again. The RFP process would allow the Council to be most directive and provide specific guidance on the future use of the property; however, a sale or lease process would move more quickly than an RFP.

Recommendation

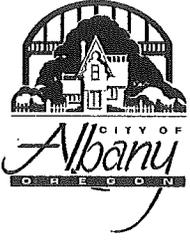
The work and financial resources required to rehabilitate the structure are significant. The building is large and the project would require dedication in order to be successfully remodeled or restored. With that said, staff recently had inquires about the property from several parties. One party in particular seems to have the skills and background to complete the project. Staff suggest moving forward with a second RFP and completing the assessment based not just on offering price, but on intended use and ability (both financial and with appropriate knowledge of historic preservation) to complete the project.

Budget Impact:

If the City retains possession of the property, funds for basic upkeep will continue to be spent out of the Street Administration program. An average of \$6,000 per year has been spent on this property over the last three fiscal years, although much needed roof maintenance will be required in the near future. Proceeds from a sale of the property would go to the Street Fund.

There may be an impact on CARA or Economic Development funds depending on the structure of the request and direction of the Council or ARA.

CB:rk



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Jeff Blaine, Public Works Engineering and Community Development Director *JB*
Bob Richardson, Planning Manager *RAR*

DATE: August 3, 2016, for the August 8, 2016, City Council Work Session

SUBJECT: Food Carts

- RELATES TO STRATEGIC PLAN THEME:
- Healthy Economy
 - Effective Government
 - Great Neighborhoods

Action Requested:

Staff recommends that the City Council provide direction regarding the need to develop new regulations and processes to govern food carts.

Discussion:

“Food cart” is a term often used synonymously with Mobile Food Unit (MFU), which is a broad term for a variety of vehicles, including food trucks, food carts, and food cart pods, that are used to prepare, process, and dispense food. The operating characteristics of food carts are different from brick-and-mortar businesses, and they have the potential to create new economic opportunities and positive impacts on surrounding uses, as well as negative impacts.

In recent years, food carts have become increasingly popular in Oregon, and a number of Oregon cities have developed policies and programs to guide the operation of these businesses. During the January 11, 2016, Albany City Council meeting, an Albany resident requested that the Council revise policies to facilitate food carts. Based on this request, the Council directed staff to review City policies and identify issues relating to food carts.

The City has a permitting framework by which to review and regulate food carts. This framework has weaknesses as it relates to review and permitting of longer-term and permanent food carts. However, the adequacy of this framework depends, in large part, on what the Council would like to accomplish with respect to food carts. That is, would the Council like to discourage food carts, encourage them, or encourage them in specific areas or for specific purposes? The Council may also decide that the current framework is sufficient and take no further action.

During the August 8, 2016, Work Session, staff will present the current food cart permitting framework and issues to consider related to this type of business.

Budget Impact:

City staff resources will be required to change existing policies and regulations, and the budget impact will depend on the extent of desired changes and public process.

RAR:rk