CITY OF KEIZER MISSION STATEMENT

KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY SERVICES TO THE COMMUNITY IN A COORDINATED, EFFICIENT AND LEAST COST FASHION

AGENDA

KEIZER CITY COUNCIL
REGULAR SESSION
Monday, November 5, 2001
7:00 p.m.
Robert L. Simon Council Chambers
Keizer, Oregon 97303

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC TESTIMONY

This time is provided for citizens to address the Council on any matters other than those on the agenda scheduled for public hearing.

4. COMMITTEE REPORTS

a. RESOLUTION – Honoring Marion County Emergency Manager Bruce Visser

b. PROCLAMATION – "Pay it Forward" Month of November

c. Council Liaison Reports
- Mid-Willamette Valley Area Commission on Transportation – Councilor Smith
- Traffic Safety Commission – Councilor Smith
- Bikeways Committee – Councilor Smith
- Library Task Force – Councilor Walsh
- Keizer Urban Renewal Board – Councilor Walsh
- Claggett Creek Watershed Council – Council President Moir
- Emergency Operations Committee – Council President Moir

5. OTHER BUSINESS

This time is provided to allow the Mayor, Council members or staff an opportunity to bring new or old matters before the Council that are not on tonight's agenda.

a. New Business

b. Old Business
- Update on Verda Lane Safety Issues
- Ad Hoc Civic Center Task Force Proposal

6. PUBLIC HEARINGS

a. Proposed Infill and Redevelopment Master Plan (continued from 10-22-01)

7. <u>ADMINISTRATIVE ACTION</u>

   a. <u>RESOLUTION</u> – Authorizing the City Manager to Sign Amendment to Keizer/Salem Emergency Water Agreement (Rate Change)

   b. <u>RESOLUTION</u> – Authorizing the City Manager to Sign Letter Agreement with City of Salem for Pilot Water Project

   c. Redesignation of Street Funds for Verda Lane

8. <u>CONSENT CALENDAR</u>

   a. <u>RESOLUTION</u> – Approving Engineer's Report Murphy Estates Street Light

   b. Miracle of Christmas Lighting Display Noise Variance

   c. Approval of October 8, 2001 Special Session Minutes

   d. Approval of October 15, 2001 Regular Session Minutes

   e. Approval of October 22, 2001 Special Session Minutes

9. <u>WRITTEN COMMUNICATIONS</u>

   To inform the Council of significant written communications.

10. <u>AGENDA INPUT</u>

    <u>November 12, 2001</u> – HOLIDAY – NO WORK SESSION

    <u>November 19, 2001</u>
    <u>7:00 p.m. City Council Regular Session</u>

    <u>November 26, 2001</u>
    <u>5:30 p.m. City Council Work Session</u>
    - Overview of Council Procedures and City Charter Provisions

    <u>December 3, 2001</u>
    <u>7:00 p.m. City Council Regular Session</u>
    - Creation of Storm Water Utility Task Force

11. <u>ADJOURN</u>

Upon request, auxiliary aids and/or special services will be provided. To request services; please contact us at 503-390-3700 or through Oregon Relay 1-800-735-2900 at least two working days (48 hours) in advance.

City of Keizer, Oregon

November 5, 2001

AGENDA ITEM 4a

RESOLUTION – HONORING MARION COUNTY EMERGENCY MANAGER BRUCE VISSER

CITY COUNCIL MEETING: 11/5/01

AGENDA ITEM NUMBER: ____________

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY, CITY MANAGER

FROM: H. MARC ADAMS, CHIEF OF POLICE
MARK J. MIRANDA, CAPTAIN

SUBJECT: RESOLUTION HONORING COUNTY EMERGENCY MANAGER BRUCE VISSER

DATE: OCTOBER 31, 2001

BACKGROUND: Bruce Visser has been the emergency manager for Marion County since 1995. He has coordinated and been directly involved in the planning process for emergency management throughout Marion County. He has attended most of the monthly Keizer Emergency Management Committee meetings, providing his expertise and guidance in our planning activities. Mr. Visser has assisted Keizer in the various disaster exercises conducted over the past six years. Without the aid of Mr. Visser, the City of Keizer and Marion County would not have accomplished as much as we have in our emergency preparedness. Attached is a newspaper article from the Statesman-Journal, dated October 12, 2001, about Mr. Visser.

FISCAL IMPACT: None.

RECOMMENDATION: It is recommended that the City Council pass the attached resolution honoring Mr. Visser. There would be a formal presentation at the City Council meeting of November 5th. In addition, there would be another formal presentation of the resolution to Mr. Visser at the next Marion County Board of Commissioner's meeting.

County crisis leader resigns

Bruce Visser, on the job since 1995, will leave to teach fourth-graders.

BY SUSAN TOM
Statesman Journal 10-12-01

Marion County's top crisis manager will trade floods for something that also can be scary: fourth-graders trying to learn their multiplication tables.

Emergency manager Bruce Visser will leave shortly after this year to pursue teaching.

Visser

The county has not decided how to fill the position and whether responsibilities should change, but the job will remain in public works, department director Bob Hansen said.

County commissioners met Thursday to discuss the possibilities.

Although emergency management is only part of the position, the potential threats after the Sept. 11 terrorist attacks has made it a more critical job than ever, said Jan Fritz, aide to Commissioner Randy Franke.

Shortly after receiving news of the attacks, Marion County Sheriff Raul Ramirez activated the emergency operations center, the command post for coordinating county communications and response.

Ramirez will hold a community leadership forum Thursday to discuss steps taken and future preparations. Commissioners will discuss the county's emergency management plan.

Visser said Marion County's emergency agencies and personnel have been cooperating with one another during times of crisis.

Almost immediately after Visser took the post in 1995, the county was hit by a flood and a wind storm, followed by three more floods the next year.

"I got a lot of practice my first year," he said. "We didn't have to do any drills. We just did the real stuff."

Since then, the types of risks Marion County could face also have grown to include computer bugs such as Y2K, earthquakes, terrorism and biological threats.

But besides terrorism, earthquakes are the area's biggest threat in the future, he said.

Visser began working for Marion County in 1990 as an environmental supervisor and officially added emergency manager to his responsibilities in 1995.

Susan Tom can be reached at (503) 399-6744 or stom@StatesmanJournal.com

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

RESOLUTION R2001 - 1304

HONORING BRUCE VISSER UPON LEAVING HIS EMPLOYMENT AS MARION COUNTY EMERGENCY MANAGER

WHEREAS, it is the policy of the City of Keizer to safeguard life and property by making maximum use of all available resources, public and private, to minimize the effects of natural and man made emergencies; and

WHEREAS, disasters know no bounds and do not heed city limit signs; and

WHEREAS, it is critical for the safety of the citizens for the City of Keizer to Prepare for, Respond to, Recover from and Mitigate against any natural or man made disasters; and

WHEREAS, Bruce Visser has been employed by Marion County in the position as County Emergency Manager since 1995; and

WHEREAS, Bruce Visser has provided his knowledge, resources and guidance to aid the City of Keizer in its emergency preparedness needs; and

NOW, THEREFORE, upon his resignation as County Emergency Manager, in recognition of his valuable service to the State of Oregon, Marion County and City of Keizer, the Keizer City Council, on behalf of the citizens of Keizer, express our sincere appreciation to Bruce Visser for his years of dedicated service and wish Bruce well in his new profession.

PASSED this 5th day of November 2001

SIGNED this 5th day of November, 2001

____
Mayor

____
City Recorder

City of Keizer, Oregon

November 5, 2001

AGENDA ITEM 4b

PROCLAMATION – PAY IF FORWARD MONTH

City of Keizer, Oregon

1982

Proclamation

WHEREAS, *the Mayor and City Council for the City of Keizer believes that the Pay It Forward concept of doing unselfish acts of kindness, a service to someone, and asking them to pay the kindness forward to three others; and*

WHEREAS, *this concept illustrates that one person can truly make a difference in the lives of many through the power of exponential kindness; and*

WHEREAS, *the City of Keizer holds volunteerism and giving of oneself for the betterment of the community as an honorable trait of citizenship; and*

WHEREAS, *the national effort of the Pay It Forward concept is based on the ideal of giving back to communities, doing good for others, imparting hope, honoring and employing compassion to others.*

NOW THEREFORE, BE IT PROCLAIMED *by Mayor Lore Christopher, with concurrence of the City Council held in regular session that November shall be recognized in Keizer, Oregon as*

Pay It Forward Month

IN WITNESS WHEREOF, *I have hereunto set my hand and caused the Seal of the City of Keizer, Oregon to be affixed to this document this 5th day of November 2001.*

Signed:

_________________________, *November 5, 2001*

Lore Christopher, Mayor *Date*

City of Keizer, Oregon

November 5, 2001

AGENDA ITEM 5b

UPDATE ON VERDA LANE SAFETY ISSUES

Verda Lane Pedestrian Safety Improvements

Plan to Actual

ıproving pedestrian safety on Verda Lane due to an unexpectedly large number of children walking from an area east of Verda Lane to the newly built f Alder Street and Verda Lane.

n
rda Lane
Decision

- **Determine Permanent Safe Driving Speed on Verda Lane**
- **Partnership with School District**
- **Saturation Patrol and Public Education**
- **Construct Improvements on Verda Lane**

Next Steps	Who	% Goal	FY	Update
ent proposal to the Budget mittee at their next scheduled ing on October 16th to reallocate),000 from the Street Fund budget gnated for improvements on born to accommodate pedestrian way improvements on Verda e.	City Manager Finance Public Works	5	01	10-17-01: Presentation was made to Budget Committee and recommendation was secured for Council consideration to reallocate $220,000 from the Street Fund for improvements on Dearborn to accommodate pedestrian safety improvements on Verda Lane. This recommendation will be made to Council at the regularly scheduled meeting on November 5th, 2001.
e streetlights to be installed on da Lane in the area north and south lder Street and Verda Lane.	Public Works	15	01	10-16-01: Public Works staff has begun the process of causing streetlights to be installed on Verda Lane in the area north and south of Alder Street and Verda Lane. PGE has been notified of the project and the job has been ordered. This will improve visibility for vehicles and pedestrians, especially during the winter months when it becomes dark early and weather can impede site distances. The streetlights will be installed operational shortly. This step is, for all intents and purposes, completed.
ce Traffic Volunteers to run radar rtain times of the day to gain rough ıate of speeds and volume counts.	Police Public Works	5	01	10-16-01: Police Traffic Volunteers have run informal radar speed and volume counts on several different days and times. Additionally, Public Works has used traffic counting devices so as to determine the 85% speed for the area.
counting devices in the area to gain				11-01-01: The speed/volume data has been downloaded to a database and is in the process of being modeled by engineering staff. We expect results soon.

ore accurate measure of speed and me so as to define problem and elop warrant for actions.				
ie speed/volume analysis provides quate warrant, staff will evaluate the y effectiveness of temporarily cing the speed limit on Verda Lane 1 35 MPH to a speed limit that roves pedestrian safety and make a mmendation to City Council.	City Manager Police Public Works	5	01	10-16-01: Staff has reviewed the application process and rules for the implementation of a temporary speed reduction. Captain Miranda will be making additional contact with the ODOT Speed Board Chairman to verify intent of ORS. Shannon will also be making an opinion on the intent of ORS.
ermine an appropriate permanent d limit for the area conditions and e a recommendation to City ncil.	Public Works Police	5	01	10-16-01: Analysis of speed/volume data will help us determine the 85th percentile value for traffic speed in the area. Standard traffic engineering practice is to set a speed limit at the rate which 85% of the vehicles traveling on a street typically operate at. From a practical sense, people will usually drive their cars at the speed they feel comfortable driving. For example, wide streets with no parking allow drivers to feel comfortable at a higher speed than they typically would driving on a narrow street with cars parked on both sides of the road. Posting the speed limit below the 85th percentile usually has little affect in controlling average vehicle speeds in any particular area.
act the School District Facilities ager to schedule a meeting and iss three topics: (1) Creating a walking route", (2) Providing oorary bussing tot he new school olex for safety reasons, and (3) The ol District sharing in funding a Lane improvements if they ed City resources.	City Manger Public Works	25	01	10-16-01: The City Manager is to email or call Henry Bahrandt, the School District Facilities Manager to set up a meeting to discuss partnership opportunities for addressing Verda Lane pedestrian safety issues. 11-01-01: On 10-31-01, Rob Kissler and I met with School District staff regarding the several points listed in bullet 6 of the strategy to improve Verda Lane. The School district agreed to all of the following: (1) provide bussing to those children who do not have access to a safe walking route, (2) use informational methods to educate parents on safe walking routes as agreed upon by the City and the School District, and (3) to discuss a financial partnership for Verda Lane Costs that exceed the $220,000 pledged by the City.
odically throughout the school the Police Department traffic unit heavily patrol in the proximity of r Street and Verda Lane.	Police	5	01	10-16-01: The police traffic unit has developed a plan to focus patrol efforts on Verda Lane in the Proximity of the new school complex. We will keep track of the number of citations written in relation to the area. Chief Adams is to develop a press release that can be submitted to the press media from time to time so as to educate the public on safety concerns surrounding Verda Lane.
press releases in the Keizer Times effort to educate drivers about the erous pedestrian conditions on a Lane in relation to the new				

CITY COUNCIL MEETING:____________________

AGENDA ITEM NUMBER: ____________________

TO: MAYOR AND CITY COUNCIL

FROM: CHRISTOPHER C. EPPLEY
CITY MANAGER

SUBJECT: PROPOSED PROCESS FOR CONDUCTING A FEASIBILITY STUDY ON DEVELOPING A CIVIC CENTER

BACKGROUND

On October 22, 2001, the Civic Center Task Force convened to discuss an appropriate process for conducting a feasibility study on developing a civic center. A discussion was lead by Councilor Lee and a draft process was created. That process was finalized at a second meeting of the Civic Center Task Force on October 29, 2001. The finalized proposed process has been included for your review.

RECOMMENDATION

Staff recommends that Council reviews the proposed Civic Center Task Force process and approve it. Staff also recommends that the Mayor and Council appoint create an ad hoc task force for the purpose of carrying out the process presented to you.

Process for Implementing a Feasibility Study for a Civic Center

Next Steps

1. Establish a Task Force similar to the one outlined in the attached resolution.

2. Initiate a complete analysis of each individual City structure including the City Hall facility and the Police Department. This analysis will should include but not necessarily be limited to the following areas:

   - Structural
   - Mechanical
   - Electrical
   - Compliance with Building Code
   - Energy Efficiency
   - Long Term Maintenance Needs
   - Review previous studies and collect data on similar projects

3. Identify and compile a list of needs, questions and concerns from the following groups:

   - Task Force needs, questions and concerns
   - City staff needs, questions and concerns
   - City Council needs, questions and concerns

4. Determine outside resources (consultants) necessary to fully address the needs, questions and concerns identified by each group. Give options to address needs, questions and concerns including, but not limited to modifying one or both of the existing structures, building a new structure(s) in the existing location or building a new structure(s) in a different location.

5. Task Force researches funding options for any action to be recommended.

6. Task Force makes a recommendation to City Council based on steps 2,3,4 and 5.

City of Keizer, Oregon

November 5, 2001

AGENDA ITEM 6a

PROPOSED INFILL AND REDEVELOPMENT MASTER PLAN

MEMORANDUM

To: Mayor Christopher and City Council

From: Maria Meier, Planning Director

Through: Chris Eppley, City Manager

Date: October 31, 2001

Re: Proposed Infill and Redevelopment Master Plan

BACKGROUND

City Council has reviewed the proposed Infill and Redevelopment Master Plan, with exception to Chapters 6.1 Comprehensive Plan Amendments, 6.3 Neighborhood Infill Concept Plans, and 7.0 Conclusions (including concepts for incentives). While the entire plan was reviewed, only the chapters with proposed Code text amendments received consensus amongst the Council to re-draft language in the plan. This re-drafted chapter is attached to this memorandum.

Also attached is an amended copy of Chapter 7.0 Conclusions, which includes the Planning Consultant concepts for possible incentive programs to be used in infill development projects. City staff has mindfully examined each suggestion by the consultant and concluded that two possible programs may work for the City of Keizer. The "pay-back" system is achievable if the City chooses to participate financially to complete the infill street network to establish equitable costs for each property. The Local Improvement District concept can work if the street network is pre-determined, which can be difficult to coordinate with the timing of infill development, as sporadic as it may occur over time. Due to the same factor, the management of such a LID is deemed by staff to be extraordinarily difficult.

RECOMMENDATION

Staff recommends the City Council open the public hearing on the proposed City of Keizer Infill and Redevelopment Master Plan and accept testimony. Staff then recommends the Council close the public hearing. Staff recommends the City Council complete review of Chapters 6.1 Comprehensive Plan Amendments, 6.3 Neighborhood Infill Concept Plans, and 7.0 Conclusions, then begin deliberations on the proposed Plan.

ATTACHMENTS

- Draft Code Amendments by City Council for the proposed Infill and Redevelopment Master Plan
- Chapter 7.0 Conclusions – Amended with Incentive Program Concepts

City of Keizer
Infill and Redevelopment Master Plan
Draft Code Amendments

1.200.04 Definitions

Access Easement:
A narrow, private, limited use roadway which provides access to a public street for a maximum of four dwelling units that do not have usable public street frontage.

Attached Dwellings:
Two or more dwelling units on separate properties that share a common wall for a full story that adjoins enclosed habitable space on each side. Attached dwellings shall be joined along a common wall for no less than one story for a distance of at least 10 feet.

Constrained Access Roadway:
Constrained access roadway refers to a public infill street that is reduced in width ~~to one travel lane~~ to allow access between two or more existing structures or other physical obstructions (see Section 2.316.10).

Constrained Access Area:
Constrained access area means that portion of an infill street where modifications to the right-of-way or improvement widths have been made to allow access between existing structures or other physical obstructions for the purpose of infill development (see Section 2.316.10).

Infill Development:
Residential ~~I~~infill development is development at densities allowed under existing zoning on vacant, under-utilized, or partially used land. Infill development occurs on lands which may have been ~~skipped over~~ by-passed in the urbanization process or which may have a use that could be or has been removed.

Infill Development Parcel:
Any parcel that ~~has been passed over or underutilized during the urbanization process and~~ meets the criteria for an infill development parcel specified in Section 2.316.03.

Infill Street:
An infill street is a public street with a narrow right-of-way specifically designed to allow access to infill development parcels where a standard public street is not necessary or can not be provided given the shape and size of existing parcels. An infill street is intended to allow access to a limited number of dwelling units. (See Section 2.316.06A).

Lot Line, Front:
A lot line abutting a public street, private street, or access easement. In the case of a corner lot, through lot or a lot where vehicular access is provided off an alley and there is no frontage on a public or private street, the front line is based on the structure's orientation and at least two of the following factors:

a. Location of the front door;
b. Location of the driveway (when accessed off a public or ~~private street~~ access easement); and/or
c. Legal street address.

For flag lots and lots with access from an easement, the Zoning Administrator shall have the authority to designate another line as the front lot line in which case it shall be clearly noted on the final plat.

Primary Building Façade:
Primary building façade means the side of a building that faces the street and has a main pedestrian entrance from the street.

Zero Lot Line Wall:
Zero lot line wall means any exposed building wall that is constructed along the lot line as part of a zero lot line development and is visible from the public right-of-way or access easement. This definition includes any building wall that may be part of a zero lot line development and set off the property line but closer to the property line than would normally be required by yard or setback requirements of the zone.

2.103 LIMITED DENSITY RESIDENTIAL

2.103.01 Purpose:
"RL zones will generally abut a collector or arterial street so that traffic is not required to travel through lower density residential neighborhoods."

2.302 STREET STANDARDS

2.302.03 General Provisions

B. Continuation of Streets. Development proposals, including subdivisions and partitions, shall provide for the continuation of, and connection to, streets where necessary to promote appropriate traffic circulation in the vicinity of the development. Where necessary to give access or permit a satisfactory future division of adjoining land, streets and utilities shall be extended to property boundaries to allow the future extension of streets and infrastructure. A temporary turnaround shall be constructed for stub streets in excess of 150 feet in length.

No street or utility extensions are required when any of the following circumstances exist:

1. Less than three additional existing or future lots on adjoining parcels would gain access from the extension. For purposes of this criterion, the size of said future lots shall be no greater than two times the minimum lot size of the zone.

2. Parcel shape or size prevents new lots from meeting lot width or depth standards when a public street or infill street is proposed through the parcel.

3. Partial-width streets where adjoining development would provide a full-width public street or infill street; does not eliminate the need for variances to lot depth or width requirements.

4. Natural physical obstructions or barriers, such as parkland, floodplain, slopes, or significant trees, make access and connectivity unreasonable or impracticable.

5. Providing access and connectivity to one or more ~~(an)~~ adjoining parcel(s) would not be useful given that at least one of the following conditions exist:

   a. A future street plan demonstrates that adequate access and connectivity is provided from ~~(an)~~ the adjacent parcel(s).
   b. The development potential of the adjoining parcel(s) is(are) limited due to physical or jurisdictional constraints to such a degree that connectivity is unreasonable or impracticable.
   c. For adjoining properties with development potential, evidence or an affidavit shall be submitted that the owner of the adjacent property has no intent to develop their property at the time of the subject application.

N. Infill Streets. For streets serving infill development as defined under Section 2.316.03, the Infill Street and Access Easement Standards of Section 2.316.06 may be applied.

2.302.07 PRIVATE STREETS
Repeal Section 2.302.07 Private Streets.

2.310 DEVELOPMENT STANDARDS FOR LAND DIVISIONS

2.310.03 Standards for Lots or Parcels, Lot Line Adjustment Required
E. Flag Lots. *Add the following language to establish a flag lot.*
Flag lots shall only permitted if it is the only reasonable method by which the rear portion of a lot being unusually deep or having an unusual configuration may be accessed and when in compliance with Section 2.302.03B is demonstrated.

SECTION 2.314 STANDARDS FOR SINGLE FAMILY DWELLINGS

2.404 Zero Side Yard Dwelling Units
Zero side yard dwelling units may include attached single family homes on individual platted lots or detached single family homes located contiguous to a lot line. Where permitted as a special use, zero side yard dwelling units shall meet the following use and development standards.

C. Lot Size and Dimensions. Any lot that is part of an attached zero lot line development with more than two units may be less than the minimum lot size permitted in the zoning district provided that the average lot size of all lots in the development meets the density and minimum lot size requirements for the zone. The minimum lot width for zero lot line development providing attached dwellings shall be 20 feet.

D. Building separation. Buildings on adjacent properties, but not attached to each other, shall be separated by a distance of at least ten (10) feet.

G. Blank Wall Standards. To avoid blank walls along a common lot line, one or more of the following wall treatments shall be used along any zero lot line wall that is visible from the public right-of-way.

1. Recessed or raised areas
2. Variations in material, patterns, or texture
3. Trellises, ~~or~~ arbors, climbing vines or other landscaping enhancement treatments
4. Architectural detailing, such as cornices, pilasters, or trim
~~5.~~ ~~Climbing vines or other suitable landscape treatments~~
~~6~~5. Innovative lot schemes and site plans which reduce the visual impact of the blank wall

H. Maintenance ~~Easement~~. A five (5) foot wide maintenance easement shall be provided across the adjoining property for the benefit of any detached dwelling or zero lot line structure abutting a property line. For attached dwellings, maintenance provisions shall be provided by a common/party wall agreement, Conditions, Covenants, and Restrictions (CC&Rs) or other recorded document.~~along any property line with an attached dwelling or zero lot line structure abutting a property line~~.

I. Attached Dwellings. Attached dwellings are allowed on smaller lots as prescribed in permitted zones. To reserve more area within a residential lot as usable outdoor space, attached dwellings shall be joined along a common wall for a distance of no less than one story for at least 10 feet.

3.107 PARTITIONS

3.107.03 Submittal Requirements for Preliminary Review
Add the following submittal requirement.

8) Future Street Plan. A future street plan shall be submitted with partition proposals that include (a) public street(s) to connect to adjacent property for future development. The future street plan shall show the pattern of existing and future streets from the boundaries of the proposed land division and shall include other parcels within 500 feet of the proposed land division property line. The City may determine future neighborhood street connections. A future street proposal may be modified when subsequent development proposals are submitted.

3.107.05 Review Criteria
Add the following criterion for approval.

D. Rough Proportionality. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact.

3.108 SUBDIVISIONS, PLANNED UNIT DEVELOPMENTS, AND MANUFACTURED HOME PARKS

3.108.02 Submittal Requirements
Add the following submittal requirement.

s.) Future Street Plan. Applicants for a subdivision, planned unit development, or manufactured home park shall submit as a part of their application, a future street plan. The future street plan shall show the pattern of existing and future streets from the boundaries of the proposed land division and shall include other parcels within 500 feet of the proposed land division property line. The City may determine future neighborhood street connections. A future street proposal may be modified when subsequent development proposals are submitted.

3.108.04 Review Criteria
Add the following criterion for approval.

D. Rough Proportionality. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact.

2.316 INFILL DEVELOPMENT STANDARDS

2.316.01 Purpose

The purpose of this section is to:

A. Enable residential infill development to achieve the planned densities specified in the Comprehensive Plan.
B. Encourage a more efficient use of developable land
C. Reduce traffic flow and congestion by creating a more compact form of development.
D. Provide alternative forms of housing, and
E. Promote livability and neighborhood quality.

2.316.02 Applicability

A. The provisions of this section shall only apply to new residential land partitions and subdivisions and multi-family developments that meet the definition of infill development parcel and are located within a residential zone.
B. All infill development parcels must comply with the requirements of the zone in which the parcel is located, except as modified by the provisions of this section.
C. The provisions of this section are not intended to supercede other district requirements, such as the Flood Plain Overlay Zone, Greenway Management Overlay Zone, Limited Use Overlay Zone, Activity Center Overlay Zone, or the Resource Conservation Overlay Zone.
D. Infill development standards may be applied to several parcels of land assembled for redevelopment, only if the total area complies with Infill Development Parcel criteria defined in Section 2.316.03.

2.316.03 Infill Development Parcel Criteria

Parcels that meet the following criteria shall be subject to the provisions and standards of this chapter:

An infill development parcel is any residential parcel not more than two (2) acres in size that is a lot of record, and which meets any two of the following criteria:

A. A parcel with less than 250 feet of frontage along a public street;
B. A parcel with an existing structure;
C. A parcel that is irregular in shape, such that it cannot be partitioned or subdivided to meet the ~~full~~ maximum density ~~potential~~ of the underlying zone without a variance;
D. A parcel that is bounded on two or more sides by existing development or natural constraints (i.e. waterways, steep slopes, resource protections areas).

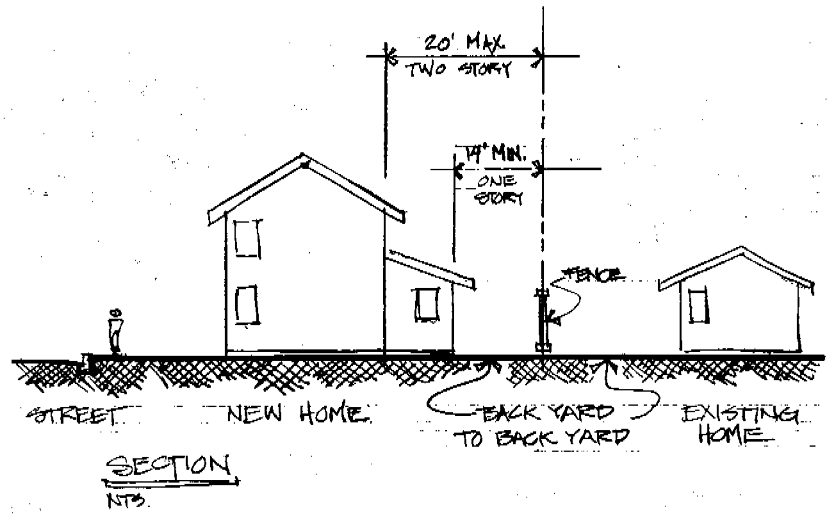
2.316.04 Process

A. Application Process. An application for development projects wishing to utilize infill development standards shall follow the applicable land division process, such as a partition, subdivision, or planned unit development.
B. Pre-Application Conference Required. A pre-application conference ~~shall be required~~ is available for all partitions, subdivisions, or other development project seeking approval using infill development standards (~~see chapter~~ See Section 3.210.02).

2.316.05 Dimensional Standards

Infill lots shall meet the following minimum standards that shall be used in place of standards of the zone in which the parcel is located.

A. Detached ~~D~~dwellings shall have a minimum side yard setback of 5 feet. For each additional 2 feet of building height over 16 feet, the setback shall be increased by 1 foot. The minimum required side yard setback shall not exceed 10 feet. Where a dwelling consists of a combination of sections of varying heights or stories, the side yard setback shall be applied to each building section.



B. Minimum Rear Yard Setbacks. Dwellings shall have a minimum rear yard setback of 14 feet. For each additional 2 feet of building height over 16 feet, the setback shall be increased by 1 foot. The minimum required rear yard setback shall not exceed 20 feet. Where a dwelling consists of a combination of sections of varying heights or stories, the rear yard setback shall be applied to each building section.

2.316.06 Infill Street and Access Easement Standards

All new lots created on infill development parcels that serve two or more dwelling units must be served by a public street or private access easement that meet one of the following minimum standards. These standards may be used for infill development in place of the right-of-way and improvement width standards of Section 2.302.03 of this Code.

A. Public Streets. Public streets serving infill development must be constructed to the following minimum standards:

Type of Infill Streets	Minimum ROW Width	Sidewalks	Minimum Pavement Width	Parking	Maximum Dwelling of Units Served
Infill Street I	32 ft.	5 ft.wide at curbline on both sides (2)	30 ft.	Parking on both sides	19 units
Infill Street II (1)	30 ft.	5 ft. wide at curbline on one side (2)	28 ft.	Parking on one side (1)	19 units

Notes:

(1) If Infill Street type II is used, a parking plan must be submitted that illustrates the location of all required parking spaces for each lot within the proposal.

(2) Sidewalks must be provided with easements adjacent to the right-of-way (S~~s~~ee Section 2.316.06C~~19~~).

B. Access Easements. Private access easements serving infill development shall be allowed only if the applicant can demonstrate that no public street can provide reasonable access to the infill parcels, future through connections to other streets are not possible, and the access easement will serve less than 5 dwelling units. Private access easements serving infill development shall adhere to one of the access easement standards in the table below.

Type of Access Easement	Minimum Easement Width	Minimum Pavement Width	Parking
Access Easement I (serving 1-2 dwelling units)	20 ft. wide tract or unobstructed easement	12 ft. paved surface	No parking on either side
Access Easement II (serving 3-4 dwelling units)	20 ft. wide tract or unobstructed easement	16 ft. paved surface	No parking on either side

A parking plan outlining how off-street parking requirements will be satisfied shall be submitted with any application utilizing an access easement.

C. Reduced Sidewalk Requirements. The City shall reduce street frontage improvement requirements for certain infill projects where fewer improvements are necessary. For public streets where through streets are not possible and which serve five to eight dwelling units, the City shall require a sidewalk only on one side of the street.

2.316.07 Infill Turnarounds

A. Access Easements. A turnaround shall be required for any access easement that provides the sole access for two or more residences and is 150 feet or greater in length. Turnarounds shall either be a circular turnaround with a minimum paved radius of 38 feet, or a "tee" or "hammerhead" turnaround with at minimum paved dimension across the "tee" of 60 feet (see Figure 41- Approved Turn Around Designs).

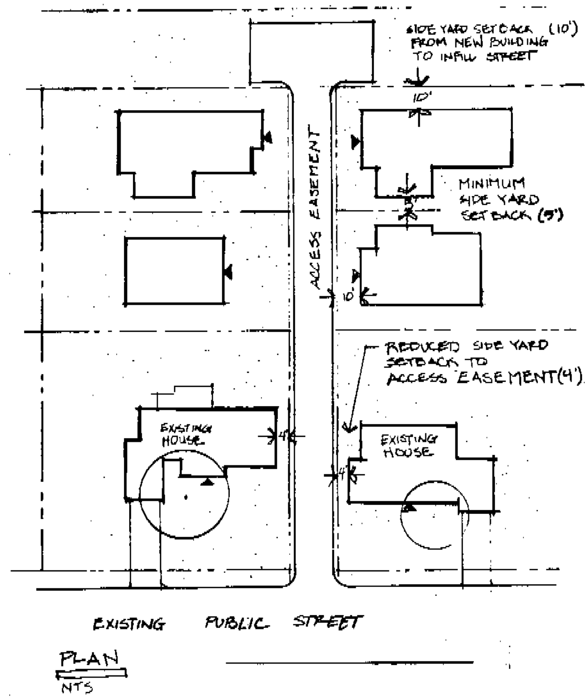
B. Public Infill Streets. For public streets, a bulb turnaround with a radius of 30 feet may be permitted if no on-street parking is proposed and it can be demonstrated that adequate parking will be provided for all proposed lots. The City Engineer may develop infill standards for "T" or "Y" turnarounds. The City Engineer shall determine if a proposal meets the standards set forth in this section.

2.316.08 Turning Radius

The intersections and turnarounds of all infill streets and access easements shall be designed and constructed with a minimum inside turning radius of 20 feet. The minimum turning radius shall be measured from the center point of the circle of the turning radius to the inside of the curb face.

2.316.09 Infill Access Easement Setbacks
Access easements serving infill development parcel shall adhere to all of the following standards:

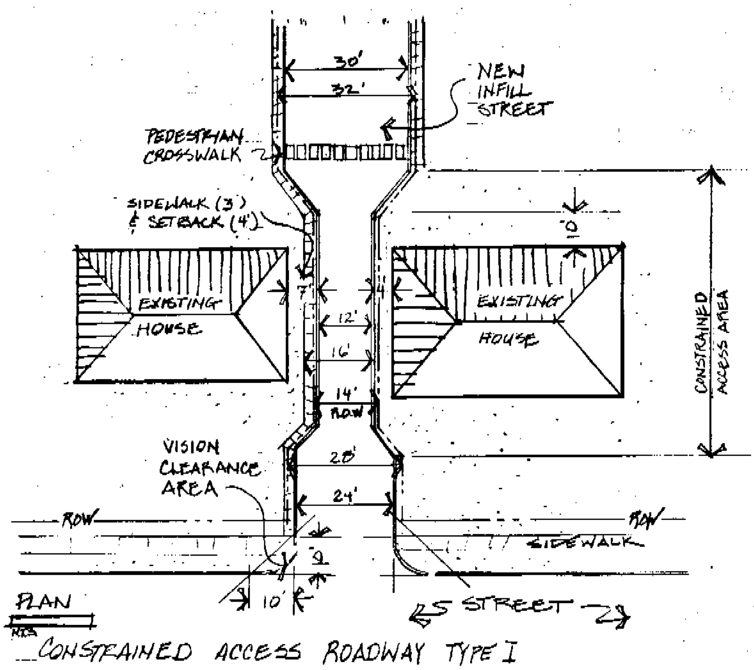
1) The minimum access easement setback to the side yard of an existing building shall be ~~four~~ five (5) feet.
2) The minimum access easement setback to the front yard of an infill development parcel shall be ten (10) feet.
3) The minimum access easement setback to the side yard of a new infill development parcel shall be ten (10) feet.



2.316.10 Constrained Access Roadway
Constrained access roadways meeting City minimum standards defined below, shall be an acceptable alternative means of providing vehicular access to infill parcels, when infill streets defined in Section 2.316.06 cannot be used to gain access to infill parcels. Any request for constrained access roadways must be processed as a major variance.

A. Constrained access roadways must meet all of the following standards:

1) Minimum right-of-way width of a constrained access roadway shall be 14 feet, with a minimum paved width of 12 feet plus curbs.
2) A sidewalk with a minimum width of 3 feet and which complies with standards of the Americans with Disabilities Act (ADA), shall be located along one side of the constrained access roadway. The sidewalk may be located either within a public right-of-way or within an easement.
3) There shall be a minimum 4-foot setback from the right-of-way line or the edge of the right-of-way to any part of an adjacent structure.



4) Constrained access distances must be kept to a minimum; no constrained access distance shall exceed 80 feet in length.
5) Street segments having constrained access shall be permitted to intersect only with local streets.
6) Visibility clearance criteria must be met at all roadway intersections.
7) Portions of a roadway outside the constrained access area shall be constructed to meet standards for a standard or infill street.
8) Roadways that require constrained access shall serve eight (8) or fewer dwelling units, unless the street connects to another street which provides a second unconstrained means of vehicular access. Only one constrained access roadway may serve an infill street network.
9) Within a constrained access area, utilities may be provided beneath the street.
10) A privacy fence may be provided between a house and the adjoining sidewalk within the constrained access area.
11) Transition from an infill street section to a reduced width section of the constrained access roadway shall meet AASHTO Standards for local streets, unless varied by the Department of Public Works.
12) Appropriate signage, as approved by the Department of Public Works, must be posted to indicate "One Lane Traffic Ahead" preceding any constrained access roadway.
13) Location of garages on existing structures must be located or relocated to be either the opposite side of a constrained access roadway or must be located to have access outside of the constrained access area from the rear of the lot.

2.316.11 Alignment

All infill streets intersecting an arterial or collector street shall be in alignment with existing street centerlines. Where streets join an arterial or collector forming a "T" intersection, the street must be not less than 100 ft from the centerline of another intersection. The staggering of street alignments resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet. Where infill streets intersect a local street, no alignment separation is required for street centerlines.

2.316.12 Storm Water Drainage

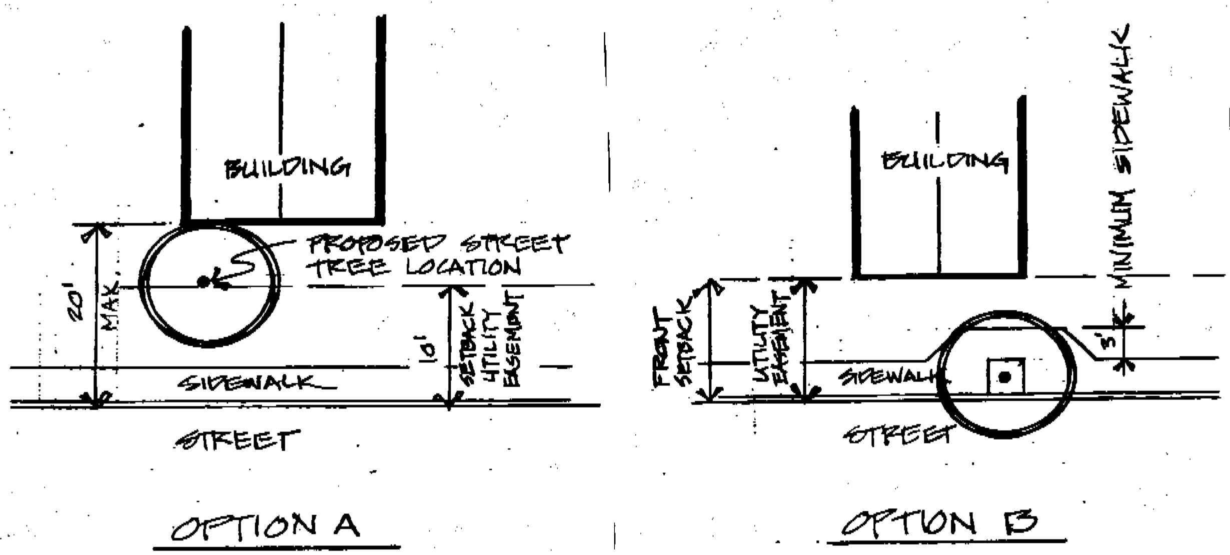
All infill development projects shall adhere to requirements specified in Section 2.306, Storm Drainage. Wherever possible, infill development shall use on-site storm water detention or natural drainage channels to convey storm water runoff. Before land division, partition, or subdivision is allowed by the City, the applicant must demonstrate that on-site storm water management techniques will be implemented and are sufficient to control runoff, or prove that such management techniques cannot reasonably be applied and provide a satisfactory alternative for managing storm water runoff.

2.316.13 Trees Along Streets and Access Easements

To enhance streetscapes in the community, trees shall be required along streets and access easements serving infill development. For purposes of this section, these required trees shall be defined as streetscape trees. Lots measuring less than 45 feet in width shall be required to plant one streetscape tree. Lots measuring more than 45 feet in width shall be required to plant two streetscape trees. The tree removal plan, included in the partition or subdivision application, shall indicate the location of the proposed streetscape trees. At the time of planting, streetscape trees shall have a trunk diameter of at least one and one-quarter inches, measured at six inches above ground level, and shall be of a type that will be at least twelve inches in diameter when fully mature.

Streetscape trees along infill streets and access easements must be located according to one of the following provisions:

A. Streetscape trees shall be planted within the boundaries of each lot, not less than 10 feet and not more than 20 feet from the street right-of-way or access easement.
B. Streetscape trees may be planted in planters incorporated into the design of the sidewalk, provided that a minimum 3-foot sidewalk width is maintained for use by pedestrians.
C. Streetscape trees selected from a list of approved trees may be planted within the public right-of-way.



2.316.14 Infill Compatibility

A. Design Features. Infill development shall utilize ~~three or more~~ at least two of the following design features to provide visual relief along the front of each new dwelling unit.

~~1) Covered porch entries (minimum of 8 feet by 10 feet);~~

~~2) Eaves (minimum 12" projection);~~

~~3~~1) Windows facing the street (total window area of not less than 12 square feet). ~~, with window trim not less than 3.5 inches wide); and~~

~~4) Front yard foundation plantings consisting of a combination of trees and shrubs to create a continuous uninterrupted line of plantings along 75 percent of the building front, excluding that portion of the building that acts as an entrance for pedestrians or vehicles. Materials shall planted according to City landscape standards. At the time of planting, trees shall have a minimum trunk diameter of one inch, measured at six inches above ground level, and shrubs shall be at minimum one gallon container, or 12-inch burlap balls with branches spreading a minimum of 15 to 20 inches).~~

2) Dormers.

3) Gables;

4) Recessed entries;

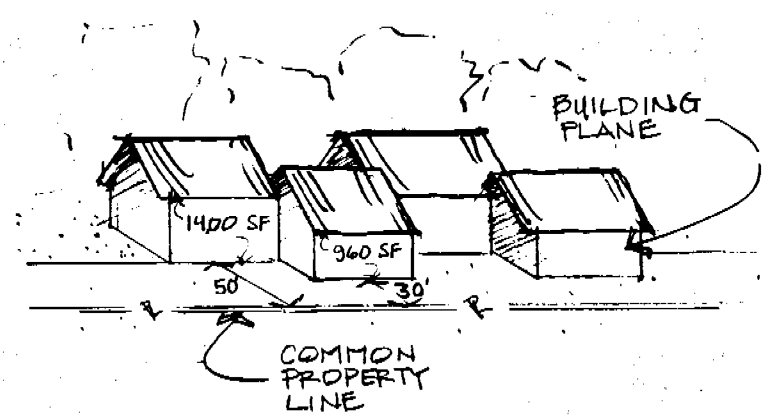
5) Covered porch entries;

6) Cupolas;

7) Pillars or posts;
8) Bay or bow windows;
9) Eaves (minimum 6" projection);
10) Off-sets on building face or roof (minimum 16")

B. Building Form. If attached dwellings or multifamily dwellings are being sited on infill lots, the following standards shall apply:

1) Unit Definition. Each dwelling unit shall be defined by a roof dormer or bay windows on the street-facing elevation, or by providing a roof gable or porch that faces the street.
2) Density Transition. Multifamily structures shall maintain a typical single-family form and scale to provide a transition between apartment residential and attached residential and single-family districts. Where apartment residential or attached residential districts abut a single-family districts, the following shall apply to multifamily development within 50 feet of the common property line:
    a) Building height shall not exceed 24 feet in height within 30 feet of the property line or 36 feet in height within 50 feet of the property line.
    b) Building planes for multifamily dwellings within 50 feet of the common property line and facing the property line shall be subject to the following standards:
    i) No building plane that faces the common property line shall exceed 960 square feet within 30 feet of the property line. No building plane that faces the common property line shall exceed 1,400 square feet within 50 feet of the property line.

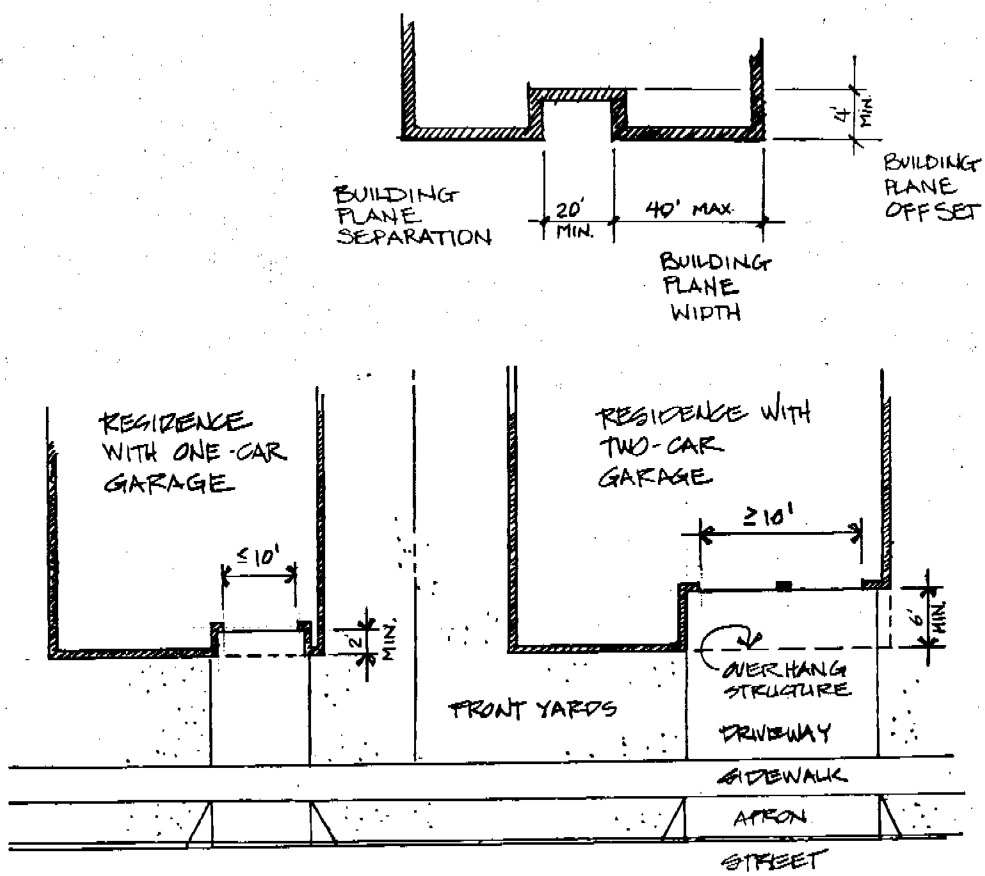


    ii) No building plane shall have a greater dimension than 40 feet in length or 35 feet in height.

    iii) If more than one building plane faces a property line and the building planes align at a common distance from the line, the building planes shall be horizontally separated by at least 20 feet. For the purposes of this standard, "common distance" shall be defined within 12 feet.

iv) Building planes are defined as the plane of a building wall that extends from the ground to the top of each wall of a structure. Area is determined by multiplying the length of each wall by the height.

The plane does not include roof area. When a structure along a wall juts out from the wall, or is off-set from an adjacent part less than 4



feet, the structure is considered part of the building plane of a wall behind it. If the structure protrudes greater than 4 feet, it represents a separate building plane. If a building plane is at an angle in relation to the property line, the midpoint of the wall shall provide the point at which the plane and related distance are measured.

2.316.15 Garages

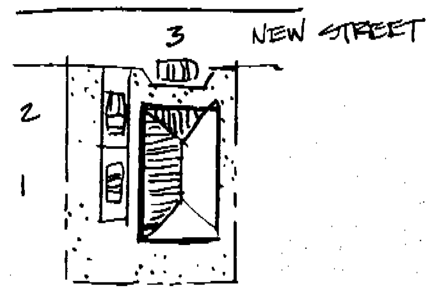
2.316.15 Garages and Carports

A. Garages and carports shall be located no closer than 18 feet to the nearest edge of sidewalk adjacent to a public right-of-way, or if no sidewalk is present, the edge of the curb or roadway.

B. Garage doors and carport openings facing the street shall not account for more than 40% of the built dwelling façade that faces the street.

C. Single vehicle garage doors and carport openings must be recessed not less than two feet from the façade. Garages or carports designed to accommodate more than one vehicle must be set back a minimum of six feet from the front building line.

2.316.16 Infill Parking

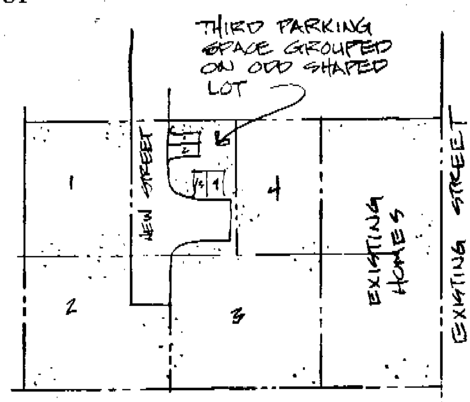


TANDEM PARKING

A. Single family and duplex units must provide two on-site parking spaces.

B. Tandem parking, stacking two cars end to end in a private drive way, shall be an acceptable method of meeting infill parking requirements.

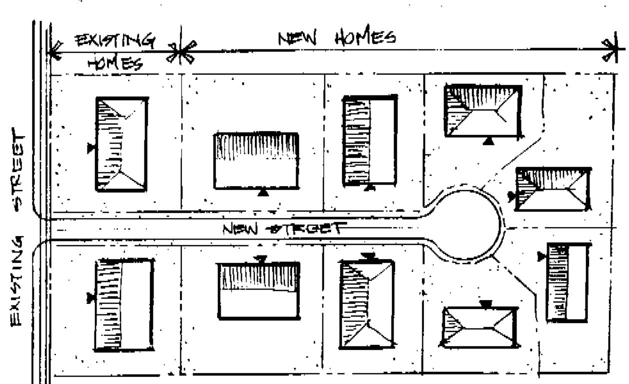
C. A parking plan shall be required for all infill development not served by a public street or for development served by any public street that does not include parking on both sides of the street. The parking plan shall illustrate how minimum parking requirements will be met for all newly created lots.



GROUPED PARKING

2.316.17 Building Orientation

Any new dwelling constructed **on an infill** development parcels must have its primary building facade oriented toward the nearest public street or private access easement. This provision is intended to enhance neighborhood quality by promoting the use of neighborhood streets as public places.



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2.316.18 Street lights
Street lights shall be required for public streets serving more than four dwelling units. Street lights shall be located within utility easements. Street lights are not required along private access easements that are intended to serve less than five dwelling units. Street lights ~~shall be decorative~~ and shall be designed to direct the light down toward the street and sidewalk and as much as practicable away from adjoining homes.

~~**2.316.19 Reduced Sidewalk Requirements**~~
~~The City shall reduce street frontage improvement requirements for certain infill projects where fewer improvements are necessary.~~

A. ~~For public streets that are not through streets and which serve five to eight dwelling units, the City shall require a sidewalk only on one side of the street.~~

3.106 Lot Line Adjustment
3.106.04 Criteria – Lot Line Adjustment
D. The proposed lot line adjustment does not result in two parcels which meet the criteria for an Infill Development Parcel, as defined in Section 2.316.03 Infill Development Parcel Criteria.

3.202 GENERAL PROCEDURES – TYPES I, II, AND III ACTIONS
3.202.02 D Notice of Application. Notice of a partition or subdivision application shall be mailed to owners of property within 250 feet of the site and neighborhood association representatives. The notice to owners and neighborhood association members will invite the submittal of written comments on the proposal to the City within 10 days.
Amend subsequent lettering from E. through H.
3.202.03 D Notice of Application. Notice of a partition or subdivision application shall be mailed to owners of property within 250 feet of the site and neighborhood association representatives. The notice to owners and neighborhood association members will invite the submittal of written comments on the proposal to the City within 10 days.
Amend subsequent lettering from E. through K.

3.210 PRE-APPLICATION CONFERENCE
3.210.01 Purpose
The purpose of a pre-application conference is to assist land owners to plan development in compliance with the Keizer Development Code. The pre-application conference informs the applicant of the substantive and procedural requirements of the development code, provides for an exchange of information regarding applicable requirements of other City Codes, and identifies policies and regulations that create opportunities or pose significant problems for a proposal. Technical and design assistance is available at the conference that will aid in the development of an application. The pre-application process is intended to among other things, promote connectivity of the transportation system, compatibility of development, and efficient provision of urban services.

3.210.02 Applicability and Requirements
Pre-application conferences may be applied for the following land use applications: land partitions, subdivisions, planned unit developments. Forms for pre-application conferences are available from the planning department. A fee is required and must be paid at the time the

request for a pre-application conference is submitted. If an applicant chooses to apply for a pre-application meeting, a rebate from the pre-application conference may be applied towards the proposed land use application is applied for within one year of the conference date. The applicant must submit a written proposal or sketched site plan of the proposal. A pre-application conference must be held within 21 days of receipt of a completed request form.

3.210.03 Participants and Notice

The applicant and interested parties meet with planning staff at the pre-application conference. The planning staff will notify City engineering and other urban service provider representatives and invite them to attend.

3.210.04 Pre-application Conference Recommendations

The planning staff will provide the applicant with a written summary of the pre-application conference within 7 days following the date of the conference. The written summary will include suggestions and information that were raised at the conference for inclusion in an application.

3.210.06 Time Limit

A pre-application conference is valid for up to one year. If more than one year has elapsed between the date of the pre-application conference and the date the application is submitted, a new pre-application conference ~~is required~~must be requested to apply towards the application fee.

7.0 CONCLUSIONS

The City has been experiencing rapid growth and has seen an increase in the number of infill and redevelopment projects. Based on data from the buildable residential land inventory, more infill and redevelopment can be expected as the supply of vacant residential land within the City diminishes.

This section recommends specific implementation measures to achieve the City's infill and redevelopment goals.

Overall Infill and Redevelopment Strategy

1. Adopt special infill and redevelopment standards for residential infill projects.
Because potential residential infill areas are scattered throughout the City, adopting special standards for infill development is preferred to creating an infill overlay district. The special standards should allow greater flexibility in lot dimensional standards and in providing access to infill areas. To be successful the standards must precisely state when infill development standards apply. Because the infill standards will generally be less restrictive, care must be exercised to ensure that they are applied only as intended.

2. Provide economic and regulatory incentives for infill development.
Infill and redevelopment projects are usually more expensive than "greenfield" development, but less burdensome to the City. Economic and regulatory incentives should be used to encourage infill development.

3. Improve neighborhood quality by orienting infill development buildings toward the street.
Orienting infill buildings toward the nearest street or access lane is beneficial because windows and entryways along the street create opportunities for social interaction, increase neighborhood security through improved surveillance, and add to the visual interest of the streetscape. Whenever possible, infill buildings should face one another along a common street or lane.

4. Create disincentives for flag lots.
Flag lots represent the least-cost approach to infill development for many developers and property owners. Flag lots create a haphazard land use pattern that can be detrimental to neighborhood quality. By making it more difficult and expensive to create and develop flag lots, property owners and developers are more likely to pursue other alternatives. Flag lots should only be allowed where no other reasonable options are available.

5. Strike an optimal balance between competing community objectives.
Some of the objectives identified by the community are conflicting. For example, the objective of Reasonable Access conflicts with the objective of Easy Access for Deliveries and Haulers.

Some proposed infill development standards (e.g., public street standards applied to small infill projects) may make small- or medium-sized infill projects more difficult or expensive to complete. If such standards are adopted, only partitions of small lots or larger infill subdivisions that involve property assemblages are likely to occur.

Zoning Revisions

(1) The City should adopt a separate set of infill standards that apply only to infill projects.
(2) The City code will need to include definitions of the terms "infill" and "redevelopment" and well-crafted criteria that projects must meet if infill standards are to be applied.

Development Standards

Infill Standards – Infill standards should include the following key action items:

(1) Craft a definition for infill development parcels along with criteria that must be met for infill standards to apply.
(2) Amend minimum side and rear yard standards to insure compatible building height of infill development.
(3) Develop infill street and access lane standards for infill projects.
(4) Where access is constrained by buildings or landscaping, develop minimum standards to allow narrow streets of limited length as an acceptable alternative means of providing vehicular access to infill parcels. The constrained access concept should only be used when no other alternative is possible.
(5) Allow relaxed street alignment standards for infill streets intersecting a local streets.
(6) Require street trees for infill projects and ensure they are sited where they will not interfere with public utilities.
(7) Require infill development projects to include streetscape design elements, such as lighting, street trees, and buildings oriented toward the street, to make streetscapes more attractive.
(8) Prevent garages from becoming the dominant architectural element of infill projects.
(9) Adopt a building orientation requirement.

Revisions to General Standards -

(10) Allow for the continuation of streets to provide access or permit a satisfactory future division of adjoining land.
(11) Modify zero side yard dwelling standards to avoid "blank walls."

Public Works Standards

(1) Revise public works standards to comply with new city street and access lane standards.
(2) Evaluate the impacts of new infill development on the City's storm water infrastructure as a part of site plan review.

Capital Improvement Projects

No specific capital improvement projects have been identified.

Procedural Changes

1. Create a pre-application process that includes notice to surrounding property owners.
2. Allow serial partitions for infill and redevelopment projects subject.

Comprehensive Plan Revisions

Amendments to the Comprehensive Plan should include more aggressive infill policies and language that will enable the City to execute economic and regulatory strategies to promote infill and redevelopment.

Incentive Programs
The development cost analysis discussed at the end Chapter 6 posed three public policy questions that are critical to the viability of small infill and redevelopment projects within the City.

- How much does the public street requirement add to the cost of housing?
- Is there a financial incentive to get property owners to work together?
- Is the public street requirement for infill development a disproportionate burden to property owners?

The cost analysis concluded that the public street requirement for the Shady Lane property added $1,375 per lot to development cost. It seems reasonable to assume that the actual cost to infill consumers (buyers or renters) might be somewhat higher, since the hard cost in the analysis doesn't include a return on investment to the developer.

In answer to the second question, the cost analysis concluded:

> *Because the total estimated development cost per lot in Scenario 2 ($15,231) is higher than in Scenario 1 ($13,905), one can assume that development cost will not act as an incentive for property owners to work together to generate more efficient development schemes.*

Even if development costs were somewhat lower when property owners worked together, the difficulty of assembling the property needed and reaching an equitable agreement among property owners would probably offset any financial advantage that might be gained. The answers to the first two questions imply that additional financial incentives are certainly needed, but also suggest that little cooperation is likely to occur without an equitable framework for sharing the cost of public infrastructure.

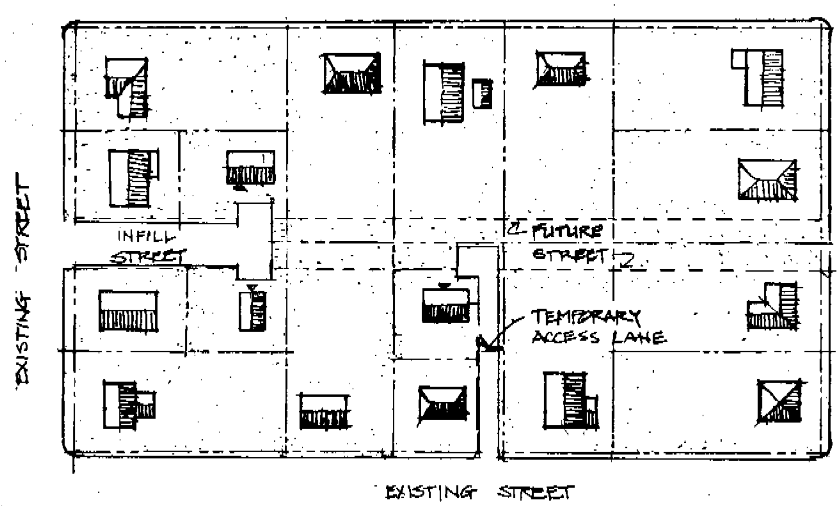
To adequately answer the third question, one must first understand how the cost of developing public streets might be shared under the current system. Too often, the first development project in an infill area (or pioneer) gets saddled with constructing public street improvements, water, and wastewater utilities that are oversized to meet future requirements. Typically, subsequent developments take advantage of that initial infrastructure investment without bearing a fair share of the cost. The community development process should establish a framework for a more equitable sharing of the cost of public infrastructure and reward developers and property owners whose projects meet local public policy and community objectives.

The drawing below illustrates how infill access might be provided to a typical block. Property owners or developers that wish to initiate an infill project often are responsible for all of the following:

1. providing access to the lot or lots to be developed,
2. dedicating a right-of-way for a public street that may serve future infill development, and
3. contributing their fair share of the construction cost of the public street.

The City may wish to allow internal lots that are not located adjacent to a public street to develop temporary access to infill lots as flag lots. The City may also wish to require infill lots located adjacent to public streets to construct public street spurs along the right-of-way.

While economic incentives can be used to reduce the additional per lot cost of developing a public street ($1,375), additional techniques or incentives must be used to reduce the disproportionate burdens placed on the "pioneer" development projects, and address difficulties associated with coordinating the timing of the development of public infrastructure.



As an additional incentive, the City may also wish to consider more flexible approaches to locating utilities to serve infill development. Utility easements and spur lines can be used to serve infill projects without the need to oversize the lines.

This sections that follow outline a number of incentive programs that can help overcome some of the inherent obstacles to infill and redevelopment. Together these techniques can be use to provide financial incentives and policy structure to make incremental infill projects economically viable and enable them to meet the desired community infrastructure standards.

While infill redevelopment access standards (e.g. reduced street widths) are intended to provide the primary incentive needed to promote infill and redevelopment, a variety of other incentives are available to make infill and redevelopment projects viable. In addition to financial incentives, other incentives can include regulatory modifications, operational changes, and education. Each of these categories is discussed below.

Financial Incentives

<u>Recapturing Initial Infrastructure Cost</u>

To address disproportionate burdens placed on the "pioneer" development projects as described in the previous section. Possible solutions include:

- A developer "pay-back" system, in which a developer who constructs public streets to or extends services into infill areas obtains a cost recovery agreement with the City. The City collects fees from future developments as they tie into those services, and reimburses the original developer. This solution is appropriate for large-scale development projects, where up-front capital investment necessary to construct the public services poses less of a burden on the developer.
- A City/non-profit "pay-back" system, in which the City or a non-profit organization pays the up-front cost or finances the service extensions. Future developments then repay the City or non-profit organization through connection fees or other mechanisms. This solution is more appropriate for small infill projects developers or property owners cannot afford to bear the initial cost of public improvements.

Revolving Loan Fund

The City can develop and provide revolving loan funds to help finance the cost of infill projects. Specific eligibility requirements can be attached to these funds. This is especially useful where a particular public interest has been identified and attention to detail is required.

Infill Housing Finance

Infill developments will likely appeal to a different market segment than those that own existing homes and buyers may need access to non-traditional financing mechanisms. The City may wish to encourage home ownership, rather than allow infill to create primarily single family or multifamily rental units. Home ownership programs can provide a wider market for infill housing products, encourage residential pride in the neighborhood, and help those who might otherwise excluded from home ownership.

Financial incentives to encourage home ownership and first-time home buyers of moderate income typically involve one or more of the following elements:

- Reduced down payment requirements or down payment assistance, such as a "soft second mortgage," for which no payments are due until the house is eventually resold. Upon resale, a formula for recapturing a portion of "shared equity" often is applied.
- Below-market interest rates through a public source, such as Community Development Block Grants (CDBG), a public-private partnership, such as a lender consortium, or a combination of sources.

Oregon Housing and Community Services (OHCS) Community Incentive Fund

As a part of the Oregon Livability Initiative, the Community Incentive Fund helps communities meet four main goals:

1. *Create more jobs in distressed communities that want economic growth;*
2. *Increase the supply of affordable housing near jobs and transportation;*
3. *Reduce sprawling development patterns;*
4. *Revitalize urban centers, downtowns, and main streets.*

The Community Incentive Fund provides financial incentives such as grants, loans for income producing projects and projects within Urban Renewal Districts with tax increment financing, and partial loan guarantees to mitigate risk. Funds may not be used for planning, technical assistance, or administrative purposes. A well-defined project scope and budget and committed financial resources on the part of submitters is necessary to compete effectively for these funds.

Formation of Local Improvement Districts (LIDs)
LIDs are used to finance public improvements and facilities by distributing the cost of the improvements to surrounding property owners. Costs are typically distributed to property owners by street frontage or land area, but can also be allocated based on size or assessed value of property or building. LIDs allow property owners to finance their assessment over time at the cost of public borrowing.

LIDs can provide infrastructure improvements in areas where infill is being restricted by substandard improvements, and where the market cannot absorb the improvement costs. Using LIDs to create street access and/or utility improvements for a group of infill lots can make development of all the lots more affordable.

The LID process also offers a realistic method of financing the completion of full-street improvements after a half-street is installed. The method of assessment may depend on the level of access provided.

Tax Increment Financing (TIF)
TIF provides dedicated public funds for planned physical improvements in a specified area. The process requires establishment of an urban renewal district and an urban renewal board. Tax increment funds accumulate through increases in property values in the renewal district; the renewal board freezes current tax revenue at its present level within the renewal district, then retains incremental increases in revenue that result from rising assessed values within the renewal district. These proceeds are dedicated to improvement projects within the renewal district.

Fee Waivers/Reductions.
Waiver or reduction of fees (e.g., hookups, impact fees, etc.) for specific desired product types may be appropriate for the following reasons:

- In an existing developed area, the infrastructure already has been paid for (e.g., the street, sewer, or water line may be in place already).
- Sufficient capacity is already available and does not need to be up-sized. Note: this will be true in some but not all cases.
- New infrastructure is needed, but is less expensive on a per-dwelling-unit basis because of a higher density form of development.

Regulatory Modifications

Half-Street Improvements
The use of "half-street" improvements encourages infill by allowing a property owner/developer to construct a portion of a public street to serve new development. Generally, a half-street improvement will require sufficient pavement width to allow fire access along the edge of a property, with the remaining street section to be provided by future development. A critical

factor in allowing half-street improvements is the timing and financing for improving the second half of the street.

Record Infill Streets
The City may wish to locate future public streets alignments in areas where infill is most likely to occur. By recording future alignments the City can help ensure street connectivity and will reduce future construction and maintenance cost. Identifying future street alignments will help coordinate access planning among infill development projects and reduces uncertainty.

Operational Changes

Expedited Review
Expedited staff review can encourage infill development by assuring a timely approval and eliminating uncertainty in the approval process. This requires clear and objective administrative standards and fewer opportunities for appeal.

- **Streamlined Review** – Streamlining of staff review for infill projects can be accomplished by resolving issues at pre-development meetings for infill projects. These meetings give the City the opportunity to set forth the basic requirements for approval.

- **Time Commitment for Review** – The City can pass an ordinance committing to a maximum administrative approval time for certain types of infill development. This will provide developers with benefits in time and costs for infill projects. In addition, an illustrative critical path schedule for infill projects can be prepared. The critical path would demonstrate the process and timing for infill development review.

- **Clear Standards** – The use of clear and objective standards will allow administrative decisions to be made efficiently. Standards that are clearly written and do not require the exercise of discretion by staff can eliminate the need for public notice and hearing requirements. These standards should be made readily available to applicants to provide certainty in the approval process.

Administrative Adjustments.
The creation of administrative procedures for minor adaptations in development standards, often referred to as "adjustments," can help an applicant get approvals in a timely way without committing substantial resources to a project. However, any adjustment process introduces uncertainty and should be relied on only to handle exceptional cases. For example, using a 10% dimensional rule for varying "clear and objective" standards, such as setbacks, provides an easy guideline for such minor adjustments.

Education

Maintain Parcel Information Base
Maintaining a database of infill parcels would provide prospective developers with opportunities to seek out an infill project and take advantage of the special provisions for these types of

projects. This also should include notifications to the owners of the parcels that these special development provisions are available, should they decide to develop their property.

Provide Prototype Information

Infill can be encouraged by showcasing infill projects in Pocatello, Chubbuck, or other jurisdictions on a bulletin board or in handouts. This information can provide ideas for new applicants. A workbook of housing plans for small infill lots could be made available to builders and developers.

Neighborhood Meetings

Neighborhood meetings in areas with potential for infill development can preempt neighborhood opposition to increased densities by discussing the benefits of infill development (i.e., increased property values, reduced infrastructure costs, environmental benefits, design compatibility).

City of Keizer, Oregon

November 5, 2001

AGENDA ITEM 7a

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AMENDMENT TO KEIZER/ALEM EMERGENCY WATER AGREEMENT

CITY COUNCIL MEETING:________________

AGENDA ITEM NUMBER:______________

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: ROB KISSLER
DIRECTOR OF PUBLIC WORKS

SUBJECT: AMENDMENT TO EMERGENCY WATER AGREEMENT

DATE: OCTOBER 31, 2001

BACKGROUND:

The City of Keizer and City of Salem entered into an Emergency Water Agreement on February 6, 1987. This agreement allows for the exchange of water supplies, if excess water is available. The physical connection between the Cities is located near the Cherry Ave Pump Station at the Keizer Lions Club property.

The Salem City Council at their June 25, 2001 meeting approved a new Cost of Service for all water customers including wholesale users. The City of Salem no longer has just one commodity rate. Suburban East Salem Water District located near State and Lancaster streets is a buyer of wholesale water from the City of Salem.

If the proposed Amendment to Emergency Water Agreement is adopted, the City of Salem will pay the City of Keizer the current wholesale water cost, (.573 per 100 cubic feet currently). If the City of Keizer needs to purchase water from Salem, Keizer will pay our current commodity rate charge to our customers, (.39 per 100 cubic feet currently).

Attachment 1 Emergency Water Agreement
Attachment 2 Amendment to Emergency Water Agreement

FISCAL IMPACT:

None

RECOMMENDATION:

Staff recommends City Council adopt the attached Resolution, authorizing the City Manager to enter into an amended Emergency Water Agreement with the City of Salem.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2001-_____

RESOLUTION AUTHORIZING CITY MANAGER TO SIGN AMENDMENT TO THE KEIZER/SALEM EMERGENCY WATER AGREEMENT (RATE CHANGE)

WHEREAS, the City of Keizer and the City of Salem have entered into an Emergency Water Agreement dated February 6, 1987;

WHEREAS, the City of Salem has adopted a new Cost of Service Analysis which established new commodity rates;

WHEREAS, the City of Keizer and the City of Salem wish to amend the Emergency Water Agreement to modify the rate charged by Keizer for water sold to the City of Salem;

NOW, THEREFORE,

BE IT RESOLVED that the City Council of the City of Keizer that the City Manager is authorized to sign the Amendment to Emergency Water Agreement, a copy of which is attached as Exhibit "A" and by this reference incorporated herein.

PASSED this __________ day of __________________, 2001.

SIGNED this __________ day of __________________, 2001.

____
Mayor

____
City Recorder

Lien & Johnson
Attorneys at Law
4855 River Road N
Keizer, Oregon 97303
(503) 390-1635

EXHIBIT "A"

Amendment to Emergency Water Agreement

This Amendatory Agreement is made and entered into by and between the City of Salem, Oregon, an Oregon municipal corporation ("City of Salem"), and the City of Keizer, Oregon, an Oregon municipal corporation ("City of Keizer").

WHEREAS, the parties previously entered in an "Emergency Water Agreement," dated February 6, 1987;

WHEREAS, the current "Emergency Water Agreement" states in SECTION I on Page 2 that "If Salem uses water, the rate charged by Keizer would be the Salem commodity rate";

WHEREAS, City Council of Salem, at the June 25, 2001, City Council Meeting, adopted a new Cost of Service Analysis (COSA) and rate design study prepared by CH_2M-Hill and Salem City staff;

WHEREAS, the adopted Salem COSA established new commodity rates for all customers, including wholesale customers that are located outside the city limits of Salem;

WHEREAS, the City of Keizer should be considered a wholesale customer similar to the Suburban East Salem Water District and therefore the commodity rate that Salem should pay for water should be the same commodity rate charged the Suburban East Salem Water District.

NOW, THEREFORE, the parties agree as follows:

1. "Emergency Water Agreement" is amended as follows: The last sentence of SECTION I, on Page 2, which reads "If Salem uses water, the rate charged by Keizer would be the Salem commodity rate," shall be deleted and replaced by "If Salem uses water from Keizer, the rate charged by Keizer will be the same commodity rate charged the Suburban East Salem Water District."

2. Except as modified by this Agreement, the terms and conditions of the Emergency Water Agreement which this modifies remain in full force and effect.

IN WITNESS WHEREOF the parties have caused this Agreement to be signed in their respective names by their duly authorized representatives as of the dates set forth below:

City of Salem, Oregon	City of Keizer, Oregon
By: ______________________	By: ______________________
Assistant City Manager	City Manager

City of Keizer, Oregon

November 5, 2001

AGENDA ITEM 7b

RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN LETTER AGREEMENT WITH CITY OF SALEM FOR PILOT WATER PROJECT

CITY COUNCIL MEETING:_______________

AGENDA ITEM NUMBER:_______________

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: ROB KISSLER
DIRECTOR OF PUBLIC WORKS

SUBJECT: PILOT WATER PROJECT

DATE: NOVEMBER 1, 2001

BACKGROUND:

The City of Salem has engaged Golder and Associates to develop a feasibility study, to determine if the Willamette Mission Bottom just North and East of Keizer could produce a 20 mgd well field for emergency water supplies. If this field is developed, it may affect the aquifer that the City of Keizer wells are located in. Keizer staff approached the City of Salem staff to propose our wells provide a major portion of emergency water to Salem.

At the July 23, 2001 City Council Work Session, staff introduced the idea of entering into a three-year pilot water study to determine if the City of Keizer water system could supply Salem with a portion of the 20 mgd needed for their emergency water supply. Salem currently has 9 mgd capacity at the Aquifer Storage and Recovery site located in south Salem for emergency water supplies. Keizer staff believes we could deliver up to 5 mgd additional emergency water to Salem. With this capacity available to Salem, the need to develop a Mission Bottom Well field may become less feasible or necessary. Improvement to the interconnections will help ensure water supplies to both agencies during emergencies. Attached is a letter from Salem, dated October 17, 2001 outlining the responsibilities of both agencies during the Pilot Water Project.

FISCAL IMPACT:

No capitol expenditures will be needed for this project. City staff will assist in the operation of the Pilot Pump Station built by Salem.

RECOMMENDATION:

Staff recommends City Council adopt the attached Resolution Authorizing the Public Works Department to proceed with the City of Salem personnel to develop a Pilot Water Project.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2001-_____

AUTHORIZING CITY MANAGER TO SIGN THE LETTER AGREEMENT WITH CITY OF SALEM FOR THE PILOT WATER PROJECT

WHEREAS, the City of Keizer and the City of Salem have entered into an Emergency Water Agreement dated February 6, 1987;

WHEREAS, such agreement has been amended to clarify the rate charged by Keizer for Salem water to Salem;

WHEREAS, the City of Keizer and the City of Salem are interested in pursuing a pilot water project in which a pilot pump station is constructed and a program of testing and operation is conducted;

NOW, THEREFORE,

BE IT RESOLVED that the City Council of the City of Keizer that the City Manager is authorized to enter into the letter agreement for operation of the pilot water project, a copy of which is attached as Exhibit "A" and by this reference incorporated herein.

PASSED this __________ day of _________________, 2001.

SIGNED this __________ day of _________________, 2001.

____
Mayor

____
City Recorder

Lien & Johnson
Attorneys at Law
4855 River Road N
Keizer, Oregon 97303
(503) 390-1635

EXHIBIT "A"

CITY OF Salem AT YOUR SERVICE

October 17, 2001

Rob Kissler, Director of Public Works
City of Keizer
930 Chemawa Road, NE
Keizer OR 97307-1000

SUBJECT: **SALEM/KEIZER PILOT WATER PROJECT**

Dear Mr. Kissler:

As we have discussed, we are very interested in amending our Emergency Water Agreement so Salem can purchase additional surplus water from Keizer.

This letter describes the proposed responsibilities for the Salem/Keizer Pilot Water Project during the life of the project.

Pilot Project Background:

The 1994 Salem Water Master Plan recommended developing an additional 20 million gallons per day of emergency water supply in case Salem lost either Geren Island water production due to river turbidity, Franzen Reservoir storage due to being uncovered, transmission line capacity due to an earthquake, or some other reason such as a drought. Since 1994, Salem has developed slightly more than 9 mgd from the south Salem ASR system, and probably will not develop any more. For the remaining 11 mgd, the City has planned to pursue developing the Mission Bottom Wellfield northwest of Keizer. A groundwater right application for 20 mgd was filed with the Oregon Water Resources Department (WRD) in 1989, but is in an administrative hold position. Salem submitted a request last January asking WRD to keep the application on hold until February 1, 2002. Salem may still want to develop up to 20 mgd at Mission Bottom.

For the last year, Salem has been pursuing the additional emergency supply by two approaches. First, Golder Associates prepared a hydrogeological study of the area, to determine where to drill a pilot well. The pilot well will help determine where to develop the wellfield. Golder prepared a report which outlined the pros and cons of developing groundwater at different sites, including Mission Bottom. The report has been reviewed by Ed Butts. Second, Salem staff has met with you and Ed Butts to see how feasible it may be to improve the existing water system interconnections in order to receive the emergency supply from Keizer instead of the Mission Bottom Wellfield. You have indicated Keizer is very interested in improving the water system interconnections so both agencies will be able to better supply one another.

The 1987 "Emergency Water Agreement" is the existing agreement between Keizer and Salem to sell "surplus" water to one another. Staff from both communities met this past July 6 to discuss the

ADA Accommodations Will Be Provided Upon Request project and develop a strategy. Because Stettler Supply Company is under contract with Salem for the ASR/Mission Bottom Project, it was determined at the meeting to have Stettler prepare a proposal to Salem for developing a pilot pump station. The City of Salem has received a proposal from Stettler Supply to construct a pilot pump station with a capacity of up to 5 million gallons per day.

Proposed Pilot Plan and Joint Responsibilities for both Salem and Keizer:

1. The sale of water shall be in accordance with the 1987 Emergency Water Agreement, as amended.

2. The operation and maintenance of the pilot pump station will be a joint effort by both communities and will require the approval of both communities. A detailed operational plan will be developed by the City of Salem and approved by the City of Keizer. Items to be addressed in the Operational Plan include but are not limited to:

    a. Notification procedures and contact individuals for both cities related to expected activation and operation of the pump station.

    b. Actual activation and deactivation procedures of pump station.

    c. Emergency activation shutdown procedures.

    d. Minimum and maximum water supply flows available from the City of Keizer.

    e. Expected involvement of Keizer and Salem operations staff personnel.

3. The pilot pump station will be initially tested and operated after completion of construction by both communities during the winter of 2001/2002. The final acceptance of the completed pump station will require the approval of both communities.

4. The term of the pilot project shall be three (3) years beginning with the completion of the pilot pump station. The pilot pump station will be available and will be operated during emergency conditions as defined by the 1987 Agreement as amended. At the end of the term of the pilot project, Salem and Keizer shall determine if a permanent pump station is a viable option for both communities.

5. The pilot pump station will be available and operational as an additional source of water during the reconstruction of Franzen Reservoir by the City of Salem. This is currently scheduled for 2003 and 2004.

Proposed Salem Responsibilities:

1. The City of Salem will pay the City of Keizer for water purchased during the pilot project term pursuant to the 1987 Emergency Water Agreement, as amended (Currently $0.573 per 100 cubic feet).

2. The City of Salem will pay for having the pilot pump station designed and constructed, including any building permits.

3. The City of Salem will be responsible for the purchase, delivery, and usage of chlorine disinfectant compounds for the pilot pump station; for the maintenance and repair of the pilot facility; and for the electrical power costs for operating the pilot pump station if a separate electrical service meter is installed as part of the pump station.

Proposed Keizer Responsibilities:

1. The site of the pilot pump station is on property (2.62 acres) owned by Keizer Lions Club and the City of Keizer will provide the access and any easements for constructing and operating the pilot pump station and connecting pipelines and powerlines. This site is the location of the existing City of Keizer Cherry Avenue Water Pump Station (well).

2. The City of Keizer will provide the operational water staff for coordinating with the City of Salem in operating the pilot pump station and will recover this cost through the agreed to commodity rate charged the City of Salem for water purchased.

We trust this letter clearly describes the proposed responsibilities for designing, constructing, operating, and maintaining the pilot pump station. The final Amendment to the Emergency Water Agreement is enclosed for the City of Keizer's approval. If the City approves, please return the signed Amendment to this office.

Sincerely,

Frank V Mauldin

Frank Mauldin
Public Works Director

PLE:P:\COR2001\LETTERS2001\PILOT AGREEMENT.WPD
Enclosure: Amendment to Emergency Water Agreement

cc: Tim Gerling, P.E., Assistant Public Works Director
Paul Eckley, P.E., Operations Services Manager
Sofia Hobet, AIC Water Superintendent

PLE:P:\COR2001\LETTERS2001\PILOT AGREEMENT.WPD

City of Keizer, Oregon

November 5, 2001

AGENDA ITEM 7c

REDESIGNATION OF STREET FUNDS FOR VERDA LANE

COUNCIL MEETING: November 5, 2001

AGENDA ITEM NUMBER:______________

TO: MAYOR CHRISTOPHER AND CITY COUNCILORS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: SUSAN GAHLSDORF, CPA
FINANCE DIRECTOR

SUBJECT: STREET FUND ALDER/DEARBORN PROJECTS

BACKGROUND:

On October 16, 2001 staff reported the pedestrian safety issues for middle school children walking along Verda Lane to access the new middle school. Staff identified the lack of lighting, sidewalks and increased speed in the area that attributed to the hazards.

Staff recommended that Council allocate funding from the Dearborn project to this area to add sidewalks and adequate lighting. Staff noted that the Dearborn could be delayed until 2004-2005.

FISCAL IMPACT:

The Budget Committee passed a motion to divert $220,000 allocated to the Dearborn path projects to the improvements on Verda Lane. Under Oregon Law, this action does not require a supplemental budget resolution.

RECOMMENDATION:

Staff recommends the City Council pass the attached Budget Committee motion, if it so desires.

using 15-year financing. Mayor Christopher seconded the motion.

The motion passed unanimously as follows:

AYES: Beach, Bobrowitz, Caillier, Christopher, Gebhardt, Kelly, Lee, McGee, Moir, Smith, Sparks-Tewell and Walsh (12)
NAYES: None (0)
ABSENT: Anagnos and Duncan (2)
ABSTENTIONS: None (0)

Councilor McGee moved to create a new Urban Renewal District that is defined by the borders of the Chemawa Activity Center as outlined in the CAC Plan. The purpose of the district would be to repay debt incurred in the Street Fund for the issuance of the bonds on a 15-year basis. An intergovernmental agreement is to be formed and connectivity retained to the existing Urban Renewal District. Mayor Christopher seconded the motion.

The motion passed unanimously as follows:

AYES: Beach, Bobrowitz, Caillier, Christopher, Gebhardt, Kelly, Lee, McGee, Moir, Smith, Sparks-Tewell and Walsh (12)
NAYES: None (0)
ABSENT: Anagnos and Duncan (2)
ABSTENTIONS: None (0)

City Manager Eppley indicated that these motions would be brought before the Council as recommendations from the Budget Committee during the next City Council meeting.

Roy Duncan arrived and took a seat at the table.

Verda Lane Issue
City Manager Eppley reported the pedestrian safety issues for middle school children walking along Verda Lane to access the new middle school. He noted the lack of lighting, sidewalks and increased speed in the area that attributed to the hazards.

Mr. Eppley reported that a recommendation was made to Council to allocate funding from the Dearborn project to this area to add sidewalks and adequate lighting.

Responding to questions Mr. Kissler indicated that the Dearborn project could be delayed until 2004-2005.

Mr. Kissler outlined some of the engineering problems, which would need to be addressed prior to sidewalks being placed on Verda. This included purchase of slope easements.

Councilor Lee suggested offering matching funding to the School District to provide temporary bussing to the children in the area until the improvements took place.

Councilor Walsh encouraged an education process making families aware of other alternatives routes for children to have safe access to the school.

After further discussion the following motion was made.

Mayor Christopher moved a motion to divert $220,000 allocated to the Dearborn path projects to the improvements on Verda Lane. Councilor Kelly seconded the motion.

The motion passed as follows:

AYES: Beach, Bobrowitz, Caillier, Christopher, Duncan, Gebhardt, Kelly, Lee, McGee, Moir, Smith, Sparks-Tewell and Walsh (13)
NAYES: None (0)
ABSENT: Anagnos (1)
ABSTENTIONS: None (0)

City Manager Eppley reported that information would be provided, as it became available.

ADJOURN

The meeting was adjourned at 7:16 p.m.

Cindy Perry
Recording Secretary

BUDGET COMMITTEE CHAIR:

Mark Caillier

City of Keizer, Oregon

November 5, 2001

AGENDA ITEM 8a

RESOLUTION – APPROVING ENGINEER REPORT FOR MURPHY ESTATES STREET LIGHTING DISTRICT

COUNCIL MEETING: November 5, 2001

AGENDA ITEM NUMBER: ______________

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: TRACY L. DAVIS, CMC
CITY RECORDER

SUBJECT: MURPHY ESTATES STREET LIGHTING LOCAL IMPROVEMENT DISTRICT

ISSUE:

Upon review of the City Engineer's report filed for Murphy Estates Street Lighting Local Improvement District, should City Council adopt a Resolution approving this report - or amend and approve the report as amended - and set a public hearing date to receive remonstrances to the project; or, in the alternative, abandon formation of the district.

BACKGROUND:

On July 16, 2001, the City Council adopted Resolution R2001-1289 declaring the City's intent to initiate Murphy Estates Street Lighting Local Improvement District and directing the City Engineer to make a survey and file a written report with the City Recorder. This Council action was taken in response to a petition from the developer requesting the formation of a lighting district in this area.

FISCAL IMPACT:

The costs for establishing the district in the first year include a fee for the engineers report and an administrative fee to cover the costs for advertising and staff time in establishing the district. The City receives reimbursement from the property owners for these costs and the actual electricity used through assessments placed on the tax rolls. All activity is budgeted through the Street Lighting District Fund.

RECOMMENDATION:

It is recommended City Council adopt a Resolution approving the City Engineer's Report and set the public hearing date for December 3, 2001 to consider remonstrances and other comments on the district's formation and objections to proposed assessments, and directing the City Recorder to provide notice of public hearing.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2001-________

APPROVING THE CITY ENGINEER'S REPORT; DECLARING THE CITY'S INTENT TO FORM MURPHY ESTATES STREET LIGHTING LOCAL IMPROVEMENT DISTRICT; PROVIDING NOTICE AND SETTING HEARING

BE IT RESOLVED by the City Council of the City of Keizer, Oregon:

Section 1. That the City Council hereby finds the City Engineer's Report, marked as exhibit "A" and by this reference incorporated herein, containing preliminary plans and an estimate of probable costs for Murphy Estates Street Lighting Local Improvement District which was filed with the City Recorder on October 17, 2001 to be satisfactory, and the same are hereby approved and adopted.

Section 2. That the City Council hereby declares its intention to form Murphy Estates Street Lighting Local Improvement District and to make the lighting district improvements to serve Murphy Estates Street Lighting Improvement District.

Section 3. That the City Council hereby directs the City Recorder to give notice of its intention to form Murphy Estates Street Lighting Local Improvement District and to make the improvements by sending notice to the property owners within the district stating a public hearing will be held on December 3, 2001, said notice to also provide that information required under City of Keizer Ordinance 94-278, an ordinance providing for procedures for municipal lighting districts and special assessments.

PASSED this ____ day of ______________, 2001.

SIGNED this ____ day of ______________, 2001.

____
Mayor

____
City Recorder

City of Keizer
1982
Phone: 390-3700 • Fax: 393-9437
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, Oregon 97307-1000
Administration • Public Works • Community Development • Municipal Court • Police (business only) Phone 503.390.3713 Fax 503.390.8295

ENGINEER'S REPORT

FOR

MURPHY ESTATES SUBDIVISION

STREET LIGHTING DISTRICT

For City Council Action November 5, 2001

REGISTERED PROFESSIONAL ENGINEER
6,191PE
OREGON
JULY 12, 1968
WILLIAM I. PETERSON
Renewal date December 31, 2002

PREPARED BY:
Peterson Eng. Consultants, Inc.
4300 Cherry Ave. N
Keizer, OR 97303
(503) 390-7402

Date: Oct. 17, 2001

Project File K01-04

10-17-01

TO: The Hon. Mayor and City Council

FROM: City Engineer's Office

SUBJECT: Street Lighting District for Murphy Estates Subdivision

Authority and Purpose: This report is submitted in accordance with the requirements of City of Keizer **Ordinance No. 94-278** and Council **Resolution 2001-1289** for the purpose of creating the subject Street Lighting District.

District Boundaries and Map: A Map of the proposed District is attached showing the areas benefitted by the street lights proposed to be installed.

Lighting Plan The lighting improvements will consist of 6, 100 Watt, high pressure sodium, Durastar 2000 luminaires mounted on 4 foot long mast arms and attached to 30 foot gray fiberglass poles. This design is selected to be consistent with adjacent lighted areas. It is recommended that installation be accomplished by the following method:

> Portland General Electric (PGE) would supply, install and maintain the luminaires, poles and underground or overhead wiring. PGE would also supply the electrical power to the District.

Estimated Costs:

Initial Cost and Annual costs -

6 Poles & 100 Watt luminaires @ $11.22 per month each x 12 mos. =	$807.84
Administrative Fee @ $6.00/Lot:	120.00
Engineering @ $14.00/Lot:	280.00
Total Assessment	$1207.84
(1)Per Lot Assessment (First Year, 20 Lots)	$60.39

(1) Includes tax roll preparation, audit, delinquencies and miscellaneous administrative costs to the City as authorized by Res. 94-716.

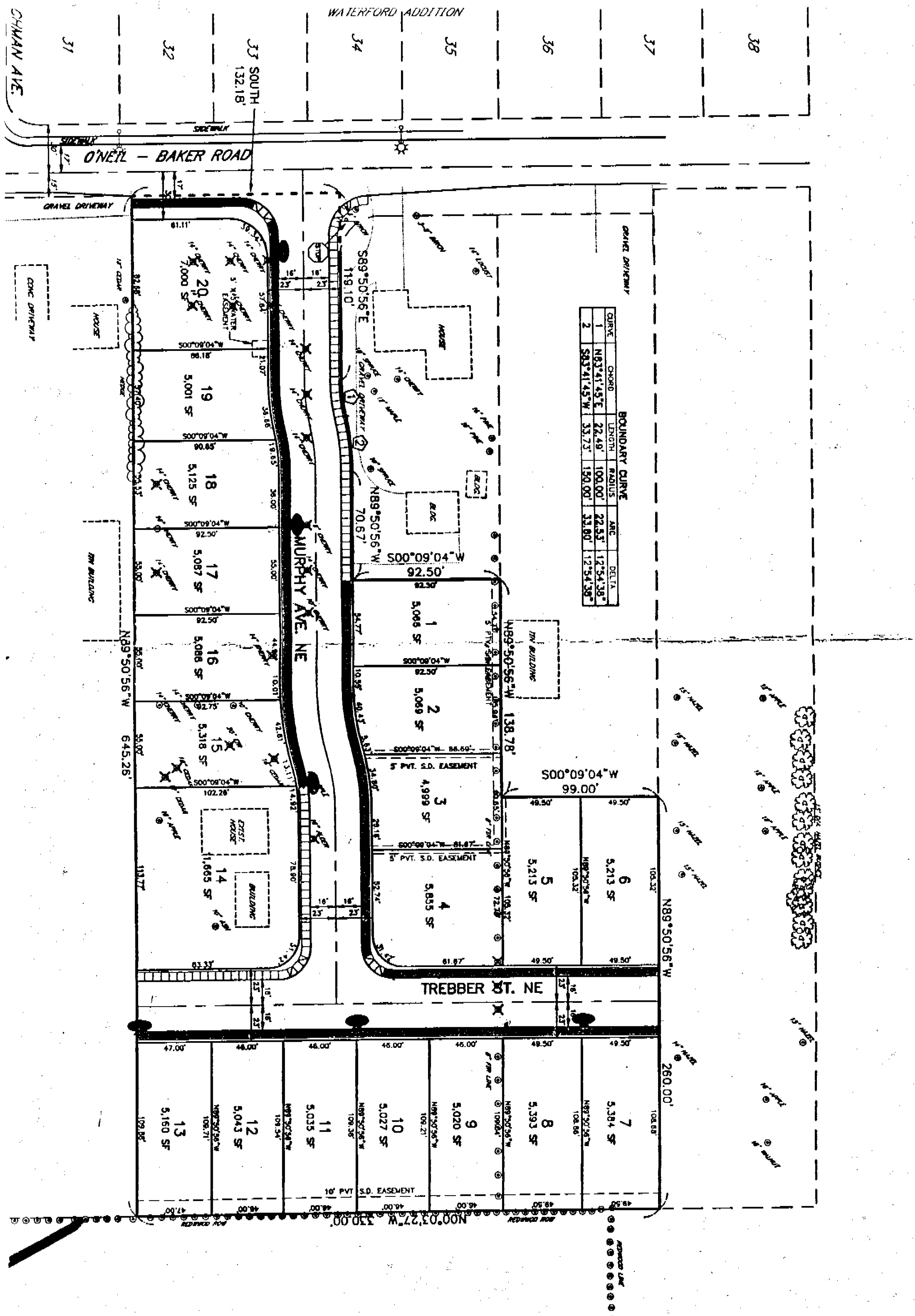
Method of Assessment: It is recommended that the costs be assessed on a per lot basis to each parcel in the district.

The first year assessment would include the one time costs for District formation and engineering. Subsequent years assessments would reduce to $40.39 per lot.

Assessment Roll: The attached preliminary assessment roll identifies the benefitted properties and the first year assessments to be levied against each.

Respectfully submitted,

William I. Peterson, PE



WATERFORD ADDITION
O'NEIL – BAKER ROAD
33 SOUTH 132.18'
GRAVEL DRIVEWAY
MURPHY AVE. NE
TREBBER ST. NE
BOUNDARY CURVE
CURVE | CHORD | LENGTH | RADIUS | ARC | DELTA
1 | N83°41'45"E | 22.49' | 100.00' | 22.53' | 12°54'38"
2 | S83°41'45"W | 33.73' | 150.00' | 33.80' | 12°54'38"
S89°50'56"E 119.10'
N89°50'56"W 70.67'
S00°09'04"W 92.50'
N89°50'56"W 138.78'
S00°09'04"W 99.00'
N89°50'56"W 645.26'
N89°50'56"W 260.00'
N00°03'27"W 330.00'
5' PVT. S.D. EASEMENT
10' PVT S.D. EASEMENT
20 7,000 SF
19 5,001 SF
18 5,125 SF
17 5,087 SF
16 5,088 SF
15 5,318 SF
14 11,665 SF
1 5,068 SF
2 5,069 SF
3 4,999 SF
4 5,855 SF
5 5,213 SF
6 5,213 SF
7 5,384 SF
8 5,393 SF
9 5,020 SF
10 5,027 SF
11 5,035 SF
12 5,043 SF
13 5,160 SF

City of Keizer, Oregon

November 5, 2001

AGENDA ITEM 8b

MIRACLE OF CHRISTMAS LIGHTING DISPLAY NOISE VARIANCE

COUNCIL MEETING: November 5, 2001

AGENDA ITEM NUMBER: ______________

TO: MAYOR CHRISTOPHER AND CITY COUNCILORS

FROM: CHRIS EPPLEY
CITY MANAGER

SUBJECT: MIRACLE OF CHRISTMAS NOISE VARIANCE

BACKGROUND:

City Noise Ordinance 93-269 was passed by the City Council on November 1, 1993 which greatly expanded noise prohibitions within the City of Keizer. Provisions are contained within the Ordinance that allow for persons or groups to apply for a variance for certain events.

ISSUE:

The Gubser Neighborhood Association has submitted a variance application for Council approval, as stipulated in Section 8 of the Ordinance, for a Class B Variance. This variance specifically pertains to the upcoming Miracle of Christmas lighting display held annually within the boundaries of the Gubser Neighborhood Association. The variance is necessary due to the possible ordinance violations during this event. The various sounds involved include routine traffic noise generated from large volume of vehicles that visit the area; persons or groups singing seasonal music; seasonal music emitted from residential displays; and any other sounds generated from seasonal activities in the area.

The Miracle of Christmas lighting event begins on Sunday, December 2, 2001 and runs through Wednesday, December 26, 2001. The hours of display are from 6:00 p.m. to 10:00 p.m. daily.

RECOMMENDATION:

It is recommended the Council, by motion grant the Class B Noise Variance for the 2001 Miracle of Christmas lighting display and authorize the City Manager to sign the variance.

GUBSER NEIGHBORHOOD ASSOCIATION

To: Keizer City Council

The Gubser Neighborhood Association is asking for a variance to City Noise Ordinance #93-269 for the annual "Miracle of Christmas" Lighting display. The lighting will be from 6 to 10 Sunday Dec 2nd 2001 through Wednesday Dec 26th 2001

A variance is being sought under section 3 of City Ordinance #93-269

A variance is necessary due to possible ordinance violations during this event.

The various sound involved include routine traffic noise generated from vehicles that visit the area; persons or groups singing seasonal music; seasonal music emitted from residential displays; and any other sound's generated from seasonal activities in the area.

We are requesting that this variance be given without a public hearing, as it is an annual event.

Bud & Trenda Staudenmier

Gubser Neighborhood Assoc Lighting Committee Chairperson

City of Keizer, Oregon

CITY OF KEIZER

P.O. Box 21000, Keizer, Oregon 97307
(503) 390-3700

VARIANCE FROM KEIZER NOISE ORDINANCE (93-269)

<u>Section 1.</u> **<u>THE APPLICATION</u>** Bud Staudenmier, Gubser Neighborhood Association Lighting Committee Chairperson has applied for a Class B Variance from the requirements of the Keizer Noise Ordinance, to allow for the event known as the Miracle of Christmas lighting display. This event is for a period from Sunday, December 2 through Wednesday, December 26, 2001. The lighting will be displayed from 6:00 p.m. to 10:00 p.m. daily. The noise produced by this event consists of noise generated from large volumes of vehicles that visit the area; persons or groups singing seasonal music; seasonal music emitted from residential displays; and the other sounds generated from seasonal activities in the area. The location of the event is within the Gubser Neighborhood Association boundaries.

<u>Section 2</u> **<u>APPLICABLE PROCEDURE</u>** As the duration of this event is more than 72 hours, a Class B variance is applicable.

<u>Section 3</u> **<u>GRANT OF THE VARIANCE</u>** On November 5, 2001 the Keizer City Council ***<u>GRANTED</u>*** a Class B variance for the event at the location stated and for the duration stated.

<u>Section 4</u> **<u>EFFECTIVE DATE</u>**. This order is effective immediately upon passage by the City Council.

______________________________ ________________

Christopher Eppley - City Manager Date

City of Keizer, Oregon

November 5, 2001

AGENDA ITEM 8c

APPROVAL OF OCTOBER 8, 2001 SPECIAL SESSION MINUTES

MINUTES

KEIZER CITY COUNCIL
Monday, October 8, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called special session to order at 5:37 p.m. Roll Call was taken as follows:

Present:
Lore Christopher, Mayor
Ray Kelly, Councilor
Charles E. Lee, Councilor (arrived at 5:37 p.m.)
Jerry McGee, Councilor
Jacque Moir, Council President
Judy K. Smith, Councilor
Richard Walsh, Councilor

Staff:
Chris Eppley, City Manager
Rob Kissler, Public Works Director
Maria Meier, Planning Director
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

INFILL TOUR

Mayor Christopher and City Council members Smith, McGee, Walsh, Moir, and Kelly departed City Hall at 4:30 p.m. to visit two of the case study sites noted in the proposed Infill Master and Redevelopment Plan. Maria Meier, Planning Director and Rob Kissler, Public Works Director guided the tour. The first stop was at 5163 10th Avenue NE, Keizer. Dorothy Kidder owns this parcel of property. Ms. Kidder was present during the visit. She is interested in partitioning the property, however access will be an issue to work through. The second parcel of property the Council visited was at 1250 Shady Lane NE, Keizer. Troung Chom Diep owns this parcel of property. He is also requesting a partition of the property and access is again an issue.

The tour was completed at 5:15 and members of the City Council and staff returned to City Hall.

PUBLIC TESTIMONY

No public testimony was brought before the City Council.

PUBLIC HEARINGS

a. Proposed Infill and Redevelopment Master Plan Review (continued from 9/24/01)

Planning Director Maria Meier reported they would be reviewing Section 6.0 Plans and Standards of the Infill Redevelopment Master Plan.

Mayor Christopher opened the public hearing.

Council President Moir noted a letter from Art Bobrowitz to include as part of the record.

Ms. Meier reviewed *1.200.04 Definitions* and answered questions from he Council.

It was the consensus of the Council to clarify the language in *Attached Dwellings* to indicate that a Zero Lot Line Wall would be on a separate lot.

Council questioned the ambiguity of the definition of the width of a travel lane in the *Constrained Access Roadway* definition. City Attorney Johnson indicated he would further review this before making any suggested change.

It was the consensus of the Council to adjust the definition of *Infill Development* to read: "Infill development is residential development at densities allowed under existing zoning on vacant, under-utilized, or partially used land. Infill development occurs on lands which may have been bypassed in the urbanization process or which may have a use that could be or has been removed."

Council President Moir noted the Planning Commission's concern regarding the lack of a definition for *under-utilized.* Ms. Meier indicated she would develop language to present to the Council during the next work session.

It was the consensus of the Council to adjust the definition of *Infill Development Parcel* to read, "Any parcel that meets Infill Criteria."

Council debated the *Infill Street* definition. It was felt that the cite referring to sidewalks should be included in the definition. Ms. Meier noted the suggestion.

In the *Lot Line Front* definition *(b)* the wording "private street" was noted and requested that this word be changed to "access easement" as private streets were being eliminated from the plan.

Ms. Meier reviewed 2.302 *Street Standards* noting that the Planning Commission and Citizens Advisory Committee differed in opinion on this section. She indicated that *5(c)* was added by the Planning Commission to help alleviate the burden of proof by the property owner wishing to develop.

City Attorney Johnson disclosed the Planning Commission's difficulty agreeing on language, which would adequately meet the intent or need for connectivity. He summarized the Planning Commission's debate and the non-binding nature of the affidavit signed by the adjacent property owner.

Councilor McGee stressed that the voluntary aspect of 5(c) would basically negate the intent of connectivity. He suggested a cost sharing plan to be developed to encourage connectivity. Councilor McGee also recommended as a second option the possibility of using a ratio between the value of developing the street for connectivity and the value of the lot being developed to determine if connectivity should be mandated for that particular development.

Council President Moir provided a synopsize of the intent of the Citizens Advisory Committee and the Planning Commission regarding connectivity and infill development. She felt it would be important to address the points from both groups, to formulate language to address concerns from both sides and to incorporate Councilor McGee's suggestion of cost sharing into the process.

Councilor Walsh suggested that in lieu of an affidavit that a deed restriction could be used which could allow the property owner to be compensated for the deed restriction. He also suggested as an alternative giving the opportunity to build only to the developer's property leaving a dedication of right of way for later expansion.

Ms. Meier cautioned the Council regarding the use of deed restrictions and the difficulties that would be entailed to manage this.

Council reviewed the options and agreed that it would be valid to review the options in a written draft form.

Under Section 2.404(G) Zero Side Yard Dwelling Units it was the consensus of Council to recommend that the six items be summarized in a more general fashion. As discussions of this section continued Ms. Meier indicated she would work with legal counsel regarding the wording in 2.404(H) to better define that the maintenance easement consisted only on the exterior of the building.

Councilor Lee left the meeting at 7:16 p.m.

It was the consensus of the Council to pick up this chapter at 2.316 Infill Development Standards at the next meeting on October 22nd at 5:30 p.m.

Mayor Christopher continued the public hearing until October 22, 2001.

ADMISTRATIVE ACTION (reviewed after Public Testimony)

a. Appointment to Keizer Planning Commission
City Manager Eppley reported in July 2001 Jere Clancy tendered his resignation from the Planning Commission. Mr. Clancy had just been re-appointed to a three-year term on the Commission. His term was scheduled to expire in September 2003.

Mr. Eppley indicated that a press release was submitted regarding the vacancy and the Volunteer Coordinating Committee by consensus recommended Frank Moore to fill the unexpired term on the Planning Commission

It was recommended the City Council accept the recommendation of the Volunteer Coordinating Committee and appoint Frank Moore to fill the unexpired term of Jere Clancy on the Keizer Planning Commission.

<u>Councilor McGee moved a motion to appoint Frank Moore to fill the unexpired term on the Keizer Planning Commission. Council President Moir seconded the motion.</u>

<u>The motion passed as follows:</u>

<u>AYES:</u> Christopher, Lee, McGee, Moir, Smith and Walsh (6)
<u>NAYS:</u> Kelly (1)

ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor McGee supplied a brief background of Mr. Moore, and welcomed him as a new member of the Planning Commission.

Mr. Moore expressed his appreciation for the appointment and noted his availability to attend meetings.

b. Appointment to Keizer Traffic Safety Commission
City Manager Eppley reported in July 2001, Kirk Fillman tendered his resignation from the Traffic Safety Commission. Mr. Fillman was serving a three-year scheduled to expire on December 30, 2002.

The appropriate press release was prepared and applications accepted. On October 2, 2001 the Volunteer Coordinating Committee by consensus recommended the appointment of Jeff Hanson to fill the vacancy.

It was recommended the City Council accept the recommendation of the Volunteer Coordinating Committee and appoint Jeff Hanson to fill the unexpired term of Kirk Fillman on the Traffic Safety Commission.

Council President Moir moved a motion to accept the recommendation of the Volunteer Coordinating Committee and appoint Jeff Hanson to fill the unexpired term on the Traffic Safety Commission. Councilor Smith seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

OTHER BUSINESS

Councilor McGee noted he would not be in attendance at the October 22, 2001 meeting.

Councilor Smith reported an ODOT Forum taking place on Thursday, October 11th from 12:00 - 1:30 p.m. to provide basic information to the public.

Councilor Smith reported that the Restaurant Association in coordination with participating restaurants would be donating portions purchases to the Disaster Relief Fund on October 11th.

Mayor Christopher summarized the city's opportunity to use the Community Center for Regional Meetings or special events. She noted the letter, which she would be submitting to the Keizer Heritage Foundation Board.

Mayor Christopher reported an issue brought forward by CIS regarding insurability of Councilors. She noted that CIS had recommended that city's review their Charter and adopt procedures or ground rules which would decrease potential risks to the city.

Councilor McGee noted Article Five, Section 21(f) of the City's Charter. He requested that legal counsel work through a work session with the Council on this portion of the Charter.

It was agreed that a work session would take place on Monday, November 26th at 5:30 p.m.

ADJOURNMENT

Mayor Christopher adjourned the meeting at 7:38 p.m.

City of Keizer, Oregon

November 5, 2001

AGENDA ITEM 8d

APPROVAL OF OCTOBER 15, 2001 REGULAR SESSION MINUTES

MINUTES

KEIZER CITY COUNCIL
Monday, October 15, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the regular meeting to order at 7:01 p.m. Roll Call was taken as follows:

Present:
Lore Christopher, Mayor
Ray Kelly, Councilor
Charles E. Lee, Councilor
Jerry McGee, Councilor
Jacque Moir, Council President
Judy K. Smith, Councilor
Richard Walsh, Councilor

Staff:
Chris Eppley, City Manager
Susan Gahlsdorf, Finance Director
Rob Kissler, Public Works Director
Maria Meier, Senior Planner
Marc Adams, Chief of Police
Dianne Hunt, Human Resources Director
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

Kyle Berger, 569 Greenwood Drive NE #20, Keizer- felt if you were over the age of 18 that you should have the choice whether to wear a helmet in the Skate Park.

Mr. Berger answered questions from the Council. He expressed his opinion that he felt most individuals over the age of 18 would not wear a helmet while skate boarding unless they were performing a dangerous stunt.

Mayor Christopher thanked Mr. Berger for his testimony.

Dave Cook, Principal of Claggett Creek Middle School-expressed his enthusiasm regarding the size of the school and the excellent technology programs in place at the school.

Tasha Morrision, Principal of Whiteaker Middle School- reported that the school is currently at approximately 700 students. She expressed her happiness that the portable classrooms were no longer being used. Ms. Morrison noted the changes in staff due to the building of the new middle school. She expressed appreciation for the parental support of the schools in Keizer.

Mr. Cook thanked the Council for the funds allotted towards the Power Program.

Responding to questions Ms. Morrison indicated that the author of Pay if Forward would be attending Whiteaker's assembly to kick-off the "Pay it Forward" Concept. She expressed enthusiasm for the Power Program and what it offered middle school children.

Mr. Cook introduced Colleen Johnson Director of the Power Program at Claggett Creek Middle School.

Colleen Johnson-offered her thanks for the funding supplied by the City for the Power Program. She responded to questions from the Council regarding funding for the program.

Mayor Christopher thanked everyone for his or her testimony.

Mike Basinger, 7624 Kayla Shae Court, Keizer- expressed appreciation to the city staff regarding the Verda Lane issue.

Jan Calvin, City of Salem Power Program-provided an annual report regarding the progress of the program from last year versus this year. She noted that approximately 4,000 middle school children participated in the program last year. Ms. Calvin summarized the benefits of the program as described by the children and school staff. She noted the participation of school staff and the volunteers who assisted in running the program and some of the activities available.

Ms. Calvin provided a pamphlet detailing the Power Program.

Councilor's Lee, Kelly and Walsh expressed support and need for the program.

Mayor Christopher thanked Ms. Calvin for her presentation.

COMMITTEE REPORTS

a. Council Liaison Reports

✓ **Parks Advisory Board**

Mayor Christopher reported that work had started on Country Glen Park.

Mayor Christopher reported that the City of Salem Parks Board made a presentation regarding the idea of a Regional Parks District. She indicated members of Keizer's Parks Board would be attending the Salem meeting to discuss this further.

✓ **Planning Commission**

Council President Moir reported that new Commission members Ross Day, Christopher Anderson, John Preston and Frank Moore were swore in. The Commission also heard the presentation regarding the Keizer Station Plan and would be taking public testimony on December 12, 2001 regarding the Keizer Station Plan.

✓ **EVAK**

Council President Moir reported that the Fire Department was working with the volunteers to offer the CERT Program. Preparedness information was also handed out by the Red Cross.

✓ **Claggett Creek Watershed Council**

Council President Moir reported that the annual meeting of this group takes place on October 23rd. She indicated that this was a potluck dinner which the public was invited to attend.

✓ **Community Policing Committee**

Councilor Kelly indicated he had no information to report.

Responding to questions from Council, Chief Adams noted the attempt to organize a main community policing meeting.

- ✓ **Chamber Governmental Affairs Committee**

Councilor Walsh reported that the meeting was exclusive to the presentation regarding the Keizer Station Plan.

- ✓ **Salem Futures Committee**

City Manager Eppley reported that the technical advisory committee met and reviewed the work from Eugene regarding the development of a bus rapid transit system. He noted Salem's wish to possibly involve some of these components into their bus system.

- ✓ **Mid-Willamette Valley Area Commission on Transportation-**

Councilor Smith reported that the group met on October 4th to discuss ODOT funding and accept public testimony. The meeting on October 18th would be a final review of the projects before a decision is made.

OTHER BUSINESS

a. New Business

- ✓ **Developing Keizer Civic Center Task Force**

City Manager Eppley reported that KURB had recommended that a Task Force be formed to review options or the need for a Civic Center. He provided a handout, which outlined staff's proposal for the Task Force.

Councilor McGee requested that the Council consider that a task force be formed which would develop a request for proposal for a consultant that would in turn research the issues regarding a Civic Center.

Councilor Smith felt it would be important to have three citizens at large on the task force. Councilor McGee agreed with this suggestion.

Councilor Walsh spoke in favor of Councilor McGee's suggestion indicating that he felt a consultant could develop a recommendation for the task force to review and assist in answering questions that needed to be addressed.

Councilor Kelly felt it was not necessary to hire a consultant. He suggested that organizing the numbers and processes to develop a Civic Center would be more appropriate.

Councilor McGee indicated that he felt a determination had not been made whether a new building was necessary. He advised the need to find out what the needs of City Hall and the Police Department were prior to any political decisions taking place.

Responding to questions Councilor McGee outlined what he felt the role of staff and a consultant would be. He felt the neutrality of a consultant would bring a better perspective to the project.

City Manager Eppley suggested that Council direct him to develop an RFP for a consultant including the components of technical, Council and community. He indicated he could provide this information to the Council within 30-days.

Councilor Lee felt that developing a process prior to bringing a consultant on board would be more feasible.

Councilor Walsh emphasized that the Council could argue some of the questions during a work session pertaining to size need and costs of redevelopment or upgrading of the current facility.

<u>Mayor Christopher moved a motion to initiate an Ad Hoc Task Force (as noted by staff's proposal and to include three citizens at large) to develop a process for implementing a feasibility study for a Keizer Civic Center. Councilor Lee seconded the motion.</u>

Councilor Walsh spoke against the motion and urged the need to work through some of the issues, which he outlined earlier.

Council President Moir indicated that she felt it would be important to bring a consultant on early in the operation to act as a neutral individual in the process.

She urged that the Council be proactive on the issue to get the process started.

Councilor Smith spoke in favor of a task force. She felt that the task force could organize some of the questions that would fall on a consultant to answer.

Councilor Lee stressed the need for a process to be in place to determine the need for a Civic Center and then the need for a consultant.

Councilor McGee requested that the study conducted in 1993 is provided to the Council.

Mayor Christopher reiterated that her motion included that the task force be organized to develop a process for implementing a feasibility study.

Council President Moir questioned whether staff liaisons would be available to answer questions from the Task Force. Mayor Christopher agreed that this should be included as part of her motion.

<u>The motion passed unanimously as follows:</u>

<u>AYES:</u> Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
<u>NAYS:</u> None (0)
<u>ABSTENTIONS:</u> None (0)
<u>ABSENT:</u> None (0)

Mayor Christopher appointed Councilor Lee and Council President Moir to serve on the Task Force. Councilor Walsh would appoint a member from KURB and the Chamber, Council President Moir would make an appointment from the Planning Commission and Councilor Smith would appoint a KNAG representative.

- ✓ **Terrorism**

Councilor Kelly urged increased vigilance in light of what had taken place and advised citizens to continue their daily routines.

b. Old Business

✓ **Focal Point Update**

Councilor Lee reported that staff would be working on organizing a survey of the property and discussing details of the focal point. He noted that Costic Architects had agreed to supply pro-bono services of drawings for the project.

✓ **Police Officer Position**

Chief Adams shared that the testing to fill this position would take place on Saturday, October 20th. Human Resource Director Dianne Hunt reported that 50 applications had been received to date.

✓ **EVAK/Emergency Management**

Ms. Hunt reported that staff would be working in coordination with volunteers to participate in a table-top exercise to better train staff during an emergency situation.

✓ **Air Quality Testing**

Ms. Hunt reported that the data was still being reviewed. Recommendations would be forthcoming.

✓ **Strategy to Improve Pedestrian Safety on Verda Lane in Relation to New Schools**

City Manager Eppley reported that on October 1, 2001 the City Council directed staff to develop a strategy for improving pedestrian safety on Verda Lane. He indicated that this became necessary due to the unexpected number of children walking from the area east of Verda Lane to the new school in the proximity of Alder Street and Verda Lane.

Mr. Eppley summarized a recommendation containing eight steps to accomplish the task. This included:

- Allocation of $220,000 from the Street Fund designated for improvements on Dearborn for the creation of pedestrian walkway improvements on Verda Lane.
- Provide street lighting in critical areas on Verda Lane (from Dearborn south to the Salem Parkway)
- Conduct a speed and volume analysis to help establish warrant of a speed reduction
- Temporary speed reduction if the analysis

finds warrant for this.

- Determine a safe driving speed on Verda Lane with recommendations made to the City Council
- Partnership with the school district pertaining to developing a safe walking route, exploring the possibility of temporary bussing and seeking partial school funding for Verda Lane improvements.
- Saturation Patrol and Public Education
- Construction Improvements on Verda Lane

Staff recommended that the suggestions be reviewed, input provided and direction given to the City Manager to accomplish the above as soon as practical.

Responding to questions Chief Adams indicated that traffic officers were in the area and that counters which captured volume and speed would be placed.

Councilor Smith requested that a temporary reduction of speed take place on Verda while the warrant studies were taking place.

Chief Adams summarized the stages, which the police department took in order to determine if there was a problem.

City Manager Eppley reported that the City did have the ability to make a temporary reduction in speed but recommended against this until a proper warrant could be determined.

<u>Council President Moir moved a motion to direct the City Manager to cause the approved strategy to be accomplished as soon as practical. Councilor Kelly seconded the motion.</u>

Councilor Lee commended staff for their work in organizing these strategies. He suggested that the option of working with the School District for partial funding and bussing options should be the first option prior to the Budget Committee making a recommendation.

City Manager Eppley indicated that some of these options would be taking place concurrently. He indicated there might be the need for funds to develop or design the project.

Responding to questions Public Works Director Rob Kissler indicated that improvements that would be delayed due to the Verda Lane project would be the walking/bike path on Dearborn from River to Verda Lane. He went on to note that sidewalks would be constructed on the east side of Verda Lane to 18th Street. He urged the need for education in the development of a safe walking route.

Councilor Walsh suggested that flyers be developed and sent home to families outlining safe walking routes.

The motion passed as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, and Walsh (6)
NAYS: Smith (1)
ABSTENTIONS: None (0)
ABSENT: None (0)

Mayor Christopher called a recess of the meeting at 8:50 p.m. She reconvened the meeting at 9:02 p.m.

PUBLIC HEARINGS

None

ADMINISTRATIVE ACTION

a. ORDINANCE- Legislative Amendment to Redesignate Chalmers Jones Park and Clarify Boundaries

City Attorney Shannon Johnson reported as of October 1, 2001 meeting, the Council directed staff to prepared an ordinance to redesignate Chalmers Jones Park from a "neighborhood park" to a "community park" and to clarify its boundaries.

Staff recommended adoption of the ordinance.

Council reviewed the ordinance and made the suggested changes to page two:

Description: Chalmers Jones Park is approximately a 2.9 acre *site located adjacent to Keizer City Hall and the Keizer City Police Station. The improvements to the park include the Carlson Skate Park and a covered structure.*

Comments: Chalmers Jones Park is an excellent site to develop into a community park. It could accommodate a pedestrian pathway and future building expansion. The specific design of the open space should be carefully developed to augment City Hall/Civic Center activities.

Council President Moir moved a Bill for an Ordinance Amending the Comprehensive Park System Development Plan Dated May 7, 1992 Regarding Chalmers Jones Park; and Amending the Keizer Comprehensive Plan (Amending Ordinance 92-235 and Ordinance No. 87-077) as Amended Above. Councilor Kelly seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

b. ORDER-Approval of Design Review Alternative for Skyline Ford

City Attorney Shannon Johnson reported on October 1, 2001 Council directed staff to prepare an Ordinance approving the design alternative regarding metal siding for the Skyline Ford building.

Staff recommended adoption of the Ordinance.

Council President Moir moved an Order in the Matter of the Application of Skyline Ford for Approval of Design Review Alternative for Property Located at 3555 River Road North, Keizer, Oregon. Councilor McGee seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

c. ORDINANCE-Amendment to Electric Utility Franchise Ordinance Regarding Payment Due Dates

City Attorney Johnson reported that PGE had requested that the City amend its Ordinance to provide for a payment date of 45 days after the end of each quarter. He indicated that the 60-day notice was waived by Salem Electric and PGE.

Staff recommended adoption of the Ordinance.

Responding to questions Mr. Johnson indicated that there was not a late fee issued to the utilities as part of the Ordinance, and that this had not been an issue in the past.

Council President Moir moved to Adopt a Bill for an Ordinance Amending the Utility License Fees for Electric Utilities in the City of Keizer and Declaring and Emergency (Amending Ordinance No. 94-286; Repealing Ordinance 2001-441) Councilor Kelly seconded the motion.

Responding to questions City Manager Eppley indicated that the Ordinance was neutral regarding fiscal impact.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

d. RESOLUTION-Creation of Water Rate/Storm Water Utility Task Force

Public Works Director Rob Kissler reported that in an attempt to keep pace with customer needs and state guidelines, the Public Works Department initiated a Water Master Plan update. He indicated the second goal of the Task Force would be to implement a plan to determine a rate structure that would develop the CIP.

Mr. Kissler reported in order to comply with Federal and State Law an overall Storm Water Management Plan would need to be developed. This plan was needed to obtain a NPDES Phase II permit from the DEQ by early 2003.

Mr. Kissler stated that funds were currently available in the Water and Street Division budgets for the completion of the plans outlined in the proposed Water/Stormwater Task Force.

Staff recommended adoption of the Resolution.

Councilor McGee felt that there should be two separate committees to review water rates and another to review a Storm Water Management Plan. He suggested alterations to the Resolution making it a Task Force to study water rates. He recommended that staff bring back information to form a separate Stormwater Task Force.

Councilor McGee moved a Resolution Creating an Ad Hoc Task Force to Study Water Rates. Councilor Walsh seconded the motion.

Councilor Kelly declared a potential conflict of interest noting that he works with NPEDS issues. He spoke in favor of Councilor McGee suggestion to create two separate Task Forces.

With further discussion, Mayor Christopher outlined Councilor McGee's amendments to the Resolution that included removing lines 13,14,21 and 22. Removing the mention of Storm Water Utility from line 16 and eliminating the School District and the Claggett Creek Watershed Council from page two; line six. Also adding two City of Keizer residents to the Task Force making the number of individuals on the Task Force seven.

Responding to questions Mr. Kissler indicated that his intent was not to tie the committees together, but to review them as two separate issues. He reported no intermingling of funds would take place.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)

ABSENT: None (0)

Mayor Christopher noted that she and Councilor McGee would act as the Council representatives on the Task Force. Councilor Walsh would appoint from the Chamber, Councilor Kelly would appoint from the development community, Councilor Lee and Smith would appoint the citizens and Council President Moir would appoint from the neighborhood associations. These appointments would be directed back to Councilor McGee.

Councilor Kelly moved a Resolution to form an Ad Hoc Committee to address the Storm Water Utility Master Plan by reinserting lines 13,14,21 and 22 and recommending that the School District act as a representative. Councilor McGee seconded the motion.

Responding to questions, Councilor Kelly felt the committee should be of the same make up as the Water Rate Committee with the exception that the committee would contain nine members.

City Attorney Johnson noted that lines 6-12 would also need to be eliminated.

Mr. Kissler requested that the Stormwater Task Force not be initiated until the Water Rate Task Force had completed their task.

After further discussion it was the consensus of Council to direct staff to bring back a resolution forming the Stormwater Task Force.

Councilor Kelly withdrew his motion. Councilor McGee withdrew his second to the motion.

e. RESOLUTION-Creation of Personnel Policy Review Committee

Human Resources Director Dianne Hunt reported that on October 1, 2001 the Council directed staff to develop a Resolution establishing the Personnel Policy Committee as a standing committee.

Ms. Hunt noted that the Personnel Policy Committee unanimously agreed during their September meeting to establish this group as a standing committee and to develop operating guidelines.

Staff recommended adoption of the resolution and noted there was no fiscal impact by forming this group as a standing committee.

Mr. Johnson answered questions from the Council regarding the charge of the committee and his concerns with the Council/Manager form of government versus this committee.

Mayor Christopher felt that line one; page one should read the same as lines eleven and twelve on page one to enable consistency throughout the Resolution.

City Manager Eppley noted a change in the Committee's procedures to allow employee input of procedures prior to implementation.

Ms. Hunt summarized how a policy would be brought before the Council.

Council President Moir moved a Resolution Providing for the Establishment of a Personnel Policy Committee as amended. Councilor Lee seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

CONSENT CALENDAR

a. RESOLUTION-Approving Engineer's Report Pine Meadows Street Light District
b. Approval of September 24, 2001 Special Session Minutes
c. Approval of October 1, 2001 Regular Session Minutes

Councilor Moir pulled item "c" from the Consent Calendar.

Council President Moir moved for approval of items "a" and "b" on the Consent Calendar. Councilor Kelly seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Council President Moir noted a change to the October 1, 2001 Regular Session Minutes.

Council President Moir moved for approval of item "c" of the Consent Calendar as amended. Councilor Kelly seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

WRITTEN COMMUNICATIONS

Council President Moir and Councilor Kelly notified Council that they would be attending the leadership forum on terrorism dated October 18, 2001.

Mayor Christopher noted the Oregon Land use Law Conference on Thursday, December 6, 2001.

Councilor Kelly noted he would be out of the state November 2nd through 12th.

AGENDA INPUT

October 22, 2001
5:30 p.m. City Council Special Session
- ✓ Proposed Infill and Redevelopment Master Public Hearing (continued from 10/08/01)

November 5, 2001
7:00 p.m. City Council Regular Session
- ✓ Miracle of Christmas Lighting Display Noise Variance Public Hearing
- ✓ Recognition of McNary Neighborhood Association

November 12, 2001-Holiday No Work Session

November 19, 2001
7:00 p.m. City Council Regular Session

November 26, 2001
5:30 p.m. City Council Work Session
✓ Overview of Council Procedures and City Charter

Councilor Lee requested that the Civic Center Task Force conduct it's first meeting on Monday, October 22nd at 4:30 p.m.

Mayor Christopher noted the agenda items.

ADJOURNMENT

Mayor Christopher adjourned the meeting at 9:50 p.m.

Cindy Perry
Recording Secretary

APPROVED:
MAYOR:

Lore Christopher

COUNCIL MEMBERS:

Councilor #1 - Judy K. Smith

Councilor #4 - Jacque Moir

Councilor #2 - Ray Kelly

Councilor #5 - Richard Walsh

Councilor #3 - Charles E. Lee

Councilor #6 - Jerry McGee

Minutes approved:

City of Keizer, Oregon

November 5, 2001

AGENDA ITEM 8e

APPROVAL OF OCTOBER 22, 2001 SPECIAL SESSION MINUTES

MINUTES

KEIZER CITY COUNCIL
SPECIAL SESSION
Monday, October 22, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the special session to order at 5:35 p.m. Roll Call was taken as follows:

Present:
Lore Christopher, Mayor
Ray Kelly, Councilor (arrived at 5:37 p.m.)
Charles E. Lee, Councilor
Jerry McGee, Councilor
Jacque Moir, Council President
Judy K. Smith, Councilor
Richard Walsh, Councilor

Staff:
Chris Eppley, City Manager
Rob Kissler, Public Works Director
Maria Meier, Senior Planner
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

No public testimony was brought before the City Council.

PUBLIC HEARING

a. Proposed Infill and Redevelopment Master Plan Review (continued from 10/08/2001)

Mayor Christopher reopened the public hearing.

Councilor Kelly arrived at 5:37 p.m. and took a seat at the table.

Planning Director Maria Meier reported that Section 2.316 *Infill Development Standards* was a new proposed chapter to the Keizer Development Code. She indicated the purpose of this chapter was to increase compatibility with existing development.

Ms. Meier summarized sections in this chapter and suggested that 2.316.04(B) be eliminated. She explained the Planning Commission's wish to make the pre-application conference an option rather than a requirement.

Councilor Moir suggested that a reference to be made to the pre-application conference to make citizens aware that this was an option that was available.

City Attorney Shannon Johnson suggested that under 2.316.03(c) that the wording *full density potential* be changed to *maximum density.*

Ms. Meier answered questions from the Council regarding setbacks.

A discussion of sidewalks was brought about in Section 2.316.06. It was suggested that language be drafted for the Infill Street II to allow for the requirement of sidewalk only on one side of the street depending upon specific situations. Ms. Meier agreed to draft some language to bring back at the next meeting.

Pertaining to Infill Turnarounds and Turning Radius's, Ms. Meier indicated that these standards met the requirements of the Fire Department.

Councilor Kelly left the meeting at 6:00 p.m.

2.316.09 Infill Access Easement Setbacks were debated. City Attorney Johnson indicated that he would prefer that the setback were measured to the foundation. He indicated that language would be brought back fashioning this.

Constrained Access was reviewed. Ms. Meier answered questions from the Council.

Councilor Smith expressed concern regarding 2.316.10(3). She indicated if fencing were placed that emergency vehicles would be unable to open their doors in the constrained access.

Public Works Director Rob Kissler requested that he have the opportunity to meet with the Fire Marshall regarding these concerns. He felt the strategic manner of fighting a fire would not place the equipment in the constrained access.

Councilor McGee felt there were other issues regarding the constrained access that needed to be better defined. Ms. Meier suggested that wording noting that only one constrained access was allowed on a street. She felt this would address these concerns.

Councilor Walsh suggested that #12 be added to 2.316.10 *Constrained Access Roadway* that outlined the need for signage indicating that the constrained access was single vehicle traffic. Staff agreed to draft language to reflect this.

2.316.14 *Infill Compatibility* was discussed. Some members of Council felt that the requirements might too restrictive. Ms. Meier indicated the reason for this was to focus a neighborhood atmosphere and provide visual relief.

Councilor Lee left the meeting at 6:55 p.m.

After further discussion of *Infill Compatibility* it was the consensus of the Council to reference the design standards from the Keizer Development Code for single family dwellings as the design features of the Infill Code and adding the requirement of a front window.

2.316.18 *Street Lights* was discussed. It was agreed that the final sentence in this paragraph would be changed to read; *Street lights shall be designed to direct the light down toward the street and sidewalk, and as much as practical, away from the adjoining homes.*

3.210.04 *Pre-application Conference Recommendations* Council felt it was important to include wording noting that the conference was intended to assist the landowner in complying with the rules and regulations during the development of their property. Staff agreed to draft language to meet this suggestion.

Fees regarding the Pre-application Conference were discussed. Staff suggested that as an incentive a portion of the applicant's fee could be reduced if the applicant participated in the program. Staff reported that an appropriate percentage of this fee would need to be determined to be sure that all costs were met.

The remainder of this section was reviewed. Ms. Meier reported she would bring back the suggested changes during the next meeting.

Mayor Christopher continued the public hearing until November 5, 2001.

OTHER BUSINESS

Councilor Walsh reported that he had appointed Jack Lowery to the Water Rate Task Force and Phil Bay and Greg Rands to the Civic Center Task Force.

Council President Moir noted her appointment of John Preston to the Civic Center Task Force.

Councilor Smith noted her appointment of Garry Whalen to the Civic Center Task Force.

Councilor McGee noted Councilor Lee's appointed of Mike Kurtz to the Water Rate Committee and his appointment of Jim Keller to the Civic Center Task Force.

ADJOURNMENT

Mayor Christopher adjourned the meeting at 7:48 p.m.

Cindy Perry
Recording Secretary

APPROVED MAYOR:

Lore Christopher

COUNCIL MEMBERS:

Councilor #1 - Judy K. Smith

Councilor #4 - Jacque Moir

Councilor #2 - Ray Kelly

Councilor #5 - Richard Walsh

Councilor #3 - Charles E. Lee

Councilor #6 - Jerry McGee

Minutes approved:

PUBLIC HEARING SIGN UP SHEET

City of Keizer, Oregon

PUBLIC HEARING RE: INFILL MASTER PLAN

DATE: November 5, 2001 TIME: 7:00 p.m. AGENDA ITEM # 6a

BEFORE THE: KEIZER CITY COUNCIL PLACE: ROBERT L. SIMON COUNCIL CHAMBERS

(PLEASE PRINT)

NAME	ADDRESS	GENERAL	PROPONENT	OPPONENT
Joel Stein	661 Chemawa Rd NE	X		
M. J. Wilken	1240 Shady Lane	Marcy	Wilken	X
D. Menken	5288 Spring Leaf Ct N			
Ken Gierloff	4035 Arnold St NE	X		
Susan Leland				

CITY OF KEIZER MISSION STATEMENT

KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY SERVICES TO THE COMMUNITY IN A COORDINATED, EFFICIENT AND LEAST COST FASHION

AGENDA

URBAN RENEWAL AGENCY OF THE CITY OF KEIZER

Monday, November 5, 2001
6:30 p.m.
Robert L. Simon Council Chambers
Keizer, Oregon

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PUBLIC TESTIMONY**

   This time is provided for citizens to address the Urban Renewal Agency on any matter not scheduled for public hearing.

4. **PUBLIC HEARING**

5. **ADMINISTRATIVE ACTION**

   a. Refinancing of Urban Renewal Agency Bonds

6. **CONSENT CALENDAR**

   a. Approval of Urban Renewal Agency Minutes of October 1, 2001

7. **OTHER BUSINESS**

   This time is provided to allow Urban Renewal Agency members the opportunity to bring matters before the Agency that are not on tonight's agenda.

8. **ADJOURN**

Upon request, auxiliary aids and/or special services will be provided to participants with disabilities. To request services, please contact us at (503) 390-3700 at least two working days (48 hours) in advance.

AGENCY MEETING: **November 5, 2001**

AGENDA ITEM NUMBER:_______________

TO: **CHAIR CHRISTOPHER AND BOARD MEMBERS**

THROUGH: **CHRIS EPPLEY**
CITY MANAGER

FROM: **SUSAN GAHLSDORF, CPA**
FINANCE DIRECTOR

Susan

SUBJECT: **URBAN RENEWAL DEBT REFUNDING**

The attached resolution provides for the refunding of the Urban Renewal Agency's 1993 Series A (tax-exempt), 1998 Series A (tax-exempt) and 1998 Series B (taxable) bonds. Staff propose defeasing (paying off) all debt and issuing new debt for the expressed purpose of saving money by taking advantage of market interest rate reductions.

The current debt structure is as follows:

	1993 A	1998A	1998B
Final maturity	7/01/13	12/01/06	12/01/06
Debt Service dates	Jan 1 & July 1	Dec 1 & June 1	Dec 1 & June 1

The new debt structure is proposed as follows:

	1993 A	1998A	1998B
Final maturity	1/01/13	01/01/13	12/01/06
Debt Service due	Dec 1 & June 1	Dec 1 & June 1	Dec 1 & June 1

There are certain advantages to structuring the debt in this way.

(1) The Dec 1 & June 1 debt service payment structure is cleaner date in that it does not collide with our fiscal year beginning date of July 1.
(2) The payment structure for the 1993 A and 1998 A Series is set up to pay off the 1998A by December 1, 2006 so as not to extend the maturity on this debt.
(3) Shortening the maturity date of the 1993 A debt by six months provides significant savings to the Agency.
(4) The 1998 B taxable debt cannot be combined with the tax-exempt debt because there are different buyers interested in the taxable and tax-exempt pieces.

FISCAL IMPACT:

The Agency's financial advisor, Seattle Northwest estimates the Net Present Value Savings of this refinancing to be between $250,000 and $300,000. Market rates are at an all time low. However, if there is a spike in interest rates this could reduce the amount of saving closer to $250,000. These savings are net all costs of refinancing.

RECOMMENDATION:

Staff recommends the City Council adopt the attached resolution authorizing the refinancing of the 1993 Series A, 1998 Series B, and 1998 Series C debt.

RESOLUTION NO.

A RESOLUTION OF THE URBAN RENEWAL AGENCY OF KEIZER, OREGON AUTHORIZING ITS URBAN RENEWAL REFUNDING BONDS, SERIES 2001 AND PRESCRIBING TERMS UNDER WHICH FUTURE OBLIGATIONS MAY BE ISSUED.

WHEREAS, the urban renewal agency of the City of Keizer, Oregon (the "Agency") has issued urban renewal bonds to pay for the costs of urban renewal projects in the North River Road Urban Renewal Area; and

WHEREAS, interest rates have declined since those bonds were issued were issued and the Agency can reduce its debt service payments by refunding those bonds; and,

WHEREAS, the terms and conditions prevalent in urban renewal bond transactions have changed since the issuance of the outstanding bonds, and the provisions of this resolution, which govern both the bonds authorized by this resolution and future bonds which are secured by the Tax Increment Revenues, will adapt the Agency's borrowing ability to those changed conditions; and,

WHEREAS, the Agency adopts this resolution to authorize the refunding of all of its outstanding bonds; now therefore,

THE URBAN RENEWAL AGENCY OF THE CITY OF KEIZER, OREGON RESOLVES:

Section 1. Definitions

Capitalized terms used in this Master Resolution shall have the following meanings unless the context clearly requires use of another meaning:

"2001 Bonds" means the Agency's Urban Renewal Refunding Bonds, Series 2001, which are authorized by Section 11 of this Master Resolution.

"Act" means Chapter 457 of the Oregon Revised Statutes.

"Additional Bonds" means Bonds issued pursuant to Section 5 of this Master Resolution which have an equal and ratable lien on the Security with the 2001 Bonds.

"Agency Official" means the City Manager, City Finance Director, or the person designated in writing by the City Finance Director to act as Agency Official under this Resolution.

"Agency" means the urban renewal agency of the City of Keizer, Oregon.

"Annual Debt Service" means the amount of principal and/or interest which is required to be paid in a Fiscal Year on all then Outstanding Bonds, provided that:

(a) Interest which is to be paid from proceeds of Bonds shall be subtracted.

(b) Bonds which are subject to scheduled, noncontingent redemption or tender shall be deemed to mature on the dates and in the amounts which are subject to mandatory redemption or tender, and only the amount scheduled to be Outstanding on the final maturity date shall be treated as maturing on that date; and,

(c) Bonds which are subject to contingent redemption or tender shall be treated as maturing on their stated maturity dates.

"Area" means the North River Road Economic Development Area which is described in the Plan, and all additions thereto.

"BEO" means "book-entry-only" and refers to a system for clearance and settlement of securities transactions through electronic book-entry changes, which eliminates the need for physical movement of securities.

"Bond Counsel" means Preston Gates & Ellis LLP or any other law firm appointed as bond counsel to the Agency and having knowledge and expertise in the field of municipal law and whose opinions are generally accepted by purchasers of municipal bonds.

"Bond Reserve Account" means the account in the Tax Increment Fund which is described in Section 3. The Bond Reserve Account is a common reserve which shall secure all Outstanding Bonds.

"Bonds" means the 2001 Bonds and any Additional Bonds.

"Business Day" means any day which is not a Saturday, Sunday, legal holiday or a day on which the offices of banks in Oregon or New York are authorized or required by law or executive order to remain closed and which shall not be a day on which the New York Stock Exchange is closed.

"City" means the City of Keizer, Oregon.

"Code" means the Internal Revenue Code of 1986, as amended, together with the rules and regulations promulgated thereunder and amendments thereto.

"Tax Increment Fund" means the fund described in Section 3, into which the Agency shall deposit all the Tax Increment Revenues.

"Default" or "Event of Default" means any event specified in Section 7 of this Master Resolution.

"Divide the Taxes Revenues" means the taxes which are divided based on the increase in value of property in the North River Road Urban Renewal Area and which are payable to the Agency under the provisions of Article XI, Section 1c of the Oregon Constitution and ORS Chapter 457, as those provisions exist on the date of this Master Resolution.

"DTC" means the Depository Trust Company of New York, the initial securities depository for the Bonds.

"Fiscal Year" means the period beginning on July 1 of each year and ending on the next succeeding June 30, or as otherwise defined by State law.

"General Account" means the account of that name in the Tax Increment Fund which is described in Section 3.

"Government Obligations" means direct noncallable obligations of the United States, or obligations the principal of and interest on which are fully and unconditionally guaranteed by the United States.

"Incremental Assessed Value" means the difference between the assessed value of property in the Area for a Fiscal Year and the assessed value of property in the Area which is specified in the certified statement for the Area which is filed with the assessor pursuant to ORS 457.430.

"Master Resolution" means this resolution.

"Maximum Annual Debt Service" means the greatest Annual Debt Service, calculated on all Bonds which are Outstanding on the date of the calculation.

"Maximum Tax Increment Revenues" means the maximum amount of Tax Increment Revenues which the Agency can collect for the North River Road Urban Renewal Area under ORS 457.435(3), including both Divide the Tax Revenues and Special Levy Revenues which may or may not be levied.

"ORS" means the Oregon Revised Statutes.

"Outstanding Bonds" or "Outstanding" means all Bonds authorized and delivered pursuant to this Master Resolution and any Supplemental Resolution except Bonds theretofore paid, canceled or defeased pursuant to Section 9 of this Master Resolution.

"Owner" means the registered owner of a Bond.

"Paying Agent" means the Paying Agent for the Bonds appointed by the Agency Official pursuant to Section 11.2(G), or its successor.

"Payment Date" means any date upon which Bond principal or interest is due and payable, whether at maturity or upon redemption or prepayment prior to maturity.

"Permitted Investments" means any obligations which are legal investments for the Agency under the laws of the State of Oregon.

"Plan" means the Agency's North River Road Urban Renewal Plan, which is dated September, 1990, as it has been amended and may be amended from time to time.

"Qualified Consultant" means an independent engineer, an independent auditor, or an independent financial advisor, or similar professional consultant having experience and expertise in the area for which such person or firm is retained by the Agency for purposes of performing activities specified in this Master Resolution or any Supplemental Resolution.

"Refunded Bonds" means all of the Agency's currently outstanding bonds.

"Reserve Requirement" means an amount equal to the lesser of Maximum Annual Debt Service on all Outstanding Bonds or the amount described in the next sentence. If at the time of issuance of a Series of Bonds, the amounts required to be added to the Bond Reserve Account to make the balance in the Bond Reserve Account equal to the Maximum Annual Debt Service on all Outstanding Bonds exceeds the Tax Maximum calculated for that Series of Bonds, then the Reserve Requirement means the Reserve Requirement in effect immediately prior to the issuance of that Series of Bonds, plus the Tax Maximum for that Series of Bonds.

"Security" means the revenues and other assets which are pledged in Section 2.1 to pay the Bonds.

"Series" or "Series of Bonds" means all of the Bonds authorized by a single resolution of the Agency, unless the authorizing resolution provides otherwise.

"Special Levy" means a city-wide property tax levy for the Area which is authorized by Article XI, Section 11(16) of the Oregon Constitution and ORS 457.435(2)(c), as those provisions exist on the date of this Master Resolution.

"State" means the State of Oregon.

"Subordinate Obligations" means any bonds or other obligations of the Agency which are secured by a pledge of the Tax Increment Revenues which is subordinate to the Bonds.

"Supplemental Resolution" means any resolution supplemental to or amendatory of this Master Resolution, entered into by the Agency in accordance with this Master Resolution.

"Tax Increment Revenues" means all Divide the Taxes Revenues received by the Agency and the revenues received from Special Levies and all earnings and amounts held in the Tax Increment Fund.

"Tax Maximum" means, for each Series of Additional Bonds, the lesser of: Maximum Annual Debt Service on that Series; 125% of average amount of principal, interest and premium, if any, required to be paid on that Series during all Fiscal Years in which that Series will be Outstanding, calculated as of the date of issuance of that Series; or ten percent of the proceeds of such Series, as "proceeds" is defined for purposes of Section 148(d) of the Code.

"Valuation Date" means: (a) July 1 of each year (or the next Business Day, if July 1 is not a Business Day); (b) the date of issuance of any Additional Bonds hereunder; and (c) the date of any withdrawal from the Bond Reserve Account.

Section 2. Security for the Bonds.

2.1 The following shall constitute the "Security:"

(A) All Tax Increment Revenues, including any Tax Increment Revenues in the Tax Increment Fund, the Bond Reserve Account or the General Account;

(B) all earnings on the Tax Increment Revenues while they are held in the Tax Increment Fund, the Bond Reserve Account or the General Account; and,

(C) any other moneys and investments on deposit in the Bond Reserve Account.

2.2 The Agency hereby pledges the Security to the payment of principal of, premium (if any) and interest on all Bonds. Pursuant to ORS 288.594, the pledge of the Security hereby made by the Agency shall be valid and binding from the time of the adoption of this Master Resolution. All portions of the Security so pledged and hereafter received by the Agency shall immediately be subject to the lien of such pledge without any physical delivery or further act. Until the Refunded Bonds are paid or defeased, the lien of the Bonds on the Security shall be subordinate to the lien of the Refunded Bonds. Once the Refunded Bonds are paid or defeased, the lien of the Bonds on the Security shall be superior to all other claims and liens whatsoever to the fullest extent permitted by ORS 288.594(2).

2.3 The Agency covenants that, to the extent that the Tax Increment Revenues are sufficient and so long as Bonds are outstanding:

(A) It shall take whatever action may be required to collect the Divide the Taxes Revenues each Fiscal Year.

(B) When the Agency establishes its budget for each Fiscal Year in which Bonds are outstanding (commencing with Fiscal Year 2001-2002), the Agency shall prepare a good faith estimate of the amount the Agency will receive from the Divide the Taxes Revenues for that Fiscal Year.

(C) If the amount of that estimate is less than one hundred twenty-five percent (125.00%) of the Annual Debt Service for that Fiscal Year, plus any amount required to replenish the Bond Reserve Account pursuant to Section 4.1(B), the Agency shall impose a Special Levy for that Fiscal Year in an amount which the Agency estimates in good faith will, when added to its estimate of the Divide the Taxes Revenues for that Fiscal Year, produce total Tax Increment Revenues for that Fiscal Year which are at least equal to one hundred twenty-five percent (125.00%) of the sum of: (i) the Annual Debt Service for that Fiscal Year, plus (ii) any amount required to replenish the Bond Reserve Account pursuant to Section 4.1(B).

2.4 The provisions of this Resolution shall constitute a contract with the owners of the Bonds, and shall be enforceable by them.

2.5 The 2001 Bonds do not constitute a debt or indebtedness of the City, Marion County, the State of Oregon or any political subdivision thereof other than the Agency.

Section 3. Bond Funds and Accounts

3.1 The Agency has established the Tax Increment Fund, the Bond Reserve Account and the General Account.

3.2 The Agency may commingle amounts in each of these funds for investment purposes.

3.3 All Tax Increment Revenues shall be deposited, as and when received by the Agency, in the Tax Increment Fund and shall be applied only in accordance with Section 4.1.

3.4 The Agency shall not withdraw or transfer amounts from the Tax Increment Fund for any purpose except payment of scheduled principal and interest payments on Bonds if the withdrawal or transfer would cause the balance in the Tax Increment Fund to fall below the amount of Bond principal and interest which is scheduled to be paid between the date of the withdrawal and the first day of the next Fiscal Year.

3.5 The Agency shall maintain the Bond Reserve Account as long as any Bonds are Outstanding. Amounts in the Bond Reserve Account may be used only as provided by this Section 3.5. The Bond Reserve Account shall be administered as follows:

(A) The Agency covenants with the Owners of the Bonds that it will, on each Valuation Date, so long as any Bonds remain Outstanding, determine the value of the amounts then credited to the Bond Reserve Account. If the value of the cash and investments credited to the Bond Reserve Account is less than the Reserve Requirement, the Agency shall eliminate the deficiency by transferring Tax Increment Revenues to the Bond Reserve Account in accordance with Section 4.1(B) until the balance in the Bond Reserve Account is at least equal to the Reserve Requirement.

(B) Monies in the Bond Reserve Account may be invested only in Permitted Investments that mature within five years or the final maturity date of the then outstanding Bonds, whichever is shorter. The Agency shall value Permitted Investments which mature more than three years from the date of purchase at the lower of cost or market, and shall value Permitted Investments which mature within three years from the date of purchase at cost. Amounts deposited in the Oregon Short Term Fund/Local Government Investment Pool shall be considered to mature in less than one year.

(C) If, on any Payment Date, the amounts on deposit in the Tax Increment Fund are insufficient to pay all amounts of principal of, premium (if any) and interest then due on Outstanding Bonds, then the Agency shall withdraw from the General Account an amount equal to such deficiency and apply the amount so withdrawn to the payment of the amounts then due on the Outstanding Bonds. If the amount available in the General Account is not sufficient to cure the deficiency, then the Agency shall withdraw from the Bond Reserve Account an amount equal to the remaining deficiency and apply the amount so withdrawn to the payment of the amounts then due on the Outstanding Bonds.

(D) If the amount on deposit in the Bond Reserve Account is more than the Reserve Requirement on any Payment Date, such excess may be transferred by the Agency to the General Account.

(E) All amounts on deposit in the Bond Reserve Account may be used to make the final payment (whether at maturity, by prior redemption or by means of a defeasance as provided in Section 9 hereof) of any Series of Outstanding Bonds, so long as the balance in the Bond Reserve Account after that use is at least equal to the Reserve Requirement for all Bonds which will remain Outstanding after that final payment.

(F) Any Resolution authorizing the issuance of Additional Bonds shall require a deposit into the Bond Reserve Account of an amount sufficient to make the balance in the Bond Reserve Account at least equal to the Reserve Requirement.

3.6 The Agency shall maintain the General Account as long as any Bonds are Outstanding. Amounts in the General Account may be used for any lawful purpose, including redemption of Bonds and payment of Subordinate Obligations. However, whenever there is a deficit in the Tax Increment Fund or the Bond Reserve Account, amounts credited to the General Account shall be used to restore the balances in those funds fully before amounts are transferred from the General Account for any other purpose. In addition, whenever any rebate on Bonds is due to be paid to the United States under Section 148 of the Code, amounts in the General Account shall be used to pay those rebates before amounts in the General Account are used for any other purpose.

Section 4. Deposit, Pledge and Use of Tax Increment Revenues

4.1 All Tax Increment Revenues shall be deposited to and maintained in the Tax Increment Fund. As long as any Bonds remain Outstanding, monies and investments in the Tax Increment Fund shall be applied each Fiscal Year to pay the following amounts in the following order:

(A) To pay principal, interest and any premium on Bonds;

(B) To make transfers to the Bond Reserve Account until it contains an amount equal to the Reserve Requirement, but only if the balance remaining in the Tax Increment Fund is at least equal to the amount of Bond principal and interest which is scheduled to be paid between the date of the transfer and the first day of the next Fiscal Year; and,

(C) To make transfers to the General Account, but only if:

(1) the balance remaining in the Tax Increment Fund is at least equal to the amount of Bond principal and interest which is scheduled to be paid between the date of the transfer and the first day of the next Fiscal Year; and,

(2) the balance in the Bond Reserve Account is at least equal to the Reserve Requirement.

Section 5. Additional Bonds and Subordinate Obligations.

5.1 Except as provided in Section 5.2, the Agency may issue Additional Bonds only if all of the following conditions are met:

(A) As of the date of Closing of the Additional Bonds, no Event of Default under this Master Resolution has occurred and is continuing, and there is no deficiency in the Bond Reserve Account (with the Reserve Requirement calculated as if the proposed Additional Bonds are outstanding).

(B) On or before the date of Closing of the Additional Bonds the Agency provides either:

(1) a certificate of the Agency Official stating that the Maximum Tax Increment Revenues for the most recently completed fiscal year at least equaled one hundred thirty percent (130.00%) of the Maximum Annual Debt Service on all then Outstanding Bonds, with the proposed Additional Bonds treated as Outstanding and all Outstanding Bonds treated as if they were part of a single Series; or,

(2) a report of a Qualified Consultant:

(a) stating the projected amount of the Maximum Tax Increment Revenues for the Fiscal Year in which the proposed Additional Bonds are issued and the next five Fiscal Years;

(b) stating the Maximum Annual Debt Service on all Outstanding Bonds, with the proposed Additional Bonds treated as Outstanding; and,

(c) concluding that the Maximum Tax Increment Revenues for each of the Fiscal Years described in Section 5.1(B)(2)(a) are at least equal to one hundred forty percent (140.00%) of the Maximum Annual Debt Service on all Outstanding Bonds, with the proposed Additional Bonds treated as Outstanding and all Outstanding Bonds treated as if they were part of a single Series.

5.2 The City may issue Additional Bonds to refund Outstanding Bonds without complying with Section 5.1. if:

(A) the refunded Bonds are defeased on the date of delivery of the refunding Additional Bonds; and,

(B) the Annual Debt Service on the refunding Additional Bonds does not exceed the Annual Debt Service on the refunded Bonds in any Fiscal Year by more than $5,000.

5.3 All Additional Bonds issued in accordance with this Section 5 shall have a lien on the Security which is equal to the lien of all other Outstanding Bonds.

5.4 The Agency may issue Subordinate Obligations at any time; however, Subordinate Obligations shall not be payable from any Tax Increment Revenues except amounts available to be transferred to the General Account.

Section 6. General Covenants

The Agency hereby covenants and agrees with the Owners of all Outstanding Bonds as follows:

6.1 That it will pay and redeem the Refunded Bonds on the earliest date after issuance of the 2001 Bonds for which notice of redemption of those bonds can be given.

6.2 That it will promptly cause the principal, premium, if any, and interest on the Bonds to be paid as they become due in accordance with the provisions of this Master Resolution and any Supplemental Resolution.

6.3 That it will maintain complete books and records relating to the Area and all Agency funds and accounts in accordance with generally accepted accounting principles, and will cause such books and records to be audited annually at the end of each Fiscal Year, and an audit report prepared by a person authorized by the State Board of Accountancy to conduct municipal audits pursuant to ORS 297.670 and made available for the inspection of Owners.

6.4 That it will not issue Bonds or other obligations having a claim superior to the lien of the Bonds upon the Security.

6.5 That it will promptly deposit into the Tax Increment Fund all sums required to be so deposited.

6.6 That it will maintain its existence until there are no Bonds Outstanding.

6.7 That it will not take any action which would cause the Agency to lose the ability to impose Special Levies while any Bonds are Outstanding, unless the Agency files a projection of a Qualified Consultant with the City Administrator projecting that the Divide the Taxes Revenues will be at least equal to one hundred fifty percent (150%) of the Maximum Annual Debt Service on all Outstanding Bonds.

6.8 That it will not amend the boundaries of the Area to reduce the amount of land contained in the Area unless:

(A) An Authorized Representative of the Agency certifies in writing that in the current Fiscal Year the Maximum Tax Increment Revenues of the Area would have been no less than 1.50 times the Maximum Annual Debt Service on all Outstanding Bonds with the property to be released removed from the incremental value for purposes of this calculation; and

(B) The Agency receives a report from a Qualified Consultant projecting that the Maximum Tax Increment Revenues for the three Fiscal Years immediately following the release of the property, inclusive of the year of release, will be 1.50 times Maximum Annual Debt Service on all Outstanding Bonds when taking into account the assessed value of land removed from the Area by means of an amendment of the boundary of the Area.

6.9 The covenants, representations and warranties contained in this Master Resolution, each Supplemental Resolution adopted pursuant to this Master Resolution and any covenants, representations and warranties in the closing documents relating to each Series of Bonds issued pursuant to this Master Resolution and such Supplemental Resolutions shall constitute contracts with the Owners of each such Series of Bonds, and shall be enforceable by them.

Section 7. Defaults and Remedies

7.1 Events of Default. The Agency hereby covenants and agrees with the purchasers and Owners from time to time of the Bonds, to protect and safeguard the covenants and obligations undertaken by the Agency securing the Bonds, that the following shall constitute "Events of Default:"

(A) If default shall be made in the due and punctual payment of the principal of and premium, if any, on any of the Bonds when the same shall become due and payable, either at maturity, tender or by proceedings for redemption or otherwise;

(B) If default shall be made in the due and punctual payment of any installment of interest on any Bonds whether scheduled or payable by reason of redemption or tender or otherwise;

(C) If the Agency shall default in the observance and performance of any other of the covenants, conditions and agreements on the part of the Agency contained in the Master Resolution, and such default or defaults shall have continued for a period of sixty (60) days after the Agency shall have received from the Owners of not less than twenty-five percent (25%) in aggregate principal amount of the Bonds Outstanding a written notice specifying the Event of Default and demanding the cure of such default, however, that if the default stated in the notice cannot be corrected within such 60 day period, it shall not constitute an Event of Default so long as corrective action is instituted by the Agency within the 60 day period and diligently pursued, and the default is corrected as promptly as practicable after the written notice.

7.2 Remedies. If an Event of Default occurs, any Owner may exercise any remedy available at law or in equity. However, the Bonds shall not be subject to acceleration.

(A) The Agency covenants that if an Event of Default shall have happened and shall not have been remedied, the books of record and account of the Agency and all other records relating to the Agency shall at all reasonable times be subject to the inspection and use of any persons holding at least twenty-five percent (25%) of the principal amount of Outstanding Bonds, their respective agents and attorneys and.

(B) The Agency covenants that if an Event of Default shall happen and shall not have been remedied, the Agency will continue to account, as a trustee of an express trust, for all Tax Increment Revenues and other moneys, securities and funds pledged under the Master Resolution.

7.3 Waivers of Default.

(A) No delay or omission of any Owner of Bonds to exercise any right or power arising upon the happening of an Event of Default shall impair any right or power or shall be construed to be a waiver of any such Event of Default or to be an acquiescence therein; and every power and remedy given by this Section 7 of the Owners of Bonds may be exercised from time to time and as often as may be deemed expedient by such Owners.

(B) The Owners of not less than fifty percent (50%) in principal amount of the Bonds that are at the time Outstanding may waive any Event of Default under this Resolution or the Bonds and its consequences, except a default in the payment of the principal of, premium, if any, or interest on any of the Bonds. No such waiver shall extend to any subsequent or other default or impair any right consequent thereon.

7.4 Remedies Granted in Master Resolution Not Exclusive.

No remedy by the terms of the Master Resolution conferred upon or reserved to the Owners of the Bonds is intended to be exclusive of any other remedy, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under the Master Resolution or existing at law or in equity or by statute.

Section 8. Amendment of Master Resolution

8.1 The Agency may amend this Master Resolution without the consent of any Owners for any one or more of the following purposes:

(A) To add to the covenants and agreements of the Agency contained in this Master Resolution any other covenants or agreements for the benefit of Owners thereafter to be observed by the Agency or to surrender any right of power herein reserved to or conferred on the Agency provided the Agency obtains an opinion of nationally recognized bond counsel that such amendment will not cause interest on Outstanding Bonds to be includable in gross income for federal income tax purposes;

(B) To cure any ambiguity or formal defect provided the Agency obtains an opinion of nationally recognized bond counsel that such amendment will not cause interest on the Bonds to be includable in gross income for federal income tax purposes;

(C) To authorize issuance of Additional Bonds or Subordinate Obligations;

(D) To make any other changes which the Agency reasonably determines will not materially and adversely affect the rights or interests of the Owners of the Bonds.

8.2 This Master Resolution may be amended for any other purposes only upon consent of the Owners representing not less than fifty-one percent (51%) in aggregate principal amount of the adversely affected Bonds then Outstanding. However, no amendment shall be valid which:

(A) Extends the maturity of any Bonds, reduces the rate of interest on any Bonds, extends the time of payment of interest on any Bonds, reduces the amount of principal payable on any Bonds, or reduces any premium payable on any Bonds, without the consent of all affected Owners; or

(B) Reduces the percent of Owners required to approve amendments to this resolution.

Section 9. Defeasance

Bonds which are defeased in accordance with this Section 9 shall be payable solely from the money and Government Obligations which are deposited in escrow pursuant to this Section 9, and shall be deemed to be paid and no longer Outstanding under this Master Resolution. Bonds shall be defeased if the Agency:

9.1 Irrevocably deposits money or noncallable Government Obligations in escrow with an independent trustee or escrow agent which are calculated to be sufficient without reinvestment for the payment of Bonds which are to be defeased; and,

9.2 Files with the escrow agent or trustee an opinion from a Qualified Consultant to the effect that the money and the principal and interest to be received from the Government Obligations are calculated to be sufficient, without further reinvestment, to pay the defeased Bonds when due.

Section 10. Rules of Construction.

In determining the meaning of provisions of this Master Resolution, the following rules shall apply unless the context clearly requires application of a different meaning:

10.1 References to Section numbers shall be construed as references to this Master Resolution.

10.2 References to one gender shall include all genders.

10.3 References to the singular include the plural, and references to the plural include the singular.

Section 11. The 2001 Bonds.

11.1 Authorization. The Agency hereby authorizes the sale of the 2001 Bonds in accordance with this Master Resolution. The aggregate principal amount of the 2001 Bonds shall not exceed the amount necessary, with other available funds, to pay and redeem the Refunded Bonds, pay costs of issuance and fund the Bond Reserve Account. The proceeds of the 2001 Bonds shall be used to pay the Refunded Bonds, to fund the Bond Reserve Account and to pay costs of issuing the 2001 Bonds. The 2001 Bonds may be issued in several series.

11.2 Delegation. The Agency Official may, on behalf of the Agency:

(A) provide that the 2001 Bonds may be issued in one or more series, may bear interest at fixed rates or variable rates, and may pay deferred interest;

(B) establish the final principal amounts, maturity schedules, interest rates, sale prices, redemption terms, payment terms and dates, and other terms of the 2001 Bonds, and either publish a notice of sale, receive bids and award the sale of the 2001 Bonds to the bidder complying with the notice and offering the most favorable terms to the City, or select one or more purchasers or underwriters and negotiate the sale of the 2001 Bonds;

(C) undertake to provide continuing disclosure for the 2001 Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission;

(D) apply for and purchase municipal bond insurance or other obtain other forms of credit enhancements for each series of the 2001 Bonds or obtain reserve credit facilities or other reserve equivalents for each series of the 2001 Bonds, enter into agreements with the providers of credit enhancement, and execute and deliver related documents;

(E) provide that one or more series of the 2001 Bonds may bear interest which is includable in gross income under the Code, provide that one or more series of the 2001 Bonds may be tax exempt, and enter into covenants to maintain the tax exemption for any series of the 2001 Bonds which bear interest which is excludable from gross income under the Code;

(F) Enter into additional covenants which enhance the security for the Bonds, which the Agency Official determines are desirable to market the Bonds at attractive rates;

(G) appoint and enter into agreements with paying agents, remarketing agents, escrow agents, verification agents and other professionals and service providers; and

(H) place an amount sufficient to pay the Refunded Bonds in escrow, defease the Refunded Bonds, and call and redeem the Refunded Bonds; and,

(I) execute any other documents and take any other action in connection with the 2001 Bonds which the Agency Official finds is desirable to carry out this Master Resolution.

11.3 Form. The 2001 Bonds shall be in substantially the form attached hereto as Exhibit A, with such changes as may be approved by the Agency Official. The 2001 Bonds shall be executed on behalf of the Agency with the facsimile or manual signatures of the Agency Official and the Chair of the Agency.

Section 12. Book Entry System for Bonds.

The Bonds shall be initially issued in BEO form and shall be governed by this Section 12. While Bonds are in BEO form no physical Bonds shall be provided to Owners of Bonds. The Agency Official has executed and delivered a blanket Letter of Representations to DTC. While the Bonds are in BEO form, registration and transfer of beneficial interests in the Bonds shall be governed by that letter and the Operational Arrangements of DTC, as they may be amended from time to time, as provided in the blanket issuer letter of representations. So long as Bonds are in BEO form:

12.1 DTC shall be treated as the Owner for all purposes, including payment and the giving of notices to Owners of Bonds. Bond payments shall be made, and notices shall be given, to DTC in accordance with the Letter of Representations. Any failure of DTC to advise any of its participants, or of any participant to notify the beneficial owner, of any such notice and its content or effect will not affect the validity of the redemption of Bonds called for redemption or of any other action premised on such notice.

12.2 The Agency may discontinue maintaining the Bonds in the BEO form at any time. The Agency shall discontinue maintaining the Bonds in BEO form if DTC determines not to continue to act as securities depository for the Bonds, or fails to perform satisfactorily as depository, and a satisfactory substitute depository cannot reasonably be found.

12.3 If the Agency discontinues maintaining the Bonds in book-entry only form, the Agency shall cause the Paying Agent to authenticate and deliver replacement Bonds in fully registered form in authorized denominations in the names of the beneficial owners or their nominees; thereafter the provisions set forth in Section 14. below, regarding registration, transfer and exchange of Bonds shall apply.

12.4 While the Bonds are in BEO form, the Agency and the Paying Agent shall have no responsibility or obligation to any participant or correspondent of DTC or to any beneficial owner on behalf of which such participants or correspondents act as agent for the beneficial owner with respect to:

(A) the accuracy of the records of DTC, the nominee or any participant or correspondent with respect to any beneficial owner's interest in the Bonds;

(B) the delivery to any participant or correspondent or any other person of any notice with respect to the Bonds, including any notice of prepayment;

(C) the selection by DTC of the beneficial interest in Bonds to be redeemed prior to maturity; or

(D) the payment to any participant, correspondent, or any other person other than the registered owner of the Bonds as shown in the registration books maintained by the Paying Agent, of any amount with respect to principal, any premium or interest on the Bonds.

12.5 The Agency shall pay or cause to be paid all principal, premium and interest on the Bonds only to or upon the order of the owner, as shown in the registration books maintained by the Paying Agent, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Agency's obligation with respect to payment thereof to the extent of the sum or sums so paid.

12.6 The provisions of this Section 12. may be modified without the consent of the beneficial owners in order to conform this Section to the standard practices of DTC or any successor depository for bonds issued in book-entry only form.

Section 13. Redemption of Bonds.

13.1 The Bonds shall be subject to redemption on the terms established by the Agency Official. The Agency reserves the right to purchase Bonds in the open market.

13.2 If any Bonds are subject to mandatory redemption, the Agency may credit against the mandatory redemption requirement any Bonds of the same maturity which the Agency has previously purchased or which the Agency has previously redeemed pursuant to any optional redemption provision.

13.3 So long as Bonds are in book-entry only form, the Paying Agent shall notify DTC of any early redemption not less than 30 days prior to the date fixed for redemption, and shall provide such information in connection therewith as required by a letter of representation submitted to DTC in connection with the issuance of the Bonds.

13.4 During any period in which the Bonds are not in book-entry only form, unless waived by any Owner of the Bonds to be redeemed, official notice of any redemption of Bonds shall be given by the Paying Agent on behalf of the Agency by mailing a copy of an official redemption notice by first class mail postage prepaid at least 30 days and not more than 60 days prior to the date fixed for redemption to the Owner of the Bond or Bonds to be redeemed at the address shown on the Bond register or at such other address as is furnished in writing by such Owner to the Paying Agent. The Agency shall notify the Paying Agent of any intended redemption not less than 45 days prior to the redemption date. All such official notices of redemption shall be dated and shall state:

(A) the redemption date,

(B) the redemption price,

(C) if less than all outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed,

(D) that on the redemption date the redemption price will become due and payable upon each such Bond or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and

(E) the place where such Bonds are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Paying Agent.

Section 14. Authentication, Registration and Transfer.

14.1 No Bond shall be entitled to any right or benefit under this Master Resolution unless an authorized officer of the Paying Agent shall have authenticated it. The Paying Agent shall authenticate all Bonds to be delivered at closing of the Bonds, and shall additionally authenticate all Bonds properly surrendered for exchange or transfer pursuant to this Master Resolution.

14.2 The ownership of all Bonds shall be entered in the Bond register maintained by the Paying Agent, and the Agency and the Paying Agent may treat the person listed as owner in the Bond register as the owner of the Bond for all purposes.

14.3 While the Bonds are in book-entry only form, the Paying Agent shall transfer Bond principal and interest payments in the manner required by DTC.

14.4 If the Bonds cease to be in book-entry only form, the Paying Agent shall mail each interest payment on the interest Payment Date (or the next Business Day if the Payment Date is not a Business Day) to the name and address of the Owners as they appear on the Bond register as of the Record Date. If payment is so mailed, neither the Agency nor the Paying Agent shall have any further liability to any party for such payment.

14.5 Bonds may be exchanged for an equal principal amount of Bonds of the same maturity which are in different denominations, and Bonds may be transferred to other Owners if the Owner submits the following to the Paying Agent:

(A) written instructions for exchange or transfer satisfactory to the Paying Agent, signed by the Owner or attorney in fact and guaranteed or witnessed in a manner satisfactory to the Paying Agent and

(B) the Bonds to be exchanged or transferred.

14.6 The Paying Agent shall not be required to exchange or transfer any Bonds submitted to it during any period beginning with a Record Date and ending on the next following Payment Date; however, such Bonds shall be exchanged or transferred promptly following that Payment Date.

14.7 The Paying Agent shall note the date of authentication on each Bond. The date of authentication shall be the date on which the Owner's name is listed on the Bond register.

14.8 For purposes of this Section 14, Bonds shall be considered submitted to the Paying Agent on the date the Paying Agent actually receives the materials described in 14.5, above.

14.9 The Agency may alter these provisions regarding registration and transfer by mailing notification of the altered provisions to all Owners. The altered provisions shall take effect on the date stated in the notice, which shall not be earlier than 45 days after notice is mailed.

Section 15. Effective Date.

This resolution shall take effect on the date of its adoption by the governing body of the Agency.

ADOPTED this __ day of November, 2001

Urban Renewal Agency of the City of Keizer,
Marion County, Oregon

____

Authorized Officer

EXHIBIT A

Form of 2001 Bond

No. R-«BondNumber» $«PrincipalAmtNumber»

United States of America
Urban Renewal Agency of the City of Keizer, Oregon
Urban Renewal Refunding Bonds
Series 2001

Dated Date: _______, 2001
Interest Rate Per Annum: «CouponRate»%
Maturity Date: April 1, «MaturityYear»
CUSIP Number: ________«CUSIPNumbr»
Registered Owner: -----Cede & Co.-----
Principal Amount: -----«PrincipalAmtSpelled» Dollars-----

The Urban Renewal Agency of the City of Keizer, Oregon (the "Agency"), for value received, acknowledges itself indebted and hereby promises to pay, but solely from the Security, to the Registered Owner hereof, or registered assigns, the Principal Amount indicated above on the Maturity Date indicated above together with interest thereon from the date hereof at the Interest Rate Per Annum indicated above, computed on the basis of a 360-day year of twelve 30-day months. Interest is payable semiannually on the ___ day of __________ and the ____ day of __________ in each year until maturity or prior redemption, commencing__________. Payment of each installment of principal or interest shall be made to the Registered Owner hereof whose name appears on the registration books of the Agency maintained by the Agency's paying agent and registrar, which is currently _________, in ______ (the "Paying Agent"), as of the close of business on the fifteenth day of the calendar month immediately preceding the applicable interest payment date. For so long as this Bond is subject to a book-entry-only system, principal and interest payments shall be paid on each payment date to the nominee of the securities depository for the Bonds. On the date of issuance of this Bond, the securities depository for the Bonds is The Depository Trust Company, New York, New York, and Cede & Co. is the nominee of The Depository Trust Company. Such payments shall be made payable to the order of "Cede & Co."

This Bond is issued pursuant to Agency Resolution No. _____, which was adopted on October __, 2001, (the "Master Resolution"). Capitalized terms used in this Bond have the meanings defined for such terms in the Master Resolution.

This 2001 Bond is issued by the Agency to refund the Agency's outstanding urban renewal bonds and to pay costs of issuing the 2001 Bond in full and strict accordance and compliance with all of the provisions of the Constitution and Statutes of the State of Oregon.

This 2001 Bond is a special obligation of the Agency, payable solely from the Security as defined and provided the Master Resolution. The Agency has reserved the right to issue such obligations in the future, as provided in the Master Resolution. The Agency also has the right to issue obligations which have a subordinate lien on the Tax Increment Revenues.

The Agency has pledged the Tax Increment Revenues of the Area, as defined and described in the Master Resolution, to pay the 2001 Bond. The pledge of the Tax Increment Revenues to pay the 2001 Bond is not subordinate to any other lien on, or pledge of, such Tax Increment Revenues.

THIS 2001 BOND IS NOT A GENERAL OBLIGATION OF THE AGENCY, THE CITY OF KEIZER, OR MARION COUNTY, OREGON AND IS PAYABLE SOLELY FROM THE TAX INCREMENT REVENUES, AS PROVIDED IN THE MASTER RESOLUTION.

The Bonds are initially issued in book-entry-only form with no certificates provided to the beneficial owners of the Bonds. The Depository Trust Company and its participants will maintain records of ownership of beneficial interests in the Bonds.

Should the book-entry only security system be discontinued, the Bonds shall be issued in the form of registered Bonds without coupons in denominations of $5,000 or any integral multiple thereof. Such Bonds may be exchanged for Bonds of the same aggregate principal amount and maturity date, but different authorized denominations, as provided in the Master Resolution.

The Bonds are subject to redemption as described in the final Official Statement for the Bonds that is dated________, 2001.

Unless the book-entry-only system is discontinued, notice of any call for redemption shall be given as required by the Blanket Issuer Letter of Representations to The Depository Trust Company, as referenced in the Master Resolution. Interest on any Bond or Bonds so called for redemption shall cease on the redemption date designated in the notice. The Paying Agent will notify The Depository Trust Company promptly of any Bonds called for redemption. If the book-entry-only system is discontinued, notice of redemption shall be given by first-class mail, postage prepaid, not less than thirty days nor more than sixty days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the Bond register; however, any failure to give notice shall not invalidate the redemption of the Bonds.

Any exchange or transfer of this Bond must be registered, as provided in the Master Resolution, upon the Bond register kept for that purpose by the Paying Agent. The exchange or transfer of this Bond may be registered only by surrendering it, together with a written instrument of exchange or transfer which is satisfactory to the Paying Agent and which is executed by the registered owner or duly authorized attorney. Upon registration, a new registered Bond or Bonds, of the same maturity and in the same aggregate principal amount, shall be issued to the transferee as provided in the Master Resolution. The City and the Paying Agent may treat the person in whose name this Bond is registered on the Bond register as its absolute owner for all purposes, as provided in the Master Resolution.

This 2001 Bond is subject to redemption on any date at the option of the Agency, in whole or in part, during the following times at the following prices [to be added when redemption terms are established].

IT IS HEREBY CERTIFIED, RECITED, AND DECLARED that all conditions, acts, and things required to exist, to happen, and to be performed precedent to and in the issuance of this 2001 Bond have existed, have happened, and have been performed in due time, form, and manner as required by the Constitution and Statutes of the State of Oregon; and that the issue of which this 2001 Bond is a part, and all other obligations of such Agency, are within every debt limitation and other limit prescribed by such Constitution and Statutes.

IN WITNESS WHEREOF, the Agency has caused this 2001 Bond to be signed by the manual/ facsimile signatures of the Chair of its Board of Commissioners and the City Administrator of the City as of this ___ day of _____, 2001.

Urban Renewal Agency of the City of Keizer, Oregon

____

Chair

____

Agency Official

City of Keizer, Oregon

URBAN RENEWAL AGENCY BOARD
November 5, 2001

AGENDA ITEM 6a

APPROVAL OF OCTOBER 1, 2001 MINUTES

MINUTES

KEIZER URBAN RENEWAL AGENCY
Monday, October 1, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Chair Christopher called the regular meeting to order at 6:15 p.m. Roll Call was taken as follows:

Present:
Lore Christopher, Chair
Ray Kelly
Charles E. Lee
Jerry McGee
Jacque Moir
Judy Smith
Richard Walsh

Staff:
Chris Eppley, City Manager
Rob Kissler, Public Works Director
Mark Miranda, Captain
Shannon Johnson, City Attorney
Tracy Davis, City Recorder

PUBLIC TESTIMONY

Rob Titus, 120 Chemawa Road NE, Keizer- owner of Keizer Outdoor Power Equipment. Mr. Titus offered to answer questions pertaining to the letter that was provided as part of the Agency packet.

PUBLIC HEARING

No public hearings were brought before the Agency.

ADMINISTRATIVE ACTION

a. City Monument/Focal Point Proposal for Corner of River/Chemawa Rd (formerly Unocal Site)

Responding to questions from the Agency Mr. Titus indicated that he was interested in purchasing the portion of the former Unocal property that the city would not be using for the proposed focal point. He noted that he would need between 40-50 feet for the expansion of his parking lot to alleviate the safety issue of customers having to back out onto Chemawa Road. Mr. Titus stressed the need for the expansion of his businesses parking and indicated that his property had been placed on the market due to the lack of the ability to expand. Mr. Titus stated if he was able to purchase a portion of the Unocal property that he would prefer to keep his business at its current location.

Councilor Lee summarized discussions with Mr. Titus and announced support from the Council and the Task Force to sell 1/3 of the property to Mr. Titus. The cost for this property being approximately $34,350 with the funds being available to develop the focal point. Councilor Lee indicated that Mr. Titus had also expressed an interest in dedicating a portion of land in front of his business for the development of a bike lane.

Councilor Lee displayed a design for the focal point developed by Arbuckle and Costic Architects. Mr. Kissler outlined the design for the benefit of the Agency.

Responding to questions Mr. Titus indicated that 40 feet would be the minimum amount of property needed to alleviate traffic problems. He indicated if landscape requirements were required that he would need 50 feet to meet those requirements and his businesses needs.

Charles Lee moved a motion to direct staff to finalize a sale agreement of the west 40 feet of the Unocal Property to Mr. Titus for $34,330 with the proceeds to be available for the development of the focal point and to allow staff to negotiate landscaping, bike path and maintenance issues. Jacque Moir seconded the motion.

Judy Smith suggested a friendly amendment that the bike path would be dedicated from the frontage on Chemawa Road to allow for a bike path.

Charles Lee and Jacque Moir accepted the amendment.

Ray Kelly requested that the footage amount be left out of the motion for the purpose of discussion.

Charles Lee indicated that the 40 feet was what was discussed with Mr. Titus and the Task Force. He felt it was important to leave the footage as part of the motion.

City Attorney Shannon Johnson clarified for staff that to circumvent the Development Code conditions for landscaping that this requirement would have to be a condition of the sale to be brought back to Council in the form of a variance.

Richard Walsh expressed interest in knowing if the acceptance of this motion would preclude earlier motions that stipulated that funds be sought from private donations within a one-year timeframe and if this could not be accomplished would the remaining property be put up for sale.

Charles Lee expressed optimism that between donations and funds from the sale of a portion of the property that the project could go forward.

Legal Counsel urged the Agency to hold an Executive Session to review the draft of a sales agreement.

Jerry McGee discouraged the reconvening of an Executive Session for further discussion. He felt that the issue had been thoroughly discussed and debated.

Mr. Johnson expressed his uneasiness with presenting a sales agreement without the review of Council due to the unique circumstances of the sale.

Jerry McGee agreed with convening the Executive Session for the purpose of review of the sales agreement.

Ray Kelly spoke against the use of public funds for the development of the focal point.

Chair Christopher read the motion from the September 4th Agency Meeting outlining the conditions for the development of the focal point which included $10,000 of Urban Renewal Funds for the use of engineering and design of the project. She also noted that the motion currently on the floor would include the use of funds from the sale of the property.

Jacque Moir indicated that the focal point was something which was discussed in the 21st Century Plan and that privately donated funds would be used prior to the use of any public funds.

Richard Walsh expressed concern that there was not enough public support for the project. He suggested matching funds from Urban Renewal.

Jerry McGee summarized the support of the project from neighborhood associations as well as private citizens.

After further discussion Mr. Kelly suggested that the stipulation for the funds be left out of the motion. He stressed that the continuation of funds could be addressed, if needed, at another time.

Judy Smith spoke in favor of the motion noting that $80,000 was originally set aside as the *Gateway* portion of the 21st Century Plan.

Chair Christopher disapproved the use of an additional $34,330 for the focal point. She felt this would be contradictory to the original motion, although she agreed with the suggested sale of 40 feet of the property to Mr. Titus.

Mr. Walsh advocated a contingency fund for the project, which would require the review and approval of the Agency for the expenditure of funds.

Mr. Lee indicated that Mr. Walsh's suggestion was consistent with his recommendation.

<u>Mr. Walsh recommended a friendly amendment to require a majority vote from the Agency to use funds from the proceeds from the sale of the property, with no obligation to spend the entire amount. Mr. Lee and Ms. Moir accepted the friendly amendment.</u>

<u>The motion passed as follows:</u>

<u>AYES:</u> Kelly, Lee, McGee, Moir, Smith and Walsh (6)
<u>NAYS:</u> Christopher (1)
<u>ABSTENTIONS:</u> None (0)

ABSENT: None (0)

CONSENT CALENDAR

a. Approval of Urban Renewal Agency Minutes of September 4, 2001

b. Approval of Urban Renewal Agency Minutes of September 17, 2001

Jacque Moir moved for approval of the Consent Calendar. Charles Lee seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

OTHER BUSINESS

No other business was brought before the Agency.

ADJOURNMENT

The meeting was adjourned at 7:03 p.m.