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

A G E N D A

KEIZER CITY COUNCIL
EXECUTIVE SESSION

Monday, August 7, 2000
6:15 p.m.
Keizer City Hall
Keizer, Oregon 97303

1. CALL TO ORDER

2. ROLL CALL

3. DISCUSSION

   a. Pursuant to ORS 192.660(1)(h) – Litigation

4. ADJOURN

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

The Oregon Public Meeting Law authorizes governing bodies to meet in executive session in certain limited situations. An executive session is defined as any meeting or part of a meeting of a governing body which is closed to certain persons for deliberations on certain matters as defined by ORS 192.660. These sessions are closed to the public and under certain circumstances the media also. The governing body is not allowed to take any final action or make any final decisions during the executive sessions. Any final action or decision must be made after returning or at the next regularly scheduled meeting.

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, August 7, 2000
7:00 p.m.
Robert L. Simon Council Chambers
Keizer City Hall, 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. Volunteer of the Quarter Award – Dave Walery

   b. City Council Position #5 Appointment/Swearing In

   c. Parks System Development Charge Methodology Report – Don Gainer

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 which are not on tonight's agenda.

   a. New Business

   b. Old Business

6. PUBLIC HEARINGS

   a. Primetime Pizza Liquor License Application

   b. Keizer Transportation System Plan (continued from June 5, 2000)

   c. Variance/Flood Plain Development Case No. 00-18 Land Use Appeal (AT&T)

7. ADMINISTRATIVE ACTION

   a. Request for Qualifications – Legal Services

8. CONSENT CALENDAR

   a. RESOLUTION – Certification of Street Lighting District Assessments

   b. RESOLUTION – Certification of Delinquent Sewer Assessments

   c. RESOLUTION – Transferring Appropriations for Fiscal Year 2000-01 (Youth Compact Program)

   d. Approval of July 10, 2000 Special Session Minutes

   e. Approval of July 17, 2000 Regular Session Minutes

   f. Approval of July 24, 2000 Work Session Minutes

9. WRITTEN COMMUNICATIONS

   To inform the Council of significant written communications.

10. AGENDA INPUT

   August 21, 2000
   7:00 p.m. Keizer City Council Meeting
   - Chemawa Activity Center Plan Public Hearing (continued from July 17, 2000)
   - Appropriation of Contingency Funds – Personal Services
   - Emergency Management Operations Manual – Chapter One Review

   September 5, 2000 (Tuesday)
   7:00 p.m. Keizer City Council Meeting

11. ADJOURN

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

City of Keizer, Oregon

August 7, 2000

AGENDA ITEM 4a

VOLUNTEER OF THE QUARTER AWARD

CITY COUNCIL MEETING: August 7, 2000

AGENDA ITEM NUMBER: _____

TO: MAYOR NEWTON AND CITY COUNCIL MEMBERS

THROUGH: CHRISTOPHER EPPLEY
CITY MANAGER

FROM: TRACY L. DAVIS, CMC
CITY RECORDER

SUBJECT: VOLUNTEER OF THE QUARTER AWARD

ISSUE:

The Volunteer Coordinating Committee recently selected Dave Walery as the Volunteer of the Quarter for the second quarter 2000. Mr Walery was nominated by Councilor Jacque Moir for his work and dedication to the community with such activities as the hanging of Christmas decorations along River Road each year.

Councilor Jim Keller will introduce Mr. Walery and present him with a Volunteer clock in recognition of his service to the community.

City of Keizer, Oregon

August 7, 2000

AGENDA ITEM 4b

CITY COUNCIL POSITION NUMBER FIVE
APPOINTMENT/SWEARING IN

COUNCIL MEETING: August 7, 2000

AGENDA ITEM NUMBER: _____

TO: MAYOR NEWTON AND CITY COUNCILOR MEMBERS

THROUGH: CHRIS C. EPPLEY
CITY MANAGER

FROM: TRACY L. DAVIS, CMC
CITY RECORDER

SUBJECT: CITY COUNCIL POSITION NUMBER FIVE APPOINTMENT

BACKGROUND:

On June 19, 2000 Councilor L. Craig Campbell submitted his resignation effective July 1, 2000. Councilor Campbell was elected to Council Position Number Five in November, 1998. He was in the middle of a four-year term scheduled to expire in January 2003. The City Charter specifies the Council shall declare an office vacant upon the resignation of a Council member. At the meeting on June 19, 2000 the Council adopted a Resolution declaring Council Position Number Five as vacant. The Charter notes a vacant elective office shall be filled by appointment of a majority of the remaining members of the Council. With the adoption of the City Council Rules of Procedure, an appointment process has been established. A copy of this process is attached.

A press release was distributed requesting citizens interested in being considered for the appointment to submit a letter of interest outlining their qualifications for the position. The deadline for submittal of the letters was July 17, 2000. Two letters of interest were received; Judy Peterson and Richard Walsh. Each of these letters of interest is attached.

RECOMMENDATION:

It is recommended the Council fill Council Position Number Five as follows:

- A Motion should be made to bring forth the names of the individuals who have expressed their interest in filling the vacancy. Members of the Council may nominate other individuals as well. At the point where it appears there are no more nominations, a motion shall be made to close the nominations.

- Each nominated candidate shall be given three minutes to give a brief presentation to the Council on their backgrounds, their reason for seeking the appointment, or any other matter they wish to express. The Council will not pose any questions to the candidates at this time.

- The Mayor shall review the voting process with members of the Council and audience.

- Ballots containing the names of the individuals shall be distributed to the Council. Each member of the Council shall select one candidate. Ballots shall be signed and will be collected by the City Recorder and tallied.

- If one candidate receives the majority of the votes, they shall be appointed to fill the vacancy. If there is a tie, a second and third ballot may be used. If the third ballot produces a tie, the names of the candidates shall be placed in the official city bucket, and the City Recorder will draw the successful candidate.

- When the successful candidate is determined, the Council will adopt a Resolution validating the appointment.

- The City Attorney will then issue the oath of office and the newly appointed Council member will take their place at the Council table.

SECTION 13 – COUNCIL VACANCIES/APPOINTMENTS

13.1 Vacancy of Council Position – Chapter VII – Section 29 of the Keizer City Charter outlines circumstances in which a Council position may become vacant. Vacant elective offices shall be filled by appointment. A majority vote of the remaining members of the Council shall be required to validate the appointment. Upon validation, the appointee's term of office shall begin and continue throughout the unexpired term of the predecessor.

13.2 Vacancy of Mayor Position – In the event the office of the Mayor becomes vacant, the Council President shall become Mayor. A new Council President shall be nominated accordingly from the remaining members of the Council. The Council then shall appoint a Councilor to fill the vacancy as set forth below.

13.3 Declaration of Vacancy – The vacant position shall be declared vacant by a City Council Resolution.

13.4 Process for Appointment – Upon declaration of the vacancy, a press release will be issued inviting members of the community, who meet the qualifications as outlined in the Charter, to submit a letter of interest and resume. Within 45 days of the declaration of vacancy, the Council may nominate all who have submitted their name for consideration, or Councilors can nominate individual candidates. At the point where it appears no more nominations are to be made, a motion shall be made to close the nominations, and upon two-thirds majority vote of the remaining Council members, the nominations are closed.

13.5 Appointment Vote – The Mayor or Presiding Officer shall review the appointment process with members of the audience prior to any votes being taken. Written ballots shall be prepared containing the names of all of the nominated candidates. The following voting process will be followed:

a) Each of the remaining members of the Council shall select one candidate and mark their ballot accordingly. If one candidate receives the majority of the votes of the remaining members of the Council, they shall be appointed to fill the vacant position.

b) If no candidate receives a majority vote of the remaining members of the Council on the first ballot, a second ballot shall be distributed. The second ballot shall contain the names of the two candidates receiving the most votes from the first ballot, unless a tie resulted from the first ballot. In a tie situation, the first place candidates will be placed on the second ballot. Each remaining member of the Council shall select one candidate and mark their ballot accordingly. The candidate receiving a majority of the votes of the remaining members of the Council shall then be appointed to the vacant position.

c) If a tie results from the second ballot, a third and final ballot will be prepared containing the names of the two candidates, or three in case of a three-way tie in the second vote. Each remaining member of the Council shall select one candidate and mark their ballot accordingly. The candidate receiving the majority of the votes of the remaining members of the Council shall be appointed to the vacant position. In case of a tie vote on this third and final vote, the Council will select the replacement Councilor according to the procedure outlined in Section 13.6 – Tie Votes – Appointment Process.

d) By Resolution, the Council shall validate the appointment.

13.6 Tie Votes – Appointment Process - In the event of a tie vote during the third and final vote of the appointment voting process, the names of the two candidates (or three in case of a three-way tie) receiving a majority vote of the remaining members of the Council, will be placed in the official city bucket. The City Recorder will draw the successful name.

13.7 Tie Votes – Council Election – When two or more candidates running for the same Council position, have an equal and the highest number of votes, the successful candidate will be determined by a drawing of lots. Upon confirmation of a recount by the Marion County Elections Division, this determination shall take place at the first regularly scheduled meeting after the general election. The Council will use the same process to determine the successful candidate as outlined in Section 13.6 – Tie Votes – Appointment Process.

SECTION 14 – CREATION OF COMMITTEES, BOARDS AND COMMISSIONS

14.1 Citizens Committees, Boards and Commissions – The Council may create committees, boards, and commissions to assist and advise in the conduct of City business. These committees, boards, and commissions shall be created in accordance with the guidelines as adopted by the City Council.

14.2 Membership Appointment –The Volunteer Coordinating Committee will receive, review, and process written applications and make recommendations to the Council for appointment consideration, unless the Resolution, Ordinance, or State Statute defines the appointment process differently.

14.3 Removal of Members of Committees, Boards, and Commissions – The Council may remove any member of any committee, board, or commission which it has created, by a vote of at least a two-thirds majority of the Council.

RCd
7-17-00
(10:10 am)

Judith A. Peterson
933 Dearborn Avenue North
Keizer, Oregon 97303
(503) 393-6900

July 14, 2000

Tracy Davis, City Recorder
City of Keizer
P. O. Box 21000
Keizer, OR 97307-1000

Dear Mrs. Davis,

Please place my name in consideration for the Keizer City Council seat vacated by Craig Campbell. Attached is a statement of qualifications for this position.

Thank you for your consideration,

Judy Peterson

Judy Peterson

As a concerned citizen, I wish to be involved in the decisions affecting our city. I have lived in the Keizer community for 33 years. Throughout those many years, I have learned this community is proud and genuinely cares about one another.

I have had numerous experiences that qualify me for a City Council position.

Present Employment

- Hold the position of School to Work Coordinator at McNary High School
  Responsible for the Career Development Program
  Liaison to the Community for all career related experiences
  Design curriculum to meet the new Career Related Learning Standards

City of Keizer

- Served on the River Road Redevelopment Committee
- Appointed to the first Library Committee in 1994
- Represented Keizer on the recent Regional District Library Task Force
- Serve on the present Keizer Library Task Force

Service to Education

- Served as LSAC Chair at Cummings Elementary, Whiteaker Middle School and McNary High School
- Serve on the Site Council at McNary High School
- Chair the Regional School-to-Work Practitioners Committee through Chemeketa Community College.

Oregon Education Association

- Appointed as PIE Broad Liaison (People for the Improvement of Education)
- Served on the Board of Directors for six years
- Designated as State Leadership Trainer
- Chaired and organized the state-wide in-service for six years
- Served as Local Association Treasurer for ten years

National Education Association

- Hold a National Women's Leadership Trainer position
  Train nationally once or twice a year
- Serve as Secretary to the National Council of Educational Support Professionals meeting twice a year
- Elected to the NEA Representative Assembly for the past 11 years

Rcd 7-10-00

WALSH & ASSOCIATES

Attorneys at Law

Richard M. Walsh
Gail M. Gage
Darris Rowell

1-503-371-2692
1-800-293-2692
Fax: 503-371-0975

Mailing Address:
876 Welcome Way SE
Suite 200
Salem, OR 97302

Salem Office:
876 Welcome Way SE
Suite 200

Portland Office:
1001 SW 5th
13th Floor

July 7, 2000

Tracy L. Davis
City Recorder
Keizer City Hall
930 Chemawa Road NE
Keizer OR. 97303

Re: Application for City Council

Dear Ms. Davis:

Please accept this correspondence and all documents previously provided as my application for the vacant city council position. Since my last application in October I have been serving as a member of the St. Edwards Parish Administrative Council and I have continued to serve on the LSAC for Keizer Elementary as their treasurer throughout the school year. I was also elected to serve two additional years on the Keizer Elementary Site Council. As you know, I have also been serving on the Keizer ad hoc library committee.

Meanwhile, my law practice has continued to thrive during these last several months and I have recently added a new attorney and paralegal to our office staff. Our good fortune is still present as during these last two weeks I successfully completed a complex trial that has apparently surpassed all records for similar type cases in Benton County. Our Keizer office building is still moving, albeit slowly, toward completion at Staats Lake.

It is unfortunate that this opportunity to apply for the vacant position only comes with the resignation of Craig Campbell. I had an opportunity to get to know Craig a little while serving on the library committee. I believe that his background, both as a father of young children and as an attorney added a unique and important perspective to the committee. While I do not believe that anyone could replace or duplicate that contribution, I do believe that I share some of his perspectives as an attorney and as a father of pre-school and elementary school children.

I care a great deal about the future of Keizer as a safe and livable city. I think that we are at a place in time in Keizer's history where the decisions we make today can affect the path of the city and the quality of life of its residents for many generations to come. Current issues such as a library or resource center, the Chemawa Activity Center, the riverfront, police budgets, the dam, the dike, new schools, and the parks budget and projects can all impact the city's future. At the same time, as an owner of residential and commercial property in Keizer, I am also very much aware that all city expenditures place a tax burden on the city residents that must not become onerous. Balancing multiple and often conflicting priorities with a eye toward preserving that which is uniquely Keizer while at the same time building an even better tomorrow is the challenge of the council. It is a challenge I am ready to begin.

Very truly yours,

Richard M. Walsh
Attorney at Law

RMW:ns

KCA
10-29-99
submitted
10-29-99

WALSH & ASSOCIATES

Attorneys at Law

Richard M. Walsh
Gail M. Gage
Jim Dodge

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Salem Office:
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Suite 200

Portland Office:
1001 SW 5th
13th Floor

Tracy L. Davis
City Recorder
Keizer City Hall
930 Chemawa Road NE
Keizer OR. 97303

Re: Application for City Council

Dear Ms. Davis:

Please accept this correspondence and the attached resume as my application for the vacant city council position. I am a native Oregonian and I have resided in the Salem/Keizer area for the last decade. For the last two and one half years I have resided at 523 Lakefair Place in north Keizer. Although my business is currently in Salem, our new office building is nearly complete at Staats Lake and we are all looking forward to moving the business to Keizer in January of 2000.

Although I have virtually no background in city government, I do have an extensive background in evaluating information regarding complex legal, medical and factual matters and summarizing and conveying that information in an understandable format. As I have worked for plaintiffs, insurance carriers, and defendants and as I have served as both a litigator and as an arbitrator, I have experience in viewing conflicts from multiple points of view.

I have extensive experience in a wide variety of litigation forums ranging from licensing boards, administrative agencies, the Circuit Court and the Oregon appellate courts. However, the great majority of my practice is actually in the area of dispute resolution and settlement. I believe that it is my experience in amicably resolving disputes without the need for litigation that would be most useful to the Council. I have found that amicable resolutions of conflicts are usually possible when all parties are willing to look "outside of the box" for solutions and try to understand and at least make an attempt to address the concerns, fears, and problems faced by the opposing party. When amicable resolution can not be reached, I believe my experience as an arbitrator would be helpful in making the difficult decisions.

I rediscovered Keizer three years ago while my wife and I were searching for a place to raise our three young children. We were very impressed with the beauty of the neighborhoods and the high character of the residents, school teachers, and civic and business leaders. The attributes of Keizer were compelling and overcame our concern about the flooding and my wife and I decided to make Keizer our home. I have never regretted that decision and I have become more impressed with the quality of life here in Keizer as time passes.

I am looking forward to make the transition from Salem complete with the moving of my business to Keizer in a few months when our building is finished Obviously, I believe that this is a community with a very high level of livability and at the same time I recognize that Keizer has tremendous potential for an even better future.

As you can see in the enclosed resume, I believe that strong community involvement is an important component to citizenship. I would like to do my part and I believe that I would make a positive contribution to the Council and to the City of Keizer. I understand the time demands and my family and I are willing to make the sacrifices necessary to perform and exceed the duties expected of a member of the Keizer City Council.

I will await the response by the City Council and the Mayor. In the meantime, please let me know if you or the council have any further questions or concerns or if I can provide any additional information. I will look forward to hearing from you soon.

Very truly yours,

Richard M. Walsh
Attorney at Law

RMW:ns
enclosure: Resume
Letters of Recommendation

RICHARD M. WALSH

attorney at law

523 Lakefair Place
Keizer, OR 97303
(503) 304-0630 hm.
(503) 371-2692 bus.

Employment history

Walsh & Associates 1993-present	Founder and Owner of Walsh & Associates a seven person law firm with three attorneys and four support employees. Firm emphasizes litigation and dispute resolution of personal injury, medical malpractice, and workers' compensation claims. Trial practice includes all aspects of preparing and trying cases in the Oregon Circuit Courts or before the Workers' Compensation Board or other state agencies. Responsibilities include presenting cases on appeal to the Oregon Court of Appeals and Oregon Supreme Court. Experienced in a full range of alternative dispute resolution methods including arbitrations, mediations and settlements. Since 1995 practice also includes presiding as an arbitrator on arbitration panels that decide various PIP, uninsured motorist, and under-insured motorist claims. Administrative duties also include financial, personnel and client management tasks as well as training and supervision of all attorneys and support staff.
Olson Law Firm and Olson, Rowell & Walsh 1988-1993	Joined the Salem practice of Olson Law Firm in 1988. In 1989 became a named Partner and the firm name was changed to Olson, Rowell & Walsh which was a law firm with three attorneys and five support staff. The law practice was substantially equivalent to Walsh & Associates and also included Social Security hearings but did not include acting as an arbitrator. Administrative duties included management and training of one half of the support staff.
Schouboe, Marvin & Furniss 1986-1988	Law practice at Schouboe Marvin & Furniss of Portland Oregon included many aspects of insurance defense work with an emphasis on defending professional negligence actions brought against construction engineering firms. Duties also required substantial legal research and writing of motions, supporting legal memoranda, briefs and other pleadings before various litigation forums.
Clerkships:	Summer of 1985: Clerked for the defense law firm of Schwabe, Williamson, Wyatt, More and Roberts in Portland Oregon. Summer of 1984 and 1983: Clerked for the Law Firm of Daniel R. Walsh of Carson City Nevada.

Education:

1986	Graduate, University of Oregon: Doctorate of Jurisprudence (J.D.) Class rank: 17 of 155 graduates Director and member of University of Oregon Constitution Court
1983	Graduate, Portland State University: Bachelors of Science (B.S.) Bachelors Degree in Political Science Academic Honors Award of Merit: The National Dean's List Member of Political Science Honor Society
Professional Honors:	-Speaker at the 1997 Oregon Trial Lawyer Association's (OTLA) summer convention on techniques for jury selection. Encore presentation was given by videotape to the OTLA's Automobile section during their regular section meeting. -Authored lengthy article published as part of the 1997 OTLA continuing legal education materials. -Speaker at the joint 1999 OTLA and Association of Trial Lawyers of America (ATLA) continuing legal education seminar "From the Classroom to the Courtroom" at Willamette University on assigned topic "How to give a stunning summation" - Listed in Who's Who in American Law.
Professional Associations:	Admitted to Oregon State Bar 1986 Federal Bar for the United States District Court for Oregon Oregon Trial Lawyer Association Oregon Workers' Compensation Attorneys Association Association of Trial Lawyers of America American Bar Association, Litigation Section

Community Activities:

Keizer elementary:

Treasurer of the Parent Teacher Club (1999-2000)
Member of 21st Century Site Council (1998-1999/ 1999-2000)
Liaison between the 21st Century Site Council and the Local School Advisory Committee (LSAC) (1998-1999/ 1999-2000)
Member of two person committee on parent involvement and to create first school directory and Parent Teacher Club roster. (1999-2000)
Member of two person committee on school safety re: crosswalks. (1999-2000)

Community Activities cont.

Member and fund-raiser of four person computer committee for the Parent Teacher Club which replaced entire outdated computer lab with a complete new lab with over a dozen new computers with educational software, printers and supplies. Entire computer lab was achieved with jog-a-thon proceeds and with private and business matching donations and without government assistance. (1998-1999)

Volunteer to numerous other school activities i.e. solicitation of donations for jog-a-thon and school auction, presenting math projects to children on "math night", assisted with "family night" etc.

Coalition for School Funding Now

Active member of Coalition during last legislative session, duties included:
-Visiting various state legislators
-Giving interview for KGW
-Hosting a town hall meeting with local legislators to encourage school funding

Other community activities

-Summer host family for Japanese foreign exchange student
-Overnight host for church homeless shelter on a rotating schedule
- Member of St. Edward's church in Keizer and volunteer for various activities from delivering food baskets to volunteering to assist with the soup kitchen to helping with the Iris Festival activities, etc.

Personal

Age: 40, DOB 11/8/58

Wife: Teresa Walsh

Children: Samantha A. Walsh, age 9 attending Keizer Elementary
Michael R. Walsh, age 7, attending Keizer Elementary
Kevin C. Walsh, age 4

Hobbies: Camping (backpacking to R.V.)
Attempts at golf
Bicycling

Oregon Cases of Significance

1992 Marvin Lux v. Willamina Mult: A9106-03972	Verdict is apparently still the highest reported jury verdict in Mulnomah County for a pure soft tissue, low impact injury. Case is significant in that it challenged the way that insurers evaluated painful, debilitating injuries in cases with minimal property loss. ($ 500,745.09 jury verdict).
1993 Bagwell v. State of Oregon Klamath: 9004399C	Apparently first successful case argued for acceleration of death from low speed impact to terminally ill person caused by adrenaline rush brought on by fear of collision. ($ 359,654.25 jury verdict)
1993 Leo Polehn Orchards v Maria Hernandez CA A75150	Oregon Court of Appeals decision which established the "bunk house rule" in Oregon which extends Workers' Compensation insurance for migrant workers who live in migrant camps. The case was listed as one of the ten most important cases by the Workers' Compensation Section of the Oregon State Bar.
1994 Bennett v. Liberty N.W. 91-11454; CA A80711	Clarified method to resolve claims in complex exposure cases involving numerous employers over an extended period of time. Rule enhanced ability of claimants and insurers to resolve claims against some employers even if others would require full litigation.
1996 Fam Hinh Saeteurn Marion: 95C11302	Possibly most notable for new method of arguing headache damages based on tolerance of painful but unconventional treatments. ($ 100,891.20 jury verdict) .
1998 Coman v. Corrections Dept SC S44624	Supreme Court decision for the first time allowed prison guards access to certain prison records on the contagious diseases of prisoners to help guards prove an infectious disease was contracted at work.
1999 Sowers v. Norpac Marion:98C-16000	Most noteworthy for exceptional result for low impact collision with neck and shoulder soft tissue injuries, for methods of evaluating and presenting case at trial, and for methods for dealing with surveillance films in a jury trial. ($ 271,531.83 jury verdict)
1999 Buehler v. Belden Marion: 98C-16383	Client retained less than one week before trial on case rejected by other lawyers. Most noted for methods and techniques to efficiently evaluate, prepare, and present medically complicated case for a jury trial. ($ 271,747.00 jury verdict).

LEARNING FOR A LIFETIME
SALEM•KEIZER
PUBLIC SCHOOLS

KEIZER ELEMENTARY SCHOOL
Beth Davisson, Principal
5600 McClure Street N • Keizer, Oregon 97303-5389
(503) 399-3161

Larry E. McMurray, Superintendent

October 25, 1999

To Whom It May Concern:

It is my great pleasure to write a letter of recommendation for Richard Walsh. In my role as principal at Keizer Elementary, I have had the privilege of getting to know Rich during the last two years. He is a very active, enthusiastic, and supportive member of our Keizer school community. We wish all of our parents showed the level of involvement that Rich and his wife, Teresa, demonstrate on a consistent basis.

I have enjoyed working with Rich in a variety of capacities at Keizer Elementary. He is very involved with our LSAC (Local School Advisory Committee) and serves as the treasurer of our Parent Teacher Club. During the 1998-99 school year, Rich spearheaded the Parent Club's efforts to provide a brand new computer lab for our school. He spent countless hours pursuing matching funds for this project and was a strong advocate for increasing opportunities for all our students to experience up-to-date technology.

Rich is also involved as the parent representative on our 21st Century Council. He offers insights and perspectives with the best interests of our students in mind. Rich is adept at working toward satisfactory and innovative solutions to educational issues and acts as the parent liaison between the 21st Century Council and the LSAC.

I have also seen Rich in action as an effective leader and group facilitator. As a member of the Coalition for School Funding, Rich organized and lead a very productive meeting of the coalition with three state legislators last spring. In a leadership role, it was evident that Rich has exceptional conflict resolution skills. He listens to all sides well, and is extremely articulate in restating and summarizing various viewpoints.

I have thoroughly enjoyed my interactions with Rich over the last two years. I value and respect his opinion, his expertise, and his compassion for kids. I appreciate all the time and effort he has invested into supporting Keizer Elementary School and it is a great honor to write this letter of recommendation for him.

Sincerely,

Beth Davisson

Beth Davisson
Principal

PEM

Patrick McGarrah
5090 Chehalis Road North ~ Keizer, Oregon 97303 ~ Home Phone 505-304-8942 ~ Email patmcccc@aol.com

October 27, 1999

Keizer City Council
Keizer, Oregon

To whom it may concern,

It is an honor to write a letter of recommendation for Richard Walsh. I have had the privilege of getting to know Richard and his wife through the Coalition For School Funding Now, the Parent Teacher Club, and LSAC, the local student advisory committee, at our children's elementary school. We have also had the opportunity to share weekends together at some of Oregon's great campgrounds. Richard and Teresa are very dedicated parents. They spend a lot of quality time with their children doing fun and educational activities. Our family has been enriched by our association with the Walsh's.

Richard is a remarkable person. This shows not only in his work, where I have seen him toil day & night on cases involving clients that have little resources, but in his social life as well. I have watched Richard relate with much excitement how he helped to bring justice to someone that was wronged. So often we hear attorneys speak in terms of dollars. Richard speaks in terms of justice, morals, and kindness .

Richard cares deeply about his family, his community, and Oregon's kid's. His volunteer work is beyond exemplary. I watched him skillfully head up a town hall meeting here in Salem earlier this year, where he served as moderator. In attendance were Representative Vic Backlund, Senator Peter Courtney, and Representative Larry Wells, as well as the media and many concerned community members. I was very impressed by the way that he kept things in control, and by the power in his words.

I also attended an open house at our capitol where we were invited to meet with and discuss school funding with Oregon's Representatives, and Senators. Richard was able to get the message through, where many have failed. He is diplomatic in his approach , and shows great concern. He also has a remarkable ability to see both sides clearly in a debate, and is a very persuasive and effective speaker.

Richard truly has made a difference, and I feel we would be extremely lucky to have him as Keizer City Councilor. I continue to be impressed by Richard's commitment and passion.

It is my great pleasure to offer my unqualified recommendation for Richard Walsh.

Sincerely,

Patrick McGarrah

RICHARD M. WALSH
attorney at law
876 Welcome Way Suite 200
Salem Oregon 97302
(503)371-2692

Occupation Attorney at Law,

Employment History

Walsh & Associates
1993-present

Founder and Owner of Walsh & Associates which is a law firm with eight employees including two other attorneys in addition to myself. Legal practice consists of a full litigation caseload with an emphasis on Oregon Circuit Court jury trials in various Oregon counties, arbitrations, mediations, and other alternative dispute resolution forums, Workers' Compensation hearings before the Workers' Compensation Board, and full appellate practice before the Oregon Court of Appeals and Oregon Supreme Court including brief writing and oral arguments. Legal practice also includes serving as an Arbitrator in various Arbitration panels to decide cases dealing with various contested PIP, uninsured motorist, and under insured motorist claims. Duties also include administration of business, finance, personnel and client management.

Olson Law Firm and
Olson, Rowell & Walsh
1988-1993

Joined the Salem practice of Olson Law Firm in 1988. In 1989 became a named Partner and the firm name was changed to Olson, Rowell & Walsh which was a law firm with seven employees and three lawyers which emphasized the same practice as Walsh & Associates in addition to handling Social Security claims before the Social Security Administration however my practice at that time did not include serving as a arbitrator.

Schouboe, Marvin & Furniss
1986-1988

Worked for the law firm of Schouboe Marvin & Furniss in 1986 after graduating Law. Practiced many aspects of insurance defense work with an emphasis on defending professional negligence actions brought against construction engineering firms and legal research and writing of motions, supporting legal memoranda, and other pleadings.

Clerkships:

In the summer of 1985 clerked for the large defense law firm of Schwabe, Williamson, Wyatt, Moore and Roberts. In the Summer of 1984 and 1983 I clerked for the Law Firm of Daniel R. Walsh of Carson City Nevada.

Education:

1983- 1986	University of Oregon: Doctorate of Jurisprudence (J.D.) Class rank: 17/155 of Graduating Class Chief Justice of University of Oregon Constitution Court
1983	Portland State University: Bachelors of Science (B.S.) Bachelors Degree in Political Science Academic Honors Award of Merit: The National Dean's List Member of Political Science Honor Society
Professional Honors:	-Published Article in Trial Magazine scheduled for August 2000 on Cross Examination Techniques -Featured Speaker on organizing and reading medical records for Oregon Paralegal Institute Seminar, 1999. -Speaker and author of CLE materials at the 1997 Oregon Trial Lawyer Association's (OTLA) Summer Convention on Voir Dire (jury selection). -Speaker at the joint 1999 OTLA and Association of Trial Lawyers Of America (ATLA) continuing legal education seminar "from the classroom to the courtroom" at Willamette University on assigned topic "How to give a stunning summation" - Listed in Who's Who in American Law
Professional Associations:	Oregon State Bar Federal Bar for the United States District Court for Oregon Oregon Trial Lawyer Association Oregon Workers' Compensation Attorneys Association Association of Trial Lawyers of America American Bar Association Litigation Section

Oregon Cases of Significance
Beyond Particular Case

1992 Marvin Lux v. Willamina Mult: A9106-03972	First case I ever tried to a Circuit Court Jury. Apparently the verdict is still the highest achieved verdict in Mulnomah county for pure soft tissue, very low impact injury. ($ 500,745.09 verdict)
1993 Bagwell v. State of Oregon Klamath: 9004399C	Apparently first successful case argued for acceleration of death of from low speed impact to terminally ill person caused by adrenaline rush brought on by fear of collision. ($ 359,654.25 verdict)

1993 Leo Polehn Orchards v Maria Hernandez CA A75150	Case established the bunk house rule extending workers' compensation insurance for migrant workers who live in migrant camps. The case was listed as one of the ten most important cases by the Workers' Compensation Section of the Oregon State Bar.
1994 Bennett v. Liberty N.W. 91-11454; CA A80711	Clarified method to resolve claims in complex exposure cases involving numerous employers over an extended period of time.
1996 Fam Hinh Saeteurn Marion: 95C11302	Possibly most notable for new method of arguing headache damages in low impact case based on tolerance of painful, albeit ineffective treatments. ($ 100,891.20 verdict) .
1998 Coman v. Corrections Dept et al. WCB 95-12947; CA A95012 SC S44624	Supreme Court Decision that is most notable for giving claimants rights to access certain medical information on other persons to prove an infectious disease cases.
1999 Sowers v. Norpac Marion:98C-16000	Although defendant refused to mediate or make any offer, this case is most noted for exceptional result for low impact neck and back soft tissue damages and for methods for dealing with surveillance films in a jury trial. ($ 271,531.83 verdict)
1999 Buehler v. Belden Marion: 98C-16383	Retained less than one week before trial on case rejected by other lawyers. Most noted for methods to evaluate cases and to quickly prepare for complicated trial. (Verdict $ 271,747.00)
2000 Knox. v. Smith	Retained less than one month before trial on case rejected by 5 other law firms. Most noted for methods to organize and evaluate case materials (over 1,000 documents) and to efficiently prepare for complicated trial. (Verdict over $ 611,000.00)

Community Activities:

1. Keizer elementary:
    a. Treasurer of the Parent Teacher Club of Keizer Elementary 1999-2000
    b. Member of multiple committees for LSAC/PTC 1998-2000
    c. Member of the 21st century Site Counsel for Keizer Elementary 1998-99 and 1999-2000 school years
    d. Volunteer numerous activities for school activities and fund raisers

2. St. Edwards Church
    a. Lecturer 1998-2000
    b. Member of Administrative Council
    c. Volunteer (soup kitchen, hospitality homeless shelter, Keizer Iris Festival, etc)

3. Coalition For School Funding Now (prior legislative session)
    a. Meetings with various legislators on school funding issues
    b. Hosted town hall meeting with three local legislators to encourage school funding
    c. Provided interview for KGW T.V. regarding CFSFN

4. City of Keizer ad Hoc Library committee

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2000-_____

VALIDATING APPOINTMENT TO CITY COUNCIL POSITION NUMBER FIVE

WHEREAS, on June 19, 2000 L. Craig Campbell tendered his resignation from City Council position number five effective July 1, 2000;

WHEREAS, Councilor Campbell was in the middle of a four-year term scheduled to expire in January, 2003;

WHEREAS, the Charter states a vacant elective office shall be filled by appointment and a majority vote of the remaining members of the City Council shall be required to validate the appointment;

WHEREAS, the remaining members of the City Council at the regular meeting of this date voted on the appointment to fill the vacancy in Council position number five; NOW, THEREFORE,

BE IT RESOLVED THAT the appointment of _____ is hereby validated and that _____ shall fill the vacancy in City Council position number five for the remainder of the term.

PASSED this _____ day of _____, 2000.

SIGNED this _____ day of _____, 2000.

_____
Mayor

_____
City Recorder

City of Keizer, Oregon

AGENDA ITEM 4c

August 7, 2000

PARKS SYSTEM DEVELOPMENT CHARGE METHODOLOGY REPORT

CITY OF KEIZER

MEMORANDUM

DATE: August 3, 2000

TO: Mayor Newton and City Council Members

THROUGH: Chris Eppley

FROM: Rob Kissler
Director of Public Works

SUBJECT: Parks SDC Methodology Report

BACKGROUND:

During the 99/00 Budget Committee Hearings, funding of The Parks Master Plan update and SDC Methodology were discussed at length. At that time it was determined by legal counsel that only the SDC Methodology update was allowed to be funded out of the Park Improvement Fund which consists of collected SDC's generated by development. Council approved the Budget with this expenditure. Staff engaged Don Ganer and associates to prepare a Methodology report to bring the City into compliance with SDC expenditures and review the current level of funding relating to additional growth expected over the next ten years. Mr. Ganer is here to present the report and answer questions.

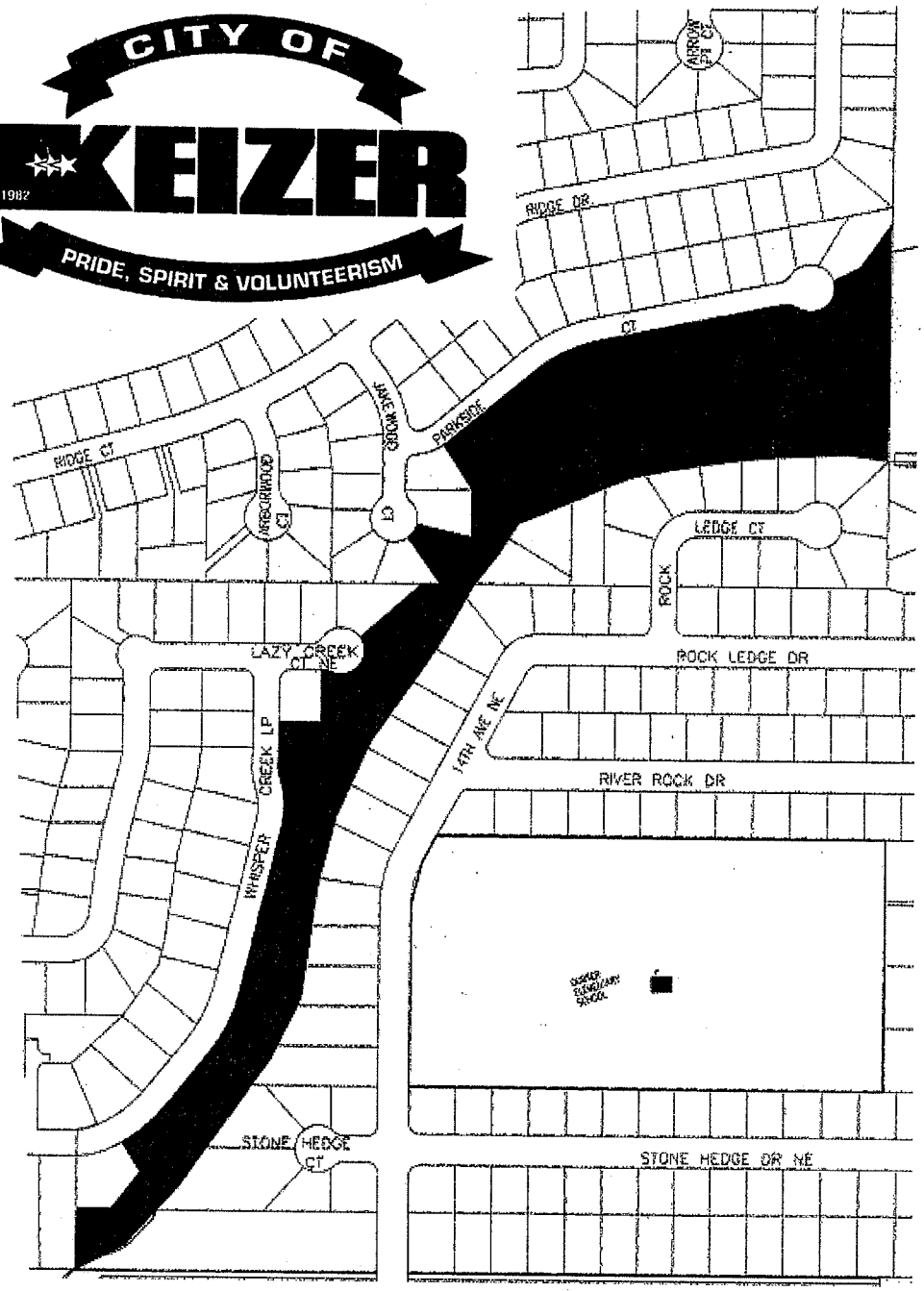
P.O. Box 21000, Keizer, OR 97307

FAX: 393-9437 phone: 390-3700 - Ext. 149

CITY OF KEIZER

1982

PRIDE, SPIRIT & VOLUNTEERISM



PARKS AND RECREATION FACILITIES SYSTEM DEVELOPMENT CHARGES UPDATE METHODOLOGY REPORT

July 17, 2000

Don Ganer & Associates

15418 NW White Fox Dr. • Beaverton, Oregon 97006 • (503) 690-8981

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CITY OF KEIZER

Parks and Recreation Facilities
System Development Charges Update
Methodology Report

1.0 INTRODUCTION

System Development Charges are fees charged to new development to help pay a portion of the costs associated with acquiring and/or building capital facilities to meet the needs of growth. The 1989 Oregon Systems Development Act (ORS 223.297 - 223.314) authorizes the collection of SDC's for certain types of facilities including:

- transportation,
- water,
- wastewater (sewer),
- stormwater, and
- parks and recreation.

The purpose of the SDC Act was to "...provide a uniform framework for the imposition of system development charges...". The Act requires local governments to:

- enact SDC's by ordinance or resolution,
- develop a methodology outlining how each SDC is developed,
- adopt a capital improvement program (CIP) designating the estimated cost and timing of each project that may be funded with SDC revenues,
- provide credits against SDC's for "qualified public improvements",
- separately account for SDC revenues and expenditures, and
- adopt procedures for public challenges of expenditures.

The City of Keizer implemented a Parks SDC in 1992. Since that time, cost increases, changes in population estimates, and the U.S. Supreme Court decision in *Dolan v. City of Tigard* have caused the Parks SDC to become outdated. In January 2000, the City engaged Don Ganer & Associates to update the Parks SDC methodology and rates, and provide guidelines for the expenditure of SDC revenues.

2.0 SDC BACKGROUND AND DATA

This section presents background information and data used to develop the SDC. In particular, this section of the report:

A. Discusses guiding concepts used in developing SDC's,
B. Explains what is meant by the terms "reimbursement fee" and "improvement fee" SDC's,
C. Presents the methodology approach used to update the Parks and Recreation SDC,
D. Analyzes credits,
E. Presents growth projections and summarizes census data regarding persons per dwelling unit,
F. Identifies current Levels of Service (LOS), and
G. Presents growth required facility needs.

A Guiding Concepts

In addition to the requirements of the ORS 223.297 - 223.314, court cases from Oregon and other states provide additional guidance for the methodology used in developing SDC's.

(1) "Essential Nexus" Requirement

In a 1987 case, *Nollan v. California Coastal Commission*, the U.S. Supreme Court established that government agencies must show that an "essential nexus" (e.g. reasonable connection) exists between a project's impacts and any dedication requirements. For SDC's the "essential nexus" requirement means there must be a reasonable connection between the nature of the development and the facilities being funded with the SDC revenues. If, for example, parks and recreation facilities are required to meet the needs of new development, an SDC methodology designed to fund the new capacity needed to serve new development meets the "essential nexus" requirement.

(2) "Rough Proportionality" Requirement

In its landmark 1994 decision in *Dolan v. City of Tigard*, the U.S. Supreme Court cited the need for "rough proportionality" between requirements placed on a developer by government and the impacts of the development. This concept of rough proportionality is applied in SDC's by insuring that new growth is not required to pay to upgrade existing deficiencies or provide new facilities beyond a level "roughly proportionate" with the extent of new development's impact; SDC's can be charged only for the portion of capital facilities costs that are attributable to growth.

ORS 223.307(2) also requires that "the portion of improvements funded by improvement fees must be related [e.g., roughly proportionate] to current or projected development." The City's adopted Comprehensive Park System Development Plan and SDC methodology includes improvements that serve both growth and non-growth needs, and it does not identify which or what portion of the improvements is "related to current or projected development". This SDC methodology update includes SDC rates which are roughly proportionate to the impacts created by new development, and provides SDC revenue expenditure guidelines to promote compliance with ORS 223.307(2).

B "Reimbursement fee" and "Improvement fee" SDC's

The Oregon SDC Act provides for the imposition of two types of SDC's: (1) "improvement" fees, and (2) "reimbursement" fees. "Improvement fee" SDC's may be charged to fund acquisition and/or construction of new capital facilities that will be needed in the future, or to make improvements to existing capital facilities (i.e., additional tennis courts, expansion of playgrounds, etc.) which provide new "capacity" to accommodate growth. In order to maintain facilities at current levels of service (i.e., 1.2 acre per 1,000 persons for developed community parks, etc.), the City will need to add acres and develop parks to serve new development, and the City may charge improvement fee SDC's to fund all or a portion of the costs of these facilities.

If "excess capacity" is available to accommodate future growth, a "reimbursement fee" SDC may be charged to recoup the costs (including bonded indebtedness) associated with improvements which have already been acquired/constructed. The City does not currently have sufficient facilities to meet adopted standards; therefore, no excess capacity exists and a reimbursement fee SDC is not warranted.

C. SDC Methodology Approach

The three basic approaches used in developing SDC's are (1) Capital Projects-Driven, (2) Level of Service (LOS)-Driven, and (3) Combination.

(1) "Capital Projects-Driven" SDC's

Capital Projects-Driven SDC's are based on a specific list of planned capital improvements. The amount of the SDC is determined by allocating a portion of the cost of the planned improvements (the "fair share" that can be attributed to growth) among the projected developments that will be paying SDC's. This approach works best when individual public facilities can be allocated between current and future users on the basis of objective data, and when standards do not adequately allocate costs between these groups. Costs which are attributable to growth may be funded through SDC's, and remaining costs must be funded from non-SDC sources.

(2) "LOS-Driven" SDC's

LOS-Driven SDC's work best when individual facilities cannot be allocated between current and future users on the basis of objective data, and instead are provided on the basis of a levels of service. The SDC is determined by multiplying the LOS standard for each type of facility by the estimated cost per unit of facility. SDC's cannot be used to pay for eliminating deficiencies in the current LOS, or for providing a higher LOS than that which currently exists unless either (1) alternative revenue sources are identified to pay for eliminating existing deficiencies, or (2) the primary recipients of the higher LOS will be future residents.

(3) "Combination" SDC's

A "combination" approach uses elements of both the LOS-Driven approach and the Capital Projects-Driven approach. LOS standards are used to determine facility needs, identify deficiencies and excess capacity, and develop a list of capital improvement projects. The project costs then serve as the basis for calculating the SDC rates.

The Keizer Parks and Recreation SDC update was developed using the "LOS-Driven" approach. LOS standards were developed based on the current LOS, and the costs of maintaining this LOS were then used to determine SDC rates.

D. Credits

A credit is a reduction in the amount of the SDC which a development is required to pay, and must be calculated to account for (1) "qualified public improvements" and (2) other payments new development may make through property taxes or other means.

(1) "Qualified Public Improvement"

A credit must be given for the donation of a "qualified public improvement" which (1) is required as a condition of development approval, (2) is identified in the CIP, and (3) either is not located on or contiguous to property that is the subject of development approval, or is required to be built larger or with greater capacity than is necessary for the particular development project to which the improvement fee is related. The credit for a qualified public improvement may only be applied against an SDC for the same type of improvement (i.e., parks and recreation, etc.), and must be granted only for the cost of that portion of an improvement which exceeds the minimum standard facility size or capacity (LOS standard) needed to serve the particular project. For multi-phase projects, any excess credit may be applied against SDC's that accrue in subsequent phases of the original development project.

In addition to these required credits, the City may, if it so chooses, provide a greater credit, establish a system providing for the transferability of credits, provide a credit for a capital improvement not identified in the capital improvement plan, or provide a share of the cost of an improvement by other means. Any provisions for such credits must be applied uniformly to all new development.

In order for the City to charge growth an improvement fee SDC for 100% of the costs of new facilities required to serve growth, a credit must also be given for any costs that will be paid by growth in the future for existing capital facilities (included in the LOS standards) or future facilities needed to repair deficiencies. The City has no outstanding debt for existing parks and recreation capital facilities and the SDC is designed only to maintain the current LOS; therefore, no credit against the SDC for repayment of debt is required.

E. Population Growth and Persons per Dwelling Unit

The Parks and Recreation SDC is based on projected growth-required capital facility costs per "capita" (person). Estimated population growth from 2000 through 2010 is shown in Table 2.1, below.

TABLE 2.1

ESTIMATED POPULATION INCREASE

(2000 - 2010)

Projected 2010 Population		Estimated 2000 Population		Est. Increase in Population
37,000	-	30,276	=	6,724

The Parks and Recreation SDC is based on estimated capital facility costs per capita , with the SDC rates based on the number of persons per dwelling unit. Dwelling units typically house different numbers of persons depending on the type of unit (e.g., single family or multi-family). To determine the appropriate number of persons per dwelling unit, 1990 census data for the City of Keizer maintained by the Center for Population Research and Census at Portland State University was analyzed, and the resulting calculations are presented in Table 2.2, below.

TABLE 2.2

AVERAGE PERSONS PER DWELLING UNIT

Type of Dwelling Unit	1990 Census Avg. Persons Per Dwelling Unit
Single Family	2.82
Multi-Family	2.00

F. Facilities Inventory and Levels of Service

The City provides a total of 97.1 acres of parks and recreation facilities, resulting in a total Level of Service (LOS) of 3.2 acres per 1,000 persons. Included in this total are 36.20 acres of developed Community Parks (1.2 acres per 1,000 persons), 16.10 acres of developed Neighborhood Parks (0.5 acres per 1,000 persons), and 22.90 of undeveloped/partially developed parks (0.8 acres per 1,000 persons). Following are photographs showing examples of these facilities in the City.

Developed Community Park

Developed Neighborhood Park

Undeveloped Park

In addition to these developed and undeveloped parks, the City also has 21.90 acres of Natural Area Parks (0.7 acres per 1,000 persons).

Natural Area Park

The City's parks and recreation facilities inventory and levels of service are shown in Table 2.3, below.

TABLE 2.3
PARKS AND RECREATION FACILITIES
CURRENT INVENTORY AND LEVELS OF SERVICE (LOS)

Developed Community Parks	Acres	LOS/1,000 persons
Claggett Park	10.80	
Keizer Little League Park	16.70	
City Hall Complex/Chalmer-Jones Park	8.70	
sub-total	**36.20**	**1.2**
Developed Neighborhood Parks		
Wilark Park	8.40	
Willamette Manor Park	2.10	
Northview Park	2.10	
The Meadows Park	3.50	
sub-total	**16.10**	**0.5**
Undeveloped/Partially Developed Parks		
Mike Whitman Park	5.00	
Fernwook Park	0.90	
Pleasantview Park	2.50	
Clear Lake Park	5.00	
Country Glen Park	5.00	
Bair Park	2.00	
Hidden Creek Park	2.50	
sub-total	**22.90**	**0.8**
Natural Area Parks		
Palma Cia Park	0.80	
Sunset Park	1.20	
Rivers Edge Park	10.30	
North Ridge Park	9.60	
sub-total	**21.90**	**0.7**
Combined Total	**97.10**	**3.2**

The City's Comprehensive Park System Development Plan includes recommended standards[1] for parks acreages of 2.2 acres of developed Community Parks, 1.3 acres of developed Neighborhood Parks, and 5.8 acres of Natural Area Parks per 1,000 persons. In order for the City to charge SDC's at rates required to meet the adopted standards, the City must either already provide facilities at standard or have a viable plan for how it will remedy the deficiency using a funding source not associated with growth. To meet these standards, the City would need to acquire/develop an additional 34.61 acres of Community Parks, 23.26 acres of Neighborhood Parks, and 153.70 acres of Natural Area Parks *just to correct current deficiencies in parks acreages.*

As an alternative to using the standards included in the Plan, the current Levels of Service (LOS) identified in Table 2.1 (page 6) may serve as alternative LOS standards by which growth-related facility needs may be determined.

G. Facilities Needed to Serve Growth

To determine the City's growth-required needs, the current LOS for each type of facility (i.e., Developed Community Park acres, Developed Neighborhood Park acres, etc.) was applied to the projected 2010 population of the City. The City's population is expected to grow by 6,724 residents by the year 2010, when it is expected to reach 37,000[2]. Table 2.4, below, presents a summary of *additional* needed facilities resulting from application of these LOS standards.

TABLE 2.4

ADDITIONAL FACILITIES NEEDED TO SERVE GROWTH

(2000 - 2010)

Facility Type	Current LOS	Growth-Required Units
Developed Community Parks (acres)	1.2	8.04
Developed Neighborhood Parks (acres)	0.5	3.58
Undeveloped/Partially Developed Parks (acres)	0.8	5.09
Natural Area Parks (acres)	0.7	4.86
Total City Parks System (acres)	3.2	21.56

[1] Comprehensive Park System Development Plan, *otak*, May 7, 1992, Tab 1

[2] City staff projection estimate.

3.0 CALCULATION OF PARKS AND RECREATION SDC

The updated Keizer Parks and Recreation SDC was calculated using a series of sequential formulas which, when completed, yields the SDC rate for each new dwelling unit in the City. The formulas identify:

A. the total growth-required parks and recreation facilities costs (Formula 1, below),
B. the facilities cost per new resident (Formula 2, page 12),
C. the compliance and administrative cost per new resident (Formula 3, page 12),
D. the total facilities cost per new resident (Formula 4, page 13), and
E. the SDC rate per dwelling unit (Formula 5, page 13).

A. Formula 1: Total Growth-Required Facilities Costs

The total growth-required parks and recreation facilities costs are determined by adding the products resulting from multiplying the number of units required to meet growth needs (from Table 2.2, page 6) by the cost per unit of facility.

1.	Growth-Required Units	X	Cost Per Unit	=	Growth-Required Facilities Costs

Table 3.1, below, presents the calculation of the growth-required facilities costs.

TABLE 3.1

GROWTH-REQUIRED FACILITIES COSTS

Facility Type	Growth-Required Units	X	Cost Per Unit[3]	=	Growth-Required Facilities Costs
Developed Community Parks (acres)	8.04		$ 95,000		$ 763,800
Developed Neighborhood Parks (acres)	3.58		125,000		447,500
Undeveloped/Natural Area Parks (acres)	9.95		70,000		696,500
Total Growth-Required Units (acres)	21.57				$ 1,907,800

[3] Undeveloped/Natural Area land acquisition cost estimate is $70,000 per acre. Developed Community Parks cost estimate is based on undeveloped land cost plus $25,000 per acre for development. Developed Neighborhood Parks cost estimate is based on undeveloped land cost plus $55,000 per acre for development. Cost estimates provided by City staff.

B. Formula 2: Facilities Cost Per New Resident

The facilities cost per new resident is calculated by dividing the growth-required facilities costs (from Table 3.1, page 11) by the expected increase in the City's population during the planning period (from Table 2.1, page 6).

2.	Growth-Required Facilities Cost	÷	Population Increase	=	Facilities Cost Per New Resident

Table 3.2, below, presents the calculation of the facilities cost per new resident.

TABLE 3.2

FACILITIES COST PER NEW RESIDENT

Growth-Required Facilities Costs		Population Increase		Facilities Cost Per New Resident
$ 1,907,800	÷	6,724	=	$ 284

C. Formula 3: Compliance/Administration Cost Per New Resident

ORS 223.307(5) allows the City to recoup the direct costs of complying with Oregon law regarding SDC's. Recoupable costs include consulting, engineering, and legal fees as well as the cost of collecting and accounting for revenues and expenditures. The compliance/administration cost is estimated to total 10% of collected SDC revenues. The compliance/administration cost per new resident is determined by multiplying the facilities cost per new resident by this cost factor (10%):

3.	Facilities Cost Per New Resident	X	Compliance/Admin. Cost Factor	=	Compliance/Admin. Cost Per New Resident

Table 3.3, page 14, presents the calculation of the compliance cost per new resident.

TABLE 3.3

COMPLIANCE/ADMINISTRATION COST PER NEW RESIDENT

Facilities Cost Per New Resident		Compliance/Admin. Cost Factor		Compliance/Admin Cost Per New Resident
$ 284	X	10%	=	$ 28

D. Formula 4: SDC Per New Resident

The SDC Per New Resident represents the amount of revenue required for each new resident in order to pay the growth-required costs. The calculation is completed by adding the facilities cost per new resident (from Table 3.2, page 12) and the compliance/administration cost per new resident (from Table 3.3, above).

4.	Facilities Cost Per New Resident	+	Compliance/Admin. Cost Per New Resident	=	SDC Per New Resident

The result of this calculation is presented in Table 3.4, below.

TABLE 3.4

SDC PER NEW RESIDENT

Facilities Cost Per New Resident		Compliance/Admin Cost Per New Resident		SDC Per New Resident
$ 284	+	$ 28	=	$ 312

E. Formula 5: SDC Per Dwelling Unit

The SDC Per Dwelling Unit is calculated by multiplying the average number of persons per dwelling unit (from Table 2.2, page 6) by the SDC Per New Resident (from Table 3.4, above).

5.	Persons Per Dwelling Unit	X	SDC Per New Resident	=	SDC Per Dwelling Unit

The result of this calculation is presented in Table 3.5, page 15.

TABLE 3.5

SDC PER DWELLING UNIT

Type of Dwelling Unit	Persons Per Dwelling Unit	X	SDC Per New Resident	=	SDC Per Dwelling Unit
Single Family:	2.82		$ 312		$ 880
Multi-Family:	2.00		$ 312		$ 624

The SDC rates identified in Table 3.5, above, are the maximum dollar amounts (in year 2000 dollars) that may be collected from new development for costs related to growth-required parks capital improvements. These costs are based on the expected number of "growth-required units" needed for each type of facility (i.e., community parks, neighborhood parks, etc.) during the period 2000 through 2010. For comparison, the parks SDC rates[4] currently charged by a selection of other area Oregon cities are presented in Table 3.6, below.

TABLE 3.6

PARKS SDC RATES FOR OTHER AREA CITIES

City	Single-Family Rate	Multi-Family Rate
Salem	2,275	1,487
Wilsonville	2,025	1,533
Albany	1,832	916
Portland	1,479	953
Tualatin	1,400	1,400
Canby	1,348	694
Tigard	1,050	540
McMinnville	1,000	1,000
Oregon City	955	670
Sherwood	841	841
Woodburn	762	1,109

[4] Current as of November 1999

4.0 SDC EXPENDITURE GUIDELINES

ORS 223.307(2) requires that improvement fee SDC's "be spent only on capacity increasing capital improvements, including expenditures relating to repayment of debt for such improvements. An increase in system capacity may be established if a capital improvement increases the level of performance or service provided by existing facilities or provides new facilities."

ORS 223.307(2) also requires that "the portion of improvements funded by improvement fees must be related to current or projected development." This means that revenues from improvement fee SDC's may be used only for the portion of capital improvements that are needed for growth.

The City's adopted Comprehensive Park System Development Plan includes improvements that serve both growth and non-growth needs, but it does not identify which of the improvements is "related to current or projected development". Community Parks and Undeveloped/Natural Area Parks are considered to serve the entire City population, so SDC revenues collected for these facilities may be used to acquire and/or develop Community Parks and Undeveloped/Natural Area Parks anywhere within the City. Neighborhood Parks are generally considered to serve only the population living within approximately 1/2 mile of each park, and most of the City's neighborhood parks serve a combination of residences, including those which were in place when the City's parks SDC was adopted in 1992, and those which have been constructed since that time. To ensure that SDC expenditures are "related to current or projected development" in compliance with ORS 223.307(2), the portion of improvements that will primarily benefit growth must be determined.

A review of mapping data provided by City staff indicates that the percentages of growth (1992 - 2010) and non-growth (pre-1992) needs served by each neighborhood park are approximately as shown in Table 4.1 (page 17). Copies of the maps are included as an appendix to this report.

TABLE 4.1

NEIGHBORHOOD PARK PERCENTAGES OF GROWTH-REQUIRED AND NON-GROWTH NEEDS

Neighborhood Park	Growth-Required	Non-Growth
Bair Park	80%	20%
Clear Lake Park	80%	20%
Country Glen Park	50%	50%
Fernwood Park	0%	100%
Hidden Creek Park	50%	50%
The Meadows Park	75%	25%
Mike Whitman Park	35%	65%
Northview Park	30%	70%
Pleasantview Park	35%	65%
Wilark Park	40%	60%
Willamette Manor Park	50%	50%

These percentages should be used as guidelines for the portion of total acquisition and development costs (adjusted for inflation) that may be paid with SDC revenues. These guidelines should be applied whenever the City updates the parks capital improvements project list. The Oregon SDC Act requires that this project list include the estimated cost and timing for each project on which SDC revenues are to be used.

The City may chose to use SDC revenues for any combination of acquisition and development costs, so long as the percentage of total costs paid with SDC's and development-required donations does not exceed the estimated growth-required portion. For example, suppose that ten years ago the City received a donation of land (unrelated to development), made initial improvements for a park, and plans to make additional improvements during the next ten years. If the land and improvements are valued (today) at $100,000, and the City plans to spend an additional $100,000 on development, the total acquisition and development cost for the park is $200,000. If the growth-required percentage for this park was 50% or more, the entire $100,000 in planned additional development costs could be paid from SDC revenues ($200,000 X 50% = $100,000). If the growth percentage was less than 50%, the amount payable from SDC's would be determined by multiplying the total costs ($200,000) by the growth percentage.

APPENDIX

NEIGHBORHOOD PARK SERVICE AREA MAPS

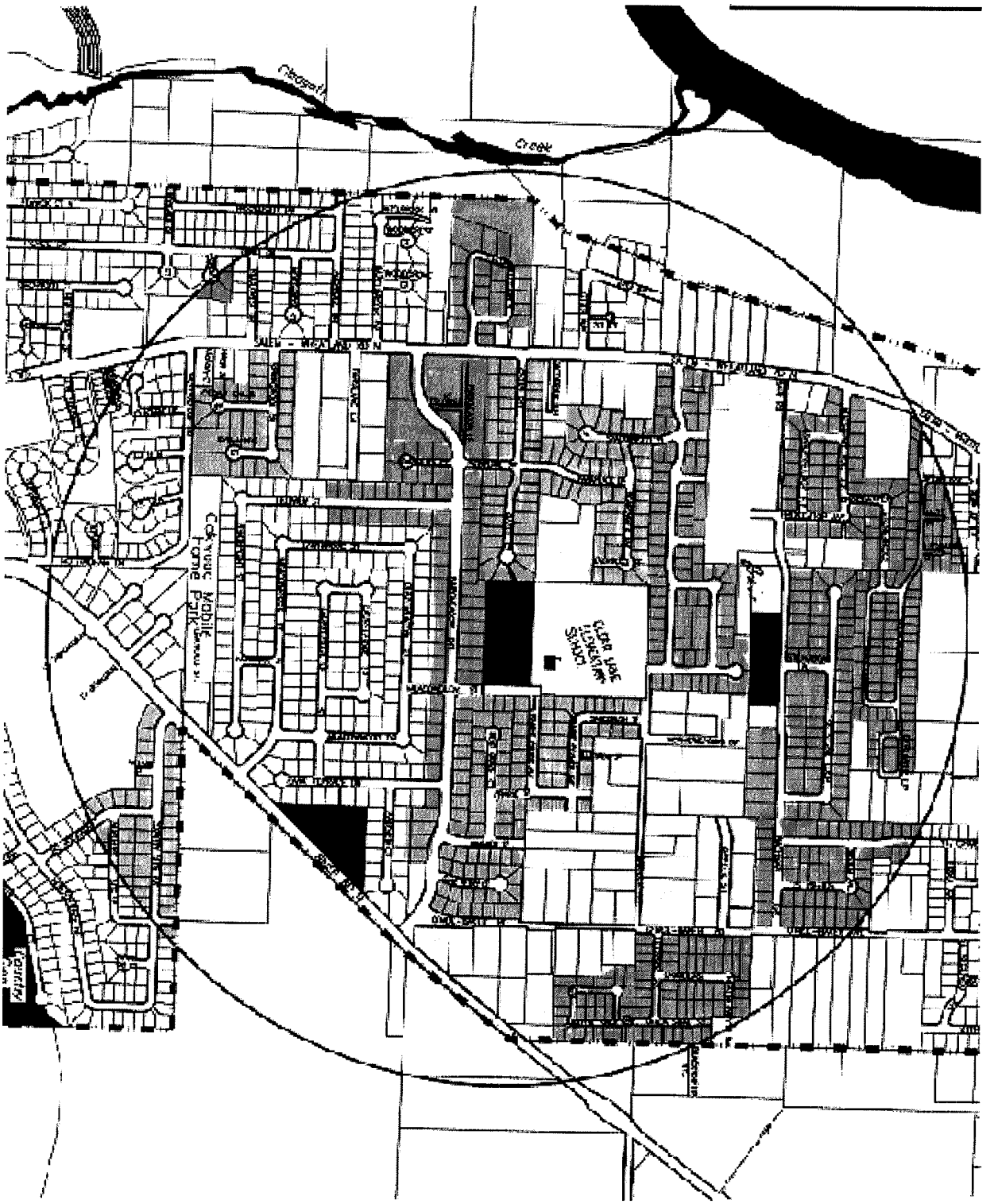
1. Bair Park
2. Clear Lake Park
3. The Meadows Park
4. Country Glen/Hidden Park
5. Wilark Park
6. Mike Whitman Park
7. North View Park
8. Pleasantview Park
9. Willamette Manor Park

Note: No map is provided for Fernwood Park because the service area was developed prior to 1992, and no further development is planned.

1. Bair Park

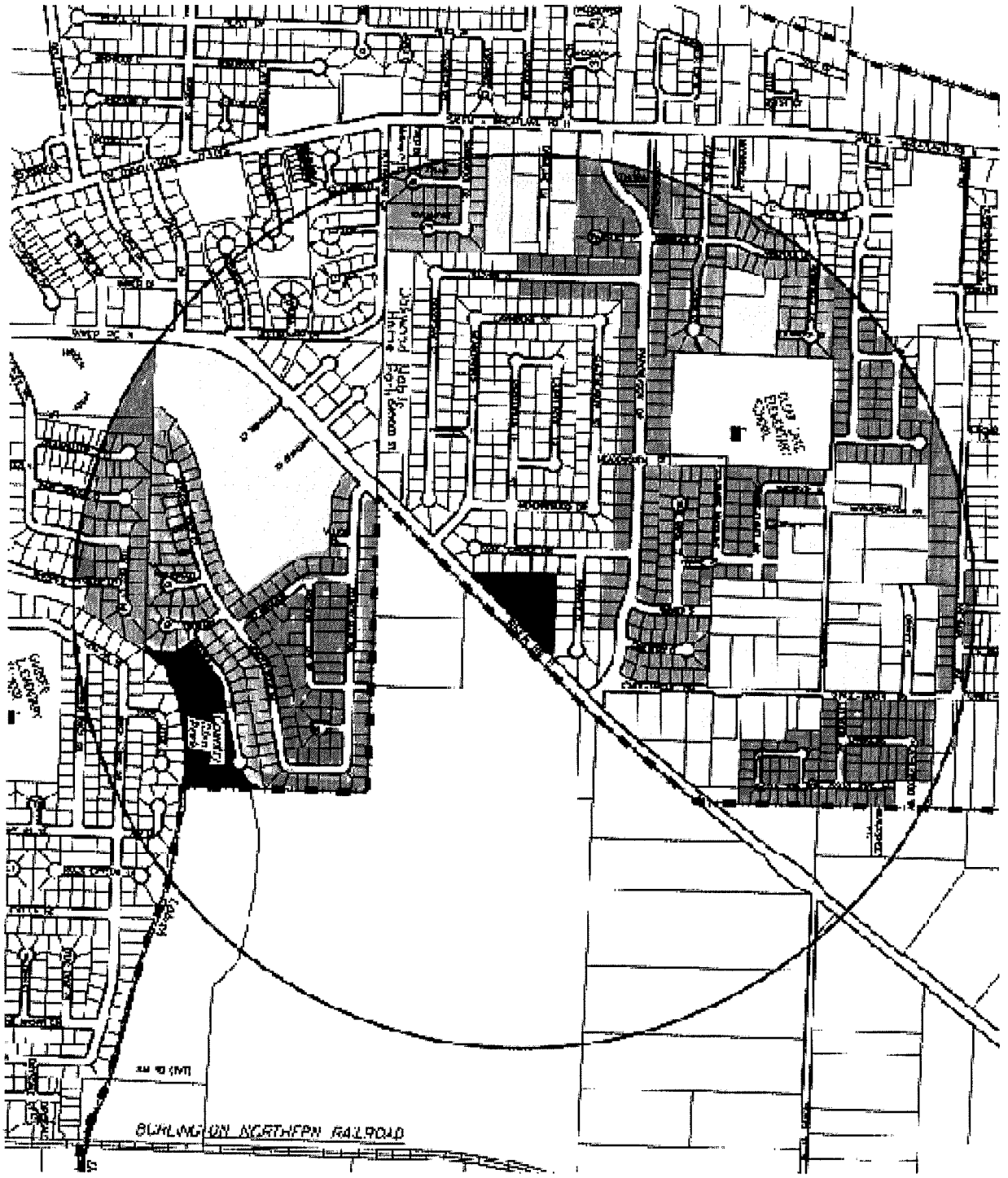
Guide: Pink = developed between 1992 and 2000
Yellow = undeveloped with potential for development between 2000 and 2010
White = developed before 1992 or not planned for further development

2. Clear Lake Park



Guide: Pink = developed between 1992 and 2000
Yellow = undeveloped with potential for development between 2000 and 2010
White = developed before 1992 or not planned for further development

3. The Meadows Park

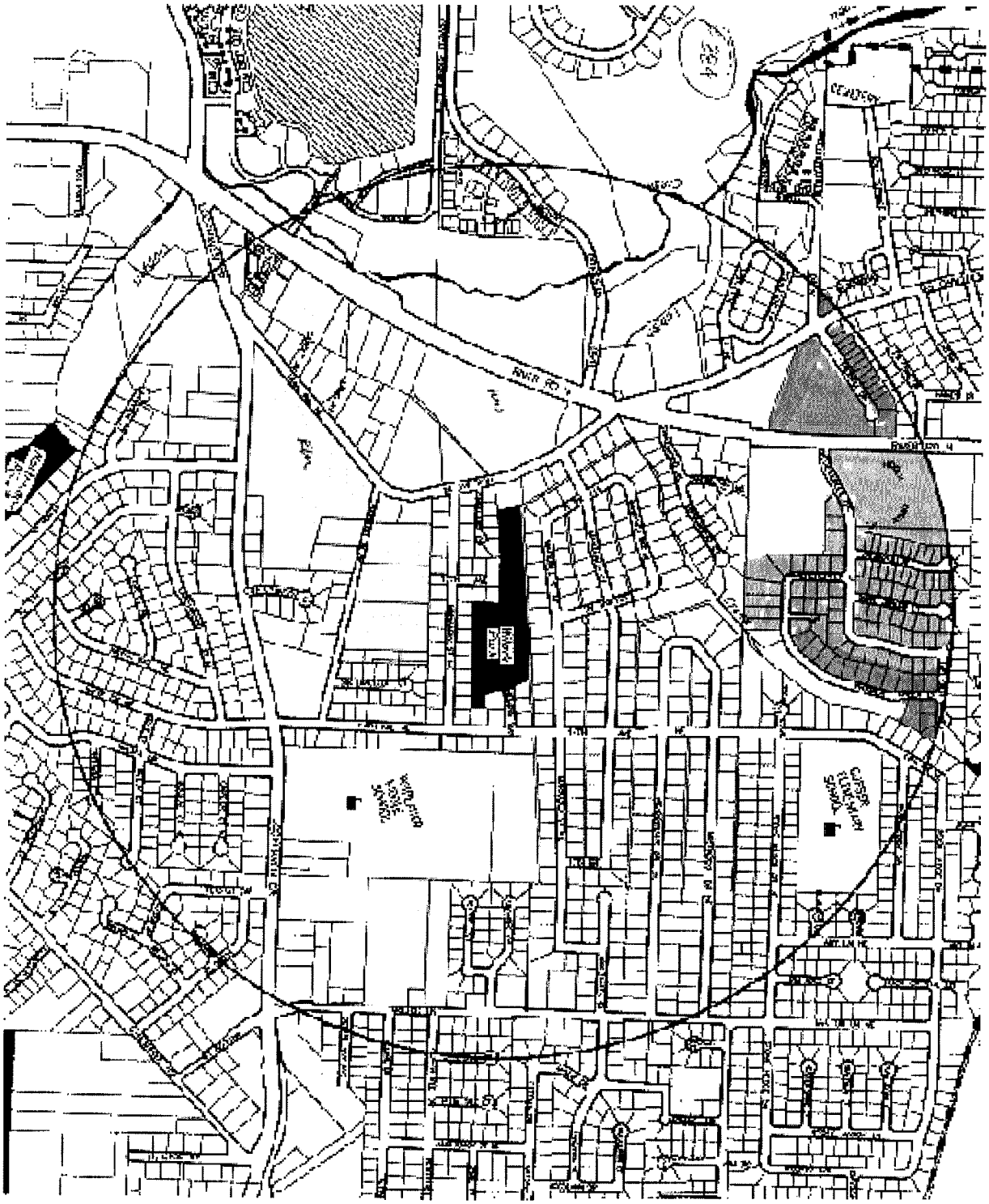


Guide: Pink = developed between 1992 and 2000
Yellow = undeveloped with potential for development between 2000 and 2010
White = developed before 1992 or not planned for further development

4. Country Glen/Hidden Park

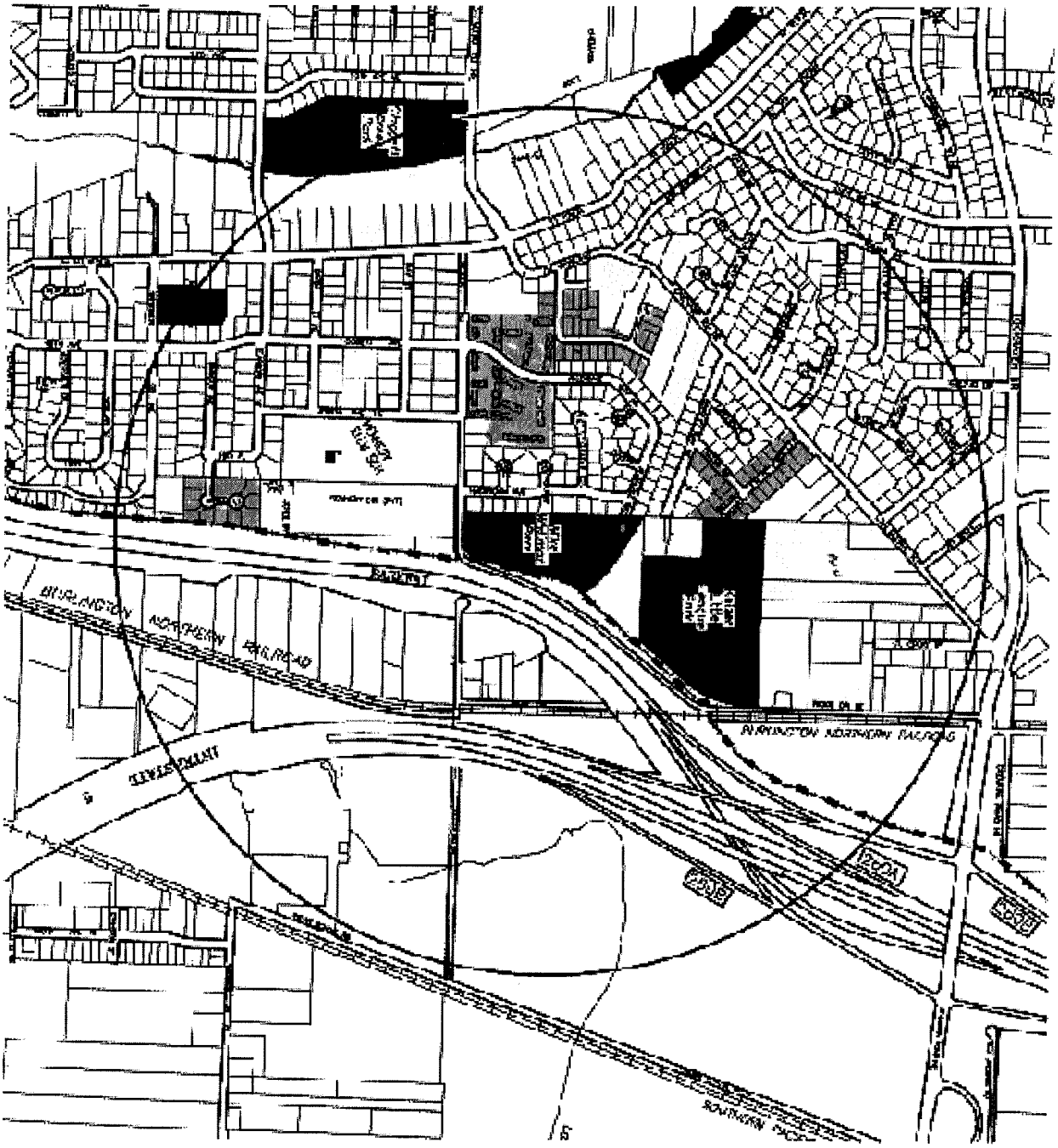
Guide: Pink = developed between 1992 and 2000
Yellow = undeveloped with potential for development between 2000 and 2010
White = developed before 1992 or not planned for further development

5. Wilark Park



Guide: Pink = developed between 1992 and 2000
Yellow = undeveloped with potential for development between 2000 and 2010
White = developed before 1992 or not planned for further development

6. Mike Whitman Park

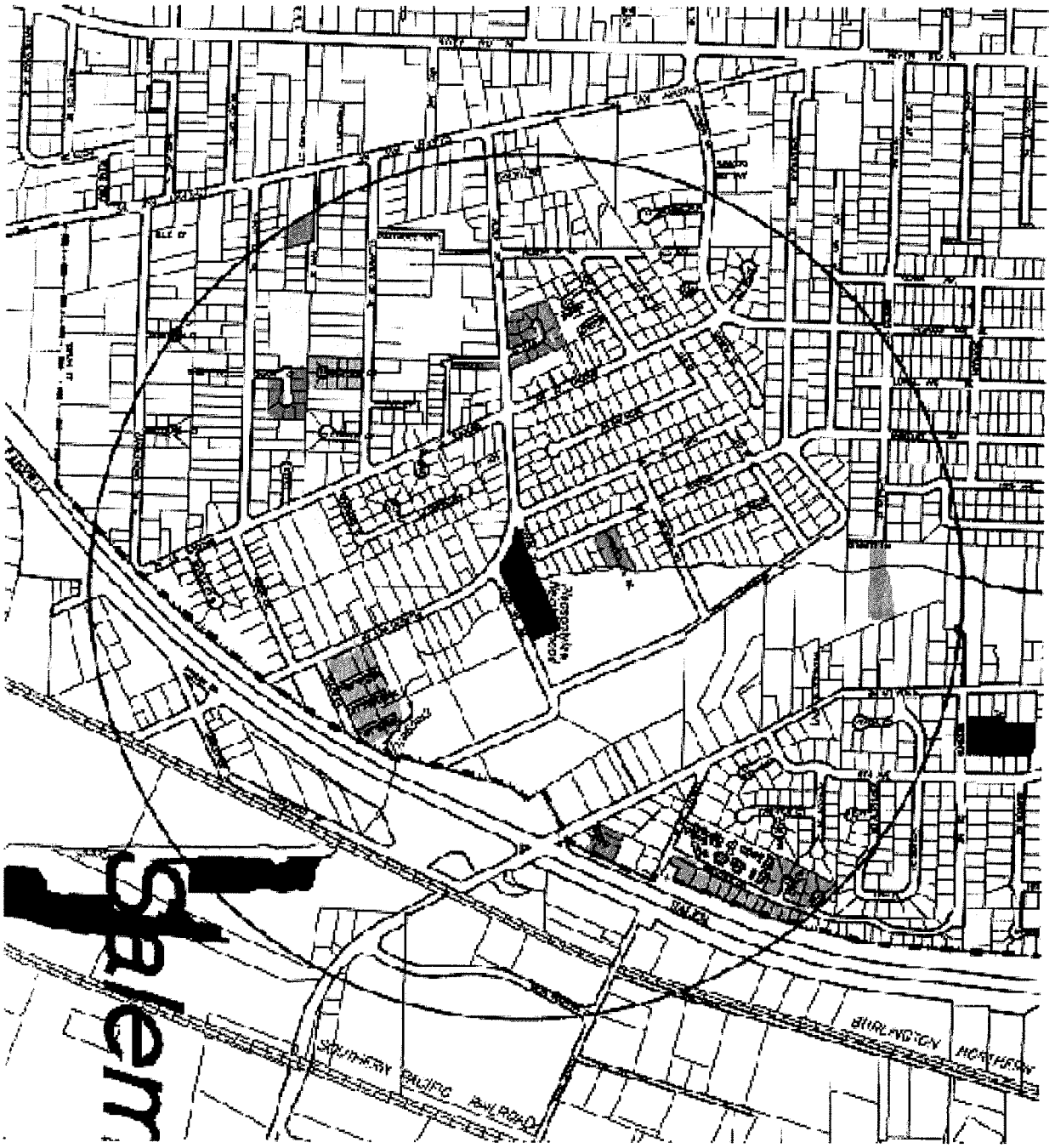


Guide: Pink = developed between 1992 and 2000
Yellow = undeveloped with potential for development between 2000 and 2010
White = developed before 1992 or not planned for further development

7. Northview Park

Guide: Pink = developed between 1992 and 2000
Yellow = undeveloped with potential for development between 2000 and 2010
White = developed before 1992 or not planned for further development

8. Pleasantview Park



Guide: Pink = developed between 1992 and 2000
Yellow = undeveloped with potential for development between 2000 and 2010
White = developed before 1992 or not planned for further development

9. Willamette Manor Park

Guide: Pink = developed between 1992 and 2000
Yellow = undeveloped with potential for development between 2000 and 2010
White = developed before 1992 or not planned for further development

City of Keizer, Oregon

August 7, 2000

AGENDA ITEM 6a

PRIMETIME PIZZA LIQUOR LICENSE APPLICATION

CITY COUNCIL MEETING: August 7, 2000

AGENDA ITEM NUMBER: _____

TO: MAYOR NEWTON AND CITY COUNCIL MEMBERS

THROUGH: CHRIS C. EPPLEY
CITY MANAGER

FROM: TRACY L. DAVIS, CMC
CITY RECORDER

SUBJECT: PRIMETIME PIZZA LIQUOR LICENSE APPLICATION
RESTAURANT LICENSE

BACKGROUND:

On July 11, 2000 Samuel Wibowo and Michael Sublett submitted an application for a restaurant liquor license for Primetime Pizza located at 5025 River Road North, Keizer, Oregon (former sight of Round Table Pizza). Attached is ORS 471.250 which outlines the guidelines and criteria for a restaurant liquor license.

As required by Keizer Ordinance 95-318, a public hearing was scheduled, notice was published in the Keizertimes and mailed to all property owners within 200 feet of the proposed establishment. As of the writing of this report, we have not received any negative responses to these notices.

On July 12th, 2000 a request was sent to the Keizer Police Department to conduct a background check on the applicants. The response is attached to this report. In addition, the Keizer Planning Department finds the location of the establishment to be properly zoned.

RECOMMENDATION:

It is recommended the public hearing be opened to allow testimony from the applicant or other interested individuals and upon completion, the hearing be closed. It is further recommended the Council approve the application for a restaurant liquor license for Primetime Pizza under the guidelines as established by ORS 471.250 and the Ordinances of the City of Keizer and forward this recommendation to the Oregon Liquor Control Commission.

case available to be sold and the handling fee is uniform for all licensees.

471.240 [Amended by 1955 c.657 §3; 1957 c.223 §2; repealed by 1973 c.395 §10]

471.242 Warehouse license. (1) A warehouse license shall allow the licensee to store, import, bottle, produce, blend, transport and export nontax paid, bonded wine or wine on which the tax is paid and to store, import and export nontax paid malt beverages or malt beverages on which the tax is paid. Wine and malt beverages may be removed from the licensed premises only for:

(a) Sale for export;

(b) Sale or shipment to a wholesale malt beverage and wine licensee;

(c) Sale or shipment to another warehouse licensee;

(d) Sale or shipment to a winery licensee; or

(e) Shipment of wine produced by a winery licensee to a licensee of the Oregon Liquor Control Commission authorized to sell wine at retail if the shipment is made pursuant to a sale to the retail licensee by a winery licensed under ORS 471.223.

(2) A license applicant must hold an approved registration for a bonded wine cellar or winery under federal law.

(3) For the purposes of tax reporting, payment and record keeping, the provisions that shall apply to a manufacturer under ORS chapter 473 shall apply to a warehouse licensee.

(4) A warehouse must be physically secure in an area zoned for the intended use and be physically separated from any other use.

(5) For purposes of ORS 471.392 to 471.400, a warehouse licensee shall be considered a manufacturer.

(6) For purposes of ORS 473.045, a warehouse licensee shall be considered a winery licensee. [1985 c.628 §2; 1989 c.553 §1; 1995 c.35 §1; 1995 c.301 §83]

Note: The amendments to 471.242 by section 67, chapter 351, Oregon Laws 1999, take effect January 1, 2001. See section 81, chapter 351, Oregon Laws 1999. The text that is effective on and after January 1, 2001, is set forth for the user's convenience.

471.242. (1) A warehouse license shall allow the licensee to store, import, bottle, produce, blend, transport and export nontax paid, bonded wine or wine on which the tax is paid and to store, import and export nontax paid malt beverages and cider, or malt beverages and cider on which the tax is paid. Wine, cider and malt beverages may be removed from the licensed premises only for:

(a) Sale for export;

(b) Sale or shipment to a wholesale malt beverage and wine licensee;

(c) Sale or shipment to another warehouse licensee;

(d) Sale or shipment to a winery licensee; or

(e) Shipment of wine or cider produced by a winery licensee to a licensee of the Oregon Liquor Control Commission authorized to sell wine or cider at retail if the shipment is made pursuant to a sale to the retail licensee by a winery licensed under ORS 471.223.

(2) A license applicant must hold an approved registration for a bonded wine cellar or winery under federal law.

(3) For the purposes of tax reporting, payment and record keeping, the provisions that shall apply to a manufacturer under ORS chapter 473 shall apply to a warehouse licensee.

(4) A warehouse must be physically secure in an area zoned for the intended use and be physically separated from any other use.

(5) For purposes of ORS 471.392 to 471.400, a warehouse licensee shall be considered a manufacturer.

(6) For purposes of ORS 473.045, a warehouse licensee shall be considered a winery licensee.

471.245 Bottler license. A bottler license shall allow the licensee to bottle wine containing not more than 21 percent of alcohol by volume or malt beverages containing not more than eight percent of alcohol by weight. Such license shall not be issued to any person unless the Oregon Liquor Control Commission is satisfied that the person has adequate machinery, equipment and facilities for properly bottling such alcoholic liquors. In no event shall such license be issued to any person who does not hold a wholesale malt beverage and wine license. [Amended by 1979 c.236 §7; 1981 c.199 §1]

Note: 471.245 is repealed January 1, 2001. See sections 11 and 81, chapter 351, Oregon Laws 1999.

(Retail Licenses Until January 1, 2001)

Note: 471.250 to 471.287 are repealed January 1, 2001. See sections 8, 11 and 81, chapter 351, Oregon Laws 1999. See note preceding 471.175.

471.250 Restaurant license. (1) A restaurant license shall allow the licensee to sell malt beverages and wine containing not more than 21 percent alcohol by volume to customers for consumption on the licensed premises and shall permit the patron to remove from the premises a container of wine the contents of which have been only partially consumed.

(2) In the absence of any municipal ordinance or local regulation to the contrary, restaurant licensees shall be permitted to have any proper form of entertainment for customers upon the licensed premises.

(3) Unless otherwise restricted, the privileges granted by any such restaurant license to a hotel shall apply to all portions of the hotel controlled or operated by the person to whom the license is issued.

(4) A restaurant licensed under this section must have adequate kitchen and dining room equipment and must cater to and serve bona fide meals to the general public. [Amended by 1965 c.280 §2; 1973 c.395 §2; 1977 c.332 §6; 1981 c.328 §1; 1987 c.608 §6; 1995 c.301 §17a]

KEIZER POLICE

1982

City Council Meeting of_____

Agenda Item No._____

To: Mayor and City Council

Thru: Wally Mull, City Manager

From: Marc Adams, Chief of Police
Rita Powers, Police Support Supervisor

Subject: Liquor License Application of PrimeTime Pizza
5025 River Rd. N., Keizer OR

Issue

Shall the City Council approve the liquor license application of PrimeTime Pizza, 5025 River Rd. N., Keizer, OR 97303

Background

The Keizer Police Department responded to four (1) call for service at the address of 5025 River Rd. N. Keizer OR from July 1, 1999 through June 30, 2000. This address was formerly known as Round Table Pizza.

The call for service was not in conflict with the ordinance. The applicants Sublett and Wibowo have no significant criminal history on record.
Thus, the background review did not reveal any significant history or events that would be in direct conflict with the City of Keizer City Ordinance 95-318.

Recommendation
The Keizer Police Department recommends approval of the liquor license for PrimeTime Pizza.

P.O. BOX 21000 ★ 930 CHEMAWA ROAD N.E. ★ KEIZER, OREGON 97307-1000
503-390-3713 ★ FAX 503-390-8295

Pd $70.00
7-11-00 tc

APPLICATION

STATE OF OREGON
OREGON LIQUOR CONTROL COMMISSION

Return To:

GENERAL INFORMATION

A non-refundable processing fee is assessed when you submit this completed form to the Commission (except for Druggist and Health Care Facility Licenses). The filing of this application does not commit the Commission to the granting of the license for which you are applying nor does it permit you to operate the business named below.

(THIS SPACE IS FOR OLCC OFFICE USE)

Application is being made for:

- ☐ DISPENSER, CLASS A
- ☐ DISPENSER, CLASS B
- ☐ DISPENSER, CLASS C
- ☐ PACKAGE STORE
- ☒ RESTAURANT
- ☐ RETAIL MALT BEVERAGE
- ☐ SEASONAL DISPENSER
- ☐ WHOLESALE MALT BEVERAGE & WINE
- ☐ WINERY
- ☐ Add Partner
- ☐ Additional Privilege
- ☐ Change Location
- ☐ Change Ownership
- ☐ Change of Privilege
- ☐ Greater Privilege
- ☐ Lesser Privilege
- ☒ New Outlet
- ☐ Other

OTHER: _____

RECEIVED
OREGON LIQUOR CONTROL COMMISSION
JUL 11 2000
SALEM REGIONAL OFFICE

LV 60 50.60 #1540

(THIS SPACE IS FOR CITY OR COUNTY USE)

NOTICE TO CITIES AND COUNTIES: Do not consider this application unless it has been stamped and signed at the left by an OLCC representative.

THE CITY COUNCIL, COUNTY COMMISSION, OR COUNTY

COURT OF _____ (Name of City or County)

RECOMMENDS THAT THIS LICENSE BE: GRANTED ✓ _____

DENIED _____

DATE _____

BY _____ (Signature)

TITLE _____

CAUTION: If your operation of this business depends on your receiving a liquor license, OLCC cautions you not to purchase, remodel, or start construction until your license is granted.

1. Name of Corporation, Partnership, or Individual Applicants:
   1) Michael Sublett 2) _____
   3) Samuel Wibowo 4) _____
   5) _____ 6) _____
   (EACH PERSON LISTED ABOVE MUST FILE AN INDIVIDUAL HISTORY AND A FINANCIAL STATEMENT)
2. Present Trade Name Primetime Pizza
3. New Trade Name _____ Year filed with Corporation Commissioner _____
4. Premises address 5025 River Road N (Number, Street, Rural Route) Keizer (City) (County) OR (State) (Zip)
5. Business mailing address Same (P.O. Box, Number, Street, Rural Route) (City) (State) (Zip)
6. Was premises previously licensed by OLCC? Yes X No ____ Year 1999
7. If yes, to whom: Round Table Pizza Type of license: _____
8. Will you have a manager: Yes ____ No X Name _____ (Manager must fill out Individual History)
9. Will anyone else not signing this application share in the ownership or receive a percentage of profits or bonus from the business? Yes ____ No X
10. What is the local governing body where your premises is located? Keizer (Name of City or County)
11. OLCC representative making investigation may contact: Michael Sublett (Name)
    625 Coventry Ct. McMinnville OR (Address) (503) 472-9294 (Tel. No. — home, business, message)

CAUTION: The Administrator of the Oregon Liquor Control Commission must be notified if you are contacted by anybody offering to influence the Commission on your behalf.

DATE 7/10/00

Applicant(s) Signature (In case of corporation, duly authorized officer thereof)

1) _____
2) _____
3) _____
4) _____
5) _____
6) _____

Original - Local Government

Form 8454S-480 (3-90)

pd $70.00
7-11-00 tc

INDIVIDUAL HISTORY & TIED HOUSE DISCLOSURE

STATE OF OREGON
OREGON LIQUOR CONTROL COMMISSION

TRADE NAME Primetime Pizza

CITY/COUNTY Keizer / Marion

You must fill in all the blanks. If the question does not apply write N/A in the space.

1. Name Sublett (Last) Michael (First) Erling (Middle)
2. Other names used N/A (Maiden) (Other)
3. Home Address 625 NW Coventry Way (Number and Street) McMinnville (City) OR (State) 97128 (Zip)
4. SSN 533 - 80 - 8572 Place of Birth Orange Co. Date of Birth 10-8-67
5. Sex M Height 5'4" Weight 185 Hair Color Brown Eye Color Green Age 32
6. US Citizen: Yes X No _____ Alien Reg. # N/A Spouse Name Denise
7. Home phone (503) 472-9294 Business phone (503) 434-6666

CRIMINAL RECORD

OLCC makes a criminal offender records check through the Oregon State Police on all liquor license applicants.
ORS 181.555(3) provides that you can contact the Oregon State Police or challenge inaccurate criminal offender information. OLCC may require fingerprints.

8. Have you ever been convicted of any crime, violation, or infraction of any law? Include probation or bail forfeiture. (Include traffic violations for which a fine or bail forfeiture of more that $50.00 was imposed.)
   Yes X No _____
9. Do you have arrests or citations pending? Yes X No _____
10. If you have answered "Yes" to 8 or 9 list below:

OFFENSE	DATE	CITY & STATE	RESULT
Speeding	Sept/Oct. 96	Camarillo, CA	Fine
Speeding	March/00	McMinnville OR	Fine/reduced

(ATTACH ADDITIONAL SHEET IF NECESSARY)

DIVERSION/TREATMENT

11. Have you ever entered into a Diversion Agreement? Yes _____ No X
    Where and When? N/A
12. Have you ever been treated or in a treatment program for alcohol or other drug use/abuse? Yes X No _____
    Where and When? Woodland CA, 1995 DUI program

EMPLOYMENT & RESIDENCE HISTORY

13. List current and former employers or occupations during the past ten years:

Dates by Month/Year	Employer or Business	Occupation	City & State
From Feb. 97 To April 99	Pizza Guys	Manager	Sacramento, CA
From May 95 To Oct 96	Dairy Queen	Manager	Salem, OR
From Oct 89 To April 95	Bobs Pizza Plus	49% Owner	Woodland, CA

14. List other cities and states where you have lived in the past ten years other than those noted in Question 13 above.

	City	State
From Oct 96 To Feb 97	Oxnard	CA
From June 98 To April 1999	Yuba City	CA

(ATTACH ADDITIONAL SHEET IF NECESSARY)

ACTIVITY IN LIQUOR INDUSTRY (INSIDE OR OUTSIDE OREGON)

15. Are you presently or have you been licensed or employed in the liquor business?
    Yes _____ No X Where & When? N/A
16. Is your spouse or any family member(s) working in any area of the liquor industry?
    Yes _____ No X If Yes, give: N/A (Name) (Name of Business) (City & State)
17. Have you ever received a warning, a notice of violation, suspension, fine, or revocation as a licensee or permitee? Yes _____ No X Where & When? N/A
18. Have you ever been refused a permit or license to sell, serve, or dispense beer, wine, or distilled spirits?
    Yes _____ No X Where & When? N/A
19. Is a manufacturer or wholesaler of alcoholic liquor financing or furnishing your business with money or property? Yes _____ No X Where & When? N/A
20. Do you have any right, title, lien, claim, or other interest, financial or otherwise in, upon or to the premises, equipment, business or merchandise of any retailer, wholesaler, or manufacturer of alcoholic liquor?
    (Do not include this business) Yes _____ No X Where & When? N/A

CAUTION: OLCC MAY DENY YOUR APPLICATION IF YOU LEAVE OUT INFORMATION OR GIVE FALSE ANSWERS ON THIS FORM.

SIGNATURE: _____ DATE 6/100
TITLE (Manager, Owner, Corp. Officer)

Form 84545-481 (10/90)

INDIVIDUAL HISTORY & TIED HOUSE DISCLOSURE

STATE OF OREGON
OREGON LIQUOR CONTROL COMMISSION

TRADE NAME PRIME TIME PIZZA

CITY/COUNTY KEIZER / Marion

You must fill in all the blanks. If the question does not apply write N/A in the space.

1. Name Wilbond (Last) Samuel (First) EKD (Middle)
2. Other names used N/A (Maiden) (Other)
3. Home Address 2845 N. Evans St #58 (Number and Street) McMinnville (City) OR (State) 97128 (Zip)
4. SSN 603 - 44 - 0352 Place of Birth SURABAYA Date of Birth 05/30/68
5. Sex Male Height 5'8" Weight 160 Hair Color Black Eye Color Brown Age 32
6. US Citizen: Yes ____ No ✓ Alien Reg. # ____ Spouse Name N/A
7. Home phone (503) 472-3236 Business phone (503) 434-6666

CRIMINAL RECORD

OLCC makes a criminal offender records check through the Oregon State Police on all liquor license applicants. ORS 181.555(3) provides that you can contact the Oregon State Police or challenge inaccurate criminal offender information. OLCC may require fingerprints.

8. Have you ever been convicted of any crime, violation, or infraction of any law? Include probation or bail forfeiture. (Include traffic violations for which a fine or bail forfeiture of more that $50.00 was imposed.)
   Yes ____ No ✓
9. Do you have arrests or citations pending? Yes ____ No ✓
10. If you have answered "Yes" to 8 or 9 list below:

OFFENSE	DATE	CITY & STATE	RESULT

(ATTACH ADDITIONAL SHEET IF NECESSARY)

DIVERSION/TREATMENT

11. Have you ever entered into a Diversion Agreement? Yes ____ No ✓
    Where and When? ____
12. Have you ever been treated or in a treatment program for alcohol or other drug use/abuse? Yes ____ No ✓
    Where and When? ____

EMPLOYMENT & RESIDENCE HISTORY

13. List current and former employers or occupations during the past ten years:

Dates by Month/Year		Employer or Business	Occupation	City & State
From 04/98	To 04/99	Pizza Guys	Driver / Manager	Sacramento, CA
From 05/99	To Present	Prime Time Pizza	Owner	McMinnville, OR
From ____	To ____			

14. List other cities and states where you have lived in the past ten years other than those noted in Question 13 above.

		City	State
From 02/92	To 04/99	Sacramento	CA
From 05/99	To Present	McMinnville	OR

(ATTACH ADDITIONAL SHEET IF NECESSARY)

ACTIVITY IN LIQUOR INDUSTRY (INSIDE OR OUTSIDE OREGON)

15. Are you presently or have you been licensed or employed in the liquor business?
    Yes ____ No ✓ Where & When? ____
16. Is your spouse or any family member(s) working in any area of the liquor industry?
    Yes ____ No ✓ If Yes, give: ____ (Name) ____ (Name of Business) ____ (City & State)
17. Have you ever received a warning, a notice of violation, suspension, fine, or revocation as a licensee or permitee? Yes ____ No ✓ Where & When? ____
18. Have you ever been refused a permit or license to sell, serve, or dispense beer, wine, or distilled spirits?
    Yes ____ No ✓ Where & When? ____
19. Is a manufacturer or wholesaler of alcoholic liquor financing or furnishing your business with money or property? Yes ____ No ✓ Where & When? ____
20. Do you have any right, title, lien, claim, or other interest, financial or otherwise in, upon or to the premises, equipment, business or merchandise of any retailer, wholesaler, or manufacturer of alcoholic liquor? (Do not include this business) Yes ____ No ✓ Where & When? ____

CAUTION: OLCC MAY DENY YOUR APPLICATION IF YOU LEAVE OUT INFORMATION OR GIVE FALSE ANSWERS ON THIS FORM.

SIGNATURE: [signature] OWNER (TITLE (Manager, Owner, Corp. Officer)) DATE 06/20/00

Form 84545-481 (10/90)

City of Keizer, Oregon

August 7, 2000

AGENDA ITEM 6b

KEIZER TRANSPORTATION SYSTEM PLAN

CITY COUNCIL MEETING: August 7, 2000

MEMO TO: Mayor Newton and City Councilors

FROM: Maria C. Meier, Senior Planner

THROUGH: Chris Eppley, City Manager

RE: Keizer Transportation Systems Plan Continued Public Hearing

DATE: August 3, 2000

BACKGROUND

On June 5, 2000 the City Council received a copy of the proposed Keizer Transportation Systems Plan with suggested amendments, including a memorandum identifying informational additions. Subsequent to evaluating the proposed Keizer Transportation Systems Plan and amendments, City Council conducted a public hearing and accepted public testimony.

Council identified three primary issues regarding the proposed Keizer TSP including: Flexibility with improvement projects due to possible budget constraints; Objective to not create false expectations for improvements by exceeding state standards; Identified signal for Radiant Drive. City Council discussed issues identified by the public, including the fact that the Chemawa Activity Center Design Plan is currently under review. In anticipation of the Chemawa Activity Center public hearings before the Council, the City Council continued the public hearing until August 7, 2000.

The Planning Commission has formally recommended the City Council adopt the attached Keizer Transportation System Plan. The yellow insert pages given to Council on June 5, 2000 indicate the pages with amendments to the original document, as recommended by the Planning Commission (See Exhibit "A"). Subsequent to the Planning Commission's recommendation, suggestions were identified in a memorandum to Council dated June 1, 2000 to be worthy informational additions to the document (See Exhibit "B").

ISSUES

Flexibility for Project Completion

In response to Council's interest to allow project flexibility to be dependent upon available financing, it is necessary for staff to clarify the financial planning requirements for the TSP. The Transportation Planning Rule (TPR) requires transportation system plans to have a financial plan for funding current and future needs. The finance element identifies the financial resources needed to achieve the level of mobility outlined in the Plan. It contains policies that guide the City's funding strategy for providing transportation services.

The Capital Improvement Project Summary on page 80 of the Plan, identifies capital improvement projects to be completed by 2020. These projects were classified and prioritized by the Bicycle Advisory Committee and Planning Commission. While the Plan is required to contain a five-year financial plan for capital improvements, the Plan also recognizes that it is impractical to determine the project timing against funding availability beyond five years.

Anticipated revenues to fund the capital improvement program are outlined on pages 78 and 79 of the Plan. Revenues from the state gasoline tax provides the city's major funding source for transportation. Projecting current gas tax amount to the future, the city will receive roughly $25,600,000 over the next twenty years. Flexibility my be established by re-prioritizing projects within this list or by increasing efforts to seek additional funding sources to meet the long term financial requirements of the Plan. The TSP is required to be evaluated every five years, and can be re-evaluated at any time. Staff recommends Council acknowledge the identified capital improvement projects proposed to be completed by 2004 and recognize them as goals to be completed on time. These projects shall be assumed to be high priority within the next five years.

Bicycle/Pedestrian Standards

The Bicycle/Pedestrian System is an element of TSP that identifies bicycle and pedestrian system needs. It contains policies that encourage bicycle use and safety and encourage walking. The element designates streets that are bicycle routes and lists planned bicycle and pedestrian system improvements. The Bicycle Advisory Committee participated to determine the practical way to accommodate bicycle travel throughout Keizer. Minimum requirements for the bicycle/pedestrian element of the plan include the following: Bikeways shall be required along arterials and major collectors; Sidewalks shall be required along arterials, collectors, and most local streets in urban areas.

Bikeways include shared roadways, shoulders, and lanes. Therefore, anyplace where a lane is placed can be considered more than the minimum. Placing any type of bikeway on less than a collector is more than the minimum (Page 43 – Glynbrook, Appleblossom, North Verda, Trail, etc.). Yet, these are shared roadways, so it does not actually cost a great deal to implement. Some of the policies, objectives on pages 45 and 46 may be beyond the minimum, but some meet other minor parts of the Transportation Planning

Rule (TPR). Sidewalks also meet other parts of the TPR, while multi-use paths create versatility within the Plan. Multi-use paths are not requirements.

Keizer is in a position to identify the community goals and needs in relation to bicycle and pedestrian connectivity. The minimum standards require public input, however it is not a requirement to involve the specialty work by the Bicycle Advisory Committee representatives. Their participation was a component of the TSP beyond the minimum requirement, yet reflected the city desires to do more. A proposition to reduce the pedestrian and bicycle elements of the proposed TSP would require detailed analysis of each proposed bike lane, multi-use path, shared roadway, and shoulder bikeway Therefore, these details within Plan would need to be reviewed and checked one by one and checked. This process would necessitate further time for staff to determine.

Identified signal for Radiant Drive

Staff concurs that that the sentence stating that Radiant Drive will be signalized to increase safety should be eliminated from the TSP. This statement, however is still included in the Regional Transportation Systems Plan. Upon detailed analysis between the City and the Oregon Department of Transportation (ODOT), this issue will need to be addressed by the Metropolitan Planning organization (MPO).

Additional Items Recommended to Change

Based upon Council direction and further analysis, staff recommends the following amendments to the proposed Keizer Transportation Systems Plan:

1. Page 8: Change the first two sentences in the paragraph from "The Chemawa Activity Center Plan, adopted on April 7, 1997, ~~calls for 150 hotel rooms in one or more facilities. South of Tepper and north of Lockhaven Drive, the plan focuses primarily on industrial uses in conformance with the Industrial Business Park zone~~." to "*The Chemawa Activity Center Plan, adopted on April 7, 1997, identifies a variety of uses, which may be permitted ranging from industrial to commercial to residential development.*"

2. Page 8: Change the last three sentences as follows, "~~One or more schools~~ *Two schools* are being ~~considered for construction~~ *located* along an ~~extended~~ *extension of* Alder Street. As part of this extension, sidewalks and bike lanes ~~would need to be~~ *are being* installed. Bus pullouts and pedestrian shelters ~~should~~ *may* also be considered ~~near the schools~~. These details should be discussed in further design plans.

3. Page 10: Update population chart to indicate population of 1999 to be 30,260 and calculate assumed growth rates accordingly.

4. Page 14: Rephrase third sentence from top to "The Traffic Safety Commission developed a Neighborhood Traffic Management (NTM) program, which is adopted and incorporated by reference."

5. Page 19: Correct spelling of McLeod Lane on Table 3. Correct reference for McLeod Lane (Lockhaven to ~~Barney~~ *Stone Hedge Drive*").

6. Page 26: Take out sentence seven, which states, "~~Radiant Drive will be signalized~~." Add the following language, "*Radiant Drive will be realigned to potential new interchange designs.*"

7. Page 27: Remove two listed Outstanding Issues from list: "~~Alder Street and Sunset Avenue Extensions, Cade Street Improvements~~". Add paraphrase to "North River Road intersection improvements *(ongoing)*."

8. Page 79: Add sentence to Policy 2, on top of page as follows, "*The City may consider consolidation of existing street lighting local improvement districts.*"

9. Page 115: Change last sentence under Study Areas to "*Protected* left turn signals were taken out of *some lower volume intersections of* River Road – study to see if better now."

RECOMMENDATION

Staff recommends the City Council accept additional public testimony, then close the public hearing to deliberate the proposed Keizer Transportation Systems Plan as amended. Staff recommends the Council to include those amendments identified in the attached exhibits (Developed by Planning Commission and Staff) and those numbered amendments in this memorandum.

If you have any questions regarding this matter, please contact me anytime.

Goal 5: Provide for a street system that is compatible with other modes of transportation and minimizes vehicular travel time.

Objective 1: *Integrate the street system with other transportation modes.*

Policy 1: Consider installation of the appropriate bikeway, pedestrian, and public transportation amenities and facilities during design of either new streets or major improvements.

Policy 2: The street system shall provide connectivity and continuity of travel between city entrance and exit points and major destinations and activity centers. The purpose is to minimize out-of-direction travel and circuitous routing.

F. Street Design Standards

Table 6 depicts the revised street design standards. The standards were developed in accordance with the TPR's requirement for minimum standards consistent with operational needs.

Table 6
Street Standards

Functional Classificationsφ	Number of Lanes	Parking	Bike Lanesκ	Improvement Width (ft.)λ	Sidewalksμ	R/Wμν Width (ft.)
Major Arterial	5	No	Yes	50-72	Yes	84
Minor Arterial	3	No	Yes	36-50	Yes	72
Collector	2	No	Yes	36-50	Yes	68
Local III	2	Yes	No	34	Yes	48
Local II	2	Yes	No	32	Yes	46
Local I	2	Yes	No	30	Yes	44

City of Keizer, 1999

φ *All local street categories have a ten-foot public utility easement on both sides and a five-foot slope and utility easement on collectors and arterials.*

κ *Standard bike lane widths are six feet; although, five feet may be approved on a case by case basis.*

λ *Street improvement and right-of-way widths may be increased on a case by case basis as required by the city in accordance with Public Works Design Standards.*

μ *All streets will have five-foot wide sidewalks on both sides. Meandering sidewalks may be considered/required on arterials and collectors.*

ν *Additional right-of-way may be required at intersections for additional turning lanes. Right-of-way at intersections to have a minimum 20-foot radius.*

Local streets are categorized into three levels based on thresholds of either average daily traffic or number of dwelling units or square footage of the area to be served. Details of the categorization can be found in the Public Works Design Standards.

scope was the analysis of the effects of extending Alder Drive east from its current terminus just east of Pleasant View Drive to Verda Lane. One or more schools are being considered for construction along an extended Alder Street. As part of this extension, sidewalks and bike lanes would need to be installed. Bus pull outs and pedestrian shelters should also be considered near the schools. These details should be discussed in further design plans.

A recent change to the City of Salem Transportation System Plan calls for a multi-use pedestrian pathway along Claggett Creek in the Northgate Industrial District. The details of the pathway are not yet decided, yet the City of Keizer is interested in the concept and will work with Salem to pursue the idea. Should mutually agreeable pathway and funding mechanisms result from this coordination, the result is intended to become part of this document.

Safety and Maintenance

Safety is a primary concern for pedestrians who travel throughout their neighborhoods. In addition to providing sidewalks for pedestrians, the sidewalks need to be appropriately illuminated and adequately maintained. Bill No. 058 Ordinance No. 86-074 titled An Ordinance Regulating the Reconstruction, Alteration and Repair of Sidewalks, states that property owners are required to maintain and repair the public sidewalks that abutted their property. The property owner is also required to keep the sidewalk clear of debris, snow, and ice, as well as free of obstacles.

Street Lighting

Currently, all new public streets require the installation of street lighting. Several options currently exist for property owners to have new street lighting installed. Individual owners can pay to have a light in front of their property or, more frequently, a group of property owners can form a street lighting district. In order to reach the goal of a completed street lighting system, every property owner lacking lights would need to belong to a street lighting district. The city, through franchise arrangements with PGE and Salem Electric, will provide street lighting for arterial and collector streets. City staff would need to develop an implementation schedule to organize new street lighting districts. HEP Funds may also be used to improve safety issues in regards to illumination.

Appendix G - Document Listing

	Publication Date
State of Oregon	
Directory of Public Transportation Services	January 1996
Highway Compatibility Guidelines	June 1987
Oregon High Speed Rail Business Plan	August 1994
Oregon Administrative Rules, Chapter 660, Division 12	1999
Oregon Shines II	January 1997
Oregon Bicycle and Pedestrian Plan	June 1995
1999 Oregon Highway Plan	March 1999
Oregon Inter-city Passenger Times-tables	Spring, 2000
Oregon Public Transportation Plan	April 1997
Oregon Rail Freight Plan	August 1994
Oregon Transportation Plan	September 1992
State Agency Coordination Program	December 1990
2001 Statewide Transportation Improvement Program (STIP)	December 1997
Transportation System Planning Guidelines	August 1995
Willamette Valley Transportation Strategy- Phase I report:	May 1995
Commuting in the Willamette Valley	May 1998
City of Keizer	
Comprehensive Plan	1987
Development Code	May 1998
North River Road Alternative Modal Opportunity Study	1995
River and Chemawa Design Study	1995
Interstate 5/Chemawa Road	1995
Chemawa Activity Center Plan	April 1997
Alder Street Study	1996
An Ordinance Regulating the Reconstruction, Alteration and Repair of Sidewalks (No. 86-074	1986

City of Salem

Salem Transportation System Plan (Amended October 1999)		August 1998
Vanpool Guide (Pamplet)		Undated

Miscellaneous

1994 Origin & Destination Surveys	SKATS	May 1995
Portland State Population Projections		1998
Regional Transportation Systems Plan, 1996 Update	Salem-Keizer Area Transportation Study (SKATS)	1996
Regional Public Transportation System Element	SKATS	January 1996
Salem Passenger Rail Station Study	SKATS	June 1995
Salem/Keizer/Polk County/Marion County Bicycle Maps		1996
Planning for the Transportation Disadvantaged in Marion and Polk Counties	SAMTD	March 1998
Moving Towards Action	SAMTD	August 1998
Options for Passenger Rail in the Pacific Northwest Rail Corridor (Executive Summary)	ODOT/WSDOT	1995

KEIZER PLANNING COMMISSION PUBLIC HEARING
MINUTES
Wednesday, March 8, 2000
7:00 p.m.
Keizer City Hall - Council Chambers

1. CALL TO ORDER

Chair Wolf called the meeting to order at 7:05 p.m.

2. ROLL CALL

The following members were present: Bill Wolf, Dick Inman, Stan Compton and Michael Smith

Absent: Bruce Anderson, Jere Clancy and June Abbott

Also present were: Council Liaison-Jim Keller, City Attorney-Shannon Johnson, Senior Planner-Maria Meier and Recording Secretary-Cindy Perry

3. APPROVAL OF MINUTES/February 9, 2000

The minutes of February 9, 2000 were approved with amendments.

4. PLANNING UPDATE

Ms. Meier shared that building permits had been issued for the Vineyards and noted some of the other areas were building was taking place. She noted that Ms. Termaura had completed her statement of work for the In-Fill Grant.

5. PUBLIC HEARING

5.1 Transportation System Plan

Prior to the opening of the public hearing Chair Wolf suggested that the Commission open the hearing, take testimony and hold the record open for two weeks to allow any additional written testimony to be placed on the record. It was the consensus of the commission to do this.

Chair Wolf opened the public hearing.

Ms. Meier read information from the staff report and offered Preston Van Meter, City Engineer and Wayne Rickert with COG to answer any questions regarding the Transportation System Plan.

FMAGIC

Public Testimony

Wayne Rickert, Mid-Willamette Valley of Council of Governments- spoke as a proponent of the TSP requesting that the document be forwarded on to Council for its adoption. Mr. Rickert cautioned that the TSP was a living document that should be reviewed every five years and should serve the city well as it is currently written.

Responding to questions Mr. Rickert noted that the TSP and its elements meet the minimum requirements as set forth under the Transportation planning rule. He went on to share that this document was a important tool for the city to be eligible for federal funds and reminded them that the document should be revisited at least every five years.

Karen Trucke, 6330 14th Avenue NE, Keizer- stressed that her number one priority listed in the plan was for the improvement of Chemawa Road. She shared verbal information from land use presentations by Councilor Gordan Price, from Vancouver, B.C. and George Crandell, Urban Designer. She noted some of the issues covered in those presentations, which were to design the city for pedestrians and not cars and a total city design.

Ms. Trucke expressed her concerns with the traffic problems along Lockhaven Road and her wishes for the emphasis of the development of the city center. She felt that Chemawa Road should be the main avenue gateway into the center of Keizer and shared the use of two east/west routes (Lockhaven and Chemawa) would allow for the decrease of traffic on Lockhaven bringing people into the city center. She went on to explain how she felt traffic could move in and out of the Chemawa Activity Center without the use of a jug handle by changing the emphasis making Chemawa the main road.

Mr. Wolf thanked Ms. Trucke for her presentation and urged the commission to review the tape with Mr. Crandall's presentation to the Council on June 17, 1996.

Ms. Trucke answered questions to verify her presentation.

Chair Wolf thanked Ms. Trucke for attending.

Preston Van Meter, City Engineer, 1723 River Rock Drive- Mr. Van Meter addressed page 25 of the TSP to table six "Street Standards". He made some suggested changes to the table. The suggested table with corrections is listed below with Mr. Van Meter's suggested changes.

Functional Classifications	Number of Lanes	Parking	Bike Lanes	Improvement Width (ft)	Sidewalks	R/Wuv Width (ft)
Major Arterial	3-5	No	Yes	50-72 feet	Yes	84
Minor Arterial	3	No	Yes	36-50	Yes	72
Collector	2	No	Yes	36-50	Yes	68
Local III	2	Yes	No	34	Yes	48
Local II	2	Yes	No	32	Yes	46
Local I	2	Yes	No	30	Yes	44

Mr. Van Meter explained that the purpose of the jug handles discussed was not to adjust traffic patterns but to eliminate left-hand turns, which cross travel lanes.

A discussion took place among the Planning Commission, Mr. Van Meter and Public Works Director, Rob Kissler. Questions were asked regarding the widths of various streets in Keizer and how the TSP would effect them and surrounding traffic.

Chair Wolf noted that the record would remain open for the next two weeks for the commission to receive written comments for the record. With no additional public testimony Chair Wolf closed the public hearing.

5.2 Text Amendment to the Flood Plain Overlay Zone

Ms. Meier shared the staff report noting some of the changes that had been made to the Flood- Plain Overlay Zone.

Chair Wolf opened the public hearing.

No public testimony was brought before the commission.

There was a brief question and answer period. Ms Meier noted that FEMA requested adoption of the Overlay Zone by Council no later than June, 2000.

Chair Wolf closed the public hearing.

Mr. Smith moved for recommendation of the Flood- Plain Overlay Zone as amended. Mr. Compton seconded the motion.

Ms. Meier provided a explanation regarding Page 12 of the Flood Plain Overlay Zone pertaining to manufactured homes in existing home parks and the specifications which FEMA was suggesting if replacing a single-wide home with a double wide and the reasons for this.

The vote passed as follows:

AYES: Compton, Inman, Smith and Wolf
NAYES: None
ABSENT: Abbott, Anderson and Clancey
ABSENTIONS: None

5. MAP REVIEW & DISCUSSION-*Chemawa Activity Center*
Councilor Keller provided a history of the Chemawa Activity Center, the suggestions and findings of the recent task force along with the Council's direction to the Planning Commission. A map of the Chemawa Activity Center was also reviewed.

The Commission expressed interest in receiving copies of information provided during the task force meetings to help direct them in their recommendations to Council. Chair Wolf directed staff to obtain this information to provide to the commission.

Members of the commission suggested that the public hearing only cover the eight items, which the Council had directed the Planning Commission to review.

Chair Wolf noted he would be happy to refer to the eight items, but did not feel they could restrict public testimony to only those eight items.

6. ANNOUNCEMENTS AND AGENDA INPUT
April 12th~Deliberations on the Transportation System Plan. Ms. Meier noted that any written testimony would be provided to the Planning Commission along with the agenda. Also on April 12th the commission would also be reviewing the purpose of the UT Zone in the City of Keizer.

Regarding the Chemawa Activity Center it was the consensus of the commission to hold an additional meeting on April 26th if needed.

8. ADJOURN
Chair Wolf adjourned the meeting at 9:23 p.m.

- *Next meeting Wednesday, March 29th, 2000 @ 7:00 p.m.*
  Public Hearing regarding the Chemawa Activity Center

Page 1, Executive Summary:

The Transportation Systems Plan (TSP) is a long range (20-year) plan that provided the city with the goals and polices to guide development of all its transportation modes (pedestrian, bicycle, motor vehicles, **public transit**, etc.).

New Paragraph 3. **The MPO in the Keizer area is the Salem-Keizer Area Transportation Study (SKATS). It is governed by the SKATS Policy Committee, which is made up of elected representatives from the cities of Keizer and Salem, Marion and Polk Counties, the Salem Area Mass Transit District (SAMTD), and the Salem/Keizer School District. The Mid-Willamette Valley Council of Governments (MWVCOG) facilitates efforts of SKATS. SKATS provide a forum for developing the Regional Transportation Systems Plan and programming federal and state funded transportation investments to implement the Plan. The Policy Committee is advised by several sub-committees comprised of private citizens, elected officials, state agencies and private transportation providers to ensure representation of various viewpoints in the decision-making process.**

New paragraph 4. **Keizer is also a member of the Mid-Willamette Area Commission on Transportation (MWACT). MWACT is an official advisory body to the Oregon Transportation Commission (OTC) on transportation issues within Marion, Polk, and Yamhill County areas of Oregon. MWACT balances the needs identified by local jurisdictions with the desired vision of the entire valley, advising on programs which best meets these needs based on available revenues and in observance of the statewide transportation policies.**

New Paragraph 5. **Elected officials from Keizer continue to actively participate in the deliberations of both SKATS and MWACT. Both organizations deal with and are the policy-makers on transportation issues that affect Keizer but which, in many cases, extend beyond Keizer's city limits. Some of the issues include another cross bridge across the Willamette River, a "beltline" concept for Keizer-Salem, commuter rail between Keizer/Salem and the Portland metropolitan area, a transit "center" in Keizer and additional access points to Interstate Highway 5 (Perkins or Quinby Roads).**

Page 4, Chapter 1:

Air/Water/Pipe/Rail. Although these are not major transportation modes for Keizer, this element contains policies that promote efficient and safe freight and commodities **and potentially commuter (passenger)** movement to, from, and within the city.

Page 9:

Incorporated in 1982, Keizer is governed by a ~~mayor~~ council-manager form of government. The Mayor is the presiding officer of the Council and is elected for two

years. ~~The City Council consists of seven councilors, each representing a specific geographic area, or ward, of the city.~~ **The Mayor and six councilors are elected at large within the city.** Councilors are elected for four-year terms.

Page 10:

Population. The 1998 population estimate for the city of Keizer was approximately 29, 235 people **[Preliminary 1999 Population Estimate: 30,260]** (Table 1).

Page 26:

(Second sentence under heading "Lockhaven Drive") Lockhaven Drive is currently three lanes from River Road to ~~14th Street~~ **McLeod Lane**, two lanes from ~~14th Street~~ **McLeod Lane** to Chemawa Road and ~~four~~ **five** lanes from Chemawa Road to I-5.

Page 30.

Currently, there are two **functioning** park-and-ride lots in Keizer. One **unofficial** lot is located on the south side of Chemawa Road at Radiant Drive.

Page 41.

(Last sentence of "Bike Lanes") (west of ~~N.~~ River Road **N.**).

Page 66.

(Last sentence of paragraph numbered 1.) ~~SAMTD wishes to increase intervals by September 1999 and is working on making this occur sooner.~~ ***This no longer applies in May 2000.***

Page 72.

End the paragraph under the heading "Passenger Service" with the sentence "terminal was remodeled in the summer of 1999." Add the following new paragraph:

"The Burlington-Northern line through Keizer is used infrequently and for freight only. It has the potential to become a more active freight line, to be abandoned, or to become a commuter connection to the Portland metropolitan area. Rail crossings in Keizer are located at Lockhaven and Ridge Drives and on Tepper Lane. The rail crossing at Lockhaven has a gated signal, while Tepper Lane has no signals or gates and warning is from a railroad crossing sign. Washington County is establishing commuter rail from Beaverton to Wilsonville, Oregon, to be operational in 2003/2004. There is potential for a possible extension of service to the Keizer-Salem area. See the "Washington County Interurban Rail final Report dated May 1997, "State of the Commute in

Oregon in 1990 and Possible Scenarios for 2015" dated February 1994, and other related and subsequent reports."

Pages 84 through 90, Definitions and Acronyms:

- Add to the definition of ISTEA: **This acronym was changed in 1998 to TEA-21, the Transportation Efficiency Act for the 21st Century.**
- Add: **Mid-Willamette Valley Commission on Transportation (MWACT)**
- Add: **Mid-Willamette Valley Council of Governments (MWVCOG)**
- Change: "~~Preventative~~" to **"Preventive"**
- Add: **Transportation Efficiency Act for the 21st Century (TEA-21)**
- Add: **Special Transportation Advisory Committee (STAC)**

Page 91, Appendix B, Public Transportation Service Providers Inventory:

- Add: **Keizer Fire District** & information

In addition, a list of references shall be attached on which this plan was based.

City of Keizer, Oregon

AGENDA ITEM 6c

August 7, 2000

VARIANCE/FLOOD PLAIN DEVELOPMENT CASE NO. 00-18
LAND USE APPEAL (AT&T WIRELESS)

City of Keizer, Oregon

August 7, 2000

AGENDA ITEM 7a

REQUEST FOR QUALIFICATIONS – LEGAL SERVICES

City of Keizer, Oregon
Request for Qualifications
#080001

City Attorney Services

Overview

The City of Keizer is requesting Statements of Qualifications from qualified legal firms to provide City Attorney services for the City of Keizer, Oregon. The City is seeking a law firm, which can perform all of the duties of the City Attorney as described throughout this RFQ. These duties include serving as General Counsel to both the City of Keizer and to the Urban Renewal Agency of the City of Keizer. The City of Keizer Charter specifies that the City Attorney is to be appointed by the Mayor and City Council.

As a result of this Request for Qualifications (RFQ), the City will select a top qualifier with whom to commence contract negotiations. If negotiations are successful, the City will enter into a professional services contract with that firm. The City will consider a City Attorney Services contract of approximately Three (3) years with an option to renew the contract for an additional two (2) year term upon mutual consent of both parties. The initial contract period is anticipated to start October 2nd, 2000 and run through October 2nd, 2003. The City reserves the right to conduct periodic reviews of these services. At the conclusion of each contract period, the Contractor's performance will be formally evaluated. The City retains the option to renew the contract for additional two (2) year terms upon review of fees, performance and services. Contractor may submit revised prices for consideration at the time of renewal.

About the City of Keizer

Keizer was established in 1982 under a Council/Manager form of government and currently has a population of 30,476. The City is bordered on the western edge by the Willamette River, southern edge by the city of Salem, eastern edge by Interstate 5, and the northern edge by rural portions of Marion County. Keizer is approximately 35 miles south of Portland.

The City of Keizer operates under a Council-Manager form of government. The City Council consists of a Mayor and six Councilors. The Mayor's term runs two years and the Councilors serve four-year staggered terms. The City Manager is the administrative head of city government and is appointed by the City Council. Presently there are 77 city employees working in 7 departments: Administration, Finance, Human Resources, Public Works, Community Development, Municipal Court and Police Services, operating under a $15 million budget.

The City's Urban Renewal Agency was created in the late 1980's and has been very active in performing projects to revitalize the urban core. The current fiscal Urban Renewal agency budget is in excess of $4.3 million. This agency is likely to play an integral part in the

development of nearly 180 acres of land near the I-5 interchange into a commercial, light industrial and mixed-use center in the coming few year.

Time Line

♦ Issue Request for Qualifications	August 9th, 2000
♦ Deadline to receive Qualification and Interest Statements	August 30th, 2000
♦ Evaluate Qualifications and Interest Statements and select finalists	Sept. 01, 2000 – Sept. 08, 2000
♦ Schedule with finalists for proposal presentation to Council	Sept. 11th, 2000 & Sept. 12th, 2000
♦ Finalist proposal presentations to Council	Sept. 18,2000
♦ Evaluate proposals and rank firms	Sept. 19th, 2000 – Sept. 22nd, 2000
♦ Complete negotiations and contract process with successful firm	By Sept. 29th, 2000
♦ Enter into contract with successful firm	October 2nd, 2000

Scope of Services

The City will expect the firm to provide a service system whereby all ***basic services*** are provided under a fixed monthly retainer and additional services are billed at an hourly rate.

Basic services, for the purposes of this RFQ, shall include those legal services generally understood within the field of municipal law to fall within the category of "general council" work. It is estimated that the provision of ***basic services*** will require an average of fifteen (15) to twenty (20) hours per week and will include, but not necessarily be limited to, the following functions:

1. Attend all meetings of the Keizer City Council, including regular meetings, special meetings, executive sessions, and as needed, work sessions. Regular meetings are normally held on the first and third Mondays of each month, beginning at 7:00 p.m., and typically run two to three hours in duration. The Council may meet in executive sessions beginning at 6:00 p.m. prior to the regular Monday meetings, and work sessions may be held at any time, but are usually on the second or fourth Mondays of the month.

2. Attend Planning Commission meetings to provide legal advice and land use interpretations. These meetings are normally held on the second Wednesday of each month, beginning at 7:00 p.m. and typically run two to three hours in duration.

3. ~~Regularly attend City department head meetings on Tuesdays, beginning at 10:00 a.m. and typically running two to three hours in duration.~~

4. Attend, as needed and directed by the City Council or the City Manager, meetings of other commissions and committees and represent the City in other meetings or matters as necessary and appropriate.

5. Provide informal legal advice, upon request, to the City Council and its members, the City Manager and his/her staff, and the employees of the City. "Informal advice" means advice that generally can be given with less than 30 minutes of research and review, and

does not include questions related to pending litigation, major projects or to labor/personnel issues.

6. Review and/or prepare all ordinances, resolutions, administrative orders, contracts or other legal instruments to which the City is a party, as required by the City or requested by the City Council or City Manager.

7. Review and advise on pending federal and State legislation as requested by the City.

8. Coordinate the work of outside legal counsel as needed and as directed by the City Council or City Manager. Manage the delivery of all of the City's legal services, except indigent defense and prosecution services, including coordinating with other jurisdictions or agencies when needed or appropriate.

9. Provide complete paralegal services. Except for litigation support, civil paralegal services and other staff support shall be provided to the City within the scope of "***basic services***".

Services outside of those described as ***basic services*** will be provided on an as needed basis when directed by the City Council or City Manager and will be referred to as ***hourly services***. These services are generally all other legal services not covered in the description of ***basic services*** and/or requiring more than 30 minutes of research and review. ***Hourly services*** will be provided at a specified hourly rate and will be accrued at one tenth of one hour increments rounded up to the nearest increment. ***Hourly services*** would generally include, but not necessarily be limited to the following:

1. Research and prepare for litigation support, including monitoring of all matters involving litigation affecting the City. Represent the City in all actions, suits or proceedings in which the City is a party or is legally interested.

2. Perform research and interpret laws, court decisions and other legal authorities in order to prepare legal opinions and to render legal advice and opinions concerning legal matters that affect City business, including new legislation, court decisions, land use/planning & zoning issues, and other areas of municipal law.

3. Perform legal work pertaining to property acquisitions, property disposal, public improvements, public rights of way and easements, and matters relating to assessment districts and public utilities.

Qualifications & Requirements

Following are the minimum qualifications and requirements deemed necessary to succeed as the City Attorney for the City of Keizer. Each item must be addressed in your response to the Request for Qualification:

1. The supervising attorney and each staff attorney providing legal services to the City must be licensed to practice law in the state of Oregon and be an active member in good standing of the Oregon State Bar Association. In addition, the supervising attorney must have a minimum of ~~ten (10)~~ five (5) years current experience in providing legal services to municipal clients.

2. Applicant's staff must be familiar with laws, rules, regulations and operating procedures relative to the conduct of business at the City of Keizer or demonstrate the ability to acquire familiarity with such laws, rules, regulations and operating procedures in order to efficiently and effectively assume contract responsibilities within 60 days of entering into a contract with the City.

3. The applicant firm will be able to ensure the delivery of professional and cost-effective City Attorney services. Success in this area would likely include plans for professional development, providing staffing levels sufficient to supply consistent and timely legal support, supervision of attorneys and administrative staff, a viable billing and fee reporting system, and the ability to interact with City Council, the City Manager and City employees via email.

4. The applicant will demonstrate the ability to perform the contract effectively and efficiently in representing the City of Keizer and the Urban Renewal Agency as General Counsel for these respective entities.

5. The applicant's office shall be located within 30 miles of the corporate limits of Keizer so as to ensure reasonable access the City Council, the City Manager and City employees.

6. The City Attorney will avoid all situations that would prove to be a conflict of interest, illegal, or inappropriate in any manner. Should a conflict of interest arise involving the City and other clients of the City Attorney, the City would have prior claim to the services of the City Attorney to the extent permitted by the rules of legal ethics.

7. ~~The applicant must currently serve as General Counsel to a minimum of 1 governmental entity, including, but not limited to cities, counties, schools and other special districts.~~

8. The applicant must be able to demonstrate a thorough knowledge of Oregon land use law and planning & zoning issues.

9. The applicant's proposal must be consistent with the needs and best interests of the City of Keizer and its citizens. Among other factors, the City may consider alternative service methods and service providers, which may be available, as well as an assessment of the applicant's ability to work with the City Council, City Manager and City employees within established policies and procedures.

Desirable Personal Traits of City Attorney

The following are personal traits that the City Council and City Manager feel are important for an efficient and effective professional relationship between the City and the City Attorney.

1. The City Attorney must have skill in establishing and maintaining effective working relationships with members of the City Council, City staff, other public and private officials and members of the general public.

2. The City Attorney must be able to work in cooperation with the City Manager and staff of the Police and Planning Departments, members of the City Council, boards and commissions, and other City staff.

3. The City Attorney must be able and willing to separate law from policy and act as a good facilitator/mediator on occasion.

4. The City Attorney should be a good listener and exhibit a high level of patience in dealing with the City Council, City staff and members of the public.

5. The City Attorney must be fair, politically impartial (though politically sensitive), objective without being patronizing, professional, friendly, relaxed and conscientious about work (responsive and efficient in carrying out the responsibilities of the job in a timely manner).

6. The City Attorney should be firm and professional in making recommendations to the City Council, City Manager and City employees to avoid litigation, while retaining a "can do" attitude and willingness to aggressively and creatively approach complex legal issues.

Content of Responses

Responses to this Request for Qualifications must be complete, timely, and submitted in conformance with the RFQ specifications, including addressing all items listed below.

1. Describe your firm's background and history, including the number of years in business and the scope of service currently provided to clients. Include a statement describing why your firm is qualified to perform the work outlined in this RFQ and detailing the proposed approach to performing this work.

2. Describe your firm's staffing proposal for providing City Attorney services as indicated in this RFQ. Describe the legal training and experience (including years) of the person(s) who would be providing City Attorney services, as well as other principals, if any. Specifically include details of experience in providing municipal legal services. Submit resumes for attorneys and other key staff who will be providing City legal services. Also,

include proof that each staff attorney referenced is licensed to practice law in the state of Oregon and is an active member in good standing with the Oregon State Bar Association.

3. Describe your firm's experience and current practice in providing attorney services to governmental entities, including the names of current government clients. Describe your firm's experience in providing legal advice and services to City management, staff, and policy-making boards. Include a discussion of how your current and past experience will enable you to effectively and efficiently represent the City of Keizer and the Urban Renewal Agency as General Counsel.

4. Describe the caseload capacity of your firm and the types of cases, which the firm would be able to handle. Include any limitations you would foresee in your firm's ability to handle certain case types, or capacity limitations on cases by case type.

5. Describe your firm's experience and expertise as it specifically relates to land use and zoning law.

6. Describe your firm's staff and resource capacity to respond to time-sensitive or short notice requests and/or complicated issues. Include the proposed hours of availability of legal and support staff.

7. Describe your firm's philosophy of municipal legal service provision, as well as the philosophy you, as supervising attorney, believe is appropriate for the City of Keizer.

8. Describe the approach you would use to communicate and coordinate with City Council, the City Manager, City employees and outside contract attorneys.

9. Provide at least two examples of complex issues your firm has successfully handled for municipal or other public agency clients, including the names of the attorneys who worked on those cases.

10. Provide a minimum of ~~five (5)~~ three (3) ~~client~~ references, at least ~~two (2)~~ one (1) of which ~~must~~ should be from the public sector and two (2) must be peer references on behalf of your firm of a positive professional reputation in the legal community.

11. Describe what your firm would need to do to be ready and able to begin providing City Attorney services to the City and Urban Renewal Agency as of the October 2nd, 2000 proposed contract date. Include information as to which staff positions would need to be filled and office space and/or equipment, which would need to be produced. Also address how you propose to familiarize your staff with the laws, rules, regulations and operating procedures relative to the conduct of business at the City of Keizer, in order to be able to efficiently and effectively assume contract responsibilities by October 2nd, 2000.

12. Describe the procedure employed by your firm for identifying when a conflict of interest issue arises. State any potential conflict(s) of interest you may have in providing City Attorney services as outlined in this RFQ.

13. Provide a proposed hourly rate schedule for all positions (i.e. City Attorney, Paralegal, Legal Secretary, etc.) for those services preferred to as ***hourly services***.

14. Provide any other information that you believe is important or relevant to this RFQ.

Investigations

The City reserves the right to conduct appropriate investigations into the background, previous experience and training, financial affairs and related matters of any firm or individual under consideration for a contract resulting in successfully completing the RFQ process. Said investigations may include, but are not limited to, credit reports, submission of audited financial statements, communication with principal clients, as appropriate, relating to the ability of your firm to successfully perform the duties and responsibilities of City Attorney.

Evaluation of Requests for Qualifications & Selection

The City reserves the right to accept or reject any or all submissions in the best interest of the City. In connection with the evaluation, the City may, at its option, invite one or more applicants to make an oral presentation to the City Council at their regularly scheduled meeting on September 18th, 2000 and may require the submission of supplemental material intended to substantiate or clarify information previously submitted.

A selection committee consisting of City Council members ~~City management and City staff~~ will evaluate Requests for Qualifications submissions on the following criteria (not in ranked order).

1. Meets all qualifications and requirements identified in this RFQ.

2. Includes complete and clear responses to items in the ***Content of Responses*** section.

3. Breadth and relevance of experience of the attorneys and staff proposed to provide City Attorney services.

4. A professional reputation on the part of the applicant firm and each individual attorney for providing high-quality and ethical legal services and demonstrating sound judgment, integrity, and reliability as determined by a thorough and complete background check.

5. Familiarity with laws and regulations governing Oregon local governments and operating procedures relative to the conduct of City business.

6. Demonstrated expertise in land use and zoning law as it relates to municipalities.

7. Adequate local facilities, available support staff and range of services offered by the firm.

8. Demonstration of workload capacity and a level of experience commensurate with the level of service required by the City.

9. The applicant's ability to work cooperatively with the City Council, City Manager, City employees, boards and commissions, and members of the business community and general public as demonstrated by positive current client references.

10. Cost of providing basic and hourly services as per the submitted retainer fee and hourly rate schedule. (Though cost of service is important to the City Council and City Manager, it is not, necessarily the most critical factor in evaluating a firm's RFQ submittal).

11. Supplemental information submitted by the applicant.

12. Results of the interview, if conducted.

Submittal Deadline

One (1) original and eight (8) copies of the submission, clearly marked "Statement of Qualifications to Provide City Attorney Services" must be received by **3:00 p.m., Wednesday, August 30th, 2000.**

Deliver to:

Dianne Hunt
Human Resources Director
City of Keizer
930 Chemawa Road, NE
PO Box 21000
Keizer, OR 97307-1000

Submissions received after that date and time will not be accepted or considered.

Questions regarding responses to this RFQ or requests for general information regarding the City of Keizer should be directed to ~~Christopher C. Eppley~~ Dianne Hunt, ~~City Manager~~ Human Resources Director, City of Keizer, at (503) 390-3700.

City of Keizer, Oregon

August 7, 2000

AGENDA ITEM 8a

CERTIFICATION OF STREET LIGHTING DISTRICT ASSESSMENTS

CITY COUNCIL MEETING: August 7, 2000

AGENDA ITEM NUMBER:

TO: **MAYOR NEWTON AND CITY COUNCILORS**

THROUGH: **CHRIS EPPLEY**
CITY MANAGER

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

SUBJECT: **STREET LIGHTING DISTRICT ASSESSMENTS**

ISSUE:

Staff have computed the amount of money necessary to be raised by assessment to cover Street Lighting District costs as shown on the attached exhibit "A". These assessments need to be turned over to the County Assessor for collection by August 31, 2000.

RECOMMENDATION:

It is recommended the City Council adopt the attached Resolution, which certifies the Street Lighting District Assessments, by tax account, to the County Assessor for collection.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2000-_____

CERTIFICATION OF LIGHTING DISTRICT ACCOUNTS

BE IT RESOLVED by the City Council of the City of Keizer that Keizer has determined and computed the amount of money necessary to be raised by assessment to cover funds spent to operate and maintain certain street lighting facilities within Keizer, including administrative costs in the amount of $304,071.33; and

BE IT FURTHER RESOLVED that Keizer certifies Exhibit "A" attached hereto, is a true and correct list of the properties within the various lighting assessment district in Keizer giving the proper assessment and apportionment of costs and expenses to be assessed against the respective properties for operation and maintenance of street lighting facilities for the year; and

BE IT FURTHER RESOLVED that Exhibit "A" attached hereto, is certified to the County Assessor to be added to the appropriate tax accounts for the respective properties indicated.

PASSED this _____ day of _____, 2000.

SIGNED this _____ day of _____, 2000.

_____
Mayor

_____
City Recorder

"EXHIBIT A"
CERTIFICATION OF LIGHTING DISTRICT ACCOUNTS

LIGHTING DISTRICTS 1999/00

	DISTRICT NAME	# OF LOTS	TOTAL PER DISTRICT	2000 PER LOT
008	MARDELL	206	5,916.32	28.72
012	WILARK PARK ST LTG	190	10,529.80	55.42
014	MAI LIN	290	9,135.00	31.50
015	APPLEBLOSSOM	88	2,482.48	28.21
017	RIVERCREST	326	9,988.64	30.64
018	IVY WAY	119	3,182.06	26.74
019	ARNOLD WAY	40	717.60	17.94
022	NORTHVIEW	86	3,286.06	38.21
023	MCNARY HGHTS	88	4,700.96	53.42
024	CEDAR PARK ST LGHT	19	1,041.58	54.82
025	MENLO	27	941.49	34.87
026	SHADY LANE	FF	2,182.32	VARIES
028	NORTHWOOD PARK #1	49	2,918.93	59.57
034	GREENWOOD	FF	1,177.20	VARIES
041	WILARK PARK #6	18	762.30	42.35
042	WILARK PARK ANN #7	16	750.24	46.89
043	NORTHWOOD PARK #2	43	2,286.74	53.18
044	MAI-LIN DISTRICT #2	22	659.56	29.98
045	MCLEOD PARK	36	1,524.60	42.35
046	LANCER PARK	36	1,726.20	47.95
047	HILLIGOSS	14	492.94	35.21
048	CARLHAVEN ADDITION	28	618.52	22.09
049	WINDSOR ESTATES	23	1,168.86	50.82
050	WHITAKER PARK	78	3,804.84	48.78
079	ANDREW PARK	15	752.40	50.16
080	GLYNBROOK	41	1,864.27	45.47
081	LAWNDALE SUB	34	1,856.06	54.59
082	NORTHWOOD PARK #4	98	6,485.64	66.18
083	PALMA CIEA #5	22	720.50	32.75
084	WILARK PARK ANN #5	18	980.28	54.46
086	HICKS JONES	FF	5,785.76	VARIES
087	CARLHAVEN ADD #2	29	717.92	24.76
094	WILL MANOR 4	23	1,020.74	44.38
095	WHEATLAND LN	7	385.70	55.10
096	NORTHTREE ESTATES	100	6,196.00	61.96
097	CHEMAWA PARK	18	1,310.76	72.82
108	MCLEOD PARK #2	28	1,459.89	52.14
120	CHEMAWA EST #1	30	1,706.40	56.88
122	SIX SUBDIVISION	23	605.13	26.31
126	MCLEOD ESTATES	74	3,714.80	50.20
128	CHEHALIS SUB	16	466.56	29.16
129	DENNIS LANE N	43	1,453.83	33.81
130	CRESTWOOD VILLAGE	12	508.20	42.35
131	CHEMAWA EST #2	34	1,948.54	57.31
132	CHARLOTTE	45	1,300.05	28.89
141	PALMA CIEA	447	13,950.87	31.21
142	RIVERVIEW N	29	855.50	29.50
143	MEADOWBROOK	9	352.44	39.16
144	JUNIPER	20	665.20	33.26
146	TERRACE GLEN	16	783.36	48.96
147	WEDGEWOOD ESTATE	32	880.64	27.52
148	JULIE ESTATES	20	1,428.40	71.42

"EXHIBIT A"
CERTIFICATION OF LIGHTING DISTRICT ACCOUNTS

LIGHTING DISTRICTS 1999/00

	DISTRICT NAME	# OF LOTS	TOTAL PER DISTRICT	2000 PER LOT
150	KEPHART	40	1,657.60	41.44
159	JOHNISEE ADDN	13	355.16	27.32
161	WALENWOOD SUB	9	192.60	21.40
162	WARNER PARK	10	198.60	19.86
163	SPRINGTIME PK SUB	15	744.30	49.62
164	STONEHEDGE ESTATE	100	5,599.00	55.99
165	RIVERVIEW N #2	28	860.44	30.73
181	TIMBERVIEW SUB	142	6,303.38	44.39
182	VISTAVIEW ESTATE #2	60	2,023.20	33.72
183	NORTHRIDGE PARK	32	919.68	28.74
184	JUNIPER #2 SUBDIV	21	969.78	46.18
185	KEIZER HEIGHTS	65	3,036.80	46.72
191	CLARK ST NE	29	558.60	19.26
192	FRIENDSHIP ADDITION	12	316.20	26.35
193	TEN AT MCNARY	15	1,053.30	70.22
194	BUCHOLZ ADDITION	21	467.04	22.24
195	PARKLAWN ADDITION	6	263.40	43.90
205	GLYNBROOK II N	43	2,365.43	55.01
206	FOUR WINDS ADDN N	123	4,146.33	33.71
207	FERNBROOK	39	1,206.66	30.94
208	EDEN ESTATES	42	2,197.44	52.32
209	COUNTRY CLUB EST	29	1,028.72	35.47
212	LAWNDALE I SUB PH-2	39	1,699.23	43.57
213	STONEHEDGE EST II	89	3,759.36	42.24
215	GARY ST	37	815.11	22.03
216	ARNOLD ST #2	23	615.71	26.77
217	FOUR WINDS III	20	374.20	18.71
218	GREENWAY	19	592.04	31.16
219	NOON AVE	32	909.12	28.41
220	STONEHEDGE EST III	32	1,401.60	43.80
221	STONEHEDGE EST 4&5	32	1,594.88	49.84
227	WILLOW LAKE EST	44	2,078.12	47.23
228	THE MEADOWS PH-1	56	3,493.28	62.38
231	FOURWINDS II	16	454.56	28.41
232	WHITAKER HGTS	34	1,144.78	33.67
234	THE MEADOWS PH-3	35	2,183.30	62.38
235	THE MEADOWS PH-2	37	2,308.06	62.38
236	THE MEADOWS PH-4	39	2,432.82	62.38
237	ORCHARD CREST	54	1,882.98	34.87
238	STONEHEDGE EST #6	31	1,597.12	51.52
239	SPRINGMEADOW EST	1	2,962.35	2,962.35
241	WILLOW LAKE 2&3	96	4,204.80	43.80
246	CHERRYLAWN CT NE	8	372.24	46.53
247	ORCHARD CREST PH-3	35	1,419.25	40.55
248	MAX CT	10	540.10	54.01
249	THE MEADOWS PH-5	42	2,619.96	62.38
250	ORCHARD CREST PH-2	53	1,796.17	33.89
251	RIVERCREST PH-1&2	44	1,578.72	35.88
253	THE MEADOWS PH-6	31	1,933.78	62.38
254	THE MEADOWS PH-7	32	1,996.16	62.38
255	TIMBERVIEW PH-3	28	1,780.80	63.60
256	APPLETREE PH-1,2,3	46	3,098.10	67.35
257	BRIARWOOD	1	2,098.60	2,098.60
258	HIDDEN CRK EST PH-1	41	3,471.47	84.67

"EXHIBIT A"
CERTIFICATION OF LIGHTING DISTRICT ACCOUNTS

LIGHTING DISTRICTS 1999/00

	DISTRICT NAME	# OF LOTS	TOTAL PER DISTRICT	2000 PER LOT
259	CATERWOOD ESTATES	51	2,523.48	49.48
260	PARKMEADOW APTS	1	1,013.96	1,013.96
261	NORTHRUP/NORTHSHIRE	12	481.32	40.11
262	COUNTRY GLEN EST	189	10,009.12	52.96
263	FIRCONE	29	1,383.30	47.70
264	HIDDEN CRK EST PH-2	16	902.40	56.40
265	CLEARLAKE SUBDIV	49	2,914.52	59.48
266	SPRINGRIDGE EST	32	1,804.80	56.40
267	THE RIDGE	22	1,341.56	60.98
268	NORTHSIDE ESTATES	43	2,005.09	46.63
269	HOMESTEAD/CLEARVIEW	10	299.00	29.90
270	HONEYSUCKLE	25	1,112.25	44.49
272	LARSON PARK SUBDIV	12	475.20	39.60
273	BAILEY ESTATES	10	463.20	46.32
274	STICKLES ADDITION	9	255.60	28.40
275	CEDAR BLUFF SUBDIV	27	1,774.71	65.73
276	ABT KOUFAX LN	24	1,555.20	64.80
277	HIDDEN CREEK PH-3	33	802.89	24.33
278	HOLLY LN/ALDER DR NE	9	293.04	32.56
282	3RD AVE N	57	1,537.29	26.97
283	HIDDEN CREEK PH-4	15	1,098.00	73.20
284	JACOBE ESTATES SUB	10	866.40	86.64
285	PRAIRIE EST	93	7,650.18	82.26
286	TECUMSEH ESTATES	21	1,134.00	54.00
287	TEPPER E SUB	28	1,431.92	51.14
288	WESTMORE	24	980.64	40.86
292	PINEHURST ESTATES	57	3,439.95	60.35
293	LEEWOOD MEADOWS	54	2,344.14	43.41
294	BROWER PLACE	31	1,970.67	63.57
295	HIGHLANDS ESTATES	59	3,459.60	58.64
296	JACOBE ESTATES PH2	18	1,116.00	62.00
297	BAHNSEN WOODS EST	60	3,451.20	57.52
298	FOREST RIDGE EST	55	3,473.80	63.16
299	WHEATLAND TERRACE	15	1,529.55	101.97
300	WATERFORD	49	2,912.07	59.43
306	ROCKLEDGE ADDITION	16	698.56	43.66
307	WITTENBERG	1	952.00	952.00
308	JORDON RUN	10	999.31	99.93
309	PRAIRIE CLOVER	5	631.00	126.20
310	VINEYARDS	90	1,683.00	18.70
311	HIGHLANDS NORTH	16	542.50	33.91
312	CHEMAWA GLEN	38	935.40	24.62
	TOTAL		304,071.33	

City of Keizer, Oregon

AGENDA ITEM 8b

August 7, 2000

CERTIFICATION OF DELINQUENT SEWER ASSESSMENTS

CITY COUNCIL MEETING: August 7, 2000

AGENDA ITEM NUMBER:

TO: **MAYOR NEWTON AND CITY COUNCILORS**

THROUGH: **CHRIS EPPLEY**
CITY MANAGER

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

RE: **DELINQUENT SEWER ASSESSMENTS**

ISSUE:

The City of Keizer collects sewer fees for the City of Salem from residents of Keizer. The attached list marked as exhibit "A" represents an itemized list of delinquent accounts from March 31, 1999 through April 28, 2000. Each resident has been notified by certified letter and given a sufficient amount of time to remit payment for their account. ORS 454.225 authorizes the City to certify the delinquent amounts to the County Assessor to be assessed against the premises serviced. The statute also allows the City to collect penalty, interest or costs associated with the delinquencies. A 10% delinquent amount has been added as a penalty and a $10.00 administration costs has been added to the delinquent amount.

RECOMMENDATION:

It is recommended the City Council adopt the attached Resolution, which certifies the delinquent sewer accounts to the County Assessor for collection.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2000-_____

CERTIFICATION OF DELINQUENT SEWER ACCOUNTS

WHEREAS, the City of Keizer is responsible for the collection of sewer fees for the City of Salem from the residents of Keizer; NOW THEREFORE,

BE IT RESOLVED that the attached Exhibit "A" is an itemized list of delinquent sewer charges through and including April 28, 2000 that the City has been unable to collect through the usual collection procedures; and

BE IT FURTHER RESOLVED that ten percent (10%) of the delinquent amount has been added as a penalty and that a $10.00 administration cost has also been added to the delinquent amount; and

BE IT FURTHER RESOLVED that the amounts certified on Exhibit "A" shall be added to the appropriate tax accounts as indicated pursuant to ORS 454.225.

PASSED this _____ day of _____, 2000.

SIGNED this _____ day of _____, 2000.

_____
Mayor

_____
City Recorder

EXHIBIT "A"
DELINQUENT SEWER ACCOUNTS

TAX ID#	OWNER NAME	SERVICE ADDRESS	ASSESSMENT
R20558	Carnie/Betty Pearson	1980 Chemawa Rd NE	$ 167.51
R65499	Donna Miller	4005 Gary St NE	$ 167.51
R45937	JamesA &Risa E Cowley	4915 Rickman Rd NE	$ 371.54
R20579	Lerena E Tucker	5565 St Croix Wy NE	$ 63.31
R76691	Robert R & Karen Carlson	1208 Candlewood Dr NE	$ 295.71
R20534	Jensen Development LLC	6390 McLeod Ln NE	$ 208.22
R19690	Robert C Pillsbury	7535 Wheatland Rd N	$ 318.01
R19727	David & Verlene Bunn	945 Marks Dr N	$ 318.01
R45742	Edward R Murphy	1256 Jays Dr N	$ 318.01
R25374	Taisto A Pesola	4935 Delight St N	$ 318.01
R58862	Werner/Inge Knebel	150 Sunset Ave N	$ 620.20
R57272	Walter C Hudnall	761 Chemawa Rd N	$ 241.24
R321173	Patrick A & Debra Pond	4945 Delight St N	$ 306.81
R19672	Bruce R & Velan Chapin	7985 Wheatland Rd N	$ 369.10
R20354	Geneva J Long	5799 Trail Av NE	$ 116.61
		Total	**$ 4,199.80**

City of Keizer, Oregon

August 7, 2000

AGENDA ITEM 8c

TRANSFERRING APPROPRIATIONS FOR FISCAL YEAR 2000-2001 (YOUTH COMPACT PROGRAM)

COUNCIL MEETING: August 7, 2000

AGENDA ITEM NUMBER:_____

TO: MAYOR NEWTON AND CITY COUNCILORS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: SUSAN GAHLSDORF, CPA
FINANCE DIRECTOR

Susan

SUBJECT: Transferring Appropriation for Fiscal Year 2000-01

At the council meeting on July 17, 2000, the City Council approved $700 to be spent on the Youth Compact program. It was decided that General fund contingency is to be used to fund this expenditure. Staff recommend the council adopted the attached appropriation as voted in the July 17, 2000 city council meeting.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2000-_____

TRANSFERRING APPROPRIATIONS FOR FISCAL YEAR 2000-2001

WHEREAS, the Keizer City Council adopted a budget for the City of Keizer for the 2000-2001 fiscal year on June 19, 2000;

WHEREAS, there have been occurrences which were specifically unanticipated at the time of the preparation of the budget for the 2000-2001 fiscal year for the funds identified below. Such expenditures are necessary for the operations of the City's services;

WHEREAS, ORS 294.450(3) provides for the transfer of appropriations within a fund; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer, that appropriations for the fiscal year ending June 30, 2001 be transferred in the amounts indicated below:

General Fund

	Increase	Decrease
Youth Compact Program	700	
Contingency		700

PASSED this _____ day of _____, 2000.

SIGNED this _____ day of _____, 2000.

_____
Mayor

_____
City Recorder

City of Keizer, Oregon

AGENDA ITEM 8d

August 7, 2000

APPROVAL OF JULY 10, 2000 SPECIAL SESSION MINUTES

MINUTES
KEIZER CITY COUNCIL
Monday, July 10, 2000
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Newton called the regular meeting to order at 7:08 p.m. Roll Call was taken as follows:

Present:
Bob Newton, Mayor
Lore Christopher, Council President
Jim Keller, Councilor
Jerry McGee, Councilor
Jacque Moir, Councilor
J. L. Wilson, Councilor
Council Seat #5-Vacant

Staff:
Chris Eppley, City Manager
Rob Kissler, Public Works Director
Tracy L. Davis, City Recorder
Susan Gahlsdorf, Finance Director
Kent Barker, Lieutenant
Shannon Johnson, City Attorney

PUBLIC TESTIMONY

Mayor Newton announced the format in which the public hearing would take place. He indicated the public hearing would be to cover the eight points that the Planning Commission had reviewed regarding the Chemawa Activity Center.

Robert Herberger, Gubser Neighborhood Association President- asked if they would have the opportunity to make comments regarding developers presentation prior to deliberations.

Mayor Newton indicated the public would be given adequate opportunity to comment.

No further testimony was brought before the Council.

COMMITTEE REPORTS

a. Library Task Force Report- Jerry Watson, 1237 Manzanita Way NE-

Spoke as Chair of the Task Force. Mr. Watson indicated that during the next meeting the group would be reviewing the final draft of a telephone survey with the assistance of students from McNary High School. He noted the survey

should take place in late July or early August.

Mr. Watson reviewed the two library approaches that the Task Force was reviewing. This included the "standard base approach" which would utilize the library system associations1994 standards and making community comparisons (i.e.: Stayton, Silver Falls and West Salem).

He reviewed the city's tax structure noting that 35 cents of tax revenue would raise approximately $350,000, which would be the approximate operation cost of a branch size library.

Mr. Watson hoped to hold public hearing regarding the library information in August or September, finalizing and presenting a report to the Council in October 2000.

Mayor Newton reminded the Task Force in order for the issue to be placed on the November ballot that September 7th would be the last day an issue could be placed on the November ballot.

b. Youth Compact-Council President Christopher
Noted that $550 was budgeted as a placeholder for the Today's Choices, Tomorrow's Community. She indicated the facilitation costs had increased to $700 and she requested the Councils support for this cause.

Council President Christopher moved to support Youth Compact in the amount of $700.00 for facilitation of Today's Choices, Tomorrow's Communities. Mayor Newton seconded the motion.

Responding to questions, Council President Christopher stated the facilitator complies and provides all the written materials to the group.

Finance Director, Susan Gahlsdorf stated there was not a line item for this particular request within the budget.

With this information Council President Christopher withdrew her motion until the Finance Director could review the issue.

c. Receipt of Government Finance Officer Association Certificate
City Manager Eppley shared that the GFOA rates cities on the budget process and presentation to the public. He noted that this is a prestigious award for the city to

receive.

Finance Director, Susan Gahlsdorf reported how the budget document was rated and indicated the award would be displayed at Keizer City Hall.

Mayor Newton congratulated everyone involved in the process.

d. Parks Advisory Board Appointment
Councilor Keller moved to appoint Ray Kelly to the Keizer Parks Advisory Board. Council President Christopher seconded the motion.

Councilor McGee commended Mr. Kelly on his credentials and appointment to the Parks Advisory Board.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

OTHER BUSINESS

a. New Business
Councilor Moir reported that the Claggett Creek Watershed Council meeting would take place on August 22nd at 7:00 p.m. in Claggett Creek Park. She urged the Council to attend the potluck and meeting that evening.

Councilor Moir shared the quarterly report of the Emergency Volunteer Association. The next volunteer exercise would take place on July 29,2000 at 10:00 a.m.

Mayor Newton noted that in Craig Campbell's absence he would be attending the Marion County Public Safety Coordinating Council. He requested if any members of the Council had an interest in this issue to let him know.

Mayor Newton reported that the $500,000 grant for improvements along Lockhaven from McLeod to Chemawa Road had been denied.

Mayor Newton requested that goals setting for the Council be completed prior to the budget process. He felt it was important to start this process in October and urged the Council to consider this.

Councilor Keller moved that the City Manager be directed to develop RFP's for the City's legal and engineering services and have a draft available for review by the Council at the July 17, 2000 City Council Meeting. Mayor Newton seconded the motion.

Responding to questions, City Manager Eppley noted that legal and engineering services were the primary contract services.

Mayor Newton noted his support of the motion. He indicated the City had been well served by its legal and engineering services but it was important for the City to review these services during the budget process.

The motion passed unanimously as follows:

AYES: Christopher,Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Lieutenant Barker reported that Sgt. Jeff Kuhns was appointed as the new Community Services Sergeant. Also the department was in the process of seeking a certified police officer.

Public Works Director, Rob Kissler noted the Salem City Council had postponed the SKAPAC process from their agenda for one meeting that would allow details to be worked out regarding language for the Claggett Creek Drainage Basin and the Little Pudding Drainage Basin.

PUBLIC HEARINGS

a. Chemawa Activity Center

Mayor Newton opened the public hearing.

City Attorney, Shannon Johnson reviewed the eight points that the Council had directed the Planning Commission to review regarding the Chemawa Activity Center Plan and the Commissions outcome to each point. They are as follows:

1. The appropriate amount of commercially zoned property in Area A. The Planning Commission after much debate and deliberation determined it was best to leave the 11 acre maximum, but recognized that a developer had the option of making proposals for future changes.

2. Review the street connection of Area A to Area D with an underpass loop or "jug handle" design. The Commission felt that this was a technical transportation design and made the decission to leave the language as written in the Design Plan regarding the underpass loop.

3. Landscaping requirements for the Activity Center and/or Area A property. The Commission felt that the CAC Plan and the Development Code should be consistent. The IBP zone was deemed appropriate, but recommended deleting the following bullet point from the Area A "Site Design" section on Page 11 of the Plan:

    - Individual industrial parcel sizes should be a minimum five- (5) acres with a minimum twenty percent (20%) landscaping requirement.

Mr. Johnson noted that the IBP zone would still remain at 20% landscaping requirement and the landscaping requirement for Commercial Mixed Zones are listed as follows:

- Ten Percent (10%) for Commercial Development
- Fifteen percent (15%) for Mixed Commercial and Residential Development
- Twenty percent (20%) for Residential Development

4. The requirement that no single use be more than 50, 000 square feet. Due to concerns regarding River Road businesses and transportation issues, the Commission decided not to change this requirement.

5. Design Plan is consistent with the new Keizer Development Code. The Commission recommended removal of the IBP zone as an appendix to the Plan, although IBP zone would remain as a section in the Development Code.

6. The appropriateness of the Park and Ride lot Area The Commission recommended adjusting the language in the Plan as well as the zoning to not that the Park and Ride was appropriate and should be permitted or allowed but not required.

7. The appropriateness of the 150- room hotel/motel

requirement in Area A. The Commission recommended that this condition was not necessary and should be removed from the Design Plan.

8. Protecting the residential property to the west of Area A from the traffic impacts. The Planning Commission recommended the section should be clarified to indicate that *no* street from the south may connect to Tepper Lane more than 200 feet west of the *current* Radiant Drive intersection.

Mr. Johnson stated that staff recommended that the hearing be continued to allow for refining options and to present Council with additional information. He also noted the options for Council to consider following public testimony as written in the staff report. He went on to state that a large portion of Area A was located within the Urban Renewal District and that the Council should consider if there were plans to move forward on the Urban Renewal portion and attempt to coordinate with any Urban Renewal Plan Amendments for review.

Mr. Johnson responded to questions from the Council regarding the landscaping requirements noting that the requirements are listed in the Keizer Development Code and are not referring specifically to the Chemawa Activity Center Plan.

Responding to questions Mr. Johnson explained that the text of the Design Plan could be changed as the hearing was noticed for that condition.

A discussion of jurisdictional sign off took place. Mr. Johnson indicated he would review the requirements of this for Council's inspection.

Mayor Newton noted in the Plan that Area D was written as approximately 20 acres, but is actually 15 acres. He requested a report from City Manager Eppley regarding ownership of the 15 acres in Area D.

Mr. Eppley reported that the last owner of record of the property was the Federal Highway Organization, but went on to state that due to federal law this organization could not manage, own or operate ground. He indicated to the best of knowledge the Bureau of Indian Affairs owned this property but had not filed a deed. Mr. Eppley shared he was still researching other issues pertaining to the property and would report to the Council on July 17, 2000.

Mayor Newton addressed the Chemawa Activity Center Plan and asked if actions had been taken regarding the financial or marketing strategy as written in the plan.

Mr. Johnson indicated Council had not directed staff to review these issues.

Councilor Keller noted that the plan was written by the previous community development director whose intent was to follow through with the issues Mayor Newton had addressed.

City Manager Eppley reported that according to ODOT the proposed jug handle could be reconfigured to use the existing right of way and that the 15 acres of land in Area D would not be critical to move forward with the development.

Public Testimony

Steve Pfaff, President, Keizer Chamber of Commerce, 980 Chemawa Road NE, Keizer- noted they had polled members of the Chamber to receive input regarding the Chemawa Activity Center. Mr. Pfaff read a statement from the Government Affairs Committee.

Christine Jones, Director, Keizer Chamber of Commerce, Keizer- Mr. Jones read the vision of the Chemawa Activity Center as written by the Chamber of Commerce Board two years ago. The current Board and Government Affairs Committee reviewed the vision statements and felt them to still be viable today.

Dale Johnson, 5862 Rhinestone Court SE, Salem- spoke as chair of Chemawa Activity Center Management LLC. He indicated in discussions with ODOT that the jug handle could be reconfigured to fit in the existing right of way.

Mr. Johnson shared a survey he randomly submitted to 17 residents along Tepper Lane. He noted the two questions asked were:

1. When the Chemawa Activity Center is developed would you like to see truck traffic blocked at the railroad tracks?
2. Would you like to see all traffic blocked at the railroad tracks?

Mr. Dale Johnson reported that six out of the seventeen surveyed felt it would be good to block truck traffic. One of the seventeen indicated they would like Tepper Lane completely blocked.

Responding to questions, Mr. Dale Johnson indicated he told the individuals that he spoke with that the truck traffic would consist of light commercial trucks.

Councilor Wilson left the meeting at 8:12 p.m.

Judith Holzinger, Noon Avenue NE- represented Keizer Neighborhood Association. She read a letter written by Ken Gierloff, President of KNAG reporting that KNAG would support the Gubser Neighborhood Association in updating the Chemawa Activity Center Plan to exclude Tepper Lane as an access to and from the Center. It was requested that the letter be included as part of the record.

Robert Herberger, 2805 Chemawa Road NE, Keizer- President of the Gubser Neighborhood Association. Noted he was instructed by the Board to urge the Council to close Tepper Lane at the railroad tracks to prevent traffic from entering into the Gubser Neighborhood.

Councilor Keller expressed his skepticism that closing Tepper Lane was the wish of the majority of residents the Gubser Neighborhood.

Mr. Herberger indicated they were conducting a door to door survey in an attempt to poll everyone in the neighborhood. He noted that the questions would be pertaining to the traffic impact of the Chemawa Activity Center to the Gubser Neighborhood Association.

Mr. Herberger and Council McGee supplied history of the issues during the opening of the baseball stadium and its effect upon Tepper Lane.

Brian Sheahan, Associate Planner Salem Area Mass Transit District- addressed the appropriateness of the Park and Ride Lot in the Plan. He urged the Council to reconsider the Planning Commission's recommendation regarding this issue and to include transit as part of the Design Plan.

Tina Sloan, 5905 Radiant Drive, Keizer- would like to see the area developed since she is a property owner in the area. Ms. Sloan felt development would assist in the

growth of Keizer and she urged the Council to allow more than 11 acres of retail to grant the development the opportunity to move forward.

Karen and Wayne Trucke, 6330 14th Avenue NE, Keizer- provided history from the Gubser Neighborhood Association stating that an abundance of people in the area had voted to close Tepper Lane.

Ms. Trucke read from a handout and noted the importance of neighborhoods rather than development. She went on to note information from the Planning Commission minutes and information in the Chemawa Activity Center Plan pertaining to Tepper Lane. She requested that the Plan be changed to read; *"near the intersection of the BNRR the street shall be designed as to restrict vehicular and truck traffic from infiltrating through the neighborhood to the west."*

Ms. Trucke shared an overhead picture of the neighborhood and detailed the one access from the neighborhood to River Road and noted the number of homes in the area and the amount of vehicle traffic that were carried through the area which she noted by conducting traffic counts.

After discussions the Council agreed to include the developers presentation as part of the public hearing.

Mayor Newton recessed the meeting at 8:50 p.m.

The meeting reconvened at 9:02 p.m.

Mayor Newton noted the Council would be meeting in Executive Session on July 17th and the continuation of the public hearing would be noticed to the public.

Chuck Sides, 2555 Hollywood Drive, Salem- introduced his partner John Batzer and Project Designer, Charlie Matchick.

Charlie Matchick-explained how his collaboration with Mr. Sides and the Chemawa Activity Center came about. He presented five concept drawings of how the area could be developed. He stressed the concept to build on and enrich the area in and around the Volcanoes Stadium and supplied examples of how this could be done. Mr. Matchick introduced Tom Jones and Ed Chamberlin with WH Pacific Engineering Firm. He noted they would be

using their expertise of infrastructure during the development.

Mr. Sides proposed to the Council that they enter into an exploratory agreement to determine the feasibility of developing the 107- acre parcel at the northwest corner of the Chemawa Road intersection, in addition to developing the remaining 70 acres. He noted the goal would be to create over 100 million dollars worth of taxable property value within 36 months. Mr. Sides read from the remainder of the proposal and provided copies to the City Council and indicated they would like to have the agreement signed by July 21, 2000. He explained the reason for this was due to a competitor initiating a development near Costco in Salem. Mr. Sides indicated tenants had shown an interest in the CAC development but due to their marketing plans would need to set their obligations soon.

Mr. Sides reported a meeting scheduled in two weeks in Senator Smith's office to discuss the ownership of land in Area D. He stressed the wish to bring the Bureau of Indian Affairs to this meeting to discuss this issue also. He went through the remainder of the process including acquiring easements and land acquisition. He indicated the construction of the project would take approximately two years.

Mr. Sides addressed various project concepts for tenants including the idea of a charter school and how this would benefit everyone involved.

Responding to questions, Mr. Matchcik indicated the traffic impact would have to be studied, monitoring the traffic and testing the performance or mix against the traffic to design the area to meet the needs of the people coming into the area and as not to impact the surrounding neighborhoods.

Mr. Sides noted that the development would bring in a number of businesses to the area, which would help to enhance Keizer. He noted there would be some competition but felt this would be to the advantage of the consumer.

Mayor Newton questioned Mr. Sides as to what would need to change in the Chemawa Activity Center Plan to allow the development to move forward.

Responding to this, Mr. Sides urged flexibility during the development of the master plan. He felt the final development would consist of 70% commercial and 30% of IBP.

Mayor Newton expressed concern with the limitations that ODOT would set regarding the amount of traffic that could run along the jug handle.

Mr. Sides assured the Council they would work closely with city staff and ODOT to formulate this prior to any development. He continued to answer questions from Council and noted guidelines of the city's participation could be, as well as the part of the developer, but stressed this could not be finalized until the master plan was completed.

City Manager Eppley proposed working with two agreements. He suggested the first would be an exploration phase to determine the feasibility of the project. Upon completion of the master plan a formal agreement could be put into place.

With no additional testimony Mayor Newton continued the public hearing until Monday, July 17, 2000 at 7:00 p.m.

Mayor Newton moved to direct staff to work with the city's legal council to draft the appropriate agreements to formalize the terms for the Chemawa Activity Center Development for consideration by the Council at the July 17, 2000 City Council Meeting. Councilor McGee seconded the motion.

Responding to questions City Manager Eppley indicated that legal council Preston and Gates would be involved in developing both sets of agreements.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

ADMINISTRATIVE ACTION

CONSENT CALENDAR

a. **Approval of June 19, 2000 Regular Session Minutes**

b. **RESOLUTION-Transferring Appropriations for Fiscal year 99-00 (Repealing R-2000-1181)**

Mayor Newton moved for approval of the Consent Calendar. Councilor Moir seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

WRITTEN COMMUNICATIONS

No written communications were brought before the City Council.

AGENDA INPUT

July 17, 2000
7:00 p.m. Keizer City Council Meeting

- Sparrow Addition Street Lighting District Public Hearing
- Council Procedure Amendments
- Personnel Policy Amendments
- Certification of Street Lighting Districts
- Distribution of Letters of Interest for Council Position #5

August 7, 2000
7:00 p.m. Keizer City Council Meeting

- Transportation System Plan Public Hearing-continued from 6/5/2000
- Appointment to Council Position #5

Mayor Newton reviewed the agenda items.

Council President Christopher requested that the Youth Compact issue be brought back during the July 17th City Council Meeting.

ADJOURNMENT

Mayor Newton adjourned the meeting at 9:55 p.m.

Tracy L. Davis
City Recorder

APPROVED:
MAYOR:

Bob Newton

COUNCIL MEMBERS:

Councilor #1 - J. L. Wilson

Councilor #2 - Lore Christopher

Councilor #3 - Jim Keller

Councilor #4 - Jacque Moir

Councilor #5 - Vacant Position

Councilor #6 - Jerry McGee

Minutes approved:

City of Keizer, Oregon

AGENDA ITEM 8e

August 7, 2000

APPROVAL OF JULY 17, 2000 REGULAR SESSION MINUTES

MINUTES

KEIZER CITY COUNCIL
Monday, July 17, 2000
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Newton called the regular meeting to order at 7:06 p.m. Roll Call was taken as follows:

Present:
Bob Newton, Mayor
Lore Christopher, Council President
Jim Keller, Councilor
Jerry McGee, Councilor
Jacque Moir, Councilor
J. L. Wilson, Councilor
Council Position #5-vacant

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

PUBLIC TESTIMONY

No public testimony was brought before the Council.

COMMITTEE REPORTS

a. Youth Compact-Council President Christopher
Reported when the Youth Compact was discussed during the budgetary process in October 1999 she had requested that the City Manager insert a placeholder to the 2000-2001 budget in the amount of $550.00. This was not done and she suggested since the Compact had requested $700.00 that this amount be used as the placeholder in the future as the Council discussed whether to participate in the program. It was noted that the $500.00 pay out was done out of the contingency line item.

Council President Christopher moved to pay $700.00 for facilitation of Today's Choices/Tomorrow's Community and take the funds from contingency. Mayor Newton seconded the motion.

Councilor McGee stated that he would support the

original request in the amount of $550.00.

Councilor McGee moved to amend the motion to support at the level of what was previously discussed ($550.00) Councilor Wilson seconded the Motion.

The amendment to the motion failed as follows:

AYES: McGee, and Wilson (2)
NAYS: Christopher, Keller, Moir and Newton (4)
ABSTENTIONS: None (0)
ABSENT: None (0)

The main motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Council President Christopher requested that $700.00 be used as a placeholder during the budget process next year.

Councilor Keller urged Council President Christopher to make the Youth Compact aware of the City's budget timelines for the future.

b. Library Task Force Report-Jerry Watson
Provided a copy the telephone survey, which would be conducted by McNary High students. He reviewed the survey and its contents and noted that 300 citizens would be contacted to participate in the survey.

Responding to questions, Mr. Watson indicated that addresses were randomly selected from a list complied from the Polk directory.

A discussion of including a survey with the water bills was addressed. Mr. Watson stated their timeline was limited and felt the use of the phone survey would be the most accurate.

Councilor Moir urged the Task Force to request additional time from the Council if needed to ensure that all information was collected.

Mayor Newton thanked the Task Force for their

participation on the committee.

c. Wastewater Task Force Report-Mayor Newton
Reported that the sub-committee would be meeting on August 17th and 31st, September 14th and 28th, October 12th. The Task Force would be appearing before the Salem City Council on October 23, 2000 with recommendations pertaining to COSA Study.

Responding to concerns, Mayor Newton noted if there were particular concerns it would be prudent to forward that information on to the subcommittee for review.

OTHER BUSINESS

a. New Business
Mayor Newton addressed the speed limit north of Lockhaven on Windsor Island Road. He indicated the speed in the area is marked 55 mph and felt this was hazardous for the area. He requested background from the previous study of the area be brought back in the next month.

Councilor Moir reported EVAK would be holding an exercise July 29th at 10:00 a.m. She invited anyone interested to attend.

b. Old Business
Councilor McGee addressed the previous discussion of requests for proposals for contractual services. The City Manager had shared work load would become an issue to address this issue. Councilor McGee suggested a list of contractors is submitted to the management team with a background of each contract to allow for the most efficient avenue to seek the lowest contractual services.

With further discussion Councilor Keller urged the Council to continue the request for proposal with the attorney. He expressed concerns with the possibility of overloading the city attorney with the number of tasks that he is undertaking.

City Manager Eppley felt he could accomplish request for proposal goals by the next meeting. He suggested a request for qualifications might be more advantageous.

Mayor Newton moved to proceed with a request for qualifications for legal and engineering services and directed staff to develop a policy for monitoring other contracts. Councilor Keller seconded the motion.

Councilor Keller felt qualifications from the attorneys were a good idea, but requested specifics of the attorney's position is put in writing.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Mayor Newton noted that two applications had been received pertaining to the Council vacancy #5, Richard Walsh and Judy Peterson. The applications would be considered at August 7th City Council meeting.

Council President Christopher shared that *"Summer Slam Dunk"* would take place Tuesday night and that questions could be directed to Parks Member, Clark Williams.

Chief Adams reported that Jeff Kuhns was selected as the supervisor of the community services unit. The department would also be interviewing 12 candidates for the lateral police officer position.

Public Works Director, Rob Kissler reported that the city set a record selling 166,000,000 gallons of water for the month of June. He went on to share that the Plymouth Drive construction was taking place and a pre-construction meeting regarding the river wall would take place within the week.

Mr. Kissler reported that Doug Hobart from MGM had shown interest in doing a movie scene at the Meadows Park. The studio would cover any damage to the park. He asked for consensus from the Council to investigate the request.

It was the consensus of the Council to allow Mr. Kissler to investigate this option.

Responding to questions, Mr. Kissler reported that the contractor for River Road would like to work to take place at night although a sign contract had not been formalized.

PUBLIC HEARINGS

a. Chemawa Activity Center Plan (continued from July 10, 2000)

Mayor Newton re-opened the public hearing

City Manager Eppley noted that during the last meeting staff was directed to create an exploratory agreement that was provided to the Council. He stated he did not feel comfortable making a specific recommendation at this point and did not feel any disadvantage or advantage to entering into this with the developer.

Public Testimony

Bob Herberger, 2805 Chemawa Road NE, Keizer- spoke as Gubser Neighborhood Association President. He summarized for the board of directors and property owners in Area A LLC. He stressed that they were not against the development of the Chemawa Interchange, but noted that the process was posing difficulties for them.

Mr. Herberger stressed that the decisions needed to be made to the plan and developers then notified. He felt that proposals could be accepted from developers at that time. Mr. Herberger urged the Council to utilize all the neighborhood associations and use their suggestions to minimize the effect to the neighborhoods in Keizer. He addressed a petition submitted to the City and signed by property owners in Area A.

Mayor Newton thanked Mr. Herberger for his testimony.

Doug Parrow, 6782 Amy Lane, Keizer- stressed as a property owner in the Gubser Neighborhood would have to live with the results that would be brought about by the development of the Chemawa Activity Center. Mr. Parrow supported the recommendations to the plan as stated by the Planning Commission. He pointed out the problems that Woodburn's downtown area was experiencing due to the development on the interchange and urged the Council to consider this while reviewing the plan for retail development.

Mr. Parrow expressed that the current development proposal was not consistent with the plan and ignored the plan as it was written. He felt it was important for the City to seek ways to develop the area as the plan was written.

Mitch Teal, Prudential Real Estate, 1418 Arabian Street, Salem- supported cautious development of the Chemawa Activity Center area reviewing recommendations that were made by the Task Force and

Planning Commission.

Jeff Boucher, 126 Cedar Bluff Drive, Keizer-had been a resident and businessman in Keizer his entire life. He felt expanding the retail area in the Chemawa Activity Center would damage the businesses along River Road. He urged more light industry in the area as a better option which would offer a higher wage to people in the area.

Dale Johnson, representing Chemawa Management LLC- has agreements to consolidate one-half the property in Area A. Mr. Johnson stated they were in favor of the progress that was taking place.

Rod Stubbs, 3460 Dogwood Drive South, Salem-noted he had been working on the project for the past 20 years. Mr. Stubbs supplied a time chart and reviewed this with the Council. He noted the interest that is being shown to develop the area and encouraged the City to proceed with Chuck Sides proposed plan.

Responding to questions, Mr. Stubbs stressed it would be in the City's best interest to move forward with the proposal. Mr. Stubbs went on to state he had a client, who would fund 100% of the infrastructure if the City would use local improvement districts that could be underwritten.

Mayor Newton thanked everyone for his or her input.

City Attorney, Shannon Johnson suggested that the public hearing be continued to allow staff to investigate ODOT issues and land use concerns.

Responding to questions, Mr. Johnson noted a work session could be scheduled, but it must be made clear that it would be noticed as a work session. He went on to question the Council whether the work session would be to consider the proposal from the developer or to review the details of the plan as recommended by the Planning Commission.

Councilor McGee noted it would be the latter. He stressed that there were many loose ends that would need to be addressed.

Councilor Keller requested clarification regarding the exploratory agreement noting his understanding by signing this agreement would make it exclusive to one

developer and the legal aspects that this would address. He stated he would also like to see information regarding the developers expertise and financial ability to take on the project before moving forward with an agreement.

Councilor Moir expressed the need for discussion with ODOT regarding the exploration and use of tribal land.

Councilor McGee agreed with Councilor Keller's remarks and stated that he felt it was not prudent for the City to sign the agreement until further information could be obtained.

City Manager Eppley noted the City Engineer and ODOT were working on the transportation issues and cost analysis. He indicated that staff would begin working on the issues with the activity center plan at Council's direction.

Councilor Keller suggested that the Keizer Urban Renewal Board and the Planning Commission to part of the work session.

Mayor Newton agreed and requested that it be noticed as a land use action to change the plan.

Mr. Johnson indicated for the work session there were no notice requirements.

The Council and staff discussed what type of information would be detailed during the work session. They reviewed situations with ODOT and the "jug handle", the square footage and acreage limitations for retail in the area and the issues of Radiant Drive.

Mayor Newton stressed that the City is sensitive to the Gubser Neighborhood Association regarding the development, but felt developing the area would be in the best interest of the City.

City Attorney, Shannon Johnson noted the best way to evaluate the plan would be to review the criteria. He read the criteria from the plan and noted testimony had not been received pertaining to the criteria in the plan and stressed that was what was needed.

The Council discussed the 11 acres addressed in the Chemawa Activity Center Plan.

Councilor Moir noted in recent testimony the suggestion of other interested developers. She urged these developers to come forward with a plan.

Mayor Newton continued the public hearing until August 21, 2000.

After discussion it was the consensus of the Council to hold a work session Monday, July 24th at 7:00 p.m. regarding the Chemawa Activity Center Plan. The Keizer Urban Renewal Board and the Planning Commission would be invited to attend.

b. RESOLUTION-Forming Sparrow Addition Street Lighting District
ORDINANCE-Spreading Assessments to Sparrow Addition Street Lighting District

Mayor Newton opened the public hearing.

No public testimony was brought before the Council.

Councilor Keller moved a Resolution Forming Sparrow Addition Street Lighting District. Councilor Moir seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Keller moved a bill for an Ordinance spreading Assessments to Sparrow Addition Street Lighting District. Councilor McGee seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

ADMINISTRATIVE ACTION

a. RESOLUTION-Adopting City of Keizer Personnel Policies Regarding Salary

Dianne Hunt, Human Resources Director reported that the subcommittee had reviewed the policies. She reported the suggested additions to the policies and noted that the committee had recommended that these changes go into effect July 1, 2000.

Council President Christopher moved a Resolution Adopting Keizer Personnel Policies Regarding Salary, (Repealing Salary Policy R99-1149). Councilor McGee seconded the Motion.

Councilor McGee noted the need for a budget note to be placed allowing the salary survey to be completed every three years.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

b. RESOLUTION- Adopting City of Keizer Personnel Policies Regarding Vacation, Personnel Records and Technology

Human Resources Director, Dianne Hunt reported the additions made to the policies regarding the re-evaluation of the personnel policies by the Personnel Policy Subcommittee.

Council President Christopher moved a Resolution Regarding Personnel Policies Regarding Vacation Leave, Personnel Records and Technology (Repealing Section 7 of R98-1049 and Sections 2.6 and 6.2 of Personnel Policies adopted by R98-1051). Councilor McGee seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

c. RESOLUTION- City Council Rules of Procedure (Repealing R93-685 and R95-832)

City Recorder Tracy Davis submitted the Council Rules of Procedure and recommended that the Council make a final review of the procedures. If no additional changes were necessary she requested that the Council adopt the Resolution.

Councilor Moir noted a call from Ken Gierloff addressing the issue of allowing someone representing a group ten minutes to speak rather than five. She questioned the Council if this is what they would like to do.

It was the consensus of the Council to remain with five minutes of speaking time and to monitor the document.

Councilor Keller moved a Resolution Adopting City of Keizer Council Rules of Procedure (Repealing R93-685 and R95-832). Councilor Moir seconded the Motion.

Councilor McGee noted typographical errors on page 9,10 and 13. It was the consensus of the Council to make these corrections.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

d. RESOLUTION- Authorize City Manager to Award Bid for Flood Mitigation Project #2

Public Works Director, Rob Kissler reported that three bids were received and it was recommended based on the bids to award the bid to Steve Hoskins in the amount of $12,678.00 each.

Councilor Keller moved a Resolution Awarding Bid for Flood Mitigation Project #2 and Authorizing the City Manager to Enter into Building Purchase and Removal Agreement with Steve Hoskins. Councilor Moir seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

CONSENT CALENDAR

None

WRITTEN COMMUNICATIONS

No written communications were brought before Council

AGENDA INPUT

August 7, 2000
7:00 p.m. Keizer City Council Meeting
Transportation System Plan Public Hearing-continued

from 6/5/2000
Appointment to Council Position #5
Street Lighting District Assessments
Delinquent Sewer Account Assessments
Land Use Appeal-Variance/Floodplain Development Case No 00-18
Primetime Pizza Liquor License Application Public Hearing

August 21, 2000
7:00 p.m. Keizer City Council Meeting

September 5, 2000 (Tuesday)
7:00 p.m. Keizer City Council Meeting

Mayor Newton noted the agenda items.

ADJOURNMENT Mayor Newton adjourned the meeting at 9:08 p.m.

_____
Tracy L. Davis
City Recorder

APPROVED:
MAYOR:

_____
Bob Newton

COUNCIL MEMBERS:

_____ Councilor #1 - J. L. Wilson	_____ Councilor #4 - Jacque Moir
_____ Councilor #2 - Lore Christopher	_____ Councilor #5 - Vacant
_____ Councilor #3 - Jim Keller	_____ Councilor #6 - Jerry McGee

Minutes approved:

_____

City of Keizer, Oregon

AGENDA ITEM 8f

August 7, 2000

APPROVAL OF JULY 24, 2000 WORK SESSION MINUTES

MINUTES

JOINT MEETING
KEIZER CITY COUNCIL/KEIZER URBAN RENEWAL AGENCY
KEIZER URBAN RENEWAL BOARD AND PLANNING COMMISSION
WORK SESSION
Monday, July 24, 2000
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Newton called the work session to order at 7:05 p.m. Roll Call was taken as follows:

Council :
Bob Newton, Mayor
Lore Christopher, Council President
Jim Keller, Councilor
Jacque Moir, Councilor
J. L. Wilson, Councilor
Position Number #5-Vacant

Keizer Urban Renewal Board:
Tom Wood, Chair
Mike Gaynor
Rick Curry
Rick Roemer
Bob Plata

Planning Commission:
June Abbott, Vice Chair
Dick Inman

Absent:
Jerry McGee, Councilor
Greg Frank, KURB
Bob Ohrn, KURB
Stan Compton, KURB
Jim Taylor, Parks Liaison to KURB
Bill Wolf, Planning Commission Chair
Bruce Anderson, Planning Commission
Jere Clancy, Planning Commission
Michael Smith, Planning Commission
Stan Compton, Planning Commission

Staff:
Chris Eppley, City Manager
Susan Gahlsdorf, Finance Director
Rob Kissler, Public Works Director
Maria Meier, Senior Planner

Dianne Hunt, Human Resource Director
Marc Adams, Chief of Police
Shannon Johnson, City Attorney
Cindy Perry, Recording Secretary

Award of Bid for Parks Department Pickup

City Attorney, Shannon Johnson reported that the Parks Department requested bids from four dealers. The low bid was Chuck Colvin Auto Center in the amount of $19,918.00.

Mr. Johnson noted since the purchase was structured as a lease/purchase in the form of a contract length of over two years that the Ordinance required Council approval prior to the purchase.

Mr. Johnson explained since the meeting was scheduled as a work session in order to adopt the Resolution that a two-thirds majority would be needed to suspend the rules followed by a motion to pass the Resolution.

Councilor Wilson moved to suspend the rules to allow for consideration of the Resolution. Council President Christopher seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Wilson moved adoption of the Resolution Awarding the Bid for the Parks Department Pickup to Chuck Colvin Auto Center in the amount of $19,918.00. Council President Christopher seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

DISCUSSION

a. Chemawa Activity

City Manager, Eppley supplied handouts with information pertaining to the financial information within the urban renewal district. He reviewed tables prepared by Seattle-

Center Plan

Northwest Securities Corporation depicting amortization schedules of the Urban Renewal District with a Bond Debt Service of eight million dollars over periods of five, seven and ten years.

Mr. Eppley referred to the 21st Century Renewal Strategy Operations Plan and Capital Improvements Program. He felt the Urban Renewal District would have the capability of funding eight million dollars without jeopardizing projects within the plan or increasing the net effect to the taxpayers.

Mr. Eppley supplied Tax Increment Revenue projections if the project was built out at one hundred million dollars. He answered questions regarding the supplied information. He referred to a memo from Attorney's Preston, Gates and Ellis regarding the suitable time to enter into an agreement with a developer. They suggested that this should take place after the assemblage of the land.

The group discussed the tax increment and timeframe for closing out the Urban Renewal District.

Councilor Keller requested that the Council review and in the near future commit to a dollar amount to fund the interchange which could be set up for pay back by the businesses in the form of a transportation system development charge. He indicated in Councilor McGee's absence that Councilor McGee had suggested that the City fund two million dollars of the infrastructure.

City Attorney, Shannon Johnson stated this type of SDC could happen, but a detailed site- specific methodology would need to take place in order for this to take place.

Senior Planner, Maria Meier relayed conversations with Mark Radabaugh, DLCD Willamette Valley Urban Representative and concerns with the possibility of commercial acreage being altered in the Chemawa Activity Center. She went on to share that there were approximately 122 acres of Industrial Business Park (IBP) within the Chemawa Activity Center. Ms. Meier reported that the City might be required to complete various Goal Analyses as required by the Department of Land Conservation and Development if the commercial acreage was increased She reviewed the goal requirements with the group and answered questions.

It was the consensus of staff that the issues of criteria for a developer and addressing DLCD's concerns could be addressed concurrently.

After further discussion Council President Christopher requested that issues debated by DLCD be placed in writing and submitted to the City.

Mr. Johnson stated that DLCD's comments were only approximates and nothing that was under administrative rule.

Public Works Director, Rob Kissler shared two variations of maps depicting "jug handles" for the Chemawa Activity Center. He noted the pros and cons of each design and shared the approximate cost of one design at 2.5-3 million dollars versus approximately five to six million dollars for the second design. He stated finalization of the plans would take six months to one year and answered questions from the group.

Mayor Newton provided a list of ten issues that had been discussed and what he felt were the desired outcomes to these issues. The group discussed the ten items with consensus to revisit number three, which states: *Eliminate the 50,000 square foot building size limitation.* Also to direct staff to reword number six that reads, *Announce council intentions to proceed with condemnation only if necessary insure the outcome (development)* and to work with the remaining eight items.

Responding to questions, Mr. Eppley felt that until the land had been assembled he would be hesitant to sign an exclusive agreement with a developer.

The group discussed the authority that the Urban Renewal Agency holds to assemble the Chemawa Activity Center property with urban renewal funds if it was deemed necessary at a later date.

City Manager Eppley requested direction from the Council at the August 7th meeting to begin the design phase of the jug handle.

Mr. Johnson noted the information that would be brought back before the Council on August 7th for their consideration pertaining to the plan.

Responding to questions, Mr. Johnson indicated if the Council wished to authorize the city manager to design the interchange it would need to be done as the Urban Renewal Agency.

The Mayor directed staff to schedule this in conjunction with Council Meeting.

ADJOURNMENT Mayor Newton adjourned the meeting at 8:38 p.m.

_____
Cindy Perry
Recording Secretary

APPROVED:
MAYOR:

_____
Bob Newton

COUNCIL MEMBERS:

_____ Councilor #1 - J. L. Wilson	_____ Councilor #4 - Jacque Moir
_____ Councilor #2 - Lore Christopher	_____ Councilor #5 - Vacant
_____ Councilor #3 - Jim Keller	_____ABSENT_____ Councilor #6 - Jerry McGee

Minutes approved:

_____

8-7-00

City of Keizer
Mayor and Council Members

Re; Subdivision Case No. 96-05

Keizer's city attorney has advised me in a letter dated 7-27-00 that the above referenced subdivision approval is no longer valid. The reason has to do with the city of Salem appeal of your approval to LUBA. As the affected victims of this appeal we are now told that we will be required to go through the entire process and expenses once again. While we may seek a legal opinion on that interpretation we are more interested in simply getting on with the project in the most timely manner. We anticipate submitting the appropriate land use request in the next couple of weeks. In speaking with staff there may be a few issues of development now required that may need to be addressed. The three that have been discussed are possibly reducing street size to comply with new standards, increasing the number of lots and providing a detailed storm water plan. Having the opportunity to speak with Shannon Johnson last week on procedure is why this letter comes before you.

Our request is simply to ask you to call this matter up directly for council consideration and action at the earliest possible date. Secondly but of similar importance is that all fees and cost associated with the city process be waived. We have already paid them once. Since the reapplication may be required because of political battles the property owners should not be double billed.
With your coperation on this matter it may be possible to move ahead and not miss yet another building season. Thank you for you anticipated cooperation in this matter.

Sincerely,

Garry Whalen

August 7, 2000

City of Keizer
P.O. Box 21000
Keizer, Oregon 97307

Mayor and Counsel,

Please use this letter as our request to call up and initiate case number 00-51 involving the Monterey Development Company's comprehensive plan change / zone change.

Monterey Development Company

President

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF PHASE 19C

which property is contiguous to McNary Estates, a (*de minimus*) Planned Community

THIS DECLARATION, to be effective upon its recording in Marion County, Oregon, is made and executed this 29th day of August, 1997, by the undersigned, hereinafter called "Declarant";

Declarant is the owner of certain real property consisting of approximately 12.4 acres more particularly described in Exhibit A, attached hereto, located in the City of Keizer, Marion County, Oregon, which property is immediately adjacent to the property known as McNary Estates and described in Exhibit B.

Said McNary Estates property is described on Exhibit B and is subject to the declaration of Covenants, Conditions and Restrictions filed on October 3, 1985, at Reel 419, Page 80, Marion County Deed Records. This declaration is intended to subject the property described in Exhibit A to the Covenants, Conditions and Restrictions described in this property on the property which is platted as Exhibit B, as if those Covenants, Conditions and Restrictions were a restriction on this property, and with the same effect as they have on the property described in Exhibit B, except that the duration of the Covenants, Conditions and Restrictions shall be only as described herein.

Section 1. Duration. The covenants and restrictions of this declaration shall run with and bind the land for a term of three (3) years only. If at the end of the three-year period the property has been rezoned to allow the construction of single family dwellings thereon, then such declaration shall be automatically extended for successive periods of ten (10) years, unless rescinded by a vote of at least ninety percent (90%) of each class of members of McNary Estates Homeowners Association, Inc. (hereinafter "Association") pursuant to the Covenants, Conditions and Restrictions referred to in the paragraph above, and which restrict the property which is described on Exhibit B, and further which rescission is approved by ninety percent (90%) of the holders of the first mortgagees on the lots and living units which make up the property on Exhibit A and Exhibit B.

IN WITNESS WHEREOF, the Declarant has caused this Declaration to be executed on the day and year first above written.

MONTEREY DEVELOPMENT /MONTEREY DEVELOPMENT COMPANY,
an Oregon corporation

By _____ President

By _____ Secretary

DECLARANT

Crothers & Hansen, P.C.
Attorneys at Law
750 Front Street, Suite 100
Salem, Oregon 97301
[503] 378-0225

State of Oregon

County of Marion

The foregoing instrument was acknowledged before me this 29th day of August, 1997 by Marty Townsend, President, and Mavis Nichol, Secretary, of Monterey Development/Monterey Development Company, an Oregon corporation, on behalf of the corporation.

Della Seney

My Commission expires: 11-18-97 Notary Public for Oregon

EXHIBIT "A"

Legal Description

for

McNary Estates

Comprehensive Plan Change

August, 1997

Beginning at a point that is North 89°22'00" West 535.21 feet from the Southwest corner of Lot 311 of the McNary Estates Phase 11 subdivision located in Section 34, Township 6 South, Range 3 West, said point being the most westerly southwest corner of that tract of land conveyed to E. D. Fish et al by Deed recorded in Reel 66, Page 78; thence running along the boundary of said tract South 89°22'00" East 543.87 feet to a point on the west line of Lot 312 of said McNary Estates Phase 11; thence South 00°38'00" West 1158.01 to a point on the south line of said Fish Tract; thence running North 89°24'00" West 542.86 feet to a point; thence North 00°35'00" East 1158.68 feet to the point of beginning.

Save and except:

Beginning at a point on the west line of the McNary Estates Phase 17 subdivision boundary, said point being South 89°22'00" East 8.66 feet and South 00°38'00" West 897.51 feet from the Southwest corner of Lot 311 of the McNary Estates Phase 11 subdivision located in Section 34, Township 6 South, Range 3 West; thence running South 00°38'00" West 260.50 feet; thence North 89°24'00" West 354.00 feet; thence North 00°38'00" East 260.50 feet; thence South 89°24'00" East 354.00 to the point of beginning.

EXHIBIT "B"

DESCRIPTION FOR TUALATIN DEVELOPMENT CO.

October 3, 1985

TRACT I

Beginning at a point which is marked by a 1 1/2" x 17" Iron Pipe, which point is South 713.84 feet and East 2725.01 feet from a 1 3/8" x 1/8" car spring leaf, found in place, for the Southwest corner of the Alvis Smith Donation Land Claim No. 69, in Township 6 South, and Range 3 West of the Willamette Meridian; thence South 0° 38' West, a distance of 1157.48 feet to a 7/8" x 7/8" x 1/8" Angle Iron, found in place and which marks the Southeast corner of the Louis Lachmund Tract; thence North 89° 24' West, a distance of 2648.91 feet to the center line of Market Road No. 63, from which point a 1 1/2" x 28 1/2" Galvanized Iron Pipe bears South 89° 24' East a distance of 32.52 feet; thence North 34° 10' West to a distance of 226.20 feet, along the center line of said Market Road, to a point from which a 1 1/4" x 26 1/2" Galvanized Iron Pipe bears North 55° 50' East a distance of 30.00 feet; thence North 55° 50' East a distance of 130.89 feet to a 1 1/4" x 35" Galvanized Iron Pipe; thence South 89° 24' East, a distance of 1766.90 feet to a 1" x 26" Iron Pipe; thence North 0° 38' East, a distance of 897.51 feet to a 1" x 34" Iron Pipe; thence South 89° 22' East, a distance of 903.65 feet to the place of beginning and being a portion of that Tract of Land described in Volume 297, Page 397, Record of Deeds for Marion County, State of Oregon, Save and Except all Public Roads and Roadways.

Save and Except the following described property, beginning in the Center of a County Road at a point which is 713.84 feet South and 2725.01 feet East and 1157.48 feet South 0° 38' West and 2648.91 feet North 89° 24' West from the Southwest corner of the Alvis Smith Donation Land Claim in Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence North 33° 58' West along the center of said County Road 130.24 feet; thence North 85° 02' East 275.00 feet; thence South 139.56 feet; thence North 89° 24' West 258.99 feet to the place of beginning.

ALSO SAVE AND EXCEPT:

Beginning at a point which is 713.84 feet South and 1821.36 feet South 89° 22' East and 897.51 feet South 0° 38' West from the Southwest corner of the Alvis Smith Donation Land Claim in Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence North 89° 24' West 1766.90 feet; thence South 55° 50' West 130.89 feet to the

center of Market Road No. 63; thence South 34° 10' East along the center of said road a distance of 96.0 feet (of record 95.96 feet); thence North 85° 02' East 275.00 feet; thence South a distance of 139.56 feet; thence South 89° 24' East a distance of 1486.27 feet more or less to a point, said point being South 0° 38' West 260.50 feet from the point of beginning; thence North 0° 38' East a distance of 260.50 feet to the point of beginning.

TRACT II

Beginning at a point marked by a cross cut in a stone monument found in place, which point is South 4.39 feet and East 1676.63 feet from a 1 3/8" car spring leaf, found in place, for the Southwest corner of the Alvis Smith Donation Land Claim No. 69, in Township 6 South, Range 3 West of the Willamette Meridian; thence North 0° 38' East, a distance of 771.47 feet to a 1/2" x 28" Galvanized Iron Pipe; set at exact point of old stake Stub found in place, which point is in agreement with existing witness Tree; thence North 89° 43' East, a distance of 1056.30 feet to a 1" iron pipe; found in place, which pipe was set, in agreement with the then existing witness Tree, by D. D. Herrick, Jr., County Surveyor, in 1903; thence South 0° 38' West, a distance of 1486.15 feet to a 1 1/2" x 17" Iron Pipe; thence North 89° 22' West, a distance of 1447.52 feet to a 1 3/4" x 31" Iron Pipe; thence North 0° 35' East, a distance of 235.83 feet to a 1" x 14" Iron Pipe; thence North 38° 31' East a distance of 360.83 feet to a 1 1/2" x 12" pipe; thence North 57° 27' East a distance of 203.10 feet to a 1" x 22" Galvanized Iron Pipe; thence North 0° 38' East a distance of 66.00 feet to the place of beginning.

TRACT III

Beginning at the intersection of the centerline of Claggett Creek with the South line of the J. S. Zieber Donation Land Claim in Township 6 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, said point of beginning being 26.00 feet South 89° 53' East from the Southwest corner of said claim; and running thence Southeasterly along said centerline of Claggett Creek on a 102.03 foot radius curve left, (the chord of which bears South 72° 24' 55" East 134.99 feet) an arc distance of 147.50 feet to a point of tangent; thence North 66° 10' 10" East along said centerline, 99.83 feet to a point in the South line of the aforesaid J. S. Zieber Donation Land Claim; thence South 89. 53' East along the South line of said claim, 111.97 feet to a point in the aforesaid centerline of Claggett Creek; thence South 64° 47' 36" East along said centerline, 74.11 feet to a point; thence South 04° 43' 23" East 110.43 feet

to an iron rod; thence South 24° 11' 03" East 47.52 feet to an iron rod; thence South 25° 58' 03" East 26.00 feet to an iron rod; thence South 58° 35' 38" East 42.18 feet to an iron rod; thence South 56° 56' 52" East 38.89 feet to an iron rod: thence South 52° 37' 43" East 97.99 feet to an iron rod; thence North 55° 50' 58" East 141.20 feet to an iron rod; thence North 27° 57' 46" East 47.76 feet to an iron rod at the Southeast corner of Lot 4, the Rough as said addition is platted and recorded in Volume 36, Page 3, Book of Town Plats for Marion County, Oregon; thence South 88° 39' 40" East along the South line of the Rough, 336.93 feet to an iron pipe at the Southwest corner of that certain tract of land conveyed to Ronald M. Smith by Deed recorded in Volume 711, Page 404, Marion County Deed Records; thence South 89° 51' East along the South line of said Smith tract, 81.92 feet to an iron rod at the Southeast corner thereof; thence North 19° 39' East along the East line of said tract, 11.00 feet to an iron pipe at the Southeast corner of Lot 8, Block 3, Country Club Estates as said addition is platted and recorded in Volume 21, Page 38, Book of Town Plats for Marion County, Oregon; thence South 70° 21' East along the South line of said Block 3, a distance of 184.00 feet to an iron pipe at an angle therein; thence South 66° 29' East, continuing along the South line of said Block 3, a distance of 147.00 feet to an iron pipe at an angle therein; thence North 81° 26' East continuing along the South line of said Block 3, a distance of 383.21 feet to an iron pipe in the Westerly line of Wheatland Road; thence Southeasterly on a 924.93 foot radius curve right, (the chord of which bears South 17° 15' East 99.97 feet) an arc distance of 100.02 feet to an iron rod at a point of tangent; thence South 15° 10' 20" East continuing along said Westerly line of Wheatland Road, 416.05 feet to an iron rod at the Northeast corner of that certain tract of land conveyed to Marion County by Deed recorded in Volume 604, Page 706, Marion County Deed Records; thence South 76° 04' West along the Northerly line of said tract, 50.00 feet to an iron pipe at the Northwest corner thereof; thence South 13° 56' East along the Westerly line of said tract, 40.00 feet to an iron rod at the Southwest corner thereof; thence North 76° 04' East along the Southerly line of said tract, 23.34 feet to an iron rod in the Westerly line of Market Road No. 24; thence Southwesterly on a 5659.58 foot radius curve right, (the chord of which bears South 15° 14' West 203.58 feet) an arc distance of 203.59 feet to an iron rod in the North line of that certain tract of land conveyed to J. E. Jungwirth by Deed recorded in Volume 313, Page 433, Marion County Deed Records; thence North 89° 37' West along the North line of said Jungwirth tract, 646.57 feet to a point in the center of Claggett Creek; thence Southerly upstream following said centerline of Claggett Creek, to a point which bears South 01° 44' 40" East 886.41 feet from the last above described

point; thence North 89° 07' 20" West along the South line of that certain tract of land conveyed to John E. and Mae B. Slover by Deed recorded in Volume 781, Page 143, Marion County Deed Records, a distance of 3835.00 feet to an iron rod at the Southwest corner thereof; thence North 00° 38' 30" East along the West line of said Slover tract, 2630.67 feet to an iron rod at the Northwest corner thereof; thence South 89° 54' 50" East along the North line of said Slover tract, 2088.31 feet to an iron pipe at the most Northerly Northeast corner thereof; thence South 25° 25' 30" East along an Easterly line of said tract, 481.53 feet to an iron rod; thence South 89° 53' East 67.00 feet to a point in the centerline of Claggett Creek; thence Southerly, downstream along said centerline the following courses and distances; South 14° 15' West 29.43 feet to a point of curve; Southeasterly on a 60.15 foot radius curve left, (the chord of which bears South 19° 22' 30" East 66.62 feet) an arc distance of 70.60 feet to a point of tangent; South 53° 00' East 80.00 feet to a point of curve; Southeasterly on a 91.05 foot radius curve right, (the chord of which bears South 26° 42' East 80.68 feet) an arc distance of 83.59 feet to a point of tangent; South 00° 24' East 65.00 feet to a point of curve; Southeasterly on a 91.38 foot radius curve left, (the chord of which bears South 15° 42' East 48.23 feet) an arc distance of 48.80 feet to a point of tangent; South 31° 00' East 61.00 feet to the point of beginning.

SAVE AND EXCEPT

Beginning at the Southwest corner of Lot 7, Block 3, Country Club Estates, as said addition is platted and recorded in Volume 21, Page 38, Book of Town Plats for Marion County, Oregon; thence South 70° 21' East along the South line of said Block 3, a distance of 184.00 feet to an iron pipe at an angle therein; thence South 66° 29' East, continuing along the South line of said Block 3, a distance of 147.00 feet to an iron pipe at an angle therein; thence North 81° 26' East continuing along the South line of said Block 3, a distance of 383.21 feet to an iron pipe in the Westerly line of Wheatland Road; thence Southeasterly on a 924.93 foot radius curve right, (the chord of which bears South 17° 15' East 99.97 feet) an arc distance of 100.02 feet to an iron rod at a point of tangent; thence South 15° 10' 20" East continuing along said Westerly line of Wheatland Road, 416.05 feet to an iron rod at the Northeast corner of that certain tract of land conveyed to Marion County by Deed recorded in Volume 604, Page 706, Marion County Deed Records; thence South 76° 04' West along the Northerly line of said tract, 50.00 feet to an iron pipe at the Northwest corner thereof; thence South 13° 56' East along the Westerly line of said tract, 40.00 feet to an iron rod at the Southwest corner thereof; thence North 76° 04' East along

the Southerly line of said tract, 23.34 feet to an iron rod in the Westerly line of Market Road No. 24; thence Southwesterly on a 5659.58 foot radius curve right, (the chord of which bears South 15° 14' West 143.28 feet) an arc distance of 143.28 feet to an iron rod; thence North 80° 30' West 415.00 feet to an iron rod at a point of curve; thence Westerly on a 390.98 foot radius curve left, (the chord of which bears South 87° 56' 08" West 156.76 feet), an arc distance of 157.83 feet to a point; thence North 32° 21' 13" West 374.34 feet to a point; thence North 39° 28' West 117.88 feet to a point; thence North 08° 27' 05" West 134.80 feet to a point; thence North 89° 06' 45" East 84.70 feet to a point; thence North 01° 55' 43" East 139.31 feet to the point of beginning.

Subject to Easements of Record

STATE OF OREGON

County of Marion

I hereby certify that the within was received and duly recorded by me in Marion County records:

OCT 3 4 32 PM '85

ALAN H. DAVIDSON
MARION COUNTY CLERK

BY _____ DEPUTY

REEL 419 PAGE 80

11300

REEL:1430 PAGE: 632

October 03, 1997 , 11:36A

CONTROL #: 1430632

State of Oregon
County of Marion

I hereby certify that the attached instrument was received and duly recorded by me in Marion County records:

FEE: $40.00

ALAN H DAVIDSON
COUNTY CLERK

PUBLIC TESTIMONY

IF YOU ARE INTERESTED IN ADDRESSING THE COUNCIL ON AN ISSUE NOT LISTED ON THE AGENDA OR AN ITEM ON THE AGENDA NOT SCHEDULED FOR A PUBLIC HEARING, PLEASE FILL OUT THE INFORMATION BELOW AND GIVE TO THE CITY RECORDER OR STAFF GREETER PRIOR TO THE START OF THE MEETING. THE MAYOR WILL RECOGNIZE YOU AND ASK FOR YOUR TESTIMONY AT EITHER THE PUBLIC TESTIMONY SECTION OF THE MEETING OR THE APPROPRIATE AGENDA ITEM.

EACH PERSON'S COMMENTS WILL BE LIMITED TO FIVE MINUTES.

Name: Dave Hilgemann

Address: 1522 Rafael Ct. N.
Keizer

Subject or Agenda Item Number: Lot on River
Rd. + Chemawa

Your Comments:

Proponent _____ Opponent _____ General X

Date 8-7-00

PUBLIC TESTIMONY

IF YOU ARE INTERESTED IN ADDRESSING THE COUNCIL ON AN ISSUE NOT LISTED ON THE AGENDA OR AN ITEM ON THE AGENDA NOT SCHEDULED FOR A PUBLIC HEARING, PLEASE FILL OUT THE INFORMATION BELOW AND GIVE TO THE CITY RECORDER OR STAFF GREETER PRIOR TO THE START OF THE MEETING. THE MAYOR WILL RECOGNIZE YOU AND ASK FOR YOUR TESTIMONY AT EITHER THE PUBLIC TESTIMONY SECTION OF THE MEETING OR THE APPROPRIATE AGENDA ITEM.

EACH PERSON'S COMMENTS WILL BE LIMITED TO FIVE MINUTES.

Name: Gary Lahah

Address: 4095 Rivercrest
Keizer

Subject or Agenda Item Number: _____

Your Comments:

Proponent _____ Opponent _____ General _____

Date _____

City of Keizer, Oregon

PUBLIC HEARING SIGN UP SHEET

PUBLIC HEARING RE: PRIMETIME PIZZA LIQUOR LICENSE

DATE: AUGUST 7, 2000 **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
Michael Sublett	5025 River Road N. Keizer		Applicant	
Samuel Wisono	5025 River Road N. Keizer		Applicant	

Opp No (DID NOT Speak)

City of Keizer, Oregon

PUBLIC HEARING SIGN UP SHEET

PUBLIC HEARING RE: KEIZER TRANSPORTATION SYSTEM PLAN

DATE: AUGUST 7, 2000 TIME: 7:00 p.m. AGENDA ITEM # 6b

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

(PLEASE PRINT)

NAME	ADDRESS	GENERAL	PROPONENT	OPPONENT

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

A G E N D A

URBAN RENEWAL AGENCY OF THE CITY OF KEIZER

Monday, August 7, 2000

Immediately following conclusion of City Council Meeting

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 Urban Renewal Agency on any matter not scheduled for public hearing.

4. PUBLIC HEARING

5. ADMINISTRATIVE ACTION

   a. Chemawa Activity Center Consulting Options

6. CONSENT CALENDAR

   a. Approval of Monday, April 17, 2000 Urban Renewal Agency Minutes

   b. Approval of Monday, May 8, 2000 Urban Renewal Agency Minutes

   c. Approval of Monday, July 10, Urban Renewal Agency Minutes

7. OTHER BUSINESS

   This time is provided to allow Urban Renewal Agency members the opportunity to bring matters before the Agency which 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 390-3700 at least two working days (48 hours) in advance.

City of Keizer, Oregon

AGENDA ITEM 6a

URBAN RENEWAL AGENCY BOARD
August 7, 2000

APPROVAL OF APRIL 17, 2000 URBAN RENEWAL AGENCY MINUTES

MINUTES
KEIZER URBAN RENEWAL AGENCY
Monday, April 17, 2000
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Chair Newton called the regular meeting to order at 7:56 p.m. Roll Call was taken as follows:

Present:
Bob Newton, Chair
Craig Campbell,
Lore Christopher
Jim Keller
Jerry McGee
Jacque Moir

Absent:
J. L. Wilson

Staff:
Wally Mull, City Manager
Rob Kissler, Public Works Director
Dianne Hunt, Human Resources Officer
Shannon Johnson, City Attorney
Maria Meier, Senior Planner
Tracy Davis, City Recorder

PUBLIC TESTIMONY

No public testimony was brought before the Urban Renewal Agency.

ADMINISTRATIVE ACTION

a. RESOLUTION- Authorizing City Manager to Award Contract to Commercial Redi-Mix for Manbrin Drive Storm Drain Improvements

City Manager, Wally Mull noted that bids had been received on March 30, 2000 for the Manbrin Drive Storm Drain Improvements.

He shared that eight bids were received on the project with the low bid coming from NW General. However, the City Engineer and the City Attorney deemed their proposal non-responsive for several reasons after review.

The second lowest bid was received from Commercial Redi-Mix for $63,781.00.

Mr. Mull stated that based on the above information staff recommended that the project be awarded to Commercial Redi-Mix for the contractual amount of $63,781.00, based

upon unit prices and lump sum amounts.

Responding to Councilor McGee's questions, Mr. Mull noted that the Storm Drain Master plan called for a large size storm drain to cross River Road and eventually extends to the river. With the overlay of River Road scheduled late this summer it was important to complete this portion of the storm drain improvement.

Councilor Keller moved a Resolution Authorizing the City Manager to Enter into Agreement for Manbrin Drive Storm Drain Improvements. Councilor Campbell seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Wilson (1)

b. RESOLUTION- Authorizing City Manager to Award Contract to GELCO Construction for North River Road Storm Drain Improvements

Mr. Mull supplied the staff report noting that these improvements would take place from approximately Cade Avenue to Appleblossom on the west side of River Road.

The low bidder for this job was GELCO Construction in the amount of $69,735.50.

It was the recommendation of staff for Council to adopt the resolution awarding the project to GELCO Construction based upon unit prices and lumps sum amounts.

Councilor Keller moved a Resolution Authorizing the City Manager to Enter into Agreement for North River Road Storm Drain Improvements. Councilor Campbell seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Wilson (1)

Councilor McGee shared that both projects had been planned over the last four years, containing well-engineered research.

Mr. Mull stated that both projects had gone before the Keizer Urban Renewal Board and been discussed in great detail.

c. RESOLUTION- Declaring Public necessity and Purpose for Acquiring Rights and Land Along Plymouth Drive for Road Widening Purposes.

Mr. Mull shared as part of the Urban Renewal Plan; the Urban Renewal District was widening Plymouth Drive. At this time, negotiations with owners of the property, Rick and Iva Curry, had been unsuccessful. Mr. Mull shared that a condemnation action would be required to acquire this property and noted the first step of condemnation was the adoption of the Resolution indicating the District's intent to acquire the property.

Responding to questions, Mr. Mull stated that the property in question was approximately nine feet wide and 100 feet long; located in front of the property owners business. He stated that the Curry's wished to have parking, which backed out onto Plymouth, but this was determined to be a safety hazard by the traffic engineer. The City offered two driveways allowing head-to-head parking, but at this time the owner has not accepted the offer.

Councilor Keller moved a Resolution Declaring the Public Necessity and Purpose for Acquiring Rights in Land Along Plymouth Drive for Road Widening. Councilor Campbell seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Wilson (1)

CONSENT CALENDAR

a. Approval of the March 20, 2000 Agency Minutes

Councilor Keller moved for approval of the Consent Calendar. Councilor Moir seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)

ABSTENTIONS: None (0)
ABSENT: Wilson (1)

OTHER BUSINESS No other business was brought before the Urban Renewal Agency.

ADJOURNMENT Chair Newton adjourned the meeting at 8:03 p.m.

_____
Cindy Perry
Recording Secretary

APPROVED:
CHAIR:

_____
Bob Newton

AGENCY MEMBERS:

_____ABSENT_____
J. L. Wilson

_____
Jacque Moir

_____
Lore Christopher

_____
Craig Campbell

_____
Jim Keller

_____
Jerry McGee

Minutes approved:

_____

City of Keizer, Oregon

URBAN RENEWAL AGENCY BOARD
August 7, 2000

AGENDA ITEM 6b

APPROVAL OF MAY 8, 2000 URBAN RENEWAL AGENCY MINUTES

MINUTES

KEIZER URBAN RENEWAL AGENCY
Work Session Minutes
Monday, May 8, 2000
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Chair Newton called the work session to order at 5:31 p.m. Roll Call was taken as follows:

Present:
Bob Newton, Chair
Craig Campbell,
Lore Christopher
Jim Keller
Jerry McGee
Jacque Moir
J. L. Wilson

Staff:
Wally Mull, City Manager
Rob Kissler, Public Works Director
Marc Adams, Chief of Police
Dianne Hunt, Human Resources Officer
Maria Meier, Senior Planner
Tracy Davis, City Recorder
Charlie Kupper, Consultant

WORK SESSION
Urban Renewal Budget

Charlie Kupper, Consultant for the Urban Renewal Finances answered questions from the Agency pertaining to the urban renewal district. He noted that the cap on expenditures was 22.3 million dollars over the life of the urban renewal district and could be allocated over a number of projects.

Responding to questions Mr. Kupper indicated that the City could form a separate urban renewal district as long as the total value and acreage of the district did not exceed 25% of assessed value of the entire city and boundaries of the areas did not overlap.

The Urban Renewal Agency discussed what the cap of the Urban Renewal District would be without having to take before the voters, the possible creation of additional districts or removing portions of a district and the pros and cons of these possibilities.

After a lengthy discussion it was the consensus of the Agency to bring Mr. Kupper in as a consultant for the

Urban Renewal Districts.

Councilor McGee felt it was also important for Finance Director, Susan Gahlsdorf to have a working knowledge of this district in the event the consultant was no longer part of the project.

In response to questions Mr. Kupper noted that there was no requirement to have an advisory board for urban renewal.

Councilor Keller shared that he had spoken to the Chair of the Urban Renewal Board, Tom Wood regarding the possibility of the Board being dismantled. It was the suggestion of Chair Wood to have the Board meet quarterly rather than monthly.

It was suggested by the Agency that Chair Wood take this suggestion before KURB for their input at their next meeting scheduled May 24, 2000.

The Agency expressed interest in Mr. Kupper reviewing the urban renewal budget and providing the Agency with an updated revenue number. Mr. Kupper agreed to address this and submit this information to Ms. Gahlsdorf by the end of the week.

City Manager Mull reviewed the 21st Century Plan with the Agency noting the suggestions made by the Urban Renewal Board and staff.

Councilor Keller suggested that projects in the 21st Century Plan such as gateways, the plaza, the Greenwood intersection, lighting, transit center/facilities, property improvement program along with crosswalks and paving material be reviewed by staff to determine if those projects should remain in the plan.

City Manager Mull noted that these projects totaled 1.3 million dollars.

A discussion of Trail and Harmony Avenues took place. Public Works Director, Rob Kissler supplied information regarding the possibility of realigning Trail and Harmony and how urban renewal funds could be used.

Mr. Mull indicated they would have Mr. Kupper review the dollar amounts for the projects discussed and would relay this information to the Agency.

ADJOURNMENT Chair Newton adjourned the meeting at 6:50 p.m.

Tracy L. Davis
City Recorder

APPROVED:
CHAIR:

Bob Newton

AGENCY MEMBERS:

J. L. Wilson

Jacque Moir

Lore Christopher

Craig Campbell

Jim Keller

Jerry McGee

Minutes approved:

City of Keizer, Oregon

AGENDA ITEM 6c

URBAN RENEWAL AGENCY BOARD
August 7, 2000

APPROVAL OF JULY 10, 2000 URBAN RENEWAL AGENCY MINUTES

MINUTES
KEIZER URBAN RENEWAL AGENCY
Monday, July 10, 2000
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Chair Newton called the Urban Renewal Agency meeting to order at 9:57 p.m. Roll Call was taken as follows:

Present:
Bob Newton, Chair
Lore Christopher
Jim Keller
Jerry McGee
Jacque Moir

Absent:
J. L. Wilson

Staff:
Chris Eppley, City Manager
Rob Kissler, Public Works Director
Dianne Hunt, Human Resources Officer
Shannon Johnson, City Attorney
Tracy Davis, City Recorder

PUBLIC HEARING

No public testimony was brought before the Council.

ADMINISTRATIVE ACTION

a. RESOLUTION- Authorizing City Manager to Award Bid for River Road Overlay Project

Public Works Director, Rob Kissler reported that four bids were received for this project. The low bid was received from Houck Construction in the amount of $708,290.20. Mr. Kissler indicated that the average of the three lowest bids received was $761,341.91.

Based upon the information staff recommended that the award to given to Houck Construction for the amount indicated above.

Mr. Kissler shared that the budgeted amount for the project was $700,000 with $526,000 from the street fund to assist with funding for the project. He went on to state that there was a total of 1.2 million dollars between the street fund and the urban renewal fund.

Mr. Kissler indicated that ADA improvements would be

taking place along with traffic analysis for the possible use of traffic cameras at Sam Orcutt Way, Glynbrook and Sunset Roads.

Councilor Keller moved a Resolution Authorizing the City manager to Enter an Agreement with Houck Construction for North River Road Overlay. Councilor Moir seconded the motion.

Responding to questions from Council, City Manager Eppley noted the strategy was to utilize urban renewal funds since there was a requirement to use those funds in a specific district and this would allow for use of street funds outside of the urban renewal district.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir and Newton (5)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Wilson (1)

CONSENT CALENDAR

a. Approval of the June 19, 2000 Agency Minutes

Councilor Moir moved for approval of the Consent Calendar. Chair Newton seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir and Newton (5)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Wilson (1)

OTHER BUSINESS

The Agency agreed by consensus to reaffirm the action as directed by the City Council in regards to drafting the appropriate agreements to enable formalization of terms for the Chemawa Activity Center development for further consideration.

ADJOURNMENT

Chair Newton adjourned the meeting at 10:03 p.m.

Tracy L. Davis
City Recorder

CHAIR:

Bob Newton

AGENCY MEMBERS:

Absent
J. L. Wilson

Jacque Moir

Lore Christopher

Vacant Position #5

Jim Keller

Jerry McGee

Minutes approved: