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AGENDA
KEIZER CITY COUNCIL
REGULAR SESSION

Monday, July 18, 2022

7:00 p.m.

Robert L. Simon Council Chambers
Keizer, Oregon

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **FLAG SALUTE**

4. **SPECIAL ORDERS OF BUSINESS**

5. **COMMITTEE REPORTS**

6. **PUBLIC COMMENTS**

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

7. **PUBLIC HEARINGS**

8. **ADMINISTRATIVE ACTION**

a. **ORDINANCE** – Amending Keizer Parks Regulations Regarding Smoking;
(Amending Ordinance No. 2018-791); Declaring an Emergency

b. **Keizer Community Library Funding**

c. **ORDINANCE** – Declaring a Ban on Psilocybin Service Centers and the
Manufacture of Psilocybin Products
RESOLUTION – Placing on the Ballot the Question of Prohibiting
Psilocybin-Related Businesses Within the City and Authorizing Filing of
Explanatory Statement Relating to this Prohibition

d. Legislative Priorities

e. Lakepoint Community Church Request for Community Center and Chalmers
Jones Park Gazebo Fee Waivers

9. CONSENT CALENDAR

a. RESOLUTION – Approving the City Engineer’s Report; Declaring the City’s Intent
to Form Ryden Forest Street Lighting Local Improvement District; Providing
Notice and Setting Hearing

b. Approval of July 5, 2022 Regular Session Minutes

10. OTHER BUSINESS

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

a. Fireworks

b. Park Vandalism

11. STAFF UPDATES

12. COUNCIL MEMBER REPORTS

13. AGENDA INPUT

August 1, 2022 – 7:00 p.m.
City Council Regular Session

August 8, 2022 - 6:00 p.m.
City Council Work Session

August 15, 2022 – 7:00 p.m.
City Council Regular Session

14. ADJOURNMENT

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*



CITY COUNCIL MEETING: JULY 18, 2022

To: Mayor Clark and City Council Members

THRU: Adam J. Brown, City Manager

FROM: E. Shannon Johnson, City Attorney

SUBJECT: **AMENDING PARK REGULATIONS TO ALLOW SMOKING AT KEIZER
RAPIDS PARK/CHALMERS JONES PARK**

PROPOSED MOTIONS:

"I move the City Council adopt an Ordinance Amending Keizer Parks Regulations Regarding Smoking; (Amending Ordinance No. 2018-791); Declaring an Emergency."

I. SUMMARY:

The KeizerFEST is going to locate the festival tent at Keizer Rapids Park this year. At this time, the park regulations do not allow smoking at Keizer Rapids Park and the Keizer Chamber of Commerce has requested a smoking area near the festival tent. The term "smoking" also includes vaping.

II. BACKGROUND:

- A. In 2018, the Keizer City Council adopted park regulations which prohibited smoking in all parks.
- B. The Keizer Chamber of Commerce is holding KeizerFEST at Keizer Rapids Park this year.
- C. The Keizer Chamber of Commerce has requested that a smoking area be located near the festival tent for patrons of the festival.
- D. The Council has considered the matter and directed staff to prepare amendments to the park regulations.

Amendment of Keizer Park Regulations

July 18, 2022

- E. Staff recommends that smoking be allowed by permit for events at both Keizer Rapids Park and Chambers Jones Park. These are the only parks that are large enough and have sufficient parking to allow special events.

III. CURRENT SITUATION:

- A. The Keizer Parks Regulations prohibit smoking in the parks.
- B. To allow a smoking area during KeizerFEST at Keizer Rapids Park, an amendment to the regulations need to be adopted.

IV. ANALYSIS:

- A. **Strategic Impact** – None.
- B. **Financial** – None.
- C. **Timing** – Since KeizerFEST takes place beginning August 11, 2022, an emergency clause has been added to allow for an immediate effective date.
- D. **Policy/legal** – A smoking area at Keizer Rapids Park will not be allowed unless an amendment is adopted.

ALTERNATIVES:

- A. Adopt the Ordinance amending the park regulations allowing smoking at Keizer Rapids Park and Chalmers Jones Park pursuant to permit authority.
- B. Take No Action. This would prevent a smoking area at KeizerFEST and other events.

RECOMMENDATION:

Staff recommends that the City Council adopt the attached Ordinance amending the Keizer Parks Regulations.

ATTACHMENTS:

- Ordinance

A BILL

ORDINANCE NO.

2022-_____

FOR

AN ORDINANCE

AMENDING KEIZER PARKS REGULATIONS
REGARDING SMOKING; (AMENDING
ORDINANCE NO. 2018-791); DECLARING AN
EMERGENCY

The City of Keizer ordains as follows:

Section 1. AMENDMENT OF KEIZER PARKS REGULATIONS

REGARDING SMOKING. Ordinance No. 2018-791 (Establishing Keizer Parks

Regulations) is hereby amended at Section 14 as follows:

“Section 14. SMOKING No person may ignite, smoke,
or vape any tobacco, tobacco product, legal or illegal
drugs of any type, or any other materials, in any area of
any park or park facility, except as allowed by permit at
Keizer Rapids Park and Chalmers Jones Park only. The
Director may limit the times and locations for any
smoking/vaping areas, as well as impose other
reasonable conditions.”

1 Section 2. ORDINANCE REMAINS IN EFFECT. Except as amended herein,
 2 Ordinance No. 2018-791 (Establishing Keizer Parks Regulations) remains in full force
 3 and effect.

4 Section 3. EFFECTIVE DATE. This Ordinance being necessary for the
 5 immediate preservation of the public peace, health and safety, an emergency is declared
 6 to exist, and this Ordinance shall take effect immediately upon its passage.

7 PASSED this _____ day of _____, 2022.

8 SIGNED this _____ day of _____, 2022.

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 Mayor

 City Recorder



CITY COUNCIL MEETING: JULY 18, 2022

To: Mayor Clark and City Council Members

THRU: Adam J. Brown, City Manager

FROM: Tim Wood, Finance Director

SUBJECT: **LIBRARY FUNDING**

PROPOSED MOTION:

I move the City Council authorize the Finance Director to enter into an agreement with the Keizer Community Library to provide \$60,000 for ongoing community library operations and \$15,000 for grant writing services using American Rescue Plan Act (ARPA) funds.

I. SUMMARY:

The Keizer Community Library has expressed their support for receiving interim funding to support library operations and provide for grant writing services during 2023.

II. BACKGROUND:

- A. Staff is working with the Keizer Community Library to create a ballot measure to seek approval to add a fee to the existing City services bill for the creation of a public library.
- B. It is unlikely that a ballot measure can be constructed in time for the November 2022 election.

III. CURRENT SITUATION:

- A. At the July 5, 2022 regular City Council meeting, staff was directed to contact the Keizer Community Library regarding their interest in receiving interim funding of \$60,000 for the ongoing operations of the library and \$15,000 to be used for grant writing services. The source of funding would be American Rescue Plan Act

resources.

- B. The Keizer Community Library has limited resources available to operate during 2023.
- C. Representatives of the Keizer Community Library have expressed their support for interim funding to support operations during 2023.

IV. ANALYSIS:

- A. **Strategic Impact** – Not applicable.
- B. **Financial** – The financial impact of this request will require a supplemental budget hearing to transfer \$75,000 from contingency to contractual services in the ARPA Fund.
- C. **Timing** – ARPA funds must be committed by December 31, 2024 and expended by December 31, 2026.
- D. **Policy/legal** – The City will need to enter into a formal agreement with the Keizer Community Library as the source of funding is the American Rescue Plan Act.

ALTERNATIVES:

- A. If the Council takes no action, the Keizer Community Library will be required to identify an alternate source of funding to maintain library services during 2023.
- B. Providing \$60,000 in support for ongoing community library operations will provide for a part-time employee to maintain the existing service level during 2023.
- C. Providing funding in excess of \$60,000 will allow the library to hire more than a part-time employee to help find and organize volunteers in addition to staffing the service desk.
- D. Providing \$15,000 for grant writing services will allow the Keizer Community Library to identify and apply for funding from alternate sources to maintain existing service levels.

RECOMMENDATION:

Staff recommends that the City Council authorize the Finance Director to enter into an agreement with the Keizer Community Library to provide \$60,000 for ongoing library operations and \$15,000 for grant writing services using American Rescue Plan Act (ARPA) funds.

ATTACHMENTS:

No attachments associated with this staff report.



CITY COUNCIL MEETING: JULY 18, 2022

To: Mayor Clark and City Council Members

THRU: Adam J. Brown, City Manager

FROM: E. Shannon Johnson, Keizer City Attorney

SUBJECT: **OREGON PSILOCYBIN SERVICE ACT**

PROPOSED MOTION:

"I move that the City Council adopt an Ordinance Declaring a Ban on Psilocybin Service Centers and the Manufacture of Psilocybin Products."

AND

"I move that the City Council adopt Resolution R2022-___ Placing on the Ballot the Question of Prohibiting Psilocybin-Related Businesses Within the City and Authorizing Filing of Explanatory Statement Relating to this Ban."

I. SUMMARY:

At the July 5, 2022 City Council meeting, Council directed the City Attorney to prepare appropriate documentation to put the question of whether to ban psilocybin service centers and the manufacture of psilocybin products to the voters of the City of Keizer. Such documentation is attached.

II. BACKGROUND:

- A. In November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act which allows for the manufacture, delivery and administration of psilocybin at licensed facilities.
- B. ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state.

Oregon Psilocybin Service Act

July 18, 2022

- C. The Oregon Health Authority has initiated a rulemaking process and intends to begin accepting applications on January 2, 2023.
- D. The Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program and staff does not know how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the City.
- E. The Council may adopt an Ordinance to be referred to the electors of the City prohibiting the establishment of state licensed psilocybin product manufacturers and/or psilocybin service centers in the area subject to the jurisdiction of the City or an Ordinance to be referred to the electors to place a temporary ban on this matter until regulations can be established. The Council could also choose not to refer the Opt-out provision to the voters and direct staff to prepare Psilocybin regulations for Council review.
- F. The Keizer City Council at its July 5, 2022 meeting directed City Attorney to prepare appropriate documentation to place a permanent ban before the voters of Keizer.

III. CURRENT SITUATION:

- A. The Oregon Health Authority will continue with its rulemaking process and take applications.
- B. If Council desires to ban Psilocybin Service Centers and the manufacture of Psilocybin products in the City, Council needs to adopt the attached Ordinance and Resolution to place this matter before the electors of the City.

IV. ANALYSIS:

- A. **Strategic Impact** – None
- B. **Financial** – None
- C. **Timing** – If Council desires to ban Psilocybin Service Centers and the manufacture of Psilocybin products in the City, the Ordinance and ballot related materials must be prepared and submitted soon for inclusion in the November 8, 2022 election.
- D. **Policy/Legal** – ORS 475A sets out the requirements if the City desires to ban or temporarily ban Psilocybin Service Centers and the manufacture of Psilocybin products in the City. If a Measure to prohibit these uses is not passed by the voters, the City may not ban such Psilocybin uses.

ALTERNATIVES:

- A. Adopt the attached Ordinance and Resolution to refer to the voters a ban on Psilocybin Service Centers and the manufacture of Psilocybin products in the City.
- B. Direct City Attorney to prepare appropriate “time, place and manner” regulations for Council’s consideration. The concern with this option is that we may not be aware of the Oregon Health Authority’s rules at the end of the year when we would need to adopt the local rules.
- C. Take No Action – The Oregon Health Authority will continue to establish the rulemaking process and implement the program. Psilocybin Service Centers and other Psilocybin uses would be allowed in the City without any regulations except for state regulations.

RECOMMENDATION:

Staff recommends that the City Council review the matter, and if Council deems it appropriate, adopt the attached Ordinance and Resolution.

ATTACHMENTS:

- Ordinance
- Resolution R2022-____ (with Ballot Title and Explanatory Statement)

A BILL

ORDINANCE NO.

2022-_____

FOR

AN ORDINANCE

DECLARING A BAN ON PSILOCYBIN SERVICE CENTERS
AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS

WHEREAS, in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act (codified at ORS 475A), which allows for the manufacture, delivery and administration of psilocybin at licensed facilities;

WHEREAS, ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state;

WHEREAS, the Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023;

WHEREAS, as of the date of this Ordinance, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of Keizer is uncertain how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the City;

WHEREAS, ORS 475A.718 provides that a City Council may adopt an Ordinance to be referred to the electors of the City prohibiting the establishment of state

1 licensed psilocybin product manufacturers and/or psilocybin service centers in the area
2 subject to the jurisdiction of the City;

3 WHEREAS, the City Council seeks to refer to the voters of Keizer the question
4 of whether to establish a ban on state-licensed psilocybin product manufacturers and
5 psilocybin service centers within the City's jurisdictional boundaries;

6 NOW THEREFORE, the City of Keizer ordains as follows:

7 Section 1. PROHIBITION DECLARED. The establishment of psilocybin
8 product manufacturers under ORS 475A.290 and psilocybin service centers licensed
9 under ORS 475A.305 is prohibited in the City of Keizer.

10 Section 2 REFERRAL. This Ordinance is referred to the electors of the City of
11 Keizer for approval at the next statewide general election on November 8, 2022.

12 Section 3 EFFECTIVE DATE. This Ordinance shall take effect and become
13 operative thirty (30) days after the date on which it is approved by a majority of the
14 voters in the City of Keizer.

15 PASSED this _____ day of _____, 2022.

16 SIGNED this _____ day of _____, 2022.

17
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20 _____
21 Mayor

22
23 _____
City Recorder

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2022-_____

PLACING ON THE BALLOT THE QUESTION OF PROHIBITING
PSILOCYBIN-RELATED BUSINESSES WITHIN THE CITY AND
AUTHORIZING FILING OF EXPLANATORY STATEMENT
RELATING TO THIS PROHIBITION

WHEREAS, Ballot Measure 109, known as the Oregon Psilocybin Services Act,
which passed in November 2020, requires the Oregon Health Authority (“OHA”) to
begin accepting applications for licenses to manufacture, deliver and administer
psilocybin on January 2, 2023;

WHEREAS, Ballot Measure 109 also allows local governments to prohibit
psilocybin-related businesses by referring an Ordinance to the voters at a statewide
general election;

WHEREAS, the City Council of the City of Keizer adopted Ordinance No. 2022-
_____ which declares a ban on psilocybin services centers and the manufacture of
psilocybin products in the area subject to the jurisdiction of the City and refers the
matter to the electors of the City;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that a measure
election is hereby called for the purpose of submitting to the electors of the City of
Keizer a measure prohibiting psilocybin service centers and the manufacture of
psilocybin products in the area subject to the jurisdiction of the city.

1 BE IT FURTHER RESOLVED that the ballot title as set forth in Exhibit "A" be
2 filed by the City Recorder with the City Elections Officer to be referred to a vote of the
3 people by placing the measure on the ballot at the November 8, 2022 general election in
4 accordance with Oregon law.

5 BE IT FURTHER RESOLVED as required by ORS 254.465, the measure
6 election shall be conducted by mail by the County Clerk of Marion County, according to
7 the procedures adopted by the Oregon Secretary of State.

8 BE IT FURTHER RESOLVED that the City Council of the City of Keizer
9 authorizes the City Manager to act on behalf of the City to take such further action as is
10 necessary to carry out the intent and purposes set forth herein, in compliance with the
11 applicable provisions of law.

12 BE IT FURTHER RESOLVED that the City Recorder shall publish in the
13 Keizertimes in compliance with the applicable provisions of law a notice of receipt of
14 the ballot title, including notice that an elector may file a petition for review of the ballot
15 title.

16 BE IT FURTHER RESOLVED that the explanatory statement for the measure as
17 set forth in Exhibit "B" attached hereto and by this reference incorporated herein is
18 hereby approved and shall be filed with the city elections officer for use in the Marion
19 County Voter's Pamphlet.

20

21

1 BE IT FURTHER RESOLVED that this Resolution shall take effect immediately
2 upon the date of its passage.

3 PASSED this _____ day of _____, 2022.

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5 SIGNED this _____ day of _____, 2022.

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Mayor

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City Recorder

BALLOT TITLE

Caption: PROHIBITS PSILOCYBIN-RELATED BUSINESSES WITHIN THE CITY OF KEIZER

Question: Shall City of Keizer prohibit psilocybin service centers and the manufacture of psilocybin products within the Keizer's jurisdictional boundaries?

Summary: State law allows operation, manufacturing, distribution and possession of psilocybin and psilocin. State law provides that a City Council may adopt an Ordinance to be referred to the voters to prohibit the establishment of any of those registered or licensed activities.

Approval of this measure would prohibit the establishment of psilocybin service centers and manufacture of psilocybin products within Keizer's jurisdictional boundaries.

**EXPLANATORY STATEMENT FOR PRINTING IN THE
MARION COUNTY VOTER PAMPHLET**

Election Date: November 8, 2022

Approval of this measure would prohibit psilocybin service centers and the manufacture of psilocybin products within the City of Keizer. Psilocybin is a drug derived from certain mushrooms. Oregon voters legalized psilocybin through Ballot Measure 109 (2020) which directs the Oregon Health Authority (OHA) to develop a psilocybin licensing and regulatory program for the state by January 2, 2023.

Ballot Measure 109 (2020) allows a local government to adopt an Ordinance to be referred to the voters that prohibits the establishment of certain licensed psilocybin-related businesses. The City Council of the City of Keizer has adopted Ordinance No. 2022-____ declaring a ban on psilocybin service centers and the manufacture of psilocybin products within the jurisdictional boundaries of the City and referred the Ordinance to the voters.

A “Yes” vote means psilocybin-related businesses are prohibited within Keizer. A “No” vote means that psilocybin-related businesses would not be prohibited within Keizer.

Total Words: 149

Authorized Signature:_____

Title: Mayor

Printed Name: Cathy Clark

Local Government Unit: City of Keizer



CITY COUNCIL MEETING: July 18, 2022

To: MAYOR CLARK AND CITY COUNCIL MEMBERS

FROM: Adam Brown, City Manager

SUBJECT: **LEGISLATIVE PRIORITIES**

PROPOSED MOTION:

I move the City Council direct staff to approve the legislative priorities as adjusted by council for submission to the League of Oregon Cities.

I. SUMMARY:

Each year the League of Oregon Cities (LOC) requests feedback from City governments for priorities for the upcoming 2023 legislative session. The LOC aggregates feedback from city governments across the state to put together an advocacy program.

II. BACKGROUND:

- A. Keizer staff received a list of legislative issues from the League of Oregon Cities with a request that priorities be returned to the LOC by August 5, 2022.
- B. The priorities presented to cities for ranking follow below.
 - 1. Full Funding and Alignment for State Land Use Initiatives
 - 2. Local Funding to Address Homelessness
 - 3. Infrastructure Funding to Support Needed Housing
 - 4. Economic Development Incentives (co-sponsor with Tax and Finance Committee)
 - 5. Community Resiliency and Wildfire Planning
 - 6. Protecting Public Employees and Officials
 - 7. Return to Work
 - 8. Attorney Client Privilege
 - 9. Address Measure 110 Shortcomings
 - 10. Building Decarbonization, Efficiency, and Modernization
 - 11. Continue Investments in Renewable Energy
 - 12. Investment in Community Climate Planning Resources
 - 13. Adequate Funding for State Climate Initiatives
 - 14. Property Tax Reform
 - 15. Lodging Tax Flexibility

16. Economic Development Incentives (co-sponsor with the Community Development Committee)
17. Marijuana Taxes
18. Alcohol Revenues
19. Digital Equity and Inclusion
20. Resilient, Futureproof Broadband Infrastructure and Planning Investment
21. Incentives for Broadband Affordability, Adoption and Consumer Protections
22. Cybersecurity & Privacy
23. Transportation Safety Enhancement
24. Road User Fee – Vehicle Miles Traveled (VMT) Structure
25. New Mobility Services
26. Funding for Recovery of Abandoned Recreational Vehicles
27. Water Utility Rate and Fund Assistance
28. Place-Based, Water Resource Planning (Program Support)
29. Infrastructure Financing and Resilience

III. **CURRENT SITUATION:**

- A. A digital survey was given to council to individually rank the legislative issues. Average scores for those issues will be given at the council meeting as a starting point toward ranking the items collectively.
- B. The Council can expect to have discussion over the issues and move them up or down as the council determines appropriate. The goal is to have a list that is commonly supported by the majority of the council.

IV. **ANALYSIS:**

- A. **Strategic Impact** – Several of the issues are of strategic importance to the council's short and long-term goals. In particular housing, water, and transportation are short and long-term goals of the City Council.
- B. **Financial** - The LOC advocates for issues on behalf of cities at no additional cost to the City. Taking a legislative position does not have any financial impact; however, many of the legislative issues have financial impacts on the city. The LOC will provide the research for those fiscal impacts on cities throughout the advocacy period.
- C. **Timing** – The Council's priorities are due to the LOC by August 5 at 5 PM.
- D. **Policy/legal** – The City Council sets policy and legislative priorities for the City of Keizer.

ALTERNATIVES:

- A. Recommended Action – Approve prioritized list as amended by the council.
- B. Take No Action – Without a submission, the city will not have a voice in the LOC legislative advocacy.

RECOMMENDATION:

Staff recommends that the Council approve the list of legislative priorities as amended by the City Council.

ATTACHMENTS:

- Attachment A: LOC Legislative Issues



2023 Legislative Priorities Ballot

Issued on June 10, 2022

Ballots due by 5:00 p.m. on August 5, 2022

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2023 Legislative Priorities Ballot – League of Oregon Cities

Background: Each even-numbered year the LOC appoints members to serve on 7 policy committees. These policy committees are the foundation of the LOC's policy development process. Composed of city officials, these committees are charged with analyzing policy and technical issues and recommending positions and strategies for the LOC. Each committee provides a list of recommended policy positions and actions for the LOC to take in the coming two year legislative cycle. This year, all 7 committees identified between 3 to 5 legislative policy priorities to advance to the full membership and LOC Board of Directors.

Ballot/Voting Process: Each city is being asked to review the recommendations from the 7 policy committees and provide input to the LOC Board of Directors as it prepares to adopt the LOC's 2023 legislative agenda. After your city has had an opportunity to review the proposals, please complete the electronic ballot indicating the top 5 issues that your city would like to see the LOC focus on during the 2023 legislative session.

Each city is permitted one vote. As such, each city must designate a person to enter the vote electronically on the below link. For those cities without electronic options for voting, paper ballots may be requested from LOC's Legislative Director Jim McCauley at jmccauley@orcities.org.

Important Deadlines: The deadline for submitting your city's vote is **5:00 p.m. on August 5, 2022.**

Ballots were emailed to the CAO of each city. If your city didn't receive the ballot, please email Jim McCauley at jmccauley@orcities.org.

Brought to you by the Community Development Policy Committee

Full Funding and Alignment for State Land Use Initiatives

Legislative Recommendation: *The LOC will support legislation to streamline and fully fund local implementation of any recently adopted or proposed state land use planning requirements, including administrative rulemaking.*

Background: Recent legislation and executive orders have made significant changes to the state's land use planning process, including increasing burdens for local government. While the LOC shares the state's policy goals, these updates have resulted in extensive, continuous, and sometimes conflicting rulemaking efforts that are not supported by adequate state funding. Cities simply do not have the staff capacity or resources needed to implement current requirements. Existing planning updates should be streamlined to enable simpler, less costly implementation and any new proposals should be aligned with existing requirements.

Local Funding to Address Homelessness

Legislative Recommendation: *The LOC will seek funding to support coordinated, local responses to addressing homelessness.*

Background: The LOC recognizes that to end homelessness, a statewide and community-based coordination approach to delivering services, housing, and programs is needed. Addressing homelessness will look different and involve different service provider partners from one city to the next, but one thing is consistent, addressing the crisis requires significant financial resources. While cities across Oregon have developed programs, expanded service efforts, built regional partnerships, and have significantly invested both their local General Fund and federal CARES Act and American Rescue Plan Act dollars into programs to address the homelessness crisis in their respective communities, the crisis continues. The homelessness crisis exceeds each city's individual capacity – necessitating the need for meaningful fiscal support from the State of Oregon.

Infrastructure Funding to Support Needed Housing

Legislative Concept: *The LOC will support state funding for infrastructure needed to support needed housing.*

Background: As Oregon works to overcome its historic housing supply deficit, development costs continue to rise. Cities have limited tools to address the rising costs of infrastructure necessary to support the impact of new housing development. A statewide fund to address infrastructure costs and improve housing affordability is needed.

Economic Development Incentives (co-sponsor with Tax and Finance Committee)

Legislative Recommendation: *The LOC will support legislation to preserve and strengthen discretionary local economic development incentives including the Enterprise Zone (EZ), Long Term Rural Enterprise Zone (LTREZ) and Strategic Investment Program (SIP).*

Background: The EZ and LTREZ programs provide local governments the option to offer a temporary full exemption from property taxes for qualified new property of a business (3 to 5 years for the standard EZ and 7 to 15 years for the rural EZ). The SIP program allows local governments to offer a 15-year

partial exemption on the value of new property that exceeds a certain investment threshold (\$25 million to \$100 million depending on location and total project value). Recent studies by Business Oregon confirmed what city economic development professionals knew; these incentive programs are crucial for Oregon to remain competitive nationally and show massive benefits to Oregon in terms of jobs, enhanced economic activity, and tax revenues. The EZ and LTREZ programs will sunset in 2025 without action by the legislature, and “gain share” provisions of the SIP program transferring a portion of income taxes resulting from qualified projects to local governments will sunset in 2026. The LOC will advocate for sunset extensions and for changes that will improve the programs, and advocate against any changes that will reduce local control or devalue the incentives.

Community Resiliency and Wildfire Planning

Legislative Recommendation: *The LOC will support investments for climate and wildfire resiliency planning, as well as infrastructure upgrades, to fill existing gaps and assist cities in planning for extreme weather events and wildfire.*

Background: Oregon communities are increasingly looking for help planning for climate change impacts, including infrastructure upgrades, to handle extreme weather events. Cities of all sizes, especially small to mid-sized cities, need technical assistance and additional capacity to better plan for and recover from climate events and wildfire. Investments in infrastructure upgrades, repairs, and resiliency will help rebuild communities, better ensure equity and access to critical services, protect public health and the environment, improve community resiliency, and promote economic recovery.

Brought to you by the General Government Policy Committee

Protecting Public Employees and Officials

Legislative Recommendation: *The LOC will introduce legislation to protect the personal contact information of public employees and increase criminal sanctions when public officials and employees are subject to criminal activity connected to their service.*

Background: Cities have seen an increase in harassments, threats and property damage in recent years. Over 80 percent of city leaders who participated in a National League of Cities [report](#) on public civility indicated they had personally experienced harassing or harmful behavior because of their role as a public official. Additionally, an ambiguity in the phrasing in a statute intended to protect the private information of public employees may require an employer to release home addresses, personal emails and contact information.

Return to Work

Legislative Recommendation: *Eliminate the sunset on the ability of retirees to return to work.*

Background: PERS covered retirees are currently allowed to return to work without suffering a tax or pension penalty until 2024. Allowing retirees to return to work allows employers to fill critical vacancies while not paying pension and other costs in times of both fiscal hardships and workforce scarcity. The sunset was established as part of a compromise PERS reform package passed in 2017 but has been successful for retirees and employers.

Attorney Client Privilege

Legislative Recommendation: *Ensure that privileged communications between public bodies and officials and their legal counsel remain confidential indefinitely.*

Background: A recent court ruling limited public sector attorney client privilege to 25 years, which is identical to the lifespan of other public records exemptions. The LOC believes that public officials should have the same right to unimpeded legal counsel as all other attorney clients.

Address Measure 110 Shortcomings

Legislative Recommendation: *Restore criminal justice incentives for seeking treatment for addiction while ensuring a path for expungement for successfully completing a treatment program.*

Background: Oregon voters passed Measure 110 in 2020 which eliminated criminal sanctions for simple possession for most narcotic drugs and replaced them with a waivable \$100 ticket. A citation cannot be issued if a person seeks treatment by calling a treatment referral service. The measure also re-dedicated local marijuana revenue to harm reductions services. Those funds are now pooled and distributed by an oversight and accountability committee. Oregon's overdose deaths continue to increase and funds that should have been distributed in January of 2021 are still not delivered. Additionally, problems related to drug abuse such as property crime have increased.

Brought to you by the Energy and Environment Policy Committee

Building Decarbonization, Efficiency, and Modernization

Legislative Recommendation: *The LOC will support legislation to protect against and rollback preemptions to allow local governments to reduce greenhouse gas emissions from new and existing buildings while ensuring reliability and affordability. Some initiatives may include a local option Reach Code, statewide home energy scoring or financial incentives like [CPACE](#).*

Background: Homes and commercial buildings need a lot of power. In fact, they consume nearly half of all the energy used in Oregon according to the Oregon Department of Energy 2020 Biennial Energy Report. Existing buildings need to be retrofitted and modernized to become more resilient and efficient. New buildings can be built with energy efficiency and energy capacity in mind, so they last longer for years to come, reduce the energy burden on occupants, and are built to a standard that is futureproof for carbon reducing technologies like electric vehicles

Continue Investments in Renewable Energy

Legislative Recommendation: *The LOC will work to identify barriers and potential solutions to local energy generation and will pursue funding assistance for feasibility studies and project implementation. The LOC will support legislation to study and invest in viable, preferably locally generated, options and to divest the Oregon Treasury from fossil fuels.*

Background: Renewable energy sources can be used to produce electricity with fewer environmental impacts. Local energy generation projects can better position cities to pursue and achieve local climate action goals, address capacity constraints of existing electric transmission lines, and can help cities respond to individual businesses that may be seeking green energy options. The types of local energy generation projects discussed by the committee include, but are not limited to, small-scale hydropower, in-conduit hydropower, methane capture, biomass and solar. Such projects are not intended to conflict

with existing low-carbon power purchase agreements but can position cities to pursue local climate action goals and supplement energy needs through renewable generation.

Investment in Community Climate Planning Resources

Legislative Recommendation: *The LOC will support investments that bring climate services (for mitigation and adaptation) together and work to fill the existing gaps to help communities get the high-quality climate assistance they need quickly and effectively.*

Background: Oregon communities are increasingly looking for help planning for climate change impacts and implementing programs to reduce greenhouse gases. Interest in climate services has continued as communities experience increasing disruptions caused or made worse by climate change. Oregon's small to mid-sized communities and rural communities are particularly in need of both technical assistance and additional capacity to address climate impacts and do their part to reduce greenhouse gas emissions. While some climate resources exist in Oregon, those programs are dispersed throughout state government, the nonprofit world, and academic institutions. Because of this current structure, it is not clear for communities what they should do once they decide to act on climate change.

Adequate Funding for State Climate Initiatives

Legislative Recommendation: *The LOC will support legislation to streamline processes and fully fund local implementation of climate mandates (like [Climate Friendly and Equity Communities](#) rules) from the state. Furthermore, the LOC will support legislation that allows the state to adequately maintain and staff programs that impact a city's ability to reduce greenhouse gas emissions.*

Background: On March 10, 2020, Governor Kate Brown signed [Executive Order 20-04](#) directing state agencies to take action to reduce and regulate greenhouse gas emissions. Additionally, the state has legislatively passed many greenhouse gas reduction measures. This has led to some unfunded mandates on cities as well as a significant workload for agency staff.

Brought to you by the Finance and Taxation Policy Committee

Property Tax Reform

Legislative Recommendation: *The LOC will advocate for constitutional and statutory reforms to the property tax system to enhance local choice, equity, fairness, and adequacy.*

Background: The property tax system is broken and in need of repair due to constitutional provisions in Measures 5 and 50 that were adopted by voters in the 1990s. The current system is inequitable to property owners and jurisdictions alike, is often inadequate to allow jurisdictions to provide critical services, removes meaningful local choice, and is incomprehensible to most taxpayers. Local governments and schools rely heavily on property tax revenues to pay for services and capital expenses. With federal pandemic aid to cities coming to an end and inflation looming, cities are concerned that their top revenue source will not allow residents to adequately fund the services that they demand. Therefore, the LOC will take a leadership role in pursuing efforts to draft and advocate for both comprehensive and incremental property tax reform option packages, including forming coalitions with other interested parties. The LOC will remain flexible to support all legislation that improves the system, but will, in the short term, focus on incremental changes that will allow for a foundation on which to build for broader revisions going forward. The LOC's overall focus will be on a property tax package that includes, but may not be limited to these elements:

- In the short term, advocating for a system that restores local choice and allows voters to adopt tax levies and establish tax rates outside of current limits and not subject to compression. This may also include advocating for a local option levy that has passed three or more times to become permanent (requires constitutional referral).
- Also in the short term, advocating for statutory changes to extend statewide a 2017 Multnomah County pilot that created an option that new property has a taxable value determined based on the city average of maximum assessed value to market value as opposed to countywide average.
- Over the longer term, to achieve equity, advocating for a system that has taxpayers' relative share tied to the value of their property, rather than the complex and increasingly arbitrary valuation system based on assessed value from Measure 50 (requires constitutional referral).
- Also over the longer term, to enhance fairness and adequacy, advocating for various statutory changes, some of which would adjust the impact of the above changes. For example, as a part of comprehensive reform the LOC will support targeted tax relief for lower income residents to make sure reform does not price vulnerable residents out of their homes.

Lodging Tax Flexibility

Legislative Recommendation: *The LOC will advocate for legislation to enhance flexibility in how cities may use transient lodging tax revenues. The goal is to help cities better serve visitors and improve local conditions that support the tourism industry.*

Background: The Legislature created the state lodging tax in 2003, and with it a new requirement that 70% of net revenues from new or increased local lodging taxes must be used for “tourism promotion” or “tourism related facilities.” Cities acknowledge and appreciate the economic development benefits that tourism brings to their local economies, but often struggle to support the industry in areas like public safety, infrastructure, workforce housing, and homeless services. Enhanced flexibility and clarification of allowed use of funds will benefit both visitors and business owners alike.

Economic Development Incentives (co-sponsor with the Community Development Committee)

Legislative Recommendation: *The LOC will support legislation to preserve and strengthen discretionary local economic development incentives including the Enterprise Zone (EZ), Long Term Rural Enterprise Zone (LTREZ) and Strategic Investment Program (SIP).*

Background: The EZ and LTREZ programs provide local governments the option to offer a temporary full exemption from property taxes for qualified new property of a business (3 to 5 years for the standard EZ and 7 to 15 years for the rural EZ). The SIP program allows local governments to offer a 15-year partial exemption on the value of new property that exceeds a certain investment threshold (\$25 million to \$100 million depending on location and total project value). Recent studies by Business Oregon confirmed what city economic development professionals know; these incentive programs are crucial for Oregon to remain competitive nationally and show massive benefits to Oregon in terms of jobs, enhanced economic activity, and tax revenues. The EZ and LTREZ programs will sunset in 2025 without action by the legislature, and “gain share” provisions of the SIP program transferring a portion of income taxes resulting from qualified projects to local governments will sunset in 2026. The LOC will advocate for sunset extensions and for changes that will improve the programs, and advocate against any changes that will reduce local control or devalue the incentives.

Marijuana Taxes

Legislative Recommendation: *The LOC will continue to advocate for increased revenues from marijuana taxes. This may include proposals to restore state marijuana tax losses related to Measure 110 (2020) distribution changes, and to increase the current 3% cap on local marijuana taxes so local voters may choose a rate that reflects the needs of their community.*

Background: Recreational marijuana retailers are required to charge a state-imposed retail sales tax of 17 percent for all recreational marijuana sold. Until the end of 2020 cities received 10% of the net revenue from the state tax but Measure 110 changed the distribution formula and will reduce city distributions by an estimated 73% for the 2021-23 biennium. Cities may also impose a local retail sales tax of up to 3%, subject to voter approval. Tax rates for recreational marijuana vary widely across the states, but the total Oregon tax burden is 20-25% percent below other West Coast states. Unbiased academic studies indicate Oregon could increase marijuana taxes without pushing significant business to the illicit market. If the Legislature is not willing to allow increased taxes it should restore city revenues by other means back to what was agreed to when recreation marijuana was legalized.

Alcohol Revenues

Legislative Recommendation: *The LOC will advocate for enhanced revenues from the sale of alcohol to mitigate the impact of recent legislative changes that will otherwise reduce this crucial revenue source.*

Background: Oregon's beer tax has not been increased since 1978 and is \$2.60 per barrel which equates to about 8.4 cents per gallon or less than 5 cents on a six-pack. Oregon has the lowest beer tax in the country, and to get to the middle of the states Oregon would need a more than 10-fold increase. Oregon's wine tax is 67 cents per gallon and 77 cents per gallon on dessert wines, this is the second lowest tax nationwide, and the first 2 cents of the tax goes to the wine board. Oregon is a control state and is the sole importer and distributor of liquor, which accounts for about 94% of total alcohol revenues. The Oregon Liquor and Cannabis Commission (OLCC) sets retail prices at about 105% of their cost and net revenues are distributed based on a formula. Cities are preempted from imposing alcohol taxes. In exchange, cities receive approximately 34% of the state alcohol revenues after the state takes 50% of beer and wine taxes off the top prior to this distribution. Recent legislative changes will reduce city revenues; the legislature approved a more generous compensation formula for liquor store owners in 2021 and approved a 148% cost increase for a planned OLCC warehouse in 2022. Both changes will reduce distributions to cities. Cities have significant public safety costs related to alcohol consumption and taxes on alcohol do not cover their fair share of these costs. There are numerous ways to address the issue: increasing taxes on beer or wine (possibly through a local sales tax option), increasing the markup on liquor, or increasing the per bottle surcharge currently in place at liquor stores and dedicating the funds to paying for the planned OLCC warehouse.

Brought to you by the Telecommunications, Broadband Policy Committee

Digital Equity and Inclusion

Legislative Recommendation: *The LOC will advocate for legislation and policies that help all individuals and communities have the information technology capacity needed for full participation in our society, democracy, and economy.*

Background: Connectivity is crucial to modern life. It is being relied on more for how people do business, learn, and receive important services like healthcare. As technology evolved the digital divide has become more complex and nuanced. Now, discussion of the digital divide is framed in terms of whether a population has access to hardware, to the Internet, to viable connection speeds and to the skills they need to effectively use it.

Resilient, Futureproof Broadband Infrastructure and Planning Investment

Legislative Recommendation: *The LOC will support legislation that will ensure broadband systems are built resiliently and futureproofed while also advocating for resources to help cities with broadband planning and technical assistance through direct grants and staff resources at the state level. The LOC will support legislation that addresses issues with the inconsistency of regulations applied to traditional and nontraditional telecommunications service as more entities move to a network based approach instead of what services are being provided. LOC will oppose any preemptions on local rights-of-ways, and municipalities right to own poles and become broadband service providers.*

Background:

Broadband Planning and Technical Assistance

Most state and federal broadband infrastructure funding sources require that communities have a broadband strategic plan in place to qualify for funds. Unfortunately, many cities do not have the resources or staff capacity to complete comprehensive broadband strategic plans.

Resilient and Long-Term Systems

As broadband is continually being made a priority on the state and federal level, we must think strategically about how to build resilient long-term networks that will serve Oregonians now and into the future. Ways to ensure broadband is resilient may include investing in robust middle mile connections, ensuring redundancy and multiple providers in all areas, and undergrounding fiber instead of hanging it on poles.

Optional Local Incentives to Increase Broadband Deployment

All levels of government have identified broadband as a priority. However, there continue to be proposed mandates on local governments to deploy broadband services more quickly. Cities have a duty to manage rights-of-ways (ROW) on behalf of the public and need flexibility to adequately manage the ROW. Instead of mandates the state should focus its efforts on allowing cities the option to adopt incentives that could help streamline broadband deployment.

Regulatory Consistency Amidst Convergence

Historically, the standards and oversight policies for a specific technology were established independently and were not developed with merging or interoperability in mind. For example, telephony (when providing voice), cable TV (when providing video), and mobile cellular technologies each follow their respective standards, and these services were regulated by policies specific to each type.

Incentives for Broadband Affordability, Adoption and Consumer Protections

Legislative Recommendation: *The LOC will seek additional state support and funding for increased broadband adoption and affordability and will advocate for consumer protections for those accessing the internet, internet enabled devices and broadband service.*

Background: Broadband infrastructure is being funded at a historic level. For that infrastructure to be adequately utilized affordability and adoption initiatives must receive investment. Initiatives that would help could include studying barriers to adoptions and affordability; ensuring adequate competition in providers; investing in more data centers statewide so service is cheaper for regions outside of the I-5 corridor as it is simply more expensive per megabit to provide; and ensuring providers are widely advertising programs meant for those with limited means.

Additionally, problems with internet providers are among the most common consumer complaints in Oregon. Complaints often involve paying more than expected, difficult cancellation policies and poor service. Consumers are at risk of being advertised or offered services that are not actually being delivered. For example, 25/3 is the current definition of broadband. Currently, providers are allowed to advertise

speeds as “up to” 25/3 or a certain speed. There is no one enforcing whether or not providers actually hit their advertised speeds. Providers should be accountable for making sure consumers have the appropriate equipment for the services they are paying for.

Cybersecurity & Privacy

Legislative Recommendation: *The LOC will support legislation that addresses privacy and cybersecurity for all that use technology, including but not limited to: funding for local government cybersecurity initiatives, statewide resources for cyber professionals, regulations of data privacy, or standards for software/hardware developers to meet to make their products more secure.*

Background: Society is becoming more technologically reliant than ever before and that will only increase. With this increase of technology there is an increased risk for cybercrimes. Therefore, cybersecurity and privacy systems must be taken seriously. Cybersecurity encompasses everything that pertains to protecting sensitive data, protected health information, personal information, intellectual property, data, and governmental and industry information systems from theft and damage attempted by criminals and adversaries.

Cybersecurity risk is increasing, not only because of global connectivity but also because of the reliance on cloud services to store sensitive data and personal information. Widespread poor configuration of cloud services paired with increasingly sophisticated cyber criminals means the risk that governments, businesses, organizations, and consumers suffer from a successful cyberattack or data breach is on the rise.

Brought to you by the Transportation Policy Committee

Transportation Safety Enhancement

Legislative Recommendation: *The LOC supports legislation that improves the overall safety of the transportation network in communities. The LOC will achieve this outcome by expanding authority for establishing fixed photo radar to all cities, increasing flexibility for local speed setting authority, and increased investment in the “safe routes to schools” and expansion of the “great streets” programs.*

Background: The City of Portland has demonstrated improved safety outcomes in neighborhoods with the addition of fixed photo radar along high-crash corridors. LOC’s efforts to expand the use of fixed photo radar to additional cities failed during the 2021 Session. ([HB 2019](#)) - High Crash Corridor for City of Unity) and ([HB 2530](#)) -Extending Fixed Photo Radar) were supported by the LOC, but lacked sufficient support from legislators to advance.

During the 2019 Session the LOC supported [SB 558](#), which would authorize a city to designate speed for a highway under the city’s jurisdiction that is five miles per hour lower than statutory speed when the highway is in a residential district and not an arterial highway. During the 2021 Session passage of [HB 3055](#) (Sect 81 (5)(g)) extended speed setting authority to highways within the jurisdictional boundaries of cities and Multnomah & Clackamas counties.

Road User Fee – Vehicle Miles Traveled (VMT) Structure

Legislative Recommendation: *The LOC will support replacement of Oregon’s Gas Tax with a road impact fee structure that will capture added revenue from cities with local gas tax structure. The pricing structure should also maintain a weight-mile tax structure to make sure that there is an impact element of the fees paid for transportation infrastructure.*

Background: The LOC has historically advocated for a fee structure that more closely matches road usage. Gas tax revenues are a declining source of revenue due to enhanced mileage in new vehicles and the increase of electric vehicles on roads.

New Mobility Services

Legislative Recommendation: *The LOC supports the entry and utilization of a variety of new mobility services that support a safe, sustainable, and equitable multimodal transportation system, while preserving local government's authority to regulate services and ensure public and consumer safety in communities.*

Background: The expansion of mobility services presents local governments with opportunities and challenges. Mobility services include Uber, Lyft, scooters, E-bikes, and food service delivery such as DoorDash, and UberEATS. Many cities across the country have initiated efforts to add regulatory oversight of these services to provide a base level of safety to consumers. Companies such as Uber and Lyft have tried to de-regulate their business model in states specifically introducing legislation that would pre-empt local governments to regulate and establish steps that protect their respective communities. The LOC has supported efforts during the 2019 session such as [HB 3379](#) and opposed efforts that pre-empted local governments such as HB 3023.

Funding for Recovery of Abandoned Recreational Vehicles

Legislative Recommendation: *The LOC supports the formation of a recovery fund that cities could access for disposing of abandoned Recreational Vehicles (RV).*

Background: With the ongoing houseless and affordable housing crisis cities have experienced an increase in dumping of vehicles and RVs in neighborhoods, streets and the right-of-way. The costs associated with towing, recovery, and determining ownership has presented significant costs in some communities. Several cities are allocating hundreds of thousands of dollars to recover abandoned vehicles from streets, parks, private property, and other locations. Tow companies have expressed an interest in a recovery fund as well, since the companies must deal with storage and disposal of the vehicles, which presents several challenges.

Brought to you by the Water and Wastewater Policy Committee

Water Utility Rate and Fund Assistance

Legislative Recommendation: *The LOC will collaborate with members of the bipartisan work group to continue the proposed legislative purpose of the Low-Income Household Water Assistance (LIHWA) program.*

Background: The LOC was successful during the 2021 legislative session in advocating for the development of a new water utility funding assistance program for ratepayers experiencing ongoing or recent economic hardships. The LOC worked with a bipartisan work group to pass legislation that formed the Low-Income Household Water Assistance (LIHWA) program which received federal funding for the

initial implementation through the Consolidated Appropriations Act of 2021 and the American Rescue Plan Act (ARPA) of 2021. The program was incredibly successful, but the federal funding that was allocated to the State of Oregon was already exhausted in some counties in the Spring of 2022.

The bipartisan workgroup's intent was to make this program a permanent program, with initial pilot funding provided by the federal government.

Place-Based, Water Resource Planning (Program Support)

Legislative Recommendation: *The LOC will advocate for the funding needed to complete existing place-based planning efforts across the state and identify funding to continue the program for communities that require this support.*

Background: Oregon's water supply management issues have become exceedingly complex. Lack of adequate water supply and storage capacity to meet existing and future needs is an ongoing concern for many cities in Oregon and is a shared concern for other types of water users including agricultural, environmental, and industrial. The Legislature created a place-based planning pilot program in Oregon administered through the Oregon Water Resources Department that provides a framework and funding for local stakeholders to collaborate and develop solutions to address water needs within a watershed, basin, or groundwater area. The LOC Water & Wastewater Policy Committee recognized that while this funding is limited to specific geographic areas, they also recognized the importance of successfully completing these pilot efforts and conducting a detailed cost/benefit analysis. It is a critical step to demonstrate the benefits of this type of planning. If these local planning efforts prove to be successful, there will likely be future efforts to secure additional funding for other place-based planning projects across the state in 2022.

Infrastructure Financing and Resilience

Legislative Recommendation: *The LOC will advocate for an increase in the state's investment in key infrastructure funding sources, including, but not limited to, the Special Public Works Fund (SPWF), Brownfield Redevelopment Fund, Regionally Significant Industrial Site loan program, and set asides through the SPWF for seismic resilience planning and related infrastructure improvements to make Oregon water and wastewater systems more resilient.*

Background: A key issue that most cities are facing is how to fund infrastructure improvements (both to maintain current and to build new). Increasing state resources in programs that provide access to lower rate loans and grants will assist cities in investing in vital infrastructure. An LOC survey of cities in 2016 identified a need of \$7.6 billion dollars over the next 20 years to cover water and wastewater infrastructure projects for the 120 cities who responded. This shows a significant reinvestment in the Special Public Works Fund (SPWF) is needed to help meet the needs of local governments.



CITY COUNCIL MEETING: JULY 18, 2022

To: Mayor Clark and City Council Members

THRU: Adam J. Brown, City Manager

FROM: Tracy L. Davis, City Recorder/Community Center Manager

SUBJECT: **LAKEPOINT CHURCH COMMUNITY CENTER AND GAZEBO FEE
WAIVER FOR ANNUAL SERVEFEST EVENT**

PROPOSED MOTION:

I move the City Council approve a waiver of the Community Center rental fee, Community Center refundable security deposit, and rental fee for the Chalmers Jones Park Gazebo for the Lakepoint Community Church ServeFest event for August 27, 2022 and August 28, 2022.

I. SUMMARY:

Lakepoint Community Church has requested a fee waiver for the use of the Community Center and Chalmers Jones Park Gazebo for their annual ServeFest event on Sunday, August 28, 2022. The ServeFest has served Keizer families since 2010 as a free event providing families with haircuts, bike repairs, manicures, family portraits, veterinary care and many other services. In addition, school supplies and clothing are distributed to area families during the event. Further event details are included in the attached letter from Lakepoint Community Church. Between 2010 and 2019, Lakepoint Community Church held their weekly services in the Community Center and as part of their contractual agreement, the rental fee for the annual ServeFest event was waived. Each year, the event became more successful and benefited many families in our community. As a result of the pandemic, Lakepoint Community Church was forced to relocate their weekly services from the Community Center and cancel this annual community event. With the status of the pandemic, they would like to resume their service to our community and restart this event.

The rental fee for use of the Community Center for set up on Saturday, August 27th and the event on Sunday, August 28th would be \$1,875. The Gazebo rental fee for Sunday, August 28th would be \$122. The total rental fee for both amenities would be \$1,997. In addition, there is a refundable security deposit of \$1,500. With Lakepoint's familiarity of our facility during their tenure in the building, they would be responsible for all of the pre-event set up, event coverage,

and post event clean up.

II. BACKGROUND:

- A. Lakepoint Community Church contracted with the City to rent the Community Center for their weekly service since 2010. The contractual agreement provided free rental for the annual ServeFest event.
- B. The ServeFest event provides needed items for families in the Keizer community.
- C. Lakepoint Community Church has been a great community partner to Keizer.
- D. City Resolution R2018-2932 states the City Council may reduce or waive rates, deposits, or other costs for certain uses if, in the Council's sole discretion, the use is a significant benefit to the Keizer community considering such factors as the City's fixed and non-fixed costs, staff resources, wear and tear on the facility, and other factors deemed appropriate by Council.

III. CURRENT SITUATION:

- A. As of this date, no other requests for room reservations on this date have been received.

IV. ANALYSIS:

- A. **Strategic Impact** – This event is a significant benefit to the Keizer Community.
- B. **Financial** – The financial impact of this request is a reduction in rental income for the Community Center.
- C. **Timing** – Approval of this request will allow Lakepoint Community Church to move forward with the advertising and organization of this event.
- D. **Policy/legal** – The City Council has the sole authority to grant fee waivers for use of the Community Center. Lakepoint Community Church will be required to provide a certificate of general liability insurance for the event.

ALTERNATIVES:

- A. Approve a waiver of the Community Center rental fee of \$1,875, refundable security deposit of \$1,500, and the rental fee for the Chalmers Jones Park Gazebo of \$122.
- B. Deny the request for a waiver of the Community Center rental fee of \$1,875, refundable security deposit of \$1,500, and the rental fee for the Chalmers Jones Park Gazebo of \$122.

RECOMMENDATION:

Staff recommends the City Council approve a waiver of the Community Center rental fee, Community Center refundable security deposit, and rental fee for the Chalmers Jones Park Gazebo for the Lakepoint Community Church ServeFest event on August 27, 2022 and August 28, 2022.

ATTACHMENTS:

- Letter from Lakepoint Community Church requesting the waiver of fees.
- Resolution 2018-2932 – Adopting Use Policies and Rates for the Keizer Community Center Rooms



June 29, 2022

Keizer City Council,

Lakepoint Community Church has requested the use of the Community Center and Gazebo for our annual ServeFest Event. We would need three hours inside the building on Saturday, August 27th, to set up. The event, set-up and clean-up on Sunday, August 28th, would take place inside and outside from 7am to 2pm.

ServeFest has served Keizer families since 2010 as a free event for our community. Families look forward to it each year as we have provided haircuts, bike repair, manicures, family portraits, veterinary care and other services. We have distributed a large amount of school supplies, thousands of articles of clothing and coats for winter. There are raffles for big ticket items, Satellite Gaming for teens, carnival booths for children as well as magicians and balloon artists. Lunch is free hot dogs with chips, water and snow cones. Families line up hours ahead of time to make sure they have time to access each booth.

As a small church it is our mission and heart to serve our city. We receive support from many Keizer businesses and are asking that Keizer City Council partner with us to waive rental fees for this event. This would ensure all money spent on ServeFest goes to the benefit of the families in our city. In years past, there have been many testimonies about families impacted by attending ServeFest and we are excited to once again be able to bless families in this way.

Please consider joining with us in supporting our great community and its families.

Thank you,
Lakepoint Community Church

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2018- 2932ADOPTING USE POLICIES AND RATES FOR THE
KEIZER COMMUNITY CENTER ROOMS;
REPEALING RESOLUTION R2015-2612

WHEREAS, the City Council adopted policies for community use of city hall facilities in 1986;

WHEREAS, the adopted policies for community use of city hall facilities has been amended several times with the last revision taking place in 2015;

WHEREAS, the City Council adopted the current use rates for the Civic Center Community Rooms pursuant to Resolution R2015-2612;

WHEREAS, the City Council has reviewed the matter and finds that it is appropriate to amend the policies for the Community Center Rooms;

WHEREAS, the City Council desires to amend the Community Center Room policies;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that the following policies for use of the Keizer Community Center Rooms and lobby are hereby adopted:

Alcohol Policies: The following regulations apply to the allowance, sale or consumption of alcoholic beverages in the Keizer Community Center Rooms and lobby:

- a. Only individuals twenty-one (21) years of age or older may consume alcohol in accordance with this policy.

- b. No person shall sell, give or otherwise make available any alcoholic beverage to a person under the age of 21 years.
- c. No person shall sell, give or otherwise make available any alcoholic beverage to any person who is visibly intoxicated.
- d. Alcoholic beverages are permitted only in the Community Rooms and the adjoining lobby areas. Alcoholic beverages are prohibited outdoors and in other areas of the building.
- e. Alcoholic beverages are allowed only in conjunction with a reserved event and only after written approval has been given by the City.
- f. Alcoholic beverages will be served only by a licensed and bonded server pursuant to all Oregon Liquor Control Commission laws and regulations.
- g. Alcoholic beverages will be served only when acceptable Oregon Liquor Control Commission documentation has been provided to the City.
- h. Caterer/server shall secure at its own expense General Liability Insurance with minimum limits of \$1,000,000.00 per occurrence and Liquor Liability Insurance with minimum limits of \$1,000,000.00 per occurrence. The insurance policy is to be issued by an insurance company authorized to do business in the State of Oregon. The City of Keizer shall be included as additional insured in said insurance policy. The "City of Keizer" includes its officers, agents, contractors, and employees. Evidence of the insurance and additional insured endorsement must be provided to City at least fourteen (14) days prior to the date of the event. As part of the event reservation process, the applicant and caterer/server shall agree to defend and indemnify the City, its employees, agents and contractors from any and all claims in connection with alcohol use on the premises.
- i. The City Manager may place reasonable conditions on the event to protect persons and property.

Insurance Policies: The following regulations apply to clients' rental of the Keizer Community Center Rooms and lobby:

- a. The client shall, at its sole cost and expense, procure and maintain through the term of the rental a Comprehensive General Liability insurance policy providing coverage against claims for bodily injury or death and property damage occurring in or upon or resulting from the facilities used hereunder in the amount of \$1,000,000. The Comprehensive General Liability Insurance required shall be issued by an insurance company authorized to do business in the State of Oregon. The City of Keizer shall be included as additional insured in said insurance policy. The "City of

Keizer" includes its officers, agents, contractors, and employees. Client must provide the City with the proof of the insurance and additional insured endorsement evidencing such insurance at least fourteen (14) days prior to the date of the contracted event. Failure to provide the proof of insurance and endorsement will result in cancellation of the event.

b. No insurance is required for non-alcoholic events when client is using one or two small rooms.

BE IT FURTHER RESOLVED by the City Council of the City of Keizer that the

following use rates are hereby established:

1. Base Use Rates. The following base use rates shall be charged for the Keizer Community Center Rooms:

- a. Small room (1,000 square feet) - \$25.00 per hour with a three hour minimum.
- b. Medium room (3,000 square feet) - \$100.00 per hour with a four hour minimum.
- c. Large ballroom (9,000 square feet) - \$250.00 per hour with an eight hour minimum.
- d. Keizer-based 501(c) organizations may host fundraiser activities using two Medium rooms or the Large ballroom for a base use fee of \$500.00. This fee shall include the use of the facility and amenities. The user will be responsible to pay all fees associated with required staffing. The use under this provision is limited to one (1) event per calendar year per Keizer-based 501(c) organization and is limited to a maximum of twelve (12) hours usage.
- e. Keizer residents and Keizer-based 501(c) non-profit organizations are entitled to a twenty-five percent (25%) discount on the base use rates outlined in 1(b) and 1(c) herein. (Small rooms are not discounted. Keizer residents' use is limited to personal, non-business use only, including, but not limited to birthday parties, anniversary parties, and baby showers.)
- f. Government and quasi-government entities, e.g., City of Salem, Marion County, State of Oregon, Salem-Keizer School District, Keizer Fire District, Salem-Keizer Transit District, Keizer Chamber of Commerce, League of Oregon Cities, Mid-Willamette Valley Council of Governments, are entitled to a twenty percent (20%) discount on the base use rates outlined in 1(b) and 1(c) herein. (Small rooms are not discounted.)

- g. City-hosted activities directly benefiting City operations are entitled to a fifty percent (50%) discount on the base use rates outlined in 1(b) subject to the following:
- i. Registration fees charged to participants shall total no more than the actual out-of-pocket costs of the event.
 - ii. This discount is only available for one or two medium rooms. The large ballroom and small room rates are not discounted.
 - iii. For Friday, Saturday or Sunday dates, the event may not be reserved more than six (6) months prior to the event.
 - iv. No alcohol is allowed for City hosted events. Insurance is not required.
- h. The above discounts are not transferrable.

2. Exempt Uses. The following uses are exempt from payment of use rates and insurance requirements, except caterer insurance if applicable. No alcohol is allowed for these events:

- a. City Meetings. City Council/Urban Renewal Agency meetings, City/Urban Renewal Agency committee, task force, or staff meetings, trainings, recruitments or exercises.
- b. Neighborhood Associations. Recognized neighborhood associations may hold their regular meetings, up to twelve (12) meetings per year in one or two small rooms.
- c. Keizer-based Youth Sports. Keizer-based youth sports organizations may hold up to three (3) events per year using one medium room or one or two small rooms.
- d. Town Hall/Community Forums. City, Urban Renewal Agency, Salem Area Mass Transit District, Marion County, and other governmental agencies may hold town hall/community forums for the purpose of gathering public input.
- e. Keizer Library. The Keizer library may hold up to two (2) book sale events per year.
- f. City Employee/City Volunteer Training. Training and meetings for City employees or City volunteers are exempt. The trainings or meetings are limited to one or two small rooms during regular City Hall business hours. Other governmental employees or volunteers may also attend. No fee may be charged to participants other than the actual meal cost, if a meal is served.
- g. City-Hosted Educational Outreach Events. No registration fee may be charged to the participants.
- h. Outside Committees/Groups. With City Manager approval, organizations connected with the City or benefitting City residents

such as Keizer United, Claggett Creek Watershed Council, and Community Emergency Response Team may hold one meeting per month in one or two small rooms. No registration fee may be charged to the participants.

3. Other Agreements Exempt. Organizations with specific agreements for Community Room use are not subject to the above rates. The City Manager is authorized to negotiate and reduce the use rates for organizations who request repeating scheduled use for a term not exceeding two (2) years.
4. Council Approved Uses. The City Council may reduce or waive rates, deposits or other costs for certain uses if, in the Council's sole discretion, the use is a significant benefit to the Keizer community considering such factors as the City's fixed and non-fixed costs, staff resources, wear and tear on the facility, and other factors deemed appropriate by Council.
5. Additional Facility Charges. The City Manager is authorized to adopt and impose surcharges for rental rates for additional facilities, including, but not limited to stages, audio/visual equipment, computer equipment, kitchen usage and additional labor expenses. The City Manager is authorized to impose deposits, fees or additional charges as City Manager may deem appropriate in his/her discretion.
6. Use Rates Subject to Facility Agreement. The use rates set forth herein are subject to the provisions of the Facility Use Agreement as authorized by the City Manager. The City Manager is authorized to amend the use rates if in the City Manager's discretion such amended rates provide increased transient occupancy taxes, other identifiable economic benefits to the citizens of the City as a whole, or other identifiable fiscal benefits to the City of Keizer administratively.

BE IT FURTHER RESOLVED by the City Council of the City of Keizer that

Resolution R2015-2612 (Adopting Use Policies and Rates for the Keizer Community Center Rooms) is hereby repealed in its entirety except for already booked events.

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1 BE IT FURTHER RESOLVED that this Resolution shall take effect immediately
2 upon the date of its passage.

3 PASSED this 3rd day of December, 2018.

4
5 SIGNED this 3rd day of December, 2018.

6
7 Cathy Clark
8 Mayor

9
10 Gary Dyl
11 City Recorder



CITY COUNCIL MEETING: JULY 18, 2022

To: Mayor Clark and City Council Members

THRU: Adam J. Brown, City Manager

FROM: Tracy L. Davis, City Recorder/Community Center Manager

SUBJECT: **RYDEN FOREST STREET LIGHTING DISTRICT – ADOPTION OF ENGINEER REPORT**

PROPOSED MOTION:

I move the City Council approve Resolution R2022-_____ Approving the City Engineer's Report; Declaring the City's Intent to Form Ryden Forest Street Lighting Local Improvement District; Providing Notice and Setting Hearing.

I. SUMMARY:

On June 21, 2022 the City Council adopted Resolution R2022-3298 declaring the City's intent to initiate Ryden Forest Street Lighting Local Improvement District and directing the City Engineer to make a survey and file a written report with the City Recorder. This Council action was taken in response to a petition from the developer requesting the formation of a lighting district in this area.

The City Engineer's report for Ryden Forest Street Lighting Local Improvement District was filed with the City Recorder on July 11, 2022. The report was reviewed by the Public Works Department and found to meet the guidelines as outlined in the City of Keizer Ordinance for development of street lighting districts.

II. BACKGROUND:

- A. New subdivisions are required to establish a lighting district as part of the City's development code.
- B. Each district is assessed annually the cost to provide lighting (electricity) for their specific district for the previous year.

Ryden Forest Street Light District/Engineer Report

III. **CURRENT SITUATION:**

- A. This is a 14-lot subdivision currently being developed.
- B. There is no lighting within this new subdivision.

IV. **ANALYSIS:**

- A. **Strategic Impact** – The addition of a street light will add to overall safety.
- B. **Financial** – The cost of installation, electrical costs and administration of the street light district will be reimbursed by the property owners thru the annual certification of street lighting districts.
- C. **Timing** – Approval of this Resolution will move the process forward. A public hearing will be scheduled for August 15, 2022.
- D. **Policy/legal** – The adoption of the City Engineer Report and setting of public hearing meets the requirements outlined in City Ordinance 94-278.

ALTERNATIVES:

- A. Adopt the Resolution Approving the City Engineer's Report.
- B. If no action is taken, the formation of the District will not move forward.

RECOMMENDATION:

Staff recommends that the City Council approve Resolution 2022-____ Approving the City Engineer's Report; Declaring the City's Intent to Form Ryden Forest Street Lighting Local Improvement District; Providing Notice and Setting Hearing.

ATTACHMENTS:

- City Engineer's Report for Ryden Forest Street Lighting District
- R2022-____ Approving the City Engineer's Report; Declaring the City's Intent to Form Ryden Forest Street Lighting Local Improvement District; Providing Notice and Setting Hearing

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2022-_____

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

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

Section 1. That the City Council hereby finds the City Engineer's Report, marked as exhibit "A" and by this reference incorporated herein, containing preliminary plans and an estimate of probable costs for Ryden Forest Street Lighting Local Improvement District which was filed with the City Recorder on July 11, 2022 to be satisfactory, and the same are hereby approved and adopted.

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

Section 3. That the City Council hereby directs the City Recorder to give notice of its intention to form Ryden Forest Street Lighting Local Improvement District and to make the improvements by sending notice to the property owners within the district stating a public hearing will be held on August 15, 2022, said notice to also provide that information required under City of Keizer Ordinance 94-278, an ordinance providing for procedures for municipal lighting districts and special assessments.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its passage.

PASSED this ____ day of _____, 2022.

SIGNED this ____ day of _____, 2022.

Mayor

City Recorder

City of Keizer Engineer's Report Ryden Forest SLD

Date: July 11, 2022

Client: CITY OF KEIZER

Engineer: William Peterson, P.E.

Engineering Firm: AKS Engineering & Forestry, LLC
3700 River Road N.
Suite 1
Keizer, OR 97303

City Council Action: July 18, 2022



CERT. EXP. DEC. 31, 2022



To: The Honorable Mayor and City Council

From: City Engineer's Office

Subject: Street Lighting District for Ryden Forest

Authority and Purpose:

This report is submitted in accordance with the requirements of City of Keizer **Ordinance No. 94-278** and Council **Resolution 2022-3298** for the purpose of creating the subject Street Lighting District.

District Boundaries and Map:

A Map of the proposed District is attached showing the areas benefitted by the streetlights proposed to be installed.

Lighting Plan:

The lighting improvements will consist of 2, 47-Watt, LED luminaries at 30' mounting height attached to a 35' heavy-duty, gray fiberglass pole with a 6' aluminum mast arm. This design is selected to meet current city standards and provide the most efficient light coverage. It is recommended that installation be accomplished by the following method:

Portland General Electric Co. (PGE) would install the underground wiring and supply the electrical power to the District. The luminaries and poles would be furnished, owned, and maintained by PGE.

Estimated Developer Costs:

(2) 47-Watt luminary @ \$5.16 per month ea. X 12 mos.	\$123.84
(2) 35' HD fiberglass pole @\$7.56 per month ea. X 12 mos.	\$181.44
Administrative Fee @ \$8.10/Lot:	\$113.40
Engineering @ \$14.00/Lot:	<u>\$196.00</u>
Total Assessment	\$614.68
(1) Per Lot Assessment (First Year, 14 Lots)	\$43.91

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

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

For the developer, the first-year assessment would include the one-time costs for District formation and engineering. Subsequent year's assessments would reduce to \$21.81 per lot.

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

Respectfully submitted,



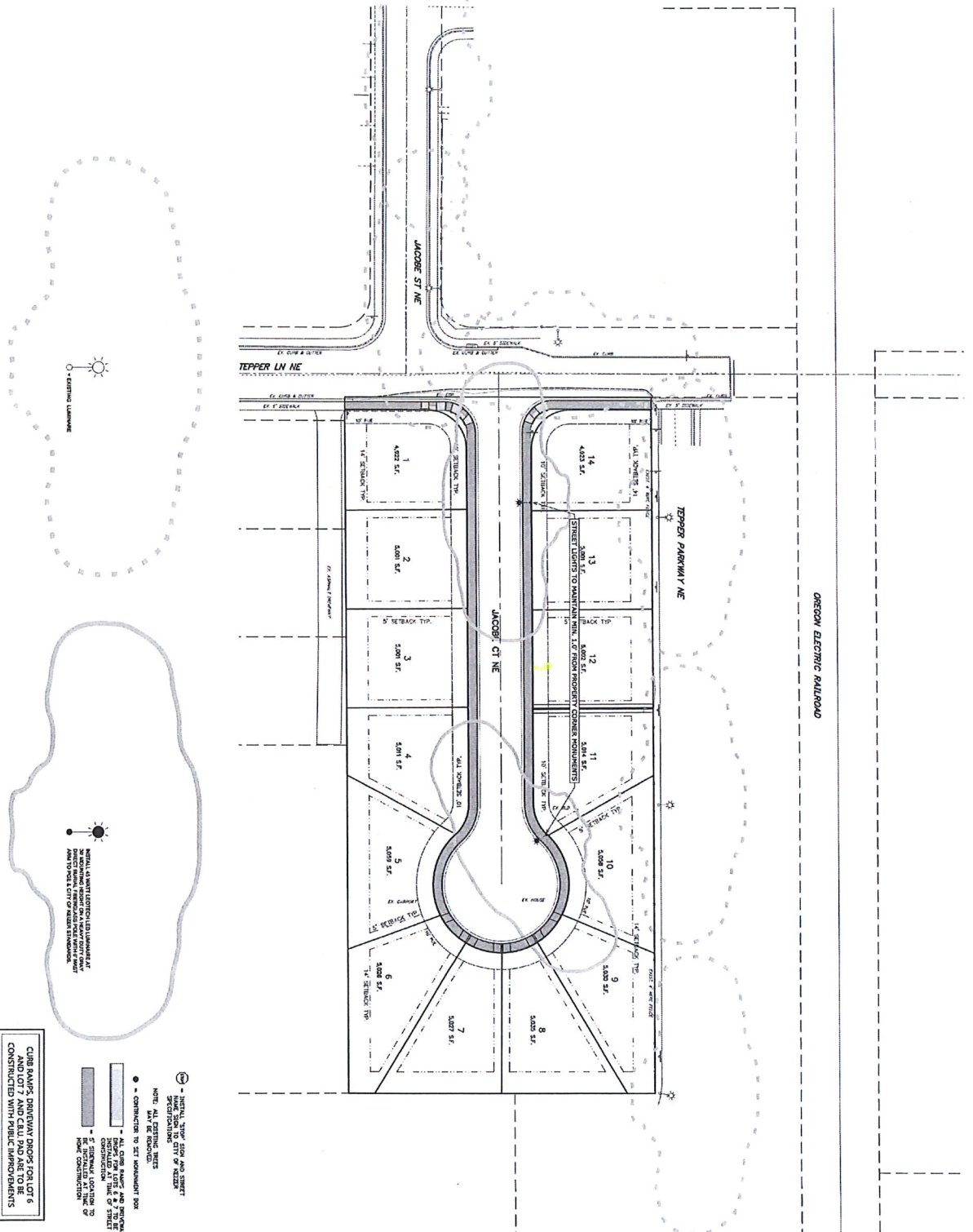
William I. Peterson, P.E.
City Engineer

PRELIMINARY ASSESSMENT ROLL

RYDEN FOREST
STREET LIGHTING DISTRICT

Assessors Map and Tax Lot No.
063W36BA
00300

<u>Lot#</u>	<u>Owner</u>	<u>Cost (per lot)</u>
1 - 14	TRADEMARK ENTERPRISES LLC P.O. BOX 5248 SALEM, OR 97304	\$43.91 (first year)
	Total Assessment:	\$614.68



CUB BARS, DRIVEWAY LIGHTS FOR LOT 6 AND LOT 7 AND CALL PAD ARE TO BE CONSTRUCTED WITH PUBLIC IMPROVEMENTS

- NOTE: ALL EXISTING NOTES ARE TO BE MAINTAINED AND NOT TO BE DELETED.
- - EXISTING LUMINAIRES
 - - PROPOSED LUMINAIRES
 - - EXISTING POLES
 - - PROPOSED POLES
 - - EXISTING CUB BARS
 - - PROPOSED CUB BARS
 - - EXISTING DRIVEWAY LIGHTS
 - - PROPOSED DRIVEWAY LIGHTS
 - - EXISTING CALL PADS
 - - PROPOSED CALL PADS

PRINTED
JUL 11 2023
IF THESE PLANS ARE NOT
APPROVED BY THE
DESIGN ENGINEER,
THEY ARE NOT TO BE
USED FOR CONSTRUCTION.

DESIGN: H.D.G.
DRAWN: T.N.S.
CHECKED: J.J.G.
DATE: APRIL 2021
SCALE: AS SHOWN
AS-BUILT: ****

703

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER. DIMENSIONS AND NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

NOT FOR CONSTRUCTION UNLESS STAMPED APPROVED HERE

TEPPER SUBDIVISION

STREET LIGHTING PLAN

MULTI/TECH
ENGINEERING SERVICES, INC.
3155 13th St. S.E. Salem, OR 97302
PH: (503) 585-8287 FAX: (503) 585-1940
www.multipletech.com



MINUTES
KEIZER CITY COUNCIL
Tuesday, July 5, 2022
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Clark called the meeting to order at 7:00 pm. Roll call was taken as follows:

Present:

Cathy Clark, Mayor
Daniel Kohler, Councilor
Roland Herrera, Councilor
Kyle Juran, Councilor
Shaney Starr, Councilor
Elizabeth Smith, Councilor
Laura Reid, Councilor

Staff:

Adam Brown, City Manager
Shannon Johnson, City Attorney
Shane Witham, Planning Director
Bill Lawyer, Public Works Director
John Teague, Police Chief
Tim Wood, Finance Director
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

SPECIAL ORDERS OF BUSINESS

- a. Volunteer of the Quarter Award – Joy St. Peter** Mayor Clark introduced Joy St. Peter and read the nomination submitted by Garry Whalen. Ms. St. Peter expressed gratitude for this recognition and shared details about the Joys of Living program.
- b. Youth Volunteer Award – Miranda Coleman** Mayor Clark introduced Miranda Coleman and read the nomination submitted by Matt Lawyer. Ms. Coleman thanked everyone for the recognition and the opportunity to serve and expressed excitement for the future.

COMMITTEE REPORTS

None

- PUBLIC COMMENT** Mayor Clark acknowledged receipt of an email from Matthew Stalheim regarding poison hemlock at Wallace House Park island and Don Kowalski regarding illegal fireworks.
- Corri Falardeau*, Keizer Chamber of Commerce, shared plans about KeizerFEST at Keizer Rapids Park and requested that Council approve the temporary use permit and associated signage allowance.

- PUBLIC HEARING** None

ADMINISTRATIVE ACTION

a. RESOLUTION – Authorizing Temporary Use and Signs Subject to Conditions for KeizerFest 2022

City Attorney Shannon Johnson summarized his staff report and fielded questions regarding fees and rules being waived, and allowing smoking. Ms. Falardeau and Bob Shackelford with the Chamber also fielded questions regarding security, site improvements, and partnerships with the Fire District and CERT.

Councilor Smith moved that the Keizer City Council adopt a Resolution Authorizing Temporary Use and Signs Subject to Conditions for KeizerFEST 2022. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Smith moved that the Keizer City Council direct staff to prepare a limited amendment to the Park Regulations to allow smoking in certain parks under a ‘special permit’. Councilor Kohler seconded.

Mayor Clark offered a friendly amendment to include ‘vaping’. Councilors Smith and Kohler accepted the amendment.

Discussion followed regarding setting a precedent, containing the activity, avoiding littering the streets and neighborhoods, and prohibition of smoking for the concerts in the park.

Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

b. RESOLUTION – Authorizing a Temporary Suspension of the Ordinance Prohibiting Street Vendors

City Attorney Shannon Johnson read his staff report.

Councilor Smith moved that the Keizer City Council adopt a Resolution Authorizing a Temporary Suspension of the Ordinance Prohibiting Street Vendors. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

c. Library Issue

City Manager Adam Brown shared a slide presentation regarding library service levels and related costs/fees. He explained that currently governmental services rating is very low so it might not be a good time to ask voters for funding.

Councilor Smith moved that the Keizer City Council not put the matter on

the November 2022 ballot and direct staff to review the library matter further and report back when they have additional information. Councilor Starr seconded.

Discussion took place regarding funding the library, grant writing, ARPA funds and revisiting this in two years

Motion passed as follows:

AYES: Clark, Herrera, Smith, Kohler, Starr and Juran (6)

NAYS: Reid (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

d. Purchase of Sculpture – Cold, Wet Eagle

Mr. Johnson summarized his staff report, fielded questions regarding the possible donation from Block Corporation to partially fund the purchase and explained that the budget is for \$15,000 but staff intends to follow up on the donation opportunity. Finance Director Tim Wood explained that if a donation is received, \$5,000 would go back to the ARPA funds.

Discussion followed regarding joint ownership and insurance. Councilor Juran indicated that he felt the City should only contribute \$10,000 and rely on donations for the remainder.

Councilor Smith moved that the Keizer City Council approve the purchase of the sculpture entitled 'Cold, Wet Eagle' for \$15,000. Councilor Reid seconded. Motion passed as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, and Starr (6)

NAYS: Juran (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

e. Oregon Psilocybin Service Act

Mr. Johnson summarized his staff report and fielded questions regarding taxes, elections, and regulations.

Councilor Smith moved that the Keizer City Council direct City Attorney to prepare appropriate documentation to put the question of whether to ban Psilocybin Service Centers, the manufacture of Psilocybin products, and related activities to the voters of the city of Keizer. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

f. Opioids Multi-District Litigation

Mr. Johnson summarized his staff report noting that some of the funds would be used for police overdose training and prevention programs.

Councilor Smith moved that the Keizer City Council direct staff to give notice to directly receive funds from the national opiate settlement.

Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**g. Request for
Community
Center Fee
Waiver – League
of Oregon Cities**

City Recorder Tracy Davis summarized her staff report and fielded questions regarding past LOC events.

Councilor Smith moved that the Keizer City Council approve a waiver of the rental fee and refundable deposit but charge \$375 for staffing costs for the League of Oregon Cities Elected Officials training and social event on January 26, 2023. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**CONSENT
CALENDAR**

- A. RESOLUTION – Approving the City Engineer’s Report; Declaring the City’s Intent to Form Orchard Street Partition Street Lighting Local Improvement District; Providing Notice and Setting Hearing
- B. Approval of June 13, 2022 Work Session Minutes
- C. Approval of June 21, 2022 Regular Session Minutes

Councilor Reid pulled item C.

Councilor Smith moved for approval of items A and B of the Consent Calendar. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Herrera, Reid, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Smith moved for approval of item C of the Consent Calendar. Councilor Kohler seconded. Motion passed as follows:

AYES: Clark, Herrera, Smith, Kohler and Juran (7)

NAYS: None (0)

ABSTENTIONS: Reid (1)

ABSENT: None (0)

**OTHER BUSINESS/
STAFF UPDATES**

**a. City of Keizer
Emergency
Management**

City Manager Adam Brown pointed out that the recent pandemic was a good reminder of the importance of being prepared for major emergencies. He noted that almost all Department Heads have NCIS training but everyone is responsible for being prepared. He provided details of current preparedness and the Marion County Emergency Management Plan, suggested that Public Works remain the primary

Update

leadership in an emergency situation and noted that efforts to address details would continue. Discussion followed regarding involving the Fire Districts.

Chief Teague explained that the use of illegal fireworks is largely an unsolvable problem everywhere. He suggested that perhaps a work group be formed to address what can be done and to provide education. Councilor Starr expressed dismay at the lack of respect for the law that was shown by Keizer residents over the July 4th holiday.

Public Works Director Bill Lawyer announced that the Shade Sails will be installed on the 12th and the Big Toy will open on the 15th. Picnic shelters will hopefully be complete before then.

Councilor Kohler suggested that Council discuss the possibility of giving \$60,000 ARPA funds to the Keizer Community Library and give an additional \$15,000 for a grant writer so that they can learn to be self-sustaining and not dependent upon the City for funding. Following discussion Council agreed by consensus to direct staff come back with recommended options for \$60,000 in operating funds and additionally up to \$15,000 to use for grant writing and to consult with the Keizer Community Library in development of this recommendation.

COUNCIL MEMBER REPORTS

Councilor Kohler reported on the Salem Hospital Ribbon Cutting event and announced that Council was scheduled to serve at the next Community Dinner.

Councilor Reid announced the Keizer Heritage Foundation Volunteer appreciation event and the Home Grown Theater Birthday Celebration.

Councilor Herrera reported on Marion County Executive Committee and Kennedy Family Neighborhood Council meetings and the National Association of Latino Elected and Appointed Officials Conference and expressed condolences to the family of Mary Lynn Morgan who recently passed away.

Mayor Clark reported on meetings for the Homeless Alliance and the Women's caucus panel of Mayors, read a letter from the American Legion praising City Manager Adam Brown for his recent participation in a conference at Western Oregon State University and announced volunteer openings on City committees, Marion County Fair, various meetings and events and birthdays of Tracy Davis and Shannon Johnson.

AGENDA INPUT

July 11, 2022 – 6:00 pm - City Council Work Session - Cancelled
 July 18, 2022 – 7:00 pm - City Council Regular Session
 August 1, 2022 – 7:00 pm - City Council Regular Session
 August 8, 2022 – 6:00 pm – City Council Work Session

ADJOURNMENT

Mayor Clark adjourned the meeting at 9:14 p.m.

MAYOR:

APPROVED:

Cathy Clark

Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

Councilor #1 – Laura Reid

Councilor #4 – Roland Herrera

Councilor #2 – Shaney Starr

Councilor #5 – Elizabeth Smith

Councilor #3 – Kyle Juran

Councilor #6 – Daniel R. Kohler

Minutes approved: _____

Written Public Comments
July 6th thru July 18th, 2022

- Elizabeth Swan – Keizer Resident – Psilocybin
- Betty Hart – Keizer Resident – Keizer Library

Davis, Tracy

From: elizabethhallenswan@gmail.com
Sent: Monday, July 18, 2022 4:38 PM
To: Davis, Tracy
Subject: 7-18 public comment on psilocybin

CAUTION: This email originated from Outside Your Organization. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

Elizabeth Swan, Keizer Resident. I am commenting in opposition of a psilocybin ban and the plan to place the full ban on the ballot. I am disappointed in the lack of maturity in the discussion of this, as evidenced by childish giggles and the general lack of the basic knowledge required to discuss the topic in an adult fashion, which to your credit was openly admitted. While of course there are questions to be asked about how these treatment centers will play out exactly, psilocybin use in general is not new and psilocybin use in western medicine is not new. Psilocybin use could hardly be more established at an international level. It is a traditional, spiritual, medicinal practice in cultures all around the world. The original ban in the US was directly connected to the xenophobia and racism that was integral to the "War on Drugs". The negative sentiments that continue to be perpetuated are based in bias, not in knowledge, a department in which you know already you lack. I believe Councilor Smith is the person who decided to put a full ban on the table, as opposed to a temporary two year ban for policy reasons, saying that she "thinks Keizer has already spoken". This conversation and the actions it has led to are not in the spirit of questioning assumptions and growing with new knowledge. I do not support putting a full ban on the ballot as I do believe you all have demonstrated that we as the general public currently lack knowledge on the subject and instead rely on irrelevant or harmful assumptions and biases. I would recommend further education by researching and inviting experts in the field to come speak and answer questions. I don't think we should be considering a ban at all; however, I think a two year ban is much more cognizant of your and our community's lack of understanding of the subject and lack of exposure to the many experts that do. It was stated by the attorney that after two years a full ban could be put on the ballot if desired.

Davis, Tracy

From: MIKE BETTY HART <hartmb30@msn.com>
Sent: Monday, July 18, 2022 5:01 PM
To: Davis, Tracy
Subject: Memo to the City Council 7/18/22

CAUTION: This email originated from Outside Your Organization. Exercise caution when opening attachments or on clicking links from unknown senders. Please contact Information Technology for assistance.

Please share the following with the City Council for tonight's meeting.

To: The Keizer City Council

From: Betty Hart, Keizer Resident

Date: 7/18/22

Subject: Keizer Public Library

The Keizer City Council has the best chance ever to create a public library for Keizer. Please take that opportunity now by voting to put a measure on the ballot for this November to fund the Library at \$2.50 per month for sewer and water bills. There are several reasons that this is a good opportunity now.

1. The Library Board has the expertise to undertake the process to successfully complete the applications to become a public library and achieve membership in CCRLS.
2. There is expertise and commitment among Library volunteers to undertake a campaign to pass a measure in November.
3. There is a growing interest and commitment in the community to do this now.

Not doing it now will put the Keizer Library and the community behind in achieving this long-time goal of many in the Keizer. The expertise that exists now to make this happen is not likely to be there next time.

Please take this opportunity now!

Sent from Mail for Windows 10

SINCE 1982

- Local Funding to Address Homelessness ★ 10
- Infrastructure Funding to Support Needed Housing 10
- Cybersecurity & Privacy 10
- Address Measure 110 Shortcomings ★ 10
- Alcohol Revenues
- Infrastructure Financing and Resilience
- Transportation Safety Enhancement

Full Funding and Alignment for State Land Use Initiatives 9.5

Marijuana Taxes ★ 9.5

Water Utility Rate and Fund Assistance ★ 9.5

Resilient, Futureproof Broadband Infrastructure and Planning Investment 9

Return to Work ★ 9

Property Tax Reform ★ 9

Affordability, Adoption and Consumer Protections 9

Economic Development Incentives (EZ, LTREZ, SIP) 8.5

Digital Equity and Inclusion 8.5

Continue Investments in Renewable Energy 8

Transportation Safety Enhancement 8

Community Resiliency and Wildfire Planning 8

Place-Based, Water Resource Planning (Program Support) 8