



PUBLIC MEETING NOTICE KEIZER CITY COUNCIL

NOTICE OF WORK SESSION

The Keizer City Council will meet for a Work Session on **Monday, June 21, 2004 at 5:30 p.m.** This session will be held at Keizer City Hall, 930 Chemawa Road NE, Keizer, Oregon. The agenda for this meeting includes discussion of the Civic Center Task Force recommendation.

This location is accessible to the disabled. Please contact City Hall if special arrangements are necessary. Questions regarding this meeting may be directed to Chris Eppley, City Manager at (503) 390-3700, ext. 102.

DATED this 18th day of June, 2004.

Tracy L. Davis, CMC
City Recorder

NOTICE FOR INFORMATIONAL PURPOSES ONLY

**NOTICE OF PUBLIC HEARING
SALE OF PROPERTY**

NOTICE is hereby given that the Keizer City Council will hold a public hearing to consider the sale of real property owned by the City.

1. Time and place of hearing:

The hearing shall be held on Monday, June 21, 2004 at 7:00 p.m. at the Robert L. Simon Council Chambers, Keizer City Hall, 930 Chemawa Road N.E., Keizer, Oregon (NOT A MAILING ADDRESS).

2. Description of property to be sold: A 20-foot strip of property which is located immediately south of Lot 18, Block 1, Lawndale Subdivision.

3. Proposed uses for the property: This property is a small strip that is zoned single-family residential. The proposed use of the property is additional residential yard area.

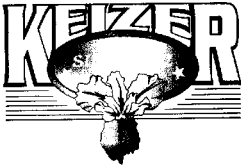
4. Reason to sell the property: The City will consider if the property has public use or should be sold. Sale of the property will allow the City to avoid the costs of maintaining the property and will put the property on the tax rolls.

The location of the hearing is accessible to the disabled. Please contact the City Recorder at 503-390-3700, extension 108 at least 48 hours prior to the hearing if you will need any special accommodations to attend or participate in the hearing.

Comments are welcome at the hearing or in writing in advance of the hearing. Please forward written testimony to Tracy Davis, City Recorder, PO Box 21000, Keizer, Oregon 97307. **Written testimony must arrive at City Hall no later than Monday, June 21, 2004, at 5:00 p.m.** You may contact Bill Lawyer at 503-390-3700 for further information.

Dated this 8th day of June, 2004.

Tracy L. Davis, CMC
City Recorder



FAXED
6/8/04

City of Keizer

Keizer City Hall, P.O. Box 21000, Keizer, OR 97307-1000

Fax Cover Sheet

DATE: June 8, 2004

TO: Keizertimes - Scotta

FAX: (503) 390-8023

FROM: Tracy L. Davis, CMC
City Recorder

PHONE: (503) 390-3700 Ext. 108

FAX: (503) 393-9437

RE: Public Notice – Sale of Property

Number of pages including cover sheet: 2

Message:

Please publish the attached notice in the June 11, 2004 edition of the Keizertimes. I will put the original in your box here at City Hall.

If unable to publish in this edition or if you have any questions, please give me a call.

Thanks!

NOTICE OF PUBLIC HEARING SALE OF PROPERTY

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Dated this 8th day of June, 2004.

Tracy L. Davis, CMC
City Recorder



CITY OF KEIZER

NOTICE OF MEETING

URBAN RENEWAL AGENCY MEETING

NOTICE is hereby given that the Urban Renewal Agency of the City of Keizer will meet on **Monday, June 21, 2004 at 6:30 p.m.** The agenda includes a public hearing on the adoption of the 2004-2005 Urban Renewal Agency budget.

The meeting will be held in the Robert L. Simon Council Chambers, Keizer City Hall, 930 Chemawa Road NE, Keizer, Oregon.

Questions regarding this session may be directed to Chris Eppley, City Manager at 390-3700.

Dated this 18th day of June, 2004.

Tracy L. Davis, CM/C
City Recorder

Notice for Information Purposes Only.

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

CITY COUNCIL AGENDA PACKET

MONDAY,
June 21, 2004

- 5:30 P.M. CITY COUNCIL
WORK SESSION

- 6:30 P.M. URBAN
RENEWAL AGENCY

- 7:00 P.M. CITY COUNCIL
REGULAR SESSION

*Please contact Chris Eppley, City Manager if you have
any questions or need additional information
regarding any of the staff reports or issues contained
on the agenda. Thanks!!*

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

A G E N D A
KEIZER CITY COUNCIL
WORK SESSION

**Monday, June 21, 2004
5:30 p.m.**

**Robert L. Simon Council Chambers
Keizer City Hall, Keizer, Oregon 97303**

1. CALL TO ORDER

2. ROLL CALL

3. DISCUSSION

a. Civic Center Task Force Recommendation

4. ADJOURN

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

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

A G E N D A

URBAN RENEWAL AGENCY OF THE CITY OF KEIZER

Monday, June 21, 2004

6:45 p.m.

**Robert L. Simon Council Chambers
Keizer, Oregon**

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC TESTIMONY

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

4. PUBLIC HEARING

5. ADMINISTRATIVE ACTION

- a. Keizer Village Property Improvement Grant**

6. CONSENT CALENDAR

- a. Approval of June 21, 2004 Agency Regular Session Minutes**

7. OTHER BUSINESS

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

8. AGENDA INPUT

9. ADJOURN

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

CITY COUNCIL WORK SESSION: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR AND CITY COUNCIL
FROM: CHRISTOPHER C. EPPLEY
CITY MANAGER
SUBJECT: CIVIC CENTER TASK FORCE RECOMMENDATION

BACKGROUND

At The Council Work Session on May 24, 2004, staff was asked to do some additional research on three specific issues:

1. Have Alan Costic provide additional information on the feasibility of converting the Wittenberg Inn into a Civic Center.
 2. Identify the location and general cost of vacant parcels in Keizer that could serve as a location for a future Civic Center.
 3. **Attain a market analysis of the value of the City owned land and existing buildings at 930 Chemawa Road, NE.**
- ✓ Mr. Costic has presented staff with a cost estimate for conducting a thorough analysis of the Wittenberg Inn to determine if it is structurally feasible to convert to a Civic Center. That cost estimate and proposal have been included for your information. Mr. Costic will be present at the work session to discuss his initial thoughts on the concept prior to allocating additional resources toward an in-depth investigation of the site.
- ✓ Staff has analyzed a vacant parcel map of Keizer and, after a cursory review, has identified six (6) potential sites that are vacant (or mostly vacant) and are at least 5-acres in size. This map will be available at the work session.

The Marion County Assessors office was queried to establish a base for determining a comparative market value for the properties identified on the map. The values of these properties should be used only as a place to start discussions and have not been adjusted for zoning considerations, constraints, appropriateness for public use, potential development cost, or lost opportunity costs associated with taking the parcels off of the open taxable market. In addition, none of the property owners have been contacted to assess their willingness to sell their property or portions thereof.

- ✓ An appraisal of the existing City Hall and Police facilities along with 8-acres of ground around these structures has been ordered to establish the actual current market and likely sale value of the property the City owns at 930 Chemawa Road, NE.

RECOMMENDATION

Staff recommends that Council reviews the provided information and provide staff with additional direction on the following two items:

1. Shall we move forward on a full analysis of the Wittenberg Inn as a potential site for a new Civic Center?
2. Shall the City Council accept the recommendation of the Civic Center Task Force and declare that the existing City owned property at 930 Chemawa Road, NE should be designated as the future site of a Civic Center.

June 4, 2004

Chris Eppley
City Manager
City of Keizer
930 Chemawa Road NE
Keizer, Oregon 97307

RE: Architectural Services
Investigation of Whittenberg Inn facility

Dear Chris:

Arbuckle Costic Architects is pleased to provide architectural services to the City of Keizer as you investigate the existing Whittenberg Inn facility in Keizer for possible use as a Civic Center.

The following is a brief description of the preliminary services we will provide. Additionally, we have broken down our work plan into three phases. This would allow you to continue or stop based upon information presented at each phase.

Phase I

- Plan Meeting: Determines the planning process, which will include the schedule and identification of decision makers and other key players.
- Investigation:
 - Evaluation of existing facilities, considering function, building systems, code, aesthetics, etc. This includes photo documentation and locating existing drawings and plans.
 - Evaluation of the civic center needs, considering strengths and weaknesses of the proposed facility and the City of Keizer's goals for the completed facility.

Phase II

- Hands-On Work Sessions: Involving the appropriate members and the necessary presentation materials, we will:
 - Create a variety of possible solutions.
 - Evaluate each plan, weighing pros and cons.
 - Refine the best solution and develop it into conceptual plans.

Phase III

- Cost Estimates: We will provide a cost estimate for the proposed plan.
- Develop Presentation Materials: To help the City of Keizer understand the vision, we will develop plans, drawings and sketches.
- Presentations:
 - Informal presentations to selected small groups.
 - One or more formal presentations will be made to the City of Keizer so they may ask questions and better understand the vision for the new facility.



Kim Arbuckle, AIA
Alan E. Costic, AIA
Clayton Vorse, AIA
Lisa Mance, IDA
Richard S. Rothweiler, AIA
Leonard Lodder, AIA
Richard S. Boyd, AIA

ARBUCKLE COSTIC ARCHITECTS, INC.

302 State
Salem, OR 97301-3533
503/581-4114 Fax: 503/581-3655
E-Mail: architects@arbucklecotic.com • www.arbucklecotic.com

Chris Eppley
RE: Investigation of Whittenberg Inn Facility
June 4, 2004
Page 2 of 2

Preliminary design services will be billed on an hourly basis with a not-to-exceed amount per phase. Reimbursables are not included in the not-to-exceed amount and will be billed in addition.

Phase I (Architectural, Structural, Mechanical, and Electrical)	\$ 8,500
Phase II	4,500
Phase III	<u>4,500</u>
Total Fee	\$17,500

Arbuckle Costic Architects looks forward to the opportunity to assist you and the City of Keizer with this important project. I am available to answer any questions you may have regarding our services or this proposal.

Sincerely,



Alan E. Costic, AIA
Architect

AEC:lb

Encl.



Kim Arbuckle, AIA
Alan E. Costic, AIA
Clayton Vorse, AIA
Lisa Mance, IIDA
Richard S. Rothweiler, AIA
Leonard Lodder, AIA
Richard S. Boyd, AIA

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Salem, OR 97301-3533
503/581-4114 Fax: 503/581-3655
E-Mail: info@arbucklecotic.com • www.arbucklecotic.com

2004 HOURLY RATE CHARGES

Principal	\$115.00
Senior Architect	\$105.00
Project Architect	\$95.00
Architect	\$90.00
Project Manager	\$90.00
Drafter I	\$75.00
Drafter II	\$65.00
Senior Interior Designer	\$95.00
Interior Designer	\$80.00
Interior Drafter	\$70.00
Clerical	\$50.00
Clerical II	\$35.00
Office Manager	\$65.00

Reimbursable Costs: All travel, long distance phone calls, faxing, photographic and printing costs charged at 1.10 times direct cost.

Property Price Comparisons Per Square Foot

<u>Property #</u>	<u>Owner</u>	<u>Acres</u>	<u>Topography</u>	<u>Structures</u>	<u>County Assessed Zoning</u>	<u>City Enacted Zoning</u>	<u>Assessed RMV</u>	<u>\$/Sq. Ft.</u>
1	Earle	12.27	Flat, Bare	Yes	Urban Transitional	Medium Density Residential	\$ 564,680	\$ 1.06
2	Roso	9.24	Hilly, Some Trees	Yes	Mixed Use	Mixed Use	\$ 358,640	\$ 0.89
3	Roso	7.82	Flat, Bare	No	Mixed Use	Mixed Use	\$ 421,480	\$ 1.24
4	Epping	21.38	Mostly Flat, Bare	No	Urban Transitional	Mixed Use	\$ 1,161,780	\$ 1.25
5	St. Edwards	18.17	Flat, Bare	No	Rural Agricultural	Medium Density Residential	\$ 638,790	\$ 0.81
6	City of Keizer	5	Flat, Bare	Yes	Industrial Business Park	Industrial Business Park	\$ 1,740,000	\$ 7.99
City Hall	City of Keizer	11	Flat, Some Trees	Yes	Public	Public	\$ 700,840	\$ 1.46

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FASHION

A G E N D A

URBAN RENEWAL AGENCY OF THE CITY OF KEIZER

Monday, June 21, 2004

6:30 p.m.

Robert L. Simon Council Chambers
Keizer, Oregon

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC TESTIMONY

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

4. PUBLIC HEARING

a. RESOLUTION – Adopting 2004-2005 Fiscal Year Budget

5. ADMINISTRATIVE ACTION

b. RESOLUTION – Authorization for Resolution Transfer

6. CONSENT CALENDAR

a. Approval of January 20, 2004 Agency Regular Session Minutes

b. Approval of February 2, 2004 Agency Regular Session Minutes

c. Approval of May 17, 2004 Agency Work Session Minutes

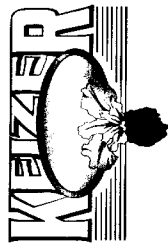
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Urban Renewal Agency
June 21, 2004

AGENDA ITEM 4a

RESOLUTION - Adoption of 2004-2005 Budget

URBAN RENEWAL MEETING: June 21, 2004

AGENDA ITEM NUMBER: _____

TO: CHAIR CHRISTOPHER AND BOARD MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: SUSAN GAHLSDORF, CPA
FINANCE DIRECTOR

SUBJECT: RESOLUTION ADOPTING FISCAL YEAR 2004-05 BUDGET, MAKING
APPROPRIATIONS, IMPOSING AND CATEGORIZING TAXES

BACKGROUND:

On May 18, 2004, the Budget Committee convened and received the City Manager's Budget Message for FY05, took public testimony from interested parties, deliberated on the Urban Renewal Budget and approved the Manager's Recommended Budget without amendment.

ISSUES AND FISCAL IMPACT:

Tonight the City has scheduled a public hearing to receive additional citizen input on the FY05 Committee Approved Budget. After the hearing the Board may make adjustments to the approved budget to:

- ❖ Reduce the amount of taxes to be received
- ❖ Adjust estimates of resources and requirements
- ❖ Raise expenditures in any fund up to \$5,000 or 10 percent, whichever is greater

The Board must adopt the upcoming fiscal year budget by June 30, 2004.

RECOMMENDATION:

Staff recommends the Board open the public hearing and receive testimony on the FY05 Urban Renewal Agency Budget. After all testimony is received, staff recommends the Board close the public hearing and begin deliberations on the FY05 Budget. Finally, Staff recommends that the Board adopt the attached budget resolution for Fiscal Year 2004-05, with amendments if any.

CITY OF KEIZER, STATE OF OREGON

RESOLUTION UR04-_____

ADOPTING THE FY05 BUDGET, MAKING APPROPRIATIONS,
AND IMPOSING AND CATEGORIZING TAXES

BE IT RESOLVED, that the Keizer Urban Renewal Agency hereby adopts the budget for fiscal year 2004-05 in the sum of \$ _____ now on file at Keizer City Hall.

BE IT FURTHER RESOLVED that the amounts for the fiscal year beginning July 1, 2004 and for the purposes shown below are hereby appropriated:

Tax Increment Fund

Debt Service \$ 3,996,700

TOTAL TAX INCREMENT FUND

3,996,700

Project Fund

Personal Services \$ 216,400

Materials & Services 249,000

Capital Outlay 6,350,100

Contingency 200,000

TOTAL PROJECT FUND

\$7,015,500

TOTAL ALL FUNDS

\$11,012,200

BE IT FURTHER RESOLVED that the Urban Renewal Board for the Keizer Urban Renewal District hereby resolves to certify to the county assessor for the North River Road Plan Area a request for the maximum amount of revenue that may be raised by dividing the taxes under section 1c, Article XI, of the Oregon Constitution with no amount to be raised through the imposition of a special levy.

BE IT FURTHER RESOLVED that no taxes will be imposed from a Special Levy.

PASSED this _____ day of _____, 2004.

SIGNED this _____ day of _____, 2004.

Chair

City Recorder

SPECIAL REVENUE FUNDS

URBAN RENEWAL AGENCY

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

1	\$ 2,312,062	\$ 3,967,531	\$ 5,369,300	Beginning Fund Balance	\$ 5,417,000	\$ 5,417,000	\$ -
2	2,930,658	3,113,263	3,266,707	Tax Increment Revenue	3,679,000	3,679,000	-
3	147,379	165,304	179,700	Prior Year Taxes	160,000	160,000	-
4	7,297,600	-	5,296,993	Bond & Loan Proceeds	3,056,700	3,056,700	-
5	92,871	-	-	Grants	-	-	-
6	17,000	5,495	-	Donations	-	-	-
7	81,833	78,577	105,766	Interest	67,700	67,700	-
8	109,604	-	-	Transfers	-	-	-
9	\$ 12,989,007	\$ 7,330,170	\$ 14,218,466	TOTAL RESOURCES	\$ 12,380,400	\$ 12,380,400	\$ -

EXPENDITURES

14	\$ 159,539	\$ 191,913	\$ 225,587	Personal Services	\$ 216,400	\$ 216,400	\$ -
15	120,400	143,509	186,014	Materials & Services	259,000	249,000	10,000
16	429,276	633,638	6,182,338	Capital Outlay	6,350,100	6,350,100	-
17	8,316,331	981,600	6,261,043	Debt Service	3,996,700	3,996,700	-
18	\$ 9,025,546	\$ 1,950,660	\$ 12,854,982	TOTAL EXPENDITURES	\$ 10,822,200	\$ 10,812,200	\$ 10,000

TRANSFERS OUT

Transfer to City Hall Facility Fund

2,440

FUND BALANCE

26	-	-	585,106	Debt Service Reserves	585,200	585,200	-
27	-	-	200,000	Contingency	200,000	200,000	-
28	3,961,021	5,379,510	578,378	Undesignated Fund Balance	773,000	783,000	(10,000)
29	\$ 12,989,007	\$ 7,330,170	\$ 14,218,466	TOTAL EXPENDITURE & FUND BALANCE	\$ 12,380,400	\$ 12,380,400	\$ -

SPECIAL REVENUE FUNDS

URBAN RENEWAL PROJECT FUND

ACTUAL 2003-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MAYOR RECOMM
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RESOURCES

1	\$ 1,746,659	\$ 2,950,076	\$ 2,012,282	Beginning Fund Balance	\$ 4,718,100	\$ 4,718,100	\$ -
2	1,637,600	-	5,296,993	Loan Proceeds	3,056,700	3,056,700	-
3	92,871	-	-	Grants	-	-	-
4	17,000	5,495	-	Donations	-	-	-
5	57,997	41,855	63,042	Interest	23,700	23,700	-
6	1,696	-	-	Transfer from Street Fund	-	-	-
7	45,821	-	-	Transfer from Revenue Sharing Fund	-	-	-
8	56,008	-	-	Transfer from City Hall Facility Fund	-	-	-
9	1,997	-	-	Transfer from Utility Fund	-	-	-
10	3,844	-	-	Transfer from Water fund	-	-	-
11	238	-	-	Transfer from SLD Fund	-	-	-
12	\$ 3,661,731	\$ 2,997,426	\$ 7,372,317	TOTAL RESOURCES	\$ 7,798,500	\$ 7,798,500	\$ -

Notes:

2 By law, Tax Increment Fund moneys are restricted for debt service payments. Each year overnight debt is issued to bring cash into the Project Fund. The debt is then paid from the Tax Increment Fund.

5 Interest Revenue is based on FY04 earnings at 11/31/03 protected out to 6/30/04.

7-12 The transfer from other funds in FY02 is for repayment of funds used by the City for facility maintenance. The City discovered this error and repaid the Urban Renewal District in FY02 with interest.

SPECIAL REVENUE FUNDS

URBAN RENEWAL PROJECT FUND

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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MATERIALS & SERVICES

38					
39					
40					
41	1,809	1,636	3,500	2,600	2,600
42	1,388	1,574	3,200	1,200	1,200
43	1,235	1,099	1,144	1,400	1,400
44	2,374	3,903	5,119	6,900	6,900
45	-	-	182	200	200
46	586	1,650	3,800	1,200	1,200
47	32,678	54,806	27,900	94,000	84,000
48	30,040	30,080	75,018	47,500	47,500
49	3,108	3,127	4,048	4,000	4,000
50	-	1,411	1,020	1,000	1,000
51	-	1,727	1,560	1,600	1,600
52	291	360	252	300	300
53	-	-	Gasoline	100	100
54	194	900	746	3,100	3,100
55	13,286	1,254	1,300	1,300	1,300
56	3,055	826	1,050	1,600	1,600
57	30,226	39,123	40,000	81,500	81,500
58	453	-	275	300	300
59	7	-	15,900	9,200	9,200
60	(330)	33	Miscellaneous	-	-
61	120,400	143,509	186,014	259,000	249,000
			TOTAL MATERIALS & SERVICES		10,000

Notes:

- Citywide costs are comprised of memberships to Council of Governments, League of Oregon Cities, Local Government Personnel Institute, local newspapers, Chamber of Commerce, SEDCOR, Rotary and International City/County Management Association. Costs are then allocated to each fund based on FTE.
- Costs include travel & training; misc. office supplies; meetings during mealtimes. These costs were previously charged to the Training & Travel line item.
- Advertising costs are for legal notices for budget hearings and property improvement issues.
- Legal Services are for basic and hourly services provided by the City Attorney at \$24,000. Hourly costs will increase 5% over FY04. In addition, 5 properties at the Keizer Station have potential for condemnation. Total legal cost for condemnation is estimated at \$60,000.
- FY05 includes \$30,000 for on-going Contractual Services including citywide costs such as Citizen Survey, copier leases, bank charges, courier services, & salary surveys. An additional \$17,500 has been budgeted for 5 property appraisals at \$3,500 each.
- The contract with the City's audit firm expires in FY05. Absent new estimates, this line-item is consistent with FY04.
- The City's Insurance carrier projects a 2% increase in insurance premiums, plus another 3% for land acquisition.
- Engineering Service costs increased 6.5% during FY04. FY05 projections are based on current year actuals projected to 6/30/04.
- Costs are approximately 0.3% of bond proceeds

SPECIAL REVENUE FUNDS

URBAN RENEWAL PROJECT FUND

ACTUAL 2009-10	ACTUAL 2008-09	ADOPTED 2009-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MSR RECOMM
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CAPITAL OUTLAY

62					
63					
64	\$ -	\$ -		\$ 2,500	\$ 2,500
65					
66	50,158	288,833	810,000	1,300,000	1,300,000
67	74,940	-	335,000	-	-
68	-	-	-	-	-
69	-	-	40,000	40,000	40,000
70	252	802	25,000	25,000	25,000
71	540	3,270	341	100	100
72	-	25,495	1,997	2,500	2,500
73	-	-	220,000	-	-
74	5,352	51,236	-	200,000	200,000
75	275,141	249,727	-	-	-
76	393	-	-	280,000	280,000
77	-	-	4,500,000	4,500,000	4,500,000
78	72,500	12,405	150,000	-	-
79	-	1,870	-	-	-
80	\$ 429,276	\$ 633,638	\$ 6,182,338	\$ 6,350,100	\$ 6,350,100

Notes:

64 Aerial Photos are estimated to cost \$15,000 citywide; 1/3 to be funded from Revenue Sharing and Street Fund; each, and 1/6 to be funded from Water Fund and Urban Renewal, each

65 Chemawa west of Rickman \$1,300,000 to be coupled with grant funds for improvements east of Rickman to Verda. See City of Keizer Street Fund Budget.

69 New crosswalk displays; crosswalk timers.

74 Grants include design grants, existing sidewalk relocation programs; fire life safety grants.

76 Property north of City Hall and property on the corner of Rickman and Chemawa.

77 As specified in the development disposition agreement with Northwest National LLC.

SPECIAL REVENUE FUNDS

URBAN RENEWAL PROJECT FUND

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04
-------------------	-------------------	--------------------

MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
------------------------	-----------------------	----------------------------

81						
82	\$ 709,215	\$ 969,040	\$ 6,593,939	TOTAL EXPENDITURES	\$ 6,825,500	\$ 6,815,500
83						\$ 10,000
84				TRANSFERS OUT		
85						
86	2,440			- Transfer to City Hall Facility Fund		
87						
88				FUND BALANCE		
89						
90				Contingency	200,000	200,000
91	2,950,076	2,028,366	578,378	Undesignated Fund Balance	773,000	783,000
92						(10,000)
93	\$ 3,661,731	\$ 2,997,426	\$ 7,372,317	TOTAL EXPENDITURE & FUND BALANCE	\$ 7,798,500	\$ 7,798,500

SPECIAL REVENUE FUNDS

URBAN RENEWAL TAX INCREMENT FUND

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
-------------------	-------------------	--------------------	------------------------	-----------------------	----------------------------

RESOURCES

1	\$	565,403	\$	1,017,455	\$	3,357,018	Beginning Fund Balance	\$	698,900	\$	698,900	\$
2		2,930,658		3,113,263		3,266,707	Tax Increment Revenue		3,679,000		3,679,000	
3		147,379		165,304		179,700	Prior Year Taxes		160,000		160,000	
4		23,836		36,722		42,724	Interest		44,000		44,000	
5		5,660,000		-		-	Bond Proceeds		-		-	
6	\$	9,327,276	\$	4,332,744	\$	6,846,149	TOTAL RESOURCES	\$	4,581,900	\$	4,581,900	\$

Notes:

- FY04 estimates are based on FY03 actuals projected out to year-end plus 3% assessed value increases and 1% for growth.
- Delinquent tax payments from property taxpayers increase each year with the amount of tax increment revenue apportioned to Urban Renewal. FY04 estimates are based on FY03 actuals plus 3% assessed value increases and 1% for growth.
- Interest Revenue is based on FY04 earnings at 12/31/03 projected out to year-end.

SPECIAL REVENUE FUNDS

URBAN RENEWAL TAX INCREMENT FUND

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
-------------------	-------------------	--------------------	------------------------	-----------------------	----------------------------

EXPENDITURES

DEBT SERVICE

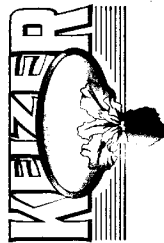
12	\$ 6,395,000	\$ 725,000	\$ 740,000	Principal	
13	283,731	256,600	224,050	Interest	
14	1,637,600		5,296,993	Loan Payment	
15	\$ 8,316,331	\$ 981,600	\$ 6,261,043	TOTAL DEBT SERVICE	
16			\$ 3,996,700	\$ 3,996,700	\$ -

FUND BALANCE

17					
18					
19	\$ -	\$ -	\$ 585,106	TOTAL RESERVES	
20					
21	1,010,945	3,351,144		- ENDING FUND BALANCE	
22					
23	\$ 1,010,945	\$ 3,351,144	\$ 585,106	TOTAL FUND EQUITY	
24					
25	\$ 9,327,276	\$ 4,332,744	\$ 6,846,149	TOTAL EXPENDITURE & FUND BALANCE	\$ 4,581,900
26					\$ 585,200

Notes:

- 14 By law, Tax Increment Fund moneys are restricted for debt service payments. Each year overnight debt is issued to bring cash into the Project Fund. The debt is then paid from the Tax Increment Fund.
- 19 Reserve Requirements are provided for in the Bond Covenants and must comply with IRS regulations. The Reserve must be the lesser of 10% of the par amount of the Series, maximum annual debt service, or 125% of the average annual debt service.
- Reserve requirements by series are as follows:
- | | |
|---------------------------------|-----------|
| Series 2001 A Tax Exempt Bonds: | \$358,713 |
| Series 2001 B Taxable Bonds: | 226,392 |
| Total Reserve Requirement: | \$585,105 |



AGENDA ITEM 5a

RESOLUTION - Authorization for Resolution Transfer

COUNCIL MEETING: June 21, 2004

AGENDA ITEM NUMBER: _____

TO: CHAIR CHRISTOPHER AND BOARD MEMBERS

THROUGH: CHRIS EPPLEY, CITY MANAGER

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

SUBJECT: Resolution Transfers

ISSUE:

Oregon Budget Law (ORS 294.450) allows for the transfer of appropriations within a fund during the fiscal year.

The following expenditures were not known at the time the Fiscal Year 2003-2004 budget was prepared. A resolution is required for the following items:

1. An additional \$130,000 is needed to cover costs for Legal Services needed to review the Keizer Station Development and Disposition Agreement and related attorney services.
2. An additional \$20,000 is needed for Engineering Services the Keizer Station Plan review above amounts budgeted

FISCAL IMPACT:

Staff recommends using \$150,000 of the \$200,000 in contingency in the Urban Renewal Project Fund to cover these costs. These costs were taken into consideration in developing the FY05 working capital carryforward line item.

RECOMMENDATION:

Staff recommends the council adopt the attached resolution authorizing the transfer of appropriation from contingency.

1 **URBAN RENEWAL AGENCY**
2 **CITY OF KEIZER, STATE OF OREGON**

3
4 Resolution UR2004-_____

5 **RESOLUTION TRANSFER**
6
7

8 WHEREAS, ORS 294.450 allows the transfer of appropriations within a fund
9 during the fiscal year. NOW, THEREFORE, BE IT RESOLVED by the Board of the
10 Keizer Urban Renewal Agency that appropriations for the fiscal year ending June
11 30, 2004 be transferred in the amounts indicated below:
12

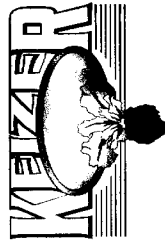
13 Urban Renewal Project Fund	<u>Decrease</u>	<u>Increase</u>
14		
15 Contingency	\$150,000	
16 Materials & Services		\$130,000
17 Capital Outlay		\$ 20,000
18		
19		

20 PASSED this _____ day of _____, 2004.

21 SIGNED this _____ day of _____, 2004.
22
23
24
25

26 _____
27 Urban Renewal Agency Chair

28 _____
29 City Recorder
30



Urban Renewal Agency
June 21, 2004

AGENDA ITEM 6a

Approval of January 20, 2004 Agency Minutes



MINUTES
KEIZER URBAN RENEWAL AGENCY
Wednesday, January 20, 2004
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Chair Christopher called the session to order at 6:07. Roll Call was taken as follows:

Present:

Lore Christopher, Chair
Charles E. Lee
Jim Taylor
Jacque Moir
Judy Smith
Richard Walsh
Michel Gaynor

Staff:

Nate Brown, Community Development Director
Chris Eppley, City Manager
Shannon Johnson, City Attorney
Rob Kissler, Public Works
Tracy Davis, City Recorder

PUBLIC TESTIMONY

None

**ADMINISTRATIVE
ACTION**

**a. Update of Draft
Transportation
Elements of the
Keizer Station Plan**

Chris Stanley, traffic engineer, explained the traffic study. He noted that the study includes growth for the entire system, not just the site, and added site traffic. This infrastructure which will serve the city for the next 17 years will be built in phases, and as development occurs it will continue to operate into the future. The volumes being used are very conservative; they assumed build out of the entire site (all of area a, b, c and d) at a relatively high density. Mr. Stanley continued that it was very likely that the high density traffic volumes would not be met in the next 17 years, but the hope was to make sure there would be excess capacity.

Richard Walsh questioned if the traffic from the ball games was

taken into consideration. Mr. Stanley responded that since that only occurs 30 times a year, it was determined that it was not something that they would want to build to. He added that all the internal intersections are coming out with approximately 50 to 70% capacity so there is a lot of excess capacity. Additionally, he noted that the city wants direct access to the stadium with a good flow of traffic so all the through movements are to and from the stadium.

Mr. Stanley explained that the goal is to accommodate the traffic. It is a difficult site because of the access restrictions: I-5 on the east, urban growth boundary to the north; and the rail line bi-secting the site. Access needs to operate safely but provide redundancy (more than one way in and out of the site). With that in mind, the original plan was to provide a right in/right out connection directly off Chemawa which provides one access in and out of the site. The current finding is that, considering the growth on the system, this will not operate adequately. With the rail crossing at Tepper and the undercrossing there are almost two full access intersections.

The next thing addressed was the off-site traffic operations. Mr. Stanley showed a conceptual layout of what the system should look like in 20 years which includes some widening of the I-5 northbound off-ramp. The existing bridge structure provides enough pavement but it will need to be re-stripped to narrower lanes providing dual left-turn lanes in each direction. Additionally, the southbound I-5 off-ramp and Chemawa Road between I-5 and McLeod will need to be widened. Mr. Stanley explained that this intersection is a difficult one and, in accordance with the City's TSP, it can be changed by realigning Radiant Drive into Lockhaven, intersecting at 90 degrees. So at 2020 long term, if this were to all build out, an infrastructure like this would operate below the 87 standard that is the goal; it can accommodate the cars stacked at the intersection, cars can progress through reasonably, and pedestrian crossings and connections can still be provided.

Mr. Stanley noted that the plan had not been presented to ODOT yet, but that the team was working on the timing adding that this was the best way to address the traffic issue. He noted that if this plan is not adopted, the impacts on the area will be worse than the plan, and there must be a reasonable compromise. Mr. Stanley added that the most effective means of working with ODOT will come from the City because this is part of Keizer's Urban Renewal District; it is something the City wants to do, which means the City of Keizer will be the voice ODOT listens to. The traffic study has been done, work is being done with the City and consultant, and the

next goal is to approach ODOT, discuss concerns; and give them the prepared traffic study.

City Manager, Chris Eppley noted that, once everyone has settled on something that looks good, the developer, the city and the tribes would approach ODOT and say "We agree on this package. Help us accomplish this."

Mr. Stanley reported that the plan assumed development in the area, but if a zone change on the east side of the freeway should be applied for, there would have to be an additional traffic study done addressing additional need for improvement. The plan presented accommodates a reasonable amount of traffic from the east side of I-5 because it is based on the model that includes both Salem and Keizer.

Traffic patterns were discussed to the south of Keizer Station. When Mr. Walsh questioned the possibility of an underpass on a small road onto Keizer Road, Mr. Stanley replied that the plan has the flexibility for that. He explained that evaluation involves three things: operation, safety and connectivity. The connectivity is expensive. With the two under-crossings already planned (\$1,000,000), the question is: Does the connectivity justify the expense?

Regarding the realignment of Radiant Drive and the width of the street, Mr. Stanley reported that a 40-foot cross section (equivalent of 3 travel lanes) is being considered. This provides flexibility and safety. Also the plans for future expansion include two bridge structures so that Radiant could be widened to a 5-lane cross section and have two 40-foot crossings.

Mr. Walsh noted that he was concerned about the north access. He felt that the property in that area should be locked up so that there would always be a clear shot to 35th. City Attorney Shannon Johnson noted that that area is part of the sports center area. When the master planning process goes forward with the sports center, that will be a major consideration and it can be addressed at that time.

Charlie Matschek from Ancrom Moisen explained that the traffic plan was a culmination of four years of work involving determination of issues and constraint, comp plan and zone changes, appropriate uses, servicing, and traffic flow. He noted that in the future there would be submittals made to the master plan to integrate open space, connectivity with pedestrians, bicycles, emergency vehicles,

buses and even commuter rail. The presented plan addresses these issues. He concluded that the presentation was a "broad brush" just prior to stepping forth with master plan submittals.

Chair Lore Christopher reported on the compilation of the citizen survey. In response to the question "Which types of businesses you would most like to see built at Keizer Station." The response was 35% for large chain retail; followed by smaller retail, recreational facilities, restaurants and entertainment, light industrial manufacturing and professional offices. Of the least preferred ranking: 36% light industrial and manufacturing, large chain retail, recreational facilities, professional office, small retail and restaurants and entertainment. Additionally respondents stated that they felt "drivability" was the feeling that a street or intersection is safe and that traffic is moving efficiently. The number one interchange for excellent drivability ranking was the I-5 interchange at 206. Of the 800 people who responded to the survey 44% of them felt that that is the safest and most efficiently working intersection in the city today.

Jeff Benner, with the architects explained that there are a number of park like areas on the site consisting of the primary park adjacent to I-5 and other areas that might lend themselves to pedestrian activity. This area is approximately 1.5 acres. Throughout the site there is well over 2 acres of park area. The plan presented works with existing vegetation (consisting of elm type trees) and provides some new hardscape with new tree embellishments. Additionally, there is a multi-use trail which traverses the site in its entirety north to south with various branches.

Addressing the overall look of the development, Mr. Benner reviewed the different shops, anticipated roof lines of the various tenants, and blending with elements.

Discussion continued regarding bike lanes, sidewalks, and roadways. Nate Brown pointed out that Keizer Station requires some sort of gateway that is visible from I-5 creating a landmark and gateway to the community of Keizer. Mr. Benner responded that work was underway on some offsite elements with sidewalks and landscaping tying into the site and embellishments along I-5.

**b. Resolution
Authorizing the
Agency Chair to Sign
the Second
Amendment to Legal
Services Contract**

City Attorney Shannon Johnson reported that the second amendment to the Legal Services Contract was approved by the Council in December but Urban Renewal Agency needs to approve it to finalize it.

Jacque Moir moved to adopt Resolution UR-2004 Authorizing the Agency Chair to Sign the Second Amendment to Legal Services Contract. Jim Taylor seconded.

The motion passed unanimously as follows:

AYES: Christopher, Lee, Taylor, Moir, Smith, Gaynor and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**CONSENT
CALENDAR**

- (a) Approval of June 2, 2003 Agency Minutes
- (b) Approval of June 16, 2003 Agency Minutes
- (c) Approval of July 7, 2003 Agency Minutes
- (d) Approval of September 2, 2003 Agency Minutes
- (e) Approval of October 6, 2003 Agency Minutes
- (f) Approval of October 20, 2003 Agency Minutes
- (g) Approval of November 3, 2003 Agency Minutes
- (h) Approval of November 5, 2003 Agency Minutes
- (i) Approval of November 24, 2003 Agency Minutes

Jacque Moir pulled items (a) and (c); Judy Smith pulled item (h).

Jacque Moir moved for approval of the Consent Calendar Items b, d, e, f, g and i. Charles Lee seconded.

The motion passed unanimously as follows:

AYES: Christopher, Lee, Taylor, Moir, Gaynor, Smith and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Jacque Moir noted a correction on June 2 minutes: the signature page (4) needs to be changed from Jacque Moir being absent to Judy Smith being absent.

Jacque Moir moved for approval of June 2, 2003, Agency Minutes as corrected. Jim Taylor seconded.

The motion passed as follows:

AYES: Christopher, Lee, Taylor, Moir, Gaynor and Walsh (6)

NAYS: None (0)

ABSTENTIONS: Smith (1)

ABSENT: None (0)

Jacque Moir noted a correction on July 7 minutes: the signature page (4) needs to be changed: Jacque Moir and Charles Lee were both absent.

Jacque Moir moved for approval of July 7, 2003, Agency Minutes as corrected. Jim Taylor seconded.

The motion passed as follows:

AYES: Christopher, Taylor, Moir, Smith, Gaynor and Walsh (5)

NAYS: None (0)

ABSTENTIONS: Moir and Lee (2)

ABSENT: None (0)

Regarding November 5 Agency minutes, Judy Smith noted a correction on page 2 from "Councilor" to "Councilor Moir". *(Note: The minutes requiring this correction were actually the November 24 minutes, but the date on the bottom of the page was November 5.)*

Jacque Moir moved for approval of November 5, 2003, Agency Minutes as corrected. Jim Taylor seconded.

AYES: Christopher, Moir, Lee, Taylor, Smith, Gaynor and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

OTHER BUSINESS

None

ADJOURNMENT

The meeting was adjourned at 7:08 p.m.

APPROVED:

Debbie Lockhart, Recording Secretary

Lore Christopher, Chair

AGENCY MEMBERS

Michel Gaynor

Charles E. Lee

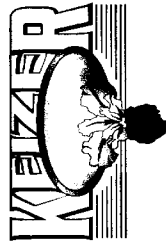
Jim Taylor

Jacque Moir

Judy Smith

Richard Walsh

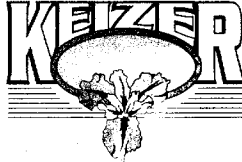
Minutes approved:



Urban Renewal Agency
June 21, 2004

AGENDA ITEM 6b

Approval of February 2, 2004 Agency Minutes



MINUTES
KEIZER URBAN RENEWAL AGENCY
Wednesday, February 2, 2004
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Chair Christopher called the session to order at 6:35. Roll Call was taken as follows:

Present:

Lore Christopher, Chair
Charles E. Lee
Jim Taylor
Jacque Moir
Judy Smith
Richard Walsh
Michel Gaynor (arrived 6:37 pm)

Staff:

Nate Brown, Community Development Director
Chris Eppley, City Manager
Shannon Johnson, City Attorney
Rob Kissler, Public Works
Marc Adams, Chief of Police
Dianne Hunt, Personnel Director
Susan Gahlsdorf, Director of Finance
Tracy Davis, City Recorder

PUBLIC TESTIMONY

None

**ADMINISTRATIVE
ACTION**

**a. RESOLUTION –
Declaring Intent to
Reimburse Under
the Internal
Revenue Code and
Authorizing Future**

Susan Gahlsdorf explained that this resolution allows the agency to spend tax increment dollars, the source of which is property tax revenues, for expenditures related to the Keizer Station and then reimburse the agency with the proceeds of tax-exempt obligations. This is being done at the present time in order to cover the engineering and architectural expenditures. The resolution timeline is indefinite.

Reimbursement Declarations

Jacque Moir moved to adopt Resolution UR-2004, A Resolution of the Urban Renewal Agency of the City of Keizer, Oregon, Declaring Intent to Reimburse Under the Internal Revenue Code and Authorizing Future Reimbursement Declarations. Charles Lee seconded.

The motion passed unanimously as follows:

AYES: Christopher, Lee, Taylor, Moir, Smith, Gaynor and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

b. RESOLUTION— Authorizing the City Manager to Sign the First Amendment to Engineering Services Agreement

City Attorney Shannon Johnson prepared the two year extension for Peterson Engineering, a three year contract with the possibility of two 2-year extensions. The increase is 6.5% over three years. The contract, which ran out November 18, will be effective for two years from that date and can be renewed once more at that time.

Jacque Moir moved to adopt Resolution UR-2004 Authorizing the City Manager to Sign the First Amendment to Engineering Services Contract. Judy Smith seconded.

Charles Lee questioned how the contract was budgeted and City Manager Chris Eppley responded that it would be budgeted during the next fiscal year. JacqueMoir added that this contract was set up to come due before the budget process was begun so that it could be covered in the new budget.

The motion passed unanimously as follows:

AYES: Christopher, Lee, Taylor, Moir, Smith, Gaynor and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT CALENDAR None

OTHER BUSINESS None

ADJOURNMENT The meeting was adjourned at 6:40 p.m.

APPROVED:

Debbie Lockhart, Recording Secretary

Lore Christopher, Chair

AGENCY MEMBERS

Michel Gaynor

Charles E. Lee

Jim Taylor

Jacque Moir

Judy Smith

Richard Walsh

Minutes approved:



Urban Renewal Agency
June 21, 2004

AGENDA ITEM 6c

Approval of May 17, 2004 Agency Minutes



MINUTES
KEIZER URBAN RENEWAL AGENCY
Work Session
Monday, May 17, 2004
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Chair Christopher called the session to order at 6:00. Roll Call was taken as follows:

Present:

Lore Christopher, Chair
Charles E. Lee
Jim Taylor
Jacque Moir
Judy Smith
Richard Walsh
Michel Gaynor

Staff:

Nate Brown, Community Development Director
Chris Eppley, City Manager
Shannon Johnson, City Attorney
Rob Kissler, Public Works
Marc Adams, Chief of Police
Tracy Davis, City Recorder

Also Present:

Bob Thompson
Jeff Benner

**PUBLIC
TESTIMONY**

None

**ADMINISTRATIVE
ACTION**

**a. Update by
Developer on the
Keizer Station
Master Planning
Effort for Area A**

Bob Thompson with Northwest National LLC reviewed the progress on Keizer Station noting that progress is being made towards acquiring land and adding that there may be one or two landowners who may be unwilling to reach an agreement.

He continued that ODOT is a concern. It is hoped that the City will help them get the attention of the appropriate people. Chris Stanley, who is very knowledgeable and works with ODOT on a regular basis has been trying to reach the appropriate people for discussion, the Tribes are using their contacts as well. Hopefully, by speaking to the appropriate people, the process will be expedited.

Referring to tenants: Lowe's has signed a binding agreement and is

anxious to open for business. Target has a letter of intent and wants possession of the property in November 2004 in order to open their store in October 2005.

Mr. Thompson continued that he will be attending a convention soon and has appointments with 35 possible tenants who have expressed an interest, including Cost Plus, Ross, Subway, Barnes & Noble, Bed Bath & Beyond and Krispy Kreme.

Jeff Benner presented maps and offered explanation focusing on transportation, pedestrian walkways and signage. Nate Brown added that the City will be working with the developer to reduce sign clutter and develop signage that would be acceptable to all parties as well as offer effective direction. Mr. Benner added that different colored and/or textured paving materials will be used around the development along with landscaping, trees, water features and trellises. He explained that there are 399 trees on the property at the present but 351 are being removed because they are diseased or in the right-of-way or wetlands. Only 9 of the original trees will be saved but many new trees will be planted.

Discussion continued regarding using 35th as an access for the development. Rob Kissler reported that there has been some discussion with Marion County, but it has been determined that the proposed internal road system being presented would not only handle the traffic generated from Keizer Station, but would also handle anticipated growth. Mr. Benner added that although final plans for 35th have not been made, the options remain open.

Charles Lee questioned the new Volcano stadium entryway and inquired if the developer has worked with them and reached an agreement. Mr. Thompson responded affirmatively. Mayor Christopher requested that Mr. Thompson get a memo from the Volcanoes for presentation with the plan at the City Council meeting or invite a representative to attend the meeting on the 7th.

Mr. Thompson explained that on June 7 the Master Plan will be formally presented to City Council. Judy Smith requested that a Public Hearing be held on June 7. Nate Brown said he could try but he would have to check the notice requirements.

OTHER BUSINESS None

ADJOURNMENT The meeting was adjourned at 6:58 p.m.

APPROVED:

Debbie Lockhart, Recording Secretary

Lore Christopher, Chair

AGENCY MEMBERS

Michel Gaynor

Charles E. Lee

Jim Taylor

Jacque Moir

Judy Smith

Richard Walsh

Minutes approved:

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

A G E N D A
KEIZER CITY COUNCIL
REGULAR SESSION

Monday June 21, 2004
7:00 p.m.

Robert L. Simon Council Chambers
Keizer, Oregon 97303

1. CALL TO ORDER

2. ROLL CALL

3. FLAG SALUTE

4. PUBLIC TESTIMONY

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

5. PUBLIC HEARINGS

- a. **RESOLUTION** – Authorizing the City Manager to Enter Into Transaction for Sale of City Owned 20-Foot by 85-Foot Strip on Allendale Avenue to Phyllis Dinsmore
- b. **RESOLUTION** – Adoption of 2004-2005 City of Keizer Budget, Making Appropriations, and Imposing and Categorizing Taxes
- c. Keizer Station Master Plan – Area A
- d. **RESOLUTION** – Forming Trebber Estates (FKA Martin Addition) Street Lighting Dist
ORDINANCE – Spreading Assessments to Trebber Estates (FKA Martin Addition)
Lighting District (continued from May 3, 2004)

6. COMMITTEE REPORTS

- a. **PROCLAMATION** – Support of Tourism in Marion and Polk Counties
- b. Volunteer of Quarter Award (Gary Miller and McNary Science Class)
- c. Appointment to Keizer Urban Renewal Board (Greg Rands)
- d. Salem Sewer Agreement Update (Tim Gerling)

7. OTHER BUSINESS

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

- New Business
- Old Business

8. ADMINISTRATIVE ACTION

- a. **RESOLUTION** – Ratifying the City Manager's Agreement to Purchase Property Along Chemawa Road NE, Keizer from Dorothy Crooks
- b. **RESOLUTION** – Authorization for Resolution Transfer

9. CONSENT CALENDAR

- a. **RESOLUTION** – Authorizing City Manager to Enter Street Sweeping Services Contract Amendment
- b. **RESOLUTION** – Adoption of Certain Personnel Policies (Insurance Program, Smoke Free Work Place, Safety and Health, and Health Insurance Portability and Accountability Act)
- c. **RESOLUTION** – City's Election to Receive State Revenue
RESOLUTION – Certifying the City of Keizer Provides Four or More Services
- d. **RESOLUTION** – Certifying Delinquent Sewer Accounts
- e. Keizer Mart Liquor License – Change of Ownership/Addition of Partner
- f. Approval of Minutes of May 17, 2004 Regular Session
- g. Approval of Minutes of May 24, 2004 Work Session

10. WRITTEN COMMUNICATIONS

To inform the Council of significant written communications.

11. AGENDA INPUT

July 6, 2004 (Tuesday)

7:00 p.m. City Council Regular Session

- Water Rates/COSA
- IBP Zone – Text Amendment
- Pavement Management Program
- Review of City Noise Ordinance – Variance Process

July 12, 2004

12:00 p.m. City Council Work Session

July 19, 2004

7:00 p.m. City Council Regular Session

12. ADJOURN

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



June 21, 2004

AGENDA ITEM 5a

**RESOLUTION - Authorizing the City Manager to
Enter Into Transaction for Sale of City Owned
Property**

CITY COUNCIL MEETING: June 21, 2004

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

**SUBJECT: *PUBLIC HEARING FOR SALE OF 20-FOOT BY 85-FOOT
PARCEL ON ALLENDALE AVENUE***

The City of Keizer owns a small (20-foot by 85-foot) parcel on Allendale Avenue. This remnant piece was left over from a longer strip of property which was conveyed to Mountain West Investments for inclusion as roadway in the Chemawa Glen subdivision. The adjoining property owner, Phyllis Dinsmore, has executed an earnest money agreement to purchase the property for \$550.00.

State law requires that a public hearing be held prior to the sale of any publicly held property. The \$550.00 value is the tax assessed value (see attached copy of county tax statement). It is less per square foot than the price paid by the developer of Chemawa Glen for the other portion of the strip of property. However, that piece was substantially larger and necessary for the developer to be able to complete the subdivision. The piece in question proposed to be sold to Ms. Dinsmore has nominal value and is merely a maintenance problem.

A sanitary sewer line exists in the property and an easement will be reserved for such line.

RECOMMENDATION:

Open and conduct the public hearing. After taking all public testimony, close the public hearing and adopt the attached resolution authorizing the city manager to enter into the transaction.

Please let me know if you have any questions in this regard. Thank you.

ESJ/tmh
attachment

**MARION COUNTY, OREGON
PROPERTY INFORMATION**

Owner Name
CITY OF KEIZER
Situs Address
0

Property ID #
R323865
Map Tax Lot #
073W01BB05400

Last Certified Year (2003) Information for R323865	
RMV Land Non-LSU	\$550
RMV Land LSU	\$0
RMV Improvements	\$0
RMV Total	\$550
Land LSU	\$0
Total Exemptions	\$550
M5 Net Value	\$0
M50 Assd Value	\$0

Important Information About R323865	
If applicable, the described property is receiving special valuation based upon its use. Additional rollback taxes which may become due based on the provisions of the special valuation are not indicated in this listing.	

Total Tax Payoff Amount		
Current Year Tax Owed	Interest Date	Total Tax Payoff Amount
\$0.00	06/17/2004	\$0.00

Current Property Tax						
Third	Begin Balance	Amount Paid	Taxes Paid	Interest Paid	Discount	Date Paid
1st	0.00	0.00	0.00	0.00	0.00	N/A
2nd	0.00	0.00	0.00	0.00	0.00	N/A
3rd	0.00	0.00	0.00	0.00	0.00	N/A

Information Subject to Disclaimer - See Home Page

Tax Summary							
Year	Total Levied	Ad Valorem	Special Assessments	Principal	Interest	Date Paid	Total Owed
2003	0.00	0.00	0.00	0.00	0.00	-	0.00
2002	0.00	0.00	0.00	0.00	0.00	-	0.00
2001	0.00	0.00	0.00	0.00	0.00	-	0.00
2000	0.00	0.00	0.00	0.00	0.00	-	0.00

Property Tax History Summary						
Tax Year	Taxes Levied	Total Paid	Taxes Paid	Interest Paid	Date Paid	Total Owed
2003	0.00	0.00	0.00	0.00	-	0.00

2002	0.00	0.00	0.00	0.00	-	0.00
2001	0.00	0.00	0.00	0.00	-	0.00
2000	0.00	0.00	0.00	0.00	-	0.00

Assessment History					
Year	Improvements	Land	Special Mkt/Use	Exemptions	Taxable Assessed Value
2003	\$0	\$550	\$0 / \$0	FNCITY	\$0
2002	\$0	\$530	\$0 / \$0	FNCITY	\$0
2001	\$0	\$520	\$0 / \$0	X	\$0
2000	\$0	\$500	\$0 / \$0	X	\$0

CURRENT PROPERTY INFORMATION

Owner Address

PO BOX 21000
KEIZER, OR 97307

Neighborhood

95G

Alternate Account Number

Levy Code Area / Taxing

Districts

Tax Rate

92452222 - SLM TRANS, KEIZER
CITY, FD, SD, WD

15.8287

Property Class

R90 (EXEMPT RESIDENTIAL CITY
PROPERTY)

Zoning

RS

Property Code

Miscellaneous Code

Related Accounts by Map Tax Lot

Linked Accounts

Mortgage Agent-Lender

Mortgage Account Number

Exemption

(FNCITY) CITY GOVT OWNED
PROPERTY, FULL EXEMPT

Expiration Date

Tax Roll Description

ACRES 0.04

Split/Sub Account Message

12/02/1999 - MERGE

Split Acct

R24910

Acreage

0.04

Special Account Information

Year Built

Account Status

A - Active

Foreclosure Case Number

Sales Information			
Buyer (Name&Address)	Seller (Name&Address)	Sales Info	Deed Info

2004 Land Information (Unedited and Uncertified)				
ID	Type	Acres	Sq Ft	Market Value
L1	RES - RESIDENTIAL			\$550

			TOTAL	\$550
--	--	--	-------	-------

2004 Improvement Information (Unedited and Uncertified)						
ID	Type	Make/Model	Class	Area	Year Built Actual/Effective	Market Value

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2004-_____

3 AUTHORIZING THE CITY MANAGER TO ENTER
4 INTO A TRANSACTION FOR THE SALE OF CITY
5 OWNED 20-FOOT BY 85-FOOT STRIP ON
6 ALLENDALE AVENUE TO PHYLLIS DINSMORE

7 WHEREAS, Phyllis Dinsmore has requested the City to sell to her an approximate
8 20-foot by 85-foot strip of property on Allendale Avenue for use as additional residential
9 yard area;

10 WHEREAS, a notice of hearing as provided in ORS 221.725 was completed and
11 a public hearing was held on June 21, 2004;

12 WHEREAS, the City Council of the City of Keizer enters the findings set forth
13 below;

14 NOW, THEREFORE,

15 BE IT RESOLVED as follows:

16 Section 1. PUBLIC HEARING. A public hearing was held before the City
17 Council on June 21, 2004. Notice of such hearing was published concerning the above
18 referenced sale.

19 Section 2. FINDINGS. The notice requirements of ORS 221.725 have been
20 complied with. The nature of the proposed sale and the general terms thereof, including
21 other evidence of the market value of the property have been fully disclosed by the City
22 Council at the public hearing. Any resident of the city has been given an opportunity to

1 present written or oral testimony at the hearing.

2 The property is not developable as it is subject to a sanitary sewer easement. The
3 property is not necessary for public use, except for such easement. The subject property
4 is useful to the proposed buyer in that it provides additional residential yard area to the
5 buyer's property.

6 It is necessary and convenient to sell the real property at this time as it would be
7 of little or no use to anyone other than the proposed buyer herein and the property buyer
8 now wishes to buy the property.

9 Section 3. DECISION TO SELL. Following the public hearing, the City Council
10 voted to sell the subject property to the buyer, on the terms set forth in the attached
11 Agreement.

12 Section 4. AUTHORIZATION TO CITY MANAGER. The City Council hereby
13 authorizes the City Manager to enter into the attached Sale Agreement and Receipt for
14 Earnest Money and to take all acts necessary to consummate the transaction as
15 contemplated therein.

16 PASSED this _____ day of _____, 2004.

17 SIGNED this _____ day of _____, 2004.

18 _____
19 Mayor

20 _____
21 City Recorder

**SALE AGREEMENT AND
RECEIPT FOR EARNEST MONEY**

SELLER: CITY OF KEIZER, an
Oregon Municipal Corporation
P.O. Box 21000
Keizer, OR 97307

BUYER: PHYLLIS D. DINSMORE
1815 Allendale Way N
Keizer, OR 97303

RECITAL:

Seller desires to sell to Buyer and Buyer desires to purchase from Seller certain real property located in Marion County, Keizer, Oregon (the "Property"):

See Exhibit "A" attached hereto and by this reference incorporated herein.

AGREEMENT:

Now, therefore, for valuable consideration, the parties agree as follows:

1. **Sale and Purchase.** Buyer agrees to purchase the Property from Seller and Seller agrees to sell the Property to Buyer for the sum of \$550.00 (the "Purchase Price").

2. **Earnest Money.** Seller hereby acknowledges receipt of the sum of \$50.00 paid by Buyer as earnest money. The earnest money shall be applied to the Purchase Price on the Closing Date, as that term is defined below.

3. **Payment of Purchase Price.** The Purchase Price shall be paid as follows:

3.1 At closing, the earnest money shall be credited to the Purchase Price.

3.2 At closing, Buyer shall pay the balance of the purchase price in cash or cashier's check.

4. **Closing.** Closing shall take place on or before July 1, 2004 (the "Closing Date"). The transaction shall be closed outside of escrow.

5. **Deed/Easement.** On the Closing Date, Seller shall execute and deliver to Buyer a statutory bargain and sale deed, conveying the Property to Buyer upon receipt of the full purchase price. Simultaneously, Buyer shall grant to Seller a utility easement in standard form.

6. **Taxes; Prorates.** Seller shall be responsible for the current 2003-04 property taxes, if any. Buyer shall be responsible for property taxes for the 2004-05 tax year and all successive years.

7. **Possession.** Buyer shall be entitled to possession immediately upon closing.

8. **Property Included.** The Property is bare land only. No fixtures are part of the Property.

9. **Personal Property.** No personal property is included as part of the Property being sold to Buyer.

10. **Property Sold "AS IS".** Buyer has had and has exercised a full and complete opportunity to inspect and investigate the property. No representations or warranties have been made by the Seller or anyone on Seller's behalf to the Buyer as to the environmental or other condition of the premises or the improvements, and it is understood and agreed that the premises are sold "as is" at the time this Agreement is closed.

Buyer hereby waives, releases, acquits and forever discharges Seller, its employees or agents or any other person acting on behalf of Seller, of and from any and all claims, actions, causes of action, demands, rights, damages, costs, expenses, or compensation whatsoever, direct or indirect, known or unknown, foreseen or unforeseen, which Buyer now has or which may arise in the future on account of or in any way growing out of or in connection with any physical characteristics or existing condition including, without limit, subsurface conditions and solid and hazardous wastes, and hazardous substances, on, under, or related to the real property, or any law or regulation applicable thereto.

11. **Exempt From Disclosure/Disclaimer Statutes.** Seller hereby indicates to Buyer that the Property is bare land only and therefore not subject to disclosure/disclaimer statutes (ORS 105.465-105.490).

12. Seller Held Harmless as Municipal Government. Buyer agrees and understands that Seller's responsibility and obligations under this Agreement do not and cannot bind Seller as to its duties as municipal government which are necessarily separate and apart from its obligations hereunder. To that end, with regard to any actions that may affect Buyer's operation of the Premises in any manner whatsoever, Buyer agrees to hold Seller harmless from any acts Seller may take to enforce in good faith any lawful ordinances or regulations, or any other acts Seller may take with regard to the adoption of appropriate and necessary laws and ordinances, or any other acts Seller may take in its role as municipal government. This provision shall survive closing and shall not merge with the deed.

13. Binding Effect/Assignment Restricted. This Agreement is binding on and will inure to the benefit of Seller, Buyer, and their respective heirs, legal representatives, successors, and assigns.

14. Remedies. Time is of the essence of this Agreement. If this Agreement does not close, through no fault of Seller, prior to the close of business on the closing date specified above, Buyer shall forfeit the earnest money to Seller as liquidated damages, and such forfeiture shall be Seller's sole remedy. If Seller cannot furnish marketable title at closing or otherwise fails to consummate this transaction, the earnest money shall be refunded to Buyer, and Buyer shall be entitled to its actual out-of-pocket expenses. The refund of the earnest money and reimbursement of the expenses shall be Buyer's sole remedy.

15. Attorney Fees. In the event action is instituted to enforce any term of this Agreement, the prevailing party shall recover from the losing party reasonable attorney fees incurred in such action as set by the trial court and, in the event of appeal, as set by the appellate courts.

16. Notices. All notices and communications in connection with this Agreement shall be given in writing and shall be delivered personally or transmitted by certified or registered mail, return receipt requested, to the appropriate party at the address first set forth above. Any notice so transmitted shall be deemed effective on the date delivered personally or it is placed in the United States mail, postage prepaid. Either party may, by written notice, designate a different address for purposes of this Agreement.

17. Entire Agreement. This Agreement sets forth the entire understanding of the parties with respect to the purchase and sale

of the Property. This Agreement supersedes any and all prior negotiations, discussions, agreements, and understandings between the parties. This Agreement may not be modified or amended except by a written agreement executed by both parties.

18. **Applicable Law.** This Agreement shall be construed, applied, and enforced in accordance with the laws of the state of Oregon.

19. **Acceptance.** This Agreement shall be null and void unless accepted by Seller, by Seller's execution of it, on or before June 23, 2004.

20. **Required Statutory Warning.** THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

21. **Agreement Preparation.** Buyer understands that the law firm of Lien & Johnson prepared this Contract on behalf of the Seller and in no way represents the Buyer.

BUYER HAS READ AND UNDERSTANDS ALL THE CONTENTS OF THIS SALE AGREEMENT. THIS IS A BINDING CONTRACT ONCE SIGNED BY SELLER. BUYER IS URGED TO SEEK LEGAL COUNSEL OF THEIR OWN CHOOSING.

SELLER:

BUYER:

Dated: _____

Dated: 6/12/04

CITY OF KEIZER, an Oregon
municipal corporation

Phyllis D. Dinsmore
Phyllis D. Dinsmore

By: _____
Christopher C. Eppley,
City Manager

Dated: _____

EXHIBIT "ONE"

Beginning at the Southwest corner of Lot 18, Block 1, Lawndale Subdivision, as recorded in Volume 27, Page 27, in the Marion County Book of town plats; thence South 1 degree 38 minutes 30 seconds East, along the Southerly prolongation of the west line of said Lawndale Subdivision a distance of 20.00 feet to the South line of a tract of land conveyed to Marion County, a political subdivision, by deed recorded in Reel 763, Page 137, Deed Records for Marion County, Oregon; thence North 88 degrees 18 minutes East a distance of 85.00 feet to the Westerly right of way of Allendale Way; thence along said right of way North 1 degree 38 minutes 30 seconds West a distance of 20.00 feet to the Southeast corner of Lot 18; thence leaving said right of way South 88 degrees 18 minutes West a distance of 85.00 feet to the point of beginning.

SUBJECT to an easement reserved by Seller for utility purposes over the entire property.



AGENDA ITEM 5b

Adoption of 2004-2005 City of Keizer Budget

June 21, 2004

COUNCIL MEETING: June 21, 2004

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

FROM: SUSAN GAHLSDORF, FINANCE DIRECTOR

**SUBJECT: RESOLUTION ADOPTING FISCAL YEAR 2003-04 BUDGET, MAKING
APPROPRIATIONS, AND IMPOSING AND CATEGORIZING TAXES**

BACKGROUND:

On May 4, 2004, the Budget Committee convened and received the City Manager's Budget Message for FY05 and took public testimony from interested parties. On May 11th and 13th the Committee received public testimony and deliberated on the City Budget. The Budget Committee concluded its deliberations on May 13, 2004 and approved the Manager's Recommended Budget, as amended (attached).

ISSUES AND FISCAL IMPACT:

Tonight the City has scheduled a public hearing to receive additional citizen input on the FY05 Committee Approved Budget. After the hearing the Council may make adjustments to the approved budget to:

- ❖ Reduce the tax rate or amount
- ❖ Adjust estimates of resources and requirements
- ❖ Raise expenditures in any fund up to \$5,000 or 10 percent, whichever is greater

Since the Committee Approved Budget passed, new information has become available that impacts the Street Fund and the Water Fund. First, Dr. Jerry McGee testified at the May 13th meeting and requested the Committee budget \$11,445 for signage or gateway expenditures. A sufficient budget exists in the Urban Renewal Fund to cover the cost of signs within the District boundaries. However, Staff recommends that \$5,000 be budgeted in the Street Fund to cover the cost of signs outside of the Urban Renewal District boundaries. If approved, this expenditure will decrease the Street Fund ending fund balance to \$152,800.

Second, staff discovered that Computer Hardware costs in the Water Fund were duplicated. \$14,700 was budgeted in Materials and Services and another \$14,700 was budgeted in Capital Outlay. The Materials and Services line item is an error. Staff recommends reducing Materials and Services from \$837,500 to \$822,800 and increasing the undesignated fund balance from \$329,000 to \$343,700.

RECOMMENDATION:

Staff recommends the City Council open the public hearing and receive testimony on the FY05 City of Keizer Budget. After all testimony is received, Staff recommends the Council close the public hearing and begin deliberations on the FY05 Budget. Staff requests the Council pass a motion to accept the budget changes identified in this staff report. Finally, Staff recommends that the City Council adopt the attached Budget Resolution for Fiscal Year 2004-05.

CITY OF KEIZER, STATE OF OREGON

RESOLUTION R2004-_____

ADOPTING THE FY'05 BUDGET, MAKING APPROPRIATIONS
AND IMPOSING AND CATEGORIZING TAXES

BE IT RESOLVED, that the City Council of the City of Keizer hereby adopts a budget for fiscal year 2004-05 in the sum of \$22,732,700 now on file at City Hall.

BE IT FURTHER RESOLVED that the amounts for the fiscal year beginning July 1, 2004 and for the purposes shown below are hereby appropriated:

General Fund

Administration	\$ 622,800
Parks	153,000
Community Development	332,300
Municipal Court	191,700
Police	4,538,400
Stadium Operations	39,600
Transfers	222,400
Contingency	78,000

TOTAL GENERAL FUND

6,178,200

Revenue Sharing

Capital Outlay	372,400
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TOTAL REVENUE SHARING

372,400

PEG

Materials & Services	60,000
Capital Outlay	63,600

TOTAL PEG

123,600

Housing Services

Materials & Services	164,300
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TOTAL HOUSING SERVICES

164,300

Street

Personal Services	249,800
Materials & Services	472,400
Capital Outlay	2,814,000

TOTAL STREET

3,536,200

911 Communications

Materials & Services	208,900
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TOTAL 911 COMMUNICATIONS

208,900

Law Enforcement Grant Fund

Materials & Services	27,300
Capitol Outlay	27,300

TOTAL GRANT FUND**54,600****Parks Improvement**

Capital Outlay	424,900
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TOTAL PARKS IMPROVEMENT**424,900****Utilities**

Personal Services	164,200
Materials & Services	4,137,000
Capital Outlay	9,900
Debt Service	10,600
Contingency	13,400

TOTAL UTILITIES**4,335,100****Street Lighting Districts**

Personal Services	42,200
Materials & Services	333,700
Capital Outlay	1,900
Contingency	18,900

TOTAL STREET LIGHTING**396,700****Water**

Personal Services	836,100
Materials & Services	837,500
Capital Outlay	135,900
Debt Service	135,700
Transfers	625,000
Contingency	60,000

TOTAL WATER**2,630,200****Water Facility Replacement Reserve**

Capital Outlay	3,792,600
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**TOTAL WATER FACILITY
REPLACEMENT RESERVE****3,792,600****Sewer Reserve**

Materials & Services	70,000
Capital Outlay	445,000

TOTAL SEWER RESERVE**515,000****TOTAL ALL FUNDS****22,732,700**

BE IT FURTHER RESOLVED that the City Council of the City of Keizer hereby imposes the taxes provided for in the adopted budget at the rate of \$2.0838 per \$1,000 of assessed value for operations; and that these taxes are hereby imposed and categorized for tax year 2004-05 upon the assessed value of all taxable property within the district.

**General
Government**

General Fund \$2.0838/\$1000

PASSED this _____ day of _____, 2004.

SIGNED this _____ day of _____, 2004.

Mayor

City Recorder

ALL FUNDS COMBINED

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04
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MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
------------------------	-----------------------	----------------------------

RESOURCES

\$ 3,073,235	\$ 3,404,785	\$ 4,037,178	Beginning Fund Balance	\$ 5,701,100	\$ 5,701,100	\$ -
2,722,264	2,905,972	3,124,343	Taxes & Assessments	3,189,900	3,189,900	-
2,352,892	2,408,683	2,264,842	Licenses & Fees	2,873,300	2,873,300	-
2,390,806	2,270,721	2,260,066	Intergovernmental	3,312,900	3,312,900	(5,000)
410,119	444,744	446,028	Fines & Forfeits	362,500	362,500	-
4,857,665	5,108,435	5,443,624	Charges for Services	6,378,800	6,378,800	-
-	-	-	Bond Proceeds	3,447,500	3,447,500	-
243,052	197,737	237,789	Miscellaneous	252,600	252,600	(8,000)
41,172	280,480	328,574	Transfers In	747,400	747,400	-
						-

\$ 16,091,205	\$ 17,021,557	\$ 18,142,444	TOTAL RESOURCES	\$ 26,266,000	\$ 26,279,000	\$ (13,000)
---------------	---------------	---------------	-----------------	---------------	---------------	-------------

EXPENDITURES

\$ 4,882,476	\$ 5,073,932	\$ 5,586,282	Personal Services	\$ 5,825,300	\$ 5,814,700	\$ 10,600
6,120,614	6,156,076	7,379,701	Materials & Services	7,659,500	7,656,000	3,500
1,526,903	770,456	2,524,680	Capital Outlay	7,948,600	8,098,000	(149,400)
8,330	12,563	11,538	Debt Service	146,300	146,300	-

\$ 12,538,323	\$ 12,013,028	\$ 15,502,201	TOTAL EXPENDITURES	\$ 21,579,700	\$ 21,715,000	\$ (135,300)
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148,098	282,920	378,574	Transfers Out	847,400	847,400	-
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FUND BALANCE

-	-	239,393	Contingency	177,100	170,300	6,800
-	-	-	Reserves	456,900	463,500	(6,600)
3,404,784	4,725,609	2,022,276	Undesignated Ending Fund Balances	3,204,900	3,082,800	122,100

\$ 16,091,205	\$ 17,021,557	\$ 18,142,444	TOTAL EXPENDITURES & FUND EQUITY	\$ 26,266,000	\$ 26,279,000	\$ (13,000)
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GENERAL FUND SUMMARY

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

\$ 562,784	\$ 788,399	\$ 934,807	Working Capital Carryforward	\$ 1,289,200	\$ 1,289,200	\$ -
2,415,967	2,513,209	2,626,335	Taxes	2,761,100	2,761,100	-
1,774,469	1,899,974	1,996,188	Licenses & Fees	2,039,800	2,039,800	-
527,960	580,429	598,521	Intergovernmental	532,300	537,300	(5,000)
410,119	444,744	446,028	Fines & Forfeits	362,500	362,500	-
159,455	105,127	100,885	Miscellaneous	118,300	126,300	(8,000)
\$ 5,850,754	\$ 6,331,882	\$ 6,702,764	TOTAL RESOURCES	\$ 7,103,200	\$ 7,116,200	\$ (13,000)

EXPENDITURES

\$ 3,799,292	\$ 3,983,133	\$ 4,324,745	Personal Services	\$ 4,531,000	\$ 4,522,400	\$ 8,600
1,250,142	1,182,724	1,347,071	Materials & Services	1,348,900	1,344,900	4,000
12,921	-	-	Capital Outlay	10,500	10,500	-
\$ 5,062,355	\$ 5,165,857	\$ 5,671,816	TOTAL EXPENDITURES	\$ 5,890,400	\$ 5,877,800	\$ 12,600

TRANSFERS OUT

\$ -	\$ 30,706	\$ -	To PEG Fund	\$ -	\$ -	\$ -
-	-	-	To 9-1-1 Fund	33,400	33,400	-
-	2,440	-	To Urban Renewal Fund	-	-	-
-	49,774	78,574	To Revenue Sharing Fund	189,000	189,000	-
\$ -	\$ 82,920	\$ 78,574	TOTAL TRANSFERS	\$ 222,400	\$ 222,400	\$ -

FUND BALANCE

\$ -	\$ -	\$ 54,657	Contingency	\$ 84,800	\$ 78,000	\$ 6,800
-	-	-	Reserve for Parks Equipment Storage	4,000	10,600	(6,600)
788,399	1,083,105	897,717	Undesignated Ending Fund Balance	901,600	927,400	(25,800)
\$ 5,850,754	\$ 6,331,882	\$ 6,702,764	TOTAL GENERAL FUND	\$ 7,103,200	\$ 7,116,200	\$ (13,000)

GENERAL FUND

GENERAL SUPPORT RESOURCES

ACTUAL 2009-02	ACTUAL 2002-03	ADOPTED 2005-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
-------------------	-------------------	--------------------	------------------------	-----------------------	----------------------------

1	\$	562,784	\$	794,839	\$	934,807	Working Capital Carryforward	\$	1,282,300	\$	1,282,300	\$	-
2													
3													
4													
5	\$	195,970	\$	221,704	\$	221,217	Salem Electric		221,700	\$	221,700	\$	-
6		447,631		524,542		554,115	PGE		491,800		491,800		-
7		302,043		276,947		272,594	NWNG		276,900		276,900		-
8		180,088		202,412		190,000	QWest		192,600		192,600		-
9		274,914		258,216		252,000	Cable Television		266,100		266,100		-
10		51,692		89,801		89,548	Loren's Sanitation		95,000		95,000		-
11		34,969		59,946		59,760	Valley Garbage		65,600		65,600		-
12		88,541		91,068		91,931	Water Sales Assessments		103,200		103,200		-
13		-		68,884		179,855	Sewer License Fee		215,400		215,400		-
14		94,090		-		-	PEG Fees		-		-		-
15		7,847		7,999		8,016	Cell Tower Rent		8,000		8,000		-
16		-		564		100	Systems Development Admin Fee - Sewer		-		-		-
17		18,289		21,353		5,610	Systems Development Admin Fee - Parks		16,300		16,300		-
18		3,724		2,875		4,635	Licenses/Permits		1,700		1,700		-
19		-		7,925		6,910	Lien Search Fee		26,500		26,500		-
20	\$	1,699,798	\$	1,834,236	\$	1,936,291	Total Licenses & Fees	\$	1,980,800	\$	1,980,800	\$	-

Notes:

20 Overall Licenses & Fees are stable over FY04 budget. FY05 projections are based on year-to-date actuals for FY04.

6 PGE Franchise Revenues were below projections in FY04. PGE gave a 5% increase as a 'guide' for estimating FY04 revenues. Year-to-date information indicates a 6% decline. PGE explained that most cities are seeing this decline because FY03 was an unusually high revenue year.

10/11 Sanitation rates increased in FY04 over the budget projections. FY05 projections are based on FY04 actuals.

12 Water Sales Assessment is 5% of Water Sales (see Water Fund). The Cost of Services Analysis for Water Rates projects a 4% rate increase in FY05. The remaining portion of the revenue increase is from increased water sales.

13 Sewer License Fees increased from 2% to 5% on 7/1/03 as provided for in the Council approved long-range plan. The license fee applies to Salem Sewer Payments and Administrative Fee (see Utility Fund). The City of Salem's Cost of Service Analysis projects a 12% rate increase in FY05. The remaining portion of the revenue increase is from increased water sales which is used to set sewer charges.

14 Revenues are to be used exclusively for public television access related expenditures and have therefore been moved to a Special Revenue Fund.

19 During FY04 the City implemented on-line lien searches to give Title companies access to the City's lien information as required by law. Title companies are charged \$20 per hit to the City's database. Previously, Title companies were charged \$5 for staff time in providing this information over the telephone.

GENERAL FUND

GENERAL SUPPORT RESOURCES

ACTUAL 2002-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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INTERGOVERNMENTAL

21					
22					
23	\$ 257,061	\$ 294,930	\$ 274,244	Liquor Tax	\$ 308,300
24	\$ 64,491	\$ 63,863	\$ 61,166	Cigarette Tax	\$ 61,500
25	\$ 321,552	\$ 358,793	\$ 335,410	Total Intergovernmental	\$ 369,800
26					

MISCELLANEOUS

27					
28					
29	\$ 1,645	\$ 2,805	\$ 2,400	Rentals	\$ 2,400
30	\$ 25,271	\$ 18,046	\$ 13,270	Interest	\$ 18,000
31	\$ 34,052	\$ 24,149	\$ 13,680	Misc. Revenue	\$ 2,900
32	\$ 60,968	\$ 45,000	\$ 29,350	Total Miscellaneous	\$ 23,300
33					

34	\$ 2,645,102	\$ 3,032,868	\$ 3,235,858	TOTAL GENERAL SUPPORT RESOURCES	\$ 3,656,200
35					

TAXES

36					
37					
38					
39	\$ 42,368	\$ 48,105	\$ 42,368	Hotel/Motel Tax	\$ 51,300
40	\$ 115,316	\$ 125,585	\$ 124,504	Prior Year Taxes	\$ 131,100
41	\$ 2,258,283	\$ 2,339,519	\$ 2,459,463	Tax Base	\$ 2,578,700
42	\$ 2,415,967	\$ 2,513,209	\$ 2,626,335	TOTAL TAXES	\$ 2,761,100
43					
44	\$ 5,061,069	\$ 5,546,077	\$ 5,862,193	TOTAL RESOURCES	\$ 6,417,300
45					

Notes:

23 Liquor Tax Revenues are expected to increase 2% over FY04 per the League of Oregon Cities. This increase is attributed to an increase in population statewide. The City is not projecting an increase because it is not known what portion of the increase will be allocated to the City of Keizer. Therefore, projections are based on current year actuals.

24 Cigarette Tax apportionments are expected to equal FY04 per the League of Oregon Cities. The League knows of no plans to suspend Liquor or Cigarette Tax in the 2003-2005 State budget.

30 Interest revenue is based on FY04 earnings at 11/31/03 projected out to 6/30/04.

31 Miscellaneous Revenues include one-time revenues that are not characterized by line-item descriptions.

40 Since FY01 delinquent tax payments have increased. The FY05 budget reflects this trend. Delinquent taxes are estimated at 8% of amounts assessed.

41 Property Tax Revenues are expected to increase 3% for increases in valuation [the maximum allowed by Ballot Measure 50] and 3% for new development.

GENERAL FUND

ADMINISTRATION

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

1	\$	505,573	\$	423,833	\$	569,316	\$	622,800	\$	622,800	\$	-
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EXPENDITURES

PERSONAL SERVICES

7	\$	31,851	\$	23,386	\$	24,340	\$	25,500	\$	25,500	\$	-
8	-	-	-	-	-	43,764	-	44,500	-	44,500	-	-
9	33,694	33,415	57,739	57,739	57,739	57,739	70,300	70,300	70,300	70,300	-	-
10	-	-	-	-	-	26,123	-	30,800	-	30,800	-	-
11	52,881	55,813	55,763	55,763	55,763	55,763	57,600	57,600	57,600	57,600	-	-
12	15,426	15,809	15,958	15,958	15,958	15,958	16,200	16,200	16,200	16,200	-	-
13	5,373	5,936	6,185	6,185	6,185	6,185	6,500	6,500	6,500	6,500	-	-
14	298	84	500	500	500	500	500	500	500	500	-	-
15	2,182	2,063	3,533	3,533	3,533	3,533	3,900	3,900	3,900	3,900	-	-
16	25,576	24,297	42,592	42,592	42,592	42,592	46,300	46,300	46,300	46,300	-	-
17	17,147	7,375	30,136	30,136	30,136	30,136	36,400	36,400	36,400	36,400	-	-
18	-	-	1,575	1,575	1,575	1,575	-	-	-	-	-	-
19	377	581	594	594	594	594	700	700	700	700	-	-
20	\$	186,805	\$	168,759	\$	308,802	\$	339,200	\$	339,200	\$	-

Notes:
8 & 9

The FY04 budget accounted for the City Recorder and Recording Secretary in the Administration budget. Previously, these positions were budgeted in the Municipal Court budget.

Through the City's Personal Policy Committee, the City changed the process for allocation of insurance premiums. The costs are now pooled and allocated based on FTE in each fund. The City's insurance premiums increase each year by the CPI-Medical, within 1% to 6%. The FY04 costs were budgeted at a 0.83% increase. During the year the Council retroactively increased City paid premiums to 5.05% based on the CPI-Medical to more accurately reflect the increases in these costs. The FY05 CPI-Medical increase is 4.2%.

Unemployment Insurance is no longer budgeted. Costs, if any, are paid from salary savings.

Workers Compensation costs are expected to increase 18% in FY05. Budget estimates also changed because of allocation changes.

GENERAL FUND

ADMINISTRATION

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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MATERIALS & SERVICES

21					
22					
23	\$	7,656	5,361	\$	10,500
24		-	211		-
25		-	-		100
26		6,734	7,908		9,200
27		20,909	24,251		32,500
28		3,553	6,223		10,100
29		-	-		5,000
30		2,713	5,610		3,400
31		46,187	63,639		51,800
32		3,953	13,618		13,000
33		5,772	5,128		6,600
34		2,910	-		-
35		6,271	5,982		5,200
36		3,607	2,673		4,300
37		5,520	15,863		12,600
38		5,402	7,018		8,700

Notes:

- 23 Materials & Supplies have increased to reflect a change in cost allocation and the addition of new positions; the City Recorder and Recording Secretary are now budgeted in Administration and the City hired a Information Systems Technician.
- 27 Citywide costs are comprised of memberships to Council of Governments, League of Oregon Cities, Local Government Personnel Institute, local newspapers, Chamber of Commerce, SEDCOR, Rotary and International City/County Management Association. Costs are then allocated to each fund based on FTE.
- 26 Postage & Printing have increased to reflect a change in cost allocation and the addition of new positions; the City Recorder and Recording Secretary are now budgeted in Administration and the City hired a Information Systems Technician.
- 29 Costs include travel & training, misc. office supplies, meetings during mealtimes. These costs were previously charged to Training & Travel.
- 30 Costs are for recruitments and public notices.
- 32 FY05 includes cost for a Citizen Survey, copier leases, bank charges, courier services, salary surveys, etc. Contractual Service costs are reduced from last year's budget to account for the one-time City Hall study costs.
- 33 The contract with the City's audit firm expires in FY05. Absent new estimates, this line-item is consistent with FY04.
- 38 The City's Insurance carrier projects a 2% increase in rates plus an additional 3% to cover newly acquired property and additional police vehicles.

GENERAL FUND

ADMINISTRATION

	ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04		MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MSR RECOMM
39	-	-	-	Gasoline	100	100	-
40	1,432	7,646	5,514	Computer Software	26,400	26,400	-
41	-	34,844	17,514	Equipment Maintenance	-	-	-
42	4,800	3,776	2,589	Facility Maintenance	9,000	9,000	-
43	\$ 14,297	20,090	\$ 24,850	PEG Expenses	\$ 42,900	\$ 42,900	\$ -
44	148,074	-	-	Fire District - Hotel/Motel Tax	-	-	-
45	8,474	9,621	8,474	KAVA - Hotel/Motel Tax	10,300	10,300	-
46	8,474	9,621	8,474	TOT Tax Distribution	10,300	10,300	-
47	-	-	-	Neighborhood Association Expense	-	-	-
48	148	(10)	3,000	Volunteer Recognition	3,000	1,000	2,000
49	342	1,306	1,000	Power - Salem Keizer School District	1,000	1,000	-
50	1,000	-	-	Youth Compact	-	2,000	(2,000)
51	-	-	750	Miscellaneous Expense	800	800	-
52	1,532	1,320	1,300	Emergency Management Expense	1,500	1,500	-
53	9,008	3,375	5,625	TOTAL MATERIALS & SERVICES	5,300	5,300	-
54	\$ 318,768	\$ 255,074	\$ 260,514		\$ 283,600	\$ 283,600	\$ -
55							
56							
57	\$ 505,573	\$ 423,833	\$ 569,316	TOTAL EXPENDITURES	\$ 622,800	\$ 622,800	\$ -

Notes:

42 Equipment Maintenance is primarily for photocopier maintenance and other office equipment.

44 PEG expenditures have been moved to a Special Revenue Fund.

44-45 Payments are based on 20% of the Hotel/Motel Tax Revenues by Council Resolution.

52 Miscellaneous costs are one-time expenditures that are not characterized by existing line-item descriptions.

53 Emergency Management Expenses include:

Radios	\$2,500
Printing	200
Professional Dues	125
Office Supplies	200
EVAK Newsletter	600
Training Exercise	750
Training Workshop	700
ID Badges	200
	<u>\$5,275</u>

GENERAL FUND

PARK OPERATIONS

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

Working Capital Carryforward:

- Park Donations
- Recreation Donations
- Skate Park - Pepsi/Donations

LICENSES & FEES

1					
2	\$	-	\$	\$	\$
3		-	-	3,000	3,000
4		-	-	2,400	2,400
5		-	-	1,500	1,500
6					
7					
8	1,530	1,435	1,320	1,400	1,400
9	-	3,614	6,280	1,800	1,800
10	-	-	-	400	400
11	-	-	-	3,500	3,500
12					
13	110,467	102,607	110,261	152,800	152,600
14	\$ 111,997	\$ 107,656	\$ 117,861	\$ 166,800	\$ 166,600
15					200
					200

Notes:

- Donations are dedicated revenues and are restricted for use in the parks operations and maintenance.
- Fees are based on historical trends.
- Donation Revenues are based on FY04 actuals projected out to 6/30/04.
- Equals 2.5% of General Fund Expenditures & Transfers-Out for FY04 as directed by the Budget Committee.

PARK OPERATIONS

EXPENDITURES

PERSONAL SERVICES

Notes:

19 Public Works Superintendent salary is now allocated to all programs where effort is expended.

25 Through the City's Personal Policy Committee, the City changed the process for allocation of insurance premiums. The costs are now pooled and allocated based on FTE in each fund. The City's insurance premiums increase each year by the CPI-Medical, within 1% to 6%. The FY04 costs were budgeted at a 0.85% increase. During the year the Council retroactively increased City paid premiums to 5.05% based on the CPI-Medical to more accurately reflect the increases in these costs. The FY05 CPI-Medical increase is 4.2%.

27 Workers Compensation costs are expected to increase 18% in FY05. This line-item was "overbudgeted" in FY04, therefore, the FY05 budget more accurately reflects the true costs.

GENERAL FUND

PARK OPERATIONS

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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MATERIALS & SERVICES

29					
30					
31					
32					
33	\$	219	\$	400	\$
34	\$	9,649		11,000	\$
35	1,252	10,817	10,000	1,500	1,000
36	362	582	1,477	300	300
37	1,619	1,256	1,000	1,000	1,000
38	27,791	23,424	27,100	30,000	30,000
39	-	225	-	600	600
40	-	-	-	1,200	1,200
41	-	-	-	1,000	1,000
42	746	-	-	-	-
43	1,174	103	400	500	500
44	577	1,181	600	1,500	1,500
45	-	-	-	-	-
46	-	-	-	-	-
47	-	-	-	-	-
48	-	-	-	-	-
49	-	-	-	-	-
50	\$	37,960	\$	61,600	\$
51	\$	43,480	\$	61,600	\$
52					
53					
54	\$	-	\$	10,500	\$
55	-	-	-	9,800	3,000
56	-	-	-	4,000	10,600
57	-	-	-	-	(6,600)
58					
59	\$	111,997	\$	166,800	\$
60	\$	107,656	\$	166,800	\$
61	\$	117,861	\$	166,800	\$
62					
63					
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100					

CAPITAL OUTLAY

51					
52					
53					
54	\$	-	\$	10,500	\$
55	-	-	-	9,800	3,000
56	-	-	-	4,000	10,600
57	-	-	-	-	(6,600)
58					
59	\$	111,997	\$	166,800	\$
60	\$	107,656	\$	166,800	\$
61	\$	117,861	\$	166,800	\$
62					
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NOTES:

- 35 Printing costs are for promotion of the Parks & Rec Donation program.
- 37 Legal services include union negotiations and basic and hourly services provided by the City Attorney. Hourly costs will increase 5% over FY04.
- 37 & 43 Citywide costs have been moved to the General Fund Administration budget.
- 46-49 Expenditures equal Working Capital Carryforward plus estimated revenues for FY05.

GENERAL FUND

COMMUNITY DEVELOPMENT

ACTUAL 2004-02	ACTUAL 2002-03	ADOPTED 2009-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

LICENSES & FEES

1	\$	23,674	\$	24,820	\$	22,973	\$	19,600	\$	19,600	\$	-
2		16,250		15,501		14,185		21,200		21,200		-
3		25,561		19,169		16,245		14,700		14,700		-
4		7,656		4,813		5,174		2,100		2,100		-
5	\$	73,141	\$	64,303	\$	58,577	\$	57,600	\$	57,600	\$	-
6												
7												

INTERGOVERNMENTAL

9	\$	-	\$	-	\$	75,000	\$	-	\$	-	\$	-
10	\$	-	\$	-	\$	75,000	\$	-	\$	-	\$	-
11												

MISCELLANEOUS

14	\$	579	\$	452	\$	5,000	\$	5,000	\$	5,000	\$	-
15												
16												
17	\$	73,720	\$	64,755	\$	138,577	\$	62,600	\$	62,600	\$	-
18												
19		166,946		198,756		251,884		287,800		269,700		18,100
20	\$	240,666	\$	203,511	\$	390,461	\$	350,400	\$	332,300	\$	18,100

Notes:

1-3 Fees are based on FY04 actuals projected to year-end.

4 In FY04 staff recommended this revenue be split 70% to the Street Fund and 30% to the Community Development Fund to more accurately allocate revenue by effort given.

GENERAL FUND

COMMUNITY DEVELOPMENT

ACTUAL 2001-02				ACTUAL 2002-03				ADOPTED 2003-04				MANAGER RECOMMENDED				COMMITTEE APPROVED				CHANGES FROM MGR RECOMM			
EXPENDITURES																							
\$	-	\$	-	\$	42,105	Community Development Director	\$	46,100	\$	46,100	\$	46,100	\$	46,100	\$	-	-	-	-	-			
	35,811		33,610		-	Planning Director		-		-		-		15,200		-		-		15,200			
	29,485		39,611		43,524	Associate Planner		30,400		30,400		32,400		32,400		41,800		8,000		41,800			
	27,426		29,734		30,370	Code Enforcement		32,400		32,400		32,500		32,500		32,500		32,500		32,500			
	-		-		-	Zoning Technician		2,000		2,000		2,000		2,000		2,000		2,000		2,000			
	-		3,493		16,463	Senior Planner		3,000		3,000		2,700		2,700		300		300		300			
	8,318		8,749		15,610	Administrative Support Staff		33,300		33,300		30,700		30,700		2,600		2,600		2,600			
	15,905		20,965		17,233	Permit Specialist		30,200		30,200		30,200		30,200		-		-		-			
	-		-		2,000	Overtime		600		600		600		600		-		-		-			
	1,754		2,047		2,541	Medicare		300		300		300		300		-		-		-			
	16,863		20,422		28,863	Retirement		300		300		300		300		-		-		-			
	19,390		20,228		25,697	Insurance Benefits		600		600		600		600		-		-		-			
	378		672		564	Workers Compensation		600		600		600		600		-		-		-			
\$	155,330	\$	179,531	\$	224,970	TOTAL PERSONAL SERVICES	\$	260,300	\$	260,300	\$	242,200	\$	242,200	\$	18,100				18,100			

Notes:

- 23 During FY04 the Community Development Department reorganized. The Code Enforcement/Zoning Technician position was split into a one FTE Zoning Technician and .5 FTE Code Enforcement Officer. The Permit Specialist position increased from .5 FTE to one FTE. During FY05 the City intends to reclassify the Associate Planner position to Senior Planner and eliminate the Associate Planner position.
- 30 The Citywide reorganization provided for more administrative support for the Community Development Department in FY04. However, with the increase in FTE for the Permit Specialist, the administrative support has been transferred to the Human Resources Department.
- 35 Through the City's Personal Policy Committee, the City changed the process for allocation of insurance premiums. The costs are now pooled and allocated based on FTE in each fund. The City's insurance premiums increase each year by the CPI-Medical, within 1% to 6%. The FY04 costs were budgeted at a 0.85% increase. During the year the Council retroactively increased City paid premiums to 5.05% based on the CPI-Medical to more accurately reflect the increases in these costs. The FY05 CPI-Medical increase is 4.2%.
- 36 Workers Compensation costs are expected to increase 15% in FY04. Budget estimates also changed because of allocation changes.

GENERAL FUND

COMMUNITY DEVELOPMENT

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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MATERIALS & SERVICES

40	\$	2,820	\$	3,723	\$	3,934	Materials & Supplies	\$	3,900	\$	3,900	\$	-
41							Printing						
42		226		385		784	Printing Supplies & Services		600		600		-
43		2,758		731		1,695	Printing		2,700		2,700		-
44		2,143		3,167		5,633	Travel & Training		5,800		5,800		-
45		1,010		4,756		4,114	Legal Advertising		2,800		2,800		-
46		49,034		49,997		49,651	Legal Services		51,100		51,100		-
47		20,814		16,959		10,178	Contractual Services		3,900		3,900		-
48		4,000		4,000		6,600	Hearings Officer		6,600		6,600		-
49		-		-		2,902	Engineering Services		6,300		6,300		-
50		-		-		-	Telephone		700		700		-
51		-		-		-	Gasoline		400		400		-
52		1,987		-		-	Computer Software		300		300		-
53		544		262		5,000	Nuisance Abatement		5,000		5,000		-
54		-		-		75,000	Grant Expenses		-		-		-
55	\$	85,336	\$	83,980	\$	165,491	TOTAL MATERIALS & SERVICES	\$	90,100	\$	90,100	\$	-
56													
57	\$	240,666	\$	263,511	\$	390,461	TOTAL EXPENDITURES	\$	350,400	\$	332,300	\$	18,100

Notes:

46 Costs are based on current year actuals projected to 6/30/04. The City anticipates a 5% increase in City Attorney hourly fees.

47 Costs include GIS support, ordinance writing and land use review.

49 Engineering Service costs increased 6.5% during FY04. FY05 projections are based on current year actuals projected to 6/30/04.

GENERAL FUND

POLICE

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

INTERGOVERNMENTAL

1	\$	129,934	\$	145,463	\$	150,111	SFO Contract	\$	162,500	\$	162,500	\$	-
2		76,474		76,173		38,000	Peer Court Grants		-		5,000		(5,000)
3	\$	206,408	\$	221,636	\$	188,111	Total Intergovernmental	\$	162,500	\$	167,500	\$	(5,000)

FINES & FORFEITS

6													
7	\$	297,028	\$	302,898	\$	324,297	Municipal Court Fines	\$	278,300	\$	278,300	\$	-
8		19,364		27,529		12,495	Court Fine Admin Assmt		22,600		22,600		-
9		57,060		67,667		62,786	Collections - Past Due		25,100		25,100		-
10		36,667		46,650		46,450	Impoundment Fees		36,500		36,500		-
11	\$	410,119	\$	444,744	\$	446,028	Total Fines & Forfeits	\$	362,500	\$	362,500	\$	-

MISCELLANEOUS

14													
15	\$	21,356	\$	7,543	\$	-	Peer Court Donations	\$	5,000	\$	5,000	\$	-
16		-		-		-	Reserve Officer Donations		-		6,000		(6,000)
17		-		-		-	Cadet Donations		-		2,000		(2,000)
18		10,950		650		7,300	K-9 Donations		1,000		1,000		-
19		2,713		4,775		2,000	Special Duty Officers		3,000		3,000		-
20		-		2,040		-	Miscellaneous		20,300		20,300		-
21	\$	35,019	\$	15,008	\$	9,300	Total Miscellaneous	\$	29,300	\$	37,300	\$	(8,000)

22													
23	\$	651,546	\$	677,939	\$	486,028	TOTAL ACTIVITY GENERATED	\$	554,300	\$	567,300	\$	(13,000)
24		3,256,938		3,382,450		3,848,685	GENERAL SUPPORT		3,978,600		3,971,100		7,500
25	\$	3,908,484	\$	4,060,389	\$	4,334,713	TOTAL RESOURCES	\$	4,532,900	\$	4,538,400	\$	(5,500)

NOTE:

1 Funds from the Salton/Keizer School District which partially pay for School Resource Officers plus related overhead costs. Increase in FY03 for new middle school.
 2 The 3-year COPPS grant expired in FY02, which partially funded 6 police officers. Additional grant funds have been awarded to the City to help fund the new School Resource Officer position. FY04 was the final year of existing COPPS grant revenue.

5 Fines & Forfeits are based on FY04 actuals projected out to 6/30/04. Revenues decreased in FY04 because the Department had one motorcycle officer versus two in previous years due to staff turnover and the time necessary to train a new motorcycle officer. Past due fines are down because fewer delinquent accounts were turned over to collections compared to previous years.

20 Miscellaneous Revenue includes receipts for police report requests, surplus sales, and one-time revenues.

GENERAL FUND

POLICE

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MOR RECOMM
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GENERAL FUND

POLICE

	ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04		MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
79 \$	178,591	\$ 191,804	\$ 189,872	Salem Communications	\$ 198,700	\$ 198,700	\$ -
80	-	-	25,142	Radio & Mobile Systems Support	24,200	24,200	-
81	52,272	59,009	68,000	RAIN	68,000	68,000	-
82	10,130	7,143	13,000	Investigations	13,000	13,000	-
83	4,231	2,735	-	Trading Cards/Badges	-	-	-
84	1,996	3,482	4,000	Crime Prevention	4,000	4,000	-
85	2,500	-	-	Peer Court	25,000	15,000	10,000
86	160	-	500	HEP-B Immunizations	500	500	-
87	1,432	2,192	1,000	Miscellaneous	1,000	1,000	-
88 \$	642,195	\$ 637,755	\$ 703,600	TOTAL MATERIALS AND SERVICES	\$ 763,000	\$ 759,000	\$ 4,000
89							
90				CAPITAL OUTLAY			
91							
92 \$	1,921	\$ -	\$ -	Office Furniture	\$ -	\$ -	\$ -
93	11,000	-	-	Uniforms/Equipment	-	-	-
94 \$	12,921	\$ -	\$ -	TOTAL CAPITAL OUTLAY	\$ -	\$ -	\$ -
95							
96 \$	3,908,484	4,060,390	4,342,013	TOTAL EXPENDITURES	\$ 4,532,900	\$ 4,538,400	\$ (5,500)

Notes:

- 79 Costs are shared with the 91-1 fund and represent 60% of the total costs for dispatch services from the Willamette Valley Communications.
- 80 Prior to FY04, costs for radio & mobile systems support were included in the Salem Communications line-item. Costs are separated in FY04 as a mechanism to better track these costs.
- 85 Peer Court is a youth program where those charged voluntarily agree to have their case heard and decided by their peers. An increase in costs is anticipated due to an anticipated increase in donations to support the program.
- 87 Miscellaneous costs are one-time expenditures that are not characterized by existing line-item descriptions.
- 90 Capital Outlay costs associated with the Police program are budgeted in the Revenue Sharing Fund.

GENERAL FUND

MUNICIPAL COURT

ACTUAL 2003-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES											
1	\$	255,735	\$	274,167	\$	214,738	\$	191,700	\$	191,700	\$
GENERAL SUPPORT											
-											

2											
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EXPENDITURES

PERSONAL SERVICES

4											
5	\$	42,303	\$	43,355	\$	-					
6	\$	17,665		22,306		13,188					
7		39,085		41,390		40,296					
8		-		328		500					
9		-		1,644		822					
10		1,515		18,125		9,178					
11		16,732		15,018		13,514					
12		13,257		346		98					
13		275		142,512		77,596					
14	\$	130,832	\$	142,512	\$	77,596	\$	80,700	\$	80,700	\$
15											
16											

MATERIALS & SERVICES

17											
18	\$	3,178	\$	3,165	\$	1,250					
19		3,146		3,389		1,400					
20		1,522		1,960		1,400					
21		16,703		18,063		23,866					
22		2,816		3,027		4,500					
23		2,599		-		-					
24		13,842		11,825		15,697					
25		15,237		16,010		15,483					
26		65,860		74,216		73,546					
27	\$	124,903	\$	131,655	\$	137,142	\$	111,000	\$	111,000	\$
28											
29	\$	255,735	\$	274,167	\$	214,738	\$	191,700	\$	191,700	\$

Notes:

12 Through the City's Personal Policy Committee, the City changed the process for allocation of insurance premiums. The costs are now pooled and allocated based on FTE in each fund. The City's insurance premiums increase each year by the CPI-Medical, within 1% to 6%. The FY04 costs were budgeted at a 0.85% increase. During the year the Council retroactively increased City paid premiums to 5.05% based on the CPI-Medical to more accurately reflect the increases in these costs. The FY05 CPI-Medical increase is 4.2%.

13 Workers Compensation costs are expected to increase 18% in FY05. Budget estimates also changed because of allocation changes.

23 Software costs are for maintenance costs to support the Municipal Court system.

24 Collection costs are 25% of Past Due Court Fines. Since Past Due Fine revenue is down, associated costs are also down.

26,27 CC and Unitary Assessments are 4% and 19% of Municipal Court Fine revenue (including past due fines), respectively. Since Municipal Court Fine revenue is down, associated costs are also down.

GENERAL FUND

STADIUM OPERATIONS

ACTUAL 2004-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

MISCELLANEOUS

1	\$	62,889	\$	44,667	\$	57,235	Stadium Rent	\$	55,000	\$	55,000	\$	-
2	\$	62,889	\$	44,667	\$	57,235	TOTAL RESOURCES	\$	55,000	\$	55,000	\$	-

EXPENDITURES

MATERIALS & SERVICES

8	\$	35,460	\$	36,300	\$	37,427	Property Tax	\$	39,600	\$	39,600	\$	-
9	\$	35,460	\$	36,300	\$	37,427	TOTAL MATERIALS & SERVICES	\$	39,600	\$	39,600	\$	-
11	\$	27,429	\$	8,367	\$	19,808	AVAILABLE FOR GENERAL SUPPORT	\$	15,400	\$	15,400	\$	-
12	\$	62,889	\$	44,667	\$	57,235	TOTAL EXPENDITURE & GENERAL SUPPORT	\$	55,000	\$	55,000	\$	-

Notes:

- 1 The Volcanoe Ball Club attributed the decrease in ticket sales FY02 to the economic downturn. Year-to-date actuals through April 2004 indicate revenues are slightly below budget projections. FY05 revenues are based on FY04 actuals projected out to year-end.
- 2 Property Taxes are paid on the parking lot as provided in the lease agreement with the Volcanoes Ball Club. The City anticipates a 3% increase in assessed value, which is the maximum allowed under ballot measure 50. Actual payment in FY04 was \$39,593 less \$1,250 paid by the stadium, per the lease agreement.

SPECIAL REVENUE FUND

REVENUE SHARING

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

1	\$	90,640	\$	18,683	\$	715	Beginning Fund Balance	\$	14,300	\$	14,300	\$	-
2		170,571		164,886		165,122	State Revenue Sharing		169,100		169,100		-
3		-		3,844		2,000	Federal Grants		-		-		-
4		-		-		5,000	Police Misc. Revenue		-		-		-
5		-		49,774		78,574	Transfer from General Fund		189,000		189,000		-
6	\$	261,211	\$	237,187	\$	251,411	TOTAL RESOURCES	\$	372,400	\$	372,400	\$	-

Notes:

- 2 State Revenue Sharing projections are based on FY04 actuals projected out to year-end. The State of Oregon projects a 3% increase in these revenues statewide. However, no increase was projected because it is not known what portion of this increase will be allocated to the City of Keizer.
- 5 The City is working toward a program budget. Towards this end, Capital Outlay items used for general government purposes are tracked in the Revenue Sharing Fund. This transfer is needed because Revenue Sharing Funds are not sufficient in FY04 to cover the entire Capital Outlay needs of the City's general government programs.

REVENUE SHARING

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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EXPENDITURES

MATERIALS & SERVICES

[illegible]

CAPITAL OUTLAY

\$	862 \$	1,359 \$	8,080	Office Furniture & Equipment	\$	2,000 \$	2,000 \$
-	-	-	-	Aerial Photos	-	5,000	5,000
-	-	-	-	Telephone System	-	79,200	79,200
9,244	45,654	47,270	-	Computer Equipment	164,700	164,700	164,700
-	20,182	-	-	Software	-	-	-
7,292	12,375	5,084	-	Vehicle Lease to Purchase	-	-	-
-	8,778	-	-	Mower	5,100	5,100	5,100
39,374	-	-	-	Police Motorcycles/Equipment	-	1,500	1,500
4,000	7,688	4,000	-	Police Protective Vests	-	-	-
90,434	-	-	-	Police Radios	-	-	-
-	2,204	3,600	-	Vehicle Equipment	1,500	1,500	1,500
-	-	-	-	Radar Equipment	14,600	14,600	14,600
-	93,236	122,875	-	Patrol Vehicles	98,800	98,800	98,800
-	7,764	14,723	-	Radio Modems	-	-	-
14,188	24,858	45,779	-	Police Mobile Computer Terminals	-	-	-
-	-	-	-	Patrol Equipment	-	-	-
-	-	-	-	TOTAL CAPITAL OUTLAY	372,400	372,400	372,400
\$ 165,394	274,098	251,411	\$				

Notes:

11 Certain Materials & Services for General Fund operations were funded in the Revenue Sharing Fund in FY01. These costs are funded in the General Fund in FY02 and forward except for one-time costs.

1/6 Aerial Photos are estimated to cost \$15,000 citywide; 1/3 to be funded from Revenue Sharing and Street Fund, each, and 1/6 to be funded from Water Fund and Urban Renewal, each

26 Purchase 6 radar units for patrol vehicles to replace outdated and broken equipment.

27 Patrol Vehicle leases are as follows:

4 cars, lease expires 10/2004	6,400
4 cars, lease expires 04/2006	18,400
2 cars, lease expires 04/2006	41,500
9 cars, lease expires 01/2006	32,500
4 cars, leased for 3 years	<u>98,800</u>

29 Mobile Computer Terminals are being replaced by a new "WiFi" system budgeted in the Computer Equipment line-item.

SPECIAL REVENUE FUND

REVENUE SHARING

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECORDING
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SPECIAL REVENUE FUND

STREET FUND

ACTUAL 2001-02	ACTUAL 2000-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

1	\$	842,179	\$	958,071	\$	1,142,160	Beginning Fund Balance	\$	1,368,500	\$	1,368,500	\$	-
2		23,100		7,414		1,045	Planning Construction Fees		10,000		10,000		-
3		5,545		2,344		-	Donations (Helmets)		-		-		-
4		-		-		-	Driveway Permit Fees		4,800		4,800		-
5		-		-		-	Rental Property		9,000		9,000		-
6		-		32,042		-	Clearlake Bike Paths		-		-		-
7		1,348,844		1,340,219		1,235,971	State Fuel Tax		1,432,700		1,432,700		-
8		175,000		-		-	Grants		916,000		916,000		-
9		6,760		2,667		2,475	Orchard-Fillmore Assessments		2,500		2,500		-
10		3,198		763		209	Orchard-Fillmore Assessment Interest		200		200		-
11		22,898		19,428		19,598	Interest		10,300		10,300		-
12		-		930		-	Miscellaneous Revenue		-		-		-
13	\$	2,427,474		2,363,878		2,401,458	TOTAL RESOURCES	\$	3,754,000	\$	3,754,000	\$	-

Notes

- 2 Construction of the Keizer Station may bring additional Revenue; this budget cycle depending on construction timelines.
- 4 In FY04 staff recommended this Revenue be split 70% to the Street Fund and 30% to the Community Development Fund to more accurately allocate Revenue by effort given. Permit Revenues offset staff costs for inspections.
- 5 Six month income on Rental Properties.
- 7 The Oregon Department of Transportation projects Fuel Tax Revenue to be 2% above FY04. However, gasoline prices have increased dramatically. Therefore, the City is estimating State Fuel Tax Revenue at a 1% increase over FY04.
- 8 State Transportation Improvement Program Grant for Chenawee Road Bridge.
- 11 Interest Revenue is based on FY04 earnings at 11/31/03 projected out to 6/30/04.
- 12 Miscellaneous Revenues are one-time Revenues that are not characterized by line-item descriptions.

SPECIAL REVENUE FUND

STREET FUND

ACTUAL 2001-02		ACTUAL 2002-03		ADOPTED 2003-04		EXPENDITURES					CHANGES FROM MGR RECOMM	
						PERSONAL SERVICES						
\$	7,963	\$	8,352	\$	8,693	City Manager	\$	9,100	\$	9,100	\$	
	28,664		30,464		39,582	Public Works Director		38,500		38,500		
	22,528		21,494		21,655	Public Works Superintendent		23,400		23,400		
					11,208	Public Works Permit Specialist		12,700		12,700		
	6,043		6,194		6,252	City Recorder		6,400		6,400		
			36,207		12,243	Municipal Utility Worker III		12,500		12,500		
	35,631				36,552	Municipal Utility Worker I		40,700		40,700		
					3,630	Community Development Director		4,000		4,000		
			3,636			Planning Director						
	5,897					Associate Planner						
	3,047		3,304		3,374	Code Enforcement		3,400		1,700		1,700
						Zoning Technician		3,600		3,600		
					15,979	Senior Planner						
	3,197		3,390		13,347	Administrative Support Staff		10,200		10,200		
	18,326		17,955		1,451	Information Systems Technician		2,200		2,200		
					3,098	Human Resources Director		4,100		4,100		
	2,820		2,977		3,989	Finance Director		4,100		4,100		
	3,856		3,952		6,185	Facility Maintenance Worker		6,500		6,500		
	5,373		5,936		3,000	Overtime		3,000		3,000		
	1,670		1,188		2,878	Medicare		2,800		2,800		
	2,219		2,213		36,938	Retirement		36,000		35,700		300
	25,347		24,865		26,151	Insurance Benefits		26,400		26,400		
	22,063		21,611		500	Unemployment						
					2,595	Workers Compensation		2,200		2,200		
	1,458		2,381		259,300	TOTAL PERSONAL SERVICES		251,800		249,800		2,000
\$	196,302		196,119		\$		\$		\$		\$	

Notes:

29 In FY04 this position was split into 1 FTE Zoning Technician and one .5 FTE Code Enforcement Officer.

32 Administrative Support Staff has been reduced as part of the citywide reorganization. The Public Works Permit Specialist will help cover some of this work load.

39 Through the City's Personal Policy Committee, the City changed the process for allocation of insurance premiums. The costs are now pooled and allocated based on FTE in each fund. The City's insurance premiums increase each year by the CPI-Medical, within 1% to 6%. The FY04 costs were budgeted at a 0.85% increase. During the year the Council retroactively increased City paid premiums to 5.05% based on the CPI-Medical to more accurately reflect the increases in these costs. The FY05 CPI-Medical increase is 4.2%.

41 Workers Compensation costs are expected to increase 18% in FY05. Budget estimates also changed because of allocation changes.

SPECIAL REVENUE FUND

STREET FUND

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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MATERIALS & SERVICES

Materials & Supplies	1,500		
Helmets			
Postage & Printing	2,453		
Membership Dues	1,907		
Travel & Training - Public Works	5,000		
Travel & Training - Administrative Staff	1,982		
City Council Expenses	303		
Advertising	840		
Legal Services	17,650		
Contractual Services	3,529		
MPO Support/ SKATS			
Audit	2,185		
Engineering Services	75,000		
Traffic Engineering	9,000		
Janitorial	1,700		
Utilities	530		
Telephone			
Insurance	14,536		
Computer Software	544		
Computer Maintenance	1,233		
Equipment Maintenance	4,000		
Facility Maintenance	1,750		
Sidewalk Maintenance	10,000		

Notes

49 Citywide costs are comprised of memberships to Council of Governments, League of Oregon Cities, Local Government Personnel Institute, local newspapers, Chamber of Commerce, Rotary & International City/County Management Association. Costs are then allocated to each fund based on FTE.

52 Costs include travel & training, misc. office supplies, meetings during mealtimes. These costs were previously charged to Training & Travel.

53 Costs are for recruitments and public notices.

54 Legal Service costs will increase due to potential right of way acquisition on assorted projects throughout the City. Furthermore, the City anticipates a 5% increase in the City Attorney's hourly rate.

55 Costs are for a Citizen Survey, copier lease and Street Fund related costs.

56 Regional share of planning dollars for the MPO/SKATS program.

57 The contract with the City's audit firm expires in FY05. Absent new estimates, this line-item is consistent with FY04.

61 Utility costs for the Street Fund's share of City Hall Facilities was erroneously recorded in the Street Lighting line-item. This has been corrected for FY05.

62 The City's Insurance carrier projects a 2% increase in insurance costs plus an additional 3% to cover newly acquired property.

SPECIAL REVENUE FUND

STREET FUND

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR. RECOMM.
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69	32,447	30,469	40,000	Storm Drain Maintenance	-
70	69,087	69,009	69,000	Street Sweeping	20,000
71	192,104	66,895	310,000	Street Resurfacing	88,000
72	106,151	85,454	115,000	Street Maintenance	-
73	41,503	43,131	55,000	Street Light Utilities	110,000
74	21,749	21,416	22,000	Traffic Light Utilities	50,000
75	10,921	3,537	10,000	Flood & Drainage Services	18,000
76	-	40	67,000	Contingency	5,000
77	599,955	445,953	843,642	TOTAL MATERIALS & SERVICES	4,800
78	-	-	-	-	4,800
79	-	-	-	-	-
80	-	-	-	-	-
81	1,281	-	-	GIS System	-
82	231	696	569	Office Equipment & Furniture	100
83	1,042	4,702	3,329	Computer Equipment	4,100
84	-	-	-	Telephone System	4,400
85	1,500	-	-	Vehicle	-
86	-	5,594	125,000	Master Plan	33,000
87	80,000	4,145	71,000	Lapish Wetlands & Drainage	-
88	547,900	32,772	80,000	Bike Paths	25,000
89	-	-	280,000	Street Improvements	1,200,000
90	19,735	-	-	Street Resurfacing	300,000
91	15,301	-	25,000	Infill Sidewalk Completions	25,000
92	4,460	7,879	30,000	School Zone Flasher Update	-
93	-	135,000	-	Storm Drains	-
94	-	-	-	Alder Drive Connection East of Schools	10,000
95	-	-	-	Chemawa Road Bridge	916,000
	-	-	-	Signage	-

CAPITAL OUTLAY

79	-	-	-	-	-
80	-	-	-	-	-
81	1,281	-	-	GIS System	-
82	231	696	569	Office Equipment & Furniture	100
83	1,042	4,702	3,329	Computer Equipment	4,100
84	-	-	-	Telephone System	4,400
85	1,500	-	-	Vehicle	-
86	-	5,594	125,000	Master Plan	33,000
87	80,000	4,145	71,000	Lapish Wetlands & Drainage	-
88	547,900	32,772	80,000	Bike Paths	25,000
89	-	-	280,000	Street Improvements	1,200,000
90	19,735	-	-	Street Resurfacing	300,000
91	15,301	-	25,000	Infill Sidewalk Completions	25,000
92	4,460	7,879	30,000	School Zone Flasher Update	-
93	-	135,000	-	Storm Drains	-
94	-	-	-	Alder Drive Connection East of Schools	10,000
95	-	-	-	Chemawa Road Bridge	916,000
	-	-	-	Signage	-

Notes:

70 Reflects a cost increase from the Street Sweeping Contractor.

76 A one-percent Materials & Services contingency has been set aside for FY05.

85 Consultant cost to develop a Storm Water Ordinance with City's Task Force.

86 Full improvements for Chemawa Road from Rickman to Verda.

89 Street Resurfacing line-item has been relocated from Materials and Services section of the Budget.

SPECIAL REVENUE FUND

STREET FUND

	ACTUAL 2009-02	ACTUAL 2009-03	ADOPTED 2009-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
95	-	30,570	-	-	-	-
96	-	-	26,000	-	-	-
97	-	137,691	170,000	-	-	-
98	-	-	150,000	150,000	150,000	-
99	-	1,500	4,400	5,800	5,800	-
100	-	-	-	-	-	-
101	-	-	-	-	-	-
102	-	-	-	-	-	-
103	-	-	-	5,000	5,000	-
104	-	-	11,000	-	-	-
105	671,450	360,549	1,059,298	135,600	135,600	-
106	-	-	83,000	2,764,600	2,814,000	(49,400)
107	-	-	-	-	-	-
108	\$ 1,467,707	\$ 1,002,621	\$ 2,162,240	\$ 3,488,300	\$ 3,536,200	\$ (47,900)
109	-	-	-	-	-	-
110	-	-	-	-	-	-
111	-	-	-	-	-	-
112	\$ 1,696	\$ -	\$ -	\$ -	\$ -	\$ -
113	-	-	-	-	-	-
114	-	-	-	-	-	-
115	-	-	-	-	-	-
116	-	-	40,000	60,000	60,000	-
117	958,071	1,361,257	199,218	205,700	157,800	47,900
118	-	-	-	-	-	-
119	\$ 2,427,474	\$ 2,363,878	\$ 2,401,458	\$ 3,754,000	\$ 3,754,000	\$ -
120	-	-	-	-	-	-

Notes:

998 Identify location and construct Pedestrian Bridge on Labish Ditch.

102 Aerial Photos are estimated to cost \$15,000 city-wide. 1/3 to be funded from Revenue Sharing and Street Fund, each, and 1/6 to be funded from Water Fund and Urban Renewal, each.

104 Capital Outlay contingency is 5% of Capital Outlay expenditures.

SPECIAL REVENUE FUND

PUBLIC EDUCATION GOVERNMENT FUND

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

1	\$	-	\$	31,068	Beginning Fund Balance	\$	44,800	\$	44,800	\$
2	-	-	-	77,348	PEG Fees	78,600	78,600		78,600	
3	-	-	-	30,706	Transfer from General Fund	-	-		-	
4	-	-	-	125	Interest Earnings	200	200		200	
5	\$	-	\$	108,296	TOTAL RESOURCES	\$	123,600	\$	123,600	\$

EXPENDITURES

MATERIALS & SERVICES

10	\$	-	\$	60,000	Broadcasting	\$	60,000	\$	60,000	\$
11	-	-	-	60,000	TOTAL MATERIALS & SERVICES	\$	60,000	\$	60,000	\$

CAPITAL OUTLAY

15	\$	-	\$	21,013	Television Equipment	\$	63,600	\$	63,600	\$
16	-	-	-	21,013	TOTAL CAPITAL OUTLAY	\$	63,600	\$	63,600	\$
17	\$	-	\$	81,013	TOTAL EXPENDITURES	\$	123,600	\$	123,600	\$

FUND BALANCE

21										
22	-	-	-	27,283	Undesignated Ending Fund Balance	-	-		-	
23										
24										
25	\$	-	\$	108,296	TOTAL EXPENDITURE & FUND BALANCE	\$	123,600	\$	123,600	\$

Notes:

2 Revenues are based on FY04 actuals projected to year-end.

3 The transfer amount in FY03 equals unspent PEG revenues at 6/30/02 when PEG activity was moved to a Special Revenue Fund.

11 Broadcasting costs are \$5,000 per month.

16 The City plans to spend \$95,100 on a Digital Server (\$59,500) and a Mobile Production Rack (\$35,500). \$63,600 will be paid in FY05. The remaining \$31,500 will need to be paid in FY06 and FY07 as revenues come in.

SPECIAL REVENUE FUND

9-1-1 FUND

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MSR RECORD
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RESOURCES

1	\$	175,046	\$	126,546	\$	70,323	Beginning Fund Balance	\$	32,400	\$	32,400	\$	-
2		143,406		149,301		142,829	911 Excise Tax		142,800		142,800		-
3		-		1,253		1,648	Interest		300		300		-
4		-		-		-	Transfer from General Fund		33,400		33,400		-
5	\$	318,452	\$	277,100	\$	214,800	TOTAL RESOURCES	\$	208,900	\$	208,900	\$	-

EXPENDITURES

MATERIALS & SERVICES

11	\$	121,380	\$	138,488	\$	122,438	Emergency 9-1-1 and Dispatch Calls	\$	131,500	\$	131,500	\$	-
12		-		-		16,210	Radio & Mobile Systems Support		16,000		16,000		-
13		70,526		50,546		61,416	Distributions to 9-1-1 Agencies		61,400		61,400		-
14	\$	191,906	\$	189,034	\$	200,064	TOTAL MATERIALS & SERVICES	\$	208,900	\$	208,900	\$	-
15	\$	191,906	\$	189,034	\$	200,064	TOTAL EXPENDITURES	\$	208,900	\$	208,900	\$	-

FUND BALANCE

20		126,546		88,066		14,736	Contingency		-		-		-
21		-		-		-	Undesignated Ending Fund Balance		-		-		-
22	\$	318,452	\$	277,100	\$	214,800	TOTAL EXPENDITURE & FUND BALANCE	\$	208,900	\$	208,900	\$	-

Notes:

- 2 9-1-1 Tax Revenue projections are based on the League of Oregon Cities' projections for FY04.
- 3 Interest Revenue is based on FY04 earnings at 11/31/03 projected out to 6/30/04.
- 11 Of the estimated \$330,200 for the Salem Communications Center, Radio Fees and Mobile Data Terminal Fees, 40% is attributed to emergency phone service.
- 13 Of the estimated \$142,829 to be received in 9-1-1 Excise Tax Revenues, 39% is to be remitted to the Keizer Fire District and 4% is to be remitted to the Marion County Fire District.

SPECIAL REVENUE FUND

HOUSING FUND

ACTUAL 2001-02		ACTUAL 2002-03		ADOPTED 2003-04		MANAGER RECOMMENDED		COMMITTEE APPROVED		CHANGES FROM MAYOR RECOMM.		
RESOURCES												
1	\$	70,034	\$	80,943	\$	83,169	Beginning Fund Balance	\$	83,300	\$	83,300	\$
2		9,097				80,000	Loan Proceeds		80,000		80,000	
3		1,812		1,340		1,484	Interest Revenue		1,000		1,000	
4	\$	80,943	\$	82,283	\$	164,653	TOTAL RESOURCES	\$	164,300	\$	164,300	\$
EXPENDITURES												
7												
8	\$	-	\$	-	\$	16,465	Contractual Services	\$	16,400	\$	16,400	\$
9						148,188	Housing Rehabilitation Services		147,900		147,900	
10	\$	-	\$	-	\$	164,653	TOTAL MATERIALS & SERVICES	\$	164,300	\$	164,300	\$
11												
12	\$	-	\$	-	\$	164,653	TOTAL EXPENDITURES	\$	164,300	\$	164,300	\$
FUND BALANCE												
14												
15							Undesignated Ending Fund Balance					
16	\$	80,943		82,283								
17												
18	\$	80,943	\$	82,283	\$	164,653	TOTAL EXPENDITURE & FUND BALANCE	\$	164,300	\$	164,300	\$

Notes:

- 2 Proceeds from loan repayments are difficult to forecast. \$80,000 has been budgeted to provide appropriation should funds become available.
 8 This program is operated through a contract with the City of Salem whereby Salem receives 10% on loans made to cover its administrative costs.
 9 Expenditure represents loans made from all available resources including Beginning Fund Balance should funds become available.

SPECIAL REVENUE FUND

LAW ENFORCEMENT GRANT FUND

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MSR RECOMM
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RESOURCES

1	\$	11,545	\$	12,168	\$	-	Beginning Fund Balance	\$	3,600	\$	3,600	\$
2		25,025		-	22,023		Police Grants		50,000		50,000	
3		20		-	-		Interest/Donations		1,000		1,000	
4	\$	36,590	\$	12,168	\$	22,023	TOTAL RESOURCES	\$	54,600	\$	54,600	\$

EXPENDITURES

MATERIALS & SERVICES

10							Materials & Supplies		27,300	\$	27,300	\$
11	\$	9,541	\$	-	\$	22,023	TOTAL MATERIALS & SERVICES	\$	27,300	\$	27,300	\$
12	\$	9,541	\$	-	\$	22,023	TOTAL MATERIALS & SERVICES	\$	27,300	\$	27,300	\$

CAPITAL OUTLAY

15							Equipment		27,300	\$	27,300	\$
16	\$	14,882	\$	-	\$	-	TOTAL CAPITAL OUTLAY	\$	27,300	\$	27,300	\$
17	\$	14,882	\$	-	\$	-	TOTAL CAPITAL OUTLAY	\$	27,300	\$	27,300	\$
18							TOTAL EXPENDITURES	\$	54,600	\$	54,600	\$
19	\$	24,422	\$	-	\$	22,023	TOTAL EXPENDITURES	\$	54,600	\$	54,600	\$

FUND BALANCE

20							BUDGETED FUND BALANCE		54,600	\$	54,600	\$
21							TOTAL EXPENDITURE & FUND BALANCE	\$	54,600	\$	54,600	\$
22												
23												
24												
25	\$	36,590	\$	12,168	\$	22,023	TOTAL EXPENDITURE & FUND BALANCE	\$	54,600	\$	54,600	\$

Notes:

Each year the Police Department applies for and receives various Federal Grants for one-time purchases of Materials and Capital Outlay items.

CITY HALL FACILITY FUND

RESOURCES

EXPENDITURES

TRANSFERS OUT

	\$	-	\$ - \$
Transfer to Urban Renewal	\$	-	\$ - \$
FUND BALANCE			
Undesignated Ending Fund Balance			
TOTAL EXPENDITURE & FUND BALANCE	\$	-	\$ - \$

32

CAPITAL PROJECTS FUND

PARK IMPROVEMENT FUND

ACTUAL 2003-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

1	\$	400,246	473,628	\$	630,759	Working Capital Carryforward	\$	857,600	\$	857,600	\$	-	
2		10,893	9,497		9,644	Interest		9,500		9,500		-	
3		154,338	194,950		50,487	System Development Fees		50,500		50,500		-	
4		10,000	8,419		-	Miscellaneous Revenue		-		-		-	
5	\$	575,477	\$	686,494	\$	690,890	TOTAL RESOURCES	\$	917,600	\$	917,600	\$	-

EXPENDITURES

CAPITAL OUTLAY

10	\$	24,743	1,722	\$	150,000	Land Acquisition	\$	300,000	\$	300,000	\$	-	
11			875		-	Improvements		24,900		24,900		-	
12		77,106	-		100,000	Contingency		-		100,000		100,000	
13	\$	101,849	\$	2,597	\$	250,000	TOTAL CAPITAL OUTLAY	\$	324,900	\$	424,900	\$	100,000

FUND BALANCE

14	473,628	683,897	440,890	Undesignated Ending Fund Balance	592,700	492,700	100,000
15	575,477	686,494	690,890	TOTAL EXPENDITURE & FUND BALANCE	917,600	917,600	-

NOTE: 6 Interest revenue is based on FY04 earnings at 11/31/03 projected out to 6/30/04.

11 Land purchase in West Kerzer.

12 Improvements:

Pleasantview play structure	2,700
Northview climbing structure	1,100
Country Glen improvements	2,300
Meadows climbing structure	2,600
Skate Park paving	15,000
Rivers Edge improvements	1,200
	<u>24,900</u>

ENTERPRISE FUNDS

UTILITY FUND

ACTUAL 2004-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

1	\$	32,537	\$	19,313	\$	14,770	Beginning Fund Balance	\$	50,900	\$	50,900	\$
2		2,824		903		1,000	Planning/Construction Fees		1,000		1,000	
3		3,012,266		3,177,378		3,344,414	Salem Sewer Billing		4,054,600		4,054,600	
4		214,759		215,426		252,693	Sewer Administration Fee		254,300		254,300	
5		-		4,641		4,641	Oakwood Assessment		6,000		6,000	
6												
7							MISCELLANEOUS					
8	\$	-	\$	2,269	\$	1,779	Oakwood Interest		1,900		1,900	
9		7,799		9,572		-	Miscellaneous					
10	\$	7,799	\$	11,841	\$	1,779	TOTAL MISCELLANEOUS	\$	1,900	\$	1,900	\$
11												
12												
13	\$	3,270,185	\$	3,429,502	\$	3,619,297	TOTAL RESOURCES	\$	4,368,700	\$	4,368,700	\$

Notes:

- 3 Increases include a 12% increase in sewer rates per the Salem Cost of Service Analysis. Rates are set by the City of Salem and have not been approved for FY05.
- 4 Projections are based on approximately 9,400 sewer customers billed bimonthly at \$4.50 per bill.
- 5 Miscellaneous Revenues include one-time revenues that are not characterized by line-item descriptions.

ENTERPRISE FUNDS

UTILITY FUND

	ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04		MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
37							
38							
39	\$ 3,389	\$ 2,123	\$ 1,997	Materials & Supplies	\$ 2,300	\$ 2,300	\$ -
40	17,725	18,470	19,470	Postage & Printing	20,600	20,600	-
41	985	1,097	1,525	Membership Dues	1,800	1,800	-
42	2,216	2,191	2,973	Travel & Training	4,100	4,100	-
43			243	City Council Expenses	300	300	-
44	113	1,228	1,073	Advertising	200	200	-
45	3,528	3,103	2,900	Legal Services	4,000	4,000	-
46	1,606	1,543	1,624	Contractual Services	1,500	1,500	-
47	2,364	2,963	3,835	Audit	3,800	3,800	-
48	18,910	17,615	19,665	Engineering Services	17,100	17,100	-
49		1,394	1,360	Janitorial	1,400	1,400	-
50	1,028	493	525	Utilities	400	400	-
51	49	1,731	1,494	Telephone	1,100	1,100	-
52	8,277	10,916	13,103	Insurance	13,400	13,400	-
53	2,735	3,356	3,325	Computer Software	7,300	7,300	-
54	978	1,543	987	Computer Maintenance			-
55	1,089	1,254	1,272	Equipment Maintenance	600	600	-
56	3,490	816	1,400	Facility Maintenance	2,200	2,200	-
57	3,004,092	3,174,028	3,344,414	Salem Sewer Payments	4,054,600	4,054,600	-
58				Collection Costs	300	300	-
59	\$ 3,072,574	\$ 3,245,864	\$ 3,423,185	TOTAL MATERIALS & SERVICES	\$ 4,137,000	\$ 4,137,000	\$ -
60							

Notes:

- 41 Citywide costs are comprised of memberships to Council of Governments, League of Oregon Cities, Local Government Personnel Institute, local newspapers, Chamber of Commerce, SEDCOR, Rotary and International City/County Management Association. Costs are then allocated to each fund based on FTE.
- 43 Costs include travel & training, misc. office supplies, meetings during mealtimes. These costs were previously charged to the Training & Travel line-item.
- 44 Advertising is for staff recruitments.
- 45 Legal Services are for basic and hourly services provided by the City Attorney. Hourly costs will increase 5% over FY04.
- 46 FY05 includes cost for a Citizen Survey, copier leases, bank charges, courier services, salary surveys, etc.
- 47 The contract with the City's audit firm expires in FY05. Absent new estimates, this line-item is consistent with FY04.
- 48 Engineering Service costs increased 6.5% during FY04. FY05 projections are based on current year actuals projected to 6/30/04.
- 52 The City's Insurance carrier projects a 2% increase in insurance premiums.
- 57 This is a pass through expense and equals Salem Sewer Billing revenues on line 6 above.

ENTERPRISE FUNDS

UTILITY FUND

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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CAPITAL OUTLAY

61					
62					
63	\$	119	\$	5	455
64					Office Furniture & Equipment
65	405	4,804	2,663	6,500	Telephone System
66	524	4,809	3,118	3,300	Computer Equipment
67				9,900	3,300
68					TOTAL CAPITAL OUTLAY
69					

DEBT SERVICE

69	70	\$	5,000	\$	10,000	\$	10,000	\$	10,000	\$
	71		3,330		2,563		1,538		600	
	72		8,330		12,563		11,538		10,600	
	73						TOTAL DEBT SERVICE			
	74		\$ 3,210,143		\$ 3,404,140		\$ 3,596,292		\$ 4,321,700	
	75						TOTAL EXPENSES			

TRANSFERS OUT

77					
78	38,732	-	-	-	-
79	1,997	-	-	-	-
80	\$ 40,729	\$ -	\$ -	\$ -	\$ -

FUND BALANCE

82						
83						
84	19,313	25,362	10,000	13,400	13,400	
85			13,005	33,600	33,600	
86	\$	3,270,185	\$	3,429,502	\$	4,368,700
					TOTAL EXPENSES & FUND BALANCE	

Notes:

64 Telephone equipment includes \$4,400 to replace the telephone system plus \$2,100 for an automated phone system to be used for delinquent account collections.

ENTERPRISE FUNDS

STREET LIGHTING DISTRICT FUND

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

1	\$	3,157	\$	(13,068)	\$	(49,064)	Beginning Fund Balance	\$	69,900	\$	69,900	\$	-
2		299,537		385,455		490,892	Lighting District Assessments		422,800		422,800		-
3		-		2,500		-	Performance Deposit		-		-		-
4		38,732		-		-	Transfer from Utility Fund		-		-		-
5	\$	341,426	\$	374,887	\$	441,828	TOTAL RESOURCES	\$	492,700	\$	492,700	\$	-

Notes:

- The Street Lighting District Fund operates on a reimbursement basis. Electricity is paid in Year One and assessed on the tax roles in Year Two. In times of rising costs, the fund has operated in a deficit as is the case with FY03. To remedy this situation, in FY04 the City assessed an additional 14% on the tax roles to provide Working Capital for this fund.

ENTERPRISE FUNDS

STREET LIGHTING DISTRICT FUND

ACTUAL 2001-02	ACTUAL 2002-01	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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28					
29					
30	\$	\$		\$	\$
31	488	340	371	400	400
32	257	305	326	200	200
33	184	223	381	500	500
34	443	509	622	800	800
35	-	-	61	100	100
36	10	16	-	1,400	1,400
37	99	113	120	100	100
38	103	178	406	500	500
39	305	282	366	400	400
40	-	265	340	300	300
41	592	107	114	100	100
42	7	349	302	300	300
43	41	203	240	300	300
44	174	179	349	1,600	1,600
45	212	288	247	200	200
46	606	298	311	500	500
47	3,797	162	350	3,700	3,700
48	314,642	329,785	390,506	322,300	322,300
49	\$ 322,187	\$ 337,791	\$ 399,320	\$ 333,700	\$ 333,700

TOTAL MATERIALS & SERVICES

Notes:

- 37 Citywide costs are comprised of memberships to Council of Governments, League of Oregon Cities, Local Government Personnel Institute, local newspapers, Chamber of Commerce, SEDCOR, Rotary and International City/County Management Association. Costs are then allocated to each fund based on FTE.
- 38 Costs include travel & training, misc. office supplies, meetings, during meal times. These costs were previously charged to the Training & Travel line-item.
- 39 Costs are street lighting district assessment public notices.
- 40 Costs are based on current year actuals projected to 6/30/04. The City anticipates a 5% increase in City Attorney hourly fees.
- 41 FY05 includes cost for a Citizen Survey, copier leases, bank charges, courier services, salary surveys, etc. Contractual Service costs are reduced from last year's budget to account for the one-time City Hall study costs.
- 42 The contract with the City's audit firm expires in FY05. Absent new estimates, this line-item is consistent with FY04.
- 43 The City's insurance carrier projects a 2% increase in insurance costs.
- 44 Electrical costs are based on FY04 actuals projected out to year-end. Electric companies expect rates to stay the same as in FY04.

STREET LIGHTING DISTRICT FUND

MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM

13

53	\$	25	\$	2	114	Office Furniture & Equipment	\$	-	\$	-
54	-	656	-	-	666	Computer Equipment	-	800	-	800
55	-	-	-	-	-	Telephone System	-	1,100	-	1,100
55	-	84	-	-	-	Software	-	-	-	-
56	-	-	-	-	-	Performance Bond Reimbursement	-	-	-	-
57	-	2,500	-	-	-	-	-	-	-	-
58	-	-	-	-	-	-	-	-	-	-
59	-	109	-	2,500	780	TOTAL CAPITAL OUTLAY	\$	1,900	\$	1,900
59	-	354,494	-	319,980	441,828	TOTAL EXPENSES	\$	377,800	\$	377,800

21

63	- Contingency	18,900
64	- Undesignated Ending Fund Balance	96,000
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63 Contingency is 5% of total expenses.

⁶⁴ The SLD fund is a reimbursement fund where costs are incurred in Year One and paid in Year Two. In FY04 the City increased assessments to provide a Working Capital balance so that the fund could operate without short-term borrowing. Short-term borrowing is a more expensive method of funding in the long term. Contingency is 3% of total expenses.

ENTERPRISE FUNDS

WATER FUND

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

1	\$	189,621	\$	473,432	\$	475,862	Beginning Fund Balance	\$	844,800	\$	844,800	\$	-
2		12,875		3,593		975	Planning & Construction Fees		4,500		4,500		-
3		1,627,210		1,708,511		1,838,610	Water Sales		2,064,900		2,064,900		-
4		42,921		47,001		42,859	Service Fees		32,300		32,300		-
5		4,337		7,554		7,914	Interest		5,700		5,700		-
6		1,636		18,918		2,000	Miscellaneous		2,000		2,000		-
7		3,430		7,120		7,907	Live Tag Reimbursement		5,000		5,000		-
8	\$	1,882,030	\$	2,266,129	\$	2,376,127	TOTAL RESOURCES	\$	2,959,200	\$	2,959,200	\$	-

Notes:

¹ Water Sales Revenues reflect an increase in consumption plus a 4% increase in rates as provided for in the cost of service rate model.

² Interest Revenue is based on FY04 earnings at 11/31/03 projected out to 6/30/04.

³ Miscellaneous Revenues include one-time revenues that are not characterized by line-item descriptions.

WATER FUND

EXPENDITURES

Notes

³⁷ Through the City's Personal Policy Committee, the City changed the process for allocation of insurance premiums. The costs are now pooled and allocated based on FTE in each fund. The City's insurance premiums increase each year by the CPI-Medical, within 1% to 6%. The FY04 costs were budgeted at a 0.85% increase. During the year the Council retroactively increased City paid premiums to 5.05% based on the CPI-Medical to more accurately reflect the increases in these costs. The FY05 CPI-Medical increase is 4.2%.

³⁴ Workers compensation costs are expected to increase 18% in FY05. Budget estimates also changed because of allocation changes.

ENTERPRISE FUNDS

WATER FUND

	ACTUAL 2002-02	ACTUAL 2002-03	ADOPTED 2002-04		MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
66 \$	5,306	8,381	3,947	Computer Maintenance	\$	14,700	\$
67	12,384	9,135	12,000	Vehicle Maintenance		12,000	
68	8,436	8,937	9,500	Equipment Maintenance		9,500	
69	10,659	4,015	5,600	Plant Maintenance		8,600	
70	27,898	51,716	32,000	Facility Maintenance		35,000	
71	3,600	9,340	5,000	Live Taps		5,000	
72	9,588	10,208	20,000	Pumphouse Maintenance		15,000	
73	23,980	24,324	30,000	Pump Maintenance		15,000	
74	29,517	38,586	30,000	Operating Materials & Supplies		32,000	
75	-	-	65,000	Watermains		65,000	
76	3,816	3,816	3,816	Well Property Lease		3,800	
77	34,984	35,666	40,000	Lab Tests		35,000	
78	19,263	20,593	21,000	Contract Meter Reading		21,800	
79	6,197	6,175	7,500	Consumer Confidence Report/ Public Education		7,500	
80	581	279	-	Miscellaneous		-	
81 \$	642,996	694,710	826,143	TOTAL MATERIALS & SERVICES	\$	837,500	\$
CAPITAL OUTLAY							
82	-	-	-	Aerial Photos	\$	2,500	\$
83	-	-	-	Telephone System		19,700	
84 \$	-	-	-	Office Furniture & Equipment		2,000	
85	546	135	1,821	Field Equipment		13,400	
86	964	9,999	10,300	Computer Equipment		14,700	
87	7,587	12,578	10,652	Public Works Vehicle		40,000	
88	4,500	-	30,000	Water Meters		25,000	
89	22,192	28,425	28,000	Heavy Equipment		-	
90	-	-	44,000	Telenet System		18,600	
91	-	7,380	10,000	TOTAL CAPITAL OUTLAY	\$	135,900	\$
92 \$	35,789	58,517	134,773	TOTAL CAPITAL OUTLAY	\$	135,900	\$
Notes:							
77	Lab Tests include monthly monitoring for VOC's						
80	Miscellaneous costs are one-time expenditures that are not characterized by existing line-item descriptions.						
DEBT SERVICE							
78	-	-	-	Debt Service	\$	135,700	\$
79	-	-	-	-		-	
80 \$	-	-	-	-		-	
94	-	-	-	-		-	
95 \$	1,404,754	1,467,973	1,762,974	TOTAL EXPENSES	\$	1,945,200	\$

ENTERPRISE FUNDS

WATER FUND

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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TRANSFERS OUT					
96					
97					
98	\$ -	\$ 200,000	\$ 250,000	\$ 525,000	\$ 525,000
99	3,844	-	50,000	100,000	-
100	\$ 3,844	\$ 200,000	\$ 300,000	\$ 625,000	\$ -
101					
102					
103					
104	\$ -	\$ -	\$ 60,000	\$ 60,000	\$ -
105	473,432	598,156	253,153	329,000	-
106					
107	\$ 1,882,030	\$ 2,266,129	\$ 2,376,127	\$ 2,959,200	\$ 2,959,200
TOTAL EXPENSES & BUDGETED FUND BALANCE					
FUND BALANCE					

Notes:

- 87 Aerial Photos are estimated to cost \$15,000 city-wide; 1/3 to be funded from Revenue Sharing and Street Fund, each, and 1/6 to be funded from Water Fund and Urban Renewal, each.
- 88 Telephonic equipment includes \$17,600 to replace the telephone system plus \$2,100 for an automated phone system to be used for delinquent account collections.
- 89 Replacement of a 1987 Public Works Vehicle including Hydraulic Power Pack.
- 100 The Ending Fund Balance provides for a 60-day cash supply.

ENTERPRISE FUNDS

WATER FACILITY FUND

ACTUAL 2001-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

1	\$	323,766	\$	110,820	\$	335,585	Beginning Fund Balance	\$	554,100	\$	554,100	\$	-
2		6,298		4,128		3,332	Interest		6,000		6,000		-
3		69,729		91,909		38,448	Systems Development Fees		99,300		99,300		-
4		-		-		4,272	Oversized Reimbursement Fees		9,900		9,900		-
5		-		1,421		-	Marks Drive Assessments		2,600		2,600		-
6		-		-		-	Bond Proceeds		3,447,500		3,447,500		-
7		-		200,000		250,000	Transfer from Water Fund		525,000		525,000		-
8	\$	399,793	\$	408,278	\$	631,637	TOTAL RESOURCES	\$	4,644,400	\$	4,644,400	\$	-

EXPENDITURES

CAPITAL OUTLAY

14	\$	135,508	\$	40,085	\$	328,300	Supply/Treatment	\$	595,000	\$	595,000	\$	-
15		153,465		-		70,000	Pumping		682,600		682,600		-
16		-		-		-	Transmission & Distribution Mains		2,275,000		2,275,000		-
17		-		-		-	Storage		-		-		-
18		-		-		-	Meters & Services		-		-		-
19		-		-		-	Hydrants		-		-		-
20		-		-		100,000	General Plant		140,000		140,000		-
21		-		-		498,300	Contingency		100,000		100,000		-
22	\$	288,973	\$	40,085	\$	498,300	TOTAL CAPITAL OUTLAY	\$	3,792,600	\$	3,792,600	\$	-

FUND BALANCE

26		-		-		-	Debt Reserve Requirements		292,900		292,900		-
27		-		-		-	Undesignated Ending Fund Balance		558,900		558,900		-
28	\$	110,820	\$	368,193	\$	133,337	TOTAL EXPENSES & BUDGETED FUND BALANCE	\$	4,644,400	\$	4,644,400	\$	-

Notes: 12 For detailed Capital Outlay projects see Water Facility Fund Summary.

ENTERPRISE FUNDS

SEWER RESERVE FUND

ACTUAL 2003-02	ACTUAL 2002-03	ADOPTED 2003-04	MANAGER RECOMMENDED	COMMITTEE APPROVED	CHANGES FROM MGR RECOMM
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RESOURCES

1	\$	318,162	\$	355,850	\$	367,024	Beginning Fund Balance	\$	487,700	\$	487,700	\$	-
2		260,973		31,738		52,220	Sanitary Sewer Acreage Fee		540,000		540,000		-
3		11,663		53,735		-	Storm Sewer Acreage Fee		-		-		-
4		-		-		93,600	Intergovernmental Agreement with City of Salem		70,000		70,000		-
5		64		2,143		4,296	Interest		4,700		4,700		-
6	\$	590,862	\$	443,473	\$	517,140	TOTAL RESOURCES	\$	1,102,400	\$	1,102,400	\$	-

EXPENDITURES

MATERIALS & SERVICES

12	\$	-	\$	-	\$	93,600	Contractual Services	\$	70,000	\$	70,000	\$	-
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CAPITAL OUTLAY

16	\$	223,349	\$	1,895	\$	325,000	Sewer Line Extensions	\$	375,000	\$	375,000	\$	-
17		11,663		53,735		-	Storm Drain Reimbursement		70,000		70,000		-
18		-		-		-	Contingency		-		-		-
19	\$	235,012	\$	55,630	\$	325,000	TOTAL CAPITAL OUTLAY	\$	445,000	\$	445,000	\$	-
20													
21	\$	235,012	\$	55,630	\$	418,600	TOTAL EXPENSES	\$	515,000	\$	515,000	\$	-

FUND BALANCE

24							Undesignated Ending Fund Balance		587,400		587,400		-
27	\$	590,862	\$	443,473	\$	517,140	TOTAL EXPENSES & BUDGETED FUND BALANCE	\$	1,102,400	\$	1,102,400	\$	-

Notes:

- 2 The City anticipates \$100,000 from citywide development and \$440,000 from the Keizer Station development.
- 5 Interest Revenue is based on FY04 earnings at 11/31/03 projected out to 6/30/04.



AGENDA ITEM 5c

Keizer Station Master Plan - Area A

June 21, 2004

COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: NATE BROWN
COMMUNITY DEVELOPMENT DIRECTOR**

**SUBJECT: ADDENDUM--KEIZER STATION MASTER PLAN, SUBDIVISION, MAJOR
VARIANCE (SETBACKS), AND SIGN VARIANCE.**

BACKGROUND:

The Applications for Master Plan, Subdivision, Major Variance (Setbacks), and Sign Variance have been reviewed under the applicable requirements established in the Keizer Station Plan (KSP), the Keizer Development Code (KDC) and the Development Disposition Agreement (DDA). The staff report for these applications is attached. The original application materials also included a Comp Plan/Zone Change application for the southern half of the Portland General Electric property in the northwest corner of the Village Center. The documentation submitted indicated this was needed to accommodate the building location of the major tenant planned for that area. After further analysis of the zone, it was discovered the southern half of that property had previously been changed to the EG zone with the KSP adoption. Therefore, the Comp Plan/Zone Change application was unnecessary and was subsequently withdrawn.

ISSUE:

In order to process the applications at an accelerated schedule, staff employed the services of Keith Liden of Parsons Brinkerhof to assemble requirements and issues that exist for establishing appropriate findings and recommendations. This coupled with the efforts of the Community Development department, have resulted in the following documentation. The documentation generally supports a recommendation of approval. However, some modifications and additional conditions are necessary for Staff to support approval. These are outlined below and in the supporting documentation.

Master Plan:

Staff recommends approval of the Master Plan for Area A (Village Center) of the Keizer Station Plan, based on the attached findings and conditions, with the following additions:

1. A sight and sound obscuring wall shall be constructed of Concrete Masonary Units or equivalent between the residential properties and the northern border of Area B.
2. Car wash and any automobile service station uses are not allowed as an industrial use. The designation of a Car Wash in the Master Plan is not approved, and the use of the buildings in the south west portion of the site (Pads E and G) must be appropriate industrial uses.
3. The transportation system plan shall be modified to show how access to "Area B" shall be accomplished.

Subdivision:

Staff recommends Preliminary approval of the Village Center Subdivision (Attachment 10) based on the attached findings and conditions, with the following additions:

1. Road C shall be located in a public easement, constructed to City of Keizer road standards, and maintained by the City of Keizer. The area described as "Lot 2" shall be included, together with the area of public access easement in the area described as "Lot 1" to form one lot.
2. The area described as "Lot 3" is not approved as a separate lot and shall be combined with the area described as "Lot 4" to form one lot.
3. The area described as "Lot 12" is not approved as a separate lot and shall be combined with the area described as "Lot 9" to form one lot.

These changes are necessary to comply with the minimum lot size requirements (see page 60).

Major Variance:

Staff recommends partial approval of a Major Variance to the Yard Setbacks which are specified in the EG zone of the Keizer Development Code based on the attached findings and conditions. Staff recommends denial of a portion of this Major Variance request (Specific to Anchor 'B') which modifies the applicants request.

Sign Variance:

Staff recommends approval of a Variance to modify the sign area and height, based on the attached findings and conditions, which modifies the applicants request.

RECOMMENDATION:

Direct staff to prepare an appropriate order approving the applications pursuant to conditions and findings set forth in this addendum and the attached Staff Report.



**KEIZER COMMUNITY DEVELOPMENT
DEPARTMENT
STAFF RECOMMENDATION**
Subdivision/Master Plan/Major Variance/and Sign
Variance Case No. 2004-21

TO: Mayor Christopher and City Council Members
FROM: Nate Brown, Community Development Director
SUBJECT: Subdivision/Master Plan/Major Variance/and Sign Variance Case No. 2004-21
DATE: June 14, 2004

The Planning staff reviewed the above referenced case and offers the following comments.

I. GENERAL INFORMATION

- A. APPLICANT/OWNER:** Northwest National, LLC
- B. AGENT:** W & H Pacific, Rick Martin
- C. PROPERTY LOCATION:** The subject property is located at the Chemawa/Interstate 5 interchange. The subject property consists of Area A (Village) of the Keizer Station Plan, a parcel owned by the City and located in Area B (identified on Marion County Tax Assessor's Map No. as Township 6 South Range 3 West, Section 36BC, Lot 06000); and other property located in Keizer Station Plan Area B. (See Exhibit '1')

Staff Report for City Council Hearing June 21, 2004
Dated: June 14, 2004

Keizer Station Village Center
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Conditions:	Master Plan	Page No. 50
	Subdivision	Page No. 68
	Major Variance	Page No. 72
	Sign Variance	Page No. 74
Comments:	Agency Comments	Page No. 5
	Other	Page No. 5
Findings:	Master Plan	Page No. 6
	Subdivision	Page No. 59
	Major Variance	Page No. 70
	Sign Variance	Page No. 73

- D. EXISTING PARCEL SIZE:** The subject property contains approximately 96 acres.
- E. EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** The site has street frontage onto Chemawa Road, Lockhaven Drive, Tepper Lane, Radiant Drive, Ridge Drive, and McLeod Lane, which are public streets. I-5 and the Chemawa Interchange are immediately east of the site. Public water is available to the subject site. Public sanitary sewer service is currently available north of the site. Public bus transit is provided by Salem Area Transit with Route numbers 4 and 9 currently serving the intersection of Lockhaven and McLeod. Route #4 services the School for the Deaf, Cherriots Administrative Office, Keizer, and Whiteaker Middle School.
- F. PLAN DESIGNATION AND ZONING:** The subject property is designated Special Planning District on the Comprehensive Plan Map and is zoned EG (Employment General) for the parcels in "Area A" and CM (Commercial Mixed Use) for those in "Area B".
- G. ADJACENT ZONING AND LAND USES:** The site is bordered on the north by Tepper Lane, Interstate 5 (I-5) to the east, Portland and Western Railroad to the west, and Chemawa Road to the south. A residential neighborhood is located on the west side of the railroad tracks, and Tepper Lane crosses the tracks, providing street access between the subject property and the neighborhood. Industrial properties, electrical utility facilities, and the baseball stadium lie to the north of Tepper Lane. The surrounding properties are zoned RS – Single Family Residential to the west, IG – Industrial General to the north, and IBP – Industrial Business Park to the northeast and south.
- H. PROPOSAL:**

The proposal consists of four related applications, which are Keizer Station Master Plan, preliminary Subdivision plat; a Major Variance for building setbacks for seven (7) buildings; and, a Sign Variance. These four applications are described in more detail below:

Originally, a Comprehensive Plan Map Amendment/Zone Change application was applied for to accommodate the adjustment necessary for the placement of "Anchor 1". Analysis of the zoning showed that the southern half of the Pacific General Electric property was zoned EG with the Keizer Station Plan and a zone change was unnecessary.

Keizer Station Village Center Master Plan

Land Uses

Development within the site includes 898,000 square feet of commercial/retail building area, 3.12 acres of park land, five plazas ranging in size from approximately 2,750 to 4,900 square feet, and bike and pedestrian pathways. The site is grouped into three distinct planning districts:

- Power Center: northern half of the site. Includes anchor buildings 1 through 3, major tenant buildings 1 through 7, retail buildings 1 through 4, and restaurant buildings 1 through 4. These buildings will include, but are not limited to, tenant uses such as home improvement, variety, clothing, home furnishings and electronics, office products, crafts, home accessories, books, small in-line shops and restaurants, sit-down restaurants, and drive-thru restaurants.
- Neighborhood Center: located between Radiant Drive and the northern portion of the site. Includes anchor buildings A through B, shop buildings A through C, and pad restaurant buildings A and C. These buildings will include but not be limited to such things as grocery, drug store, food court, sit-down restaurants and neighborhood shops and services.
- Area south and east of Radiant Drive: Includes a major commercial office building, hotel, sit-down restaurants, drive-thru restaurants, fuel center, and other related commercial uses.

Three parks, totaling 3.12 acres, are proposed:

- Chemawa Park (1.10 acres) is located outside the master plan area, between the relocated ODOT access control fence along Chemawa Road, road A and B and lot 1. It will act as the village center entry point for pedestrians. Amenities include open space lawn area, ornamental shrubs and trees, benches, tables, trash receptacles, and pedestrian scale lighting fixtures.
- Central Park (.97) is located adjacent to I-5, at the east end of the site. The park surrounds a 0.28 acre wetland area and will combine existing native vegetation with ornamental plants and trees, and plaza/hardscape amenities. Plaza construction and amenities will include: concrete pavers and poured in place concrete; a range of concrete finishes from standard broom finish to colored stamped patterns; natural stone faced retaining wall to define the wetland area and relationship to the park/plaza area; benches, tables and movable chairs; and bollards, cast iron tree grates, trash receptacles and movable planters. A multi-use shelter/gazebo will create a community gathering space for special events throughout the year.
- Tower Park (1.05 acres) is located in the northeast corner of the Village Center. It has an open space environment consisting of lawn and ornamental shrubs and trees to create an informal park. Design elements will include benches, picnic tables, trash enclosures and a pedestrian pathway that connects the overall Village Center pedestrian circulation system to the Volcanoes baseball stadium complex to the North of the site.

Five plazas are proposed in order to offer outdoor use opportunities. Amenities include seating, tables, articulated plaza features, trellises, water features, specialty lighting, and more intense landscaping. The plazas are located between shop A and B, between pad C and shop C, south of major 7, between retail 2 and 3, and south and east of major 4.

Circulation

The internal street system allows for vehicular travel within the site as well as providing access to and from major arterial streets to the south (Chemawa Road), west (Lockhaven), and access to the existing and future sports facilities to the north. There will be approximately two miles of new public roads and three new bridges.

Internal streets will have a boulevard feel with tree lined streets, landscape medians, and low-impact street lighting. All streets are proposed with bicycle lanes in each direction and eight-foot wide pedestrian sidewalks, separated from the street with a five-foot landscape buffer. As a result of safety concerns, certain specific areas do not have sidewalks. Radiant Drive is the primary through street and will be depressed for a portion to allow it to pass under the railroad and road A and C. Tepper Lane will be widened to accommodate a local street improvement. An additional nine feet of right-of-way for a half-street width of 24 feet will be dedicated. A pedestrian underpass at Tepper Lane will provide a pedestrian and bicycle connection from the adjacent neighborhood to the development.

A system of internal pedestrian walkways to building structures is proposed. These connections vary in width from five feet to twelve feet and connect to larger articulated building entrance plazas, varying in width from 10 feet to 16 feet, and the larger outdoor plaza areas.

Water Service

Water service will be provided by a connection to a new reservoir south of Chemawa Road NE as well as connection to the existing water mains in Tepper Lane and Lockhaven Drive. The public water system will be constructed in dedicated public right of ways within the realigned Radiant Drive and roads A, B and C. Fire hydrants will be spaced between 250 and 500 feet to any point on the buildings.

Sanitary Sewer

Sanitary sewer service will be provided through a connection to the existing 21-inch sewer main at the intersection of the existing Radiant Drive and Tepper Lane at the existing ball field entrance. The public sewer main will be extended to the south along the realigned Radiant Drive, within the right of ways for streets A, B and C and within dedicated public right of ways. Each lot will be provided with at least one sewer service connection.

Storm Drainage

Storm drainage facilities will be provided within the public roadway system to collect and convey runoff from the development. The project area is identified as a critical drainage basin, requiring higher runoff control standards. The public storm drain system will provide an overcapacity conveyance system. Each private lot will provide water quality treatment and detention of its storm water runoff.

Landscaping

Most of the existing deciduous trees are a combination of alder, ash, poplar, maple, birch, oak, unidentified sucker and common orchard fruit and nut trees. Existing evergreen trees include cedar, fir, pine, and sequoia. Twelve significant evergreen and two deciduous trees have been incorporated into the new site plan. A grove of aspen and ash/alder have been preserved within the wetland delineation area (Tract A). The landscape master plan shows a proposed ratio of 7.7 new trees for every one tree removed.

Subdivision Proposal

The subdivision request is to subdivide 95.7 acres (currently 39 lots) into a 15 lot and 3 tract commercial/industrial area.

Major Variance

The applicant is requesting Major Variance approval for the building setbacks for buildings labeled as Pad 'A' and 'C' and Restaurant '1', '2', '4', and '5'. The Keizer Development Code has a minimum setback of twenty (20) feet for Industrial Uses within the EG Zone. The applicant is proposing to allow a minimum setback of 12 to 14 feet. In addition, a Major Variance is requested from the building setbacks for Shop 'A' and Anchor 'B'. The Keizer Development Code requires a minimum setback of ten (10) feet and a maximum setback of twenty (20) feet for commercial uses whereas the applicant is requesting a setback of 31 to 33 feet.

Sign Variance

The applicant is requesting a Variance for the sign height. The Keizer Development Code has a maximum height limitation of 20 feet. The applicant is proposing a tenant directory sign that is 68 feet in overall height.

II. COMMENTS

AGENCY COMMENTS:

The Public Works Department has submitted a memorandum with extensive comments and recommendations regarding the proposal (Exhibit 2).

OTHER COMMENTS:

The Keizer Fire District has submitted the requirements of the Uniform Fire Code and are attached to this report (Exhibit 3)

The comments from City of Salem Development Services, Portland General Electric, Marion County Planning, and citizens are also attached to this report (Exhibit 4)

III. FINDINGS – KEIZER STATION MASTER PLAN

Introduction

This master plan application is the first proposal submitted following the adoption of the Keizer Station Plan and the related Keizer Comprehensive Plan and Development Code (KDC) amendments. A master plan is subject to a Type II-B procedure (KDC 3.101.02), which includes a public hearing and decision by the City Council. Following City Council approval of a master plan, subsequent city review of the project design and construction details shall be completed as part of the building permit approval process.

The criteria that apply to a master plan range from overall master plan objectives and arrangement of uses to landscaping, site planning, and architectural details. The master plan application provides the information required by the KDC. Because this project will occur over a number of years involving buildings for tenants which are not known at this time, not all of the specific building design details are available as part of the master plan review. The concepts that are presented will however provide a basis for specific building permit review and administrative approval.

As a result, this staff report focuses primarily on the proposed master plan concepts submitted by the applicant and the overall objectives of the Keizer Station Plan and related KDC provisions. Many of the design details will be evaluated during the building permit process. It is important for the City Council's master plan decision to provide clear guidance regarding the desired outcome of the many design decisions that will be part of building permit approval for the improvements.

In addition to the Keizer Station Plan and KDC, the applicant and the city entered into a Development and Disposition Agreement (DDA) on November 6, 2003, which supplements the adopted city plan and code requirements. The provisions of the DDA, which are relevant to this process, are covered in a separate section of this report.

- A. The Review Criteria for the Keizer Station Master Plan are listed in Section 3.113.04 of the Keizer Development Code (KDC). The criteria and findings are listed below:

3.113.04 A The master plan shall meet the purpose and objectives identified in the Keizer Station Design Plan.

The purpose and objectives for Area A – Village Center, are identified on page 15 of the Keizer Station Plan and are listed below.

- a. **Purpose: The Village Center will provide the opportunity to establish a true economic activity center that will focus on offering a variety of industrial and**

commercial activities. Key issues that will need to be considered as Area A – Village Center develops include:

- **Location and design of transportation facilities.**
- **Traffic operations at the Chemawa Interchange.**
- **Physical constraints (e.g. power lines, utility easements, rail right-of-way) that will influence the amount of buildable land and building locations; and**
- **Phasing of development.**

FINDINGS:

The proposed development in Area A includes approximately 898,000 square feet of floor area offering a combination of commercial and industrial uses as specified in the EG zone (discussed later in this report).

The applicant's traffic consultant, City Staff, the City's traffic engineer, and City engineer (plans have been forwarded to the Oregon Department of Transportation (ODOT)) have evaluated the impact of this development on the transportation system. The street design is based upon the input from traffic and transportation planning professionals from each of these parties.

The buildings and improvements are located to keep existing easement areas clear of inappropriate development.

No information has been provided regarding phasing for the development shown.

b. Objectives: Development in Area A – Village Center will be focused on achieving the following objectives:

- **Provide a northern gateway to Keizer;**
- **Develop a variety of employment opportunities;**
- **Create a focal point for commerce and community activities;**
- **Establish a place for multiple activities;**
- **Provide a gateway to sports activities; and**
- **Be a source of employment opportunities.**

FINDINGS:

The landscaping and pathway improvements along Chemawa Road and I-5 and a "Welcome to Keizer" monument sign in the northwest quadrant of the I-5/Chemawa

Road interchange will create a gateway to the city if developed aesthetically and in accordance to landscape design industry standards and maintained appropriately.

The proposed mix of commercial and IBP uses on the site will clearly provide new and varied employment opportunities. Although the proposed master plan will provide the desired employment, the current design appears to fall short of the objectives to provide a focal point for community and multiple activities, and a gateway to sports activities (primarily the baseball park to the north). The arrangement and orientation of buildings, plazas, and open space provides a scattered assortment of amenities and public spaces, which are separated by significant distances. This results in a development with sidewalks but without any meaningful pedestrian orientation or scale. One must keep the size of the site and some of the proposed buildings in mind when evaluating the site. For example, the three buildings in the northwest portion of the site (Anchors 1 and 2 and Major 1) have a combined frontage of almost ¼ mile. In its present configuration, visitors will almost surely drive – even between stores. The following issues can be improved with refinement of the plan that has been submitted for master plan approval.

- Pedestrian street along Radiant esp. from the Street A intersection to Tepper
- Gateway to ball park
- Rearrange plazas/open spaces to be more effective public areas
- Clustering complementary uses/spaces along Radiant Dr. to enhance greater convenience (e.g., between office bldg. and restaurants, hotel and park
- Improved pedestrian connections generally and more inviting pedestrian gateway into the site via Radiant and Street A such as re-orienting the office building to take advantage of the park amenities.

3.113.04 B The master plan shall meet the following standards as identified in the Keizer Station Plan in addition to standards within applicable zones:

- 1. Design standards**
- 2. Transportation system standards**
- 3. Utility standards**
- 4. Parking standards**
- 5. Landscape standards**

If a conflict exists between standards within the Keizer Station Plan and the Keizer Development Code, the Keizer Station Plan standards shall be applied.

The applicable zone within the subject site is General Employment (EG). Sections 2.119.02 through 2.119.07 identify the various uses allowed in the EG zone as well as the required mix of industrial and commercial uses. Sections 2.119.08 through 2.119.10 define the development standards, dimensional standards, height, setback, coverage and landscaping

requirements, and design standards. Section 2.119.10 states that all development in the EG zone must comply with the applicable standards identified in the KDC including, but not limited to, the following:

Section 2.3	General Development Standards
Section 2.301	General Provisions
Section 2.302	Street Standards
Section 2.303	Off-Street Parking and Loading
Section 2.305	Transit Facilities
Section 2.306	Storm Drainage
Section 2.307	Utility Lines and Facilities
Section 2.308	Signs
Section 2.309	Site and Landscaping Design
Section 2.310	Development Standards for Land Divisions
Section 2.312	Yard and Lots Standards
Section 2.315	Development Standards
Section 2.4	Special uses
Section 2.419	Service Stations
Section 2.420	Auto Services

SECTION 2.119 GENERAL EMPLOYMENT

2.119.02 through 2.119.07 identify the use requirements for the EG zone, including the permitted, special permitted, and use restrictions, which apply to the site. A minimum of 25% of the land area must be devoted to industrial uses listed in Sections 2.119.03 and 2.119.04.

FINDINGS: The applicant has identified the proposed industrial (subject to 25% minimum requirement) and commercial (up to 75% maximum) use types for the site. The uses proposed under the industrial and commercial categories comply with the KDC requirements, except for the proposed service station and automobile service uses, which are proposed in the southeast portion of the site (Pads E and G and the car wash). These are proposed in the application materials as industrial uses, but they are only allowed as special permitted commercial uses in Section 2.119.06.

2.119.09.B. Minimum Lot Dimension Requirements. Within the acreage identified for commercial uses, at least eighty percent (80%) of the lots must have a minimum lot area of 20,000 sq. ft., minimum average width of 100 ft. and minimum average depth of 100 feet. The remainder lots must have a minimum lot area of 10,000 sq. ft., minimum average width of 75 ft. and minimum average depth of 75 feet. Lots or tracts created only for the purposes of providing a right-of-way or dedicated utilities, public drainage facilities or open space are exempt from the lot size and shape standards of this section.

FINDINGS: The subdivision plan submitted as part of the application complies with the minimum lot dimensions.

2.119.10 Development Standards Height, Setback, Coverage, and Landscaping Requirements. For commercial development, the standards are as follows:

- Building standards, maximum height: 100 ft., maximum lot coverage: 85%
- Building setbacks, street-side: 10 feet minimum and 20 feet maximum for commercial uses and 20 feet minimum for industrial uses; Side/Rear not adjacent to a residential zone, none; and adjacent to a residential zone, 40 feet.
- Minimum landscaping, percent of lot coverage: 15%

FINDINGS: Eight buildings or footprints do not meet these requirements:

- Pads A and C, Restaurants 1 2, and 4, do not meet the street side setbacks for industrial uses.
- Shops A and Anchor B do not meet the street side setbacks for commercial uses.
- Restaurant 5 shows a building envelope line that does not meet the Industrial setbacks.

As a result, a variance has been requested to allow amended setbacks for these buildings. The variance and related findings are covered later in this report.

- c. **Alternative maximum setback option for large commercial uses.** Commercial buildings that exceed 100,000 square feet of floor area are exempt from the maximum setback requirements identified in Section 2.119.10.A provided the pedestrian system connects buildings on the site to all adjacent properties.

FINDINGS: Anchor stores 1 and 2 and Major store 1 provide adequate pedestrian walkways except that a pedestrian crossing should also be provided to cross Street B next to Retail 1. Anchor 3 should have a walkway connecting to the perimeter pathway along the I-5 right-of-way.

Anchor 1 and 3, and the building that contains Anchor 2, while able to be setback greater from the street due to their size, still require the same level of pedestrian access.

SECTION 2.302 STREET STANDARDS

2.302.03.A. General Requirement. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets.

FINDINGS: The proposed development features three new public streets within the development and the realignment of the existing Radiant Drive to pass under the existing railroad tracks to connect to Lockhaven Drive between McLeod Lane and the railroad crossing. The location, width and grade of the proposed streets are designed to promote public convenience and safety for the commercial development.

All new public streets shall be constructed to the requirements of the City of Keizer Department of Public Works Design and Construction Standards and in conformance with the final Transportation Impact Analysis adopted for the Keizer Station Plan. Tepper Lane shall be constructed as a $\frac{3}{4}$ width street designed to Collector Street standards with an appropriate turnaround at the west end accommodating emergency vehicles. All other streets shall be designed to arterial standards in terms of structural section and geometrical configuration. Preliminary construction specifications and plans for all transportation mitigation measures necessary to satisfy the improvements identified in the "Transportation Impact Analysis, Keizer Station Plan" for all street construction, including retaining walls, fencing, landscaping, sidewalks, signing, etc. shall be submitted to the Department of Public Works for review prior to submitting final plans for approval. The Department of Public Works will review the proposed plans and make recommendations for any additional work and coordination with other development in the area as needed.

The Public Works Department comments include specific conditions of approval.

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

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

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

2. **Parcel shape or size prevents new lots from meeting lot width or depth standards when a public street or infill street is proposed through the parcel.**
3. **Partial-width streets where adjoining development would provide a full-width public street or infill street; does not eliminate the need for variances to lot depth or width requirements.**
4. **Natural physical obstructions or barriers, such as parkland, floodplain, slopes, or significant trees, make access and connectivity unreasonable or impracticable.**
5. **Providing access and connectivity to one or more adjoining parcel(s) would not be useful given that at least one of the following conditions exist:**
 - a. **A future street plan demonstrates that adequate access and connectivity is provided from the adjacent parcel(s).**
 - b. **The development potential of the adjoining parcel(s) is (are) limited due to physical or jurisdictional constraints to such a degree that connectivity is unreasonable or impracticable.**

FINDINGS: The proposed development provides the necessary street and pedestrian/bicycle connections to adjoining properties. It will include construction of an underpass under the BNR at as well as an underpass of Chemawa Road, "Road B" and Radiant. Additionally, other off-site improvements have been identified in the Transportation Plan developed for the Keizer Station Plan. These improvements include, but are not limited to, construction of an extension of Radiant Drive to Lockhaven Drive and continuing to Chemawa Road to a point south of the intersection of Chemawa Road and McLeod Lane, construction of a pedestrian undercrossing of the BNR at Tepper Lane, and other improvements necessary to provide compliance with the adopted Keizer Station Plan adopted Feb. 3, 2003. Additionally, a regional multi-use pathway has been identified on the Keizer Station Village Center Master Plan. The path location shall be coordinated with the Area D development, ODOT and the Keizer Community Development Department. The path shall be of P.C.C. and constructed to a width of 12 feet.

2.302.03.C. Alignment. All streets other than minor streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuation of the existing centerlines. The staggering of street alignments resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and otherwise shall not be less than 100 feet.

FINDINGS: The proposed realignment of Radiant Drive shall be in alignment with the existing street by continuation of the existing centerline. The proposed streets are all through streets and do not create "T" intersections.

2.302.03.D. Future extension of streets. When it appears possible to continue a street, bicycle path and/or pedestrian accessway into a future subdivision, adjacent acreage or area attractors such as schools and shopping centers, streets, bicycle paths and/or pedestrian accessway facilities shall be platted and built to a boundary of the subdivision. The street may be platted without a turnaround unless the Public Works Department finds a turnaround is necessary for reasons of traffic safety. Any street extension exceeding 150 feet in length shall be provided with an approved turnaround as set forth in Section 902.2.2.4 "Dead Ends" of the Uniform Fire Code, 1994 edition.

FINDINGS: Tepper Lane will dead-end at the railroad tracks to the west. Tepper Lane shall be constructed as a ¾ width street designed to Collector Street standards with an appropriate turnaround at the west end accommodating emergency vehicles.

2.302.03.E. Intersection angles. Streets shall be laid out to intersect at angles as near to right angles as practical, except where topography requires lesser angles. Intersections of less than 60 degrees shall require special intersection designs. Streets shall have at least 50 feet of tangent adjacent to intersections unless topography requires lesser distances. Intersections that are not at right angles shall have minimum corner radii of 15 feet. Major arterial intersections shall have curb radii of not less than 35 feet. Other street intersections shall have curb radii of not less than 20 feet.)

FINDINGS: The proposed new streets are designed to be linear extensions at right angles. The street intersections must have a curb radius of no less than 35 feet.

2.302.03.F. Existing Streets. Whenever existing public streets adjacent to or within a tract are of a width less than the street design standards, additional right-of-way shall be provided at the time of subdivision, partitioning, or development.

FINDINGS: Additional right-of-way is proposed on existing streets that are at a width less than street design standards. Tepper Lane shall be constructed as a ¾ width street designed to Collector Street standards with an appropriate turnaround at the west end accommodating emergency vehicles.

2.302.03.I. Street Names. Street names and numbers shall conform to the established standards and procedures in the City.

FINDINGS: Street names and numbers shall conform to the established standards and procedures in the City. Street names shall be approved by the City of Keizer. A Street

Name Application must be completed and submitted for approval. No final plat shall be released without approved street names. Due to the significance of this development as a landmark of the City of Keizer, street names should also receive approval of the City Council.

2.302.03.J. Grades and Curves. Grades shall not exceed 7 percent on arterials, 10 percent on collector streets or 15 percent on any other street. Street grades of 15 percent shall not exceed 200 feet in length. To provide for adequate drainage, all streets shall have a minimum slope of 0.5 percent. On arterials there shall be a tangent of not less than 100 feet between reversed curves.

FINDINGS: The proposed arterial street grades are relatively flat and in no case do they exceed 7%. All streets have a minimum profile grade of 0.60%.

2.302.03.K. Frontage Streets. If a development abuts or contains an existing or proposed arterial or collector street, the City may allow frontage streets, or may require reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties, to afford separation of through and local traffic, and to preserve the capacity and safety of the collector or arterial street.

FINDINGS: No frontage streets are proposed.

2.302.03.L. Alleys. Alleys shall be provided in commercial and industrial zones unless other permanent provisions for access to off-street parking and loading facilities are provided. The corners of alley intersections shall have radii of not less than 10 feet.

FINDINGS: No alleys are proposed. The site provides adequate access to off-street parking and loading facilities.

2.302.03.M. Street Landscaping. Where required as part of the right-of-way design, planting strips shall conform with the following standards:

1. Street trees shall be planted at a ratio of no less than one tree per 30 feet of property frontage. Street trees shall conform with the list of acceptable trees included in the City's Street Tree Ordinance. Installation of street trees shall be included in any improvement agreement covering the installation of public facilities and services on a property.
2. Planting strips shall be planted and maintained in predominantly living groundcover materials with hard surfaces consisting of bricks, pavers, rocks, decorative concrete work, etc., only being included as part of an overall

landscape design where living plant material is predominant. In no case shall asphalt be used within the planting strip.

FINDINGS: The conceptual landscaping plan (Sheets LO1-4) indicates that street trees shall be planted with 30-foot spacing using one or more of 13 identified varieties. The plan specifies 1 ¼ inch caliper sizes. Although this caliper is the minimum city requirement, the staff recommends that a minimum caliper of 2 inches should be used in areas subject to damage along walkways and streets. First, a significant number of trees are proposed for removal (Sheet TO1 of Exhibit '5'), and providing larger specimens will help offset the impact of losing these trees. Second, 1 ¼ inch caliper trees are very small and much more susceptible to damage and vandalism.

Ground cover is indicated, but not specified in the conceptual landscaping plan. This information shall be required as part of building permit approval.

SECTION 2.303 OFF-STREET PARKING AND LOADING

2.303.6 Off-Street Automobile Parking Requirements. Off-street parking shall be provided in the amount not less than:

- **Retail store:** 1 per 300 square feet
- **Service repair center;** retail store handling bulky merchandise (e.g. furniture): 1 per 900 square feet
- **Bank, offices, medical clinic:** 1 per 300 square feet
- **Eating and drinking establishment:** 1 per 250 square feet
- **Hotel:** 1 space per guest room

FINDINGS: Although this criterion may be satisfied, parking area calculations have not been provided by the applicant. Documentation of this requirement shall be made as part of this master plan approval.

2.303.08.A Bicycle Parking Bicycle Parking shall be required in all public and semi-public, commercial and industrial development as well as park-and-ride lots. Bicycle parking shall be provided in the following amounts:

- **Retail store:** 1 per 10 required vehicle parking spaces with a maximum of 6 required
- **Service repair center;** retail store handling bulky merchandise (e.g. furniture): 1 per 30 required vehicle parking spaces with a maximum of 6 required
- **Bank, offices, medical clinic:** 1 per 20 required vehicle parking spaces with a maximum of 6 required
- **Eating and drinking establishment:** 1 per 20 required vehicle parking spaces with a maximum of 6 required
- **Hotel:** 1 per 40 required vehicle parking spaces

FINDINGS: Except for a description of bicycle parking in the plaza areas, no information has been provided regarding bicycle parking. The applicant shall be expected to meet these standards as part of building permit approval with each individual building. In keeping with the design requirements of the KSP, Bicycle parking facilities shall be interesting, and must consist of more than simple pole structures.

2.303.08.B Bicycle Parking Development Requirements

1. **Space Size.** Each bicycle parking space shall be a minimum of six feet long and two feet wide and be accessible by a minimum four foot aisle.
2. **Location.** All bicycle parking areas shall be within 100 feet of a building entrance and located within a well-lit area.
3. **Rack Design.** Bicycle racks must be designed to secure the bicycle frame and at least one wheel, and, accommodate a locking device. Racks, lockers or

other related facilities shall be securely anchored to the ground or to a structure. As an alternative, the bicycle spaces can be provided within a secured compound.

4. **Access.** Access to a public right-of-way and pedestrian access from the bicycle parking area to the building entrance must be provided.

FINDINGS: No information has been provided regarding bicycle parking. The applicant shall be expected to meet these standards as part of building permit approval. In accordance with the design requirements, bicycle parking facilities shall be interesting and shall consist of more than simple pole structures.

2.303.10 Off-Street Loading Requirements All other commercial or industrial buildings shall require a minimum loading space of 12 feet wide, 30 feet long, and 14 feet high in the following amount: for buildings containing over 5,000 square feet of gross floor area, 1 space; for each additional 40,000 square feet of gross floor area, or any portion thereof, 1 space.

FINDINGS: Sufficient paved areas and designated loading area are provided on-site throughout the project area in a manner, which is appropriate for the size and character of the buildings and businesses they contain (Sheet AO1). (See Exhibit '8')

2.303.11 Parking and Loading Area Development Requirements

- A. **Surfacing.** All driveways, parking and loading areas shall have a durable, hard, dust free surface built to Department of Public Works standards.

FINDINGS: Pavement conforming to adopted City of Keizer standards shall be required as part of the building permit process.

B. Parking Spaces

1. **Dimensions.** Parking spaces shall be a minimum 9 feet wide and 18 feet in length.
2. **Compact Spaces.** Compact parking spaces, at a reduced width of 8.5 feet, shall be permitted on sites with more than five (5) parking spaces. No more than 30% of the required parking shall be compact spaces and each space must be identified as a "Compact Space."

FINDINGS: The proposal appears to meet these requirements, but without noted dimensions and plan scales of 1" = 60' and 1" = 100', the parking space dimensions must be verified during the building permit review process.

C. Aisle The following minimum aisle dimensions shall apply:

1. Without adjacent parking:
 - b. One-way: 12 feet
 - c. Two-way: 22 feet
2. With adjacent parking:

PARKING ANGLE	DRIVEWAY WIDTH
0 to 40	12 feet
41 to 45	13 feet
46 to 55	15 feet
56 to 70	18 feet
71 to 90	24 feet

FINDINGS: The proposal appears to meet these requirements, but without noted dimensions and plan scales of 1"= 60' and 1"= 100', the driveway dimensions must be verified during the building permit review process. Staff recommends that due to the high volume of traffic that aisle width in parking areas be increased to the industry design standards of 24 feet.

- D. Screening.** When any public parking or loading area is within or abuts a residential zone along a side or rear lot line, the parking or loading area shall be separated from the lot line by a 20 foot landscaped yard, or shall be screened from the residential property with an ornamental fencing or wall of at least 4 feet in height.

FINDINGS: The only residential zoning is on the west side of the railroad tracks. Almost all of the parking proposed will be located internally or along I-5. Some parking is provided on the west side of Major 1, but is over 100 feet east of any residential properties. In addition, this parking area does have perimeter landscaping.

- E. Lighting.** All lighting shall be directed entirely onto the loading or parking area and away from any residential use. The lighting shall not cast a glare or reflection onto the public rights-of-way.

FINDINGS: The residential properties to the west are separated by the railroad right-of-way. The proposed lighting plan demonstrates that the proposed site lighting will not cast any light or glare toward these properties.

- F. Landscaping.** A tree shall be planted for every eight lineal parking spaces not located adjacent to a building. The planting space shall measure no less than 4

feet square and be surrounded by concrete curbing. The plant shall be of a species that the root system will not interfere with underground utilities or the parking surface, and, is capable of achieving a 15 foot radius. The specific planting enclosure and appropriate tree selection will be provided by the City.

FINDINGS: The site plan shows that one tree has been supplied in parking areas for every eight parking stalls. Unless necessary to adjust the spacing in order to preserve an existing tree this requirement shall be a strict condition of approval.

- G. Traffic Flow.** Service drives to off-street parking areas shall be designed and constructed to allow flow of traffic, provide maximum safety of traffic access and egress and the maximum safety of pedestrians and vehicular traffic on the site.

FINDINGS: The access to and from the various parking lots is controlled and designed to provide suitably spaced street or driveway intersections. This design will provide for safe and efficient traffic flow throughout the site. ODOT is reviewing the proposed plans

- H. Entrance/Exits.** Service drive exits shall have a minimum vision clearance area of 15 feet from the intersection of the street and driveway.

FINDINGS: The entrances all appear to have adequate vision clearance. The specific location and mature size of the plants listed in the preliminary landscaping plan could potentially interfere with vision clearance. The final choice of landscaping materials during the building permit approval stage should be made so that minimal maintenance will be necessary to maintain adequate site distance.

- I. Bumper Rails.** Parking spaces along the outer boundaries of a parking area shall be contained by a curb or a bumper rail to prevent a motor vehicle from extending over an adjacent property, a street, or a sidewalk. The bumper shall be at least 4" high and located a minimum of 3 feet from the property line.

FINDINGS: This is a design detail, which is not shown in the submitted plans, however, will be provided as part of the building permit review.

SECTION 2.305 TRANSIT

2.305.01 Location Requirements

A. Siting Requirements. The location of transit facilities shall be based upon the size and trip generation potential of major new development adjacent to a transit street. Section 2.305.02 outlines the maximum transit facilities that may be required by the City. Determination of specific requirements will be made on a case by case basis for each development by evaluation the following factors:

1. Expected transit ridership generated by a development.
2. The level of existing or planned transit service adjacent to the development. Planned transit service is defined as service that is planned to be established within five years after the completion of development according to the latest officially adopted transit plan by the Transit District.
3. The location of existing facilities.
4. The proximity of other transit ridership generators.

FINDINGS: The applicant shall work with the Transit District to ensure compliance with these requirements, making adjustments where necessary to accommodate the needs of the district.

2.305.02 Design Requirements

Retail /industrial/institutional peak hour traffic trips of more than 200 require a concrete boarding pad and transit turnout.

FINDINGS: The applicant shall work with the transit District to ensure compliance with these requirements, making adjustments where necessary to accommodate the needs of the district.

SECTION 2.306 - STORM DRAINAGE

2.306.05.A General Standards All development shall be planned, designed, constructed and maintained to:

- 1. Protect and preserve existing natural drainage channels to the maximum practicable extent;**
- 2. Protect development from flood hazards;**
- 3. Provide a system by which water within the development will be controlled without causing damage or harm to the natural environment, or to property or persons within the drainage basin;**
- 4. Assure that waters drained from the development are substantially free of pollutants, through such construction and drainage techniques as sedimentation ponds, reseeding, phasing of grading;**
- 5. Assure that waters are drained from the development in such a manner that will not cause erosion to any greater extent than would occur in the absence of development;**
- 6. Provide dry wells, french drains, or similar methods, as necessary to supplement storm drainage systems;**
- 7. Avoid placement of surface detention or retention facilities in road rights-of-way.**

FINDINGS: The developer has submitted plans indicating the present drainage patterns and runoff characteristics. The property is within a critical drainage basin and strict compliance with city ordinances will be necessary. No increase in runoff will be allowed as development occurs. Prior to any development of the subject property an overall storm water master plan including invert elevations, pipe sizes, detention calculations, water quality measures and an approved point of discharge shall be submitted to the Department of Public Works for approval. A point of discharge has been identified on the ODOT system in Interstate 5. ODOT approval shall be required for water quality, conveyance systems and points of discharge.

Storm water detention will be required for this site. All storm water including roof drains are to be connected to an approved system designed to provide adequate drainage for proposed new driveways, parking lots and other impervious surfaces. Where on-site detention is planned, adequate covenant, conditions and restrictions (CCR) shall be recorded to alert future owners/developers that detention and/or treatment shall be

required to be constructed to the standards in effect at the time of building permit application.

A grading and drainage plan shall be developed for the subject property including proposed lot corner elevations. Details shall include adequate conveyance of storm water from adjacent property across the subject property.

The developer shall submit to the Department of Public Works a master plan for erosion control for the entire site. The master plan shall be approved by the Department of Public Works. Prior to any development, including site grading, the applicant shall obtain an NPDES permit from the Oregon Department of Environmental Quality.

The applicant submitted a preliminary storm drainage plan along with the master plan application. The Public Works Department reviewed the drainage plan and their comments are included in the *Recommendations and Conditions* section of this staff report.

SECTION 2.307 UTILITY LINES AND FACILITIES:

2.307.02 Standards

- A. **Impact.** The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site.

FINDINGS: It is a development requirement that the applicant locate, design, install and maintain all utility lines and facilities with the minimum feasible disturbance to soil and site and shall comply with best management practices for erosion control and vegetation protection.

- B. **Water.** All development that has a need for water service shall install water facilities and grant necessary easements pursuant to the requirements of the City.

FINDINGS: The applicant submitted a master water system plan showing proposed routes of public water mains, fire hydrants and individual services. Prior to submittal of final construction plans the applicant's engineer shall arrange for a pre-design conference to discuss water main sizing, meter sizing and locations, fire hydrant locations, fire sprinkler line locations and easement width for all public lines located outside of proposed right of ways. Final location of all meters shall be approved by the Keizer Department of Public Works. To provide for adequate peak consumption and fire protection requirements it has been determined that additional public facilities will be required including but not limited to elevated storage facilities, wells, connection to existing mains on the west side of the BNSF right of way, and any other off-site construction required to provide required peak flows to the proposed development. Appropriate easements for all public water mains and fire hydrants will be required if construction is to be outside of public right of ways. Dedication of property to the City shall be required for any wells or storage facilities developed. Any system development charges for water system improvements will be those in place at the time of individual service connections. Final development plans shall be reviewed by the Keizer Fire Department with regard to access and adequate location of fire hydrants prior to any issuance of public works construction permits by the City of Keizer. The Public Works Department reviewed the master water system plan and their comments are included in the *Recommendations and Conditions* section of this staff report.

- C. **Private Utilities.** All development that has a need for electricity, gas and communications services shall install them pursuant to the requirements of the district or company serving the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be underground.

FINDINGS: It is a development requirement that the electricity, gas and communications services shall be installed pursuant to the requirements of the district or company serving the development.

- D. Sanitary Sewers.** All development that has a need for public/private sanitary sewers shall install the facilities pursuant to the requirements of the city. Installation of such facilities shall be coordinated with the extension of necessary water services and storm drainage facilities.

FINDINGS: The subject property is located outside of the original Keizer Sewer District and therefore an acreage fee is required. The current acreage fee is \$7,460.00 per gross acre prior to platting of the subdivision. The acreage fee applied will be the fee in place at the time of development of the property. The Master Sewer Plan provides for a sewer trunk line to be constructed through the subject property with adequate size and depth to provide for additional capacity for areas located within the original sewer district west of the BNSF railroad. Additionally, Area D, south of Chemawa Road shall be served with a sewer trunk line to be constructed along with the proposed under crossing of Chemawa Road. A review of the construction plans for the subject property will be required to assure that capacity of the master plan sewer trunk lines is not exceeded. The Public Works Department comments include specific conditions of approval related to sanitary sewers.

- E. Street Lights.** When required, installation of street lights shall be pursuant to the requirements of the city and the company serving the development.

FINDINGS: A street lighting master plan has been proposed. A street lighting district shall be created while under the control of the developer to provide for adequate street lights along the frontage of all new street rights of way. Decorative lighting approved by the Department of Community Development which meets street standards requirements shall be used.

- F. Easements.** Easements shall be provided along property lines as deemed necessary by the City, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be designated on the final plat of all subdivisions, and on the final plat of all partitions.

FINDINGS: All easements shall be located in the appropriate locations based on actual approved plans. No final plat shall be approved prior to approval of construction plans including easement widths and locations.

SECTION 2.308 SIGNS

2.308.08.B. Commercial and Industrial Signs, Integrated Business Centers:

- 1. Total allowed area.** For wall, canopy and projecting signs on individual businesses within an integrated business center, one and one-half square feet of total allowed sign area for each lineal foot of building frontage for the individual business, up to a total maximum of 150 square feet per business. Individual businesses may not assign their unused allowed area to other businesses in the integrated business center. Free standing signs are permitted only as set forth below and in Section 2.308.08.C.

FINDINGS: The proposal demonstrates compliance with all requirements of the sign code with regard to wall, canopy and projecting signs, and has indicated that there will be additional consistency standards implemented as private lease/sale agreements which would be above the requirements of the sign code.

- 2. Free-standing Sign.** For each integrated business center, 1 free-standing sign per street frontage not to exceed 100 square feet in area. Free-standing signs shall not exceed one sign on each frontage and shall be oriented to face the traffic flow on the street upon which then front.

FINDINGS: The applicant is proposing to seek a variance which would allow a sign in excess of 100 square feet, which will be addressed as part of the sign variance.

- 3. Maximum sign height:**
 - a. Wall and canopy signs shall not project above the parapet or roof eaves.**
 - b. Free-standing signs: 20 feet.**

FINDINGS: The applicant is proposing to place a sign in excess of 20 feet which will be addressed with the sign variance information in this report.

- 4. Location:**
 - a. Wall or projecting signs may project up to 2 feet from the building.**

FINDINGS: The applicant is proposing to comply with these requirements.

- b. Free-standing signs have no limitations except the signs shall not project over street right-of-way and shall comply with requirements for vision clearance areas and special street setbacks.**

FINDINGS: The proposal indicates compliance with these requirements for free standing signs.

2.309 SITE AND LANDSCAPING DESIGN

2.309.03 Minimum Area Requirements. Landscaped areas may include landscaping around buildings; in open spaces and outdoor recreation areas; in islands and perimeter planting areas in parking and loading areas; and in areas devoted to buffering and screening as required in this Section and elsewhere in this Ordinance. The following area requirements shall be the minimum areas devoted to landscaping:

A minimum of 10% of the gross land area shall be devoted to landscaping in commercial developments.

FINDINGS: Although it appears that this criterion is satisfied, landscaped area calculations have not been provided by the applicant. Documentation of this requirement shall be made as part of this master plan approval.

2.309.05 Screening and Buffering

A. Screening. Screening shall be used to eliminate or reduce the visual impacts of the following uses:

1. Commercial and industrial uses when abutting residential uses.
2. Industrial uses when abutting commercial uses.
3. Service areas and facilities, including garbage and waste disposal containers, recycling bins, and loading areas. (5/98)
4. Outdoor storage areas.
5. Parking areas for 20 or more vehicles for multi-family developments, or 30 or more vehicles for commercial or industrial uses.
6. At and above-grade electrical and mechanical equipment, such as transformers, heat pumps, and air conditioners.

B. Screening Methods. Screening may be accomplished by the use of sight-obscuring plant materials (generally evergreens), earth berms, walls, fences, building parapets, building placement or other design techniques.

FINDINGS: The preliminary landscaping plan (Sheets LO1-4) indicates that screening will be provided along the western side of the project utilizing landscaped areas and trees. The width of the landscaped areas along with the density of the trees will provide sufficient screening for the residents on the west side of the railroad. Additional screening, through a

sight and sound obscuring fence shall be provided between the residential properties and Area B of the Keizer Station Plan.

Service areas within the development are proposed to be screened with vegetation and fencing. No outdoor storage areas are proposed. The plans are not sufficiently detailed to show electrical and mechanical equipment. Parking areas are all surrounded by landscaping consisting of ground cover, shrubs, and trees. The specific screening details will need to be reviewed and approved during the building permit process.

C. Buffering. Buffering shall be used to mitigate adverse visual impacts, dust, noise or pollution, and to provide for compatibility between dissimilar adjoining uses. Where buffering is determined to be necessary, one of the following buffering alternatives shall be employed:

- 1. Planting Area:** Width not less than 15 feet, planted with the following materials:
 - a.** At least one row of deciduous or evergreen trees staggered and spaced not more than 15 feet apart.
 - b.** At least one row of evergreen shrubs that will grow to form a continuous hedge at least five feet in height within one year of planting.
 - c.** Lawn, low-growing evergreen shrubs or evergreen ground cover covering the balance of the area.
- 2. Berm Plus Planting Area:** Width not less than 10 feet, developed in accordance with the following standards:
 - a.** Berm form should not slope more than 40 percent (1:2.5) on the side away from the area screened from view. The slope for the other side (screened area) may vary.
 - b.** A dense evergreen hedge shall be located so as to most effectively buffer the proposed use.
 - c.** The combined total height of the berm and hedge shall be not less than five feet.
- 3. Wall Plus Planting Area:** Width must not be less than five feet developed in accordance with the following standards:
 - a.** A masonry wall or fence not less than five feet in height.

- b. **Lawn, low-growing evergreen shrubs, and evergreen ground cover covering the balance of the area.**

4. Other methods which produce an adequate buffer considering the nature of the impacts to be mitigated, as approved by the City.

FINDINGS: Buffering is proposed along the western edge of the project, which is across the railroad tracks from the residences on the other side. The preliminary landscaping plan (Sheets LO1-4) is consistent with the "planting area" option noted above because it provides a continuous landscaped area with ground cover and trees.

2.309.06 Planting and Maintenance

- A. Planting Height. No sight-obscuring plantings exceeding 30 inches in height shall be located within any required vision clearance area in accordance with Section 2.312.09 of this Ordinance.**

FINDINGS: As noted above, the specific types of plants near driveway and street intersections must be reviewed in more detail during the building permit stage to ensure compliance with the standard.

- B. Plant Materials. Plant materials shall not cause a hazard. Landscape plant materials over walks, pedestrian paths and seating areas shall be pruned to a minimum height of eight feet and to a minimum height of 15 feet over streets and vehicular traffic areas.**

FINDINGS: Based upon the plant list proposed by the applicant, this problem is not anticipated. Street trees will be pruned to comply with this requirement.

- C. Utility Interference. Landscape plant materials shall be selected, which do not generally interfere with utilities above or below ground.**

FINDINGS: Utilities are to be placed underground. No conflicts are foreseen between the preliminary landscaping plan and the utility plan.

- D. Installation. Landscape plant materials shall be properly guyed and staked to current industry standards as necessary. Stakes and guy wires shall not interfere with vehicular or pedestrian traffic.**

FINDINGS: The preliminary landscaping plan includes typical planting details for trees. This will be monitored as part of the building permit approval process.

E. Suitability. Plant materials shall be suited to the conditions under which they will be growing. As an example, plants to be grown in exposed, windy areas that will not be irrigated should be sufficiently hardy to thrive under these conditions. Plants should have vigorous root systems, and be sound, healthy, free from defects, diseases, and infections.

FINDINGS: The plants proposed in the preliminary landscaping plan appear to be appropriate, given the conditions of the site. Although the proposed trees meet the minimum caliper prescribed in the KDC, trees of this size are susceptible to damage and vandalism. Those trees located in areas susceptible to damage such as along street and walkways should be increased in size to ensure survivability.

F. Deciduous Trees. Deciduous trees should be fully branched, have a minimum caliper of 1 1/4 inches, and a minimum height of 8 feet at the time of planting.

FINDINGS: As noted above, the preliminary landscaping plan calls for trees of this size, however, trees this small are easily damaged. Trees located along streets and pathways should be increased in size.

G. Evergreen Trees. Evergreen trees shall be a minimum of 6 feet in height, fully branched at time of planting.

FINDINGS: This shall be a requirement of the Master Plan approval.

H. Shrubby. Shrubs shall be supplied in a minimum 1 gallon containers or 8 inch burlap balls with a minimum spread of 12 to 15 inches.

FINDINGS: This shall be a requirement of the Master Plan approval. Additionally, the shrub plant materials shall be planted at a spacing necessary to achieve the landscape design objectives within five years of growth.

I. Ground Cover. Ground cover plants shall be spaced in accordance with current nursery industry standards to achieve covering of the planting area. Rows of plants are to be staggered for a more effective covering. Ground cover shall be supplied in a minimum 4 inch size container or a 2 1/4 inch container or equivalent if planted 18 inches on center.

FINDINGS: The applicant proposes ground cover spacing of 24" on center. While this may be appropriate for some species, the spacing should more appropriately be indicated as that which is needed for whatever species of ground cover is proposed, to reach full coverage by the third year of growth, in accordance with nursery standards.

J. Irrigation. All developments are required to provide appropriate methods of irrigation for the landscaping. Sites with over 1,000 square feet of landscaped area

shall be irrigated with automatic sprinkler systems to insure the continued health and attractiveness of the plant materials. Sprinkler heads shall not cause any hazard to the public. Irrigation shall not be required in wooded areas, wetlands, floodplains, or along natural drainage channels or stream banks.

FINDINGS: An irrigation system is proposed for the entire development. Irrigation plans will be reviewed and approved as part of the building permit review process.

K. Re-planting. Trees or shrubbery which die-off shall be replaced with a new plant of the same or similar type. Replacement is ultimately the responsibility of the property owner.

FINDINGS: This will be done as necessary if any of the plants die.

L. Maintenance. Landscaping shall be continually maintained. Appropriate methods of care and maintenance of landscaped plant material shall be provided by the owner of the property.

FINDINGS: This shall be expected by the city.

M. Plant Protection. Landscape plant material shall be protected from damage due to heavy foot traffic or vehicular traffic by protective tree grates, pavers or other suitable methods.

FINDINGS: The preliminary landscaping plan appears to have the landscaped areas well-protected. This will need to be confirmed when the final landscaping plans are submitted for approval as part of the building permit process.

SECTION 2.315 DEVELOPMENT STANDARDS

2.315.08.A. Pedestrian Circulation. As used herein "walkway" means a hard surfaced area intended and suitable for use by pedestrians, including both public and private sidewalks.

- 1. Connection Required.** The pedestrian circulation system for the proposed development must connect uses, building entrances, adjacent streets, and nearby transit stops.

FINDINGS: Generally, sidewalks are provided to allow safe and relatively convenient pedestrian access throughout the site. However, as mentioned earlier in this report, improvements to this system could be made in two areas. The first is the location and orientation of some of the buildings along Radiant Drive. The sheer distance between buildings and uses will act to significantly discourage walking. Staff recommends modifications to the site plan to bring uses, such as the hotel, restaurants, retail pads, parks, office building and plazas closer together and with an orientation to Radiant Drive. This would promote walking because the distances would be more manageable, and this area would also function as a more active pedestrian center for Keizer Station Village Center.

Second, several additional walkway connections should be provided. The following pedestrian connections should also be provided in addition to what is shown on the Pedestrian Pathways Plan (Sheet AO3):

- Sidewalk on the west and north side of Road A from Chemawa Road to the southern driveway to Anchor I.
 - A crosswalk and easterly extension of the sidewalk on Radiant Drive across Road B to the driveway near Anchor B.
 - A crosswalk for the perimeter pathway at Road B.
 - A sidewalk connection between the Chemawa Road/I-5 interchange and the Road B sidewalk.
 - Walkway connections between the buildings on the east side of the site with the perimeter walkway along I-5.
 - Walkway connection between the Radiant Drive walkway and the front of Anchor A.
 - Walkway connections between restaurant and retail pads and the adjacent street sidewalks, such as Pads B, E and F, the hotel, the office building, Anchor B, and Majors 5 and 6.
- 2. Walkway Location and Design.** Walkway(s) shall be located so that a pedestrian can conveniently walk between a transit street and the entrance(s) to a building(s). Except where it crosses a driveway, a walkway shall be separated by a raised curb or other physical barrier from the auto travel lane and parking. If a raised path is used the ends of the raised portions must be

equipped with curb ramps which comply with Oregon State Building Code Requirements.

FINDINGS: While transit service is ultimately anticipated, route locations and stops have not been established. Providing uses that are clustered more near the streets, as recommended above, will facilitate future transit use by creating more activity and easier pedestrian access.

- 3. Additional Street Access. A walkway from a building entrance to a public street shall be provided for every 300 feet of street frontage.**

FINDINGS: Majors 5 and 6 on Road A and the hotel do not meet this criterion. Majors 5 and 6 have an extensive frontage on Road A with little pedestrian accommodation. Improved pedestrian access should be provided from these buildings to Road A. The hotel is relatively isolated from the street and other uses by its location in the middle of a site surrounded by parking. The hotel is recommended to be moved closer to the street, the park, and other complementary uses, such as restaurants. A walkway from the hotel entrance should connect to the street sidewalk and park (in addition to the perimeter walkway as mentioned above).

- 4. Driveway Crossings. Driveway crossings shall be a maximum of 36 feet in width. Where the pedestrian system crosses driveways, parking areas and loading areas, the system must be clearly identifiable through the use of elevation changes, a different paving material, texture, or other similar method.**

FINDINGS: The driveways all appear to meet this standard except for the driveway associated with Anchor B at Road A. Pedestrian crossings at streets, driveways and parking areas shall be constructed with a different paving material and texture.

- 5. Lighting. Lighting shall be provided for all walkways. Pedestrian walkways must be lighted to a level where the system can be used at night by employees and customers.**

FINDINGS: The general lighting proposed for the site will provide appropriate illumination for the development. Special attention is required to provide safety at the pedestrian undercrossing located at Tepper and the Railroad. Security lighting shall be provided which provides secure illumination of the undercrossing, while being directed away from the residential areas that are adjacent.

- 6. Walkway Coverage.**

- a. Any portion of a walkway located within three feet of a building frontage shall be covered with awnings or building overhangs. The**

minimum vertical clearance shall be 9 feet for awnings and building overhangs. The maximum vertical clearance shall be 15 feet.

- b. In the EG zone, Any portion of a walkway located within three feet of a building frontage shall be covered with awnings or building overhangs as provided in Subsection a, except for buildings, which have greater than 300 feet of lineal frontage, where this requirement shall apply to at least 33 percent of the building frontage. The maximum vertical clearance shall be 15 feet.

FINDINGS: The design concepts for some of the buildings are provided on Sheets AO7-9. These appear to comply with this criterion. Compliance with this standard must be confirmed during the building permit review.

7. **Dimensions.** Walkways shall be at least five feet in paved unobstructed width. Walkways that serve multiple uses or tenants shall have a minimum unobstructed width of eight feet.

FINDINGS: At scales of 1" = 60' or 1" = 100', this is difficult to determine, but the preliminary plans appear to be consistent with this criterion. All sidewalks within the Keizer Station Village Center are intended to serve multiple use destinations for pedestrians. In order to be consistent with the standards set in the Development Standards for walkway design all sidewalks shall be a minimum of eight feet.

8. **Stairs or ramps shall be in place where necessary to provide a direct route between the transit street and the building entrance.** Walkways without stairs shall comply with the accessibility requirements of the Oregon State Building Code.

FINDINGS: This will be evaluated during building permit review.

9. **Access to Adjacent Property.** If the proposed development has the potential of being a significant attractor or generator of pedestrian traffic, potential pedestrian connections between the proposed development and existing or future development on adjacent properties other than connections via the street system shall be identified.

FINDINGS: The pedestrian connections could be improved as noted above. In addition, it appears that more consideration should be given about creating improved pedestrian connection leading between the center of this project and the baseball stadium to the north. This would support the objective of the Keizer Station Plan to "provide a gateway to sports activities". Additional amenities shall be required to support the pedestrian uses such as seating, public art and other points of interest.

10. The building permit application or Development Standards Alternative application shall designate walkways and pedestrian connections on the proposed site plan. If the applicant considers walkways are infeasible or proposed findings shall be submitted demonstrating that the walkway or connection is infeasible. The findings will be evaluated in conjunction with the building permit or Development Standards Alternative process.

FINDINGS: This will be performed as part of building permit review.

2.315.08.B. Building Design

1. Ground floor windows

- b. In the EG zone, one elevation of any building with more than 100,000 square feet of floor area, which contains permitted uses listed under Sections 2.119.05 F, G, H, I, J, and K, shall have no less than 33 percent of the ground floor wall area, defined from the ground to the height of the awning, with windows or window facsimiles or other architectural features that simulate windows, display areas or doorway openings.

FINDINGS: Conceptual elevations (Sheets AO7-9) for several of the proposed buildings appear to meet this standard, but compliance will need to be confirmed during permit review.

2. Building facades

- b. In the EG zone, facades facing a public street shall extend no more than 60 feet without providing a variation of building materials for buildings over 20,000 square feet. In the EG zone, no building facade shall extend for more than 400 feet without a pedestrian connection between or through the building, provided that there is a pedestrian purpose being served.

FINDINGS: The concept drawings and plans indicate consistency with this criterion, and compliance will need to be confirmed during the building permit review. Specific conditions shall be addressed later in this report to ensure that the proposed design and massing of the buildings are established as a requirement.

3. Awnings – Awnings or canopies, shall be provided along building storefronts abutting a public sidewalk. Awnings and canopies shall be constructed of canvass, acrylic fabric, laminated vinyl, metal or similar standard material. Awnings and canopies of corrugated fiberglass or polycarbonate roofing shall be prohibited. Awnings and canopies shall not be back lit.

FINDINGS: The concept drawings and plans indicate consistency with this criterion, and compliance will need to be confirmed during the building permit review.

4. Materials and Texture

a. Building Materials.

- 1. All buildings shall have wood, brick, stone, or stucco siding, or vinyl siding made to look like wood siding. Metal siding as described in this section shall be allowed. (5/98) In the EG zone, all buildings shall have wood, brick, stone, architectural block, slump stone, architectural concrete or stucco siding, or vinyl siding made to look like wood siding.**
- 2. Metal siding other than corrugated or reflective material are allowed except for residential buildings housing 3 or more dwellings and buildings within the EG zone metal siding is allowed with the exception of corrugated or reflective metal.**
- 3. Plain concrete block, plain concrete, plywood and sheet press board may not be used as exterior finish materials.**

FINDINGS: The concept drawings and plans indicate consistency with this criterion, and compliance will need to be confirmed during the building permit review.

b. Trim Material. Building trim shall be wood, brick, stone, stucco, vinyl siding material made to look like wood, or metal.

FINDINGS: The concept drawings and plans indicate consistency with this criterion, and compliance will need to be confirmed during the building permit review.

c. Roofing Material. Any roofing material is allowed including metal roofs.

FINDINGS: The concept drawings and plans indicate consistency with this criterion, and compliance will need to be confirmed during the building permit review.

d. Foundation Material. Foundation material may be plain concrete or plain concrete block where the foundation material is not revealed for more than 3 feet.

FINDINGS: The concept drawings and plans indicate consistency with this criterion, and compliance will need to be confirmed during the building permit review.

SECTION 2.419 SERVICE STATIONS

Where permitted as a special use, gasoline service stations shall meet the following use and development standards.

- A. Lot area and dimensions.** Minimum lot size 10,000 square feet, minimum of 100 feet of street frontage for an interior lot and minimum of 120 feet of frontage on each street abutting a corner lot.

FINDINGS: The application complies with this requirement.

- B. Yard Exceptions for Service Stations.** Free standing gasoline pumps and pump islands, identification signs and lighting standards may occupy a required front or street side yard exclusive of a clear vision zone unless otherwise prohibited by this Ordinance.

FINDINGS: The pumps and islands are proposed to be in an interior portion of the service station site.

- C. Gasoline Pumps.** Gasoline pumps and pump islands shall not be located so that any part of a vehicle being served will extend into any public right-of-way, alley or private drive used for access or egress. Further, gasoline pumps or pump islands shall not be built within 10 feet of a property line.

FINDINGS: The pumps and islands are proposed to be in an interior portion of the service station site, and this criterion is met.

- D. Screening.** The property shall be screened from every abutting residential zone or use by a sight-obscuring fence, wall, or hedge.

FINDINGS: As noted above, this entire development is well screened from the residential neighborhoods located on the west side of the railroad.

- E. Lighting.** Outdoor lighting shall be directed away from residential property.

FINDINGS: As noted above, the lighting plan demonstrates that light and glare will not go beyond the boundaries of the development. In addition, the railroad right-of-way provides additional distance for any light to dissipate before reaching residences.

SECTION 2.420 AUTOMOTIVE SERVICES

Where permitted as a special use, automotive services are subject to the following development requirements.

- A. Outdoor Storage. Outdoor storage of material, parts and equipment shall be prohibited.**

FINDINGS: No outdoor storage areas are proposed.

- B. Screening. The property shall be screened from every abutting residential zone or use by a 6 foot sight-obscuring fence or wall.**

FINDINGS: The automotive services are not adjacent to the residential area, being separated by the Railroad and Road A.

KEIZER STATION PLAN DESIGN STANDARDS

A. Development Standards: KDC Section 2.315 *Development Standards* requires new development to apply for Development Review and to comply with standards identified in KDC Section 2.315.08 as part of the building permit approval process. These standards are intended to be objective and to serve as a guide to designers of developments. A building permit shall be issued when the proposal:

1. Is consistent with the Development Standards of KDC Section 2.315; and
2. Is in substantial conformity to the approved Master Plan.

FINDINGS: These standards shall be addressed in the building permit approval process and will be binding on all structures. In addition, the Master Plan process allows flexibility for the city to apply more stringent requirements than those found within this section.

B. Additional Design Standards: Development throughout Area A – Village Center will also be controlled by a set of design standards aimed at establishing an environment that promotes a coordinated approach to developing the entire 95 acres. The intent is to establish design standards in addition to the standards identified in KDC Section 2.315 that will guide future development in a manner that will achieve the development objectives for Area A – Village Center. The following Design Standards shall also apply to new development in Area A – Village Center area as part of the Master Plan approval process:

1. **Gateway.** In order to achieve the objective of making Area A – Village a gateway to Keizer, a gateway feature visible from I-5 shall be provided.

FINDINGS: This will be achieved by the proposed landscaping on the perimeter of the site and the “Welcome to Keizer” monument sign located near the Chemawa interchange.

2. **Weather protection.** Weather protection for pedestrians, such as awnings, canopies and arcades, shall be provided at building entrance(s). Weather protection is encouraged along building frontages abutting a public sidewalk or a hard-surfaced expansion of a sidewalk, and along building frontages between a building entrance and a public street or accessway.

FINDINGS: The building concepts presented for Majors 2 through 7 and Retail 2 and 3 (Sheets AO7-9) show that the applicant intends to provide these amenities. This will need to be confirmed during the building permit review process.

3. **Landscaping.** All required yards, except driveways, are required to be landscaped; that portion within the required yard, which is landscaped, may

be included in the calculation to meet minimum landscape area requirements. Landscaping shall meet all applicable standards identified in Section 2.309 of the Code. In addition to landscaping provisions identified in Section 2.309, landscaping for properties within the EG zone shall be defined as follows: (2/03)

"Landscaped Area" must be native or non-native trees, vegetation, ponds, rocks, ground cover, bark chips, cinders, terraces, vegetable or flower gardens, trellises, pathways, or structural features including but not limited to fountains, reflecting pools, outdoor art work, screen walls, fences and benches, which reasonably requires and continues to reasonably require human management to distinguish the area from a natural area. (2/03)

Within the EG zone, landscape area requirements may be determined by the City Council to have a portion of landscaped or streetscaped area within the right-of-way to be included within the minimum landscape area requirement.

FINDINGS: The application shows a variety of significant areas that are landscaped and includes such things as a water feature at the intersection of Road A and Road B. Other features, which are not shown, but which should be a condition of approval should include other structural features such as benches, trellises, screen walls and outdoor art.

4. **Streetscaping.** Streetscaping is defined as pedestrian oriented improvements to property outdoors. Streetscaping may include, but not limited to, walkways with varied materials (other than plain concrete or asphalt), art features, water features, planters, benches, hanging plant baskets, and plazas. (2/03)

(a) In accordance with Section 3.113 Keizer Station Master Plan Review, at the time of master plan approval by the Council, the Council may determine if streetscaped areas may be included in the minimum landscape area for a proposed development.

FINDINGS: In keeping with the intent of the overall design of the Village Center, special attention is required for the pedestrian circulation system. The application shows that pedestrian crossings at streets and parking areas are distinguished from vehicular traffic with the use of distinct patterns and different materials such as colored and patterned concrete at those crossing areas. This should be a requirement of the Master Plan approval.

KEIZER STATION PLAN TRANSPORTATION SYSTEM

- A. **Streetscape.** Radiant Drive is relocated to bisect Area A – Village Center and will provide a landscaped entry as well as providing a direct connection into Area A – Village Center. The design of Radiant Drive and internal streets shall include landscape features identified in KDC Section 2.119.10.A.4

FINDINGS: The area along the new location of Radiant Drive as well as the entry of the Keizer Station Plan at Lockhaven shall be landscaped according to these requirements, and shall be made a requirement of approval.

- B. Access.** Access from Radiant Drive to adjoining property shall be controlled. The intent of Radiant Drive is to provide efficient through traffic. Signalized access connections will be located at least 600 feet apart, except where approved by the City Traffic Engineer. Additional access connections on Radiant Drive should be limited and designed to maximize the flow of traffic. All internal signalized intersections on Radiant Drive will operate at a V/C standard of 0.87 or better.

FINDINGS: Traffic signals on Radiant at Roads A and B are slightly less than 600 feet, however, this design has been approved by the City Traffic Engineer.

C. Pedestrian circulation:

1. The on-site pedestrian circulation system shall be continuous, connecting the ground-level entrances of primary structure(s) to the following:

- a. Streets abutting the site;**
- b. Parking areas;**
- c. Shared open spaces and play areas;**
- d. Abutting transit stops;**
- e. Any pedestrian amenity such as plazas, resting areas and viewpoints; and**
- f. Adjacent buildings.**

FINDINGS: As discussed previously in this report, there are two related issues. One relates to providing the appropriate walkways for safe and convenient pedestrian connections. With the amendments to the walkway system recommended in the conditions of approval, this pedestrian circulation issue will be addressed. The second issue is locating and orienting destinations (hotel, restaurants, retail, public spaces) to reduce walking distances. Clustering these activity areas along Radiant Drive would do much to improve the pedestrian "friendliness" of Keizer Station Village Center. By adjusting the building envelope locations, this can be accomplished.

- 2. There shall be at least one pedestrian connection to an abutting street frontage for each 300 linear feet of street frontage.**

FINDINGS: This criterion is satisfied with the modifications noted in the conditions of approval.

KEIZER STATION PLAN UTILITIES

In addition to the development standards of Utility Lines and Facilities – Section 2.307 the following standard shall apply to new utilities:

- A. All utilities located adjacent to Radiant Drive and connecting transportation facilities shall be located underground.**
- B. All other new utility connections and lines shall be located underground where practicable.**

FINDINGS: Utilities are proposed to be underground. This will be assured through the building permit and other permit review requirements.

KEZIER STATION PLAN PARKING

Parking standards for Area A – Village Center shall follow the standards located in the corresponding base zone as well as Off-Street parking and Loading – Section 2.302. In addition to these standards, the following shall also apply:

- A. Location of parking – If the building is located within 20 feet of the Radiant Drive right-of-way, there shall be no parking or maneuvering between the building and the right-of-way.**

FINDINGS: All of the buildings shown on the plans comply with this criterion.

KEZIER STATION PLAN LANDSCAPE

In addition to the development standards of Site and Landscape Design – Section 2.309 the following standards shall apply:

- A. A coordinated landscape plan shall be provided for the frontage portion of the Village Center along I-5 with the request for master plan approval.**
- B. Restriction on Tree Removal. From the date of adoption of this ordinance, no trees shall be removed from any property within Area A - Village Center without approval from the City. The City recognizes that factors such as disease and safety concerns or other practical considerations may require the approval to remove such trees. The City otherwise may determine existing trees to remain on the property.**

Upon application for master plan approval, the applicant shall submit a tree inventory of all existing trees and trees removed since the date of this ordinance.

FINDINGS: A preliminary landscaping plan (Sheets L01-L04) (See Exhibit 9) has been provided indicating a comprehensive landscaping concept for the entire site, including the frontage along I-5 and Chemawa Road. As noted herein, landscaping plan details will be refined during the building permit review process. A tree inventory has been submitted by the applicant, which shows the majority of the existing trees cannot be saved due to the extensive change this proposal means for the property. The staff finds the extent of the tree removal justified, and that rather than modifying the proposal to save a few more trees, it will be more productive to focus on the quality of the new trees to be planted. This is why an increase of the caliper for the new trees from 1 ¼ inches to 2 inches is recommended.

SECTION 3.113.04.C DEVELOPMENT STRATEGIES FOR AREA A – VILLAGE CENTER

1. Pedestrian Access, Safety and Comfort

- a. To ensure safe, direct, and convenient pedestrian circulation, development in the EG zone, shall provide a continuous pedestrian and/or multi-use path system.
- b. The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas wherever possible.
- c. Pathways with developments shall provide safe, reasonably direct and convenient connections between primary building entrances and all adjacent streets and parking areas.
- d. For all developments subject to Master Plan review, pathways shall connect all building entrances to one another. In addition, pathways shall connect all parking areas, storage areas, recreational facilities and common areas (as applicable), and adjacent developments to the site, as applicable.
- e. Recessed entries, canopies, and/or similar features shall be used at the entries to a building in order to create a pedestrian scale.
- f. For driveways that service more than 100 parking spaces, such driveway intersections with Radiant Drive shall not have any parking within twenty-five feet of the driveway intersection. This area shall be landscaped in accordance with Section 2.309 of the Keizer Development Code.
- g. The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines.

FINDINGS: As discussed in this report and with the recommended conditions of approval, these criteria will be met and will be a requirement of the Master Plan approval.

2. Vehicular Movement

- a. **Encourage traffic to enter and exit the development at locations other than Tepper Lane.**

FINDINGS: With the closure of Tepper Lane to vehicular traffic as a condition of the railroad to allow the new Radiant Drive underpass, this criterion will be satisfied.

3. Crime Prevention and Security

Crime prevention shall be considered in the site design through application of all of the following guidelines:

- a. **Territoriality** – All proposed building entrances, parking areas, pathways and other elements are defined with appropriate features that express ownership. For example, landscaping, fences, pavement treatments, art and signs are some physical ways to express ownership through design. Such features should not conflict with the need for natural surveillance, as described in b.; and
- b. **Natural Surveillance** – The proposed site layout, building and landscape design promote natural surveillance. Physical features and activities should be oriented and designed in ways that maximize the ability to see throughout the site. For example, window placement, the use of front porches or stoops, use of low or see-through walls, and appropriate use of landscaping and lighting can promote natural surveillance. Sight-obscuring shrubs and walls should be avoided, except as necessary for buffering between commercial uses and lower density residential districts, and then shall be minimized; and
- c. **Activity Support** – The proposed site layout and building design encourage legitimate activity in public spaces. For example, locating outdoor seating in areas that are visible from inside a restaurant helps to discourage crime and supports the activity of dining; and
- d. **Access Control** – By properly siting and designing entrances and exits (i.e., in clear view from the store), and through the appropriate use of lighting, signs and/or other features, the proposed plan controls access in ways that discourage crime; and/or
- e. **The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines.**

FINDINGS: The proposed plan is generally consistent with the above criteria. As discussed above, the staff recommends that more should be done to improve the plan by clustering uses to a greater degree along Radiant Drive and by providing additional pedestrian connections as noted.

Regarding the natural surveillance issue, the proposed park locations are poorly integrated and significantly removed from the surrounding activities. The park and plaza along the central I-5 frontage is adjacent to Radiant Drive, parking lots, and the I-5 right-of-way. Because this area will be created around an existing wetland, it obviously cannot be moved. However, the opportunity clearly exists to shift building and parking lot locations around the park plaza to make the park an easily accessible amenity.

The open space in the far northeast corner of the property identified as Tower Park is completely isolated from other activities proposed here and the ballpark to the north. It is recommended that this area be used for parking, landscaping or other amenities to the development and the open space trails system be improved to a more significant level and which is more easily accessible to and integrated with the other activity area in the development.

4. Reduced Parking

Reduce or waive minimum off-street parking standards. The applicant may request a reduction to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; availability of transit service, and likelihood of car pool use; and adjacent on-street parking. The parking study is subject to review and approval or modification by the City.

FINDINGS: The parking requirements must be met and calculations must be provided as part of the Master Plan approval.

5. Creating and Protecting Public Spaces

- a. The development provides an appropriate amount of public space as determined by the City Council in addition to sidewalks and landscaping.
- b. Public space may be a landscaped open space or plaza with pedestrian amenities, as approved by the City Council.

FINDINGS: The applicant is proposing an appropriate amount of public spaces and park, however, the staff recommends amending the site plan to better integrate the two

parks along I-5 with the rest of the development to enhance their value as amenities and to create more defensible and crime-free areas.

6. Human Scaled Building Design

Building facades are designed to a human-scale, for aesthetic appeal, pedestrian comfort, and design character of a development. The City Council may determine architectural character, continuity of building sizes, roof forms, rhythm of window and door spaces and the general relationship of buildings to public spaces such as street, plazas, other open space and public parking.

FINDINGS: The proposal indicates typical elevations which are varied in texture, building materials and showing an attractive human scale in blocking and human scale design elements. The plan shows no more than fifteen feet between varied vertical elements and building materials, an average height of 23 feet punctuated frequently with various architectural accents no greater than 22 feet in width and no higher than 28 feet to the eave line. The plan shows a variety of roof lines and that a variety of materials are intended to be used which are indicated in the submitted materials, which shows cultured stone, five varieties of split face Concrete Mortar Units (CMU), as well as smooth faced CMU walls. The colors indicate compliance with the Development Standards. These dimensions shall be made part of the requirements of the Master Plan Approval.

7. The Village within Area A shall contain a public improvement design to include a promenade/sidewalk design that may vary in width to meet a minimum width of 8 feet on both sides of Radiant Drive. The promenade/sidewalk shall be separated from the street with a landscape belt, to include decorative lighting and trees.

FINDINGS: The walkway facilities along Radiant Drive are generally consistent with this criterion. An extension of this walkway beyond Road B is noted above. Design constraints have led to a walkway on one side of Radiant Drive under the railroad and Road B. To enhance Radiant Drive as a primary pedestrian entry into Keizer Station Village Center, the staff recommends that the city and developer work together to provide design amenities to enhance the aesthetic appearance and pedestrian functionality of the two underpasses. Finish materials, landscaping, and lighting of these underpasses Should all contribute in this regard. Finish materials shall be consistent with that of the buildings in the Village Center.

DISPOSITION AND DEVELOPMENT OF KEIZER STATION AGREEMENT

The City of Keizer and the applicant entered into a development agreement.

SECTION 602 DEVELOPMENT AND CONSTRUCTION OF PRIVATE IMPROVEMENTS

602.A Developer Design Drawings and Construction Drawings for the Project; Related Documents

Agency, in its sole discretion, may withhold its approval of any drawings that fail to meet the following standards:

- 1. The Public Improvement Plan, the Development Agreement and Master Plan**
- 2. The Urban Renewal Plan objectives,**
- 3. All applicable State and City codes and standards, including but not limited to the development standards of the Development Code, and**
- 4. Agency's expectations as to inclusion of pedestrian-friendly design elements, extensive landscaping and streetscaping elements and other architectural design features to provide a first class, attractive development.**

FINDINGS: In order for the Master Plan to receive final approval the applicant will be required to submit documentation demonstrating compliance with all applicable federal, state and local requirements. This shall include all conditions adopted by the City Council which apply to this Master Plan. These shall be submitted to the Community Development Director for verification and final approval.

602.B General Design Standards

As a benchmark for comparison but not as a substitution for compliance with the Keizer Station Plan or the Development Code, the drawings submitted by Developer for the Anchor Tenants in the Village Center Area will be expected to be substantially similar to or better than the design employed by the major tenants within Argyle Square in Wilsonville, Oregon.

FINDINGS: The proposal shows proposed elevations of buildings which are more varied in materials, and at a better human scale than those in Argyle Square. Building elevations must substantially conform to those submitted with this application.

SECTION 603 CONSTRUCTION OF PUBLIC PARK, THE PLAZAS AND THE PATHWAY

603.A Construction

The parties agree that the following areas shall be included within the Project: the public park, the plazas, and the pathway.

The terms are defined in Section 101, Definitions, of the Developer Agreement, as follows:

“Pathway” shall mean a multi-purpose pathway, which shall be at least twelve feet in width, starting from Chemawa Road on the southern boundary of the Village Center Area and extending to the northern boundary thereof, constructed by the City or the Developer and owned by the Agency or the City, all in accordance with the terms and conditions of this Agreement.

“Plazas” shall mean the four separate areas, none of which shall measure less than 1,000 square feet and all of which together shall measure at least 8,000 square feet, owned by the Developer and constructed by the Developer, all in accordance with the terms and conditions of this agreement.

“Public Park” shall mean the area measuring at least two acres in size and consisting of public park day-use amenities (e.g., public tables, benches and related hardscape like Millennium Park in Lake Oswego) to be constructed by the City or the Developer and owned by the Agency or the City, all in accordance with the terms and conditions of this Agreement. The Public Park area shall be in addition to any area established to contain a wetlands/mitigation park-like environment. For purposes of satisfying the minimum acreage requirement, the Public Park may include any property immediately adjacent to Area A which Developer so improves.

FINDINGS: The location of “Tract B”, situated between the major tenant 3 building and the I-5 Freeway in the extreme NE corner of the development is not suitable for park amenities. Staff recommends that this area be used as appropriate to the enhancement of that area of development, including parking and landscaping and that high quality amenities be provided in other areas along the multi use path and pedestrian system. Therefore, amenities shall include such things as exercise stations, water features, seating areas, gazebos, formal garden areas or awnings and weather protected areas.

V. RECOMMENDATION AND CONDITIONS FOR MASTER PLAN APPLICATION

Recommendation and Conditions for Master Plan Application

PUBLIC WORKS REQUIREMENTS: The following requirements are the recommended conditions of approval by the Public Works Department.

SANITARY SEWERS:

The subject property is located outside of the original Keizer Sewer District and therefore an acreage fee is required. The current acreage fee is \$7,460.00 per gross acre prior to platting of the subdivision. The acreage fee applied will be the fee in place at the time of development of the property. The Master Sewer Plan provides for a sewer trunk line to be constructed through the subject property with adequate size and depth to provide for additional capacity for areas located within the original sewer district west of the BNSF railroad. Additionally, Area D, south of Chemawa Road shall be served with a sewer trunk line to be constructed along with the proposed under crossing of Chemawa Road. A review of the construction plans for the subject property will be required to assure that capacity of the master plan sewer trunk lines is not exceeded. Additionally, the following requirements shall be applied:

1. Prior to development of the subject property, a master sewer plan for the proposed development shall be submitted to the Department of Public Works for review and approval. The plan shall include proposed rim and invert elevations. The entire project shall be served by an existing 18" trunk sewer line adjacent to Keizer Stadium.
2. City of Salem approval for both sewer trunk lines and local sewers is required. Permits from the City of Salem shall be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the developer's engineer shall submit plans to the City of Keizer for review and determination of compliance with the City's Master Sewer Plan for the area.
3. Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property.
4. Appropriate easements will be required for any public sewer mains located within the subject property if located outside platted right of ways.
5. It will be the responsibility of the developer's engineer to locate any existing wells (including those on adjacent property) in the vicinity of the proposed new sanitary

sewer lines for the subject property. Any conflicts between existing wells and proposed sanitary sewers shall be addressed by the developer prior to issuance of public works construction permits.

WATER SYSTEM:

6. The developer has submitted a master water system plan showing proposed routes of public water mains, fire hydrants and individual services. The master plan is generally acceptable to the Public Works Department, however, prior to submittal of final construction plans the developer's engineer shall arrange for a pre-design conference to discuss water main sizing, meter sizing and locations, fire hydrant locations, fire sprinkler line locations and easement width for all public lines located outside of proposed right of ways. Final location of all meters to be approved by the Keizer Department of Public Works. To provide for adequate peak consumption and fire protection requirements it has been determined that additional public facilities will be required including but not limited to elevated storage facilities, wells, connection to existing mains on the west side of the BNRRT right of way, and any other off-site construction required to provide required peak flows to the proposed development. Appropriate easements for all public water mains and fire hydrants will be required if construction is to be outside of public right of ways. Dedication of property to the City shall be required for any wells or storage facilities developed. Any system development charges for water system improvements will be those in place at the time of individual service connections.
7. Final development plans shall be reviewed by the Keizer Fire Department with regard to access and adequate location of fire hydrants prior to any issuance of public works construction permits by the City of Keizer.
8. It will be the responsibility of the developer to abandon all existing wells prior to site grading in accordance with the rules of the Oregon State Water Resources Department unless the City has determined that water rights are available in some cases that could be transferred to municipal use by the city.

STORM DRAINAGE IMPROVEMENTS:

9. The developer has submitted plans indicating the present drainage patterns and runoff characteristics. The property is within a critical drainage basin and strict compliance with city ordinances will be necessary. No increase in runoff will be allowed as development occurs. Prior to any development of the subject property an overall storm water master plan including invert elevations, pipe sizes, detention calculations, water quality measures and an approved point of discharge shall be submitted to the Department of Public Works for approval. A point of discharge has been identified on the ODOT system in Interstate 5. ODOT approval shall be required for water quality, conveyance systems and points of discharge.

10. Storm water detention will be required for this site. All storm water including roof drains are to be connected to an approved system designed to provide adequate drainage for proposed new driveways, parking lots and other impervious surfaces. Where on-site detention is planned, adequate covenant, conditions and restrictions (CCR) shall be recorded to alert future owners/developers that detention and/or treatment shall be required to be constructed to the standards in effect at the time of building permit application.
11. A grading and drainage plan shall be developed for the subject property including proposed lot corner elevations. Details shall include adequate conveyance of storm water from adjacent property across the subject property.
12. If it is anticipated that the property will develop in phases, prior to any development, a phasing plan shall be submitted to indicate how the storm water management will be developed to provide service to each area.
13. The developer shall submit to the Department of Public Works a master plan for erosion control for the entire site and shall provide adequate protection for existing vegetation. The master plan shall be approved by the Department of Public Works. Prior to any development, including site grading, the applicant shall obtain an NPDES permit from the Oregon Department of Environmental Quality.
14. The drainage plan for the project includes a proposed storm drain pump station for a portion of the realigned Radiant Drive. The street section requiring pumping shall be minimized to the fullest extent possible. The Department of Public Works shall determine the criteria for design of the station. The developer's engineer shall provide three sets of an approved operation and maintenance manual for the station including a provision for emergency or standby operation. The developer shall also submit a plan for financing the annual operation and maintenance expense of the station.

TRANSPORTATION:

15. The proposed development requires construction of an underpass under the BNRR as well as an underpass of Chemawa Road. Additionally, other off-site improvements have been identified in the Transportation Plan developed for the Keizer Station Plan. These improvements include but are not limited to, construction of an extension of Radiant Drive to Lockhaven Drive and continuing to Chemawa Road to a point south of the intersection of Chemawa Road and McLeod Lane, construction of a pedestrian undercrossing of the BNRR at Tepper Lane, and other improvements necessary to provide compliance with the adopted Keizer Station Plan adopted Feb. 3, 2003. Additionally, a regional multi-use pathway has been identified on the Keizer Station Village Center Master Plan. The path location shall be coordinated with the Area D

development, ODOT and the Keizer Community Development Department. The path shall be of P.C.C. and constructed to a width of 12 feet.

16. All new public streets shall be constructed to the requirements of the City of Keizer Department of Public Works Design and Construction Standards and in conformance with the final Transportation Impact Analysis adopted for the Keizer Station Plan. Tepper Lane shall be terminated at the Railroad and shall be constructed as a ¼ width street designed to Collector Street standards with an appropriate turnaround at the west end accommodating emergency vehicles. All other streets shall be designed to arterial standards in terms of structural section and geometrical configuration. Preliminary construction specifications and plans for all transportation mitigation measures necessary to satisfy the improvements identified in the "Transportation Impact Analysis, Keizer Station Plan" for all street construction, including retaining walls, fencing, landscaping, sidewalks, signing, etc. shall be submitted to the Department of Public Works for review prior to submitting final plans for approval. The Department of Public Works will review the proposed plans and make recommendations for any additional work and coordination with other development in the area as needed.
17. The developer's engineer shall submit detailed traffic signal plans indicating phasing, recommended inter-ties, materials to be used, etc. to the City of Keizer Department of Public Works for approval prior to construction. All traffic signal plans shall be designed to City of Salem/ODOT Standards where appropriate.

GENERAL:

18. A street lighting master plan shall be developed. A street lighting district shall be created while under the control of the developer to provide for adequate street lights along the frontage of all new street rights of way. Decorative lighting approved by the Department of Public Works shall be used.
19. Construction permits are required by the Department of Public Works prior to any public facility construction. Contact the City Engineer's office at 390-7402 for the necessary permit information that is required.
20. A Pre-design meeting with the City of Keizer Department of Public Works will be required prior to the Developer's Engineer submitting plans to either the city of Keizer or the City of Salem for review.
21. Street opening permits are required for any work within the City right-of-way that is not covered by a Construction Permit.

22. Facility phasing plans and arrangements for reimbursing developers for providing additional capacity to serve future development shall be approved by the Keizer Department of Public Works and the City Council.
23. All easements are to be located in the appropriate locations based on actual approved plans. No final plat shall be approved prior to approval of construction plans including easement widths and locations.
24. An improvement agreement or other acceptable form of guarantee for all required construction shall be in place prior to construction permits being issued or the final subdivision plat approval.

KSP and KDC COMPLIANCE:

25. Prior to approval of any building permits, the applicant shall submit a phasing plan for Community Development Director approval.
26. The landscaping and pathway improvements along Chemawa Road and I-5 and a "Welcome to Keizer" monument sign in the northwest quadrant of the I-5/Chemawa Road interchange shall be provided as shown in the application or as modified by the conditions of approval. The final landscaping and pathway plans shall be approved by the Community Development Director prior to installation. These landscaping and pathway improvements and the "Welcome to Keizer" sign shall be provided in conjunction with the first building permit approved for the development.
27. The land area devoted to industrial and commercial uses, as required in KDC 2.119 EG Zone shall be met and maintained within Area A – Village Center. The land area calculation shall be based upon the land area of the subdivision lots and the uses occupying them. Commercial and industrial uses shall not jointly occupy a single lot.
28. Except as approved in the variance application, all KDC dimensional requirements for building heights, lots, and setbacks shall be met.
29. Anchor stores 1 and 2 and Major store 1 shall provide a pedestrian crosswalk to cross Road B next to Retail 1. Anchor 3 shall provide a walkway connecting to the perimeter pathway along the I-5 right-of-way.
30. Street names and numbers shall conform to the established standards and procedures in the City. Street names shall be approved by the City of Keizer. A Street Name Application must be completed and submitted for approval. No final plat shall be released without approved street names. Due to the significance of this development as a landmark of the City of Keizer, street names should also receive approval of the City Council.

31. Street trees shall be planted with 30-foot spacing using one or more of 13 identified varieties. A minimum caliper of 2 inches shall be used for street trees and all other trees in areas subject to damage near pathways, walkways and streets. A final street tree planting plan shall be approved by the Community Development Director prior to planting. All the other landscaping standards of the KDC shall be met.
32. Ground cover and shrubbery shall be planted in conformity with the KDC and industry standards as approved by the Community Development Director, and shall reach full coverage by the third year of growth.
33. Parking shall be provided as required by KDC 2.303. Parking driveway aisles shall be a minimum of 24 feet wide. A plan documenting compliance with parking requirements shall be provided as part of the Master Plan approval for the Community Development Director's Master Plan approval. Verification shall be provided during building permit review.
34. Bicycle parking shall be provided as required by KDC 2.303.08. In addition, the bicycle rack design shall provide secure support for bicycles and the ability to lock bicycles securely. The bicycle rack design, installation, and locations shall be approved by the Community Development Director prior to installation.
35. Sufficient paved areas and designated loading areas shall be provided in accordance with KDC 2.303.10.
36. Pavement shall be provided for all driveway, loading, and parking areas as required by KDC 2.303.11.
37. A tree shall be planted for every eight lineal parking spaces not located adjacent to a building in accordance with KDC standards.
38. A minimum of 15% of the gross land area for Commercial uses and 20% for Industrial uses shall be devoted to landscaping in commercial developments. This requirement shall be satisfied for development within each of the individual lots of the proposed subdivision. To provide for adequate vision clearance the landscaping material shall be selected to provide for the maintenance of adequate site distance.
39. Buffering shall be provided along the western edge of the project, in a manner, which is consistent with the proposed preliminary landscaping plan (Sheets LO1-4.). Electric and mechanical equipment shall be screened with vegetation and fencing. The final landscaping plan shall be approved by the Community Development Director prior to planting.

40. Irrigation system plans shall be submitted for approval as part of the building permit review process. Approved irrigation systems shall be installed prior to issuance of an occupancy permit.
41. The site plan shall be amended to locate the hotel, commercial office building, restaurants, retail pads, parks, and plazas closer together with an orientation to Radiant Drive. Of primary importance will be to locate buildings within 10 to 25 feet of Radiant Drive and to locate active uses adjacent to and buildings oriented toward Central Park (Tract A). Central Park must be adjacent to active areas and/or visually accessible from adjacent buildings. The amended plan shall be approved by the Community Development Director.
42. Tower Park (Tract B) is of virtually no open space value. The applicant shall provide plans for Community Development Director approval to provide off-setting open space, plaza, area, and/or public amenities in more advantageous locations within the development. The amenities to be provided shall include, but not be limited to, seating, pedestrian gathering places, public art, plaza connections, exercise stations, and other points of interest.
43. The following pedestrian connections and improvements shall be provided in addition to what is shown on the Pedestrian Pathways Plan (Sheet AO3) for Community Development Director approval:
- Sidewalk on the west and north side of Road A from Chemawa Road to the southern driveway to Anchor 1.
 - A crosswalk and easterly extension of the sidewalk on Radiant Drive across Road B to the driveway near Anchor B.
 - A crosswalk for the perimeter pathway at Road B.
 - A sidewalk connection between the Chemawa Road/I-5 interchange and the Road B sidewalk.
 - Walkway connections between the buildings on the east side of the site with the perimeter walkway along I-5.
 - Walkway connection between the Radiant Drive walkway and the front of Anchor A.
 - Walkway connections between restaurant and retail pads and the adjacent street sidewalks, such as Pads B, E and F, the hotel, the office building, Anchor B, and Majors 5 and 6.
 - Pedestrian crosswalks at streets, driveways and parking lots must be constructed with colored, stamped concrete pavement treatment (or equivalent as approved by the Community Development Director to clearly identify all crosswalks).
 - Public amenities shall be installed to support pedestrian uses including those along the multi-use path. The amenities to be provided shall include, but not be limited to, seating, pedestrian gathering places, public art, plaza connections, exercise stations, and other points of interest.

44. The Village within Area A shall contain a public improvement design to include a promenade/sidewalk design that meets a minimum sidewalk width of 8 feet. The promenade/sidewalk design may vary in width to meet a minimum width of 8 feet on both sides of Radiant Drive. The area of Radiant Drive which is depressed below grade shall be installed with the sidewalk on one side only. All promenade/sidewalks shall be separated from the street with a landscape belt, to include decorative lighting and trees.
45. Majors 5 and 6 shall provide improved pedestrian access to Road A in accordance with KDC 2.315.08.A.3.
46. Driveway crossings shall be a maximum of 36 feet wide.
47. Pedestrian walkways must be lighted to a level where the system can be used at night by employees and customers. The lighting plan shall be approved by the Community Development Director.
48. The proposed site lighting will not cast any light or glare toward the residential properties to the west.
48. Building design elements including ground floor windows, facades, awnings and materials shall satisfy KDC 2.315.08.
49. The elevations of all buildings shall be varied in texture, building materials and shall create a very human scale in blocking and incorporate human scale design elements. Elevations of all buildings shall incorporate no more than fifteen feet between varied vertical elements, an average height of 23 feet punctuated frequently with various architectural accents no greater than 22 feet in width and no higher than 28 feet to the eave line. A variety of materials, varied at the same frequency as the architectural elements, shall be used and shall conform to the samples in the submitted materials. These materials shall incorporate cultured stone, five varieties of split face Concrete Mortar Units (CMU's), as well as smooth faced CMU walls. The colors used shall be in compliance with the Development Standards.
50. The application includes design concepts for some of the buildings within the development. Final building designs shall conform with the design concepts submitted with the application, and shall be reviewed by the Community Development Director for compliance with applicable KDC design standards as part of the building permit review.
51. The city and developer shall work together to provide design amenities to enhance the aesthetic appearance and pedestrian functionality of the two underpasses. Finish materials, landscaping, and lighting shall be consistent with that of the buildings in the Village Center.

52. Streetscape features shall be constructed and shall include seating, outdoor art, a significant water feature at the intersection of Road A and Road B as shown on the application materials, awnings and trellises, and interesting bicycle facilities.
53. Maintenance of the open space tracts, plazas, and pathways shall be the responsibility of an association of all property owners of the Village Center.
53. Construction specifications (e.g., base rock, pavement thickness) for the separate pathways shall be subject to Public Works Department approval in accordance with Keizer City Standards.
54. Maintenance of the "Welcome to Keizer" sign shall be the responsibility of the City of Keizer.
55. The Plan shall conform to the requirements of all other State and Special District requirements.
56. During construction, residential properties shall be protected from impacts of noise at unreasonable hours, unreasonable dust, and safety concerns, and shall conform to Keizer city requirements regulating such impacts.
57. The development of the Village Center shall comply with all conditions of the Development Disposition Agreements and all other contractual obligations to the City of Keizer.
58. The applicant shall work with the Transit District to ensure compliance with the requirements found in Section 2.305 of the KDC.
59. In addition to the development standards of Utility Lines and Facilities – Section 2.307 the following standard shall apply to new utilities: A.) All utilities located adjacent to Radiant Drive and connecting transportation facilities shall be located underground. B.) All other new utility connections and lines shall be located underground where practicable.

In order for the Master Plan to receive final approval the applicant will be required to submit documentation demonstrating compliance with all applicable federal, state and local requirements. This shall include all conditions adopted by the City Council which apply to this Master Plan. These shall be submitted to the Community Development Director for verification and final approval.

VI. FINDINGS - SUBDIVISION

Introduction

A subdivision is subject to a Type II procedure (KDC 3.101.02), which includes a quasi-judicial review by the Hearings Officer. However, the Zoning Administrator may refer any application to the City Council for public hearing and decision bypassing the Hearings Officer. Following a City Council approval of the subdivision, subsequent city review of the project design and construction details will be completed as part of the building permit approval process.

The criteria that apply to a subdivision include lot size and orientation, provision of utilities, and circulation details. The subdivision application provides the information required by the KDC.

The applicant is proposing to divide the 95.7 acres into 15 developable lots and 3 open space tracts as follows:

Lot number	Area	Proposed buildings within lot	Proposed uses within lot
1	4.49 acres	Pad E, Pad F, Pad G, Pad H, Pad I, car wash	Commercial, industrial
2	0.78 acres	Pad B	Industrial
3	0.69 acres	Pad A	Industrial
4	6.04 acres	Anchor A, Shops A, Shops B	Commercial
5	12.44 acres	Anchor 1	Commercial
6	17.81 acres	Major 1, Major 2, Major 3, Major 4, Anchor 2, Retail 1	Commercial
7	1.58 acres	Retail 2, Retail 3	Commercial
8	10.20 acres	Anchor 3	Commercial
9	4.43 acres	Retail 4, Restaurant 2, Restaurant 3, Restaurant 4	Industrial
10	1.23 acres	Restaurant 1	Industrial
11	6.68 acres	Major 5, Major 6, Major 7	Commercial
12	3.65 acres	Hotel, Restaurant 5	Industrial
13	1.39 acres	Anchor B	Commercial
14	1.58 acres	Pad C, Shops C	Commercial, industrial
15	5.60 acres	Pad D, Commercial Office Building	Industrial
Tract A	1.25 acres	Central Park	
Tract B	1.05 acres	Tower Park	
Tract C	1.58 acres	Open space	

Findings

- A. The Review Criteria for a Subdivision is listed in Section 3.108.04 of the Keizer Development Code. The criteria and findings are listed below:

3.108.04.A The proposal shall comply with the applicable development standards in Section 2.405 and Section 2.3 as appropriate, including provisions for streets and utilities.

Section 2.405 contains development standards for manufactured home parks and are therefore, not applicable in this situation. Section 2.3 of the Keizer Development Code contains the policies and standards, which guide all development approvals within the City of Keizer. Listed below are only the applicable development standards contained in Section 2.3, which are pertinent to subdivision approval:

Section 2.302	Street Standards
Section 2.303	Off-Street Parking and Loading
Section 2.305	Transit Facilities
Section 2.306	Storm Drainage
Section 2.307	Utility Lines and Facilities
Section 2.308	Signs
Section 2.309	Site and Landscaping Design
Section 2.310	Development Standards for Land Divisions

FINDINGS: Consistency with the above KDC sections is addressed in the earlier section related to the standards under the EG zone for the Keizer Station Plan, with the exception of requirements in Section 2.310 specifically related to subdivisions. These requirements are addressed below.

SECTION 2.310 - DEVELOPMENT STANDARDS FOR LAND DIVISIONS

- B. Minimum lot area. Minimum lot area shall conform to the requirements of the zoning district in which the parcel is located.**

FINDINGS: Section 2.119.09 specifies the dimensional requirements for lots within the EG zone. For commercial lots, at least 80% must have a minimum lot size of 20,000 square feet, with a minimum average width and depth of 100 feet. The remainder 20% must have a minimum lot size of 10,000 square feet, with a minimum average width and depth of 75 feet. Of the seven lots that have exclusively commercial uses, all are over 20,000 square feet in size and all have average width and depths of over 100 feet. The commercial uses meet the code criteria.

For industrial lots, at least 80% must have a minimum lot size of 3 acres, with a minimum average width and depth of 350 feet. The remainder 20% must have a minimum lot size of one acre, with a minimum average width and depth of 150 feet.

Of the six lots that have exclusively industrial uses, three, or 50%, have lots sizes over 3 acres. Two of the industrial sites (lots 2 and 3) are less than one acre and do not have minimum average width or depths of 150 feet. Lot 12 is 3.65 acres, but does not have an average minimum width of 350 feet. The industrial uses do not meet the code criteria.

Two of the lots (1 and 14) have both industrial and commercial uses. If commercial criteria were followed, both lots would meet the commercial criteria. If industrial criteria were followed, lot 1 would increase the percentage of industrial lots over 3 acres to 57%, which is still less than the required 80%. This lot would meet the minimum average lot width and depth requirements. Lot 14 also meets the minimum average lot width and depth requirements. If lots 1 and 14 were considered industrial, the criteria would not be met.

C. Lot width and depth. The depth of a lot or parcel shall not be more than 3 times the width of the parcel, with the following exceptions:

1. Individual lots for townhouse units shall not be less than 20 feet in width. Lot depth may vary, but shall be adequate to provide a minimum of 300 square feet with no dimension less than 6 feet of semi-private outdoor living space for each unit.
2. Individual lots for single-family attached dwelling units shall be designed so that lot depth is not greater than 3 1/2 times lot width.
3. Parcels created for public utility uses or in zones where there is no minimum lot area requirement shall be exempt from width to depth ratio provisions.

FINDINGS: The depth of each lot appears to average less than three times the width of each lot. This criterion is met.

D. Access. All lots and parcels created after the effective date of this Ordinance shall provide a minimum frontage, on an existing or proposed public street, equal to the minimum lot width required by the underlying zone.

FINDINGS: All commercial lots provide a minimum street frontage of 100 feet. Of the industrial lots, lot 3 has a street frontage of 120 feet, which is less than the required minimum lot width of 150 feet. The industrial uses do not meet the code requirement.

- E. **Lot Lines.** The side lines of lots, as far as practicable, shall run at right angles to the right-of-way line of the street upon which the lots face. The rear lot line shall be no less than 1/2 the dimension of the front lot line.

FINDINGS: The side lines of the lots run at right angles to the right-of-way lines upon which the lots face for almost all of the lots. The one exception is the side lines of lots 5 and 6 which follows the driveway. The rear lot lines are not less than 1/2 the dimension of the front lot line in any case. This criterion has been met.

- F. **Utility Easements.** Utility easements shall be provided on lot areas where necessary to accommodate public utilities. Such easements shall have a minimum total width as specified in Section 2.302.04 of this Code.

FINDINGS: Section 2.302.04 states that utility easements shall be between five and 10 feet adjacent to the right of way. The width may be increased as determined by the Department of Public Works on a case by case basis. The width of the utility easements range from 15 feet to 50 feet within each lot, based on the preliminary plat provided by the applicant. The Department of Public Works comments state that "all easements to be located in the appropriate locations based on actual approved plans. No final plat shall be approved prior to approval of construction plans including easement widths and locations."

2.310.04 Additional Design Standards For Subdivisions

A. Standards for Blocks

1. **General:** The length, width, and shape of blocks shall be designed with regard to providing adequate building sites for the use contemplated; consideration of needs for convenient access, circulation, control, and safety of street traffic; and recognition of limitations and opportunities of topography.
2. **Sizes:** Blocks should not exceed 600 feet in length between street lines, except blocks adjacent to arterial streets, or unless the previous adjacent development pattern or topographical conditions justify a variation. The recommended minimum distance between intersections on arterial streets is 1,800 feet.

FINDINGS: The realignment of Radiant Drive and the construction of the three new roads will be to arterial standards in terms of structural section and geometric configuration. The distance between the intersections is more than 600 feet and less than 1,800 feet. The blocks have been laid out to provide adequate building sites for the proposed uses, convenient access and circulation, and safety of traffic signals. Multiple entrances off the streets are provided within each block to serve the various uses proposed. These entrances are adequately spaced to provide convenient access

and circulation. Entrances into the blocks are located away from street intersections and should not provide conflicts with the intersections.

- B. Traffic Circulation.** The proposed subdivision shall be laid out to provide safe and convenient vehicle, bicycle and pedestrian access to nearby residential areas, transit stops, neighborhood activity centers such as schools and parks, commercial areas, and industrial areas; and to provide safe and convenient traffic circulation. At a minimum, "nearby" is interpreted to mean uses within ¼ mile which can be reasonably expected to be used by pedestrians, and uses within 1 mile of the subdivision boundary which can reasonably be expected to be accessed by bicyclists.

FINDINGS: This criterion has been addressed under Section III, Keizer Station Master Plan, findings for Section 2.302.B and Section 2.315.08A.1. The criterion has been met with conditions.

- C. Connectivity.** To achieve the objective in B., above, the Director may require the following:

1. **Stub Streets:** Where the potential exists for additional residential development on adjacent property.
2. **Pedestrian/Bicycle Accessways:** Public accessways to provide a safe and efficient connection from a residential area to nearby residential areas, transit stops, neighborhood activity centers, including schools, parks, shopping centers, other community services and other commercial and industrial areas when such connections are not available by streets and when a pedestrian must go at least one quarter of a mile out of his or her way to make that connection using the street system.

FINDINGS: This criterion has been addressed under Section III, Keizer Station Master Plan, findings for Section 2.315.08A.1 and Section 2.315.08A.9. The criterion has been met with conditions.

- D. Design Standards.** Pedestrian/bicycle accessways shall meet the following design standards:

1. Minimum dedicated width: 10 feet
2. Minimum improved width: 10 feet
3. Maximum length: 250 feet. A clear line of vision for the entire length of the accessway shall be required.

4. **Lighting shall be provided illuminating any walkway exceeding 150 feet in length to a level where the system can be used at night. Lighting shall be included in the lighting district(s) established for the subdivision.**
5. **The accessway shall be designed to prohibit vehicle traffic.**

FINDINGS: At scales of 1" = 100', this is difficult to determine, but the pathway along Interstate 5 and along Radiant Drive appear to be consistent with the criterion. The pathway along Interstate 5 appears to be 12 feet wide and the bike and pedestrian access along Radiant Drive appear to be 18 feet wide. The pathway running through Chemawa Park connecting Chemawa Road and Road A to Road B appears to be 8 feet. This pathway should be increased to be 12 feet wide, consistent with the pathway along Interstate 5. The pathways shall be designed to prohibit vehicle traffic and shall include lighting.

2.310.06 - Improvement Requirements - Subdivisions

- A. **Frontage Improvements.** Street improvements to full City Standards shall be required for all public streets on which a proposed subdivision fronts in accordance with Section 2.303 of this Code. Such improvements shall be designed to match with existing improved surfaces for a reasonable distance beyond the frontage of the property. Additional frontage improvements shall include: sidewalks, curbing, storm sewer, sanitary sewer, water lines, other public utilities as necessary, and such other improvements as the City shall determine to be reasonably necessary to serve the development or the immediate neighborhood.

FINDINGS: This criterion has been addressed under Section III, Keizer Station Master Plan, findings for Section 2.302.A. The criterion has been met with conditions.

- B. **Project Streets.** All public or private streets within the subdivision shall be constructed as required by the provisions of Section 2.302.

FINDINGS: This criterion has been addressed under Section III, Keizer Station Master Plan, findings for Section 2.302. The criterion has been met with conditions.

- C. **Monuments.** Upon completion of street improvements, centerline monuments shall be established and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street center lines.

FINDINGS: This is a development requirements and a condition of subdivision approval.

D. Bench Marks Elevation bench marks shall be set at intervals established by the City Engineer. The bench marks shall consist of a brass cap set in a curb or other immovable structure.

FINDINGS: This is a development requirements and a condition of subdivision approval.

E. Surface Drainage and Storm Sewer System. Drainage facilities shall be provided within the subdivision and to connect the subdivision drainage to drainage-ways or to storm sewers outside the subdivision. Design of drainage within the subdivision shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such areas. Drainage shall be designed to avoid impacts on adjacent property.

FINDINGS: This criterion has been addressed under Section III, Keizer Station Master Plan, findings for Section 2.306. The criterion has been met with conditions.

F. Sanitary Sewers. Sanitary sewer shall be installed to serve the subdivision and to connect the subdivision to existing mains both on and off the property being subdivided.

FINDINGS: This criterion has been addressed under Section III, Keizer Station Master Plan, findings for Section 2.307.02.D. The criterion has been met with conditions.

G. Water System. Water lines with valves and Fire District approved fire hydrants serving the subdivision and connecting the subdivision to the City mains shall be installed and operating prior to start of combustible construction.

FINDINGS: This criterion has been addressed under Section III, Keizer Station Master Plan, findings for Section 2.307.02.B. The criterion has been met with conditions.

H. Sidewalks. Sidewalks shall be installed along both sides of each public street and in any pedestrian ways within the subdivision.

FINDINGS: Sidewalks are proposed along both sides of Radiant Drive, Road A, Road B, and Road C. Tepper Lane is recommended by the Public Works Department to be constructed as a $\frac{1}{4}$ width street and therefore is proposed to have sidewalks on one side of the street only. Additional sidewalks are proposed as conditions of approval as noted in Section III, Keizer Station Master Plan, findings for Section 2.315.08.A.

- I. Street Lights.** The installation of street lights is required at locations determined to be appropriate by the City and shall be of a type required by City standards.

FINDINGS: This criterion has been addressed under Section III, Keizer Station Master Plan, findings for Section 2.307.02.E. The criterion has been met with conditions.

- J. Street Signs.** The installation of street name signs and traffic control signs is required at locations determined to be appropriate by the City and shall be of a type required by City standards. Each street sign shall display the one hundred block range. Street signs shall be installed prior to obtaining building permits.

FINDINGS: This is a condition of subdivision approval. No building permits will be issued until all required street signs are installed.

- K. Public Works Requirements.** All facility improvements shall conform to the requirements and specifications of the Keizer Department of Public Works.

FINDINGS: This is a condition of subdivision approval. Public Works comments are included under *Recommendations and Conditions* of the Keizer Station Master Plan section of this staff report. These comments are applicable to the subdivision application.

- L. Curb Cuts.** Curb cuts and driveway installations, excluding common drives, are not required of the subdivider, but if installed, shall be according to the City standards.

FINDINGS: All curb cuts and driveway installations shall be constructed according to City standards.

- M. Street Trees.** Street tree planting is mandatory where a planting strip is part of the street design. Plantings shall conform to Section 2.302.03 (M).

FINDINGS: This criterion has been addressed under Section III, Keizer Station Master Plan, findings for Section 2.302.M. The criterion has been met with conditions.

- N. Grading and Fills.** All grading which results in fill in excess of 3 feet located within the identified building envelope on a subdivision lot or parcel must be engineered.

FINDINGS: This is a development requirement and a condition of subdivision approval.

SECTION 3.108.04.B Each lot shall satisfy the dimensional standards and density standard of the applicable zoning district, unless a variance from these standards is approved.

Section 2.119.9 of the Keizer Development Code contains the dimensional standards and density standard for the EG zone.

FINDINGS: Consistency with KDC Section 2.119.9 is addressed in Section III, Keizer Station Master Plan, findings for section 2.119 and this section, findings for section 2.310.

SECTION 3.108.04.C Adequate public facilities shall be available and shall serve the existing and newly created parcels.

FINDINGS: Public sewer and water are available and will be extended to serve the subdivision. Section 2.301.03 requires the following public facilities to be provided: fire hydrants, street improvements, water hook-up, sewer hook-up, storm drain, and street lights. No development permit, including building permit, shall be approved or issued unless the improvements are provided prior to occupancy or operation.

VII. SUBDIVISION – DEVELOPMENT CONSIDERATIONS

- A.** The City Engineer, Keizer Fire District One; City of Salem Public Works Department; Marion County Surveyor's Office; and, Portland General Electric submitted a list of development requirements. The requirements are necessary to ensure public health and safety. Staff recommends these as conditions of approval.
- B.** The Keizer Development Code requires the developer to connect to public utility services. The Development Code also requires all utility services to be placed below ground. These requirements apply to this request. Further, the developer is responsible for all utility connection costs.
- C.** The City's System Development Charge for park development shall be the fees in place at the time of building permit application. These Development charges, as well as those involving the extension of sewer, water, and storm drainage, will apply to this request.

VIII. RECOMMENDATION AND CONDITIONS FOR SUBDIVISION APPLICATION

Subdivision – Development Considerations

- A.** The City Engineer, Keizer Fire District One; City of Salem Public Works Department; Marion County Surveyor's Office; and, Portland General Electric submitted a list of development requirements. The requirements are necessary to ensure public health and safety. Staff recommends these as conditions of approval.
- B.** The Keizer Development Code requires the developer to connect to public utility services. The Development Code also requires all utility services to be placed below ground. These requirements apply to this request. Further, the developer is responsible for all utility connection costs.
- C.** The City's System Development Charge for park development shall be the fees in place at the time of building permit application. These Development charges, as well as those involving the extension of sewer, water, and storm drainage, will apply to this request.

Recommendation and Conditions for Subdivision Application

REQUIREMENTS: The Keizer Development Code establishes specific development and processing requirements. These requirements are mandatory and in many cases cannot be modified even through the variance or adjustment process. These requirements are included for the benefit of the applicant.

- 1. Completion, submittal and recording of the final subdivision plat shall comply with the requirements contained in the Keizer Development Code.
- 2. Unless otherwise required by this decision, development of the individual lots shall comply with the applicable requirements of the Keizer Development Code and building requirements of the Marion County Building Inspection Division.
- 3. The applicant shall be responsible for all costs associated with public facility improvements, including applicable system development charges for sewer, water, parks and other facilities and shall comply with established City rules and regulations in effect at the time of the final approval of the Subdivision Plat.
- 4. Minimum lot area shall conform to the requirements of KDC 2.310 and 2.119.09.
- 5. The Chemawa Park pathway shall be increased to be 12 feet wide, consistent with the pathway width along Interstate 5. The pathways shall be designed to prohibit vehicle traffic and shall include lighting.

6. Upon completion of street improvements, centerline monuments shall be established and protected in monument boxes at every street intersection and all points of curvature and points of tangency of street center lines.
7. Elevation benchmarks shall be set at intervals established by the City Engineer. The benchmarks shall consist of a brass cap set in a curb or other immovable structure.
8. No building permits will be issued until all required street signs are installed.
9. All facility improvements shall conform to the requirements and specifications of the Keizer Department of Public Works.
10. All curb cuts and driveway installations shall be constructed according to City standards.
11. Street Signs. The installation of street name signs and traffic control signs is required at locations determined to be appropriate by the City and shall be of a type required by City standards. Each street sign shall display the one hundred block range. Street signs shall be installed prior to obtaining building permits

IX. FINDINGS - MAJOR VARIANCE

A. The Review Criteria for a Major Variance is listed in Section 3.105.05 of the Keizer Development Code. The criteria and findings are listed below.

- 1. The degree of variance from the standard is the minimum necessary to permit development of the property for uses allowed in the applicable zone.**

FINDINGS: The subject property is zoned EG. In general the surrounding uses are commercial/retail. The placement of restaurants and most office type uses are permitted within the EG zone. The setback requirements for Industrial Uses within the EG zone are to provide for and ensure compatibility with adjacent uses, provide areas for outdoor storages, incidental sales, and access for the transport of bulk materials where the noises, lights, odors, and traffic hazards associated with permitted uses will not conflict with local and collector streets. The applicant is requesting to reduce the maximum setback for industrial uses to approximately 12 to 14 feet for "Pad A and C", and "Rest 1, 2, 4 and 5". In addition, an increase is requested to the minimum ten foot setback for commercial uses to approximately 31 to 33 feet for "Shops A" and "Anchor B".

MAJOR VARIANCE FOR "PAD A AND C", AND "REST 1, 2, 4 AND 5":

The surrounding uses are commercial/retail in general. The uses proposed on the subject properties are permitted within the IG zone, however they are more commercial related than industrial. Normally the access requirements for industrial type uses are greater than those required for commercial/retail uses. However, many permitted industrial uses are also found within the permitted commercial/retail uses whose access and storage requirements are not as great as the majority of industrial uses. This is the case within this area as the proposed use for these building pads is for restaurants. Therefore, the setback requirements do not meet the needs of the proposed businesses. Therefore, staff finds this request can satisfy the above criterion.

MAJOR VARIANCE FOR "SHOP A":

The applicant's statement indicates that there is a overhead power line easement along the north side of the building. The applicant's subdivision plat shows a 100 foot easement running east and west along the north side of the property. Seventy five feet of the easement is within the right of way leaving an additional twenty-five feet of easement within the parcel containing "Shop A" reducing the building lot frontage by twenty-five feet. Therefore, staff recommends approval of this request.

MAJOR VARIANCE FOR "ANCHOR B":

The applicant's statement indicates that the request for a 31 foot setback along the northerly and easterly side of this pad is to accommodate a bank drive thru. This pad is located at a major intersection within "Area A" and does not meet the "pedestrian friendly environment" nor maintain the stated purposes of the Keizer Station Plan. Staff cannot support this variance request and therefore does not recommend approval of this request.

2. **The applicant in good faith is unable to comply with the standard without undue burden. The applicant must demonstrate that the burden is substantially greater than the potential adverse impacts caused by the proposed variance.**

MAJOR VARIANCE FOR "PAD A AND C", AND "REST 1, 2, 4 5" AND "SHOP A":

FINDINGS: The right of way was expanded in "Area A" to accommodate future needs as well as maintaining the purpose of the Keizer Station Plan. The applicant states that this requirement is a burden placed upon the applicant that allowing this variance will provide a more pedestrian friendly appearance

3. **The variance will not be unreasonably detrimental to property or improvements in the neighborhood of the subject property.**

MAJOR VARIANCE FOR "PAD A AND C", AND "REST 1, 2, 4 5" AND "SHOP A":

FINDINGS: The surrounding properties are zoned EG which allows a mixture of Commercial and Industrial Uses. The uses proposed are permitted within the EG zone, however they are more retail related than industrial. Since the surrounding areas are being developed as commercial/retail and will have similar setback requirements, the approval of this variance will not be unreasonably detrimental to property or improvements in the neighborhood. The structures will be located outside of any vision clearance areas. Therefore, staff finds this request can satisfy the above criterion.

4. **There has not been a previous land use action approved on the basis that variances would not be allowed.**

MAJOR VARIANCE FOR "PAD A AND C", AND "REST 1, 2, 4 5" AND "SHOP A":

FINDINGS: There are no prior land use actions, which expressly prohibit the granting of this variance. Therefore, the proposed variance can comply with this criterion.

5. The variance will not significantly affect the health or safety of persons working or residing in the vicinity.

MAJOR VARIANCE FOR "PAD A AND C", AND "REST 1, 2, 4 5" AND "SHOPS A":

FINDINGS: Staff cannot find any significant affects upon the health or safety of persons working or residing in the vicinity if the variance request is granted. Therefore, staff concludes this request meets with the above criteria.

6. The variance will be consistent with the intent and purpose of the provision being varied.

MAJOR VARIANCE FOR "PAD A AND C", AND "REST 1, 2, 4 5" AND "SHOP A":

FINDINGS: The intent and purpose for the setback requirements for Industrial Uses within the EG zone is to ensure their compatibility with adjacent uses, to provide areas for outdoor storage, incidental sales, and access for the transport of bulk materials where the noises, lights, odors, and traffic hazards associated with permitted uses will not conflict with local and collector streets. The surrounding uses are commercial/retail in general. The uses proposed are permitted uses within the IG zone; however they are more retail related than industrial. The access requirements are not as great as a majority of industrial uses therefore the setback requirements do not meet the needs of these businesses. Since the surrounding area is being developed as commercial/retail and will have similar setback requirements there will be no adverse impacts. The structure will be located outside any vision clearance areas. Therefore, staff finds this request can satisfy the above criterion.

X. RECOMMENDATION FOR MAJOR VARIANCE APPLICATION for "Anchor B" is that the Community Development Director for the City of Keizer recommends **DENIAL** of the Major Variance application. Findings in support of this decision can be found above.

XI. RECOMMENDATION AND CONDITIONS FOR MAJOR VARIANCE APPLICATION for "Pads A and C", and "Rests 1, 2, 4 5" and "Shop A"

1. Unless otherwise specifically modified by this decision, development of the structure shall comply with remaining requirements of the Keizer Development Code.
2. The applicant shall meet all requirements of the Marion County Building Division.
3. The applicant shall locate the proposed structures substantially as indicated on the submitted site plan and shall maintain a minimum setback of 12 to 14 feet from the property line adjacent to Radiant or "Road B".

4. The construction of this structure must be completed within one year of the final date of this decision. This approval is only valid when the construction is completed by June 21, 2005.

OTHER PERMITS AND RESTRICTIONS: This approval does not remove or affect any covenants or restrictions imposed on the subject property by deed or other instrument. The proposed use may require permits from other local, State or Federal agencies. This decision does not take the place of, or relieve the responsibility for obtaining other permits or satisfying any restrictions or conditions thereon.

TRANSFER OF VARIANCE: This variance request shall automatically transfer to any new owner or occupant subject to all conditions of approval. It is the responsibility of the applicant and property owner to provide information to any new property owner(s) regarding this variance request and any conditions of approval.

XII. FINDINGS – SIGN VARIANCE

A. The Review Criteria for a sign variance is listed in Section 2.308.10 of the Keizer Development Code. The criteria and findings are listed below:

- 1. There are unique circumstances of conditions of the lot, building or traffic pattern such that:**
 - a. The existing sign regulations create an undue hardship;**
 - b. The requested variance is consistent with the purpose of this chapter as stated in Section 2.308.01; and**
 - c. The granting of the variance compensates for those circumstances in a manner equitable with other property owners and is thus not a special privilege to any other business. The variance requested shall be the minimum necessary to compensate for those conditions and achieve the purpose of this chapter.**

FINDINGS: The location of such a major development along the I-5 corridor creates special needs which the limitation of the freestanding signs to 20' in height would create an undue hardship for visibility at speeds anticipated on the interstate highway. By developing an over-all signage program which limits other freestanding signs throughout the complex the intent of the sign code will be met to provide attractive, visible, and useful signage throughout the complex. By allowing an increase in size and height of a location sign and

restricting the freestanding signs elsewhere, compensation for those conditions will achieve the purposes of the sign code.

2. The granting of the variance shall not:

- a. Decrease traffic safety nor detrimentally affect any other identified items of public welfare.**
- a. Result in a special advertising advantage in relation to neighboring businesses or businesses of a similar nature. The desire to match standard sign sizes (for example, chain store signs) shall not be listed or considered as a reason for a variance.**
- b. Be the result of a self-imposed condition or hardship.**

FINDINGS: The need of height increase along I-5 is comparable to the same needs experienced by the nearby Volcanoes Stadium, as well as the regional mall at the City of Woodburn. In both circumstances, the needs for visibility were thoroughly evaluated and limited in height to 50'. By granting a variance greater than 50' this would create an advantage for this development that is not enjoyed by a neighboring property. Therefore the height should be limited to 50' in height. By granting a variance in height to a maximum of 50' while granting the requested signage area, the applicant would be treated equitably with others.

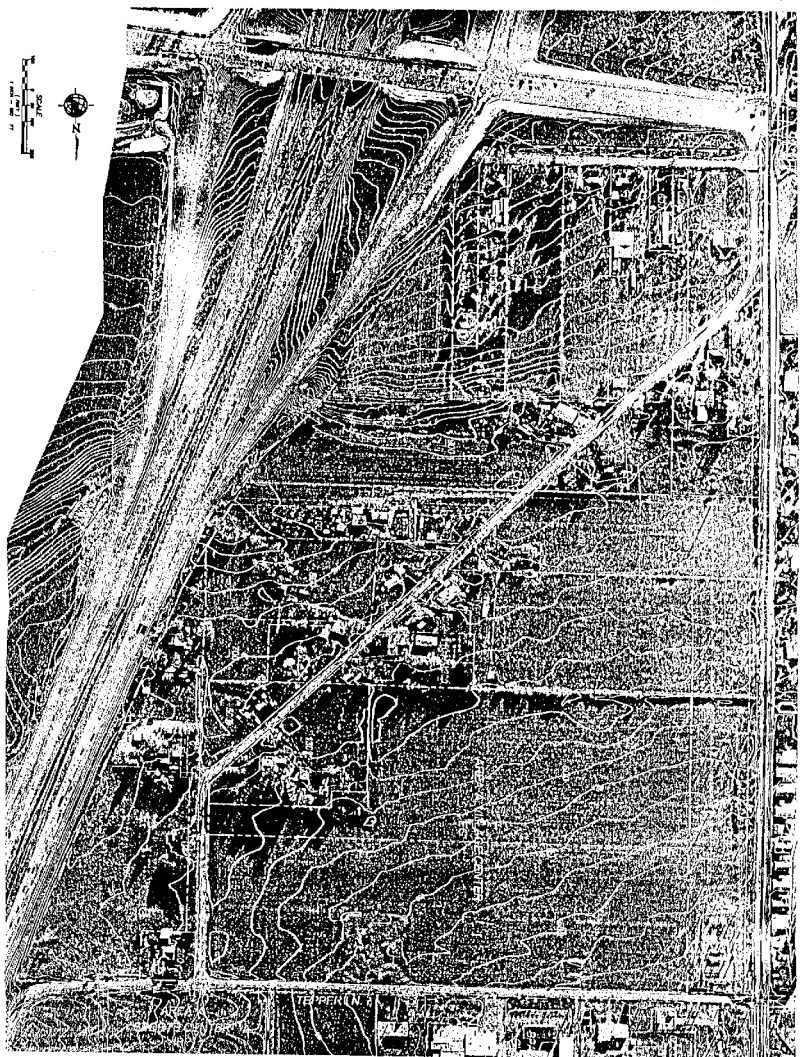
XIII. RECOMMENDATION AND CONDITIONS FOR SIGN VARIANCE APPLICATION

1. Unless otherwise specifically modified by this decision, development of the structure shall comply with remaining requirements of the Keizer Development Code.
2. The applicant shall meet all requirements of the Marion County Building Division.
3. The signage of the Keizer Station, Area A Village Center shall be limited to the signage indicated in the application and incorporated as Exhibit 6.
4. The height of the locational sign shall be limited to 50 feet in height; area of signage shall be allowed up to 400 sq ft on this sign. All other freestanding signs shall be limited to those size and heights as indicated on the plans submitted.

OTHER PERMITS AND RESTRICTIONS: This approval does not remove or affect any covenants or restrictions imposed on the subject property by deed or other instrument. The proposed use may require permits from other local, State or Federal agencies. This decision does

not take the place of, or relieve the responsibility for obtaining other permits or satisfying any restrictions or conditions thereon.

TRANSFER OF VARIANCE: This variance request shall automatically transfer to any new owner or occupant subject to all conditions of approval. It is the responsibility of the applicant and property owner to provide information to any new property owner(s) regarding this variance request and any conditions of approval.



10090

SITE DATA

DATE: 04-10-2005

- BOUNDARY
- LOT LINE
- CONVEYANCE

NORTHWEST NATIONAL, LLC
 KETTER STATION BLVD/CLINTON CENTER
 EXISTING SITE AREA



PROJECT NO.	000000
DATE	04-10-2005
BY	000000
CHECKED BY	000000
APPROVED BY	000000
SCALE	000000
PROJECT NAME	000000
LOCATION	000000
OWNER	000000
DESIGNER	000000
ENGINEER	000000
ARCHITECT	000000
LANDSCAPE ARCHITECT	000000
PLANNING	000000
ENVIRONMENTAL	000000
TRAVEL	000000
UTILITY	000000
GEOTECHNICAL	000000
SOILS	000000
WATER	000000
SEWER	000000
STORMWATER	000000
HAZARDOUS WASTE	000000
ASBESTOS	000000
LEAD	000000
PCB	000000
OTHER	000000

DATE: JUNE 1, 2004

TO: KEIZER COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: PUBLIC WORKS DEPARTMENT COMMENTS FOR
MASTER PLAN AND SUBDIVISION CASE NO. 2004-21

The Public Works Department has reviewed the applicant's submittals and has compared them with the requirements of the adopted Keizer Station Plan. The developer shall submit a detailed phasing plan for all required improvements including site grading, prior to any construction and grading of the subject property. The following are recommendations for incorporation into the findings for approval of the master plan and subdivision.

SANITARY SEWERS:

The subject property is located outside of the original Keizer Sewer District and therefore an acreage fee is required. The current acreage fee is \$7,460.00 per gross acre prior to platting of the subdivision. The acreage fee applied will be the fee in place at the time of development of the property. The Master Sewer Plan provides for a sewer trunk line to be constructed through the subject property with adequate size and depth to provide for additional capacity for areas located within the original sewer district west of the BNSF railroad. Additionally, Area D, south of Chemawa Road shall be served with a sewer trunk line to be constructed along with the proposed under crossing of Chemawa Road. A review of the construction plans for the subject property will be required to assure that capacity of the master plan sewer trunk lines is not exceeded. Additionally, the following requirements shall be applied:

- a. Prior to development of the subject property, a master sewer plan for the proposed development shall be submitted to the Department of Public Works for review and approval. The plan shall include proposed rim and invert elevations. The entire project shall be served by an existing 18" trunk sewer line adjacent to Keizer Stadium.
- b. City of Salem approval for both sewer trunk lines and local sewers is required. Permits from the City of Salem shall be issued prior to construction. Prior to submitting plans to the City of Salem for approval, the developer's engineer shall submit plans to the City of Keizer for review and determination of compliance with the City's Master Sewer Plan for the area.
- c. Connecting to existing sewers that serve the general area will be the responsibility of the developer of the property.

- d. Appropriate easements will be required for any public sewer mains located within the subject property if located outside platted right of ways.
- e. It will be the responsibility of the developer's engineer to locate any existing wells (including those on adjacent property) in the vicinity of the proposed new sanitary sewer lines for the subject property. Any conflicts between existing wells and proposed sanitary sewers shall be addressed by the developer prior to issuance of public works construction permits.

WATER SYSTEM:

- f. The developer has submitted a master water system plan showing proposed routes of public water mains, fire hydrants and individual services. The master plan is generally acceptable to the Public Works Department, however, prior to submittal of final construction plans the developer's engineer shall arrange for a pre-design conference to discuss water main sizing, meter sizing and locations, fire hydrant locations, fire sprinkler line locations and easement width for all public lines located outside of proposed right of ways. Final location of all meters to be approved by the Keizer Department of Public Works. To provide for adequate peak consumption and fire protection requirements it has been determined that additional public facilities will be required including but not limited to elevated storage facilities, wells, connection to existing mains on the west side of the BNR right of way, and any other off-site construction required to provide required peak flows to the proposed development. Appropriate easements for all public water mains and fire hydrants will be required if construction is to be outside of public right of ways. Dedication of property to the City shall be required for any wells or storage facilities developed. Any system development charges for water system improvements will be those in place at the time of individual service connections.
- g. Final development plans shall be reviewed by the Keizer Fire Department with regard to access and adequate location of fire hydrants prior to any issuance of public works construction permits by the City of Keizer.
- h. It will be the responsibility of the developer to abandon all existing wells prior to site grading in accordance with the rules of the Oregon State Water Resources Department unless the City has determined that water rights are available in some cases that could be transferred to municipal use by the city.

STORM DRAINAGE IMPROVEMENTS:

- i. The developer has submitted plans indicating the present drainage patterns and runoff characteristics. The property is within a critical drainage basin and strict compliance with city ordinances will be necessary. No increase in runoff will be allowed as development occurs. Prior to any development of the subject property an overall storm water master plan including invert

elevations, pipe sizes, detention calculations, water quality measures and an approved point of discharge shall be submitted to the Department of Public Works for approval. A point of discharge has been identified on the ODOT system in Interstate 5. ODOT approval shall be required for water quality, conveyance systems and points of discharge.

- j. Storm water detention will be required for this site. All storm water including roof drains are to be connected to an approved system designed to provide adequate drainage for proposed new driveways, parking lots and other impervious surfaces. Where on-site detention is planned, adequate covenant, conditions and restrictions (CCR) shall be recorded to alert future owners/developers that detention and/or treatment shall be required to be constructed to the standards in effect at the time of building permit application.
- k. A grading and drainage plan shall be developed for the subject property including proposed lot corner elevations. Details shall include adequate conveyance of storm water from adjacent property across the subject property.
- l. If it is anticipated that the property will develop in phases, prior to any development, a phasing plan shall be submitted to indicate how the storm water management will be developed to provide service to each area.
- m. The developer shall submit to the Department of Public Works a master plan for erosion control for the entire site. The master plan shall be approved by the Department of Public Works. Prior to any development, including site grading, the applicant shall obtain an NPDES permit from the Oregon Department of Environmental Quality.
- n. The drainage plan for the project includes a proposed storm drain pump station for a portion of the realigned Radiant Drive. The street section requiring pumping shall be minimized to the fullest extent possible. The Department of Public Works shall determine the criteria for design of the station. The developer's engineer shall provide three sets of an approved operation and maintenance manual for the station including a provision for emergency or standby operation. The developer shall also submit a plan for financing the annual operation and maintenance expense of the station.

TRANSPORTATION:

- o. The proposed development requires construction of an underpass under the BNRR as well as an underpass of Chemawa Road. Additionally, other off-site improvements have been identified in the Transportation Plan developed for the Keizer Station Plan. These improvements including but not limited to, construction of an extension of Radiant Drive to Lockhaven Drive and continuing to Chemawa Road to a point south of the intersection of Chemawa Road and McLeod Lane, construction of a pedestrian undercrossing of the BNRR at Tepper

Lane, and other improvements necessary to provide compliance with the adopted Keizer Station Plan adopted Feb. 3, 2003. Additionally, a regional multi-use pathway has been identified on the Keizer Station Village Center Master Plan. The path location shall be coordinated with the Area D development, ODOT and the Keizer Community Development Department. The path shall be of P.C.C. and constructed to a width of 12 feet.

- p. All new public streets shall be constructed to the requirements of the City of Keizer Department of Public Works Design and Construction Standards and in conformance with the final Transportation Impact Analysis adopted for the Keizer Station Plan. Tepper Lane shall be constructed as a $\frac{1}{4}$ width street designed to Collector Street standards with an appropriate turnaround at the west end accommodating emergency vehicles. All other streets shall be designed to arterial standards in terms of structural section and geometrical configuration. Preliminary construction specifications and plans for all transportation mitigation measures necessary to satisfy the improvements identified in the "Transportation Impact Analysis, Keizer Station Plan" for all street construction, including retaining walls, fencing, landscaping, sidewalks, signing, etc. shall be submitted to the Department of Public Works for review prior to submitting final plans for approval. The Department of Public Works will review the proposed plans and make recommendations for any additional work and coordination with other development in the area as needed.
- q. The developer's engineer shall submit detailed traffic signal plans indicating phasing, recommended interties, materials to be used, etc. to the City of Keizer Department of Public Works for approval prior to construction. All traffic signal plans shall be designed to City of Salem/ODOT Standards where appropriate.

GENERAL:

- r. A street lighting master plan shall be developed. A street lighting district shall be created while under the control of the developer to provide for adequate street lights along the frontage of all new street rights of way. Decorative lighting approved by the Department of Public Works shall be used.
- s. Construction permits are required by the Department of Public Works prior to any public facility construction. Contact the City Engineer's office at 390-7402 for the necessary permit information that is required.
- t. A Pre-design meeting with the City of Keizer Department of Public Works will be required prior to the Developer's Engineer submitting plans to either the city of Keizer or the City of Salem for review.
- u. Street opening permits are required for any work within the City Right of Way that is not covered by a Construction Permit.

v. Facility phasing plans and arrangements for reimbursing developers for providing additional capacity to serve future development shall be approved by the Keizer Department of Public Works and the City Council.

w. All easements to be located in the appropriate locations based on actual approved plans. No final plat shall be approved prior to approval of construction plans including easement widths and locations.

x. An improvement agreement or other acceptable form of guarantee for all required construction shall be in place prior to construction permits being issued or the final subdivision plat approval.



KEIZER FIRE DISTRICT

June 11, 2004

RECEIVED
CITY OF KEIZER

JUN 11 2004

Keizer Planning Department
Nate Brown, Community Development Director
P.O. Box 21000
Keizer, Oregon 97307-1000

COMMUNITY DEVELOPMENT

Exhibit '3'
Sub/Master Plan/Maj Var/Sign Var
Case No. 2004-21
Council Hearing June 21, 2004
Keizer Station Plan

Mr. Brown:

Keizer Fire District submits the following written comments, and request they be entered into the record regarding Comprehensive Plan Map Amendment, Zone Change, Master Plan and Subdivision Case Number 2004-21. It should be noted that the Keizer Fire District's comments in this letter are intended to provide written criteria on issues such as, but not limited to applicable Uniform Fire Code Requirements as submitted in the plans.

An overall plan shall be submitted for Fire District review of items such as, Fire Hydrant and Fire Department Connection locations, Fire Department access to buildings, adequate turn around provisions at dead ends, street signage and premises identification.

Approval of submitted plans is not an approval of omissions or oversights by the Fire Marshal or of noncompliance with any applicable regulations of other codes or local codes that might affect the plan.

The following requirements are cited from the current adopted edition of the 1997 Oregon Uniform Fire Code. Additionally, Article 87 in the Oregon Uniform Fire Code provides requirements for Firesafety During Construction of a Building. The provisions of this code section shall be strictly adhered to.

Circulation:

Article 9, § 901, § 902 & § 903 provide specific requirements for Fire Department Access and Water Supply. Additionally, Appendices III-A, III-B and III-E are referenced for requirements of Fire Flows for Buildings, Fire Hydrant Locations and Distribution, and Fire Department Access Guidelines.

Access:

All Fire Department Access shall meet the requirements as set forth in § 901 & § 902. Specifically, All access roads are required to be installed and made serviceable prior to and during construction as approved by the Fire Marshal. § 901.3 "Timing of Installation."

The current set of submitted plans shall meet the requirements of the Fire Code sections noted above and the City of Keizer Street Standards. Fire Department Access Roads shall have an obstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet six inches. Driveway entrances, ("pork chops") raised street dividers, landscape medians, and other traffic directors shall meet the requirements as set forth in §902.2.2 *Specifications*. Dimensions for Turning Radius shall be designed and installed to accommodate all Keizer Fire District, and other area Fire Department Vehicles.

Dead Ends:

All Fire Department Access Roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus. § 902.2.2.4 "Dead ends." Specifically, the west end of Tepper Lane at the Railroad Tracks shall be provided with an approved turn around.

Water Supplies:

All Fire Department Water Supplies shall meet the requirements as set forth in § 901 & § 903. Specifically, All Water Supplies for Fire Protection are required to be installed and made serviceable prior to and during construction as approved by the Fire Marshal. § 901.3 "Timing of Installation". It has been indicated that in order to meet the Fire Flow duration of 4 hours, a storage tank will be necessary. Additional considerations to meet the needed fire flow requirements shall be based on the building requiring the highest fire flow demand. The submitted document includes a narrative on "Design Standards" in the "Domestic Water Distribution" page. This information generally addresses those requirements. At this time however, a final Fire Flow requirement figure has not been reached.

Fire Hydrants shall meet Keizer Fire District standards to include "Storz"™ type adaptors to be provided on the steamer port. Fire Hydrant Location and Distribution will be according to Table A-III-B-1, or as requested by the Fire Marshal. Fire Flow Requirements for buildings shall meet the requirements as set forth in Appendix III-A. Keizer Fire District Fire Marshal shall approve Fire Flow plan submittals to determine if adequate flows, Hydrant Locations and Spacing have been provided for.

Building 7 Site Plan Review:

A site plan showing all building locations has been submitted. The applicant shall meet the requirements for setbacks, distances to property lines, height limitations, separations for other buildings and any other requirements as set forth in the Uniform Building Code, and the Oregon Uniform Fire Code.

Conclusion:

As additional plans are submitted in the future, Keizer Fire District shall review and provide comments specific to that particular plan. The intent of this document is to provide a general overview of Fire Code requirements based on the preliminary plan documents recently submitted.

Please direct any questions regarding this document to, Joel Stein, Keizer Fire District Fire Marshal.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Joel Stein", is written over the printed name.

Joel Stein
Fire Marshal
Keizer Fire District

Please return your comments to our office by **Monday, June 7, 2004** in order that we may process the application in a timely manner. However, comments may be submitted up to the time of the public hearing. If we receive no response, we will assume you have no concerns. You may use this response form, or, attach a separate letter. Please return your written responses to the Keizer Planning Department, P.O. Box 21000, Keizer, Oregon 97307-1000. Questions regarding the application may be directed to Cheryl Vafakos, Associate Planner, at (503) 390-3700, extension 154. Thank you for your assistance.

PLEASE CHECK THE APPROPRIATE ITEMS:

Comments submitted will be made a part of the decision and are not considered confidential.

- _____ I/we reviewed the proposal and determined I/we have no comment.
- _____ My/our comments are in the attached letter.
- _____ My/our comments are: There is an existing 18-inch sanitary sewer extended south of and adjacent to the Main Lake Labish Ditch, serving the Volcanoes Ball Park. A portion of the system extending south to Tepper Lane NE is not maintained by the City of Salem. There is also an existing 8-inch sewer in Tepper Lane NE, located at the intersection of Jacob Drive NE. There is an existing 10-inch sewer extended from the southwest in Chemawa Road NE to the intersection of Ridge Drive NE. If existing sewer facilities do not have adequate capacity to serve the proposed development, proposed master plan facilities to serve the proposed development shall be submitted to the City of Salem for review and approval. All proposed sewer construction to serve the proposed development shall be designed and constructed to meet the requirements of the City of Salem Sanitary Sewer Design Standards.

Response Date: June 7, 2004

Person commenting: Cheryl L. Schudel

Agency: City of Salem Development Services

Phone No. (not required) 503-588-6211

Address _____

Please return your comments to our office by **Monday, June 7, 2004** in order that we may process the application in a timely manner. However, comments may be submitted up to the time of the public hearing. If we receive no response, we will assume you have no concerns. You may use this response form, or, attach a separate letter. Please return your written responses to the Keizer Planning Department, P.O. Box 21000, Keizer, Oregon 97307-1000. Questions regarding the application may be directed to Cheryl Vafakos, Associate Planner, at (503) 299-3700, extension 154. Thank you for your assistance.

JUN - 4 2004

PLEASE CHECK THE APPROPRIATE ITEMS:

COMMUNITY DEVELOPMENT

Comments submitted will be made a part of the decision and are not considered confidential.

☐ I/we reviewed the proposal and determined I/we have no comment.

☐ My/our comments are in the attached letter.

☒ My/our comments are: We are working with the
Developer on Relocation of Existing Facilities
I have no concerns @ this time

Response Date: 7/1/04

Person commenting: Dallas Melcher

Agency: Portland General Electric

Phone No. (not required) _____

Address _____

Please return your comments to our office by **Monday, June 7, 2004** in order that we may process the application in a timely manner. However, comments may be submitted up to the time of the public hearing. If we receive no response, we will assume you have no concerns. You may use this response form, or, attach a separate letter. Please return your written responses to the Keizer Planning Department, P.O. Box 21000, Keizer, Oregon 97307-1000. Questions regarding the application may be directed to Cheryl Vafakos, Associate Planner at (503) 390-3700, extension 154. Thank you for your assistance.

RECEIVED
CITY OF KEIZER

JUN - 7 2004

PLEASE CHECK THE APPROPRIATE ITEMS:

COMMUNITY DEVELOPMENT
Comments submitted will be made a part of the decision and are not considered confidential.

- ☐ I/we reviewed the proposal and determined I/we have no comment.
- ☒ My/our comments are in the attached letter.
- ☐ My/our comments are: _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

Response Date: 6/7/04 Person commenting: LES SASAKI

Agency: MARION COUNTY PLANNING

Phone No. (not required) 503-888-5038 Address PO Box 14500
SALEM, OR 97309



Marion County **OREGON**

PUBLIC WORKS

**BOARD OF
COMMISSIONERS**
Sam Brentano
Janet Carlson
Patti Milne

DIRECTOR
James V. Sears, P.E.

ADMINISTRATION

**BUILDING
INSPECTION**

DOG CONTROL

**EMERGENCY
MANAGEMENT**

ENGINEERING

**ENVIRONMENTAL
SERVICES**

**PARKS
PLANNING**

OPERATIONS

SURVEYOR

June 7, 2004

Cheryl Vafakos, Associate Planner
Keizer Planning Department
PO Box 21000
Keizer, Oregon 97307-1000

Re: Master Plan/Subdivision Case No. 2004-21; Keizer Station Village Center

Thank you for the opportunity to review and comment on the proposed application. As indicated in a follow-up notification from the City to the original Request for Comments notice, the Comprehensive Plan amendment/Zone Change is no longer a part of the application request and will not be commented on in this review. The following are comments on the proposed Master Plan and Subdivision application as submitted for review:

A. Subdivision Application

The proposal as submitted appears to be to divide 93-plus acres of EG (Employment General) land into 15 lots, along with 3 tracts (2 dedicated for public park use, it's not clear about the other tract), and 15-plus acres in dedicated rights-of-way.

Marion County does not have substantive comments regarding the commercial subdivision proposal as the review is essentially a compliance with applicable Keizer Development Code standards and it would appear to meet the minimum standards.

1. It is not clear or shown on the tentative subdivision plan if there is a distinction between lots in the subdivision intended for commercial use and those for industrial use. The EG zone requires a minimum of 25% of the area be devoted to listed industrial uses and a maximum of 75% to be developed with commercial uses. The dimensional standards of the EG zone (2.119.09) provide that within the acreage identified for industrial, 80% of the lots must be a minimum of 3 acres, with the remainder at least 1 acre in size. Based on the preliminary plat (sheet PP-4) and the commercial/industrial breakdown of uses listed on the Master Plan (sheet A01), it appears that Lots 1, 2, 3, 9, 10 and 12 would be strictly for "industrial" uses of which 80% of these lots do not meet the minimum dimensional standard.

2. There is a question about the three Tracts identified on the preliminary plat as they are not part of the subdivision but are proposed for dedication to public use. As such, are these tracts to become separate lots owned and maintained by the City or is there to be a separate maintenance agreement (covenant) involving the Keizer Station subdivision development/association and the City with these tracts remaining part of the subdivision and covered by the agreement.

B. Master Plan Review – Village Center (Area A of Keizer Station Plan)

The Master Plan review is a conformance review with all applicable master plan requirements pertaining to the Keizer Station Plan and to Area A (Village Center). The following are comments and review questions pertaining to the master plan review materials, mainly listing items that the City should be reviewing as part of the process:

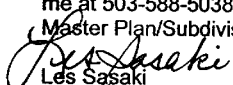
1. It would be helpful if the master plan distinguished/identified areas or lots that are intended to meet the maximum 75% commercial and minimum 25% industrial use standard within the EG zoned area. EG zone requirements state that the location of particular areas devoted to industrial and commercial uses shall be determined as part of the master plan review.
2. During the master planning process, there is a requirement for circulation to and within the KSP to be addressed to promote pedestrian and bicycle access to the site from surrounding areas. Circulation within Area A is indicated on the site plan but connections to surrounding areas need to be included to assess how access to Area A will be provided.
3. A street lighting master plan is required to be developed and the impact of lighting on surrounding areas.
4. Will Area A be developed in phases or as a complete development?
5. As part of the master plan approval process, one of the design standards applying to new development in Area A is that a gateway feature visible from Interstate 5 shall be provided.
6. As part of the transportation system design features applying to the Radiant Drive extension into Area A, the provision for streetscape features require that a landscaped entry and the streetscape design of Radiant Drive and the internal streets shall include landscape features approved by the City Council as part of the master plan approval. The inclusion of streetscape areas as meeting minimum landscape requirements within the EG zone can also be determined as part of the master plan approval requirements. Provision of a Landscape Plan would assist in making such a determination.
7. A coordinated landscape plan for the frontage portion of the Village Center along I-5 needs to be provided.
8. The EG zone contains a limitation on the total floor area of specified uses for all of Area A, with a maximum total floor area of 800,000 square feet for retail

trade uses. It is not clear from the site plan submittal which uses fall under the limitation though the development plan appears to comply with this standard.

9. There is a requirement for the master plan to include a detailed transportation system design plan for the EG zone with the location of transit facilities conforming to Section 2.305 of the KDC. Is transit service being considered for Area A or a transit center that serves the entire Keizer Station Plan area?
10. One of the Area A objectives is to provide a gateway to the sports activities that are/would be part of Area A – Sports Center to the north of the Village Center. How is this gateway concept being incorporated into the development of the Village Center as it transitions into the Sports Center area?
11. Master plan review submittal requirements indicate that plans containing items such as landscaping, pedestrian facilities and connections, calculations of number of parking spaces, the amount of impervious surface and percentage of landscaping, building elevations, traffic impact analysis, and a variety of other items. In reviewing the master plan submittal, these required submittal items should be included in the review.

The Keizer Station Plan and Area A – Village Center contain objectives for what development within the project areas should achieve. Master plan review of these areas as they develop should be directed toward accomplishing these objectives and meeting the design requirements set forth in the Keizer Development Code.

If you have any questions about any of the comments being submitted, please contact me at 503-588-5038. Thanks again for the opportunity to review and comment on the Master Plan/Subdivision proposal for the Village Center Area of the Keizer Station Plan.


Les Sasaki
Principal Planner
Marion County Planning Division

Please return your comments to our office by **Monday, June 7, 2004** in order that we may process the application in a timely manner. However, comments may be submitted up to the time of the public hearing. If we receive no response, we will assume you have no concerns. You may use this response form, or, attach a separate letter. Please return your written responses to the Keizer Planning Department, P.O. Box 21000, Keizer, Oregon 97307-1000. Questions regarding the application may be directed to Cheryl Vafakos, Associate Planner, at (503) 390-3700, extension 154. Thank you for your assistance.

RECEIVED
MAY 27 2004
CITY OF KEIZER
OREGON 97303

PLEASE CHECK THE APPROPRIATE ITEMS:

Comments submitted will be made a part of the decision and are not considered confidential.

☐ I/we reviewed the proposal and determined I/we have no comment.

☒ My/our comments are in the attached letter.

My/our comments are: _____

Response Date: 5/26/04 Person commenting: Richard M Satter
Phone No. (not required) 503-581-7276 Address 2463 Latona Ct

May 26, 2004

Keizer Planning Department
Cheryl Vafakos, Associate Planner
P.O. Box 21000
Keizer, OR 97307-1000

Dear Cheryl,

This letter is written with concern about the Comprehensive Plan Map Amendment, Zone Change, Master Plan and Subdivision Case No 2004-21.

I feel this plan would cause great harm to the neighbors and neighborhoods surrounding this project.

1) The traffic around McLeod Lane, Lockhaven, Chemawa and the I-5 area are already very heavy at times. This project would cause chaos during the busy times of the day, and cause all day traffic problems for the area.

2) Commercial and Industrial properties must have a barrier from residential neighborhoods. Normally this is done with a park or Multifamily property. There is no buffer zone or screening area being offered between the houses and the proposed project. Looking out our back windows at the back of commercial buildings, trucks, and garbage containers is unacceptable. This would make our homes undesirable to live in and greatly reduce the value of our homes.

3) Commercial properties and delivery trucks cause a lot of early morning and late night noise. There is not a sound barrier or enough distance between the houses and proposed project. Family neighborhoods must be kept quiet so families can rest and enjoy their lives. Large trucks would be driving right behind these commercial buildings at all times of the day and night. The noise and sight of this is not acceptable for a residential area.

Please consider these concerns. If this project is allowed to go forward, changes need to be made to the proposal to protect the quality of living in Keizer and protect the families and neighborhoods in Keizer.

Sincerely yours,



Richard M. Satter
3000 Market St., N.E., Suite 108
Salem, OR 97301
503-581-7276

2463 Latona Ct.

Please return your comments to our office by **Monday, June 7, 2004** in order that we may process the application in a timely manner. However, comments may be submitted up to the time of the public hearing. If we receive no response, we will assume you have no concerns. You may use this response form, or, attach a separate letter. Please return your written responses to the Keizer Planning Department, P.O. Box 21000, Keizer, Oregon 97307-1000. Questions regarding the application may be directed to Cheryl Vafakos, Associate Planner, at (503) 390-3700, extension 154. Thank you for your assistance.

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☐ I/we reviewed the proposal and determined I/we have no comment.

☐ My/our comments are in the attached letter.

X My/our comments are: We are Supporting
zone changes requested
by NW National LLC.
We own Property Very near
the areas in question.
We also support a Quick
approval with minimum
Delay due to appeals
or other. It is advantageous
for the building of the
target store to go forward
without delays.

Response Date: 5.28.04

Person commenting: Linda Paulins

Phone No. (not required) 541-548-

Address home - 2046 NW Hickory

RECEIVED
CITY OF KEIZER

JUN - 1

COMMUNITY DEVELOPMENT

Redmond, or
97756

Please return your comments to our office by **Monday, June 7, 2004** in order that we may process the application in a timely manner. However, comments may be submitted up to the time of the public hearing. If we receive no response, we will assume you have no concerns. You may use this response form, or, attach a separate letter. Please return your written responses to the Keizer Planning Department, P.O. Box 21000, Keizer, Oregon 97307-1000. Questions regarding the application may be directed to Cheryl Vafakos, Associate Planner, at (503) 390-3700, extension 154. Thank you for your assistance.

PLEASE CHECK THE APPROPRIATE ITEMS:

Comments submitted will be made a part of the decision and are not considered confidential.

RECEIVED
CITY OF KEIZER

MAY 28 2004

☐ I/we reviewed the proposal and determined I/we have no comment.

☐ My/our comments are in the attached letter.

COMMUNITY DEVELOPMENT

☒ My/our comments are: And just who are
we planning on coming into
business in this area why
do we build new buildings &
then leave them vacant. Why
don't we support downtown
Keizer & downtown Salem &
move businesses into the
vacant buildings. Progress
is fine - but I think we need
to consider existing businesses,
especially in these economic
times.

Response Date: 5.26.04 Person commenting: Denise Norby

Phone No. (not required) _____ Address 2462 Northtree Ct. NE

Added comment - I fear the Keizer wells
will not be able to accomodate
these new sites - as it is, sometimes in
the summer you get sand in the water!

Please return your comments to our office by **Monday, June 7, 2004** in order that we may process the application in a timely manner. However, comments may be submitted up to the time of the public hearing. If we receive no response, we will assume you have no concerns. You may use this response form, or, attach a separate letter. Please return your written responses to the Keizer Planning Department, P.O. Box 21000, Keizer, Oregon 97307-1000. Questions regarding the application may be directed to Cheryl Vafakos, Associate Planner, at (503) 390-3700, extension 154. Thank you for your assistance.

PLEASE CHECK THE APPROPRIATE ITEMS:

Comments submitted will be made a part of the decision and are not considered confidential.

☒ I/we reviewed the proposal and determined I/we have no comment.

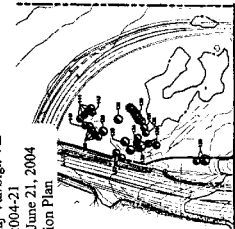
☐ My/our comments are in the attached letter.

☐ My/our comments are: _____

Response Date: 6-1-04 Person commenting: Salem-Keizer Public Schools
David Fridenmaker, Director of P&C
3630 State Street
Phone No. (not required) _____ Address Salem, OR 97301-5316
503-399-3290

JUN 03 2004
DIRECTOR 37353

Exhibit '5'
 Master Plan/Maj Var/Sign Var
 Case No. 2004-21
 Jail Hearing June 21, 2004
 Keizer Station Plan



TREE DATA

DATE	BY	REVISION	DESCRIPTION
06/21/04	WJH	1	INITIAL TREE INVENTORY
06/21/04	WJH	2	REVISION TO TREE INVENTORY
06/21/04	WJH	3	REVISION TO TREE INVENTORY
06/21/04	WJH	4	REVISION TO TREE INVENTORY
06/21/04	WJH	5	REVISION TO TREE INVENTORY
06/21/04	WJH	6	REVISION TO TREE INVENTORY
06/21/04	WJH	7	REVISION TO TREE INVENTORY
06/21/04	WJH	8	REVISION TO TREE INVENTORY
06/21/04	WJH	9	REVISION TO TREE INVENTORY
06/21/04	WJH	10	REVISION TO TREE INVENTORY



- GENERAL KEY**
- EXISTING TREES TO BE REMOVED
 - EXISTING TREES TO BE PRESERVED
 - EXISTING TREES TO BE PRESERVED
 - EXISTING TREES TO BE PRESERVED

EXISTING TREE DATA

TREE ID	DATE	BY	REVISION	DESCRIPTION
1	06/21/04	WJH	1	INITIAL TREE INVENTORY
2	06/21/04	WJH	2	REVISION TO TREE INVENTORY
3	06/21/04	WJH	3	REVISION TO TREE INVENTORY
4	06/21/04	WJH	4	REVISION TO TREE INVENTORY
5	06/21/04	WJH	5	REVISION TO TREE INVENTORY
6	06/21/04	WJH	6	REVISION TO TREE INVENTORY
7	06/21/04	WJH	7	REVISION TO TREE INVENTORY
8	06/21/04	WJH	8	REVISION TO TREE INVENTORY
9	06/21/04	WJH	9	REVISION TO TREE INVENTORY
10	06/21/04	WJH	10	REVISION TO TREE INVENTORY

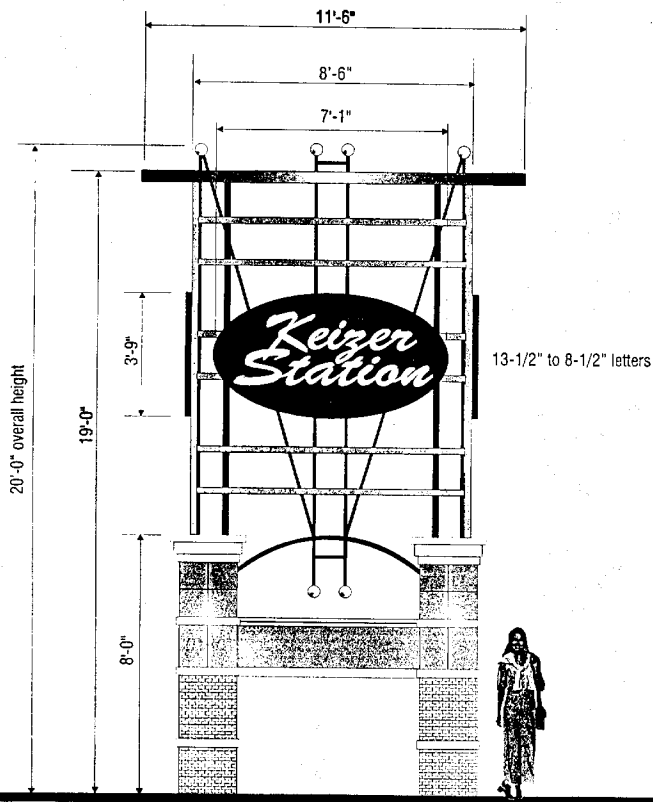
TREE ID	DATE	BY	REVISION	DESCRIPTION
11	06/21/04	WJH	11	REVISION TO TREE INVENTORY
12	06/21/04	WJH	12	REVISION TO TREE INVENTORY
13	06/21/04	WJH	13	REVISION TO TREE INVENTORY
14	06/21/04	WJH	14	REVISION TO TREE INVENTORY
15	06/21/04	WJH	15	REVISION TO TREE INVENTORY
16	06/21/04	WJH	16	REVISION TO TREE INVENTORY
17	06/21/04	WJH	17	REVISION TO TREE INVENTORY
18	06/21/04	WJH	18	REVISION TO TREE INVENTORY
19	06/21/04	WJH	19	REVISION TO TREE INVENTORY
20	06/21/04	WJH	20	REVISION TO TREE INVENTORY

Northwest National, LLC
 2000 NW 10th Ave.
 Suite 200
 Portland, OR 97209
 Phone: 503.444.4444
 Fax: 503.444.4444

Master Plan
Keizer Station Village Center
 Keizer, Oregon

Preliminary Tree Inventory Plan





scale: 3/8"=1'-0"

TubeArt

Signs & Sports Displays
4243A SE International Way
Milwaukie, OR 97222
Tel 503-552-1130
Fax 503-455-0109

20534
100334 Keizer Station DP
FILE NAME
44807
CUSTOMER NO.

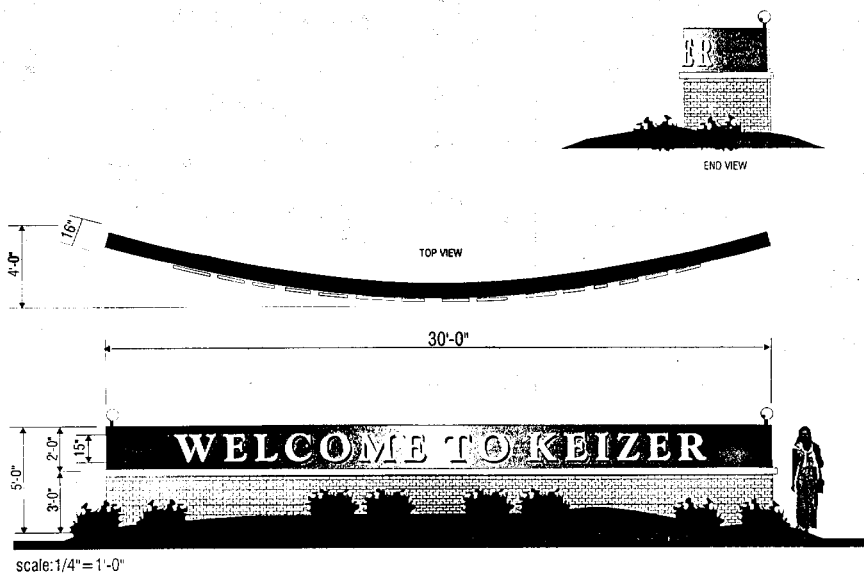
A. Contact
B. Sign
C. Date
4-19-04
DATE

Approved
Approved with changes noted
CUSTOMER SIGNATURE
DATE
CONTRACT NUMBER
DATE

Keizer Station
1-5 @ Chemawa
Keizer, Oregon

OPTION [B]

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OPTION [D]

TubeArt

Signs & Sports Displays
42434 SE International Way
Milwaukie, OR 97222
Tel: 503-653-1133
Fax: 503-659-9191

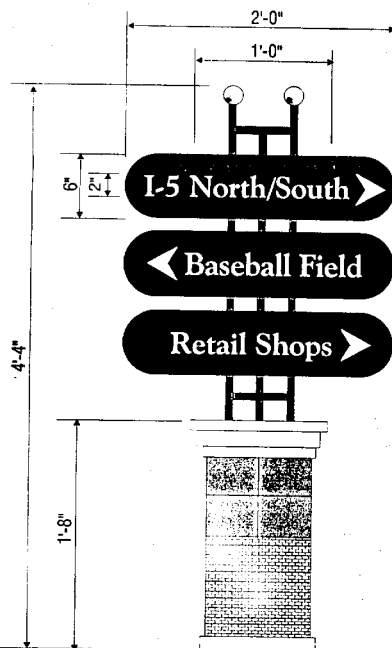
102534
CUSTOMER NAME
22004 W. 20th St.
TILLAMOOK, OR 97141
#1001
DATE ORDERED: 02-11-04

A. Contact
B. Name
C. Phone
D. E-mail
E. Address
F. City
G. State
H. Zip
I. Date
J. Signature
K. Title

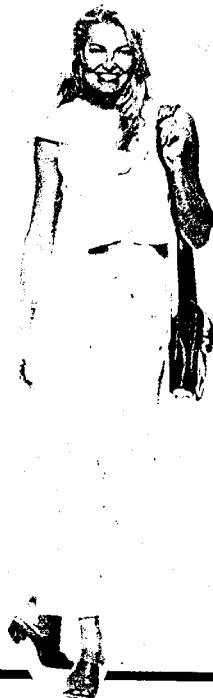
1. Approved
2. Approved with changes noted
CUSTOMER SIGNATURE
DATE
CUSTOMER SIGNATURE
DATE

Keizer Station
1-5 @ Chemawa
Keizer, Oregon

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Scale: 1-1/2" = 1'-0"



TubeArt

Signs & Sports Displays
4243A SE International Way
Milwaukie, OR 97222
Tel 503-653-1133
Fax 503-659-9191

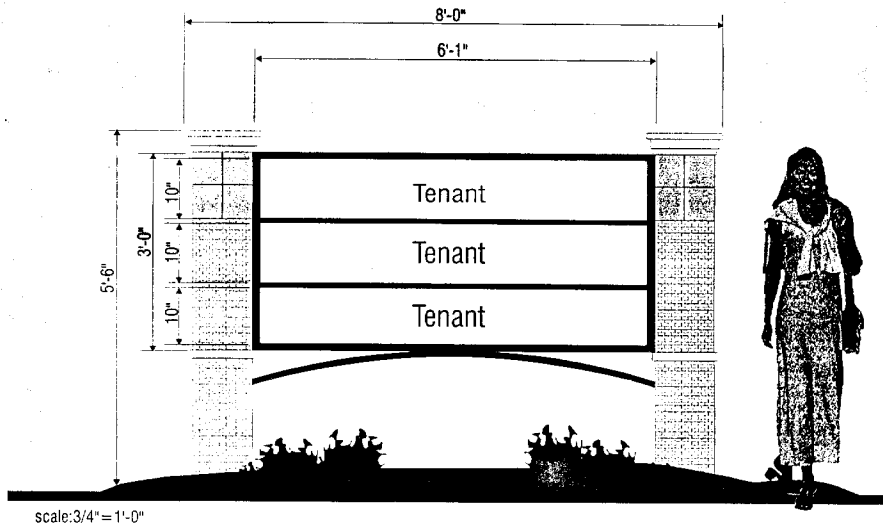
102524
2/1/2004
102534/Keizer/Station/04
P.L.S. MARK
#4927
CUST#121614-03

A. Client
B. Station
C. Sign
D. Date
E. Price
F. Notes

1. Approved
2. Approved with changes noted
CUST#121614-03
DATE
CUST#121614-03
DATE

Keizer Station
I-5 @ Chemawa
Keizer, Oregon

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OPTION [F]

TubeArt

Sign & Sports Displays
4244 SE International Way
Milwaukie, OR 97222
Tel: 503-663-1133

100534

815 1A - 100534

100534@tubart.com

4/10/07

01/10/07

A. Client:

B. Designer:

C. Date:

D. Title:

I. Approved:

J. Approved with changes noted:

K. Customer Signature:

L. Date:

M. Customer Signature:

Keizer Station

I-5 @ Chemawa
Keizer, Oregon

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9755 SW Barnes Road, Suite 300
Portland OR 97225
503.626.0455
Fax 503.526.0775

MEMORANDUM

TO: Nate Brown
FROM: Matt Simpson
DATE: June 7, 2004
CC: Rick Martin
FILE #: 30772.0500

Exhibit '7'
Sub/Master Plan/Maj Var/Sign Var
Case No. 2004-21
Council Hearing June 21, 2004
Keizer Station Plan

RE: Revised Narrative For: Existing On-Site Tree Analysis, Site Perimeter Landscape Areas, and Irrigation Design

Nate,

The following is text revision to the Keizer Station Landscape Narrative as requested.

Existing Landscape – Reference Sheet T01

Existing On-Site Tree Analysis, Preservation, and Removal: All significant trees and vegetation that fall within the site boundaries have been evaluated through on-site field observation. These evaluations rely on visual assessments using a simple industry standard scale that rates the conditions of living trees as 'good', 'fair', and 'poor'. This rating along with general comments is listed on the 'Existing Tree Data' chart on sheet T01. Visual assessment and evaluation of the existing trees included approximate location (aerial photo), quantity, size (DBH standards), health / condition of species, botanical interest, hazard potential (current and future), historic significance, and proximity to infrastructure and hardscape damage (current and future).

On-site observation and information gathered indicated that most of the existing deciduous trees are a combination of alder, ash, poplar, maple, birch, oak, unidentified sucker, and common orchard fruit and nut trees. Evergreen trees observed on-site include cedar, fir, pine, and sequoia and ranged from poor/fair to good condition. Removal of existing significant trees shall meet the requirements of Keizer Development Code (KDC) 2.309.04 b.7 and Tree Preservation Ordinance 95-332.

From the evaluation process, the existing trees are broken out into three categories as follows:

1. Poor Condition / Damaged / Diseased Trees

These categorized trees were typically observed to be in poor condition. Many have outgrown their useful life expectancy and have had no arboricultural maintenance to correct poor structural growing conditions which has resulted in weak and/or broken branches. Many others have been damaged by

- **Memorandum - continued**
- **Page 2**

winter storms and ice over the years. Field observation indicated that approximately thirty-eight (38) trees fall within this category and should be removed.

2. In-appropriate Species For Urban Development

These categorized trees were typically observed to be an inappropriate specie that would visually and safety-wise be unacceptable in the new urban environment. Most trees identified were old orchard tree (fruit / nut) species that have poor structural shape, broken limbs, and still yield a minimal crop. Field observation indicated that approximately forty-three (43) trees fall within this category and should be removed.

3. Trees within Site Construction / Development

These categorized trees were typically observed to be in fair to good condition. Unfortunately, due to the site layout of proposed roadways, parking lots, building footprints, grading, and overall site development, coupled with the condition and/or hazard potential, most trees will need to be removed. Field observation indicated that approximately two hundred seventy (270) trees fall within this category and should be removed.

Working through site development with the design team, twelve (12) significant evergreen and two (2) significant deciduous on-site trees were identified to remain and have been incorporated into the new site landscape development. Also, a grove of Aspen and Ash / Alder have been preserved within the Wetland delineation area.

Proposed Tree Mitigation

Current KDC regarding tree replacement mitigation requires a ratio of two new trees for every one tree removed. The Landscape Master Plan development for Keizer Station reflects a proposed **ratio of 7.7 new trees for every one tree removed.**

Site Perimeter Landscape

Site Perimeter Landscape Areas: Design of perimeter landscaping shall be provided in accordance with Keizer Development Code 2.309.05 Screening and Buffering and ODOT street standards as required. Plant materials consisting of large evergreen shrubs and trees will be designed to separate the Village Center and incompatible uses from the neighboring properties along the North, West, and South property lines. Landscape design for the frontage of the Village Center along I-5 (East property line) will highlight and emphasize a twelve foot wide pedestrian / bike pathway system that begins at Chemawa Park and connects to both the Central Park and Tower Park facilities. Existing trees and plant materials within the R.O.W. will remain and will be enhanced with additional plant materials introduced along the pathway system. With the design of proposed trees and plants, view corridors will be created along the East property line to enhance focal points (parks, plazas, signage). Screening of parking lots and building service areas will be accomplished with the design of large broadleaf evergreen shrubs and evergreen trees.

Irrigation Design

Irrigation: The purpose of the irrigation system will be to provide supplemental water when rain is not sufficient to maintain the turf and landscape for its intended purpose. A quality irrigation system and proper management will be required to distribute water in a way that adequately maintains plant

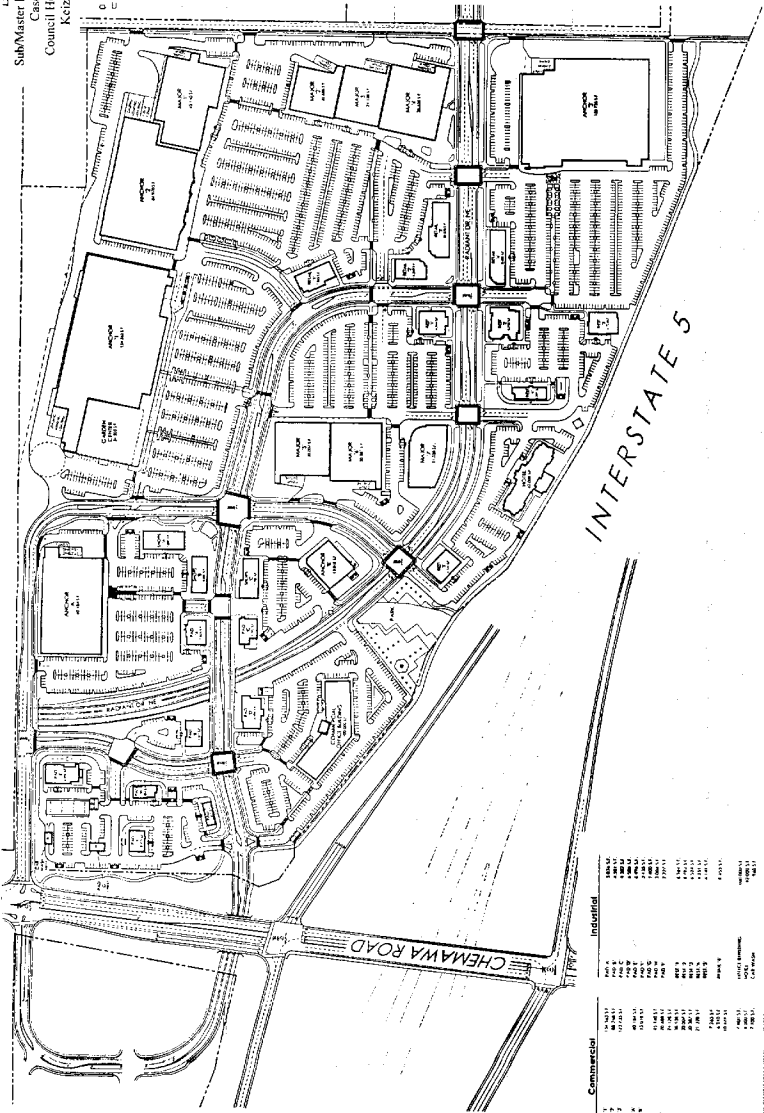
- ***Memorandum - continued***

- ***Page 3***

materials while conserving and protecting water resources and the environment. Assuring the overall quality of the system will require attention to system design, installation, maintenance, and management in the following sense:

- The irrigation system will be designed to be efficient and to uniformly distribute the water.
- The irrigation system will be installed according to Keizer Development Code and design specifications.
- The irrigation system shall be regularly maintained to preserve the integrity of the design and sustain efficient operation.
- The irrigation controller program shall be managed to maintain a healthy and functional landscape with the minimum required amount of water.

System components could include Rainbird 1800 series spray bodies and nozzles, Rainbird 3500 and 5000 series rotors, Rainbird PEB series electric valves, and Rainbird ESP-MC field satellite controllers.



Commercial		Industrial	
Area 1	100,000	Area 1	100,000
Area 2	100,000	Area 2	100,000
Area 3	100,000	Area 3	100,000
Area 4	100,000	Area 4	100,000
Area 5	100,000	Area 5	100,000
Area 6	100,000	Area 6	100,000
Area 7	100,000	Area 7	100,000
Area 8	100,000	Area 8	100,000
Area 9	100,000	Area 9	100,000
Area 10	100,000	Area 10	100,000
Area 11	100,000	Area 11	100,000
Area 12	100,000	Area 12	100,000
Area 13	100,000	Area 13	100,000
Area 14	100,000	Area 14	100,000
Area 15	100,000	Area 15	100,000
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Area 30	100,000	Area 30	100,000
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Area 32	100,000	Area 32	100,000
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Area 35	100,000	Area 35	100,000
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Area 97	100,000	Area 97	100,000
Area 98	100,000	Area 98	100,000
Area 99	100,000	Area 99	100,000
Area 100	100,000	Area 100	100,000



SITE PLAN

UPDATED 5/20/04
 REVIEW SUBMITTAL 3/30/04

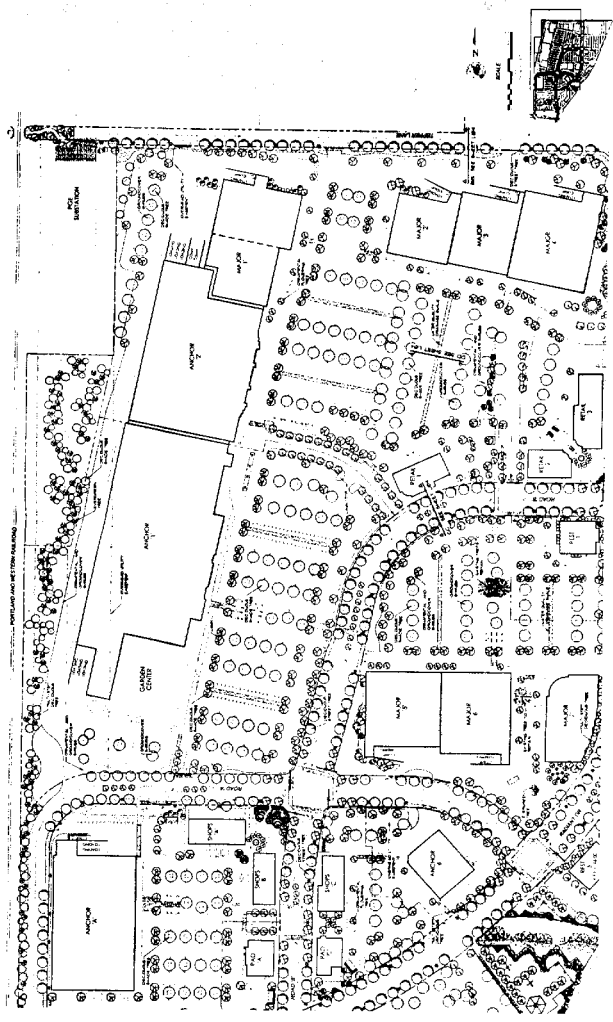
Northwest National, LLC
 2411 The Landing NW
 Portland, OR 97201
 Phone: 503.588.1000
 Fax: 503.588.1001
 RPS Development Company, Inc.
 2411 The Landing NW
 Portland, OR 97201
 Phone: 503.588.1001
 Fax: 503.588.1001

Master Plan Keizer Station Village Center Keizer, Oregon



BENNER
 ASSOCIATES
 ARCHITECTS &
 PLANNERS
 1000 COMMERCIAL AVENUE
 SUITE 200
 PORTLAND, OREGON 97201
 PHONE: 503.255.1111
 FAX: 503.255.1112

A01



Preliminary Landscape Plan

Northwest National, LLC

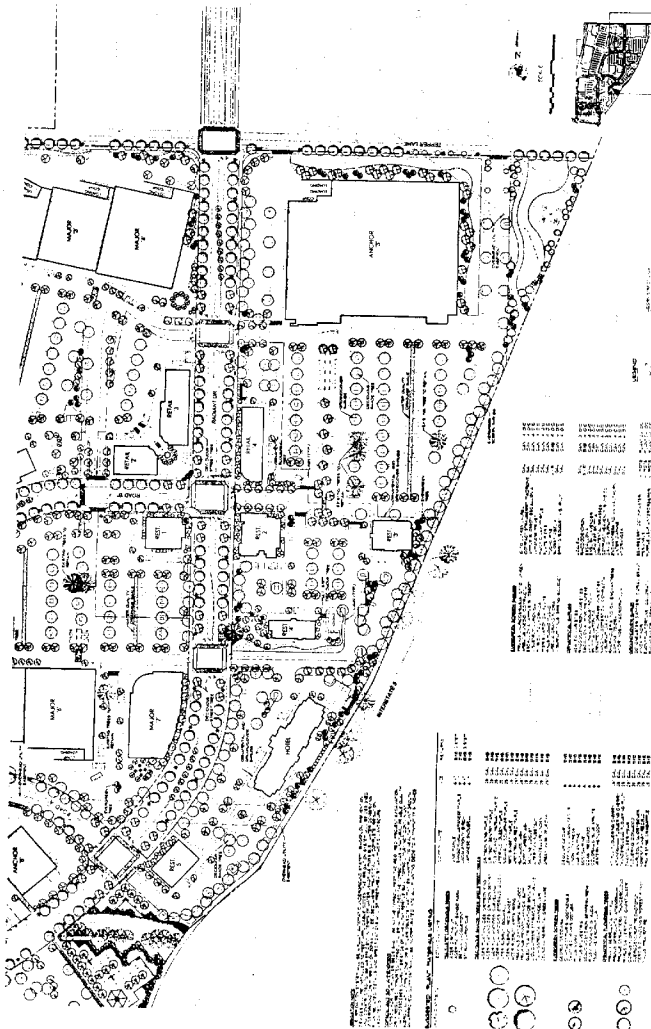
10000 NE 10th Ave, Suite 100
 Portland, Oregon 97220
 Phone: 503.281.1111
 Fax: 503.281.1112
 Email: info@nw-natl.com
 Website: www.nw-natl.com

Master Plan Keizer Station Village Center Keizer, Oregon



L02

11/10/10



Preliminary Landscape Plan

Master Plan

Keizer Station Village Center

Keizer, Oregon



M&H
ENGINEERS

1000 NE Oregon Street
Keizer, Oregon 97138
Phone: (503) 325-1111
Fax: (503) 325-1112

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Northwest National, LLC

1000 NE Oregon Street
Keizer, Oregon 97138
Phone: (503) 325-1111
Fax: (503) 325-1112

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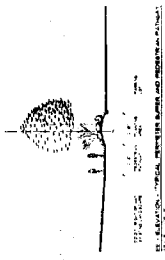
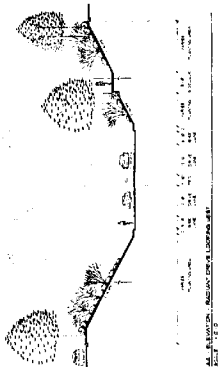
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Preliminary Landscape Sections

Northwest National, LLC

10000 NE 10th Ave, Suite 100
 Portland, OR 97220
 Phone: 503.255.1234
 Fax: 503.255.1235
 Email: info@nw-natl.com

Master Plan

Keizer Station Village Center

Keizer, Oregon

WHL
 PACIFIC

10000 NE 10th Ave, Suite 100
 Portland, OR 97220
 Phone: 503.255.1234
 Fax: 503.255.1235
 Email: info@nw-natl.com

L04

10000 NE 10th Ave, Suite 100
 Portland, OR 97220
 Phone: 503.255.1234
 Fax: 503.255.1235
 Email: info@nw-natl.com

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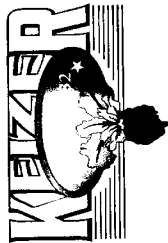
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AGENDA ITEM 5d

**Trepper Estates (FNA Martin Addition) Street
Lighting District**

June 21, 2004

CITY COUNCIL MEETING: June 21, 2004

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: ROB KISSLER
DIRECTOR OF PUBLIC WORKS**

SUBJECT: TREBBER ESTATES STREET LIGHTING DISTRICT

BACKGROUND:

At the May 3, 2004 City Council meeting a Public Hearing was scheduled to consider a Resolution Forming and an Ordinance Spreading Assessments to Trebber Estates (Formerly Known As Martin Addition). A letter was received from Vera Martin requesting her parcels be removed from the district. The Council continued the Public Hearing and requested staff analyze the concerns raised in a letter. Ms Martin's property is identified as Lots 14 and 15 on the attached sub-division map.

Upon review, it was noted at the developers' direction, Lots 14 and 15 were included in the original planning action and legally record sub-division plat. The City's Development Code section 2.310.06 (J) requires the installation of street lights. With this direction and requirements staff move forward with a typical street light district as in past practices. Dale Ave NE will have the ability to serve residential parcels to the north on an adjacent undeveloped acreage and connect to O'Neil road. When this process begins, staff will recommend that this street light district become part of the Trebber Estates Lighting District to reduce costs to all property owners existing and new.

Street light Districts are designed to serve areas not just properties fronting new streets. Many studies have occurred recommending lighting as a deterrent to crime. Ms Martin has rear yard access off Dale Ave and the property area is served by a district street light.

If Ms. Martin wishes lots 14 and 15 be exclude for the Trebber Estates Street Light District, a new petition with 2/3 of the property owner signatures supporting the removal of her lots is needed before the City could take action.

ATTACHMENTS:

Sub-Division Plat Map
Letter from Vera and Dale Martin
Engineer's Report

FISCAL IMPACT:

City budgets are not impacted by actions taken on this issue.

RECOMMENDATION:

Staff recommends the Council close the public hearing and adopt the attached Resolution Forming Trebber Estates (FNA Martin Addition) Street Lighting District and the Ordinance Spreading Assessments to Trebber Estates (FNA Martin Addition) Street Lighting District with the inclusion of Lots 14 and 15.

Please contact me if you have questions.

RECEIVED

APR 16 2004

CITY OF KEIZER
OREGON 97303

VERA/DALE MARTIN
7760 O'Neill Rd NE
Keizer, OR 97303

April 15, 2004

CITY OF KEIZER
PO Box 21000
Keizer, Or 97307-1000

ATTN: Tracy L Davis, CMC, City Recorder

RE: Assessment for street lights for Trebber Estates

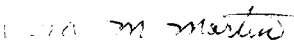
I am registering my disapproval of this assessment on lots 14 and 15. We do not have any lighting for these two lots. The 6 lights that are placed already, all benefit lots 1 thru 13.

When those lights were put in, no one consulted me as to whether I wanted a light, and I do not want one. Lots 14 and 15 face O'Neill rd, and are not part of the new addition. All those lights only benefit those who buy into the new houses. Why am I being made to pay for their benefit? Which two lights are you assessing me for? If you notice, on your map you have marked all the lights, and none of them are situated to benefit our property.

Please reconsider your assessment, and remove lots 14 and 15, as we have no benefit from those lights.

Thank you for your consideration of this request.

Very truly yours,


Vera M Martin

**PETERSON
ENGINEERING
CONSULTANTS, INC.**

4300 Cherry Ave. NE
Keizer, OR 97303
503.390.7402 ph
503.390.7461 fx

April 29, 2004

TRACY DAVIS
City of Keizer
P.O. Box 21000
Keizer, OR 97307-1000

RE: STREET LIGHTING DISTRICT FOR TREBBER ESTATES SUBDIVISION

Dear Tracy:

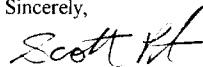
Lots 14 and 15 are included in the referenced subdivision. I believe it was the developers choice not to partition these lots from the rest of the subdivision. The developer probably did not want to wait the additional time necessary for another land use decision. The City has no knowledge of the sale agreement between the former owners of the property, Dale and Vera Martin, and the developer, J.D. Property Development.

It is true that lots 14 and 15 do not benefit from the newly installed street lights for this development, however, these lots may benefit in the near future when the roadway is extended to O'Neil Road. The developer that extends the road will be responsible for additional lighting directly adjacent to lot 14.

One other item of note is the fact that there is an existing street light on O'Neil Road across the road and directly in front of lot 15 that benefits these lots and is not contributed to by either lot 14 or 15.

The first year assessment for all lots in this lighting district is anticipated to be \$92.00 and will reduce to approximately \$71.00 annually thereafter.

Sincerely,



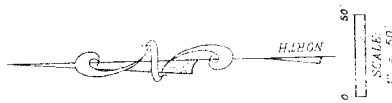
Scott Peterson
Peterson Eng. Consultants, Inc.

c: file #0837

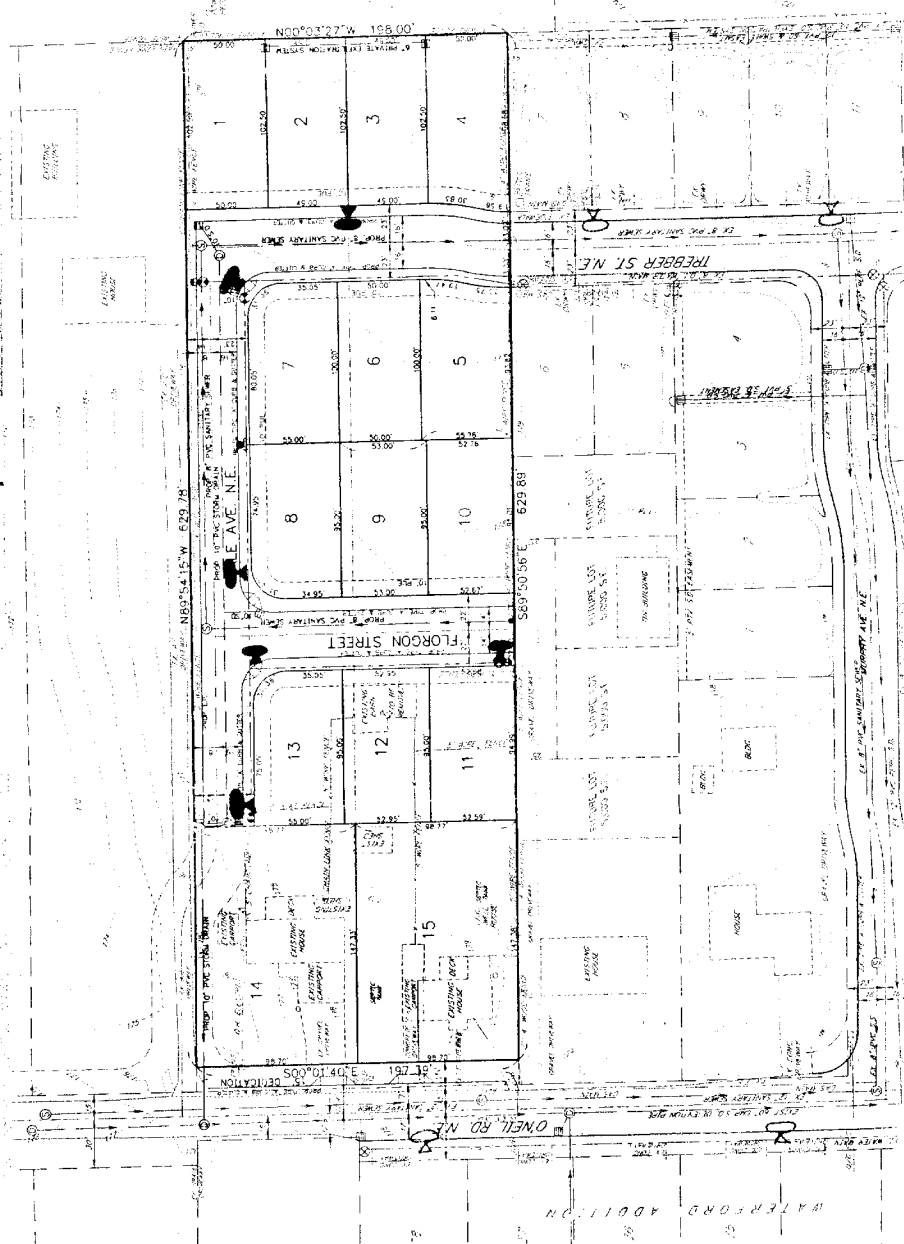
PETERSON ENGINEERING CONSULTANTS, INC. SPECIALIZES IN:

**LAND USE PLANNING & DEVELOPMENT
STREETS, STORM DRAINAGE, & WATER SYSTEMS
CAD, GIS MAPPING & PRESENTATIONS**

**SUBDIVISIONS, PLANNED DEVELOPMENTS
MUNICIPAL ENGINEERING SERVICES
EXPERT WITNESS TESTIMONY**



P - PROPOSED STREET LT.
R - EXIST. STREET LT.



1 **CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**

2 **Resolution R2004-_____**

3 **FORMING TREBBER ESTATES (FNA MARTIN ADDITION) STREET LIGHTING**
4 **LOCAL IMPROVEMENT DISTRICT**

5
6 WHEREAS, the City of Keizer has adopted a Resolution initiating the formation of
7 Trebber Estates (FNA Martin Addition) Street Lighting Local Improvement District; and

8 WHEREAS, the City Council has adopted a Resolution approving the City Engineer's
9 Report for Trebber Estates (FNA Martin Addition) Street Lighting Local Improvement
10 District; and

11 WHEREAS, notice of public hearing to consider formation of street lighting district was
12 mailed as required by Ordinance 94-278; and

13 WHEREAS, the City Council conducted a public hearing to receive objections and
14 remonstrances to the formation of the street lighting district; NOW, THEREFORE,

15 BE IT RESOLVED by the City Council of the City of Keizer that Trebber Estates (FNA
16 Martin Addition) Street Lighting Local Improvement District is hereby formed, and that the
17 street lights shall be installed within a reasonable time and in the manner set forth in the
18 City Engineer's Report for Trebber Estates (FNA Martin Addition) Street Lighting Local
19 Improvement District.

20 PASSED this _____ day of _____, 2004.

21 SIGNED this _____ day of _____, 2004.

22 _____
23 Mayor

24 _____
25 City Recorder
26

A BILL FOR

**AN ORDINANCE SPREADING ASSESSMENTS TO
TREBBER ESTATES (FNA MARTIN ADDITION) STREET LIGHTING LOCAL
IMPROVEMENT DISTRICT**

Section 1. FINDINGS. The City Council of the City of Keizer makes the following findings:

- a. The City Council did heretofore declare its intention to install street lights to serve an area known as Trebber Estates (FNA Martin Addition) Street Lighting Local Improvement District which is described as follows:

Trebber Estates (FNA Martin Addition) -
identified on the assessors map 06.3W.23DD -
tax lot 100 - lots 1-15 in the City of Keizer,
County of Marion, State of Oregon;

which includes the installation of six (6) - 100-watt high pressure sodium flat lens luminaries mounted on six-foot long mast arms and attached to 30 foot gray fiberglass poles located within the subject local improvement district, all in accordance with the City Engineer's Report for Trebber Estates (FNA Martin Addition) Street Lighting Local Improvement District.

- b. The total initial estimated cost of Trebber Estates (FNA Martin Addition) Street Lighting Local Improvement District is \$1386.30.
- c. The per space/lot assessment formula was used for this district.
- d. The improvements in the district have been or will be constructed as provided in the Engineer's Report.
- e. Notice was duly mailed to the benefited property owners on April 13, 2004.

- 1 f. A meeting of the City Council was held at the time and place fixed by public
2 notice for the purpose of considering any such written objections to the
3 proposed assessments.
- 4 g. No written objections to the proposed assessments were filed.
- 5 h. The Council has considered the matter and determined that construction of
6 said improvements was and is of material benefit to the City, and all the
7 property to be assessed therefore will be specially benefited by the
8 improvements in the amounts shown on the assessment roll.

9 NOW, THEREFORE, the City Council of the City of Keizer ordains as follows:

10 Section 2. ASSESSMENTS.

- 11 a. First Annual Assessment. It is hereby determined that the share of the cost
12 of the improvements for Trebber Estates (FNA Martin Addition) Street
13 Lighting Local Improvement District for each parcel and property benefited
14 thereby for the first annual assessment is the amount set opposite the
15 description of each piece or parcel of land as described in Trebber Estates
16 (FNA Martin Addition) Street Lighting District Assessment Roll as set forth in
17 Exhibit "A" attached, and that each piece or parcel of land benefited by the
18 improvements, to the full extent of the amount so set opposite such piece
19 or parcel and that the respective amounts represent the proportionate
20 benefits of said improvements to said respective parcels of property, and
21 the Council does hereby declare that each of the parcels of property
22 described in Trebber Estates (FNA Martin Addition) Street Lighting District
23 Roll as set forth in Exhibit "A" attached is hereby assessed the first annual
24 assessment amount set opposite each respective description.

- i. Summary of first annual assessment costs for formation of the lighting district to serve the area known as "Trebber Estates (FNA Martin Addition) Street Lighting Local Improvement District":

6 - Poles and 100 Watt Luminaries	\$1072.80
Engineering Costs	\$ 210.00
Administrative Fee	<u>\$ 103.50</u>
Total Estimated Assessments	\$1386.30

- ii. The Recorder of the City of Keizer is hereby directed to send a notice of first annual assessment to each owner of assessed property by mail within ten (10) days after this Ordinance levying the first annual installments is passed. The notice shall include information that an application to make installment payments may be filed with the City if the assessment is collected directly from the property owner and not pursuant to ORS 223.866.

- b. Second and Subsequent Annual Assessments. After a municipal lighting district has been formed in accordance with City of Keizer Ordinance 94-278, the second and subsequent annual assessments shall be spread by Resolution which may include changes in the mode of collecting the assessment. The method of assessment and notification for subsequent annual assessments shall be determined in accordance with City of Keizer Ordinance 94-278.

- c. Mode of Collecting Assessments. Assessments for Trebber Estates (FNA Martin Addition) Street Lighting Local Improvement District shall be collected pursuant to ORS 223.866.

- d. Lien on Property. The assessment shall be entered as a lien against the benefited property in the City Lien Docket.

1
2 PASSED this _____ day of _____, 2004.

3
4 SIGNED this _____ day of _____, 2004.

5
6
7 _____
8 Mayor

9
10 _____
11 City Recorder
12
13
14

PRELIMINARY ASSESSMENT ROLL

TREBBER ESTATES SUBDIVISION
STREET LIGHTING DISTRICT

*Assessors Map: 06 3W 23DD
Tax Lot #: 100

<u>Lot #</u>	<u>Owners Name and Address</u>	<u>Cost per Lot</u>	<u>Lots</u>	<u>Assessment</u>
1 - 13	JD Property Development, LLC 650 Melandy Lane NE Salem, OR 97301	\$92.42	13	\$1201.46
14, 15	Martin, Dale F & Vera May 7760 O'neil Rd NE Keizer, OR 97303	\$92.42	2	\$184.84

TOTAL ASSESSMENT \$1386.30



City of Keizer

Phone: (503) 390-3700 • Fax: (503) 393-9437
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, OR 97307-1000

ENGINEER'S REPORT
FOR
TREBBER ESTATES SUBDIVISION
STREET LIGHTING DISTRICT

For City Council Action November 3, 2003



Renewal date: December 31, 2004

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

Date: October 17, 2003

Project File: 0837

TO: The Hon. Mayor and City Council

FROM: City Engineer's Office

SUBJECT: Street Lighting District for the Trebber Estates Subdivision

Authority and Purpose: This report is submitted in accordance with the requirements of City of Keizer **Ordinance No. 94-278** and Council **Resolution 2003-1423** for the purpose of creating the subject Street Lighting District.

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

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

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

Estimated Costs:

Initial Cost and Annual costs -

6 Poles & 100 Watt luminaries @ \$14.89 per month each x 12 mos. =	\$1072.80
Administrative Fee @ \$6.90/Lot:	103.50
Engineering @ \$14.00/Lot:	<u>210.00</u>
Total Assessment	\$1386.30
(1) Per Lot Assessment (First Year, 15 Lots)	\$92.42

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

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

The first year assessment would include the one time costs for District formation and engineering. Subsequent years assessments would reduce to \$71.52 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,

A handwritten signature in dark ink, appearing to read 'William I. Peterson', is written over a horizontal line.

William I. Peterson, PE

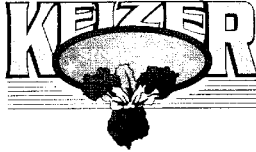


AGENDA ITEM 6a

**Proclamation – Support of Tourism in Marion and
Polk Counties**

June 21, 2004

City of Keizer, Oregon



Proclamation

WHEREAS, Marion and Polk Counties are located in the lush Willamette Valley in the heart of Oregon where the number of visitors to the area are increasing each year; and

WHEREAS, Marion and Polk Counties have agreed that tourism is an important growth industry that will continue to strengthen and diversify our economy; and

WHEREAS, the hospitality industry has developed quality hotels, motels, campgrounds and RV parks available for overnight stays within the region; and

WHEREAS, Marion and Polk Counties have a rich array of attractions for visitors including cultural facilities, family entertainment, historic attractions, gaming, gardens, wineries, four state parks, lodging, shopping, and dining; and

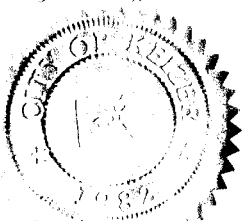
WHEREAS, Marion and Polk Counties enjoy a wide variety of seasonal events, activities and attractions, that have proven to be strong tourism draws; and

WHEREAS, a stronger effort for regional promotion will result in increased visitors to the Marion and Polk County area, creating expenditures that produce enhanced economic benefits to all communities.

THEREFORE, BE IT RESOLVED, the Keizer City Council agrees to support action to improve the visitor industry.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Keizer, Oregon to be affixed to this document this 19th day of April, 2004.

Signed:



October 20, 2003

Eore Christopher, Mayor

Date



AGENDA ITEM 6b

Volunteer of the Quarter Award

June 21, 2004

COUNCIL MEETING: June 21, 2004

AGENDA ITEM NUMBER:

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

FROM: TRACY L. DAVIS, CMC 
CITY RECORDER

SUBJECT: VOLUNTEER OF THE QUARTER AWARD

ISSUE:

The Volunteer Coordinating Committee has selected Gary Miller and the McNary High School Science Class as the Volunteer of the Quarter for fourth quarter 2003. Mr. Miller and his class were nominated for their volunteer contributions to the community on the Claggett Creek Watershed project. Council President Moir will introduce Mr. Miller and summarize the contributions he and his students have contributed to the City over the years.

Mr. Miller was contacted last week and asked to attend the meeting. He indicated he would be attending and would try to contact some of his students to also attend the meeting.

Our thanks and congratulations to Mr. Miller and the students.



AGENDA ITEM 6c

Appointment to the Keizer Urban Renewal Board

June 21, 2004

CITY COUNCIL MEETING : June 21, 2004

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, CMC
CITY RECORDER** 

SUBJECT: KEIZER URBAN RENEWAL BOARD APPOINTMENT

ISSUE:

In February 2004, the three-year term of Greg Rands expired on the Keizer Urban Renewal Board. Mr. Rands was originally appointed in February 2001. He is presently serving as Vice-Chair of the Board and has had excellent attendance during his tenure.

At the June 10, 2004 meeting of the Volunteer Coordinating Committee it was unanimously recommended that Greg Rands be reappointed for another three-year term on the Board.

Mr. Rands has been invited to attend tonight's meeting to receive a proclamation for his volunteer contributions to the Keizer Urban Renewal Board.

RECOMMENDATION:

It is recommended the Council accept the recommendation of the Volunteer Coordinating Committee and reappoint Greg Rands to an additional three-year term on the Keizer Urban Renewal Board.



AGENDA ITEM 6d

Salem Sewer Agreement Update

June 21, 2004

COUNCIL MEETING: June 21, 2004

AGENDA ITEM NUMBER: _____

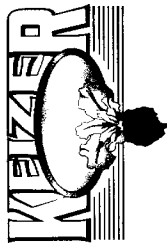
TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**FROM: CHRIS EPPLEY
CITY MANAGER**

SUBJECT: SALEM SEWER AGREEMENT

ISSUE:

Tim Gerling, Public Works Director for the City of Salem has requested time on the agenda to bring the Keizer City Council up to date on the Salem Sewer Agreement discussions.



June 21, 2004

AGENDA ITEM 8a

**RESOLUTION - Ratifying the City Manager's
Agreement to Purchase Property Along Chemawa
Avenue NE from Dorothy Crooks**

CITY COUNCIL MEETING: June 21, 2004

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS
THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER
FROM: JOHN A. LIEN, CITY ATTORNEY 
SUBJECT: PURCHASE OF PROPERTY ALONG CHEMAWA ROAD

This matter is before the Council for approval of the Sale Agreement to purchase real property located along Chemawa Road Northeast from Dorothy M. Crooks. The property will be used for future right-of-way projects.

RECOMMENDATION:

Adopt the attached Resolution ratifying the sale agreement for the purchase of property along Chemawa Road.

Please contact me if you have any questions in this regard. Thank you.

JAL/tmh
attachment

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2004-_____

3 RATIFYING THE CITY MANAGER'S AGREEMENT TO PURCHASE
4 PROPERTY ALONG CHEMAWA ROAD NORTHEAST, KEIZER,
5 MARION COUNTY, OREGON FROM DOROTHY M. CROOKS

6 WHEREAS, Dorothy M. Crooks is the owner of certain property located along
7 Chemawa Road Northeast, Keizer, Marion County, Oregon;

8 WHEREAS, the portion of Mrs. Crooks' land described herein is necessary for
9 the planned improvements to Chemawa Road Northeast;

10 WHEREAS, City staff has negotiated the fair market value for the purchase of
11 such land and the Sale Agreement has been executed by Mrs. Crooks subject to City
12 Council approval;

13 NOW, THEREFORE,

14 BE IT RESOLVED by the City Council of the City of Keizer that the Sale
15 Agreement, a copy of which is attached as Exhibit "A" and by this reference
16 incorporated herein, executed by the Keizer City Manager and Dorothy M. Crooks for
17 the purchase of the property described therein is hereby approved.

18 ///

19 ///

1 BE IT FURTHER RESOLVED that the City Manager is directed and authorized
2 to take all action necessary and appropriate to consummate such transaction. The funds
3 for this transaction will be paid from the street fund.

4 PASSED this _____ day of _____, 2004.

5 SIGNED this _____ day of _____, 2004.

6 _____
7 Mayor

8 _____
9 City Recorder

**SALE AGREEMENT AND
RECEIPT FOR EARNEST MONEY**

DATE: June 7, 2004

SELLER: DOROTHY M. CROOKS, trustee of the
DOROTHY M. CROOKS 2001 Revocable
Living Trust
400 Madrona Ave SE, #102
Salem, OR 97302

BUYER: THE CITY OF KEIZER, an
Oregon Municipal Corporation
c/o John A. Lien
4855 River Road N.
Keizer, OR 97303

RECITAL:

Seller desires to sell to Buyer and Buyer desires to purchase from Seller certain real property with all improvements located on it described as (the "Property"):

See Exhibit "One" attached hereto and by this reference incorporated herein.

The parties acknowledge and agree that this purchase is made under threat of condemnation.

AGREEMENT:

Now, therefore, for valuable consideration, the parties agree as follows:

1. **Sale and Purchase.** Buyer agrees to purchase the Property from Seller and Seller agrees to sell the Property to Buyer for the sum of \$18,533.20 (the "Purchase Price").

2. **Earnest Money.** Seller hereby acknowledges receipt of the sum of \$1,000.00, evidenced by Buyer's promissory note payable within forty-eight (48) hours of ratification of this Agreement pursuant to Condition 6.1.

///

3. Payment of Purchase Price. The Purchase Price shall be paid as follows:

3.1 At closing, the earnest money shall be credited to the Purchase Price.

3.2 At closing, Buyer shall pay the balance of the purchase price in cash.

4. Closing. Closing shall take place on or before June 30, 2004 (the "Closing Date"), at the offices of Fidelity National Title Company of Oregon.

5. Preliminary Title Report. Within ten (10) days after full execution of this Agreement, Seller shall furnish to Buyer a preliminary title report showing the condition of title to the Property, together with copies of all exceptions listed therein (the "Title Report"). Buyer will have ten (10) days from receipt of the Title Report to review the Title Report and to notify Seller, in writing, of Buyer's disapproval of any exceptions shown in the Title Report. Buyer shall not be required to notify Seller with regard to any trust deed or mortgage or other monetary lien which will be presumed disapproved. Those exceptions not objected to by Buyer are referred to below as the "Permitted Exceptions." Zoning ordinances, building restrictions, taxes due and payable for the current tax year, and reservations in federal patents and state deeds shall be deemed Permitted Exceptions. If Buyer notifies Seller of disapproval of any exceptions, Seller shall have fifteen (15) days after receiving the disapproval notice to either remove the exceptions or provide Buyer with reasonable assurances of the manner in which the exceptions will be removed before the transaction closes. If Seller does not remove the exceptions or provide Buyer with such assurances, Buyer may terminate this Agreement by written notice to Seller given within fifteen (15) days after expiration of such 15-day period, in which event the earnest money shall be refunded to Buyer and this Agreement shall be null and void.

6. Conditions. Buyer's obligation to purchase the Property is contingent on satisfaction of each of the following conditions:

6.1 Adoption of a Resolution by the Keizer City Council approving this Sale Agreement and Receipt for Earnest Money.

6.2 Buyer's approval of the preliminary title report within ten (10) days after the same has been furnished to Buyer.

6.3 Buyer's written acceptance of any adverse conditions noted in any inspections, studies, surveys or tests conducted on the Property. Buyer shall have the right, at its expense, to conduct any such inspections, studies, surveys and tests, and Seller agrees to reasonably accommodate such inspectors.

6.4 Buyer's approval in writing of a Level I Environmental Assessment of the subject property to be conducted by a firm approved by Buyer. Buyer shall have the right, at its expense, to conduct such Level I Environmental Assessments, and Seller agrees to reasonably accommodate such inspectors. If the report is unacceptable to Buyer or if it advises that further investigation be undertaken, Buyer shall have the option to either terminate this Agreement, in which case its earnest money shall be refunded to it, or go forward with the agreement on condition that this sale shall be subject to Buyer's approval in writing of any reports generated by said further investigation.

The foregoing conditions are for the benefit of Buyer and may be waived, in whole or in part, by Buyer only. Any waiver must be in writing. Unless waived, if any condition is not satisfied by the date specified, this Agreement may be terminated, at the option of Buyer, by written notice, in which event the earnest money shall be refunded to Buyer.

7. **Deed.** On the Closing Date, Seller shall execute and deliver to Buyer a statutory warranty deed conveying the Property to Buyer, free and clear of all liens and encumbrances except the Permitted Exceptions.

8. **Title Insurance.** Within fifteen (15) days after closing, Seller shall furnish Buyer with an owner's policy of title insurance in the amount of the purchase price, standard form, insuring Buyer as the owner of the Property subject only to the usual printed exceptions and the Permitted Exceptions.

9. **Costs and Expenses.** Seller shall pay for Seller's share of prorations. Buyer shall pay all premiums for the title insurance policy, all escrow fees and costs, all document recording charges, and Buyer's share of prorations. Seller and Buyer shall each pay their own legal and professional fees respectfully. All other costs and expenses shall be allocated between Seller and Buyer in accordance with the customary practice in Marion County, Oregon.

10. **Taxes; Prorates.** Real property taxes for the current tax year and all other usual items shall be prorated as of the Closing Date.

11. **Possession.** Buyer shall be entitled to possession immediately upon closing.

12. **Property Included.** All planted shrubs, plants and trees, and all fixtures are part of the Property and shall be left on the Property by Seller.

///

13. **Personal Property.** No personal property is included as part of the Property being sold to Buyer.

14. **Seller's Representations.** Seller represents and warrants to Buyer as follows:

- (1) Seller knows of no material structural defects with respect to the Property.
- (2) The Property will be in substantially its present condition on the Closing Date.
- (3) Seller has received no written notice of any liens to be assessed against the Property.

(4) Seller has received no written notice from any governmental agency of any violation of any statute, law, ordinance, or deed restriction, rule, or regulation with respect to the Property.

(5) Seller is not a "foreign person" as that term is defined in IRC §1445.

(6) The Property has never been used for the storage or disposal of any hazardous material or waste. There are no environmentally hazardous materials or wastes contained on or under the Property and the Property has not been identified by any governmental agency as a site upon which environmentally hazardous materials or wastes have been or may have been located or deposited.

All representations and warranties contained in this Agreement will survive closing and the conveyance of the Property to Buyer.

Pursuant to ORS 105.465(1)(a), Buyer hereby indicates to the Seller, and such indication is conclusive, that the real property will be used for purposes other than a residence for the Buyer or the Buyer's spouse, parent or child. Therefore, a statutory seller's disclosure or disclaimer form is not required.

15. **Buyer Held Harmless as Municipal Government.** Seller agrees and understands that Buyer's responsibility and obligations under this Agreement do not and cannot bind Buyer as to its duties as municipal government which are necessarily separate and apart from its obligations hereunder. To that end, with regard to any actions that may affect Seller's operation of the Premises in any manner whatsoever, Seller agrees that enforcement in good faith of any lawful ordinances or regulations or any other acts Buyer may take with regard to the adoption of appropriate and necessary laws and ordinances, or any other acts Buyer may take in its role as municipal government shall not be restricted by

the fact that Buyer entered into this Agreement. However, nothing in this Section shall be interpreted to permit Buyer to act or fail to act in any way inconsistent with any common law, constitutional or statutory rights of Seller or the established duties and obligations of Buyer as a municipal body. This provision shall survive closing and shall not merge with the deed.

16. Binding Effect/Assignment Restricted. This Agreement is binding on and will inure to the benefit of Seller, Buyer, and their respective heirs, legal representatives, successors, and assigns.

17. Remedies. TIME IS OF THE ESSENCE REGARDING THIS AGREEMENT. If the conditions described in Section 6 above are satisfied or waived by Buyer and the transaction does not thereafter close, through no fault of Seller, before the close of business on the Closing Date, Buyer shall forfeit the earnest money deposit to Seller as liquidated damages, and this Agreement shall be of no further effect, it being the intention of the parties that Buyer may forfeit the earnest money and be free of any further obligations under this Agreement. If Seller fails to deliver the deed described in Section 7 above on the Closing Date or otherwise fails to consummate this transaction, the earnest money shall be refunded to Buyer, but acceptance by Buyer of the refund will not constitute a waiver of other remedies available to Buyer.

18. Attorney Fees. If an action is instituted to enforce any term of this Agreement, the prevailing party shall recover from the losing party reasonable attorney fees incurred in such action as set by the trial court and, in the event of appeal, as set by the appellate courts.

19. Notices. All notices and communications in connection with this Agreement shall be given in writing and shall be delivered personally or transmitted by certified or registered mail, return receipt requested, to the appropriate party at the address first set forth above. Any notice so transmitted shall be deemed effective on the date delivered personally or it is placed in the United States mail, postage prepaid. Either party may, by written notice, designate a different address for purposes of this Agreement.

20. Entire Agreement. This Agreement sets forth the entire understanding of the parties with respect to the purchase and sale of the Property. This Agreement supersedes any and all prior negotiations, discussions, agreements, and understandings between the parties. This Agreement may not be modified or amended except by a written agreement executed by both parties.

21. Applicable Law. This Agreement shall be construed, applied, and enforced in accordance with the laws of the state of Oregon.

22. **Required Statutory Warning.** THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

23. **Agreement Preparation.** Seller understands that the law firm of Lien & Johnson prepared this Agreement on behalf of the Buyer and in no way represents the Seller. Seller is advised to seek independent legal counsel.

24. **Commission.** Seller is responsible for any commission to any broker on sale of the property and Seller shall indemnify, save harmless and defend Buyer if any claim for commission is brought based on any statement, representation or agreement made by Seller.

SELLER:

DATE: 6/7/04

Dorothy M. Crooks

Dorothy M. Crooks, Trustee of the
Dorothy M. Crooks 2001 Revocable
Living Trust

DATE: 6/7/04

BUYER:

DATE: June 7, 2004

THE CITY OF KEIZER, an Oregon
Municipal Corporation

By: [Signature]

Christopher C. Eppley,
City Manager

"EXHIBIT 1"
A Portion of Lot 5
Benjamin Claggett's Subdivision

Beginning at the Northwest corner of Lot 5, Block 2, of Benjamin Claggett's Subdivision, as recorded in Marion County Record of Town Plats, Volume 16, Page 15, in Section 2, Township 7 South, Range 3 West, Willamette Meridian, Marion County, Oregon; thence South 11 degrees 23 minutes East a distance of 74.28 feet along the West line of Lot 5 to the true point of beginning; thence North 85 degrees 34 minutes 04 seconds East a distance of 98.26 feet; thence along a curve to the left with a radius of a 701.50 feet with a angle delta of 26 degrees 39 minutes 39 seconds and an arc distance of 326.42 feet the cord of which bears (North 67 degrees 17 minutes 23 seconds East a distance of 323.48 feet) to a point that intersects the Northern right of way of Chemawa road; thence along said right of way along a curve to the left with a radius of a 316.48 feet with a angle delta of 10 degrees 01 minutes 33 seconds and an arc distance of 55.38 feet the cord of which bears (South 49 degrees 04 minutes 56 seconds West a distance of 55.31 feet); thence along said right of way South 44 degrees 04 minutes 10 seconds West a distance of 93.20 feet; thence along said right of way along a curve to the right with a radius of a 256.48 feet with a angle delta of 45 degrees 58 minutes 00 seconds and an arc distance of 205.77 feet the cord of which bears (South 67 degrees 03 minutes 10 seconds West a distance of 200.29 feet); thence along said right of way North 89 degrees 57 minutes 50 seconds West a distance of 95.50 feet to the Southwest corner of Lot 5; thence leaving said right of way line along the West line of Lot 5 North 11 degrees 23 minutes West a distance of 49.72 feet to the true point of beginning. Containing 0.41 acres of land more or less.

"EXHIBIT 1"

A Portion of Tax Lot 100 7S 3W 2AA

Beginning at the Northwest corner of Lot 5, Block 2, of Benjamin Claggett's Subdivision, as recorded in Marion County Record of Town Plats, Volume 16, Page 15, in Section 2, Township 7 South, Range 3 West, Willamette Meridian, Marion County, Oregon; thence South 11 degrees 23 minutes East along the West line of Lot 5 a distance of 74.28 feet to the true point of beginning; thence along said line South 11 degrees 23 minutes East a distance of 49.72 feet to the Northern right of way of Chemawa Road; thence along said right of way North 89 degrees 57 minutes 49 seconds West a distance of 123.73 feet; thence leaving said right of way North 35 degrees 01 minutes 53 seconds West a distance of 29.08 feet; thence North 79 degrees 06 minutes 34 seconds East a distance of 110.16 feet; thence North 85 degrees 34 seconds 04 minutes East a distance of 17.85 feet to the true point of beginning. Containing 0.11 acres of land more or less.

Exhibit A Page 8 of 9

Exhibit 1 Page 2 of 2

PROMISSORY NOTE GIVEN AS EARNEST MONEY

on Sale of Property to:

Dorothy M. Crooks, trustee of the Dorothy M. Crooks 2001 Revocable Living Trust

DATE: June 7, 2004

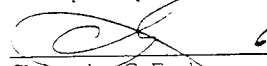
Amount: \$1,000.00

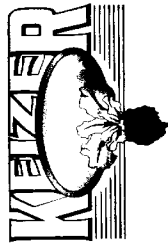
Upon satisfaction of Condition 6.1 as set forth in the Sale Agreement and Receipt for Earnest Money, the undersigned, on behalf of the City of Keizer, promises to pay the sum of One Thousand Dollars (\$1,000.00). Said sum shall be deposited in the escrow pending on the transaction at Fidelity National Title Company of Oregon.

If this Note is placed in the hands of an attorney for collection, the City of Keizer promises and agrees to pay holder's reasonable attorney's fees and collection costs, even though no suit or action is filed hereon; if a suit or an action is filed, the amount of such reasonable attorney's fees shall be fixed by the court or courts in which the suit or action, including any appeal therein, is tried, heard or decided.

This Promissory Note is subject to the terms and conditions of the above referenced offer.

CITY OF KEIZER, an Oregon
municipal corporation


Christopher C. Eppley
City Manager



AGENDA ITEM 8b

RESOLUTION - Authorization for Resolution Transfer

June 21, 2004

COUNCIL MEETING: June 21, 2004

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

FROM: SUSAN GAHLSDORF, FINANCE DIRECTOR

SUBJECT: RESOLUTION TRANSFERS

BACKGROUND:

ORS 294.450 allows for the transfer of appropriation authority within a fund during the fiscal year and for the transfer of appropriation authority from the General Fund to any other fund during the fiscal year. The transfers are needed as specified on the attached resolution.

ISSUES AND FISCAL IMPACT:

The dollar amounts of the transfers are on the attached resolution. Sufficient dollars exist in each Fund to cover the transfers without materially affecting the beginning fund balances of the FY05 budget.

RECOMMENDATION:

Staff recommends that the City Council adopt the attached Appropriation Transfer Resolution.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2004-_____

AUTHORIZATION FOR RESOLUTION TRANSFER

WHEREAS ORS 294.450 allows for the transfer of appropriation authority within a fund during the fiscal year;

WHEREAS ORS 294.450 allows for the transfer of appropriation authority from the General Fund to any other fund during the fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Keizer, that the following transfer be made for fiscal year ending June 30, 2004:

	<u>Increase</u>	<u>Decrease</u>
General Fund		
Baseball Stadium Program	\$1000	
Contingency		\$1000

Funds are needed for the property tax payment on the Volcano Stadium property as provided for in the lease agreement. The expenditures were underestimated when the budget was adopted.

	<u>Increase</u>	<u>Decrease</u>
Public Education Government (PEG) Fund		
General Fund Contingency	\$745	\$745

Funds are needed for travel expenditures to research a Video Server for Station K23. This expenditure was not known when the budget was adopted.

	<u>Increase</u>	<u>Decrease</u>
9-1-1 Fund		
Materials & Services	\$14,736	
Contingency		\$14,736

Forty-three percent of the 9-1-1 Excise Tax Revenues are to be distributed to the Marion County Rural Fire District and the Keizer Fire District, collectively. These Revenues were underestimated in the budget; consequently the distribution to the two fire districts was also underestimated.

1 **Utility Fund (Sewer)**
2 **Materials & Services**
3 **Revenue**

Increase **Increase**
\$350,000 **\$350,000**

4
5 The Utility Fund is primarily a pass-through Fund. The City of Keizer collects the sewer
6 payments and remits these funds to the City of Salem. The fiscal year 2004 rates were
7 not established when the budget was adopted. The budget was based on an
8 estimated five percent increase in revenues. Actual revenues increased fifteen percent
9 over fiscal year 2003. Consequently, Salem Sewer Payment expenditures are under
10 estimated by the amount of additional revenue received.

11
12 **Utility Fund (Sewer)**
13 **Capital Outlay**
14 **Contingency**

Increase **Decrease**
\$100 **\$100**

15
16 Additional funds are needed to purchase chairs for the City Hall Conference Room.
17 The Utility Fund portion of this cost is slightly less than \$100.

18
19 **Street Lighting District Fund**
20 **Capital Outlay**
21 **Contingency**

Increase **Decrease**
\$100 **\$100**

22
23 Additional funds are needed to purchase chairs for the City Hall Conference Room.
24 The Street Lighting District Fund portion of this cost is less than \$100.

25
26
27 **PASSED this ____ day of _____, 2004.**

28 **SIGNED this ____ day of _____, 2004.**

29
30
31
32
33 _____
34 **Mayor**

35
36
37 _____
City Recorder



June 21, 2004

AGENDA ITEM 9a

**RESOLUTION - Authorizing the City Manager To
Enter Street Sweeping Agreement Amendment**

CITY COUNCIL MEETING: June 21, 2004

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: ROB KISSLER
DIRECTOR OF PUBLIC WORKS**

SUBJECT: STREET SWEEPING CONTRACT REVISION

BACKGROUND:

The City's current street sweeping contract is with Wheat LLC (Loren's Sanitation). Wheat LLC provides excellent sweeping services for the City at competitive costs. The current cost for sweeping City streets is \$67,000 annually. This cost was established in 2000 and is projected to increase this budget cycle to \$87,000 annually. Current contract laws allow for only a 20% increase in contractual service costs. The proposed first amendment to the street sweeping contract imposes a new annual cost of \$80,400 with an additional increase of 30.47 per curb miles. The hourly rate will increase to \$75 per hour for extra authorized work. The proposed increase of street sweeping costs is substantially lower than comparable cities paying an average of \$110,000 to \$150,000 annually.

The current sweeping contract dated March 6, 2000 has a provision for an automatic one-year extension. Staff is recommending the amendment to the street sweeping contract include language to terminate the sweeping agreement on June 30, 2005. With termination of the contract, staff will pursue a new request for proposals for street sweeping contractual services and analyze the possibility of providing sweeping service using City staff and equipment.

ATTACHMENTS:

Current Street Sweeping Contract.
First Amendment to Street Sweeping Contract.

FISCAL IMPACT:

The proposed 2004/2005 Street Fund Budget Allocation in line item 69 is \$88,000.

RECOMMENDATION:

Staff recommends City Council adopt the attached Resolution Authorizing the City Manager To Enter into a One-Year Extension with Wheat LLC for Street Sweeping service. If you have questions, please contact me.

STREET SWEEPING CONTRACT EXTENSION

PARTIES:

CITY OF KEIZER, an Oregon
municipal corporation

(hereinafter "City")

WHEAT, LLC

(hereinafter "Contractor")

Based on the mutual promises and consideration expressed herein, the parties agree as follows:

A. DEFINITIONS AND GENERAL INFORMATION

1. The City of Keizer, hereinafter referred to as the "City", desires to contract a professional street cleaning service for the period beginning March 1, 2000 and ending March 1, 2005, subject to the automatic extension as provided herein. Unless the City council takes timely action as noted below, on March 1 of each year, this agreement shall be extended for one (1) additional year; i.e., at the end of the first year, a sixth year shall be added, at the end of the second year, a seventh year shall be added.

The City Council may terminate such automatic extension by giving notice prior to March 1 each year that the extension will not be granted. Such decision shall be made in the Council's sole discretion.

2. The City has approximately 110 miles of roadway to be swept, equaling approximately 220 curb miles, in accordance with the attached map. Leaf pick up is an integral part of this Contract, and the cost thereof is to be included in the contract price.
3. The term debris shall mean all materials normally picked up by a regenerative air sweeper, such as sand, salt, glass, paper, cans and other materials.

4. The term street shall mean the paved area between the normal curb line of a roadway whether an actual curb line exists on it. It shall not include any ways that would cause damage to the equipment used. It does include bikeways adjacent to the roadway.

B. SCOPE OF WORK

1. The Contractor will clean all the streets designated by the City on the attached map.
2. The Contractor will sweep each designated street twelve (12) times per year at the times designated by the City.
3. Sweeping will not be done after 6:00 p.m. or before 6:00 a.m. in residential areas. Any request for change in these hours shall be submitted in writing for written approval by the City Public Works Director prior to change.
4. The Contractor will supply and maintain all equipment necessary to accomplish these sweepings. Water for sweeping will be supplied by the City at designated locations.
5. The Contractor will dump at a site approved by the City, however the City shall not provide or maintain such sites. Contractor's current location at 1140 Chemawa Road North is approved.
6. The City shall pay Contractor \$67,000.00 yearly, payable on a monthly basis. At least ninety (90) days prior to the anniversary date, the Contractor may request an increase in the yearly amount or special charges effective at each anniversary date. Granting of such request is voluntary and shall be consistent with public bidding laws.
7. The Contractor may be required to sweep additional areas other than as set forth on the attached map. Such additional areas shall be charged at \$25.38 per curb mile for one curb mile or greater, or at a hourly rate of \$70.00 for additional street cleaning of less than curb mile.
8. All streets shall be swept with the normal flow of traffic.

C. EQUIPMENT SPECIFICATIONS

1. The Contractor must have proof of ownership, or a signed lease for at least the duration of the Contract, of at least one motorized machine suitable for meeting the requirements of this Contract. A list of machine(s) must be provided by Contractor. The list should include evidence of available equipment to handle leaf pick up.
2. Machines must be equipped with an effective water spray system for dust control, and this spray system must be maintained in good operating condition.
3. Machines must be properly registered and insured in accordance with motor vehicle laws of Oregon.
4. Machines must be in good working condition and kept that way throughout the life of the Contract.
5. Equipment must be capable of removing litter, leaves, and debris.
6. Equipment must conform to all federal, state, and local safety regulations.
7. Vehicles must be equipped with dual gutter brooms capable of sweeping at minimum a nine foot path. Vehicles must be of the air regenerative sweeping type.

D. WORKMANSHIP

The Contractor shall, at all times, endeavor to use good sweeping practices and will be responsible to make adjustments to the equipment as directed by the inspector. Good sweeping practices include, but are not limited to:

1. Position gutter brooms at the proper angle to the gutter line and touching the curb.
2. Set main broom in level position to assure adequate debris pick up.
3. Replace gutter broom if excessively worn or if sections of the broom are gone.

4. Adjust spray nozzles to keep dust caused by sweeping to a minimum.
5. Center guides and main broom guides shall be properly maintained and adjusted.
6. Sweep entire radius on all designated routes, unless it is impossible or impractical to do so due to the size or configuration of the street.
7. No collected debris shall be left on the street right of way at any time, except during heavy leaf times, and this shall be limited to specified collection sites.
8. Specified collection sites shall be cleaned thoroughly by the end of the sweeping day.
9. Operate sweeper as close to parked cars and other obstacles as safety allows.
10. Use common sense and good judgment at all times.
11. Operate sweeper at a minimum rate of speed to assure maximum debris pick up is attained on each street swept.

E. TECHNICAL REQUIREMENTS

1. The Contractor shall furnish to the City a written schedule for sweeping services on all streets within the City to be swept. Such schedule shall be approved by the Public Works Director. Contractor shall substantially comply with the approved schedule.
2. The Contractor is reminded that he or she is an integral part of a continuing City service to which the citizens are accustomed. Therefore, the Contractors will be expected to cooperate with the City and its citizens in carrying out the basic task of removing debris from the City streets
3. The Contractor shall exercise all reasonable care and diligence in street sweeping. The Contractor shall take all actions necessary to prevent any spilling, scattering, or dropping of refuse through the sweeping activities. If any debris or refuse is spilled, the Contractor shall immediately clean up such spills.

4. The City shall verbally contact the Contractor to forward any complaints which relate to the Contractor's operations. Upon the receipt of a complaint, the Contractor shall investigate and resolve the complaint with the complainant if possible. The Contractors will then notify the inspector of the action taken on the next scheduled work day.

Should the Contractor not render this service within forty-eight (48) hours, excluding weekends, after a complaint is reported to the Contractor of an authorized representative, the contract administrator may make whatever arrangements are necessary, in the contract administrator's opinion, to satisfy the valid complaint. For any costs incurred by the City for these arrangements, the Contractor shall be made liable and reimburse the City immediately upon demand.

5. The Contractor may, during periods of heavy leaf fall, establish temporary disposal sites within the working area. The location(s) must be submitted in writing for approval of the contract administrator prior to any dumping at these temporary sites. As a prerequisite for use of these sites, the Contractor shall agree to clean and remove all debris from these sites before the end of each working day.
6. The Contractor shall notify the City twenty-four (24) hours prior to sweeping any area, of the streets to be swept and the approximate time of the sweeping in order to allow the City the opportunity to immediately inspect the suitability of the job. If the job is found to be not acceptable, the City, at its option, may require the Contractor to reclean the job area at the Contractor's expense.

F. CITY'S OBLIGATIONS

1. The City will designate a location within the City for filling water spray systems.
2. The City will not provide or maintain disposal sites for dumping debris picked up by the Contractor.
3. The City may provide safety efficiency checks.

G. CONTRACTOR'S OBLIGATIONS

1. The Contractor must be able to meet all requirements of this project.
2. The Contractor must comply with the provisions of ORS 279.312, 279.314, 279.316, 279.320, 279.334, 279.336, 279.338, 279.340 and 279.342.
3. The Contractor will provide fuel and maintenance for all vehicles and for equipment.
4. The Contractor must have a supervisor or foreman available at all times to direct operations. This supervisor or foreman will report to the City of its designee any problems that occur.
5. The Contractor shall meet the agreed upon dates for sweeping as closely as possible.
6. The Contractor agrees not to sublet or assign this Contract in whole or in part without the prior written authorization of the City.
7. The Contractor is responsible for disposing of debris. The Contractor must obtain the City's approval of the Contractor's plan for disposal of debris beginning work under this Contract.

H. BREACH OF CONTRACT

If the Contractor cancels this Contract or materially breaches this Contract before substantially performing under the terms of this Contract, then the parties agree that the Contractor shall pay to Keizer as damages for its cancellation or breach of this Contract the sum of \$1,000.00 which the parties have negotiated recognizing the difficulty of accurately estimating the harm to Keizer caused by the Contractors prospective breach and which sum the parties have negotiated and determined to be reasonable compensation to the City for that harm.

///

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I. ENFORCEMENT PROVISIONS

In the event that the City is required to employ an attorney to enforce the provisions of this Contract, the Contractor agrees to pay the City's reasonable costs of enforcement, including attorney fees, and if the City is required to maintain any suit, action or proceeding upon this Contract or if any appeal is taken therefore, the prevailing party shall be entitled to recovery, in addition to such other sum of money or performance due hereunder, such sums as the Court may adjudge reasonable as attorney fees in said suit, actions, proceeding or appeal plus the costs and disbursement awarded therein.

J. PAYMENT SCHEDULE

The City shall pay the Contractor after each monthly sweeping.

K. INSURANCE REQUIREMENTS

The Contractor shall maintain automobile liability insurance of at least \$200,000 and property damage insurance of at least \$200,000. The Contractor shall also maintain property damage and bodily injury insurance of at least \$500,000. Employees of the Contractor will be covered under workers' compensation insurance. The Contractor will hold the City harmless from all damages.

L. CONTRACT TERMINATION

1. Should Contractor not meet the obligations as set forth in this Agreement, City may terminate this agreement with thirty (30) days notice. In such case, the City shall be liable only for the services rendered through date of termination at the contract rate.
2. The City reserves the right to rebid or obtain competitive quotes on any renewal or extension of this Contract or any additional sweeping requested under this Contract.

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IN WITNESS WHEREOF, the parties hereto have hereunto affixed their hand and seal this 6th day of March, 2000.

CITY OF KEIZER:

By: Wayne Shury

City Manager

Attest: Garrett Davis

City Recorder

WHEAT, LLC

By: Wayne A. Thackery

Member/Mgr

Address: 1141 Chemawa Rd. N.

Keizer, Oregon 97303

Approved As To Form:

[Signature]
City Attorney

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2004-_____

3 AUTHORIZING THE CITY MANAGER TO ENTER
4 INTO STREET SWEEPING CONTRACT AMENDMENT

5 WHEREAS, the City of Keizer has entered into a Street Sweeping Contract and
6 Contract Extension with Wheat, LLC for the cleaning of city streets and other designated
7 areas;

8 WHEREAS, Wheat, LLC and the City have agreed to an increase in the
9 compensation for such services;

10 NOW, THEREFORE,

11 BE IT RESOLVED by the City Council of the City of Keizer that the City
12 Manager is authorized to enter into the amendment of the street sweeping contract
13 extension as set forth in Exhibit "A", attached and by this reference incorporated herein.

14 PASSED this _____ day of _____, 2004.

15 SIGNED this _____ day of _____, 2004.

16 _____
17 Mayor

18 _____
19 City Recorder

**FIRST AMENDMENT TO STREET
SWEEPING CONTRACT EXTENSION**

PARTIES: City of Keizer, (hereinafter "City")
an Oregon municipal corporation
Wheat, LLC (hereinafter "Contractor")

RECITALS:

- A. The parties entered into that certain Street Sweeping Contract Extension on March 6, 2000.
- B. The parties wish to amend the compensation paid to Contractor.
- C. The parties wish to specify a termination date.

NOW THEREFORE, based on the mutual promises and consideration expressed herein, the parties agree as follows:

AGREEMENT:

1. Amendment of Section B(6). Section B(6) of the March 6, 2000 Street Sweeping Contract Extension is amended as follows:

- 6. The City shall pay Contractor \$80,400.00 yearly, payable on a monthly basis. At least ninety (90) days prior to the anniversary date, the Contractor may request an increase in the yearly amount or special charges effective at each anniversary date. Granting of such request is voluntary and shall be consistent with public bidding laws.

2. Amendment of Section B(7). Section B(7) of the March 6, 2000 Street Sweeping Contract Extension is amended as follows:

- 7. The Contractor may be required to sweep additional areas other than as

set forth on the attached map. Such additional areas shall be charged at \$30.47 per curb mile for one curb mile or greater, or at a hourly rate of \$75.00 for additional street cleaning of less than curb mile.

3. Amendment of Section L. Section L of the March 6, 2000 Street Sweeping Contract Extension is amended by adding the following paragraph:

3. Notwithstanding any other provision of this Agreement, the parties agree that this contract shall terminate June 30, 2005 without further extension or notice to any party.

4. Except as specifically modified herein, all remaining terms, conditions, obligations and duties set forth in the Street Sweeping Contract Extension shall remain in full force and effect.

Dated: _____

THE CITY OF KEIZER,
an Oregon municipal corporation

By: _____
City Manager

Attest: _____
City Recorder

Approved As To Form:

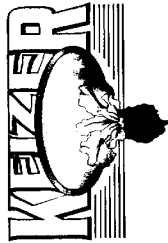
City Attorney

Dated: _____

WHEAT, LLC

By: _____
Member/Manager

Address: 1141 Chemawa Rd N
Keizer, OR 97303



AGENDA ITEM 9b

RESOLUTION - Adoption of Certain Personnel Policies

June 21, 2004

CITY COUNCIL MEETING: June 21, 2004

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

THRU: CHRIS EPPLEY, CITY MANAGER

FROM:  DIANNE HUNT, HUMAN RESOURCES DIRECTOR

SUBJECT: PERSONNEL POLICIES

BACKGROUND:

The Personnel Policies Committee members have been meeting to review personnel policies. The following policies were reviewed by the Committee, management staff and labor attorney, Bruce Zagar. The Committee unanimously agreed to the revised policies and the new Health Insurance Portability and Accountability Act (HIPAA) policy.

30.600 – Insurance Programs (Exhibit A)

This policy replaces Article 6, Section 6.9 – Health and Welfare

30.800 – Health Insurance Portability and Accountability Act (HIPAA) (Exhibit B)

This policy is new.

100.100 – Safety and Health (Exhibit C)

This policy replaces Article 7 - Safety, Sections

- 7.1 – Safety and Accidents;
- 7.2 – Unsafe Conditions;
- 7.3 – Accident Reporting; and
- 7.4 – Employee Injury Report

100.300 – Smoke-Free Workplace (Exhibit D)

This policy replaces Article 3, Section 3.10 – Smoking

The current policies are included for your review.

These policies apply to all City of Keizer staff, except where a bargaining unit agreement exists. Where policies are absent in the agreement, City personnel policies prevail.

The new Resolution is included for your review and approval.

FISCAL IMPACT:

There is no fiscal impact to implementing these personnel policies.

RECOMMENDATION:

Staff recommends Council accept the attached Resolution amending certain sections of Resolution R98-1049, and adopting the Health Insurance Portability and Accountability Act (HIPAA) policy as recommended by the Personnel Policies Committee, with an effective date of August 01, 2004.

If you have any questions please contact me at 390-3700, ext. 110, or email me at hunt@keizer.org

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R 04-_____

3
4 AMENDING CITY OF KEIZER PERSONNEL POLICIES REGARDING 30.600 -
5 INSURANCE PROGRAM; 100.100 - SAFETY AND HEALTH; 100.300 - SMOKE-FREE
6 WORKPLACE; (*DELETING SECTIONS 3.10, 6.9, 7.1, 7.2, 7.3, AND 7.4 OF PERSONNEL*
7 *POLICIES ADOPTED BY R98-1051, July 6, 1998*) AND ADOPTING POLICY 60.800 -
8 HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)
9

10 WHEREAS, it is the policy of the City of Keizer to provide personnel policies that are
11 consistent and fair for represented and non-represented employees (within the constraints of
12 ratified union contracts) and is a wise use of public funds;

13 WHEREAS, the City Council wishes to revise certain personnel policies;

14 WHEREAS, Sections 3.10, 6.9, 7.1, 7.2, 7.3, and 7.4, Personnel Policies adopted by R98-
15 1051, July 6, 1998 provide for Smoking, Health and Welfare, Safety and Accidents, Unsafe
16 Conditions, Accident Reporting and Employee Injury Report;

17 WHEREAS, the City Council wishes to adopt new personnel policies regarding:

- 18 • Insurance Program;
19 • Health Insurance Portability and Accountability Act (HIPAA);
20 • Safety and Health; and
21 • Smoke-Free Workplace

22 NOW, THEREFORE,

23 BE IT RESOLVED that the City Council of the City of Keizer hereby adopts the
24 following Personnel Policies:
25 /

EXHIBIT "A"**Employment Policies
Policy No. 30.600**

SECTION:	BENEFITS AND SERVICES	
TOPIC:	Insurance Program	Effective Date:

I. Policy

The policy of the City of Keizer is to provide access and contribution toward a package of employee insurance benefit programs for its eligible employees.

II. Scope – This policy applies to all eligible City employees**III. Purpose** – To define the City's contribution policy and insurance programs.**IV. General Provisions**

1. The City of Keizer complies with all federal, state and local laws relating to insurance benefit programs. Any cost in excess of the City's contribution shall be payroll deducted from the employee's paycheck.
2. The City's contribution for medical and dental services is adjusted each July 1 by the previous years' National Consumer Price Index for Medical Care Services (CPI-M). The City's contribution for disability and life insurance is adjusted each July 1 by the previous years' increase in the Portland Consumer Price Index for Urban Wage Earners and Clerical Workers' (CPI-W). The contribution is based upon the percentage and number of eligible City employees.
3. The scope of insurance benefits will be determined annually by the City's Management Team, subject to applicable provisions of collective bargaining agreements.

**Employment Policies
Policy No. 30.800**

SECTION:	BENEFITS AND SERVICES
TOPIC:	Health Insurance Portability and Accountability Act (HIPAA)
	Effective Date:

I. Policy

It is the policy of the City of Keizer is comply with HIPAA (Health Insurance Portability and Accountability Act.

II. Scope – All employees.**III. Purpose**

The purpose of this policy is to ensure compliance with Federal legislation.

IV. Definitions

Protected Health Information (PHI): Health information that contains identifiers, such as name, social security number, or other information that reveals the identify of a person.

HIPAA Privacy Officer: The Human Resources Director shall serve as the HIPAA Privacy Officer responsible for tracking all HIPAA authorization forms and ensuring that they are kept in a secured location.

V. General Provisions

A. All medical records are kept in files separate from an employee's official personnel file. When the City needs to obtain protected health information for job related purposes, the applicant or employee will be asked to sign an authorization form.

B. An applicant or employee will be required to sign a HIPAA authorization form when the City is seeking job related medical information. If the employee or treating health professional voluntarily provides this information, the City will not require a signed authorization form. These situations include: pre-employment physical examination, Workers' Compensation information, release to return to work following injury on or off the job, to obtain doctor's certification for Family Medical Leave, to obtain an independent medical examination to determine appropriate reasonable accommodation if an employee wishes to exercise his/her rights under the Americans with Disabilities Act, and when sending an employee who is a Commercial Driver's License (CDL) holder for a Department of Transportation (DOT) required random drug test.

- (2) All injuries shall be reported immediately to the person in charge or other responsible representative of the employer.
- (3) It is the duty of all workers to make full use of safeguards provided for their protection. It shall be a workers responsibility to abide by and perform the following requirements:
 - (a) A worker shall not operate a machine unless guard or method of guarding is in good condition, working order, in place, and operative.
 - (b) A worker shall stop the machine or moving parts and properly tagout or lockout the starting control before oiling, adjusting, or repairing, except when such machine is provided with means of oiling or adjusting that will prevent possibility of hazardous contact with moving parts.
 - (c) A worker shall not remove guards or render methods of guarding inoperative except for the purpose of adjustment, oiling, repair, or the setting up a new job.
 - (d) Workers shall report to their supervisor any guard or method of guarding that is not properly adjusted or not accomplishing its intended function.
 - (e) Workers shall not use their hands or any portion of their bodies to reach between moving parts or to remove jams, hangups, etc. (Use hook, stick, tong, jig or other accessory.)
 - (f) Workers shall not work under objects being supported that could accidentally fall (such as loads supported by jacks, the raised body of a dump truck, etc.) until such objects are properly blocked or shored.
 - (g) Workers shall not use defective tools or equipment. No tool or piece of equipment should be used for any purpose for which it is not suited, and none should be abused by straining beyond its safe working load.
- (4) Workers shall not remove, deface, or destroy any warning, danger sign, or barricade, or interfere with any other form of accident prevention device or practice provided which they are using, or which is being used by any other worker.
- (5) Workers must not work underneath or over others exposed to a hazard thereby without first notifying them and seeing that proper safeguards or precautions have been taken.
- (6) Workers shall not work in unprotected, exposed, hazardous areas under floor openings.
- (7) Long or unwieldy articles shall not be carried or moved unless adequate means of guarding or guiding are provided to prevent injury.
- (8) Hazardous conditions or practices observed at any time shall be reported as soon as practicable to the person in charge or some other responsible representative of the employer.
- (9) Workers observed working in a manner which might cause immediate injury to either themselves or other workers shall be warned of the danger.
- (10) Before leaving a job, workers shall correct, or arrange to give warning of, any condition which might result in injury to others unfamiliar with existing conditions.

SECTION:	Employee Safety and Health	
TOPIC:	Safety and Health	Effective Date:

I. Policy

It is the policy of the City of Keizer to comply with federal or state statute regarding a safe working environment.

II. Purpose

The purpose of this section is to define the City's policy and establish responsibility for the administration and coordination of an effective safety program.

III. Scope

Safety is every employee's responsibility. All employees are expected to do everything reasonable and necessary to make the City a safe place to work.

IV. Administration

The administrator of this policy is the Human Resources Director who serves as the Safety Compliance Officer.

V. 437-001-0760 OR-OSHA Rules for all Workplaces. The complete OR-OSHA Rules and Regulations are available to employees at the Human Resources Department.

(A) Employers' Responsibilities.

- (1) The employer shall see that workers are properly instructed and supervised in the safe operation of any machinery, tools, equipment, process, or practice which they are authorized to use or apply. This rule shall not be construed to require a supervisor on every part of an operation nor to prohibit workers from working alone.
- (2) The employer shall take all reasonable means to require employees:
 - (a) To work and act in a safe and healthful manner;
 - (b) To conduct their work in compliance with all applicable safety and health rules;
 - (c) To use all means and methods, including but not limited to, ladders, scaffolds, guardrails, machine guards, safety belts and lifelines, that are necessary to safely accomplish all work where employees are exposed to a hazard; and
 - (d) Not to remove, displace, damage, destroy or carry off any safety device, guard, notice or warning provided for use in any employment or place of employment while such use is required by applicable safety and health rules.
- (3) Every employer shall be responsible for providing the health hazard control measures necessary to protect the employees, health from harmful or hazardous conditions and for maintaining such control measures in good working order and in use.
- (4) Every employer shall inform the employees regarding the known health hazards to which they are exposed, the measures which have been taken for the prevention and control of such hazards, and the proper methods for utilizing such control measures.

(B) Employees' Responsibilities.

- (1) Employees shall conduct their work in compliance with the safety rules contained in this code.

EXHIBIT "D"**Personnel Policies
Policy No. 100.300**

SECTION:	Employee Safety and Health	
TOPIC:	Smoke-Free Workplace	Effective Date:

I. Policy

It is the policy of the City of Keizer to provide a smoke-free working environment in accordance with Federal and State laws. Smoking is not allowed in City buildings or City vehicles, except for undercover police vehicles.

II. Scope

This policy applies to all City employees.

III. Purpose

To comply with Federal and State Smoke-free Workplace Law and to provide a smoke free environment for employees.

IV. Procedure**1. Smoking areas**

Employees wishing to smoke will be required to do so in the designated smoking areas outside the buildings or any City-owned or City-leased vehicle, out of public view and away from other employees' work areas.

2. Non Compliance

Employees in violation of this policy will be subject to progressive disciplinary action.

CURRENT POLICIES

3.10 – SMOKING

6.9 – HEALTH AND WELFARE

7.1 – SAFETY AND ACCIDENTS

7.2 – UNSAFE CONDITIONS

7.3 – ACCIDENT REPORTING

7.4 – EMPLOYEE INJURY REPORT

CURRENT POLICY

ARTICLE 3 - WHAT THE CITY EXPECTS FROM YOU

SECTION 3.10. SMOKING.

Outside smoking areas will be designated. Smoking of tobacco is prohibited in City buildings and City owned motor vehicles.

CURRENT POLICY

SECTION 6.9. HEALTH AND WELFARE.

- 6.9.1. Health insurance: Regular full-time and part-time employees shall become eligible for health insurance the first of the next month following thirty (30) days of continuous City service.
- A. The City will provide and pay the full premium for family medical insurance for each regular, full-time employee.
 - B. The City will provide and pay the full premium for employee medical insurance for each regular part-time employee and regular job share employee.
- 6.9.2. Dental insurance: Regular full-time and part-time employees shall become eligible for dental insurance the first of the next month following thirty (30) days of continuous City service.
- A. The City will provide and pay the full premium for family dental insurance for each regular, full-time employee.
 - B. The City will provide and pay the full premium for employee dental insurance for each regular part-time employee and regular job share employee.
- 6.9.3. Life insurance: The City agrees to provide and pay the full premium for term life insurance covering regular full-time employees against death, the face amount of the policy to be in an amount adopted by the City Council and set forth in resolution form.
- 6.9.4. Disability insurance: The City agrees to provide and pay the full premium for short-term and long-term disability insurance for regular full-time employees.

6.9.5. Medicare contribution: All non-represented employees shall have their employee contribution to Medicare paid for by the City.

6.9.6. Management benefit package: Management employees covered under this classification shall be allowed an amount above base salary to be applied toward a management benefit package to be structured by the individual employee, within the confines of those benefits offered by the City. The amount of the management benefit package shall be determined by the City Council and set forth in resolution form. Options available for the Council to establish and/or revise periodically are:

- (1) Health Insurance (Note--each employee will be required to purchase as a minimum employee only health insurance through the City's health insurance carrier, or to provide satisfactory evidence of other health insurance coverage.)
- (2) Dental, Life, Vision, Short and Long-Term Disability Insurance
- (3) Deferred Income
- (4) Retirement. (See these policies for referral to the Retirement plan.)
- (5) Earned Income. Each employee shall have the option of receiving a designated portion (not to exceed 10% of the base salary) of the management benefit package as earned income, as reviewed and approved from time to time by the City Manager and/or City Council.

CURRENT POLICY

ARTICLE 7 - SAFETY

SECTION 7.1. SAFETY AND ACCIDENTS.

7.1.1. Safety policy statement: Nothing is of greater concern to the City than the safety of its employees and the public. For the employee's protection, job-related injuries or illnesses must be reported immediately in accordance with the City safety and accident policy. Employees are expected to use common sense and good judgment in work habits, to follow safe work practices, and to bring any unsafe condition to the attention of a supervisor.

For example, employees shall:

- A. Use the safety equipment which has been provided for use;
- B. Not operate equipment while medication, drugs or alcohol are present in the body without a doctor's written approval;
- C. Operate only the equipment on which they have received training;
- D. Warn co-workers and management of unsafe conditions or practices. Accept with appreciation the warning of a co-worker or supervisors as an expression of concern for their own well being;
- E. Report dangerous or unsafe conditions observed at work; and
- F. Refrain from horseplay at all times.

SECTION 7.2. UNSAFE CONDITIONS.

7.2.1. Employee Responsibility: Every employee is responsible for safety as a specific job assignment. To achieve the City goal of providing a safe work place, everyone must be aware of safety at all times. Employees shall report immediately any unsafe or hazardous condition directly to a supervisor, if it cannot be corrected safely and independently. Every effort will be made to remedy safety problems as quickly as possible.

7.2.2 Management responsibility: Each department supervisor shall frequently review the need for implementing safety practices, policy or procedures warranted by hazards. Each accident and "near miss" is cause for review. A copy of such policies shall be delivered to all department employees. Department heads will periodically involve employees in the process. The need for periodic training shall be considered, and arranged as determined by the department head.

7.2.3 Managing unsafe conditions. It is every employee's responsibility to observe and identify conditions which could pose a hazard to employees or to the general public.

After identifying the problem, employees at the scene are expected to:

- A. Safely eliminate the hazard, and obtain necessary assistance;
- B. Safely control the hazard by enclosure or guard;
- C. Employ avoidance procedures; and
- D. Use personal protective equipment as appropriate.

SECTION 7.3. ACCIDENT REPORTING.

Accidents involving the City must be reported in detail as soon after the occurrence as possible. All accident reports should be submitted to the City Manager.

7.3.1 Vehicular accidents: Accidents involving other City owned vehicles or personal vehicles being operated on City business must also be reported to a police agency for investigation. Any accident resulting in personal injuries or death must be reported immediately to the City office.

7.3.2 Other accidents: Accidents involving damage to equipment or property, or personal injury, must also be reported to City Manager. The City Manager will determine the need for further investigation.

SECTION 7.4. EMPLOYEE INJURY REPORT.

In case of an accident involving personal injury to an employee, regardless of how serious, a supervisor and the City Manager report accidents can result in a violation of conditions of insurance coverage and State laws, leading to difficulties in processing insurance and benefit claims. Injured workers must fill out a Worker's Compensation Report form and submit it as soon as possible to the Safety Officer. All injuries must be reported in a timely manner to avoid risk of claim denial. The City Manager will provide advice and assistance to any person filling out a Workers' Compensation Report.

If an injury results in the death of an employee, then the supervisor shall immediately notify the department head who, in turn, shall immediately notify the State Workers' Compensation Department and the City's insurance carrier by phone. The City Manager and/or Recorder will then proceed to process a claim report form.

The appropriate entries shall be made in the OSHA 200 Report log.



AGENDA ITEM 9c

**RESOLUTIONS - City's Election to Receive State
Shared Revenue and Certifying the City Provides
Four or More Services**

June 21, 2004

COUNCIL MEETING: June 21, 2004

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

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

**THROUGH: CHRISTOPHER EPPLEY
CITY MANAGER**

**SUBJECT: DECLARATION OF THE CITY'S ELECTION TO RECEIVE STATE
REVENUES AND CERTIFYING THE CITY PROVIDES FOUR OR MORE
MUNICIPAL SERVICES**

ISSUE:

Oregon law requires cities to annually pass a resolution requesting state revenue sharing money. State law also provides that a city located within a county having more than 100,000 inhabitants must provide four or more municipal services to be eligible to receive state-shared revenue. This fact must be certified by the Oregon Office of Business Administration and supported by a city resolution.

FISCAL IMPACT:

Approximately \$169,100 in State Shared Revenues is anticipated in FY05.

RECOMMENDATION:

Staff recommends the Council adopt the attached resolutions so that the City may receive State Shared Revenues.

1 **CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**

2 **Resolution R2004-_____**

3 **CERTIFYING THAT THE CITY OF KEIZER PROVIDES FOUR**
4 **OR MORE MUNICIPAL SERVICES**

5
6 **WHEREAS, ORS 221.760 provides as follows:**

7 **Section 1. The officer responsible for disbursing funds to cities under**
8 **ORS 323.455, 366.785, 366.820 and 471.805 shall, in the case of a city located**
9 **within a county having more than 100,000 inhabitants according to the most**
10 **recent federal decennial census, disburse such funds only if the city provides**
11 **four or more of the following services:**

- 12 **1) Police protection**
13 **2) Fire protection**
14 **3) Street construction, maintenance and lighting**
15 **4) Sanitary sewer**
16 **5) Storm sewers**
17 **6) Planning, zoning and subdivision control**
18 **7) One or more utility service**

19 **WHEREAS, city officials recognize the desirability of assisting the state**
20 **officer responsible for determining the eligibility of cities to receive such funds**
21 **in accordance with ORS 221.760; NOW THEREFORE,**

22 **/////**

BE IT RESOLVED that the City of Keizer hereby certifies that it provides the following four or more municipal services enumerated in Section 1, ORS 221.760:

- 1) **Police protection**
- 2) **Street construction, maintenance and lighting**
- 3) **Planning, zoning and subdivision control**
- 4) **One or more utility services**

PASSED this _____ day of _____, 2004.

SIGNED this _____ day of _____, 2004.

Mayor

City Recorder

1 **CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**

2 **Resolution R2004-_____**

3
4 **DECLARING THE CITY'S ELECTION TO RECEIVE**
5 **STATE REVENUES**

6
7 **The City Council of the City of Keizer resolves as follows:**

8 **Pursuant to ORS 221.770, The City Council of the City of Keizer hereby**
9 **elects to receive state revenues for fiscal year 2004-2005.**

10
11 **PASSED this _____ day of _____, 2004.**

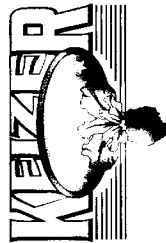
12 **SIGNED this _____ day of _____, 2004.**

13
14
15 _____
16 **Mayor**

17
18
19 _____
20 **City Recorder**

21
22
23 **I certify that a public hearing before the Budget Committee was held on**
24 **May 4, 2004 and a public hearing before the City Council was held on June 21,**
25 **2004, giving citizens opportunity to comment on use of State Revenue**
26 **Sharing.**

27
28 _____
29 **City Recorder**



June 21, 2004

AGENDA ITEM 9d

**RESOLUTION - Certifying Delinquent Sewer
Accounts**

COUNCIL MEETING:

June 21, 2004

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCILORS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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

SUBJECT: DELINQUENT SEWER ASSESSMENTS

ISSUE:

The City of Keizer collects sewer fees for the City of Salem from residents and businesses of Keizer. The attached list marked as exhibit "A" represents an itemized list of delinquent accounts from April 1, 2003 through March 31, 2004. Each resident (and property owner, if different) has been notified by certified letter and given a sufficient amount of time to remit payment for their account. ORS 454.225 authorizes the City to certify the delinquent amounts to the County Assessor for the amounts assessed against the premises serviced. The statute also allows the City to collect penalty, interest or costs associated with the delinquencies. A 10% delinquent amount has been added as a penalty and a \$10.00 administration fee has been added to cover the City's costs.

RECOMMENDATION:

Staff recommends the City Council adopt the attached Resolution, which certifies the delinquent sewer accounts to the County Assessor for collection.

1
2 **CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**

3 **Resolution R2004-_____**

4 **CERTIFICATION OF DELINQUENT SEWER ACCOUNTS**
5
6

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

9 **BE IT RESOLVED that the attached Exhibit "A" is an itemized list of**
10 **delinquent sewer charges through and including March 31, 2004 that the City has**
11 **been unable to collect through the usual collection procedures; and**

12 **BE IT FURTHER RESOLVED that ten percent (10%) of the delinquent amount**
13 **has been added as a penalty and that a \$10.00 administration fee has also been**
14 **added to cover the City's costs; and**

15 **BE IT FURTHER RESOLVED that the amounts certified on the attached**
16 **Exhibit "A" shall be added to the appropriate tax accounts as indicated pursuant to**
17 **ORS 454.225.**
18

19 **PASSED this _____ day of _____, 2003.**

20 **SIGNED this _____ day of _____, 2003.**

21
22
23
24 _____
25 **Mayor**

26
27 _____
City Recorder

EXHIBIT "A"
DELIQUENT SEWER ACCOUNTS

Tax ID	Owners Name		Service Address	Total
R51906	WAYNE	THACKERY	1121 CHEMAWA RD N	\$ 78.09
R76691	ROBERT & KAREN	CARLSON	1208 CANDLEWOOD DR NE	388.07
R76783	CODY	ELDRIDGE	1245 SHADY LN NE	388.07
R45522	KATRINA	DUVICK	1615 CHEMAWA RD NE	389.29
R25220	DEREK & ANGELA	APPLERSON	1731 WILDWOOD PL NE	278.07
R24820	POUR PROPERTIES		1990 1/2 CLAXTER RD NE	296.40
R20578	MANJIT & ALICIA	SINGH	2045 CHEMAWA RD NE	58.71
R25710	NANCY & JAMES	WEIGEL	3601 Cherry Ave	141.74
R25632	DELLA M	PARK	390 WEEKS DR N	354.81
R65499	CHRISTIA & DAVID	TOQUERO	4005 GARY ST	184.57
R45937	JAMES	COWLEY	4915 RICKMAN RD NE	724.93
R20570	PATRICK	HALL	5530 ST CROIX WY NE	190.07
R20579	ANDY	SNERIREV	5565 ST CROIX WY NE	388.07
R20515	WILLIE	LAIRD	5905 MCLEOD LN NE	59.65
R19690	R CHRISTOPHER	PILLSBURY	7535 WHEATLAND RD N	223.07
R19717	RAY	GILBERT	860 MARKS AV N	33.06
R24952	DARIN & KAREN	SHAW	388 DEARBORN	201.69
R20546	DOUG	SCHULZ	2140 CHEMAWA RD NE	55.05
R20514	WILLIE	LAIRD	5957 MCLEOD LN NE	388.07
TOTAL				<u><u>\$ 4,821.46</u></u>



AGENDA ITEM 9e

Keizer Mart Liquor License - Change of Ownership

June 21, 2004

CITY COUNCIL MEETING: June 21, 2004

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, CMC
CITY RECORDER**

**SUBJECT: KEIZER MART
CHANGE OF OWNERSHIP/ADDITION OF PARTNER**

BACKGROUND:

On June 8, 2004 an application for a change of ownership was received from Amrik Singh and Harvinder Singh Dhami requesting approval of a change of ownership for Keizer Mart located at 4940 River Road N, Keizer. They are requesting the addition of one additional partner, Sital Singh Judge. There will not be any change in name of the establishment. The City of Keizer Ordinance indicates the Council must approve the requested change; however no public hearing is required.

The Keizer Police Department has conducted a background check on the new partner, with the results being negative.

RECOMMENDATION:

It is recommended the City Council approve and forward a recommendation to the Oregon Liquor Control Commission for the change of ownership for the liquor license for Keizer Mart.



1982

KEIZER POLICE

City Council Meeting of _____

Agenda Item No. _____

To: Mayor and City Council
Thru: Chris Eppley, City Manager
From: Marc Adams, Chief of Police
Rita Powers, Police Support Supervisor
Subject: Change of Ownership Keizer Mart Liquor License Application
Address: 4940 River Rd. N., Keizer, Oregon 97303

Response to Background Check Request on new Business Partner: Sital Singh Judge

New Business Partner Applicant, Sital Singh Judge has no Oregon criminal history on record. Additionally, we were unable to locate any Driving Record for Mr. Judge.

No further information.

R. Powers
Support Services Supervisor
Keizer Police Department

OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION



PLEASE PRINT OR TYPE

Application is being made for:

LICENSE TYPES

- ☐ Full On-Premises Sales (\$402.60/yr)
☐ Commercial Establishment
☐ Caterer
☐ Passenger Carrier
☐ Other Public Location
☐ Private Club
☐ Limited On-Premises Sales (\$202.60/yr)
☒ Off-Premises Sales (\$100/yr)
 ☐ with Fuel Pumps
☐ Brewery Public House (\$252.60)
☐ Winery (\$250/yr)
☐ Other: _____

ACTIONS

- ☒ Change Ownership
☐ New Outlet
☐ Greater Privilege
☐ Additional Privilege
☐ Other: _____

FOR CITY AND COUNTY USE ONLY
The city council or county commission:

(name of city or county)

recommends that this license be:

Granted ☐ Denied ☐

By: _____
(signature) (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: L. Salgado

Date: 6/7/04

90-day authority: ☐ Yes ☐ No

Applying as:

- ☒ Individuals ☐ Limited Partnership ☐ Corporation ☐ Limited Liability Company

1. Applicant(s): [See SECTION 1 of the Guide]

① AMRIK SINGH ③ SITAL SINGH JUDGE

② HARVINDER SINGH DHAMI ④ _____

2. Trade Name (dba): KEIZER MART

3. Business Location: 4940 RIVER RD. N. KEIZER MARION OR. 97303.
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 4940 RIVER RD. N. KEIZER OR. 97303.
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: (503) 393-0164
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? ☒ Yes ☐ No

7. If yes to whom: KJ&AL INC. Type of License: OF PREMISES SALE

8. Former Business Name: KJ&AL INC Keizer Mart

9. Will you have a manager? ☐ Yes ☒ No Name: _____
(manager must fill out an individual history form)

10. What is the local governing body where your business is located? MARION
(name of city or county)

11. Contact person for this application: AMRIK SINGH (503) 393-6000
(name) (phone number(s))
3340 ASTORIA WAY (503) 393-4330
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① Amrik Singh Date 4-15-04 ③ Sital Singh Date 06/07/04

② Harvinder Singh Date 4-15-04 ④ _____ Date _____

1-800-452-OLCC (6522)
www.olcc.state.or.us



AGENDA ITEM 9f

Approval of May 17, 2004 Regular Session Minutes

June 21, 2004



**MINUTES
KEIZER CITY COUNCIL**

Monday, May 17, 2004

Keizer City Hall

**Robert L. Simon Council Chambers
Keizer, Oregon**

CALL TO ORDER Mayor Christopher called the regular meeting to order at 7:15 pm.
Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Jacque Moir, Council President
Judy K. Smith, Councilor
Richard Walsh, Councilor
Chuck Lee, Councilor
Michel Gaynor, Councilor
Jim Taylor, Councilor
Crisel Perez, Youth Councilor (arrived 7:15)

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Dianne Hunt, Human Resources
Rob Kissler, Public Works
Nate Brown, Community Development Director
Chief Marc Adams, Police Department
Tracy Davis, City Recorder

FLAG SALUTE Mayor Lore Christopher led the flag salute.

**PUBLIC
TESTIMONY**

Jerry McGee, 1030 Ridgpoint Drive, Chair of the Keizer Points of Interest Committee, presented a proposed design of the Keizer Point of Interest signs logo for Council approval. He explained that these signs would be used at city entrances with another sign below stating "The Youngest City in Oregon". Other signs will vary as to content and placement. All council members commended Mr. McGee on the design of the signs. Responding to questioning regarding funding, Mr. McGee explained that the committee will be approaching various sources for donations.

PUBLIC HEARING

a. RESOLUTION –

Forming Windsor Woods Phase II Street Lighting District

City Manager Chris Eppley reported that the developer had filed a petition to form a street lighting local improvement district. In response to the petition the City Council adopted a resolution to initiate formation of the district and directed the City Engineer to make a survey and file a written report with the City Recorder which was completed and approved by Council. A public hearing was set and notice requirements met. Staff recommendation is to open a public hearing to consider objections, close the public hearing and consider adoption of the resolution officially forming the street lighting local improvement district; if approved, consider adoption of the proposed assessment ordinance.

Mayor Christopher opened a public hearing, and upon noting that there was no one wishing to testify, closed the public hearing.

Councilor Moir moved to approve Resolution R2004 Forming Windsor Woods Phase II Street Lighting Local Improvement District. Councilor Smith seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Smith, Moir, Taylor, Lee and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

ORDINANCE –

Spreading Assessments to Windsor Woods Phase II Street Lighting District

Councilor Moir moved to Adopt a Bill for an Ordinance Spreading Assessments to Windsor Woods Phase II Street Lighting Local Improvement District. Councilor Gaynor seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Smith, Moir, Taylor, Lee and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

COMMITTEE REPORTS

a. Approval of Design for Keizer Point of Interest Signs

City Manager Chris Eppley reported that Council previously heard the report from Jerry McGee. The Points of Interest Committee is requesting approval from Council of the proposed logo with any recommended changes.

Councilor Taylor moved to approve the proposed logo with the recommendation that the lettering be in Celtic Blue if there is no opposition from the KPIC. Councilor Moir seconded.

Councilor Walsh stated that he was in favor of the signs, but felt he would like to see some other options. Councilor Lee agreed with

Councilor Walsh. Mayor Christopher stated that the proposed design is the exact design as on the Councilor badges and she supported it. Councilors Taylor and Smith echoed Mayor Christopher's thought.

Motion passed as follows:

AYES: Christopher, Gaynor, Smith, Moir, Taylor and Lee (6)

NAYS: Walsh (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

OTHER BUSINESS

No Meth in My Neighborhood ~ Councilor Lee reported that he had been asked to serve on the Executive Committee of the Task Force, which is made up of citizens in the Salem-Keizer school district, and the hope is to give the mission more focus. The group will be meeting regularly with the emphasis directed in two areas: (1) anti identity theft initiative, and (2) neighborhood activities. He encouraged anyone interested in becoming involved to call him at home or at City Hall.

Mayor Christopher added that this is the focus of Community Oriented Policing as well. The hope of this committee is that Keizer will become a model city and organizations are encouraged to participate by asking for ID. She added that Captain Kuhns has stated that if all vendors would ask for ID, identity theft could be eliminated.

Councilor Walsh reported that:

Mid-Willamette Area Commission on Transportation (MWACT)

met and voted on items reported last time. The City of Keizer had no projects submitted for this vote, but the ones that the City supported ended up on a list on 20 in the positions of 3, 5 and 7.

Budget Committee ~ The General Fund Budget was approved and recommended with no increase in property tax rate. He congratulated Susan Gahlsdorf and Chris Eppley for their hard work.

RIVERR Task Force ~ The Mid-Willamette River Connection group is meeting to float down the Willamette ending the trip at Mission Park.

Peer Court Update ~ Councilor Smith reported that work continues on the peer court issue. A \$5,000 grant has been received from Keizer United which is being supported by Salem-Keizer Together, McNary High School, and many people from the County. As part of the matching grant, \$5,000 must be contributed to receive the funding. She encouraged anyone interested in participating to contact her or Captain Kuhns. The hope is to get the Peer Court established by September 1.

Mayor Christopher reported:

City Manager Performance Review Process for 2004 ~ A new form has been completed and will be sent out via e-mail. She requested that they be returned by May 30 so that she can compile them and schedule the review for some time in June.

Mayor's Association Newsletter ~ Mayor McCartel from Independence has selected the City of Keizer to be featured in the Oregon Mayor's Association Newsletter that goes out to all the mayors in the State of Oregon. Chris Eppley has authored a 4-paragraph article and when it goes out she will bring a copy to Council. Chris Eppley volunteered to e-mail members copies as well.

Iris Festival Week ~ Activities were reviewed. All Keizer citizens are encouraged to attend. The theme is "Family, Flowers and Fun."

City Manager Chris Eppley reminded Council that he had been directed to produce an RFQ for a consultant to work on the Transportation System Development Charge. Staff has solicited for those and received several back. Two councilors need to be on the committee to review them. Mayor Christopher appointed Councilors Smith and Walsh.

Chief Adams reminded everyone that because of the Iris Festival, River Road would be closed all morning. Two officers have received training from the Drug Enforcement Administration Academy for meth lab training and two more are scheduled. This is a federal program which trains in investigation and dismantling working meth labs.

Dianne Hunt reported that the upcoming Personnel Policy Committee meeting had a full agenda. The exact time of the meeting would be scheduled after Council meeting. Additionally, quotes from insurance carriers and different plans are being reviewed. Annual Performance Evaluations are being worked on for completion by July 1.

Rob Kissler reported that River Road, Chemawa and Lockhaven are being re-stripped by Marion County. The process for overlay on local streets and some collectors is underway.

In the Water Division, the Reitz Well is close to being on line. It is hoped that it will be in service next week. The next step will be to look at the Bair Park tank with the hope of having it under construction around March 2005.

DEQ has scheduled a Public Hearing at Marion County on July 12 to review the NPDS Phase II Stormwater Management Program forwarded to them. This will be in conjunction with the plans from Marion County and the City of Turner.

Community Development Director, Nate Brown, reported that regarding the Public Hearing on the Master Plan on the Keizer Station, there is not 20 days between Friday's paper and June 7 so another date will have to be considered. Additionally, he received a rezone application today, site plans have been coming in and are being reviewed. Keith Liden, who did the work on the Keizer Station plan, has been approached to help put together the findings and do some of the background work in order to form a recommendation. However, the DLCD requires 45 days notice for a rezone application and because the application was received today, this may be a problem. Alternatives will be investigated for proceeding with the Master Plan with this in mind.

ADMINISTRATIVE ACTION

a. ORDINANCE –

**Amendment to
the Ordinance**

**Creating the
Planning**

Commission

(second reading)

City Attorney Shannon Johnson noted that this was the second reading on this Ordinance because the previous vote was not unanimous and reviewed the proposed ordinance briefly stating that the ordinance allows for two people from the real estate business but only one from any other business to serve on the Planning Commission.

Councilor Moir moved a Bill for an Ordinance Amending the Ordinance Creating a Planning Commission; Amending Ordinance No. 83-006; Declaring an Emergency. Councilor Walsh seconded.

Motion passed as follows:

AYES: Christopher, Gaynor, Moir, Taylor, Walsh and Lee (6)

NAYS: Smith (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

b. ORDINANCE –

**Amending the
Keizer**

**Transportation
System Plan**

Community Development Director, Nate Brown, pointed out errors in the Council members' copies of the maps and circulated a corrected map for review.

Mayor Christopher mentioned that Councilor Walsh had some ideas on the continuation of 35th Street north and asked that Council give consensus so that he could share these thoughts with Marion County elected officials at any opportunity. Councilor Walsh explained that this involved the realignment of 35th which would require an additional crossing over Labish ditch and working towards this area. All agreed by consensus to so allow.

Mr. Brown continued with his presentation of the TSP revisions reviewing the extensive work done by the Planning Commission, noting that it had been presented at Public Hearing at the last council meeting. He explained that the major change is to separate the Capital

Improvement projects from the TSP so that it would be a separate process, and changes in the list would not be subject to the extensive process required to change the TSP. It is, however, still referred to in the TSP and is therefore incorporated by reference.

Mr. Brown fielded questions from Council members and lengthy discussion followed.

City Attorney Shannon Johnson added that verbiage on the last page should be changed to read as follows: "The adoption of the Capital Improvement Program (CIP) is separate from the TSP, however the CIP project list is incorporated herein by this reference."

Council President Moir moved to Adopt a Bill for an Ordinance Amending the Keizer Transportation Systems Plan (TSP); Amending the Keizer Comprehensive Plan (Ordinance No. 87-077) and Keizer Transportation Systems Plan (Ordinance No. 2000-425). Councilor Smith seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Smith, Walsh, Moir, Taylor and Lee (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Walsh asked City Staff to research and recommend possible north-south and east-west corridors. Chris Eppley responded that it could be done. Councilor Smith added that because they were so busy with Keizer Station, there was no pressure to do the research. Consensus was given for this research request with no pressure time-wise.

Nothing

CONSENT CALENDAR

WRITTEN COMMUNICATIONS

Councilor Walsh reported that a letter had been received from the Governor thanking the city leaders for their commitment to the improvement of the Willamette River.

AGENDA INPUT

May 24, 2004

12:00 p.m. City Council Work Session

➤ Civic Center Task Force Recommendation

June 7, 2004

6:30 p.m. Urban Renewal Agency Meeting

➤ 2004-05 Urban Renewal Agency Budget – Public Hearing and Adoption

7:00 p.m. City Council Regular Session

- 2004-05 City of Keizer Budget – Public Hearing
- Cost of Service/Water Rates Public Hearing (Continued from 5-3-04)
- Extension of Contract with Grove, Mueller and Swank Audit Firm

June 14, 2004

12:00 p.m. City Council Work Session

June 21, 2004

7:00 p.m. City Council Regular Session

- Adoption of 2004-05 City of Keizer Budget

ADJOURNMENT Mayor Christopher adjourned the meeting at 8:34 p.m.

APPROVED:

MAYOR:

Debbie Lockhart, Recording Secretary

Lore Christopher

COUNCIL MEMBERS

Councilor #1 – Judy K. Smith

Councilor #4 – Jacque Moir

Councilor #2 – Michel Gaynor

Councilor #5 – Richard Walsh

Councilor #3 – Charles E. Lee

Councilor #6 – James Taylor

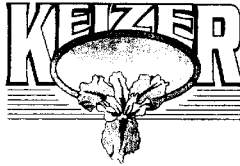
Minutes approved:



AGENDA ITEM 9g

Approval of May 24, 2004 Work Session Minutes

June 21, 2004



**MINUTES
KEIZER CITY COUNCIL
WORK SESSION**

Monday, May 24, 2004

**Robert L. Simon Council Chambers
Keizer City Hall, Keizer, Oregon**

CALL TO ORDER

Mayor Christopher called the work session to order at 12:15 pm. Roll call was taken as follows:

Present:

Jacque Moir, Council President
Judy Smith, Councilor
Richard Walsh, Councilor
Charles Lee, Councilor

Absent:

Michel Gaynor, Councilor
James Taylor, Councilor

Staff Present:

Chris Eppley, City Manager
Rob Kissler, Director of Public Works
Nate Brown, Community Development
Marc Adams, Chief of Police
Dianne Hunt, Human Resources

DISCUSSION:

**a. Civic Center
Task Force
Recommendation**

The discussion began with an open question and answer session. Councilor Smith began asking why two buildings were being recommended instead of putting City Hall and the Police Department in the same building. City Manager Chris Eppley responded that after discussion, the task force agreed that it would be less expensive to build two one-story buildings rather than creating a footprint large enough to support a multi-story building and also there is a possibility that the buildings will not be constructed simultaneously. Nate Brown added that there was a functional issue with security: the Police Department requires considerably more security than the City Hall. Chief Adams added that the proposed buildings are somewhat connected as designed. Councilor Smith responded that she thought the project should not be done in phases but all at once. Councilor Moir agreed with Councilor Smith on not phasing the project.

Councilor Walsh questioned if there had been a comparison on the tearing down of the current structures and rebuilding vs. selling current structures and property, buying bare land and building there. Chief Adams responded that the task force had hoped that by remaining in the same location and making the improvements, the second street of downtown could be initiated forming a "heart" of the city. Mr. Eppley

added that the task force agreed that because we owned the ground already and there is a park nearby, it was more cost effective to stay at the present location. It was noted that there was no study done on the options offered by Councilor Walsh.

Chief Adams interjected that there are professional marketing surveys with follow-up assistance that can be done to help in presenting a measure to the public.

Discussion continued relating to investigating purchasing other land. Councilor Smith pointed out that the city had been buying up adjoining property with the intent of using it for a Civic Center. Chris Eppley noted that some consideration was given in the past to purchasing the Keizer Village area for the Civic Center, but those sites are becoming fewer and fewer. He concluded that it might not be a good idea to take over an area that is redeveloping itself and lead it in a different direction. Councilor Walsh responded that he felt voters would ask if this option had been investigated and if it had not, they might feel all possibilities had not been explored.

Mr. Eppley suggested that staff investigate available parcels that would serve the city needs and find out the cost as well as get an appraisal of the currently occupied property and compare the two.

Council President Moir pointed out that

- Costs will continue to go up so time is of the essence.
- Several other cities have been successful in getting voter approval for needed buildings.
- If the Police Department is relocated to an outlying area, response time will be increased.
- Many people have questioned why the City Hall is in such old buildings.

It was agreed that Public Hearings would be targeted for July, but Council would have another work session before then. Some discussion followed regarding Town Hall meetings vs. Public Hearings. Various suggestions followed for the format of a Town Hall meeting.

Staff agreed to check on the cost of conducting a scientific survey in addition to the annual survey that the City conducts. Chris Eppley added that the usual annual survey would not be distributed with the water bill this year, but would be circulated through a mailing.

Mayor Christopher summarized the next steps:

- The City Manager will work with the consultant to get an executive summary regarding the offer by the Wittenberg and any other pertinent

information.

- City Manager and Staff will work together on determining the cost of 8+ acres of bare land.
- A market analysis will be done on the currently occupied property and buildings owned by the City.
- Develop a budget and present a plan and implementation for 60-month safety improvements for the Police Department.
- Determine cost of a scientific survey.

The next work session was scheduled for Monday, June 21 at 5:30 pm dedicated to the Civic Center Report. This work session will take the place of the normally scheduled Work Session on June 14.

Adjournment

Meeting adjourned at 1:25 pm.

APPROVED:
MAYOR:

Debbie Lockhart, Recording Secretary

Lore Christopher

COUNCIL MEMBERS

Councilor #1 – Judy K. Smith

Councilor #4 – Jacque Moir

~ Absent ~

Councilor #2 – Michel Gaynor

Councilor #5 – Richard Walsh

~ Absent ~

Councilor #3 – Charles E. Lee

Councilor #6 – James Taylor

Minutes approved:

PUBLIC TESTIMONY

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

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

Berky Asher - Troop mom
Jamie

Name: Girl Scout Troop 258

Address: Kelzer OR

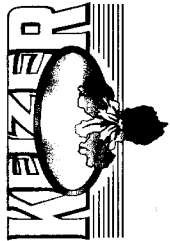
Subject or Agenda Item Number: Plant Flowers

at Wilk Park Walsh
Moire
Lee

Your Comments:

Proponent _____ Opponent _____ General _____

Date 6-21-04



**PUBLIC HEARING
SIGN UP SHEET**

PUBLIC HEARING RE: 2004-2005 CITY OF KEIZER BUDGET

DATE: June 21, 2004 TIME: 7:00 p.m. AGENDA ITEM # 5b

BEFORE THE: KEIZER CITY COUNCIL PLACE: ROBERT L. SIMON COUNCIL CHAMBERS
(PLEASE PRINT)

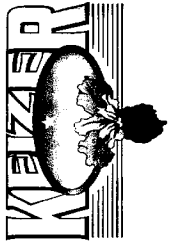
[illegible]



DATE: June 21, 2004 TIME: 7:00 p.m. AGENDA ITEM # 5a

BEFORE THE: KEIZER CITY COUNCIL PLACE: ROBERT L. SIMON COUNCIL CHAMBERS
(PLEASE PRINT)

[illegible]



***PUBLIC HEARING
SIGN UP SHEET***

PUBLIC HEARING RE: TREBBER ESTATES (FKA MARTIN ADDITION) STREET LIGHTING DISTRICT

DATE: June 21, 2004 TIME: 7:00 p.m. AGENDA ITEM # 5d

BEFORE THE: KEIZER CITY COUNCIL PLACE: ROBERT L. SIMON COUNCIL CHAMBERS
(PLEASE PRINT)

[illegible]



DATE: June 21, 2004 TIME: 7:00 p.m. AGENDA ITEM # 5c

ROBERT L. SIMON COUNCIL CHAMBERS-

PLACE:

BEFORE THE: KEIZER CITY COUNCIL

(PLEASE PRINT)

[illegible]

OREGONIANS

IN ACTION

L e g a l C e n t e r

June 21, 2004

Via Hand Delivery

City of Keizer
Keizer City Hall
930 Chemawa Road
Keizer, Oregon 97303

RE: Comprehensive Plan Map Amendment, Zone Change, Master Plan and Subdivision Case No. 2004-21

Madame Mayor and Members of the Keizer City Council:

The Oregonians In Action Legal Center represents Robert and Marilyn Lowery who reside at 2715 Chemawa Road in Keizer, in the above-referenced matter. I respectfully request this letter be entered into the record.

The Lowerys are the owners of tax lot numbers 1300, 1500, 1600, and 1800. The Lowerys also believe they are the owners of tax lot number 1400 by adverse possession. In total, the Lowerys estimate they own approximately 5 acres in the area commonly referred to in the community as the Keizer Station.

The Lowerys are long time residents of the Keizer area. They have lived on the property since 1946, and they estimate they have lived at their current address for over 30 years. The Lowerys estimate they have operated their nursery on the property over fifty years.

So, as you can imagine, the Lowerys have deep roots in the community. The Lowerys value their relationship with the Keizer community, and they have established relationships that have lasted generations. So, as you can imagine and hopefully understand, recent statements by city officials and actions by the city of Keizer have caused the Lowerys to feel betrayed by the community they have given so much to.

First is the present application pending before the Council. The application purports to be a master plan for:

[A]n area of interest bounded on the orth side by Tepper Lane, on the east I-5, on the south Chemawa Rd./Lockhaven and on the west side in approximately a straight line where the railroad crosses Chemawa Rd/Lockhaven north to Tepper Ln.

Mailing Address: P.O. Box 230637 • Tigard, OR 97281-0637

*Street Address: 8255 S.W. Hunziker Road, Suite 200 • Tigard, OR 97223
(503) 620-0258 • FAX (503) 639-6891 • website: www.oia.org*

This description includes the Lowerys' property. In fact, as near as the Lowerys can tell from reviewing the map accompanying the master plan application, as well as their review of other maps submitted by the applicants, the Lowerys' property will become the Krispy Kreme restaurant and a parking lot for the same.

Nevertheless, the above-referenced application purports to affect the Lowery's property without first obtaining the Lowerys' approval. Keizer Development Code §3.113.02 dictates that a master plan for the Keizer Station shall be reviewed as a Type-II-B review process. Keizer Development Code §3.101.02 defines Type II actions as "quasi judicial". Under the Type II review process, the provisions of §3.201 of the Keizer Development Code apply. Accordingly, Keizer Development Code §3.201.04 sets out who can submit a land use application for a property owner:

1. The Owner of the Subject Property
2. Purchaser of subject property under a dully (sic) executed written contract when the application is accompanied by proof of the purchaser's status and the seller consents in writing to such application;
3. A lessee in possession of the property, when the owner consents in writing to such application;
4. The agent for any of the foregoing, when dully (sic) authorized in writing to such application is accompanied by proof of authority.

Unless the applicants can demonstrate ownership of the property, or consent of the Lowerys to submit this application affecting their property, the present application is not properly before the City Council. *See also Johnston v. City of Albany*, 34 Or. LUBA 32 (1998)(without consent of property owners whose property is included in master plan application, city's consideration of the application is error).

Of course, the applicants cannot make such a showing. In fact, representatives of the developers of the Keizer Station have only contacted the Lowerys twice, and the present application was never a topic of the discussion. Therefore, should the City Council proceed on this application, such action would be in error.

Second, and a somewhat related matter, the impending threat of condemnation of the Lowerys' property does not suffice for purposes of the applicable Keizer Development Code provision requiring consent of the property owner. In interpreting the Oregon takings clause, the Oregon Supreme Court has held that the determination of whether a proposed use is public or private is one for the courts, not the legislature (or in this case the Keizer City Council). Therefore, the City Council's "belief" (or the applicants' "belief") that the Lowerys' property will be condemned is irrelevant to the examination.

In short, the Lowerys view the present application as the beginning of the developers' efforts to use the city of Keizer's condemnation authority for private gain. That the developers' representatives neglected to negotiate a purchase option with the Lowerys is not justification for the city of Keizer to do the developers' bidding. Nor should the rights of the Lowerys be ignored – or worse, violated – in a rush to develop the Keizer Station.

The present application is therefore untimely, as the applicants have not satisfied KDC §3.201.04. The city of Keizer must reject the present application.

Thank you for your courteous attention to this matter.

Very truly yours,



Ross Day
Director of Legal Affairs
Oregonians In Action

cc: Client
Norm Hill, Esq.



Oregon

Theodore R. Kufelowski, Governor

Department of Transportation

Region 2
455 Airport Rd. SE, Bldg B
Salem, OR 97301-5395
503-986-2600
FAX 503-986-2630

June 16, 2004

FILE CODE:

Mr. Nate Brown, Director
City of Keizer Community Development Department
930 Chemawa Road NE
Keizer, OR 97303

SUBJECT: Comments on Keizer Station Area A Master Plan and Subdivision Case 2004-21 (Northwest National, LLC)

Thank you for notifying the Oregon Department of Transportation (ODOT) of the land use action identified above. The purpose of this letter is to inform you that ODOT has concerns about this proposed project and its potential impacts to area transportation facilities.

The proposed project is a master plan and subdivision map for the Village Center (Area A) of the Keizer Station development. The property is located in the northwest quadrant of the Chemawa Road/I-5 interchange and is bounded by Tepper Lane (north), I-5 (east), Chemawa Road (south), and the railroad (west). The master plan establishes the basic footprint for development of the site, including infrastructure needs, consistent with the overall Keizer Station plan.

ODOT staff have conducted a detailed review of a transportation impact study (TIS) prepared for the project. The TIS has identified a number of improvements to the transportation system in the vicinity of the project that are necessary to mitigate project-related impacts and meet the City's standard for intersection operations on Chemawa Road and Lockhaven Drive (volume to capacity (v/c) ratio of 0.87 +/- 2%) that was included in the Keizer Station comprehensive plan amendment. ODOT concurs with the analysis contained in the TIS insofar as it uses appropriate analysis tools and methodologies.

Project Mitigation Measures

ODOT is in general agreement with the improvements to state facilities proposed in the TIS to mitigate the transportation impacts of the projected development of Area A. The improvements to state facilities that we can agree to, subject to the approval of plans and specifications, are:

Chemawa Road/OR 99E

- Modify signal to provide overlap phase for eastbound (EB) right-turns

I-5/Chemawa Road Northbound (NB) ramp terminal

- Dual NB left-turn lanes and a shared through/right-turn lane (on ramp)
- Dual EB left-turn lanes (note: will likely require a design exception)
- Add westbound (WB) right-turn lane
- Modify signal to accommodate additional lanes

I-5/Chemawa Road Southbound (SB) ramp terminal

- Add additional SB right-turn lane (on ramp)
- Dual EB right-turn lanes
- Dual WB left-turn lanes (note: will likely require a design exception)
- Modify signal to accommodate additional lanes

Chemawa Road/Property Access at railroad crossing

- Signalize the intersection – subject to approval by ODOT of a signal warrant analysis that demonstrates that the signal is necessary. The warrant analysis will also assist in the consideration of inclusion of EB and WB left-turns at this signal.
- Install signal interconnect for all existing and future signals from the NB ramp terminal and the Lockhaven/McLeod intersection
- Provide dual NB and SB right-turns
- Add EB and WB right-turn lanes
- Construct a raised median to prohibit NB and SB through and left-turn movements
- Signal operations and the inclusion of EB and WB left-turns at this intersection will be considered in the warrant analysis and design and approval of the signal by Region 2 and the State Traffic Engineer
- Construction of an undercrossing of Chemawa Road (proposed Radiant Loop) to carry traffic between the Village Center and the Commerce Center (Areas A and D).

ODOT Approvals

As noted above, all of these improvements are subject to review and approval and the issuance of appropriate permits by various ODOT entities prior to construction. The following is a list of approvals that are required and the approving ODOT official.

Modifications to existing traffic signals

- Region 2 Signal Operations Engineer/Region 2 Traffic Manager (review/recommendation)
- State Traffic Engineer (approval)

New traffic signal (including warrant analysis and signal interconnect)

- Region 2 Signal Operations Engineer/Region 2 Traffic Manager (review/recommendation)
- State Traffic Engineer (approval)

Approach road permit for property access

- Region 2 Access Management Engineer (review/approval)

Highway improvements/lane additions/design exceptions in State right-of-way

- Region 2 Roadway Manager/Tech Center Manager (review/recommendation)
- State Roadway Engineer (approval)

NOTE: it will be the responsibility of the applicant to provide the justification for any design exceptions proposed or necessary.

Construction (access and miscellaneous) permits

- District 3 Manager

There may also be a need for the review and approval of permits for work in the area of the railroad grade crossing of Chemawa Road and the proposed grade-separated railroad crossing for the Radiant Drive extension. The applicant and city should maintain contact and close coordination with the ODOT Rail Division to ensure that all necessary permits are obtained.

These improvements to ODOT facilities must be designed and constructed to the standards in the approved plans prior to the issuance of a certificate of use and occupancy (or the City's equivalent) for the first use in Area A. ODOT will not share in any of the costs for these improvements that are clearly identified in the TIS as necessary to mitigate the impacts of the private development proposal. Additionally, ODOT will not open the project access from Chemawa Road or activate the new traffic signal at that location until the Radiant Drive extension and its new signalized intersection with the re-aligned Chemawa Road west of the railroad is completed. These two intersections working together are essential to operation of the stable and flexible transportation system described in the TIS.

Finally, it is clear that all developers in the Keizer Station area will benefit from these initial improvements. Therefore, we would encourage the City to establish a funding mechanism and apply it to the entire Keizer Station development area

Mr. Nate Brown
City of Keizer
June 16, 2004
Page 4 of 4

to ensure that transportation infrastructure improvement costs are equitably borne by all future developers in the area.

This letter should be included in the record as ODOT testimony. ODOT should be considered a party to the hearing and be entitled to notices of future hearings or hearing continuances or extensions. Please provide me with a copy of the City's decision, including findings and conditions of approval.

Sincerely,

A handwritten signature in cursive script that reads "Jack Lee". The signature is written in dark ink and is positioned above the printed name and title.

Jack Lee
Planning and Development Manager

JL/DLF/TM:

cc: Jane Lee, Mid-Willamette Valley Area Manager
Steve Cooley, Region 2 Tech Center Manager
Bruce Erickson, Region 2 Traffic Manager
Craig Black, Region 2 Signal Operations Engineer
Tony Martin, Region 2 Access Management Engineer
Dan Fricke, Area 3 Planner
Ed Fischer, State Traffic Engineer
Don Jordan, District 3 Manager
Richard Schmid, Mid-Willamette Valley Council of Governments

6/21/04
Added
conditions...



CITY OF KEIZER PUBLIC WORKS DEPARTMENT

MEMORANDUM

DATE: June 21, 2004

TO: Keizer Community Development Department

FROM: Rob Kissler
Director of Public Works

Bill Peterson
City Engineer

SUBJECT: Addendum to Conditions of Approval for the Mater Plan and Subdivision Case 2004-21

The Department of Public Works has determine three additional conditions regarding Transportation Design and Operations should be added to the record.

- 1) A queuing plan for Phase 1 of the Development (assuming 2008 build out of Areas A and D) shall be submitted to the Department of Public Works for approval prior to Construction Plan Review. This analysis will determine the needed lane configurations.
- 2) Phase 1 improvements will require the closure of Ridge Drive at Chemawa Road and Chemawa Road at Lockhaven Drive. A suitable connection between Ridge Drive and the Intersection at Chemawa Road and McLeod Lane will be required. Figure 17 in the April 2004 final Transportation Impact Analysis indicates a connection suitable to the Department of Public Works. The Department of Public Works will consider other alternative street alignments depending on Area C development patterns.
- 3) A separate Railroad sensitivity analysis is required for Phase 1 improvements (assuming 2008 build out of Areas A and D) as outlined in the TIA dated April 2004 on page 21.

Good Morning Dianne,

My husband worked at Willamette Industries for 25 years, and for 10 of those he conducted the Safety Committee Meetings and trainings. I had him look over the safety issues in the Personnel Policies for the City and here are some suggestions he made:

On page 2, 3(b) A worker shall stop the machine, properly tag-out and lock-out all energy sources including electric, hydraulic, pneumatic and kinetic. The same worker shall pretest locked out equipment to insure a zero energy state.

Add "7 Steps to Lock-Out/Tag-Out"

1. Identify all power sources to be locked out.
2. Notify all affected personnel that lock-out is taking place.
3. Lock-out, tag-out.
4. Pretest equipment.
5. Perform needed maintenance.
6. Notify all affected personnel that unlocking is taking place.
7. Unlock and untag.

Also, on page 62 of the Current Policy,

7.1.1 B. Should include "and the approval of the City."

7.2.1 "Employees shall report immediately any unsafe or hazardous condition directly to a supervisor." This wording should also be the same in 7.1.1 E, which is more vague.

7.2.3 Should contain a letter E. which will state:

If the hazardous condition cannot be eliminated through these means, render machinery inoperable and/or eliminate access to the area. Obtain necessary assistance.

7.3.1 Any accident resulting in personal injury no matter how minor, or death, must be reported immediately to the City office.

This was just a few thoughts he had. Hope they help.

Judy Smith

*Submitted by
Judy Smith
6-21-04*

6/21/2004

City of Salem
Water, Sewer and Storm Water Utility Fund
2004 Financial Plan Scenarios

Implement Bond Term Structure	Old Base 2003			New COSA Slope			Impact of no lift in 04-05			If CIP Shifted by 20%			If CIP Shifted by 10%		
	July 1 - 2003 Revenue			Nov 1 - 2003 Revenue			Nov 1 - 2003 Revenue			Nov 1 - 2003 Revenue			Nov 1 - 2003 Revenue		
	Water	Sewer		Water	Sewer		Water	Sewer		Water	Sewer		Water	Sewer	
5 Yr CIP 10 Yr CIP 20 Yr CIP	Capital Improvement Program (CIP in \$millions)														
	\$416.9			\$305.9			\$305.9			\$244.8			\$275.3		
	\$551.5			\$446.0			\$446.0			\$453.4			\$449.6		
FY 2004-05 FY 2005-06 FY 2006-07 FY 2007-08 FY 2008-09 FY 2009-10 FY 2010-11 through 2014 through 2020	Forecast Annual Revenue - 10 Year														
	8.30%	8.90%		8.60%	7.40%		0.00%	0.00%		6.50%	6.50%		6.50%	6.50%	
	8.30%	8.90%		8.60%	7.40%		17.50%	16.50%		6.50%	6.50%		6.50%	6.50%	
FY 2007-08 FY 2008-09 FY 2009-10 FY 2010-11 through 2014 through 2020	8.30%	8.90%		8.60%	7.40%		8.60%	7.40%		6.50%	6.50%		7.00%	7.00%	
	8.30%	8.90%		8.60%	7.40%		8.60%	7.40%		6.50%	6.50%		7.00%	7.00%	
	8.30%	8.90%		8.60%	7.40%		8.60%	7.40%		6.50%	6.50%		7.00%	7.00%	
FY 2010-11 through 2014 through 2020	6.00%	8.90%		8.60%	7.40%		2.50%	5.60%		6.50%	6.50%		6.50%	6.50%	
	0.00%	6.00%		2.50%	5.60%		2.50%	5.60%		5.50%	6.50%		5.50%	6.50%	
	0.00%	0.00%		2.50%	5.60%		2.50%	5.60%		5.00%	5.00%		5.00%	5.00%	

4/21/04
 Tim Earls
 presentation

City of Salem
Water, Sewer and Storm Water Utility Fund
Proposed Revenue and Customer Class Rate Slopes

	2004-05	2005-06	2006-07	2007-08	2008-09
<u>Revenue Slope</u>					
Water	6.50%	6.50%	6.50%	6.50%	6.50%
Sewer	6.50%	6.50%	6.50%	6.50%	6.50%
<u>Customer Class Rate Slope</u>					
Residential					
Water	6.43%	5.90%	5.37%	4.98%	5.79%
Sewer	8.65%	7.06%	6.56%	6.47%	6.23%
Multifamily (4 unit complex)					
Water	6.89%	7.85%	8.05%	7.68%	6.64%
Sewer	7.72%	7.14%	6.62%	6.53%	6.27%
Multifamily (20 unit complex)					
Water	6.89%	7.85%	8.05%	7.68%	6.64%
Sewer	16.64%	8.96%	7.15%	6.99%	6.87%
Irrigation					
Water	11.13%	10.85%	10.71%	11.35%	10.73%
Commercial					
Water	2.79%	5.41%	5.81%	7.61%	6.57%
Sewer	9.00%	7.74%	7.52%	5.28%	6.56%
Industrial - High Strength					
* Water	7.96%	9.52%	9.60%	6.67%	5.87%
Sewer	0.58%	2.43%	2.60%	2.65%	4.29%
Industrial - High Volume					
* Water	7.96%	9.52%	9.60%	6.67%	5.87%
Sewer	2.08%	7.23%	7.16%	6.99%	7.08%
Industrial - Average					
* Water	7.96%	9.52%	9.60%	6.67%	5.87%
Sewer	1.13%	4.43%	4.60%	4.60%	5.58%
Institutional					
Water	10.50%	10.81%	10.74%	10.22%	10.48%
Sewer	2.73%	9.74%	9.74%	9.06%	8.24%
Public Building					
Water	-0.18%	5.39%	6.60%	6.39%	5.55%
Sewer	9.00%	7.74%	7.52%	5.28%	6.56%

City of Salem
Water, Sewer and Storm Water Utility Fund
Average Monthly Bills

	2003-04 Existing	2004-05	2005-06	2006-07	2007-08	2008-09
Customer Class Rate Slope						
Residential						
Water	20.89	22.23	23.54	24.81	26.04	27.55
Sewer	27.92	30.33	32.47	34.60	36.84	39.14
	48.80	52.56	56.01	59.41	62.88	66.69
Multifamily (4 unit complex)						
Water	35.09	37.39	40.24	43.40	46.66	49.68
Sewer	109.76	118.24	126.68	135.07	143.89	152.91
	144.85	155.62	166.92	178.47	190.55	202.59
Multifamily (20 unit complex)						
Water	170.23	180.90	195.06	210.71	226.84	241.86
Sewer	330.29	374.89	406.24	434.58	464.31	495.32
	500.52	555.79	601.30	645.29	691.15	737.17
Irrigation						
Water	93.95	104.40	115.73	128.12	142.66	157.97
Commercial						
Water	61.04	62.64	66.02	69.84	75.12	80.03
Sewer	124.90	136.14	146.68	157.71	166.05	176.95
	185.94	198.78	212.70	227.55	241.17	256.98
Industrial - High Strength						
* Water	1,645.08	1,643.37	1,643.62	1,643.86	1,684.86	1,783.80
Sewer	21,844.00	22,011.00	22,547.00	23,134.00	23,748.00	24,766.00
	23,489.08	23,654.37	24,190.62	24,777.86	25,432.86	26,549.80
Industrial - High Volume						
* Water	29,794.92	29,784.08	29,785.35	29,786.58	30,529.02	32,325.33
Sewer	44,144.00	45,061.00	48,321.00	51,779.00	55,399.00	59,322.00
	73,938.92	74,845.08	78,106.35	81,565.58	85,928.02	91,647.33
Industrial - Average						
* Water	1,218.83	1,315.83	1,441.08	1,579.45	1,684.86	1,783.80
Sewer	16,418.00	16,604.00	17,340.00	18,138.00	18,972.00	20,031.00
	17,636.83	17,919.83	18,781.08	19,717.45	20,656.86	21,814.80
Institutional						
Water	2,988.44	3,302.08	3,659.17	4,052.09	4,466.08	4,934.22
Sewer	16,758.00	17,216.00	18,893.00	20,683.00	22,556.00	24,414.00
	19,746.44	20,518.08	22,552.17	24,735.09	27,022.08	29,348.22
Public Building						
Water	64.04	63.54	66.89	71.18	75.60	79.68
Sewer	124.90	136.14	146.68	157.71	166.05	176.95
	188.94	199.68	213.57	228.89	241.65	256.63

**City of Salem
Water, Sewer and Storm Water Utility Fund
Proposed Revenue and Customer Class Rate Slopes**

	2004-05	2005-06	2006-07	2007-08	2008-09
Outside the City Users					
<u>Revenue Slope</u>					
Water	6.50%	6.50%	6.50%	6.50%	6.50%
Sewer	6.50%	6.50%	6.50%	6.50%	6.50%
<u>Customer Class Rate Slope</u>					
Keizer					
Residential					
Sewer	0.80%	0.50%	3.20%	5.80%	5.90%
Multifamily (4 unit complex)					
Sewer	0.70%	0.50%	3.20%	5.80%	5.90%
Multifamily (20 unit complex)					
Sewer	12.20%	0.70%	4.50%	7.60%	8.00%
Commercial					
Sewer	9.00%	9.20%	8.80%	9.70%	10.00%
East Salem					
Residential					
Sewer	1.70%	0.70%	2.30%	5.30%	5.70%
Multifamily (3 unit complex)					
Sewer	3.00%	0.70%	2.50%	5.70%	6.20%
Multifamily (20 unit complex)					
Sewer	12.80%	0.90%	3.20%	7.20%	8.00%
Commercial					
Sewer	8.90%	7.70%	7.00%	7.00%	7.20%
Wholesale					
Water	0.10%	5.60%	5.90%	5.50%	6.10%
Jan Ree					
Residential					
Water	2.68%	6.63%	6.27%	6.37%	5.20%
Sewer	1.70%	0.70%	2.30%	5.30%	5.70%
Multifamily (3 unit complex)					
Water	6.90%	9.25%	6.64%	6.51%	5.73%
Sewer	3.00%	0.70%	2.50%	5.70%	6.20%
Multifamily (20 unit complex)					
Water	7.68%	9.57%	6.83%	6.69%	5.87%
Sewer	12.80%	0.90%	3.20%	7.20%	8.00%
Irrigation					
Water	11.32%	13.07%	12.76%	10.46%	7.02%
Commercial					
Water	2.68%	7.08%	6.70%	6.60%	5.73%
Sewer	8.90%	7.70%	7.00%	7.00%	7.20%

City of Salem
Water, Sewer and Storm Water Utility Fund
Average Monthly Bills

	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09
Existing						
Keizer						
Residential						
Sewer	23.32	23.50	23.57	24.35	25.75	27.30
Multifamily (4 unit complex)						
Sewer	89.33	89.51	89.78	92.67	97.84	103.59
Multifamily (20 unit complex)						
Sewer	279.41	312.59	313.82	328.24	352.69	381.48
Commercial						
Sewer	106.22	115.60	126.36	137.60	150.90	165.71
East Salem						
Residential						
Sewer	24.20	24.55	24.76	25.32	26.63	28.18
Multifamily (4 unit complex)						
Sewer	68.34	68.11	68.68	70.17	73.72	77.91
Multifamily (20 unit complex)						
Sewer	270.30	302.84	306.48	316.14	338.12	365.78
Commercial						
Sewer	116.24	119.71	131.28	141.72	151.86	163.08
Wholesale						
Water	39,636.83	39,685.00	41,900.50	44,371.75	46,795.75	49,641.83
Jan Ree						
Residential						
Water	13.94	14.31	15.26	16.22	17.25	18.15
Sewer	24.20	24.55	24.76	25.32	26.63	28.18
Multifamily (4 unit complex)						
Water	36.49	39.00	42.61	45.44	48.40	51.17
Sewer	68.34	68.11	68.68	70.17	73.72	77.91
Multifamily (20 unit complex)						
Water	172.13	185.36	203.10	216.97	231.48	245.05
Sewer	270.30	302.84	306.48	316.14	338.12	365.78
Irrigation						
Water	97.00	107.98	122.09	137.67	152.07	162.75
Commercial						
Water	62.35	64.01	68.55	73.14	77.97	82.44
Sewer	116.24	119.71	131.28	141.72	151.86	163.08