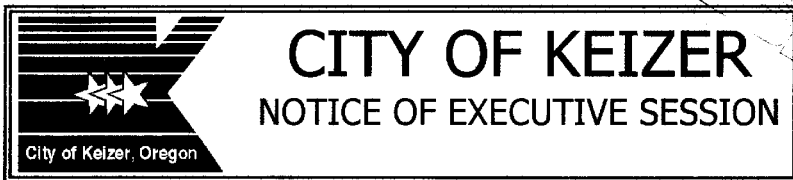


CITY COUNCIL AGENDA PACKET

MONDAY,
June 16, 2003

- 6:15 P.M. EXECUTIVE SESSION
- 7:00 P.M. CITY COUNCIL
REGULAR SESSION
- *IMMEDIATELY FOLLOWING
ADJOURNMENT OF CITY
COUNCIL MEETING - URBAN
RENEWAL AGENCY MEETING*

*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!!*



NOTICE is hereby given that the City Council of the City of Keizer will meet in executive session on **Monday, June 16, 2003 beginning at 6:15 p.m.** The Executive Session is being held pursuant to ORS 192.660(1)(h) – To consult with counsel concerning legal rights and duties of a public body with regard to current litigation or litigation likely to be filed and ORS 192.660(1)(i) – To review and evaluate, pursuant to criteria and policy directives adopted by the governing body, the employment related performance of the Municipal Court Judge.

The Executive Session will be held at Keizer City Hall, 930 Chemawa Road NE, Keizer, Oregon.

Questions regarding this session may be directed to Chris Eppley, City Manager at 390-3700, extension 102.

Dated this 12th, day of June 2003.

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

A G E N D A
KEIZER CITY COUNCIL
EXECUTIVE SESSION

Monday, June 16 2003

6:15 p.m.

**Keizer City Hall
Keizer, Oregon 97303**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCUSSION**
 - a. Pursuant to ORS 192.660(1)(h) (To consult with counsel concerning legal rights and duties of a public body with regard to current litigation or litigation likely to be filed)**
 - b. Pursuant to ORS 192.660(1)(i) (To review and evaluate, pursuant to standards, criteria and policy directives adopted by the governing body, the performance of the Municipal Court Judge)**
- 4. ADJOURN**

Upon request, auxiliary aids and/or special services for those with disabilities 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.

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

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

A G E N D A

URBAN RENEWAL AGENCY OF THE CITY OF KEIZER

Monday, June 16, 2003

Immediately following City Council Meeting

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. RESOLUTION – Adoption of 2003-2004 Urban Renewal Agency Budget

6. CONSENT CALENDAR

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.



URBAN RENEWAL AGENCY BOARD

June 16, 2003

AGENDA ITEM 5a

**RESOLUTION - ADOPTION OF 2003-2004 URBAN RENEWAL
AGENCY BUDGET**

URBAN RENEWAL MEETING: June 16, 2003

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 2003-04 BUDGET, MAKING
APPROPRIATIONS, IMPOSING AND CATEGORIZING TAXES

BACKGROUND:

The Budget Committee comprised of the Board and seven citizens, reviewed, modified and, on May 8, 2003, approved the Manager's Recommended Budget for Fiscal Year 2003-04, as amended. The Committee Approved Budget was published in a local newspaper as required by Oregon Budget Law. On June 2, 2003 the Board conducted a public hearing on the Committee Approved Budget. After which, the Board closed the public hearing and moved to receive the attached resolution for adoption this evening. The Board must adopt the upcoming fiscal year budget by June 30.

RECOMMENDATION:

Staff recommends that the Board adopt the attached budget resolution for Fiscal Year 2003-04.

CITY OF KEIZER, STATE OF OREGON

RESOLUTION UR03-_____

ADOPTING THE FY04 BUDGET, MAKING APPROPRIATIONS,
AND IMPOSING AND CATEGORIZING TAXES

BE IT RESOLVED, that the Keizer Urban Renewal Agency hereby adopts the budget for fiscal year 2003-04 in the sum of \$13,055,722 now on file at Keizer City Hall.

BE IT FURTHER RESOLVED that the amounts for the fiscal year beginning July 1, 2003 and for the purposes shown below are hereby appropriated:

Tax Increment Fund

Debt Service \$6,261,043

TOTAL TAX INCREMENT FUND

\$6,261,043

Project Fund

Personal Services \$ 225,587
Materials & Services 186,754
Capital Outlay 6,182,338
Contingency 200,000

TOTAL PROJECT FUND

\$6,794,679

TOTAL ALL FUNDS

\$13,055,722

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 _____, 2003.

SIGNED this _____ day of _____, 2003.

Chair

City Recorder

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 16, 2003

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** – Forming Pleasantview Street Lighting District
- ORDINANCE** – Spreading Assessments to Pleasantview Street Lighting District
- b. **RESOLUTION** – Change in Sewer Administration Fee
- c. **ORDINANCE** – Amending the Utility License Fees for Sewer Utilities in the City of Keizer (Amending Ordinance No. 2002-468)

6. COMMITTEE REPORTS

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
 - Municipal Court Judge Evaluation Report
- Old Business
 - Letter of Support for Salem Area Mass Transit Grant Funding

8. ADMINISTRATIVE ACTION

- a. **ORDINANCE** – Permitting and Regulating Use of Golf Carts in Designated Areas Pursuant to ORS 810.070 Repealing Section 4 of Ordinance No. 94-298
- b. **RESOLUTION** – Intent to Sign Development Disposition Agreement for Keizer Station Area
- c. Sign Variance Request for Keizer Salem Area Senior Center

- d. **RESOLUTION** – Adoption of 2003-2004 City of Keizer Budget, Making Appropriations, and Imposing and Categorizing Taxes
- e. **ORDINANCE** – Spreading Assessments to Marks Drive Local Improvement District
- f. **RESOLUTION** – Authorization for Resolution Transfer (Parks to Street Light Fund)
- g. **RESOLUTION** – Authorization of Interfund Loan - Street Lighting District Fund

9. **CONSENT CALENDAR**

- a. **RESOLUTION** – Adoption of City Logo for Administration Purposes
- b. **RESOLUTION** – Creation of Keizer Points of Interest Committee (KPIC)
- c. **RESOLUTION** – Authorizing the City Manager to Enter Agreement with URS Corp for Development of City's Storm Water Management Plan
- d. **RESOLUTION** – City's Election to Receive State Revenue
RESOLUTION – Certifying the City of Keizer Provides Four or More Services
- e. **RESOLUTION** – Removal of Committee Member
- f. **RESOLUTION** – Certifying Delinquent Sewer Assessments
- g. **RESOLUTION** – Authorizing the Disposition of Surplus Vehicles in Exchange for One Full Size Pick Up Truck
- h. **RESOLUTION** – Initiating Martin Addition Street Lighting District
- i. Approval of May 19, 2003 City Council Regular Session Minutes

10. **WRITTEN COMMUNICATIONS**

To inform the Council of significant written communications.

11. **AGENDA INPUT**

June 23, 2003

12:00 p.m. (Noon) – City Council Work Session

- Improvements to Chemawa Road

July 7, 2003

7:00 p.m. City Council Meeting

- Increase in Yard Debris Removal Rates – Public Hearing
- Variance Criteria

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 16, 2003

AGENDA ITEM 5a

**RESOLUTION – FORMING PLEASANTVIEW STREET LIGHTING
DISTRICT**

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**FROM: CHRIS EPPLEY
CITY MANAGER**

THROUGH: TRACY L. DAVIS, CMC 
CITY RECORDER

SUBJECT: PUBLIC HEARING - To consider remonstrances or objections to formation of the Pleasantview Drive Street Lighting Local Improvement District and objections to an Ordinance spreading assessments to Pleasantview Drive Street Lighting Local Improvement District

ISSUE

1. Shall the City Council form Pleasantview Drive Street Lighting Local Improvement District after conducting a public hearing to receive objections or remonstrances to its formation?
2. Shall the City Council adopt an ordinance spreading assessments in Pleasantview Drive Street Lighting Local Improvement District after conducting a public hearing to receive written objections to the ordinance spreading those assessments to the district.

BACKGROUND

In March 1994, the Keizer City Council adopted Ordinance 94-278 relating to formation of street lighting local improvement districts within the City of Keizer.

On February 12, 2003, a resident of the Pleasantview Drive area filed a petition to form a street lighting local improvement district. In response to this petition, the City Council adopted Resolution R2003-1392 on March 3, 2003 to initiate formation of a street lighting local improvement district and directing the City Engineer to make a survey and file a written report with the City Recorder. On May 5, 2003 the City Council approved the City Engineer's report and set a public hearing to consider remonstrances to the project and objections to proposed assessments. On June 2, 2003 notice of the public hearing and intention to form the district and assess for the lighting improvements, as required under Ordinance 94-278, were provided by mail to the property owners.

ANALYSIS

Included within the agenda packet is the proposed resolution forming Pleasantview Drive Street Lighting Local Improvement District and setting forth the time and manner of installing the street lights within that district. If the Council decides to form the street lighting district, the next step is to proceed with an ordinance spreading assessments.

Included within the agenda packet is the proposed ordinance to spread assessments to the properties benefited by the lighting district. The ordinance provides for first annual assessments and the procedure for determining second and future annual assessments. Following the City Council's adoption of the Ordinance spreading assessments, the City authorizes the appropriate utility company to install the poles and lights.

FISCAL IMPACT

The City initially pays the street lighting expense to the utility company as it is billed throughout the year. The operating cost of the lights is then billed to the property owners on an annual basis, thereby recovering the City's costs for bills paid throughout the year. In addition, the bills include the cost of the City Engineer's Report in the first year, and an administrative charge in the first and subsequent years to recover the City's cost for administering the lighting districts. All funds are budgeted through the Utility Fund.

RECOMMENDATION

1. Open the public hearing to first consider oral objections and written remonstrances to formation of Pleasantview Drive Street Lighting Local Improvement District.
2. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are presented to the Council at the public hearing, close the hearing and suspend formation of the district for six months.
3. Consider other objections to the formation of the district. The Council may suspend formation of the district without remonstrance of owners of two-thirds (2/3) of the land if the Council deems that action appropriate.
4. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are not presented to the Council at the public hearing, or other valid objections to formation are not presented, then consider objections to the scope, design or equipment proposed for the district.
5. After consideration of objections of the plans for the district, and if it appears that the Council will form the district, Council should next consider written objections to the proposed assessments which were filed with the City.
6. Close the public hearing.
7. Consider adoption of the resolution officially forming the lighting district.
8. If council forms the district, consider adoption of the proposed assessment ordinance. Council may adopt, correct, modify or revise the assessment against each lot in the district according to special and peculiar benefits accruing to the lot.

**NOTICE OF PUBLIC HEARING
INTENTION TO ASSESS FOR
STREET LIGHTING IMPROVEMENTS
PLEASANTVIEW DRIVE STREET LIGHTING DISTRICT**

NOTICE IS HEREBY GIVEN that the City Council of the City of Keizer, Oregon declares its purpose and intention to assess certain property benefited by improvement of a street lighting district with the installation of **seven (7) 150-watt high pressure sodium flat lens luminaries mounted on 4-foot long mast arms and attached to 30 feet gray fiberglass poles and two (2) 100-watt high pressure sodium flat lens luminaries mounted to 2 existing poles** all to serve **PLEASANTVIEW DRIVE STREET LIGHTING DISTRICT** and the City Council hereby ascertains and determines that the properties benefited by such lighting district improvements will be all of the lots, parts of lots, and parcels of land more particularly described in City Engineer's Report referenced in Resolution R2003-1409 adopted by the City Council on May 5, 2003. The parcels of land within the proposed lighting district include those properties identified on the assessors map 7S 3W 11AD and 7S SW 11AA (individualized list attached.)

The estimated amount of the proposed assessment to each property is an initial annual amount of **\$51.08 per lot** with estimated annual assessments thereafter of **\$30.18 per lot**. (The initial assessment includes the costs of the engineer's report and an administrative cost.) These assessments may fluctuate according to the utility company's rate structure and the electrical consumption within the district.

If you have objections to the proposed assessment, you may file such objection, either by providing testimony at the public hearing or stating the grounds thereof in writing, and the Council will consider those objections **MONDAY, JUNE 16, 2003 AT 7:00 P.M.** public hearing at Keizer City Hall, 930 Chemawa Road N.E., Keizer, Oregon. Objections filed in writing must be received on or before June 16, 2003 and addressed to Tracy L. Davis, CMC Keizer City Recorder, P.O. Box 21000, Keizer, Oregon 97307. Formation of the district will be suspended for six months if there is presented a valid remonstrance of the owners of two-thirds of the land to be specially assessed therefor. Prior to filing any objections, you are urged to contact the City of Keizer to answer any questions you may have about your assessment. Any inquiries should refer to **Pleasantview Drive Street Lighting District**.

DATED at Keizer, Oregon, this 2nd day of June 2003.

Tracy L. Davis, CMC
City Recorder
(503) 390-3700, extension 108

NOTE: THIS IS NOT A BILL

If the assessment is passed as it is now written, you will receive a notice of assessment from the Marion County Tax Assessor on your property tax statement.

Said assessment will become a lien on your property unless fully paid each year when due.



City of Keizer

Phone: 390-3700 • Fax: 393-9437

930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, Oregon 97307-1000

Administration • Public Works • Community Development • Municipal Court • Police (business only) Phone 503.390.3713 Fax 503.390.8295

**ENGINEER'S REPORT
FOR
PLEASANTVIEW DRIVE
STREET LIGHTING DISTRICT**

For City Council Action April 21, 2003



Renewal date: December 31, 2004

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

Date: March 24, 2003

Project File: 0813

"Pride, Spirit and Volunteerism"

Incorporated 1982

TO: The Hon. Mayor and City Council

FROM: City Engineer's Office

SUBJECT: Street Lighting District for Pleasantview Drive

Authority and Purpose: This report is submitted in accordance with the requirements of City of Keizer **Ordinance No. 94-278** and Council **Resolution 2003-1392** 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 7, 150 Watt, high pressure sodium, flat lens luminaries mounted on 6 foot long mast arms and attached to existing 30 foot distribution poles; Plus 2, 100 Watt, high pressure sodium, flat lens luminaries mounted on 6 foot long mast arms and attached to 30 foot fiberglass poles. This design is selected to meet current standards and minimize cost utilizing the existing poles. It is recommended that installation be accomplished by the following method:

Salem Electric Company (SE) would supply, install and maintain the luminaries, poles and underground or overhead wiring. Salem Electric would also supply the electrical power to the District.

Estimated Costs:

Initial Cost and Annual costs -

7, 150 Watt, HPS street lights @ 10.01 per mo. x 12 mos. =	\$840.84
2, 100 Watt, HPS street lights @ 8.88 per mo. x 12 mos. =	213.12
7, 30 foot, fiberglass poles @ 2.90 per mo. x 12 mos. =	243.60
Administrative Fee @ \$6.90/Lot:	296.70
Engineering @ \$14.00/Lot:	<u>602.00</u>
Total Assessment	\$2196.26
(1)Per Lot Assessment (First Year, 43 Lots)	\$51.08

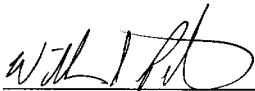
(1) Includes tax roll preparation, audit, delinquencies and miscellaneous administrative costs to the City as authorized by Res. 94-716.

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 \$30.18 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

2
3 **A BILL FOR**4 **AN ORDINANCE SPREADING ASSESSMENTS TO**
5 **PLEASANTVIEW DRIVE STREET LIGHTING LOCAL**
6 **IMPROVEMENT DISTRICT**
78
9
10 Section 1. FINDINGS. The City Council of the City of Keizer makes the following

11 findings:

- 12 a. The City Council did heretofore declare its intention to install street lights to
-
- 13 serve an area known as Pleasantview Drive Street Lighting Local
-
- 14 Improvement District which is described as follows:

15 Pleasantview Drive - identified on the assessors
16 map 7S 3W11AD and 7S 3W 11AA tax lots 103,
17 2801, 601, 700, 800, 900, 1000, 1100, 1101,
18 1200, 1300, 1400, 1500, 1600, 1700, 2200,
19 2201, 2202, 2300, 2400, 2500, 2600, 2700,
20 2800, 2900, 3000, 3100, 3200, 3300, 3400,
21 3401, 3500, 3501, 4500, 4600, 4700, 4800,
22 4900, 5000, 5200, 5200, 5300, and 5400 in the
23 City of Keizer, County of Marion, State of
24 Oregon;25
26 which includes the installation of seven (7) - 150-watt high pressure sodium
27 luminaries mounted on four-foot long mast arms and attached to 30-foot
28 gray fiberglass poles and two (2) 100 watt high pressure sodium flat lens
29 luminaries mounted on 2 existing poles located within the subject local
30 improvement district, all in accordance with the City Engineer's Report for
31 Pleasantview Drive Street Lighting Local Improvement District.

- 32 b. The total initial cost of Pleasantview Drive Street Lighting Local Improvement
-
- 33 District is \$2196.26.
-
- 34 c. The per space/lot assessment formula was used for this district.

- 1 d. The improvements in the district have been or will be constructed as provided
2 in the Engineer's Report.
- 3 e. Notice was duly mailed to the benefited property owners on June 2, 2003
- 4 f. A meeting of the City Council was held at the time and place fixed by public
5 notice for the purpose of considering any such written objections to the
6 proposed assessments.
- 7 g. No written objections to the proposed assessments were filed.
- 8 h. The Council has considered the matter and determined that construction of
9 said improvements was and is of material benefit to the City, and all the
10 property to be assessed therefore will be specially benefited by the
11 improvements in the amounts shown on the assessment roll.

12 NOW, THEREFORE, the City Council of the City of Keizer ordains as follows:

13 Section 2. ASSESSMENTS.

- 14 a. First Annual Assessment. It is hereby determined that the share of the cost
15 of the improvements for Pleasantview Drive Street Lighting Local
16 Improvement District for each parcel and property benefited thereby for the
17 first annual assessment is the amount set opposite the description of each
18 piece or parcel of land as described in Pleasantview Drive Street Lighting
19 District Assessment Roll as set forth in Exhibit "A" attached, and that each
20 piece or parcel of land benefited by the improvements, to the full extent of
21 the amount so set opposite such piece or parcel and that the respective
22 amounts represent the proportionate benefits of said improvements to said
23 respective parcels of property, and the Council does hereby declare that each
24 of the parcels of property described in Pleasantview Drive Street Lighting

District Roll as set forth in Exhibit "A" attached is hereby assessed the first annual 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 "Pleasantview Drive Street Lighting Local Improvement District":

7 - 150 Watt Luminaries	\$840.84
2 - 100 Watt Luminaries	\$213.12
7 fiberglass poles	\$243.60
Engineering Costs	\$602.00
Administrative Fee	<u>\$296.70</u>
Total Assessments	\$2196.26

- 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 Pleasantview Drive Street Lighting Local Improvement District shall be collected pursuant to ORS 223.866.

1 d. Lien on Property. The assessment shall be entered as a lien against the
2 benefited property in the City Lien Docket.

3 PASSED this _____ day of _____, 2003.

4
5 SIGNED this _____ day of _____, 2003.

6
7
8 _____
9 Mayor

10
11 _____
12 City Recorder
13
14
15

PRELIMINARY ASSESSMENT ROLL (First Year)

PLEASANTVIEW DRIVE
STREET LIGHTING DISTRICT

*Assessors Map 7S 3W 11AD

<u>Tax Lot #</u>	<u>Owners Name and Address</u>	<u>Assessment</u>
103	CEDILLO, HIPOLITO J & MARIA R 1555 4 TH ST NE SALEM, OR 97303	\$51.08
2801	CHEZEM, GARY A 3665 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08

*Assessors Map 7S 3W 11AA

601	CEDILLO, HIPOLITO J & MARIA R 1555 4 TH ST NE SALEM, OR 97303	\$51.08
700	SCHNEBERGER, LEONA E 3750 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
800	WADLEIGH, BRUCE & JONES, SHADYA 198 COMMERCIAL ST SE SALEM, OR 97301	\$51.08
900	RUDISHAUSER, DEAN A & JEANIE 3764 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
1000	DELONG, CHARLES W & LOIS L 3770 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
1100	PERKINS, BARBARA M 3780 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08

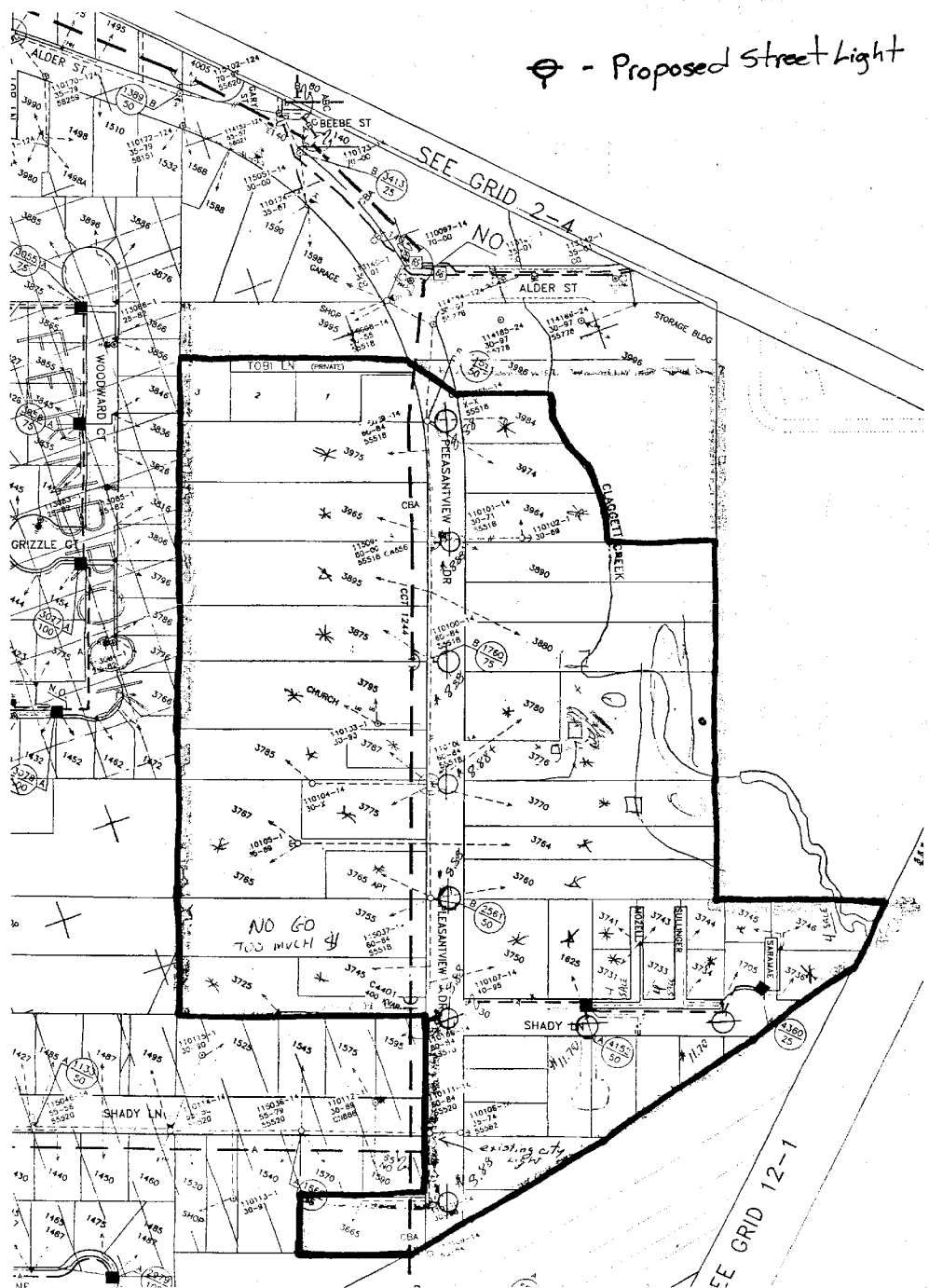
<u>Tax Lot #</u>	<u>Owners Name and Address</u>	<u>Assessment</u>
1101	BAKKALA, GARY A & BAKKALA, JULIA AC 5068 BRIARWOOD CR N KEIZER, OR 97303	\$51.08
1200	BOUSSAD, FRANK & KELLY, LISA M PO BOX 20083 KEIZER, OR 97307	\$51.08
1300	GEROLD, JIM J 3880 PLEASANT VIEW DR NE Keizer, OR 97303	\$51.08
1400	UNGER, JOSEPH R & JANE K 3890 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
1500	KREHBIEL, RICHARD D & KREHBIEL, MARSHA M 3964 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
1600	ANDERSON, SHIRLEY I 3974 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
1700	CRAIG, PEARL A <LIEUALLAN, ALMYN TROY 3984 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
2200	NIELSEN, DAVID D & TOBI L 2925 ERIC CT NW SALEM, OR 97304	\$51.08
2201	NIELSEN, DAVID D & TOBI L 2925 ERIC CT NW SALEM, OR 97304	\$51.08

<u>Tax Lot #</u>	<u>Owners Name and Address</u>	<u>Assessment</u>
2202	NIELSEN, DAVID D & TOBI L 2925 ERIC CT NW SALEM, OR 97304	\$51.08
2300	NIELSEN, DAVID D & TOBI L 2925 ERIC CT NW SALEM, OR 97304	\$51.08
2400	MCEVOY, JOHN F & JULIE 3975 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
2500	WALKER, WILLIE D & WALKER, VIVIAN L & ANDREWS, LINDA G 3965 PLEASANT VIEW DR NE	\$51.08
2600	REDINGER, WILLIAM E & MARGARE 3895 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
2700	HANLEY, GAIL P 3875 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
2800	TRUTH TABERNACLE 3795 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
2900	HOWELL, NELLIE G 3787 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
3000	PERKINS, WARREN D & PAULINE - T 3995 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
3100	HAMILTON, LAWRENCE F & DONNA 3775 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
3200	TITUS, CHRISTOPHER D & TAMI R 3767 PLEASANT VIEW DR NE SALEM, OR 97303	\$51.08

<u>Tax Lot #</u>	<u>Owners Name and Address</u>	<u>Assessment</u>
3300	KELLEY, JAMES M & ANITA C 3765 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
3400	GRISWOLD, ROGER PO BOX 85 SALEM, OR 97308	\$51.08
3401	GRISWOLD, ROGER PO BOX 85 SALEM, OR 97308	\$51.08
3500	TATE, THOMAS R & JULIA A 3745 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
3501	TATE, THOMAS R JULIA A 3745 PLEASANT VIEW DR NE KEIZER, OR 97303	\$51.08
4500	MAST, JOHN PAUL & MAST, MOLLY KRISTINE 3741 MOZELL LN NE KEIZER, OR 97303	\$51.08
4600	SHADY LANE DEVELOPMENT LLC <LAFERRIERE, EVA M 3743 SULLENGER LN NE SALEM, OR 97303	\$51.08
4700	ROBLES, JAVIER & BRINLEE, TRIC 3744 SULLENGER LANE NE KEIZER, OR 97303	\$51.08
4800	SANCHEZ, JESUS & PATRICIA R 3745 SARMAE LN KEIZER, OR 97303	\$51.08
4900	CONSECO FINANCE SERVICING CO PO BOX 3290 FEDERAL WAY, WA 98063	\$51.08

<u>Tax Lot #</u>	<u>Owners Name and Address</u>	<u>Assessment</u>
5000	YATES, COREY J & YATES, CHRISTINA M KIEFIUK 3736 SARMAE LN NE KEIZER, OR 97303	\$51.08
5100	BICKLE, DAVID P & DEBORAH R 1705 SHADY LN NE KEIZER, OR 97303	\$51.08
5200	DONLEY, LAWRENCE E PO BOX 18503 SALEM, OR 97305	\$51.08
5300	SHADY LANE DEVELOPMENT LLC 471 EOLA DR NW SALEM, OR 97304	\$51.08
5400	HARIUC, IOLANDA G 3731 MOZELL LN NE KEIZER, OR 97303	\$51.08
TOTAL ASSESSMENT:		\$2196.26

⊙ - Proposed Street Light





June 16, 2003

AGENDA ITEM 5b

RESOLUTION – CHANGE IN SEWER ADMINISTRATION FEE

COUNCIL MEETING:

June 16, 2003

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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



SUBJECT: INCREASE IN SEWER ADMINISTRIVE FEE

BACKGROUND:

The City of Keizer administers the sewer billings, collection, and record keeping for the sewer service in the city. The Sewer Administrative Fee is set at an amount necessary to cover these administrative costs. Tonight a public hearing is scheduled to discuss an increase in the sewer administrative fee from \$3.95 to \$4.50 per bill.

FISCAL IMPACT:

The increase in the fee from \$3.95 to \$4.50 is expected to generate approximately \$30,000 in FY04. This fee increase is reflected in the Committee Approved Budget passed on May 8, 2003 and is necessary to fund expenditures as appropriated.

The annual cost per household for this increase is anticipated to be \$3.30.

RECOMMENDATION:

Staff recommends council open the public hearing on the increase of a sewer administrative fee. After testimony staff recommends council close the public hearing and deliberate on this issue. After which, staff recommends the council adopt the attached resolution, if it so chooses.

In the event the administrative fee is not increased to \$4.50 by the council, staff requests Council to direct the City Manager to bring a supplemental budget to the Council for the FY04 budget to recognize the anticipated revenue shortfall.

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 RESOLUTION NO. R2003-_____

3 CHANGE IN SEWER ADMINISTRATION FEE

4 (Repealing R01-1292)

5
6 WHEREAS, the City of Keizer is responsible for the city's sewer
7 collection system and contracts for treatment with the City of Salem; and

8 WHEREAS, the City of Keizer administers the sewer billing and
9 collection, record keeping and debt for the sewer service in the city; and

10 WHEREAS, the City may adjust fees reasonably calculated to reimburse
11 it for its costs of providing service; NOW, THEREFORE,

12 BE IT RESOLVED by the City Council of the City of Keizer that an
13 administrative fee of \$4.50 be added to bi-monthly sewer bills within the City of
14 Keizer effective on billing cycles beginning July 1, 2003; and

15 BE IT FURTHER RESOLVED that this fee will not be added to the sewer
16 bills of those senior citizens who have been approved for the City of Salem's
17 senior citizen, low income, discount program; and

18 BE IT FURTHER RESOLVED this fee will be reviewed on an annual basis
19 after completion of the City's annual financial audit and before adoption of the
20 City's annual budget.

21 BE IT FURTHER RESOLVED that Resolution R01-1292 is hereby
22 repealed in its entirety.

23

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PASSED THIS _____ **day of** _____, **2003.**

SIGNED THIS _____ **day of** _____, **2003.**

Mayor

City Recorder

1
2 **CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**

3 **Resolution R2001-1292**

4 **CHANGE IN SEWER ADMINISTRATION FEE**

5 **(Repealing R99-1105)**

6
7
8 **WHEREAS, the City of Keizer is responsible for the city's sewer collection**
9 **system and contracts for treatment with the City of Salem; and**

10 **WHEREAS, the City of Keizer administers the sewer billing and collection,**
11 **record keeping and debt for the sewer service in the city; and**

12 **WHEREAS, the City may adjust fees reasonably calculated to reimburse it for**
13 **its costs of providing service; NOW, THEREFORE,**

14 **BE IT RESOLVED by the City Council of the City of Keizer that an**
15 **administrative fee of \$3.95 be added to bi-monthly sewer bills within the City of**
16 **Keizer effective on billing cycles beginning July 1, 2001; and**

17 **BE IT FURTHER RESOLVED that this fee will not be added to the sewer bills**
18 **of those senior citizens who have been approved for the City of Salem's senior**
19 **citizen, low income, discount program; and**

20 **BE IT FURTHER RESOLVED this fee be reviewed on an annual basis after**
21 **completion of the City's annual financial audit and before adoption of the City's**
22 **annual budget.**

23 **BE IT FURTHER RESOLVED that Resolution R99-1105 is hereby repealed in**
24 **its entirety.**

25
26 **FMAGIC**



June 16, 2003

AGENDA ITEM 5C

**ORDINANCE – AMENDING THE UTILITY LICENSE FEES FOR
SEWER UTILITIES FOR CITY OF KEIZER**

COUNCIL MEETING:

June 16, 2003

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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



SUBJECT: INCREASE IN SEWER LICENSE FEE

BACKGROUND:

Tonight a public hearing is scheduled to discuss an increase in the sewer license fee from 2% to 5% of sewer charges. Revenue from this fee was provided for in the General Fund Long-Range Plan adopted by the Council on June 18, 2001. The amended plan provided for a 2% fee beginning July 1, 2002 and increasing to a 5% fee beginning July 1, 2003.

ISSUE:

The Sewer License Fee supports the City's general services including police, community development, parks and administration and applies to all sewer charges. The 5% fee is consistent with the license and franchise fees charged on other utilities including electricity, natural gas, sanitation, cable television and water. Telephone utilities have a 7% franchise fee per agreement.

FISCAL IMPACT:

The increase in the fee from 2% to 5% is expected to generate approximately \$111,000 in FY04. This fee increase is reflected in the Committee Approved Budget passed on May 8, 2003 and is necessary to fund expenditures as appropriated.

RECOMMENDATION:

Staff recommends council open the public hearing on the increase of a sewer license fee to 5% of revenues generated on the sewer bills. After testimony staff recommends council close the public hearing and deliberate on this issue. After which, staff recommends the council adopt the attached ordinance, if it so chooses.

In the event the license fee is not increased to 5% by the council, staff requests Council to direct the City Manager to bring a supplemental budget to the Council for the FY04 budget to recognize the anticipated revenue shortfall.

1 BILL NO. ____

A BILL

ORDINANCE NO.

2

2003-_____

3

FOR

4

AN ORDINANCE

5

AMENDING THE UTILITY LICENSE FEES FOR SEWER UTILITIES

6

IN THE CITY OF KEIZER AND DECLARING AN EMERGENCY

7

(AMENDING ORDINANCE NO. 2002-468)

8

WHEREAS, the City Council of the City of Keizer has adopted Ordinance No.

9

2002-468 which establishes utility license fees for sewer utilities;

10

WHEREAS, an amendment to increase the right-of-way use or business license

11

fee from two percent (2%) to five percent (5%) has been brought to the City Council of

12

the City of Keizer for consideration;

13

WHEREAS, the City Council held a public hearing with regard to the proposed

14

increase from two percent (2%) to five percent (5%) on June 16, 2003;

15

WHEREAS, the City Council finds that it is appropriate to increase the right-of-

16

way use or business license fee from two percent (2%) to five percent (5%) for all sewer

17

utilities in the City of Keizer;

18

NOW THEREFORE, the City of Keizer ordains as follows:

19

Section 1. AMENDMENT OF ORDINANCE NO. 2002-468. Ordinance No.

20

2004-468 (An Ordinance Relating to Sewer Utilities in the City of Keizer Establishing

21

Utility License Fees; Declaring an Emergency) is hereby amended at Section 2 as

22

follows:

Page 1 - ORDINANCE NO. 2003-_____

Lien & Johnson

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

1 Section 2. Fee Required. Each Municipal Public Sewer Utility shall pay
2 to the City of right-of-way use or business license fee as follows: five
3 percent (5%) paid monthly of any and all gross revenues of such public
4 utility received for sewer service within the City for the users thereof.
5 "Gross Revenue" as the term is used herein will include any and all
6 revenues for providing Sanitary Sewer Services, including any one-time
7 miscellaneous charges.

8 Section 2. EFFECTIVE DATE. This Ordinance being necessary for the
9 immediate preservation of the public health, safety and welfare, an emergency is
10 declared to exist and this Ordinance shall take effect on July 1, 2003.

11 PASSED this _____ day of _____, 2003.

12 SIGNED this _____ day of _____, 2003.

13 _____
14 Mayor

15 _____
16 City Recorder

1 BILL NO. 447

A BILL

ORDINANCE NO.

2 2002-468

3 FOR

4 AN ORDINANCE RELATING TO SEWER UTILITIES

5 IN THE CITY OF KEIZER ESTABLISHING UTILITY

6 LICENSE FEES; DECLARING AN EMERGENCY

7 The City of Keizer ordains as follows:

8 Section 1. Municipal Public Sewer Utility. The term "Municipal Public Sewer
9 Utility" as used in this Ordinance shall be construed to mean any individual, partnership,
10 corporation, cooperative, municipal corporation or other association and all other legal
11 entities installing, owning, operating, or maintaining any sewer systems, sewer
12 equipment, and appliances in, upon, under, over, or along the public streets, alleys, and
13 other public ways within the City of Keizer for the purpose of providing Sanitary Sewer
14 Services to any of the residents of the City, or outside the City which sewer is paid for
15 wholly or in part by the users thereof.

16 Section 2. Fee Required. Each Municipal Public Sewer Utility shall pay to the
17 City of right-of-way use or business license fee as follows: two percent (2%) paid
18 monthly of any and all gross revenues of such public utility received for sewer service
19 within the City for the users thereof. "Gross Revenue" as the term is used herein will
20 include any and all revenues for providing Sanitary Sewer Services, including any one-
21 time miscellaneous charges.

22 Section 3. Payment of Use or License Fee. Each Municipal Public Sewer Utility
23 shall file with the Finance Director on or before the twentieth (20th) day of each calendar

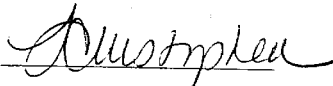
1 month, the monthly fee and statement showing the amount of Gross Revenue of the
2 Municipal Public Sewer utility for the month immediately preceding the date upon which
3 such statement is required to be filed.

4 Section 4. Ordinance Does Not Constitute Grant or Franchise. This Ordinance
5 shall not be construed as being a grant or franchise.

6 Section 5. Effective Date. This Ordinance being necessary for the immediate
7 preservation of the public health, safety, and welfare, an emergency is declared to exist
8 and this Ordinance shall take effect on July 1, 2002.

9 PASSED this 17th day of June, 2002

10 SIGNED this 17th day of June, 2002.

11 
12

13 MAYOR

14 
15

16 CITY RECORDER



June 16, 2003

AGENDA ITEM 7

**OLD BUSINESS – LETTER OF SUPPORT FOR SALEM AREA MASS
TRANSIT GRANT FUNDING**



City of Keizer

Phone: (503) 390-3700 • Fax: (503) 393-9437
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, Oregon 97307-1000

Administration • Public Works • Community Development • Municipal Court • Police (business only) Phone 503.390.3713 Fax 503.390.8295

June 16, 2003

Lloyd Chapman
President
Board of Directors
Salem Area Transit District
555 Court St NE
Salem, Oregon 97301

The City of Keizer wishes to express support for Salem Area Transit's request for approximately \$14 million in earmarked capital improvement funds in the Safe, Accountable, Flexible and Efficient Transportation Equity Act of 2003 (SAFETEA). Public transportation is playing and increasingly important role in meeting the transportation needs of the Salem/Keizer community and these resources are urgently needed to meet mobility challenges facing the region.

We understand that Salem Area Transit is in its seventh consecutive year of strong ridership increases. It provides more mobility, freedom, and choice for citizens and youth to access jobs and education, assists the elderly and disabled in getting to essential services, reduces growth in traffic congestion, and improves the area's air quality.

We also hope that the Congress continues to increase the level of funding for public transit and highways in the SAFETEA legislation. Just as recorded expenditures in public transportation and highways in previous legislation paid off for America through increased mobility, jobs, and quality of life, so too will increased expenditures be a wise investment for the next six years.

Please add us to the list of organizations in support of your efforts.

Sincerely

Lore D. Christopher
Mayor, City of Keizer



June 16, 2003

AGENDA ITEM 8a

**ORDINANCE – PERMITTING AND REGULATING USE OF GOLF
CARTS IN DESIGNATED AREAS**

CITY COUNCIL MEETING: June 16, 2003

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: JOHN A. LIEN, CITY ATTORNEY 

SUBJECT: GOLF CART ORDINANCE

Based upon your discussion and direction from the last Council meeting, I have revised the Ordinance permitting and regulating the use of golf carts. I have added language to Section 2 making it clear that golf cart operation is only permitted when traveling between the golf course and the place where the golf cart is parked, stored, or located. For clarification, I have also added language in Section 2 indicating that golf cart operation is only permitted on streets that are appropriately signed. Though this is a threshold requirement under the state statute, I have included it in the Ordinance so that citizens looking only at the Ordinance will be aware of that requirement. I also added some clarifying language to Section 4 that does not change the regulatory intent.

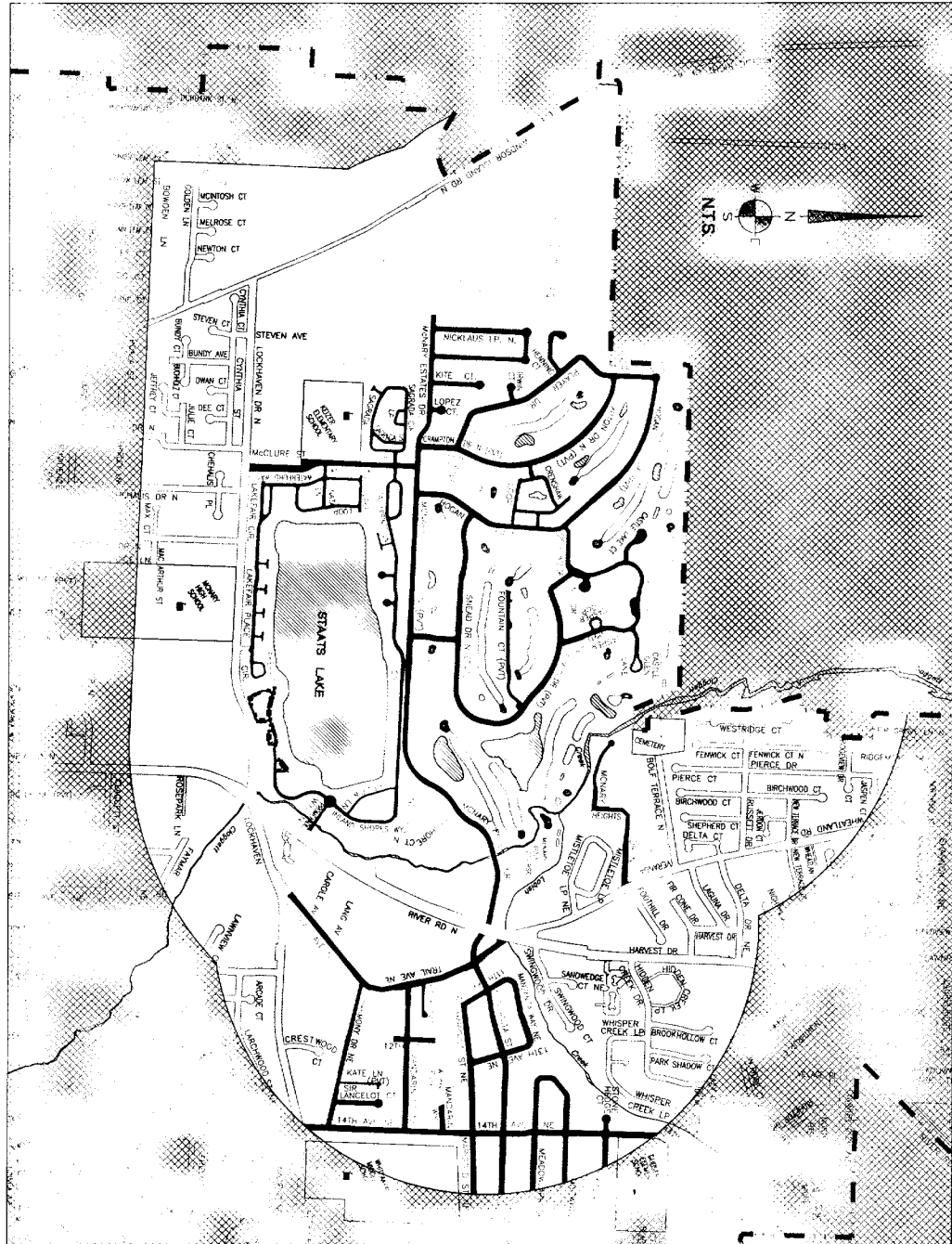
I have also revised Section 2(B) regarding the streets outside McNary Estates where golf cart operation is permitted. I have replaced the map reference with the more general language describing the one-half mile limit from the McNary golf course boundary. Including the map as part of the Ordinance would require amendment to the Ordinance any time the status of a street changed from permitted to unpermitted or vice versa. Under the text only option, the Public Works Department could determine whether golf cart operation was permitted on new streets or where street status changed without the Council having to formally amend the Ordinance. However, for informational purposes, I have attached a map created by Peterson Engineering to my staff report that shows in purple the streets where golf cart operation would be permitted under the Ordinance. The outside perimeter of the potentially permitted streets is an approximately one-half mile radius from the golf course boundary.

RECOMMENDATION:

Adopt the enclosed Ordinance.

Please let me know if you have any questions. Thank you.

JAL/tmh
attachment



1 BILL NO. _____

A BILL

ORDINANCE NO.

2003 _____

3 FOR

4 AN ORDINANCE PERMITTING AND REGULATING USE OF GOLF
5 CARTS IN DESIGNATED AREAS PURSUANT TO ORS 810.070;
6 **REPEALING SECTION 4 OF ORDINANCE NO. 94-298**

7 The City of Keizer ordains as follows:

8 **SECTION 1. DEFINITIONS**

9 A. "Driver License" shall have the meaning given in ORS 801.245 and may
10 refer to a document issued by the State of Oregon or any other jurisdiction as evidence
11 of driving privileges.

12 B. "Golf Cart" means a motor vehicle that

13 (1) Has not less than three wheels in contact with the ground;

14 (2) Has an unloaded weight less than one thousand, three hundred
15 (1,300) pounds;

16 (3) Is designed to be, and is, operated at not more than fifteen miles per
17 hour; and,

18 (4) Is designed to carry golf equipment and not more than two persons,
19 including the driver.

20 C. "McNary Estates" is defined as the area denominated the McNary Estates
21 Planned Unit Development, as filed with the City of Keizer Planning Department.
22

1 D. "Residence District" means territory not comprising a business district that
2 is contiguous to the highway that:

3 (1) Has access to property occupied primarily by multi-family dwellings;

4 or,

5 (2) Has an average of one hundred-fifty (150) feet or less between
6 accesses or approaches to:

7 (a) dwellings, churches, public parks within cities or other
8 residential services; or,

9 (b) dwellings and buildings used for business.

10 **SECTION 2. WHERE GOLF CARTS ARE PERMITTED AND PROHIBITED**

11 A. Golf cart operation is permitted only when traveling between the golf course
12 and the place where the golf cart is parked or stored or located on all streets in McNary
13 Estates that are posted with appropriate signs giving notice that golf carts are permitted.

14 B. Outside of McNary Estates, golf cart operation is permitted only when
15 traveling between the golf course and the place where the golf cart is parked or stored
16 or located on streets in a residence district which have a speed limit not greater than
17 twenty-five miles per hour, that are posted with appropriate signs giving notice that
18 golf carts are permitted, and are within one-half (1/2) mile of the McNary Golf Course
19 boundary.

1 C. Golf carts are permitted to cross streets with a speed limit greater than
2 twenty-five miles per hour, but only at signalized intersections.

3 D. Golf cart operation in violation of this Section is prohibited.

4 SECTION 3. QUALIFICATIONS OF GOLF CART OPERATORS

5 A. A golf cart operator shall possess a valid driver license or Oregon
6 Department of Motor Vehicles Disability Golf Cart Permit while operating a golf cart.

7 B. Golf cart operation in violation of this Section is prohibited.

8 SECTION 4. REGULATION OF GOLF CART USE

9 Where permitted by this Ordinance:

10 A. Golf cart operation shall be limited to the hours between sunrise and sunset.

11 B. Golf cart operation shall not exceed fifteen miles per hour.

12 C. When crossing a highway, a golf cart operator shall yield the right-of-way
13 to motor vehicles, bicycles and pedestrians.

14 D. A golf cart operator shall observe all applicable requirements of the Oregon
15 Motor Vehicle Code.

16 E. A golf cart operated pursuant to this Ordinance shall comply with ORS
17 815.110 (requirements for and use of slow-moving vehicle emblem) and any
18 subsequent amendments thereto.

19 F. Golf cart operation in violation of this Section is prohibited.

1 SECTION 5. LIABILITY

2 A. Operation of a golf cart pursuant to this Ordinance shall be at the risk and
3 responsibility of the golf cart owner and operator. By adopting this Ordinance the City
4 of Keizer assumes no liability for the operation of a golf cart and the golf cart owner
5 and operator shall hold the City of Keizer harmless in any action arising from the
6 operation of a golf cart in the City of Keizer.

7 SECTION 6. VIOLATIONS

8 A. Violation of Section 2 is an infraction punishable by a forfeiture of
9 \$ _____ for the first offense, or \$ _____ for subsequent offenses within a three-
10 year period.

11 B. Violation of Section 3 is an infraction punishable by a forfeiture of
12 \$ _____ for the first offense, or \$ _____ for subsequent offenses within a three-
13 year period.

14 C. Violation of Section 4 is an infraction punishable by a forfeiture of
15 \$ _____ for the first offense, or \$ _____ for subsequent offenses within a three-
16 year period.

17 SECTION 7. AMENDMENT OF ORDINANCE NO. 94-298

18 A. Ordinance No. 94-298, entitled "Adopting the Oregon Vehicle Code for
19 Enforcement Within the McNary Estates Planned Unit Development", enacted August
20 1st, 1994, is hereby amended by the deletion of section 4 only.

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June 16, 2003

AGENDA ITEM 8b

**RESOLUTION – INTENT TO SIGN DEVELOPMENT DISPOSITION
AGREEMENT FOR KEIZER STATION AREA**

CITY COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR & CITY COUNCIL

**FROM: CHRISTOPHER C. EPPLEY
CITY MANAGER**

SUBJECT: DEVELOPMENT & DISPOSITION AGREEMENT

BACKGROUND

At the executive session on June 9th, 2003 Council gave guidance to staff on several key points in working toward crafting a development and disposition agreement (DDA) with Northwest National, LLC that outlines the responsibilities and meets the needs of both the City and the developer. Staff is not yet prepared to present a completed DDA for Council review, though we have written a resolution of intent that states the City's desire to continue moving forward with Northwest National, LLC in a joint venture on the Keizer Station project. This resolution identifies those areas that will be described in greater detail within the DDA and solidifies our intentions in a loose framework for the next 30-60 days until the DDA can be completed. This is important because each party has much to accomplish in the time period between now and the signing of a DDA and our stated intentions of partnership are required for certain steps to be taken in the interim.

RECOMMENDATION

Staff recommends that the City Council reviews and votes to approve the resolution of intent as presented with any modifications you deem prudent.



June 16, 2003

AGENDA ITEM 8C

**SIGN VARIANCE REQUEST FOR KEIZER SALEM AREA SENIOR
CENTER**

**KEIZER
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF RECOMMENDATION
SIGN VARIANCE CASE NO. 2003-18**

TO: Mayor Christopher and City Councilors
THROUGH: Chris Eppley, City Manager
FROM: Cheryl Vafakos, Interim Planning Director
SUBJECT: Sign Variance Case No. 2003-18
DATE: June 10, 2003

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

I. GENERAL INFORMATION

- A. APPLICANT:** Betty Berg, President of Keizer/Salem Area Seniors, Inc.
- B. PROPERTY OWNER:** Keizer/Salem Area Seniors, Inc.
- C. PROPERTY LOCATION:** The subject property is located at 930 Plymouth Dr NE, Keizer. The County Assessor's map identifies the property as being located within Township 6 South; Range 3 West; Section 11CA; Tax Lot # 03800. (Exhibit "1")
- D. PARCEL SIZE:** The subject property is approximately 2.74 acres.
- E. EXISTING DEVELOPMENT AND PUBLIC FACILITIES:** The subject property contains a senior service facility center.
- F. ZONING:** The subject property's Comprehensive Plan designation is Medium High Density Residential (MHDR) and is zoned RM (Medium Density Residential).
- G. ADJACENT ZONING AND LAND USES:** Properties to the west and north are zoned RM (Medium Density Residential). The properties to the north contain an

apartment complex and single family dwellings. Properties to the west contain single family dwellings. Properties to the east and south are located outside of the City limits.

- H. **PROPOSAL:** The applicant is requesting a variance to Keizer Development Code Section 2.308.07 which limits the square footage allowed for Non-Commercial/semi-public uses to 64 square feet. The applicant is requesting to allow up to 100 sq ft of sign area for property located at 930 Plymouth Dr NE. (Exhibit '2')

II. COMMENTS

- A. Keizer Public Works Department, Keizer Police Department and Keizer Fire Department stated they reviewed the proposal and have no comments.

III. FINDINGS

- A. The Keizer/Salem Area Seniors, Inc. facility is considered a semi-public use. Section 2.308.07 *Non-Commercial Signs* specifies regulations for semi-public use signage. The maximum area for permanent signs for a semi-public use is 64 sq ft.

The applicant is requesting to allow up to 100 sq ft of permanent sign area for property located at 930 Plymouth Dr NE. Therefore, variance approval is required, as this proposal does not comply with requirements of the Keizer Development Code.

- B. Section 2.308.10 of the Keizer Development Code states that any allowance for signs not complying with the standards set forth in these regulations shall be by variance.
- C. The decision criteria for a variance of Section 2.308 of the Keizer Development Code are contained in Section 2.308.10 of the Keizer Development Code. The criteria and staff's findings are listed below:

- 1.(a) There are unique circumstances of conditions of the lot, building or traffic pattern such that the existing sign regulations create an undue hardship;***

FINDINGS: The applicant's statement states;

"Our building of 14,161 square feet (119 x 119) ft.) placed on a 2.74 acres of land does not seem, to me, to fit a Non-Commercial status! Though we are a Non-profit Corporation, and tax exempt under section 501(c) (3) of the IRS code, all other attributes of our building had to conform to the same building codes as commercial

buildings in the City of Keizer when it was built in 1994/95. It is termed a public building and heavily used by seniors daily. ...If our premises were classified as a "commercial use", then we would be permitted to have up to 150 square feet of signage, and our sign request would then fall 50 sq ft. below the signage standards, rather than being in "over" violation by 36 sq ft of the current applied code."

The applicant's comments do not address if there is anything unique in the lot, building or traffic pattern that would create an undue hardship. However, staff finds the subject property is located on a busy commercial corridor surrounded by commercial as well as a mix of residential uses. Cherry Avenue is primarily a commercial corridor, and a major arterial running north-south through a portion of the City of Keizer. The subject property is located at the southern boundary of the Keizer City limits, just north of the intersection of the Salem Parkway and Cherry Avenue. Immediately south of the intersection is an industrial park located within the City of Salem. Immediately across the street from the Salem Senior Center is the site of a future business park, also located within the City of Salem.

Because of the Semi-Public Use designation the property is limited in sign area to 64 square feet where other businesses along this commercial corridor are allowed as much as 150 sq ft. However, the RM zoning designation of the subject property does not allow commercial uses as the primary use of the property. Therefore staff does not find that this request can satisfy this criterion.

- 1.(b) *There are unique circumstances of conditions of the lot, building or traffic pattern such that the requested variance is consistent with the purpose of this chapter as stated in Section 2.308.01.***

FINDINGS: The applicant did not address this criterion in their statement. The Keizer Development Code Section 2.308.01 states that the purpose of the sign regulations is "to help implement the Keizer Comprehensive Plan, to provide equitable signage rights, reduce signage conflicts, promote traffic and pedestrian safety, increase the aesthetic value and economic viability of the City, all by classifying and regulating the location, size, type and number of signs and related matters, in a content-neutral manner."

To provide equitable signage rights requires the enforcement of equal signage to all businesses based upon fair and impartial regulations. The Keizer/Salem Area Senior center is classified as a Semi-Public use and therefore is allowed 64 sq ft of sign area. However, the senior center provides many different types of activities that could be classified as commercial use. The sign allocations are divided into two different

categories, signage allowed for non-commercial uses and signage allowed for commercial and industrial uses. The primary use of the Keizer/Salem Area Senior center is non-profit which falls under the non-commercial uses; however it has other secondary uses that fall into the commercial use category. While the request is understandable it does not meet with "providing equal signage rights" criteria. There are many different businesses that have a primary use that is non-profit while providing secondary uses that are considered commercial such as a boys or girls club and churches. This variance would provide the Keizer/Salem Area Senior center signage rights not afforded to other business as just mentioned.

Therefore, staff finds the proposed variance will result in inequitable signage rights or create signage conflicts and is therefore not consistent with the purpose of Section 2.308.01 of the Keizer Development Code. The proposed variance does not satisfy this criterion.

- 1(c). There are unique circumstances of conditions of the lot, building or traffic pattern such that 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 applicant did not address this criterion in their statement. Staff finds the subject property is located on a busy commercial corridor surrounded by commercial as well as a mix of residential uses. However the subject property is not zoned for commercial use and many of the activities would not be permitted in the RM (Medium Density Residential) zone. Staff finds that the allowance of additional sign area would create a special privilege to the Senior center that is not afforded to other similar types of businesses such as churches or a non-profit club for children. Therefore staff finds the proposed variance would result in inequitable signage rights or create signage conflicts. Staff finds the granting of this variance request would create a special privilege to the senior center that is not available to other businesses.

- 2.(a) The granting of the variance shall not decrease traffic safety nor detrimentally affect any other identified items of public welfare.***

FINDINGS: The applicant failed to address this criterion in their statement. Staff finds the approval of this request could promote traffic and pedestrian safety by providing additional identification for the location of the Keizer/Salem Area Senior center to their potential customers. The sign as proposed will not be located in any vision clearance area and is not of such a design, shape or size as to detract from drivers' attention. The proposed

variance request can meet with this criterion.

- 2.(b) *The granting of the variance shall not 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.*

FINDINGS: The applicant failed to address this criterion in their statement. Staff finds there may be other businesses, such as a boys or girls clubs, or churches which are designated as Non-Profit and provide a range of commercial activities that would not receive the same advantages as this variance would afford the Keizer/Salem Area Senior center. Therefore staff finds that the result may provide a special advantage provided to the applicant that would not be provided to other businesses. The proposed variance request does not meet with this criterion.

- 2.(c) *The granting of the variance shall not be the result of a self-imposed condition or hardship.*

FINDINGS: There are no particular conditions or hardships that were self-imposed by the applicant that prevent construction of the requested sign. This request can satisfy this criterion.

- C. Based on the above findings, staff determines that the request does not comply with the decision criteria for a variance.

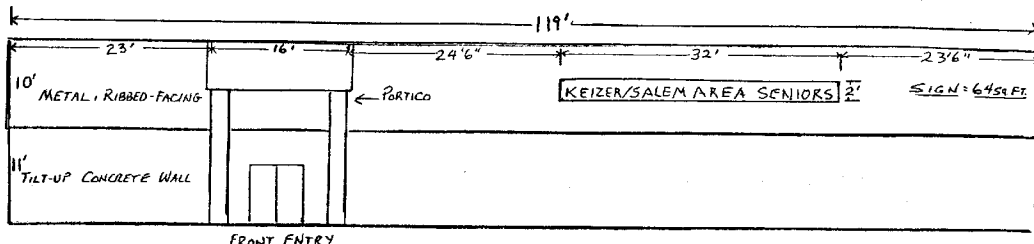
If you have any question about this application or the decision, please call (503) 390-3700 or visit the Community Development Department at the above address.

REPORT PREPARED BY:

Cheryl Vafakos

Cheryl Vafakos, Interim Planning Director

Date: June 10, 2003



FRONT ENTRY

SCALE: 1/8" (1/8") = .84 FT

BUILDING FACES NORTH (PLYMOUTH DRIVE)

KEIZER/SALEM AREA SENIORS, INC

SIGN LOCATION ON BUILDING

SIGN SIZE: 32' X 2' X 1/2" WHITE SINTRA
(HARD PLASTIC)

SIGN COPY AND PICTURES:
PREVIOUSLY SUBMITTED 4-9-03

PREPARED BY: CHARLES W. SHIRLEY, MEMBER
4-30-03 PROPERTY MANAGEMENT COMMITTEE

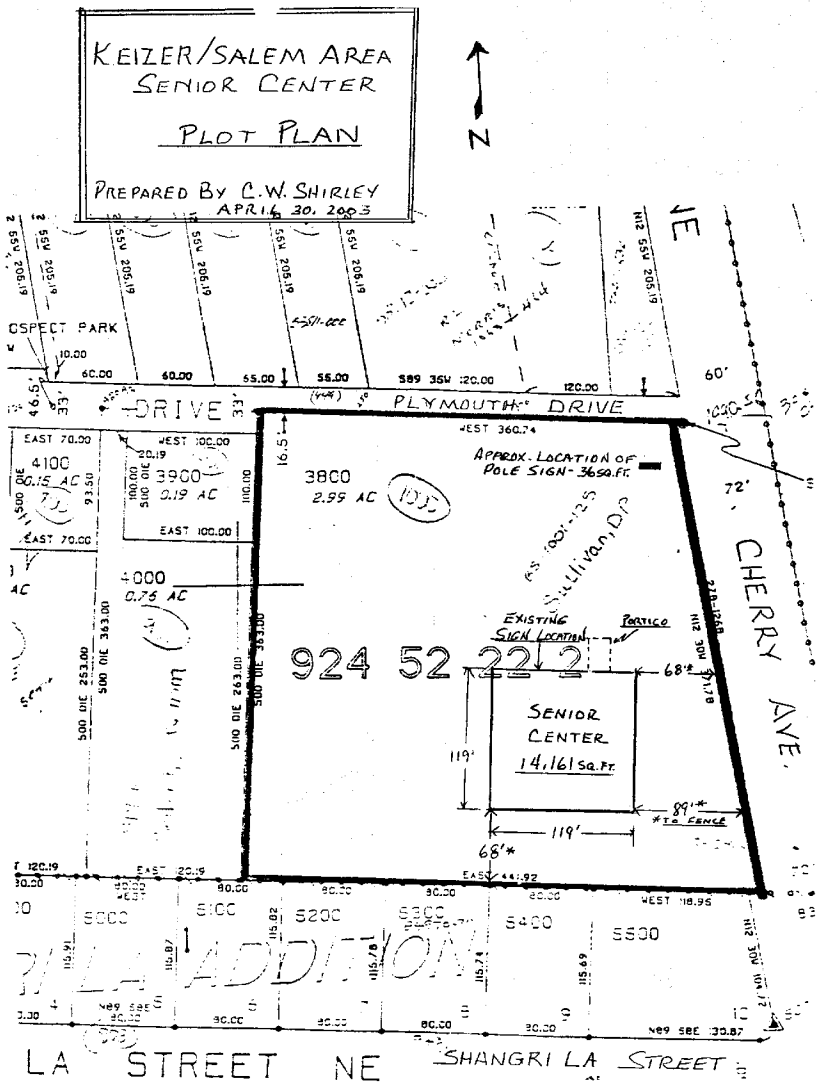
PROPERTY LOCATED: 930 PLYMOUTH DRIVE, NE - KEIZER

Proposed Plan

Exhibit '2'

Major Variance 2003-18

930 Plymouth Dr NE, Keizer, OR



Applicant's Plot Plan

Exhibit '3'

COPY

**Keizer/Salem Area Seniors, Inc.
930 Plymouth Avenue, NE
Keizer, OR 97303**

April 9, 2003

Mr. Christopher C. Eppley
City Manager
City of Keizer
930 Chemawa Road, NE
Keizer, OR 97307

Subject: Sign Ordinance and Sign Replacement

Dear Mr. Eppley,

I represent the Property Management Committee, of the Keizer/Salem Area Seniors, Inc. and have apparently run into some difficulty in procuring permission, or obtaining a permit for replacing an existing sign on our building at the above address.

I was not active at the Senior Center at the time the "pole/reader sign" permit and variance was issued in April 1999. Then, as now, the sign code limited the total sign area for the premises to 64 square feet, for a Non-Commercial use. Since the new pole sign was 36 sq. feet, that left 28 sq. feet of usable sign space. And apparently we were instructed to remove the existing flat non-illuminating signs from the building.

Have we been in non-compliance for over four years? One would suspect, that with no complaints from the neighbors or business community, nor criticism from the city, that the existing signs are O.K.!

We would like to keep an existing large building sign on the Northside of the building, facing Plymouth Avenue, which measures 32 feet X 2', or 64 square feet. And remove the smaller sign on the Eastside of the entry portico which measures 24 feet X 16", or 32 square feet.

Therefore, we request that we be permitted to retain the 64 sq. ft. space with a new flat non-illuminating building sign of 64'sq. ft., (with the preceding word "KEIZER" added to Salem Area Seniors) plus the 36 sq. ft. corner pole sign of 36 sq. ft., making a total of 100 square feet of signage. See accompanying photographs.

Our building of 14,161 square feet (119 ft. X 119 ft.) placed on a 2.74 acres of land does not seem, to me, to fit a Non-Commercial status! Though we are a Non-profit Corporation, and tax exempt under section 501 (c) (3) of the IRS code, all other attributes of our building had to conform to the same building codes as commercial buildings in the

Applicant's Statement

City of Keizer when it was built in 1994/95. It is termed a public building and heavily used by seniors daily. (Monthly schedule enclosed.)

If our premises were classified as a "commercial use", then we would be permitted to have up to 150 square feet of signage, and our sign request would then fall 50 sq. ft. below the signage standard, rather than being in "over" violation by 36 sq. ft of the current applied code.

We beg that the Honorable City Councilors would see the merit and logic in our request. And further, with the waiver of any permitting costs as was the precedent set in 1992 when the "original" existing flat signs were permitted. (See following history statement.)

Respectfully submitted,

Charles W. Shirley, Member
Property Management Committee

c: Mrs. Betty Berg, President
Keizer/Salem Area Seniors, Inc.

Mr. Wes Alderson, 2nd Vice President, Chairman
and Members, Property Management Committee

Attachments:

1. History, Keizer/Salem Area Seniors in Keizer
 - a. Moving to the City of Keizer
 - b. Original signs and permitting.
2. Pictorial comparison of existing large flat sign and proposed new sign.
3. Design concept of replacement sign by Martin Bros. Signs
4. Weekly/Monthly Activity Schedule

COPY

**Keizer/Salem Area Seniors, Inc.
930 Plymouth Avenue, NE
Keizer, OR 97303**

April 9, 2003

History in the City of Keizer:

Salem Area Seniors, Inc. was the principal group of Seniors who supported the City of Salem's Senior Center for many years before being asked to move their organization in late 1991.

The group rented a 6,400 sq. ft. space in the Keizer Village building that's located on the eastside of the square (Bi-Mart Area) on a three year lease of \$3,200.00 per month.

In early 1992 we decided that two signs were needed for the building: (1) A large 32'X 2' sign to face River Road and, (2) a smaller sign to face Cherry Avenue. The Building Committee applied for the sign(s) permit, and the City Council was pleased to issue the permit, with the \$180.00 permit fee "waived". The writer and his wife cut and prepared the 1/2" marine plywood for professional painters to letter the signs.

During the final year of the lease, SAS, Inc decided to build their own building.

The current location at the corner of Plymouth and Cherry Avenues (2.74 acres) was purchased by cash and procedures soon started to make the "dream" come true. With other funds and a \$500,000.00 low interest, ten year loan from a local foundation, we started our project.

Many hours of hard work by it's membership was used to clear the building site of tree's and debris, and construction commenced in 1994 and they moved in by early January 1995.

The two signs were removed from the Cherry Avenue temporary building and installed on our new building with the permission of the City of Keizer, without a permit. However, with the age of the signs, they are now beginning to show wear. The Corporate name was officially changed from Salem Area Seniors, Inc. to Keizer/Salem Area Seniors, Inc.

Of Councilors' interest, the above described note was "PAID-OFF" after seven and a half years. We still have not taken one penny of any governments' funds, and currently do not have employees. This has been an exceptional eleven plus years of experience for the City of Keizer, of having one of the smoothest operating, and self-supporting Senior Centers in the country, with no cost to the Taxpayers!

Prepared by Charles W. Shirley, Past President 1995-96



Keizer/Salem Area Seniors, Inc.
930 Plymouth Drive, NE
Keizer, OR 97303

Building Sign Replacement Project

Picture shows old plywood sign that is yellowing, and lacks the center's full name.

Size: 32' X 24" X 1/2"

Proposal: Remove and replace with new sign.



The enhanced picture shows the proposed sign replacement made of hard durable plastic, and same size.

Proposal: Install a new sign including the descriptive word, **"KEIZER"**



Prepared by Charles W. Shirley
 Member, Property Management Committee
 Keizer/Salem Area Seniors, Inc

April 2, 2003

2'-0"
18"

KEIZER/SALEM AREA SENIORS

32'-0"

SF NON-ILLUMINATED WALL SIGN

FACE: 1/2" WHITE SINTPA (2'-4x8 BOARDS, SEALED)
COPY: FIRST SURFACE BLACK HP VINYL
FILE NAME: SENIORS
SURVEY: N/A
SQ. FT. 64

SCALE
1/4" = 1'-0"

APRIL 2003

WEEKLY ACTIVITIES

MONDAY

9:30 AM LOW IMPACT EXERCISE CLASS
11:30 AM WEIGHT WATCHERS
12:00 PM K/SAS BRIDGE
1:00 PM LINE DANCE CLASS - INTERM.
1:30 PM BEG COMPUTER CLASSES
(SIGN UP AT OFFICE)
7:30 PM MONDAY NIGHT SOLUTIONS (AA)

TUESDAY

11:00 AM SALEM BRIDGE CLUB
12:00 PM MC NARY BRIDGE CLUB
12:30 PM PINOCHLE
2:00 PM KNIT/CROCHET GROUP
3:30 PM WEIGHT WATCHERS
5:00 PM WEIGHT WATCHERS
7:00 PM THE BREEZE™ MEN'S SINGING GROUP

WEDNESDAY

BY APPTMT INDIVIDUAL COMPUTER CLASS
9:30 AM LOW IMPACT EXERCISE CLASS
10:00 AM TRIPS AND TRAVEL MEETING
11:00 AM SALEM BRIDGE CLUB
12:00 PM K/SAS BRIDGE
1:00 PM NOVELTY BAND
1:00 PM BINGO

THURSDAY

10:00 AM WIDOWS/WIDOWERS
11:00 AM BALLROOM DANCE LESSONS
12:00 PM K/SAS BRIDGE
1:00 PM BINGO
1:00 PM LINE DANCE CLASS - BEGINNING

FRIDAY

9:00 AM DANCE
12:00 PM K/SAS BRIDGE
12:30 PM SALEM BRIDGE CLUB
1:00 PM MAH JONG

SATURDAY

7:00 PM DANCE

APRIL SPECIAL ACTIVITIES

1 BY APPTMT INCOME TAX ASSISTANCE
3 BY APPTMT INCOME TAX ASSISTANCE
1:30 PM PROP. MGMT. COMM. MTG.
5 8:00 AM K/SAS PANCAKE BREAKFAST
7 9:00 AM LEGAL ADVICE CLINIC
(BY APPT. 503-581-5265)
1:00 PM BOARD OF DIRECTORS MEETING
8 BY APPTMT INCOME TAX ASSISTANCE
10:00 AM REGENCE 1ST CHOICE.
LISA WELCH
1:00 PM K/SAS MEMBERSHIP MEETING AND CELEBRATION OF APRIL BIRTHDAYS
9 9:00 AM FISHING BUDDIES
7:00 PM RIVER BRIDGE CLUB
10 BY APPTMT INCOME TAX ASSISTANCE
11 BY APPTMT FOOT CLINIC
(CALL 503-390-7441)
14 9:30 AM JEFF LUKEHART, AGING WISE, AGING WELL
15 BY APPTMT INCOME TAX ASSISTANCE
12:00 PM AARP DRIVER SAFETY CLASS (SIGN UP)
16 7:00 PM UNIT 490 BRIDGE
17 12:00 PM AARP DRIVER SAFETY CLASS (SIGN UP)
18 9:00 AM DANCE - EASTER BONNET CONTEST - BOTH MEN AND WOMEN CONTESTANTS
22 11:30 AM FLEET RESERVE
23 7:00 PM RIVER BRIDGE CLUB
25 BY APPTMT FOOT CLINIC
(CALL 503-390-7441)
28 9:30 AM JEFF LUKEHART AGING WISE, AGING WELL
30 1:00 PM FINANCE COMM MTG
7:00 PM RIVER BRIDGE CLUB

APRIL

S	M	T	W	T	F	S
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			



Tires - Brakes
Batteries - Shocks
Alignment

If we can't guarantee it
we won't sell it

503-585-7551

3030 River Road N., Keizer, OR 97303



June 16, 2003

AGENDA ITEM 8d

**RESOLUTION – ADOPTION OF 2003-2004 CITY OF KEIZER
BUDGET**

CITY COUNCIL MEETING: June 16, 2003

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: SUSAN GAHLSDORF, CPA
FINANCE DIRECTOR



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

BACKGROUND:

The Budget Committee comprised of the Council and seven citizens, reviewed, modified and, on May 8, 2003, approved the Manager's Recommended Budget for Fiscal Year 2003-04, as amended. The Committee Approved Budget was published in a local newspaper as required by Oregon Budget Law. On June 2, 2003 the City Council conducted a public hearing on the Committee Approved Budget. After which, the Council closed the public hearing and moved to receive the attached resolution for adoption this evening. The Council must adopt the upcoming fiscal year budget by June 30.

RECOMMENDATION:

Staff recommends that the City Council adopt the attached budget resolution for Fiscal Year 2003-04.

CITY OF KEIZER, STATE OF OREGON

RESOLUTION R2003-_____

ADOPTING THE FY'04 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 2003-04 in the sum of \$15,935,845 now on file at City Hall.

BE IT FURTHER RESOLVED that the amounts for the fiscal year beginning July 1, 2003 and for the purposes shown below are hereby appropriated:

General Fund

Administration	\$ 569,316
Parks	117,861
Community Development	390,461
Municipal Court	214,738
Police	4,334,713
Stadium Operations	37,427
Transfers	78,574
Contingency	54,657

TOTAL GENERAL FUND

\$5,797,747

Revenue Sharing

Capital Outlay	246,411
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TOTAL REVENUE SHARING

246,411

PEG

Materials & Services	60,000
Capital Outlay	2,000

TOTAL PEG

62,000

Housing Services

Materials & Services	164,653
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TOTAL HOUSING SERVICES

164,653

Street

Personal Services	259,300
Materials & Services	843,642
Capital Outlay	1,059,298

TOTAL STREET

2,162,240

911 Communications

Materials & Services	200,064
Contingency	14,736

TOTAL 911 COMMUNICATIONS

214,800

Parks Improvement	Capital Outlay	250,000	250,000
--------------------------	----------------	---------	---------

TOTAL PARKS IMPROVEMENT

Utilities

Personal Services	158,451
Materials & Services	3,423,185
Capital Outlay	3,118
Debt Service	11,538
Contingency	10,000

TOTAL UTILITIES

3,606,292

Street Lighting Districts

Personal Services	41,728
Materials & Services	399,320
Capital Outlay	780

TOTAL STREET LIGHTING

441,828

Water

Personal Services	802,058
Materials & Services	826,143
Capital Outlay	134,773
Transfers	250,000
Contingency	60,000

TOTAL WATER

2,072,974

Water Facility Replacement Reserve

Capital Outlay	498,300
----------------	---------

**TOTAL WATER FACILITY
REPLACEMENT RESERVE**

498,300

Sewer Reserve

Materials & Services	93,600
Capital Outlay	325,000

TOTAL SEWER RESERVE

418,600

TOTAL ALL FUNDS

\$15,935,845

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 2003-04 upon the assessed value of all taxable property within the district.

**General
Government**

General Fund

\$2.0838/\$1000

PASSED this ____ day of _____, 2003.

SIGNED this ____ day of _____, 2003.

Mayor

City Recorder



June 16, 2003

AGENDA ITEM 8e

**ORDINANCE – SPREADING ASSESSMENTS TO MARKS DRIVE
LOCAL IMPROVEMENT DISTRICT**

COUNCIL MEETING: June 16, 2003

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, CMC
CITY RECORDER**

SUBJECT: MARKS DRIVE WATERLINE LOCAL IMPROVEMENT DISTRICT

BACKGROUND:

The residents of Marks Drive and a few property owners fronting Wheatland Road contacted the Public Works Department requesting information on connecting their homes to the City water system. Currently these homes receive their water from a small community well located in the neighborhood. On January 21, 2003 the City Council initiated the Marks Drive Local Improvement District and requested the City Engineer prepare a report including the estimated construction costs. On February 3, 2003 the City Council approved the Engineer's report and set a public hearing to consider remonstrances to the project or objections to the assessments. Notice of this public hearing was sent by mail to each of the property owners. On March 3, 2003, a public hearing was held and no remonstrances or objections were received to the proposed assessment. The City Council directed the Public Works staff to begin construction of the waterline project.

ISSUE:

In May 2003 the waterline project was completed and the final assessments for each of the properties was determined. The final costs were below the original estimated costs. A letter was sent to each of the property owners advising of the final costs. Upon adoption of the attached Ordinance, a notice of this assessment will be published in the Keizertimes. In addition, letters will be sent to each of the property owners outlining their option to pay the full assessment amount within 30 days or set up semi-annual installment payments until the assessment is paid in full.

FISCAL IMPACT:

The City of Keizer will be repaid the full amount of construction through the Local Improvement District assessment process.

RECOMMENDATION:

It is recommended the City Council adopt the attached Ordinance Spreading Assessments to Marks Drive Waterline Local Improvement District. It is further recommended the Council direct the City Recorder to prepare the notice of assessment publication and notice to the property owners for payment of said assessment.

June 3, 2003

Property owner

Dear Property Owner:

In January 2003, the City of Keizer initiated the Marks Drive Local Improvement District to construct a water main to provide city water service to residents on Marks Drive and a small portion of residents on Wheatland Road. Notice of the estimated assessment and notice of public hearing was sent to each of the property owners. The public hearing was held on March 3rd. At the conclusion of the public hearing, the City Council directed staff to proceed with the improvements. The improvements have now been completed.

At the June 16, 2003 meeting, the City Council will consider adoption of an Ordinance spreading the actual assessment to each of the properties for this improvement. I have attached a list showing the amount that will be assessed to each. If you have any objections to the final assessment amount, please contact me prior to the 16th or appear at the City Council meeting at 7:00 p.m. that evening to voice your concern with the assessment.

Upon adoption of the Ordinance spreading assessments, another letter will be sent to you outlining your options for payment of the assessment. You will have the option to pay the full amount within 30 days of the notice or the option of spreading the assessment out over 10 years with semi-annual installment payments.

If you have any questions about this assessment or the process, please do not hesitate to give me a call at (503) 390-3700, extension 108. If you have questions about the water line connection itself, please contact the Public Works Department.

Sincerely,

Tracy L. Davis
City Recorder

Enc.

1 BILL NO. _____

ORDINANCE NO. _____

2
3 A BILL
4 FOR

5 AN ORDINANCE SPREADING ASSESSMENTS TO
6 MARKS DRIVE WATERLINE LOCAL IMPROVEMENT DISTRICT
7

8
9 WHEREAS, the City Council did heretofore declare its intention to
10 construct a water main to provide city water service to residents on Marks Drive
11 and a small portion of residents on Wheatland Road, in the city of Keizer, state
12 of Oregon in accordance with the plans, specifications and estimates more
13 particularly described in the City Engineer's report referenced in Resolution No.
14 R2003-1379, adopted by the City Council on February 3, 2003. A date was
15 previously set to hear protests against the construction of said improvement, and
16 the assessment of the cost thereof, as aforesaid; and

17 WHEREAS, notice was duly distributed as required by the Ordinance and a
18 meeting of the City Council was held at the time and place fixed by public notice
19 for the purpose of considering any such protest and at that time heard and
20 considered all protests submitted relating to the proposed improvement and
21 assessment thereof, and said Council has considered the matter and deeming
22 that said construction of said improvement was and is of material benefit to the
23 City, and all the property to be assessed therefore will be benefited thereby to
24 the extent of the probable amount of the respective assessments to be levied
25 against said property; and

26 WHEREAS, the original estimated cost of said improvements was
27 preliminary determined to be the sum of \$35,532.00.

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

2 SECTION 1. It is hereby determined that the proportionate share of the
3 cost of construction of said improvement, on each parcel and property adjacent
4 to said improvement benefited thereby is the amount set opposite the
5 description of each piece or parcel of land as described in the Marks Drive
6 Waterline Local Improvement District Assessment Roll as set forth in Exhibit "A"
7 which is attached hereto and by this reference hereby made part of, and that
8 each parcel of land benefited by the construction of said improvement, to the full
9 extent of the amount so set opposite such piece or parcel and that the respective
10 amounts represent the proportional benefits of said improvement to said
11 respective parcels of property, and the Council does hereby declare that each of
12 the parcels of property described in the Marks Drive Waterline Local
13 Improvement District Assessment Roll as set forth in Exhibit "A" attached is
14 hereby assessed the amount set opposite each respective description, for the
15 cost of the construction of said improvement.

16 (1) Summary of cost assessed for the construction of street
17 improvements to serve the area known as "Marks Drive Waterline Local
18 Improvement District":

19 Total of Waterline Construction Improvements \$27,599.65

20 (2) The Recorder of the City of Keizer is hereby directed to enter a
21 statement of said several assessments as set forth above in the docket of
22 city liens of said city and publish a notice thereof by publication in the
23 KEIZERTIMES, a newspaper of general circulation in the City of Keizer,

1 Marion County, Oregon, which notice shall be published twice with the
2 first notice being published not later than 20 days from the date of the
3 enactment hereof; and said Recorder shall send by registered or certified
4 mail notices of assessment to the owners of the assessed property within
5 10 days from the date of the enactment hereof with the notice of
6 assessment reciting the date of the assessment ordinance and stating that
7 upon the failure of the owner of the property assessed to make
8 application to pay the assessment in semi-annual installments within 14
9 days from the date of the first publication of the notice (in the form
10 required by law and provided by the City) for a period not to exceed ten
11 (10) years, or upon the failure of the owner to pay the assessment in full
12 within 30 days from the date of the assessment ordinance, interest will
13 commence to run on the assessment and the property assessed will be
14 subject to foreclosure. The notice shall also describe the property
15 assessed, name the owner of the property and state the amount of each
16 assessment. The first semi-annual payment shall be due and payable at
17 the expiration of six-months from the date of assessment in the bond lien
18 docket, and subsequent payments at the expiration of each semi-annual
19 period thereafter.

20 SECTION 2. The assessments shall bear interest at the rate of two
21 percent (2%) per annum which shall commence 30 days from the date of
22 enactment hereof.

1 SECTION 3. It is hereby adjudged and declared that existing conditions
2 are such that this Ordinance is necessary for the immediate preservation of the
3 public peace, health and safety and owing to the urgent necessity of maintaining
4 public credit, an emergency is declared to exist, and this Ordinance shall take
5 effect and be in full force and effect from and after its passage.

6

7 PASSED this _____ day of _____, 2003

8 SIGNED this _____ day of _____, 2003.

9

10

11

12

13

14

15

16

Mayor

City Recorder

EXHIBIT "A"
MARKS DRIVE LOCAL IMPROVEMENT DISTRICT
ASSESSMENT ROLL

PARCEL	(PROPERTY ADDRESS) OWNER NAME AND ADDRESS	MAP NUMBER	TAX LOT	ESTIMATE	FINAL ASSESS
1	(7920 Wheatland Road NE) Clear Lake United Methodist P.O. Box 21659 Keizer, Oregon 97307	6-3W-23CA	200	\$3,912.00	\$2,910.23
2	(945 Marks Drive NE) Clear Lake United Methodist P.O. Box 21659 Keizer, Oregon 97307	6-3W-23CA	300	\$3,912.00	\$2,910.23
3	(950 Marks Drive NE) L.D. and Florence Brundidge 950 Marks Drive NE Keizer, Oregon 97303	6-3W-23CA	400	\$3,912.00	\$2,910.23
4	(950 Marks Drive NE) Clear Lake Water Corp. Florence Brundidge 950 Marks Drive NE Keizer, Oregon 97303	6-3W-23CA	500	\$0.00	\$0.00
5	(920 Marks Drive NE) Richard and Virginia Plank 4770 Dalke Court NE Salem, Oregon 97305	6-3W-23CA	600	\$3,912.00	\$2,910.23

6	(910 Marks Drive NE) Yvonne A. Fisher Trustee 3844 3 rd Avenue N Keizer, Oregon 97303	6-3W-23CA	700	\$3,912.00	\$2,910.23
7	(890 Marks Drive NE) Michael and Sandra Whittaker 309 McNary Estates Drive N Keizer, Oregon 97303	6-3W-23CA	800	\$3,912.00	\$2,910.23
8	(860 Marks Drive NE) Ray Gilbert P.O. Box 9154 Brooks, Oregon 97305	6-3W-23CA	900	\$3,912.00	\$2,910.23
9	(840 Marks Drive NE) Boyd Bartholomew 840 Marks Drive NE Keizer, Oregon 97303	6-3W-23CA	1000	\$3,912.00	\$2,910.23
10	(7890 Wheatland Road NE) James M. Ingerson 212 Thorpe Street Independence, OR 97351	6-3W-23CA	1100	\$1,412.00	\$1,439.27
11	(7880 Wheatland Road NE) Chapin Investments LLC 9965 Wheatland Road NE Keizer, Oregon 97303	6-3W-23CA	1200	\$1,412.00	\$1,439.27
12	(7870 Wheatland Road NE) Helen I. Hill 1289 Ankeny Hill Road SE Jefferson, Oregon 97352	6-3W-23CA	1300	\$1412.00	\$1,439.27



June 16, 2003

AGENDA ITEM 8f

RESOLUTION – AUTHORIZATION OF RESOLUTION TRANSFER

COUNCIL MEETING: June 16, 2003

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY,
CITY MANAGER**

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



SUBJECT: Resolution Transfers

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 Fiscal Year 2003 budget was prepared.

ISSUES:

1. Staff expects electricity costs in the Street Lighting District Fund (SLD Fund) to exceed the budgeted amount of \$318,600 by \$14,000. The increase is due primarily to an increase in the number of lighting districts within the City that were not anticipated during the budget process.
2. During FY02 the City received donations that were not spent by fiscal year end. These funds rolled over into General Fund Working Capital Carryforward and await appropriation. The amount available for Parks Maintenance is \$3,648. Additional donations were received in FY03 of which \$2,039 await appropriation for Parks Maintenance. Staff has identified a specific use of these funds for bark chips at various City parks. The full cost of the bark chips is \$4,286.

FISCAL IMPACT:

The above listed item was taken into consideration in developing the FY04 budget.

The total impact on City Funds is as follows:

	<u>Available</u>	<u>Requested</u>
General Fund Contingency	\$286,325	\$ 4,286
SLD Contingency	\$ 14,691	\$ 14,000

Should the Council authorize the use of donations for bark chips the remaining funds available for Parks Maintenance will be \$1,401. A portion of this balance is needed in FY04 to print flyers to promote the donation program. Staff recommends saving the balance of these funds until a specific use is identified.

RECOMMENDATION:

Staff recommends the council adopt the attached resolution authorizing the appropriation of expenditures as outlined above.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2003-_____

AUTHORIZATION FOR RESOLUTION TRANSFER

WHEREAS, the Fiscal Year 2002-2003 adopted budget for the City of Keizer provides for contingency funds to cover necessary unforeseen and unplanned expenditures.

WHEREAS, ORS 294.450 allows for the transfer of appropriations within a fund, and from the General Fund to any other fund in the City budget, during the fiscal year; NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Keizer, that appropriation transfers for the fiscal year ending June 30, 2003 be authorized in the amounts indicated below:

	<u>Decrease</u>	<u>Increase</u>
General Fund - Contingency	\$ 4,286	
Parks Program – Materials & Services		\$ 4,286
Street Lighting District Fund - Contingency	\$14,000	
Street Lighting District Fund – Materials & Services		\$14,000

PASSED this ____ day of _____, 2003.

SIGNED this ____ day of _____, 2003.

Mayor

City Recorder



June 16, 2003

AGENDA ITEM 8g

**RESOLUTION – AUTHORIZATION OF INTERFUND LOAN – STREET
LIGHTING DISTRICT FUND**

COUNCIL MEETING:

June 16, 2003

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCILORS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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



SUBJECT: INTERFUND BORROWING TO MEET CASH FLOW NEEDS

BACKGROUND:

The Street Lighting District Fund (SLD) incurs routine monthly expenditures for Personal Services and Materials & Services, including electricity cost. These costs are paid from property tax assessments. However, the City does not begin receiving these revenues until late November. The City has traditionally used cash from other funds to meet the cash flow needs of the SLD Fund.

ISSUE:

Staff estimates that the SLD Fund needs to borrow up to \$100,000 to cover anticipated shortfalls. Staff suggests that the loan be made similar to a line of credit and that only the amount needed be borrowed at the time of need.

The Parks Improvements Fund has been designated as the fund from which to borrow cash. In FY04, there is sufficient cash in this fund to meet the shortfall in the SLD fund as well as carry out the capital improvement programs and other expenditure requirements of the Park Improvements Fund. Since the Parks Improvements Fund has constitutional provisions that restrict the use of revenues, all amounts borrowed must be repaid with interest.

Staff is working on a plan to remedy the cash needs of the SLD Fund over the long-term. However, such remedies will not be in place for FY04.

RECOMMENDATION:

Staff recommends the Council adopt the attached Resolution authorizing the interfund loan to the SLD Fund from the Park Improvements Fund.

1
2 **CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**

3 **Resolution R2003-_____**

4 **AUTHORIZATION OF INTERFUND LOAN TO THE**
5 **STREET LIGHTING DISTRICT FUND**

6 **WHEREAS, the Street Lighting District Fund does not have an adequate cash**
7 **balance to meet operating expenditures from July 2003 through November 2003, at**
8 **which time property tax assessment revenues will be received; and**

9 **NOW, THEREFORE BE IT RESOLVED that the Council authorizes an**
10 **interfund loan to the Street Lighting District Fund, as needed, up to the amount**
11 **indicated below:**

12 **Maximum amounts to be loaned from:**

13 **Parks Improvement Fund \$100,000**

14 **Maximum amounts to be loaned to:**

15 **Street Lighting District Fund \$100,000**

16 **NOW, THEREFORE BE IT RESOLVED that all monies borrowed during the**
17 **period authorized be repaid to the appropriate fund by June 30, 2004 including**
18 **interest at the established Oregon State Investment Pool interest rate for the**
19 **applicable the time period.**

20 **PASSED this ____ day of _____, 2003.**

21 **SIGNED this ____ day of _____, 2003.**

22
23
24 **_____
Mayor**

25 **_____
City Recorder**
26



June 16, 2003

AGENDA ITEM 9a

**RESOLUTION – ADOPTION OF CITY LOGO FOR ADMINISTRATION
PURPOSES**

COUNCIL MEETING: June 16, 2003

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

FROM: TRACY L. DAVIS, CMC 
CITY RECORDER

**SUBJECT: ADOPTION OF CITY OF KEIZER LOGO FOR CITY ADMINISTRATION
AND ACTIVITIES**

BACKGROUND:

In 1983, the City of Keizer adopted Resolution 83-031 – Adopting City Flag and Motto. The design for the flag has been used as a logo for City administration and activities since 1983. In 2002 a logo design contest was initiated for a new design to commemorate the City's 20th anniversary.

ISSUE:

The City Council directed staff to pursue a modification of the anniversary logo to be used for future administration and activities on such items as letterhead, envelopes, business cards and envelopes. Mr. David Barker, the designer of the logo, has modified the design slightly to remove the reference to 20 years. A four-color design and a one-color design with screen have been tentatively agreed upon by the City Council.

Staff will continue to use the present inventory of items before new items containing the new design are ordered.

RECOMMENDATION:

It is recommended that the City Council adopt the attached Resolution Adopting City of Keizer Logo for City Administration and Activities.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2003-_____

ADOPTION OF CITY OF KEIZER LOGO

FOR CITY ADMINISTRATION AND ACTIVITIES

WHEREAS, upon incorporation of the City of Keizer, the City Council unanimously approved Resolution 83-031, Adopting City Flag and Motto; and

WHEREAS, the Resolution states that suitably reduced facsimiles may be used as a seal or logo in city administration and activities; and

WHEREAS, the logo for the flag has been used by the City for administration and activities, such as business letterhead, business cards, invoices, and envelopes;

WHEREAS, during the City of Keizer 20th anniversary celebration, a logo design contest was initiated. The winning design was used for city administration and activities during the anniversary year; and

WHEREAS, notice of the intention to change the logo was published in the local newspaper, requesting input from the citizens on this change; and

WHEREAS, it is now the desire of the City Council to use the anniversary design, which has been modified slightly, for City administration and activities on such items, but not limited to, City of Keizer letterhead, envelopes, invoices, and business cards; NOW, THEREFORE

1 **CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**

2 **Resolution R2003- _____**

3 **ADOPTION OF CITY OF KEIZER LOGO**

4 **FOR CITY ADMINISTRATION AND ACTIVITIES**

5
6 **WHEREAS, upon incorporation of the City of Keizer, the City Council**
7 **unanimously approved Resolution 83-031, Adopting City Flag and Motto; and**

8 **WHEREAS, the Resolution states that suitably reduced facsimiles may be**
9 **used as a seal or logo in city administration and activities; and**

10 **WHEREAS, the logo for the flag has been used by the City for administration**
11 **and activities, such as business letterhead, business cards, invoices, and envelopes;**

12 **WHEREAS, during the City of Keizer 20th anniversary celebration, a logo**
13 **design contest was initiated. The winning design was used for city administration**
14 **and activities during the anniversary year; and**

15 **WHEREAS, notice of the intention to change the logo was published in the**
16 **local newspaper, requesting input from the citizens on this change; and**

17 **WHEREAS, it is now the desire of the City Council to use the anniversary**
18 **design, which has been modified slightly, for City administration and activities on**
19 **such items, but not limited to, City of Keizer letterhead, envelopes, invoices, and**
20 **business cards; NOW, THEREFORE**

BE IT RESOLVED by the City Council of the City of Keizer that the City logo design, which by this reference made a part hereof and attached as exhibit “A”, is hereby adopted for use in City of Keizer administration and activities.

BE IT FURTHER RESOLVED that this adopted design is not intended to replace the design of the City Flag or City Seal as described in Resolution 83-031.

PASSED this _____ day of _____, 2003.

SIGNED this _____ day of _____, 2003.

Mayor





June 16, 2003

AGENDA ITEM 9b

**RESOLUTION – CREATION OF KEIZER POINTS OF INTEREST
COMMITTEE**

COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

FROM: TRACY L. DAVIS, CMC 
CITY RECORDER

SUBJECT: KEIZER POINTS OF INTEREST COMMITTEE (KPIC)

ISSUE:

At the June 2, 2003 City Council meeting, staff was directed to formalize a proposal from former Councilor Jerry McGee on creation of a Keizer Points of Interest Committee (KPIC). The draft Resolution and committee outline has been reviewed by Mr. McGee.

RECOMMENDATION:

It is recommended the City Council adopt the attached Resolution Establishing a Keizer Points of Interest Committee.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2003-_____

ESTABLISHING A KEIZER POINTS OF INTEREST COMMITTEE (KPIC)

WHEREAS, the City Council finds a need to identify, authenticate, and memorialize sites of interest located in the Keizer area; and

WHEREAS, establishing a Keizer Points of Interest Committee will provide a forum for a group to lead such efforts in identifying such sites as historical, geographic, botanical, or the unusual;

WHEREAS, the role of this Committee will be to lead such efforts, causing it to happen but not necessarily do it; NOW, THEREFORE

BE IT RESOLVED, by the City Council of the City of Keizer that a Keizer Points of Interest Committee, a City Council Committee, is hereby established as outlined in appendix "A", which is attached hereto and by this reference made a part hereof;

BE IT FURTHER RESOLVED that the Keizer Points of Interest Committee shall submit final plans for each site to be recognized to the City Council for their acceptance and approval.

PASSED this _____ day of _____, 2003.

SIGNED this _____ day of _____, 2003.

Mayor

City Recorder

Appendix "A"

City Council Committee

Name: Keizer Points of Interest Committee (KPIC)

Purpose: To steer and coordinate efforts to identify, authenticate, and memorialize sites of interest located in or near Keizer. Specifically, the Committee shall steer and coordinate only, indicating that the role of this committee is to lead such efforts, causing it to happen but not necessarily do it. The sites of interest may be historical, geographic, botanical, or the unusual.

Membership: The Committee shall consist of seven (7) members. The members shall include a Keizer Chamber of Commerce representative, Keizer Area Visitors Association (KAVA) representative, Keizer Heritage Museum representative, Keizer Parks Advisory Board representative, and three citizens-at-large. Members of the steering or subcommittees may reside outside of the Keizer area. A liaison from the City Council shall serve as non-voting ex officio members. Members shall be appointed as outlined by the City Council Rules of Procedure.

Term of Office: Each member of the Committee shall be appointed for a two-year term. Members may be reappointed and can serve an unlimited number of consecutive terms.

Chair and Recording Secretary: The Committee shall elect a Chair and Recording Secretary from among the members at the first meeting of each year.

Sub Committees: There could be multiple subcommittees depending on the nature of the project(s). Each subcommittee developed would elect a Chair and Recording Secretary from among the subcommittee members.

Meetings: The Committee shall meet at need, but no less than once annually. All meetings of the Committee shall follow Roberts Rules of Order Newly Revised and the Oregon Public Meeting Laws.

Attendance: It is the duty of each member to attend at least 75% of the meetings each calendar year. When a member is unable to attend a meeting, the member shall notify the Chair. Members of the Committee may be removed by two-thirds majority vote of the City Council.

Procedures: The Committee shall submit final plans for each site to be recognized to the City Council for their acceptance and approval.

DRAFT

Introduction: At the May 19th Council I was asked to prepare a draft of possible guidelines for a committee that would be formed to mark points of interest in Keizer.

Name of Committee: Keizer Points of Interest Committee (KPIC)

Authority: Keizer City Council

Purpose: To steer and coordinate efforts to identify, authenticate, and memorialize sites of interest located in or near Keizer.

(...steer and coordinate... indicating that the role of this committee is to lead such efforts, causing it to happen but not necessarily doing "it".)

(...sites of interest...may be historical, geographic, botanical, or the unusual.)

Membership: Members could include, but not limited to, a C. of C rep., Keizer Museum rep., Parks Board, and two citizens at large.

Sub Committees: These could be multi-sub committees depending on the nature of the project(s).

(The steering committee is purposefully small but there could be unlimited ad hoc sub committees)

Officers: A chairman to be selected from the membership.

A recording sec. selected from the membership.

(Each sub committee would have a chairman and recording sec.)

Term of office: Two year terms with unlimited reappointments.

Meetings: KPIC shall meet at need but no less than annually.

Procedures: KPIC shall submit final plans for each site to be recognized to the City Council for their acceptance and approval.

J.M.C. 6/2/03



June 16, 2003

AGENDA ITEM 9C

**RESOLUTION – AUTHORIZING CITY MANAGER TO ENTER
AGREEMENT WITH URS CORP FOR DEVELOPMENT FO CITY'S
STORM WATER MANAGEMENT PLAN**

CITY COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: ROB KISSLER
DIRECTOR OF PUBLIC WORKS**

SUBJECT: STORMWATER TASK FORCE COMMITTEE

DATE: JUNE 11, 2003

BACKGROUND:

The Stormwater Task Force Committee has been meeting monthly since January 2003 to solicit and review RFQ's from qualified consultants to develop and produce a complete Stormwater Management Plan for the City of Keizer. Several members reviewed the proposals received and narrowed the field to four consultants. The Consultants made presentations at the April 24, 2003 Stormwater Task Force Committee meeting. URS Consultants Portland office was the unanimous choice of the committee for there strong expertise in the Underground Injection Control (UIC) and current experience with other NPDES PH II agencies.

The Stormwater Task Force and Staff review and recommended changes to the scope of work presented by URS at the June 5, 2003 meeting. URS has made the changes, adjusted the schedule and revised the total cost.

URS recommends in the scope of work that the City joins Association of Clean Water Agencies (ACWA), to take advantage of current UIC monitoring technologies. The membership will cost the City \$300.00 per year. Costs of monitoring Stormwater run off into UIC's could potentially be greatly reduced by joining this organization. Staff is currently pursuing a membership.

Attachments: Proposed Scope of Work
Estimated Schedule of Tasks performed
Stormwater Acronyms

FISCAL IMPACT:

Costs to complete the scope of work as outlined by URS are \$ 58,300 dollars. Funds are available in the current Street Fund budget and balanced carried forward to 03/04 budget line item 85.

RECOMMENDATION:

Staff and The Stormwater Task Force recommends City Council adopt the attached Resolution authorizing the City Manager enter into a contract with URS Consulting for \$58,300 to develop our Storm Water Management Plan.

June 11, 2003

Rob Kissler
Director of Public Works
City of Keizer
P.O. Box 21000
Keizer, Oregon 97307-1000

Dear Mr. Kissler:

URS Corporation is pleased to submit this scope for NPDES Phase II and Underground Injection Control (UIC) Compliance Consulting Services. We are looking forward to using our significant experience with municipal NPDES stormwater permitting and UIC issues to support the City of Keizer's efforts to comply with NPDES Phase II permitting requirements and the UIC program.

Attached with this letter is a proposed scope of work, budget, and schedule. In developing this scope we identified several key components of each of the six minimum control measures that will need to be addressed for NPDES compliance. These include:

- Compiling information on existing City of Keizer programs and regulations that address the measures, and identifying gaps in existing programs.
- Developing a list of potential BMPs for each measure to discuss with the Storm Water Task Force, including advantages and disadvantages for each BMP, costs and FTEs for each BMP, recommended BMPs, and measurable goals for recommended BMPs.
- Working with the Storm Water Task Force to select BMPs for each measure.
- Compiling fact sheets for selected BMPs, including implementation schedule and estimated costs, measurable goals, and responsible parties.
- Incorporating fact sheets for selected BMPs and a rationale for selection of the BMPs into a City of Keizer Storm Water Management Plan.

Our goal is to provide the City of Keizer with the most cost-effective strategy to comply with the NPDES Phase II permitting requirements and the UIC program. Developing a coordinated response to both regulatory programs will result in an efficient and effective compliance process that will save both time and money.

We are excited about the prospect of working with the City of Keizer. We look forward to discussing this scope with you further.

Sincerely,
URS CORPORATION

Krista Reininga, P.E.
Senior Water Resources Engineer
Proposed Project Manager

Victor Viets, P.E.
Vice-President and Office Manager
Portland Operations

ATTACHMENT A: SCOPE OF WORK FOR NPDES PHASE II AND UIC COMPLIANCE CONSULTING SERVICES

Introduction

The effort covered by this consulting assignment will be focused on providing support services to the City of Keizer related to compliance with two regulatory programs: (1) National Pollution Discharge Elimination System (NPDES) Phase II and (2) Underground Injection Control (UIC). URS will assist the City of Keizer in developing a coordinated response to the programs, which regulate stormwater discharges to surface water and groundwater.

URS will begin providing guidance to the City in addressing compliance with the UIC program by assisting the City in applying for a Water Pollution Control Facilities (WPCF) permit from the Department of Environmental Quality (DEQ) to cover all stormwater injection facilities owned by the City. Once the WPCF permit is applied for, URS will guide the City through the process of registering the stormwater injection facilities owned by the City with DEQ and screening those facilities for rule authorization under the UIC program. URS will assist the City in developing a plan to retrofit, decommission, or otherwise manage any stormwater injection facilities that do not meet rule authorization criteria.

To support the City's efforts to comply with NPDES Phase II permitting requirements, URS will work with the Keizer Storm Water Task Force to develop the City of Keizer Storm Water Management Plan. Elements of the Storm Water Management Plan will also be developed to support the City's efforts to comply with the UIC program. The sequence of tasks necessary to prepare the Storm Water Management Plan is described below.

URS will compile information on best management practices (BMPs) to address the NPDES Phase II six minimum control measures and the UIC program requirements. URS will facilitate the BMP selection process with the Storm Water Task Force during a series of monthly meetings. During the BMP selection process, URS will provide technical guidance and recommendations to the Task Force. URS will compile fact sheets for selected BMPs that include the implementation schedule and estimated costs, measurable goals, and parties responsible for implementation of each BMP. URS will incorporate these fact sheets and the rationale for selection of BMPs into a Draft Storm Water Management Plan. The Draft Storm Water Management Plan will be submitted to the Task Force for review, and URS will revise the Draft Plan based on comments received from the Task Force. At the conclusion of this assignment, URS will present the Final Storm Water Management Plan to the Keizer City Council for adoption. The Storm Water Management Plan will be provided by URS to the City in electronic format and in five hard copies.

A proposed schedule for completion of the project tasks is described in this scope of work and illustrated in Figure 1. The proposed schedule is based on the assumption that URS will receive notice to proceed on the project by June 17, 2003.

Task 1.0 Meetings

URS will participate in meetings with the City of Keizer, the Storm Water Task Force, and other stakeholders throughout the course of the project. These meetings will include the following:

- URS will attend one meeting with the City of Keizer Public Works Director to discuss the proposed scope of services, schedule and budget in May 2003. We will also work with the City upfront to confirm a method for making decisions on the project when there are differing opinions among Task Force members.
- URS will attend two meetings with the City of Salem, Marion County and the Willamette Urban Watershed Network to discuss existing local public education and involvement programs that Keizer could participate in or utilize resources from to address the Public Education and Outreach and Public Involvement measures. URS will arrange with the City of Salem and Marion County for these meetings and will schedule them in May and June of 2003.
- URS will attend one meeting with the City of Keizer Public Works Director in June 2003 to discuss existing programs in the City related to the six minimum measures. This meeting will include a review of the knowledge base regarding the location of the storm sewer system components. The water quality issues that are most likely to be of concern for Keizer will also be discussed.
- URS will attend one meeting with the Storm Water Task Force in June to introduce the Task Force members to the NPDES Phase II and UIC programs, discuss the primary compliance responsibilities associated with each program, and discuss the potential ramifications of non-compliance with the programs. The primary focus of this meeting will be to identify steps that the City will take to comply with both regulatory programs, discuss the role of the Task Force in those compliance efforts, and answer questions from the Task Force members.
- URS will attend three meetings with the Storm Water Task Force to facilitate the selection of BMPs to address the six minimum control measures for the NPDES Phase II permit and compliance with the UIC program. URS will provide a list of potential BMPs to address the control measures and UIC program requirements at each meeting that will include BMP costs and FTEs, advantages and disadvantages of BMPs. URS will provide recommendations for BMPs to be selected, and facilitate a decision making process within the Task Force to select the BMPs that best meet the City's goals and needs. The Public Works Director will be the ultimate decision-maker regarding conflicting opinions among Task Force members during the decision making process. A range of BMP options will be presented for the control measures and the UIC program requirements according to the following schedule:
 - July 2003 Task Force meeting
 - Measure 1: Public education and outreach
 - Measure 2: Public participation/involvement
 - UIC program: Employee and public education

- **August 2003 Task Force meeting**
 - Measure 3: Illicit discharge detection and elimination
 - Measure 6: Pollution prevention/good housekeeping
 - UIC program: System monitoring/stormwater sampling
 - UIC program: Spill prevention and spill response plan
 - UIC program: Injection system maintenance plan and schedule
- **September 2003 Task Force meeting**
 - Measure 4: Construction site runoff control
 - Measure 5: Post-construction runoff control
 - UIC Program: Design/siting standards for new injection systems
- URS will attend one meeting with the Task Force in October 2003. The October 2003 Task Force meeting will serve as the opportunity for Task Force members to propose revisions to the decisions made in the July, August, and September Task Force meetings. URS will facilitate a review by the Task Force of the decisions made during the preceding meetings and summarize the estimated costs and full time equivalent (FTE) staff time to implement and maintain the BMPs selected. If the Task Force wishes to reallocate resources between program elements or alter their BMP selections at this meeting, URS will facilitate this process.
- URS will attend one meeting with the City of Keizer Public Works Director in February 2004 to review the project work completed and prepare for the presentation of the Storm Water Management Plan to the City Council for adoption.
- URS will attend one meeting with the City of Keizer City Council in February 2004 to present the Storm Water Management Plan for adoption.

Task 2.0 UIC Program Compliance Guidance

Unless the City of Keizer chooses non-compliance for the UIC program, URS will assist the City in its efforts to comply with the UIC program beginning in June 2003. URS will provide guidance related to the UIC program requirements to the City, including describing tasks that will be performed by the City and its UIC program contract employee. URS will assist the City in applying for a Water Pollution Control Facilities (WPCF) permit from the Department of Environmental Quality (DEQ) to cover all stormwater injection facilities owned by the City. The City will be responsible for collecting and compiling all information required for the WPCF permit, including an inventory of all City-owned injection systems.

Once the WPCF permit is applied for, URS will guide the City through the process of registering the stormwater injection facilities owned by the City with DEQ and screening those facilities for rule authorization under the UIC program. The City will be responsible for collecting and compiling all information required for the injection system registration and rule authorization. URS will assist the City in developing a plan to retrofit, decommission, or otherwise manage any stormwater injection facilities that do not meet rule authorization criteria.

To comply with the injection system monitoring and stormwater sampling requirements of the UIC program, URS recommends that the City research the potential of joining the Oregon Association of Clean Water Agencies (ACWA) UIC Monitoring Study. To join this study the City will be required to financially support the study, but the cost to join the study will be substantially less than if the City completes an independent injection system monitoring and stormwater sampling program. If the City is unable to join the ACWA UIC Monitoring Study, URS will be available to assist the City in developing an injection system monitoring and stormwater sampling program but that work is not currently included in this scope and budget.

Task 3.0 - NPDES Control Measure 1: Public Education and Outreach
- UIC Program Requirement: Employee and Public Education

URS will compile information on existing City of Keizer programs that address water quality-related public education and outreach (where available) as well as educational material distribution opportunities within the City. URS will identify partnership opportunities and existing materials available through other local jurisdictions and organizations that are currently addressing water quality and UIC program related public education and outreach or are planning to do so in the vicinity of Keizer. URS will identify any gaps in existing materials that are available and identify any necessary modifications to existing materials that URS recommends the City utilize.

Prior to the July 2003 Task Force meeting, URS will collect examples of water quality-related educational materials to share with the Task Force at the July 2003 meeting. Educational materials collected by URS as examples for the July 2003 Task Force meeting will be provided to the City in electronic format if available, or in hard copy if not available electronically. URS will also develop a list of potential educational BMP options to discuss with Task Force. The list of BMPs will include existing City of Keizer programs and activities as well as potential new programs and activities. URS will provide the estimated costs and FTE staff time to implement and maintain the BMPs listed for consideration. URS will provide recommendations for BMPs to be selected, and facilitate a decision making process within the Task Force to select the BMPs that best meet the City's goals and needs. URS will also work with the Task Force to develop an implementation schedule and measurable goals for the selected BMPs.

After the BMPs are selected at the July 2003 Task Force meeting, URS will compile fact sheets for the selected BMPs. These fact sheets will include the implementation schedule and estimated costs, measurable goals, and parties responsible for implementation of each BMP. URS will revise the fact sheets as necessary in November, based on decisions made at the October 2003 Task Force meeting. The final fact sheets will be included in the Draft Storm Water Management Plan.

Task 4.0 - NPDES Control Measure 2: Public participation/involvement
URS will compile information on existing or planned City of Keizer programs that address water quality-related public participation/involvement. URS will work with the City to look for partnership opportunities and existing programs available through other local jurisdictions and organizations that are currently addressing water-quality related public participation/involvement or are planning to do so. URS will look for and define gaps in existing programs that are available and identify any necessary modifications to

existing programs that URS recommends the City utilize.

Prior to the July 2003 Task Force meeting, URS will develop a list of potential public involvement BMPs to discuss with the Task Force. The list of BMPs will include existing City of Keizer programs and activities as well as optional new programs and activities. URS will provide the estimated costs and full time equivalent (FTE) staff time to implement and maintain the BMPs listed for consideration. URS will provide recommendations for BMPs to be selected, and facilitate a decision making process within the Task Force to select the BMPs that best meet the City's goals and needs. URS will also work with the Task Force to develop an implementation schedule and measurable goals for the selected BMPs.

After the BMPs are selected at the July 2003 Task Force meeting, URS will compile fact sheets for the selected BMPs. These fact sheets will include the implementation schedule and estimated costs, measurable goals, and parties responsible for implementation of each BMP. URS will revise the fact sheets as necessary in October, based on decisions made at the September 2003 Task Force meeting.

Task 5.0 - NPDES Control Measure 3: Illicit Discharge Detection and Elimination (IDDE)
- UIC Program Requirement: System monitoring/stormwater sampling

URS will compile information on existing City of Keizer storm sewer maps and existing regulations and programs related to illicit discharges (where available). URS will look for and describe gaps in existing maps, regulations and programs related to illicit discharges.

Prior to the August 2003 Task Force meeting, URS will develop a range of optional IDDE program elements to discuss with Task Force. The optional program elements will include existing City of Keizer maps, regulations and programs as well as potential new mapping activities, regulations and programs. URS will provide the estimated costs and full time equivalent (FTE) staff time to implement and maintain the range of IDDE program elements listed for consideration. URS will provide recommendations for IDDE program elements to be selected, and facilitate a decision making process within the Task Force to select the elements that best meet the City's goals and needs. URS will also work with the Task Force to develop an implementation schedule and measurable goals for the selected IDDE program elements.

After the IDDE program has been developed for Keizer at the August 2003 Task Force meeting, URS will compile fact sheets to describe the program elements. These fact sheets will include the implementation schedule and estimated costs, measurable goals, and parties responsible for implementation of the IDDE program elements. URS will revise the IDDE program fact sheets as necessary in October, based on decisions made at the September 2003 Task Force meeting.

Once the IDDE program has been developed for Keizer, URS will develop a guidance document for implementing the program. The guidance document will include inspection forms for illicit discharge investigation field work. The IDDE program implementation

guidance document could be included as an appendix to the Storm Water Management Plan. URS will also assist the City of Keizer in developing an ordinance or other regulatory mechanism to prohibit non-storm water discharges into the municipal separate storm sewer system.

Although URS has not included preparation of maps of the Keizer storm sewer system in this scope of work, URS is capable of providing this service. This task could be added to the scope of work at a later date if desired by the City of Keizer.

This scope of work assumes that the City of Keizer will join the ACWA UIC Monitoring Study to comply with the UIC program system monitoring/stormwater sampling requirements. If the City joins the ACWA UIC Monitoring Study, URS will provide guidance related to incorporating the results of that study into a submittal to DEQ. URS will assist the City in reviewing the ACWA UIC Monitoring Study results and in providing a letter to DEQ with any necessary discussion of the results as they relate to the City of Keizer's UIC system. If the City is unable to join the ACWA UIC Monitoring Study, URS is capable of assisting the City in developing an injection system monitoring and stormwater sampling program. This task could be added to the scope of work at a later date if desired by the City of Keizer, but is not currently included in the scope of work.

Task 6.0 - **NPDES Control Measure 6: Pollution prevention/good housekeeping**
 - **UIC Program Requirement: Spill prevention and spill response plan**
 - **UIC Program Requirement: Injection system maintenance plan and schedule**

URS will compile information on existing City of Keizer operation and maintenance programs and activities, spill prevention and spill response plans, and pollution prevention training for employees. URS will identify gaps in the existing programs, activities, plans and training.

Prior to the August 2003 Task Force meeting, URS will develop a list of potential maintenance-related BMPs to discuss with Task Force. The list of BMPs will include existing City of Keizer programs and activities as well as potential new programs and activities. URS will provide the estimated costs and full time equivalent (FTE) staff time to implement and maintain the BMPs listed for consideration. URS will provide recommendations for BMPs to be selected, and facilitate a decision making process within the Task Force to select the BMPs that best meet the City's goals and needs. URS will also work with the Task Force to develop an implementation schedule and measurable goals for the selected BMPs.

After the maintenance-related BMPs are selected at the August 2003 Task Force meeting, URS will compile fact sheets for the selected BMPs. These fact sheets will include the implementation schedule and estimated costs, measurable goals, and parties responsible for implementation of each BMP. URS will revise the fact sheets as necessary in October, based on decisions made at the September 2003 Task Force meeting.

Task 7.0 - NPDES Control Measure 4: Construction Site Runoff Control

URS will compile information on existing City of Keizer regulations for erosion control, procedures for site plan review, procedures for site inspection and enforcement of erosion control regulations. URS will identify gaps in the existing regulations and procedures.

Prior to the September 2003 Task Force meeting, URS will develop a list of potential erosion control BMPs to discuss with Task Force. The list of BMPs will include existing City of Keizer regulations and procedures as well as potential new regulations and procedures. URS will provide the estimated costs and full time equivalent (FTE) staff time to implement and maintain the BMPs listed for consideration. URS will provide recommendations for BMPs to be selected, and facilitate a decision making process within the Task Force to select the BMPs that best meet the City's goals and needs. URS will also work with the Task Force to develop an implementation schedule and measurable goals for the selected BMPs.

After the BMPs are selected at the September 2003 Task Force meeting, URS will compile fact sheets for the selected BMPs. These fact sheets will include the implementation schedule and estimated costs, measurable goals, and parties responsible for implementation of each BMP. URS will revise the fact sheets as necessary in October, based on decisions made at the September 2003 Task Force meeting.

Task 8.0 - NPDES Control Measure 5: Post-construction Runoff Control
- UIC Program Requirement: Design/siting standards for new injection systems

URS will compile information on existing City of Keizer regulations, planning efforts, and procedures related to post-construction runoff controls and design/siting standards for new injection systems. URS will identify gaps in existing regulations, planning efforts and procedures.

Prior to the September 2003 Task Force meeting, URS will develop a list of potential BMPs related to land development to discuss with Task Force. The list of BMPs will include existing City of Keizer regulations, planning and procedures as well as potential new regulations, planning efforts and procedures. URS will provide the estimated costs and full time equivalent (FTE) staff time to implement and maintain the BMPs listed for consideration. URS will provide recommendations for BMPs to be selected, and facilitate a decision making process within the Task Force to select the BMPs that best meet the City's goals and needs. URS will also work with the Task Force to develop an implementation schedule and measurable goals for the selected BMPs.

After the land development BMPs are selected at the September 2003 Task Force meeting, URS will compile fact sheets for the selected BMPs. These fact sheets will include the implementation schedule and estimated costs, measurable goals, and parties responsible for implementation of each BMP. URS will revise the fact sheets as necessary in November, based on decisions made at the October 2003 Task Force meeting.

Task 9.0 Prepare City of Keizer Storm Water Management Plan

In November 2003 URS will incorporate the BMP fact sheets and a rationale for selection of each BMP into the Draft Storm Water Management Plan. The Draft Plan will enable the City to comply with NPDES Phase II permitting requirements. URS will submit the Draft Plan to the Task Force to review at the November 2003 Task Force meeting. The City of Keizer Public Works Director will facilitate the Task Force review of the Draft Plan.

The Task Force comments on the Draft Plan will be collected by the City of Keizer Public Works Director at the December 2003 Task Force meeting and provided to URS. In January and February 2004, URS will compile and address comments from the Task Force and prepare the Final Storm Water Management Plan. URS will discuss any conflicting comments with the Public Works Director. The Public Works Director will be the ultimate decision-maker regarding conflicting comments. URS will submit the Final Storm Water Management Plan to the Public Works Director in February 2004. The Public Works Director will submit the Final Storm Water Management Plan for approval by the Task Force. At the conclusion of this assignment, URS will present the Final Storm Water Management Plan to the Keizer City Council for adoption in February 2004. URS will provide the Storm Water Management Plan to the City in electronic format and in five hard copies.

Task 10.0 Project Management

URS will develop a scope of services, budget and schedule to support the City of Keizer's efforts to comply with NPDES Phase II permitting requirements and the UIC program. The scope and budget will describe the tasks necessary to prepare the Storm Water Management Plan and guide the City through the UIC registration and rule authorization process, and the estimated hours URS staff will spend working on each task.

During the course of the project, URS will prepare and submit invoices to the City of Keizer, track the project budget, and manage the schedule and quality of deliverable products. The URS project manager and project staff will be available to answer questions from the Public Works Director about components of the project, and provide technical guidance as needed.

Should additional services be requested by the City of Keizer that are not included in this scope of work, URS will submit to the City a change order request that includes a description of the out-of-scope work and an estimated budget and schedule to complete the out-of-scope work. Out-of-scope work that may require a change order could include additional meetings not described in this scope, additional reviews and revisions of the Storm Water Management Plan elements not described in this scope, delay of meetings described in this scope of work, or other project work that varies from what is described in this scope of work.

Attachment B: City of Keizer NPDES Phase II and UIC Estimated Schedule

Task Name	May '03	Jun '03	Jul '03	Aug '03	Sep '03	Oct '03	Nov '03	Dec '03	Jan '04	Feb '04
1.0 - Meetings										
Mid-off mtg. with Storm Water Task Force										
2.0 - UIC Program Compliance										
3.0 - Measure 1: Public Education & Outreach; UIC Program: Employee & Public Education										
4.0 - Measure 2: Public Participation/Involvement										
Present Task 3.0 & 4.0 BMP Options at July Storm Water Task Force Mtg.										
5.0 - Measure 3: Risk Discharge Detection & Elimination; UIC Program: System monitoring/Stormwater sampling										
6.0 - Measure 6: Pollution Prevention/Good Housekeeping; UIC Program: Spill prevention & spill response plan; UIC Program: Injection system maintenance plan										
Present Task 5.0 & 6.0 BMP Options at August Storm Water Task Force Mtg.										
7.0 - Measure 4: Construction Site Runoff Control										
8.0 - Measure 5: Best Construction Runoff Control; UIC Program: Design/Building standards for new injection systems										
Present Task 7.0 & 8.0 BMP Options at September Storm Water Task Force Mtg.										
9.0 - Prepare City of Keizer Storm Water Management Plan										
Review all BMPs selected at October Storm Water Task Force Mtg.										
Submit Draft Storm Water Management Plan to Storm Water Task Force at November Mtg.										
Resolve Task Force comments on Draft Plan at December Mtg.										
Submit Final Storm Water Management Plan to Public Works Director & Present Plan to City Council										
10.0 - Project Management										

Project: Project Schedule
Date: Mon 6/6/03

Task

Milestone

Common Acronyms

❖ URS	Consultant proposed by Task Force to complete the SWMP
❖ SWMP	Storm Water Management Plan
❖ NPDES Ph II	National Pollutant Discharge Elimination System Phase II
❖ MS4s	Municipal Separate Storm Sewer Systems
❖ EPA	Environmental Protection Agency
❖ DEQ	Department of Environmental Quality
❖ CWA	Clean Water Act
❖ ESA	Endangered Species Act
❖ UA's	Urbanized Areas
❖ ACWA	Association of Clean Water Agencies
❖ BMP'S	Best Management Practices
❖ TMDL's	Total Maximum Daily Load
❖ UIC	Underground Injection Control
❖ WPCF	Water Pollution Control Facilities
❖ 1200-C	DEQ permits
❖ MOA	Memo of agreement
❖ MOU	Memo of Understanding
❖ FTE	Full Time Equivalent

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2003-_____

**AUTHORIZING THE CITY MANAGER TO ENTER AGREEMENT WITH UNDERGROUND
INJECTION CONTROL (UIC) COMPLIANCE CONSULTING SERVICES**

**WHEREAS, the City of Keizer's Storm Water Task Force Committee has been
meeting monthly developing guidelines for a Stormwater Management Plan for the
City of Keizer;**

**WHEREAS, a request for proposals was distributed in March. Responses
were received and reviewed. Upon review of the proposals, the field of consultants
was narrowed to four companies. Interviews were completed and a final consultant
was unanimously recommended by the Storm Water Task Force; NOW, THEREFORE**

**BE IT RESOLVED by the City Council of the City of Keizer that the City
Manager is hereby authorized to execute an agreement, which by this reference
made a part hereof and attached as exhibit "A", with Underground Injection Control
(UIC) Consulting Services at a total cost of \$58,3000 to develop a Storm Water
Management Plan for the City of Keizer.**

PASSED this ____ day of _____, 2003.

SIGNED this ____ day of _____, 2003.

Mayor

City Recorder

AGREEMENT FOR PROFESSIONAL SERVICES
("Agreement")

This Agreement between City of Keizer, Oregon: 930 Chemawa Road NE, Keizer, OR 97307-1000; 503-390-3700, ("Client") and URS Corporation, ("URS"), a Nevada corporation: 111 SW Columbia, Suite 900, Portland, OR 97201-5814 ("URS"), is effective as of June 17, 2003. The parties agree as follows:

It is the expressed intent of the parties that this Agreement shall be made available to the subsidiaries and affiliated companies of URS. For the purposes of this Agreement, as it applies to each Work Order, the term "URS" shall mean either, URS Corporation, or the affiliated company identified in the Work Order. The applicable Work Order shall clearly identify the legal name of the affiliate or subsidiary accepting the Work Order.

ARTICLE I - Work Orders. The Scope of Services ("Services"), the Time Schedule and the Charges are to be set forth in a written Work Order to this Agreement. The terms and conditions of this Agreement shall apply to each Work Order, except to the extent expressly modified by the Work Order. Where charges are "not to exceed" a specified sum, URS shall notify Client before such sum is exceeded and shall not continue to provide the Services beyond such sum unless Client authorizes an increase in the sum. If a "not to exceed" sum is broken down into budgets for specific tasks, the task budget may be exceeded without Client authorization as long as the total sum is not exceeded. Changes in conditions, including, without limitation, changes in laws or regulations occurring after the budget is established or other circumstances beyond URS control shall be a basis for equitable adjustments in the budget and schedule.

ARTICLE II - Payment. Unless otherwise stated in an Work Order, payment shall be on a time and materials basis under the Schedule of Fees and Charges in effect when the Services are performed. Client shall pay undisputed portions of each progress invoice within thirty (30) days of the date of the invoice. If payment is not maintained on a thirty (30) day current basis, URS may suspend further performance until payments are current. Client shall notify URS of any disputed amount within fifteen (15) days from date of the invoice, give reasons for the objection, and promptly pay the undisputed amount. Client shall pay an additional charge of one and one-half percent (1½%) per month or the maximum percentage allowed by law, whichever is the lesser, for any past due amount. In the event of a legal action for invoice amounts not paid, attorneys' fees, court costs, and other related expenses shall be paid to the prevailing party.

ARTICLE III - Professional Responsibility. URS is obligated to comply with applicable standards of professional care in the performance of the Services. Client recognizes that opinions relating to environmental, geologic, and geotechnical conditions are based on limited data and that actual conditions may vary from those encountered at the times and locations where the data are obtained, despite the use of due professional care.

ARTICLE IV - Responsibility for Others. URS shall be responsible to Client for URS Services and the services of URS subcontractors. URS shall not be responsible for the acts or omissions of other parties engaged by Client nor for their construction means, methods, techniques, sequences, or procedures, or their health and safety precautions and programs.

ARTICLE V - Risk Allocation. The liability of URS, its employees, agents and subcontractors (referred to collectively in this Article as "URS"), for Client's claims of loss, injury, death, damage, or expense, including, without limitation, Client's claims of contribution and indemnification, express or implied, with respect to third party claims relating to services rendered or obligations imposed under this Agreement, including all Work Orders, shall not exceed in the aggregate:

(1) The total sum of \$250,000 for claims arising out of professional negligence, including errors, omissions, or other professional acts, and including unintentional breach of contract; and any actual or potential environmental pollution or contamination, including, without limitation, any actual or threatened release of toxic, irritant, pollutant, or waste gases, liquids, or solid materials, or failure to detect or properly evaluate the presence of such substances, except to the extent such release, threatened release, or failure to detect or evaluate is caused by the willful misconduct of URS; or

(2) The total sum of \$1,000,000 for claims arising out of negligence, breach of contract, or other causes for which URS has any legal liability, other than as limited by (1) above.

ARTICLE VI - Insurance. URS agrees to maintain during the performance of the Services: (1) statutory Workers' Compensation coverage; (2) Employer's Liability; (3) General Liability; and (4) Automobile Liability insurance coverage each in the sum of \$1,000,000.

ARTICLE VII - Consequential Damages. Neither Party shall be liable to the other for consequential damages, including, without limitation, loss of use or loss of profits, incurred by one another or their subsidiaries or successors, regardless of whether such damages are caused by breach of contract, willful misconduct, negligent act or omission, or other wrongful act of either of them.

ARTICLE VIII - Client Responsibility. Client shall: (1) provide URS, in writing, all information relating to Client's requirements for the project; (2) correctly identify to URS, the location of subsurface structures, such as pipes, tanks, cables and utilities; (3) notify URS of any potential hazardous substances or other health and safety hazard or condition known to Client existing on or near the project site; (4) give URS prompt written notice of any suspected deficiency in the Services; and (5) with reasonable promptness, provide required approvals and decisions. In the event that URS is requested by Client or is required by subpoena to produce documents or give testimony in any action or proceeding to which Client is a party and URS is not a party, Client shall pay URS for any time and expenses required in connection therewith, including reasonable attorney's fees.

Client shall reimburse URS for all taxes, duties and levies such as Sales, Use, Value Added Taxes, Deemed Profits Taxes, and other similar taxes which are added to or deducted from the value of URS Services. For the purpose of this Article such taxes shall not include taxes imposed on URS net income, and employer or employee payroll taxes levied by any United States taxing authority, or the taxing authorities of the countries or any agency or subdivision thereof in which URS subsidiaries, affiliates, or divisions are permanently domiciled. It is agreed and understood that these net income, employer or employee payroll taxes are included in the unit prices or lump sum to be paid URS under the respective Work Order.

ARTICLE IX - Force Majeure. An event of "Force Majeure" occurs when an event beyond the control of the Party claiming Force Majeure prevents such Party from fulfilling its obligations. An event of Force Majeure includes, without limitation, acts of God (including floods, hurricanes and other adverse weather), war, riot, civil disorder, acts of terrorism, disease, epidemic, strikes and labor disputes, actions or inactions of government or other authorities, law enforcement actions, curfews, closure of transportation systems or other unusual travel difficulties, or inability to provide a safe working environment for employees.

In the event of Force Majeure, the obligations of URS to perform the Services shall be suspended for the duration of the event of Force Majeure. In such event, URS shall be equitably compensated for time expended and expenses incurred during the event of Force Majeure and the schedule shall be extended by a like number of days as the event of Force Majeure. If Services are suspended for thirty (30) days or more, URS may, in its sole discretion, upon 5 days prior written notice, terminate this Agreement or the affected Work Order, or both. In the case of such termination, in addition to the compensation and time extension set forth above, URS shall be compensated for all reasonable termination expenses.

ARTICLE X - Right of Entry. Client grants to URS, and, if the project site is not owned by Client, warrants that permission has been granted for, a right of entry from time to time by URS, its employees, agents and subcontractors, upon the project site for the purpose of providing the Services. Client recognizes that the use of investigative equipment and practices may unavoidably alter the existing site conditions and affect the environment in the area being studied, despite the use of reasonable care.

ARTICLE XI - Documents. Provided that URS has been paid for the Services, Client shall have the right to use the documents, maps, photographs, drawings and specifications resulting from URS efforts on the project. Reuse of any such materials by Client on any extension of this project or any other project without the written authorization of URS shall be at Client's sole risk. URS shall have the right to retain copies of all such materials. URS retains the right of ownership with respect to any patentable concepts or copyrightable materials arising from its Services.

ARTICLE XII - Termination. Client may terminate all or any portion of the Services for convenience, at its option, by sending a written Notice to URS. Either party can terminate this Agreement or a Work Order for cause if the other commits a material, uncured breach of this Agreement or becomes insolvent. Termination for cause shall be effective twenty (20) days after receipt of a Notice of Termination, unless a later date is specified in the Notice. The Notice of Termination for cause shall contain specific reasons for termination and both parties shall cooperate in good faith to cure the causes for termination stated in the Notice. Termination shall not be effective if reasonable action to cure the breach has been taken before the effective date of the termination. Client shall pay URS upon invoice for Services performed and charges incurred prior to termination, plus reasonable termination charges. In the event of termination for cause, the parties shall have their remedies at law as to any other rights and obligations between them, subject to the other terms and conditions of this Agreement.

ARTICLE XIII - No Third Party Rights. This Agreement shall not create any rights or benefits to parties other than Client and URS. No third party shall have the right to rely on URS opinions rendered in connection with the Services without the written consent of URS and the third party's agreement to be bound to the same conditions and limitations as Client.

ARTICLE XIV - Assignments. Neither party to this Agreement shall assign its duties and obligations hereunder without the prior written consent of the other party.

ARTICLE XV - Hazardous Substances. All nonhazardous samples and by-products from sampling processes in connection with the Services shall be disposed of by URS in accordance with applicable law; provided, however, that any and all such materials, including wastes, that cannot be introduced back into the environment under existing law without additional treatment, and all hazardous wastes, radioactive wastes, or hazardous substances ("Hazardous Substances") related to the Services, shall be packaged in accordance with the applicable law by URS and turned over to Client for appropriate disposal. URS shall not arrange or otherwise dispose of Hazardous Substances under this Agreement. URS, at Client's request, may assist Client in identifying appropriate alternatives for off-site treatment, storage or disposal of the Hazardous Substances, but URS shall not make any independent determination relating to the selection of a treatment, storage, or disposal facility nor subcontract such activities through transporters or others. Client shall sign all necessary manifests for the disposal of Hazardous Substances. If Client requires: (1) URS agents or employees to sign such manifests; or (2) URS to hire, for Client, the Hazardous Substances transportation, treatment, or disposal contractor, then for these two purposes, URS shall be considered to act as Client's agent so that URS will not be considered to be a generator, transporter, or disposer of such substances or considered to be the arranger for disposal of Hazardous Substances, and Client shall indemnify URS against any claim or loss resulting from such signing.

ARTICLE XVI - Venue. In the event of any dispute between the parties to this Agreement, the venue for the dispute resolution shall be any state or federal court in the United States having jurisdiction over the parties. The foregoing notwithstanding, if the project is located outside the United States, the laws of the State of California shall govern and in such event, any dispute under the Agreement not resolved amicably shall be resolved under the binding rules of the American Arbitration Association.

ARTICLE XVII - Integrated Writing and Enforceability. This Agreement constitutes the final and complete repository of the agreements between Client and URS relating to the Services and supersedes all prior or contemporaneous communications, representations, or agreements, whether oral or written. Modifications of this Agreement shall not be binding unless made in writing and signed by an Authorized Representative of each party. The provisions of this Agreement shall be enforced to the fullest extent permitted by law. If any provision of this Agreement is found to be invalid or unenforceable, the provision shall be construed and applied in a way that comes as close as possible to expressing the

intention of the parties with regard to the provisions and that saves the validity and enforceability of the provision.

THE PARTIES ACKNOWLEDGE that there has been an opportunity to negotiate the terms and conditions of this Agreement and agree to be bound accordingly.

CLIENT

Signature

Rob Kissler / Director of Public
Works

Typed Name/Title

Date of Signature

URS

Signature

Victor Viets / Vice President

Typed Name/Title

Date of Signature

TIME AND MATERIALS WORK ORDER NO. 1

In accordance with the Agreement for Professional Services between City of Keizer, Oregon ("Client"), and URS Corporation ("URS"), a Nevada corporation, dated June 17, 2003, this Work Order describes the Services, Schedule, and Payment Conditions for URS Services on the Project known as:

NPDES PHASE II AND UIC COMPLIANCE CONSULTING SERVICES

Client Authorized**Representative:****Address:** 930 Chemawa Road NEKeizer, OR 97307-1000**Telephone No.:** 503-390-3700**URS Authorized****Representative:**Victor Viets, Vice President**Address:** 111 SW Columbia, Suite 900Portland, OR 97201-5814**Telephone No.:** 503-222-7200

SERVICES. The Services shall be described in Attachment A to this Work Order.

SCHEDULE. The Estimated Schedule shall be set forth in Attachment B to this Work Order. Because of the uncertainties inherent in the Services, Schedules are estimated and are subject to revision unless otherwise specifically described herein.

PAYMENT. URS charges shall be on a "time and materials" basis and shall be in accordance with the URS Schedule of Fees and Charges in effect at the time the Services are performed. Payment provisions and the URS current Schedule of Fees and Charges are attached to this Work Order as Attachment C.

TERMS AND CONDITIONS. The terms and conditions of the Agreement referenced above shall apply to this Work Order, except as expressly modified herein.

ACCEPTANCE of the terms of this Work Order is acknowledged by the following signatures of the Authorized Representatives.

CLIENTSignatureTyped Name/TitleDate of Signature**URS**SignatureVictor Viets / Vice PresidentTyped Name/TitleDate of Signature



June 16, 2003

AGENDA ITEM 9d

**RESOLUTION – CITY'S ELECTION TO RECEIVE STATE REVENUE
SHARING AND CERTIFYING KEIZER PROVIDES FOUR OR MORE
SERVICES**

COUNCIL MEETING: June 16, 2003

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 \$165,000 in State Shared Revenues is anticipated in FY04.

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 R2003-_____**

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 2003-2004.**
10

11 **PASSED this _____ day of _____, 2003.**

12 **SIGNED this _____ day of _____, 2003.**

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 6, 2003 and a public hearing before the City Council was held on June 2,**
25 **2003, giving citizens opportunity to comment on use of State Revenue**
26 **Sharing.**
27

28
29 _____
 City Recorder

1 **CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**

2 **Resolution R2003-_____**

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 to 366.820 and 471.805 shall, in the case of a city**
9 **located within a county having more than 100,000 inhabitants according to**
10 **the most recent federal decennial census, disburse such funds only if the city**
11 **provides 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 services**

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 _____, 2003.

SIGNED this _____ day of _____, 2003.

Mayor

City Recorder



June 16, 2003

AGENDA ITEM 9e

RESOLUTION – REMOVAL OF COMMITTEE MEMBER

CITY COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR & CITY COUNCIL

**FROM: CHRISTOPHER C. EPPLEY
CITY MANAGER**

SUBJECT: REMOVAL OF A COMMITTEE CHAIRPERSON

BACKGROUND

Mayor Christopher requested that this item be placed on the agenda for your consideration.

Ken Gierloff is involved in an ongoing dispute with his neighbor that has resulted in his arrest by the KPD. Since this is now an open police case between the City of Keizer and Mr. Gierloff, which could result in future litigation, there is question as to whether Mr. Gierloff should continue as the Chairperson or a member of the Keizer Community Oriented Policing Main Committee while this issue is in dispute. The Council has the right to remove any member of a Council appointed committee with a two-thirds affirmative vote of the Council membership.

RECOMMENDATION

Staff recommends that the City Council takes whatever action it deems necessary for the benefit of the City in this matter.



AGENDA ITEM 9f

June 16, 2003

RESOLUTION – CERTIFYING DELINQUENT SEWER ASSESSMENTS

COUNCIL MEETING:

June 16, 2003

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCILORS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: SUSAN GAHLSDORF, 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 March 31, 2002 through March 13, 2003. 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 R2003-_____

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 13, 2003 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 Mayor
24

25 _____
26 City Recorder
27

EXHIBIT "A"
DELINQUENT SEWER ACCOUNTS

Tax ID	Owners Name	Service Address	Total
R19721	Chapin Investments LLC	7880 Wheatland Rd NE	\$ 293.03
R19672	Chapin Investments LLC	7985 Wheatland Rd NE	293.03
R45871	Dawn Chike	4985 Bailey Rd NE	346.86
R25632	Della M Park	390 Weeks Dr N	177.46
R25220	Derek O & Angela M Apperson	1731 Wildwood Pl NE	346.86
R20579	Lorena E Tucker	5565 St. Croix Wy NE	239.20
R20126	Patrick L Bryant	7495 Wheatland Rd NE	293.03
R19690	Robert C & Laura L Pillsbury	7535 Wheatland Rd N	339.98
R20514	Robert L Dorszynski Co Willie M Laird	5957 Mcleod Ln NE	346.86
R25374	Taisto A. Pesola	4935 Delight St N	293.03
R76691	Robert R & Karen S Carlson	1208 Candlewood Dr NE	346.86
R76783	Sandi L & Cody C Eldridge	1245 Shady Ln NE	293.03
R57272	Walter C Hudnall	761 Chemawa Rd N	213.01
		TOTAL	<u>\$3,822.24</u>



June 16, 2003

AGENDA ITEM 9g

**RESOLUTION – AUTHORIZING DISPOSITION OF SUPPLUS
VEHICLES IN EXCHANGE FOR ONE FULL SIZE PICKUP TRUCK**

COUNCIL MEETING: June 16, 2003

AGENDA ITEM NUMBER: _____

TO: MAYOR CHIRSTOPHER AND COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: H. MARC ADAMS via Capt. Barker
CHIEF OF POLICE**

SUBJECT: Authorization of Expenditures of Specific Purpose Funds

ISSUE:

The Keizer Police Department has identified inventory that is no longer usable by the police department and needs to be surplus.

Keizer City Ordinance 95-341 surplus City property allows for city property identified as surplus and approved as surplus by the City Manager to be destroyed, sold, and bartered.

RECOMMENDATION:

The Keizer Police Department recommends the council adopt the attached resolution authorizing the items listed in the resolution as surplus items.

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2003-_____

3 AUTHORIZING THE DISPOSITION OF SUPLUS VEHICLES IN EXCHANGE FOR ONE
4 FULL SIZE PICKUP TRUCK.
5

6 WHEREAS, Ordinance 2000-427 allows for the disposition of surplus property
7 in exchange for other property the City is acquiring;

8 WHEREAS, the Keizer Police Department proposes to trade the vehicles listed
9 in Exhibit "A" in exchange for a full size pickup with an extended cab;

10 WHEREAS, the Chief of Police and City Manager approve such trade;

11 WHEREAS, Ordinance No. 2000-427 requires City Council approval for such
12 exchange;

13 NOW, THEREFORE,

14 BE IT RESOLVED by the City Council of the City of Keizer as follows:

15 1. DECLARATION OF SUPLUS PROPERTY. The City Council declares the
16 property listed in Exhibit "A" as surplus property.

17 2. CONVEYANCE OF PROPERTY.

18 The City Council hereby authorizes the conveyance of the property listed in
19 Exhibit "A."

3. **FINALIZATION OF TRANSACTION.** The City Manager and the Chief of Police are authorized to take any and all necessary acts to effectuate the exchange as set forth herein.

PASSED this ____ day of _____, 2003.

SIGNED this _____ day of _____, 2003.

Mayor

City Recorder

OBSOLETE VEHICLE LIST

NO.	YEAR	DESCRIPTION	PLATE	ASSIGNMENT	VIN	MILEAGE
15	1993	Chevrolet Caprice	E186855	Surplus	1G1BLS379PW115119	93,841
45	1996	Ford Crown Vic	E199884	SRO	2FALP71W9TX116846	94,579
50	1997	Ford Crown Vic	E206934	Surplus	2FALP71WXVX122349	63,560
60	1992	Chevrolet Caprice	E183730	SRO	1G1BL5378NR131467	89,023
77	1990	Honda Accord	SVZ404	Detectives	1HQCB7252LA050262	189,000
78	1990	Plymouth Acclaim	RJR494	CRU	1P3XA46KXLF789528	60,537
80	1992	Jeep Comanche	E201336	CSO	1J7FJ26XNL213617	81,084
79	1985	Ford Van	ETB872	CRU	1FMEE11Y1FHB97686	160,000
03	1991	Chevrolet Caprice	E179426	CSU	1G1BL5377MW222696	93,667



June 16, 2003

AGENDA ITEM 9h

**RESOLUTION -- INITIATING MARTIN ADDITION STREET LIGHTING
DISTRICT**

COUNCIL MEETING: June 16, 2003

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, CMC
CITY RECORDER**



**SUBJECT: INITIATING MARTIN ADDITION STREET LIGHTING LOCAL
IMPROVEMENT DISTRICT**

ISSUE:

Shall the City Council initiate Martin Addition Street Lighting Local Improvement District?

DISCUSSION:

A petition was filed on June 2, 2003 by the developer of the Martin Addition subdivision to form a local improvement district for street lights in this area of Keizer. The petition contained the required signatures of the property owner as outlined by City of Keizer Ordinance 94-278.

RECOMMENDATION:

It is recommended that the City Council approve the Resolution initiating Martin Addition Street Lighting Local Improvement District and direct the City Engineer to prepare a survey of the area.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2003-_____

**DECLARING THE CITY'S INTENT TO INITIATE A STREET LIGHTING
LOCAL IMPROVEMENT DISTRICT (MARTIN ADDITION) AND DIRECTING THE
CITY ENGINEER TO MAKE A SURVEY AND FILE A WRITTEN REPORT WITH
THE CITY RECORDER**

WHEREAS, the City Council of the City of Keizer has received a petition from the
developer to initiate a street lighting district in Martin Addition in the City of Keizer,
Oregon; and

WHEREAS, pursuant to City of Keizer Ordinance 94-278, the necessary signatures
of land owner comprising two-thirds of the property to be included within Martin
Addition Street Lighting District have requested the formation of the district; NOW,
THEREFORE,

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

1. The City Council declares its intent to initiate Martin Addition Street
Lighting Local Improvement District;
2. The map attached hereto, marked Exhibit "A", and by this reference
incorporated herein sets forth the proposed boundaries of the district;
3. The City Engineer is hereby directed to make a survey of the District;
4. The City Engineer shall file a written report with the City Recorder to be
considered by the City Council on July 21, 2003.

PASSED this ____ day of _____, 2003.

SIGNED this ____ day of _____, 2003.

Mayor

City Recorder



June 16, 2003

AGENDA ITEM 9i

**APPROVAL OF MAY 19, 2003 CITY COUNCIL REGULAR SESSION
MINUTES**

MINUTES
KEIZER CITY COUNCIL
Monday, May 19, 2003
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the regular meeting to order at 7:10 p.m. Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Michel Gaynor, Councilor
Charles E. Lee, Councilor
Jacque Moir, Council President
Judy K. Smith, Councilor
James Taylor, Councilor
Richard Walsh, Councilor

Staff:

Chris Eppley, City Manager
Rob Kissler, Public Works Director
Marc Adams, Chief of Police
Dianne Hunt, Human Resources Director
Cheryl Vafakos, Interim Planning Director
Shannon Johnson, City Attorney
Cindy Perry, Recording Secretary

FLAG SALUTE

Cyndi Astley with Salem Keizer Together Program led the City Council in the flag salute.

PUBLIC TESTIMONY

Jerry McGee, 1030 Ridgpoint Street NE, Keizer- thanked the Council for enabling the volunteers to complete the focal point.

Mr. McGee requested the initiation of a committee to research and document points of historical interest within the city. Some of the areas he noted were:

- Lake Labish Train
- Recognize birth place of Charles McNary
- Show levels of various flooding in Sunset Park
- 45th Parallel
- Witness Trees
- Corner posts of land donation claims
- Viewing Keizer from the River and some of the River's points of interest

▪ *Wallace House*

He encouraged the Council to take this into consideration and he offered to serve on a committee.

The Council briefly discussed the concept and was in consensus to have Mr. McGee outline a draft of the historical committee and to bring this information back to the Council.

Marlene Kelly, 275 Lakepoint, Keizer-as a member of the Parks Board she provided an updated from the Board's last meeting. Some of the items included negotiations with Pepsi to place vending machines in the skate park. The contract for this was with the City Manager for further negotiation and finalization. Ms. Kelly noted the Park Board's motion to have any funds from the vending machines to be a designated fund for the skate park for youth activities and non-routine maintenance of the park.

Also addressed was the presentation by Michel Gaynor and Dave Bauer for covered structures at Keizer Little League Park and further incorporating volunteers for parks maintenance.

Bill Quinn, 4918 Shoreline Loop, Keizer-requested fewer curb cuts along River Road.

Mayor Christopher indicated that the Council was in agreement with this suggestion and that this was a progressing project.

Arnie Vohland, 6390 River Road North, Keizer-addressed concern that he would not be able to access the golf course from his residence as the ordinance was written.

City Manager Eppley noted that the Council would be addressing the ordinance later in the evening.

Randy Munson, 741 Bever Drive, Keizer-thanked the police department for addressing the noise emitting from the trailer park on 3701 Cherry.

Greg Pederson, 1345 Harmony Drive, Keizer-noted what he believed was some duplicated verbiage in the draft

golf cart ordinance. Mr. Pederson also addressed the map attached to the ordinance. He believed with discretion from the police department that the ordinance would work well.

Eric Meurer, 517 Lakefair Place, Keizer-encouraged adjusting the golf cart map to allow the areas around Staats Lake the ability to drive their golf carts to McNary Golf Course.

A brief discussion of the gate a McClure took place.

Robert Jacobs-left before testifying.

Dan Meek, 10949 SW 4th Avenue, Portland- as a volunteer for with the Oregon Public Power Coalition he expressed his opposition to the proposed resolution that the City Council would be reviewing that would opposed the Multnomah County PUD.

Mr. Meek also provided some informational handouts pertaining to Enron and PGE financial situation and the continuing rate increases under PGE. He encouraged the Council to reconsider the resolution.

Mr. Meek addressed questions from the Council.

Mayor Christopher thanked everyone for his or her testimony.

PUBLIC HEARINGS

a. Adoption of New City Logo

City Manager Eppley provided a history of the city's logo and the suggestions for change of the logo with the 20th anniversary logo with slight amendments.

Mayor Christopher opened the public hearing.

With no one wishing to testify Mayor Christopher closed the public hearing.

The Council briefly discussed the logo and what should be incorporated into the final design with the permission of David Baker, the creator of the 20th Anniversary logo.

Council President Moir moved to direct staff to bring back the resolution and the design, which eliminates the words, "Pride, Spirit and Volunteerism", and to add 1982 as the year of incorporation. Councilor Walsh seconded the motion.

Councilor Moir indicated that this design would be used for administrative uses.

The motion passed unanimously as follows:

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

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

COMMITTEE REPORTS

a. Volunteer of the Quarter Award - Beth Daniell
Councilor Smith noted the nomination of Beth Daniell as volunteer of the quarter, which was unanimously approved by the Volunteer Coordinating Committee. Ms. Daniell's volunteer achievements were outlined.

Mayor Christopher thanked Ms. Daniell for her volunteer efforts and presented her with an inscribed clock from the city.

b. Salem-Keizer Together Presentation
City Manager Eppley introduced Cyndi Astley Director of the Salem-Keizer Together Program.

Ms. Astley summarized the April 2003 Community Profile of Indicators Related to Alcohol, Tobacco and other Drug Use and Abuse, of which she supplied copies of that report to the Council. She also outlined the Responsible Vendor Program and the impact it has had on limiting minors from being able to obtain alcohol.

Ms. Astley addressed questions from the Council.

Mayor Christopher thanked Ms. Astley for her presentation and recessed the meeting at 8:55 p.m.

The meeting was reconvened at 9:06 p.m.

OTHER BUSINESS

▪ New Business

Councilor Smith noted she would not be in attendance at the June 2nd City Council meeting.

Notification Issues

City Manager Eppley addressed some problems with notification regarding drainage concerns with the possible expansion of an equestrian facility on North River Rd. He indicated additional information would be provided to the Council, as it became available.

Human Resources

Human Resource Director Dianne Hunt welcomed the new hires to the City.

Public Works Updates

Public Works Director Rob Kissler noted the Wetland Mitigation at Claggett Creek Park should be taking place soon. Upgrades to Harmony and Trail Avenue would begin the week of May 27th.

Planning Update

Cheryl Vafakos Interim Planning Director reported that the Planning Commission approved the variance criteria, which the Council would be reviewing in the near future.

LUBA

City Attorney Johnson reported that a LUBA regarding the Keizer Station Plan had been filed. He expected an answer by the end of the summer.

▪ Old Business

Library Task Force

Councilor Walsh summarized this group's last meeting with the intent of Keizer becoming part of the library system.

Civic Center Task Force

Councilor Gaynor provided an update of the task force's work to narrow down the architectural firms. He indicated more information would be available at the next meeting.

Making After School Task Force

Councilor Lee submitted updates from this task force. The next meeting of this group would be in July after the budget process for the School District and the City of Salem.

City Manager Performance Evaluation

Mayor Christopher polled the Council regarding a date to submit this evaluation to Mr. Eppley. The Council was in consensus to for this to take place on June 9th at 5:30 p.m.

ADMINISTRATIVE ACTION

a. ORDER- Zone Change/Major and Minor Variance-Case No. 2003-03 (500 Bever Drive N)

City Attorney Johnson reported at the last meeting Council directed staff to prepare the appropriate order. Such order was provided for the Council's review.

Council President Moir indicated that although she was not in attendance during the public hearings that she did review the tapes of the meetings and would participate in the process.

Council President Moir moved to Adopt an Order in the Matter of the Application of Anil Khanna for a Zone Change From CO (Commercial Office) to CM (Commercial Mixed) and a Major and Minor Variance to Reduce the Minimum Street Front Setback, to Reduce the Minimum Street Frontage and to Reduce the Number of Required Parking Spaces for Property Located at 500 Bever Drive NE, Keizer, Oregon (Case No 2003-03) Councilor Smith seconded the motion.

Councilor Walsh expressed concern with denial of the entire application. He recommended denying the Zone Change and ruling that the remainder of the request is mute.

Councilor Walsh recommended a friendly amendment to deny the application based on the Zone Change with no decision on the others and to consider them basically mute.

City Attorney Johnson indicated the code could not be changed within this proceeding. The provision, which

he suggested, was to include in the Order in Exhibit E a sentence to read; The Variance is deemed withdrawn. The Application for the Zone Change is HEREBY denied. The Variance to reduce.....is denied.

Counselor Johnson addressed additional questions from the Council.

Council President Moir and Councilor Smith accepted Counselor Johnson's recommended amendment to the motion.

The motion as amended passed as follows:

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

NAYS: Lee (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

**b. ORDINANCE-Comp
Plan Map
Amendment/Zone Change
No. 2003-09 (Fernwood
Park)**

City Attorney Johnson reported that at the last meeting Council directed staff to prepare an ordinance granting the requested Comprehensive Plan Map Amendment/Zone Change. Counselor Johnson provided a copy of the ordinance for review by the Council.

Council President Moir moved a Bill for an Ordinance in the Matter of the Application of the City of Keizer for a Comprehensive Plan Map Amendment From Low Density Residential (LDR) to Commercial (C) and a Zone Change From Residential Single Family (RS) to Commercial Mixed (CM) for the Southeastern Most Portion of the Property Located at 250 Chemawa Rd North, Keizer, Oregon (Case No 2003-09) Councilor Lee seconded the motion.

The motion passed unanimously as follows:

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

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

c. Golf Cart Ordinance

City Attorney Johnson reported that the regulation of golf carts was not entirely up to the City Council. He noted state vehicular controls and statutes that allow the Council to adopt a road authority. He summarized the radius of the ordinance as outlined on the map and the Council's limitation to allow golf carts within a ½ mile radius from the golf course.

Counselor Johnson further addressed concerns regarding the radius map as outlined from the public testimony. He indicated if it was the Council's wish to address this further that staff could review and address during the next meeting.

Maximum flexibility in the radius of the map was discussed by the City Council. Councilor Smith expressed concerns that not enough public input had been received on the subject.

Councilor Smith moved a motion to direct staff to notice a public hearing.

Due to the lack of a second the motion died.

Enforcement of the ordinance and costs for additional signage were also discussed.

Council President Moir moved to direct staff to come back with an ordinance pertaining to the use of golf carts in designated areas and to include an adjusted ½ mile limitation map adjusting from edge of golf course in each direction and the cost estimates for the required signage. Councilor Taylor seconded the motion.

The motion passed as follows:

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

NAYS: Smith (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

**d. RESOLUTION-
Opposing Proposed
Multnomah County**

City Manager Eppley briefly summarized the pros and cons as submitted by PGE and Multnomah County PUD regarding the formation of this PUD and the

People's Utility District

possible side effects to the City of Keizer.

Staff recommended that the City Council deliberate on the benefits to the City for approving a resolution that voice opposition to the formation of the Multnomah PUD.

Counselor Johnson indicated since the matter was tabled at an earlier date that the Council would need to make a motion to remove the issue from the table.

Council President Moir moved to take the matter from the table. Councilor Gaynor seconded the motion.

The motion passed as follows:

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

NAYS: Walsh (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

City Attorney Johnson addressed a resolution, which adopted Council policy of non-involvement in state and federal policy issues. He believed this issue fell outside of this limitation but that the Council should cast their vote regarding this issue.

Council President Moir moved that the Keizer City Council determined that the Resolution was not applicable because it was not a state or federal policy. Councilor Taylor seconded the motion.

The motion passed as follows:

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

NAYS: Gaynor (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

Council President Moir moved a Resolution in the Matter of Opposing proposed Multnomah County People's Utility District. Mayor Christopher seconded the motion.

CONSENT CALENDAR

Councilor Walsh expressed concern that he did not have enough information to vote in favor of the motion.

Councilor President Moir believed it was important for the Council to take a stand on the issue to protect its future electrical needs.

Councilor's Lee and Smith also expressed uneasiness with taking a vote without reviewing the information further.

The motion passed as follows:

AYES: Christopher, Gaynor, Taylor and Walsh (4)

NAYS: Lee, Moir and Smith (3)

ABSTENTIONS: None (0)

ABSENT: None (0)

- a. RESOLUTION-Initiating Pierce Drive Street Lighting District
- b. Approval of April 7, 2003 Regular Session Minutes
- c. Approval of May 5, 2003 Regular Session Minutes

Council President Moir pulled item "c" from the Consent Calendar noting she would be abstaining from voting on these minutes due to her absence from the meeting.

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

The motion passed unanimously as follows:

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

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor President Moir moved for approval of item

"c" on the Consent Calendar. Councilor Smith seconded the motion.

The motion passed as follows:

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

NAYS: None (0)

ABSTENTIONS: Moir (1)

ABSENT: None (0)

WRITTEN COMMUNICATIONS

None

AGENDA INPUT

June 2, 2003

6:30 p.m. Urban Renewal Agency Meeting

- 2003-2004 Urban Renewal Agency Budget Public Hearing

7:00 p.m. City Council Meeting

- 2003-2004 City of Keizer Budget Public Hearing
- Supplemental Budget
- Sewer Administration Fee Increase
- Sewer Franchise Fee Increase

June 9, 2003

12:00 p.m. (Noon) City Council Work Session

- Keizer Station Development Agreement Review

June 16, 2003

6:30 p.m. Urban Renewal Agency Meeting

- Adoption of 2003-2004 Urban Renewal Agency Budget

7:00 p.m. City Council Meeting

- Adoption of 2003-2004 City of Keizer Budget

Mayor Christopher noted the agenda items.

ADJOURNMENT

Mayor Christopher adjourned the meeting at 10:25 p.m.

APPROVED:
MAYOR:

Cindy Perry
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:

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 16, 2003

Immediately following City Council Meeting

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. RESOLUTION – Adoption of 2003-2004 Urban Renewal Agency Budget

6. CONSENT CALENDAR

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.



URBAN RENEWAL AGENCY BOARD
June 16, 2003

AGENDA ITEM 5a

**RESOLUTION - ADOPTION OF 2003-2004 URBAN RENEWAL
AGENCY BUDGET**

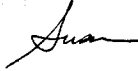
URBAN RENEWAL MEETING: June 16, 2003

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 2003-04 BUDGET, MAKING
APPROPRIATIONS, IMPOSING AND CATEGORIZING TAXES

BACKGROUND:

The Budget Committee comprised of the Board and seven citizens, reviewed, modified and, on May 8, 2003, approved the Manager's Recommended Budget for Fiscal Year 2003-04, as amended. The Committee Approved Budget was published in a local newspaper as required by Oregon Budget Law. On June 2, 2003 the Board conducted a public hearing on the Committee Approved Budget. After which, the Board closed the public hearing and moved to receive the attached resolution for adoption this evening. The Board must adopt the upcoming fiscal year budget by June 30.

RECOMMENDATION:

Staff recommends that the Board adopt the attached budget resolution for Fiscal Year 2003-04.

CITY OF KEIZER, STATE OF OREGON

RESOLUTION UR03-_____

ADOPTING THE FY04 BUDGET, MAKING APPROPRIATIONS,
AND IMPOSING AND CATEGORIZING TAXES

BE IT RESOLVED, that the Keizer Urban Renewal Agency hereby adopts the budget for fiscal year 2003-04 in the sum of \$13,055,722 now on file at Keizer City Hall.

BE IT FURTHER RESOLVED that the amounts for the fiscal year beginning July 1, 2003 and for the purposes shown below are hereby appropriated:

Tax Increment Fund

Debt Service \$6,261,043

TOTAL TAX INCREMENT FUND

\$6,261,043

Project Fund

Personal Services \$ 225,587
Materials & Services 186,754
Capital Outlay 6,182,338
Contingency 200,000

TOTAL PROJECT FUND

\$6,794,679

TOTAL ALL FUNDS

\$13,055,722

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 _____, 2003.

SIGNED this ____ day of _____, 2003.

Chair

City Recorder



WATER SOURCE

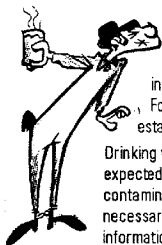


The source of the City of Keizer's water is the Troutdale Aquifer. (An aquifer is an underground geologic formation that can store water.) Keizer's aquifer is located beneath the entire city. 15 deep wells draw from this aquifer and distribute the water to your home through 110 miles of piping.

16 million gallons per day (mgd) has been used in a 3 hour peak demand period. Average winter use is 1.2 mgd and average summer use is 6.6 mgd.

The City of Keizer did not have any water quality violations in 2002. Your water is so clean and contaminant free, it requires no disinfection. However, the following language is required in this report by the EPA:

Required Additional Health Information



To ensure that tap water is safe to drink, the Environmental Protection Agency (EPA) prescribes limits on the amount of certain contaminant's in water provided by public water systems. Food and Drug Administration (FDA) regulations establish limits for contaminant's in bottled water.

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminant's. The presence of contaminant's does not necessarily indicate that water poses a health risk. More information about contaminant's and potential health effects can be obtained by calling the EPA's Safe Drinking Water Hotline (1-800-426-4791).

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs and wells. As water trav-

els over the surface of the land or through the ground, it dissolves naturally occurring minerals and radioactive material, and can pick up substances resulting from the presence of animals or from human activity. Contaminant's that may be present in source water include:

A. Microbial contaminant's, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations and wildlife.

B. Inorganic contaminant's, such as salts and metals, which can be naturally occurring or result from urban storm runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.

C. Pesticides and herbicides, which may come from a variety of sources such as agriculture, storm water runoff, and residential uses.

D. Organic chemical contaminant's, including synthetic and volatile organics, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban storm water runoff, and septic systems.

E. Radioactive contaminant's, which can be naturally occurring or be the result of oil and gas production and mining activities. In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the amount of certain contaminant's in water provided by public water systems. FDA regulations establish limits for contaminant's in bottled water which must provide the same protection for public health.

Some people may be more vulnerable to contaminant's in bottled water than is the general population. Immune-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* are available from the Safe Drinking Water Hotline (1-800-426-4791).

WATER QUALITY TABLE



PAI-a-to-bi

The chart on page three provides representative analytical results of water samples, collected from Keizer's system.

Please note the following definitions:

Maximum Contaminant Level (MCL):

The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

Maximum Contaminant Level Goal (MCLG): The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

Action Level (AL): The concentration of a contaminant which, if exceeded, triggers a treatment or other requirement that a water system must follow.

Parts per million (ppm): One part per million is the equivalent of 1/2 of a dissolved aspirin tablet in a full bathtub of water (approx. 50 gallons).

Parts per billion (ppb): One part per billion is the equivalent of 1/2 of a dissolved aspirin in 1,000 bathtubs of water (approx. 50,000 gallons).



Water Quality Testing Results

INORGANIC CONTAMINANTS								
Substance	Date Tested	Unit	MCLG	MCL	Detected Level	Range	Source	Violation
*1 Nitrate	2002	ppm	10	10	9.2		Runoff from fertilizer use; Leaching from septic tanks, sewage; Erosion of natural deposits	NO
*2 Copper	2002	ppm	1.3	AL=1.3	0.061		Corrosion of household plumbing systems; Erosion of natural deposits leaching from wood preservatives	NO
*3 Lead	2002	ppb	0	AL=15	ND@0.002		Corrosion of household plumbing systems; Erosion of natural deposits	NO
*4 Fluoride	2002	ppm	4	4	1		Erosion of natural deposits water additive	NO
*5 Total Coliform	2002	No units	0	>one to 5% of monthly samples	one half of 1%		Naturally present in the environment	NO
ORGANIC CONTAMINANTS								
Substance	Date Tested	Unit	MCL	Detected Level	Well		Source	Violation
*6 Tetrachloroethylene	7/2002	ppm	0.005	0.0012	Burnside	A man-made chemical widely used as a cleaning agent in the dry cleaning industry and as a metal degreaser in the manufacturing industry.		NO
	7/2002	ppm	0.005	0.0011	Toni			NO
	10/2002	ppm	0.005	0.0012	Burnside			NO
	10/2002	ppm	0.005	0.0020	Toni			NO
*7 1,1,1 Trichloroethane	7/2002	ppm	0.2	0.0017	17th	A volatile organic chemical with no natural sources. It is used primarily as a cleaning degreasing agent, and as a septic tank cleaner.		NO
	10/2002	ppm	0.2	0.0005	17th			NO
*8 Trans 1,2 Dichloroethylene	10/2002	ppm	0.1	0.0008	17th		A volatile organic chemical used as a solvent for fats and slow fermentation. It is a man-made or synthetic chemical with no natural sources.	NO

*1. Nitrate in drinking water at levels above 10 ppm is a health risk for infants of less than six months of age. High nitrate levels in drinking water can cause blue baby syndrome. Nitrate levels may rise quickly for short periods of time because of rainfall or agricultural activity. If you are caring for an infant, you should ask advice from your local health care provider.

*The average level of nitrate in Keizer's blended system is 1.24ppm.

*2. No samples tested exceeded the current action limit of 1.3 ppm.

*3. No samples tested exceeded the current action of 15ppb.

*3 Copper and lead testing is done at the tap, because lead and copper can be released into the water depending on the softness of the water and the type of plumbing in the home. EPA requires such testing be done to ensure water customers are not exposed to harmful levels that may be found in homes, but not in the public drinking water system.

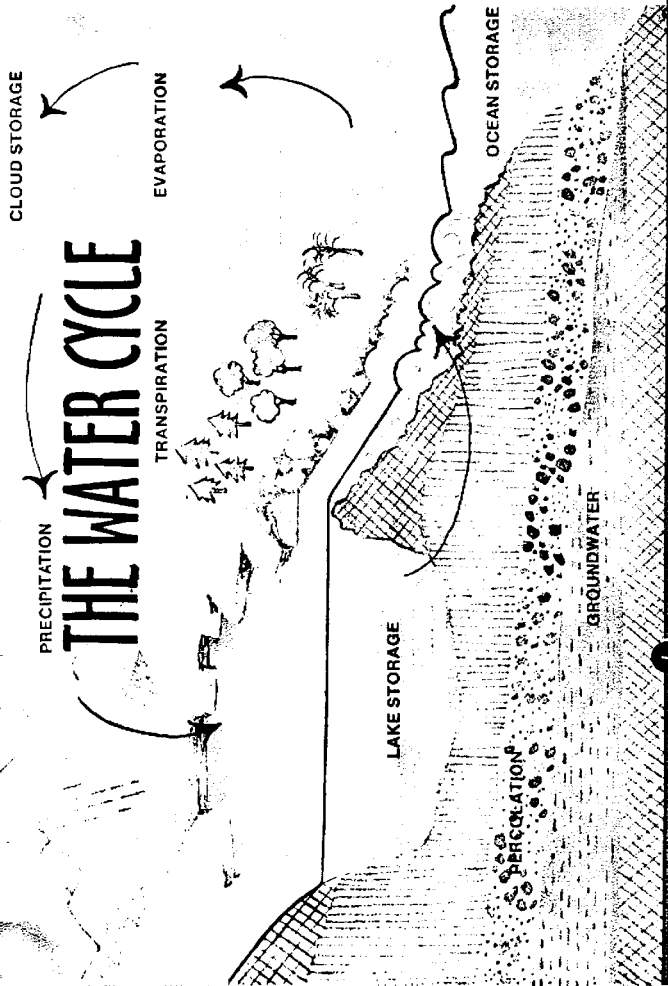
*4. Fluoride has been added to Keizer's drinking water since voter approval in 1982. The recommended level of fluoride to promote healthy teeth is 1 ppm.

*5. Total Coliform is a group of bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful bacteria may be present. Through the year of 2002, three samples failed. The Department of Human Services, Drinking Water Section requires that repeat samples be taken immediately from taps adjacent to the site. All 2002 repeat samples passed. In 2002 a total of 566 bacteria samples were collected from the distribution system and only three samples tested positive for Total Coliform.

*6,7,8. The City of Keizer routinely conducts sampling for Volatile Organic Compounds (VOC's) to ensure safe drinking water for our community. During one of our scheduled VOC samplings, the City's Water Department detected extremely low levels of three compounds (Tetrachloroethylene, 1,1,1 Trichloroethane, and Trans 1,2, Dichloroethylene) at three of the oldest and shallowest municipal wells. As shown in table above, these levels are far below the MCL. The City terminated the use of these three wells and continues to conduct monthly VOC testing on these wells and the remaining twelve Municipal wells to ensure the safest drinking water supply possible.

Water Moves in a Never Ending Natural Cycle...

So the Water
You are Using
May Have Been a Drink
for Some Dinosaur!



CONDENSATION: The process by which a substance changes from the vapor state to the liquid state.

EVAPORATION: The process by which water becomes vapor in the atmosphere.

GROUNDWATER: Water that comes from beneath the surface of the ground, consisting largely of precipitation and surface water that has percolated down. Water that comes from wells or springs.

HYDROLOGY: Having to do with the occurrence, circulation, distribution and properties of the water of the earth and the earth's atmosphere.

HYDROLOGIC CYCLE: The water cycle. The movement of water from the atmosphere to the earth and its return to the atmosphere through condensation, precipitation, evaporation and transpiration.

PERCOLATION: The oozing or soaking of water into the ground.

PRECIPITATION: Water received on earth directly from clouds as rain, hail, sleet or snow.

SURFACE WATER: All water on the surface of the earth, as distinguished from groundwater. Lakes, ponds, rivers, oceans, streams, puddles.

TRANSPIRATION: The process by which water vapor is given up into the atmosphere by living plants.

WATER VAPOR: The gaseous state of water.



KEIZER WELL FACTS



Keizer currently obtains all of its source water exclusively from 15 individual deep wells located in various areas of the city (See page 7). All of the wells presently derive groundwater from the Willamette silts or the Troutdale aquifer. Depth of the wells is between 150 and 330 Feet.



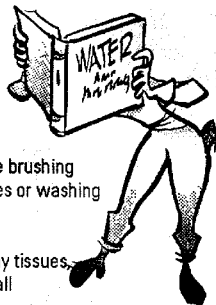
The only treatment received by the water is Fluoride for a dental health benefit and an Iron/Manganese sequesterant. Fluoride is added at the rate of 1PPM [1 part per million]. This is the recommended level of the American Dental Association and the Oregon State Health Division. Keizer water is checked at various locations 10 samples per week for bacteria. Hardness of the water is 140 PPM

[parts per million] or approximately [8] grains per gallon. The entire water system is controlled using a computerized telemetry control system which continually monitors water pressure and activates or deactivates individual units to maintain an average pressure between 68-78 PSI [pounds per square inch]. Keizer's only water storage is a 1,500,000 gallon ground level storage reservoir, located at the Keizer Little League facility on Ridge Drive.

WATER CONSERVATION TIPS

The following are some ways that you can conserve water and save money, too.

- Check every faucet and toilet for leaks. Even a slow drip wastes a lot of water each day.
- Take short showers and shallow baths.
- Turn off the water while you are brushing your teeth or scraping the dishes or washing your hands.
- Don't use the toilet to flush away tissues, gum wrappers or any other small scraps. It is not a trash can.
- Be careful to water the lawn, not the sidewalk or street.
- Do not use a hose to clean off the driveway. A broom is better.
- Keep a jug of drinking water in the refrigerator, then you won't have to run water to cool it.
- Use the washing machine and dishwasher only for full loads.
- Landscape your yard with drought-resistant trees and plants.
- Install water-saving shower heads or flow restrictors.
- Take preventative measures to keep your pipes from freezing and breaking.



Questions?

Contact Your Professional
Water Staff at 503-390-3700

County

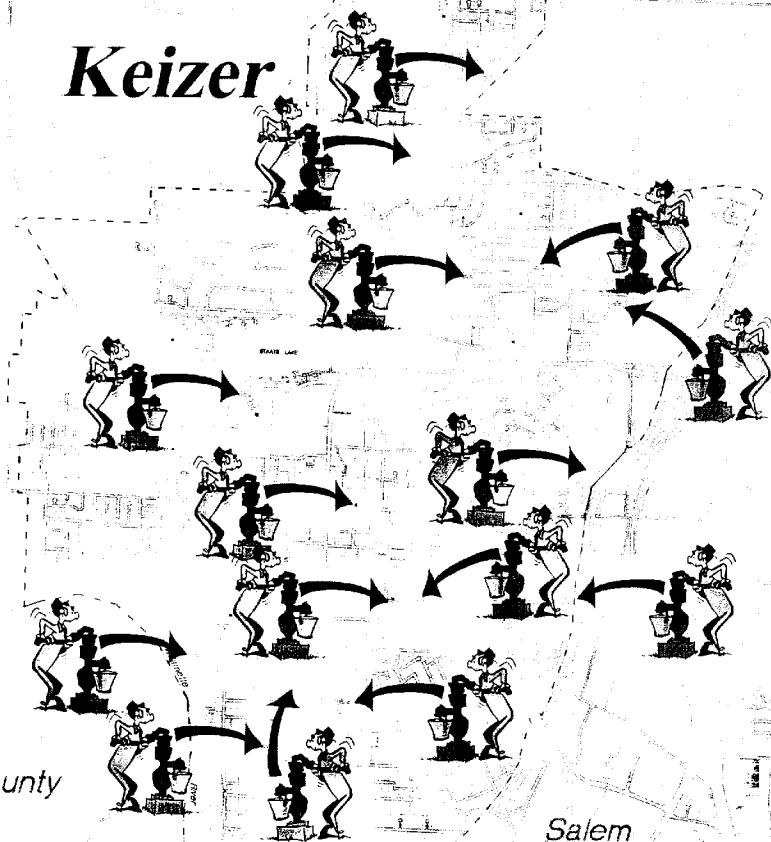
Legend

City of Keizer Well Locations

Keizer

Polk
County

Salem



Keizer/Salem Area Seniors, Inc.
930 Plymouth Avenue, NE
Keizer, OR 97303

April 9, 2003

Mr. Christopher C. Eppley
City Manager
City of Keizer
930 Chemawa Road, NE
Keizer, OR 97307

Subject: Sign Ordinance and Sign Replacement

Dear Mr. Eppley,

I represent the **Property Management Committee, of the Keizer/Salem Area Seniors, Inc.** and have apparently run into some difficulty in procuring permission, or obtaining a permit for replacing an existing sign on our building at the above address.

I was not active at the Senior Center at the time the "pole/reader sign" permit and variance was issued in April 1999. Then, as now, the sign code limited the **total sign area** for the premises to 64 square feet, for a Non-Commercial use. Since the new pole sign was 36 sq. feet, that left 28 sq. feet of usable sign space. And apparently we were instructed to remove the existing flat non-illuminating signs from the building.

Have we been in non-compliance for over four years? One would suspect, that with no complaints from the neighbors or business community, nor criticism from the city, that the existing signs are O.K.!

We would like to keep an existing large building sign on the Northside of the building, facing Plymouth Avenue, which measures 32 feet X 2', or 64 square feet. And remove the smaller sign on the Eastside of the entry portico which measures 24 feet X 16", or 32 square feet.

Therefore, we request that we be permitted to retain the 64 sq. ft. space with a new flat non-illuminating building sign of 64' sq. ft., (with the preceding word "**KEIZER**" added to Salem Area Seniors) plus the 36 sq. ft. corner pole sign of 36 sq. ft., making a total of 100 square feet of signage. See accompanying photographs.

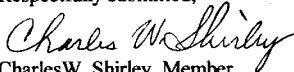
Our building of 14,161 square feet (119 ft. X 119 ft.) placed on a 2.74 acres of land does not seem, to me, to fit a Non-Commercial status! Though we are a Non-profit Corporation, and tax exempt under section 501 (c) (3) of the IRS code, all other attributes of our building had to conform to the same building codes as commercial buildings in the

City of Keizer when it was built in 1994/95. It is termed a public building and heavily used by seniors daily. (Monthly schedule enclosed.)

If our premises were classified as a "commercial use", then we would be permitted to have up to 150 square feet of signage, and our sign request would then fall 50 sq. ft. below the signage standard, rather than being in "over" violation by 36 sq. ft of the current applied code.

We beg that the Honorable City Councilors would see the merit and logic in our request. And further, with the waiver of any permitting costs as was the precedent set in 1992 when the "original" existing flat signs were permitted. (See following history statement.)

Respectfully submitted,



Charles W. Shirley, Member
Property Management Committee

c: Mrs. Betty Berg, President
Keizer/Salem Area Seniors, Inc.

Mr. Wes Alderson, 2nd Vice President, Chairman
and Members, Property Management Committee

Attachments:

1. History, Keizer/Salem Area Seniors in Keizer
 - a. Moving to the City of Keizer
 - b. Original signs and permitting.
2. Pictorial comparison of existing large flat sign and proposed new sign.
3. Design concept of replacement sign by Martin Bros. Signs
4. Weekly/Monthly Activity Schedule

Keizer/Salem Area Seniors, Inc.
930 Plymouth Avenue, NE
Keizer, OR 97303

April 9, 2003

History in the City of Keizer:

Salem Area Seniors, Inc. was the principal group of Seniors who supported the City of Salem's Senior Center for many years before being asked to move their organization in late 1991.

The group rented a 6,400 sq. ft. space in the Keizer Village building that's located on the eastside of the square (Bi-Mart Area) on a three year lease of \$3,200.00 per month.

In early 1992 we decided that two signs were needed for the building: (1) A large 32'X 2' sign to face River Road and, (2) a smaller sign to face Cherry Avenue. The Building Committee applied for the sign(s) permit, and the City Council was pleased to issue the permit, with the \$180.00 permit fee "waived". The writer and his wife cut and prepared the 1/2" marine plywood for professional painters to letter the signs.

During the final year of the lease, SAS, Inc decided to build their own building.

The current location at the corner of Plymouth and Cherry Avenues (2.74 acres) was purchased by cash and procedures soon started to make the "dream" come true. With other funds and a \$500,000.00 low interest, ten year loan from a local foundation, we started our project.

Many hours of hard work by it's membership was used to clear the building site of tree's and debris, and construction commenced in 1994 and they moved in by early January 1995.

The two signs were removed from the Cherry Avenue temporary building and installed on our new building with the permission of the City of Keizer, without a permit. However, with the age of the signs, they are now beginning to show wear. The Corporate name was officially changed from Salem Area Seniors, Inc. to **Keizer/Salem Area Seniors, Inc.**

Of Councilors' interest, the above described note was "PAID-OFF" after seven and a half years. We still have not taken one penny of any governments' funds, and currently do not have employees. This has been an exceptional eleven plus years of experience for the City of Keizer, of having one of the smoothest operating, and self-supporting Senior Centers in the country, with **no cost to the Taxpayers!**

Prepared by Charles W. Shirley, Past President 1995-96



Keizer/Salem Area Seniors, Inc.
930 Plymouth Drive, NE
Keizer, OR 97303

Building Sign Replacement Project

Picture shows old plywood sign that is yellowing, and lacks the center's full name.

Size: 32' X 24" X 1/2"

Proposal: Remove and replace with new sign.



The enhanced picture shows the proposed sign replacement made of hard durable plastic, and same size.

Proposal: Install a new sign including the descriptive word, "KEIZER"



Prepared by Charles W. Shirley
Member, Property Management Committee
Keizer/Salem Area Seniors, Inc

April 2, 2003

2'-0"
16"

KEIZER/SALEM ARE

32'-0"

S/F NON-ILLUMINATED WALL SIGN

FACE: 1/2" WHITE SINTRA, (2- 4X8 BOARDS, SEAME
COPY: FIRST SURFACE BLACK HP VINYL
FILE NAME: SENIORS
SURVEY: N/A
SQ. FT.-64

SCA
1/4" =

APRIL 2003

WEEKLY ACTIVITIES

MONDAY

9:30 AM	LOW IMPACT EXERCISE CLASS
11:30 AM	WEIGHT WATCHERS
12:00 PM	K/SAS BRIDGE
1:00 PM	LINE DANCE CLASS - INTERM.
1:30 PM	BEG COMPUTER CLASSES (SIGN UP AT OFFICE)
7:30 PM	MONDAY NIGHT SOLUTIONS (AA)

TUESDAY

11:00 AM	SALEM BRIDGE CLUB
12:00 PM	MC NARY BRIDGE CLUB
12:30 PM	PINOCHLE
2:00 PM	KNIT/CROCHET GROUP
3:30 PM	WEIGHT WATCHERS
5:00 PM	WEIGHT WATCHERS
7:00 PM	THE BREEZE" MEN'S SINGING GROUP

WEDNESDAY

BY APPTMT	INDIVIDUAL COMPUTER CLASS
9:30 AM	LOW IMPACT EXERCISE CLASS
10:00 AM	TRIPS AND TRAVEL MEETING
11:00 AM	SALEM BRIDGE CLUB
12:00 PM	K/SAS BRIDGE
1:00 PM	NOVELTY BAND
1:00 PM	BINGO

THURSDAY

10:00 AM	WIDOWS/WIDOWERS
11:00 AM	BALLROOM DANCE LESSONS
12:00 PM	K/SAS BRIDGE
1:00 PM	BINGO
1:00 PM	LINE DANCE CLASS - BEGINNING

FRIDAY

9:00 AM	DANCE
12:00 PM	K/SAS BRIDGE
12:30 PM	SALEM BRIDGE CLUB
1:00 PM	MAH JONG

SATURDAY

7:00 PM	DANCE
---------	-------

APRIL SPECIAL ACTIVITIES

1	BY APPTMT	INCOME TAX ASSISTANCE
3	BY APPTMT	INCOME TAX ASSISTANCE
	1:30 PM	PROP. MGMT. COMM. MTG.
5	8:00 AM	K/SAS PANCAKE BREAKFAST
7	9:00 AM	LEGAL ADVICE CLINIC (BY APPT. 503-581-5265)
	1:00 PM	BOARD OF DIRECTORS MEETING
8	BY APPTMT	INCOME TAX ASSISTANCE
	10:00 AM	REGENE 1 ST CHOICE, LISA WELCH
	1:00 PM	K/SAS MEMBERSHIP MEETING AND CELEBRATION OF APRIL BIRTHDAYS
9	9:00 AM	FISHING BUDDIES
	7:00 PM	RIVER BRIDGE CLUB
10	BY APPTMT	INCOME TAX ASSISTANCE
11	BY APPTMT	FOOT CLINIC (CALL 503-390-7441)
14	9:30 AM	JEFF LUKEHART, AGING WISE, AGING WELL
15	BY APPTMT	INCOME TAX ASSISTANCE
	12:00 PM	AARP DRIVER SAFETY CLASS (SIGN UP)
16	7:00 PM	UNIT 490 BRIDGE
17	12:00 PM	AARP DRIVER SAFETY CLASS (SIGN UP)
18	9:00 AM	DANCE - EASTER BONNET CONTEST - BOTH MEN AND WOMEN CONTESTANTS
22	11:30 AM	FLEET RESERVE
23	7:00 PM	RIVER BRIDGE CLUB
25	BY APPTMT	FOOT CLINIC (CALL 503-390-7441)
28	9:30 AM	JEFF LUKEHART AGING WISE, AGING WELL
30	1:00 PM	FINANCE COMM. MTG.
	7:00 PM	RIVER BRIDGE CLUB

APRIL

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			



Tires - Brakes
Batteries - Shocks
Alignment

If we can't guarantee it
we won't sell it.

503-585-7551

3030 River Road N., Ketchikan, OR 99730

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.

REIZER/SALEM AREA SENIORS
MRS. BETTY BERG, PRES.

Name: CHARLES SHIRLEY

Address: 930 PLYMOUTH AVE, NE

Subject or Agenda Item Number: 8-C

Senior Center Sign Variance

Your Comments:

Proponent _____ Opponent _____ General _____

Date _____

PUBLIC TESTIMONY

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

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

Name: _____

Address: _____

Subject or Agenda Item Number: _____

Your Comments:

Proponent _____

Opponent _____

General _____

Date

6-16-03



DATE: June 16, 2003 TIME: 7:00 p.m. AGENDA ITEM # 5a

ROBERT L. SIMON COUNCIL CHAMBERS

PLACE:

KEIZER CITY COUNCIL

(PLEASE PRINT)

[illegible]



DATE: June 16, 2003 **TIME:** 7:00 p.m. **AGENDA ITEM #** 5b

BEFORE THE: KEIZER CITY COUNCIL PLACE: ROBERT L. SIMON COUNCIL CHAMBERS
(PLEASE PRINT)

[illegible]



DATE: June 16, 2003 **TIME:** 7:00 p.m. **AGENDA ITEM #** 5c

BEFORE THE: KEIZER CITY COUNCIL PLACE: ROBERT L. SIMON COUNCIL CHAMBERS
(PLEASE PRINT)

[illegible]

June 16, 2003

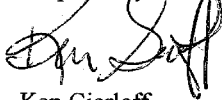
Ken Gierloff
4035 Arnold St NE
Keizer, OR 97303

Keizer City Council
930 Chemawa Rd NE
Keizer, OR

To the Mayor and City Council Members;

This is to inform you that I am temporarily resigning my position as a member and chairperson of the Main COP committee effective immediately due to personal issues that may effect my role as a member of that committee. I respectfully request a review of the issues at hand in September of this year as these issues should be resolved by then.

Respectfully Submitted;

A handwritten signature in black ink, appearing to read 'Ken Gierloff', written over a horizontal line.

Ken Gierloff

cc: file
Keizer City Manager
Chris Bocci