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To provide oral comments via electronic means, please contact the City Recorder's Office no later than 2:00 p.m. on the day of the meeting. Most regular City Council meetings are streamed live through www.KeizerTV.com and cable-cast on Comcast Channel 23 within the Keizer City limits.

AGENDA
KEIZER CITY COUNCIL
REGULAR SESSION

Monday, April 21, 2025

6:00 PM

Robert L. Simon Council Chambers
930 Chemawa Road NE
Keizer, Oregon

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **FLAG SALUTE**
4. **SPECIAL ORDERS OF BUSINESS**
 - a. **PROCLAMATION** - Volunteer Recognition Month
 - b. Recognition of Police Department by Liberty House
5. **COMMITTEE REPORTS**
 - a. West Keizer Neighborhood Association Annual Report
 - b. Greater Gubser Neighborhood Association Annual Report
 - c. Community Diversity Engagement Committee Appointment (CDEC) - Position #4
6. **PUBLIC COMMENTS**

This time is provided for citizens to address the Council on any matters other than those on the agenda scheduled for public hearing.
7. **CONSENT CALENDAR**
 - a. **RESOLUTION** - Authorizing City Manager to Sign Intergovernmental Agreement Between Marion County and City of Keizer for Community Prosperity Initiative (CS-5974-24)
 - b. **RESOLUTION** - Recognizing National Observances and Commemorative/Heritage Months; Repeal of Resolution R2025-3565
 - c. **RESOLUTION** - Adopting the City of Keizer Council Rules of Procedure - Repealing Resolution R2025-3535

- d. Police Department Community Service Petty Cash Fund Report
- e. Approval of February 18, 2025 Regular Session Minutes
- f. Approval of April 7, 2025 Regular Session Minutes

8. **PUBLIC HEARINGS**

- a. OLCC Application - License Application - Micheladas Antojitos El Perico Mobile

9. **ADMINISTRATIVE ACTION**

- a. **RESOLUTION** - Authorizing City Manager and Chief of Police to Sign 2025-2026 Collective Bargaining Agreement with Keizer Police Association (for the Sergeant Bargaining Unit)
- b. **RESOLUTION** - Authorizing City Manager to Sign Management Agreement with Keizer Community Field Association for Keizer Multi-Sports Synthetic Turf Fields

RESOLUTION - Revising User Fees for the Keizer Rapids Park Artificial Turf Fields; Amending Resolution R2024-3506
- c. Funding Request for Keizer Cultural Center
- d. Discussion regarding potential Liquor License Code Amendments
- e. Authorize the City Manager to Sign a Letter of Support for Comcast's Broadband Equity, Access, and Deployment (BEAD) Grant Program
- f. **RESOLUTION** - Authorizing the Keizer Police Department to Conduct Administrative Inventory of Custodial Personal Property
- g. Discussion regarding Council Rules and Procedure, Section 14 - Proclamations
- h. Discussion regarding two-adult supervision policy

10. **OTHER BUSINESS**

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

11. **STAFF UPDATES**

12. **COUNCIL MEMBER REPORTS**

13. **AGENDA INPUT**

Monday, April 28, 2025 - 6:00 p.m.

City Council Work Session - Neighborhood Associations

Monday, May 5, 2025 - 6:00 p.m.

City Council Regular Session

Monday, May 12, 2025 - 6:00 p.m.
Budget Committee

Tuesday, May 13, 2025 - 6:00 p.m.
Budget Committee

Monday, May 19, 2025 - 6:00 p.m.
City Council Regular Session

14. ADJOURNMENT

City of Keizer Mission Statement

Keep City Government Costs And Services To A Minimum By Providing City Services To The Community In A Coordinated, Efficient, And Least Cost Fashion

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”



WHEREAS, the City of Keizer has built a strong community through a foundation of volunteerism; and

WHEREAS, upon incorporation in 1982, the motto was adopted – “Pride, Spirit, and Volunteerism” which describes our way of life; and

WHEREAS, many residents of this community contribute to the well-being and welfare of all our people by giving tirelessly of their time, resources and energy; and

WHEREAS, many volunteers assist the City of Keizer in performing a multitude of duties, often providing services that might otherwise be reduced or non-existent; and

WHEREAS, many of our volunteers serve through city government on City Council, Boards, Commissions, and Task Forces; and

WHEREAS, our City’s greatest resource is our people who are dedicated to the betterment of our community; and

WHEREAS, the City of Keizer values each and every one of our many volunteers and wish to extend our deepest appreciation to all.

NOW, THEREFORE, the Keizer City Council assembled here in Regular Session, does hereby proclaim the month of April 2025 as

VOLUNTEER RECOGNITION MONTH

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Keizer to be herein affixed this 21st day of April 2025.

MAYOR CATHY CLARK
City of Keizer, Oregon



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Melissa Bisset, City Recorder
Subject: West Keizer Neighborhood Association Annual Report

Proposed Motion

I move the City Council accept the report of the West Keizer Neighborhood Association and extend recognition to the West Keizer Neighborhood Association for an additional year.

I. Summary

As outlined in Keizer Code, Section 2-275 and 2-276, Neighborhood Associations shall make an annual report to the City Council between March 1 and April 30 each year. The report may be made in writing or presented orally.

The annual report shall contain:

- i. A record of all meetings with attendance noted.
- ii. A summary of all issues dealt with by the association.
- iii. A summary of special association activities outside regular meetings.
- iv. A report of all efforts to solicit the participation and input of all members of the association.
- v. An analysis of the association's success in meeting its responsibilities as outlined in section 2-274 (3).
- vi. An affirmation that the association is in compliance with the neighborhood's bylaws at the time of the annual report.

If the Council finds the association has continued to meet the requirements for recognition as outlined in section 2-274 (attached to this Staff Report), the Council may, by motion, extend recognition for an additional year.

As outlined in Keizer Code, Section 2-274 the association shall adopt bylaws that contain the following provisions at a minimum:

- a. Any person who resides, operates a business, or owns property within the boundary shall be a member with the right to participate and vote.
- b. Membership or participation shall not be limited based on any protected class under state or federal law.

- c. There shall be no dues, but voluntary contributions may be solicited.
- d. The association shall hold an annual general meeting, with the time, date, and place of the meeting widely publicized throughout the neighborhood prior to the meeting. Other general meetings may be held as desired.
- e. Regular meetings of the association board shall be held at a publicized date, time, and place. All association board meetings shall be open to the public. All members present may vote on issues with the results recorded separately from votes of the association board.
- f. Minutes shall be taken of all board and general meetings, with the minutes made available to any person so requesting. A copy of the minutes shall be filed with the city recorder.
- g. The association shall have a board of directors with a president, vice president, and secretary who shall be elected annually by those present at the annual meeting. The association may establish additional elected positions on the board. The board roster, including names, addresses, and email addresses, shall be filed with the city recorder. The association shall provide an address to the city for mailing purposes. The board of directors shall fill any officer position vacancies by the third meeting following the vacancy to meet the required three board positions. For additional vacancies, the bylaws must address what is considered timely in filling additional board positions above the minimum three officers.
- h. A copy of the bylaws shall be reviewed by the city council upon initial adoption and any amendments made by the neighborhood association. The council shall have the final determination of a neighborhood association's bylaws and any amendments thereto.
- i. A copy of the bylaws shall be filed with the city recorder and maintained and updated to reflect amendments by the neighborhood association.

II. Background

- A. The West Keizer Neighborhood Association has continuously submitted their annual reports and maintained recognition.

III. Current Situation

- A. The West Keizer Neighborhood Association annual report will be presented to the City Council by the WKNA Board.

IV. Analysis

- A. **Strategic Impact** - Neighborhood Associations are an important part of the involvement of the citizens in Keizer City government.
- B. **Financial** - The West Keizer Neighborhood Association is provided funding through the City budget process.
- C. **Timing** - Extending recognition for an additional year will allow the West Keizer Neighborhood Association to continue their mission.
- D. **Policy/Legal** - The presenting of this report confirms the West Keizer Neighborhood Association is meeting the guidelines set forth in the Keizer Code.

V. Alternatives

- A. The Council may accept the report and extend recognition to the West Keizer Neighborhood Association for an additional year.
- B. The Council may choose to not accept the report or extend recognition to the West Keizer Neighborhood Association for an additional year.
- C. The Council may choose to take no action.
- D. The Council may ask the Neighborhood Association to make changes to the documents they submitted for approval at a future City Council meeting.

VI. Recommendation

Staff recommends the City Council accept the report and extend recognition to the West Keizer Neighborhood Association for an additional year.

Attachments

- 1. Standards for Recognition
- 2. WKNA 2024 Annual Report

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

Sec. 2-274. Standards for recognition.

The following standards must be met by a neighborhood association seeking and maintaining recognition:

- (1) *Bylaws.* The association shall adopt bylaws that contain the following provisions at a minimum:
 - a. Any person who resides, operates a business, or owns property within the boundary shall be a member with the right to participate and vote.
 - b. Membership or participation shall not be limited based on any protected class under state or federal law.
 - c. There shall be no dues, but voluntary contributions may be solicited.
 - d. The association shall hold an annual general meeting, with the time, date, and place of the meeting widely publicized throughout the neighborhood prior to the meeting. Other general meetings may be held as desired.
 - e. Regular meetings of the association board shall be held at a publicized date, time, and place. All association board meetings shall be open to the public. All members present may vote on issues with the results recorded separately from votes of the association board.
 - f. Minutes shall be taken of all board and general meetings, with the minutes made available to any person so requesting. A copy of the minutes shall be filed with the city recorder.
 - g. The association shall have a board of directors with a president, vice president, and secretary who shall be elected annually by those present at the annual meeting. The association may establish additional elected positions on the board. The board roster, including names, addresses, and email addresses, shall be filed with the city recorder. The association shall provide an address to the city for mailing purposes. The board of directors shall fill any officer position vacancies by the third meeting following the vacancy to meet the required three board positions. For additional vacancies, the bylaws must address what is considered timely in filling additional board positions above the minimum three officers.
 - h. A copy of the bylaws shall be reviewed by the city council upon initial adoption and any amendments made by the neighborhood association. The council shall have the final determination of a neighborhood association's bylaws and any amendments thereto.
 - i. A copy of the bylaws shall be filed with the city recorder and maintained and updated to reflect amendments by the neighborhood association.
- (2) *Boundary.* The association shall adopt by motion a fixed geographic boundary meeting the following general guidelines:
 - a. The neighborhood should generally encompass at least 300 dwelling units or smaller clearly defined areas.
 - b. The neighborhood should generally encompass a logical geographic and social area with generally rectangular boundaries and without any gerrymandering.
 - c. The neighborhood should generally focus on a single elementary school attendance area.
 - d. Neighborhood boundaries should generally follow natural or human-made barriers, such as creeks and arterial streets. When a boundary must follow a local street, it should follow rear property lines rather than divide the neighborhood between houses facing each other.
 - e. The boundary should encompass adjacent vacant or underdeveloped land.
 - f. The boundary should extend to the city limits.

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- g. The boundary should leave no isolated areas or pockets not included in another neighborhood association's boundary.
 - h. The council shall have the final determination of a neighborhood's boundary and is not necessarily bound to the above guidelines. This determination shall be reflected in the resolution of recognition.
- (3) *Responsibilities.* The following responsibilities must be assumed and carried out by a neighborhood association:
- a. The association must strive to accurately represent the best interest of its members when expressing neighborhood opinion, recommendations, and concerns before any public body.
 - b. The association solicits the participation or input of all members through newsletters, media coverage, personal contact, flyer distribution, and social media. Associations must maintain an active and up-to-date online presence that adheres to city council social media standards. All official webpages shall maintain at least three administrators having access to the site and its contents.
 - c. The association must actively engage with city government through participation, input, and recommendations on issues brought to it by the city or initiated by the neighborhood itself.
 - d. The association must hold regular board and general meetings, with timely, appropriate notification to members. The association must maintain at least a minimum attendance of three members at regular, general meetings.
 - e. The association must strive to improve the livability of the neighborhood and of the community as a whole through education, activities, projects, and participation.
 - f. The association must attend an annual joint session with the city council on a date set by the city.

(Ord. No. 2024-875, § 5, 5-20-2024)

2024 ANNUAL ASSOCIATION REPORT for the WEST KEIZER NEIGHBORHOOD ASSOCIATION

JANUARY 2024

Jan. 2 – Carolyn attends City Council meeting, welcomes new City Attorney Joseph Lindsay.

Jan. 4 – WKNA Board meeting at Rhonda's. Discuss upcoming General meeting and Board elections.

Jan. 8 – Carolyn attends Keizer United meeting. Reports are on KRP soccer field project, with construction to begin in March. City still working on fundraising to complete the parking lot and the equipment building. State and federal elected leaders will be contacted for funding help and they plan to apply to the state's Local Government Grant program for the bathroom facility.
Guest speaker from Mid Valley Garbage and Recycling Association.

Jan. 8 –Carolyn attends Keizer Council work session on franchise fees vs. a Public Rights-of-Way Ordinance.

Jan. 10- Robb attends the Planning Commission as a newly appointed Commissioner.

Jan. 11 – WKNA General meeting with Jenny Ammon, Keizer's environmental education and outreach coordinator, as guest speaker. In Board elections, Rhonda Rich is re-elected President. Robb Witters is elected vice president, Carolyn Homan is elected secretary and Carol Phipps, Carol Doerfler, Art Mauer and Gary Blake are elected to the Board. Amber Zimbelman will be parent liaison to the Board from Cummings Elementary School. Kris Adams will continue to be WKNA's liaison to the Keizer Community Library. (Attendance:16)

Jan. 18 – Carolyn attends Keizer City Council work session with Traffic Safety Bikeways Pedestrian Committee. City's strategic plan draft reviewed for traffic-related elements. Neighborhood Traffic Management Program revamp discussed. Issues remain about percent of neighbor buy-in needed for any requested traffic-calming element.

FEBRUARY

Feb. 1 -- WKNA Board meets at Rhonda's. Discuss annual report to Council and set goals for 2024.

Feb.7– Rhonda and Carolyn join Mayor Cathy Clark, Councilor Shaney Starr and other community leaders along with students and staff of Cummings Elementary, for the Safe Routes to School Walk and Roll to School event at Cummings Elementary. WKNA receives a thank you card from Beth Schmidt, SRTS Coordinator.

Feb. 8 – WKNA General meeting. Guest speakers: Adrienne Christian, Prevention Outreach Coordinator, and Max Gutfreund, Prevention Education Project Coordinator, from Liberty House; and Kathy Smith, Director of Women's Ministries, and Brenda Newey, Resource and Volunteer Coordinator, with Simonka Place. (Attendance:20)

Feb. 12 – Rhonda and Carolyn attend Keizer United meeting. Guest speaker: Marion Co. District Attorney Paige Clarkson.

Feb. 12 – Carolyn attends Keizer Long Range Planning Task Force meeting, a precursor to City budget planning for the coming year.

Feb.13- The 3-5 year parks plan was approved at the Parks Board meeting.

Feb. 15 – Carolyn attends Traffic Safety Bikeways Pedestrian Committee. Committee provides feedback on City's draft strategic plan.

Feb. 20 – Rhonda and Carolyn present WKNA's annual report for 2023 to Council. Council approves WKNA for another year. Retiring City Attorney Shannon Johnson is recognized for 39 years of service to the City of Keizer.

Feb.21 – Robb at Planning Commission. Discussions concerning having Commission hear minor variances and other items in order to provide residents with a chance to testify and participate.

Feb. 26- Carolyn attends Keizer Long Range Planning Task Force meeting.

MARCH

March 4 – Rhonda, Carolyn, Carol Doerfler attend City Council meeting. Rhonda testifies on Potential and Suggested changes to Neighborhood Association Recognition Ordinance, in particular adding brochure boxes and stands and certificates of appreciation to reimbursable expenses; not requiring at least half of regular meetings to be held within an association's boundaries; not setting minimum attendance requirements; and clarifying a comment on website administrators.

March 7 – WKNA Board meets; plan spring newsletter.

March 11– Carolyn attends Keizer United. Speakers are from Weddle Elementary School

March 14 – WKNA General meeting, Shane Witham, City Planning Director, is speaker. Lt. Heim, Keizer Police Dept. gives a police report. (Attendance: 21)

March 20 -- Northwest Keizer Neighborhood Association hosts Mayor's "State of the City" talk. WKNA represented by Rhonda, Robb, Carolyn and Kris Adams. About 35 people attend.

March 21 – Official groundbreaking held for multi-sport turf fields at Keizer Rapids Park. Rhonda and Art represent WKNA at the event, which is attended by Mayor Clark, Council members Starr, Juran, Husseman, Kohler, Cross and Reid, state Rep. Kevin Mannix; Marion Co. Commissioner Colm Willis, Cummings Elementary Principal Andrew Kronser, Chamber executive Corri Falardeau and City Manager Adam Brown, among others.

March 21- Robb and Rhonda attend the TSBP committee meeting. They share a report that the speed table in front of Cummings Elementary School and the flashing speed sign on Shoreline seem to be very effective according to neighbors on Shoreline and the school's principal, Mr. Kronser.

March 25- Rhonda submits letter of support from WKNA for City's request for Local Government Grant for bathroom facilities and a bike/pedestrian path at the KRP turf fields.

Late March – Carol P. and Kathy Lincoln weed the Reader Board and cut back the perennials, refreshed flower barrels by the front door and weeded the planters in front of the gym.

APRIL

April 4 -- WKNA Board meets. Discuss 2024-25 budget request at the same \$1,200 level as this year.

April 7- WKNA Today newsletter is sent to members by email. Topics include: Keizer Rapids Turf Field Groundbreaking, Earth Day Schedule of Events, Trashy Tuesday, Keizer Community Food Bank Update, Holiday Swim Club, Safe Routes to School, Community Garden, WKNA meetings.

April 8 – Joint Neighborhood Association/City Council meeting

April 8 – Carolyn attends Keizer United meeting. Liberty House is featured presentation

April 9 – Carol P. attends Parks Board meeting. Turf fields clearing underway at Keizer Rapids Park. Pickleball court project at KRP is out for bids. Pickets for Big Toy fence are available for purchase.

April 9- Rhonda attends Cummings PTA meeting announcing the Bike Skills fair at Keizer Elementary scheduled for May 4th, hosted by NWKNA.

April 11 -- WKNA General meeting, held as joint session with other Neighborhood Associations, hosts a “get to know the candidates” forum for Keizer Council/Mayor candidates. Presentations made by Shaney Starr, Francisco Saldivar, Kyle Juran and Mayor Cathy Clark. Council candidate Marlene Parsons and mayoral candidate Lore Christopher unable to attend. (Attendance: 27)

April 12- Keizertimes runs editorial by Lyndon Zaitz, “Yes, in my neighborhood”

April 17 – Rhonda and Carolyn meet with Keizer Fire District Deputy Chief Hector Blanco about KFD's plans for community outreach for the Community Risk Reduction program.

April 18- Robb attends the TSBP committee meeting . Reports on DKS representative for traffic control stating that stop signs are not acceptable for speed control.

April 19- Keizertimes runs an article, “Get involved in the neighborhood” in the Home & Garden edition which includes QR codes for each neighborhood association.

MAY

May 2- Rhonda, Carolyn, Carol P., Kris, Mary Jo, Emmett, Brenda Lamb and Barb Smith-Henke attend KNOW Percey event representing West Keizer Neighborhood Association.

May 4 – Rhonda attends bike skills event/resource fair at Keizer Elementary, hosted by NW Keizer Neighborhood Association.

May 9 – WKNA General meeting – Keizer Police Chief Andrew Copeland is speaker. Topics included: drugs, mental illness, homelessness, shoplifting, graffiti and National Night Out. (Attendance: 17)

May 11- Learn to Fish event at Keizer Rapids Park is promoted thru email to members.

May 14 - Rhonda attends the Cummings PTA meeting presenting an invitation to Soggy Day in the Park on Memorial Day weekend at which WKNA will have a booth. She invited anyone who would like to be a WKNA liaison to report to the general meetings. May 9th was Amber Zimbelman's last meeting as WKNA's school liaison.

May 16 -- Rhonda and Carolyn meet with Keizer Times Publisher Lyndon Zeitz and reporter Quinn Stoddard about potential candidate forum for Keizer Council/Mayoral candidates in the fall.

May 25 – Rhonda, Carol P., Carolyn and Kris Adams staff WKNA/Keizer Library table at Soggy Day at the Park event. Library information available. WKNA passes out free books to children.

JUNE

June 4 -- Community Café/Neighborhood Family Council forum – Rhonda and Carolyn attend initial meeting to discuss possibility of an NFC for Cummings School neighborhood.

June 10 – Rhonda attends Keizer United. Speaker is from Willamette Valley Bank on fraud scams

June 13 -- WKNA Board meets. Plans summer/fall newsletter, discusses getting neighborhood association brochures displayed at Keizer Chamber of Commerce, decided not to have a table at Keizer Fest, discussed possible role for WKNA with Neighborhood Family Council if one is organized for Cummings School area.

June 18 -- Rhonda and Carolyn help pick up litter at Sunset Park and Palma Ciega Park as part of Trashy Tuesday crew.

June 20- Robb attends TSBP Committee meeting and sends out a report to board members. Discussion included information shared by Beth Schmidt from SKSD Safe Routes to Schools.

All neighborhoods are promoted throughout the Keizer Chamber of Commerce 2024-2025 Visitor Guide and Business Directory. WKNA brochures and newsletters placed in Chamber's lobby.

JULY

July 8- Carolyn & Rhonda attend Keizer United meeting. Speaker is Anne-Marie Storms, KFD

July 10- Carol P. attends Park Board meeting. Reports that graffiti was cleaned up quickly at Wallace

House Park and that parking needs to be better defined, since cars are parking on the pathway. Cameras to be installed at 6 parks which includes Willamette Manor Park.

July 11 -- WKNA Board accepts resignation of long-time Board member and former WKNA President Carol Doerfler. They then re-elect Kris Adams to fill the Board vacancy. Planned National Night Out Outreach. Rhonda wants to nominate Carol P. for Vol. of the Quarter this fall. Discussed volunteering at Keizer Fire's Open House in October – promote food barrel.

AUGUST

Aug. 2 - Keizertimes runs NA's QR codes in Keizerfest 2024 Guide, page A11.

Aug. 3- WKNA Today newsletter is sent out. Includes; Red Flag Warning, KRP Turf Field update, Trashy Tuesday, WKNA Board Update (thank you to Carol Doerfler), Keizer Parks Getting Security Cameras, Wallace House Cleanup, WKNA General meetings info.

Aug. 5 – Rhonda, Carol P. and Carolyn attend Keizer City Council to read into the record a tribute to long-time WKNA Board member and former WKNA Board President Carol Doerfler.

Aug. 6 -- National Night Out. Rhonda, Carol, Kris and Carolyn attend five gatherings in West Keizer to meet neighbors and distribute brochures and 50 newsletters.

Aug. 10 -- Rhonda canvasses Tate Avenue neighbors with information about testifying at Aug. 13 Parks Board about field lighting schedule at the Keizer Rapids turf fields.

Aug. 12 -- Carolyn attends Keizer United. Speaker is from Salem Keizer Education Foundation.

Aug. 13 – Carol Phipps and Carolyn attend Parks Advisory Board to testify regarding timing of field lighting for turf fields at Keizer Rapids. They requested lights be dimmed at 9 p.m. as a signal for folks to get ready to leave. Lights would then go out at 9:30. Five Tate Avenue neighbors also testified, requesting lights be dimmed.

Aug. 17 – Rhonda, Kris, Carolyn attend BBQ at Cummings School organized by Family Council organization.

Aug. 19 – Rhonda, Carol and Carolyn, along with 3 or 4 Tate Avenue neighbors, testify at City Council to request field lighting dimming schedule at Keizer Rapids Park.

Aug. 20 – Rhonda, Carolyn attend Trashy Tuesday at Wallace House Park and help collect 250+ pounds of trash (apparently a record at the time).

Aug. 28 – Rhonda, Carolyn attend meeting at Keizer Fire District with Deputy Chief Hector Blanco to discuss how WKNA and other neighborhood associations can assist in the district's outreach to the community

August 30 - Cummings School Principal Kronser donates 10 boxes of books for the Little Library.

SEPTEMBER

Sept. 3 -- Back to School Night at Cummings. Rhonda, Kris and Carolyn staff WKNA informational table to pass out brochures and get neighbor sign-ups to receive informational emails and meeting notices. Seventeen families sign up

Sept.3- City Council meeting - Rhonda and Carolyn along with three members from WKNA testified regarding ordinance limiting lighting at the KRP Turf Fields. The ordinance passed unanimously regulating that lights be turned off at 9:00pm.

Sept. 5 – WKNA Board meeting at Rhonda's. Rhonda to set up website administrator training with Barb Smith.

Sept. 7- Members participated in a service project expanding the trail to the river at Wallace House Park along with the Keizer community and Latter-Day Saints Church participants.

Sept. 9 – Rhonda and Carolyn attend mayoral debate between Mayor Cathy Clark and mayoral candidate Lore Christopher, organized by Keizer Chamber.

Sept.9- City Council/Parks Advisory Board annual parks tour held. Carol attends first stop at Keizer Rapids Park. City has received Community Prosperity Initiative grant from Marion County to investigate possible changes to Parks Master Plan to allow construction of a pavilion that would be used by Keizer Fest and other events and activities. WKNA will provide input regarding any changes to the Master Plan when the opportunity arises.

Sept.9- Kris and Rhonda attend Cummings PTA meeting

Sept. 12 – WKNA General meeting. Speaker is Keizer Public Works Director Bill Lawyer. (Attendance: 19)

Sept. 13- WKNA participates in an article in the Keizertimes, September 13th edition, "Get involved in the neighborhood:GGNA, GNEKNA, NWKNA, WKNA and SEKNA.

Sept. 19 – Neighborhood Family Council organizational meeting held at Cummings. Kris is appointed chair of the Council.

Sept. 19- Robb attends TSBP committee meeting. Council has accepted Neighborhood Traffic Management Program revision.

OCTOBER

Oct. 1 – Rhonda and Art attend ribbon-cutting ceremony held for turf fields at Keizer Rapids Park.

Oct. 3 -- WKNA Board meets. Rhonda said Chamber calendar now lists WKNA meetings. Robb to contact St. Edward church about WKNA volunteering to help with the annual Thanksgiving Community dinner.

October 7- Carolyn and Rhonda give out information at the Keizer Fire Department's Open House and Safety Fair along with the other four neighborhood associations at tables in the cafeteria.

Oct. 9- Robb attends the Planning Commission meeting. Reports that Lockhaven/River Rd will be the main focus for the Climate Friendly/Equitable Communities focus.

Oct. 10 – WKNA General meeting. Anne Marie Storms, Deputy Fire Marshal, Keizer Fire District, is speaker. Presentation on kitchen fire safety. (Attendance: 21)

Oct. 14 – Rhonda attends the Keizer United meeting. Presentation on the Chemeketa College Bond Measure for the November election.

October 14- Rhonda attends City Council work session, UGB presentation.

Oct. 19 – Rhonda represents WKNA as part of Keizer Chamber's Leadership Program, helping explain what NAs are and do for the City. Chairs of all NAs are present.

Oct. 21 -Rhonda meets with Marlene Parsons, representative of the NWKNA to talk about graffiti cleanup. WKNA donates \$50 worth of supplies.

Oct. 22 – Keizer Times candidate forum, attended by all Keizer Neighborhood Associations, featuring candidates for contested Keizer races (Mayor and one Council seat). Chaired by WKNA.

Oct. 27 – Rhonda, Kris and Carolyn staff a "display" (Rhonda's decorated van) as part of the Trunk or Treat event at Radnesssues on River Road next to Uptown Music. Candy passed out to hundreds of costumed kids, despite rainy weather. WKNA receives advertising.

October 29- Rhonda attends Valor Mentoring fundraiser at the Keizer Civic Center.

NOVEMBER

Nov. 2- Rhonda attends the Raingarden Workshop at Keizer Rapids Park sponsored by the City of Keizer, assisting in planting a garden west of the marine facility

Nov. 7 – WKNA Board meets. Plans next newsletter, to print end of November. Discuss volunteer schedule for the Nov. 27 Community Dinner at St. Edward Church.

Nov. 12- Rhonda and Kris attend Cummings PTA meeting.

Nov. 14 – Ruby Bridges Walk to School event at Cummings Elementary attended by Rhonda and Carolyn.

Nov. 14- WKNA General meeting with speakers from Willamette Valley Bank on consumer

fraud. WKNA organizes a thank you to retiring Councilor Laura Reid for her service on Keizer City Council and as Council liaison to WKNA. (Attendance: 25)

Nov. 15- Rhonda attends the Keizur Birthday Party at City Hall. A celebration of Thomas Dove Keizur and Mary Keizur's 231st birthday

Nov. 18- Board member Carol Phipps was honored at the City Council meeting as Volunteer of the Quarter for leading an erosion project at Willamette Manor Park, her participation in collecting food at the WKNA food barrels and plantings at Cummings Elementary School reader board and pots.

Nov. 18- Kris attends the Keizer United meeting. Speaker is Corri Falardeau, Keizer Chamber Director.

Nov. 27 – Robb, Rhonda, Carol and Carolyn volunteer to help with set up and tray service for the annual Thanksgiving Community Dinner at St. Edward Church

Nov. 29 – Fall newsletter is printed and distributed. Topics include: Raingarden Event at Keizer Rapids, Community Safety Awareness Event, Volunteer of the Quarter-WKNA's Carol Phipps, Keizer Fire District Trainings and Tips,, Wallace House Park Clean-up, Keizer Happenings and upcoming meetings.

DECEMBER

Dec. 10 -- Carolyn and Rhonda attend the Community Safety Awareness event at City Hall, organized by Greater Northeast Keizer Neighborhood Association.

Dec. 12- Barb Smith-Henke meets with Rhonda, Robb, Carolyn and Carol for training as website administrators.

Dec.12 -Kris Adams attends the Cummings PTA meeting.

Submitted

Rhonda Rich, WKNA President

Carolyn Homan, WKNA Secretary

2024 Food Barrel Totals

Copper Creek Mercantile	1,914 lbs.	and	\$414
BiMart	908 lbs.		
Keizer Fire Department.	338 lbs.		



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Melissa Bisset, City Recorder
Subject: Greater Gubser Neighborhood Association Annual Report

Proposed Motion

I move the City Council accept the report of the Greater Gubser Neighborhood Association and extend recognition to the Greater Gubser Neighborhood Association for an additional year.

I. Summary

As outlined in Keizer Code, Section 2-275 and 2-276, Neighborhood Associations shall make an annual report to the City Council between March 1 and April 30 each year. The report may be made in writing or presented orally.

The annual report shall contain:

- i. A record of all meetings with attendance noted.
- ii. A summary of all issues dealt with by the association.
- iii. A summary of special association activities outside regular meetings.
- iv. A report of all efforts to solicit the participation and input of all members of the association.
- v. An analysis of the association's success in meeting its responsibilities as outlined in section 2-274 (3).
- vi. An affirmation that the association is in compliance with the neighborhood's bylaws at the time of the annual report.

If the Council finds the association has continued to meet the requirements for recognition as outlined in section 2-274 (attached to this Staff Report), the Council may, by motion, extend recognition for an additional year.

As outlined in Keizer Code, Section 2-274 the association shall adopt bylaws that contain the following provisions at a minimum:

- a. Any person who resides, operates a business, or owns property within the boundary shall be a member with the right to participate and vote.
- b. Membership or participation shall not be limited based on any protected class under state or federal law.

- c. There shall be no dues, but voluntary contributions may be solicited.
- d. The association shall hold an annual general meeting, with the time, date, and place of the meeting widely publicized throughout the neighborhood prior to the meeting. Other general meetings may be held as desired.
- e. Regular meetings of the association board shall be held at a publicized date, time, and place. All association board meetings shall be open to the public. All members present may vote on issues with the results recorded separately from votes of the association board.
- f. Minutes shall be taken of all board and general meetings, with the minutes made available to any person so requesting. A copy of the minutes shall be filed with the city recorder.
- g. The association shall have a board of directors with a president, vice president, and secretary who shall be elected annually by those present at the annual meeting. The association may establish additional elected positions on the board. The board roster, including names, addresses, and email addresses, shall be filed with the city recorder. The association shall provide an address to the city for mailing purposes. The board of directors shall fill any officer position vacancies by the third meeting following the vacancy to meet the required three board positions. For additional vacancies, the bylaws must address what is considered timely in filling additional board positions above the minimum three officers.
- h. A copy of the bylaws shall be reviewed by the city council upon initial adoption and any amendments made by the neighborhood association. The council shall have the final determination of a neighborhood association's bylaws and any amendments thereto.
- i. A copy of the bylaws shall be filed with the city recorder and maintained and updated to reflect amendments by the neighborhood association.

II. Background

- A. The Greater Gubser Neighborhood Association has continuously submitted their annual reports and maintained recognition.

III. Current Situation

- A. The Greater Gubser Neighborhood Association annual report will be presented to the City Council by Patti Tischer.

IV. Analysis

- A. **Strategic Impact** - Neighborhood Associations are an important part of the involvement of the citizens in Keizer City government.
- B. **Financial** - The Greater Gubser Neighborhood Association is provided funding through the City budget process.
- C. **Timing** - Extending recognition for an additional year will allow the Greater Gubser Neighborhood Association to continue their mission.
- D. **Policy/Legal** - The presenting of this report confirms the Greater Gubser Neighborhood Association is meeting the guidelines set forth in the Keizer Code.

V. Alternatives

- A. The Council may accept the report and extend recognition to the Greater Gubser Neighborhood Association for an additional year.
- B. The Council may choose to not accept the report or extend recognition to the Greater Gubser Neighborhood Association for an additional year.
- C. The Council may choose to take no action.
- D. The Council may ask the Neighborhood Association to make changes to the documents they submitted for approval at a future City Council meeting.

VI. Recommendation

Staff recommends the City Council accept the report and extend recognition to the Greater Gubser Neighborhood Association for an additional year.

Attachments

- 1. Standards for Recognition
- 2. Greater Gubser Annual Report

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

Sec. 2-274. Standards for recognition.

The following standards must be met by a neighborhood association seeking and maintaining recognition:

- (1) *Bylaws.* The association shall adopt bylaws that contain the following provisions at a minimum:
 - a. Any person who resides, operates a business, or owns property within the boundary shall be a member with the right to participate and vote.
 - b. Membership or participation shall not be limited based on any protected class under state or federal law.
 - c. There shall be no dues, but voluntary contributions may be solicited.
 - d. The association shall hold an annual general meeting, with the time, date, and place of the meeting widely publicized throughout the neighborhood prior to the meeting. Other general meetings may be held as desired.
 - e. Regular meetings of the association board shall be held at a publicized date, time, and place. All association board meetings shall be open to the public. All members present may vote on issues with the results recorded separately from votes of the association board.
 - f. Minutes shall be taken of all board and general meetings, with the minutes made available to any person so requesting. A copy of the minutes shall be filed with the city recorder.
 - g. The association shall have a board of directors with a president, vice president, and secretary who shall be elected annually by those present at the annual meeting. The association may establish additional elected positions on the board. The board roster, including names, addresses, and email addresses, shall be filed with the city recorder. The association shall provide an address to the city for mailing purposes. The board of directors shall fill any officer position vacancies by the third meeting following the vacancy to meet the required three board positions. For additional vacancies, the bylaws must address what is considered timely in filling additional board positions above the minimum three officers.
 - h. A copy of the bylaws shall be reviewed by the city council upon initial adoption and any amendments made by the neighborhood association. The council shall have the final determination of a neighborhood association's bylaws and any amendments thereto.
 - i. A copy of the bylaws shall be filed with the city recorder and maintained and updated to reflect amendments by the neighborhood association.
- (2) *Boundary.* The association shall adopt by motion a fixed geographic boundary meeting the following general guidelines:
 - a. The neighborhood should generally encompass at least 300 dwelling units or smaller clearly defined areas.
 - b. The neighborhood should generally encompass a logical geographic and social area with generally rectangular boundaries and without any gerrymandering.
 - c. The neighborhood should generally focus on a single elementary school attendance area.
 - d. Neighborhood boundaries should generally follow natural or human-made barriers, such as creeks and arterial streets. When a boundary must follow a local street, it should follow rear property lines rather than divide the neighborhood between houses facing each other.
 - e. The boundary should encompass adjacent vacant or underdeveloped land.
 - f. The boundary should extend to the city limits.

-
- g. The boundary should leave no isolated areas or pockets not included in another neighborhood association's boundary.
 - h. The council shall have the final determination of a neighborhood's boundary and is not necessarily bound to the above guidelines. This determination shall be reflected in the resolution of recognition.
- (3) *Responsibilities.* The following responsibilities must be assumed and carried out by a neighborhood association:
- a. The association must strive to accurately represent the best interest of its members when expressing neighborhood opinion, recommendations, and concerns before any public body.
 - b. The association solicits the participation or input of all members through newsletters, media coverage, personal contact, flyer distribution, and social media. Associations must maintain an active and up-to-date online presence that adheres to city council social media standards. All official webpages shall maintain at least three administrators having access to the site and its contents.
 - c. The association must actively engage with city government through participation, input, and recommendations on issues brought to it by the city or initiated by the neighborhood itself.
 - d. The association must hold regular board and general meetings, with timely, appropriate notification to members. The association must maintain at least a minimum attendance of three members at regular, general meetings.
 - e. The association must strive to improve the livability of the neighborhood and of the community as a whole through education, activities, projects, and participation.
 - f. The association must attend an annual joint session with the city council on a date set by the city.

(Ord. No. 2024-875, § 5, 5-20-2024)



2025 ANNUAL REPORT TO KEIZER CITY COUNCIL GREATER GUBSER NEIGHBORHOOD ASSOCIATION

The Purpose of the Greater Gubser Neighborhood Association is to empower our neighbors and improve our community. The boundaries for our Neighborhood align with the school attendance boundaries for the Gubser Elementary School. Our Association encompasses approximately 3100 households. Of these households 2049 are residential tax lots.

We Communicate with our Neighbors in the following ways:

1. Monthly GGNA meetings are currently held on the Second Tuesday of the Month. We typically do not meet in June, July, or December. Our meetings are held at the Keizer Civic Center. Our National Night event in August is held at Bob Newton Park. We began meeting at Keizer Civic Center in September 2019. The event center staff have been very accommodating to our needs and do an outstanding job of communicating with us for our meeting needs. We extend our thanks to the staff for their continued support.
2. Meeting Notice Yard signs are put up in various locations of the Neighborhood the Friday prior to the Tuesday meeting and taken down promptly, after the meeting. We have fourteen signs available for installation (Seven for our usual Tuesday meeting and Seven for our previous Thursday meeting night.) We have neighbor 'Sign Hosts' that have a yard sign and post it for us in their yard to help advertise our meetings. It is a welcome service for our continued efforts to engage our Neighbors. Our current yard signs are well loved. It is time that we need to pursue efforts to obtain new signs. We have been putting new signs on hold until such a time as we had a more robust participation in our association, as this will be a large expense. We will soon begin the process of obtaining a vender and bids for these signs.
3. GGNA Facebook Page – We began actively tracking the engagement on our Facebook page in April 2019. At that time, the page had 379 likes. At the time of this writing, we have approximately 1110 followers. We share meeting

information and share content from community partners to engage our neighbors and ensure community information is shared to our followers.

4. Nextdoor Online communication forum - This online community forum began around October 2012. In January of 2013 there were 80 Gubser households signed up. Today there are currently 2741 Gubser member households. As a comparison last year at this time, there were approximately 2506 participating members in the Gubser Area. We are seeing an increase of about 200-225 households on Nextdoor from year to year.
5. Email notifications - At each gathering, we try to obtain email addresses and contact information from attendees to build an email contact database. We include Keizer City officials in our email communications, to keep everyone informed. Our current email list has 178 contacts.

From our last report to Council, we have had ten meetings or events in efforts to engage our Gubser Neighbors. We had regular meetings in September 2024, October 2024, January 2025, February 2025, March 2025 and April 2024. In October 2024 and March 2025, we collaborated with all the Keizer Neighborhood associations to host Candidate forums and the Mayor's State of the City address. (*Please see the attached meeting agendas.*) In August we hosted our annual National Night Out event at our neighborhood Bob Newton Park. We kicked off the National Night Out event with our 3rd Annual Children's parade beginning at Gubser Elementary and traveling to Bob Newton Park with Keizer Police Bicycle officers leading the way! We provided BBQ hot dogs, chips, and drinks for the neighbors in attendance. There were 35 children participating in the parade this year, which was an increase from previous years. Although we typically do not meet in December, this year we hosted a Gubser Neighbor night at the Keizer Miracle of Lights Donation tent. We had a fun time and hope to make this an annual event. Our meetings have attendance numbers anywhere from 5 to 15, with our National Night Out event attracting nearly 100.

The Board members try to stay engaged by attending Community events and outreach meetings. Some of these are Keizer Chamber Greeters & Luncheon Forums, Keizer United, and Keizer Network of Women (K.N.O.W.). We shared table space with all Keizer Neighborhood associations at the Keizer Fire Open House in October.

We openly communicate with the members of all the Keizer Neighborhood Associations for mutual collaboration for the greater good of our community. We have collaborated to place mutual ads in the KeizerFest guide, the Keizer Chamber Business Directory and

Keizer Times Home & Garden. (See attached copies) The Keizer Times had given us the opportunity to write a short spotlight about each of our neighborhood associations. The printed publication was not available at the time of our last report, so I have provided a copy with this report.

The Keizer Miracle of Lights Display continues to be a highlight of December for our Gubser Neighbors and Community. This year donations totaled 16,211 pounds of food and \$32,538.81 in monetary donations. This provided 111,126 meals for our hungry neighbors. We are so thankful for the Moore Family for providing the donation tent site location and all of their tremendous efforts to keep this event going. Also instrumental in keeping the day to day event running is the Straight Family. These two families put in countless hours to make sure things are seamless for this Neighborhood event!

We appreciate the City Council's approval of our Budget request this past year. We currently have utilized \$ 410. These funds enabled us to print flyers, meeting agendas, business cards and labels with our logo, as well as provide beverages at our meetings. These expenditures help us with community engagement. We are reaching out once again for donations for our National Night Out event. Last year we were able to secure donations for approximately \$492 to provide hot dogs, chips, and drinks for the attendees, as well as supplies for goodie bags for the parade participants. We also provided supplies for a DIY activity making personal mental health kits. This was a shared idea from Marion County Public Health Department.

We are once again looking forward to a year of growth. Current Board Members are: President - Patti Tischer, Vice President - Tasha Rash, and Secretary - Laura Daniel. We have other neighbors that are willing to help behind the scenes. Planning for National Night Out 2025 has begun. Talk is in the works for our fourth annual Children's parade to kick off the evening! *(Hot Dogs & Chips are on the menu!)*

We are thankful for the support of all Keizer City Staff and Council. We are a small group with much potential for growth and will continue to maintain opportunities to engage our neighbors. The GGNA requests that Keizer City Council extend their recognition to The Greater Gubser Neighborhood Association for another year.

Respectfully submitted April 14, 2024 (as written)
with Council presentation on April 21, 2025

Patti Tischer, President
Greater Gubser Neighborhood Association



NATIONAL NIGHT OUT

TUES, AUG 6TH 2024
@ BOB NEWTON PARK

1300 MANDARIN WAY NE, KEIZER

5:30PM - CHILDREN'S PARADE

STARTS AT GUBSER ELEM SCHOOL PARKING LOT
HEADS SOUTH DOWN 14TH ST
ENDS AT BOB NEWTON PARK

6:00PM-8:00PM - NATIONAL NIGHT OUT EVENT

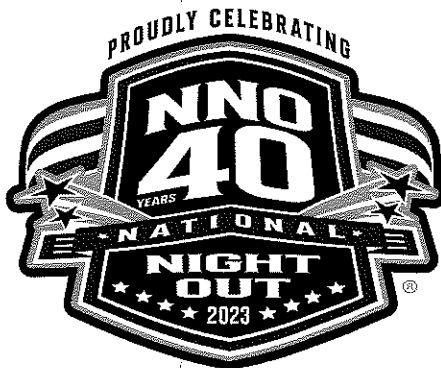
HOT DOGS, CHIPS & DRINKS PROVIDED!

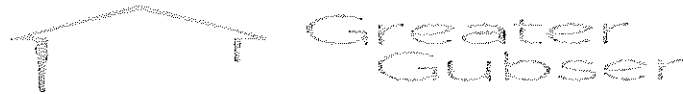
BRING A DESSERT TO SHARE

GAMES, DOOR PRIZES, VISIT WITH POLICE & FIRE

FOR MORE DETAILS VISIT:

WWW.FACEBOOK.COM/GREATERGUBSER





General Meeting Agenda

September 10, 2024

6:30pm – 8:00pm

Meeting Objective- Neighborhood Engagement

1. Welcome & Introductions.
2. Communication - Efforts and Partnerships
 - a. Nextdoor – Sept 2024 – 2603 (Apr 2024 – 2506)
 - b. Facebook – Sept 1087 followers 997 (May 2023 - 664 /612)
 - c. Email list – 167 (April 2022 - 75+)
 - d. Yard signs – 10 for Tuesday meetings (5 – revised for Thursday meetings.)
 - e. Community Food Barrel @ Key Bank Keizer Station
 - f. Keizer Chamber Business Directory and KeizerFest directory, Keizer Times Home & Garden pull out – (shared Ads with All Neighborhood associations)

Old Business & Pending

National Night Out Recap

Notice of Public Hearing recap– McLeod Dr

New Yard Signs – Will address once new board elected – (in case desire to change meeting date)

Brick Restoration – Trail AV/Manzanita/Mandarin – Target Spring 2025?

New Business & Discussion Items

City Council report – Shaney Starr

By-Laws Revision

Other items not on agenda/ Good of the order

Upcoming Events/Meetings:

Keizer Fire – Tomorrow Sept 11 – 7AM 9/11 remembrance

West Keizer Neighborhood Association, Thursday, Sept 12th, Oct 10th, 7:00pm

City Council – Monday, Sept 16th – work session 5:30pm, meeting 7:00pm

Northwest Keizer Neighborhood Association, Wednesday, Sept 18th, 7:00pm

Traffic Safety/Bikeways/Pedestrian committee – Thursday, Sept 19th, 6:00 pm

Greater Northeast Neighborhood Association – Tuesday, _Oct 1, 6:30 pm

SE Keizer Neighborhood Association – Thursday, Oct 3rd, 6:30pm

Keizer Fire Open House - Monday, Oct 7th, 6:00pm

Planning Commission – Wednesday, Oct 9th 6pm

Next GGNA general meeting – Oct 8

**** SAVE THE DATE ****

City Council & Mayor Candidates Forum
hosted by KeizerTimes– October 22nd 6:00pm



General Meeting Agenda

October 8, 2024

6:30pm – 8:00pm

Meeting Objective- Neighborhood Engagement

1. Welcome & Introductions.
2. Communication - Efforts and Partnerships
 - a. Nextdoor – Oct 2024 – 2621 (Sept 2024 - 2603)
 - b. Facebook – Oct 2024 - 1084 (Sept 2024 - 1087 followers 997, May 2023 - 664 /612)
 - c. Email list – 167 (April 2022 - 75+)
 - d. Yard signs – 10 for Tuesday meetings (5 – revised for Thursday meetings.)
 - e. Community Food Barrel @ Key Bank Keizer Station
 - f. Keizer Chamber Business Directory and KeizerFest directory, Keizer Times Home & Garden pull out – (shared Ads with All Neighborhood associations)

Old Business & Pending

Approve Sept Meeting minutes

Keizer Fire Open House - Oct 7th

By-Laws Revision – need by Spring 2025

New Business & Discussion Items

City Council report – Shaney Starr

Keizer Chamber Dec events –(Tree lighting Dec 3rd, K.N.O.W Giving Baskets & Holiday lights Parade Dec 14th)

Miracle of Lights – GGNA Night Dec 10th

Other items not on agenda/ Good of the order

Upcoming Events/Meetings:

West Keizer Neighborhood Association, Thursday, Oct 10th, Nov 14th - 7:00pm

City Council – Monday, Oct 14th – work session 5:30pm, meeting Monday, Oct 21st - 7:00pm

Northwest Keizer Neighborhood Association, Wednesday, Oct 16th, Nov 11th - 7:00pm

Traffic Safety/Bikeways/Pedestrian committee – Thursday, Oct 17th, 6:00 pm

Greater Northeast Neighborhood Association – Tuesday, Nov 5th - 6:30 pm

SE Keizer Neighborhood Association – Thursday, Nov 7th - 6:30pm

Planning Commission – Wednesday, Nov 13th- 6pm

Next GGNA general meeting – Nov 12th

**** SAVE THE DATE ****

City Council & Mayor Candidates Forum

hosted by KeizerTimes– October 22nd 6:00pm

Raingarden Workshop – Keizer Rapids Park

Nov 2nd – 9am – Noon, Seed swap Noon – 2pm

Meeting notes for GGNA meeting
September 10, 2024
Notes taken by: Laura Daniel

Present:

Patti Tischler, President
Tasha Rash, Vice president
Sasha Simon
Shaney Starr, city council representative
Laura Daniel, secretary/recorder
Meredith Mooney

Meeting started at 6:36

Those present introduced themselves

Patti asked Sasha how she found out about the meeting. She saw signs and attended Neighborhood Night Out. She lives near Gubser.

Patti stated that monthly meetings are somewhat small. Patti has wanted to schedule speakers but with the small turnout she wants to wait until we have more engagement/attendees. Patti said there are 5 neighborhood associations in Keizer. All have been struggling with attendance. Group uses email or facebook page to communicate important information especially when there are no meetings. Patti reviewed the schedule of meetings. No summer meetings and not during the holidays.

Patti has updated communication information. Facebook has given us the follower numbers as well.

Email list has remained steady at 167 recipients. 6 new people signed up at National Night Out.

Patti wants to follow up with Key bank regarding the food barrel. She has not heard anything and no response regarding pick up. When asked if they want to keep it appears they do.

Patti asked for a change in format in the ad in the community directory. Patti has some of the directories available if anyone wants one. Patti keeps circulations with our ads for archival reasons. She has noticed some issues with clarity and complete ads in some publications. Keizer Times will run a Holiday Guide and our association will not be billed for our ad.

Patti recapped National Night Out. Good turn out but a lot of leftover food!! It was taken to Simonka House. Patti explained that this is a women's shelter run by Union Gospel Mission. There were financial sponsors by Keizer United and Healing Motion Physical Therapy. We had a sponsor through Marion County Mental Health and provided handouts for mental health support. There were also some fidgets for kids. It was difficult to get a good count on how many packets were given out. Many thanks to the Mooney family for the purchase and grilling of the hot dogs! Discussed the addition of door prizes and how to manage it. Maybe add a QR code to sign in that provides email information.

Patti talked about the Public Hearing regarding property on McLeod. It appears that the project has been approved to move forward. There is a proposal to develop a Home Owners Association to manage water drainage. Patti understands that the developer can develop the land or sell to others. Patti felt that the hearing director took neighbors concerns into consideration. It was noted that if there is close proximity to transit there is no requirement for parking. Group also discussed the availability of affordable housing in regard to some of the new developments in Keizer.

Discussed getting new yard signs. The group has been holding off as it is a larger expense and we have been careful with the budget. Discussed start times and days for meetings which has changed based on conflict with other community meetings. If group agrees to continue with the same time and day then we won't need to change them. Group discussed keeping consistency with times helps with attendance. Team agreed to keeping 6:30 start time.

Patti brought up getting a work party to restore the bricks Trail and Manzanita. Will plan for spring.

Shaney shared city council news. Mentioned the debrief about the Miracle of Lights. The city got a grant to work on theft at local businesses. Effective September 1 House Bill 4002 decriminalized drugs. Shaney suggested having the DA and the police department come present on what this means. There is also "restore court" that relates to property damage and restitution being made. Discussed these steps being good starts to addressing other issues. License plate readers are up in parks to help address graffiti. This has been a particular problem at Bob Newton Park. These are connected to other jurisdictions. Police department has wanted body cameras and will be getting them soon. They have gotten a grant to help get the body cameras. The BLAST barbeque was successful. Estimated that 500 people attended even with hot weather and smoke. It was held at city hall at the fountain.

Patti shared that we need to work on a revision of our by laws. Patti will make copies of current by laws to share.

We will be meeting later this month regarding the Miracle of Lights to debrief.

On the anniversary of 9/11 keizer Fire department will have a moment of silence and place a wreath at the fire department. This happens at 7 am.

Patti reviewed the list of other neighborhood association meetings.

Keizer Fire Department is having an Open House on Monday October 7th at 6:00 pm.

Next Gubser Neighborhood meeting October 8th at 6:30 at the Civic Center.

Candidate's forum is on October 22nd at 6:00 PM.

Meeting adjourned at 7:46

Hello Neighborhood Associations:

The Keizer Candidate Debate is scheduled for 6 p.m. on Tuesday, Oct. 22, in the Keizer Council Chambers at the Keizer Civic Center.

The debate is open to the public; it will be filmed by KeizerTV 23, which will live stream it as well.

The two candidates for mayor—Cathy Clark and Lore Christophers will answer questions.

The two candidates for city council position #1—Tammy Kunz and Marlene Parsons will answer questions.

Lyndon Zaitz, publisher of the Keizertimes will moderate the debate.

If your group has questions for any of the candidates, please email them to Lyndon at publisher@keizertimes.com, by noon on Monday, Oct. 21.

Volunteers from your ranks to guide people to the debate and other duties are sought.

Cheers,

Lyndon Zaitz
Keizertimes

Keizertimes

News • People • Life

Keizer Candidate Debate

Tuesday, Oct. 22
Keizer Civic Center
6 p.m.

Candidates for Mayor
Cathy Clark
Lore Christopher

Candidates for Council
Tammy Kunz
Marlene Parsons

Presented by the Keizertimes and Keizer's Neighborhood Associations



You're invited to
NATIONAL
FAITH & BLUE
WEEKEND

Join your local law enforcement and members of your community for a weekend of resolution and reconciliation. National Faith & Blue Weekend is a collaborative effort to build bridges and break biases.

Hosted by:
CROSSROADS CHURCH
&
KEIZER POLICE DEPARTMENT

When & Where:
SUNDAY, OCTOBER 13, 2024
1:00 PM - 4:00 PM
KEIZER CITY HALL PARK
930 CHELSEA ROAD NE
KEIZER, OREGON



FAITH & BLUE
WWW.FAITHANDBLUE.ORG

SPONSORED BY
 METROPOLITAN COMMUNITY FOUNDATION



KEIZER MIRACLE OF LIGHTS ANNUAL DISPLAY

This year, the light display will run from December 6th through December 26th, 2024, 6:00p-10:00p nightly.

- **The route will remain the same.**
- **The donation site will remain the same.** It will be in the field on the West side of 14th Ave just North of Mistwood Drive.
- **Volunteers are needed.** If you or someone you know, would like to volunteer, please reach out to us at: Keizerlights@gmail.com.
- **Please Follow the Facebook page.** We will use the Facebook page to post any updates and information. We encourage you to *like and follow* for updates: www.facebook.com/keizermiracleoflights
- Please keep the streets as clear as possible during event hours by pulling your car(s) into your driveway (if you are able).

We would like to give a huge thank you to the team of neighbors that are working so hard to organize this event. We would also like to thank Marion Polk Food Share for partnering with our committee on this event.

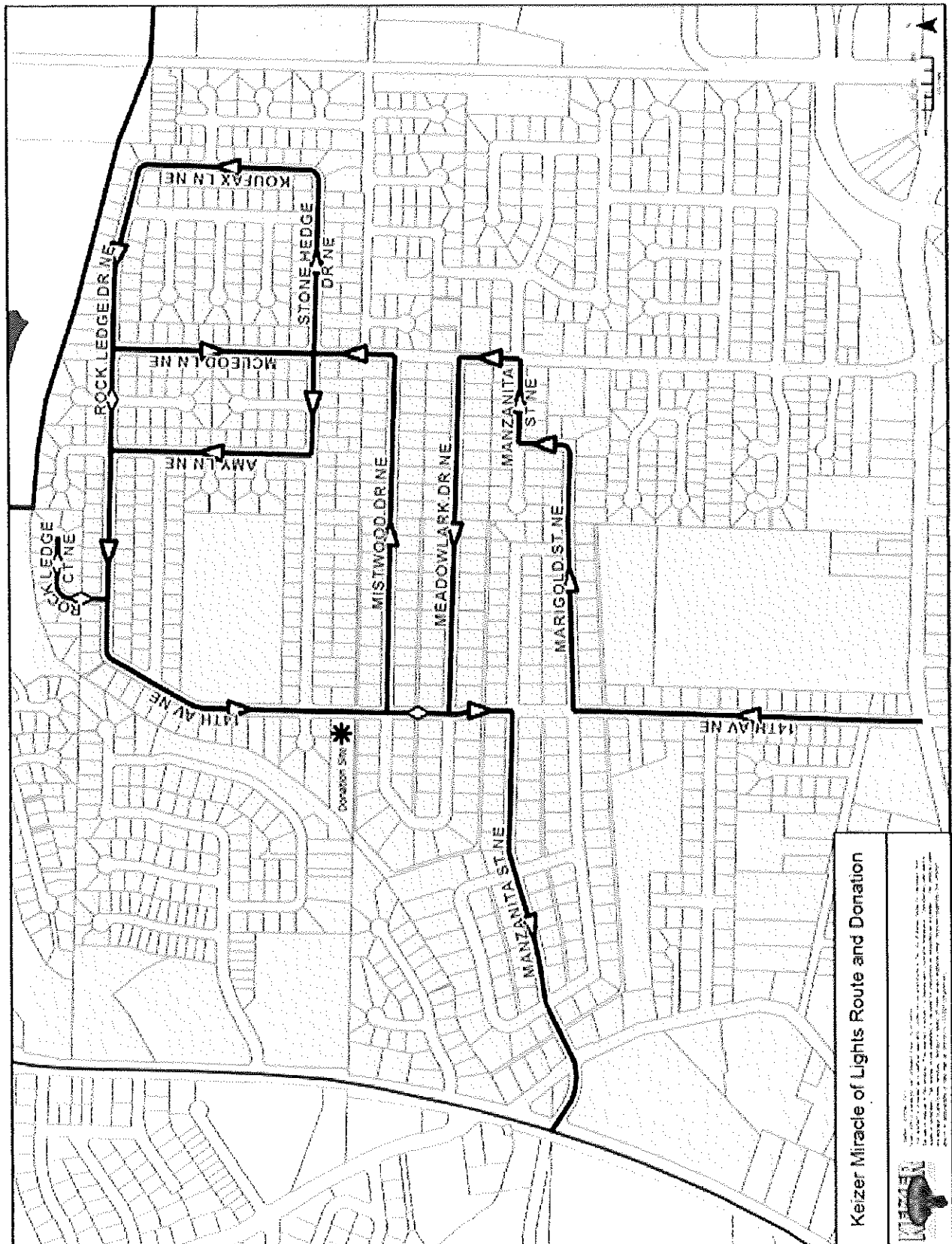
If you have any questions, reach out to us at the email address: keizerlights@gmail.com

Thank you!

Keizer Miracle of Lights Partnership Committee



Keizerlights@gmail.com | www.keizerlights.funraise.org | www.facebook.com/keizermiracleoflights



Keizer Miracle of Lights Route and Donation



For more information, please visit our website at www.keizermiracleoflights.com. We are excited to have you join us for this special event.

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*******DRAFT*******

General Meeting Agenda

January 14, 2025

6:30pm – 8:00pm

Meeting Objective- Neighborhood Engagement

1. Welcome & Introductions.
2. Communication - Efforts and Partnerships

Old Business & Pending

Approve Oct Meeting minutes

By-Laws Revision – need by Spring 2025

New Business & Discussion Items

City Council report –

Miracle of Lights – 2024 Totals & Wrap

GGNA Meeting Plans for year

Other items not on agenda/ Good of the order

Upcoming Events/Meetings:

City Council – Tuesday, Jan 21 – 6pm, Monday, Feb 3 – 6pm

Northwest Keizer Neighborhood Association, Wednesday, Jan 15 – 7pm

Traffic Safety/Bikeways/Pedestrian committee – Thursday, Jan 16 – 6pm

Greater Northeast Neighborhood Association – Tuesday, Feb 4 – 6pm

SE Keizer Neighborhood Association – Thursday, Feb 6 – 6:30pm

Planning Commission – Wednesday, Feb 12, 6pm

West Keizer Neighborhood Association – Thursday, Feb 13 – 7pm

Next GGNA general meeting – Tuesday, February 11th

**** SAVE THE DATE ****

Mayor's State of the City – Thursday, March 13, 2025



General Meeting Agenda

January 14, 2025

6:30pm – 8:00pm

Meeting Objective- Neighborhood Engagement

1. Welcome & Introductions.
2. Communication - Efforts and Partnerships
 - a. Nextdoor – Jan 2025 – 2696 (Oct 2024 – 2621)
 - b. Facebook – Jan 2025 - 1124 (Oct 2024 – 1084, May 2023 – 664)
 - c. Email list – 174 (April 2022 – 75+)
 - d. Yard signs – 10 for Tuesday meetings (5 available for a Thursday Meeting)
 - e. Keizer Chamber Business Directory, KeizerFest Directory, Keizer Times Home & Garden Pull out (Shared Ads with All Keizer Neighborhood Associations)
 - f. Community Food Barrel @ Key Bank Keizer Station

Old Business & Pending

Approve Oct Meeting minutes

By-Laws Revision – need by Spring 2025

Brick Arches Beautification – Spring project (Recent graffiti)

New Business & Discussion Items

City Council report –

Miracle of Lights – 2024 Totals & Wrap

GGNA Meeting Plans for year –

Jan, Feb, March, April, May

No Mtg – *Jun, July, Aug*

National Night Out – *August 5th*

Sept, Oct – (Miracle of lights sign ups), Nov – Mtg tbd, Dec – Miracle of Lights

Other items not on agenda/ Good of the order

Upcoming Events/Meetings:

City Council – Tuesday, Jan 21 – 6pm, Monday, Feb 3 – 6pm

Northwest Keizer Neighborhood Association, Wednesday, Jan 15 – 7pm

Traffic Safety/Bikeways/Pedestrian committee – Thursday, Jan 16 – 6pm

Greater Northeast Neighborhood Association – Tuesday, Feb 4 – 6pm

SE Keizer Neighborhood Association – Thursday, Feb 6 – 6:30pm

Planning Commission – Wednesday, Feb 12, 6pm

West Keizer Neighborhood Association – Thursday, Feb 13 – 7pm

Emergency Preparedness classes @ Keizer Fire District - 6:30pm

Jan 7th – Part 1 – An Intro to Emergency Preparedness

Feb 4th – Part 2 – 3-30 days: How to prepare for longer

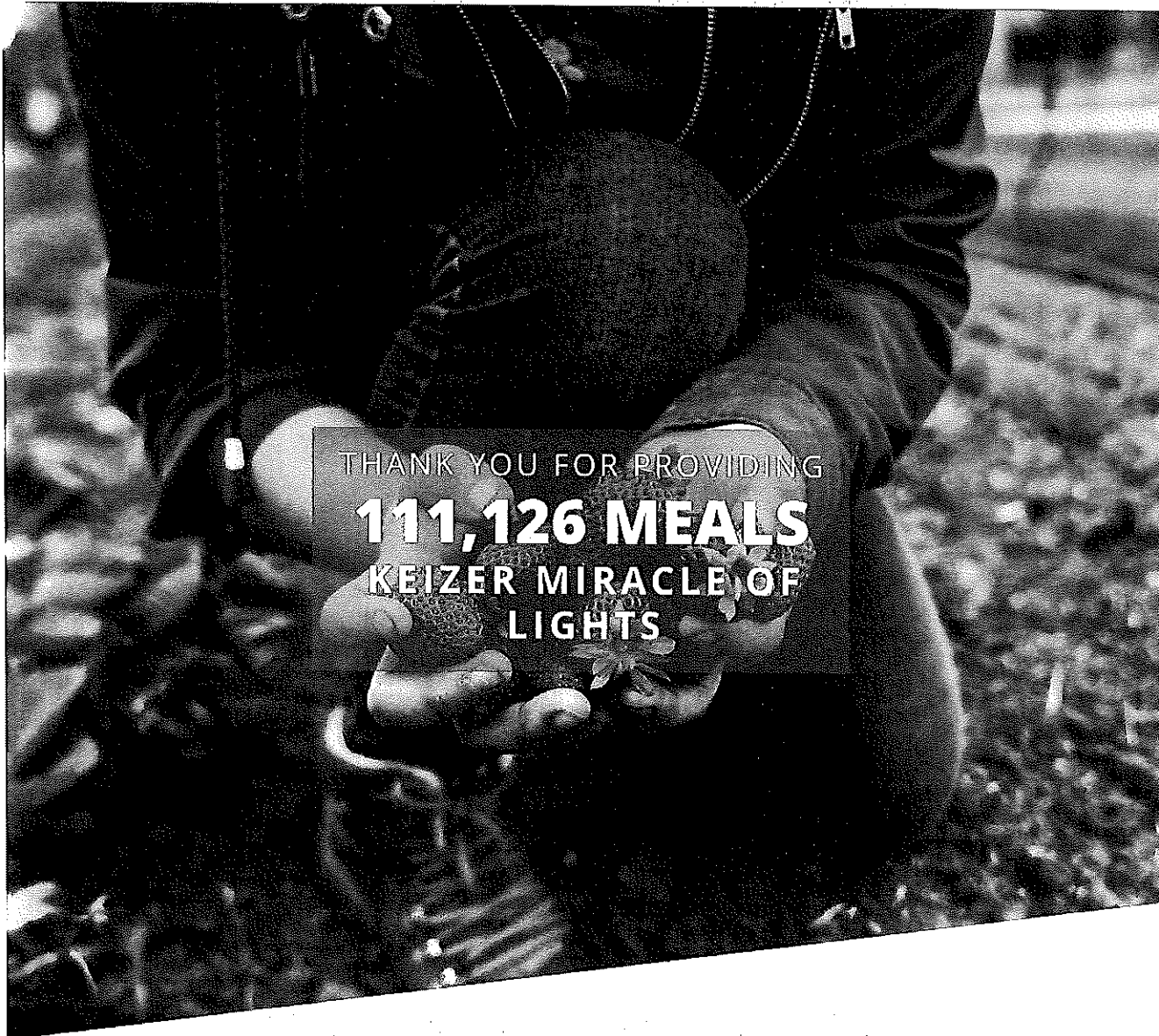
Mar 4th – Part 3 – Kids, Pets, & Other Considerations

Apr 1st – Part 4 – First Aid

Next GGNA general meeting – Tuesday, February 11th

**** SAVE THE DATE ****

Mayor's State of the City – Thursday, March 13, 2025



THANK YOU FOR PROVIDING
111,126 MEALS
KEIZER MIRACLE OF
LIGHTS

BRINGING PEOPLE TOGETHER TO
END HUNGER AND ITS ROOT CAUSES



MARION POLK
FOOD SHARE



General Meeting Agenda

February 11, 2025

6:30pm – 8:00pm

Meeting Objective– Neighborhood Engagement

1. Welcome & Introductions.
2. Communication - Efforts and Partnerships
 - a. Nextdoor – Feb – 2713, (Jan 2025 – 2696)
 - b. Facebook – Feb 2025 -1123, (Jan 2025 - 1124, May 2023 – 664)
 - c. Email list – 174 (April 2022 – 75+)
 - d. Yard signs – 10 for Tuesday meetings (5 available for a Thursday Meeting)
 - e. Keizer Chamber Business Directory, KeizerFest Directory, Keizer Times Home & Garden Pull out (Shared Ads with All Keizer Neighborhood Associations)
 - f. Community Food Barrel @ Key Bank Keizer Station

Old Business & Pending

Approve Oct & Jan Meeting minutes

By-Laws Revision – need by Spring 2025

Brick Arches Beautification – Spring project – target project date?

New Business & Discussion Items

City Council report – Lore Christoper —

Bob Newton Park Updates – (Handout)

Ziply Fiber, other City projects– Bill Lawyer, Public Works Director

Other items not on agenda/ Good of the order

Upcoming Events/Meetings:

City Council – Tuesday, Feb 18, 6pm,

Northwest Keizer Neighborhood Association, Wednesday, Feb 19 – 7pm

Traffic Safety/Bikeways/Pedestrian committee – Thursday, Feb 20 – 6pm

Greater Northeast Neighborhood Association – Tuesday, Mar 4 – 6pm

SE Keizer Neighborhood Association – Thursday, Mar 6 – 6:30pm

Parks Board – Tuesday, March 11 – 6pm

Planning Commission – Wednesday, Feb 12, - Cancelled

West Keizer Neighborhood Association – Thursday, Feb 13 – 7pm

Emergency Preparedness classes @ Keizer Fire District - 6:30pm

Jan 7th – Part 1 – An Intro to Emergency Preparedness

Feb 4th – Part 2 – 3-30 days: How to prepare for longer

Mar 4th – Part 3 – Kids, Pets, & Other Considerations

Apr 1st – Part 4 – First Aid

Next GGNA general meeting – Tuesday, March 11th

**** SAVE THE DATE ****

Mayor's State of the City

Luncheon hosted by Keizer Chamber Tuesday, March 11 @ 1145am (Register on website)

And West Keizer NA – Thursday, March 13, 2025 @ 7 pm

Percey Auction hosted by K.N.O.W. (Keizer Network of Women) May 2nd

KeizerFest May 15-18



Greater Gubser Neighborhood Association October meeting 10/8/2024

Present:

Patti Tischer, president
Tasha Rash, Vice President
Laura Daniel, secretary
Sasha Simons
Jerry and Susan Wentzel
Meredith Mooney
Jennifer Palanuk

Group discussed the building occurring in Keizer and the impact on wildlife. People have seen Golden eagles, coyotes, beaver and deer in neighborhoods. Susan shared that there are federal regulations regarding displaced wildlife. Patti will follow up to get more information about regulations.

Patti referred to the written agenda and items listed under communication.

Old Business

Group reviewed meeting minutes from the last meeting. Tasha moved to approve minutes. Laura seconded. Group voted to approve.

Patti talked about the neighborhood associations' participation in the Fire Department Open House last night, 10/7/2024. All Keizer associations had tables set up. Patti had contact information about our association printed with contact information and a QR code. We are encouraged to take some and hand them out to interested neighbors.

Patti said the neighborhood association bylaws need to be reviewed and updated by spring. We should have access to copies of the current bylaws soon. There have been city guidelines of operation of neighborhood associations for quite some time.

Hector from the Fire Department stopped by. Jerry shared the cooperation with Marion county and the staffed fire house on Wheatland seems to be going well.

New Business

Shaney Starr was ill and unable to share updates from city council. Patti reminded the group that the city council meetings are recorded and can be found online.

Upcoming Keizer Chamber events were reviewed. The tree lighting will be December 3rd.

The K.N.O.W giving baskets will be handed out December 14th. They always need volunteers to help distribute the baskets.

The Holiday Lights parade is also December 14th.

The Miracle of Lights starts Friday December 6th. It ends December 26th. Patti suggested instead of our regular monthly meeting we staff the donation tent on Tuesday December 10th. The tent is open for donations from 6:00-10:00 PM and is located on 14th street, about one block south of Gubser elementary. Donations go to Marion and Polk Food Share. Last year \$43,000 were raised and 20,638 pounds of food were donated. The foodbank will also have QR code signs posted along the route to help provide other opportunities for donations. There is a new Facebook page. It can be found at Keizer Miracle Of Lights Display.

Personal Christmas lights: if any families need help putting up their own lights on their home they can contact the Gubser neighborhood association. The request will be reviewed and if approved a team will be sent out to help set up the lights.

Greater Gubser Neighborhood Meeting 1/14/2025

Present:

Patti Tischler, President
Tasha Rash, Vice president
Laura Daniel, recorder

Meredith Mooney
Chief Blanco, Keizer FD
Joann Crumley
Lore Christopher, Keizer city council
Chelsea Straight (and family), Keizer Miracle of lights
Cathy Clark, mayor

Laura said she was taking notes. They will be on the city website linked to our neighborhood association.

Chief Blanco said they are working on managing resources (Community Risk Reduction, Mid Valley Resources) and provision to people in the community who may need some medical or other support such as home repairs, rent, food, mental health support. There are also home visits for those who are homebound. Services are provided in Polk and Marion counties. Discussed that initially the group was hoping to coordinate with neighborhood associations. Sgt. Blanco said he has also provided information to schools including principals and CSOCs. If there are concerns about needs in the neighborhood people can call the fire department. He also updated the amount of staff sent to California. Keizer sent an engine and 4 staff. They are putting out fires behind the lines that may flare up again. The fire department is recruiting for non response staff.

Patti referred to agenda for communication efforts. In the last 28 days we have 17 new followers. We have had 900 visits to the website. This may be due to combination with previous Miracle of (Christmas) Lights website. Previous Facebook page had 6,000 followers but had to be changed with change of names and manager. If you visit the previous Facebook page it will automatically direct you to the new page.

Old Business:

Will defer approving October meeting minutes to next month due to technical difficulties
Will defer review of by-laws until later this spring. The board needs to review the by-laws first before having a group review and approve. Lore asked if the different neighborhood associations have different by laws and apparently we all do. In review of existing by-laws Patti has found multiple different copies. Lore suggested having a template for all associations. The beautification project for the brick arches at the entrance to the neighborhood (Manzanita and trail avenue) is slated for spring when the weather is more consistently dry, but not too hot! There has been recent graffiti. Code enforcement has contacted the neighborhood association

about this. Some neighbors have concerns about the arches interfering with parking. Lore will check on the legal guidelines before we start project.

New business:

Lore reported on the city council. Last meeting new councilors and president were sworn in. There is a work session scheduled to review regulations for this Saturday and neighborhood association is invited. Council attended swearing in of Salem city council. Lore shared some long and short term goals for the next 2 years. Hoping to get a city planner. Public works succession plan. Looking at urban growth boundary issues, including multistory buildings and walkability in Keizer. Will work on 5 year strategic plan that is more accessible. The city wants to sell city owned land that is not generating property tax revenue.

Miracle of lights: Overall seemed to go smoothly. One concern about one of the signs guiding traffic. The amount of people coming through was impacted by when school break started and the date of the first Friday of December, which was the 5th. Marion Polk food share said we collected over \$32,000 and over 16,000 pounds of food. Every dollar provides 3 meals. This data will also be on the website. This is less than last year.

**Chelsea suggested that the neighborhood meeting in January 2026 plan a thank you for neighbors and volunteers. Maybe include awards for "healthy competition"???

GGNA meetings will be monthly at Keizer Civic Center on the 2nd Tuesdays at 6:30. No meetings in June, July and August.
National Night out will be Tuesday August 5th.

Upcoming events/meetings:

Emergency preparedness classes at Keizer Fire district at 6:30 on February 4th, March 4th, and April 1st.

Next GGNA meeting is Tuesday February 11th at 6:30 at Keizer Civic Center.

Save the date:

Mayor's state of the city address: Thursday March 13, 2025



General Meeting Agenda

March 11, 2025

6:30pm – 8:00pm

Meeting Objective- Neighborhood Engagement

1. Welcome & Introductions.
2. Communication - Efforts and Partnerships
 - a. Nextdoor – March - 2733 (Feb – 2713)
 - b. Facebook – March – 1119 (Feb 2025 -1123, May 2023 – 664)
 - c. Email list – 175 (April 2022 – 75+)
 - d. Yard signs – 10 for Tuesday meetings (5 available for a Thursday Meeting)
 - e. Keizer Chamber Business Directory, KeizerFest Directory (May), Keizer Times Home & Garden Pull out (March) (Shared Ads with All Keizer Neighborhood Associations)
 - f. Community Food Barrel @ Key Bank Keizer Station

Old Business & Pending

Approve Feb Meeting minutes

Feedback from neighbors – Bob Newton Park

By-Laws Revision – pending (need by Spring 2025)

Brick Arches Beautification – Spring project – target project date?

New Business & Discussion Items

City Council report – Lore Christoper

Gold Star Family Memorial Monument – Matt Lawyer

Other items not on agenda/ Good of the order

Upcoming Events/Meetings:

City Council – Mon, Mar 17, 6pm, Work session Mon March 24

Northwest Keizer Neighborhood Association, Wednesday, Mar 19 – 7pm

Traffic Safety/Bikeways/Pedestrian committee – Thursday, Mar 20 – 6pm

Greater Northeast Neighborhood Association – Tuesday, Apr 1 – 6pm

SE Keizer Neighborhood Association – Thursday, Apr 3 – 6:30pm

Parks Board – Tuesday, April 11 – 6pm

Planning Commission – Wednesday, Mar 12, 6pm

West Keizer Neighborhood Association – Thursday, Mar 13 – 7pm

Emergency Preparedness classes @ Keizer Fire District - 6:30pm (Class is full–call station if interested)

Jan 7th – Part 1 – An Intro to Emergency Preparedness

Feb 4th – Part 2 – 3-30 days: How to prepare for longer

Mar 4th – Part 3 – Kids, Pets, & Other Considerations

Apr 1st – Part 4 – First Aid

Mayor's State of the City

Joint Neighborhood Association meeting – Thursday, March 13, 2025 @ 7 pm

Civic Center Clean up – Saturday, March 15, 9 am - Noon

Percey Auction hosted by K.N.O.W. (Keizer Network of Women) May 2nd

KeizerFest May 15-18

Next GGNA general meeting – Tuesday, April 8th

Greater Gubser Neighborhood Association Meeting 2/11/2025

Introductions made.

Present:

Patti Tischler, president

Tasha Rash, vice president

Laura Daniel, secretary

12 total attendees

Fire Department

The Keizer fire chief reminded everyone if you have specific concerns and request an assessment go to the website. If you have concerns about people in need you can call for a check in by fire department personnel. Lore reminded the group that even smoke detectors wired into your home need to be replaced every 10 years. The Red Cross will also check smoke detectors.

There is a Community safety specialist named Anne Marie. She coordinates classes for CPR, safety seats for children. She can be reached at (503) 390-9111. The fire department keeps in touch with neighborhood associations so you can share concerns or ask questions at regular meetings.

Old business and pending

Group reviewed the meeting minutes from October and January meetings. Laura moved to approve meeting minutes. It was seconded and passed.

By laws: Patti explained we need to review and update the by laws by this spring. There are several revised editions "on the books" which need to be updated and consolidated.

Brick arches at the west entrance to the Gubser neighborhood. Patti also recommended scheduling a work day this spring.

New business:

City council:

Lore Christopher shared the update from the city council. The Community Engagement Committee met. Their focus is to get more engagement from Keizer residents. Lore suggested handing out cards with QR codes to access the city website. City councilor Soraida also suggested making buttons to feel more inclusive.

Ziply Fiber:

Bill Lawyer from the public works department gave an update on the installation of Ziply fiber through the city. Ziply approached the city council asking to add it to their franchise and allow them to install fiber optics. Originally they were going to work with 1 contractor but they now have 3 and there have been issues with one of the contractors. Bill explained that the "right of way" is measured 10 feet in toward homeowner's property from the edge of the sidewalk that abuts the curb/street. If there is a parking strip it goes to the border between the sidewalk and

the property. Everyone should have gotten information from Ziply with contact information. Bill said the project manager is Scott McLendon and his number is (541)409-2065. He has been very cooperative and responds quickly. Call him first if there are issues. If you are unable to resolve your complaint then call Keizer Public works. You are also welcome to call Bill Lawyer directly at (503) 856-3555. When Ziply is done working on your property they should come back through and remove the utility flag markers. It will most likely be the end of 2025 before all of the installation of the infrastructure is done but some service may be available before then.

Keizerfest:

The time has been changed back to May from August. There will be an art fair featuring local art included in KeizerFest.

Bob Newton park:

Renovations are being made at the park. The playground will be updated first and moved farther west to accommodate more parking. Work will begin in mid-May. The total project will occur over the next 2 fiscal years. Lore asked what materials will be used in different areas and Bill Lawyer from the pUblc Works department said it depends on the amount of use each area gets. The access road will still be there but not paved. There are 2 options of design and the city would like neighborhood feedback. GGNA will email options to neighbors on our mailing list.

- The park may be partially under construction for Neighborhood Night Out.

The next park to update after completion of Bob Newton is Northview, which is located on 18th street.

Upcoming events/meetings:

City council: Tuesday February 18th, 6 pm

Parks board: Tuesday March 11, 6 pm

Percey Auction hosted by K.N.O.W/ (Keizer Network of Women)- May 2nd

KeizerFest: May 15th- 18th

Next GGNA general meeting- Tuesday march 11th, 6:30 pm

Emergency preparedness classes @ Keizer Fire District- 6:30 pm

March 4th- part 3 Kids, pets and other considerations

April 1- part 4 first aid

SAVE THE DATE!

Mayor's state of the city address

Luncheon hosted by Keizer Chamber Tuesday March 11th at 11:45 am. Register on website

A decorative border of various flowers and leaves surrounds the text. The flowers include large daisies, smaller wildflowers, and leafy sprigs, all rendered in a detailed, artistic style.

Joint Neighborhood Association Meeting

Thursday, March 13th, 2025
7:00- 8:30pm at Keizer Event Center
930 Chemawa Rd. NE

Presentations from Keizer Neighborhood Associations:

Greater Gubser Neighborhood Association (GGNA)
Patti Tischer, President

Greater Northeast Keizer Neighborhood Association (GNEKNA)
Tammy Kunz, President

Northwest Keizer Neighborhood Association (NWKNA)
Hersch Sangster, President

Southeast Keizer Neighborhood Association (SEKNA)
Colleen Busch, President

West Keizer Neighborhood Association (WKNA)
Rhonda Rich, President

More information about each NA can be found on the City of Keizer website, www.keizer.org. Check out the "Latest News/Neighborhood Association Meetings Calendar" for meeting dates and information.

**"State of the City" presented by
Mayor Cathy Clark**

Questions and Answers for the Mayor

WKNA General Meeting – Joint session of all Keizer Neighborhood Associations for Mayor's State of the City address

March 13, 2025 7 p.m.

At Keizer Civic Center

Submitted by Carolyn Homan, WKNA Secretary

About 45-50 people in attendance

Call to Order: Rhonda called the meeting to order at 7:05 p.m. and welcomed everyone to the joint Neighborhood Association meeting to hear the Mayor's State of the City report

Each neighborhood president gave a short presentation on their association – Patti Tischer, President of Greater Gubser NA; Tammy Kunz, President of Greater Northwest Keizer NA; Hersch Sangster, President of Northwest Keizer NA; Colleen Busch, President of Southeast Keizer NA; and Rhonda for West Keizer NA. Various neighborhood projects were noted, including community-wide efforts to create a Memorial to Gold Star families at Ryan Hill park at Keizer Station. Patti noted that a fundraiser will be held March 31 at The Rec on River Road for this first-in-Oregon project. Northwest Keizer NA is partnering with McNary High School's Junior ROTC on a graffiti abatement project; Greater Northeast Keizer is leading a Neighborhood Family Council and other resource-connection efforts; Southeast Keizer has been working on neighborhood speeding issues and has an annual National Night Out celebration; and Rhonda noted WKNA's regular newsletters and food barrel collections on behalf of Keizer Community Food Bank. The association presented a plaque recognizing the ongoing support of Copper Creek Mercantile as sponsor of one of the barrels (the other is at Bi Mart). Accepting the award was Steve Weadick, long-time Copper Creek employee. Since 2020, 10,441 pounds of food and \$2,834 have been collected via that food barrel to benefit neighbors in need.

Guest speaker – Rhonda introduced Mayor Cathy Clark to outline goals met in the past year and projects anticipated going forward. The first goal mentioned was update of the city's Neighborhood Association resolution and planning for an annual joint session of the Council and all NAs, the set for April 14 this year. She thanked her fellow counselors and city management team and staff for progress. Thanks also went to the many area partners, including Keizer Fire District, Marion County, Salem-Keizer School District, Chemeketa Community College, OSU Extension, Marion Soil and Water Conservation District, Mid-Willamette Valley, Council of Governments, State of Oregon and the many businesses and organizations helping Keizer move forward.

She described a young community – formed in 1982 as it established itself as a city, that has grown to a diverse community of nearly 40,000. She outlined some of the goals Council set and achieved in recent years. These include Urban Growth Boundary studies done on or before 2020. More conversations are planned in the near future. Security cameras of various kinds have been placed – license plate readers helping police solve crimes; body cameras for officers; more use of drones; security cameras placed in parks. There were needed updates of city systems including a simplified procurement process, the first human resources information system, a website update, updated Neighborhood Traffic Management Program (thanks to Tammy Saldivar of the Traffic Safety Bikeways Pedestrian Committee). The number of NAs was increased from 3 to 5 during the Covid era. Road infrastructure has been prioritized. City spaces have been updated and maintained; parks improvements achieved.

Looking to the next 5 years, she listed a variety of new goals: updating the city's emergency operations plans; revising the parks master plan around possible addition of a pavilion at Keizer Rapids Park; sidewalk updates; a transportation system plan update; UGB expansion or not; a utility discount for all citizens not just seniors; a fresh look at the Willow Lake Settlement Agreement area for possible development options; an economic opportunity analysis; housing availability assessments; road maintenance; storm water improvement; consistent water system maintenance; attention to homeless population issues; and stable for public safety – that's "job one."

In conclusion, she took a few audience questions, including support for Keizer's Arts Commission and ways to enhance public art in Keizer, which is a historic and current strength of the community.

Meeting adjourned at 8:30 p.m.

General Meeting Agenda

April 8, 2025

6:30pm – 8:00pm

Meeting Objective- Neighborhood Engagement

1. Welcome & Introductions.
2. Communication - Efforts and Partnerships
 - a. Nextdoor – April -2741 (March – 2733)
 - b. Facebook – April 1111 (March – 1119, May 2023 – 664)
 - c. Email list – 178 (April 2022 – 75+)
 - d. Yard signs – 10 for Tuesday meetings (5 available for a Thursday Meeting)
 - e. Keizer Chamber Business Directory, KeizerFest Directory (May), Keizer Times Home & Garden Pull out (March) (Shared Ads with All Keizer Neighborhood Associations)
 - f. Community Food Barrel @ Key Bank Keizer Station

Old Business & Pending

Approve March Meeting minutes

Bob Newton Park -remodel update

*Gold Star Family Memorial update

By-Laws Revision – pending (need by Spring 2025)

Brick Arches Beautification – Spring project – target project date?

New Business & Discussion Items

City Council updates – Lore Christopher

Keizer History – Robert Becker

Chemeketa Community College - CTEC Bond – Francisco Saldivar

Other items not on agenda/ Good of the order

Upcoming Events/Meetings:

City Council – Mon, Apr 14, 6pm, Work session Mon April 21 regular session (NA Annual reports)

Northwest Keizer Neighborhood Association, Wednesday, April 16 – 7pm

Traffic Safety/Bikeways/Pedestrian committee – Thursday, April 17 – 6pm

Greater Northeast Neighborhood Association – Tuesday, May 6 – 6pm

SE Keizer Neighborhood Association – Thursday, May 1, 6:30pm

Parks Board – May meeting Cancelled

Planning Commission – April Meeting Cancelled

West Keizer Neighborhood Association – Thursday, April 10 – 7pm

Awesome 3000 - Saturday, May 3

Percey Auction hosted by K.N.O.W. (Keizer Network of Women) May 2nd
KeizerFest May 15-18

**Next GGNA general meeting – TBD? – (Tuesday, May 13th)
Weather Depending – Cleaning work party @ Brick Arches?**

**Greater Gubser Neighborhood Association monthly meeting
Tuesday March 11, 2025**

Present;

Hector Blanco, Keizer Fire District Chief

President: Patti Tischer

Vice President: Tasha Rash

Secretary: Laura Daniel

Mayor Kathy Clark

7 others

Patti reviewed the agenda.

Introductions made. New attendees saw signs for meeting and also attend city council meetings.

Hector introduced himself and explained what his department does for outreach for citizens who many need additional resources. He explained that they work with a number of city organizations and encouraged neighborhood members to let them know if any concerns regarding care and safety of neighbors. He attends neighborhood meetings regularly to check in on any concerns. He also reported that there are 2 new ambulances coming for the fire district in April. There are currently 4 ambulances between Keizer and Clear Lake. They will also be hiring 2 new paramedics in April. Hector said they also participate in community activities such as an Open House in October and recently participated in Read Across America at a school. There will be a Mother's Day/Iris fest breakfast as well as Christmas breakfast which are fundraisers. The amount of calls for help are about average. If you need additional information about community preparedness classes you can call the fire station and ask for Anne Marie. Hector shared the emergency medication blue sheet to post on your refrigerator in case of emergency for emergency responders. There is currently a grant to help trim brush to prevent fire from spreading between properties so you can call if you need this service.

Patti mentioned that there has been a slight increase in members on Nextdoor. There is a drop in Facebook membership but may be a general trend.

Discussed getting new yard signs as they are getting worn. May be about \$500 or more so we will have to monitor the budget.

All of the neighborhood associations will have a shared ad in the Keizer Times Home and Garden circular.

The Keizer fest directory will be mailed to all Keizer households on May 9th. There will also be a neighborhood association ad.

There have not been a great deal of donations on the food barrel at Key Bank. The bank is interested in maintaining it. Patti asked group if anyone has a suggestion for an additional location that may generate more donations that would be helpful. Laura asked about having a barrel at a grocery but Safeway already donates to Marion/Polk food share. Some of the other neighborhood associations work with other businesses. Patti suggested having a barrel that donates specifically to Keizer food bank.

Old business/pending:

Reviewed February meeting minutes. Group approved minutes.

Patti explained the review and discussion process so far of the improvements to Bob Newton park. 25 families responded about the improvements via email. Patti forwarded responses to Robert Johnson, head of Parks department. More people tended to like Option 2. They seem to prefer to keep the option for tennis and basketball.

Discussed that construction will coincide with National Night Out, but the playground should be done.

New business and discussion items:

City council report: They also talked about the improvements at Bob Newton park. They met for long range plans with the budget. Hope to at least keep things "status quo". Discussed traffic, urban growth boundary and encouraging more community discussions.

Matt Lawyer, Keizer parks chair, spoke about The Ryan J. Hill memorial park at Keizer station. It is a memorial for Ryan who lost his life in combat. Proposal to add a Gold Star Family Memorial Monument at the site of the current memorial. Rotarians have already done some demolition of the existing fountain/memorial. The group has also been working on fundraising. For more information you may email or call: KEIZER.GOLDSTAR@GMAIL.COM or (253) 241-0303. September 28th is the target date to dedicate.

There will be a bowling event at The Rec on March 31st as a fundraiser.

There will also be a silent auction.

Patti shared that there is a program through the library that kids up to age 12 can earn a coupon for a free hamburger at In N Out. There is information on the library's Facebook page. There is also a program encouraging reading with preschool age children called "reading 1,000 books with your child". You can earn prizes if you turn in a reading log to the library. On March 26th there will be an event at city hall supporting the library.

Upcoming meetings and events:

Thursday March 13th at 7 pm at civic center for mayor's state of the city address. Joint neighborhood association meeting.

Clean up day at civic center this Saturday March 15th from 9:00-12:00

Sasha has a Facebook page that shares activities for families. She also has a newsletter she emails out: MACARONIKIDSALEM

Next GGNA meeting is scheduled for April 8th at 6:30 at the civic center.

KeizerFest: May 15-18



Household boundaries are the same as
Gubser Elementary

Join us for our monthly meetings!

Second Tuesday of the month
6:30 PM at Keizer Civic Center
930 Chemawa Rd NE, Keizer, OR

***Annual National Night Out Event –
the First Tuesday of August***

Find us on Facebook –
Greater Gubser
Neighborhood Association

Email us Greatergubser@gmail.com

Neighborhood Associations play a vital role in our community. They open doors of communication between neighbors and city government and also provide key information and resources that is more relevant to your neighborhood.

Unlike a homeowner's association, (HOA) there is NO COST to you to be a part of a neighborhood association. You are a member if you live within the named street boundaries. For the Greater Gubser Neighborhood Association this includes all neighbors and businesses within the Gubser Elementary School boundary.

Our purpose is to empower our neighbors and improve our community. We aim to encourage connections between neighbors and seek to foster involvement in our diverse community. We are currently one of 5 Neighborhood Associations in the City of Keizer.

Come join us to share your ideas and get to know your neighbors better and learn about your community.

YOUR NEIGHBORHOOD NEEDS YOU!

A Community with Heart, We are Keizer!

Visit: keizer.org/neighborhood-associations
for more information from each of the associations



Greater Northeast Keizer
Neighborhood Association

Find Us on Facebook

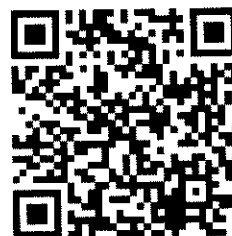


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FOLLOW YOUR NEIGHBORHOOD ASSOCIATIONS FACEBOOK TO STAY UPDATED ON CURRENT EVENTS AND WHATS GOING ON IN YOUR COMMUNITY.

13. FLORENCE*

140 minutes — Hiking, lighthouse, dunes, and our favorite — sea lion caves

14. WILDLIFE SAFARI

141 minutes — 600+ acre drive-thru tour featuring rare, endangered and unique species of the animal kingdom

15. ASTORIA

149 minutes — All the -ings... hiking, biking, paddling, fishing, dining, shopping

16. BEND

163 minutes — Winter sports on Mt. Bachelor, breweries, spelunking & caving

17. SUNRIVER

178 minutes — Endless year-round recreational opportunities

18. LAKE BILLY CHINOOK

184 minutes — Fishing and majestic views

19. COOS BAY

195 minutes — Dunes, lakes, oceanfront, Oregon Coast Historical Railway

20. BANDON

218 minutes — World-class links golf, beaches, shopping, lodging, and dining

21. ASHLAND

236 minutes — Three words... Oregon Shakespeare Festival

22. PENDLETON

236 minutes — Museum, underground tour, bronze art trail, Pendleton Round-Up

23. JOHN DAY FOSSIL BEDS

271 minutes — Hiking, picnicking, natural beauty, museum, Paleontology Center

24. CRANE HOT SPRINGS

312 minutes — Soak in the hot springs, relax in a private soaking tub, or enjoy a variety of overnight accommodations

25. JOSEPH

365 minutes — Riding the Willowa Lake Tramway, camping, hiking, kayaking and boating

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all that our
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has to offer*

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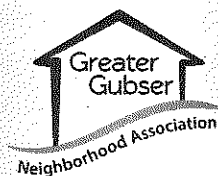
St. Edward Catholic Church

5303 River Road North, Keizer, OR 97303

www.sainteds.com 503-393-5323

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Greater Northeast Keizer
Neighborhood Association
BUILDING A STRONGER COMMUNITY

northeast-keizer-neighborhood-associations-site.yolasite.com



NWKeizerNeighbors.org

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#GETINVOLVEDKEIZER

GOVERNMENT, SCHOOLS, & UTILITIES

GOVERNMENT

129 CITY OF KEIZER

930 Chemawa Road NE • 503-390-3700 • keizer.org

City Council

Mayor, Cathy Clark

Councilors Laura Reid, Shaney Starr, Kyle Juran,
Soraída Cross, Robert Husseman and Dan Kohler

City Departments & Staff

City Manager, Adam Brown 503-390-3700

Community Development, 503-856-3441

Public Works, Bill Lawyer 503-856-3561

Traffic Signal Maintenance 503-588-6333

Water/Street/Storm Emergencies 503-393-1608

MARION COUNTY

County Clerk, 503-588-5225

Dog Shelter, 503-588-5366

Health Department, 503-588-5357

Housing Authority, 503-798-4170

Sheriff's Office, 503-588-5094

Solid Waste Management, 503-588-5169

Wheatland Ferry, 503-588-7979

Board of Commissioners

555 Court St NE, Salem • 503-588-5212

co.marion.or.us/BOC

County Commissioner, Kevin Cameron

County Commissioner, Danielle Bethell

County Commissioner, Colm Willis

STATE OF OREGON

Children & Families, 503-373-1422

Parks & Recreation, 503-551-6949

Revenue Department, 503-378-4988

State Police, 503-378-3720

LEGISLATORS

Kim Thatcher, State Senator

900 Court St NE #307, Salem 503-986-1713

oregonlegislature.gov/thatcher

Kevin Mannix, State Representative

900 Court St NE, H-479, Salem • 503-986-1425

oregonlegislature.gov/mannix

Andrea Salinas, U.S. Representative

530 Center St NE, #415, Salem • 503-385-0906

salinas.house.gov

MORE LOCAL GOVERNMENT

Julie for Salem

info@julieforsalem.com

PUBLIC TRANSPORTATION

Salem Area Mass Transit District

5555 Court St NE, Ste 5230, Salem

503-388-2424 • cherriots.org

EMERGENCY SERVICES

128 Keizer Police Department

930 Chemawa Rd NE, Keizer

503-390-3713

keizer.org/Police

128 Keizer Fire District

661 Chemawa Rd NE, Keizer

503-390-9111

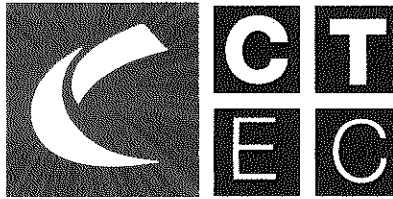
keizerfire.com

130 Marion County Fire District #1

Station 6, Keizer

503-588-6526

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nwnatural.com

Portland General Electric

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503-399-7717

portlandgeneral.com

Salem Electric

633 7th St NW, Salem

503-362-3601

salemelectric.com

NEIGHBORHOOD ASSOCIATIONS

Greater Gubser Neighborhood Association

greatergubser@gmail.com

facebook.com/GreaterGubser

Greater Northeast Keizer Neighborhood Association

northeast-keizer-neighborhood-associations-site.

yolasite.com

Northwest Keizer Neighborhood Association

NWKeizerNeighbors.org

South East Keizer Neighborhood Association

See there Facebook page for more info

West Keizer Neighborhood Association

westkeizerna.org

SCHOOL DISTRICT

Salem-Keizer Public Schools

2450 Lancaster Dr NE, Salem

503-399-3001

salkreiz.k12.or.us

SCHOOLS (PRIVATE)

Capital Christian School

395 Marion St NE, Salem

503-375-5764 • ccssalem.org

Willamette Valley Christian School

9075 Pueblo Ave NE, Brooks

503-393-5236 • wvcs.org

SCHOOLS (PUBLIC)

Claggett Creek Middle School

1810 Alder St NE, Keizer • 503-399-3701

claggettcreek.salkreiz.k12.or.us

Clear Lake Elementary School

7425 Meadowglen Street NE, Keizer • 503-399-3138

salkreiz.k12.or.us/content/clear-lake-elementary-school

Cummings Elementary School

613 Cummings Ln N, Keizer

503-399-3141

Forest Ridge Elementary School

7905 June Reid Pl NE, Keizer • 503-399-5548

forestridge.salkreiz.k12.or.us

Gubser Elementary School

6610 14th Avenue NE, Keizer

503-399-3275

gubser.salemkeizer.net

Keizer Elementary School

5600 McClure St. N, Keizer • 503-399-3161

Kennedy Elementary School

4912 Noren Ave. NE, Keizer • 503-399-3163

132 McNary High School

595 Chemawa Rd. N, Keizer

503-399-3233

mcnary.salkreiz.k12.or.us

Weddle Elementary School

1825 Alder St NE, Keizer • 503-399-3604

salkreiz.orvsd.org/content/weddle-elementary-school

Whiteaker Middle School

1605 Lockhaven Dr NE, Keizer

503-399-3224 • whiteaker.salkreiz.k12.or.us

Roberts Alternative High School

4071 Winema Pl NE Bldg 50, Salem

503-399-2097

K PUBLIC SQUARE

Public Square welcomes all points of view. Published submissions do not necessarily reflect the views of the KeizerTimes.

Yes, in my neighborhood

Neighborhoods are the heart-beat of Keizer.

There are distinct neighborhoods throughout the city, comprising households filled with good people, living their daily lives.

Adding one more activity to a busy family's schedule is tough to do. However there is one activity that would benefit from increased attendance: neighborhood association meetings.

Keizer has five recognized neighborhood associations (which are different from homeowners associations), each of which wants to see more people attend their meetings; these meetings are where democracy lives.

The leaders of all the neighborhood associations want residents to share their opinions on what is happening in their area. It was at the West Keizer Neighborhood Association (WKNA) where a much-requested speed sign on a neighborhood thoroughfare was a main topic for months. The speed sign was eventually installed after reports from WKNA pushed the project along.

The Greater Northeast Keizer Neighborhood Association (GNKNA) has stayed on top of the safety issue on Verda Lane NE. The city council has heard from GNKNA representatives repeatedly about the need for safer walkways and slower speeds on one of Keizer's main north-south arterials.

The Keizer City Council has good relationships with all five neighborhood associations. That alone gives each association credibility and value. That should also be the nudge for Keizer residents to understand that they can be instrumental in how decisions are made regarding the things Keizerites care about in their neighborhoods: traffic, safety and parks.

By attending a neighborhood association meeting, residents can meet other people who likely share views on how their community should work. The associations assure they communicate with their residents, using social media and group emails to announce monthly meetings and agenda items.

Attending a ninety-minute

Editorial

meeting once a month seems to be an easy ask for any household. Attendance is enhanced when coupled with opinion sharing.

Regardless of one's top concern in the neighborhood, the association holds discussions at their meeting which leads to a consensus that is eventually reported to the city council.

We think that issues should be first addressed at the neighborhood association level. They can best be addressed when those affected attend a meeting and share their thoughts.

A decision was made in recent years to hold the association meetings at Keizer City Hall. An effort should be made to return the meetings to their respective neighborhoods, which would make it easier for more people to attend.

Schools, churches and businesses can be approached to open space for meetings to be held closer to where the people live.

It is a concern that the same residents attend the neighborhood meetings month after month. A wider range of opinions needs to be solicited. Find out why people don't attend association meetings in their neighborhood. Overcome any objections by answering the needs of the intended audience—Is a different meeting time and day needed? Is a safe space for kids to play important?

Here are the five neighborhood associations and when and where they meet:

- **Greater Gubser-Keizer** Civic Center, 7 p.m. second Tuesday of each month.

- **Greater Northeast Keizer-** Keizer Civic Center, 6:30 p.m. first Tuesday of each month.

- **Northwest Keizer-Keizer** Civic Center, 7 p.m. third Wednesday of each month.

- **Southeast Keizer-Keizer** Civic Center, 6:30 p.m. First Thursday of each month.

- **West Keizer-Keizer** Civic Center, 7 p.m. second Thursday of each month.

—LAZ

Should she stay or go?

A recent edition of the *Sunday Oregonian* contained an article begging to be read. Its title, *Three top Kotek aides to leave in shakeup*. The *Oregonian* had its facts straight while no explanation for the surprising departures was provided. The mystery of the matter was soon revealed and thereby directly reminiscent of the abrupt departure of former Governor John Kitzhaber, having to do with the ill-begotten practice of nepotism in the Oregon capitol.

Although not known to have been mentioned by her during her campaign before last year's election, Governor Tina Kotek will bring her wife into the Capitol, ensconce her in an office and, presumably, provide her with activities in the capitol for which she has not been elected to perform any more than that she's likely state employee hired; yet, over which she'll likely be granted a measure

of circumstantial authority. Her status alone as the wife of Kotek will cloak her in authority level powers and privileges no one else below the governor herself can equal. Meanwhile Capitol employees could be viewed under her command as second in charge.

Known as nepotism, this kind of action is a narrower form of favoritism, specifically providing favoritism toward family members. Nepotism often gets into the mix of decision-making when family ties influence the processes therein. The ethics of the practice of nepotism focuses on the principle of fairness where family connections take precedence over qualification that are lower than the highest standards, resulting thereby in suboptimal quality outcomes for a voting public having no say in the matter.

Should Governor Tina Kotek stand her ground on principle

Gene H. McIntyre

or any other point of defense for appointing her wife into the shared role of governing the state of Oregon, proceedings for a recall—just could be the resulting intervention by an unpleased electorate. Recall success would show Kotek the door: Nepotism being against the laws, practices and traditions that have governed the state of Oregon for 165 years. Unfortunately, public trust in this leader's judgment has now taken a consequential tumble, a condition resulting in "red" and "blue" bruises for all Oregonians!

(Gene H. McIntyre shares his opinion regularly in the *KeizerTimes*.)

Fighting the phone-warping of Gen Z doesn't require government intrusion

By GEORGE F. WILL

Children are like trees, only more trouble. Winds that bend young trees expand the tree's roots on the windward side, firmly anchoring the tree. And winds strengthen the wood on the other side by compressing its cellular structure. This growth dynamic, called "stress wood," is a metaphor for the intelligent rearing of children, who need wind—the stresses of pressure and risk-taking—to become strong and rooted in the social soil.

Jonathan Haidt says a social catastrophe has resulted from the intersection of two recent phenomena. One is the "safetyism" of paranoid parenting, which injures bubble-wrapped children by

social media companies have designed "a firehose of addictive content" for Gen Zers (born after 1995) who are often socially insecure, swayed by peer pressure and hungry for social validation. Gen Z became the first generation "to go through puberty with a portal in their pockets that called them away from the people nearby and into an alternative universe."

Phone-based childhood displaced play-based childhood and its unsupervised conversing, touching and negotiating the small-scale frictions and setbacks that prepare children for adulthood. Fearful parents, convinced the real world is comprehensively menacing (and worried about

Voss banned access to smartphones during the school day. The results were "transformative."

excessively protecting them from exaggerated "stranger danger" and other irrational anxieties about the real world. The other is parental neglect regarding the "rewiring" of young brains by extreme immersion in the virtual world. This has been enabled by the swift, ubiquitous acquisition of smartphones, granting children something that is not, Haidt argues, age-appropriate: unrestricted access to the

overbroad "child endangerment" laws), will not allow their children to walk alone to a nearby store. But they allow their children

unrestricted wallowing in the internet, especially social media.

The results, Haidt says—sleep deprivation, socialization deprivation, attention fragmentation—produced "failure-to-launch" boys living protractedly with parents, and girls depressed by visual social comparisons and perfec-

other VOICES

hoc fallacy: The rooster crows, then the sun rises, so the crowing caused the sunrise. If smartphones vanished, schoolchildren would still be spoon-fed anxiety and depression about (if they are White) their complicity in their rotten country's systemic racism, and (if they are not White) their grinding victimhood, until we all perish from climate change.

Haidt's data demonstrating a correlation (the arrivals of smartphones and of increased mental disorders) suggest causation, but remember: Moral panics about new cultural phenomena—from automobiles (sex in the back seats) to comic books (really) to television to video games to the internet—are features of this excitable age.

Although Haidt is always humane and mostly convincing, his argument does not constitute a case for government trying to do what parents and schools can do. They can emulate Shane Voss.

In Durango, a city in southwest Colorado, Voss, head of Mountain Middle School, acted early, and decisively. In 2012, he banned access to smart-

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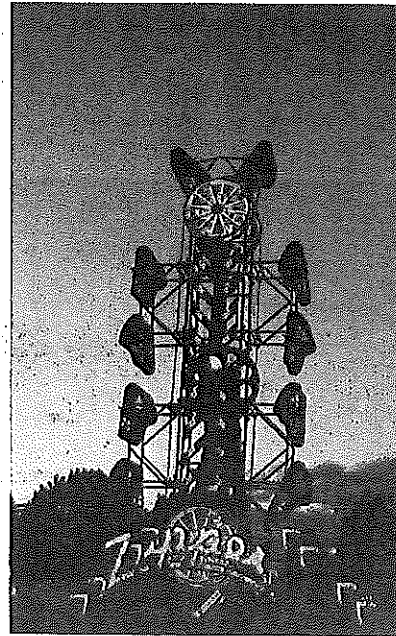
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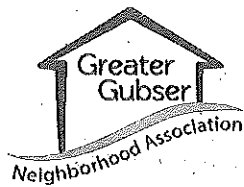
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NEEDS YOU!

A Community with Heart,
We are Keizer!

Visit: keizer.org/neighborhood-associations
for more information from each of the associations

Get involved in the neighborhood:



Your neighborhood needs you. The Greater Gubser Neighborhood Association (GGNA) includes all neighbors and businesses within the Gubser Elementary School boundaries.

Unlike a homeowner's association (HOA) there is NO cost to you to be part of a neighborhood association. These associations play a key role in our community.

They open the doors of communication between residents and the city government in order to provide key information about resources that are more relevant to your specific neighborhood.

Our main purpose is to empower our neighbors and improve our community.

We aim to encourage connections between neighbors and seek to increase involvement in our diverse community.

We are currently one of five neighborhood associations in the city of Keizer.

The Gubser neighborhood is the location of the annual Miracle of Lights display.

What began as a friendly neighborhood holiday light competition has grown into a much anticipated annual event.

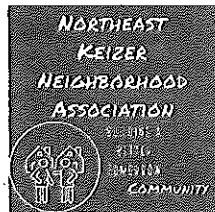
We gather annually at Bob Newton Park for National Night Out on the first Tuesday of August. Our monthly meetings are open to all and held on the second Tuesday of the month.

Meetings are held at the Keizer Civic Center, our city's living room.

Be sure to check our Facebook page to confirm meeting information.

Email us at Greatergubser@gmail.com to be added to our email list for neighborhood updates.

Like our Facebook page: Greater Gubser Neighborhood Association. We look forward to seeing you soon.



The Greater Northeast Keizer Neighborhood Association (GNEKNA) is a neighborhood association that was recognized by the City of Keizer on December 19th, 2022 and faithfully serves the people of greater northeast Keizer.

Its mission is to promote various programs, services and activities aimed at encouraging connections among neighbors in the community.

The Association also fosters civic involvement and education by providing timely information about community and civic issues, facilitating the discussion of these issues and helping members become more informed and responsible citizens.

Solicit input from members and community input about issues that affect them.

Support neighborhood-friendly development practices.

Protect public spaces and historical assets while also addressing the public safety and nuisance concerns of members.

Act as a vehicle to communicate the concerns of members and advocate for its own best interests to the Keizer city council, city staff and other government agencies.

Work to improve the quality of life for those who live, work, and play in greater northeast Keizer.

We currently have positions open for our board of directors as well as other positions.

For more information about getting involved in meetings or other information and questions, contact Tammy Kunz at 503-991-1671 or visit the GNEKNA website.



Welcome to the latest updates from the Northwest Keizer Neighborhood Association.

Our neighborhood is bustling with new activities that promise to enrich our lives and strengthen our bonds within this vibrant community.

First on the docket, we are thrilled to announce the grand opening of the new Rec Grange community building.

Located at the heart of our neighborhood, this building, which has a rich and vibrant history, has been renovated by the Valor Mentoring and promises to be a hub of activity, offering food, coffee, mentoring, tutoring and hosting various community events for Keizer residents.

In other exciting news, we are pleased to share that the Keizer City Council has approved the construction of a new crosswalk on Lockhaven Dr. N and McClure St. N by Keizer Elementary.

Safety is our utmost concern and this addition will ensure pedestrians, especially children, can navigate our streets safely.

We also extend a warm welcome to our new McNary High School principal, Scott Gragg.

With his dedication to education and nurturing young minds, we are confident that principal Gragg will lead our school to greater heights of academic excellence and community engagement.

We invite you to join us at upcoming events within our association boundaries:

April 30, 7 p.m.: McNary High School APT program performance.

May 4, 11 a.m.: Keizer community event at Keizer Elementary.

With so much happening within our boundaries, do not forget to visit our Northwest Keizer Neighborhood Association website at northwestkeizer.org for information about times and agendas, meeting minutes, important forms and more.

Here's to many more exciting adventures ahead.



SOUTH EAST KEIZER NEIGHBORHOOD ASSOCIATION

The West Keizer Neighborhood Association (WKNA) members are residents and businesses that are within the Cummings Elementary School boundaries, west of River Road and south of Chemawa Road.

We work to improve the livability of west Keizer neighbors and influence decisions made by the Keizer City Council that affect our community and neighborhood.

Our meetings are held at the Keizer Civic Center on the second Thursday of the month (except for June, July, Aug and Dec) at 7 p.m.

The meeting agendas and minutes can be found on westkeizer.org.

We invite you to read about the latest happenings in our April newsletter, WKNA Today, on our website.

Join us for fun, information and a place to share your ideas.



The purpose of the Southeast Keizer Neighborhood Association (SEKNA) is to promote, coordinate, implement and advise on all aspects of planning for the city of Keizer or any other planning or advisory bodies.

We strive for maximum citizen participation in promotion of the improvement of the livability and the environment of the neighborhood and of the community as a whole.

This is a local public forum in which residents may deliberate on issues which are important to them, and will provide a vehicle for communicating residents views on these issues to the city of Keizer.

Information will be provided to its members on all proposed changes in land use planning that will affect its area through public meetings, newsletter or other means available, i.e. social media radio, newspaper, etc.

We encourage citizen involvement in local governmental issues and the civil responsibilities of individuals in its neighborhood.

Meetings are held at the Keizer Community Center on the first Thursday of every month (September through May) at 6:30 p.m.

Boundaries of the neighborhood association are between Dearborn Ave NE and River Road N to the Salem border as well as Verda Ln NE.

Council liaisons are Soraida Cross and Kyle Juran.

The association officers are:

Board chair: Ken Gierloff who can be reached at kengierloff@hotmail.com or by phone at 503-400-0801.

Vice-Chair: Colleen Busch who can be reached at colleen@yahoo.com or by phone at 503-689-3875.

March 14, 2025

Keizertimes **Home & Garden** edition

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for more information from each of the associations



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Adam Brown, City Manager
Subject: CPI Agreement with Marion County

Proposed Motion

I move that the Keizer City Council approve Resolution 2025-____ Authorizing City Manager to Sign Intergovernmental Agreement Between Marion County and City of Keizer for Community Prosperity Initiative (CS-5974-24).

I. Summary

Marion County provides a grant each year for the City of Keizer to use on projects to enhance economic prosperity in our community. The City and County have agreed on the use of grant funds through back and forth communication. Council approval is required for the agreement to be finalized.

II. Background

- A. Marion County has provided grants for our community to address economic opportunities over the last 3 fiscal years. In 2023 and 2024 the City received \$15,000 per year. The 2023 funding was used to add a food truck pad to the amphitheater at Keizer Rapids Park. The 2024 grant was used to move the power supply at Keizer Rapids Park to accommodate Keizerfest and potential future projects.
- B. City staff were notified that the grant would be increased to \$20,000 for the fiscal years 2025, 2026, and 2027. We were given the option to submit one-year requests or three-year requests. The Council decided to ask for three years of funding to first explore the concept of a pavilion at Keizer Rapids Park by opening the Parks Master Plan and then to initiate design and engineering if the decision to move forward is agreed upon.
- C. A revision of the scope was sent back to Marion County for their approval.

III. Current Situation

- A. Staff received notice from Marion County that the scope of our request was approved, and the City was presented with a draft Intergovernmental Agreement to

approve. Approval from council is needed to execute the Inergovernmental Agreement.

IV. Analysis

- A. **Strategic Impact** - Finishing the Parks Master Plan amendment is on the City Council's short-term goals.
- B. **Financial** - The full three-year grant is \$60,000. The master plan amendment is expected to be approximately \$25,000 to \$30,000.
- C. **Timing** - The master planning process has kicked off. Marion County will execute the Intergovernmental Agreement after the City Council approves it.
- D. **Policy/Legal** - The City Attorney has reviewed and approved the Intergovernmental Agreement. Only the council can authorize staff to execute the document.

V. Alternatives

- A. Authorize execution of the Intergovernmental Agreement - The City Manager will sign the document and then forward it to the County for execution.
- B. Take No Action - The City will not have funds for the Master Plan amendment.

VI. Recommendation

Staff recommends the City Council authorize the City Manager to execute the Intergovernmental Agreement.

Attachments

- 1. RES_CC_IGA for Community Prosperity Initiative_4 21 2025
- 2. CS-5974-24 City of Keizer CPI FINAL
- 3. Attachment 1
- 4. Attachment 2
- 5. Exhibit 1 - CPI scope Revised_10 15 2024

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2025-____

4
5 AUTHORIZING CITY MANAGER TO SIGN INTERGOVERNMENTAL
6 AGREEMENT BETWEEN MARION COUNTY AND CITY OF KEIZER
7 FOR COMMUNITY PROSPERITY INITIATIVE (CS-5974-24)
8

9 WHEREAS, Marion County's Economic Development Strategic Plan provides
10 for projects implemented with Marion County that have economic development
11 significance and is made possible through funding proceeds from the Oregon Economic
12 Development Video Lottery Grant Program;

13 WHEREAS, Marion County created the Community Prosperity Initiative in
14 January 2020 with the mission of building strong economic development partnerships
15 with Marion County's cities;

16 WHEREAS, the City of Keizer applied for a grant in the amount of \$60,000 as
17 authorized by Council in September 2024;

18 WHEREAS, Marion County and the City are authorized to enter into agreements
19 under Oregon Revised Statutes Chapter 190;

20 WHEREAS, Marion County and the City wish to enter into the attached
21 Intergovernmental Agreement;

22 NOW, THEREFORE,

23 BE IT RESOLVED by the City Council of the City of Keizer that the City
24 Manager is authorized to sign the attached Intergovernmental Agreement for
25 Community Prosperity Initiative in the amount of \$60,000.

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

3 PASSED this _____ day of _____, 2025.

4
5 SIGNED this _____ day of _____, 2025.

6

7

8

9

Mayor

10

11

12

City Recorder

INTERGOVERNMENTAL AGREEMENT
Between
MARION COUNTY and CITY OF KEIZER
For
COMMUNITY PROSPERITY INITIATIVE
CS-5974-24

1. PARTIES TO AGREEMENT

This Agreement between the City of Keizer, hereafter called City, and Marion County, a political subdivision of the state of Oregon, hereafter called County, is made pursuant to ORS 190.010 (Cooperative Agreements).

2. WITNESSETH:

- 2.1.1 This Agreement is made pursuant to Marion County’s Economic Development Strategic Plan for projects implemented within Marion County that have economic development significance as defined in ORS 461.540 and is made possible through funding proceeds received from the Oregon Economic Development Video Lottery Grant Program.
- 2.1.2 County has received an allocation from the Oregon State Treasury’s Administrative Services Economic Development Fund, pursuant to the authority of ORS 461.500 et seq. The program established pursuant to ORS 461.500 et seq. and referenced in this Agreement is known as the “Community Prosperity Initiative” or “CPI.”
- 2.1.3 The Agreement is also subject to public purposes of ORS 461.544, including Furthering Economic Development in Oregon, which can include supporting infrastructure, business retention and expansion, and increasing overall livability.
- 2.1.4 The Community Prosperity Initiative (CPI) was created in January 2020 with the mission of building strong economic development partnerships with each of Marion County’s 20 cities.

3. PURPOSE

The purpose of this Agreement is to establish the terms and conditions under which the County shall provide funding for projects associated with the Community Prosperity Initiative. These services are further described in Section 6.

Now, therefore, the County and City mutually covenant and agree as follows:

4. TERM AND TERMINATION

- 4.1 This Agreement is effective on the date it has been signed by all parties and all required County approvals have been obtained through June 30, 2027, unless sooner terminated or extended as provided herein.

- 4.2 This agreement may be terminated by mutual consent of both parties at any time or by either party upon 30 days' notice in writing and delivered by mail or in person. Any such termination of this agreement shall be without prejudice to any obligations or liabilities of either party already accrued prior to such termination.
- 4.3 County may terminate this agreement effective upon delivery of written notice to City or at such later date as may be established under any of the following conditions:
- 4.3.1 If funding from federal, state, or other sources is not obtained or continued at levels sufficient to allow for the purchase of the indicated quantity of services. This agreement may be modified to accommodate a reduction in funds.
- 4.3.2 If federal or state regulations or guidelines are modified, changed, or interpreted in such a way that the services are no longer allowable or appropriate for purchase under this agreement or are no longer eligible for the funding proposed for payments authorized by this agreement.
- 4.3.3 If any license, certificate, or insurance required by law or regulation to be held by City to provide the services required by this agreement is for any reason denied, revoked, or not renewed.
- 4.3.4 If City fails to provide services called for by this agreement within the time specified herein or any extension thereof.
- 4.3.5 If City fails to perform any of the provisions of this agreement or so fails to pursue the work as to endanger the performance of this agreement in accordance with its terms and after written notice from County, fails to correct such failure(s) within ten (10) days or such longer period as the County may authorize.

5. FUNDING AND BILLING

- 5.1 The total amount paid under this agreement shall not exceed \$60,000.00.
- 5.2 City shall request funds in such form and manner as is satisfactory to or required by the County using Attachment 1 – Community Prosperity Initiative Pre-Funding Report and an invoice. The foregoing requirements apply to all CPI funds distributions that will be made by the County:
- 5.3 Requests for payment shall be submitted to the County in a one-time distribution to the attention of: Community Services Department at the following address: 555 Court St NE Ste. 1236 Salem, OR 97301. Invoice is due no later than June 30, 2025.

One-time distribution to the Recipient upon execution of this Agreement and receipt of an invoice, that includes supporting documentation and attestation by Recipient's authorized signer. Attachments shall be sent to CSReporting@co.marion.or.us.

- 5.4 Any County funds spent for purposes not authorized by this agreement and payments by the County in excess of authorized expenditures shall be deducted from future payments or refunded to the County no later than thirty (30) days after notice of unauthorized expenditure or notice of excess payment.
- 5.5 City shall be responsible to repay for prior agreement period excess payments and unrecovered advanced payments provided by the County. Repayment of prior period obligations shall be made to the County in a manner agreed on.

6. OBLIGATIONS UNDER THE TERMS OF THIS AGREEMENT

6.1 UNDER THE TERMS OF THIS AGREEMENT, CITY SHALL:

- 6.1.1 Use funds on projects that have economic development significance as defined in ORS 461.540 and help accomplish at least one goal outlined in the Marion County Economic Development Strategic Plan (“Plan”). A description of the City’s project is attached as Exhibit 1.
- 6.1.2 Submit a report using Attachment 2 - Community Prosperity Initiative End of Year Report due June 30th each year, beginning on June 30th, 2025. The report shall explain how funds were spent and how it relates to the Marion County Economic Development Strategic Plan. The report shall include an end of year balance sheet and an itemized list of CPI funds spent.
- 6.1.3 City shall hold Community Prosperity Initiative funds in a separate fund or account.
- 6.1.4 State in any marketing or communication regarding any projects or programs funded by CPI that the project was funded in whole or in part by the Marion County Economic Development program.
- 6.1.5 Payments will be made to the City on the following schedule:

\$60,000 one-time distribution paid upon signed Agreement and submission of an invoice.
- 6.1.6 All funds must be expended prior to the expiration of this agreement.
- 6.1.7 Upon request of the Marion County Board of Commissioners, the City may be asked to give a report in person during a board or work session.

Failure to comply with these reporting requirements may result in the suspension of funds, or a termination of the Agreement.

6.2 UNDER THE TERMS OF THIS AGREEMENT, COUNTY SHALL:

6.2.1 Provide funds to the City, beginning with the execution of this Agreement, as outlined above.

7. COMPLIANCE WITH APPLICABLE LAWS

The parties agree that both shall comply with all federal, state, and local laws and ordinances applicable to the work to be done under this agreement. The parties agree that this agreement shall be administered and construed under the laws of the state of Oregon.

8. NONDISCRIMINATION

The parties agree to comply with all applicable requirements of Federal and State civil rights and rehabilitation statutes, rules and regulations in the performance of this agreement.

9. HOLD HARMLESS

To the extent permitted by Article XI, Section 7 of the Oregon Constitution and by the Oregon Tort Claims Act, each party agrees to waive, forgive, and acquit any and all claims it may otherwise have against the other and the officers, employees, and agents of the other, for or resulting from damage or loss, provided that this discharge and waiver shall not apply to claims by one party against any officer, employee, or agent of the other arising from such person's malfeasance in office, willful or wanton neglect of duty, or actions outside the course and scope of his or her official duties.

10. INSURANCE

Each party shall insure or self-insure and be independently responsible for the risk of its own liability for claims within the scope of the Oregon tort claims act (ORS 30.260 to 30.300).

11. MERGER CLAUSE

Parties concur and agree that this agreement constitutes the entire agreement between the parties. No waiver, consent, modification or change to the terms of this agreement shall bind either party unless in writing and signed by both parties. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this agreement. Parties, by the signatures below of their authorized representatives, hereby agree to be bound by its terms and conditions.

12. NOTICES

Any notice required to be given the City or County under this Agreement shall be sufficient if given, in writing, by first class mail or in person as follows:

For City:
City of Keizer
Attn: Mayor
PO Box 21000
Keizer, OR 97303

For County:
Marion County Community Services Dept.
Attn: Ashley Gresley
555 Court St NE Ste 1236 Salem OR 97301
agresley@co.marion.or.us

13. SIGNATURES

This agreement and any changes, alterations, modifications, or amendments will be effective when approved in writing by the authorized representative of the parties hereto as of the effective date set forth herein.

In witness whereof, the parties hereto have caused this agreement to be executed on the date set forth below.

MARION COUNTY SIGNATURES:

Authorized Signature: _____
Department Director or designee Date

Authorized Signature: _____
Chief Administrative Officer Date

Reviewed by Signature: _____
Marion County Legal Counsel Date

Reviewed by Signature: _____
Marion County Contracts & Procurement Date

CITY OF KEIZER SIGNATURE

Authorized Signature: _____ Date: _____

Title: _____

Attachment 1

Community Prosperity Initiative

Pre-Funding Report

One-time Payment: Due May 30th, 2024
Annual Payment: Due December 31st, each year



Community
Services
Department

City Name:		Date:		Fiscal Year:	
Contact Person:		Title:			
Contact Email:		Contact Phone:			
Report Completed By:		Signature:			
Project Name:					
Project Timeline:					
Provide Preliminary Plans for Project: (Including details on cost estimates and project phases)					
The project must meet the requirements of ORS 461.540					
How does/did Project align with Marion County's Economic Development Strategic Plan (check all that apply)		Enhance Community Partnerships		Destination Development Support	
		Business & Entrepreneurial Support		Infrastructure Investment	
		City /Town Activity Centers			
CPI Funds Requested: (\$60,000 may only be requested in the 1 st year of the IGA)		\$20,000 annual payment		\$60,000 one-time payment	
	Note: Funds must be expended by 6.30.27				
As part of any communications and/or outreach regarding CPI related project/s, state project/s are supported by Marion County Economic Development.					
If available, share any outreach materials and/or pictures of the current or planned project.					

Community Prosperity Initiative (CPI) Pre-Funding Report Instructions

Cities receiving funds through the Community Prosperity Initiative (CPI) will be required to complete a Pre-Funding Report as outlined below.

1. Pre-Funding Report: The City shall complete a Pre-Funding Report providing as much detail as possible and submit the completed document to Marion County Economic Development Staff by December 31st. Instructions on the sections to be completed are as follows:
 - a. Project Name: Provide information on the specific project where CPI funds are to be expended.
 - b. Project Timeline: Provide an estimated timeline for the project.
 - c. Provide Preliminary Plans for Project: Provide information on preliminary plans for the project, including details on cost estimates and project phases.
 - d. How does/did Project align with Marion County's Economic Development Strategic Plan (check all that apply): Select how project aligns with at least one of Marion County's Economic Development Strategic Plan.
 - e. CPI Funds Requested: Indicate the amount of funds requested, whether the annual \$20,000 payment or the one-time \$60,000 payment.
 2. ORS 461.540 requirements:
 - a. Creating jobs,
 - b. Furthering economic development by...
 - i. Providing services or financial assistance to for-profit or non-profit businesses,
 - ii. Providing services or financial assistance for facilities, physical environments or development projects that benefit the Marion County economy.
 - c. Financing public education.
-

Attachment 2

Community Prosperity Initiative

End of Year Report

Due June 30th, each year



City Name:		Date:		Fiscal Year:					
Contact Person:		Title:							
Contact Email:		Contact Phone:							
Report Completed By:		Signature:							
Project Name:									
Project Timeline:									
Will CPI Funds be Expended by June 30 th , 2027?	Yes		No						
Provide Details of Work Completed with CPI Funds:	The project must meet the requirements of ORS 461.540								
How does/did Project align with Marion County's Economic Development Strategic Plan (check all that apply)							Enhance Community Partnerships		Destination Development Support
							Business & Entrepreneurial Support		Infrastructure Investment
							City /Town Activity Centers		
Budget Summary Document Attached? (see instructions)									
Were CPI Funds Leveraged for Additional Funding? (if so, please list amount)									
Project Picture/s	Please attach at least 1 picture of the completed project or work to date.								
As part of any communications and/or outreach regarding CPI related project/s, state project/s are supported by Marion County Economic Development.									

Community Prosperity Initiative (CPI) End of Year Report Instructions

Cities receiving funds through the Community Prosperity Initiative (CPI) will be required to complete an End of Year Report as outlined below.

1. End of Year Report: The City shall complete an End of Year Report providing as much detail as possible and submit the completed report to Marion County Economic Development Staff by June 30th.
Instructions on the sections to be completed are as follows:
 - a. Project Name: Provide information on the specific project where CPI funds are expended.
 - b. Project Timeline: Provide an update as to where the project is currently at based on timeline provided on the CPI Invoice document.
 - c. Will CPI funds be expended by June 30th: Provide a yes or no answer as to whether the \$20,000, or \$60,000, funds will be expended by June 30th of the current fiscal year.
 - d. Provide Details of Work Completed with CPI Funds: Provide a detailed synopsis of work completed on the current project.
 - e. How does/did Project align with Marion County's Economic Development Strategic Plan (check all that apply): Select how project aligns with at least one of Marion County's Economic Development Strategic Plan.
 - f. Budget Summary Document: Provide a document detailing the exact amount of CPI funds expended towards the current project to date. This document can be in the form of a revenue/expense fund report, General Ledger (GL), or similar accounting data which provides a record of revenue and expenditure for CPI funds exclusively.
 - g. Were CPI Funds Leveraged for Additional Funding: Provide information if CPI funds enabled the City to leverage any additional outside funding and if so, please list amount.
 - h. Project picture/s: Provide at least 1 picture of completed project, or work to date.
 2. ORS 461.540 requirements:
 - a. Creating jobs,
 - b. Furthering economic development by...
 - i. Providing services or financial assistance to for-profit or non-profit businesses,
 - ii. Providing services or financial assistance for facilities, physical environments or development projects that benefit the Marion County economy.
 - c. Financing public education.
-



Community Prosperity Initiative Grant Scope

Revised Pre-Funding Report: October 16, 2024

Project Timeline: 2024-2029*

On September 16, 2024 the City Council authorized the use of Marion County Community Prosperity Initiative grant money to be first spent toward opening the City Parks Master Plan to consider the idea of adding a pavilion to Keizer Rapids Park. Additional funds beyond the cost of amending the Parks Master Plan would then be used toward design, assuming that the Parks Committee and Keizer City Council supported the idea of the pavilion.

The City anticipates using a third party to coordinate the public input and amendments to the Parks Master Plan. We have a quote of \$25,000 from MIG who wrote the current master plan.

Year 1: Work through a public input process to amend the Keizer Parks Master Plan to consider adding a pavilion. Size and scope of the building would be determined through the master planning process.

Specific outcomes of the planning process would include:

1. Determination of both primary and auxiliary uses for the community.
2. Hold community charettes and conversations with the Parks Commission, City Council, and the public and aggregate feedback.
3. Determination to add it or to not add it to Keizer Rapids Park by amendment to the master plan.
4. Determination of building size.
5. Determination of location.

Year 2: Assuming Planning Commission and City Council approval by amendment to the Keizer Parks Master Plan the city would proceed to design and engineering. We would also begin fundraising for construction funds the determination of size and location. Deliverables would include full engineering.

The City would need additional funding for design. Possible sources include:

1. City of Keizer SDC Funds
2. State of Oregon Parks and Recreation Grant
3. Transient Occupancy Tax Funds
6. Oregon Community Foundation Grants
7. City of Keizer Parks capital improvement funds
8. Donations

Year 3: Fundraising and Bidding

Year 4: Primary Construction

Year 5: Additional Construction if phasing is needed.

***This is a VERY preliminary schedule of the timeline needed to complete this project. However, we feel confident that the five-year timeline is attainable.**



Provide preliminary plans for project:

Building and funding a parks pavilion for community use is a worthwhile investment that can enrich the lives of residents and enhance the overall quality of community life. A pavilion can serve a multitude of purposes catering to various interests and needs of the community. As an outdoor shelter it allows the community to plan activities year round that otherwise might only be held in the summer (dry) months. Uses of the Parks Pavilion could include

1. **Community Events:** The spacious pavilion can host a wide range of community events such as farmers markets, craft fairs, cultural festivals, KeizerFest and holiday celebrations. It will provide a central gathering place for residents to come together, socialize, and strengthen community ties.
2. **Recreational Activities:** The pavilion can be utilized for indoor sports activities such as basketball, volleyball, and indoor soccer during inclement weather. It can also host fitness classes, yoga sessions, and dance performances, promoting health and wellness within the community.
3. **Educational Programs:** The pavilion can accommodate workshops, seminars, and educational classes on various topics, ranging from gardening and cooking to arts and crafts. It can serve as a hub for lifelong learning and skill development for residents of all ages.
4. **Cultural Performances:** The large space of the pavilion is ideal for hosting cultural performances, concerts, and theatrical productions. It provides a platform for local artists, musicians, and performers to showcase their talents and enrich the cultural diversity of the community.
5. **Community Meetings:** The pavilion can serve as a venue for community meetings, town hall discussions, and public forums on important local issues. It offers a neutral and accessible space for residents to engage in constructive dialogue and democratic decision-making.
6. **Youth/Community Programs:** The pavilion can support youth programs and activities such as summer camps, after-school programs, and mentoring initiatives. It provides a safe and engaging environment for young community members to learn, socialize, and grow. (Safety Town, KPD BLAST Camp)
7. **Keizer Resident Events:** The pavilion can accommodate weddings, family reunions and other personal events that occur in the lives of Keizer residents.

The Keizer City council finds merit in the potential to build a parks pavilion for community, but desires it to be vetted out through the master plan amendment process. On its surface the facility offers a multitude of benefits and opportunities for residents to come together, engage in a variety of activities, and foster a sense of belonging and pride in their community. It would be a valuable asset that can enhance the overall well-being and livability of the regional park, making it a more vibrant and inclusive place for all.

We expect the full cost of such a facility to be in the range of \$775,000-\$825,000.

It is expected that any deviation of Marion County Community Prosperity Funds that are not used or are redistributed to another project would not be allowed without the approval of the Keizer City Council.



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Joseph Lindsay, City Attorney
Subject: Recognizing National Observances and Commemorative/Heritage Months

Proposed Motion

I move to adopt Resolution R2025-___ Recognizing National Observances and Commemorative/Heritage Months; Repeal of Resolution R2025-3565.

I. Summary

During the April 7, 2025 general City Council meeting, the Council requested that staff bring back an updated list of national observances for consideration at the next City Council Regular Session. The updated list included two new proclamations for observation only (not presentation).

II. Background

A. During the February 10, 2025 Work Session, the Council requested that staff bring back an updated list of national observances for consideration at the next City Council Regular Session. At the Council meeting on March 3, 2025, Council further directed staff to return with a resolution that correctly stated which proclamations were to be presented at meetings and which ones were to be approved, but not be presented at Council meetings. This resolution was adopted at the April 7, 2025, general City Council meeting.

III. Current Situation

A. During the April 7, 2025 general City Council meeting, the Council requested that staff bring back an updated list of national observances for consideration at the next City Council Regular Session. The updated list was to include two new proclamations for observation only (not presentation). These were proclamations for Vietnamese Americans and for recognizing Frontline Workers.

IV. Analysis

A. **Strategic Impact** - NA

- B. **Financial** - No financial impact.
- C. **Timing** - The changes to the list of national observances and commemorative/heritage months will be effective with Council approval.
- D. **Policy/Legal** - City Council approval is required to recognize national observances and commemorative/heritage months. Due to the Council Rules of Procedure limiting the number of proclamation presentations to one per meeting, the resolution looks to only introduce those proclamations that will be sent or otherwise presented outside of council meetings.

V. Alternatives

- A. Adopt the attached resolution recognizing the two additional observance only proclamations.
- B. Propose other changes to the national observances and commemorative/heritage month listing (i.e. recognizing only one of the two).
- C. Take no action.

VI. Recommendation

Staff recommends adopting the resolution as-is.

Attachments

1. RES_CC_Recognition of National Observances and Months_4 21 2025

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2025-_____

RECOGNIZING NATIONAL OBSERVANCES AND
COMMEMORATIVE/HERITAGE MONTHS; **REPEAL OF
RESOLUTION R2025-3565**

WHEREAS, the City Council adopted Resolution R2025-3565 (Recognizing
National Observances and Commemorative/Heritage Months) on April 7, 2025;

WHEREAS, the Council has reviewed recognition requests on April 7, 2025 and
wish to revise the recognized national observances and commemorative/heritage months
as outlined below;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that the following
national observances and commemorative/heritage months are hereby recognized by the
City of Keizer and shall be presented at a City Council regular session meeting:

- **Black History Month (February)**
- **Women's History Month (March)**
- **National Disability Employment Awareness Month and National
Developmental Disability Awareness Month (March)**
- **Child Abuse Prevention Month (April)**
- **Volunteer Recognition Month (April)**
- **Jewish American Heritage Month (May)**
- **Asian American Native Hawai'ian Pacific Islander Heritage Month (May)**
- **Lesbian, Gay, Bisexual, Transgender and Queer Pride Month (June)**
- **Juneteenth Proclamation (June)**
- **National Suicide Prevention Month (September)**

- **National Hispanic Heritage Month (September)**
- **Indigenous Peoples' Day (October)**
- **Domestic Violence Awareness Month (October)**
- **Native American Heritage Month (November)**
- **National Veterans and Military Families Month (November)**
- **Human Rights Day (December)**

BE IT FURTHER RESOLVED by the City Council of the City of Keizer that recognition may include the following types of activities among others in the discretion of the City Manager:

- Acknowledgement on the City's reader board,
- Acknowledgement on the City's website/social media with links to additional educational materials,
- Displaying educational materials.

BE IT FURTHER RESOLVED that the above observances are to be announced as a formal proclamation.

BE IT FURTHER RESOLVED by the City Council of the City of Keizer that the following national observances and commemorative/heritage months are hereby recognized by the City of Keizer, but will not be presented at a City Council regular meeting, but as a formal proclamation:

- **Foster Care Awareness (April)**
- **Vietnamese-American Remembrance Day (April 30)**
- **Older Americans Month (May)**
- **Frontline Worker Appreciation Month (May)**
- **Constitution Week (September)**
- **Filipino American History Month (October)**

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- **Ruby Bridges Walk to School Day (November)**
- **Small Business Saturday (November)**

BE IT FURTHER RESOLVED that this action by the City Council is in the form of engaging the City’s own speech activities and in no way creates any type of public forum or limited public forum.

BE IT FURTHER RESOLVED by the City Council of the City of Keizer that Resolution R2025-3565 is hereby repealed in its entirety.

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

PASSED this _____ day of _____, 2025.
SIGNED this _____ day of _____, 2025.

Mayor

City Recorder



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Joseph Lindsay, City Attorney
Subject: Council Rules of Procedure

Proposed Motion

I move to adopt Resolution R2025-____ Adopting the City of Keizer Council Rules of Procedure; Repealing Resolution R2025-3535.

I. Summary

At the general City Council meeting on April 7, 2025, Council voted for some further edits and changes to their City Council Rules of Procedure. This resolution adopts those specific changes already voted on by Council motions.

II. Background

- A. Over the last few months, the City Council has amended and adopted various changes to their City Council Rules of Procedure. At the April 7, 2025, general meeting, the Council voted using motions for various clean-up items and amendments to their Rules.

III. Current Situation

- A. This resolution officially adopts the changes the Council voted for by motions. The City Council Rules of Procedure Section 22.1 requires any amendment to the rules be made by resolution, so this resolution is necessary to officially adopt these voted on changes.

IV. Analysis

- A. **Strategic Impact** - NA
- B. **Financial** - No financial impact.
- C. **Timing** - This is the first meeting after the Council voted on motions for these particular changes to their Rules of Procedure.

- D. **Policy/Legal** - The City Council Rules of Procedure Section 22.1 requires any amendment to the rules be made by resolution.

V. Alternatives

- A. Adopt the resolution to incorporate the latest amendments/edits to the City Council Rules of Procedure.
- B. Order staff to make other changes.
- C. Do nothing, and the Rules will remain as they are now.

VI. Recommendation

Staff recommends adopting the resolution as presented.

Attachments

- 1. ATT_CC_Council Rules of Procedure - Redlined_4 21 2025
- 2. RES_CC_Adopting Council Rules of Procedure_4 21 2025
- 3. ATT_CC_Council Rules of Procedure_4 21 2025

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

CITY OF KEIZER



CITY COUNCIL RULES OF PROCEDURE

Adopted by Council Resolution R2025-_____3535 on ~~April~~January 21, 2025



CITY OF KEIZER COUNCIL RULES OF PROCEDURE

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SECTION 1 - AUTHORITY

1.1 Authority - The Charter of the City of Keizer provides that the Council must adopt rules to govern committees, members, and proceedings. The following rules shall be in effect upon their adoption by the Council until they are amended or new rules are adopted. These rules shall be presented to all Council members during the first work session in January of odd-number years following general elections. Within 30 days of taking office, each appointed or elected Council member shall sign that they have reviewed and received a copy of these rules. The City Recorder shall retain the signature copy. As used herein, the term "Council" includes the Councilors and the Mayor. The term "Council members" shall include the Mayor.

SECTION 2 – GENERAL RULES

2.1 Open Meetings – All meetings will be held in accordance with the Oregon public meeting requirements of Oregon law. No final action by the Council shall have legal effect unless the motion, and the vote by which it is disposed of, take place at a proceeding that is open to the public. Pursuant to state law, in any public meeting of the Council or any other public body, telephonic or other virtual access and attendance shall be provided to the extent reasonably possible. If oral and/or written comments or testimony is allowed, virtual or electronic oral or written testimony shall be provided to the extent reasonably possible.

2.2 Ethics – All members of the Council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the Council shall refrain from:

- A. Disclosing confidential information.
- B. Taking action which benefits special interest groups or persons at the expense of the City as a whole.

2.3 Quorum – A majority of the members currently serving on the Council, excluding vacant seats, shall constitute a quorum, but no less than three Council members may meet and compel attendance of absent members as prescribed by Council rules.

2.4 Rules of Order – Robert's Rules of Order Newly Revised, 12th Edition shall govern all Council proceedings unless they conflict with these rules. The Council President will act as parliamentarian with support from the City Attorney when present.

2.5 Suspension of Rules – The vote to suspend the Rules of Procedure (including Robert's Rules of Order Newly Revised, 12th Edition) requires a two-thirds majority vote of those members of the Council who are present, except as set forth in Section 6.1(j). If the motion is carried by a two-thirds vote, then the rules are suspended for that item only.

2.6 Address by Council Members – Every Council member desiring to speak to an issue will address the Presiding Officer and upon recognition, will confine remarks to the issue under debate. Council members questioning, seeking clarification, or soliciting a recommendation from staff will direct the concern to the City Manager. The City Manager may respond as requested or redirect the inquiry to a member of the staff.

2.7 Seating Capacity and Safety Requirements – The safe occupancy and seating capacity of the Council chambers as determined by the fire marshal shall be posted within the Council chambers. The limitations on occupancy and seating shall be complied with at all times. Aisles and emergency exits shall be kept clear at all times.

2.8 Building Access – For building security purposes, Council members shall abide by applicable employee building access policies, including, but not limited to the allowance of visitors in the employee-only sections of City Hall.

2.9 Personnel Policies and Other Regulations – As approved by Council, certain personnel policies are applicable to Council members. Copies of the personnel policies and other rules or policies that apply to Council members will be provided to Council members prior to taking office and when amended. All Council members are required to comply with the rules, including the rule pertaining to youth members/councilors/liaisons.

SECTION 3 – COUNCIL MEETINGS

3.1 Regular Meeting –

A. The Keizer City Council will meet in regular session on the first and third Mondays of each month at 6:00 p.m. in the Robert L. Simon Council Chambers or at another place in the City which the City Council designates. If such date falls on a legal holiday (per state statute), the meeting shall be held at the usual hour and place on the following day. If the meeting approaches 9:00 p.m., then the Council will vote to prioritize the remaining items and whether to end sooner or deal with the remaining items.

B. Training sessions may be held outside of the City's jurisdictional limits, provided no deliberations toward a decision are made.

C. Interjurisdictional meetings may be held outside of the City's jurisdictional limits, but should be held as close as practical to the City, and such meetings shall be located within the jurisdictional boundaries of the other government entity.

D. No Council meeting shall be held at any place where discrimination on the basis of an individuals' race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability is practiced.

3.2 Work Session – The Keizer City Council may hold a work session on the second Monday of each month in the Robert L. Simon Council Chambers or at another time or place in the City in which the City Council designates. Such sessions shall allow the City

Council an opportunity to review forthcoming projects of the City, determine goals for the ensuing year, receive progress reports on current programs or projects, or to hold open discussions on any City-related subject, provided that all discussions thereon shall be informal with no vote or formal action taken. Work sessions shall be open to the public; however, an opportunity for public comment will only be allowed at the discretion of the Presiding Officer or by a majority vote of the Council members present.

3.3 Special Meeting – The Mayor may call a special Council meeting at Mayor’s own discretion, and shall call a special meeting at the request of three Council members. Any special meeting shall occur as provided under state law. Special meetings of the Council may also be held at any time by the common consent of all the members of the Council.

3.4 Electronic Meetings – Normally, all Council meetings or work sessions shall be held in-person. However, upon Council motion, Council may schedule a future meeting or work session partially or totally electronically upon a showing of a particular need.

3.5 Emergency Meeting – An emergency meeting of the City Council may be called by the Presiding Officer, at the request of three Council members, by the City Manager, or Council President on less than 24 hours’ notice provided that an actual emergency exists in accordance with Oregon public meetings law requirements. The minutes of the meeting must describe the emergency justifying less than 24 hours notice and why the meeting could not be delayed. Attempts will be made to contact the media. The emergency meeting may be held partially or totally electronically if necessary as determined by the Presiding Officer, or if the Presiding Officer is not available, by the City Manager.

3.6 Executive Session – Executive sessions shall be held in accordance with Oregon law pursuant to ORS 192.660. Matters discussed in executive session shall be exempt from public disclosure pursuant to state statutes. Executive sessions shall be closed to all persons except the City Council; persons reporting to Council on the subject of the executive session; the City Manager unless directed otherwise by the Council; City staff persons as allowed by the City Council to attend; news media representatives, unless excluded by the Public Meeting Law (e.g.; media representatives may be excluded for discussions regarding labor negotiations); and other persons authorized by the City Council to attend. No elected official who declares an actual conflict of interest on a topic to be discussed in executive session shall remain in the room during such executive session discussion.

Prior to opening an executive session the Presiding Officer or City Attorney shall:

- announce the purpose of the executive session,
- the state statute authorizing the executive session,
- and a notification to all present, including the media, that matters discussed in executive session are not to be disclosed or reported to the public.

An executive session may be held during any open meeting for which proper notice has been given or outside of any regular meeting when properly noticed. No formal or final action may be taken during an executive session, but an opinion or consensus of the Council may be gathered.

3.7 Cancellation of Meeting - Upon a majority vote of the members of the City Council present, a meeting may be cancelled when deemed appropriate. The Charter requires one regular meeting be held each month. Notice of cancellation shall be posted at City Hall, on the City's web site and social media sites, distributed to members of the media, and to citizens requesting notice.

3.8 Notice of Meeting – The City Recorder shall provide:

- notice of the time,
- place, and
- agenda items for any gathering of the Keizer City Council.

Notice shall be posted on the City's web site, City's social media site, delivered by email, mail or otherwise to members of the media, and other interested persons upon written request. Notice shall be given at least 24 hours prior to the meeting to members of the governing body, the public and media for any special meeting, unless the meeting is considered an emergency as defined by law. Notice of executive sessions shall cite the specific law that authorizes the executive session.

3.9 – Americans With Disabilities Act – All meetings of the Council shall be held in compliance with the Americans With Disabilities Act.

3.10 – Attendance Duty - It is the duty of each member of the City Council to attend all meetings of the Council. The Charter provides in Section 7.8 that a Council office will be deemed vacant upon their absence from the City for 30 days without Council consent, or from all Council meetings within a 60-day period without Council consent. Consent will be given for good cause.

Good cause shall include, but is not limited to:

- Illness;
- Family obligations;
- Employment requirements;
- Scheduled vacations; or
- Other City business

Telephonic, video or internet ("electronic") attendance does not ensure that all comments, testimony, discussions, staff information and deliberations are available fully and equally.

Therefore, unless allowed as set forth in these rules, methods of attendance other than personal onsite attendance shall not be considered “in attendance” and a Council member may not vote unless physically present at the meeting.

This provision is automatically waived at any time a federal, state or local emergency declaration affecting all or a part of the City is in effect. Council members shall notify the City Recorder if they will appear in person or electronically. In such case, no quorum is required to be physically present so long as the required quorum is physically and/or virtually present.

In the event of a virtual meeting as allowed under Sections 3.4 or 3.5, no quorum is required to be physically present so long as the required quorum is physically and/or virtually present.

In addition, this provision is waived if two-thirds of the Council members present deem it important that a Council member appear electronically or reasonably need to compel a Council member to attend as per Charter Section 3.6. A quorum must be physically present. A motion to suspend the rules is not required.

3.11 – Excused Absence – When any Council member cannot attend a meeting of the Council, the member shall notify the Presiding Officer and the City Recorder prior to the meeting. If there are no objections from other Council members, the Presiding Officer may announce the absence is for good cause and the absence shall be listed in the minutes as excused. If the City Council determines the absence is not for good cause, the absence shall be listed in the minutes as unexcused.

SECTION 4 – THE PRESIDING OFFICER

4.1 Mayor – The Mayor shall preside at all regular, work sessions, special meetings and executive sessions of the City Council and shall be the recognized political head of the City for all ceremonial purposes. The Mayor shall have all duties and privileges of any Council member, and shall not be denied any right or privilege by reason of their position as Presiding Officer. In the absence of the Mayor, the Council President shall serve as the Presiding Officer. If both the Mayor and the Council President are absent from the meeting, the Council Vice-President shall serve as the Presiding Officer. If the Mayor, Council President, and Council Vice-President are absent from the meeting, the following procedure shall be utilized to determine who is the Presiding Officer for that meeting:

1. The City Recorder shall call the Council to order and call the roll of the members.
2. Those members of Council present shall elect, by majority vote, a temporary Presiding Officer for the meeting.
3. Should either the Mayor or the Council President arrive, the temporary Presiding Officer shall relinquish control of the meeting immediately upon the conclusion

of the item presently being discussed.

4. The Presiding Officer shall retain all rights and privileges of a member of Council when acting in this capacity.

4.2 Council President – The Council shall elect a Council President from its members by a vote of not less than four (4) Council members. This shall occur at the first meeting of the Council in each odd-numbered year or before the position has been vacant for sixty (60) days. Any Councilor may be nominated, including the current Council President. In the event that no candidate receives a majority vote, a second vote will be conducted. The first place candidates shall be nominated. If there is only one first place candidate, such candidate and all second place candidates shall be nominated. If no candidate receives a majority vote, the candidates in the second vote will draw lots to determine the Council President.

When the Mayor is unable to perform the functions of the office, the Council President shall act as Mayor. The Mayor may assign other duties to the Council President. If the Council President wishes to do so, they may initiate a motion for all prepared resolutions, orders and ordinances and the consent calendar unless another Councilor has requested to do so or initiates the action. The Council President shall retain all rights and privileges of a member of Council when acting in this capacity.

4.3 Council Vice-President – The Council shall elect a Council Vice-President from its members by a vote of not less than four (4) Council members. This shall occur at the first meeting of the Council in each odd-numbered year or before the position has been vacant for sixty (60) days. Any Councilor may be nominated, including the current Council President or Council Vice-President. In the event that no candidate receives a majority vote, a second vote will be conducted. The first place candidates shall be nominated. If there is only one first place candidate, such candidate and all second place candidates shall be nominated. If no candidate receives a majority vote, the candidates in the second vote will draw lots to determine the Council Vice-President.

When the Mayor is unable to perform the functions of the office, the Council President shall act as Mayor. When the Mayor and Council President are unable to perform the functions of the Office, the Council Vice-President shall act as Mayor. The Mayor may assign other duties to the Council Vice-President. If the Council President is absent, and the Council Vice-President wishes to do so, they may initiate a motion for all prepared resolutions, orders and ordinances and the consent calendar unless another Councilor has requested to do so or initiates the action. The Council Vice-President shall retain all rights and privileges of a member of Council when acting in this capacity.

SECTION 5 – DECORUM AND ORDER

5.1 Presiding Officer – During Council meetings, the Presiding Officer shall enforce the rules of the Council. In addition, the Presiding Officer has the authority to preserve decorum and decide all points of order, subject to appeal to the Council. The Presiding

Officer shall enforce order and the rules set forth herein.

5.2 Council Members –

A. During Council meetings, Council members shall preserve order and decorum, confine themselves to questions or issues then under discussion, and shall not by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these Rules.

B. Council members shall not engage in personal attacks and shall not impugn the motives of any speaker at any time. .

C. During Council regular meetings, work sessions, and special meetings, Council members must limit speaking on a single topic during discussions to five (5) minutes per turn. If additional time is needed, the Council member must request and receive permission from a majority of Council before continuing.

D. Council members shall at all times when dealing with members of the public, other Council members or staff conduct themselves in a manner appropriate to the dignity of their office.

E. Council may determine by simple majority the appropriateness of a particular event or action. No Council member will be required to take part in an event or action that they believe inappropriate or undignified. Charitable contributions to any cause shall not be solicited between Council members during any meeting.

F. The Mayor is the official spokesperson for the Council. Unless specifically authorized by the Council, neither the Mayor nor Councilors shall make any representations on behalf of the City Council. However, nothing shall prevent the Mayor or a Councilor from expressing their own individual thoughts and opinions when specifically identified as not a representation of the City or the Council's position.

5.3 Staff and Public – Members of the administrative staff, employees of the City and other persons attending Council meetings shall observe the same rules of procedure, decorum and good conduct applicable to the members of the Council. This shall include written communications.

5.4 Removal of Any Person - Any persons making disruptive or threatening remarks or acting in a disruptive or threatening manner during a meeting will forthwith be barred from further audience at that meeting pursuant to state law.

SECTION 6 – ORDER OF BUSINESS AND AGENDA

6.1 Order of Business - The general rule to the order of business at regular meetings of the City Council will be:

a) **Call to Order** – The Presiding Officer shall call the meeting to order.

- b) **Roll Call** – The City Recorder shall call the name of each Council member and note each Council member’s attendance or absence in the record, under the guidelines as set forth in Section 3.10 and 3.11 to establish a quorum is present to conduct business.
- c) **Flag Salute** – The Presiding Officer or designee may lead the Council and audience in the Pledge of Allegiance.
- d) **Special Orders of Business** – Oaths of office, awards, proclamations, and agenda items that are of special importance to the Council may be treated as Special Orders of Business. Special Orders of Business agenda items take precedence over all other items except Flag Salute, with concurrence of the Council.

e) **Committee Reports** – Scheduled presentations, presentations by City committee members, and appointments to City committees.

e)f) **Youth Liaison Comments** - Time provided for Youth Liaisons to briefly present items related to the City.

g) **Public Comments** – An opportunity for members of the audience shall be given to address the Council on any matter, other than those issues on the agenda scheduled for public hearing, during this portion of the meeting. Written comments or communications will be acknowledged for the record in accordance with Section 7.1.

h) **Consent Calendar** – The consent agenda shall consist of a list of routine, non-controversial matters, not typically requiring discussion, presented for Council approval by a single motion. Council members who wish to remove an item from the consent calendar shall do so prior to the motion to approve the items. Any item removed from the consent calendar shall be discussed and acted upon following approval of other consent agenda items.

f)

g)i) **Public Hearings** – A public hearing shall be held on each matter required by state law or City policy. Written and oral testimony shall be heard prior to Council action. (Procedures for public hearings are addressed in Section 10 of these procedures.)

~~h)a)~~ **Administrative Action** – Items that require formal action or Council direction.

~~i) **Consent Calendar** – The consent agenda shall consist of a list of routine, non-controversial matters, not typically requiring discussion, presented for Council approval by a single motion. Council members who wish to remove an item from the consent calendar shall do so prior to the motion to approve the items. Any item removed from the consent calendar shall be discussed and acted upon following approval of other consent agenda items.~~

~~k)~~ Other Business – Time provided for members of the Council or City staff to bring matters that are not listed on the agenda before the Council. These matters need not be specifically listed on the agenda, but are used to develop a future agenda item. Formal action on these matters will be deferred until a subsequent Council meeting. This rule may be suspended ONLY if the matter is deemed urgent by two-thirds majority vote of the Council members present and cannot wait until the next special or regular City Council meeting. A motion to reconsider a previous motion may be acted upon without suspension of the rules, as outlined in Section 11.6.

~~k)l)~~ Staff Updates - Time provided for City staff to briefly report on new or current projects.

~~l)m)~~ Council Member Reports - Time provided for members of the Council to **briefly** present items related to the City. Each Council member is encouraged to limit remarks to 3 minutes or less.

~~m)n)~~ Agenda Input – Issues for upcoming Council meetings shall be announced by the Presiding Officer. These issues may include items recommended to be brought before Council by staff or a Council member. Council member issues shall be determined appropriate by a vote of at least three of the Council members present.

~~n)o)~~ Adjournment – Following completion of all matters listed on the agenda, the Presiding Officer shall declare the meeting adjourned.

The Presiding Officer, with concurrence of the Council may adjust the Order of Business.

6.2 Recess – If there are no objections from the Council members, the Presiding Officer may recess any meeting of the Council. The Presiding Officer shall announce the time in which the meeting shall reconvene.

6.3 Agenda Distribution – General practice will be copies of agendas and packets for regular meetings shall be distributed not later than five (5) calendar days prior to the meeting to members of the Council, staff, news media, neighborhood associations and interested citizens who have requested the agenda. Council members with questions, concerns or suggestions are encouraged to communicate those to Department Directors no later than three (3) days before the meeting.

6.4 Placing an Item on the Agenda – The City Manager or designee may place items on an agenda. A Council member wishing to place an item on the agenda can bring the matter up under Section 6.1(j) and Section 6.1(m) or will advise the City Manager no later than seven (7) days prior to the regular meeting at which the item is to be considered. Such request to add an item for Council consideration shall require consent from two or more additional Council members to add the item.

6.5 Agenda Conference - The City Manager or designee will set up an agenda

conference to review the agenda prior to the agenda being published. The members attending the agenda conference will consist of the City Manager or designee, the City Recorder or designee, the Mayor, the Council President, and a rotating Council member.

6.6 Special Accommodations – All Council meeting agendas shall contain proper notice of the City's intent to conduct the meeting in accordance with the Americans With Disabilities Act and that persons needing accommodations may contact the City Recorder 48 hours prior to the meeting time to request the necessary accommodations. Such notice shall provide the telephone number and email address at which the City Recorder may be contacted.

SECTION 7 – WRITTEN COMMUNICATIONS

7.1 Written Communications –

- a) Anonymous or unsigned written communication, including emails, shall not be introduced in Council meetings. Communications shall include a legal name and city of residence ~~as~~if determined by self-attestation.
- b) Written testimony concerning any public hearing on the agenda will be included in the agenda packet or placed on the dais.
- c) Written comments or communications to the Mayor and/or Council shall be forwarded to the Mayor and/or Council members but shall not be included in the agenda packet. However, such communication shall be made available on the City's website and may be summarized at the meeting by the Presiding Officer pursuant to Section 6. Prior to publishing the communications on the City's website, the email and physical addresses shall be redacted.
- d) Written communications to the Mayor and/or Council concerning matters that are not related to issues of the City of Keizer shall be forwarded to the Council members. These communications will not be acknowledged for the record under Public Comments for inclusion in the meeting records nor posted on the website.
- e) The City Manager may, in the City Manager's discretion, bring any matter raised by any communication to the attention of the Council as an agenda item, provided that such communication is accompanied by a staff report setting forth the reason the matter should be considered by the Council, and making a recommendation for Council action.
- f) The City Council may direct staff to address an issue raised in written communications and may, as appropriate, request a staff report to Council setting forth recommendations for addressing the issue raised.

- g) A written comment may be read into the record under public comment by a Council member.

SECTION 8 – CONFLICT OF INTEREST OR OTHER DISQUALIFICATIONS

8.1 Conflict of Interest – In every case in which a Council member is faced with a potential conflict of interest or an actual conflict of interest as defined in state law, the nature of the conflict must be disclosed during the public meeting and recorded in the minutes. If an actual conflict of interest exists, the Council member, after disclosing the conflict, shall remove themselves from the Council Chambers and refrain from both participation in the discussion and the vote on the issue. However, if the Council member is a direct party on the issue, they will be allowed to remain in the Council Chambers.

8.2 Bias – In quasi-judicial cases, Council members should recuse themselves from any decision or discussions if they have a prejudice or prejudgment of the facts to such a degree that the Council member is incapable of rendering an objective decision on the merits. Members of the Council should avoid voicing an opinion prior to the testimony.

8.3 Ex Parte Contact – Ex Parte communications only apply in a quasi-judicial case. Members of the Council should avoid any communication outside of the public hearing with any party, including other Council members. A site visit is not considered an ex parte contact unless there is communication with an outside party or if information is gained from the visit that could be a factor in Council's decisions. Any ex parte contact, including the nature of the contact and the information obtained, should be disclosed at the beginning of the public hearing, and again at each continued public hearing.

SECTION 9 – PUBLIC COMMENT

9.1 Public Comment Generally –

A. Any member of the general public wishing to address the Council on a matter of public concern may do so at the time set for public comment during each regular session of the Council.

B. If physically present, participants must use a microphone and state their name and city of residence for the record prior to addressing Council.

C. Comments will be limited to five minutes. No yielding or ceding of time is allowed.

D. The Council may request further information be presented to the Council on such date and in such manner as it deems appropriate.

E. Council members may, after obtaining the floor, address the speaker during public comment. Council members shall use restraint when exercising this option. The

speaker shall be limited to three (3) minutes to answer questions. The Council may extend the time at their discretion. The Presiding Officer may intervene if a Council member or the speaker is violating the spirit of this rule.

F. Speakers may present electronic audio or visual material during the time permitted for their comment. Speakers may utilize City-provided audio or visual equipment located in the Council Chambers as a part of their comment, but must provide the materials in a readable format to City staff prior to the meeting so that it may be installed on the City's equipment to avoid a delay or disruption of the meeting.

G. Items brought before the Council from the public during public comment may be referred to the staff for appropriate action and a report returned to the Council, if requested. Such procedure should not prevent the staff, Mayor, or City Council from answering directly to a citizen inquiry at the time it is brought before the Council.

H. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.

9.2 Roster - All persons or groups wishing to address the Council during the time set for public comments shall, prior to the convening of the meeting, sign the roster provided by the City Recorder, indicating the name of the person, the address of the person, and the subject of public concern on which the person or group wishes to address the Council. Those who have not signed the roster may address the Council at the discretion of the Presiding Officer.

9.3 Complaints and Suggestions to the Council - When any citizen brings a complaint at a meeting before or makes a suggestion to the Council, other than for items already on the agenda, the Presiding Officer shall first determine whether the issue is legislative or administrative in nature and then:

(1) If the issue is legislative, and if the Council finds such complaint or suggestion may indicate the need for a change to an ordinance or resolution of the City or the adoption of a new ordinance or resolution, the Council may refer the matter to the City Attorney, the City Manager or an advisory body for study and recommendation.

(2) If administrative, and the complaint or suggestion involves administrative staff performance, administrative execution or interpretation of legislative policy, or administrative policy within the authority of the City Manager, the Presiding Officer shall then refer the

complaint directly to the City Manager for their review if the complaint has not already been reviewed. The Council may direct the City Manager to report back to them when their review has been made.

9.4 Council Shall Carefully Consider All Comments – All Council members should give those presenting comments their undivided attention. Sidebar conversations should be kept to a minimum.

SECTION 10 – PUBLIC HEARINGS

10.1 Public Hearings - A public hearing shall be held on each matter required by state law, City policy or as directed by the City Council. The Presiding Officer shall preside over the hearing and announce the type of hearing and the guidelines for the hearing. The Presiding Officer shall declare the hearing to be open and invite the City Manager or member of the staff to present the staff report together with any petitions, letters, or written comments on the matter.

10.2 Testimony for Non-Land Use Hearings – Members of the audience may present oral testimony on the matters scheduled for public hearing. The Presiding Officer will call forth members of the audience who have signed up to present testimony under the guidelines specified at the opening of the hearing. If appropriate, the Presiding Officer may first ask those persons in favor of the matter to come forward, with those speaking in opposition coming after.

Except as stated otherwise, all testimony will be limited to five minutes per person. The Presiding Officer may further limit testimony if a speaker persists in being threatening and disorderly, or abusive, following a warning to that effect from the Presiding Officer. Upon being recognized by the Presiding Officer, any member of the Council or the City staff may ask questions of any speaker, subject to the same provisions set forth in Section 9.1(E). Upon closure of the hearing, no further testimony will be allowed unless the Council allows written testimony to be submitted by a date certain.

10.3 Quasi-Judicial Land-Use Proceedings –

A. Scope of Review. All quasi-judicial land use proceedings shall be new (de novo).

B. Conflicts of Interest.

1. A member of the Council shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:

a. The member has an actual conflict of interest as defined by the Oregon Revised Statutes or the City Charter.

b. The member was not present during the public hearing; provided however, the member may participate and vote if they have

reviewed the evidence, including recordings of the hearing, and declared such fact for the record.

C. Ex Parte Contacts/Bias

1. Members of the Council shall reveal the nature of any ex parte contacts or bias with regard to the proceeding at the commencement of any quasi-judicial land use proceeding.

If such contact/bias impairs the member's impartiality, the member shall state this fact and abstain from participation and voting in the matter.

D. Burden of Proof. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.

1. The decision of the Council shall be based on the applicable standards and criteria as set forth in the City's Development Code, the City's Comprehensive Plan, and, if applicable, any other land use standards and criteria imposed by state law or administrative rule.

2. The proponent, any opponents, and/or City staff may submit to the Council a set of proposed written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

E. Hearing Procedures. The order of hearings in quasi-judicial land use matters shall be:

1. Land Use Hearing Disclosure Statement. The City Attorney shall read the land use hearing disclosure statement, which shall include:

a. A list of the applicable criteria;

b. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;

c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and

d. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for

damages in circuit court.

2. Call for ex parte contacts/bias/conflict of interest. The City Attorney shall inquire whether any member of the Council has had ex parte contacts, has bias, or has an actual or potential conflict of interest. Any member of the Council announcing an ex parte contact or conflict shall state for the record the nature of the contact or conflict. See Section 10.3(B) and (C).

3. Staff summary. Planning staff shall present a summary and recommendation concerning the proposal.

4. Presentation of the Case.

a. Applicant's case. Twenty minutes total.

b. Persons in favor. Five minutes per person.

c. Persons opposed. Five minutes per person.

d. Other interested persons. Five minutes per person.

e. Rebuttal. Ten minutes total. Rebuttal may be presented by the applicant. The scope of rebuttal is limited to matters which were introduced during the hearing by parties other than the applicant.

5. Close of hearing. Subject to state law, the Presiding Officer shall close the hearing if there are no further questions from Council. The Record may be left open pursuant to state law. The timeframe for submittals to the Record shall be clearly announced prior to close of the hearing.

6. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

7. Findings and Order/Ordinance. The Council shall approve or deny the application.

a. The Council shall adopt findings to support its decision.

b. The Council may incorporate findings proposed by the applicant, the opponent or staff in its decision.

F. Continuances. Council shall grant continuances as required by state law. However, nothing in this section shall restrict the Council, in its discretion, from granting additional continuances. Any continuance requested by the applicant shall result in a

corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

10.4 Legislative Land Use Matters –

A. Hearings Procedures. The order of procedures for hearings on legislative land use matters shall be:

1. Call for abstentions. Inquire whether any member of the Council wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefor and shall not participate in the proceedings.
2. Staff summary. Staff shall present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.
3. Presentation of the Case.
 - a. Persons in favor. Five minutes per person.
 - b. Persons opposed. Five minutes per person.
 - c. Other interested persons. Five minutes per person.
4. Close of hearing. No further information shall be received after the close of the hearing, except for written materials allowed by Council to be submitted prior to the close of the Record.
5. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.
6. Reopening hearing. Prior to adoption of an Ordinance relating to a legislative land use matter, and upon majority vote of the Council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

10.5 Attorney Representation – Any person attending a hearing has the right to be represented by an attorney.

10.6 Appeal Fee – An appeal fee established by the City Council shall be required to defray costs incidental to the proceedings and shall be paid at the time of filing an appeal. The appeal fee shall be determined by the City Council.

SECTION 11 – ORDINANCES, ORDERS, RESOLUTIONS, AND

MOTIONS

11.1 Form – All Ordinances, Orders, and Resolutions shall be presented to the Council.

11.2 Signing Of Official Documents - The Mayor shall sign all records of proceedings approved by the Council. The Mayor shall have no veto power and shall sign all ordinances passed by the Council within three days after their passage. After the Council approves a bond of a City officer or a bond for a license, contract, or proposal, the Mayor shall endorse the bond. The Council President shall perform these functions whenever the Mayor is unable to perform the functions herein.

11.3 Enactment of Ordinances – All ordinances will be enacted pursuant to Section 4 of the Keizer City Charter except that if the Mayor is unable to perform the functions of the office, the Council President shall act as Mayor pursuant to Section 3.3 of the Keizer City Charter, including, but not limited to, signing of ordinances, resolutions and other documents.

11.4 Motion – Any Council member making a motion to be considered by the Council shall state the motion with clarity, specificity, and brevity so the matter is clearly understood.

11.5 Procedures In Handling Parliamentary Motions –

- a) To make a motion, a Council member must be recognized by the Presiding Officer at a time when there is no other business on the floor. The Council member then may state the motion by saying, "I move" and stating the action to be taken.
- b) Another Council member seconds the motion. This can be done without being recognized by the Presiding Officer. If no member seconds the motion, it does not come before the meeting; it "dies" for lack of a second and the Presiding Officer calls for the next item of business. There is no discussion allowed prior to the second, except that any member may request clarification of the motion. A second does not necessarily mean that the member favors the motion. It can be that the member simply wants the motion brought on the floor for discussion.
- c) The Presiding Officer states the question on the motion. This procedure is necessary for the motion to come before the Council. No debate can take place until the Presiding Officer states the motion is on the floor. Mover may withdraw the motion at any time up to the vote. It is unnecessary for the Presiding Officer to ask the member who seconded the original motion to withdraw the second. Withdrawal of the motion by general consent takes precedence to the second.
- d) Any Council member may request a friendly amendment to the motion. If the mover and the second accept and there is no objection by any Council member, the motion goes forward as amended. If there is an objection, or the friendly amendment is not accepted by both the mover and the second, a formal motion to amend may be made.

- e) Debate then takes place on the motion. The original mover is entitled to the floor first. **Each member has the right to speak and to rebut any other speakers, but should not have the floor the second time until all who wish have spoken once.** Unless it is decided otherwise, each speaker is limited to five (5) minutes each time.
- f) The Presiding Officer then puts the question to a vote. When the debate appears to have closed, the Presiding Officer asks "are you ready for the question?" If no one claims the floor, the Presiding Officer restates the motion and calls for a vote.

11.6 Motion for Reconsideration - Unless specifically governed by other provisions of the codes, ordinances, or other regulations of the City, any Council member who voted with the majority or who was not present at the time of the vote, may move for reconsideration of an action at the same or at the next regular meeting of the Council. A vote of reconsideration requires a majority vote of those Council members present. A vote for reconsideration shall take place at the same meeting when there is no other business on the floor or at the next regular meeting of the Council under the Other Business portion of the meeting. A motion for suspension of the rules is not required. After a matter has been reconsidered, it shall not preclude the issue from being raised in the future, but not before the next regular meeting.

SECTION 12 – VOTING

12.1 Voting - Unless a different voting requirement applies, the concurrence of a majority of the members of the Council in attendance, voting when a quorum of the Council is present shall decide any question before the Council. The Presiding Officer will have a vote on all questions before the Council. It is considered inappropriate for members to explain their action during the voting.

12.2 Abstentions – Any Council member abstaining should state the reason for the abstention. Abstentions should not be used if the member does not believe enough information is available. An abstention does not count as either an affirmative or negative vote and shall not be counted toward the number of votes required to pass or reject a motion.

12.3 Methods of Voting - The standard is the voice vote, however the Presiding Officer may decide the type of vote unless directed otherwise by a majority of the Council.

- **Voice Vote**: This is the standard method when no more than a majority vote is required. The ayes are called for first and then the nays.
- **Show of Hands**: This can be used as an alternative to a voice vote, in verifying an inconclusive voice vote or when a two-thirds vote is required for adoption.
- **Vote by Written Ballot**: This is another method that is normally used only in cases of elections or a matter where initial confidentiality is needed. Each Council member shall place their signature on the ballot and the results (including each Council member's specific vote) must be made public immediately following the vote.

- **Roll Call:** In this method, the City Recorder calls the name of each Council member and the Council member responds with their vote on the matter. Council members will be called by position number, with the Mayor being called last.

12.4 Unanimous Consent - For minor matters, the Presiding Officer may use unanimous consent as a voting method if it appears that all of the Council members present agree. If any Council member objects, a formal vote shall be taken.

12.5 Voting Required - Every member of the Council that is present when a question is addressed shall vote for or against the question, unless they abstain for just cause (conflict of interest, bias, etc.).

12.6 Voting Results - The Presiding Officer announces the voting result. This step is always included to ensure Council understanding of the outcome and so that the Recorder will be able to accurately reflect the outcome in the minutes. If a motion ends in a tie, the motion will be considered lost.

12.7 Changing Vote - A Council member has the right to change their vote up to the time the vote is finally announced. After that, they can make the change only by permission of the Council, which may be given by unanimous concurrence of Council. If an objection is made, a motion may be made to grant the permission. The motion is undebatable.

SECTION 13 – MINUTES

13.1 Recording of Minutes - Minutes are the official record of the City Council meetings. They record the substance of a meeting and are a clear, accurate, concise, informative record of the proceedings. Minutes will generally follow the chronological order of items considered during a meeting. Minutes are not a verbatim transcript, and the meeting does not have to be sound recorded unless otherwise required by law. For practical purposes, however, it is general practice to sound record the meetings of the City Council for back-up reference. Reporting actions taken is the single most important segment of the final minutes. The minutes are to include, at a minimum:

- a) Kind of meeting (regular, special, work session, etc.)
- b) The name of the body meeting (City Council, Urban Renewal Agency, Budget Committee, etc.)
- c) Date of the meeting and place where it is held.
- d) Name and title of Presiding Officer (usually the Mayor).
- e) All motions (main, amendments, withdrawals, etc.), with dispositions, with the name of the mover and, if applicable, the name of the Council member who seconded the motion.

- f) Members present.
- g) Proposals, resolutions, orders, ordinances, and measures proposed and their disposition.
- h) Results of all votes and the vote of each member by name, including abstentions.
- i) The substance of any discussion on any matter.
- j) The name and city of residence, if available, on any person appearing before the City Council to offer testimony, and the substance of such testimony.
- k) Exhibits or written testimony subject to ORS 192.311 to 192.338.
- l) Reference to the appropriate ORS section under which an executive session was held.
- m) The signature of the individual taking the minutes.
- n) Signature line for the Mayor.

13.2 Distribution of Minutes - : Draft minutes are distributed to the City Council with the agenda on which those minutes appear as an item for approval. However, because they are generally completed in draft form prior to distribution of the agenda packets, the draft minutes are available for earlier review should the need arise.

13.3 Correction and Approval of Minutes - Approval of the minutes usually take place at the next regular meeting following the date of the minutes under approval. Generally, minutes appear on the agenda under the Consent Calendar. If minor changes are made to the minutes, a Council member may offer such amendment prior to the Consent Calendar being approved. For extensive amendments, the minutes should be pulled off the Consent Calendar for consideration. All corrections that appear will appear in the minutes of the meeting when the changes took place. If a member of the Council is absent from the meeting, such member can pull the minutes from the Consent Calendar for consideration and announce their absence and abstain from voting for approval of the minutes or they can read the minutes prior to the meeting and vote for approval as part of the Consent Calendar.

If a Council member has a concern over the reporting of minutes, it is that Council member's responsibility to review the recording of the meeting and bring corrections forward to the City Council at the next regular meeting with the recording cued, ready to be played, if necessary. It is not appropriate to expend staff time when only one member of Council is requesting the review.

13.4 Reading of Minutes - Unless the reading of the minutes of the previous Council meeting is requested by a majority of the Council, such minutes may be approved without

reading if copies thereof have been previously furnished to each Council member.

13.5 Executive Session Minutes - Minutes from Executive Sessions held pursuant to state statute will be kept in the form of a tape recording. No transcription or no written minutes of the Executive Session will be made unless otherwise required by law.

SECTION 14 – PROCLAMATIONS

14.1 Request for Proclamations – Local organizations or residents requesting proclamations that proclaim a specified date or dates to recognize the efforts of various community groups and individuals on certain projects, shall be filed with the City Recorder. Upon receipt, the City Recorder will notify the Council of the request. If the Council approves the request, the City Recorder will prepare the proclamation for the Mayor's signature. The Mayor will issue and read the proclamations.

14.2 Reading of Proclamations – No more than one proclamation will be read at each meeting. It will be at the discretion of the Council if a proclamation will be read at a City Council meeting or presented to the organization or group. It is preferred that a representative of the requesting organization be present to receive the proclamation. Any proclamation that is approved, but not on the pre-approved list, the phrase "Here with the Council" shall be removed from the proclamation. Any presentation shall be limited to five minutes unless consent for more time is given by the Council.

SECTION 15 – INTERACTIONS WITH STAFF AND MUNICIPAL JUDGE

15.1 Staff - All members of the Council shall respect the separation between the Council's role and the City Manager's responsibility by:

- a) Not interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.
- b) Refraining from actions that would undermine the authority of the City Manager or a Department Director.
- c) Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature shall be directed to the City Manager.

1. Questions from individual members of the Council requiring significant time or resources (two hours or more) shall normally require approval of the Council.

2. Charter employees shall normally share any information obtained from staff with the entire Council except if disclosure results in a violation of public meetings law. This section is not intended to apply to questions regarding conflict

of interest or similar issues particular to a member of the Council.

15.2 Interaction with Municipal Judge - The Council may meet with the judge, but in no instance shall the Council be permitted to interfere with the judge's exercise of judicial authority or discretion.

SECTION 16 – INTERNAL OVERSIGHT

16.1 Internal Oversight - The Council has the right to make and enforce its own rules and to ensure compliance with those laws generally applicable to public bodies. Should any Council member act in any manner constituting a substantial violation of these rules, City Ordinance or Charter, or other general laws, the remaining Council members may issue a censure or memorandum of concern pursuant to the following procedure:

- a) The process is initiated by a written statement by a Council member explaining the alleged misconduct of a Council member and if true, why disciplinary action is needed. Two Council members must date and sign the statement and deliver the original to the City Manager. The City Manager shall then place the matter before the Council at the next regular Council meeting if the written statement is submitted to the City Manager not later than five (5) calendar days prior to such meeting; otherwise, the matter shall be placed on the agenda for the following Council meeting.
- b) An affirmative vote by five (5) or more members of the Council shall initiate an investigation. An affirmative vote by a Council member shall not indicate that such member believes the truth of the statement and/or the reasoning behind a proposed sanction, but merely that further investigation is warranted under the criteria set forth in subsection c) below. The Council member in question shall not take part in the discussion or the vote.
- c) If initiated, an investigation shall be conducted by a committee consisting of three Council members appointed by the Council. Two additional Keizer residents shall be included if the Council member being investigated makes such request. Such residents shall be selected by the Council. The investigation shall be completed within 30 days of being initiated by the Council. The Committee shall review whether the alleged misconduct occurred, and if so whether the alleged misconduct occurred while acting in their official capacity as a Council member, including, but not limited to the following instances:
 1. During a City meeting or while representing the City of Keizer;
 2. Council member announced that they were a Council member (and therefore infers that conduct is as a Council member);
 3. Conduct occurred in writing available to the public (social media, newspaper) as identified as a Council member.

Whether the Council member committed the alleged misconduct while in their official capacity is only a factor to be considered. In compliance with this Section, the Council may investigate and impose sanctions where the Council member in question was not acting in their official capacity.

- d) If misconduct is found unanimously by the members of the City Council Committee, the Committee would present the investigation conclusion to the Council with a recommendation of any sanctions. Sanctions could include
 - 1. A memo of concern from the full City Council, or
 - 2. Censure.
- e) The Council shall vote on the Committee recommendation. A memorandum of concern would require a four (4) member vote of the Council; a censure would require at least a five (5) member vote. The Council member in question shall not take part in the discussion or the vote.
- f) If misconduct is not found unanimously by the City Council Committee, a public report of the Committee findings will be presented to the City Council during a Council meeting. A copy of that report will be given to the Council member who was investigated.

SECTION 17 – COUNCIL VACANCIES/APPOINTMENTS

17.1 Vacancy of Council Position – Section 7.8 of the Keizer City Charter outlines circumstances in which a Council position may become vacant. Vacant elective offices shall be filled by appointment. A majority vote of the remaining members of the Council shall be required to validate the appointment. Upon validation, the appointee's term of office shall begin and continue throughout the unexpired term of the predecessor.

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

17.3 Declaration of Vacancy – If required by the Charter, the vacant position shall be declared vacant by Resolution.

17.4 Process for Appointment – The Council shall adopt a timeline for the appointment process. A press release will be issued inviting members of the community, who meet the qualifications as outlined in the Charter, to submit a letter of interest and resume, as well as a completed form certifying the candidate's qualifications for the office. Only candidates who have submitted the certification form, letter and resume by the deadline

determined by the Council may be considered. Within 45 days of vacancy, the Council shall appoint the replacement Councilor as set forth in this Section.

17.5 Presentation Process – The candidates shall be invited to make a presentation before the City Council. The presentation process is as follows:

- a) Presentation length: Five minutes. There is to be no discussion or questions by the Council whatsoever, except for the written questions noted below.
- b) Order of the presentations: Drawn from the official bucket.
- c) Candidates will be requested to sequester themselves outside the Council Chambers until time for their presentation so they will not gain advantage by listening to the other candidates. They may remain in the audience after their presentation.
- d) Each of the six current Council members may submit a written question to be given the candidates. The candidates may choose to address the questions in their presentations. The deadline for submittal of the questions shall be one week before the presentation.
- e) Following close of the presentation, all candidates who have submitted a letter of interest and resume shall be considered and formal nominations shall not be made.

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

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

candidate receiving a majority of the votes of the remaining members of the Council shall then be appointed to the vacant position.

- c) If no candidate receives a majority vote of all remaining members of the Council on the second ballot, a third and final ballot shall be distributed. The third and final ballot shall contain the names of the two candidates receiving the most votes from the second ballot, unless a tie resulted from the second ballot. In a first place tie situation, all first place candidates will be placed on the third and final ballot. If there is one first place candidate and tied second place candidates then all first and second place candidates will be placed on a third and final ballot. Each remaining member of the Council shall select one candidate and mark their ballot accordingly. The candidate receiving the majority of the votes of the remaining members of the Council shall be appointed to the vacant position. In case of a tie vote on this third and final vote, the Council will select the replacement Councilor according to the procedure outlined in Section 17.7 – Tie Votes – Appointment Process.

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

17.7 Tie Votes- Appointment Process – If no candidate receives a majority vote of all remaining members of the Council on the third and final vote, the names of the two candidates receiving the most votes from the third and final ballot will be placed in an official City bucket, unless a tie resulted from the third and final ballot. In a first place tie situation, all first place candidates will be placed in the official City bucket. If there is a one first place candidate and tied second place candidates, then all first and second placed candidates' names will be placed in the official City bucket. The City Recorder will draw the successful name.

17.8 Tie Votes – Council Election – When two or more candidates running for the same Council position, have an equal and the highest number of votes, the successful candidate will be determined by a drawing of lots. Upon confirmation of a recount by the Marion County Elections Division, this determination shall take place at the first regularly scheduled meeting after such recount confirmation. The Council will use the same process to determine the successful candidate as outlined in Section 17.7 – Tie Votes – Appointment Process.

SECTION 18 – CREATION OF CITY COMMITTEES, BOARDS AND COMMISSIONS, COUNCIL COMMITTEES, AD-HOC TASK FORCES AND WORK GROUPS

18.1 City Committees, Boards and Commissions – At any time, the Council may by resolution establish any City Board, Commission or Committee deemed necessary and in the best interests of the City. Any committee so created may contain one or more Council members as members. Unless otherwise provided, all City Boards, Commissions, and Committees so created shall sunset at the end of their mission. As part of the Council Goal and Work Plan process, the Council shall review the purpose, need, and objectives

of all boards, commissions and committees that are not statutorily required.

18.2 Membership Appointment – Each Council member will make a one-member appointment to the Volunteer Coordinating Committee and the Community Diversity Engagement Committee as allowed in Council resolutions for a two-year term. If a Council member leaves office prior to the end of the Council member's scheduled term, the replacement Council member shall appoint a member to the Volunteer Coordinating Committee and the Community Diversity Engagement Committee. Except for Council members, all other applicants for City Boards, Commissions, Committees or any group (other than Council Work Groups, Task Forces, or Outside Committees) will be recommended by the members of the Volunteer Coordinating Committee who will receive, review, and process written applications and forward recommendations to the Council for appointment consideration, unless the Resolution, Ordinance, or State Statute defines the appointment process differently. For Council member appointments via Council, these rules supersede any individual resolutions relating to specific committees. The City Recorder shall make a list of the current liaison availabilities after the review by Council in December of even numbered years and send the list to the Council and Council-elects. Each Council and Council-elects shall send their top 3 choices to the City Recorder by the date chosen by the City Recorder. The City Recorder then compiles the list and sends it to the Mayor and Council President for recommendations to the Council. The Council shall review the recommendations and approve or deny the recommendations. If approved, the Mayor shall announce the Council member appointments for all Committees, Task Forces, Boards, Outside Committees or any other groups at the first meeting in January every odd numbered year or when necessary.

18.3 Qualifications – No appointee may serve on more than two City Boards, Commissions or Committees at any one time. Budget Committee members are required to be appointed from the electorate. All of other City Boards, Commissions, Committee or Task Force members shall be appointed pursuant to Council Resolution, Ordinance, or applicable statute. To receive an appointment, the candidate must be 18 years of age or older on the date of appointment. In addition, the candidate must be a resident or, Even when allowed, City Committees, Boards and Commissions cannot have more than one a non-resident who must be a property owner or business owner in the city, with no more than one non-resident per City Committee, Board or Commission, except where specified by resolution or ordinance.

18.4 Removal of Members of Committees, Boards, and Commissions – The Council may remove any member of any committee, board, commission, task force or any other group by a vote of at least a two-thirds majority of the Council. All members of City Boards, Commissions or Committees serve at the pleasure of the Council except as otherwise provided by law. All Council seats on City Boards, Commissions or Committees are reserved for sitting Council members; upon expiration of any Council member's term, or upon resignation, removal or death, the Council member's seat on any City Board, Commission, Committee, Outside Committee, or any other position as City representative occupied by that person shall be immediately declared vacant, and a sitting Council member appointed by the Mayor as a replacement.

18.5 Council Task Forces – Council Ad-Hoc Task Forces may be created at any time by resolution. All Council Ad-Hoc Task Forces shall have a Council member as Chair who shall be ~~either~~ appointed by the Council. Appointment of the members to Task Forces shall be by majority vote of the Council members present. Such Task Force shall report to the Council without unnecessary delay upon matters referred to them. All Council Ad-Hoc Task Forces so created shall sunset at the end of their mission, but in all events shall be reviewed in January of odd numbered years prior to Council member liaison appointment.

18.6 Council Work Groups – Council Work Groups shall consist of three Council members who shall be appointed by the Council at a regularly scheduled Council meeting. Such Work Group shall report to the Council without unnecessary delay upon matters referred to them. All Council Work Groups so created shall sunset at the end of their mission and final report/recommendation to the Council.

18.7 Meetings Subject to Oregon Open Meetings Law – All meetings of any City Boards, Commissions, Lay-Committees, Council Committee, Task Force, or Work Group shall be subject to and comply with the Oregon Public Meetings law.

18.8 Registry – The City Recorder shall prepare, keep current and retain on file in the Office of the City Recorder a list of all appointees to all City Boards, Commissions, Committees, Council Ad-Hoc Task Forces, and any other group, the date of their appointment, the length of their unexpired term, and their contact information.

18.9 Youth Councilor – Each school year one Youth Councilor may be appointed as a non-voting member of the Council. The Youth Councilor shall not attend executive sessions. To receive this appointment, the candidates must be Keizer residents who are either attending high school or registered home schooled students and must be between the ages of 15 and 18 except where specified by resolution or ordinance. The appointments shall be by majority vote of the Council members present, following recommendations from the Volunteer Coordinating Committee. The Youth Councilor may be assigned roles and positions by Council.

18.10 Youth Liaison – Each school year one Youth Liaison may be appointed as a non-voting member to any City Board, Committee, or Commission. To receive this appointment the candidate must be either attending high school or a registered home schooled student and must be between the ages of 15 and 18 except where specified by resolution or ordinance. The appointment shall be by majority vote of the Council members present, following a recommendation from the Volunteer Coordinating Committee.

18.11 Outside Committees – Outside Committees are those committees, boards, commissions and other types of groups not created by the City Council. They include both governmental entities, as well as non-profit organizations. For non-Councilor appointments, the Council shall determine the appointment, following recommendation

by the Volunteer Coordinating Committee. The Council shall appoint Council members to liaison and non-liaison positions for outside committees the first meeting in January every odd numbered year or when necessary. Each Council member shall keep the Mayor and Councilors informed of their involvement in all outside committees. The particular outside committee shall determine any attendance requirements and other matters concerning membership, voting, and procedure in accordance with any processes or controlling bylaws of those committees or boards. Non-liaison (voting) Councilor positions may not be substituted by another Council member, unless such outside committee's rules specifically allow for such substitution. If a position on an outside board is sent to the Council as an open invitation, representing Keizer, then the Council will use the same process to appoint as in Section 18.2.

Nothing contained herein shall prevent a Council member from being a member of any type of committee outside of these provisions. However, such membership shall be as a private citizen and not as a representative of the City of Keizer. For these committee positions, the City Council does not need to approve.

18.12 City Committees/Council Member Liaisons – Council member liaison positions on City committees, boards, commissions, and task forces are non-voting. Council member liaisons shall generally provide avenues of communication between their committee and the Council and shall update the Council on the general status of such committee. Generally speaking, Council members in liaison positions should refrain from expressing opinion on specific policy issues under consideration by the committee unless it is to relay known City Council positions on a particular matter. Council member liaisons are required to attend in-person unless all members are meeting electronically as provided in Section 18.14. If a Council member liaison cannot attend a meeting, they shall notify the City Recorder and Chair and attempt to arrange a substitute Council member to appear. If a substitute is arranged, the Council member should notify the City Recorder's office and Chair with the substitute information. This subsection only applies to liaison positions and does not apply to Councilors appointed as voting members.

18.13 Additional Groups – No Board, Commission, Committee, Work Group, Task Force or any public body (other than the Council) may create another public body, except for subcommittees consisting only of its members. Upon recommendation by an entity, the Council may create another Group.

18.14 Electronic Meetings Limited – Except as stated below, no Board, Commission, Committee, Work Group, Task Force or other Council-created group may meet electronically, except if the meeting is scheduled for a time when a federal, state or local emergency declaration affecting all or a part of the City is in effect. At the chair's discretion and without objection from the committee, committees may hold a meeting partially or totally electronically upon a showing of a particular need.

SECTION 19 – ELECTRONIC MAIL/SOCIAL MEDIA

19.1 Electronic Mail/Social Media – The Council will observe the following guidelines when using any electronic method for correspondence or social media when dealing with public records:

- a) All e-mail/social media used by the Mayor and Councilors will comply with the requirements of the Oregon Public Records Law.
- b) E-mail may be used for correspondence, to schedule meetings, send informative messages, or request information from other members of the Council, the City Manager, or Department Directors. Council members shall use and keep their email accounts updated. The City shall provide sufficient equipment and software for Council members.
- c) E-Mail/social media may not be used to discuss policy issues with a quorum of the Council at one time or a quorum of any other governing body in any manner which would be in violation of the Oregon Public Meeting Laws.
- d) All e-mail/social media used by Council members shall only use City accounts when dealing with public records. No discussions or issues involving City business shall take place on non-City e-mail/social media accounts. This is required to be able to accurately archive these communications for public records purposes.

SECTION 20 – CITY COUNCIL GOAL/WORK PLAN SETTING

20.1 Council Goal/Work Plan Setting –

- a) Goal Setting/Work Plan Parameters. The Council shall set goals at a minimum of every two years to coincide with mayoral terms of office. The goals shall include Short Term Goals that the Council plans on completing within the next 24 months and Long Term Goals that the Council plans to work on during the next two years, but will take longer to complete than 24 months. In addition, the Council may also set a work plan for projects that Council has determined to be priorities for the short or long term.
- b) Creation of initial list. Following the election in November of even numbered years, the newly elected Council members shall meet with the current Council members in a work session meeting to establish an initial list of potential Council goals/Work plan. This initial “brainstorming” session shall be completed by December 31 of the election year.
- c) Work Session. During the first calendar quarter of the year following an election, a work session shall be dedicated to Council Goal/Work Plan Setting, committee review, and proclamation list. During this work session the initial list of potential

Council goals and Work plan will be refined and amended to reflect the needs, and goals of the community. The goals shall reflect, but not be limited to, the goals established in the City's Strategic Plan; Master Plans, community input, City staff, City committees and Council members. The Work plan shall include items of importance to the community.

- d) Adoption. Council Goals/Work Plan shall be adopted at a regular meeting of the Keizer City Council no later than the second regular session in April of the year following an election.
- e) Reporting. The City Manager shall provide a report of progress of Council Goals in the first quarter of the second year of the biennium. The Council may update and amend the Goals and Work Plan for the remainder of the biennium.

SECTION 21 – CITY COUNCIL TRAINING/AFFILIATION MEETINGS

21.1 Council Member Training – In addition to mandatory training (OGEC public meeting training once per term), all Council members are encouraged to attend at least one City affiliated training seminar/conference per calendar year. Such trainings might include:

- Mandatory reporter training
- League of Oregon Cities Annual Conference
- League of Oregon Cities Elected Officials Training Sessions
- Mid-Willamette Valley Council of Governments New City Councilor Training
- Mid-Willamette Valley Council of Governments State Wide Planning Seminar
- State of Oregon Emergency Management

21.2 Mayor's Training – In addition to the above expectation, the Mayor is expected to represent the City at the annual conferences of the Oregon Mayor's Association.

21.3 Reimbursement Allowance – Within budget constraints, training costs directly connected with the above conferences or the Council members' City committees are reimbursable. Any reimbursement allowance must comply with City of Keizer Personnel Policies.

21.4 Council Approval – Any other Council member training or affiliation meetings that exceed a total cost of One Hundred Dollars (\$100.00), including the registration costs, require Council approval prior to registering for the event.

SECTION 22 – MISCELLANEOUS

22.1 Amendments to Council Rules - Amendments to these rules shall be made by

resolution.

22.2 Captions - All captions used herein are intended solely for convenience of reference and shall in no way limit any of the provisions of these Council Rules of Procedures.

Signature Page

The foregoing Council Rules were adopted by the City Council on ~~April~~^{January} 21, 2025 by Resolution R2025-____~~3535~~. By signing below the Council members affirm they have read and received a copy of these rules.

City Council:

Mayor

Council President

Councilor

Councilor

Councilor

Councilor

Councilor

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2025-_____

**ADOPTING THE CITY OF KEIZER COUNCIL RULES OF
PROCEDURE; REPEALING RESOLUTION R2025-3535**

WHEREAS, the City Charter of the City of Keizer grants the authority for the
City Council to adopt Council Rules of Procedure;

WHEREAS, the City Council adopted revised procedures in January 2025;

WHEREAS, the City Council has determined that the Council Rules of Procedure
should be revised;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that the City of
Keizer City Council Rules of Procedure attached hereto and by this reference made a
part hereof, are hereby adopted.

BE IT FURTHER RESOLVED that Resolution R2025-3535 is hereby repealed in
its entirety.

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

PASSED this _____ day of _____, 2025.

SIGNED this _____ day of _____, 2025.

Mayor

City Recorder

CITY OF KEIZER



CITY COUNCIL RULES OF PROCEDURE

Adopted by Council Resolution R2025-_____ on April 21, 2025



CITY OF KEIZER COUNCIL RULES OF PROCEDURE

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SECTION 1 - AUTHORITY

1.1 Authority - The Charter of the City of Keizer provides that the Council must adopt rules to govern committees, members, and proceedings. The following rules shall be in effect upon their adoption by the Council until they are amended or new rules are adopted. These rules shall be presented to all Council members during the first work session in January of odd-number years following general elections. Within 30 days of taking office, each appointed or elected Council member shall sign that they have reviewed and received a copy of these rules. The City Recorder shall retain the signature copy. As used herein, the term "Council" includes the Councilors and the Mayor. The term "Council members" shall include the Mayor.

SECTION 2 – GENERAL RULES

2.1 Open Meetings – All meetings will be held in accordance with the Oregon public meeting requirements of Oregon law. No final action by the Council shall have legal effect unless the motion, and the vote by which it is disposed of, take place at a proceeding that is open to the public. Pursuant to state law, in any public meeting of the Council or any other public body, telephonic or other virtual access and attendance shall be provided to the extent reasonably possible. If oral and/or written comments or testimony is allowed, virtual or electronic oral or written testimony shall be provided to the extent reasonably possible.

2.2 Ethics – All members of the Council shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the Council shall refrain from:

- A. Disclosing confidential information.
- B. Taking action which benefits special interest groups or persons at the expense of the City as a whole.

2.3 Quorum – A majority of the members currently serving on the Council, excluding vacant seats, shall constitute a quorum, but no less than three Council members may meet and compel attendance of absent members as prescribed by Council rules.

2.4 Rules of Order – Robert's Rules of Order Newly Revised, 12th Edition shall govern all Council proceedings unless they conflict with these rules. The Council President will act as parliamentarian with support from the City Attorney when present.

2.5 Suspension of Rules – The vote to suspend the Rules of Procedure (including Robert's Rules of Order Newly Revised, 12th Edition) requires a two-thirds majority vote of those members of the Council who are present, except as set forth in Section 6.1(j). If the motion is carried by a two-thirds vote, then the rules are suspended for that item only.

2.6 Address by Council Members – Every Council member desiring to speak to an issue will address the Presiding Officer and upon recognition, will confine remarks to the issue under debate. Council members questioning, seeking clarification, or soliciting a recommendation from staff will direct the concern to the City Manager. The City Manager may respond as requested or redirect the inquiry to a member of the staff.

2.7 Seating Capacity and Safety Requirements – The safe occupancy and seating capacity of the Council chambers as determined by the fire marshal shall be posted within the Council chambers. The limitations on occupancy and seating shall be complied with at all times. Aisles and emergency exits shall be kept clear at all times.

2.8 Building Access – For building security purposes, Council members shall abide by applicable employee building access policies, including, but not limited to the allowance of visitors in the employee-only sections of City Hall.

2.9 Personnel Policies and Other Regulations – As approved by Council, certain personnel policies are applicable to Council members. Copies of the personnel policies and other rules or policies that apply to Council members will be provided to Council members prior to taking office and when amended. All Council members are required to comply with the rules, including the rule pertaining to youth members/councilors/liaisons.

SECTION 3 – COUNCIL MEETINGS

3.1 Regular Meeting –

A. The Keizer City Council will meet in regular session on the first and third Mondays of each month at 6:00 p.m. in the Robert L. Simon Council Chambers or at another place in the City which the City Council designates. If such date falls on a legal holiday (per state statute), the meeting shall be held at the usual hour and place on the following day. If the meeting approaches 9:00 p.m., then the Council will vote to prioritize the remaining items and whether to end sooner or deal with the remaining items.

B. Training sessions may be held outside of the City's jurisdictional limits, provided no deliberations toward a decision are made.

C. Interjurisdictional meetings may be held outside of the City's jurisdictional limits, but should be held as close as practical to the City, and such meetings shall be located within the jurisdictional boundaries of the other government entity.

D. No Council meeting shall be held at any place where discrimination on the basis of an individuals' race, religion, color, sex, national origin, ethnicity, marital status, familial status, age, sexual orientation, source of income or disability is practiced.

3.2 Work Session – The Keizer City Council may hold a work session on the second Monday of each month in the Robert L. Simon Council Chambers or at another time or place in the City in which the City Council designates. Such sessions shall allow the City

Council an opportunity to review forthcoming projects of the City, determine goals for the ensuing year, receive progress reports on current programs or projects, or to hold open discussions on any City-related subject, provided that all discussions thereon shall be informal with no vote or formal action taken. Work sessions shall be open to the public; however, an opportunity for public comment will only be allowed at the discretion of the Presiding Officer or by a majority vote of the Council members present.

3.3 Special Meeting – The Mayor may call a special Council meeting at Mayor’s own discretion, and shall call a special meeting at the request of three Council members. Any special meeting shall occur as provided under state law. Special meetings of the Council may also be held at any time by the common consent of all the members of the Council.

3.4 Electronic Meetings – Normally, all Council meetings or work sessions shall be held in-person. However, upon Council motion, Council may schedule a future meeting or work session partially or totally electronically upon a showing of a particular need.

3.5 Emergency Meeting – An emergency meeting of the City Council may be called by the Presiding Officer, at the request of three Council members, by the City Manager, or Council President on less than 24 hours’ notice provided that an actual emergency exists in accordance with Oregon public meetings law requirements. The minutes of the meeting must describe the emergency justifying less than 24 hours notice and why the meeting could not be delayed. Attempts will be made to contact the media. The emergency meeting may be held partially or totally electronically if necessary as determined by the Presiding Officer, or if the Presiding Officer is not available, by the City Manager.

3.6 Executive Session – Executive sessions shall be held in accordance with Oregon law pursuant to ORS 192.660. Matters discussed in executive session shall be exempt from public disclosure pursuant to state statutes. Executive sessions shall be closed to all persons except the City Council; persons reporting to Council on the subject of the executive session; the City Manager unless directed otherwise by the Council; City staff persons as allowed by the City Council to attend; news media representatives, unless excluded by the Public Meeting Law (e.g.; media representatives may be excluded for discussions regarding labor negotiations); and other persons authorized by the City Council to attend. No elected official who declares an actual conflict of interest on a topic to be discussed in executive session shall remain in the room during such executive session discussion.

Prior to opening an executive session the Presiding Officer or City Attorney shall:

- announce the purpose of the executive session,
- the state statute authorizing the executive session,
- and a notification to all present, including the media, that matters discussed in executive session are not to be disclosed or reported to the public.

An executive session may be held during any open meeting for which proper notice has been given or outside of any regular meeting when properly noticed. No formal or final action may be taken during an executive session, but an opinion or consensus of the Council may be gathered.

3.7 Cancellation of Meeting - Upon a majority vote of the members of the City Council present, a meeting may be cancelled when deemed appropriate. The Charter requires one regular meeting be held each month. Notice of cancellation shall be posted at City Hall, on the City's web site and social media sites, distributed to members of the media, and to citizens requesting notice.

3.8 Notice of Meeting – The City Recorder shall provide:

- notice of the time,
- place, and
- agenda items for any gathering of the Keizer City Council.

Notice shall be posted on the City's web site, City's social media site, delivered by email, mail or otherwise to members of the media, and other interested persons upon written request. Notice shall be given at least 24 hours prior to the meeting to members of the governing body, the public and media for any special meeting, unless the meeting is considered an emergency as defined by law. Notice of executive sessions shall cite the specific law that authorizes the executive session.

3.9 – Americans With Disabilities Act – All meetings of the Council shall be held in compliance with the Americans With Disabilities Act.

3.10 – Attendance Duty - It is the duty of each member of the City Council to attend all meetings of the Council. The Charter provides in Section 7.8 that a Council office will be deemed vacant upon their absence from the City for 30 days without Council consent, or from all Council meetings within a 60-day period without Council consent. Consent will be given for good cause.

Good cause shall include, but is not limited to:

- Illness;
- Family obligations;
- Employment requirements;
- Scheduled vacations; or
- Other City business

Telephonic, video or internet ("electronic") attendance does not ensure that all comments, testimony, discussions, staff information and deliberations are available fully and equally.

Therefore, unless allowed as set forth in these rules, methods of attendance other than personal onsite attendance shall not be considered “in attendance” and a Council member may not vote unless physically present at the meeting.

This provision is automatically waived at any time a federal, state or local emergency declaration affecting all or a part of the City is in effect. Council members shall notify the City Recorder if they will appear in person or electronically. In such case, no quorum is required to be physically present so long as the required quorum is physically and/or virtually present.

In the event of a virtual meeting as allowed under Sections 3.4 or 3.5, no quorum is required to be physically present so long as the required quorum is physically and/or virtually present.

In addition, this provision is waived if two-thirds of the Council members present deem it important that a Council member appear electronically or reasonably need to compel a Council member to attend as per Charter Section 3.6. A quorum must be physically present. A motion to suspend the rules is not required.

3.11 – Excused Absence – When any Council member cannot attend a meeting of the Council, the member shall notify the Presiding Officer and the City Recorder prior to the meeting. If there are no objections from other Council members, the Presiding Officer may announce the absence is for good cause and the absence shall be listed in the minutes as excused. If the City Council determines the absence is not for good cause, the absence shall be listed in the minutes as unexcused.

SECTION 4 – THE PRESIDING OFFICER

4.1 Mayor – The Mayor shall preside at all regular, work sessions, special meetings and executive sessions of the City Council and shall be the recognized political head of the City for all ceremonial purposes. The Mayor shall have all duties and privileges of any Council member, and shall not be denied any right or privilege by reason of their position as Presiding Officer. In the absence of the Mayor, the Council President shall serve as the Presiding Officer. If both the Mayor and the Council President are absent from the meeting, the Council Vice-President shall serve as the Presiding Officer. If the Mayor, Council President, and Council Vice-President are absent from the meeting, the following procedure shall be utilized to determine who is the Presiding Officer for that meeting:

1. The City Recorder shall call the Council to order and call the roll of the members.
2. Those members of Council present shall elect, by majority vote, a temporary Presiding Officer for the meeting.

3. Should either the Mayor or the Council President arrive, the temporary Presiding Officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

4. The Presiding Officer shall retain all rights and privileges of a member of Council when acting in this capacity.

4.2 Council President – The Council shall elect a Council President from its members by a vote of not less than four (4) Council members. This shall occur at the first meeting of the Council in each odd-numbered year or before the position has been vacant for sixty (60) days. Any Councilor may be nominated, including the current Council President. In the event that no candidate receives a majority vote, a second vote will be conducted. The first place candidates shall be nominated. If there is only one first place candidate, such candidate and all second place candidates shall be nominated. If no candidate receives a majority vote, the candidates in the second vote will draw lots to determine the Council President.

When the Mayor is unable to perform the functions of the office, the Council President shall act as Mayor. The Mayor may assign other duties to the Council President. If the Council President wishes to do so, they may initiate a motion for all prepared resolutions, orders and ordinances and the consent calendar unless another Councilor has requested to do so or initiates the action. The Council President shall retain all rights and privileges of a member of Council when acting in this capacity.

4.3 Council Vice-President – The Council shall elect a Council Vice-President from its members by a vote of not less than four (4) Council members. This shall occur at the first meeting of the Council in each odd-numbered year or before the position has been vacant for sixty (60) days. Any Councilor may be nominated, including the current Council President or Council Vice-President. In the event that no candidate receives a majority vote, a second vote will be conducted. The first place candidates shall be nominated. If there is only one first place candidate, such candidate and all second place candidates shall be nominated. If no candidate receives a majority vote, the candidates in the second vote will draw lots to determine the Council Vice-President.

When the Mayor is unable to perform the functions of the office, the Council President shall act as Mayor. When the Mayor and Council President are unable to perform the functions of the Office, the Council Vice-President shall act as Mayor. The Mayor may assign other duties to the Council Vice-President. If the Council President is absent, and the Council Vice-President wishes to do so, they may initiate a motion for all prepared resolutions, orders and ordinances and the consent calendar unless another Councilor has requested to do so or initiates the action. The Council Vice-President shall retain all rights and privileges of a member of Council when acting in this capacity.

SECTION 5 – DECORUM AND ORDER

5.1 Presiding Officer – During Council meetings, the Presiding Officer shall enforce the rules of the Council. In addition, the Presiding Officer has the authority to preserve decorum and decide all points of order, subject to appeal to the Council. The Presiding Officer shall enforce order and the rules set forth herein.

5.2 Council Members –

A. During Council meetings, Council members shall preserve order and decorum, confine themselves to questions or issues then under discussion, and shall not by conversation or other action, delay or interrupt the proceedings or refuse to obey the orders of the Presiding Officer or these Rules.

B. Council members shall not engage in personal attacks and shall not impugn the motives of any speaker at any time. .

C. During Council regular meetings, work sessions, and special meetings, Council members must limit speaking on a single topic during discussions to five (5) minutes per turn. If additional time is needed, the Council member must request and receive permission from a majority of Council before continuing.

D. Council members shall at all times when dealing with members of the public, other Council members or staff conduct themselves in a manner appropriate to the dignity of their office.

E. Council may determine by simple majority the appropriateness of a particular event or action. No Council member will be required to take part in an event or action that they believe inappropriate or undignified. Charitable contributions to any cause shall not be solicited between Council members during any meeting.

F. The Mayor is the official spokesperson for the Council. Unless specifically authorized by the Council, neither the Mayor nor Councilors shall make any representations on behalf of the City Council. However, nothing shall prevent the Mayor or a Councilor from expressing their own individual thoughts and opinions when specifically identified as not a representation of the City or the Council's position.

5.3 Staff and Public – Members of the administrative staff, employees of the City and other persons attending Council meetings shall observe the same rules of procedure, decorum and good conduct applicable to the members of the Council. This shall include written communications.

5.4 Removal of Any Person - Any persons making disruptive or threatening remarks or acting in a disruptive or threatening manner during a meeting will forthwith be barred from further audience at that meeting pursuant to state law.

SECTION 6 – ORDER OF BUSINESS AND AGENDA

6.1 Order of Business - The general rule to the order of business at regular meetings of the City Council will be:

- a) **Call to Order** – The Presiding Officer shall call the meeting to order.
- b) **Roll Call** – The City Recorder shall call the name of each Council member and note each Council member's attendance or absence in the record, under the guidelines as set forth in Section 3.10 and 3.11 to establish a quorum is present to conduct business.
- c) **Flag Salute** – The Presiding Officer or designee may lead the Council and audience in the Pledge of Allegiance.
- d) **Special Orders of Business** – Oaths of office, awards, proclamations, and agenda items that are of special importance to the Council may be treated as Special Orders of Business. Special Orders of Business agenda items take precedence over all other items except Flag Salute, with concurrence of the Council.
- e) **Committee Reports** – Scheduled presentations, presentations by City committee members, and appointments to City committees.
- f) **Youth Liaison Comments** - Time provided for Youth Liaisons to briefly present items related to the City.
- g) **Public Comments** – An opportunity for members of the audience shall be given to address the Council on any matter, other than those issues on the agenda scheduled for public hearing, during this portion of the meeting. Written comments or communications will be acknowledged for the record in accordance with Section 7.1.
- h) **Consent Calendar** – The consent agenda shall consist of a list of routine, non-controversial matters, not typically requiring discussion, presented for Council approval by a single motion. Council members who wish to remove an item from the consent calendar shall do so prior to the motion to approve the items. Any item removed from the consent calendar shall be discussed and acted upon following approval of other consent agenda items.
- i) **Public Hearings** – A public hearing shall be held on each matter required by state law or City policy. Written and oral testimony shall be heard prior to Council action. (Procedures for public hearings are addressed in Section 10 of these procedures.)
- j) **Administrative Action** – Items that require formal action or Council direction.
- k) **Other Business** – Time provided for members of the Council or City staff to bring matters that are not listed on the agenda before the Council. These matters need not be specifically listed on the agenda, but are used to develop a future agenda item. Formal action on these matters will be deferred until a subsequent Council

meeting. This rule may be suspended ONLY if the matter is deemed urgent by two-thirds majority vote of the Council members present and cannot wait until the next special or regular City Council meeting. A motion to reconsider a previous motion may be acted upon without suspension of the rules, as outlined in Section 11.6.

- l) **Staff Updates** - Time provided for City staff to briefly report on new or current projects.
- m) **Council Member Reports** - Time provided for members of the Council to **briefly** present items related to the City. Each Council member is encouraged to limit remarks to 3 minutes or less.
- n) **Agenda Input** – Issues for upcoming Council meetings shall be announced by the Presiding Officer. These issues may include items recommended to be brought before Council by staff or a Council member. Council member issues shall be determined appropriate by a vote of at least three of the Council members present.
- o) **Adjournment** – Following completion of all matters listed on the agenda, the Presiding Officer shall declare the meeting adjourned.

The Presiding Officer, with concurrence of the Council may adjust the Order of Business.

6.2 Recess – If there are no objections from the Council members, the Presiding Officer may recess any meeting of the Council. The Presiding Officer shall announce the time in which the meeting shall reconvene.

6.3 Agenda Distribution – General practice will be copies of agendas and packets for regular meetings shall be distributed not later than five (5) calendar days prior to the meeting to members of the Council, staff, news media, neighborhood associations and interested citizens who have requested the agenda. Council members with questions, concerns or suggestions are encouraged to communicate those to Department Directors no later than three (3) days before the meeting.

6.4 Placing an Item on the Agenda – The City Manager or designee may place items on an agenda. A Council member wishing to place an item on the agenda can bring the matter up under Section 6.1(j) and Section 6.1(m) or will advise the City Manager no later than seven (7) days prior to the regular meeting at which the item is to be considered. Such request to add an item for Council consideration shall require consent from two or more additional Council members to add the item.

6.5 Agenda Conference - The City Manager or designee will set up an agenda conference to review the agenda prior to the agenda being published. The members attending the agenda conference will consist of the City Manager or designee, the City Recorder or designee, the Mayor, the Council President, and a rotating Council member.

6.6 Special Accommodations – All Council meeting agendas shall contain proper notice of the City's intent to conduct the meeting in accordance with the Americans With

Disabilities Act and that persons needing accommodations may contact the City Recorder 48 hours prior to the meeting time to request the necessary accommodations. Such notice shall provide the telephone number and email address at which the City Recorder may be contacted.

SECTION 7 – WRITTEN COMMUNICATIONS

7.1 Written Communications –

- a) Anonymous or unsigned written communication, including emails, shall not be introduced in Council meetings. Communications shall include a legal name and city of residence as determined by self-attestation.
- b) Written testimony concerning any public hearing on the agenda will be included in the agenda packet or placed on the dais.
- c) Written comments or communications to the Mayor and/or Council shall be forwarded to the Mayor and/or Council members but shall not be included in the agenda packet. However, such communication shall be made available on the City's website and may be summarized at the meeting by the Presiding Officer pursuant to Section 6. Prior to publishing the communications on the City's website, the email and physical addresses shall be redacted.
- d) Written communications to the Mayor and/or Council concerning matters that are not related to issues of the City of Keizer shall be forwarded to the Council members. These communications will not be acknowledged for the record under Public Comments for inclusion in the meeting records nor posted on the website.
- e) The City Manager may, in the City Manager's discretion, bring any matter raised by any communication to the attention of the Council as an agenda item, provided that such communication is accompanied by a staff report setting forth the reason the matter should be considered by the Council, and making a recommendation for Council action.
- f) The City Council may direct staff to address an issue raised in written communications and may, as appropriate, request a staff report to Council setting forth recommendations for addressing the issue raised.
- g) A written comment may be read into the record under public comment by a Council member.

SECTION 8 – CONFLICT OF INTEREST OR OTHER DISQUALIFICATIONS

8.1 Conflict of Interest – In every case in which a Council member is faced with a potential conflict of interest or an actual conflict of interest as defined in state law, the

nature of the conflict must be disclosed during the public meeting and recorded in the minutes. If an actual conflict of interest exists, the Council member, after disclosing the conflict, shall remove themselves from the Council Chambers and refrain from both participation in the discussion and the vote on the issue. However, if the Council member is a direct party on the issue, they will be allowed to remain in the Council Chambers.

8.2 Bias – In quasi-judicial cases, Council members should recuse themselves from any decision or discussions if they have a prejudice or prejudgment of the facts to such a degree that the Council member is incapable of rendering an objective decision on the merits. Members of the Council should avoid voicing an opinion prior to the testimony.

8.3 Ex Parte Contact – Ex Parte communications only apply in a quasi-judicial case. Members of the Council should avoid any communication outside of the public hearing with any party, including other Council members. A site visit is not considered an ex parte contact unless there is communication with an outside party or if information is gained from the visit that could be a factor in Council's decisions. Any ex parte contact, including the nature of the contact and the information obtained, should be disclosed at the beginning of the public hearing, and again at each continued public hearing.

SECTION 9 – PUBLIC COMMENT

9.1 Public Comment Generally –

A. Any member of the general public wishing to address the Council on a matter of public concern may do so at the time set for public comment during each regular session of the Council.

B. If physically present, participants must use a microphone and state their name and city of residence for the record prior to addressing Council.

C. Comments will be limited to five minutes. No yielding or ceding of time is allowed.

D. The Council may request further information be presented to the Council on such date and in such manner as it deems appropriate.

E. Council members may, after obtaining the floor, address the speaker during public comment. Council members shall use restraint when exercising this option. The speaker shall be limited to three (3) minutes to answer questions. The Council may extend the time at their discretion. The Presiding Officer may intervene if a Council member or the speaker is violating the spirit of this rule.

F. Speakers may present electronic audio or visual material during the time permitted for their comment. Speakers may utilize City-provided audio or visual equipment located in the Council Chambers as a part of their comment, but must provide the materials in a readable format to City staff prior to the meeting so that it may be installed on the City's equipment to avoid a delay or disruption of the meeting.

G. Items brought before the Council from the public during public comment may be referred to the staff for appropriate action and a report returned to the Council, if requested. Such procedure should not prevent the staff, Mayor, or City Council from answering directly to a citizen inquiry at the time it is brought before the Council.

H. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about a quasi-judicial land use matter, to testify on an item that is not a public matter, to testify on a matter which has been or is scheduled to be heard by a hearings official, or to provide or gather additional testimony or information on any matter after the official record has been closed on any matter which has been the subject of a public hearing.

9.2 Roster - All persons or groups wishing to address the Council during the time set for public comments shall, prior to the convening of the meeting, sign the roster provided by the City Recorder, indicating the name of the person, the address of the person, and the subject of public concern on which the person or group wishes to address the Council. Those who have not signed the roster may address the Council at the discretion of the Presiding Officer.

9.3 Complaints and Suggestions to the Council - When any citizen brings a complaint at a meeting before or makes a suggestion to the Council, other than for items already on the agenda, the Presiding Officer shall first determine whether the issue is legislative or administrative in nature and then:

(1) If the issue is legislative, and if the Council finds such complaint or suggestion may indicate the need for a change to an ordinance or resolution of the City or the adoption of a new ordinance or resolution, the Council may refer the matter to the City Attorney, the City Manager or an advisory body for study and recommendation.

(2) If administrative, and the complaint or suggestion involves administrative staff performance, administrative execution or interpretation of legislative policy, or administrative policy within the authority of the City Manager, the Presiding Officer shall then refer the complaint directly to the City Manager for their review if the complaint has not already been reviewed. The Council may direct the City Manager to report back to them when their review has been made.

9.4 Council Shall Carefully Consider All Comments – All Council members should give those presenting comments their undivided attention. Sidebar conversations should be kept to a minimum.

SECTION 10 – PUBLIC HEARINGS

10.1 Public Hearings - A public hearing shall be held on each matter required by state law, City policy or as directed by the City Council. The Presiding Officer shall preside over the hearing and announce the type of hearing and the guidelines for the hearing. The Presiding Officer shall declare the hearing to be open and invite the City Manager or member of the staff to present the staff report together with any petitions, letters, or written comments on the matter.

10.2 Testimony for Non-Land Use Hearings – Members of the audience may present oral testimony on the matters scheduled for public hearing. The Presiding Officer will call forth members of the audience who have signed up to present testimony under the guidelines specified at the opening of the hearing. If appropriate, the Presiding Officer may first ask those persons in favor of the matter to come forward, with those speaking in opposition coming after.

Except as stated otherwise, all testimony will be limited to five minutes per person. The Presiding Officer may further limit testimony if a speaker persists in being threatening and disorderly, or abusive, following a warning to that effect from the Presiding Officer. Upon being recognized by the Presiding Officer, any member of the Council or the City staff may ask questions of any speaker, subject to the same provisions set forth in Section 9.1(E). Upon closure of the hearing, no further testimony will be allowed unless the Council allows written testimony to be submitted by a date certain.

10.3 Quasi-Judicial Land-Use Proceedings –

A. Scope of Review. All quasi-judicial land use proceedings shall be new (de novo).

B. Conflicts of Interest.

1. A member of the Council shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:

a. The member has an actual conflict of interest as defined by the Oregon Revised Statutes or the City Charter.

b. The member was not present during the public hearing; provided however, the member may participate and vote if they have reviewed the evidence, including recordings of the hearing, and declared such fact for the record.

C. Ex Parte Contacts/Bias

1. Members of the Council shall reveal the nature of any ex parte contacts or bias with regard to the proceeding at the commencement of any quasi-judicial land use proceeding.

If such contact/bias impairs the member's impartiality, the member shall state this fact and abstain from participation and voting in the matter.

D. Burden of Proof. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.

1. The decision of the Council shall be based on the applicable standards and criteria as set forth in the City's Development Code, the City's Comprehensive Plan, and, if applicable, any other land use standards and criteria imposed by state law or administrative rule.

2. The proponent, any opponents, and/or City staff may submit to the Council a set of proposed written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

E. Hearing Procedures. The order of hearings in quasi-judicial land use matters shall be:

1. Land Use Hearing Disclosure Statement. The City Attorney shall read the land use hearing disclose statement, which shall include:

a. A list of the applicable criteria;

b. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use regulation which the person believes to apply to the decision;

c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and

d. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

2. Call for ex parte contacts/bias/conflict of interest. The City Attorney shall inquire whether any member of the Council has had ex parte contacts, has

bias, or has an actual or potential conflict of interest. Any member of the Council announcing an ex parte contact or conflict shall state for the record the nature of the contact or conflict. See Section 10.3(B) and (C).

3. Staff summary. Planning staff shall present a summary and recommendation concerning the proposal.

4. Presentation of the Case.

a. Applicant's case. Twenty minutes total.

b. Persons in favor. Five minutes per person.

c. Persons opposed. Five minutes per person.

d. Other interested persons. Five minutes per person.

e. Rebuttal. Ten minutes total. Rebuttal may be presented by the applicant. The scope of rebuttal is limited to matters which were introduced during the hearing by parties other than the applicant.

5. Close of hearing. Subject to state law, the Presiding Officer shall close the hearing if there are no further questions from Council. The Record may be left open pursuant to state law. The timeframe for submittals to the Record shall be clearly announced prior to close of the hearing.

6. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

7. Findings and Order/Ordinance. The Council shall approve or deny the application.

a. The Council shall adopt findings to support its decision.

b. The Council may incorporate findings proposed by the applicant, the opponent or staff in its decision.

F. Continuances. Council shall grant continuances as required by state law. However, nothing in this section shall restrict the Council, in its discretion, from granting additional continuances. Any continuance requested by the applicant shall result in a corresponding extension of the 120-day time limitations imposed by the Oregon Revised Statutes.

10.4 Legislative Land Use Matters –

A. Hearings Procedures. The order of procedures for hearings on legislative land use matters shall be:

1. Call for abstentions. Inquire whether any member of the Council wishes to abstain from participation in the hearing. Any member announcing an abstention shall identify the reason therefor and shall not participate in the proceedings.

2. Staff summary. Staff shall present a statement of the applicable criteria, and a summary and recommendation concerning the proposal.

3. Presentation of the Case.

a. Persons in favor. Five minutes per person.

b. Persons opposed. Five minutes per person.

c. Other interested persons. Five minutes per person.

4. Close of hearing. No further information shall be received after the close of the hearing, except for written materials allowed by Council to be submitted prior to the close of the Record.

5. Deliberations. Deliberations shall immediately follow the hearing. The Council may delay deliberations to a subsequent time certain.

6. Reopening hearing. Prior to adoption of an Ordinance relating to a legislative land use matter, and upon majority vote of the Council, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

10.5 Attorney Representation – Any person attending a hearing has the right to be represented by an attorney.

10.6 Appeal Fee – An appeal fee established by the City Council shall be required to defray costs incidental to the proceedings and shall be paid at the time of filing an appeal. The appeal fee shall be determined by the City Council.

SECTION 11 – ORDINANCES, ORDERS, RESOLUTIONS, AND MOTIONS

11.1 Form – All Ordinances, Orders, and Resolutions shall be presented to the Council.

11.2 Signing Of Official Documents - The Mayor shall sign all records of proceedings approved by the Council. The Mayor shall have no veto power and shall sign all ordinances passed by the Council within three days after their passage. After the Council approves a bond of a City officer or a bond for a license, contract, or proposal, the Mayor shall endorse the bond. The Council President shall perform these functions whenever the Mayor is unable to perform the functions herein.

11.3 Enactment of Ordinances – All ordinances will be enacted pursuant to Section 4 of the Keizer City Charter except that if the Mayor is unable to perform the functions of the office, the Council President shall act as Mayor pursuant to Section 3.3 of the Keizer City Charter, including, but not limited to, signing of ordinances, resolutions and other documents.

11.4 Motion – Any Council member making a motion to be considered by the Council shall state the motion with clarity, specificity, and brevity so the matter is clearly understood.

11.5 Procedures In Handling Parliamentary Motions –

- a) To make a motion, a Council member must be recognized by the Presiding Officer at a time when there is no other business on the floor. The Council member then may state the motion by saying, "I move" and stating the action to be taken.
- b) Another Council member seconds the motion. This can be done without being recognized by the Presiding Officer. If no member seconds the motion, it does not come before the meeting; it "dies" for lack of a second and the Presiding Officer calls for the next item of business. There is no discussion allowed prior to the second, except that any member may request clarification of the motion. A second does not necessarily mean that the member favors the motion. It can be that the member simply wants the motion brought on the floor for discussion.
- c) The Presiding Officer states the question on the motion. This procedure is necessary for the motion to come before the Council. No debate can take place until the Presiding Officer states the motion is on the floor. Mover may withdraw the motion at any time up to the vote. It is unnecessary for the Presiding Officer to ask the member who seconded the original motion to withdraw the second. Withdrawal of the motion by general consent takes precedence to the second.
- d) Any Council member may request a friendly amendment to the motion. If the mover and the second accept and there is no objection by any Council member, the motion goes forward as amended. If there is an objection, or the friendly amendment is not accepted by both the mover and the second, a formal motion to amend may be made.
- e) Debate then takes place on the motion. The original mover is entitled to the floor first. **Each member has the right to speak and to rebut any other speakers, but should not have the floor the second time until all who wish have spoken once.**

Unless it is decided otherwise, each speaker is limited to five (5) minutes each time.

- f) The Presiding Officer then puts the question to a vote. When the debate appears to have closed, the Presiding Officer asks "are you ready for the question?" If no one claims the floor, the Presiding Officer restates the motion and calls for a vote.

11.6 Motion for Reconsideration - Unless specifically governed by other provisions of the codes, ordinances, or other regulations of the City, any Council member who voted with the majority or who was not present at the time of the vote, may move for reconsideration of an action at the same or at the next regular meeting of the Council. A vote of reconsideration requires a majority vote of those Council members present. A vote for reconsideration shall take place at the same meeting when there is no other business on the floor or at the next regular meeting of the Council under the Other Business portion of the meeting. A motion for suspension of the rules is not required. After a matter has been reconsidered, it shall not preclude the issue from being raised in the future, but not before the next regular meeting.

SECTION 12 – VOTING

12.1 Voting - Unless a different voting requirement applies, the concurrence of a majority of the members of the Council in attendance, voting when a quorum of the Council is present shall decide any question before the Council. The Presiding Officer will have a vote on all questions before the Council. It is considered inappropriate for members to explain their action during the voting.

12.2 Abstentions – Any Council member abstaining should state the reason for the abstention. Abstentions should not be used if the member does not believe enough information is available. An abstention does not count as either an affirmative or negative vote and shall not be counted toward the number of votes required to pass or reject a motion.

12.3 Methods of Voting - The standard is the voice vote, however the Presiding Officer may decide the type of vote unless directed otherwise by a majority of the Council.

- **Voice Vote**: This is the standard method when no more than a majority vote is required. The ayes are called for first and then the nays.
- **Show of Hands**: This can be used as an alternative to a voice vote, in verifying an inconclusive voice vote or when a two-thirds vote is required for adoption.
- **Vote by Written Ballot**: This is another method that is normally used only in cases of elections or a matter where initial confidentiality is needed. Each Council member shall place their signature on the ballot and the results (including each Council member's specific vote) must be made public immediately following the vote.
- **Roll Call**: In this method, the City Recorder calls the name of each Council member and the Council member responds with their vote on the matter. Council members will be called by position number, with the Mayor being called last.

12.4 Unanimous Consent - For minor matters, the Presiding Officer may use unanimous consent as a voting method if it appears that all of the Council members present agree. If any Council member objects, a formal vote shall be taken.

12.5 Voting Required - Every member of the Council that is present when a question is addressed shall vote for or against the question, unless they abstain for just cause (conflict of interest, bias, etc.).

12.6 Voting Results - The Presiding Officer announces the voting result. This step is always included to ensure Council understanding of the outcome and so that the Recorder will be able to accurately reflect the outcome in the minutes. If a motion ends in a tie, the motion will be considered lost.

12.7 Changing Vote - A Council member has the right to change their vote up to the time the vote is finally announced. After that, they can make the change only by permission of the Council, which may be given by unanimous concurrence of Council. If an objection is made, a motion may be made to grant the permission. The motion is undebatable.

SECTION 13 – MINUTES

13.1 Recording of Minutes - Minutes are the official record of the City Council meetings. They record the substance of a meeting and are a clear, accurate, concise, informative record of the proceedings. Minutes will generally follow the chronological order of items considered during a meeting. Minutes are not a verbatim transcript, and the meeting does not have to be sound recorded unless otherwise required by law. For practical purposes, however, it is general practice to sound record the meetings of the City Council for back-up reference. Reporting actions taken is the single most important segment of the final minutes. The minutes are to include, at a minimum:

- a) Kind of meeting (regular, special, work session, etc.)
- b) The name of the body meeting (City Council, Urban Renewal Agency, Budget Committee, etc.)
- c) Date of the meeting and place where it is held.
- d) Name and title of Presiding Officer (usually the Mayor).
- e) All motions (main, amendments, withdrawals, etc.), with dispositions, with the name of the mover and, if applicable, the name of the Council member who seconded the motion.
- f) Members present.
- g) Proposals, resolutions, orders, ordinances, and measures proposed and their disposition.

- h) Results of all votes and the vote of each member by name, including abstentions.
- i) The substance of any discussion on any matter.
- j) The name and city of residence, if available, on any person appearing before the City Council to offer testimony, and the substance of such testimony.
- k) Exhibits or written testimony subject to ORS 192.311 to 192.338.
- l) Reference to the appropriate ORS section under which an executive session was held.
- m) The signature of the individual taking the minutes.
- n) Signature line for the Mayor.

13.2 Distribution of Minutes - : Draft minutes are distributed to the City Council with the agenda on which those minutes appear as an item for approval. However, because they are generally completed in draft form prior to distribution of the agenda packets, the draft minutes are available for earlier review should the need arise.

13.3 Correction and Approval of Minutes - Approval of the minutes usually take place at the next regular meeting following the date of the minutes under approval. Generally, minutes appear on the agenda under the Consent Calendar. If minor changes are made to the minutes, a Council member may offer such amendment prior to the Consent Calendar being approved. For extensive amendments, the minutes should be pulled off the Consent Calendar for consideration. All corrections that appear will appear in the minutes of the meeting when the changes took place. If a member of the Council is absent from the meeting, such member can pull the minutes from the Consent Calendar for consideration and announce their absence and abstain from voting for approval of the minutes or they can read the minutes prior to the meeting and vote for approval as part of the Consent Calendar.

If a Council member has a concern over the reporting of minutes, it is that Council member's responsibility to review the recording of the meeting and bring corrections forward to the City Council at the next regular meeting with the recording cued, ready to be played, if necessary. It is not appropriate to expend staff time when only one member of Council is requesting the review.

13.4 Reading of Minutes - Unless the reading of the minutes of the previous Council meeting is requested by a majority of the Council, such minutes may be approved without reading if copies thereof have been previously furnished to each Council member.

13.5 Executive Session Minutes - Minutes from Executive Sessions held pursuant to state statute will be kept in the form of a tape recording. No transcription or no written minutes of the Executive Session will be made unless otherwise required by law.

SECTION 14 – PROCLAMATIONS

14.1 Request for Proclamations – Local organizations or residents requesting proclamations that proclaim a specified date or dates to recognize the efforts of various community groups and individuals on certain projects, shall be filed with the City Recorder. Upon receipt, the City Recorder will notify the Council of the request. If the Council approves the request, the City Recorder will prepare the proclamation for the Mayor's signature. The Mayor will issue and read the proclamations.

14.2 Reading of Proclamations – No more than one proclamation will be read at each meeting. It will be at the discretion of the Council if a proclamation will be read at a City Council meeting or presented to the organization or group. It is preferred that a representative of the requesting organization be present to receive the proclamation. Any proclamation that is approved, but not on the pre-approved list, the phrase "Here with the Council" shall be removed from the proclamation. Any presentation shall be limited to five minutes unless consent for more time is given by the Council.

SECTION 15 – INTERACTIONS WITH STAFF AND MUNICIPAL JUDGE

15.1 Staff - All members of the Council shall respect the separation between the Council's role and the City Manager's responsibility by:

- a) Not interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.
- b) Refraining from actions that would undermine the authority of the City Manager or a Department Director.
- c) Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff's day-to-day responsibilities. Questions of a more complex nature shall be directed to the City Manager.

1. Questions from individual members of the Council requiring significant time or resources (two hours or more) shall normally require approval of the Council.

2. Charter employees shall normally share any information obtained from staff with the entire Council except if disclosure results in a violation of public meetings law. This section is not intended to apply to questions regarding conflict of interest or similar issues particular to a member of the Council.

15.2 Interaction with Municipal Judge - The Council may meet with the judge, but in no instance shall the Council be permitted to interfere with the judge's exercise of judicial authority or discretion.

SECTION 16 – INTERNAL OVERSIGHT

16.1 Internal Oversight - The Council has the right to make and enforce its own rules and to ensure compliance with those laws generally applicable to public bodies. Should any Council member act in any manner constituting a substantial violation of these rules, City Ordinance or Charter, or other general laws, the remaining Council members may issue a censure or memorandum of concern pursuant to the following procedure:

- a) The process is initiated by a written statement by a Council member explaining the alleged misconduct of a Council member and if true, why disciplinary action is needed. Two Council members must date and sign the statement and deliver the original to the City Manager. The City Manager shall then place the matter before the Council at the next regular Council meeting if the written statement is submitted to the City Manager not later than five (5) calendar days prior to such meeting; otherwise, the matter shall be placed on the agenda for the following Council meeting.
- b) An affirmative vote by five (5) or more members of the Council shall initiate an investigation. An affirmative vote by a Council member shall not indicate that such member believes the truth of the statement and/or the reasoning behind a proposed sanction, but merely that further investigation is warranted under the criteria set forth in subsection c) below. The Council member in question shall not take part in the discussion or the vote.
- c) If initiated, an investigation shall be conducted by a committee consisting of three Council members appointed by the Council. Two additional Keizer residents shall be included if the Council member being investigated makes such request. Such residents shall be selected by the Council. The investigation shall be completed within 30 days of being initiated by the Council. The Committee shall review whether the alleged misconduct occurred, and if so whether the alleged misconduct occurred while acting in their official capacity as a Council member, including, but not limited to the following instances:
 1. During a City meeting or while representing the City of Keizer;
 2. Council member announced that they were a Council member (and therefore infers that conduct is as a Council member);
 3. Conduct occurred in writing available to the public (social media, newspaper) as identified as a Council member.

Whether the Council member committed the alleged misconduct while in their official capacity is only a factor to be considered. In compliance with this Section, the Council may investigate and impose sanctions where the Council member in question was not acting in their official capacity.

- d) If misconduct is found unanimously by the members of the City Council Committee, the Committee would present the investigation conclusion to the Council with a recommendation of any sanctions. Sanctions could include
 - 1. A memo of concern from the full City Council, or
 - 2. Censure.
- e) The Council shall vote on the Committee recommendation. A memorandum of concern would require a four (4) member vote of the Council; a censure would require at least a five (5) member vote. The Council member in question shall not take part in the discussion or the vote.
- f) If misconduct is not found unanimously by the City Council Committee, a public report of the Committee findings will be presented to the City Council during a Council meeting. A copy of that report will be given to the Council member who was investigated.

SECTION 17 – COUNCIL VACANCIES/APPOINTMENTS

17.1 Vacancy of Council Position – Section 7.8 of the Keizer City Charter outlines circumstances in which a Council position may become vacant. Vacant elective offices shall be filled by appointment. A majority vote of the remaining members of the Council shall be required to validate the appointment. Upon validation, the appointee's term of office shall begin and continue throughout the unexpired term of the predecessor.

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

17.3 Declaration of Vacancy – If required by the Charter, the vacant position shall be declared vacant by Resolution.

17.4 Process for Appointment – The Council shall adopt a timeline for the appointment process. A press release will be issued inviting members of the community, who meet the qualifications as outlined in the Charter, to submit a letter of interest and resume, as well as a completed form certifying the candidate's qualifications for the office. Only candidates who have submitted the certification form, letter and resume by the deadline determined by the Council may be considered. Within 45 days of vacancy, the Council shall appoint the replacement Councilor as set forth in this Section.

17.5 Presentation Process – The candidates shall be invited to make a presentation before the City Council. The presentation process is as follows:

- a) Presentation length: Five minutes. There is to be no discussion or questions by the Council whatsoever, except for the written questions noted below.
- b) Order of the presentations: Drawn from the official bucket.
- c) Candidates will be requested to sequester themselves outside the Council Chambers until time for their presentation so they will not gain advantage by listening to the other candidates. They may remain in the audience after their presentation.
- d) Each of the six current Council members may submit a written question to be given the candidates. The candidates may choose to address the questions in their presentations. The deadline for submittal of the questions shall be one week before the presentation.
- e) Following close of the presentation, all candidates who have submitted a letter of interest and resume shall be considered and formal nominations shall not be made.

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

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

ballot shall contain the names of the two candidates receiving the most votes from the second ballot, unless a tie resulted from the second ballot. In a first place tie situation, all first place candidates will be placed on the third and final ballot. If there is one first place candidate and tied second place candidates then all first and second place candidates will be placed on a third and final ballot. Each remaining member of the Council shall select one candidate and mark their ballot accordingly. The candidate receiving the majority of the votes of the remaining members of the Council shall be appointed to the vacant position. In case of a tie vote on this third and final vote, the Council will select the replacement Councilor according to the procedure outlined in Section 17.7 – Tie Votes – Appointment Process.

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

17.7 Tie Votes- Appointment Process – If no candidate receives a majority vote of all remaining members of the Council on the third and final vote, the names of the two candidates receiving the most votes from the third and final ballot will be placed in an official City bucket, unless a tie resulted from the third and final ballot. In a first place tie situation, all first place candidates will be placed in the official City bucket. If there is a one first place candidate and tied second place candidates, then all first and second placed candidates' names will be placed in the official City bucket. The City Recorder will draw the successful name.

17.8 Tie Votes – Council Election – When two or more candidates running for the same Council position, have an equal and the highest number of votes, the successful candidate will be determined by a drawing of lots. Upon confirmation of a recount by the Marion County Elections Division, this determination shall take place at the first regularly scheduled meeting after such recount confirmation. The Council will use the same process to determine the successful candidate as outlined in Section 17.7 – Tie Votes – Appointment Process.

SECTION 18 – CREATION OF CITY COMMITTEES, BOARDS AND COMMISSIONS, COUNCIL COMMITTEES, AD-HOC TASK FORCES AND WORK GROUPS

18.1 City Committees, Boards and Commissions – At any time, the Council may by resolution establish any City Board, Commission or Committee deemed necessary and in the best interests of the City. Any committee so created may contain one or more Council members as members. Unless otherwise provided, all City Boards, Commissions, and Committees so created shall sunset at the end of their mission. As part of the Council Goal and Work Plan process, the Council shall review the purpose, need, and objectives of all boards, commissions and committees that are not statutorily required.

18.2 Membership Appointment – Each Council member will make a one-member appointment to the Volunteer Coordinating Committee and the Community Diversity Engagement Committee as allowed in Council resolutions for a two-year term. If a

Council member leaves office prior to the end of the Council member's scheduled term, the replacement Council member shall appoint a member to the Volunteer Coordinating Committee and the Community Diversity Engagement Committee. Except for Council members, all other applicants for City Boards, Commissions, Committees or any group (other than Council Work Groups, Task Forces, or Outside Committees) will be recommended by the members of the Volunteer Coordinating Committee who will receive, review, and process written applications and forward recommendations to the Council for appointment consideration, unless the Resolution, Ordinance, or State Statute defines the appointment process differently. For Council member appointments via Council, these rules supersede any individual resolutions relating to specific committees. The City Recorder shall make a list of the current liaison availabilities after the review by Council in December of even numbered years and send the list to the Council and Council-elect. Each Council and Council-elect shall send their top 3 choices to the City Recorder by the date chosen by the City Recorder. The City Recorder then compiles the list and sends it to the Mayor and Council President for recommendations to the Council. The Council shall review the recommendations and approve or deny the recommendations. If approved, the Mayor shall announce the Council member appointments for all Committees, Task Forces, Boards, Outside Committees or any other groups at the first meeting in January every odd numbered year or when necessary.

18.3 Qualifications – No appointee may serve on more than two City Boards, Commissions or Committees at any one time. Budget Committee members are required to be appointed from the electorate. All of other City Boards, Commissions, Committee or Task Force members shall be appointed pursuant to Council Resolution, Ordinance, or applicable statute. To receive an appointment, the candidate must be 18 years of age or older on the date of appointment. In addition, the candidate must be a resident or, when allowed, a non-resident who must be a property owner or business owner in the city, with no more than one non-resident per City Committee, Board or Commission, except where specified by resolution or ordinance.

18.4 Removal of Members of Committees, Boards, and Commissions – The Council may remove any member of any committee, board, commission, task force or any other group by a vote of at least a two-thirds majority of the Council. All members of City Boards, Commissions or Committees serve at the pleasure of the Council except as otherwise provided by law. All Council seats on City Boards, Commissions or Committees are reserved for sitting Council members; upon expiration of any Council member's term, or upon resignation, removal or death, the Council member's seat on any City Board, Commission, Committee, Outside Committee, or any other position as City representative occupied by that person shall be immediately declared vacant, and a sitting Council member appointed by the Mayor as a replacement.

18.5 Council Task Forces – Council Ad-Hoc Task Forces may be created at any time by resolution. All Council Ad-Hoc Task Forces shall have a Council member as Chair who shall be appointed by the Council. Appointment of the members to Task Forces shall be by majority vote of the Council members present. Such Task Force shall report to the Council without unnecessary delay upon matters referred to them. All Council Ad-Hoc

Task Forces so created shall sunset at the end of their mission, but in all events shall be reviewed in January of odd numbered years prior to Council member liaison appointment.

18.6 Council Work Groups – Council Work Groups shall consist of three Council members who shall be appointed by the Council at a regularly scheduled Council meeting. Such Work Group shall report to the Council without unnecessary delay upon matters referred to them. All Council Work Groups so created shall sunset at the end of their mission and final report/recommendation to the Council.

18.7 Meetings Subject to Oregon Open Meetings Law – All meetings of any City Boards, Commissions, Lay-Committees, Council Committee, Task Force, or Work Group shall be subject to and comply with the Oregon Public Meetings law.

18.8 Registry – The City Recorder shall prepare, keep current and retain on file in the Office of the City Recorder a list of all appointees to all City Boards, Commissions, Committees, Council Ad-Hoc Task Forces, and any other group, the date of their appointment, the length of their unexpired term, and their contact information.

18.9 Youth Councilor – Each school year one Youth Councilor may be appointed as a non-voting member of the Council. The Youth Councilor shall not attend executive sessions. To receive this appointment, the candidates must be Keizer residents who are either attending high school or registered home schooled students and must be between the ages of 15 and 18 except where specified by resolution or ordinance. The appointments shall be by majority vote of the Council members present, following recommendations from the Volunteer Coordinating Committee. The Youth Councilor may be assigned roles and positions by Council.

18.10 Youth Liaison – Each school year one Youth Liaison may be appointed as a non-voting member to any City Board, Committee, or Commission. To receive this appointment the candidate must be either attending high school or a registered home schooled student and must be between the ages of 15 and 18 except where specified by resolution or ordinance. The appointment shall be by majority vote of the Council members present, following a recommendation from the Volunteer Coordinating Committee.

18.11 Outside Committees – Outside Committees are those committees, boards, commissions and other types of groups not created by the City Council. They include both governmental entities, as well as non-profit organizations. For non-Councilor appointments, the Council shall determine the appointment, following recommendation by the Volunteer Coordinating Committee. The Council shall appoint Council members to liaison and non-liaison positions for outside committees the first meeting in January every odd numbered year or when necessary. Each Council member shall keep the Mayor and Councilors informed of their involvement in all outside committees. The particular outside committee shall determine any attendance requirements and other matters concerning membership, voting, and procedure in accordance with any processes or controlling bylaws of those committees or boards. Non-liaison (voting)

Councilor positions may not be substituted by another Council member, unless such outside committee's rules specifically allow for such substitution. If a position on an outside board is sent to the Council as an open invitation, representing Keizer, then the Council will use the same process to appoint as in Section 18.2.

Nothing contained herein shall prevent a Council member from being a member of any type of committee outside of these provisions. However, such membership shall be as a private citizen and not as a representative of the City of Keizer. For these committee positions, the City Council does not need to approve.

18.12 City Committees/Council Member Liaisons – Council member liaison positions on City committees, boards, commissions, and task forces are non-voting. Council member liaisons shall generally provide avenues of communication between their committee and the Council and shall update the Council on the general status of such committee. Generally speaking, Council members in liaison positions should refrain from expressing opinion on specific policy issues under consideration by the committee unless it is to relay known City Council positions on a particular matter. Council member liaisons are required to attend in-person unless all members are meeting electronically as provided in Section 18.14. If a Council member liaison cannot attend a meeting, they shall notify the City Recorder and Chair and attempt to arrange a substitute Council member to appear. If a substitute is arranged, the Council member should notify the City Recorder's office and Chair with the substitute information. This subsection only applies to liaison positions and does not apply to Councilors appointed as voting members.

18.13 Additional Groups – No Board, Commission, Committee, Work Group, Task Force or any public body (other than the Council) may create another public body, except for subcommittees consisting only of its members. Upon recommendation by an entity, the Council may create another Group.

18.14 Electronic Meetings Limited – Except as stated below, no Board, Commission, Committee, Work Group, Task Force or other Council-created group may meet electronically, except if the meeting is scheduled for a time when a federal, state or local emergency declaration affecting all or a part of the City is in effect. At the chair's discretion and without objection from the committee, committees may hold a meeting partially or totally electronically upon a showing of a particular need.

SECTION 19 – ELECTRONIC MAIL/SOCIAL MEDIA

19.1 Electronic Mail/Social Media – The Council will observe the following guidelines when using any electronic method for correspondence or social media when dealing with public records:

- a) All e-mail/social media used by the Mayor and Councilors will comply with the requirements of the Oregon Public Records Law.

- b) E-mail may be used for correspondence, to schedule meetings, send informative messages, or request information from other members of the Council, the City Manager, or Department Directors. Council members shall use and keep their email accounts updated. The City shall provide sufficient equipment and software for Council members.
- c) E-Mail/social media may not be used to discuss policy issues with a quorum of the Council at one time or a quorum of any other governing body in any manner which would be in violation of the Oregon Public Meeting Laws.
- d) All e-mail/social media used by Council members shall only use City accounts when dealing with public records. No discussions or issues involving City business shall take place on non-City e-mail/social media accounts. This is required to be able to accurately archive these communications for public records purposes.

SECTION 20 – CITY COUNCIL GOAL/WORK PLAN SETTING

20.1 Council Goal/Work Plan Setting –

- a) Goal Setting/Work Plan Parameters. The Council shall set goals at a minimum of every two years to coincide with mayoral terms of office. The goals shall include Short Term Goals that the Council plans on completing within the next 24 months and Long Term Goals that the Council plans to work on during the next two years, but will take longer to complete than 24 months. In addition, the Council may also set a work plan for projects that Council has determined to be priorities for the short or long term.
- b) Creation of initial list. Following the election in November of even numbered years, the newly elected Council members shall meet with the current Council members in a work session meeting to establish an initial list of potential Council goals/Work plan. This initial “brainstorming” session shall be completed by December 31 of the election year.
- c) Work Session. During the first calendar quarter of the year following an election, a work session shall be dedicated to Council Goal/Work Plan Setting, committee review, and proclamation list. During this work session the initial list of potential Council goals and Work plan will be refined and amended to reflect the needs, and goals of the community. The goals shall reflect, but not be limited to, the goals established in the City’s Strategic Plan; Master Plans, community input, City staff, City committees and Council members. The Work plan shall include items of importance to the community.
- d) Adoption. Council Goals/Work Plan shall be adopted at a regular meeting of the Keizer City Council no later than the second regular session in April of the year following an election.

- e) Reporting. The City Manager shall provide a report of progress of Council Goals in the first quarter of the second year of the biennium. The Council may update and amend the Goals and Work Plan for the remainder of the biennium.

SECTION 21 – CITY COUNCIL TRAINING/AFFILIATION MEETINGS

21.1 Council Member Training – In addition to mandatory training (OGEC public meeting training once per term), all Council members are encouraged to attend at least one City affiliated training seminar/conference per calendar year. Such trainings might include:

- Mandatory reporter training
- League of Oregon Cities Annual Conference
- League of Oregon Cities Elected Officials Training Sessions
- Mid-Willamette Valley Council of Governments New City Councilor Training
- Mid-Willamette Valley Council of Governments State Wide Planning Seminar
- State of Oregon Emergency Management

21.2 Mayor's Training – In addition to the above expectation, the Mayor is expected to represent the City at the annual conferences of the Oregon Mayor's Association.

21.3 Reimbursement Allowance – Within budget constraints, training costs directly connected with the above conferences or the Council members' City committees are reimbursable. Any reimbursement allowance must comply with City of Keizer Personnel Policies.

21.4 Council Approval – Any other Council member training or affiliation meetings that exceed a total cost of One Hundred Dollars (\$100.00), including the registration costs, require Council approval prior to registering for the event.

SECTION 22 – MISCELLANEOUS

22.1 Amendments to Council Rules - Amendments to these rules shall be made by resolution.

22.2 Captions - All captions used herein are intended solely for convenience of reference and shall in no way limit any of the provisions of these Council Rules of Procedures.

Signature Page

The foregoing Council Rules were adopted by the City Council on April 21, 2025 by Resolution R2025-____. By signing below the Council members affirm they have read and received a copy of these rules.

City Council:

Mayor

Council President

Councilor

Councilor

Councilor

Councilor

Councilor



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Andrew Copeland, Police Chief
Subject: Police Department Community Service Petty Cash Fund Report

Proposed Motion

I move the City Council accept this report of disbursement of certain petty cash funds by the Police Department.

I. Summary

Each year the Police Department is required, by council resolution, to report how funds are spent in aid of the community or as part of undercover investigations.

II. Background

- A. In Fiscal Year 2011-12, through policy revision, the department changed the description of this to Community Assistance Fund to avoid confusion with a specific unit within the department. Also, for greater accountability and tracking, the policy was updated and funds were assigned specifically to individual sergeants instead of being shared between the patrol sergeant vehicles.
- B. Community Response Unit. This unit is currently staffed with a Lieutenant and two officers.

III. Current Situation

- A. The Community Response Unit did not expend funds during this fiscal year.
- B. The Community Assistance Fund was used in one instance this past year.
 - 1. Dishwasher soap on 3/9/24 for \$12.45

IV. Analysis

- A. **Strategic Impact** - No strategic impact.
- B. **Financial** - Financial impact was previously budgeted.

C. **Timing** - The report is to be presented to Council no later than May 1 each year.

D. **Policy/Legal** - N/A

V. Alternatives

A. Accept the report.

B. Take no action.

VI. Recommendation

Staff recommends that the City Council accept the report.

Attachments

None

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”



MINUTES
KEIZER CITY COUNCIL
Tuesday, February 18, 2025
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Clark called the meeting to order at 6:01 p.m.

Mayor Clark announced that there was a request to move item 8.i. to after item 8.c.
There were no objections.

ROLL CALL

Roll call was taken as follows:

Present:

Cathy Clark, Mayor
Shaney Starr, Council President
Soraida Cross, Councilor
Kyle Juran, Councilor
Daniel Kohler, Councilor
Marlene Parsons, Councilor
Lore Christopher, Councilor

Absent:

Ma'Layah Latty-Farrar, Youth
Councilor

Staff:

Adam Brown, City Manager
Tim Wood, Assistant City Manager
Shane Witham, Planning Director
Joseph Lindsay, City Attorney
Bill Lawyer, Public Works Director
Andrew Copeland, Police Chief
Garrett Klever, Human Resources
Director
Melissa Bisset, City Recorder

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

SPECIAL ORDERS OF BUSINESS

There were no special orders of business.

COMMITTEE REPORTS

Anne-Marie Storms, Deputy Fire Marshal, Keizer Fire, provided an update on calls for service, programs and upcoming events.

Lisa Cejka, Parks and Recreation Advisory Board, shared about their recent meeting. She noted that there were matching grant funds still available.

PUBLIC COMMENTS

Mayor Clark shared the written comments that had been received.

Lisa Cejka, Keizer, expressed her concerns about the comments related to Youth Liaison that she heard at the most recent work session. She commented on the accomplishments of the various Youth Liaisons over the last several years. She encouraged the Council to consider having the Youth Liaisons be voting members.

PUBLIC HEARINGS

a. **OLCC Application - Change of Ownership - Off-Premises Liquor License - Pat's Cig and Vape**

City Recorder Melissa Bisset summarized the staff report.

Council President Starr moved the City Council recommend approval of the application for a change of ownership for an Off-Premises Sales Liquor License from Mog and Mog Inc. for Pat's Cig and Vape under the guidelines established by ORS 471.175 and the Ordinances of the City of Keizer. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Cross, Kohler, Starr, Juran, Christopher, and Parsons (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

ADMINISTRATIVE ACTION

a. **RESOLUTION - Authorizing City Manager to Sign Management Agreement with Keizer Community Field Association for Keizer Multi-Sports Synthetic Turf Fields**

City Manager Adam Brown summarized the staff report. There was a question about how the contract was developed and if there was a professional that had reviewed the contract.

Councilor Cross shared that she would be interested in data, hours, and who was getting to play.

There would be a work session on the topic.

Councilor Christopher moved to table the Resolution to no later than April 21st. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Cross, Kohler, Starr, Juran, Christopher, and Parsons (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

b. **RESOLUTION - Authorizing City Manager to Sign Letter of Intent With Raising Cane's Restaurants LLC (Keizer Station Area B)**

City Manager Adam Brown summarized the staff report. Discussion followed regarding paying down PERS debt versus paying down the unfunded liability. There would be future discussion about the PERS debt during a Budget Committee meeting.

There were comments about land that was owned by the City in that no taxes were collected an

the financial benefits to the City and community by selling the land.

Council President Starr moved to adopt Resolution R2025- Authorizing City Manager to Sign Letter of Intent With Raising Cane's Restaurants LLC (Keizer Station Area B). Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Cross, Kohler, Starr, Juran, Christopher, and Parsons (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

c. **ORDINANCE** - Establishing a Franchise Agreement with Portland General Electric for Placement of Utilities in the Public Rights-of-Way; Repeal of Ordinance No. 2012-667

City Attorney Joseph Lindsay summarized the staff report. It was clarified that there would be no increase in the fees related to the Franchise Agreement.

Wendy Veliz, Local Government Affairs Manager, expressed her gratitude to the City for working on the Franchise Agreement. She commented on the most appropriate trees to be strategically planted and stated that vegetation management was best practice in their new Franchise Agreements.

Gratitude was expressed to PGE for the paint to remove graffiti.

There was a comment about working together with PGE on utility box wraps.

Council President Starr moved to adopt an Ordinance No. 2025- Establishing a Franchise Agreement with Portland General Electric for Placement of Utilities in the Public Rights-of-Way; Repeal of Ordinance No. 2012-667. Councilor Kohler seconded. Motion passed unanimously as follows upon first reading:

AYES: Clark, Cross, Kohler, Starr, Juran, Christopher, and Parsons (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Mayor Clark called for a recess.

d. **RESOLUTION** - Authorizing City Manager to Sign Volunteer Economic Development Advisor Agreement

The meeting resumed at 8:12 p.m.

City Manager Adam Brown summarized the staff report.

Mr. Ronald Raleigh, Keizer, opposed the passing of the item and shared his professional experience with bidding. He expressed concern over the bid process and felt it needed to go to the public. He suggested there could be an economic development board. He shared that he had reached out to the KeizerTimes about the issue.

There was discussion about whether these types of contracts existed in other Cities and the intent of the contract.

Discussion ensued regarding what other Cities were doing for economic development. There was a discussion about using volunteers.

It was clarified that the help was with working on selling the orphan properties that the City owned or having them leased out for additional income, to create jobs, and be added to the County tax rolls. Mr. Brown shared that last year, the strategy was to sell the properties and have the revenue be added to the unfunded accrued liability to give the City a better perpetual savings in cost versus revenue.

The term of the contract was two-years, and Mr. Brown offered for it to be a one-year agreement.

It was requested to have questions and check-ins with the Council and for language to be included in the contract to report on activities and documents on economic development opportunities. Mr. Brown stated that he could include information in his City Manager Report.

Mr. Brown explained how he would be using the consultant.

Council President Starr moved to adopt Resolution R2025- Authorizing City Manager to Sign Volunteer Economic Development Advisor Agreement. Councilor Kohler seconded.

Mayor Clark proposed removing Recital B and the phrase or other City-owned sites as a friendly amendment, and it was accepted by mover and seconder.

Council President Starr proposed to change the Conflict of Interest and Confidentiality Statement to be separate agreements and under the Conflict of Interest to include perceived, actual, or potential conflicts of interest, under Section 9, Item D.

City Attorney Lindsay stated that he would change Item D to read, Advisor agrees to sign an annual Statement of Confidentiality and update Statement of Actual, Potential, or Perceived Conflicts of Interest if they change throughout the year, and these are two separate agreements.

Mayor Clark expressed her concern with the agreement due to past experience and ties with other organizations historically that lead to a different way of looking at economic development, and she preferred to take the time to engage in what would be necessary to have economic development staff establish Keizer's strength and position in the Salem-Keizer Metropolitan Area economy. She noted that comparable cities had economic development staff and encouraged the Council to consider how to engage in the economic strength in the region. She requested that this be included in the Council's goals.

Motion passed as follows:

AYES: Cross, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: Clark (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

e. Discussion - Community Diversity Engagement Committee

City Attorney Adam Brown summarized the staff report.

Carrie Brown, Keizer, spoke about the role of the Community Diversity Engagement Committee (CDEC) and commented on the last two meetings. She stated that one of the requests from the Council was for the CDEC to look at renaming the CDEC and thought that at the last joint work session, there was an agreement to look at the naming of the CDEC.

Jane Titchenal, Keizer, expressed her thoughts on the reasoning for a potential name change and felt that the potential name change was based out of fear. There was also no objective evidence that funding would be lost due to the word diversity in the committee name. She noted that the people wanting to keep the current committee name were present. She commented on the partners around the City that were standing in their power, protecting families and students, standing up against ignorance that is being displayed. She hoped that the CDEC would be given the time to do their work and expressed her support for the CDEC.

Ray White, Keizer, shared that he wanted to help collaborate to ensure that the voices of the community were being heard and that people in the community who may not understand what's available to them. He believed the CDEC was passionate and capable of achieving this within their work. He encouraged the Council to consider the message the committee name would send and how the City could involve different voices in decisions. He supported refining the committee's focus, using existing resources, and encouraging collaboration between committees. He inquired about any concerns or fears about keeping the current name.

Mr. Brown commented on the consent calendar being time-sensitive for the waterline replacement item.

Councilor Christopher moved to extend the time until 9:20 to handle the consent calendar and items g, h and j. Motion was seconded by Councilor Parsons. Motion passed as follows:

AYES: Clark, Juran, Kohler, Starr, Christopher, and Parsons (6)

NAYS: Cross (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

f. Discussion to be brought to the next Community Diversity Engagement Committee (CDEC) Meeting - Rename CDEC Committee

This item was moved to the March 3rd Council meeting.

g. RESOLUTION - Resolution R2025-____ Amending the Keizer Public Art Commission (KPAC); Amending Resolution No. R2015-2552; Repeal of Resolution R2020-3059

City Attorney Joseph Lindsay summarized the staff report, which would bring the council liaison into alignment with a non-voting member.

Council President Starr moved to adopt Resolution R2025- Amending the Keizer Public Art Commission (KPAC); Amending Resolution No. R2015-2552; Repeal of Resolution R2020-3059. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Cross, Kohler, Starr, Juran, Christopher, and Parsons (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

h. Discussion - Adoption of Personnel Policies (Council approved policies)

Human Resources Director Garrett Klever summarized the staff report.

There was a consensus to have this item brought back as a package at the March 3rd meeting for adoption.

i. RESOLUTION - Establishing a Public City Library in the City of Keizer and Establishing Rules, Policies, and Regulations for the Keizer Public Library

This item was taken out of order and followed item 8.c.

City Attorney Joseph Lindsay summarized the staff report. Mr. Lindsay stated that the number of board members had changed to 12 members. The terms of officers would be three years and officers would be elected annually. He verified with the State that non-profit boards serve as library boards. Some of the rules were established for violations, which included a loss of library privileges that would go to the City Manager for appeal, but the suggestion was to make appeals go to the Library Board since it operates for the non-profit on lines 14 and 15 of the Resolution.

Also, line 22 in the Resolution could have different language about which funds could be limited by stating that discretionary funds could be subject to annual budgetary approval.

City Attorney Lindsay explained that the Library Board could make the decision as its own non-profit having its own budget officer or the City could initiate agreements for them to seek approval of the City for additional expenditures. If the Library Board wanted to retain its public status, they would need to adhere to their half of expenditures. Mr. Lindsay clarified that Budgetary Powers of the City would drive the Budget.

Discussion ensued regarding the City budgetary process, potential library funding, and who would be responsible for funding.

City Attorney Lindsay explained that the Resolution establishes a Public Library, which means that the City was currently funding at least half of the library's budget with public funds. The law doesn't say that the level of funding has to be maintained but rather, if funding falls short then there would be a couple of rebuilding years, and if there was still no public funding, then the State Library would no longer recognize the Public Library status. There was also a State Law option to rescind the Public Library recognition during two public meetings.

Discussion ensued regarding past course funding of the library and potential new sources, such as Transient Occupancy Taxes (TOT) funds.

BJ Toewe, Keizer, shared the history of the Keizer Community Library. She stated that there was a commitment from the City for \$30,000 and commented that Keizer could receive Chemeketa Cooperative Regional Library Service (CCRLS) benefits.

It was noted that the number of items checked out had doubled in the last two years.

Councilor Christopher asked for the Resolution to be passed with the funding to be from TOT fund

for sustainable funding. She asked that proposed language not state that the City would be investigating funding but rather identify where the funding would come from.

There was a question about what would happen if no public funds were given to the Library. Ms. Toewe confirmed that the Library could no longer operate under the public status with no obligation, violations, or fines.

Ms. Toewe confirmed that a Master's Degree in Library Services and library size were not required by the Oregon State Library. Ms. Toewe explained that nothing was required by the Oregon State Library, but there were recommended standards to be used as a tool.

The volunteers and the Board of the Keizer Community Library were commended for their dedication and commitment to the Library.

Discussion continued about potential funding. Mayor Clark asked about the funding request going before the Long Range Planning Task Force for long-range planning and funding of the library to build a policy to commit to this funding.

City Attorney Lindsay explained that a separate agreement or policy could indicate such a financial baseline and that the Oregon Revised Statutes required the Library to have 50 percent public funding and not specifically City funding. He clarified that if the Library were to secure different funding then the City could back off on its financial support, recognizing that for the last two years, and City funds had been used. He clarified that the State simply wants to see how the City planned to pay its portion within the Resolution.

On page 262 of the packet and line 22 of the Resolution, Mr. Lindsay suggested that if people were okay with the City investigating ways to pay for 50 percent of the Library budget, he offered to remove the language about the City searching for grants and then say that the City of Keizer proposes to finance through the use of discretionary TOT funds or other discretionary funds subject to approval.

Council President Starr moved to adopt Resolution R2025- Establishing a Public City Library in the City of Keizer and Establishing Rules, Policies, and Regulations for the Keizer Public Library as amended regarding the 12 members of the Keizer Library Board, the three-year term, and changing Item 7a to referring to the Library Board rather than the City Manager regarding library privileges. Councilor Kohler seconded.

Councilor Juran expressed his concern about encumbering money that was not set aside and asked what the \$30,000 might be taken away from. He felt that without knowing where the money would come from that he couldn't say that \$30,000 could be spent on the Library.

Councilor Christopher felt that it wouldn't be honest or truthful to vote on funding when there was an unknown about where the funds would come from for the Library. She wanted to ensure that the tax burden wouldn't be increased for Keizer residents and wanted language that would allow the Resolution to be adopted with the understanding that the Budget Committee was still in control.

City Attorney Lindsay suggested an amendment to say that the City of Keizer would finance the

Library through the use of discretionary funds subject to annual budgetary approval.

Mayor Clark disagreed with the friendly amendment because the amendment needs to be refined and go to a second motion.

Council President Starr moved to amend the motion to amend the language in Section 1B to say the City of Keizer will finance the library through the use of discretionary funds subject to annual budgetary approval. Councilor Kohler seconded.

Mayor Clark felt that the entire Long Range Planning Task Force should have a conversation to consider all the different ways the TOT funding was being used for economic development before the Resolution was adopted.

There was discussion about how TOT funds are being used and could be used. It was noted that 20 percent of TOT funds were dedicated to the Event Center, and a third hotel coming, so TOT funds would increase.

Discussion ensued regarding a potential funding policy.

Mayor Clark stated, "All in favor of amending the Resolution as stated". Motion passed as follows:

AYES: Cross, Kohler, Starr, Christopher, and Parsons (5)

NAYS: Clark, Juran (2)

ABSTENTIONS: None (0)

ABSENT: None (0)

Mayor Clark stated that the Resolution stands amended for the TOT back to the original with the amendments regarding the changes and the changes to section 1B, and asked for anything further for the motion. Motion passed as follows:

AYES: Cross, Kohler, Starr, Christopher, and Parsons (5)

NAYS: Clark, Juran (2)

ABSTENTIONS: None (0)

ABSENT: None (0)

Mayor Clark stated for the record that although she voted against the amended Resolution, she wanted the Library but felt that the Resolution was premature because of the uncertainty with funding.

It was noted that in order for the Keizer Community Library to submit the application to the State to receive Public Library status, they needed the Resolution to pass.

There was a 10-minute recess at 8:01 p.m.

j. Approval of the January 18, 2025 Work Session Minutes

Mayor Clark noted the following changes to the January 18, 2025, minutes where it refers to the discussion on Section 4.3 for Council President and states, "There was a consensus of the Council to have the City Attorney Lindsay work on the language of Section 4.3 and bring it back to Council on January 21st." Mayor Clark requested that this be corrected to read, "There was a majority of Council who agreed to have the City Attorney Lindsay work on the language of Section

4.3 and bring it back to Council on January 21st."

Mayor Clark noted a second correction on Section 20 where she asked for removal of references to the Council Work Plan that was done in 2020 and 2021, and this was not reflected in the minutes and was no longer in use. She would like to double check that the minutes note that this was stated and if not, then the January 18th minutes should be brought back when other corrections are made to remove from the Council Rules of Procedure because it was now outdated.

Mayor Clark noted a third correction to the minutes by removing the words about getting a report on the Council goals by saying that "The City Manager and Mayor would bring a report" and that was not how they were doing it, as it was only when there was a Work Plan where it was a council-led objective.

Council President Starr moved that the Keizer City Council approve the January 18, 2025, Work Session Minutes as amended. Calendar. Councilor Christopher seconded. Motion passed unanimously as follows:

AYES: Clark, Starr, Cross, Kohler, Juran, Christopher, and Parsons (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT CALENDAR

Councilor President Starr moved that the Keizer City Council approve the Consent Calendar. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Starr, Cross, Kohler, Juran, Christopher, and Parsons (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

- a. **Approval of January 21, 2025 Regular Session Minutes**
- b. **Approval of February 3, 2025 Regular Session Minutes**
- c. **RESOLUTION - Authorizing the City Manager to Award and Enter Into a Contract with Flow Line Construction LLC for 2025 Waterline Replacement Project**

OTHER BUSINESS

There was no other business.

STAFF UPDATES

There were no staff reports due to a lack of time.

COUNCIL MEMBER REPORTS

There were no Council Member Reports due to a lack of time.

AGENDA INPUT

Monday, February 24, 2025 - 6:00 p.m. - City Council Work Session - Short Term and Long-

Term Goals

Monday, March 3, 2025 - 6:00 p.m. - City Council Regular Session

Monday, March 10, 2025 - 6:00 p.m. - Long Range Planning Task Force Meeting

ADJOURNMENT

Mayor Clark adjourned the meeting at 9:17 p.m.

MAYOR:

APPROVED:

Cathy Clark

Dawn Wilson, Deputy City Recorder

Minutes approved: _____

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”



**MINUTES
KEIZER CITY COUNCIL**

**Monday, April 7, 2025
Robert L. Simon Council Chambers
930 Chemawa Road NE
Keizer, Oregon**

CALL TO ORDER

Mayor Clark called the meeting to order at 6:00 p.m.

ROLL CALL

Roll call was taken as follows:

Present:

Cathy Clark, Mayor
Shaney Starr, Council President
Kyle Juran, Councilor
Daniel Kohler, Councilor
Marlene Parsons, Councilor
Lore Christopher, Councilor
Ma'Layah Latty-Farrar, Youth
Councilor

Staff:

Adam Brown, City Manager
Tim Wood, Assistant City Manager
Shane Witham, Planning Director
Joseph Lindsay, City Attorney
Bill Lawyer, Public Works Director
Andrew Copeland, Police Chief
Melissa Bisset, City Recorder

Absent:

Soraida Cross, Council Vice
President

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

SPECIAL ORDERS OF BUSINESS

a. "If I Were Mayor" Contestant Recognition

Mayor Clark summarized the "If I Were Mayor" contest and presented certificates to the following finalists and winners.

Video Submission Finalists: Anastasiya Lim, Tehya Lewis, Carson Brown, Samuel Solis

Video Submission Winner: Katherine Klein

Essay Submission Finalists: Michelle Ashon-Imorora, David Ashon-Imorora, Nina Bastida

Essay Submission Winner: Collin Vosler

The video submission by Katherine Klein was displayed.

b. PROCLAMATION: Child Abuse Prevention Month

Mayor Clark read the Proclamation recognizing April as Child Abuse Prevention Month. She presented the proclamation to Adrienne Thomas, Prevention Outreach Coordinator, from Liberty House Children's Advocacy Center.

c. OR OSHA Safety & Health Achievement Recognition Program Presentation of Plaque and Flag to City

City Manager Brown acknowledged the City staff for graduating from Oregon Occupational Safety and Health Administration (OSHA) Safety and Health Achievement Recognition Program (SHARP).

OSHA representatives explained the process for receiving the awards, noting that Keizer was the only City in the State that has achieved the SHARP status.

COMMITTEE REPORTS

Youth Councilor Latty-Farrar reviewed the activities of McNary High School.

Brenda Lamb, Traffic Safety, Bikeways, and Pedestrian Committee member, shared about their most recent meeting and the pilot pedestrian flag program. There was discussion about the pilot program, including funding, installation, liability, the application process, and safety. It was noted that they would only be allowed on the crosswalks.

Lore Christopher, Council Liaison for the Keizer Public Arts Commission, provided an update from the most recent meeting.

a. Northwest Keizer Neighborhood Association Annual Report and Presentation of Bylaws

Hersch Sangster, Chair, and Griffin Walker Vice Chair of the Northwest Keizer Neighborhood Association shared information about the Northwest Keizer Neighborhood Association.

The graffiti removal program was discussed.

Council President Starr moved the City Council accept the report of the Northwest Keizer Neighborhood Association and extend recognition to the Northwest Keizer Neighborhood Association for an additional year. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

Council President Starr moved the City Council accept the bylaws of the Northwest Keizer Neighborhood Association. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

b. Greater Northeast Keizer Neighborhood Association Annual Report and Presentation of Bylaws

Tammy Kunz, President of the Greater Northeast Keizer Neighborhood Association, shared their accomplishments from the past year.

Mr. Lindsay noted a few places left open for percentages to solidify on page 131 of the packet related to the bylaws. The two amendments included that special meetings may be called by the board for specified members, which would probably be by a quorum of members. Also, a quorum of a meeting would probably be over half of the members for a simple majority.

Council President Starr moved the City Council accept the report of the Greater Northeast Keizer Neighborhood Association and extend recognition to the Greater Northeast Keizer Neighborhood Association for an additional year. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

Council President Starr moved the City Council accept the bylaws as amended of the Greater Northeast Keizer Neighborhood Association. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

c. Community Diversity Engagement Committee Appointments and Councilor Liaison Appointment (CDEC)

Position #1: Councilor Parsons - Robin Barney

Position #2: Council President Starr - Sara Ngo

Position #3: Councilor Juran - Larry Porter

Position #4: Council Vice President Cross - Will make the appointment on April 21st

Position #5: Councilor Christopher - Fausto Ramos

Position #6: Councilor Kohler - Guillermo Rodriguez

Position #7: Mayor Clark - Jane Titchenal

It was noted that the Youth position would be appointed through the Volunteer Coordinating Committee process.

d. Volunteer Coordinating Committee Recommendations for Appointments - Parks and Recreation Advisory Board; Budget Committee; Traffic Safety, Bikeways, and Pedestrian Committee; and Keizer Public Arts Commission.

City Recorder Melissa Bisset summarized the staff report.

Council President Starr moved the City Council accept the recommendations of the Volunteer Coordinating Committee and appoint Liam Stitt to the Youth Liaison Position of the Parks and Recreation Advisory Board for school year term of 2025/2026; appoint Bruce Anderson to Position #5 of the Budget Committee for the term expiring August 31, 2026; Trevor Lewis to Position #4 of the Traffic Safety, Bikeways, and Pedestrian Committee for the term expiring December 31, 2027; and appoint Claire Juran to Position #4 to the Keizer Public Arts Commission for term expiring June 30, 2027. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

PUBLIC COMMENTS

Mayor Clark acknowledged the written comment received by Nancy Livermore related to concerns for inadequate parking.

Michael Welsh, Keizer, congratulated the City for receiving the SHARP award. Mr. Welsch felt that those who laid the groundwork for equity and inclusion were undermined and that it was not productive for Community Diversity Engagement Committee (CDEC) members to be replaced.

Tammy Kunz, Keizer, thanked Council President Starr for having previously appointed her, expressed sadness that the CDEC members being replaced, and were not told prior to the meeting. She shared about the work of the CDEC.

Ryan Hewlett, Keizer, thanked the Council for keeping the name Diversity in the CDEC. He felt that replacing CDEC committee members would set the Committee back. He was happy that a Youth Liaison would still be a voting member. He expressed support for voting Youth Liaisons on Committees.

Nancy Livermore, Keizer, expressed concerns about inadequate parking.

Francisco Saldivar, Keizer, shared about the upcoming renewal bond measure for Chemeketa Community College on the May ballot.

Levi Herrera, Keizer, supported the idea of street art specifically with murals and walls. He expressed confusion and concern about the process for the new appointments related to the CDEC.

Carrie Brown, Keizer, shared her thoughts about how the CDEC committee members were and should be appointed and expressed her disappointment with the members not being reappointed. She commented on the current and planned work of the committee and expressed concern that the work would be stalled.

PUBLIC HEARINGS

a. RESOLUTION - Authorization for Supplemental Budget - General Fund - Transient

Occupancy Tax

Mayor Clark opened the public hearing.

Assistant City Manager Tim Wood summarized the staff report.

Councilor Parsons momentarily left the meeting and was not present for this item.

Mayor Clark closed the public hearing.

Council President Starr moved to adopt Resolution R2025- Authorization for Supplemental Budget - General Fund - Transient Occupancy Tax. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, and Christopher(4)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross and Parsons (2)

b. RESOLUTION - Authorization for Supplemental Budget - Street Fund

Mayor Clark opened the public hearing.

Assistant City Manager Tim Wood summarized the staff report.

Mayor Clark closed the public hearing.

Council President Starr moved to adopt Resolution R2025- Authorization for Supplemental Budget - Street Fund. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

c. RESOLUTION - Authorization for Supplemental Budget - Administrative Services Fund

Mayor Clark opened the public hearing.

Assistant City Manager Tim Wood summarized the staff report. It was noted that the allocation would be correct in the upcoming budget.

Mayor Clark closed the public hearing.

Council President Starr moved to adopt Resolution R2025- Authorization for Supplemental Budget - Administrative Services Fund. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

d. **RESOLUTION - Authorization for Supplemental Budget - Keizer Station Local Improvement District Fund**

Mayor Clark opened the public hearing.

Assistant City Manager Tim Wood summarized the staff report.

Mayor Clark closed the public hearing.

Council President Starr moved to adopt Resolution R2025- Authorization for Supplemental Budget - Keizer Station Local Improvement District Fund. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

e. **OLCC Application - New License Application - Mesa del Rincon Cerveceria & Taproom, LLC**

Mayor Clark opened the public hearing.

City Recorder Melissa Bisset summarized the staff report.

Moises Mendoza Medina, owner of Mesa del Rincon Cerveceria & Taproom, LLC, commented that they are transitioning the requirements to have a full liquor license to offer signature cocktails in addition to craft beers.

Mayor Clark closed the public hearing.

Council President Starr moved the City Council recommend approval of the application for a New License Application for a Full On-Premises, Commercial Liquor License for Mesa del Rincon Cerveceria & Taproom, LLC under the guidelines established by ORS 471.175 and the Ordinances of the City of Keizer. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

f. **RESOLUTION - Authorizing the City Manager to Transfer Property to City of Salem (Marion County Tax Lot 073W01B003400)**

Mayor Clark opened the public hearing.

City Attorney Joseph Lindsay summarized the staff report. Public Works Director Lawyer shared that the piece of property was in the City of Salem and has a sewer lift station on it. The City of Salem owns the lift station and with ownership of the property, they could maintain the lift station.

Mayor Clark closed the public hearing.

Council President Starr moved to adopt Resolution R2025- Authorizing the City Manager to Transfer Property to City of Salem (Marion County Tax Lot 073W01B003400). Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

ADMINISTRATIVE ACTION

a. Event Center Fee Waiver - 3rd Annual Salem-Keizer FFA BBQ & Cow Pie Bingo

This item was taken out of order.

Casity Troutt, Future Farmers of America (FFA) alumni and representative, along with some FFA students, Aleena Santiago and Memphis Hukill, explained the work of FFA and request for the waiver to raise money for their student programs.

Council President Starr moved the City Council approve the requested waiver of the Event Center use fee of \$2,550 but charge \$300 for security and \$1,150 for the refundable security deposit for the 3rd Annual Salem-Keizer FFA BBQ & Cow Pie Bingo event on October 25, 2025. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

b. RESOLUTION - Adoption of 2025-2026 City Council Goals

City Manager Adam Brown summarized the staff report. There was a question about how leads would be assigned to the Council goals.

Council President Starr moved the Keizer City Council adopt Resolution R2025- Adoption of 2025-2026 City Council Goals. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

Councilor Christopher moved that the Keizer City Council create a work group comprised of Councilor Christopher, Councilor Juran, and Council President Starr working with the City Manager and Mo Avishan to bring back to the City Council an update on our current status with the five-year strategic plan. Seconded by Council President Starr.

Mayor Clark stated that her understanding was that the Council would have a work session to work on the short-term goals and decide where they were and then proceed. This motion would jump ahead in creating a work group, and she preferred to have all the Council involved.

Motion passed as follows:

AYES: Kohler, Starr, Juran, Christopher, and Parsons (5)

NAYS: Clark (1)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

c. RESOLUTION - Recognizing National Observances and Commemorative/Heritage Months; Repeal of Resolutions R2021-3215, R2022-3324, and R2022-3343

City Attorney Joseph Lindsay summarized the staff report.

Council President Starr moved to adopt Resolution R2025- Recognizing National Observances and Commemorative/Heritage Months; Repealing Resolutions R2021-3215, R2022-3324 and R2022-3343. Councilor Kohler seconded.

Mayor Clark stated her concern with not including Constitution Week and Small Business Saturday, which are two very important observances to recognize in a public setting annually, and that was why she would be voting no.

Motion passed as follows:

AYES: Kohler, Starr, Juran, Christopher, and Parsons (5)

NAYS: Clark (1)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

d. Discussion Item - Council Rules and Procedure

Mayor Clark reviewed her suggested changes to the Council Rules of Procedure.

Page 5 of the rules in Section 3.10 to add "or reasonably need to compel a Council member to attend as per Charter Section 3.6" for the purpose of a quorum.

Council President Starr moved to amend the Council Rules, Section 3.10 Attendance Duty. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

It was clarified that these changes were for council only and not for committees, or commissions.

Sections 4.13 and 7.2 have two typos that would be corrected.

Section 18.3 would be rewritten to clarify the sentence to read "in addition, the candidate must be a resident or when allowed a non-resident who must be a property owner or business owner in the city with no more than one non-resident per city committee, board, or commission, except where specified by resolution or ordinance."

Council President Starr moved to clarify Section 18.3 with the language recommended. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

Section 18.5 has a typo that would be corrected.

Section 20 on a Work Plan would be rewritten for it to include permissive language.

It was requested to consider a change to section 9.1.c from five to three minutes.

Councilor Parsons moved to change public comments from five minutes to three minutes. Seconded by Councilor Juran.

Councilor Christopher would be voting no because she felt that the Council doesn't have enough opportunity to talk with the community members.

Councilor Kohlher felt that the full five minutes was needed to give everyone an opportunity to share their thoughts.

Council President Starr felt that it was not right to limit public comments to three minutes.

Councilor Juran felt that everyone has the opportunity to send the long version of their public comment to the Council who takes it into consideration their comments whether or not they speak in person, and he encouraged everyone to also speak if they felt comfortable.

Motion Failed as follows:

AYES: Clark, Juran, and Parsons (3)

NAYS: Kohler, Starr, Christopher (3)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

Council President Starr moved for Section 6.1.e. Committee Reports to add "and Youth Councilor Report". Councilor Kohler seconded. Motion passed Unanimously as follows:

AYES: Clark, Juran, Kohler, Starr, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

Council President Starr moved for consent calendar to after public comment. Councilor Kohler seconded. Motion passed Unanimously as follows:

AYES: Clark, Juran, Kohler, Starr, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

Council President Starr moved for Section 14.2 Proclamations . Councilor Kohler seconded.

Motion passed Unanimously as follows:

AYES: Clark, Juran, Kohler, Starr, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

There was discussion regarding the proclamation process and how the Council would know if someone submitted a proclamation request using an online form. It was suggested to have a proclamation request database that the Council could check and if they wish to suspend the rules to consider the proclamation. It was noted that the City Recorder could send all requests to the Council and if the Council received a request, they could forward it to the City Recorder. City Attorney Lindsay reminded the Council that there can't be any discussion or shared opinions about the requests to avoid a possible serial meeting.

The discussion on Section 14.2 was tabled and would be brought back.

e. Consider Proclamation Request for Vietnamese-American Remembrance Day (April 30th)

Council President Starr moved to extend the meeting to 9:15. Councilor Parsons seconded.

Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

City Manager Brown suggested that the proclamation could be added to the informal list each year. At the beginning of the year, those proclamations could be considered for the formal process. It was clarified that if proclamations were added to the informal list, those proclamations would still be sent to the requester.

Council President Starr moved the City Council to approve the Proclamation Request for the informal list for the Vietnamese-American Remembrance Day and Frontline Worker Appreciation Month. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

f. Consider Proclamation Request for Frontline Worker Appreciation Month (May)

g. Approval of February 10, 2025, Work Session Minutes

Mayor Clark requested a change to the February 10th work session minutes on page 229 (page 3 of the minutes) at the references by the Rabbi to insert the name Rabbi Perlstein for clarification, two paragraphs down from that on September 15th about Constitution Week Proclamation that it was agreed to add "by a majority to add it to September 15th," and on page 4 about the Ruby Bridges Walk to School Day change to Salem-Keizer Safe Routes to School.

Councilor President Starr moved that the Keizer City Council approve the February 10, 2025.

Work Session Minutes with the change noted. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Starr, Kohler, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

h. Approval of February 18, 2025, Regular Session Minutes

Mayor Clark requested a change for clarification to the February 18th minutes on page 239 (page 7 of the minutes) in reference to the Oregon Library Association guidelines and the context of the conversation because the Council was talking about the Oregon State Library requirements, the third paragraph down explains that nothing was required by the OLA and should be the Oregon State Library, and on page 240 (page 8 of the minutes), the vote on the motion amendment was included, but the final vote on the main motion was omitted and had the same result so the vote should be added in.

It was requested for the Council to have an updated version of the minutes clarifying the vote before a motion would be made.

i. Approval of the March 3, 2025, Regular Session Minutes

Mayor Clark requested a change to the March 3rd minutes on page 245 (page 3 of the minutes), item 8.b. at the end of the sentence "it was noted that there was new language about vegetation management and the rates were status quo" to make it the same as item 8.a. where it states, "it was noted that the franchise rate was status quo" for clarification because the City wouldn't have any control over the electricity rates.

Councilor President Starr moved that the Keizer City Council approve the March 3, 2025, Regular Session Minutes with the change noted. Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Starr, Kohler, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

j. ORDINANCE - Relating to Cruising; Repealing Keizer Code Section 26-1

Police Chief Andrew Copeland summarized the staff report.

Council President Starr moved to adopt an Ordinance No. 2025- Relating to Cruising; Repealing Keizer Code Section 26-1. Councilor Kohler seconded. Motion passed unanimously as follows upon first reading:

AYES: Clark, Kohler, Starr, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

CONSENT CALENDAR

Councilor President Starr moved that the Keizer City Council approve the Consent Calendar.

Councilor Kohler seconded. Motion passed unanimously as follows:

AYES: Clark, Starr, Kohler, Juran, Christopher, and Parsons (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Cross (1)

- a. **Amphitheatre Fee Waiver Request - Claggett Creek Watershed Council - Soggy Day in the Park**
- b. **Event Center Fee Waiver - 2025 Ed Harris Memorial Trade-O-Ree (Scouts)**
- c. **Approval of March 17, 2025 Regular Session Minutes**
- d. **Approval of March 24, 2025 Work Session Minutes**

OTHER BUSINESS

Councilor Christopher recognized Mayor Clark's recent birthday, and she showed a picture of the Wallace House poster that the Council agreed to loan long-term to the Keizer Museum to share the progress.

Councilor Christopher would like to make a motion that the City provide up to \$2,400 for the Keizer Cultural Center for a rack card. She felt that transient occupancy tax would be a good use of the funds. By consensus, staff would bring the item to the next City Council meeting.

STAFF UPDATES

There were no staff updates.

COUNCIL MEMBER REPORTS

There were no pressing reports from Council Members.

AGENDA INPUT

Monday, April 14, 2025 - 6:00 p.m.

City Council Work Session - Joint meeting with Neighborhood Associations

Monday, April 21, 2025 - 6:00 p.m.

City Council Regular Session

Monday, May 5, 2025 - 6:00 p.m.

City Council Regular Session

ADJOURNMENT

Mayor Clark announced that Council would be moving into Executive Session under ORS 192.660(2)(e) and ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to negotiate real property transactions to carry on labor negotiations. She shared the location, attendees, and requirements of the media should they attend.

Mayor Clark adjourned the meeting at 9:16 p.m.

MAYOR:

APPROVED:

Cathy Clark

Dawn Wilson, Deputy City Recorder

Minutes approved: _____

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Melissa Bisset, City Recorder
Subject: OLCC Application - License Application - Micheladas Antojitos El Perico Mobile

Proposed Motion

I move the City Council recommend approval of the application for a New License Application for a Full On-Premises, Commercial Liquor License for OLCC Application - License Application - Micheladas Antojitos El Perico Mobile LLC under the guidelines established by ORS 471.175 and the Code of the City of Keizer.

I. Summary

The City received a New License Application for a Full On-Premises for OLCC Application - License Application - Micheladas Antojitos El Perico Mobile, LLC located at 4415 River Road N, Keizer, Oregon. As required by Keizer Code Chapter 4, a public hearing was scheduled; notice was published and mailed to all property owners within 200 feet of the establishment as well as the West Keizer Neighborhood Association. The Keizer Police Department conducted a background check of the applicants and has no reason to recommend denial of the application. In addition, the Keizer Planning Department finds the location of the establishment to be properly zoned and has no additional comment on the application.

II. Background

- A. Keizer Code Chapter 4 includes guidelines for review of liquor license applications in the City of Keizer.
- B. The Code states liquor licensees should promote, sell, and serve alcohol in a responsible manner which minimizes the risks associated with its use, and should work in partnership with the community to improve community livability.

III. Current Situation

- A. The owner of Micheladas Antojitos El Perico Mobile LLC has submitted an application for a Full On-Premises for OLCC Application for their business located at 4415 River Road N in Keizer, Oregon.
- B. The Oregon Liquor and Cannabis Commission (OLCC) allows for Local Government

Recommendations on Liquor License Applications.

IV. **Analysis**

- A. **Strategic Impact** - N/A
- B. **Financial** - The application requires a \$100 fee, which has been paid.
- C. **Timing** - As required by Keizer Code Chapter 4, a public hearing was scheduled; notice was published and mailed to all property owners within 200 feet of the establishment as well as the West Keizer Neighborhood Association.
- D. **Policy/Legal** - The review process for a liquor license application is outlined in Keizer Code Chapter 4.

V. **Alternatives**

- A. Recommend approval of the license application.
- B. If no action is taken, the Oregon Liquor & Cannabis Commission (OLCC) will have the authority to make a determination.
- C. File an unfavorable recommendation with the OLCC based on the license refusal for reasons in Oregon State Statutes and Oregon Administrative rules and supported by reliable factual information.

VI. **Recommendation**

Staff recommends the public hearing be opened to allow testimony from the applicant or other interested individuals and upon completion, the hearing be closed. It is further recommended the Council recommend approval of the application for Micheladas Antojitos El Perico Mobile LLC located at 4415 River Road N, Keizer, Oregon, under the guidelines as established by ORS 471.175 and the Code of the City of Keizer. This recommendation will then be forwarded to the OLCC for final approval.

Attachments

- 1. OLCC Application

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."



OREGON LIQUOR & CANNABIS COMMISSION

Local Government Recommendation – Liquor License

Annual Liquor License Types

Off-Premises Sales	Brewery-Public House
Limited On-Premises Sales	Brewery
Full On-Premises, Caterer	Distillery
Full On-Premises, Commercial	Grower Sales Privilege
Full On-Premises, For Profit Private Club	Winery
Full On-Premises, Non Profit Private Club	Wholesale Malt Beverage & Wine
Full On-Premises, Other Public Location	Warehouse
Full On-Premises, Public Passenger Carrier	

Section 1 – Submission – To be completed by Applicant:

License Information

Legal Entity/individual Applicant Name(s): Oswaldo Velasco Loera

Proposed Trade Name: Micheladas Antojitos El Perico Mobile LLC

Premises Address: 4415 River RD N , Keizer, OR

Unit:

City: Keizer

County: Marion

Zip: 97303

Application Type: ☒ New License Application ☐ Change of Ownership ☐ Change of Location

License Type: Full on- Premises, Commercial ☐ Additional Location for an Existing License

Application Contact Information

Contact Name: Oswaldo Velasco Loera

Phone: [REDACTED]

Mailing Address: [REDACTED]

City: Salem

State: OR

Zip: 97305

Email Address: [REDACTED]

Business Details

Please check all that apply to your proposed business operations at this location:

- ☐ Manufacturing/Production
- ☐ Retail Off-Premises Sales
- ☒ Retail On-Premises Sales & Consumption

If there will be On-Premises Consumption at this location:

- ☐ Indoor Consumption ☒ Outdoor Consumption
- ☒ Proposing to Allow Minors

Section 1 continued on next page



Local Government Recommendation – Liquor License

Section 1 Continued – Submission - To be completed by Applicant:

Legal Entity/Individual Applicant Name(s): Oswaldo Velasco Loera

Proposed Trade Name: Micheladas Antojitos El Perico Mobile LLC

IMPORTANT: You MUST submit this form to the local government PRIOR to submitting to OLCC.
Section 2 must be completed *by the local government* for this form to be accepted
with your CAMP application.

Section 2 – Acceptance - To be completed by Local Government:

Local Government Recommendation Proof of Acceptance

After accepting this form, please return a copy to the applicant with received and accepted information

City or County Name: City of Keizer Optional Date Received Stamp

Date Application Received: 3/14/2025

Received by: Melissa Bisset, City Recorder

Section 3 – Recommendation - To be completed by Local Government:

- ☐ Recommend this license be granted
- ☐ Recommend this license be denied (Please include documentation that meets OAR 845-005-0308)
- ☐ No Recommendation/Neutral

Name of Reviewing Official:

Title:

Date:

Signature:

After providing your recommendation and signature, please return this form to the applicant.



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Joseph Lindsay, City Attorney
Subject: Collective Bargaining Agreement with Keizer Police Association - Sergeants

Proposed Motion

I move to adopt Resolution R2025-___ Authorizing City Manager and Chief of Police to Sign 2025-2026 Collective Bargaining Agreement with Keizer Police Association (for the Sergeant Bargaining Unit).

I. Summary

Before the City Council is a tentatively agreed upon collective bargaining agreement (CBA) between the City of Keizer and the Keizer Police Association Sergeants bargaining unit.

Because the Sergeants have already voted to ratify this specific CBA, approval of this resolution will result in the ratification of this agreement.

II. Background

- A. The Oregon State Legislature passed legislation allowing Sergeants to unionize in Oregon starting in the spring of 2024. City of Keizer Sergeants certified shortly thereafter, and demanded to bargain June 12, 2024. Due to some filing corrections through the Employee Relations Board (ERB), negotiations didn't officially get underway until November 13, 2024. Using the current KPA agreement as a starting template, the City and Sergeant negotiation teams met over several months to negotiate this tentatively agreed upon collective bargaining agreement (CBA). This will be the first CBA for this newly organized bargaining unit.

III. Current Situation

- A. The Sergeants have already voted to ratify this specific CBA. Most of the working conditions and department processes match that of the greater Keizer Police Association CBA. Here are some of the highlights of this agreement: a 3.0% COLA on July 1, 2025, a reconfiguration of steps into a six-step system that results in compensation rated at 1.9% above the market median (looking at 8 other local agencies within 150% of our population), education incentives include 2.5% for an AA or 5% for a BA, certification pay for a management certificate at 4%, and there

are some specialty pay assignments that are rare to the Sergeant position (K9, SWAT, or motorcycle) that are set at 5%. These changes are only retro back to April 1, 2025. This first agreement expires at the same time as the greater KPA CBA, allowing for dual negotiations that could allow for changes that could affect both groups moving forward.

IV. Analysis

- A. **Strategic Impact** - This CBA presents known (agreed upon) costs that are reasonable and will help stabilize our workforce.
- B. **Financial** - \$22,500 additional this budget between April 1, 2025, and June 30, 2025 (baking in PERS, Def. Comp. too)
\$108,843 additional to next year's budget (at most)
- C. **Timing** - The parties have tentatively agreed to a retro back to April 1, 2025, but the sooner the agreed upon CBA gets ratified, the better for the City.
- D. **Policy/Legal** - After their proper certification and their demand to bargain, Oregon law requires that the City negotiate in good faith regarding the working conditions and wages with the Sergeant bargaining unit. This CBA is the result of those good faith negotiations. The City has a stated compensation philosophy of compensating positions in the range of -5% to 5% of the marketplace. This agreement at 1.9% falls squarely within that compensation philosophy/policy.

V. Alternatives

- A. Adopt the resolution and the CBA will be ratified.
- B. Set over the adoption for further advice in a future executive session about options.
- C. Do nothing and the negotiations will most likely go to mediation and then probably arbitration.

VI. Recommendation

Staff recommends adoption of the resolution as presented.

Attachments

- 1. RES_CC_Authorizing to sign KPA-S Collective Bargaining Agreement_4 21 2025
- 2. EXH_CC_KPA-S Collective Bargaining Agreement_4 21 2025

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2025-____

4
5 AUTHORIZING CITY MANAGER AND CHIEF OF POLICE TO
6 SIGN 2025-2026 COLLECTIVE BARGAINING AGREEMENT
7 WITH KEIZER POLICE ASSOCIATION (FOR THE SERGEANT
8 BARGAINING UNIT)
9

10 WHEREAS, the legislature allowed sergeants to unionize in the spring of 2024;

11 WHEREAS, the Keizer Police Sergeants petitioned for unionizing in the summer
12 of 2024;

13 WHEREAS, the parties have been bargaining since November 2024;

14 WHEREAS, the parties have reached tentative agreement on a Collective
15 Bargaining Agreement for the period of April 1, 2025 through June 30, 2026;

16 WHEREAS, from time-to-time amendments need to be made to the Collective
17 Bargaining Agreement to modify provisions and change job classifications as authorized
18 by the Council;

19 WHEREAS, such amendments are made with the use of Memoranda of
20 Understanding;

21 WHEREAS, Memoranda of Understanding must be authorized by the City
22 Council;

23 WHEREAS, the City Council desires to allow the City Manager and Chief of
24 Police to sign Memoranda of Understanding relating to the 2025-2026 Collective
25 Bargaining Agreement (for the Sergeant Bargaining Unit) without further authorization

1 by the City Council except for amendments relating to provisions that relate to wages,
2 benefits, budgetary matters, or job classification additions, except as noted below;

3 WHEREAS, the City Council desires to allow the City Manager and Chief of
4 Police to sign Memoranda of Understanding relating to the 2025-2026 Collective
5 Bargaining Agreement (for the Sergeant Bargaining Unit) without further authorization
6 by the City Council relating to classification additions if such job classification additions
7 have been budgeted for by Council;

8 WHEREAS, the City Council desires to allow the City Manager and Chief of
9 Police to sign Memoranda of Understanding relating to the 2025-2026 Collective
10 Bargaining Agreement (for the Sergeant Bargaining Unit) without further authorization
11 by the City Council relating to individual new-hire vacation/sick leave beginning bank
12 and/or accrual;

13 NOW, THEREFORE,

14 BE IT RESOLVED by the City Council of the City of Keizer that the City Manager
15 and Chief of Police are authorized to sign the 2025-2026 Collective Bargaining
16 Agreement with the Keizer Police Association (for the Sergeant Bargaining Unit) based
17 on the attached tentative agreements approved by the Keizer Police Association
18 representatives.

19 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that the
20 City Manager and Chief of Police are authorized to sign Memoranda of Understanding
21 relating to the 2025-2026 Collective Bargaining Agreement (for the Sergeant Bargaining

1 Unit) without further Council authorization unless such Memoranda pertain to provisions
2 that relate to wages, benefits, budgetary matters, or job classification additions, except as
3 noted below.

4 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that the
5 City Manager and Chief of Police are authorized to sign Memoranda of Understanding
6 relating to the 2025-2026 Collective Bargaining Agreement (for the Sergeant Bargaining
7 Unit) without further Council authorization relating to job classification additions if
8 Council has budgeted for the job classification addition.

9 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that the
10 City Manager and Chief of Police are authorized to sign Memorandum of Understanding
11 relating to the 2025-2026 Collective Bargaining Agreement (for the Sergeant Bargaining
12 Unit) without further Council authorization relating to individual new-hire vacation/sick
13 leave beginning bank and/or accrual as long as any changes are budgeted.

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

16 PASSED this _____ day of _____, 2025.

17

18 SIGNED this _____ day of _____, 2025.

19

20

21

22

Mayor

23

24

25

City Recorder

COLLECTIVE BARGAINING AGREEMENT



CITY OF KEIZER

And

KEIZER POLICE ASSOCIATION

SERGEANTS

2024 through June 30, 2026

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PREAMBLE

This Collective Bargaining Agreement, hereinafter referred to as the “Agreement,” is entered into by the City of Keizer, Oregon, hereinafter referred to as “City” and the Keizer Police Association, (for the Sergeant Bargaining Unit), hereinafter referred to as the “Association.”

The purpose of this Agreement is to set forth those matters pertaining to rates of pay, hours of work, fringe benefits and other conditions of employment and the establishment of an equitable and peaceful procedure for the resolution of disputes.

ARTICLE 1 – RECOGNITION

Section 1.1 Exclusive Representation

The City recognizes the Keizer Police Association, hereinafter referred to as the “Association” as the exclusive collective bargaining agent for matters concerning direct or indirect monetary benefits, hours, vacations, sick leave, grievance procedures, and conditions of employment for all regular employees in the following classifications:

A. Sergeants

Section 1.2 Spouses and Domestic Partners

For the purposes of this Agreement, where insurance benefits are extended to “spouses,” domestic partners shall be considered “spouses.” Additionally, other types of benefits, such as sick leave pay and FMLA/OFLA benefits to care for a member of the employee’s immediate family, are extended to domestic partners. Whenever the term “domestic partner” is used in this Agreement, it will be defined as an individual of the same or opposite sex who lives with the employee and has fulfilled the requirements contained in and completed the “Affidavit of Domestic Partnership” form which is available from Human Resources. Domestic partners that have fulfilled the requirements set forth in this form will be eligible for all benefit insurance options available to “spouses”, as well as other benefits extended to domestic partners under this Agreement. Employees are obligated to promptly notify the Chief of Police and Human Resources when domestic partnerships begin and end in situations for which they are eligible to receive insurance or other types of City benefits.

Section 1.3 New Classifications

When any new classification not listed in Section 1.1 above is established by the City and assigned to the bargaining unit, the City shall designate a pay rate for the new classification. The City shall then notify the Association in writing of the pay rate and furnish the Association with a copy of the new classification specification. In the event the Association does not concur with the pay rate, the Association shall notify the City in writing of such within fourteen (14) days of its receipt

of the City notice. The City is not precluded from hiring the new classification upon notice to the Association, and the City acknowledges any bargaining obligations.

Pursuant to ORS 243.698, if after ninety (90) days of negotiations the parties have not resolved the issue, an arbitrator shall be mutually agreed upon or selected in accordance with the procedure established in Section 15.1, Step Four, except the arbitrator shall be bound by the applicable provisions of ORS 243.746. Any higher pay rate negotiated with the Association or obtained through an arbitration decision must be paid retroactively to the employee's date of hire, along with any additional overtime pay that was earned during that time. Nothing contained herein shall be construed to limit the City's ability to create or combine job classifications.

In the event the City intends to establish a new classification within the Keizer Police Department, hereinafter referred to as the "Department," and outside the bargaining unit, the City will notify the Association in writing of its intentions; will provide a copy of the classification description; and, if requested to do so, will discuss with the Association whether the classification should be a bargaining unit position. If the parties are unable to agree, the dispute will be resolved under the Public Employee Collective Bargaining Act (PECBA) unit clarification procedures before the Employment Relations Board (ERB).

ARTICLE 2 – MANAGEMENT RIGHTS

Section 2.1 Management Rights

Subject to the requirements of the PECBA relating to the obligation to bargain, the City retains all the customary, usual, and exclusive rights connected with the responsibility to manage the affairs of the Department. The City shall retain the exclusive right to exercise all the customary functions of management, including but not limited to:

- A. Determine the specific programs and services offered by the City, and the methods, means and facilities by which they shall be effectuated.
- B. Determine the size, nature and qualifications of the work force, to assign duties and equipment, to direct and evaluate the employees in the performance of their work assignments.
- C. Develop work rules and operating procedures not inconsistent with this Agreement.
- D. Promote, transfer, lay-off, discipline, demote and discharge employees.

Section 2.2 Subcontracting

The City shall notify the Association in writing when it appears reasonably probable that the City will subcontract work currently performed by the bargaining unit. In the event the Association demands to bargain over the decision and/or impact of the subcontracting of bargaining unit work within fourteen (14) calendar days in accordance with ORS 243.698, the City will negotiate regarding the decision and/or impact of subcontracting. Negotiations shall continue for no longer than ninety (90) calendar days from the receipt of the City's written notice. If not settled after ninety (90) days, the issue will be submitted to an arbitrator who shall be mutually agreed upon or selected in accordance with the procedure established in Section 15.1, Step Four. The arbitrator shall be bound by the applicable provisions of ORS 243.746.

Section 2.3 Volunteer Utilization

- A. Reserves, Cadets and other volunteers may be used to perform police related tasks and auxiliary functions as determined by the Chief of Police, including but not limited to providing law enforcement services at public events and providing law enforcement related services not restricted by Section 2.4.
- B. The City may utilize Reserve Police Officers or Cadets to perform the following duties without violating Section 5.3, Overtime, or Section 2.4, Work Preservation:
 - 1. Prisoner supervision and transports.

2. Police Officer Custody (POC) supervision and transports.
 3. Selective enforcement details, provided the City has afforded the opportunity to Association members.
 4. Crime scene security, provided the City has afforded the opportunity to Association members.
 5. School event security, provided the City has afforded the opportunity to Association members.
 6. Selective enforcement details such as holiday residential patrol, vacation checks, Christmas lighting routes, disabled parking violation checks, residential security checks, or similar duties customarily performed by Reserve Police Officers or Cadets, consistent with past practice.
 7. Search and rescue operations.
 8. Any other duties mutually agreed between the City and the Association. Nothing in this Section prevents Reserve Police Officers or Cadets from performing their primary duties, supplementing the Patrol Division or furthering their own experience as outlined in the Department Policy and Procedures Manual.
- C. In addition, other volunteers may be utilized, consistent with past practice, to perform data entry, property and evidence functions, vehicle fleet maintenance and miscellaneous support staff services.

Section 2.4 Work Preservation

Reserves, Cadets and other volunteers will not be utilized to replace bargaining unit employees in the performance of their primary and customary job responsibilities, nor take away overtime opportunities other than those instances described in Section 2.3.

ARTICLE 3 – ASSOCIATION RIGHTS

Section 3.1 Association Activities

Employees shall have the right to form, join and participate in the activities of employee organizations of their own choosing, for the purpose of representation on matters of employee relations. Employees shall also have the right to refuse to join or participate in the activities of the Association. No employee shall be interfered with, intimidated, restrained, coerced or discriminated against by the City or by any employee organization because of their exercise of their rights.

Section 3.2 Non-Discrimination

The provisions of this Agreement shall be applied equally to all employees in the bargaining unit without discrimination as to age, marital status, race, color, sex, creed, religion, national origin, union affiliation, disabled status, political affiliation or other protected status or protected activity in accordance with applicable law. Nothing in this Section shall prohibit the City from establishing bona fide occupational criteria.

Section 3.3 Negotiations

The composition of the Association's negotiating team shall be determined by the Association. Not more than three (3) employees shall be permitted to attend negotiating meetings with the City's representatives as part of the Association's negotiating team without loss of pay relative to securing Agreement renewal, to the extent that such meetings are scheduled during the duty hours of the members so attending. Negotiating team members who are on duty for all or a portion of any negotiating session, if any, must be assigned to different shifts or be from different units of the Department. The date, time and place for negotiating sessions shall be established by mutual agreement between the parties. Employees shall notify their shift supervisor as soon as possible in advance of their expected absence for the purpose of this Section. Such absences shall not hamper the normal operations of the Department and the City shall not incur any liability for overtime pay under the provisions of this Section.

Section 3.4 Grievances

The City also agrees to allow time off without loss of pay for employees directly involved in meetings under the Grievance Procedure in Article 15. No more than two (2) employees shall be off without loss of pay for this purpose at any one time.

Section 3.5 Association Membership

Membership or non-membership in the Association shall be the individual choice of employees covered by this Agreement.

Section 3.6 Check-off

The City agrees to deduct bi-weekly Association membership dues from the pay of employees covered by this Agreement who are members of the Association. Dues will be automatically deducted from the pay of bargaining unit employees who are Association members starting with their 30th day of employment. The Association agrees to notify the Human Resources Director as soon as practicable when an employee elects to opt out of membership in the Association. Written authorization may be by email.

Section 3.7 Bulletin Boards

The City agrees to allow wall space, not to exceed three (3) feet by four (4) feet, for a bulletin board within the Department to be used exclusively by the Association for the posting of notices and other information relating to Association activities, meetings and other matters of legitimate interest to Association members. In the event items are posted on the bulletin board that do not fall within this description, or items are posted that violate the City's anti-harassment/discrimination prohibitions or other legal restrictions, the City will notify the Association and request removal.

Section 3.8 Right of Access

Subject to the due process provision of this Agreement, Association representatives and agents of the Association shall have the right to reasonable access to the Department for the purpose of investigating grievances and other business related to the representation of employees for the purpose of employment relations. Prior to admittance to the non-public areas of the Department, the Association representative and/or agent of the Association shall obtain permission from the senior, non-bargaining unit member (supervisor) on duty at the time the request is made. Prior to gaining access, the Association or agent of the Association shall advise the duty supervisor of the purpose of the visit, approximate length of time required and the name of the person(s) to whom he or she wishes to speak. Such permission shall not be unreasonably withheld and, if withheld, the reasons for the withholding shall be given to the Association agent or representative at that time. Association representatives and agents shall not unreasonably interfere with an employee's work. This Section is not intended to be used for membership drives or recruiting of new members.

Section 3.9 Use of Buildings

The Association may use, in accordance with established City rules applicable to other groups within the community, City facilities during employees' non-work hours (as defined in this Agreement) for Association meetings, provided such space is available. Request for use of facilities within the Department shall be approved by the Chief of Police or designee. Such meetings shall not be permitted for Association organizing activities or membership drives of City employees.

Section 3.10 Association Meetings

Association members shall be permitted to attend regular monthly membership meetings on duty time. On-duty members will be expected to respond to their duty responsibilities during membership meetings. Except for emergency meetings, the Association agrees to schedule these meetings during non-peak periods of the Department's business and such Association meetings shall not conflict with the regularly scheduled Department briefing periods. Members attending Association meetings on duty will limit their attendance to one (1) hour.

Section 3.11 Association Business

The Association agrees that the Chief of Police will be notified in writing of the members of the Association selected to serve as official representatives. The Association agrees that Association business shall not interfere with the operations of the Department or the police duties of certified Association representatives.

Association representatives will be allowed reasonable time on duty for Association activities without loss of pay consistent with applicable law including when attending meetings relating to the processing of grievances as provided within this Agreement. Such absences shall not hamper the normal operations of the Department and the City shall not incur any liability for overtime pay under the provisions of this Article. Any concerns related to reasonable use of time for on duty Association activities will be addressed through labor management meetings.

ARTICLE 4 – CITY SECURITY

Section 4.1 No Strike

During the term of this Agreement, there will be no strike, slowdown or recognition of any picket line while in the performance of official duties. For purposes of Section 4.1, “strike” means an employee’s refusal in concerted action with others to report for duty, or the employee’s willful absence from the position of the employee, or stoppage of work by the employee, or absence of the employee in whole or in part from the full, faithful or proper performance of the duties of employment of that employee for the purpose of inducing or coercing a change in the conditions, compensation, rights, privileges or obligations of employment. In the event of a violation of this provision by the Association, or employees in the bargaining unit, the City may discipline for such cause, including discharge of any employee involved in such activity either on a uniform or selective basis. Nothing in this Agreement shall preclude recourse by the City to such other legal or equitable remedies as may be available to it.

Section 4.2 Productivity

The parties to this Agreement recognize that delivery of essential municipal services, in the most efficient and effective manner, is of paramount importance and interest to the City and the Association. In return to the City for the wage rates and conditions herein provided and consistent with the principle of a fair day’s work for a fair day’s pay, the Association pledges agreement with the objective of achieving the highest level of employee performance and efficiency, safety, good health and sustained effort. The parties may agree to meet at mutually convenient times to discuss means of increasing Departmental productivity.

ARTICLE 5 – WORKING CONDITIONS

Section 5.1 Definitions and Hours of Work

A. Definitions: The following definitions apply to Article 5:

1. The terms *regular shift*, *regularly scheduled work shift*, *regular work schedule* and *regularly scheduled workday* refer to those shifts, hours and days the employee was assigned to work as they appear on the master schedule.
2. The term *scheduled days off* refers to those days an employee was not assigned to work as they appear on the master schedule.
3. The term *regular business hours* refers to the workdays and hours Monday through Friday, 0800 to 1700.

B. Regular Hours: The regular hours of work each day shall be consecutive except for interruptions for rest periods and unpaid meal periods. For employees working 5/8, 4/10, Community Response Unit schedules or utilizing Flex Time, the workweek shall commence at midnight (0000 hours) on Monday and end at 2359 hours on Sunday.

C. Regular Work Schedules: All employees shall be assigned a regular work schedule. The City and the Association have recognized the following regular work schedules for employees in the bargaining unit:

1. Modified Louisiana Plan Schedule: This schedule shall consist of a consecutive twelve (12) hour and 20-minute workday. This work schedule shall consist of two (2) consecutive workdays followed by two (2) consecutive days off, three (3) consecutive workdays followed by two (2) consecutive days off, two (2) consecutive workdays followed by three (3) consecutive days off. Day Shift shall be 0650 to 1910 hours. Night Shift shall be from 1850 to 0710 hours. This schedule includes time for shift preparedness, assigned duties, and for attending briefings at the start and end of shifts.
2. Patrol Overlap Schedule: The overlap shift is a patrol shift, normally assigned to the night shift team, with a temporary start time as early as 1400 hours as determined by the night shift supervisor. No employee may be involuntarily assigned to an overlap shift without fourteen (14) days written notice. Employees assigned to an overlap shift without such notice will be paid overtime for hours worked outside their previously scheduled shift during the fourteen (14) day notice period.

3. 5/8 Work Schedule: This schedule shall consist of:
 - a. Five (5) consecutive eight (8) hour days followed by two (2) consecutive days off. The workday shall consist of eight (8) consecutive hours of work with a one-half (1/2) hour paid meal period.
 - b. Five (5) consecutive eight (8) hour days followed by two (2) consecutive days off. The workday shall consist of eight (8) hours of work with a one (1) hour unpaid meal period approximately midway through the shift. Members may occasionally request a one-half (1/2) hour unpaid meal period, which a supervisor shall endeavor to allow but with priority given to operational needs.
 4. 4/10 Work Schedule: The 4/10 work schedule shall consist of four (4) consecutive ten (10) hour days followed by three (3) consecutive days off, with the exception of days off that necessarily occur before or following any rotation. The workday shall consist of ten (10) consecutive hours of work.
 5. 4/12 Work Schedule: The 4/12 work schedule shall consist of four (4) consecutive twelve (12) hour days followed by four (4) consecutive days off. The workday shall consist of twelve (12) consecutive hours of work. Day Shift shall be from 0700 to 1900 hours followed by Night Shift from 1900 to 0700 hours.
- D. 12-Hour Shift Time: Officers working a 12-hour 20-minute work schedule pursuant to Section 5.1.C.1 or 5.1.C.2. will be scheduled to work 7 shifts/86 hours and 20 minutes in each FLSA 7(k) 14-day work period. As determined by the City, this shift includes time for assigned duties to be ready for work when their shift starts and for end of shift work duties, including briefings. Employees are compensated hourly as set forth in Appendix A.
- An employee may elect to convert six (6) hours of actual hours worked during the employee's regular work schedule in the pay period to the employee's compensatory time bank at the employee's regular straight time rate. The employee must physically work at least six (6) hours during their regular work schedule in the pay period to be eligible to convert the six (6) hours to compensatory time. No overtime will be paid for hours taken when using accrued leaves.
- E. Regular Work Schedules: Generally, the following regular work schedules for bargaining unit members listed will be recognized by the City and the Association, where applicable:
1. Patrol Units: Pursuant to Section 5.1.C.1.
 2. Criminal Investigations Unit (CIU): A 4/10 work schedule pursuant to Section 5.1.C.4.
 3. Traffic Safety Unit: A 4/10 work schedule pursuant to Section 5.1.C.4.

4. Community Response Unit (CRU): The shift hours of the CRU will be in accordance with Section 5.1.C.4. Although there is an assigned regular work schedule, CRU, by its very nature, may work varied hours and days. Short-term or casual deviations during a CRU member's regular work schedule will be determined by the unit supervisor. Long-term or substantial deviations shall be afforded a fourteen (14) day notice, unless that notice is waived by members assigned to CRU. Overtime will be in accordance with Section 5.3.
- F. Changes in Work Schedules: After having given fourteen (14) days written notice to the Association, an employee, or a group of employees, the City may implement a change from one to another of the regular work schedules recognized in Section 5.1.C or may adjust start/stop times for any employee or group of employees for bona fide operational reasons. The Association, employee, or a group of employees may waive the fourteen (14) day notice to implement the change upon a mutually agreeable date.

Prior to making a change from one to another of the regular work schedules recognized in Section 5.1.C, a committee comprised of up to three (3) Association members and three (3) members of Management will meet for a period of not more than seven (7) days to discuss the change and make recommendations to the Chief of Police. The Association and the City may employ, by written agreement, any other work schedule as a regular work schedule.

Notwithstanding other language in Section E, members assigned to a 12-hour or 10-hour per day regular work schedule who, due to illness or injury, have a doctor's order of no work for a period exceeding seven (7) scheduled workdays or a member placed on administrative leave as described in Appendix B, Section 810.9.D, may be immediately assigned to a 5/8 work schedule pursuant to Section 5.1.C.3.b, without a fourteen (14) day notice. The member will be given written notice of a work schedule change fourteen (14) days prior to being reassigned back to the 12-hour or 10-hour per day work schedule, unless the involved member waives the fourteen (14) day notice. Both the Association and the City agree that timing within the pay period will be considered when moving injured, ill, or members placed on administrative leave to or from 5/8 work schedules in order to facilitate minimal inconvenience to the City and the member.

- G. Shift Trading: The Association and the City agree that shift trades will continue to be allowed in accordance with current practice. Two (2) employees may agree solely at their option, but with the advance written approval of the supervisor(s) of the affected shifts, to substitute for one another during scheduled hours of work. Every shift trade agreement must be documented, whether on paper or electronically, and the documentation must clearly demonstrate the approval of both employees and the supervisor(s).

Substitutions may be denied by management on a case-by-case basis due to operational or training needs, overtime, or other scheduling impacts.

Even though one employee substitutes for another, each employee will be credited as if they worked their regular work schedule and as if the substitution had not occurred; nevertheless, the substituting employee is responsible for the shift. For example, if a substituting employee shows up to work but then requests half of the shift off, the time off shall be taken from the substituting employee's time accruals. Similarly, if a substituting employee calls in or goes home sick, the sick leave shall come from the substituting employee's time accruals.

The City shall have no obligation to keep track of substitutions or to ensure that a substitution is reciprocated.

The hours worked during the substitution shall be excluded from the hours for which the substituting employee would otherwise be entitled for purposes of overtime and wage computations.

H. Patrol Schedule Rotation:

1. Patrol schedule rotations will occur on a quarterly basis, as near as possible to the months of March, June, September and December or as otherwise agreed to by the City and the Association.
2. Police Sergeants assigned to the Patrol Unit are required to work at least two quarters in each fiscal year on a different schedule, e.g. sergeants who work Day Shift will be required to work at least two quarters on Night Shift and vice versa.
3. The new schedule will be posted a minimum of thirty (30) days in advance of scheduled rotations. The creation of a new schedule should be intended to not create overtime expense to the City by virtue of rotation, and no officer who is working a 12-hour work schedule will work more than 86 hours without overtime in the 14-day work cycle when rotation is affected.
4. Patrol schedule rotations shall be bid and awarded based on classification seniority, as defined in Section 12.1, except in circumstances where the Chief of Police or a designee determines that a different distribution of police sergeants assigned to patrol is necessary to meet the reasonable operating needs of the Department. Additionally, between regular patrol schedule rotations, the Chief of Police or a designee may, for good cause and based upon a good faith analysis of the reasonable operating needs of the Department, reassign police sergeants assigned to patrol to different shifts.
5. The Chief of Police may suspend Section 5.1.H.2 annually.

I. Training, Not In-Service: The City may flex (see Section 5.4) the regular work schedule of an employee to enable the employee to attend training that the City requires the employee to attend without incurring overtime, if the employee is notified of the flexed schedule at least fourteen (14) days before the training is attended. No fourteen (14) days' notice is required for

employees whose work schedules are changed at their request to attend non-mandatory training. In the event a flex schedule is not used to attend training, and the training is attended outside an employee's regular work schedule, the employee will be paid only as overtime. Compensatory time is not available for this section.

Training will be scheduled in a manner that provides trainees with at least eight (8) hours off between the training and the trainee's regularly scheduled work hours.

Time spent traveling directly to and from the Department for training will be considered "time worked" for the purpose of computing wages. Time spent traveling directly to and from an employee's home to training will also be considered "time worked" unless the distance from the employee's home to training is greater than the distance from the Department to the training, in which case the employee will be allowed to count the time it would have taken to travel from the Department to the training as "time worked." Training will also be considered on-duty time.

- J. In-Service Training: In-service training is training required to be attended by all sworn personnel. Examples of in-service training include firearms, defensive tactics (DTs), legal updates, conflict simulation (ConSim), policing strategies, and department policies. Announcements of in-service training will be specifically titled as being In-Service Training.

In-service training will be scheduled in a manner that provides trainees with at least eight (8) hours off between the training and the trainee's regularly scheduled work hours.

In-service training will consist of ten (10) consecutive hours of training, including a paid thirty (30) minute meal period approximately midway through the training, exclusive of and in addition to any travel time requirements. Generally, in-service training will be conducted quarterly, providing forty (40) hours of in-service training per year.

Employees who were scheduled to attend in-service training during their regularly scheduled shift or regularly scheduled day off but who, of their own volition, do not attend (e.g. vacationing instead) may be required to temporarily change or flex their regularly scheduled work hours to attend a make-up or different in-service training date without incurring overtime.

Employees who attend in-service training may flex their regularly scheduled work hours in accordance with Section 5.4; otherwise, they shall receive compensatory time at the rate of time and one-half.

To accommodate 10 (ten) hour in-service training days attended during regularly scheduled time off, trainees and training officers will accrue compensatory time, as provided under 5.3, at the rate of time and one half (1 ½) for time spent in in-service training. This provision does not preclude flex time if mutually agreed.

Night Shift Adjustment for Training Officers (Sergeants): In lieu of adjusting a Training Officer's night-shift work hours that occur adjacent and prior to, or adjacent and following, in-service training, a Training Officer shall be afforded up to a full shift of paid administrative leave to ensure the Training Officer is rested for training as a trainer and for their return to adjacent, regularly scheduled work shift. The leave may be taken incrementally, before and/or after the training and, unless otherwise approved by the Chief of Police or designee, shall be scheduled no less than fourteen (14) days prior to it being used. The leave may be taken at the rate of one hour of paid leave for each hour of in-service instruction or preparation to instruct, must be taken adjacent to the in-service instruction provided, and may not be banked. The City is under no obligation to provide the leave when Training Officers do not attempt to schedule it before a minimum staffing conflict exists.

Training Officers providing multi-day, multi-agency in-service training may be subject to temporary schedule changes to avoid overtime.

- K. Compensation for Training Officers that is Not In-Service Training: Training Officers providing training that is not in-service training may, with mutual agreement, flex their regular work schedule in order to present the training without incurring overtime and will be given a minimum of fourteen (14) days' notice of any shift adjustments in accordance with Section 5.1.I. Training that is not temporarily changed in accordance with Section 5.1.I or flexed in accordance with Section 5.4 shall be compensated with overtime. This section is eligible for compensatory time.
- L. K9 Training: K9 handlers may be approved to attend the 4-hour weekly K9 training. Each K9 handler's shift shall be flexed (see §5.4) to allow attendance and to avoid overtime. Flexing the K9 handler's shifts should provide at least eight (8) hours off between trainings and shifts. All or part of the weekly K9 training may be denied by the on-duty supervisor based on the operational and staffing needs during the shift.
- M. Reassignments: When an employee is reassigned to a different regular work schedule, unit or assignment, the employee's hours of work may be adjusted without cost to the City to ensure the employee does not work more hours than the regular work schedule they are being reassigned to without causing overtime.

Sergeants who voluntarily leave an assignment, other than patrol, may be placed on the patrol shift vacated by the Sergeant who replaces them, provided the Sergeant's replacement is reassigned from the Patrol Unit.

Sergeants in assignments other than patrol who are involuntarily reassigned to Patrol, for reasons not related to work performance or discipline, shall be allowed to use their applicable seniority within their classification to select the Patrol team they are assigned to for the remainder of the current shift bid schedule. If the sergeant's Patrol team selection causes another sergeant on that team to be bumped, that sergeant should be bumped to the Patrol team with a vacancy for the remainder of the shift bid schedule.

Sergeants in assignments other than patrol who are involuntarily reassigned to the Patrol Unit, for reasons related to work performance or discipline, shall be assigned to the Patrol team with a vacancy for the remainder of the current shift bid schedule.

Section 5.2 Rest Periods and Meal Periods

- A. **Rest Periods:** Except for emergencies, employees shall receive rest periods of fifteen (15) minutes each for every four (4) hours worked during each workday. These periods are compensated as hours of work and an employee shall not be entitled to additional compensation in the event these rest periods cannot be taken. In the event employees are assigned to a ten (10) or twelve (12) hour shift, employees may take reasonable breaks subject to the operational needs.
- B. **Meal Periods:** All sworn employees who are able to perform all of the duties of a police officer (not on modified duty, shift or assignment – see Section 8.6) shall have uninterrupted thirty (30) minute paid meal periods as close as reasonably possible to the middle of their shift. These meal periods are compensated as hours of work. Sworn employees shall not be entitled to additional compensation in the event these paid meal periods cannot be taken.

While situations in which sworn employees on modified duty, shift, or assignment typically involve medical restrictions that encumber them from being available to work upon demand (as inferred in Section 5.2.B and Section 8.6), each situation is different and may be reviewed to determine whether the employee can and should be available to work upon demand and thus be afforded a paid meal period. Due to the almost unlimited variables, such determinations shall be at the discretion of the Chief of Police, taking into consideration the employee's restrictions and modified duties.

Section 5.3 Overtime

No overtime shall be worked unless authorized by the Chief of Police, designee or a supervisor.

- A. **Hours Worked Defined:** The following shall be regarded as hours worked for the purpose of computing overtime hours for employees.
 - 1. Time worked, including time spent engaging in briefings, meetings, or conferences, if so directed by the City, and time spent engaging in other activities, as required by law.
 - 2. Paid leave, excluding nonwork related jury or witness duty.
- B. **Overtime:** Except as otherwise required by this Agreement overtime shall be compensated for all time worked outside the employee's regularly scheduled shift.

Patrol Sergeants on the modified Louisiana Plan Schedule under Section 5.1.D will be paid contractual overtime after 12 hours and 20 minutes per shift or overtime for hours worked over 86 hours per 14-day work period, with the understanding that when taking accrued leaves, such leaves are paid at the employee's regular straight time rate.

- C. Overtime Compensation: Compensation for authorized overtime shall be paid at the rate of time and one-half. Each payment shall be made at the employee's rate of pay that is being earned at the time of payment.
- D. Payment for Overtime: Payment for overtime shall be paid no later than the next pay day following the pay period in which the overtime was worked.
- E. Compensatory Time: When allowed by this agreement, an employee may accrue compensatory time in lieu of overtime. Accrual of compensatory time will be banked up to a cap of 60 hours. Any hours worked that are accrued as compensatory time that exceed the 60-hour cap will be paid in the next regular pay period. Upon separation of employment, the City will pay any remaining compensatory bank accruals at the employee's current regular rate of pay.

Overtime eligible for compensatory time bank accruals: 5.1(I): in-service training; 5.1(J): training officer that is not in-service, and daily or for hours worked over 86 hours per 14-day work period (at the election of the employee), that is not otherwise flexed or restricted by this agreement.

Compensatory time is accrued for all in-service training.

The City shall limit overtime compensation as paid overtime for work performed under specific grants at its discretion.

- F. Notice of Overtime: Overtime work shall be assigned by the Chief of Police, designee or a supervisor. Whenever possible, the Chief of Police, designee or a supervisor shall give twenty-four (24) hours advance notice of overtime to be worked. Verbal notice shall be sufficient to comply with the advance notice requirement.
- G. Work in Excess of Sixteen (16) Hours: Any employee who works sixteen (16) or more hours in the twenty-four (24) hour period beginning at the time the employee reports to work may be allowed the use of paid administrative leave in lieu of working all or a part of their next regularly scheduled consecutive work shift. Using paid administrative leave to take time off must be approved by the employee's supervisor or designee. This provision is intended to be reserved for those rare times when an employee is too fatigued to continue to safely perform their duties or work all or part of their current or next regularly scheduled consecutive work shift.

At the sole discretion of the Department, in certain circumstances an employee's supervisor may approve the use of paid administrative leave prior to the employee reaching sixteen (16) hours of work. Any such history or practice of this discretion is not subject to establishing any precedent or subject to grievance.

- H. Work in Excess of Twenty-Four (24) Consecutive Hours: Any employee who is required to work in excess of twenty-four (24) consecutive hours and is also required to begin working their next regularly scheduled work shift without time off (i.e. where the work in excess of twenty-four (24) hours runs into their next regularly scheduled work shift) shall be paid at the rate of time and a one-half for all hours worked during that next regularly scheduled work shift or the employee may be allowed to use paid administrative leave in lieu of working all or a portion of that shift. Any hours worked in excess of twenty-four (24) consecutive hours or the taking of any paid administrative leave time off in lieu of working all or a portion of the employee's next regularly scheduled work shift must be approved by the employee's supervisor prior to either occurring. This section does not offer compensatory time.

Section 5.4 Flex Time

Employees may be permitted to "flex" their work schedule with supervisory approval. However, the change in work schedule must occur during the same workweek (as defined in Section 5.1.A) for employees who work 5/8 or 4/10 workdays, or within the same 14-day work cycle for employees who work 12-hour workdays. Notwithstanding any other provision of this Agreement, the employee will receive regular straight-time pay for the hours flexed.

Section 5.5 Call-Back Time

An employee called back to work outside their regular work schedule shall be paid for a minimum of three (3) overtime hours at the rate of time and one-half.

- A. Exceptions to Call-Back Time Minimum: The obligation to pay the call-back time minimum shall not apply in the following situations:
1. When an employee is called in to start work one (1) hour or less before the beginning of their regular shift or when the employee's shift is extended;
 2. If an employee has completed their shift and less than thirty (30) minutes has elapsed;
 3. If an employee is called back to work to correct a mistake requiring a timely response, in the City's view, must be completed prior to the employee's next regularly scheduled shift.
 4. Electronic Call-Back: Employees called back who are required to work outside their regular work schedule from their residence or location where they received the communication shall be paid overtime for the actual time spent (by the minute).

- B. Emergency Call-Back: In an emergency (act of God, natural disaster, civil unrest, major crime or incident, or governmental declaration of emergency with less than eight (8) hours prior notice), the City may call back members for overtime without regard to seniority.

- C. Non-Emergency Call-Back:

Non-emergency overtime shall be offered to KPA members by seniority and classification, beginning with officers and moving to sergeants if no officer takes the overtime (per Section 1.1) unless the City determines the work to be performed may require a specific skill set (e.g. language fluency, canine handler) or where a statute requires a specific type of officer.

Bargaining unit members may opt out of or back into the Non-Emergency Call-Back list (hereafter, in this section, referred to as the Call-Back List) by notifying the KPA president or designee, who will update the list. Notwithstanding the changes to this section, members may not opt out of Emergency Call-Back as described in Section 5.5.B, nor may members opt out of being ordered back to work (as described below, in this section) if all other members decline the opportunity.

The City may skip bargaining unit members, if the overtime work performed would unreasonably conflict with a member's scheduled work shift.

When a non-emergency overtime call-back of a member is required, the City will make a reasonable attempt to contact and offer members the opportunity to work the non-emergency overtime in the order of classification (officers, then sergeants); the highest seniority to lowest seniority, not including members who opt out. The Association president or designee, shall maintain the Call-Back List, sorted by seniority (highest to lowest), not including members who opt out, that includes each member's name, and one phone number of their designation. The Call-Back List will be maintained by the Association president or designee on a shared network drive accessible to all Police Department personnel. In addition, the City shall maintain a Seniority List (distinct from the Call-Back List) of all Police Department personnel, sorted by classification, and maintained on a shared network drive and a free-form space in which members may opt out of specific non-emergency call-out types (e.g. patrol coverage, crime scene security).

For each non-emergency call-back, a supervisor (or designee) shall begin at the top of the Call-Back List and talk with or leave a message (with a call back number) for each member offering the non-emergency overtime opportunity. Regardless of seniority, the first member to accept the overtime opportunity shall be considered the called-back member. (This is relevant in case a member volunteers for overtime, but then a more senior member shortly thereafter returns a call to accept the overtime opportunity; in such case, the senior member will not receive the overtime opportunity.)

The supervisor or designee conducting the call-back shall document efforts (including who was skipped due to a work-shift conflict), the members' responses, and the results (including

who was called back). The supervisor or designee shall save a copy of the documented efforts to the same folder on the shared network drive. (A scanned and saved copy of handwritten notes is sufficient).

In lieu of ordering a member to work the non-emergency overtime, a supervisor (or designee) may place a member on "hold" for 10 minutes, without compensation, and continue calling from the Call-Back List in an effort to find a member who will accept the non-emergency call-back overtime. If all members contacted decline the non-emergency overtime opportunity, the City may order a member to report for work; this shall be done by reverse seniority (choosing the least senior officer available) using the Seniority List, not the Call-Back List, and the member placed on standby shall remain on standby until a less-senior member can be ordered back.

A list of Association members ordered to work non-emergency call-back overtime shall be maintained on network file titled "Non-Emergency Call-Back Mandated." The members and dates of call-backs shall be recorded, and members shall not be subject to being ordered to work a non-emergency call-back again until the list starts over or is reset at the beginning of each calendar year.

Notwithstanding Section 2.3 and 2.4, if no members of the Association are available to work non-emergency overtime or long-term personnel considerations are an issue (e.g. natural disaster or similar emergency), the City has the option of calling Reserve Officers in for duty to supplement regular officers if those Reserve Officers are presently capable and authorized to perform the overtime duties. The use of Reserve Officers is to supplement or assist regular police officers. The Association takes it on good faith that in such circumstances it is not the intent of the City to use Reserve Officers to supplant Association members.

D. Call-Back from Approved Time Off

1. Call-Back from Vacation: A member will not be called back to duty from an approved vacation day for a non-emergency call-back except for situations involving a court of law, grand jury or DMV hearing, as outlined in Section 5.6, Court Appearances.
2. Call-Back from Floating Holiday: If a member's Floating Holiday is cancelled by the Department for operational reasons, it will be paid. See Section 10.2.C. A member's Floating Holiday may not be cancelled, and non-emergency call-back procedures must be triggered, if the call-back from Floating Holiday would not provide at least 24 hours notice.
3. Call-Back from Floating Holiday on Recognized Holidays: If a member's Floating Holiday, scheduled to be taken on a recognized holiday as recognized in Section 10.3.A is cancelled, the member shall be paid for the Floating Holiday in addition to receiving overtime for hours worked.

4. Call-Back from Holiday, Not Floating Holiday: For members not receiving Floating Holiday accruals, work performed on holidays recognized in Section 10.3.A shall be compensated with overtime in addition to holiday pay.

Section 5.6 Court Appearances

Except as set forth below, off-duty employees who are required to attend a court of law, grand jury or job-related administrative hearings in connection with duties as an employee of the Department shall receive a minimum of three (3) hours overtime pay at the rate of time and one-half for each court appearance when the appearance occurs on the employee's time off on the employee's regularly scheduled workday.

This obligation shall not apply if the scheduled court appearance, grand jury or DMV hearing occurs two (2) hours or less before the beginning of the employee's regular shift or if the appearance extends the employee's regular shift.

Except as set forth below, employees who are required to attend before a court of law, grand jury or DMV hearing in connection with duties as an employee of the Department shall receive a minimum of four (4) hours overtime pay at the rate of time and one-half for each court appearance when the appearance is required on the employee's regularly scheduled day off or an approved day off, unless the employee was notified of the court appearance prior to approval.

In situations where an employee has more than one court appearance, grand jury or DMV hearing on the same day, the employee is only eligible for additional overtime pay for the second appearance when the second appearance occurs outside the time period for which the employee has already received overtime compensation; e.g., an employee who has a court appearance on their regularly scheduled day off at 8:00 a.m. would not be entitled to additional overtime compensation unless the second court appearance occurred after 12:01 p.m.

Section 5.7 Outside Employment

Employees must receive permission to work at outside employment in writing from the Chief of Police. In order to be approved, the outside employment must:

1. Be compatible with the employee's City duties.
2. In no way detract from the efficiency of the employee in City duties.
3. In no way be a discredit to City employment.
4. Not take preference over extra duty required by City employment.

However, such approval shall not be withheld arbitrarily. In the event the City believes an employee's outside employment conflicts with the provisions above, the City may rescind permission upon giving the employee at least 14 days' notice and an opportunity to be heard.

Section 5.8 On-Call Status

Any member of the Department may be placed on on-call status by Management or a designee. Members placed on on-call status shall remain ready to respond and shall receive \$50 for each 24-hour period or part thereof that the employee is required to remain in such status.

Members assigned as an On-Call shall remain ready to respond to work when called upon. Such readiness includes, but is not limited to, sobriety, a well-rested state, constant availability by cell phone (or other prearranged method), and no more than a one-hour response time to the Department.

ARTICLE 6 – FUNDING

Section 6.1 Funding

The parties of this Agreement recognize that revenue needed to fund this Agreement must be approved annually by established budget procedures and in certain circumstances, by a vote of the citizens of the City. All compensation provided for by this Agreement is therefore contingent upon sources of revenue, and where applicable, voter budget approval. The City will not reduce the compensation specified in this Agreement because of budgetary limitations. The City agrees to include in its budget request amounts sufficient to fund the compensation provided in this Agreement. In the event that the City does not receive the required voter approval needed to fund the annual budget, the parties agree to meet to seek the best possible alternatives to layoff and/or reduction of services for the City.

ARTICLE 7 – WAGES

Section 7.1 Wages

- A. Pay Schedule: Each employee covered by this Agreement shall be compensated in accordance with Appendix A – Wage Scale.

Effective and retroactive to April 1, 2025, Appendix A will be modified. The current Step 1 will be increased by 4% and the remaining steps shall be adjusted to reflect each step increases by 5% thereafter. Sergeants will be placed on the new 6 Step range at the nearest Step to their current wages without a loss of wages.

Effective July 1, 2025, Appendix A shall be increased three (3 %) percent across the board.

- B. Placement of New Hires: The City reserves the right to place a newly hired employee on any step on the pay schedule based on its review of that employee's education, training and experience.
- C. Step Increases: Eligibility for step increases is not automatic but shall be based on a "satisfactory" performance evaluation by the employee's immediate supervisor.

Employees promoted to Sergeant shall be eligible for an initial step increase upon the satisfactory completion of six (6) months of employment within the classification, regardless of their probationary status, and eligible for their next step increase on the following July 1st. New hires and lateral hires shall be eligible for an initial step increase upon the satisfactory completion of twelve (12) months of employment within the classification, and thereafter on July 1st.

Regular employees will continue to be eligible for step increases on July 1st.

- D. Early Step Increase: An employee, who is performing at a level above satisfactory as determined by a performance evaluation by the employee's immediate supervisor related to the employee's demonstrated experience, education and training, may be recommended for an early step increase by the Chief of Police. Such early step increases shall not change the employee's eligibility date for future step increases.

Section 7.2 Working Out of Classification

Any employee designated by the City as acting in a capacity in a higher position than that employee's regular classification, shall receive the pay for the position designated or receive an incentive of five percent (5%) of their base hourly rate, whichever is greater, in such assignment for the remainder of the assignment. This Section does not apply to employees who are temporarily in charge per Section 7.3.E.6.

Section 7.3 Incentives and Premium Pay

A. Premiums: Police Officers shall be eligible for DPSST incentives as follows.

1. Management Certificate: Upon submittal of evidence satisfactory to the City that the employee has received DPSST Management Certification, the employee shall receive an incentive of four percent (4%) of their base hourly rate for hours worked in the pay period.

B. Education Incentives:

1. The City shall pay an incentive of two and one-half percent (2.5%) of an employee's base hourly rate for hours worked in the pay period for an employee holding an Associate's degree, or the equivalent 60 semester hours or 90 quarter credit hours.
2. The City shall pay an incentive of five percent (5%) of an employee's base hourly rate for hours worked in the pay period to an employee holding a Bachelor's degree or equivalent college credit hours from an accredited college or university, i.e. 120 semester or 180 quarter credit hours.

Education Incentives are not cumulative.

C. Language Incentives: Fluency is to be determined by the City based on a standard and testing program approved by the City.

1. Critical Languages: An employee who is determined to be fluent in the Spanish language shall receive an incentive of five percent (5%) of their base hourly rate for hours worked in the pay period.
2. Non-Critical, Recurring Languages: An employee who is determined to be fluent in Russian or American Sign Language (ASL) shall receive an incentive of five percent (5%) of their base hourly rate for their entire shift, inclusive of any extension of shift, when required to use the language and for which the use has been documented. The employee will be responsible for reporting the premium pay on their time sheet.

D. Probationary Employees: Except for language fluency, the incentives and premiums required by this Section shall not be paid during an employee's initial probationary period. This provision does not apply for lateral hires on probation, or to promoted employees on probation.

E. Special Assignment Premiums:

1. K-9 Handler Pay: To compensate the K-9 handler for the off-duty care of the canine, the handler will receive an incentive of five percent (5%) of their base hourly rate for hours worked in the pay period when assigned as the Department K-9 officer. The 5%

differential is intended to compensate the K-9 Officer for off-duty grooming, feeding and care of the animal at applicable overtime rates. In addition, the handler shall be allowed thirty (30) minutes per shift for these activities on scheduled workdays. The parties agree that this Section fully compensates the K-9 handler for these activities and that 30 minutes per day on average is an appropriate amount of time for care and feeding.

2. Field Training Officer (FTO): An employee designated by the City as a Field Training Officer shall receive an incentive of five percent (5%) of their base hourly rate when the Field Training Officer is assigned to train a recruit officer or a reserve officer who is in the field training process. The FTO will be responsible for reporting the premium pay on their time sheet.
 3. Motorcycle Sergeants: Sergeants assigned to Motorcycles shall receive an incentive of five percent (5%) of their base hourly rate for hours worked in the pay period.
 4. Interagency Bomb Squad and Interagency SWAT Team: Employees designated by the City to serve on the Interagency Bomb Squad or the Interagency SWAT Team shall receive an incentive of five percent (5%) of their base hourly rate for hours worked in the pay period. The Chief, at his/her discretion shall determine any Sergeant's participation to this team.
 5. Training Officers: An employee designated by the City as a Training Officer shall receive an incentive of five percent (5%) of their base hourly rate for the time the Training Officer is scheduled to attend training as a trainer or for trainer development. For purposes of this Section, training time includes reasonable time for curriculum development, set-up, and tear-down. The Training Officer will be responsible for reporting the premium pay on their time sheet.
 6. Criminal Investigations Division (CID): Employees assigned to the Criminal Investigations Division shall receive an incentive of five percent (5%) of their base hourly rate for hours worked in the pay period.
- F. Incentives and Special Assignment Pay - Limitations on Cumulative Effect: A maximum of five percent (5%) may be received by any employee by virtue of education incentives provided for above. A maximum of four percent (4%) may be received by any officer qualifying for DPSST incentives provided for above. A maximum of ten percent (10%) may be received by any employee for premium pay assignments. The total amount of all incentive and premium pay (education, certification, premium pay assignments) may not exceed 14% per month for any employee, except any employee certified as bilingual in Spanish may receive a maximum of five percent (5%) in addition to the above maximums. Likewise, any employee certified as bilingual in Russian or American Sign Language may receive five percent (5%) in addition to the above maximums during the shift in which the language was used and documented. All incentives and special assignment pay premiums shall be based on regular base hourly rate.

Section 7.4 Payday

The regular payday for the issuance of paychecks shall be every other Thursday. At the discretion of the City, modifications to the payday schedule may be made where necessary.

Section 7.5 Travel Allowance

- A. Travel Reimbursement: When an employee is authorized to use the employee's own vehicle in the performance of official City duties, the employee shall be compensated at the current Internal Revenue Service rate.
- B. Expense Reimbursement: Employees will be reimbursed actual and reasonable travel expenses pursuant to the City-wide travel reimbursement policy, as it presently exists or is subsequently modified. The policy will not be changed to the detriment of employees without bargaining as required by PECBA.

Section 7.6 Uniforms

- A. Uniforms Provided: The City shall provide all uniforms and equipment as required by the City. The City agrees to provide a duty weapon and all necessary duty rig accessories. In addition, for those employees so selecting, the City shall provide external ballistic vest carriers.
- B. Cleaning: The City shall provide for the care and cleaning of up to eight (8) uniforms per month. If an employee is assigned as a Detective, the employee's clothes will be cleaned, up to eight (8) sets per month. The City will pay for the cleaning of up to eight (8) uniforms per month for non-sworn employees.
- C. Clothing Allowances:
 - 1. Employees assigned to CID, requiring business-like attire will be paid six hundred dollars (\$600) per fiscal year clothing allowance.
 - 2. Employees assigned to CRU will be paid two hundred dollars (\$200) per fiscal year clothing allowance.
 - 3. These allowances shall be payable to the employee upon appointment and annually on July 1 of each subsequent year. The City reserves the right to prorate the allowances provided to employees during their first and last fiscal years of assignment. When an employee enters an assignment where a clothing allowance is due, it shall be dispensed as follows:
 - a. During the first nine months of the fiscal year (July 1 through March 31), the full clothing allowance shall be paid, or

- b. During the last three months of the fiscal year (April 1 through June 30), half of the clothing allowance shall be paid.
- 4. An employee may receive only one clothing allowance per fiscal year but shall receive the higher amount if the employee works in an assignment with a higher amount.
- D. Damage: When a uniform is returned to the City because of wear or damage, it shall be replaced within a reasonable amount of time.
- E. Personal Items: The City agrees to repair or replace personal items of the employee that are damaged, destroyed, or lost while the employee is on duty, unless the damaged or lost personal item is attributed to the negligence of the employee. The repair or replacement of personal items shall not exceed reasonable costs. Expensive items of jewelry or personal property which are over \$300 in value, excluding wedding rings and prescription eyeglasses, will not be worn while on duty without prior written approval, and shall not be subject to repair or replacement by the City if the item is damaged, destroyed or lost. Wireless phones will be reimbursed pursuant to City policy.

Section 7.7 Education Tuition Assistance

- A. Tuition Aid Defined: Tuition aid is defined as full or partial payment or reimbursement of the costs of training sessions, classes or formal academic course work pursued on a part-time basis either during or after regular work hours.
- B. Tuition Aid: Contingent upon the availability of funds that have been budgeted for this purpose, tuition aid for attendance to a bona fide college or equivalent will be provided for one-half the cost of the course tuition to employees who successfully complete classes with a grade of C or better, for the purpose of self-development, when such training will also be beneficial to the employer as determined by the City. Presentation of the employee's grades from the school shall be sufficient proof. The petitioning employee shall submit request for tuition aid to the City for approval or disapproval prior to enrollment. The City's obligation shall be limited up to one half of the hourly tuition cost for an undergraduate degree course at Western Oregon University, not the promised rate.

Section 7.8 Training

City Assigned Training and Travel Reimbursement: When an employee is assigned by the City to attend designated training courses either during or after regular working hours, the employee shall be reimbursed for all of the costs of course registration and necessary travel expenses consistent with BOLI rules and City policy. Employees will cooperate in pooling rides when such pooling is available.

Section 7.9 Personal Wireless Phone Allowance

Members shall be provided, by the City, one smart phone (iPhone or Android) and protective case. The phone and rate plan will be paid for by the City, and the phone and the protective case will be replaced by the City as needed. Members are not eligible for a monthly pre-tax allowance for personal phone use for City business.

Members will adhere to City policy regarding City-issued phone use. The issuance of City-paid phones does not obligate any member to answer their phone off-duty, unless On-Call or Detective Sergeants.

Section 7.10 City Health and Wellness Plan / ORPAT Incentive

Employees will be provided the opportunity to participate in the DPSST certified ORPAT course twice per fiscal year. Scheduling of this testing shall be determined by the Chief of Police or designee.

Recognizing that participation in this incentive program is voluntary, all ORPAT testing will be done off-duty and without compensation (includes both members taking test and ORPAT instructors conducting test). However, members scheduled to be on duty at the time scheduled for testing will be provided the opportunity to participate while on duty if requested. The City will provide the location and all testing equipment, including a certified ORPAT instructor to facilitate the testing.

Prior to participating in the fitness incentive, employees will be required to sign a waiver indicating they understand the physical challenges of ORPAT and the risks of participating. If at any time, in the opinion of the ORPAT instructor or on scene supervisor, the employee appears to be in physical distress, the testing will be stopped, and the employee will not be eligible for an incentive.

Employees who successfully complete the ORPAT course in a time that is considered passing on their first attempt will receive an incentive bonus of two hundred and fifty dollars (\$250.00). An employee may take the ORPAT twice per fiscal year, with a maximum incentive of \$500/fiscal year.

The parties recognize that the City will reflect any and all amounts paid as allowances, bonuses, and/or incentives as subject to the IRS and Oregon payroll tax deduction. For purposes of this Agreement, the minimum standard for passing will be the time established as passing by DPSST for an entry level Police Officer.

If an employee fails to pass the ORPAT on the first date for testing that employee may retake the test at the next scheduled ORPAT testing.

If an employee is unable to participate in the scheduled ORPAT test due to court, bona fide illness or injury or other reasonable conflict, the employee may make-up the test during any ORPAT testing conducted at DPSST (with DPSST permission) without penalty so long as the make-up test is completed and passed within a mutually agreed time frame between the employee and the Chief of Police.

Employees who choose not to participate or who seek this incentive, but do not meet the minimum ORPAT passing standard as defined in this Agreement will not be subject to discipline.

Employees who choose not to participate in the ORPAT have the option to participate in the City's Health & Wellness Program. Such employees may request to switch programs at approximately six (6) month intervals based on the ORPAT testing schedule, ensuring they are participating in only one program at a time.

The City's Health & Wellness Program is a voluntary program available to all City regular full-time and part-time employees. The program provides resources to support group education, individual and team health and wellness contests as well as individual incentives for employee participation in City-sponsored activities and challenges. Individual incentives vary by participation up to \$40 per month given appropriate activity minutes recorded within required timeframes. Qualified individuals with disabilities will have equal access to the Health & Wellness Program through customized alternative activities coordinated through the Human Resources Department.

Section 7.11 Practice Ammunition

The City will provide each sworn officer the opportunity to purchase additional practice ammunition for approved duty firearms in support of sworn officers maintaining their skill set. Each sworn officer will have the opportunity to purchase at cost one (1) case each of pistol and long rifle ammunition for their assigned duty firearm using the City approved vendor. The opportunity to purchase will be once per year for all officers. This provision is considered part of the employee's compensation.

ARTICLE 8 – INSURANCE AND RETIREMENT

Section 8.1 Health Insurance and Dental Insurance

- A. The City will pay ninety five percent (95%) of the premium to provide medical and dental insurance coverage for full-time members who are participating in the City's current Health Net Plan and Guardian Dental Plan.

Employees participating in those plans shall be responsible for paying the remaining five percent (5%) of the premium, irrespective of level of coverage through payroll deduction or, in the event of unpaid leave, through direct payment.

Employees who elect to be covered by lower cost medical and/or dental plans made available by the City shall receive contributions from the City up to the same amount as required for employees participating in the above plans. Any premium costs in excess of that amount shall be the employee's responsibility.

- B. For regular part-time employees, the City will split the cost of employee-only medical and dental insurance using the same ninety-five/five percent (95%/5%) split as described above.
- C. All employee contributions shall be paid through payroll deductions. The City will provide an IRC Section 125 flexible spending account plan.
- D. The City may select a different plan or provider of health and/or dental insurance benefits which are, on the whole, substantially comparable to those currently provided. The City and the Association shall consult within fourteen (14) days of the City's written notice to the Association E-Board but need not bargain over a change in plans permitted by this Article. If the Association believes a change in health and/or dental insurance benefits is not substantially comparable, then the Association may demand to bargain over the change.

Notwithstanding the above, the City reserves its right to change carriers without bargaining, consistent with PECBA.

- E. This Section shall be automatically reopened in the event the excise tax will be triggered, in accordance with Article 17 of the Agreement.

Section 8.2 Life Insurance

The City agrees to provide \$60,000 24-hour life insurance protection to all regular and probationary full-time employees covered by this Agreement.

Section 8.3 Retirement

- A. The City agrees to participate in the Oregon Public Employees Retirement System (PERS) Plans for all members of the bargaining unit and will not reduce employee compensation in order to generate funds needed to pay the contribution.
- B. The City will contribute six percent (6%) of an employee's gross salary to an employee's individual deferred compensation plan as provided by the City. Employees are responsible to initiate their own plan. Employees may continue to contribute individually to their plan at their election. Contributions are subject to IRS regulations.

Section 8.4 Workers Compensation

All employees are covered for on-the-job injuries and occupational illnesses under the state workers' compensation law. When an employee must take time off by reason of an occupational illness or on-the-job injury, the employee will receive workers compensation in accordance with state law, and the employee will retain any time loss benefits received by the carrier.

In addition, for the first one hundred and eighty (180) days following such illnesses or injuries or an aggravation of an original occupational illness or on-the-job injury, notwithstanding whether the illness or injury has been accepted by the City's workers' compensation carrier, the City agrees to supplement the employee's workers' compensation time loss benefits up to the employee's regular salary after taxes. After one hundred and eighty (180) days following an occupational illness or on-the-job injury or aggravation, the employee may elect to use available sick leave or, at the employee's option, another paid leave bank (adjust time, holiday banks or accrued vacation) to make up the difference between workers' compensation time loss payments and their regular salary after taxes, until such time as the employee is eligible to receive disability benefits under PERS or the City's long-term disability insurance policy.

In the event the employee does not elect to use another paid leave bank in advance of issuance of their first paycheck following the commencement of the absence, the employee's sick leave bank will be used first. If the employee's sick leave is exhausted, the employee's paid leave accruals will be used to make up the differential between the employee's workers' compensation benefits and the employee's regular salary after taxes until such time as the employee is eligible to receive disability benefits under PERS or the City's long-term disability plan or the employee's paid leave banks have been depleted. Employees may designate the order in which they want to use other paid leave accruals. In the event an employee fails to make such a designation in advance of issuance of their first paycheck following the commencement of the absence, the City will use accrued sick leave, followed by adjust time, holiday banks, then accrued vacation.

Employees may be allowed to use other paid leave accruals, as described above, before depleting sick leave with the City's approval.

In the event the City makes supplemental wage payments to an employee for an injury or illness that is later denied as a workers' compensation claim by the City's carrier, the City will deduct the equivalent number of hours for which supplemental wage payments were made, including any payment for the three-day waiting period, if applicable, from the employee's sick leave bank. If the employee's sick leave bank is not sufficient to recoup those hours the City will deduct the remaining amount hours from the employee's paid leave accruals. Employees may designate the order in which they want to use other paid leave accruals for the overpayment, with the City reserving the right to use adjust time first, followed by holiday banks, then accrued vacation, if no designation is made in advance. Deductions in sick leave or other paid leave banks will be made within fourteen (14) calendar days of the City's receipt of notification of denial from the workers' compensation carrier or by the end of the next subsequent pay period. The City will not be required to pay sick leave and/or other paid leave that duplicates Temporary Total Disability (TTD) time loss benefits paid to an employee.

In the event an employee timely objects to denial of a workers' compensation claim pursuant to ORS 656.319, and the denial is reversed, the City will restore the employee's sick leave and/or other paid leave banks no later than the end of the pay period following receipt of notice of reversal.

In the unlikely event that the hours cannot be recouped from an employee's sick leave and/or other paid leave banks, the City will notify the Association of the amount of the overpayment and will bargain with the Association regarding the method of repayment of the balance of overpayment due.

Employees who must take time off from work due to on-the-job injuries and occupational illnesses are entitled to reinstatement for up to three (3) years, consistent with applicable law.

Section 8.5 Long Term Disability Insurance

The City will pay the full premium to provide salary protection for long-term disability as a result of illness or injury to full-time employees. Employees shall be eligible for long-term disability coverage ninety (90) calendar days from the date of injury or disability. Eligibility for benefits is governed by the terms of the City's long-term disability insurance policy.

Section 8.6 Modified Duty

The parties recognize that the nature of law enforcement restricts the City's ability to accommodate employees who, for medical reason, are unable to perform all of the duties of a police officer.

When an employee who is recovering from an injury or illness is certified as fit for modified duty, but not full duty, the City may assign modified duty work within the employee's medical restrictions, subject to the Department's determination that actual modified duty work suited to employee's medical limitation is available.

Generally, to be eligible for a modified duty assignment, an employee must be temporarily unable to return to their regular duties as the result of an injury or illness and not medically stationary. Once an employee becomes medically stationary, that employee is no longer eligible to participate in modified duty assignments. The City will, however, comply with its obligation to assign modified duty work to employees who qualify as disabled due to on-the-job or off-the-job injuries or illnesses, as required under the reasonable accommodation provisions of the ADA and state disability discrimination law.

It is understood that the City may assign an employee who is on modified duty assignment to a different shift or assignment without regard to seniority, and if the employee is a sworn officer who is not expected to immediately respond to calls for service, their meal period will not be paid. The City may require a medical verification of the employee's ability to safely perform the modified duties as a condition to placing an employee in a modified duty assignment. The City shall have the right to obtain a second medical opinion at its own expense in order to verify any medical opinion it has received from the employee's healthcare provider.

In the event modified duty assignments are granted as a result of a nonwork-related injury or illness, the employee will receive their regular rate, including incentive pay. However, employees shall not receive special assignment premium pay pursuant to Section 7.3.E if they are placed on modified duty as the result of a nonwork-related injury or illness and are not performing those duties. During the time an employee is on modified duty, sick leave, holiday pay and vacation pay will continue to accrue at the employee's regular rate. There shall be no charge to the employee's sick leave, holiday or vacation pay banks for the time spent working in a modified duty capacity.

Section 8.7 Continuation of Coverage

Employees shall continue to receive medical, dental, long-term disability and life insurance benefits during the time they are on paid leave (holiday, vacation, sick leave, etc.) or during the time they are on FMLA leave, whichever is greater. Benefit coverage through the City's payment of the premiums will continue until the last day of the month in which the employee's paid leave is depleted or FMLA leave expires, whichever occurs later, except as otherwise required by law.

Section 8.8 Retirement Health Savings Account (RHS)

Sergeants may contribute an agreed upon percentage of their base hourly rate into a Retirement Health Savings (RHS) account per pay period. Sergeants must agree as a group on the percentage which is currently one percent. The "base" value paid is calculated on 80 hours per 14-day pay period for a full-time employee.

ARTICLE 9 – LEAVE WITH AND WITHOUT PAY

Section 9.1 Sick Leave

- A. Accrual: All employees accrue sick leave as an insurance against the impact of illness or injury. Sick leave shall accrue at the rate of 96 hours per calendar year and will be accrued at the rate of 3.7 hours of sick time per pay period (96 hours divided by 26 pay periods = 3.7). Accrual shall begin upon commencement of employment and shall continue to accrue while an employee is on paid leave, including leave for which an employee is receiving workers' compensation benefits. Paid sick leave benefits do not accrue during periods an employee is on unpaid leaves of absence or long-term disability. Unused sick leave shall accumulate to a maximum of 2,520 hours.
- B. Use of Sick Leave: Earned sick leave is for the following purposes:
1. When the employee is unable to perform work duties by reason of off-the-job illness, injury or pregnancy, exposure to contagious disease under circumstances which the health of the employees with whom associated or members of the public necessarily deal with would be endangered by attendance of the employee.
 2. When the employee is unable to perform work duties by reason of on-the-job injury or illness in the amount of the differential between the employee's time loss benefits and their regular wage.
 3. For medical or dental appointments (including diagnosis, care, treatment and preventative medical care) when, due to the employee's work schedule, the employee is unable to schedule such appointments outside of work hours. In this instance, appointments will be scheduled to minimize interference with the work schedule; it is recognized that each employee has the responsibility to make every effort to schedule appointments during off-duty hours.
 4. When required to provide care for an ill or injured member of the immediate family in order to make arrangements for alternative care. For the purpose of this Section, "immediate family" includes the employee's spouse, parents or children as defined in the federal Family Medical Leave Act, the employee's parents-in-law, grandparents, grandchildren and domestic partner as defined in Section 1.2, as well as the parents, children, grandparents and grandchildren of such domestic partner.
 5. When an employee who is eligible for leave under the Oregon Family Leave Act (OFLA) or the Family and Medical Leave Act (FMLA) is absent for an OFLA or FMLA qualifying reason, including caring for a minor child.
 6. For any purposes covered by Oregon's domestic violence leave rules.

7. For time off due to a public health emergency such as the closure of the employee's child's school or place of care by order of a public official due to public health emergency or the closure of the City due to a public health emergency.
 8. If the employee is excluded from the workplace by state or county rule or order, or by notice from their health care provider.
 9. To donate leave, only when permitted by and consistent with Donation of Sick Leave as referenced below.
 10. When otherwise required by applicable law.
- C. Donation of Sick Leave: An employee may donate up to forty (40) hours of sick leave or vacation leave per calendar year, as long as they maintain at least 40 hours total in their sick and vacation leave banks after the donation. To be eligible to apply for donated leave, an employee must:
1. have a serious illness or medical condition or be caring for a family member with a serious illness or medical condition that requires a prolonged absence from work (anticipate to be absent from work at least two consecutive weeks beyond exhaustion of all leave banks),
 2. have exhausted all sick leave and other accrued time, and
 3. not be eligible for or receiving time loss compensation from an outside insurance provider (e.g., unemployment insurance, workers' compensation insurance, disability insurance, PERS disability, social security disability, including may not exceed 100% of their regular gross salary, etc.)

Applications for donated leave must be made to Human Resources, in writing, and must describe the serious illness or medical condition necessitating the leave. All applications for donated leave must be approved by the City in advance and require provision of medical verification, consistent with other protected leave, of the need for leave. Donated sick and/or vacation leave will be based on a one (1) hour for one (1) hour (1:1) exchange. Donations will be made without regard to differences in the pay rate between the employee donating and the employee receiving the donation and will be paid out at the receiving employee's normal rate of pay.

All donations of paid leave benefits are voluntary and irrevocable. However, any unused leave will remain in the donor's accrual bank. Availability of donated leave is not guaranteed, and availability of donated leave does not guarantee that extended leaves of absence will be approved. Eligible employees are only eligible to receive leave donations up to the amount of time off that the City has approved, that the healthcare provider has certified that they are unable to work as a result of their own or family member's

qualifying illness or medical condition, or until the employee becomes eligible to receive long-term disability, social security disability, or PERS disability benefits, whichever time period is the shortest.

Employees do not accrue sick leave, vacation pay or other benefits during the time they are on donated leave. Donated time cannot be used to extend the employment of an employee who will not be returning to work.

- D. Substantiation: For extended absences from a sick leave exceeding three (3) consecutive days due to the employee's own illness or injury, a release from the employee's healthcare provider is required to ensure the employee can return to work. The City may require an employee to submit verification of eligibility for sick leave from an employee's doctor or healthcare professional whenever the City can articulate a good faith concern (e.g., questionable patterns of absence, suspicious explanations, etc.), regarding the employee's eligibility to receive sick leave. Receipt of verification may be required as a condition of payment. In the event verification is required, out-of-pocket cost billed by the doctor or healthcare professional to obtain the necessary verification shall be paid by the City to the extent such costs are not covered by insurance. Verification may be required for absences due to illnesses and injuries of the employee or to substantiate that the employee's attendance is needed to care for an ill or injured family member or otherwise when the City determines necessary to ensure compliance with applicable laws regarding time off from work, consistent with applicable law.
- E. Reporting Absence: Any employee who is ill and unable to report to work shall notify the on-duty supervisor or, in the event the on-duty supervisor cannot be reached, their immediate supervisor at least one (1) hour prior to the employee's reporting time. In case of a continuing illness or injury, the employee shall keep their immediate supervisor advised of their inability to report to work on a daily basis. However daily notice will not be required in situations where the employee has submitted written verification from their doctor or health care professional of the need to be absent from work for a definite period or as otherwise approved by their supervisor.
- F. Payment of Sick Leave Benefits: Sick leave benefits are paid out at the employee's regular hourly rate of pay for the hours the employee would otherwise be scheduled to work the day the benefits are used. Employees are not permitted to use or be paid for sick leave benefits that have not yet been earned. Note: Employees are required to use any earned and unused paid sick leave benefits for all absences covered by this policy before using other accrued leave benefits or taking time off without pay, except when otherwise prohibited law.
- G. Sick Leave on Retirement: For PERS Tier I and II employees, upon retirement, as permitted by applicable law, fifty percent (50%) of an employee's unused sick leave shall be credited to retirement. Employees who are in the OPSRP retirement program shall be paid upon retirement an amount equal to fifty percent (50%) of their unused sick leave.

- H. Upon the death of a regular status or retired/rehired limited duration employee, up to fifty percent (50%) of their unused sick leave accrual is paid to the beneficiary listed on the employee's life insurance policy carried by the City.

Section 9.2 Family Medical Leave, Parental or Pregnancy Leave

The City will comply with the Family and Medical Leave Act (FMLA), Oregon Family Leave Act (OFLA), and Oregon Military Family Leave Act. Generally these laws provide leave for the employee's own serious health condition, for the serious health condition of specified family members, for parental leave purposes, for pregnancy leave purposes, to care for a child who needs home care but does not have a serious health condition or requires home care due to the closure of school or childcare as a result of a public health emergency, and leave to deal with the death of a family member under OFLA.

Leave is also to provide care to an immediate family member or next of kin (applicable as defined by FMLA and OFLA) who is recovering from serious injury or illness incurred in the performance of military service or for absences due to "qualifying exigencies" arising out of the fact that an immediate family member has been called or notified of a call to active military duty. Eligible employees may also take leave to care for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty. Such care may include arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.

The employee may be required to have a healthcare provider complete a medical certification form to substantiate eligibility for FMLA and OFLA Leave and as necessary to obtain a second and/or third opinion. Should the employee be required to provide a certification or to obtain a second or third certification for family leave purposes, the employer shall bear the cost of such certifications. A Return-To-Work Release Form completed by a healthcare provider is required upon return to work when the leave is for the employee. It is not applicable when the leave is to care for a family member.

An employee may be entitled to more than one type of leave for the same absence. If so, the leaves will run concurrently unless prohibited by law. It is important to note that neither FMLA nor OFLA leave is paid leave. In simplest terms, they are federal and state acts that protect the employee's right to take leave and have a job when they return.

While out on such leave, an employee shall utilize any accrued sick leave they are eligible to receive under Section 9.1.B above until such time as the employee is eligible to receive disability benefits under PERS or the City's long-term disability insurance policy. Employees who are absent from work for FMLA or OFLA qualifying reasons, but who are not eligible to receive sick leave benefits or have depleted sick leave benefits may designate the order in which they want to use other paid leave accruals. In the event an employee fails to make such a designation in advance of issuance of their first paycheck following the commencement of the absence, the City will make the designation, using accrued vacation as the last choice. After using all paid time, the

employee may take leave without pay for the remainder of the family leave year designated by the City. Except as provided by law, family leave shall not exceed twelve (12) weeks within the family leave year specified by the City. The parties agree that employees may take leave pursuant to FMLA, OFLA, Paid Leave Oregon, etc. and any extensions permitted therein.

Section 9.3 Other Leaves

A. Jury Service and Appearances: Employees may be granted leave with or without pay as follows:

1. Service with Jury: Employees may be granted leave with pay to appear for jury service. Employees who are excused from jury service before the end of their regularly scheduled work shift shall immediately report their availability for assignment to their supervisor.

Pay for jury service shall be limited to the pay an employee would receive for their regularly scheduled work shift. Employees are not entitled to overtime pay for jury service. All monies received for jury service will be surrendered to the City.

Employees who are scheduled to work a regular work schedule that does not fall within the same hours of their jury service may be allowed to use administrative leave to take a portion of their regular work schedule off prior to their jury service, after their jury service, or both, to allow for at least eight (8) hours of rest prior to their jury service, after their jury service, or both, with written approval of their supervisor.

2. Appearances on Non-City Related Business: Employees who appear on non-City related business before a court, legislative committee or administrative agency as a party or a witness in response to a subpoena or other order by proper authority may be granted leave without pay or the employee may choose to use any accrued leave, except sick leave.
3. PECBA Related Appearances: Employees subpoenaed or compelled to appear for PECBA related proceedings, including interest and grievance arbitrations, shall be paid for their time testifying, as well as their travel time to and from the Department to the hearing. The City and the Association agree that all reasonable steps will be taken to subpoena witnesses in PECBA proceedings to testify during their regular work schedule and to limit the time employees are called to testify to periods when their testimony is expected to occur. Employees who are subpoenaed or compelled to appear for PECBA procedures are not entitled to minimum call-back pay for their appearances. The City may also adjust the work schedules of employees who are scheduled to appear in PECBA related proceedings with seven (7) days written notice in order to avoid overtime.

B. Personal Unpaid Leave: Employees may be granted leave of absence without pay when the work of the Department will not, in the view of the City, be unduly burdened by this absence. Requests for such leaves must be in writing and must establish justification for the approval

by the Chief of Police or City Manager. Leaves of absence up to two (2) weeks without pay may be granted by the Chief of Police. Leaves of absences for longer than two (2) weeks must be approved by the City Manager.

- C. Military and Peace Corps Leave: Military and Peace Corps leave shall be granted in accordance with applicable law.
- D. Bereavement Leave: Following a death in the employee's immediate family, the employee is entitled to a maximum of three (3) days bereavement leave with pay, plus two (2) additional days available chargeable to any accrued leave at the discretion of the Chief of Police. For the purpose of this Subsection, immediate family includes: mother, father, son, daughter, siblings, husband, wife, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandchild and grandparent. It also includes domestic partners, as defined in Section 1.2, as well as the mother, father, son, daughter, siblings, grandparents and grandchildren of such domestic partners. Employees may utilize sick leave for additional time off in accordance with OFLA. Use of bereavement leave is concurrent and consistent with OFLA rules.
- E. Domestic Violence Leave and Accommodation: Victims of domestic violence, sexual assault, harassment or stalking and the parents of a minor child or dependent victim are eligible for reasonable unpaid leaves of absence to seek legal or law enforcement assistance or remedies, medical treatment, counseling, to obtain services from a prosecutor or non-profit victim services provider and to relocate or take steps to secure their home.
- F. Other Crime Victim Leave: Unpaid leave provided to attend criminal proceedings if the employee or immediate family member has suffered financial, social, psychological or physical harm as a result of being a victim of certain felonies such as kidnapping, rape, arson and assault.
- G. Extended Medical Leave: Additional leave without pay may be offered as a reasonable accommodation to an employee who is also a qualified individual with a disability, unless it would be an undue hardship on the City in accordance with the ADA and state law. The City may impose conditions or restrictions as permitted by Oregon or federal law.

Section 9.4 General Rules

- A. Failure to Return from Leave: Any employee who has been granted a leave of absence and who, for any reason, fails to return to work at the expiration of said leave of absence shall be considered as having resigned employment with the City and the position shall be declared vacated, except and unless the employee, prior to the expiration of the employee's leave of absence or as allowed by family leave laws, has furnished evidence that the employee is unable to return to work by reason of sickness, physical disability or other legitimate reasons beyond the control of the employee.

- B. Absence Without Leave: Except as allowed by family leave laws with respect to unanticipated need for family leave, an absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized or taken pursuant to a leave of absence, shall be deemed to be an unauthorized absence. An employee who has an unanticipated need for family leave must comply with the notice requirements under applicable law. Unauthorized absences shall be without pay and may subject an employee to disciplinary action.
- C. Paid Leave Oregon (PLO): Upon an accepted claim under PLO, an employee may elect to use available sick leave, then if exhausted, other accrued paid leave banks.

ARTICLE 10 – VACATION AND HOLIDAYS

Section 10.1 Vacation

- A. Accrual of Vacation Benefits: Regular and probationary full-time employees shall accrue vacation time as noted below with bi-weekly payroll. Regular and probationary full-time employees shall earn vacation pay through June 30, 2026 as follows:
1. Commencing with the date of employment at a rate of 4.62 hours per pay period.
 2. Commencing with 49 months of employment at a rate of 5.54 hours per pay period.
 3. Commencing with 109 months of employment at a rate of 6.15 hours per pay period.
 4. After the 168th month of employment, at a rate of 7.7 hours per pay period.
- B. Eligibility for Continued Accrual: Regular and probationary full-time employees will continue to accrue vacation pay, as long as they are actively employed or on paid leave.
- C. Maximum Accrual: An employee may accrue a maximum of 400 hours of vacation time. Any excess hours over 400 will be forfeited without compensation.
- E. Effect of Separation: Upon separation of employment, vacation accruals up to the maximum will be included in the employee's final pay.
- F. Vacation Selection: Employees shall be permitted to request vacation time off either on a split or an entire basis. Employees shall have the right to determine the vacation time, subject to scheduling required for public service. The Chief of Police or designee shall make the determination of whether an employee's request for vacation time off will be granted based upon the needs of an efficient operation, the availability of vacation relief and the City's right to arrange the schedule so that each employee who is eligible has an opportunity to take vacation time off.

Vacation time shall be selected on the basis of bargaining unit seniority within the employee's work unit provided, however, that employees will be permitted to exercise their right of seniority only once annually for a one (1) block of time period (i.e., member may select one consecutive period, one time), not to exceed four (4) consecutive calendar weeks, unless otherwise approved by the Chief of Police. Thereafter, conflicting requests for the same vacation time shall be resolved on the basis of prior scheduling. Each employee must make a good faith effort to schedule at least one (1) block of time, at least one (1) week off, during each year.

One (1) Sergeant per patrol team will be allowed to be on vacation at any one time, unless more are approved by the Chief of Police or designee. This limitation shall not apply if a

Sergeant with previously approved vacation is reassigned to a different patrol team provided, however, that vacation may be disapproved or canceled in the event of a staff reduction or an unforeseen emergency.

- G. Concurrent Leaves: If the leave is for a qualified state or federal family leave purpose, all leaves of absence, no matter how classified, shall be counted against the employee's family leave entitlement. In such a case, upon request, the employee shall provide health care provider certifications, including second and third opinions and fitness for duty certifications, as provided by family leave laws.

Section 10.2 Floating Holidays

- A. Affected Members: All sworn members, except those attending DPSST Academy BP Class and those working a 5/8 schedule (as defined in Section 5.1.C.3) shall accrue floating holidays.
- B. Floating Holiday Accrual Rates: Members accruing floating holidays shall be entitled to accrue thirteen (13) floating holidays per year, accrued at the following rates, based on their work schedules:

1. A member assigned to a twelve (12) hour work schedule will accrue 6 hours per pay period.
2. A member assigned to a ten (10) hour work schedule will accrue 5 hours per pay period.
3. A member assigned to an affected eight (8) hour work schedule will accrue 4 hours per pay period.

- C. Floating Holiday Time Off:

1. Scheduling, Generally. Scheduling floating holiday time off is a member's responsibility. Floating holiday time off may be requested up to ninety (90) days in advance, and will be granted on a first come, first served basis.

Members will schedule floating holidays in good faith based on days available and must receive their supervisor's approval. Supervisory approval can be withheld only to meet operational and staffing needs. Floating holiday time off not taken in accordance with this Section will be lost, unless it is not taken or is cancelled by the Department for operational reasons, in which case it will be paid. Members may not accrue more than twenty-four (24) hours of floating holiday time.

2. Scheduling 4/10 Work Schedule: Except for Sergeants assigned to a patrol unit, members working a 4/10 schedule shall recognize and take off each holiday recognized in Section 10.3.A, unless they request and receive their supervisor's approval to work on a recognized holiday.

Section 10.3 Holidays for Members Not Accruing Floating Holidays

A. The following days shall be recognized and taken off as paid holidays. On these holidays, the business office will be closed.

1. New Year's Day
2. Martin L. King Day
3. President's Day
4. Memorial Day
5. Juneteenth
6. Independence Day
7. Labor Day
8. Veteran's Day
9. Thanksgiving Day
10. Day after Thanksgiving
11. Christmas Day

For the purposes of Section 10.3, a day is equal to your regular shift schedule during the period of the holiday.

B. Personal Leave: The purpose of personal leave is to give additional time off as noted below to members who work regular business hours and who do not accrue floating holidays. This matches them day-for-day with other members who accrue the equivalent of thirteen (13) day off per year as described in Section 10.2. For a new hire, the personal leave is prorated for the first calendar year of employment. Accrued personal leave is use it or lose it each calendar year and is not subject to compensation upon separation of employment.

Members who work regular business hours and who do not accrue floating holidays shall receive 16 hours of personal leave per fiscal year. Personal leave will be granted on July 1 of each fiscal year and must be utilized by June 30 of the same fiscal year. Employees are to request time off with their supervisor in advance. Time off will be granted on the following basis: for each unit of time off requested, an equal amount of time must be given (for example: for one-hour off, one-hour advance notice must be given, for two-hours off, two-hours advance notice must be given, etc.).

Personal leave may not be carried over to the following fiscal year or credited to another type of leave. Personal leave days are not considered to be vested compensation and are not paid at separation.

C. Weekend Holiday: For members working regular business hours and who do not accrue floating holidays, whenever a holiday falls on Saturday, the preceding Friday shall be considered to be the holiday. Whenever a holiday falls on Sunday, the following Monday shall be considered to be the holiday.

Section 10.4 Effect of Holidays During Time Taken Off

For employees working regular business hours who do not accrue floating holiday hours, whenever a holiday falls during paid leave (e.g., vacation or sick leave), the holiday shall be observed, and no charge shall be made against the employees' paid leave account(s) for that day.

Section 10.5 Holiday Pay

For employees not accruing floating holidays, work performed on any holidays recognized in Section 10.3 shall be paid at overtime rates, in addition to holiday pay in accordance with Section 5.5.D.4. For purposes of holiday compensation, an employee whose shift begins on the holiday shall receive holiday pay for the full regular shift.

Sworn employees whose regularly scheduled shift begins on Thanksgiving Day and/or Christmas day (i.e., shifts beginning between midnight and 2359) will be compensated at time and one half (1.5) for all hours worked on that regularly scheduled workday.

ARTICLE 11 – PROBATION

Section 11.1 Probation

All new hires, laterals, and promoted employees to the classification of Sergeant shall serve a probationary period. The probationary period for promoted Sergeants is nine (9) months, and may be extended three additional months, up to a total of 12 months with the mutual agreement of the Chief of Police and the Association.

The probationary period for new hires and laterals is twelve (12) months.

The probationary period shall be a part of the training and evaluation process and shall be used to evaluate the skills and abilities of the newly hired/lateral or promoted employee to be assigned to regular employee status.

New hires/lateral hires who are serving on probation serve at the will of the City and may be disciplined, suspended or discharged without cause and without appeal through the grievance and arbitration procedures set forth in Article 15 of this Agreement.

Employees who are promoted to the Sergeant classification, who are serving on probation, may not be disciplined, suspended or discharged without cause as defined by ORS 236.350, and shall have rights to appeal through the grievance and arbitration procedures set forth in Article 15 of this Agreement.

If in the judgment of the Chief or designee, a promoted employee who is serving on probation, is determined to be unsuitable/unsuccessful in the Sergeant classification, they shall be removed from the Sergeant class and returned to the class and step they held when they were promoted.

All Sergeants shall comply with DPSST requirements for Sergeants in all respects, including but not limited to obtaining required educational requirements.

ARTICLE 12 – SENIORITY

Section 12.1 Seniority

- A. Seniority Defined: Bargaining unit seniority is determined by the length of an employee's continuous service with the Department, in the bargaining unit, as a Sergeant. Classification seniority is determined by the length of an employee's service in the employee's current classification, as described by Section 12.5, below and is used for the purpose of patrol schedule rotation and vacation bidding in accordance with Articles 5 and 10.
- B. Seniority List: The City will make electronic copies of bargaining unit and classification seniority lists available to the Association and employees upon request.

Section 12.2 Layoff and Recall

- A. Layoff: The City may lay off an employee when the City determines it necessary to eliminate a position or that a shortage of funds or work exists. Layoff shall be by specific job classification as listed in Appendix A. Probationary employees in the classification(s) affected by layoff will be laid off first. In the event the City determines that it is necessary to layoff regular employees, employees in the classification(s) affected shall be laid off in ascending order (bottom to top) based on bargaining unit seniority.

An employee shall be given written notice at least fifteen (15) days before the effective date stating the reasons for the layoff.

- B. Recall: Employees shall be recalled from layoff to the classification held at the time of layoff in inverse order of layoff according to their bargaining unit seniority. No new employees shall be hired in one of the classifications until all employees in that classification on layoff status desiring to return to work have been recalled or have otherwise suffered a break in seniority, as set forth in Section 12.3 below.
- C. Layoff List: Layoff status shall be maintained for a two (2) year period. It shall be the obligation of the employee to maintain a current address with the City during this period.
- D. Bumping: An employee scheduled to be laid off may utilize their bargaining unit seniority to bump the employee with the lowest bargaining unit seniority in a lower classification, if the employee is presently qualified and certified to perform, immediately, all of the duties and responsibilities of the different classification. Employees who wish to exercise bumping rights must notify the City in writing within ten (10) calendar days of receipt of layoff notice.

Section 12.3 Continuity of Service

Service requirements for advancement within salary range, extended steps, holidays and vacation shall be based upon continuous and total service as a regular employee.

Employees will continue to accrue seniority. Seniority will be broken, and the employment relationship will be severed if any of the following events occur:

1. Voluntary resignation or retirement.
2. Discharge of a regular employee for just cause or separation of a probationary employee at will.
3. Layoff or absence from work due to off-the-job illness or off-the-job injury for more than twenty-four (24) months' duration.
4. Failure to notify the City of intent to return to work pursuant to a recall notice sent by certified mail, return receipt requested, to the last address provided to the City through personnel records within ten (10) business days of delivery.
5. Failure to report for work immediately upon expiration of an authorized leave of absence or, in the case of an absence due to off- or on-the-job injury or illness, failure to report for available work within seven days of receipt of notice of a limited or a full medical release to return to work.
6. Absence from work due to an on-the-job injury or on-the-job illness in accordance with ORS Chapter 659A.
7. Failure to return from military leave, in accordance with applicable law.
8. Separation of employment.

Section 12.4 Retention of Seniority for Promotions

Employees who are promoted to positions within the Department that are outside the bargaining unit, but are returned to bargaining unit positions by the City, will return with the seniority they had accrued at the time of their promotion. The time an employee spends in such a position will not, however, be applied toward his or her seniority. Instead, the employee's bargaining unit and classification seniority date will be adjusted by an amount equal to the time he or she served in the non-bargaining unit position.

Section 12.5 Retention of Classification Seniority upon Reemployment

In the event an employee voluntarily resigns from employment with the City but is rehired within one (1) year from the date of the resignation, the classification seniority the employee had on the date of resignation will be restored.

ARTICLE 13 – COMPLAINTS, INVESTIGATIONS AND DISCIPLINE

Section 13.1 Complaints, Investigations and Discipline

All discipline and termination actions shall be only for just cause using the principles of progressive discipline and adhering to the procedure set forth in Appendix B and Appendix C. The definition and application of just cause for sworn law enforcement officers is subject to applicable law.

Additional conditions and procedures are found in Appendices B and C of this Agreement which shall not be changed without bargaining subject to PECBA obligations. Any dispute shall be resolved by the procedure set forth under PECBA.

ARTICLE 14 – PERSONNEL RECORDS

Section 14.1 Personnel Record

The City shall maintain a personnel record of each employee in the City service. This record shall be the official record of the City and shall contain copies of all official reports, memos, letters, personnel actions, Guardian Tracking, etc., relating to the employee's performance and employment status.

Section 14.2 Inspection of Record

An employee may inspect the contents of the employee's personnel record, except for confidential reports from previous employers and background investigations, upon the employee's oral request to do so. An employee's official representative, with the permission of the employee, may inspect all records pertaining to the employee except confidential reports from previous employers. Should the employee's personnel record contain a psychological or psychiatric report which could be harmful for the employee to review, the City may elect to disclose the report to the employee's physician of choice.

Section 14.3 Critical Entries

No disciplinary action, evaluation document, or complaint will be placed into an employee's personnel file without a copy being provided to the employee. Documentation of written reprimands, suspensions without pay, reduction in salary, demotions, and termination shall be maintained in the member's personnel file. The employee will be asked to acknowledge receipt by signing a copy of the document. Such signature is not to be construed as indicating agreement with the contents thereof.

Documentation of negative performance shall be discussed with the employee and a copy of any entry will be provided to the employee prior to the submission into the Guardian Tracking system.

Section 14.4 Rebuttal Material

If an employee believes that there is material in the personnel record which is incorrect or derogatory, the employee shall be entitled to prepare in writing an explanation or opinion regarding the particular material, and this shall be included as a part of the personnel record. If the employee believes that such specific information should be removed entirely from the files, the employee may petition for such consideration to the City.

Section 14.5 Entries Dated

Each entry into the employee's personnel file shall be dated.

Section 14.6 Removal

An employee may request the removal of disciplinary documents from the employee's personnel file as follows: If the disciplinary document the employee is seeking to remove a written reprimand, the employee may request removal after eighteen (18) months from the issuance of the discipline, if the employee has not engaged in the same or similar conduct during that period. If the disciplinary document the employee is seeking to remove is a suspension or other economic sanction, the employee may request removal after three (3) years from the date of issuance of the discipline, if the employee has not engaged in the same or similar conduct during that period. In the event materials are required to be kept for a longer period under the Oregon Administrative Rules, the materials shall be removed and kept in a sealed file. Any such request shall be made to the Chief of Police in writing and, if denied, the decision may be appealed to the City Manager in writing. Requests for removal will not be unreasonably denied.

Documents removed from an employee's personnel file will not be used against an employee for the purpose of establishing progressive discipline but may be used in any arbitration and civil proceeding for the purpose of establishing consistency of disciplinary action, lack of discrimination, notice of rule, compliance with legal obligations and to defend against legal actions.

Personnel records for sworn employees will be retained consistent with applicable law.

ARTICLE 15 – GRIEVANCE PROCEDURE

Section 15.1 Grievance Procedure

Grievance, for the purpose of this Agreement, is defined as a dispute regarding the meaning or interpretation of a particular clause of this Agreement or regarding an alleged violation of this Agreement. Such grievance shall be settled in the following manner:

Step One: Should an employee believe that an employee's rights under this Agreement have been violated, within twenty-one (21) calendar days of the date of such grievance or knowledge thereof, the employee shall report the matter in writing to the employee's immediate supervisor. The written grievance shall be on a form approved by the City and Association and shall include:

1. A statement of the grievance and relevant facts,
2. Provision of the Agreement violated, and
3. Remedy sought.

Within twenty-one (21) calendar days after receipt of such report, the immediate supervisor shall attempt to resolve the matter and submit an answer in writing to the employee.

Step Two: If the grievance still remains unsettled, within twenty-one (21) calendar days after the reply of the immediate supervisor is received or the date that such reply is due, the Association or a nonmember of the Association grieving discipline may submit the grievance in writing to the Police Chief. The Chief shall respond in writing to the employee within twenty-one (21) calendar days.

Step Three: If the grievance still remains unresolved, within twenty-one (21) calendar days, the Association or a nonmember of the Association grieving discipline may submit the matter in writing to the City Manager. The City Manager shall respond in writing to the employee within twenty-one (21) calendar days.

Step Four: If the grievance still remains unsettled, within twenty-one (21) days after the reply of the City Manager is due, the Association may serve written notice to the City Manager of the Association's intention to arbitrate the grievance.

After the grievance has been so submitted, the Association or a nonmember of the Association grieving discipline may request from the Oregon Employment Relations Board a list of seven (7) Oregon and Washington arbitrators. For grievances contesting disciplinary actions imposed upon a sworn law enforcement officer, the parties will follow applicable law relating to the selection of an arbitrator. For other grievances, the parties shall select an arbitrator from the list by alternatively striking a name, with the first strike being determined by lot. The final name left on the list shall be the arbitrator. The arbitrator's decision shall be final and binding, but the arbitrator shall have no power to alter, modify, add to or detract from the terms of the contract.

The arbitrator's decision shall be within the scope and terms of the contract and applicable law and in writing including detailed findings and conclusions, together with an explanation of the reasoning utilized in making the decision. The arbitrator shall be asked to submit the decision within thirty (30) days of the date of the hearing.

Section 15.2 Cost of Arbitrator

Each party, whether the Association on behalf of a member or an individual nonmember who is challenging a disciplinary decision shall be responsible for paying the costs of presenting its own case in arbitration, including the payment of witness fees, if any. The cost for the arbitrator, court reporter (if any), and the hearing room shall be borne by the losing party. The arbitrator shall designate the "losing party." The arbitrator's designation of the "losing party" shall be final and binding. The cost of a court reporter is contingent on both parties having agreed to utilize the services of a court reporter.

Section 15.3 Time Limits

Any or all time limits specified in the grievance procedure may be waived by mutual written consent of the parties. Failure to submit the grievance in accordance with these time limits without such waiver shall constitute abandonment of the grievance. Failure by the City to respond within the time limit shall permit the grievance to proceed to the next step. The grievance may be terminated at any time upon receipt of a signed statement from the employee that the matter has been resolved through Step Three of the Grievance Procedure.

ARTICLE 16 – SAVINGS CLAUSE

Section 16.1 Savings Clause

Should any Article, Section or provision of this Agreement be held unlawful and unenforceable by final order of any court of competent jurisdiction or administrative agency having jurisdiction over the subject matter, or by legislation of the State of Oregon, or federal government, or issuance of a final regulation by an administrative agency, such decision, legislation or regulation shall apply only to the specific Article, Section or portion of the Agreement directly affected. Upon issuance of any such decision, legislation or administrative regulation, the parties agree immediately to negotiate a substitute, if possible, for the invalidated Article, Section or portion of the Agreement, in accordance with PECBA. All other portions of this Agreement, and the Agreement as a whole, shall continue in effect. Nothing in this Article constitutes a waiver of the right of either party to assert that the Article, Section or provision in question is not unlawful or unenforceable.

ARTICLE 17 – TERM OF AGREEMENT

Section 17.1 Term of Agreement

Any specified Article or Articles of this Agreement may be opened for negotiation by mutual written consent of both parties at any time during the life of the Agreement.

This Agreement commences effective upon ratification, and terminates on June 30, 2026. The parties will commence negotiations for a successor Agreement on or about January of the expiring year. This Agreement will remain in full force and effect during the period of negotiations.

FOR THE CITY:

Adam J. Brown, City Manager

DATE:_____

Andrew Copeland, Chief of Police

DATE:_____

FOR THE ASSOCIATION:

Jeremy Worledge, President

DATE:_____

Kevin DeMarco

DATE:_____

APPENDIX A – WAGE SCALE

Employees are paid hourly. Bi-weekly and annual values are for references purposes.

Sergeant							
Pay Schedule - Effective April 1, 2025							
Range	Classification	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
29	Sergeant	47.53	49.91	52.41	55.03	57.78	60.67
		3,802.40	3,992.80	4,192.80	4,402.40	4,622.40	4,853.60
		8,238.53	8,651.07	9,084.40	9,538.53	10,015.20	10,516.13
Sergeant							
Pay Schedule - Effective July 1, 2025							
Range	Classification	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
29	Sergeant	48.96	51.41	53.98	56.68	59.51	62.49
		3,916.80	4,112.80	4,318.40	4,534.40	4,760.80	4,999.20
		8,486.40	8,911.07	9,356.53	9,824.53	10,315.07	10,831.60

APPENDIX B – PERSONNEL COMPLAINTS AND INVESTIGATIONS

810.1 POLICY

It is the policy of the Keizer Police Department that personnel complaints and investigations will be fair, impartial, and thorough in order to provide accountability to the public, discover improper conduct or performance, protect members from false accusations, assess training needs, facilitate re-evaluation, and/or to promote the formation or reformation of policies and procedures.

810.2 PURPOSE

The purpose of this policy is to explain how and why personnel complaints and investigations are investigated, recorded, disposed, and retained. The term "member" refers to employees of the bargaining unit.

810.3 SUBJECT TO BARGAINING

This policy is subject to the Collective Bargaining Agreement between the City of Keizer and Keizer Police Association for those matters as required by Public Employees Collective Bargaining Act. The CBA shall control in the event of any conflict between this policy and the CBA.

810.4 OBJECTIVES

Personnel investigations shall seek the following three objectives:

- Determine if a member's actions conformed with department policy and, if the member's actions did not conform, attempt to determine why.
- Determine if department policy needs to be changed.
- Determine if a training need exists or if current training needs to be changed.

810.5 DEFINITIONS

Administrative Inquiry (AI) – (1) A complaint, usually requiring more investigation or documentation than a Supervisor Inquiry, and which, if sustained, will normally be resolved with counseling or a reprimand, whether oral or written. (2) An investigation required or requested by Management to determine if a member's actions comply with policy.

Incomplete Complaint – A complaint in which the complainant either refuses to cooperate (e.g., an anonymous letter) or the complaint is received from a third party, and it is impractical to investigate.

Internal Affairs Investigation (IA) – An investigation which, if sustained, may lead to suspension, demotion, or termination.

Management – Management consists of the Chief of Police, and lieutenants.

Personnel Complaint – An allegation of misconduct or improper job performance regarding a department member.

Statement – Includes any statement, whether written or oral.

Supervisor – A person who supervises others, whether in a permanent or acting capacity; usually does not refer to Management.

Supervisor Inquiry – A complaint which a member's supervisor has the discretion to handle quickly and informally with very little investigation and which, if sustained, experience and common sense indicate would normally be resolved with counseling.

810.6 ACCEPTANCE AND INVESTIGATION, GENERALLY

- A. ACCEPTANCE AND INVESTIGATION. All complaints shall be accepted regardless of the medium, shall be acknowledged as soon as practicable, and shall be investigated, and the complainants shall be advised of the dispositions as described in PPM 810.14, Disposition of Personnel Complaints. Written complaints are unnecessary, except as described in PPM 810.7(A)(4).
- B. THIRD-PARTY AND ANONYMOUS COMPLAINTS. Third-party and anonymous complaints shall be accepted if, after a reasonable read of the complaint would lead the supervisor to believe that a violation of policy or procedure has occurred. Management shall be advised of all third-party or anonymous complaints whether accepted or not.
- C. MEMBERS RESPONSIBLE TO REPORT MISCONDUCT. A member who has reasonable cause to believe alleged misconduct occurred, including violations of department policies, shall notify a supervisor, a Division Commander, or a member of Management without delay.
- D. INTERNAL PERSONNEL COMPLAINT. A member may report concerns of unfair treatment; however, to facilitate communication among members, members are encouraged to seek an informal resolution to such problems. If the problem is not resolved, the member shall notify a supervisor, a Division Commander, or a member of Management who will ensure a timely investigation. An employee may also contact Human Resources directly.
- E. COMPLAINT OF BIASED POLICING. See PPM 108.7, Complaints of Biased Policing, for special reporting requirements.
- F. ASSIGNED INVESTIGATOR. Complaints regarding a specific member shall be forwarded to that member's supervisor or another, uninvolved, member of management; however, a complaint of conduct that is conspicuously bad or offensive, including complaints of

biased policing, alleged misconduct as it appears on the Law Enforcement Standards Commission (LESC) discipline matrix, circumstances of administrative leave or possible termination shall be forwarded or copied to the Chief of Police and the Human Resources Director.

810.7 SUPERVISOR RESPONSIBILITIES UPON RECEIVING A COMPLAINT

A. CONSIDERATIONS BEFORE FURTHERING A COMPLAINT

1. Generally, complaints will not be further investigated unless the alleged misconduct is of a nature which, if true, would normally result in counseling or disciplinary action.
2. When a complainant is satisfied that the matter or incident raised required nothing more than an explanation of department policy or procedure, a complaint need not be further investigated.
3. When a complainant's credibility can be documented as unreliable and the complaint is patently unfounded on its face, the complaint need not be further investigated; nevertheless, the complainant's contact information shall be collected, and management shall be advised of the complaint.
4. A personnel complaint of criminal activity shall, when possible, be recorded or reduced to writing and signed by the complainant.

B. INVESTIGATOR RESPONSIBILITIES

1. The investigator shall contact the complainant as soon as practicable, even if only to let the complainant know the complaint is being investigated. The City is not precluded from using independent outside investigators at its discretion.
2. Investigators shall respect the accused member's due process and procedural rights.
3. If a complaint prompts a Supervisor Inquiry, the supervisor shall advise the accused member of the complaint and investigate it in a timely manner. If, in the course of investigation, it is determined that more significant investigation may be required or the conduct, if sustained, would normally result in more discipline than counseling, the inquiry should be reclassified as an Administrative Inquiry or Internal Affairs investigation, as appropriate.
4. If a complaint prompts an Administrative Inquiry, the supervisor shall notify the accused member of the complaint, the member's immediate supervisor and Management, and shall commence the Administrative Inquiry.
5. If a complaint may require an Internal Affairs investigation, the supervisor shall notify the division commander or a member of Management as soon as practicable.
6. Before reporting the disposition of an investigation to a complainant, see PPM 810.16, Confidentiality of Personnel Investigations.

810.8 MEMBER RESPONSIBILITIES DURING AN INVESTIGATION

- A. Members interviewed pursuant to a personnel complaint shall cooperate fully with the investigation and shall completely and truthfully answer all questions. (A member may be compelled to give a statement, subject to PPM 810.12, Garrity Rights and Criminal Investigations of Members.)
- B. Members shall not interfere with or compromise the integrity of a personnel investigation.

810.9 ADMINISTRATIVE LEAVE

At the discretion of a supervisor or the Chief of Police, a member may be placed on paid administrative leave or Critical Incident Leave, as applicable, pending the outcome of a personnel complaint investigation. This action is administrative and does not constitute discipline.

A member placed on administrative leave may be subject to the following:

- A. Under such circumstances, a member placed on administrative leave shall continue to receive regular pay and benefits pending the imposition of any discipline.
- B. A member placed on administrative leave may be required to relinquish any badge, official department member identification, weapon(s), and other equipment.
- C. A member placed on administrative leave may be ordered to refrain from taking any action as a department member or in an official capacity; however, the member shall be required to continue to comply with all policies and procedures and all orders from a supervisor.
- D. A member placed on administrative leave may be temporarily assigned to normal business hours during the investigation and the member may be required to remain available for contact at all times during such shift and report as ordered.
- E. If a supervisor places a member on administrative leave, the supervisor shall promptly notify the member's immediate supervisor and a member of Management.

810.10 INTERNAL AFFAIRS INVESTIGATION PROCEDURES, GENERALLY

810.10.1 INITIATION OF INVESTIGATION

Any member of management, including supervisors, may initiate an Administrative Inquiry, but only the Chief of Police or City Manager may initiate an Internal Affairs investigation.

810.10.2 INTERNAL AFFAIRS INVESTIGATION PROCEDURES, GENERALLY

- A. The Chief of Police/City Manager, or the assigned investigator, shall cause the accused member and the Association to be notified of the investigation in a timely manner. This

will be done by distribution of one copy of the complaint, provided the allegations are not criminal in nature and such notification will not hinder the investigation. It will also include any other witness statements or reports that state facts on which the charges are based, unless doing so will compromise the investigation. This notification shall include the nature of the investigation, and the member will be informed of other information necessary to reasonably describe the nature of the allegations under investigation. Information will be provided at least 24 hours prior to the interview.

- B. Prior to the interview, if there is the potential for discipline against the member, the investigator shall advise the member of the following:
 - 1. The nature and circumstances of the subject matter of the interview.
 - 2. The member may have an Association representative present to witness the interview, provided the representative does not interfere with the interview, asking only clarifying questions. See also PPM 810.13, Association Representation. Attendance of persons other than the accused member and representatives of the City and Association are not permitted in administrative investigatory interviews, except upon mutual agreement between the City and Association.
 - 3. The member or representative may suggest witnesses and evidence favorable to the member.
 - 4. That failure to cooperate with the investigation may subject the member to disciplinary action.
- C. Interviews will be conducted when the member is on duty unless the seriousness of the investigation or other circumstances dictates otherwise.
- D. Ordinarily, interviews will take place at the police department, but the nature of the situation or the need for a walk-through or reenactment may necessitate another location.
- E. Interviews shall be conducted under circumstances conducive to obtaining an accurate account of what occurred and with respect for the member interviewed, including allowing the member to take care of their personal needs (*restroom breaks*).
- F. The complete interview of a member may be audio recorded by the City and/or member or Association consistent with applicable laws. If an audio recording is made of the interview, a member under investigation shall have access to the recording. If a transcription of the interview is made, the member under investigation shall be provided a copy of the transcription.
- G. Investigations will be completed even if an agency member retires or resigns.

810.11 ADMINISTRATIVE SEARCHES

A member of the department shall not be subject to having their residence, private place of business, or personally owned private vehicle searched without the member's consent unless a valid search warrant has been obtained.

Members who are subject to the CBA may be ordered to submit to a blood, breath, or urine test for alcohol or drugs when there is reasonable suspicion that the member may be or have been under the influence of alcohol or drugs as defined in the Drug and Alcohol Policy incorporated into the CBA. Members who are not subject to the CBA may be ordered to submit to a blood, breath, or urine test for alcohol or drugs in accordance with City's Personnel Policy Manual.

The use of compelled testing results shall be restricted to the personnel investigation.

Members shall have no expectation of privacy in or while using offices, desks, lockers, vehicles, telephones, computers, radios, or other communications provided by the department.

Assigned lockers, offices, desks, vehicles, and storage spaces are the property of the City and may be administratively searched by a supervisor for work-related purposes (e.g., obtaining necessary paperwork or a radio); however, an investigative search of such areas should only be conducted with the approval of the Chief of Police or a designee upon reasonable suspicion that a violation of policy or procedure has occurred.

All other non-assigned areas (e.g., shared desks, common office space, and shared vehicles) may be searched at any time for any reason.

810.12 GARRITY RIGHTS and CRIMINAL INVESTIGATIONS OF MEMBERS

Garrity (*Garrity v. New Jersey*, 385 US 493 (1967)) protects a member from incriminating themselves in a criminal investigation, while allowing the City to conduct a personnel investigation.

A. PERSONNEL INVESTIGATION OF ALLEGED CRIMINAL ACTIVITY

In every administrative investigation interview, the member shall be provided a *Garrity* admonishment prior to any questions being asked. If a member exercises their Fifth Amendment right not to incriminate themselves in a personnel investigation of the member's alleged criminal activity, the member may be ordered (compelled) to give a statement, and the statement(s) may not be used against the member in a criminal investigation. When ordered to give a compelled statement in an internal investigation, the member shall first be given a *Garrity* admonition. Note: The reading of a *Garrity* admonishment does not necessarily indicate potential criminal conduct alleged.

When a statement is obtained based on *Garrity*, care shall be taken to ensure that confidentiality of the statement is maintained. It shall not be shown or communicated by the

investigator to any person except the Chief of Police, other members of Management, the Human Resources Director, the City's legal counsel or as otherwise necessary for the investigation for so long as the criminal investigation is ongoing.

B. UNEXPECTED ADMISSION OF CRIMINAL ACTIVITY DURING INTERVIEW

If during an interview a department member unexpectedly admits involvement in activity that the investigator believes may be criminal in nature, the member shall be reminded of *Garrity* rights before the interview continues.

C. GARRITY RIGHTS STATEMENT

When Garrity rights are given as a condition of Section A, the following statement shall be copied and signed and dated by the investigator and the member interviewed:

As part of a personnel investigation, you are about to be questioned. You will be asked questions specifically and narrowly related to the performance of your official duties, compliance with department policies and standards or fitness for duty.

You are entitled to all the rights and privileges guaranteed by the laws and constitutions of the State of Oregon and of the United States, including the right not to be compelled to incriminate yourself; however, if you refuse to provide a statement or answer questions relating to the performance of your official duties, compliance with department policies and standards or fitness for duty, you will be subject to department discipline which may result in the termination of your employment with the police department.

Neither the statements you provide after receiving this Garrity rights notice nor any information or evidence that is gained from them can be used against you in any subsequent criminal investigation, other than a criminal proceeding for perjury, or unless ordered by a court of law.

D. CONCURRENT PERSONNEL AND CRIMINAL INVESTIGATIONS

If a member is suspected of allegations of criminal conduct, Management will ask another agency to conduct a criminal investigation.

For an internal investigation that may also involve a separate criminal investigation, a personnel investigation may occur at the same time as the criminal investigation.

Generally, the criminal investigator should interview the accused member first, followed by the personnel interview (though not necessarily immediately afterwards). The disposition of a personnel investigation may precede the conclusion and disposition of a criminal investigation.

An investigator conducting an internal personnel investigation, which is also being criminally investigated or involves the possibility of a criminal act may compel a response from a member if the member is given Garrity rights. The investigator also may choose not to compel a response. During such an interview the following may occur:

1. Having been given Garrity rights, a member gives a compelled statement, which cannot be used in a criminal investigation, except a criminal proceeding for perjury; or
2. Having been given Garrity rights, a member refuses to give a compelled statement, and may be subject to discipline for such refusal, up to and including termination; or
3. The personnel investigator may choose not to give the member a Garrity rights Statement (not to compel a statement) and, in such case, shall discontinue the interview pending discussion with the Chief of Police or designee regarding whether a Garrity rights notice should be issued.

810.13 ASSOCIATION REPRESENTATION – WEINGARTEN

If a member is represented by the Association and the member reasonably believes the interview may lead to discipline, the member has a right to have an Association representative present during a personnel investigation interview.

The role of the Association representative, if present at an interview, may be limited as follows:

- The representative may inquire at the outset of the interview regarding its purpose, including inquiring about the general subject matter of the questioning to follow.
- During the questioning of the member, the representative may participate only to the extent of clarifying questions asked of the investigator.
- After the investigator has finished interviewing the member, the representative may ask the member questions designed to clarify previous answers or to elicit further relevant information.
- Before the end of the meeting, the representative may suggest to the investigator other witnesses to interview and may describe relevant practices, prior situations, or mitigating factors that could have some bearing on deliberations concerning discipline.

810.14 DISPOSITION OF PERSONNEL INVESTIGATIONS

- A. Generally, a personnel investigation will be classified with one of the following dispositions:

- Unfounded – When the investigation discloses that the alleged act(s) did not occur or did not involve department members. Complaints which are determined to be frivolous will fall within this classification.
- Exonerated – When the investigation discloses that the alleged act occurred but the act was justified, lawful, or proper.
- Not Sustained – When the investigation discloses that there is insufficient evidence to sustain the complaint. The burden of proof is preponderance of evidence.
- Sustained – When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct. The burden of proof is preponderance of evidence.
- Policy Issue – When the investigation discloses that the alleged act occurred but arguably should not have and the member acted according to policy, the disposition of the complaint shall be *Not Sustained* and the policy issue shall be addressed without delay.

B. Boards of Inquiry (see PPM 810.18 and PPM 620) shall find one of the following dispositions, although the boards may make qualifying statements or recommendations.

- The member's actions complied with department policy.
- The member's actions did not comply with department policy.

810.15 DOCUMENTATION, NOTIFICATION, AND RECORD KEEPING

All personnel complaints shall be documented, the affected member shall be notified of the disposition, and the documentation shall be appropriately retained as described below.

A. INCOMPLETE COMPLAINT and SUPERVISOR INQUIRY

1. Shall be reduced to writing. An email or memorandum is sufficient.
2. Documentation of sustained complaints not leading to disciplinary action shall be kept in the supervisor's working file no less than twelve months at which time it shall be removed from the supervisor's file. This does not preclude maintaining documents in Guardian Tracking. City will retain such records removed in the supervisor's file separately for liability purposes or records laws retention as applicable.
3. The accused member shall be advised of the disposition of the complaint and, upon request, provided with a copy of all investigation materials unless otherwise prohibited by law.
4. All investigation materials shall be forwarded to the Support Lieutenant, who shall make a record of the complaint, disposition, and discipline, if any, in a location separate from the member's personnel file.

5. The Support Lieutenant shall retain all investigative materials for no less than two years from the date of the complaint, until any window of liability has passed, or as required by state records retention laws.

B. ADMINISTRATIVE INQUIRY and INTERNAL AFFAIRS INVESTIGATION

1. Shall be documented with a *Factfinding Report* and submitted to the Chief of Police, or designee, for disposition consistent with the procedures of this policy and Appendix C, Policy 812.
2. Upon imposition of discipline, the Chief of Police or designee will advise the accused member and the Association of the disposition and, upon request, with a copy of all investigation materials unless otherwise prohibited by law.
3. The Support Lieutenant shall maintain a record of the complaint, disposition, and discipline, if any.
4. The Support Lieutenant shall retain all investigative materials as required by state records retention laws.
5. Documentation of written reprimands, suspensions, demotions, and termination shall be maintained in the member's personnel file, subject to the Collective Bargaining Agreement and as required by state records retention laws.
6. Counseling documents and related documentation that are not discipline will be maintained consistent with policy 860: *Performance Evaluations and Guardian Tracking*

810.16 CONFIDENTIALITY OF PERSONNEL INVESTIGATIONS

All personnel investigations are confidential and are not subject to disclosure except in accordance with applicable law.

Complainants should be advised of the disposition of their complaints; however, other information, including discipline greater than counseling shall not be disclosed without the approval of Management.

In the event an accused member (or the representative of such member) makes false representations regarding any internal investigation and such false representations are communicated to any media source, the department may disclose sufficient information to refute the false representations.

Disciplinary actions resulting from sustained complaints shall be maintained in the members' personnel files. The underlying complaints and subsequent documentation shall be maintained by Management in a location apart from the members' personnel files. The contents of such files shall not be revealed to persons other than Management, the investigated member, Association

representatives, and City legal representatives, except as permitted by law. Disclosure of the contents of such files may also be made pursuant to a member's written consent, e.g. background investigations, etc. Nothing in this Section is intended to prevent the City, the Association, or the member from using disciplinary actions and investigatory materials as evidence in a legal proceeding.

810.17 ANNUAL REVIEW OF PERSONNEL COMPLAINTS

During the first quarter of each year, Management will review the personnel complaints from the preceding year, focusing upon complaint trends, training needs, and policy changes.

810.18 BOARD OF INQUIRY

At the discretion of the Chief of Police, a Board of Inquiry may be established for the purpose of reviewing a member's actions and the relevant policies and procedures.

The composition of the board will be determined by the Chief of Police based upon expertise, objectivity, and other traits deemed desirable. Objectives, the operational guidelines, and the necessary authority to complete the assignment will be provided to the board in writing by the Chief of Police.

The Deadly Force Review Board, PPM 620, is a Board of Inquiry.

APPENDIX C – DISCIPLINE

812.1 POLICY

It is the policy of the Keizer Police Department that discipline will be fair and when determined appropriate rooted in the desire to help the member succeed in meeting job expectations and complying with departmental standards. Disciplinary actions for sworn law enforcement will be consistent with applicable law.

812.2 PURPOSE

The purpose of this policy is to provide an understanding of what discipline is and how it might be exercised with regard to member conduct as it relates to the mission and values of the department.

812.3 AFFECTED MEMBERS

This policy applies to employees of the bargaining unit. The term "member" refers to employees of the bargaining unit.

Nothing in this policy should be interpreted to convey a property or liberty interest except what is described in a Collective Bargaining Agreement or in law.

812.4 INDEMNITY

This policy is intended for internal use only and shall not be construed to increase or establish a member's civil or criminal liability. Nor shall it be construed to create or establish a higher standard of safety or care. A violation of any portion of this policy may only serve as the basis for internal disciplinary and/or administrative action.

812.5 CAUSES FOR DISCIPLINE

Violation of any of the directives and rules contained in this manual, violations of any general or special order, or failure to meet standards which the department may reasonably expect of a professional police officer or other member may be cause for disciplinary action.

The type and severity of disciplinary action depends on the nature of the offense, the totality of circumstances, the number and frequency of previous acts of misconduct, the quality of overall performance, the need to maintain discipline and public trust, and other relevant factors.

Complaints against members, which allege criminal violation(s), may be grounds for investigation or bringing criminal charges. Criminal proceedings are separate and distinct from discipline and will not serve to prevent the internal disciplinary process from dealing with the same matter.

Generally, causes for discipline are violations of the *Performance Standards* presented in PPM 808.

812.6 RESPONSIBILITIES FOR DISCIPLINE PROCESS

812.6.1 CHIEF OF POLICE

Final disciplinary authority and overall responsibility for personnel administration rests with the Chief of Police or designee with authority to impose discipline. The Chief of Police or designee will give notice of disciplinary actions, except for written reprimands, prior to imposition. Supervisors and other managers have shared responsibility to ensure that training, counseling and appropriate discipline occurs.

Disciplinary actions include written reprimands, suspensions without pay, reduction in salary, demotion, and termination of employment.

Coaching and counseling are not considered disciplinary actions and are not subject to grievance. An employee may provide a written rebuttal to a coaching or counseling within 10 days of imposition. Rebuttals will be maintained with coaching or counseling documents.

812.6.2 MANAGEMENT AND SUPERVISORS

Managers and Supervisors are responsible for taking action to ensure the performance and conduct of subordinates adheres to department directives, policies and procedures.

Managers are authorized to exercise their independent judgment to take disciplinary action up to and including written reprimand. Supervisors may suspend with pay where the suspension is administrative and not as discipline.

Imposition of other disciplinary action may be recommended and will be reviewed and approved in advance by the Chief of Police.

812.6.3 ALL MEMBERS

Any member of the bargaining unit who commits an offense contrary to law or violates the policies of the department or City, who demonstrates incompetence in job related duties, or otherwise demonstrates unsuitability for further service is subject to discipline. Furthermore, members shall cooperate with the discipline process, including answering all questions regarding the performance or conduct of any other department member, subject to applicable constitutional rights.

812.7 PRE-DISCIPLINARY MEETING

For disciplinary actions involving loss of pay, reduction in pay or rank, or discharge, the pre-discipline process is intended to provide the accused member with a voluntary opportunity to present a written or verbal response to the Chief of Police or designee with authority to impose discipline after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline involving loss of pay, reduction in pay or rank, or termination of employment. The member shall consider the following:

- A. This response is not intended to be an adversarial or formal hearing.
- B. Although the member may be represented by an uninvolved Association representative and/or the Association's legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- C. The member or designee may suggest that further investigation could be conducted, or the member may offer any additional information or mitigating factors for the Chief of Police or designee, to consider.
- D. In the event that the Chief of Police or designee elects to cause further investigation to be conducted, the member shall be provided with the results of such subsequent investigation prior to the imposition of any discipline.
- E. The member or their designee may thereafter have the opportunity to further respond verbally or in writing to the Chief of Police or designee on the limited issue(s) of information raised in any subsequent materials or investigation.
- F. Once the member has provided a response, or, if the member has elected to waive any such response, the Chief of Police or designee with authority to impose discipline shall consider all information received in regard to the recommended discipline. The Chief of Police or designee with authority to impose discipline shall thereafter render a timely written decision to the member imposing, modifying or rejecting the recommended discipline. In the event of a termination, the final notice of discipline shall also inform the member of the reason(s) for termination and the process to receive all remaining benefits. Disciplinary actions will include explanation of reasoning for reaching the imposed action inclusive of application of any aggravating or mitigating circumstances consistent with state law.
- G. Once the Chief of Police or designee has issued a written decision, the discipline shall become effective; however, if the decision is for termination, the decision must first be ratified by the City Manager after which it will become effective.

See also Section 812.92 for more pre-disciplinary procedures.

812.8 SUSPENSIONS AND DISCHARGE

812.8.1 SUSPENSION FOR DISCIPLINE

A member suspended without pay for discipline shall have no department authority, nor shall any such member engage in any police or duty-related function while suspended, except when required by law (e.g., in compliance to a subpoena), for which the member shall be compensated. A member relieved from duty or suspended for discipline shall not be permitted to wear the uniform of the Keizer Police Department nor permitted to use or wear any department clothing, equipment or other items except as otherwise directed by the Chief of Police and shall immediately surrender the badge, identification card, and other issued equipment as directed.

812.8.2 TERMINATION OF EMPLOYMENT

Upon successful completion of probation, employees shall not be terminated except as provided in the applicable policies or in the Collective Bargaining Agreement. This policy provides disciplinary procedures and shall not be construed as conferring on any employee any right or expectation of continued employment. Such rights are found in the City personnel policies and the Collective Bargaining Agreement.

812.9 JUST CAUSE AND DUE PROCESS REQUIRED

812.9.1 JUST CAUSE

Excluding sworn law enforcement officers, a member of the Association who has completed the initial probationary period may not be disciplined except for “cause” or “just cause.” A number of factors may be taken into account and given appropriate weight. They include the following:

- To what extent has the member been trained in the proper conduct or manner of performance?
- Has the member had the same kinds of performance problems in the past (repeat offender)?
- Has the member been disciplined for the same or similar conduct in the past?
- If the member has been disciplined in the past, how has the member responded to the discipline?
- How serious is the offense? Is it just an annoyance? Has the member caused personal injury or property damage? Has the member done something illegal, engaged in a serious violation of departmental policies or standards or engaged in conduct that renders himself/herself unable to perform the essential functions of the job?
- Have other members had similar performance problems? If so, how have their situations been addressed?

- Are there acceptable explanations for the member's conduct which should be taken into account?
- How has the member performed in other aspects of employment?
- Are there personal problems that account for the conduct?
- Has the department taken reasonable steps to help the member correct the problem?

For sworn law enforcement officers, just cause is defined by applicable law.
https://justice.oregon.gov/lesc/documents/LESC_2023-02_Guide_to_the_LESC_Rules.pdf

812.9.2 PRE-DISCIPLINARY, DUE PROCESS (LOUDERMILL)

For employees who have passed probation and prior to taking disciplinary action involving loss of pay, reduction in pay or rank, or discharge, the Chief of Police or designee shall provide an opportunity for a due process meeting as follows. (See also 812.7 for other information related to pre-disciplinary meetings.)

- A. Notification. The Chief of Police or designee shall notify the member in writing of the nature of the charges and the disciplinary options that are being considered. The notification shall include a copy of the complaint against the member and any other witness statements or reports which state facts on which the charges are based, unless confidential and disclosure would compromise another investigation. The Chief of Police or designee shall identify the directives, policies, procedures, work rules, regulations, or other order, of the department which are alleged to have been violated. The notice will include a range of disciplinary sanction contemplated inclusive of aggravating and mitigating circumstances considered.
- B. Right to Respond. The member shall have the right to answer the charges against them, which may include written or verbal statements by the member. The meeting or response is voluntary. The member shall have an informal opportunity to respond to the charges (orally or in writing), normally within three business days from receiving such written notice, which shall be extended upon request up to two additional business days. Extensions beyond this time period must be approved by the Chief or designee and will only be granted if determined necessary to enable a member to provide a meaningful response.
- C. Conduct of Meeting. The opportunity to respond may occur at a meeting. If so, the meeting must be presided over by the person who will determine whether the discipline will be imposed and, if so, what disciplinary action will be issued. The meeting shall be informal and sufficient to assure the member full opportunity to be heard, refute the charges, and provide any additional statement or position to be considered prior to the imposition of discipline. The meeting shall be audio recorded. The Chief of Police or other person having authority to preside over the meeting will determine when the conference is concluded, who may be present, may request further documentation, and may consider

any information deemed pertinent and necessary to assist in reaching a logical determination.

The member or designee may make any presentations they believe relevant to their case. However, the meeting is not a full hearing and witnesses are not subject to call or examination. The member may provide written statements. Testimony of witnesses or cross-examination of witnesses will not occur at this meeting.

The Chief of Police or other person having authority to preside over the meeting will issue a written decision exonerating the member, imposing discipline, or taking any other action deemed appropriate.

812.10 GRIEVANCE/APPEAL OF DISCIPLINE

- A. BARGAINING UNIT MEMBERS. Members of the bargaining unit have the right to appeal as is specified in the collective bargaining agreement. The union agreement provides the sole and exclusive appeal procedure for covered bargaining unit employees.
- B. MEMBERS ON PROBATION. Members on probation who are terminated for unsatisfactory performance or failure to meet department standards have no right to grievance or appeal.

812.11 NAME-CLEARING OPPORTUNITY

A name-clearing opportunity is a meeting in which a member has an opportunity to clear the member's reputation from potentially stigmatizing information prior to a public disclosure of the reasons for termination.

812.11.1 REQUEST FOR NAME-CLEARING OPPORTUNITY

Whether or not a terminated member requests a name-clearing opportunity, the department or City may offer a name-clearing opportunity prior to, after termination, or near the same time as the public disclosure of potentially stigmatizing information. The pre-disciplinary meeting, as stated in Section 812.9.2, is considered a name clearing opportunity.

812.11.2 PROCEDURES

While there are no predetermined procedures for a name-clearing opportunity, the following are guidelines:

- The terminated member may attend the meeting in person or may submit a written response.
- Witnesses should provide their testimony in writing and are not required to attend in person.

- The meeting should be scheduled for a period of time intended to enable the member to be heard but will generally be scheduled for no more than two hours.
- The meeting should be recorded, but is not required. *(Note: If employee contests being recorded, proceed and take notes.)*
- The member may present any evidence, but it must be relevant to the basis for the termination.
- No one who attends or provides statements at the meeting should be placed under oath or cross-examined.
- The department or City should not be expected to and may not present evidence or “respond” to the information presented by the member or designee.

812.11.3 AFTER A NAME-CLEARING OPPORTUNITY

All a name-clearing meeting requires is an opportunity for a terminated member to be heard, thus no action is required during or after the meeting. A record of the meeting and any evidence presented to the department or City should be kept with the personnel investigation.

APPENDIX D – DRUG AND ALCOHOL POLICY

PURPOSE

The City considers its employees to be its most valuable asset and is concerned about their safety, health and wellbeing. The misuse of alcohol and other drugs can impair employee performance and general physical and mental health and may jeopardize the safety of co-workers and the general public. The City is committed to maintaining a safe and healthy work place for all employees by identifying the misuse of alcohol and drugs and assisting employees to overcome these problems through appropriate treatment and, if necessary, disciplinary action. The presence or treatment of a substance abuse problem will not excuse an employee from meeting performance, safety or attendance standards or following other City instructions.

The parties also recognize the City's responsibilities pursuant to the Drug Free Work Place Act of 1988. The Association and the City acknowledge that employees shall not report to work under the influence of intoxicating liquor or illegal drugs. All employees understand that the use, sale, possession, manufacture, distribution and/or dispensing by an employee of an intoxicating liquor, controlled or illegal substance as defined by federal law, or a drug not medically authorized, or any other substances which impair job performance or pose a hazard to the safety and welfare of the employee, other employees or the public is strictly prohibited, except for alcohol or medically prescribed controlled substances off-duty, and possession of controlled substances while in the course and scope of employment and the possession of seized evidence while on-duty. The parties recognize that conduct in violation of this policy may result in disciplinary action and/or criminal investigation if appropriate. This policy will be enforced and administered in a manner which is consistent with the value statements set forth in this Section.

PROHIBITED CONDUCT

The following conduct is strictly prohibited:

- A. The buying, selling, distributing, transporting, possessing, manufacturing, consuming or using illegal drugs per federal law, including marijuana, or alcohol while on City property or in City vehicles or equipment or during work hours, including paid rest and meal periods, except as necessary in the performances of duties (confiscated evidence; approved undercover operations, etc.).
- B. Reporting to work or returning to duty under the influence of alcoholic intoxicants, except as necessary in the performance of an official special assignment or if directed otherwise. Under the influence is defined as "being impaired to a noticeable and perceptible degree" (OAR 265-010-0030). For the purpose of this Policy, an employee will be considered to be under the influence of alcohol if their blood or breath tests greater than .02% BAC. The City may also consider other evidence in determining whether an employee is "under the influence."

It is recognized that employees may be called back to duty during normal off-duty hours. To ensure compliance with this Policy and safety standards, employees who have consumed alcoholic beverages within four (4) hours of responding to the callback or, for any reason, believe they may be impaired from performing the duties of the callback are required to notify the supervisor upon being contacted for callback and provide the supervisor with complete information regarding such consumption. The supervisor will determine whether the employee can safely report for work. The callback of employees who are impaired to a perceptible degree to perform patrol duties is prohibited.

- C. Consuming or using illegal drugs per federal law, including marijuana or synthetic substances with similar effects of illegal drugs. An employee will be in violation of this policy if the employee tests positive for a listed substance at a value equal to or in excess of the values provided in the Testing Levels chart provided at the end of this policy.

An employee is also considered in violation of this policy for being at work *impaired to a noticeable and perceptible degree* of illegal drugs, prohibited substances, including marijuana or synthetic substances with similar effects while on duty, excluding any substance lawfully prescribed for the employee's use within the instructions prescribed.

The City may also consider other evidence in determining whether an employee is "under the influence."

- D. Failing to fully cooperate with any aspect of the City's enforcement of this Policy, including but not limited to, refusing to promptly submit to required testing, giving false, diluted or altered urine samples, failure to authorize the release of information to the City and failure to comply with rehabilitation conditions imposed by the City or rehabilitation counselors.
- E. Failure to promptly report conviction, arrest or plea-bargaining for an alcohol or drug related criminal offense. All drug and alcohol related convictions, arrests and plea-bargaining arrangements must be reported to the Chief on the workday immediately following the conviction, arrest or plea-bargaining arrangement.

For purposes of this Policy, the term "drug" shall be defined in accordance with the definition of "controlled substance" set forth in ORS 475.005(6).

Employees who engage in any prohibited conduct will be subject to discipline including discharge.

MEDICAL MARIJUANA

In addition to the above, employees must comply at all times with all federal and state statutes and regulations regarding the illegal use of drugs. It is important to note that marijuana is an illegal drug under the federal Controlled Substances Act, which means that it has no acceptable medical use under federal law. Therefore, any on or off duty use of marijuana which is inconsistent with the "prohibited conduct" listed above will be considered a violation of this

policy, even if an employee has a prescription for the use of marijuana under the Oregon Medical Marijuana Act. If the City determines that the employee using medical marijuana is disabled under applicable disability discrimination statutes, the employee will be asked to enter into an interactive discussion with designated representative(s) to determine whether a reasonable accommodation can be made that would allow the employee to continue to be employed without violating Departmental standards.

DISCLOSURE OF MEDICATIONS

Employees are responsible for consulting with their physicians and carefully reviewing medication warnings, including any warnings pertinent to the effects of use of a combination of medications. Each employee who is using over-the-counter or prescribed medications under circumstances where he or she knows or should know that the use of the medication may produce side effects that will affect his or her ability to safely perform all essential job duties must notify the Human Resources Director of the substance taken and the side effects before reporting to work or returning to duty. Medical verification of ability to safely perform job duties may be required before the employee is allowed to work. Employees are eligible to utilize sick leave benefits pending receipt of acceptable verification. In the event sick leave benefits are depleted, the employee may utilize other accrued time. In the event the employee does not designate a paid leave account, the City will make the designation, using accrued vacation as the last choice.

Although the use of prescribed drugs or non-prescription medications, which contain controlled substances as part of a prescribed medical treatment program, is not grounds for disciplinary action, failure to report the use of such substances as described above, illegally obtaining the substance or use which is inconsistent with a prescription or label, may subject the employee to discharge.

MANDATORY TESTING

Employees will be required to undergo mandatory testing as follows:

- A. Reasonable Suspicion Testing: Where the City has a reasonable suspicion that an employee has reported to work or returned to duty under the influence of any alcoholic intoxicants or controlled substances, including marijuana, or has a control substance including marijuana present in the body, the City may require that the employee immediately submit to field impairment tests, blood, urine or breathalyzer test or any combination thereof. The City shall pay for the costs of the tests.

“Reasonable suspicion” will be based on observations of an employee’s other reliable indicators that would cause a reasonable person to believe that an employee has reported to work or returned to duty with alcohol or drugs in his or her system. Whenever practicable, reasonable suspicion will be established by the observations of two or more supervisors or managers.

Employees who are required to submit to reasonable suspicion testing are prohibited from transporting themselves to the collection site. A supervisor or management employee will provide transportation.

- B. Random Testing: The City may test no more than three (3) Police Officers for drugs on a random basis for each selection event. Testing shall be conducted twice yearly at unannounced times. Employees subjected to random testing will be selected from a pool of identification numbers by the City's contract testing service and tested in accordance with Random Drug Testing Protocols set forth below and consistent with City Testing Policy. Employees selected for random testing will be tested at the Keizer Police Department using a mobile testing unit or, at the employee's option, a testing facility at times designated by the City.

In the event that an employee who is randomly selected for testing is on vacation, sick leave, FMLA/OFLA leave or is absent from work due to training or other reasons, that employee's random testing may be deferred by the City. However, any employee whose test is deferred may be required to submit to unannounced testing at any time within ninety (90) days of the date he or she would otherwise have been required to submit to testing.

- C. Individualized Suspicionless Testing: The City may also require an employee who has requested assistance to address a drug and/or alcohol dependency or who has been placed on a "Last Chance" or "Rehabilitation and Return to Work Agreement" to undergo rehabilitation assistance to submit to individualized, suspicionless testing.

When the employee is notified that the employee is required to consent and submit to such tests or searches as set forth in this Policy, the employee may request the presence of an Association representative to witness the tests or searches. The test or searches may not be unduly delayed in order to wait for a representative. In the event the City reasonably believes that a delay may affect test results, the right to an Association representative to witness the test or search may be denied. The absence of a representative shall not be grounds for the employee to refuse to submit to such tests or searches. The presence of a representative shall not disrupt or interfere with the tests or searches.

Urinalysis or saliva testing, at the option of the employee, will be conducted for all types of drug testing. Breathalyzer or blood testing will be conducted for all types of alcohol testing, with the employee selecting the testing option without causing any unreasonable delay. In the event the employee does not specify a testing option, the City may make the selection.

SAFEGUARDS

In the event that the blood or urine test results are positive for controlled substance(s) including marijuana, the City shall require that a second confirmatory test from the same sample be

conducted, using gas chromatography mass spectrograph techniques or equivalent, which also must be positive before concluding the employee has such substance(s) present in the employee's body.

If a blood or confirmed urine test is positive, the City will instruct the laboratory to retain the blood or urine sample for a period of not less than thirty (30) calendar days from the date the tests are complete for the purpose of allowing the employee to conduct an independent test at the employee's own expense at a laboratory approved by the City.

The procedure followed under this Article to obtain, handle and store blood and urine samples and to conduct laboratory tests shall be documented to establish procedural integrity and chain of evidence. Such procedures shall be administered with due regard for the employee's privacy and the need to maintain the confidentiality of test results to an extent which is not inconsistent with the needs of this policy. The employee shall be notified of the results of all tests conducted pursuant to this policy.

VOLUNTARY REHABILITATION

The primary objectives of the City's drug and alcohol policy are to maintain employee performance and good health and a safe work environment. Although the City will support voluntary treatment efforts for employees with drug and/or alcohol dependency problems, it is up to each employee to pursue treatment before dependency problems result in unsatisfactory performance, attendance, violations of safety or other standards and before the employee violates this policy. If an employee notifies a supervisor of a drug or alcohol problem that requires treatment prior to violating Departmental standards or this Policy, the employee may, as recommended by a Substance Abuse Professional (SAP), be placed on a leave of absence or adjusted work schedule to allow for in-patient or out-patient rehabilitation.

Employees who voluntarily inform the City prior to a Policy violation or testing requirement that they have a drug or alcohol-related problem will be removed from their duties to allow for rehabilitation and treatment. The employee will not be permitted to return to their regular duties until such time as the authorized Substance Abuse Professional provides the City with appropriate documentation verifying that the employee is complying with all rehabilitation and after care requirements. The City may also require written documentation from a Health Care Provider confirming that the employee can safely perform their job duties.

Employees who claim drug or alcohol dependencies after violating this Policy are subject to discipline, consistent with this policy, irrespective of such dependencies.

The City may, however, at its discretion, allow an employee a one-time opportunity to undergo evaluation and rehabilitation in lieu of discharge, or other disciplinary action, provided the employee agrees to all treatment, rehabilitation, testing and other conditions as set forth in a written Rehabilitation and Return to Work Agreement required by the City. Such Agreements

will be effective for no longer than five (5) years from the date signed. Any employee who violates the terms of the Agreement is subject to immediate termination.

An employee may be required to participate in a drug and/or alcohol treatment program and follow-up care because of disciplinary action arising from a drug and/or alcohol problem, or as a condition of continued employment. A Substance Abuse Professional (SAP) must first evaluate an employee who is so required and determine any necessary assistance.

SEARCHES

The City reserves the right to conduct searches for any reason of City equipment or facilities generally; and may search anything or area in which the employee has an expectation of privacy (i.e., desk or locker or clothing or personal property) to the extent permitted by the law. Refusal by the employee to submit to a lawful search can result in termination.

CONSEQUENCES OF SEARCH RESULTS

Searches which do not reveal the presence of alcohol or controlled substances, including marijuana (but excluding any substance lawfully prescribed for the employee's use which has not been obtained for the purpose of abuse), shall result in no further action against the employee related to an alleged violation. The employee shall be informed of such search results.

Searches which reveal the presence of alcohol or controlled substances, including marijuana (but excluding any substance lawfully prescribed for the employee's use which has not been obtained for the purpose of abuse), shall result in those consequences specified in this Policy, as though a positive blood or confirmed urine test had been administered.

RANDOM DRUG TESTING PROTOCOLS

The procedures for random drug tests required pursuant to this Policy are as follows:

- A. A listing of all participating employees will be sent to the City's contract testing service.

Each employee will be issued a unique identifying number and identification card. Corresponding numbers will be entered into a database at the testing facility.

- B. At semi-annual intervals, the computer program will randomly select from the KPA EMPLOYEE (KPA) POOL who are to be tested. Names are not drawn, only the identifying number. At that time, the HR office is notified of these employees who have been randomly selected for testing.
- C. The City will provide notice to the employee who has been selected for a random test advising them to report to the testing location to provide a urine or saliva sample.

Random testing will be ordered when the employee is on duty and is considered compensable time worked. Employees will not be recalled to work for random testing.

- D. The sample is handled under strict chain-of-custody requirements and is sent to an independent laboratory for analysis using a Gas Chromatography Spectrometry (G.C./M.S.) testing process (the laboratory that is used is certified by the Federal Substance Abuse and Mental Health Services Administration (SAMHSA). If the test is negative, the laboratory notifies the testing facility who in turn notifies the City of the negative results.
- E. Same scenario as D, except the laboratory detects a questionable substance. The laboratory sends the sample to a Medical Review Officer (MRO). An MRO is defined as, a person who is a licensed physician (Doctor of Medicine) and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results. The MRO acts as an independent and impartial gatekeeper. The MRO is an advocate for the accuracy and integrity of the drug testing process. The MRO contacts the employee and discusses the test. If the employee is for instance, taking a prescription medication, the MRO will obtain the name of the prescribing physician and verify the prescription. Upon verification, the testing facility is advised of a negative test result. The City does not know any more than the fact that a negative result was obtained.
- F. Same scenario as D, except employee does not have a valid reason for the substance (i.e., took spouse's pain medication or . . .). After the MRO has or repeatedly tried to contact the employee, the MRO will notify the City's designated representative that this employee has tested positive for substance.
- G. A confirmatory test can be done- same sample – not a different one. In addition to the confirmatory test, if there is enough sample, it is possible for the testing facility to send a portion of the sample to another independent lab for testing. The City will pay for the initial screening test and one (1) required confirmation test. If an employee wants additional verification test conducted, the employee is responsible for payment of all associated costs. Should the employee-ordered verification test produce a false positive, the employee will be reimbursed for the cost of said test.

TESTING LEVELS

The following initial and confirmatory levels are used when screening specimens to determine whether they are positive or negative for the following drugs or classes of drugs. Results equaling or above these standards are considered a positive test in violation of policy.

Initial Test Analyte	Initial Test Cutoff Concentration	Confirmatory Test Analyte	Confirmatory Test Cutoff Concentration
Marijuana metabolites (THCA)	50 ng/mL	THCA	15 ng/mL
Cocaine metabolites (Benzoylecgonine)	150 ng/mL	Benzoylecgonine	100 ng/mL
Codeine/Morphine	2000 ng/mL	Codeine Morphine	2000 ng/mL 2000 ng/mL
Hydrocodone & Hydromorphone	300 ng/mL	Hydrocodone Hydromorphone	100 ng/mL 100 ng/mL
Oxycodone/Oxymorphone	100 ng/mL	Oxycodone Oxymorphone	100 ng/mL 100 ng/mL
6–Acetylmorphine	10 ng/mL	6–Acetylmorphine	10 ng/mL
Phencyclidine	25 ng/mL	Phencyclidine	25 ng/mL
Amphetamine/ Methamphetamines	500 ng/mL	Amphetamine Methamphetamine	250 ng/mL 250 ng/mL
MDMA/MDA	500 ng/mL	MDMA MDA	250 ng/mL 250 ng/mL

These drug and testing levels are intended to be consistent with Department of Transportation (DOT) standards. In the event that DOT testing substances and/or testing cutoff levels change, the above list shall be automatically adjusted to be consistent with DOT standards.

ADDITIONAL INFORMATION AND EDUCATIONAL MATERIALS

Additional information regarding the effects of alcohol and controlled substance use, signs and symptoms of problems and how to respond to drug and alcohol problems in the workplace is available in the City Personnel Policy Manual.



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Adam Brown, City Manager
Subject: Keizer Synthetic Turf Fields Operations Agreement and Fees

Proposed Motion

I move that the Keizer City Council adopt Resolution R2025-____ Authorizing City Manager to Sign Management Agreement with Keizer Community Field Association for Keizer Multi-Sports Synthetic Turf Fields and adopt Resolution R2025-____ Revising User Fees for the Keizer Rapids Park Artificial Turf Fields; Amending Resolution R2024-3506.

I. Summary

The City has been working with Keizer Community Fields (KCF) for an operations agreement to manage the new synthetic turf fields at Keizer Rapids Park. A short-term agreement has been in place since October. Staff and KCF have been working on an agreement and came before the City Council on February 18, 2025. Following a city council work session, staff and KCF have developed a new draft for council consideration.

II. Background

- A. The City of Keizer opened two new multi-use synthetic fields in October 2024 at Keizer Rapids Park. Construction of this facility was made possible by a partnership between Marion County and the City of Keizer. The City is not staffed to be able to schedule and maintain the fields, and doing it with city staff would be highly inefficient.
- B. The City has allowed operation of the fields by Keizer Community Fields, an organization applying for non-profit status, for a short-term operations agreement while a longer-term agreement is being negotiated. Staff met with KCF between November and February.
- C. Keizer staff brought the agreement to the City Council for consideration on February 18, 2025. The Council agreed to have a work session focused on the management and operation agreement.
- D. The Keizer City Council held a work session on March 24, 2025. In addition to the operations and management agreement, the Council discussed the fee schedule

and potential changes that may be needed to reach the financial goals of the city.

- E. Staff had additional meetings with KCF following the work session and came to an agreement on modifications to the agreement and to the fee schedule.

III. Current Situation

- A. The agreement is for the remainder of the calendar year 2025 through April 30, 2027 with two possible one-year extensions. The agreement can also be terminated by either party by 30-days notice.
- B. The agreement allows for the fields to be open from 8 am to 9 pm. Priority for use will be given to reservations in two time periods. During the School year, between September 1 and May 30 reservations will take priority between 4 pm and 9 pm. In the summer months between June 1 and August 30, reservations will take priority for use between 8 am and 9 pm. The summer schedule is made to accommodate summer camps.
- C. KCF will maintain the fields and equipment as well as elements of Phase II including the bathroom, concessions, picnic area, and garbage.
- D. Fees for use of the area will be set and amended by the Keizer City Council.
- E. The fields will be open 8 am to 9 pm year round. Reservations will take priority over open play in the evenings during the school year and all day during the summer.
- F. Changes made after the work session are as follows:
1. The contract is for two years and can be renewed for two (2) one-year terms.
 2. KCF will present quarterly financial reports of income and expenses within 30 days of the beginning of July, October, January, and April.
 3. The City will allow banner advertising on the fence in the short-term under the administrative authority of staff. Meanwhile, we will also pursue an amendment to the sign code for the long-term benefit of KCF advertising.
 4. The City will allow KCF to pass on additional chemical toilet costs that exceed the normal facilities provided by the City.
 5. The manager will make a quarterly contribution to the facility sinking fund equal to 80% of the profits, up to \$30,000 each quarter. The City will give the manager credit for interest earned from the city sinking fund once per year.
- G. Keizer Community Fields has agreed to the changes in the agreement.
- H. Council had a discussion in the work session about the proper level of fees to recoup costs. As a result of that conversation and follow-up conversation with KCF, the changes to the fee schedule are as follows:

	Full Field		Half Field	
	Current	Recommended	Current	Recommended
Member Rate	\$20	\$20	\$15	\$15
Local, but Non-Member Rate	\$60	\$75	\$40	\$40
Visitor (Non-	\$125	\$125	\$75	\$75

Local/For-Profit/
Tournament)

Light Usage Fee	\$10	\$15	\$10	\$15
Chemical Toilets	-	Actual Cost	Not Applicable	Not Applicable

1. The City Council must allow comment from the public when fees are changed.

IV. **Analysis**

- A. **Strategic Impact** - Construction and opening of the field was and still is a short-term priority of the City Council. The field has been opened and operational since October 1, 2024.
- B. **Financial** - KCF will meet with the City staff February of each year of the agreement to review the finances of the calendar year. It is expected that KCF will make a contribution to the sinking fund of \$120,000 by March 15 of each year following the first full year of operation. If profits do not allow for the entire sum to be met, the City may fill in the gap to make the sinking fund whole from the Parks Operation Fee. Staff and Council should review the appropriateness of the fees each year to see how effective they are at meeting the financial goals for being self-sustaining.

An inconsistency was found at the time of publishing of the packet for which an edit will need to be approved as amended at the time of the council meeting. The intent of the agreement is that the finances get trued up at the end of each calendar year by March 15. The amendment will reflect that intention.

- C. **Timing** - Staff was targeting to have this agreement done before the beginning of 2025. With four months into the new calendar year, staff is eager to have the Keizer City Council approve the operations and maintenance agreement. The contract period will be through April 30, 2027, but it can be extended for two one-year increments at the discretion of the city.
- D. **Policy/Legal** - Only the Council can approve this operations and maintenance agreement and change fees.

V. **Alternatives**

- A. Adopt the attached Resolutions approving the agreement as written and adopt the resolution changing the fees.
- B. Amend it as recommended by the majority of council, seek concurrence by KCF and direct staff to return for adoption.

VI. **Recommendation**

Staff recommends that the Keizer City Council allow and listen to public testimony about the change to the fee schedule and adopt the attached Resolutions approving the agreement and fee schedule changes.

Attachments

1. R2024-3506
2. RES_CC_Revising User Fees for Turf Fields_4 21 2025
3. RES_CC_Authorizing City Manager to Sign Turf Fields Management Agreement_4 21 2025
4. EXH_CC_Turf Fields Management Agreement_4 21 2025

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2024-3506

4
5
6 ADOPTING USER FEES FOR THE KEIZER
7 RAPIDS PARK ARTIFICIAL TURF FIELDS
8
9

10 WHEREAS, the City of Keizer has constructed artificial turf fields at Keizer
11 Rapids Park;

12 WHEREAS, Council directed staff to work on agreements with Mid-Valley
13 Soccer Club and Salem Women's Football Association for operations of the artificial
14 turf fields;

15 WHEREAS, Mid-Valley Soccer Club, Salem Women's Football Association,
16 and the City has determined that a new entity should be formed by Mid-Valley Soccer
17 Club and Salem Women's Football Association;

18 WHEREAS, the new non-profit entity being formed by Mid-Valley Soccer
19 Club and Salem Women's Football Association is Keizer Community Fields;

20 WHEREAS, staff and Mid-Valley Soccer Club and Salem Women's Football
21 Association (Keizer Community Fields) have worked to create a rate structure;

22 WHEREAS, Council has considered the proposed rate structure and desires to
23 adopt and approve field usage rates for the use of the artificial turf fields;

24 NOW, THEREFORE,
25

1 BE IT RESOLVED by the City Council of the City of Keizer that the Council
2 adopts and approves the following rates for the usage at the artificial turf fields at
3 Keizer Rapids Park:

4 1. Definitions for the rate categories are as follows:

5 A. Member – Members of Keizer Community Fields. The fee
6 to become a member of Keizer Community Fields is \$1,500 and
7 commitments to participate in the organization.

8 B. Local, but Non-Member – Any organization with its home
9 within 1,000 feet of the Salem-Keizer Urban Growth Boundary, but who
10 is not a member of Keizer Community Fields.

11 C. Non-Local/For-Profit/Tournament – Any for-profit or
12 non-profit group wanted to reserve the fields beyond 1,000 feet of the
13 Salem-Keizer Urban Growth Boundary as well as local for-profit groups
14 and tournament play.

15 2. The fee schedule is as follows:

	Full Field	Half Field
Member Rate	\$20 per hour	\$15 per hour
Local, but Non-Member Rate	\$60 per hour	\$40 per hour
Visitor (Non-Local/For-Profit/ Tournament)	\$125 per hour	\$75 per hour
Light Usage Fee	\$10 per hour	\$10 per hour

16

17

1 3. Scheduled games take precedence over practice during the weekdays.

2 4. Half-field reservations are only available Monday through Thursday.

3 BE IT FURTHER RESOLVED that the fees adopted herein shall not be
4 changed without prior adoption by the Keizer City Council.

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

7 PASSED this 16th day of September, 2024.

8
9 SIGNED this 16th day of September, 2024.

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16


Mayor


City Recorder

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2025-_____

REVISING USER FEES FOR THE KEIZER RAPIDS PARK
ARTIFICIAL TURF FIELDS; **AMENDING RESOLUTION R2024-3506**

WHEREAS, the Council adopted user fees for the Keizer Rapids Park Artificial
Turf Fields on September 16, 2024 by Resolution No. R2024-3506;

WHEREAS, the Council wishes to amend the fee schedule;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that No. 2 in
Resolution R2024-3506 shall be replaced with the following:

2. The fee schedule is as follows:

	Full Field	Half Field
Member Rate	\$20 per hour	\$15 per hour
Local, but Non-Member Rate	\$75 per hour	\$40 per hour
Visitor (Non-Local/For-Profit/ Tournament)	\$125 per hour	\$75 per hour
Light Usage Fee	\$15 per hour	\$15 per hour
Chemical Toilets	Actual Cost	NA

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

PASSED this _____ day of _____, 2025.

SIGNED this _____ day of _____, 2025.

Mayor

City Recorder

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2025-_____

AUTHORIZING CITY MANAGER TO SIGN MANAGEMENT
AGREEMENT WITH KEIZER COMMUNITY FIELD ASSOCIATION
FOR KEIZER MULTI-SPORTS SYNTHETIC TURF FIELDS

WHEREAS, the City and Keizer Community Field Association entered into a
Short-Term Management Agreement on October 1, 2024;

WHEREAS, the Short-Term Management Agreement was set to terminate on
December 31, 2024;

WHEREAS, the Short-Term Management Agreement was extended to June 3,
2025;

WHEREAS, the parties have negotiated the terms of a management agreement
and desire to enter into such Agreement;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that the City
Manager is authorized to sign the Management Agreement for Keizer Multi-Sports
Synthetic Turf Fields with Keizer Community Field Association, a copy of which is
attached as Exhibit "A" and by this reference incorporated herein.

Management Agreement for Keizer Multi-Sports Synthetic Turf Fields

PARTIES:

City of Keizer, an Oregon Municipal Corporation,
930 Chemawa Rd NE, Keizer, Oregon 97303 (hereinafter "City")

Keizer Community Field Association,
5094 Bailey Rd. NE, Keizer, OR (hereinafter "Manager")

RECITALS:

A. City owns real property and improvements located at 1900 Chemawa Rd N., Keizer, Marion County, Oregon. Such improvements include the artificial sports fields.

B. City and Manager desire to enter into an Agreement to outline the terms under which the Manager will oversee the management and maintenance of the artificial sports fields located at 1900 Chemawa Rd N, Keizer, Oregon 97303.

C. This Agreement is intended to grant no property interest or lease rights to Manager, or any third party that may result in the loss of property tax exempt status of the Park.

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties do mutually agree as follows:

AGREEMENT:

1. Term. The term of this Agreement shall be from the date of full execution by both parties to April 30, 2027, or until this Agreement is terminated or renewed as herein provided. This Agreement may be renewed for two (2) one-year terms. Any renewal shall be in writing and signed by the parties. The City and the Manager will meet together after June 30 of each year of the term, but in no event later than November 1 of each year of the term, to review the operation of the facility.

2. Relationship of the Parties. Manager understands and agrees that they are a contractor and not an employee of the City of Keizer. Manager agrees that this contract arrangement does not create an employer/employee relationship with the City, and that this contractual relationship does not in any way create an entitlement to City benefits, PERS, sick leave, paid leave, or insurance. It is further understood that this Agreement is not, nor should it be construed as, a lease or an agreement in the nature of a lease. No covenant of quiet enjoyment shall be implied in this Agreement.

Manager has no property interest or possessory interest in the Park/improvements. Manager shall have the right to use the improvements pursuant to the terms of this Agreement.

3. Responsibilities of Manager. Subject to the terms and conditions set forth herein, Manager agrees to the following for the term of this Agreement:

A. Field Maintenance. Manager shall:

- a. Ensure regular maintenance of the turf fields with city equipment.
- b. Keep the Field Utility Vehicle, Spreader, Groomer, and Sweeper clean. The equipment shall remain at the fields unless City staff determines a need elsewhere. The parties agree that City equipment can only be used by those who have been properly trained and signed the appropriate waiver before the use of said equipment.
- c. Ensure that the turf will not be brushed with the steel spikes until October 1, 2027 unless agreed upon by the City.
- d. Remove nets under freezing conditions.

B. Non-Field Facility Maintenance. Manager shall:

- a. Bathroom. Maintain and provide supplies for the bathroom facility upon completion of construction. Any service of the portable toilets in addition to normal scheduled service will be the responsibility of the Manager.
- b. Parking Lot. Provide general pick up of debris from the parking lot. Manager will maintain parking stall striping, including providing the paint, unless the lot is regraded by the City, in which case, the City will have it restriped.
- c. Garbage. Remove garbage from the facility to receptacles. If a separate dumpster becomes necessary to be placed at the fields, the cost will be the responsibility of the Manager.
- d. Concessions. Operate the concession at their discretion in accordance with State, County, and local law. Manager shall keep the storage areas neat and orderly. All equipment necessary for the operation of the concessions and expenses in association with concessions will be the responsibility of the Manager.

C. Field Scheduling. Manager shall coordinate and manage bookings for field usage, charging rates as set by City Council Resolution.

D. Condition Monitoring. Manager shall regularly inspect the fields for damage or wear and promptly communicate with City staff to arrange for repairs as necessary.

E. Vandalism. Manager shall monitor and repair any and all vandalism to the fields, fencing, and other facilities connected with the turf fields. Manager shall notify City immediately if vandalism occurs at the fields or field related facilities, such as the bathroom.

F. Compliance. Manager shall ensure compliance with any field rules and any other regulations of the City of Keizer.

G. Reporting. Manager shall provide regular updates and field utilization and issues to the City along with notifying all invitees or users of the fields of any known potential hazards

or dangers. The manager will meet twice a year with the City. Manager will meet with City staff first and then City Council between February 1st and March 15th. The second meeting shall occur between August 1st and October 15th.

H. User Fees. Manager shall collect and retain field rental fees as set by City Council Resolution.

I. Bookkeeping. Manager shall maintain a report of income and expenses for the facilities. Manager shall keep records of all payments/income received from the facilities and all expenses paid as a result of the facilities and shall supply full and complete copies of the records along with the report to the City no later than quarterly (July 1, October 1, January 1, and April 1) and within 30 days of City's request.

J. Insurance. Manager shall maintain in effect throughout the term of this Agreement for all Manager's activities, a public liability insurance policy naming the City as an additional insured in an amount of \$1,000,000 for all damages arising out of bodily injury, including death, at any time, sustained by any one person in any one accident, and a limit of \$2,000,000 for all damage arising of injury to or destruction of property. Such insurance provided by Manager, and naming the City, its officers, agents, contractors, and employees as an additional insured, is for coverage during Manager activities, occasioned wholly or in part by the acts or omission of the Manager, its agents, officers, participants, and employees while using City facilities or otherwise performing its activities in agreement with the City. Manager shall provide the insurance documentation to City within five (5) days of execution of this Agreement.

K. Discipline and Control. Manager shall enforce the "no alcoholic beverages/drugs" and tobacco/vaping-free rules, and handle crowd control at the fields. Manager has authority to eject such persons as necessary, but shall be responsible for any claims whatsoever in connection with such ejections.

L. Security. Manager shall maintain adequate security on the premises and its patrons. Manager and City will furnish the other with appropriate keys, combinations, or administrative access for the lock(s) to enter all areas of the property which may be secured. Manager will limit the number of keys, if any for access and will not provide combinations to anyone other than those who need it for access. A complete list of all individuals having keys shall be provided to City and updated within 24 hours of changes. The administrative access for the control of the field lock will be accessible to both parties at all times during this Agreement.

M. Fields Open to the Public. Manager understands that any individuals or groups may use the individual fields at any time the Park is open if such use does not interfere with the priority or reserved use, cause safety concerns, or cause undue wear and tear. Manager generally agrees that when the fields are not scheduled for use, the fields will operate as a public facility, open to any and all users except as stated herein. During the summer season, from June 1 to September 1 each year, reservations take priority. Field gates will be open from 8:00 a.m. to 9:00 p.m. daily all year. For non-summer season, between September 1

and June 1 of each year, reservations take priority between the hours of 4:00 p.m. and 9:00 p.m. In accordance with City Resolution, scheduled games take precedence over practice during the weekdays and half-field reservations are only available Monday through Thursday.

N. Complaints. Manager shall appropriately respond to any complaints in a timely and professional manner. Written responses to complaints shall be kept (not altered or deleted). Manager shall promptly notify the City Manager of any problem that Manager is not able to resolve so that the City can rapidly respond. However, notice to the City Manager does not waive any obligation or duty of Manager.

O. Compliance with Law. Manager shall at all times conduct its operations and assure that the operations of all subcontractors and employees are conducted in full compliance with all applicable laws, ordinances and administrative regulations of federal government, the State of Oregon, Marion County, the City of Keizer, and the agencies of any and all of them. Any license or certificate required by such authorities must be obtained and posted at all times. This shall include, but is not limited to compliance with state and federal disability laws.

P. Banners and Field Sponsorships: Manager agrees to adhere to constitutional principals in the lawful allowance of advertising/banners at the park. The banners cannot cover more than half of any fencing segment because of wind. They must also leave at least a minimum of one foot of space from the top of the fence and have proper siping. Any revenue received as a result of banners shall be accounted for in the quarterly reports as described in 3.I. above. Field sponsors [sewed into the turf] must be given permission by City. Any funds received from field sponsors will be paid immediately to City to be placed into the City capital improvement fund. Field sponsorships shall be directed to and handled by the City directly.

Manager understands and agrees that the City will attempt to revise the Sign Code to allow signs on the outside of the fencing. Until the Sign Code is officially revised to allow signage on the outside of the fencing, Manager must apply to the City Council under Keizer Code, Chapter 36, Article IV for a long-term event for permission to place the signage on the outside of the fencing.

4. Responsibilities of the City. For the term of this Agreement, the City agrees to:

A. Equipment. The City shall:

- a. Provide a Turf Utility Vehicle, Groomer, Spreader, and Sweeper for Manager's use.
- b. Provide routine maintenance of the Gator, Spreader, and Sweeper which will include but not be limited to such things as oil changes and lubricating.
- c. Provide shoe scrubbers for cleaning shoes prior to entry into the fields.

B. Non-Field Facility Maintenance. City shall:

- a. Bathrooms. Provide and pay for one standard and one ADA chemical toilets until the bathrooms are constructed and opened. Additional chemical toilets necessary for tournament play shall be paid for by Manager and charged to the renter at cost per City Council Resolution.
- b. Parking Lot Maintenance. Provide grading of the gravel parking lot as needed until it is paved. The City will restripe the parking stalls after grading.
- c. Fence. Address any parts of the fence that need repair.
- d. Bike Racks. Provide bike racks for the facility.

C. Concessions. City will allow food trucks during scheduled events in accordance with all applicable state, county, and local regulations, including, but not limited to, the Oregon Health Authority.

D. Fee Schedule. City shall place suggested facility fees before the Keizer City Council for consideration. All facility fees must be adopted by the Keizer City Council, excluding any revenue derived from food trucks.

E. Costs. The City will pay the electric through June 30, 2025. Thereafter, Manager shall pay the electric to the turf fields. Sanitary sewer costs for the bathrooms/concessions will be paid by the Manager. If additional chemical toilets are necessary as a result of field usage, the costs for the additional chemical toilets shall be paid by the Manager.

F. Resources. City shall provide the initial equipment required for parking lot striping, field maintenance, and game equipment including soccer goals; lacrosse goals; football pylons, yard markers and chains; 4 team benches; field marking equipment, a scoreboard controller, and a container or permanent facility for storage. Replacement of this initial equipment is the responsibility of the Manager and shall be paid by Manager.

G. Access. City shall grant Manager access to the fields, administrative access for control of the field lock, lights, and container as required for the performance of their duties.

H. Insurance. City will provide insurance coverage for times not under the management of Manager.

I. Interruption of Event. City, acting through the City Manager, reserves the right, in its sole discretion, to cancel, terminate or interrupt any event, and cause one or more patrons to be dismissed during any event, if necessary to protect the public or property. However, no action shall occur without consultation with Manager. City shall not be liable to Manager or any third parties for any loss or damages by any such determination or action by the City Manager, or is/her designee taken in good faith for the benefit or protection of the City and the public generally, or the protection of the Park. For matters that are on-going or are likely to recur, Manager may request ratification by the City Council of any actions by the City Manager, and may require any continuing actions by the City Manager to be approved formally by the City Council.

5. Financial Contributions. Manager aims to shall pay to City \$240,000 by April 30, 2027. If Manager falls short of the \$120,000 in the first year, the amount owed will be made up in the second year by increasing the quarterly payment amounts. This amount shall be paid as follows: Manager shall make a contribution to the facility sinking fund equal to 80% of the profits up to \$30,000 each quarter (July 1, October 1, January 1, and April 1). Such payment shall be made as that same time as the financial report is due. City shall set up the facility sinking fund to earn interest at market rate. Manager will be given credit one time each year toward the sinking fund of the interest earned on the contributions made that year.

6. Facility Improvements. Manager agrees that all improvements on the premises are the property of City. Manager further agrees that all permanent improvements made upon the premises by Manager or any other person or entity after the date of this Agreement become the property of the City. Any ADA requirements that are required as part of the Manager's proposed improvements will be paid by the Manager. If federal ADA laws require upgrades or improvements separate from a Manager proposed facility improvement, the City will construct and pay for them. Future facility improvements must be approved by the Keizer City Council with input by Manager. Any capital improvement required as a result of state and federal disability laws shall be constructed by City at City's expense.

7. Termination. This Agreement may be terminated by either party with 30 days' written notice. Upon termination, the Manager will cease all activities related to the management of the fields and promptly return any property or equipment belonging to the City. If either party exercises this clause, Manager agrees to supply City with an accurate and current schedule for the fields as well as paying a pro-rata (calculated per month) of the sinking fund. As an example, if this agreement is terminated by the City after two months, Manager would pay the City \$20,000 as a two-month pro-rata payment. Upon termination, if there are other agreements between Manager and third parties that effect the facility, Manager agrees to either assign those over to the City or terminate them at the City's discretion.

8. Indemnification. Manager and City agree to indemnify and hold harmless the other party from any claims, liabilities, or damages arising out of their respective duties under this Agreement.

9. Assignment and Subcontracting. Manager shall not assign or transfer this Agreement, or any interest thereon. Any such assignment shall be void, and shall, at the option of the City, terminate this Agreement. Manager shall not subcontract any of its responsibilities hereunder without the express written consent of the City.

10. Default. Upon failure by Manager to perform any term, condition, or covenant of this Agreement within seven days after written notice from City has been sent by regular mail, addressed to Manager specifying the nature of the failure with reasonable particularity, City shall have the option to declare Manager to be in material breach and default hereunder and shall enable City to pursue its legal remedies including but not limited to those referred to in this Agreement.

11. Remedies. Upon default, and after the notice period described above, City may elect to terminate this Agreement and bring an action to recover any damages suffered by City as a result of Manager's actions or as a result of any breach by Manager of any term, covenant or condition of this Agreement.

12. Attorney Fees. If suit or action is instituted to enforce or interpret this Agreement or in conjunction with any claim or controversy arising out of this Agreement, the prevailing party shall be entitled to recover, in addition to costs, such sum as the Court may adjudge reasonable as attorney fees at trial and on appeal of the suit or action.

13. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of Oregon.

14. Amendments. Any amendments to this Agreement must be made in writing and signed by both parties.

15. Non-Discrimination. Manager agrees not to discriminate against any employee or applicant for employment because of race, creed, ancestry, sexual orientation, disability, color, sex, marital status, age, religion or national origin, and further agrees not to discriminate for the same aforementioned reasons against any person or persons in connection with admission, services, or privileges offered to or enjoyed by the general public.

16. Agreement. This Agreement constitutes the entire agreement between the parties and supersedes any prior agreements or understandings.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

City:

Manager:

Signature: _____

Signature: _____

Name: Adam J. Brown

Name: _____

Title: City Manager

Title: General Manager



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Adam Brown, City Manager
Subject: Keizer Cultural Center Funding Request

Proposed Motion

I move that the Keizer City Council approve funding up to \$2,400 for rack cards out of the current years' transient occupancy tax.

I. Summary

At the meeting on April 7, 2025, Councilor Lore Christopher requested that the council allow staff to bring back an agenda item to appropriate \$2,400 from transient occupancy funds to the Keizer Cultural Center for the printing of Rack Cards. The Council authorized, by consent, for staff to bring back the item back for consideration by the City Council.

II. Background

- A. At the meeting on April 7, 2025 Councilor Lore Christopher requested funds to pay for rack cards for the Keizer Cultural Center. Councilor Christopher stated that the Keizer Cultural Center is unable to participate with Travel Oregon unless we have a rack card.
- B. Councilor Christopher presented a draft rack card for the Council to preview.

III. Current Situation

- A. The cost of the rack card will be up to \$2,400. The price may be less if they are able to get vector images. The request is intended to come out of remaining transient occupancy tax funds from the current 2025 fiscal year.
- B. The City of Keizer is a strategic partner with the Keizer Cultural Center in that the city owns the facility and the Cultural Center has a long-term lease with the City.
- C. I worked with Robert Becker, chair of the Keizer Cultural Center, speaking on behalf of their board on this request.

IV. Analysis

- A. **Strategic Impact** - No strategic impact.
- B. **Financial** - There is \$12,800 remaining in Transient Occupancy Tax funds. After funding this request, we will have at least \$10,400 remaining if all the requested amount is spent. The request will require a supplemental budget to move funds from contingency to materials and services in the General Fund Transient Occupancy Department.
- C. **Timing** - The Keizer Cultural Center would like to use the funding now to complete the rack cards.
- D. **Policy/Legal** - Only the Council has the authority to appropriate city funds. A follow-up supplemental budget will be required if the action is approved in keeping with the city's financial policies and state law.

V. Alternatives

- A. Fund the Request - The city will reimburse costs submitted with the appropriate documentation up to \$2,400.
- B. Take No Action - Without City Council consent, the funding will not be granted.

VI. Recommendation

Staff recommends approval of the funds for rack cards for the Keizer Cultural Center.

Attachments

None

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Melissa Bisset, City Recorder
Subject: Discussion regarding potential Liquor License Code Amendments

Proposed Motion

I move to direct City Staff to send Option ____ to the OLCC for their review and further direct staff to bring Option ____ if approved by the OLCC to a City Council meeting for a Public Hearing.

I. Summary

A comprehensive review of the liquor license code has been conducted, and proposed changes are being presented to the City Council. These updates aim to streamline the process, enhance efficiency, and reduce costs while maintaining oversight.

II. Background

- A. The City of Keizer first adopted an ordinance related to liquor license applications in 1983. It was revised in 1988 and 2010.
- B. A survey was conducted on how other cities handle liquor license applications. Only two of the fifteen cities surveyed conduct public hearings, and those two conducted them only in the case of an unfavorable recommendation. A background investigator from the OLCC commented that she had not heard of any cities conducting public hearings related to local liquor license application recommendations and the OLCC does not require a public hearing process. Many of the Cities place the liquor license recommendations on the City Council consent agenda, and some of the cities (Salem, Eugene, Tigard, and Portland) have administrative processes where the recommendations are delegated to a City Staff member.

III. Current Situation

- A. The current liquor license application review process is both time-consuming for applicants and costly for the City. By streamlining the process, the City can achieve significant efficiencies and cost savings while maintaining transparency and

oversight.

- B. **Option 1: Administrative Approval Process:** Transitioning to an administrative approval process is expected to cut processing time from an average of 36.5 days to approximately 16 days, improving efficiency and providing better customer service response times. Additionally, this change is anticipated to reduce processing costs from approximately \$169 per application to an estimated \$45 per application, generating substantial savings for the City.
- C. **Option 2: Removing the Public Hearing Requirement & Keeping a Council Process:** Eliminating the public hearing requirement would reduce the average processing time from 36.5 days to approximately 21 days, improving efficiency and providing better customer service response times. This adjustment is also projected to lower processing costs from \$169 per application to an estimated \$58 per application, generating substantial savings for the City.

If the City Council opts for the administrative approval process (Option 1) and still wishes to stay informed about new liquor license applications, the City Manager will ensure the Council receives timely updates through his weekend report.

By modernizing the liquor license approval process, the City will enhance efficiency, reduce costs, and better serve applicants—all while preserving oversight.

IV. **Analysis**

- A. **Strategic Impact** - The proposed amendments to the liquor license application process directly support the City of Keizer's mission to "Keep City Government Costs and Services to a Minimum by Providing City Services to the Community in a Coordinated, Efficient, and Least Cost Fashion." By streamlining the application process, these changes will enhance efficiency, reduce administrative costs, and provide a more responsive service to applicants. This strategic improvement aligns with the City's commitment to fiscal responsibility and providing services in an efficient fashion.

B. **Financial** - **Current Process & Costs**

State Statute regulates the maximum fees a city may charge for liquor licenses, and these fees have remained unchanged since 1999. The applicant pays a fee of \$100 or \$75 depending on the type and \$35 for renewals.

Under the existing liquor license application process, the City incurs several expenses, including:

- Postage, envelopes, printing, copy paper, labels
- Staff time for processing applications
- Publication costs for advertising public hearings

Proposed Process & Cost Savings

The total average cost for the City to process a single application under the current process is approximately \$169.00.

By implementing the proposed process, the City can significantly reduce administrative expenses. The estimated cost to process an application under Option One is \$45 per application and under Option Two is \$58 per application, both options reflecting a more efficient and cost-effective approach.

C. **Timing** - Under the current process, the average time to process a liquor license application in 2024 was 36.5 days.

- **Option 1: Administrative Approval Process:** The average processing time is anticipated to decrease to approximately 16 calendar days, representing a significant improvement in operational efficiency and offering a more timely and responsive experience for applicants.
- **Option 2: Removing the Public Hearing Requirement & Keeping a Council Process:** The average processing time is anticipated to decrease to approximately 21 calendar days, also improving efficiency and offering a more timely and responsive experience for applicants.

D. **Policy/Legal** -

- The proposed amendments to the liquor license application process comply with state regulations governing liquor licenses. The City has the right to modify the application process to improve efficiency and reduce administrative costs, as long as it does not conflict with state statutes. These updates align with the City's mission to provide low-cost services and enhance the overall efficiency of government operations.
- Once the Council directs Staff as to which method to use, Staff will have the OLCC review the proposed method and schedule a public hearing to adopt the ordinance in accordance with State Statute.

V. **Alternatives**

- A. Discuss the two options presented.
- B. Propose amendments to the options.
- C. Not discuss the options.
- D. Take no action and the current Code remains in place.

VI. **Recommendation**

Staff recommends that the City Council discuss the two options and determine if they wish to ask Staff to submit an Option to the OLCC for their review and then, upon approval of the OLCC, bring to the City Council for a Public Hearing and adoption of new Code.

Attachments

1. Clean Version - Option 1 ARTICLE_II_LIQUOR_LICENSE_REVIEW
2. Marked Up Version - Option 1 - ARTICLE_II.____LIQUOR_LICENSE_REVIEW - Option 1 4-14-25
3. Clean Version - Option 2 ARTICLE_II.____LIQUOR_LICENSE_REVIEW
4. Marked Up Version - Option 2 -ARTICLE_II.____LIQUOR_LICENSE_REVIEW

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

ARTICLE II. LIQUOR LICENSE REVIEW

Sec. 4-19. Title and purpose.

- (a) This article shall be known and may be cited as the "Liquor License Review Code" and may also be referred to herein as "this article."
- (b) The purposes of this article are to establish criteria which shall be considered by the city manager and the chief of police or designee in making recommendations to the Oregon Liquor & Cannabis Commission (OLCC) concerning liquor license applications for premises within the city limits and to establish a process to be utilized for the investigation of such license applicants for the purpose of making such recommendations that is fair, effective, and efficient. This article is necessary to ensure that all premises licensed to sell and dispense liquor in any form meet the high expectations of this community and that all such businesses are conducted in a lawful manner that does not unreasonably disturb the peace and tranquility of this city and its neighbors.

(Ord. No. 2010-623, § 1, 12-6-2010)

Sec. 4-20. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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City manager means the person holding the position of city manager or any officer or employee of the city delegated or assigned any or all of the tasks of the city manager set forth in this article.

OLCC means the Oregon Liquor & Cannabis Commission.

Special Events license means a temporary use or special event license issued by the OLCC pursuant to ORS ch. 471 for a special event when alcohol will be sold; Alcohol is available (but not being sold) and donations are being accepted or charged for admission, or where payment is required to attend the event.

(Ord. No. 2010-623, § 2, 12-6-2010)

Sec. 4-21. Liquor License application.

Any person or business requesting a city recommendation to OLCC on a liquor license application shall submit the form furnished by OLCC. The city shall accept applications for OLCC liquor licenses only when the following conditions are met:

- (1) All required OLCC license application forms are properly completed and in order; and
- (2) The OLCC Application Background Check Form is properly completed and in order; and
- (3) The application shall be accompanied by the appropriate nonrefundable fee specified by City Council Resolution.

If the applicant for a special license can demonstrate that it is organized and operating as a nonprofit organization, no application fee to the city shall be required.

(Ord. No. 2010-623, § 3, 12-6-2010)

Sec. 4-22. Special Events license applications.

Special Events license applications can be processed administratively after the fee and application forms described in section 4-21 are received. After due consideration of all pertinent information, the chief of police or designee shall make a recommendation to OLCC. The recommendation shall be based on substantial evidence relative to the criteria in this article, state statutes and the public health, safety and welfare. The chief of police or designee may attach reasonable conditions upon the recommendation, which conditions shall be consistent with the purposes of this article. Upon completion of the review of the application, the chief of police or designee shall make a recommendation to OLCC. Recommendations for denial must include the grounds found in the license refusal bases of Oregon Revised Statutes (ORS) 471.313, OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or by the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.

(Ord. No. 2010-623, § 4, 12-6-2010)

Sec. 4-23. City manager's duties.

The Council hereby delegates to the City Manager the authority granted to the Council pursuant to ORS 471.166 to investigate and review applications for the issuance of liquor license applications and renewals of liquor licenses and to make recommendations to OLCC. The city manager shall maintain a record of all applications. The city manager shall coordinate and conduct an investigation of each application (except special events license applications) for the purpose of determining what recommendation shall be made by the city manager to OLCC. The investigation may include those subjects contained in the code of the city, as well as the statutes of the state. The city manager may require the applicant to supply any relevant additional information to determine the qualifications of the applicant. The city manager will provide a copy of the applicant's OLCC Application Background Check Form to the police department, which will investigate and report on each application. The police department will notify the city manager if disqualifying information was or was not found. Upon completion of the review for all applications except special events licenses, the city manager shall make a recommendation to OLCC. The city manager shall respond within 45 days of the application. Recommendations for denial must include the grounds found in the license refusal bases of Oregon Revised Statutes (ORS) 471.313, OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or by the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.

Renewals

OLCC sends the City notice 135 days before the expiration of annual licenses. ORS 471.166 dictates that local governments have 60 days to respond to OLCC. For renewals, the chief of police or designee shall conduct a cursory review of police calls for service at the establishments that sell and/ or serve alcohol in the City using the guidelines set forth herein. The chief of police or designee shall notify the city manager if disqualifying information was or was not found. Upon completion of the review for renewals, the city manager shall notify OLCC of any negative recommendations.(Ord. No. 2010-623, § 5, 12-6-2010)

Sec. 4-24. Online posting requirements.

The city shall cause any application to be posted on the City of Keizer website for at least 14 days prior to any recommendation being submitted to OLCC. This is to give the public an opportunity to respond with comment on every application in accordance with ORS 471.166.

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- (b) The purposes of this article are to establish criteria which shall be considered by ~~the city council,~~ the city manager, and the chief of police or designee in making recommendations to the Oregon Liquor ~~Control & Cannabis~~ Commission (OLCC) concerning ~~granting, denying, modifying, or renewing all~~ liquor ~~licenses~~license applications for premises within the city limits and to establish a process to be utilized for the investigation of such license applicants for the purpose of making such recommendations that is fair, effective, and efficient. This article is necessary to ensure that all premises licensed to sell and dispense liquor in any form meet the high expectations of this community and that all such businesses are conducted in a lawful manner that does not unreasonably disturb the peace and tranquility of this city and its neighbors.

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~~Commission-OLCC~~ means the ~~state liquor control commission~~Oregon Liquor & Cannabis Commission.

Special Events license means a temporary use or special event -license issued by the ~~commission-OLCC~~ pursuant to ORS ch. 471 for ~~- a special event when alcohol will be sold; Alcohol is available (but not being sold) and donations are being accepted or charged for admission, or where payment is required to attend the event~~the purposes of serving beer, other malt beverage, wine or similarly regulated fermented beverage in exchange for some financial consideration and as part of a picnic, convention, fair, civil or community enterprise; or similar special event, such as a spectator sports event, musical concert or festival; and for which approval by the city must be obtained.

(Ord. No. 2010-623, § 2, 12-6-2010)

Sec. 4-21. Liquor License application.

Any person or business requesting a city recommendation to ~~the commission-OLCC~~ on a liquor license application shall ~~make application upon~~submit the forms furnished by ~~the commission-OLCC~~. The city shall accept applications for OLCC liquor licenses only when the following conditions are met:

- (1) All required OLCC license application ~~and identification~~ forms are properly completed and in order; and

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- (2) The OLCC Application Background Check Form is properly completed and in order; and
- (3) The application shall be accompanied by the appropriate nonrefundable fee specified by City Council Resolution as follows:
- a. In the case of an original application: \$100.00
 - b. For a change in ownership, change in location, or change in privilege application: \$75.00
 - c. Except as provided in subsection (2)d of this section, for ~~For~~ renewal and temporary license applications: \$35.00
 - d. For special ~~events~~ license applications: \$35.00

If the applicant for a special license can demonstrate that it is organized and operating as a nonprofit organization, no application fee to the city shall be required.

(Ord. No. 2010-623, § 3, 12-6-2010)

Sec. 4-22. ~~Temporary license applications and Special Events~~ special license applications.

~~Temporary license applications and Special Events~~ license applications can be processed administratively after the fee and application forms described in section 4-21 are received. After due consideration of all pertinent information, the chief of ~~police~~police or designee shall make a recommendation to ~~the commission~~OLCC. The recommendation shall be based on substantial evidence relative to the criteria in this article, state statutes and the public health, safety and welfare. The chief of police or designee may attach reasonable conditions upon the recommendation, which conditions shall be consistent with the purposes of this article. Upon completion of the review of the application, the chief of police or designee shall make a recommendation to the OLCC. Where the chief of police recommends approval of an application, the chief of police shall cause the applicant to be notified of the recommendation. Where the chief of police's recommendation is for denial or otherwise adverse to the applicant, it may be appealed to the city council in accordance with the procedures provided in this article. Recommendations for denial must include the grounds found in the license refusal bases of Oregon Revised Statutes (ORS) 471.313 (4), 471.313 (5), OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or by the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.

(Ord. No. 2010-623, § 4, 12-6-2010)

Sec. 4-23. City manager's duties.

The Council hereby delegates to the City Manager the authority granted to the Council pursuant to ORS 471.166 to investigate and review applications for the issuance of liquor license applications and renewals of liquor licenses and to make recommendations to the OLCC. The city manager shall maintain a record of all applications. The city manager shall coordinate and conduct an investigation of each application (except ~~temporary license applications and~~ special events license applications) for the purpose of determining what recommendation shall be made by the city manager to ~~the city council~~OLCC. The investigation may include those subjects contained in the code ordinances of the city, as well as the statutes of the state. The city manager may require the applicant to supply any relevant additional information to determine the qualifications of the applicant. The city manager will provide a copy of the applicant's OLCC Application Background Check Form ~~all applications~~ to the police department, which will investigate and report on each application. The police department ~~reports shall be made a part of the city manager's recommendation~~ will notify the city manager if disqualifying information was or was not found. Upon completion of the review for all applications except ~~temporary licenses and~~ special events licenses, the city manager shall make a recommendation to ~~the city council~~OLCC. The city manager shall respond within 45

days of the application. Recommendations for denial must include the grounds found in the license refusal bases of Oregon Revised Statutes (ORS) 471.313 ~~(4), 471.313 (5)~~, OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or by the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.

Renewals

~~The~~ OLCC sends the City notice 135 days before the expiration of annual licenses. ORS 471.166 dictates that local governments have 60 days to respond to ~~the~~ OLCC. For renewals, the chief of police or designee shall conduct a cursory review of police calls for service at the establishments that sell and/ or serve alcohol in the City using the guidelines set forth herein. The chief of police or designee shall notify the city manager if disqualifying information was or was not found. Upon completion of the review for renewals, the city manager shall notify ~~the~~ OLCC of any negative recommendations.

(Ord. No. 2010-623, § 5, 12-6-2010)

Sec. 4-24. Online posting requirements.

The city shall cause any application to be posted on the City of Keizer website for at least 14 days prior to any recommendation being submitted to OLCC. This is to give the public an opportunity to respond with comment on every application in accordance with ORS 471.166.

Sec. 4-24. City council recommendation procedures.

- ~~(a) For renewals of existing licenses, notice shall be published in a newspaper of general circulation of the list of renewals not less than 14 days before the council hearing. The notice shall also be placed on the city's website 14 days prior to council's consideration. The notice shall provide that written objections shall be filed no less than seven days prior to the council hearing. Objections regarding renewals shall be forwarded to the appropriate licensee no less than five days prior to council consideration to allow the licensee to consider such objections and attend the council hearing.~~
- ~~(b) For new licenses for liquor serving establishments, the city manager by regular mail shall notify property owners within 200 feet of the outlet, and the neighborhood association with jurisdiction for the outlet location, of the application and allowing those property owners and neighborhood associations not less than 14 days from the date of mailing of such notification to file a written response with the city manager stating their position concerning such application.~~
- ~~(c) The city manager shall place the license hearing on the city council calendar not sooner than 14 days after the date of mailing notice of such hearing on the application to the applicant and the affected neighborhood associations for new applications and not sooner than 14 days after the date of published notice for renewal applications.~~
- ~~(d) Prior to a city council hearing on the application, the new outlet applicant will be notified of the time, date and place of the hearing, of the city manager's recommendation to the city council, of the right to be heard at the city council hearing and of the contents of this article regarding procedures and recommendations. Where a recommendation from the city manager is not favorable, it shall be the city manager's responsibility to provide the applicant with any reports relied upon in making the recommendation.~~

(Ord. No. 2010-623, § 6, 12-6-2010)

~~Sec. 4-25. Hearing requirements.~~

- ~~(a) For all applications for which city council approval is required under this article, a public hearing shall be held.~~
- ~~(b) Notice of a public hearing before the city council shall be given in the following manner:
 - ~~(1) The notice shall contain the business name of the applicant, the location of the business, the nature of the license applied for, and the time and location at which the hearing will take place.~~
 - ~~(2) Notice shall be mailed to the applicant or applicant's agent at the address shown on the application not less than 14 days before the date set for the hearing.~~
 - ~~(3) Notice shall be published in a newspaper of general circulation in the city not less than 14 days before the date set for the hearing.~~~~
- ~~(c) The public hearing shall be conducted as follows:
 - ~~(1) The city manager shall present the city manager's report. Any other written or oral evidence which is supportive of the city manager's recommendation may also be presented at this time.~~
 - ~~(2) The applicant may present evidence and/or witnesses in support of the application.~~
 - ~~(3) Interested members of the public shall be given an opportunity to present evidence or testimony bearing upon the application, whether such evidence is supportive or adverse to the application.~~
 - ~~(4) The applicant shall be afforded an opportunity to rebut evidence presented in opposition to the application.~~
 - ~~(5) Any relevant evidence shall be admitted if it is the type of evidence on which reasonable persons are accustomed to rely upon in the conduct of their serious affairs, regardless of the existence of any law or rule which might make improper the admission of such evidence over objections in civil actions in courts of competent jurisdiction in the state. Evidence of past transactions and occurrences shall not be excluded solely on the basis of having occurred in the past and may be relied upon by the city council in making its recommendation; however, irrelevant and unduly repetitious evidence shall be excluded.~~~~

~~(Ord. No. 2010-623, § 7, 12-6-2010)~~

~~Sec. 4-26. Standards and criteria.~~

- ~~(a) The city council shall make its recommendation for approval, denial, or modification of the liquor license application within 45 days after notice is given to the city by the commission based upon the city council's evaluation of the relevant standards and criteria, as set forth herein. An unfavorable or conditionally favorable recommendation must be supported by reliable factual information, which includes, but is not limited to, personal observations of activities in or around the proposed licensed locations, as opposed to opinion, hearsay, feelings, beliefs or speculation.~~
- ~~(b) The applicant shall be held strictly accountable for the conditions of the premises. The city council may recommend against the applicant if any of the following conditions exist:
 - ~~(1) The applicant is in the habit of using alcoholic beverages, habit-forming drugs or controlled substances to excess.~~
 - ~~(2) The applicant has made false statements to the commission.~~~~

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- ~~(3) The applicant is incompetent or physically unable to carry on the management of the establishment proposed to be licensed.~~
 - ~~(4) The applicant has been convicted of violating any of the alcoholic liquor laws of the state, general or local, or has been convicted at any time of a felony.~~
 - ~~(5) The applicant has maintained an unsanitary establishment.~~
 - ~~(6) The applicant is not of good repute and moral character.~~
 - ~~(7) The applicant did not have a good record of compliance with the alcoholic liquor laws of the state and the rules of the commission when previously licensed.~~
 - ~~(8) The applicant is not the legitimate owner of the business proposed to be licensed, or other persons have ownership interests in the business which have not been disclosed.~~
 - ~~(9) The applicant is not possessed of or has not demonstrated financial responsibility sufficient to adequately meet the requirements of the business proposed to be licensed.~~
 - ~~(10) The applicant is unable to read or write the English language or to understand the laws of the state relating to alcoholic liquor or the rules of the commission.~~
 - ~~(11) The applicant seeks licensing of premises not consistent with city land use designations.~~
 - ~~(12) There is a history of serious and persistent problems involving disturbances, lewd or unlawful activities or noise either in the premises proposed to be licensed or involving patrons of the establishment in the immediate vicinity of the premises if the activities in the immediate vicinity of the premises are related to the sale or service of alcohol under the exercise of the license privilege. Behavior which is grounds for refusal of a license under this section, where so related to the sale or service of alcohol, includes, but is not limited to, obtrusive or excessive noise, music or sound vibrations; public drunkenness; fights; altercations; harassment; unlawful drug sales; alcohol or related litter; trespassing on private property; and public urination. Histories from premises currently or previously operated by the applicant may be considered when reasonable inference may be made that similar activities will occur as to the premises proposed to be licensed. The applicant may overcome the history by showing that the problems are not serious or persistent or that the applicant demonstrates a willingness and ability to control adequately the premises proposed to be licensed and patrons' behavior in the immediate vicinity of the premises which is related to the licensee's sale or service of alcohol under the licensee's exercise of the license privilege.~~
 - ~~(13) Other specific reason consistent with the purposes of these provisions that warrant an adverse recommendation based upon public health, safety, welfare, convenience, or necessity.~~

~~(Ord. No. 2010-623, § 8, 12-6-2010)~~

~~Sec. 4-27. Reconsideration of applications.~~

- ~~(a) Except as set forth in subsection (b) of this section, after having made a recommendation other than favorable on any license application, the city council shall not consider any new application for the same location by the same or substantially the same applicant for a period of at least six months, except as otherwise provided herein.~~
- ~~(b) If the city manager reasonably believes that the conditions which caused the city council to make a recommendation, other than a favorable recommendation, have substantially changed and no court or administrative appeal of such license is pending, then the city manager may reconsider and/or resubmit such application to the city council.~~

~~(Ord. No. 2010-623, § 9, 12-6-2010)~~

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Sec. 4-21. Liquor License application.

Any person or business requesting a city recommendation to OLCC on a liquor license application shall submit the form furnished by OLCC. The city shall accept applications for OLCC liquor licenses only when the following conditions are met:

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The city manager shall maintain a record of all applications. The city manager shall coordinate and conduct an investigation of each application (except special events license applications for the purpose of determining what recommendation shall be made by the city manager to the city council. The investigation may include those subjects contained in the code of the city, as well as the statutes of the state. The city manager may require the applicant to supply any relevant additional information to determine the qualifications of the applicant. The city manager will provide a copy of all applications to the police department, which will investigate and report on each application. The police department will notify the city manager if disqualifying information was or was not found. Upon completion of the review for all applications except special events licenses, the city manager shall make a recommendation to the city council. The city manager shall respond within 45 days of the application. Recommendations for denial must include the grounds found in the license refusal bases of Oregon Revised Statutes (ORS) 471.313, OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or by the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.

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(Ord. No. 2010-623, § 5, 12-6-2010)

Sec. 4-24. City council recommendation procedures.

- (a) The city manager shall place the license recommendation on the city council consent calendar. Prior to placing the application on the consent calendar, the city shall cause any application to be posted on the City of Keizer website for at least 14 days prior to any recommendation being submitted to OLCC. This is to give the public an opportunity to respond with comment on every application in accordance with ORS 471.166.

(b) The city council shall make its recommendation of the liquor license application within 45 days after notice is given to the city by the applicant based upon the city council's evaluation of the relevant standards and criteria. Recommendations for denial must include the grounds found in the license refusal bases of Oregon Revised Statutes (ORS) 471.313, OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or by the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.

(Ord. No. 2010-623, § 6, 12-6-2010)

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(Ord. No. 2010-623, § 2, 12-6-2010)

Sec. 4-21. Liquor License application.

Any person or business requesting a city recommendation to ~~the commission~~ *OLCC* on a liquor license application shall ~~make application upon submit the~~ forms furnished by ~~the commission~~ *OLCC*. The city shall accept applications for OLCC liquor licenses only when the following conditions are met:

- (1) ~~(1)~~ — All required OLCC license application ~~and identification~~ forms are properly completed and in order; and

~~(2) (2) The OLCC Application Background Check Form is properly completed and in order; and~~

~~(2) The application shall be accompanied by the appropriate nonrefundable fee specified by City Council Resolution. as follows:~~

~~a. In the case of an original application:\$100.00~~

~~b. For a change in ownership, change in location, or change in privilege application:\$75.00~~

~~c. Except as provided in subsection (2)d of this section, forFor renewal and temporary license applications:\$35.00~~

~~d. For special events license applications:\$35.00~~

If the applicant for a special license can demonstrate that it is organized and operating as a nonprofit organization, no application fee to the city shall be required.

(Ord. No. 2010-623, § 3, 12-6-2010)

Sec. 4-22. ~~Temporary license applications and S~~special Events license applications.

~~Temporary license applications and S~~special Events license applications can be processed administratively after the fee and application forms described in section 4-21 are received. After due consideration of all pertinent information, the chief of police or designee shall make a recommendation to ~~the commission~~OLCC. The recommendation shall be based on substantial evidence relative to the criteria in this article, state statutes and the public health, safety and welfare. The chief of police or designee may attach reasonable conditions upon the recommendation, which conditions shall be consistent with the purposes of this article. ~~Where the chief of police recommends approval of an application, the chief of police shall cause the applicant to be notified of the recommendation. Where the chief of police's recommendation is for denial or otherwise adverse to the applicant, it may be appealed to the city council in accordance with the procedures provided in this article. Recommendations for denial must include the grounds found in the license refusal bases of Oregon Revised Statutes (ORS) 471.313 (4), 471.313 (5), OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or by the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.~~

(Ord. No. 2010-623, § 4, 12-6-2010)

Sec. 4-23. City manager's duties.

The city manager shall maintain a record of all applications. The city manager shall coordinate and conduct an investigation of each application (except ~~temporary special events~~ license applications ~~and special license applications~~) for the purpose of determining what recommendation shall be made by the city manager to the city council. The investigation may include those subjects contained in the code ordinances of the city, as well as the statutes of the state. The city manager may require the applicant to supply any relevant additional information to determine the qualifications of the applicant. The city manager will provide a copy of all applications to the police department, which will investigate and report on each application. The police department ~~reports shall be made a part of the city manager's recommendation. will notify the city manager if disqualifying information was or was not found.~~ Upon completion of the review for all applications except ~~temporary licenses and special events~~ licenses, the city manager shall make a recommendation to the city council. ~~The city manager shall respond within 45 days of the application. Recommendations for denial must include the grounds found in the license refusal bases of Oregon Revised Statutes (ORS) 471.313 (4), 471.313 (5), OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-~~

005-0325 or 845-005-0326(4)(5) or by the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.

Renewals

The OLCC sends the City notice 135 days before the expiration of annual licenses. ORS 471.166 dictates that local governments have 60 days to respond to the OLCC. For renewals, the chief of police or designee shall conduct a cursory review of police calls for service at the establishments that sell and/ or serve alcohol in the City using the guidelines set forth herein. The chief of police or designee shall notify the city manager if disqualifying information was or was not found. Upon completion of the review for renewals, the city manager shall notify the OLCC of any negative recommendations.

(Ord. No. 2010-623, § 5, 12-6-2010)

Sec. 4-24. City council recommendation procedures.

- (a) ~~For renewals of existing licenses, notice shall be published in a newspaper of general circulation of the list of renewals not less than 14 days before the council hearing. The notice shall also be placed on the city's website 14 days prior to council's consideration. The notice shall provide that written objections shall be filed no less than seven days prior to the council hearing. Objections regarding renewals shall be forwarded to the appropriate licensee no less than five days prior to council consideration to allow the licensee to consider such objections and attend the council hearing.~~
- (b) ~~For new licenses for liquor serving establishments, the city manager by regular mail shall notify property owners within 200 feet of the outlet, and the neighborhood association with jurisdiction for the outlet location, of the application and allowing those property owners and neighborhood associations not less than 14 days from the date of mailing of such notification to file a written response with the city manager stating their position concerning such application.~~
- ~~(a)(e) The city manager shall place the license hearing recommendation on the city council consent calendar. Prior to placing the application on the consent calendar, the city shall cause any application to be posted on the City of Keizer website for at least 14 days prior to any recommendation being submitted to OLCC. This is to give the public an opportunity to respond with comment on every application in accordance with ORS 471.166. not sooner than 14 days after the date of mailing notice of such hearing on the application to the applicant and the affected neighborhood associations for new applications and not sooner than 14 days after the date of published notice for renewal applications.~~
- ~~(b) The city council shall make its recommendation for approval, denial, or modification of the liquor license application within 45 days after notice is given to the city by the applicant commission based upon the city council's evaluation of the relevant standards and criteria, as set forth herein. An unfavorable or conditionally favorable recommendation must be supported by reliable factual information, which includes, but is not limited to, personal observations of activities in or around the proposed licensed locations, as opposed to opinion, hearsay, feelings, beliefs or speculation. Recommendations for denial must include the grounds found in the license refusal bases of Oregon Revised Statutes (ORS) 471.313 ~~(4), 471.313 (5)~~, OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or by the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.~~
- (d) ~~Prior to a city council hearing on the application, the new outlet applicant will be notified of the time, date and place of the hearing, of the city manager's recommendation to the city council, of the right to be heard at the city council hearing and of the contents of this article regarding procedures and recommendations.~~

~~Where a recommendation from the city manager is not favorable, it shall be the city manager's responsibility to provide the applicant with any reports relied upon in making the recommendation.~~

(Ord. No. 2010-623, § 6, 12-6-2010)

Sec. 4-25. Hearing requirements.

- ~~(a) For all applications for which city council approval is required under this article, a public hearing shall be held.~~
- ~~(b) Notice of a public hearing before the city council shall be given in the following manner:
 - ~~(1) The notice shall contain the business name of the applicant, the location of the business, the nature of the license applied for, and the time and location at which the hearing will take place.~~
 - ~~(2) Notice shall be mailed to the applicant or applicant's agent at the address shown on the application not less than 14 days before the date set for the hearing.~~
 - ~~(3) Notice shall be published in a newspaper of general circulation in the city not less than 14 days before the date set for the hearing.~~~~
- ~~(c) The public hearing shall be conducted as follows:
 - ~~(1) The city manager shall present the city manager's report. Any other written or oral evidence which is supportive of the city manager's recommendation may also be presented at this time.~~
 - ~~(2) The applicant may present evidence and/or witnesses in support of the application.~~
 - ~~(3) Interested members of the public shall be given an opportunity to present evidence or testimony bearing upon the application, whether such evidence is supportive or adverse to the application.~~
 - ~~(4) The applicant shall be afforded an opportunity to rebut evidence presented in opposition to the application.~~
 - ~~(5) Any relevant evidence shall be admitted if it is the type of evidence on which reasonable persons are accustomed to rely upon in the conduct of their serious affairs, regardless of the existence of any law or rule which might make improper the admission of such evidence over objections in civil actions in courts of competent jurisdiction in the state. Evidence of past transactions and occurrences shall not be excluded solely on the basis of having occurred in the past and may be relied upon by the city council in making its recommendation; however, irrelevant and unduly repetitious evidence shall be excluded.~~~~

~~(Ord. No. 2010-623, § 7, 12-6-2010)~~

Sec. 4-26. Standards and criteria.

- ~~(a) The city council shall make its recommendation for approval, denial, or modification of the liquor license application within 45 days after notice is given to the city by the commission based upon the city council's evaluation of the relevant standards and criteria, as set forth herein. An unfavorable or conditionally favorable recommendation must be supported by reliable factual information, which includes, but is not limited to, personal observations of activities in or around the proposed licensed locations, as opposed to opinion, hearsay, feelings, beliefs or speculation.~~
- ~~(b) The applicant shall be held strictly accountable for the conditions of the premises. The city council may recommend against the applicant if any of the following conditions exist:~~

-
- ~~(1) The applicant is in the habit of using alcoholic beverages, habit-forming drugs or controlled substances to excess.~~
 - ~~(2) The applicant has made false statements to the commission.~~
 - ~~(3) The applicant is incompetent or physically unable to carry on the management of the establishment proposed to be licensed.~~
 - ~~(4) The applicant has been convicted of violating any of the alcoholic liquor laws of the state, general or local, or has been convicted at any time of a felony.~~
 - ~~(5) The applicant has maintained an unsanitary establishment.~~
 - ~~(6) The applicant is not of good repute and moral character.~~
 - ~~(7) The applicant did not have a good record of compliance with the alcoholic liquor laws of the state and the rules of the commission when previously licensed.~~
 - ~~(8) The applicant is not the legitimate owner of the business proposed to be licensed, or other persons have ownership interests in the business which have not been disclosed.~~
 - ~~(9) The applicant is not possessed of or has not demonstrated financial responsibility sufficient to adequately meet the requirements of the business proposed to be licensed.~~
 - ~~(10) The applicant is unable to read or write the English language or to understand the laws of the state relating to alcoholic liquor or the rules of the commission.~~
 - ~~(11) The applicant seeks licensing of premises not consistent with city land use designations.~~
 - ~~(12) There is a history of serious and persistent problems involving disturbances, lewd or unlawful activities or noise either in the premises proposed to be licensed or involving patrons of the establishment in the immediate vicinity of the premises if the activities in the immediate vicinity of the premises are related to the sale or service of alcohol under the exercise of the license privilege. Behavior which is grounds for refusal of a license under this section, where so related to the sale or service of alcohol, includes, but is not limited to, obtrusive or excessive noise, music or sound vibrations; public drunkenness; fights; altercations; harassment; unlawful drug sales; alcohol or related litter; trespassing on private property; and public urination. Histories from premises currently or previously operated by the applicant may be considered when reasonable inference may be made that similar activities will occur as to the premises proposed to be licensed. The applicant may overcome the history by showing that the problems are not serious or persistent or that the applicant demonstrates a willingness and ability to control adequately the premises proposed to be licensed and patrons' behavior in the immediate vicinity of the premises which is related to the licensee's sale or service of alcohol under the licensee's exercise of the license privilege.~~
 - ~~(13) Other specific reason consistent with the purposes of these provisions that warrant an adverse recommendation based upon public health, safety, welfare, convenience, or necessity.~~

~~{Ord. No. 2010-623, § 8, 12-6-2010}~~

~~Sec. 4-27. Reconsideration of applications.~~

- ~~(a) Except as set forth in subsection (b) of this section, after having made a recommendation other than favorable on any license application, the city council shall not consider any new application for the same location by the same or substantially the same applicant for a period of at least six months, except as otherwise provided herein.~~

~~(b) — If the city manager reasonably believes that the conditions which caused the city council to make a recommendation, other than a favorable recommendation, have substantially changed and no court or administrative appeal of such license is pending, then the city manager may reconsider and/or resubmit such application to the city council.~~

~~(Ord. No. 2010-623, § 9, 12-6-2010)~~



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Adam Brown, City Manager
Subject: BEAD Grant Program Support

Proposed Motion

I move that the Keizer City Council authorize the City Manager to sign a letter of support for Comcast's Broadband Equity, Access, and Deployment (BEAD) grant request.

I. Summary

Comcast reached out to the City of Keizer on April 7, 2025 to request a letter of support for a grant application to receive funds to add fiber throughout the City. The goal of the program is to increase access to broadband for those who can not otherwise afford it, or who struggle to afford it.

II. Background

- A. Comcast has identified Salem-Keizer School District as a potential project area to extend its service and provide quality fiber broadband services to all unconnected residents within the school district.
- B. Comcast has requested a letter of support from the City of Keizer for their application to the Broadband, Equity, Access, and Deployment (BEAD) grant program.
- C. The BEAD federal grant program funds broadband infrastructure in unserved and underserved areas. The Oregon Broadband Office has \$688.9 million for subgrantees within the state to fund construction of broadband infrastructure.

III. Current Situation

- A. The Oregon Broadband Office (OBO) will award points to applicants based on documented support from governmental entities identified in each area. Salem Keizer School District is an identified area by the OBO.

IV. Analysis

- A. **Strategic Impact** - No strategic impact.

- B. **Financial** - This will have little financial impact on the City of Keizer. If anything, franchise funds will only downwardly be impacted by additional competition that typically drives down the price unless it opened up new access.
- C. **Timing** - The scoring application phase opens on April 22, 2025, and will run until May 22, 2025. For the OBO to receive the cities' support, action would be needed at this meeting.
- D. **Policy/Legal** - Comcast already has a franchise agreement with the City of Keizer. Any work done by Comcast to build out additional fiber network would be done within their existing right of way and through permitting by the City.

V. Alternatives

- A. Authorize the City Manager to sign the letter of support. - Staff will send the letter in time for it to be considered in the grant request.
- B. Take No Action - Comcast will not have a letter from the City of Keizer to share with their application.

VI. Recommendation

The City Manager recommends authorization for him to sign a letter of support for the BEAD grant application.

Attachments

1. ATT_CC_Drft LTR SPRT Comcase BEAD Application_4 15 2025

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."



City of Keizer

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

Mayor Cathy Clark

Councilor Marlene Parsons

Councilor Kyle Juran

Councilor Lore Christopher

Council President Shaney Starr

Councilor Soraida Cross

Councilor Dan Kohler

April 21, 2025

Nick Batz
Oregon Broadband Office
Business Oregon
775 Summer St. NE STE 310
Salem, Oregon 97301

Dear Oregon Broadband Office,

The City of Keizer is writing to express support for Comcast as a community partner, particularly in their collaborative efforts to address broadband challenges in Salem-Keizer School District 24J. Comcast's commitment to expanding high-quality broadband access aligns closely with our mission to enhance digital equity and connectivity for unserved and underserved communities identified by the Oregon Broadband Office (OBO) and the Broadband Equity, Access, and Deployment (BEAD) program.

Expanding access to reliable, high-speed broadband is critical to addressing key challenges within our community and unlocking opportunities for economic growth, educational advancement, and equitable access to essential services.

For these reasons, the City of Keizer supports Comcast's project application for Salem-Keizer School District 24J to the OBO for BEAD Program Funding.

Sincerely

Adam J. Brown

“Pride, Spirit and Volunteerism”



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Andrew Copeland, Police Chief
Subject: Administrative Inventory for Property

Proposed Motion

I move that the Keizer City Council adopt Resolution 2025-____ Authorizing the Keizer Police Department to Conduct Administrative Inventory of Custodial Personal Property.

I. Summary

The purpose of this resolution is to give authority to the Keizer Police Department to create policies and procedures for the protection of private property while in police custody, to reduce or prevent the assertion of false claims for lost or stolen property, and to protect members from any hazardous condition or instrumentality that may be associated with custodial property. The inventory of personal property never replaces a search warrant requirement, as an inventory is not a search for criminality.

II. Background

- A. This Resolution will help the Keizer Police Department keep the following prohibited property from entering our property and evidence room: Dangerous weapons including explosive devices, fireworks, ammunition and firearms; hazardous materials, chemicals or clothing or property that has been contaminated by dangerous chemicals or bio-hazardous materials; illegal drugs, drug paraphernalia and other medications not kept in their original packaging; all food items and perishable, biodegradable or vegetative substances including medical marijuana; beverage containers and containers under pressure and their contents; and live animals, plants or other organisms.
- B. This will help protect officers from complaints about misplacing or stealing personal property. Officers will inventory any cash, check, money order or other negotiable instrument, in any amount; any earring, necklace, ring, watch, bracelet or other similar item of jewelry or any other item of personal property that the person examining the item reasonably believes has a fair market value of \$100 or more.

III. **Current Situation**

A. We currently do not have an administrative inventory of custodial personal property.

IV. **Analysis**

A. **Strategic Impact** - N/A

B. **Financial** - This policy could prevent the city from personal injury claims.

C. **Timing** - No specific timing is required.

D. **Policy/Legal** - Administrative inventories are lawful under Oregon Case Law, provided that the politically accountable body (here, the Keizer City Council) grants authority to the Keizer Police Department to conduct them pursuant to inventory policies prepared by the Keizer Police Department.

V. **Alternatives**

A. Adopt the attached Resolution.

B. Deny the attached Resolution; nothing will change with the police department's personal property policy.

VI. **Recommendation**

Staff recommends adoption of this resolution.

Attachments

1. RES_CC_Authorizing Police Department to Conduct Administrative Inventory of Custodial Personal Property_4 21 2025

“Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury.”

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2025-____

4
5 AUTHORIZING THE KEIZER POLICE DEPARTMENT TO
6 CONDUCT ADMINISTRATIVE INVENTORY OF CUSTODIAL
7 PERSONAL PROPERTY

8
9 WHEREAS, the Keizer Police Department comes into contact with property that
10 is evidentiary or for the purposes of safekeeping;

11 WHEREAS, it is necessary to protect custodial personal property while in police
12 custody, to reduce or prevent the assertion of false claims for lost or stolen property, and
13 to protect employees from any hazardous condition or instrumentality that may be
14 associated with custodial personal property;

15 WHEREAS, administrative inventories are lawful under Oregon Case Law,
16 provided that the politically accountable body (here the Keizer City Council) grants
17 authority to the Keizer Police Department for the administrative inventories to be
18 conducted pursuant to inventory policies prepared by the Keizer Police Department;

19 NOW, THEREFORE,

20 BE IT RESOLVED by the City Council of the City of Keizer that the Keizer
21 Police Department be granted the authority to conduct administrative inventories of
22 custodial personal property according to the policies and procedures set forth by the
23 Keizer Police Department and in accordance with state and federal law.

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

3 PASSED this _____ day of _____, 2025.

4
5 SIGNED this _____ day of _____, 2025.

6
7 _____
8 Mayor

9
10 _____
11 City Recorder



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Melissa Bisset, City Recorder
Subject: Discussion regarding Council Rules and Procedure, Section 14 - Proclamations

Proposed Motion

None

I. Summary

Mayor Clark requested a discussion regarding the Council Rules and Procedures. The request for discussion was supported by Council President Starr and Councilor Juran. This discussion took place during the April 7th City Council Meeting. The Council began the discussion regarding the Proclamation Section and wished to continue the discussion at the following meeting (April 21st). Proposed language and a draft form were distributed to the Council during the April 7th meeting.

II. Background

- A. The current Council Rules of Procedure, Section 14 - Proclamations state: 14.1 Request for Proclamations – Local organizations or residents requesting proclamations that proclaim a specified date or dates to recognize the efforts of various community groups and individuals on certain projects, shall be filed with the City Recorder. Upon receipt, the City Recorder will notify the Council of the request. If the Council approves the request, the City Recorder will prepare the proclamation for the Mayor's signature. The Mayor will issue and read the proclamations.
- B. The current Council Rules of Procedure, Section 14 - Proclamations state: 14.2 Reading of Proclamations – No more than one proclamation will be read at each meeting. It will be at the discretion of the Council if a proclamation will be read at a City Council meeting or presented to the organization or group. It is preferred that a representative of the requesting organization be present to receive the proclamation. Any proclamation that is approved, but not on the pre-approved list, the phrase "Here with the Council" shall be removed from the proclamation. Any presentation shall be limited to five minutes unless consent for more time is given by the Council.
- C. The Council began the discussion regarding the Proclamation Section of the Rules

and wished to continue the discussion at the following meeting (April 21st).

III. Current Situation

- A. The Council began the discussion regarding the Proclamation Section during the April 7th meeting and wished to continue the discussion at the following meeting (April 21st).

IV. Analysis

- A. **Strategic Impact** - No strategic impact.
- B. **Financial** - No financial impact.
- C. **Timing** - No apparent timing concerns.
- D. **Policy/Legal** - Council Rules of Procedure are adopted by the City Council.

V. Alternatives

- A. Discuss changes to the Council Rules of Procedure specific to Section 14.
- B. Not discuss changes to the Council Rules of Procedure specific to Section 14.

VI. Recommendation

Staff recommends discussing the Proclamation Section and deciding how to direct staff in terms of amending the Council Rules of Procedure.

Attachments

- 1. Draft Revisions to Section 14
- 2. Draft Proclamation Request Form
- 3. Extracted pages from Council Rules of Procedure

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."

14.1 Request for Proclamations – ~~Local organizations or residents requesting proclamations that proclaim a specified date or dates to recognize the efforts of various community groups and individuals on certain projects.~~ Requests for proclamations shall be filed with the City Recorder through an online request form. Requests, along with the recurring list adopted by City Council, shall be considered annually in January and placed on a proclamation calendar. ~~Upon receipt, the City Recorder will notify the Council of the request.~~ place the request on the Council agenda for approval. ~~If the Council approves the request, the City Recorder will prepare the proclamation for the Mayor's signature. The Mayor will issue and read the proclamations.~~

14.2 Reading of Proclamations – No more than one proclamation will be read at each meeting. It will be at the discretion of the Council whether ~~if~~ a proclamation will be read at a City Council meeting or presented or sent separately to the requester, organization or group. If a proclamation is read at a City Council meeting, it ~~is~~ preferred that a representative of the requesting organization be present to receive the proclamation, if applicable. ~~Any proclamation that is approved but not on the pre-approved list, the phrase "Here with the Council" shall be removed from the proclamation.~~ Any presentation shall be limited to five minutes ~~unless consent for more time is given by the Council.~~

Clean Version

14.1 Request for Proclamations – Requests for proclamations shall be filed with the City Recorder through an online request form. Requests, along with the recurring list adopted by City Council, shall be considered annually in January and placed on a proclamation calendar.

14.2 Reading of Proclamations – No more than one proclamation will be read at each meeting. It will be at the discretion of the Council whether a proclamation will be read at a City Council meeting or presented or sent separately to the requester. If a proclamation is read at a City Council meeting, it is preferred that a representative of the requesting organization be present to receive the proclamation, if applicable. Any presentation shall be limited to five minutes.



Proclamation Request Form

Proclamation requests are considered by the City Council annually in January. **Requests must be submitted no later than December 15th**. Each January, the Council adopts a Resolution acknowledging proclamations for the year and allows for no more than one proclamation to be read at a City Council meeting. It will be at the discretion of the Council if a proclamation will be read at a City Council meeting or presented or sent separately to the organization or group. If a proclamation is read at a City Council meeting, it is preferred that a representative of the requesting organization be present to receive the proclamation, if applicable. Any presentation shall be limited to five minutes.

Proclamation language is subject to editing to conformance with Resolution R2003-1391 and in connection with relevance to Keizer. Would you like edited version sent to you prior to issuance? Choose an item.

Submit this form to the City Recorder at bissetm@keizeror.gov. **Date Submitted:** Click or tap to enter a date.

Name of Organization requesting proclamation: Click or tap here to enter text.

Explain your connection to Keizer: Click or tap here to enter text.

Name of Contact Person: Click or tap here to enter text.

Phone Number: Click or tap here to enter text. **Email:** Click or tap here to enter text.

Proclamation Information

A draft proclamation must be attached to this form to be considered. Written background information may also be attached.

Name of Observance: Click or tap here to enter text.

Date or Month of Observance: Click or tap here to enter text.

Website: Click or tap here to enter text.

Please select how you prefer the proclamation to be delivered:

Choose an item.

The City Council meets on the first and third Monday of every month unless the Monday falls on a holiday, in which case the City Council meets the following Tuesday.

Date of City Council meeting – 1st choice: Click or tap to enter a date.

Date of City Council Meeting – 2nd choice: Click or tap to enter a date.

Name of representative receiving the proclamation: Click or tap here to enter text.

or

Date of event: Click or tap to enter a date.

Location of Event:Click or tap here to enter text.

Mailing address to receive proclamation: Click or tap here to enter text.

Email to receive proclamation: Click or tap here to enter text.

Would you like this observance to be considered as an annual, recurring observance? Choose an item.

DRAFT

- l) Reference to the appropriate ORS section under which an executive session was held.
- m) The signature of the individual taking the minutes.
- n) Signature line for the Mayor.

13.2 Distribution of Minutes - : Draft minutes are distributed to the City Council with the agenda on which those minutes appear as an item for approval. However, because they are generally completed in draft form prior to distribution of the agenda packets, the draft minutes are available for earlier review should the need arise.

13.3 Correction and Approval of Minutes - Approval of the minutes usually take place at the next regular meeting following the date of the minutes under approval. Generally, minutes appear on the agenda under the Consent Calendar. If minor changes are made to the minutes, a Council member may offer such amendment prior to the Consent Calendar being approved. For extensive amendments, the minutes should be pulled off the Consent Calendar for consideration. All corrections that appear will appear in the minutes of the meeting when the changes took place. If a member of the Council is absent from the meeting, such member can pull the minutes from the Consent Calendar for consideration and announce their absence and abstain from voting for approval of the minutes or they can read the minutes prior to the meeting and vote for approval as part of the Consent Calendar.

If a Council member has a concern over the reporting of minutes, it is that Council member's responsibility to review the recording of the meeting and bring corrections forward to the City Council at the next regular meeting with the recording cued, ready to be played, if necessary. It is not appropriate to expend staff time when only one member of Council is requesting the review.

13.4 Reading of Minutes - Unless the reading of the minutes of the previous Council meeting is requested by a majority of the Council, such minutes may be approved without reading if copies thereof have been previously furnished to each Council member.

13.5 Executive Session Minutes - Minutes from Executive Sessions held pursuant to state statute will be kept in the form of a tape recording. No transcription or no written minutes of the Executive Session will be made unless otherwise required by law.

SECTION 14 – PROCLAMATIONS

14.1 Request for Proclamations – Local organizations or residents requesting proclamations that proclaim a specified date or dates to recognize the efforts of various community groups and individuals on certain projects, shall be filed with the City Recorder. Upon receipt, the City Recorder will notify the Council of the request. If the Council approves the request, the City Recorder will prepare the proclamation for the Mayor's signature. The Mayor will issue and read the proclamations.

14.2 Reading of Proclamations – No more than one proclamation will be read at each meeting. It will be at the discretion of the Council if a proclamation will be read at a City Council meeting or presented to the organization or group. It is preferred that a representative of the requesting organization be present to receive the proclamation. Any proclamation that is approved, but not on the pre-approved list, the phrase “Here with the Council” shall be removed from the proclamation. Any presentation shall be limited to five minutes unless consent for more time is given by the Council.

SECTION 15 – INTERACTIONS WITH STAFF AND MUNICIPAL JUDGE

15.1 Staff - All members of the Council shall respect the separation between the Council’s role and the City Manager’s responsibility by:

- a) Not interfering with the day-to-day administration of City business, which is the responsibility of the City Manager.
- b) Refraining from actions that would undermine the authority of the City Manager or a Department Director.
- c) Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff’s day-to-day responsibilities. Questions of a more complex nature shall be directed to the City Manager.

1. Questions from individual members of the Council requiring significant time or resources (two hours or more) shall normally require approval of the Council.

2. Charter employees shall normally share any information obtained from staff with the entire Council except if disclosure results in a violation of public meetings law. This section is not intended to apply to questions regarding conflict of interest or similar issues particular to a member of the Council.

15.2 Interaction with Municipal Judge - The Council may meet with the judge, but in no instance shall the Council be permitted to interfere with the judge’s exercise of judicial authority or discretion.

SECTION 16 – INTERNAL OVERSIGHT

16.1 Internal Oversight - The Council has the right to make and enforce its own rules and to ensure compliance with those laws generally applicable to public bodies. Should any Council member act in any manner constituting a substantial violation of these rules, City Ordinance or Charter, or other general laws, the remaining Council members may issue a censure or memorandum of concern pursuant to the following procedure:



To: Mayor Clark and City Council Members
Thru: Adam J. Brown, City Manager
From: Joseph Lindsay, City Attorney
Subject: Two Adult Supervision Policy

Proposed Motion

I move to direct staff to return with a resolution to adopt suggested language regarding a two-deep policy in the City's personnel policies.

I. Summary

City Council still hasn't adopted a rule/policy about dealing with minor volunteers to be included in the City personnel policies. Staff is bringing forward suggested language to this effect.

II. Background

- A. There was some discussion in the past (at the PPC level) to work on a two-deep policy when minors are volunteers at the City. When the City Council looked at their City Council Rules of Procedure, they referenced a rule/policy in Section 2.9-- implicitly requiring a rule/policy regarding minors.

III. Current Situation

- A. It is a common and effective procedure in organizations that adults should not be left alone with children who are not family. This protects both the child and the adult from unwanted behavior.
- B. The Executive Leadership Team has discussed this suggested language would be appropriate (with a language option for the Council to decide): "In cases where volunteers include minors, the City requires at least a third person (or second adult?) to be present at all times, unless the adult supervising is a parent, guardian, or relative of the minor or the adult supervising is a sworn officer interacting with a member of the cadet program. Officers are still encouraged to utilize their body worn camera when appropriate when attendance of a third person (or second adult?) is not an option."

IV. **Analysis**

- A. **Strategic Impact** - Reduction of potential workplace risk and liability.
- B. **Financial** - Reduction of potential workplace risk and liability could save money by avoiding potential lawsuits.
- C. **Timing** - No timing issues.
- D. **Policy/Legal** - In the City Council Rules of Procedure, Section 2.9 states that "All Council members are required to comply with the rules, including the rule pertaining to youth members/councilors/liaisons." Because this two-deep policy would affect the members of the Council, the Council needs to decide on the wording.

V. **Alternatives**

- A. Direct staff to return with specific language.
- B. Direct staff to do more research prior to returning to Council with suggested language.
- C. Do nothing.

VI. **Recommendation**

Staff recommends directing staff to return with a resolution adopting suggested two-deep language into city personnel policies.

Attachments

None

"Agenda Management Services are being supported, in whole or in part, by federal award number 21.019 awarded to City of Keizer by the U.S. Department of the Treasury."