



# CITY OF SALEM

## Meeting Agenda

### City Council

555 Liberty St SE  
Salem, OR 97301

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**Monday, September 13, 2021 6:00 PM**

**Virtual Meeting**

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**\*\*Due to the COVID-19 Pandemic, this meeting is being conducted virtually, with remote attendance by the governing body. No in-person attendance is possible. Interested persons may view the meeting online at CC:Media YouTube Channel or watch on Comcast Cable CC:Media Channel 21. Please submit comments on agenda items by 5:00 p.m., or earlier, on the day of the meeting at [cityrecorder@cityofsalem.net](mailto:cityrecorder@cityofsalem.net). Public comment and testimony may also be provided during the meeting via Zoom. Please pre-register between 8:00 a.m. and 2:00 p.m. on the day of the meeting at the following link: <https://www.cityofsalem.net/Pages/Public-Comment-at-Salem-City-Council-Meeting.aspx>.**

#### **EXECUTIVE SESSION**

City Council  
5:30 p.m.  
ORS 192.660(2)(h) Current/Pending Litigation

#### **WORK SESSION**

*None.*

**1. OPENING EXERCISES: (Includes call to order, roll call, pledge of allegiance, announcements, proclamations, ceremonial presentations, and Council comment)**

**Call to Order**

**Roll Call**

**1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA**

**1.2 COUNCIL AND CITY MANAGER COMMENT**

**1.3 PROCLAMATIONS**

**1.3a. [21-406](#) Proclamation recognizing 9/11 Remembrance**

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods

**Recommendation:**

Information Only.

**Attachments:** [Proclamation -- 9-11 Remembrance](#)

- 1.3b. [21-412](#) Proclamation recognizing Constitution Week

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods

**Recommendation:**

Information Only.

**Attachments:** [Proclamation - Constitution Week](#)

## 1.4 PRESENTATIONS

### 2. PUBLIC COMMENT: (Comment on agenda items other than public hearings and deliberations)

### 3. CONSENT CALENDAR: (Includes approval of minutes, adoption of routine resolutions, and items of business requiring Council action)

#### 3.1 MINUTES

- 3.1a. [21-386](#) August 23, 2021 Draft City Council Minutes

**Attachments:** [8-23-21 Draft Council Minutes.pdf](#)

#### 3.2 RESOLUTIONS

- 3.2a. [21-396](#) Resolution to initiate vacation of public right-of-way located on the northeast corner of the intersection of Liberty Road S and Pembroke Street SE.

Ward(s): 7  
Councilor(s): Nordyke  
Neighborhood(s): Faye-Wright  
Result Area(s): Good Governance

**Recommendation:**

Adopt Resolution No. 2021-34, which initiates vacation of the

right-of-way located at the site of former Fire Station Number 7.

**Summary:**

The area proposed for vacation is the site of former Fire Station Number 7. Vacating this right-of-way is necessary for the City to surplus former Fire Station No. 7. Resolution No. 2021-34 initiates the vacation proceedings.

**Attachments:** [Resolution 2021-34](#)  
[Resolution 2009-47](#)

- 3.2b.** [21-399](#) General Fund Supplemental Budget for unanticipated City expenses caused by the winter storm event.

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
Result Area(s): Good Governance

**Recommendation:**

Adopt Resolution No. 2021-35, Fiscal Year 2022 Supplemental Budget one (1), increasing General Fund expenditure appropriation authority in the amount of \$480,000 for unanticipated expenses caused by the winter storm event.

**Summary:**

The City of Salem experienced a severe ice storm in February 2021, resulting in significant damage and adverse impact to the community. Work has been underway since to repair facilities and clear fallen trees, limbs, and debris from the storm. Additional work has been identified that wasn't included in the FY 2022 budget. This action adds \$480,000 for those expenses to the Parks Operations budget and the offsetting reimbursement from the Federal Emergency Management Agency (FEMA).

**Attachments:** [Resolution 2021-35](#)  
[Resolution 2021-35, Exhibit A](#)  
[Resolution 2021-35, Exhibit B](#)

### 3.3 ACTION ITEMS

- 3.3a.** [21-362](#) Critical Oregon Airport Relief (COAR) Grant Application

Ward(s): 2  
Councilor(s): Andersen  
Neighborhood(s): SEMCA  
Result Area(s): Reliable and Efficient Infrastructure; Strong and Diverse Economy

**Recommendation:**

Authorize the City Manager to apply for and accept a Critical Oregon Airport Relief (COAR) grant to support a master plan update at the Salem Municipal Airport.

**Summary:**

The Salem Municipal Airport seeks to apply for and accept State of Oregon grant funds to supplement a federally-funded master plan update at the airport in 2022.

**3.3b. [21-366](#)**

Collective Bargaining Agreement between the City and American Federation of State, County and Municipal Employees (AFSCME).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

**Recommendation:**

Approve a three-year collective bargaining agreement between the City and American Federation of State, County and Municipal Employees (AFSCME), for a period from July 1, 2021, through June 30, 2024.

**Summary:**

The City began negotiations with American Federation of State, County and Municipal Employees (AFSCME) on February 8, 2021, for a successor collective bargaining agreement. A final tentative agreement on a three-year contract was reached during bargaining on July 12, 2021. The employees represented by AFSCME ratified the agreement on September 10, 2021.

**3.3c. [21-378](#)**

Intergovernmental Agreement with the Drug Enforcement Administration for Narcotics Task Force Operations.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community

**Recommendation:**

Authorize the City Manager to execute the attached IGA between the DEA and the City of Salem for the operation of a narcotics task force in FY 21/22.

**Summary:**

The Intergovernmental Agreement (IGA) with the United States Department of Justice, Drug Enforcement Administration (DEA) is for the operation of a narcotics task force in FY 21/22. The task force investigates major drug trafficking organizations operating in the Salem area, with the goals of disrupting those organizations and reducing the flow of illegal narcotics into the community.

**Attachments:** [Program - Funded State and Local Task Force Agreement](#)

- 3.3d.** [21-394](#) Reimburse a Portion of the Street, Sidewalk, and Storm Improvement Costs to the Developer Constructing Reed Road SE

Ward(s): 3  
Councilor(s): Phillips  
Neighborhood(s): Morningside  
Result Area(s): Safe, Reliable, and Efficient Infrastructure.

**Recommendation:**

Authorize the creation of a new street project - "Reed Road SE Street Improvements - Developer Reimbursement" in the FY 2021-22 Fairview Development District to be funded with Development District Infrastructure Fees.

**Summary:**

Council approval of a new project for street improvements in the FY 2021-22 construction budget will allow City staff to reimburse the developer for additional street, sidewalk, and storm improvements needed to complete Reed Road SE between Fairview Industrial Drive SE and a point approximately 1000 feet north of Battle Creek Road SE. Developers within the Fairview Development District have collaborated to construct street, sidewalk, storm, and water improvements along Reed Road SE. A portion of the proposed street and storm improvements are eligible for partial funding from DDFs as specified in the Fifth Administrative Change to the Infrastructure Agreement between the City and the original Fairview Development District.

**Attachments:** [Attachment 1 - Project Location Map](#)

- 3.3e.** [21-395](#) Providing sewer and water service beyond City limits for property located at 3480 Blossom Drive NE.

Ward(s): Currently outside City Limits, Ward 5 (upon annexation)  
Councilor(s): All Councilors  
Neighborhood(s): Northgate Neighborhood Association (upon annexation)  
Service Area(s): Safe, Reliable, and Efficient Infrastructure

**Recommendation:**

Authorize sewer and water service connections to an existing single-family residence on a parcel that is outside of, but contiguous to, the current City limits (Attachment 2), conditioned on the property owner paying all usual and customary fees and service charges.

**Summary:**

The owners of the property at 3480 Blossom Drive NE have

requested City sewer and water to serve an existing single-family residence (see Attachment 1) with failing septic and well systems. The property is eligible for sewer and water service under the provisions of Council Policy. Council approval will allow the property owner to connect to City sewer and water.

**Attachments:** [Property Owner Request 3480 Blossom Dr NE](#)  
[Vicinity Map 3480 Blossom Dr NE](#)

**3.3f. [21-398](#)** Priority Based Budgeting result area descriptions and definitions

Ward(s): All Wards  
 Councilor(s): All Councilors  
 Neighborhood(s): All Neighborhoods  
 Result Area(s): Good Governance; Natural Environment  
 Stewardship; Safe Community; Safe, Reliable and Efficient  
 Infrastructure; Strong and Diverse Economy; Welcoming and  
 Livable Community.

**Recommendation:**

Adopt the updated result area descriptions and definitions as recommended by the Finance Committee.

**Summary:**

The result area descriptions and definitions are used as the Priority Based Budgeting (PBB) criteria to score City programs and ultimately determine their overall alignment with the City's priorities. Staff recommended changes and the Finance Committee deliberated, adjusted, and is recommending the changes in attachment 1 for the City Council's consideration.

**Attachments:** [Priority Based Budgeting definitions - recommended changes](#)  
[Priority Based Budgeting definitions - redlined recommended changes](#)  
[Public Comment received by 1:30 p.m. 9-13-21](#)

*Add - Written Testimony.*

**3.3g. [21-402](#)** Recommended appointments to the Citizen Budget Committee, Community Police Review Board, and Salem Planning Commission.

Ward(s): All Wards  
 Councilor(s): All Councilors  
 Neighborhood(s): All Neighborhoods  
 Result Area(s): Good Governance

**Recommendation:**

Appoint the applicants listed in the Facts and Findings section to the Citizen Budget Committee, Community Police Review Board, and Salem Planning Commission.

**Summary:**

The City Council's Board & Commission Appointments Committee convened on September 2, 2021, to review applications to the following Boards and Commissions.

**Attachments:** [Stacey N Viewra-Braendle Application -- Redacted](#)  
[David Rheinholdt Application -- Redacted](#)  
[Carlos Flores Application -- Redacted](#)  
[Lori Lassen Application -- Redacted](#)  
[Oni Marchbanks Application -- Redacted](#)  
[Daisy Goebel Application -- Redacted](#)

#### 4. PUBLIC HEARINGS

4.a. [21-391](#) Petitioner-Initiated Annexation of Territory Located at 681 Rees Hill Road SE - 97306 (Annexation Case No. C-739)

Ward(s): 4  
 Councilor(s): Leung  
 Neighborhood(s): SGNA  
 Result Area(s): Good Governance; Safe Community; Safe, Reliable and Efficient Infrastructure

**Recommendation:**

1. Find that the Petitioner (City) has signed a valid triple majority petition for annexation of the Territory, in conformance with Oregon Revised Statutes (ORS) Chapter 222;
2. Determine that Annexation Case No. ANXC-739 satisfies the criteria of Salem Revised Code (SRC) 260.060(c) and adopt Order No. 2021-3 ANX (Attachment 2);
3. Change the Salem Area Comprehensive Plan (SACP) map designation of the portion of the Territory east of the centerline of the proposed extension of Lone Oak Road SE from "Developing Residential" to "Parks, Open Space, and Outdoor Recreation";
4. Change the zoning of the area of the Territory east of the centerline of the proposed extension of Lone Oak Road SE from Marion County UT-10 (Urban Transition - 10 Acre) to City of Salem PA (Public Amusement), subject to the following condition:
 

**Condition 1:** The proposed legal description of the boundary between the PA (Public Amusement) zone and RA (Residential Agriculture) zone, and the corresponding

boundary between the "Parks, Open Space, and Outdoor Recreation" Salem Comprehensive Plan Map designation and "Developing Residential" Salem Comprehensive Plan Map designation, shall be submitted to the Planning Administrator for review and approval within one year of the effective date of the annexation or at the time of final approval of public construction plans for the extension of Lone Oak Road SE, whichever is later;

5. Apply City of Salem RA (Residential Agriculture) zoning from Marion County UT-10 (Urban Transition - 10 Acre) zoning to the portion of the Territory west of the centerline of the proposed extension of Lone Oak Road SE; and
6. Withdraw the Territory from Salem Suburban Rural Fire Protection District.

**Summary:**

This is a City-initiated, voter-exempt annexation of an 18.05-acre territory located at 681 Rees Hill Road SE 97306 (Marion County Assessor Map and Tax Lot Number 083W22C00400) for the purpose of developing a City park. The annexation would include a concurrent change in the Salem Area Comprehensive Plan map designation to "Parks, Open Space, and Outdoor Recreation" and concurrent change in zoning to City PA (Public Amusement) for the portion of territory east of the centerline of the proposed extension of Lone Oak Road SE and concurrent change in zoning to City RA (Residential Agriculture) for the portion of the territory west of the centerline of the proposed extension of Lone Oak Road SE. A vicinity map is included as Attachment 1.



**Attachments:** [Vicinity Map.pdf](#)[Order No. 2021-3 ANX Adopting the Final Decision and Findings of Compliance.docx](#)[Exhibit A - Petition.pdf](#)[Exhibit B - Territory Legal Description and Map.pdf](#)[Exhibit C - Findings for Order No. 2021-3 ANX.docx](#)[Map of Area Subject to Proposed Comprehensive Plan Map Amendment.pdf](#)[Map of Area Subject to Proposed Zone Change.pdf](#)[Planning Commission Recommendation on Land Use Designations.pdf](#)[Fire Department Comments.pdf](#)[Public Works Department Comments.pdf](#)[Finance Department Comments.pdf](#)[Salem-Keizer Public Schools Comments.pdf](#)

## **5. SPECIAL ORDERS OF BUSINESS: (Items deferred from the Consent Calendar; Mayor and Councilor Items; Items which require a selection among options; or of special importance to Council; management reports; presentations by City boards, commissions, committees, or outside agencies)**

### **5. a. Presentation from Portland General Electric (PGE).**

The presentation will include PGE's preparation for and response to the pandemic, wildfires, ice storm, and cybersecurity.

**Presenters: President and CEO Maria Pope; Director of Wildfire Mitigation and Resiliency Bill Messner; Senior Director of Transmission and Distribution Operations Tom Yost; and Local Government Affairs Manager Wendy Veliz.**

## **6. INFORMATION REPORTS: (Items that require no Council action)**

**6.a.** [21-380](#) Planning Administrator Decision - To validate a unit of land created in 1975 through deed - Approved.

Validation of Unit of Land Case No. VUL21-03 - Terrence Hsu - 539 Carla Ct SE.

Ward(s): 3

Councilor(s): Phillips

Neighborhood(s): Faye Wright

**Recommendation:**

Information Only.

**Attachments:** [Land Use Decision VUL21-03.pdf](#)

- 6.b.** [21-381](#) Planning Commission Decision - For the development of a three-story mixed-use building with retail and office uses, and 20 units of multi-family housing. - Approved.

Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No.: DR-SPR-ADJ-DAP21-03 - John Shirley and James Robinson, Anderson Shirley Architects Inc., on behalf of Hope Plaza LLC (Jayne Downing, Sara Brennan) - 454 Church Street NE.

Ward(s): 1  
Councilor(s): Stapleton  
Neighborhood(s): CANDO

**Recommendation:**

Information Only.

**Attachments:** [Land Use Decision DR-SPR-ADJ-DAP21-03](#)

- 6.c.** [21-388](#) Annual evaluation of the City of Salem Floodplain Management Plan.

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
Result Area(s): Safe, Reliable, and Efficient Infrastructure

**Recommendation:**

Information only.

**Summary:**

A committee of City staff and community stakeholders completed an annual evaluation of the *Floodplain Management Plan* (Plan) in compliance with Federal Emergency Management Agency (FEMA) requirements for the Community Rating System. The annual review included an overall evaluation of the Plan, and a detailed review of the Flood Information and Outreach Plan (Appendix H) and the Flood Insurance Plan (Appendix I) of the *Floodplain Management Plan*. The committee completed its evaluation on August 24, 2021.

**Attachments:** [Floodplain Management Plan and Flood Insurance Plan Action Items 2021 Annual Review Flood Information and Outreach Plan Action Items \(PPI\) Annual Evaluation Report 20](#)

- 6.d.** [21-393](#) Planning Administrator Decision - A second modification to the East Park Estates Subdivision - Approved.

Modification of Tentative Phased Subdivision Case No.  
CPC-ZC-PUD-SUB-ADJ19-08MOD2 - Kiril Ivanov - 255 Cordon Rd

NE.

Ward(s): 6  
Councilor(s): Hoy  
Neighborhood(s): ELNA

**Recommendation:**

Information Only.

**Attachments:** [Land Use Decision CPC-ZC-PUD-SUB-ADJ19-08MOD2](#)

**7. ORDINANCES**

**7.1 FIRST READING:**

**7.2 SECOND READING:**

**8. PUBLIC COMMENT: (Other than agenda items)**

**9. ADJOURNMENT**

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 48 hours prior to the meeting. To request accommodations or services, please call 503-588-6255 or 503-588-6003 (TTD/TTY 503-588-6439), or by e-mail at: [cityrecorder@cityofsalem.net](mailto:cityrecorder@cityofsalem.net) at least two business days in advance.

Si necesita ayuda para comprender esta información, por favor llame 503-588-6003.

**FUTURE AGENDA ITEM**

To appear on the September 20, 2021 City Council Work Session agenda:

- a. [21-323](#) Salem Climate Action Plan Work Session

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Service Area(s): Safe Community; Welcoming and Livable

Neighborhood; Good Governance; Natural Environment

Stewardship

**Recommendation:**

Information only.

**Summary:**

A City Council work session on the Salem Climate Action Plan is scheduled for September 20. To assist City Council in advance of the work session, this report summarizes the project approach, progress to date, and implementation strategies to meet the City's Greenhouse Gas reduction goals.

**Attachments:** [Salem Climate Action Plan Task Force](#)

[Salem Climate Action Plan Strategies v16](#)

[Benefit-Cost Analyses 8.27.21 Final](#)

**UPCOMING PUBLIC HEARINGS, AND WORK SESSIONS**

- b. [21-384](#) Due to COVID-19, and until further notice, all meetings, public hearings, and work sessions will be conducted virtually. Real-time remote viewing is available online at CC:Media YouTube Channel and can also be viewed on Comcast Cable CC:Media Channel 21.

## CITY COUNCIL PUBLIC HEARINGS:

Community Development Block Grant and HOME investment partnership programs Consolidated Annual Performance and Evaluation Report (CAPER)

Monday, September 27, 2021 at 6:00 p.m.

Climate Action Plan

Monday, December 6, 2021 at 6:00 p.m.

## SALEM HOUSING AUTHORITY PUBLIC HEARINGS:

## URBAN RENEWAL AGENCY PUBLIC HEARINGS:

WORK SESSIONS:

City Council  
Climate Action Plan  
Monday, September 20, 2021 at 6:00 p.m.

Joint City Council and Planning Commission  
Our Salem Project  
Monday, October 18, 2021 at 6:00 p.m.

City Council  
2022 Council Policy Agenda  
Monday, November 15, 2021 at 6:00 p.m.

BUDGET COMMITTEE MEETINGS

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

\*Please check with the association to determine if the meeting will be held virtually or in-person.

Neighborhood - Annual Meeting Date - Councilor  
Northgate - September 16, 2021 - Gonzalez  
Sunnyslope - September 16, 2021 - Leung, Nordyke  
West Salem - October 18, 2021 - Stapleton, Lewis  
NESCA - October 19, 2021 - Stapleton, Anderson, Hoy  
CANDO - October 19, 2021 - Stapleton

**MEETING PROCEDURES**

City Council meets on the second and fourth Mondays of each month at 6:00 p.m. All meetings are in the Council Chambers, Room 240, 555 Liberty St. SE.

The Mayor, who is the presiding officer, is elected at large for a term of two years. Councilors are elected for four year terms for each of the City's eight Wards. These nine officers comprise the Council who make the policy decisions for municipal activity and pass its ordinances and regulations.

Because the Mayor and Councilors' positions are part time, without pay, the Council appoints a City Manager who is responsible for the administration and execution of the City's policies and ordinances.

The City Council generally follows Robert's Rules of Order, but has adopted supplementary rules that may be found on the City's website at:  
[http://www.cityofsalem.net/Pages/council rules.aspx](http://www.cityofsalem.net/Pages/council%20rules.aspx).

**THE CONSENT CALENDAR**

The Consent Calendar allows the Council to save time by acting on everything listed on that part of the agenda with one motion instead of considering each item separately. If a City Councilor believes a matter on the Consent Calendar deserves further discussion, the Councilor can request that item be removed from the Consent Calendar and considered separately under "Special Orders of Business."

**PUBLIC COMMENT**

There are two times at every regular City Council meeting when the public has an opportunity to address the City Council. The first time is immediately prior to the Consent Calendar. This time is reserved for questions or statements regarding items appearing on the agenda, except public hearings and the merits of land use issues. The second time is at the end of the agenda. At this time, you can address the City Council on any matter of public concern, other than an agenda item. The Mayor will announce the time for public comment, and invite persons to address the City Council. Each person has three minutes to address the City Council. The time light on the podium will flash yellow when you have one minute left, and will turn red when your time has expired.

**HOW TO GET YOUR COMMENTS INCLUDED AS PART OF THE AGENDA**

Any written comments that you wish to be given to the City Council that are about an item on an agenda must be submitted to the City Recorder by 3:30 p.m. on the day of the City Council meeting when the item will be considered. For complete information on submitting communications to Council, please refer to Council Rule 6: Communications:  
[https://www.cityofsalem.net/Pages/council rules.aspx](https://www.cityofsalem.net/Pages/council%20rules.aspx).

If you have some matter that you wish to have the City Council consider in the future, you are encouraged to submit your suggestion in writing to the City Manager at 555 Liberty Street SE, Room 220, Salem, OR, or by e mail to: [manager@cityofsalem.net](mailto:manager@cityofsalem.net).

**PUBLIC HEARINGS**

The City Council can hold public hearings to consider legislative, quasi judicial or administrative matters. To testify at a hearing, you may sign up on the Hearing Roster located near the east entrance to the Council Chambers before the Mayor convenes the meeting. At the time for the hearing on the agenda, the Mayor will announce when the public hearing is open. If you have signed up to speak, come forward to the podium when the Mayor calls your name. State your name and either your address or the ward you live in. If you wish to receive notice of any written decision reached at the hearing, you must provide the City Recorder your address. When you have finished speaking, the Mayor will ask the Council if there are any questions for you, so please remain at the podium for a moment.

The time limit is 3 minutes per person for legislative and administrative hearings. The time limits for quasi judicial hearings in non land use cases are as follows:

1. Staff Presentation – 15 minutes
2. Affected Party – 15 minutes
3. Neighborhood Associations – 5 minutes
4. Other Interested Persons – 3 minutes per person
5. Rebuttal by Affected Party – 7 minutes

Time limits for quasi judicial land use hearings are governed by Rule 19 of the Council Rules. Parties to land use cases are encouraged to review that rule as time limits vary depending on the nature of the hearing. Further information can be obtained by contacting the Planning Administrator at 503 588 6173 or email at: [lmanderson@cityofsalem.net](mailto:lmanderson@cityofsalem.net).

Timer lights are located on the podiums. A flashing yellow light means you have one minute left; a red light means your time has expired.

