

CITY OF SALEM Meeting Agenda City Council

Monday, July 27, 2026 06:00 PM Loucks Auditorium / Salem Public Library

This meeting is being conducted both in-person and remotely and allows remote attendance by the governing body, when requested. Interested persons may attend the meeting in Loucks Auditorium at Salem Public Library or view the meeting in real-time on the City of Salem YouTube Channel, thanks to a partnership with CC:Media. Comcast Cable subscribers can watch on 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. If attending the meeting remotely, public comment and testimony may be provided during the meeting via Zoom. Remote attendees must pre-register between 8:00 a.m. and 3:00 p.m. on the day of the meeting using this link: <https://www.cityofsalem.net/comment-at-council>

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

Call to Order

Roll Call

Pledge of Allegiance

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

1.2 COUNCIL AND CITY MANAGER COMMENT

1.3 PROCLAMATIONS

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

3.1.1 July 13, 2026, Draft City Council Minutes

3.2 RESOLUTIONS

3.2.1 Resolution No. 2026-30, Amending Council Rules

City Council reviewed the proposed rule changes at its May 26, 2026 Council meeting and referred the rules to staff for review and modification. The recommended changes referred to in this report contain the proposed changes Council reviewed on May 26th and additional modifications reflecting Council's discussion and direction.

Recommendation:

Adopt Resolution No. 2026-30 amending council rules as set forth in Exhibit A

3.3 ACTION ITEMS

3.3.1 Agricultural Use Lease Agreement for Tax Lot #062W31D00100 - a 45.26-acre parcel located at 4498 Hazelgreen Road NE

The City owns a 45.26-acre parcel at 4498 Hazelgreen Road NE that is designated for use as a future park. J & G Farms, LLC has approached the City with a request to lease the parcel through next September for agricultural use. The proposed lease also includes three one-year renewal options.

Recommendation:

Authorize the City Manager to sign the agricultural use lease between the City of Salem and J & G Farms, LLC for the 45.26-acre parcel located at 4498 Hazelgreen Road NE adjacent to Lunar Street NE.

4. PUBLIC HEARINGS

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)

5.1 This report provides City Council and the community an update on the proposed data center at Mill Creek Corporate Center, including the current status of the proposal, activities to date, anticipated review process, and planned public engagement opportunities.

The company, Verrus, began its exploration of Salem as a site for a data center

sometime around March 2025. In late March 2025, at the company's request, the City entered into a non-disclosure agreement (NDA) while the company evaluated Salem as a potential location for a data center. During this period, as part of the preliminary review process, Verrus worked with City staff to evaluate site feasibility, including transportation access, utility capacity, site design, and environmental considerations.

In late April 2026, Verrus shared a revised site plan with technical staff. In June 2026, after staff informed the City Manager that the company intended to move to the next stage of evaluation, City leadership took steps to seek the City's release from the NDA so information about the project could be shared publicly. The City was released from its NDA on July 8, 2026. At the next opportunity to address the City Council and the community in an open public forum, the City Manager publicly shared information about the proposal.

The purpose of this report is to explain:

- the current status of the proposal;
- activities to date;
- what decisions have and have not been made;
- the City's role in reviewing the proposal;
- opportunities for public engagement; and,
- potential next steps should the project move forward.

Recommendation:

Information only.

5.2 Motion from Councilor Micki Varney concerning preventing non-disclosure agreements pertaining to future development of land for use as a data center.

Recommendation:

I recommend that the Council adopt this motion.

MOTION:

I move that City Council direct staff to explore options for prohibiting the City from entering into non-disclosure agreements with entities seeking to develop land in Salem for use as a data center.

DISCUSSION:

- At the July 13 City Council meeting, the public was informed that a data center was being considered for the at the Mill Creek Corporate Center. Members of our community have expressed concern and anger that they did not know a data center was being considered and they felt left out of the

decision-making process.

- This occurred because of a non-disclosure agreement, executed many months earlier between the City and the developer. Non-disclosure agreements are common practice in economic development.
- Data centers, in particular and as they relate to NDAs, are unique projects. They can involve significant impacts related to our community, including energy, water, infrastructure, and environment, and they generate a high level of public interest.
- The question to ask is whether our current approach strikes the right balance between protecting business confidentiality and maintaining public trust.
- Because of that, I believe Salem must take a different approach regarding NDAs for these types of projects.
- This motion directs staff to study the issue and bring back options for Council's consideration.

This motion directs staff to explore options that would prohibit the City from entering into any future non-disclosure agreements regarding future data center development.

BACKGROUND:

This motion seeks to determine the best path forward for prohibiting the City from entering into any future non-disclosure agreement for any potential future data center development in Salem.

FISCAL IMPACT:

No immediate fiscal impact.

5.3 Motion from Councilor Micki Varney concerning community and City Council input on future development of data centers in Salem.

Recommendation:

I recommend that the Council adopt this motion.

MOTION:

I move City Council authorize a Task Force:

- A) Consisting of not more than nine (9) persons with a mix of council members, three (3) citizens-at-large, union representatives, and at least one representative from an organization that leads workforce development;
- B) Empowered to facilitate a minimum of three (3) town hall discussions about the subject of "data centers;"
- C) Empowered to evaluate available models at the national, state, and

community level, and draft recommendations for a principle-driven approach to managing data center growth within the Salem region; and,
D) Directed to report back to the Salem City Council no later than December, 31 2026, with a draft proposal for a rational, reasonable, and responsible policy for data center management.

DISCUSSION:

- Data centers are a unique form of development that can have significant long-term impacts on our community, including impacts to infrastructure, energy demand, water resources, transportation, and our environment. We don't yet know the full implications of data center development over the long-term.
- This type of development generates a high level of public interest.
- I believe that projects of this scale deserve a higher level of community conversation and Council involvement.
- This motion does not change City policy tonight, nor does it prohibit data centers at this moment.
- My goal is to ensure that Council, stakeholders and community members get to have this conversation before any future data center projects move forward.

This motion authorizes a task force composed of Councilors, stakeholders, and community members to draft a proposal for a policy regarding future data centers in the Salem region.

BACKGROUND:

This motion seeks to ensure that Council, stakeholders and community members get to have this conversation before any future data center projects move forward.

FISCAL IMPACT:

No immediate fiscal impact. Staff time will be used to provide administrative support to the Task Force meetings, research best practice for managing data center growth, support for Town Hall discussions, and preparation of a report to Council on these activities.

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

6.1 Purchases approved administratively from June 1, 2026 through June 30, 2026

Specific awards and the sources of funds for all contracts administratively awarded, renewed, or modified during the month of June. Included in the report are procurement contracts and public contracting activities with a current fiscal year

impact and annual contracts.

Recommendation:

Information only.

6.2 Salem Police Department Update on the Community Violence Reduction Initiative and Youth Engagement Efforts

This informational report provides an update from the Salem Police Department on the Community Violence Reduction Initiative, which aims to reduce gun violence through data-informed, focused, and proactive efforts in high-risk neighborhoods and among high-risk individuals. The report also provides a reintroduction of the Guardian Program, a juvenile outreach program aimed at proactively engaging youth in our community.

Recommendation:

Information only.

6.3 Salem Commercial Property Assessed Clean Energy (CPACE) Program Overview.

The Salem Commercial Property Assessed Clean Energy (CPACE) Program provides a voluntary financing mechanism that allows owners of eligible commercial, industrial, agricultural, nonprofit, and multifamily properties to obtain long-term private financing for qualified energy efficiency, renewable energy, water conservation, seismic resiliency, and other eligible improvements.

Recommendation:

Information Only

7. ORDINANCES

7.1 FIRST READING:

7.1.1 First Reading of Boards and Commissions ordinance

Ordinance Bill No. 8-26 contains proposed amendments to the Salem Revised Code to update, modify, and standardize requirements for boards, commissions, and committees (“Governance Groups”) and their membership requirements, as recommended by the Boards and Commissions Appointments Committee (“B&C Committee”) and city staff. The recommendations are the result of a multi-year process initiated by council to review governance groups, that began with work and recommendations from Moss Adams (now Baker Tilly) consultants. The consultant’s recommendations were further refined by staff, the B&C

Committee, and City Council.

Recommendation:

Advance Ordinance Bill No. 8-26 to second reading.

7.1.2 Implementation of the Salem Commercial Property Assessed Clean Energy (CPACE) Program.

The Salem Commercial Property Assessed Clean Energy (CPACE) Program expands access to private capital for owners of qualifying real property, including commercial, industrial, agricultural, nonprofit, and multifamily residential properties with five or more dwelling units. The program enables financing for energy efficiency, renewable energy, water conservation, and seismic rehabilitation improvements.

These improvements are financed through a voluntary property assessment recorded as a lien on the property and repaid over time to private Capital Providers. The City does not provide funding for this financing mechanism, but will provide administrative oversight. The program supports improved building performance, increased resilience, reduced operating costs, and strengthened long-term economic infrastructure within the City of Salem.

Recommendation:

Adopt the City Council advance Ordinance Bill No. 10-26 relating to a Commercial Property Assessed Clean Energy Program, creating Salem Revised Code Chapter 39 to authorize and implement the Salem CPACE Program in accordance with ORS 223.680 and ORS 223.685 and move to the second reading.

7.1.3 Annexation of an approximate 1.01-acre territory located at 3851 Croisan Creek Road S (ANXC-766).

Annexation of an approximate 1.01-acre territory located at 3851 Croisan Creek Road S (ANXC-766).

Recommendation:

Advance Ordinance Bill No. 12-26, approving annexation, applying City zoning and approving withdrawal from the Salem Suburban Rural Fire Protection District, for a territory located at 3851 Croisan Creek Road S to second reading for enactment?

7.2 SECOND READING:

8. PUBLIC COMMENT: (Other than agenda items)

9. ADJOURNMENT

10. UPCOMING PUBLIC HEARINGS, AND WORK SESSIONS

CITY COUNCIL PUBLIC HEARINGS:

Appeal of the Salem Planning Commission's Decision on Minor Comprehensive Plan Map Amendment, Neighborhood Plan Map Amendment, and Zone Change Case No. CPC-NPC-ZC26-02 - A Minor Comprehensive Plan Map Amendment, Neighborhood Plan Map Amendment, and Zone Change from MU-R (Mixed-Use Riverfront) to IC (Industrial Commercial) for property located at 1505 Front Street NE.

Monday, August 24, 2026 at 6:00 p.m.

Public Hearing on an Amendment to the Salem Wastewater Collection System Master Plan and Associated Salem Revised Code Definitions.

Monday, September 14, 2026 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS:

URBAN RENEWAL AGENCY PUBLIC HEARING:

CITY COUNCIL WORK SESSIONS: (Unless otherwise noted, work sessions are held in Loucks Auditorium.)

10.1 2026 NEIGHBORHOOD ASSOCIATION ANNUAL MEETING DATES

Neighborhood	Annual Meeting Date	Time	Councilor(s)
SEMCA	April 14	6:15 p.m.	Nishioka, Matthews
Grant	May 7	6:15 p.m.	Tigan
Highland	May 14	6:30 p.m.	Brown, Tigan
ELNA	June 4	7:00 p.m.	Vang
Morningside	June 10	6:30 p.m.	Nishioka, Matthews
SCAN	June 10	6:30 p.m.	Nishioka, Nordyke
Faye Wright	September 8	6:30 p.m.	Nordyke, Matthews
Northgate	September 17	6:00 p.m.	Brown
NOLA	October 1	6:30 p.m.	Brown
West Salem	October 1	6:30 p.m.	Tigan, Varney
Sunnyslope	October 15	7:00 p.m.	Nordyke, Gwyn
NESCA	October 20	7:00 p.m.	Nishioka, Tigan
CANDO	October 20	6:00 p.m.	Nishioka, Tigan
SESNA	October 24	7:00 p.m.	Nishioka
SWAN	November 3	6:30 p.m.	Nishioka, Nordyke



Minutes

Monday, July 13, 2026

06:00 PM

Loucks Auditorium / Salem Public Library

City Council

Present: Mayor Julie Hoy, Councilor Nishioka, Councilor Gwyn, Councilor Vang, Councilor Brown, Councilor Nordyke and Councilor Varney

Absent: Councilor Tigan and Councilor Mathews

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

Call to Order 6:03 p.m.

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

None.

- 1.2 **COUNCIL AND CITY MANAGER COMMENT**

Comments by: Mayor Julie Hoy, Councilors Brown and Nishioka, and City Manager Krishna Namburi.

- 1.3 **PROCLAMATIONS**

- 1.3.1 **Proclamation - Disability Pride Month.**

Councilor Gwyn read the proclamation into the record.

George Fitzgerald accepted the proclamation.

Comments by: George Fitzgerald.

- 1.3.2 **Proclamation - 250th Anniversary of the Declaration of Independence.**

Mayor Julie Hoy read the proclamation into the record.

1.4 PRESENTATIONS

None.

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

Robin G., Ward 3, Item 6.2

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

Moved By Councilor Nishioka

Seconded By Councilor Gwyn

Approve the consent calendar with the pull of item 3.3.3 by Councilor Varney.

Comments by Councilors Nishioka and Nordyke.

Aye: (7): Mayor Julie Hoy, Councilor Nishioka, Councilor Gwyn, Councilor Vang, Councilor Brown, Councilor Nordyke, and Councilor Varney

Absent: (2): Councilor Tigan, and Councilor Mathews

CARRIED**3.1 MINUTES****3.1.1 June 22, 2026, Draft City Council Minutes**

Action: Approved.

3.2 RESOLUTIONS**3.2.1 Initiation of amendments to the Salem Wastewater Collection System Master Plan and associated Salem Revised Code definitions.**

Adopted Resolution No. 2026-29, initiating amendments to the Salem Wastewater Collection System Master Plan (WWMP).

3.2.2 Acquisition of Properties for the Commercial Street SE: Vista Street to Ratcliff Drive Project

Adopted Resolution Nos. 2026-14, 2026-21, 2026-22, 2026-23, 2026-24,

2026-25, 2026-26, 2026-27 and 2026-28 declaring a public need to acquire; the City of Salem's intent

to negotiate; and if necessary, authorizing the City Attorney to commence eminent domain proceedings for the acquisition of right-of-way and easements for the Commercial Street SE: Vista Street to Ratcliff Drive Project

3.2.3 Acquisition of easements for the Joplin Sewer Pump Station Improvement Project

Adopted Resolution 2026-33 declaring a public need to acquire and the City's intent to negotiate for the acquisition of easements for the Joplin Sewer Pump Station Improvement Project.

3.3 ACTION ITEMS

3.3.1 Adoption of scoring criteria for allocation of 2022 Livability Bond funds dedicated to affordable housing

Adopted the Affordable Housing Bond Project Evaluation Criteria as presented in Attachment 1.

3.3.2 United States Department of Justice Edward Byrne Memorial Justice Assistance Grant for FY2025

Authorized the City Manager to execute all U.S. Department of Justice, Justice Assistance Grant documents, including the attached Intergovernmental Agreement with Marion County to accept the \$98,976 award, of which \$85,647 will be allocated to the City of Salem.

***3.3.3 Intergovernmental Agreement with the Oregon Department of Transportation to update the Salem Transportation System Plan to comply with State Climate Friendly and Equitable Communities rules.**

Pulled by Councilor Varney - See Item 5.1.

3.3.4 Salem Safety and Livability Bond Premium and Savings Use Policy

Adopted the proposed Premium and Savings Use Policy for the Salem Safety and Livability Bond program.

3.3.5 Support of Marion County's litigation against the U.S Army Corps of Engineers regarding the planned deep drawdown of

Detroit Reservoir.

Adopted letter of support for Marion County's litigation against the U.S Army Corps of Engineers regarding the planned deep drawdown of Detroit Reservoir.

4. PUBLIC HEARINGS**4.1 Annexation of an approximate 1.01-acre territory located at 3851 Croisan Creek Road S (ANXC-766).**

Moved By Councilor Varney

Seconded By Councilor Nishioka

Staff presentation by Jacob Brown, Planner, Community Planning and Development.

No individuals testified.

Comments or Questions by: Councilor Brown and Jacob Brown.

Approved the annexation of the territory located 3581 Croisan Creek Road S, including the withdrawal from the Salem Suburban Rural Fire Protection District and application of the RA (Residential Agriculture) zoning and forward to first reading.

Aye: (7): Mayor Julie Hoy, Councilor Nishioka, Councilor Gwyn, Councilor Vang, Councilor Brown, Councilor Nordyke, and Councilor Varney

Absent: (2): Councilor Tigan, and Councilor Mathews

CARRIED**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)****5.1 Intergovernmental Agreement with the Oregon Department of Transportation to update the Salem Transportation System Plan to comply with State Climate Friendly and Equitable Communities rules.**

Moved By Councilor Varney

Seconded By Councilor Nishioka

(Formerly Item 3.3.3) Pulled by Councilor Varney

Authorized the City Manager to execute the attached Intergovernmental Agreement with ODOT to update the Salem Transportation System Plan

Aye: (7): Mayor Julie Hoy, Councilor Nishioka, Councilor Gwyn, Councilor Vang, Councilor Brown, Councilor Nordyke, and Councilor Varney
Absent: (2): Councilor Tigan, and Councilor Mathews

CARRIED

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

6.1 Update on the status of City resiliency measures to prepare for the pending deep drawdown of Detroit Reservoir proposed for Fall of 2026.

Information Only.

6.2 Planning Commission Decision - A Minor Comprehensive Plan Map Amendment, Neighborhood Plan Map Amendment, and Zone Change from MU-R (Mixed-Use Riverfront) to IC (Industrial Commercial). – Denied Minor Comprehensive Plan Map Amendment / Minor Neighborhood Plan Map Amendment / Quasi-Judicial Zone Change Case CPC-NPC-ZC26-02 - Loren W. Boeckman, Trustee of the Eleanore M. Boeckman Trust – 1505 Front Street NE. The applicant has appealed this decision (Attachment 2). The decision will have a public hearing before the City Council at a future date.

Questions or Comments by: Councilor Brown and Lisa Anderson-Ogilvie, Community Planning and Development Deputy Director and Planning Administrator.

Information Only.

6.3 Notice of proposed administrative rulemaking for updates to the existing Public Works Design Standards related to Water (Administrative Rule 109-005) and Streets (Administrative Rule 109-006).

Information Only.

7. ORDINANCES

7.1 FIRST READING:

None.

7.2 SECOND READING:**7.2.1 Second Reading of Ordinance No. 7-26 amending SRC Chapter 38 - Tourism Promotion Area**

Second reading of the ordinance was conducted. Ordinance Bill No. 7-26 amending SRC Chapter 38 - Tourism Promotion Area.

Aye: (7): Mayor Julie Hoy, Councilor Nishioka, Councilor Gwyn, Councilor Vang, Councilor Brown, Councilor Nordyke, and Councilor Varney

Absent: (2): Councilor Tigan, and Councilor Mathews

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

Comments by:

Eric Morgan, Northwest Carpenters Union, Ward 6, Data centers

John Snider, Northwest Carpenters Union, Ward 6, Data centers

Brian Lemke, Northwest Carpenters Union, 61236 Stackland Road, Data centers

Trampas Simmons, Northwest Carpenters Union, Ward 3, Data centers

Kathleen Trepas, Ward 7, Data centers, Betsy Vega residency requirements

Lynn McDonald, Business Manager, IBEW Local 280 Electrical Workers, Data centers

Lynelle Wilcox, Ward 1, OODT Sweeps

Mike Ellison, Ward 2, Data centers

Debbi Robblee, Ward 3, Data centers

Rachael Atchison, Ward 3, Data centers

Paul Elder, no ward listed , Data centers

Dominique Dipiero, Local 290, Data centers

Question: Councilor Brown, Dominique Dipiero, Data centers

9. ADJOURNMENT

7:33 p.m.

Minutes prepared by Amy Johnson, City Recorder.

TO: Mayor and City Council
THROUGH: Krishna Namburi, City Manager
FROM: Dan Atchison, City Attorney

SUBJECT:

Proposed Council Rule Changes.

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

SUMMARY:

City Council reviewed the proposed rule changes at its May 26, 2026 Council meeting and referred the rules to staff for review and modification. The recommended changes referred to in this report contain the proposed changes Council reviewed on May 26th and additional modifications reflecting Council's discussion and direction.

ISSUE:

Shall City Council adopt Resolution No. 2026-30 amending council rules as set forth in Exhibit A?

RECOMMENDATION:

Adopt Resolution No. 2026-30 amending council rules as set forth in Exhibit A.

FACTS AND FINDINGS:

The Council Rules Committee met in January and February of this year to review and consider changes to council rules. The Committee is recommended changes to rules 5(j) – Special Orders of Business (adding a definition of “new business”), 8 – General Decorum (Giving the Mayor express authority to suspend public comment, prohibiting sticks, poles and other items that may be dangerous, and substantially revising the rule concerning removal of a person from a council meeting), 15 – Public Comment

(prohibiting profanity), and 17 – Membership on Boards or Commissions (adding a process for appointing a councilor liaison to a board or commission and adding a guideline for liaisons). The Committee also recommended that budget committee rules be updated and that the City implement a plan to use metal detectors at council meetings.

At the May 26, 2026 council meeting, Council considered public comment and deliberated on the recommendations. Council's discussion sought clarity on the proposed rule allowing the presiding officer to suspend public comment as well as the existing rule limiting public comment periods to 30 minutes each. The City Attorney recommended tabling the proposed rule to prohibit profanity. After deliberations, Council adopted the following motions:

1. Refer the rules to staff to review and bring back to council;
2. Have staff present a policy and plan to implement a prohibition on weapons at city council meeting and implement the use of metal detectors at city council meetings.

Recommended changes:

1. Rule 5(j)(2) – Special Orders of Business – Mayor and Councilor Items. Recommend adoption of amendment to define “new business” as;

“A motion to take action or direct staff to perform activity on an item that is not on the meeting agenda or does not have a recommendation, such as information reports. Motions modifying recommendations on meeting agenda items, such as resolutions, action items, special order of business or ordinances are not considered ‘new business’ and are not subject to this rule. Council member may submit motion that modify recommendations for agenda items to be distributed to council for council’s awareness, but such motions are not subject to this rule.”

The Committee further recommends that “should” in the second sentence of Rule 5(j)(2) be changed to “shall.”

The purpose of the proposed rule is to clarify when a written motion from a member of council must be submitted prior to the council meeting in order for the motion to be considered by council at that meeting. Under the proposed amendment, a written motion would be required for any matter that is not on the agenda or for an agenda item that does not contain a recommendation, such as an information report.

2. Rule 8d – Decorum. Delete Rule 8d, “removal of any person,” and replace it with proposed rule 8.1.

3. Rule 8f – Decorum. Add subsection to allow the presiding officer to suspend public comment for sustained actual disruptions, subject to council vote to continue public comment.

Council discussion expressed concern with the presiding officer arbitrarily suspending public comment. The proposed rule was revised to clarify the actual disturbance must be sustained, and suspension could only occur if other remedies were not successful.

4. Rule 8g – Decorum. Add subsection prohibiting sticks, poles, or other objects that may injure others.
5. Rule 8.1 – Removal of a person. New proposed rule replacing Rule 8(d). The new rule conforms to recent legal precedent concerning public meetings and disruptions and defines “actual disturbance.” Requires the Presiding Officer to warn the participant of the offending conduct before they are removed.
6. Rule 15 – Public Comment. Staff proposes amending Rule 15(a) to delete the 30-minute limitation on the public comment period, and instead, allow council to suspend public comment after 30 minutes. The proposed change does not address concerns about preserving council’s ability to efficiently address other agenda items when public comment runs long but still allows council to limit public comment based on the needs of council and attendees.

If different or further revision to this rule is desired by Council, staff recommends taking action on the other proposed rule changes and referring this issue back to the Rules Committee for further discussion.

7. Rule 17 – Membership on Boards or Commissions and Appointment of Councilor Liaisons.

Incorporates councilor liaison appointment procedures previously approved by council into the council rules and adds a guideline that liaisons do not speak for council at board or commission meetings, unless authorized by council.

Metal Detectors.

Council directed staff to prepare a plan to implement metal detectors, including additional information on cost, for Council’s consideration. Staff anticipates providing that information to Council this fall.

Budget Committee Rules.

The Committee directed staff to review the budget committee rules and prepare amendments to conform the budget committee’s rules to council rules where

appropriate. Additional items for consideration include providing more structure to the budget committee process and guidance on budget committee questions of staff. Staff will bring proposed changes to budget committee's rules to city council and to the budget committee for consideration and review.

Voting Procedures. Council Rule 10 states that when a question (on a motion) has been called, the presiding officer shall first ask for the Ayes followed by the Nays, without requiring a roll call vote. During the COVID-19 Pandemic, Council meetings were exclusively virtual, and council adopted temporary rules requiring roll call votes for most items. That practice has continued since council has moved back to in-person/hybrid meetings. Consistent with current council rules, the Mayor as presiding officer may be voice votes, and will only require a roll call vote for ordinance readings (required under the council rules) or if requested by a council member.

Procedures for amending Council Rules.

Rule 26(b) requires a 2/3 majority vote of council members present to amend a rule, provided that the amendments or new rules have been introduced into the Council record at least 10 days prior to council action on the amendments or new rules. The proposed rule changes were presented to Council on May 26, 2026. The resolution with the proposed rules will be effective upon adoption.

BACKGROUND:

The City Council Rules govern council procedures for meetings as well as for general council business. The rules were last updated in 2023: [Council Rules | Salem, Oregon](#).

Dan Atchison
City Attorney

Attachments:

1. Resolution No. 2026-30
2. Exhibit A - Recommended Rule Changes.

RESOLUTION NO. 2026-30

A RESOLUTION ADOPTING CHANGES TO CITY COUNCIL RULES

Whereas, the City Council has adopted rules to provide guidelines and procedures for City Council meetings and govern City Council business; and

Whereas, Rule 26 provides that the rules may be amended or new rules adopted upon a vote of two-thirds of the council members present, provided the proposed amendments have been introduced into the record at a prior council meeting not less than ten days prior to Council action; and

Whereas, the City Council reviewed the proposed new and modified rules at its May 26, 2026 meeting and referred the rules to staff for additional modification; and

Whereas, the City Council reviewed the additional modifications at its June 22, 2026 meeting and approves the changes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SALEM, OREGON, RESOLVES AS FOLLOWS:

Section 1. The modifications to the City Council Rules set forth in Exhibit A, attached hereto, are hereby adopted.

Section 2. This resolution is effective upon adoption.

ADOPTED by the City Council this 22nd day of June, 2026

ATTEST:

City Recorder

Approved by City Attorney: _____

Prepared by: D. Atchison

EXHIBIT A**Proposed Amendments to Council Rules****Rule 5(j) Special Orders of Business.**

- (1) **Categories of special orders of business.** Agenda items that are deferred from the Consent Calendar; business that requires the selection from among options or that are of special importance to the Council; Mayor or Councilor items; any business held over from a previous meeting, other than public hearings and ordinances; management reports of special importance as determined by the City Manager; formal presentations by city boards, city commissions, city committees, neighborhood associations; and formal presentations by outside agencies providing services to or for, or engaged in other activities with the City, will be placed under Special Orders of Business. Items removed from the Consent Calendar shall have priority over any other Special Order of Business. (Resolution 2016-44)
- (2) **Mayor and Councilor Items.** New Business brought by the Mayor or a Councilor shall appear on the agenda as a special order of business. Any member of Council requesting that an item of new business be placed on the agenda ~~should~~ shall submit the request to the City Manager, in writing, not later than 9:00 a.m. the Tuesday preceding the Council meeting. Any item of new business provided after this deadline may be added to the agenda as an addition but shall not be acted upon at the meeting where first presented. “New business” as used in this section means a motion to take action or direct staff to perform activity on an item that is not on the meeting agenda or does not have a recommendation, such as information reports. Motions modifying recommendations on meeting agenda items, such as resolutions, action items, special orders of business or ordinances are not considered “new business” and are not subject to this rule. Council members may submit motions that modify recommendations for agenda items to be distributed to council for council’s awareness, but such motions are not subject to this rule. (Resolutions 87-29; 92-41; 94-42; 97-125; 98-9; 98-206; 2001-19; 2002-81; 2009-35; 2009- 95; 2011-46; 2012-2; 2016-44; 2024-5)

Rule 8: General Decorum

- a. **Presiding Officer.** The Presiding Officer shall preserve decorum and decide all points of order, subject to appeal to and majority vote of the Council. (Resolution 2024-5)
- b. **Councilors.** Councilors shall preserve order and decorum during Council meetings, 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. Councilors shall, when addressing staff or members of the public, confine

Exhibit A to Resolution 2026-30 – amendments to council rules 1

themselves to questions or issues then under discussion, shall not engage in personal attacks, shall not impugn the motives of any speaker, and shall at all times, while in session or otherwise, conduct themselves in a manner appropriate to the dignity of their office.

- c. 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.
- d. ~~Removal of Any Person. Any person who disrupts a Council meeting making personal, impertinent, slanderous or unauthorized remarks or who becomes boisterous while addressing the Council or attending a Council meeting shall first be warned by the Presiding Officer that they are "out of order", and that further disruption shall be cause to remove the person from the meeting. If the person continues to cause a disruption after being warned, the Presiding Officer may direct the Sergeant at Arms to remove the person. In case the Presiding Officer should fail to act, any member of the Council may obtain the floor and move to require enforcement of this rule; upon affirmative vote of the majority of the Council present, the Sergeant at Arms shall be authorized to remove the person or persons, as if the Presiding Officer so directed. (Resolution 2024-5)~~
- d. Enforcement of Decorum. The City Manager, or such member or members of the Salem Police Department as the City Manager shall designate, shall serve as the Sergeant-at-Arms of the Council meetings and shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum. (Resolution 2004-77)
- e. The Presiding Officer may temporarily suspend a meeting if the Presiding Officer deems a suspension necessary to address a disruption. (Resolution 2024-5)
- f. The Presiding Officer may suspend public comment if sustained actual disruptions continue to prevent public comment from being conducted after other remedies are not effective, subject to Council by majority vote to continue public comment.
- g. Within the venue where the meeting is held, attendees may not possess sticks, poles, or other objects, such as those objects that may be attached to a sign, that may injure others.

Rule 8.1 Ejection and Exclusion Disruptive Persons.

- a. To preserve order and decorum, the presiding officer may direct that any person who cause an actual disruption of a Council meeting, or any person who engages in dangerous or threatening behavior, after first having been warned to cease and desist from such disruption or dangerous or threatening behavior, be ordered ejected from the meeting.

Exhibit A to Resolution 2026-30 – amendments to council rules 2

- b. For purposes of these Rules, “actual disruption” means conduct that substantially interrupts, delays, or disturbs the peace and order of the meeting, making it substantially difficult or impossible for the meeting to continue in an orderly manner. Examples include, disorderly, boisterous, or disturbing conduct; shouting, threatening, or intimidating governing body members, staff, or attendees, or failing to relinquish the podium when requested.
- c. For purposes of this Section, an ejection is an order made by the sergeant-in-arms to immediately leave the meeting, and an exclusion is an order made by the City Manager or their designees prohibiting a person from entering or remaining at future meetings for a specified period.
- d. The presiding officer may rely on information provided by any member of council or staff who is physically present at the Council meeting that a person has disrupted the meeting or engaged in dangerous or threatening behavior.
- e. Ejection.
 - 1. The presiding officer or designee will give a warning to the person engaging in disruptive, dangerous or threatening behavior. If the person engaging in disruptive, dangerous or threatening behavior does not cease that behavior following the warning, the presiding officer or designee will direct that the sergeant-in-arm eject the person. An ejection shall be for the remainder of the meeting at which the disruptive, dangerous or threatening behavior has occurred.
 - 2. For purposes of this Section, a person causes an actual disruption of a meeting if the person engages in any conduct that obstructs or impedes the orderly carrying on of the business of the meeting. Such conduct includes, but is not limited to: any conduct that substantially prevents any other person from hearing, viewing or meaningfully participating in the meeting; any conduct that substantially interferes with ingress or egress to or free movement within meeting venue; shouting over, or otherwise disrupting, any person who is recognized by the presiding officer; any conduct that substantially interferes with City business conducted by City staff present at the session; or failure to obey any reasonable direction of the presiding officer or sergeant-in-arms.
 - 3. A direction of the presiding officer or sergeant-in-arms is reasonable if it is reasonably related to maintaining order and decorum. A direction of the presiding officer or sergeant-in-arms is not reasonable if it is directed to speech or conduct the right to engage in which is, under the circumstances, protected by the federal or Oregon constitution.

4. For purposes of this Section, behavior is dangerous or threatening if a reasonable person, exposed to or experiencing such behavior, could believe that the person was in imminent danger of physical harm from the behavior. Notwithstanding the provisions of this Section, if the presiding officer reasonably believes that a person's dangerous or threatening conduct constitutes an emergency, the presiding officer is not required to give the person a warning before ordering the person ejected.
- f. Exclusion.
1. If a person has previously been ejected for dangerous or threatening behavior before the Council within one year before the date of the present ejection, or for disruptive behavior on three or more separate occasions within one year before the date of the present ejection, the person shall be excluded from Council meetings for 30 days. Written notice of such exclusion shall be given as provided in this Section.
 2. If a person has been excluded from the Council on one or more occasions within one year before the date of the present exclusion, the person shall be excluded from Council meetings for 60 days. Written notice of such exclusion shall be given as provided in this Section.
 3. The City Manager or their designees, shall give written notice of any exclusion issued under this Section, and the person excluded may appeal the exclusion to the Hearings Officer in the manner provided under SRC Chapter 20j.
 4. Notwithstanding any other provisions of this Code, the Hearing Officer's review of the question of whether the excluded person in fact engaged in disruptive, dangerous or threatening behavior shall be based upon the audio and video record of the meeting, and any written or oral testimony received by the Hearings Officer applying the criteria described in this Section. Under no circumstances shall the presiding officer or any member of council be compelled to testify at the hearing, or in any proceeding connected therewith. The exclusion shall be stayed upon the filing of the notice of appeal, but any stayed exclusion shall be counted in determining the length of any subsequent exclusion under this Section. If any exclusion is reversed on appeal, the effective periods of any exclusions that are not reversed shall be adjusted accordingly. If multiple exclusions issued to a person are simultaneously stayed, the effective periods for those which are affirmed shall run consecutively.

- g. An ejectment or exclusion issued under this Section does not affect or limit the right of the person to submit written testimony or materials as permitted by these rules, or otherwise lawfully to petition or seek redress from the City or its elected officials.

Rule 15: Public Comment

- a. Two periods for public comment will be reserved for every regular meeting of the Council. ~~Each period shall not exceed a maximum of thirty minutes, unless a majority of Councilors present vote to extend the time.~~ Council may, upon majority vote of members present, suspend public comment for the remainder of the meeting if it exceeds 30 minutes. Subject to the limitations contained in subsection (e) of this section, the first period for public comment shall be limited to items placed on the agenda other than public hearings, and the second period of public comment shall be used to comment on any issue of City business, other than agenda items. The Presiding Officer may, unless a member of council objects, allow a person who desires to make comment on an item not on the agenda, to speak during the first comment period. Persons appearing in person shall be allowed to speak first during public comment, followed by persons appearing remotely. (Resolutions 2016-44; 2024-5)
- b. Persons wishing to speak in-person during public comment must sign the “Speaker’s Roster” with the person’s name and address or ward and the topic upon which the person wishes to speak, not later than the end of the opening exercises. (Resolution 2021-33)
- c. Persons wishing to speak remotely during public comment may, consistent with the requirements and procedures established by the City Manager, register to speak remotely via a link provided on the meeting agenda. Members of the public may speak about any topic not on the agenda during the last period for public comment, except as provided in subsection (d) of this rule. (Resolutions 2021-33; 2024- 5)
- d. If a member of the public wishes to speak on an item that is scheduled for a public hearing at that same meeting or a future meeting, the speaker shall wait until that public hearing. Public comment shall not be used to testify about; a pending quasi-judicial land use matter; an item that is not a public matter; 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 which has been the subject of a public hearing. (Resolutions 2021-33; 2024-5)
- e. Speakers are limited to three minutes. Generally, the speakers will be called upon in the order in which they have signed in on the Speaker’s Roster, and the order in which they registered to speak remotely. Speakers shall identify

themselves by their names and their address or ward. The Presiding Officer may allow additional persons to speak if they have not signed the Speaker's Roster if sufficient time is left in the thirty-minute period. Speakers appearing remotely must turn on their video and audio when providing comment. (Resolution 2021-33)

- f. Should there be more speakers than can be heard for three minutes each during either of the thirty-minute periods provided for public comment, the Presiding Officer may sort the requests to speak or reduce the time allotted to each speaker to afford the greatest opportunity for each topic to be heard. (Resolution 2024-5)
- g. Councilors may, after obtaining the floor, ask questions of speakers during public comment. Members of council shall use restraint when exercising this option and shall attempt to limit questioning to no more than three minutes. The Presiding Officer may intervene if a member of council is violating the spirit of this rule. (Resolution 2021-33)
- h. Speakers may play electronic audio or visual material during the time permitted for their comment. Speakers appearing in-person 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. Speakers appearing remotely must submit their media materials to the City prior to the meeting in accordance with requirements established by the City Manager. (Resolutions 2004-77; 2009- 35; 2021-33)

Rule 17: Membership on Boards or Commissions and Appointment of Councilor Liaisons

- a. Except for the Urban Renewal Agency Board, the Housing Authority Commission, or Salem Hospital Facility Authority Board, no member of Council may serve on a City, Urban Renewal Agency, or Housing Authority board or commission. Members of Council may serve on Council, Agency Board, or Housing Authority Commission committees that are advisory to staff or the Council, Board or Commission. (Resolution 2016-44)
- b. Councilor Liaison. Council may appoint a member of council as a liaison to a board or commission, consistent with these guidelines:
 - 1. A Councilor liaison is a council member who is specifically assigned to a governance group to act as a connection between the group and council.
 - 2. Requesting or Recommending a Liaison: Governance groups may request a councilor liaison from council. This request should be based on a majority vote from the group. In the request, the group should include why

the group is requesting a liaison and what support they are hoping to receive.

3. Council initiated appointment. Council may appoint a council member as liaison to a group if council identifies a group needs additional support (e.g., the council lacks information from the group, the group struggles to make progress on the group's purpose).
4. Guidelines for appointment of a liaison:
 - A. Does the group have a broad or complex scope of activities that may be likely to require councilor support and input.
 - B. Complexity or nature of issues: Governance groups that deal with highly complex or technical issues may be more likely to require councilor support.
 - C. Groups that require funding or policy changes to effectively achieve their goals and objectives may benefit from a councilor liaison to operate effectively.
 - D. Scope/Impact on the Community: Groups that has large-scale impacts on the community may benefit from a councilor liaison who can provide information about community matters from Council. In addition, matters that have large-scale impacts on the community should have greater oversight to support positive engagement with the larger community.
 - E. Alignment with Council Priorities: Groups whose purpose and initiatives are strongly tied to work the council is doing may benefit from a councilor liaison who can ensure there is alignment in priorities and initiatives as well as provide relevant information between the group and council.
 - F. Council Member Capacity: Council should consider the capacity of council members to act as group liaisons. Liaisons should only be assigned if someone has availability to support the group.
5. The Council will have final approval of assigning a councilor liaison to adequately assess council capacity and desire. If a request is denied, groups may submit another request in six months. Council may also consider if other resources may provide additional support to a group, in lieu of assigning a councilor liaison (e.g., a group may send more frequent reports or memos to council to communicate issues or challenges).
6. Assignment Review: Councilor liaison assignments should be reevaluated on an annual basis as part of the annual review process. This reevaluation should consider the same criteria listed above along with a consideration of the impact of the councilor liaison on the group. If the councilor liaison

had little impact or was not used or needed, the councilor liaison should not be reassigned.

7. Role of Liaison. A liaison does not represent City Council unless City Council has provided specific direction.

TO: Mayor and City Council
THROUGH: Krishna Namburi, City Manager
FROM: Brian D. Martin, PE, Public Works Director

SUBJECT:

Agricultural Use Lease Agreement for Tax Lot #062W31D00100 - a 45.26-acre parcel located at 4498 Hazelgreen Road NE

Ward(s): Ward 5

Councilor(s): Brown

Neighborhood(s): Northgate

Result Area(s): Strong and Diverse Economy; Welcoming and Livable Community.

SUMMARY:

The City owns a 45.26-acre parcel at 4498 Hazelgreen Road NE that is designated for use as a future park. J & G Farms, LLC has approached the City with a request to lease the parcel through next September for agricultural use. The proposed lease also includes three one-year renewal options.

ISSUE:

Shall City Council authorize the City Manager to sign the agricultural use lease between the City of Salem and J & G Farms, LLC for the 45.26-acre parcel located at 4498 Hazelgreen Road NE adjacent to Lunar Street NE.

RECOMMENDATION:

Authorize the City Manager to sign the agricultural use lease between the City of Salem and J & G Farms, LLC for the 45.26-acre parcel located at 4498 Hazelgreen Road NE adjacent to Lunar Street NE.

FACTS AND FINDINGS:

Property:	Tax Lot #062W31D00100 - 4498 Hazelgreen Road NE
Acreage:	45.26.acres
Term:	1 Year – Aug 2026 – Sept 2027
Annual Rent:	\$11,994.00 (\$265/acre/year)

Renewal Options: Three (3) one-year (1) renewal options

BACKGROUND:

The 45.26-acre parcel located at 4498 Hazelgreen Road NE adjacent to Lunar Street NE is currently held in reserve for a future community park. The parcel was acquired on 10/8/2018 to meet the need for additional community parks. The parcel was previously leased for agricultural use which expired in October 2025.

J & G Farms, LLC based out of Silverton, OR desires to lease the property for horticultural, non-animal farming. The lease would commence in August 2026 and expire September 30, 2027, after crop harvest. J & G has three (3) additional one (1) year renewal options for the lease. The rate of \$265/acre/year is slightly above market, but it is within a reasonable range for a site with water rights and a well.

It is not anticipated that future community park development would occur prior to 2030.

Brian Summers
Real Estate Services Manager

Attachments:

1. Lease Agreement

LEASE AGREEMENT

THIS LEASE, made and entered into this _____ day of July, 2026, by and between **THE CITY OF SALEM**, an Oregon Municipal Corporation, hereinafter called "Lessor"; and **J & G Farms, LLC** hereinafter called "Lessee" (collectively the "Parties").

RECITALS

- A. Lessor owns property identified as Tax Lot #062W31D00100 ("Property");
- B. Lessor desires to lease the Property to Lessee and Lessee desires to lease the Property from Lessor on the terms and conditions contained herein.

1. **DESCRIPTION.** Lessor hereby lets unto the Lessee forty-five and twenty-six hundredths (45.26) acres of farmland that are contained in that certain tract of land situated in Marion County, Oregon, more particularly described in "Exhibit A," attached hereto and by this reference made a part hereof ("Property"), for the term and upon the conditions and provisions hereinafter set forth.

2. **TERM, TERMINATION, and RENEWAL OPTIONS.**

(a) The term of this Lease Agreement shall commence on August 1, 2026, and continue through September 30, 2027, unless sooner terminated as provided herein and terminates any prior lease agreement between the parties for this tract of land.

(b) If the Lease is not in default when each option is exercised or when the renewal term is to commence, Lessee, upon written agreement by Lessor, shall have the option to renew this Lease for three (3) successive terms of one (1) year each, as follows:

(i) Each of the renewal terms shall commence on the day following the expiration of the preceding term.

(ii) The option may be exercised by written notice to Lessor given not less than ninety (90) days before the last day of the expiring term. Giving such notice shall be sufficient to make the Lease binding for the renewal term without further act of the parties.

(iii) The terms and conditions of the Lease for each renewal term shall be identical with the original term except as otherwise provided in Section 3 and except that the Lessee will no longer have any option to renew this Lease that has been exercised.

(c) This Lease may be terminated by the Lessor in accordance with the **Default** provision contained in **Section 10** or **Eminent domain/Taking** provisions contained in **Section 11**.

(d) Upon termination of the Lease, Lessee shall have the right to access the Property to cultivate and harvest or gather that year's orchard production as provided by ORS 91.230.

3. **RENT.** Lessee shall pay to Lessor rent according to the provisions below:
- (a) For the first term and option terms of the Lease, as described in Section 2(a), the rent will be \$11,994.00 (\$265 x 45.26 acres) per year, paid in arrears, due on September 30th. Item 3.3.1
4. **PURPOSE.** Lessee shall use the aforesaid Property for horticultural purposes only.
5. **COSTS OF FARMING.** Lessee shall be responsible for and pay all the costs of materials, labor, equipment, utilities, and other expenses to farm the Property and raise crops from the Property during the Lease term, except as set forth specifically in this agreement.
6. **LESSEE'S DUTIES.** Lessee shall:
- (a) Lessee shall farm, cultivate, maintain, and operate the Property consistent with the best agricultural practices employed by the farming industry in the area where the Property is located and the type of crop being farmed;
- (b) Not permit or suffer any strip or waste of the Property, keep down all noxious weeds and vegetation, and farm the Property consistent with the best agricultural practices employed by the farming industry in the area where the Property is located;
- (c) Refrain from practices that will cause unusual erosion to the Property;
- (d) Maintain the Property in compliance with all federal, state, and other governmental law, regulations, and directives;
- (e) Not permit disposal or dumping of rubbish, garbage, or refuse on the Property.
7. **LIENS AND ENCUMBRANCES.** Lessee shall pay when due all claims for work done on the Property, and for services rendered or material furnished to Lessee to grow Lessee's crops on the Property; and Lessee shall keep the Property and the crops free of any liens arising out of the failure to pay such claims or arising out of any other activity of Lessee. If the Property or crops are subjected to any lien because of the activities of Lessee, and the lien is not discharged within 10 days, Lessor may discharge the lien, and recover the cost from Lessee on demand, plus interest at the legal rate from the date of expenditure. Such action by Lessor shall not constitute a waiver of any right or remedy that Lessor may have on account of Lessee's default. If Lessee in good faith elects to contest the lien, then Lessee shall, on Lessor's written request, deposit with Lessor cash or sufficient corporate surety bond, or other security satisfactory to Lessor, to discharge the lien plus costs and interest.
8. **HAZARDOUS MATERIALS.**
- (a) Lessee, at its sole expense, will operate and maintain all fuel and other hazardous materials storage containers and equipment, and will dispense with fuel and other hazardous materials in compliance with all applicable laws.
- (b) Lessee shall not cause or permit any hazardous substances to be spilled, leaked, disposed of, or otherwise released on or under the Property. Lessee may use or otherwise handle on the Property only hazardous substances that are typically used or sold in the prudent and safe operation of the business specified in Section 4 of this Lease. Lessee may store those hazardous substances on the Property only in quantities necessary to satisfy Lessee's reasonably anticipated needs. Lessee must comply with the environmental laws and exercise the highest degree of care in the use, handling, and
- City Council Meeting Agenda Monday, July 27, 2026

storage of hazardous substances, and must take all practicable measures to minimize the quantity and toxicity of hazardous substances used, handled, or stored on the Property.

(c) When this Lease expires or terminates, Lessee must remove all hazardous substances from the Property. The term *environmental law* means any federal, state, or local statute, regulation, or ordinance, or any judicial or other governmental order pertaining to the protection of health, safety, or environment. The term *hazardous substances* means any hazardous, toxic, infectious, or radioactive substance, waste, and material as defined or listed by any environmental laws and includes, without limitation, petroleum oil and its fractions.

(d) Lessee will defend, indemnify, and hold Lessor harmless from and against any and all claims, actions, lawsuits, damages, liability, and expense (including, without limitation, attorney fees) arising from loss, damage, or injury to persons or Property, including all claims relating to handling, using, or storing hazardous substances, or from violations of federal or state law relating to hazardous substances occurring in, on, or about the Property, arising out of the Property, or occasioned wholly or in part by any act or omission of Lessee or Lessee's agents, contractors, customers, or employees.

9. **ASSIGNMENT AND SUBLEASE.** This Lease shall not be sold, assigned, or in any manner transferred or encumbered by Lessee, nor shall the Property or any part thereof be sublet without the prior consent of the Lessor in writing, which consent shall be in the Lessor's sole discretion.

10. **DEFAULT.** The following shall be events of default:

(a) Failure to pay rent.

(b) Dissolution, termination of existence, insolvency, business failure, discontinuance as a going business except for labor disputes, appointment of a receiver of Property Lessee's estate, assignment of the Lease for the benefit of creditors, or commencement of any proceedings under any bankruptcy or insolvency laws by or against Lessee.

(c) Failure of Lessee to comply with any other term or condition, or fulfill any other obligation of the Lease within 10 days after written notice by Lessor specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied within the 10-day period, this provision shall be complied with if Lessee begins correction of the default within the 10-day period and thereafter proceeds with reasonable diligence and in good faith to affect the remedy as soon as possible.

(d) Abandonment by the Lessee of the Property. In the event of default, Lessor shall have the right to declare the Lease terminated, and upon so declaring, Lessor shall have the right to forthwith re-enter the Property and repossess the same, and expel Lessee forcibly if necessary, and without prejudice to any remedies which might otherwise be invoked by Lessor.

11. **EMINENT DOMAIN/TAKING.**

(a) If a governing body, as authorized under State Statute, condemns a portion of the Property under eminent domain, the Lessee shall have the ability to terminate the Lease or pay a reduced rent by the amount of orchard acres taken out of production.

(b) The Lessor shall have the same rights as any other authorized government body to take all, or a portion of the land, for a public purpose as identified by State Statute as eligible for eminent domain. In this event, the Lessee shall have the ability to terminate the Lease or pay a reduced rent by the amount of orchard acres taken out of production.

12. **TAXES.** Lessor shall pay all real and personal property taxes, if any, arising out of this leasehold and Lessee's activity on the Property.

13. **INSURANCE.**

(a) Lessee shall keep all improvements and betterments on the Premises continuously insured with an insurance underwriter or underwriters authorized to business in the State of Oregon, with a Best's rating of "A" or better, and satisfactory to Lessor. The policy or policies shall be written on an "all-risk" special form and shall be on a replacement cost basis, to the full insurable value of the Lessee's property on the Premises.

(b) Lessee shall obtain, and continue to maintain in good standing during the Lease term, an occurrence form liability insurance policy or policies, including, but not limited to, commercial general for the protection of Lessee and Lessor, and their respective officers, employees, and agents, insuring Lessee and Lessor, against liability for personal injury, bodily injury, death, or damage to property, including loss of use, and all risks arising directly or indirectly out of Lessee's activities on, or any condition occurring on, or in any way related to, the Premises. The insurance shall name Lessor, officers, employees and agents as additional insureds, and shall include the stipulation that this insurance, as to the interest of Lessor, shall not be invalidated by any act or neglect or breach of contract by Lessee. The insurance provided by Lessee shall be primary and shall not require any contribution from any insurance or self-insurance carried by Lessor.

(c) If Lessee has one or more employees, Lessee shall maintain in force Workers Compensation insurance, including coverage for Employer's Liability.

(d) For each policy of insurance, Lessee shall furnish to Lessor an acceptable certificate evidencing the date, amount, and type of insurance that has been procured. All policies shall provide for not less than thirty days written notice to the Lessor before such policies are revised, not renewed, or canceled. Upon request, Lessee shall provide Lessor with a copy or copies of any policy required by this Lease.

(e) Lessor shall have the right to review the types and limits of required insurance. In the event Lessor determines that types or limits should be added, modified, increased or lowered, Lessor will provide notice to Lessee of its determination and Lessee shall modify its coverage to comply with the new requirements and provide Lessor with an updated certificate. Additions, modifications or increases shall be limited to those that are typical and standard within horticulture industry and/or required by applicable federal, state, or local government laws, rules, or regulations.

14. **LESSOR'S LIENS.** Lessor expressly reserves, and is hereby given, a lien upon Lessee's interest in all crops grown on the Property during the term hereof and any renewals thereof, to secure:

(a) The performance of all other covenants of the Lessee above set forth.

15. **INSPECTION.** Lessor and its agents shall have the right to enter upon the Property at reasonable times during the term of this Lease for the purpose of inspecting the Property.

16. **REPRESENTATIONS AND WARRANTIES.** Lessee accepts the Property, Item 3.3.1 improvements, and the personal property, if any, included in this Lease in their present condition, as is, without any representation or warranties, express or implied, except as otherwise set forth in this Lease. It is understood and agreed that Lessor makes no guarantee or representation regarding the production or carrying capacity of the Property, that Lessee has inspected the Property, and that Lessee has made his or her own determination of the value of the Property.

17. **WAIVER.** Failure by either party at any time to require performance by the other of this Lease shall in no way affect that party's right to enforce any Lease provisions; nor shall any waiver of any breach be held to be a waiver of any succeeding breach or a waiver of this nonwaiver clause. Any waiver of a breach of any term, condition, or covenant contained herein shall not be deemed a continuing waiver upon the part of the Lessor.

18. **NOTICE.** Any notice under this Lease shall be in writing and shall be effective when actually delivered or, if mailed, when deposited as registered or certified mail directed to the person and address stated below or to such other address as either party may specify by notice in writing to the other party. Any notice to Lessor shall be given to the Real Estate Services Manager, at PO Box 14300, Salem, OR 97309-1457. Payments to Lessor shall be sent to Real Estate Services Manager, at PO Box 14300, Salem, OR 97309-1457. Any notice to Lessee shall be given to Justin Ditchen, 9712 Nusom Rd, NE, Silverton, Oregon 97381.

19. **COMPLIANCE WITH APPLICABLE LAWS.** Lessee represents warrants and agrees that it will conduct its activities on the Property in compliance with all applicable federal, state, and local laws, ordinances, and regulations.

20. **DANGEROUS CONDITIONS.** Lessee shall be responsible for remedying any dangers to person or property, or any dangerous conditions, that exist on the Property. Lessee shall take all reasonable precautions to warn others of any dangers or any dangerous conditions that exist on the Property, until such time as Lessee remedies the danger. Lessee shall notify Lessor of any dangers or any dangerous conditions, that are either known or discovered by Lessee and shall provide written notice to Lessor of how Lessee intends to warn others of the danger and the remedy Lessee intends to use to eliminate the danger. Lessor shall approve or reject Lessee's plan as soon as practicable given the nature of the danger. If the Lessor rejects Lessee's plan, Lessor's agent and Lessee shall work cooperatively to agree upon a Property plan to remedy the danger.

21. **LEGAL REVIEW AND RULE OF CONSTRUCTION.** Each party has had the opportunity to have an attorney of their choosing review this Lease Agreement and advise the party of the benefits and consequences of signing this Lease Agreement. Any rule of construction interpreting this instrument against its drafter shall be inapplicable.

22. **COUNTERPARTS AND FACSIMILE.** This Lease Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute but one and the same instrument. Execution and delivery of this Lease Agreement by delivery of a facsimile copy or by electronic mail (including PDF or other electronic format) bearing the facsimile signature of a party shall constitute a valid and binding execution and delivery by such party. Such facsimile and electronically delivered copies shall constitute enforceable original documents.

23. **AMENDMENTS.** This Lease Agreement may be amended only by written instrument executed with the same formalities as this original.

24. **EFFECT OF LEASE.** Subject only to the provisions prohibiting transfer without Lessor's consent, the terms, covenants, and conditions hereof shall bind and inure to the benefit of the heirs, personal representatives, successors, and assigns of the parties.

IN WITNESS WHEREOF, the parties have caused this Lease to be executed in their respective names effective the day and year first hereinabove written.

LESSOR:

City of Salem, Oregon

By: _____

— **City Council Meeting Agenda**
Krishna Namburi
City Manager

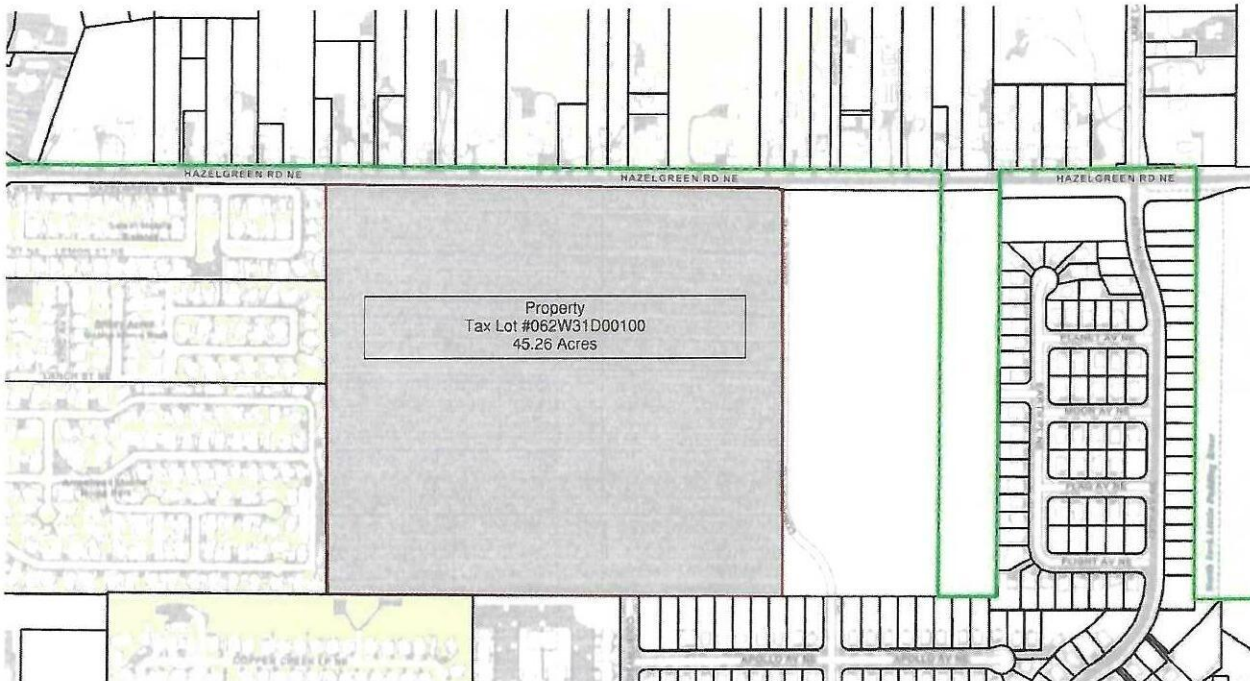
LESSEE:

J&G Farms, LLC.

By:  _____

Monday, July 27, 2026
Justin Ditchen

Item 3.3.1



Beginning on the South line of the Sanford Stephens Donation Land Claim in Township 6 South, Range 2 West of the Willamette Meridian in Marion County, Oregon, at a point which is 1,331.68 feet South 89° 46' East from the Southwest corner thereof; thence South 0° 30' East 1,363.69 feet to a Southwest corner of the tract of land conveyed by deed recorded Volume 16, page 262, of the Marion County Deed Records; thence South 89° 55' East along the South line of said tract 971.58 feet to the division line dividing the W.B. Stephens Donation Land Claim in to East and West halves; thence North 89° 39' East 513.24 feet to the Southwest corner of a 16.00 tract of land conveyed by deed recorded in Volume 111, page 20, of the Marion County Deed Records; thence North 0° 24' East along the West line of the said 16.00 acre tract, 1,355.79 feet to the South line of the Sanford Stephens Donation Land Claim; thence North 89° 46' West along the South line of the said Claim, 1,485.19 feet to the place of beginning.

TO: Mayor and City Council
THROUGH: Krishna Namburi, City Manager
FROM: Kristin Retherford, Community Planning and Development Director

SUBJECT:

This report provides City Council and the community an update on the proposed data center at Mill Creek Corporate Center, including the current status of the proposal, activities to date, anticipated review process, and planned public engagement opportunities.

Ward(s): Ward 3

Councilor(s): Councilor Matthews

Neighborhood(s): SEMCA – Southeast Mill Creek Association

Result Area(s): Result Areas – Good Governance; Natural Environment Stewardship; Safe and Healthy Community; Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

SUMMARY:

The company, Verrus, began its exploration of Salem as a site for a data center sometime around March 2025. In late March 2025, at the company's request, the City entered into a non-disclosure agreement (NDA) while the company evaluated Salem as a potential location for a data center. During this period, as part of the preliminary review process, Verrus worked with City staff to evaluate site feasibility, including transportation access, utility capacity, site design, and environmental considerations.

In late April 2026, Verrus shared a revised site plan with technical staff. In June 2026, after staff informed the City Manager that the company intended to move to the next stage of evaluation, City leadership took steps to seek the City's release from the NDA so information about the project could be shared publicly. The City was released from its NDA on July 8, 2026. At the next opportunity to address the City Council and the community in an open public forum, the City Manager publicly shared information about the proposal.

The purpose of this report is to explain:

- the current status of the proposal;
- activities to date;
- what decisions have and have not been made;
- the City's role in reviewing the proposal;
- opportunities for public engagement; and,

- potential next steps should the project move forward.

ISSUE:

Information only.

RECOMMENDATION:

Information only.

FACTS AND FINDINGS:

The purpose of this report is to provide City Council and the community with information regarding the proposed data center at Mill Creek Corporate Center. The report includes current status of the proposal and summarizes activities to date, explains the City's development review process, planned public engagement opportunities if the proposal proceeds, and outlines anticipated next steps.

Preparing Mill Creek Corporate Center for Industrial Use

In 2005, the [Mill Creek Urban Renewal Area](#) formed to prepare 650 acres of relatively flat land for industrial development in southeast Salem. Also in 2005, an Employment Center Zone was established for the area. In 2014, the Unified Development Code was adopted, which included data centers as an allowed use in Employment Center zones. Data centers are an [allowed use in land zoned for Employment Centers](#).

Initial Inquiry

When companies are evaluating potential locations for significant investments, they often request confidentiality during the early stages of discussions. This is a common practice in economic development because companies may be evaluating multiple locations while sharing proprietary information about their business plans, operations, technology, investment levels, and site requirements.

In late March 2025, at the request of the company, Verrus, the City of Salem entered into a non-disclosure agreement with a company that was evaluating Salem as a potential location for a data center at the Mill Creek Corporate Center. Non-disclosure agreements are commonly requested by companies or developers during their due diligence process while they determine project feasibility. While the NDA remained in effect, the City was contractually obligated not to disclose information provided by Verrus.

Preliminary Review: Evaluating Site for Proposed Use

The preliminary review process allows a prospective developer to determine whether a

site may be feasible for a proposed use. It also allows City staff to identify potential issues early in the process. Participation in this process does not indicate City support or approval of the proposal.

As part of the preliminary review process, the company submitted a pre-application with the City. During this stage, companies evaluate whether available land can meet their proposed need, whether the employment base is sufficient, and whether road, water, sewer, and electrical capacity are sufficient to support the development. Verrus had three preliminary technical conversations with staff about the development proposal, and one conversation about a proposal to establish a conservation easement on the property. A complete listing of conversations and materials received by the City is included in Attachment 1: Pre-Development Application Process: Data Center Proposal at Mill Creek Corporate Center.

These preliminary discussions were limited to evaluating project feasibility for the site. The City has not approved the proposal, negotiated development terms, committed City resources, nor made any decision regarding the project.

In June 2026, the City Manager was informed that the company intended to move the project into the next phase of evaluation. The City subsequently sought release from the non-disclosure agreement so information about the proposal could be shared publicly.

On July 8, 2026, the City was released from the non-disclosure agreement with [Verrus](#), the company exploring development of a potential data center to be located in the Mill Creek Corporate Center. The next opportunity for the City Manager to address the full Council as well as the community was in an open public forum at the July 13, 2026, Council meeting, where the City Manager informed the Council and the community about the project. On July 14, 2026, the City posted initial questions and answers regarding the data center proposal to its website.

Current Status of the Data Center Proposal

The proposal remains in the preliminary stages. Although the City has participated in preliminary technical discussions, no decisions have been made regarding approval of the project or commitments by the City.

At this time:

- No formal land use application has been submitted.
- No land use approval has been granted.
- No construction permits have been issued.
- No building permits have been issued.
- No development agreement has been executed.
- No Community Benefits Agreement has been negotiated or executed.

- No utility commitments have been made by the City.

The company, Verrus, has received approval for a standard three-year Enterprise Zone property tax exemption from Marion County under an existing state-authorized program.

It can take time — sometimes years — from a company's initial inquiry about locating in a community to proceeding through the development process. If Verrus submits a formal land use development application, the City will evaluate the proposal through its established planning, development, building, utility, and regulatory processes. Through these processes, together with community conversations, the City can evaluate whether the proposed development fits with community goals and whether potential benefits and impacts are appropriately addressed (see Attachment 2: Development and Community Benefits Agreement Process Steps).

Water demand estimates remain preliminary and will be evaluated through the City's development review process, if a formal application is submitted. Any final determination regarding water service requirements would be based on detailed engineering analysis and compliance with applicable City utility standards.

During the preliminary review process and pre-application stage, the developer typically works with the City to evaluate site feasibility, including initial site design, transportation access, early indications of anticipated energy and water needs, and other infrastructure considerations. The pre-application process is iterative based on feedback from technical staff from the City and other agencies, the landowner, and the developer.

To date, staff review has focused on preliminary technical issues, including:

- Transportation access
- Utility availability
- Water and wastewater infrastructure
- Electrical infrastructure
- Site design
- Environmental considerations
- Heritage oak tree preservation
- Conservation easement concepts

These discussions are intended to evaluate project feasibility and do not constitute project approval.

If the proposal moves forward and a formal development application is submitted, [the](#)

[status of a development application](#) will be available on the City's website. Verrus has identified the proposed project as [Oakline at Mill Creek](#).

Potential Investment and Employment. The investment and employment estimates discussed below are based on information provided by the developer and would depend on the project proceeding substantially as proposed.

Verrus's investment in our community is projected to be more than \$5 billion. The City's current tax base is approximately \$16.7 billion. The company's investment would be taxable, and after the first three years, those tax revenues would flow to the City's General Fund to help pay for City services like Police, Fire, and other services — as well as the Community Services Levy. Because the City is no longer collecting property tax increment revenue at the Mill Creek Urban Renewal Area, all property taxes collected from this development will be distributed to taxing districts such as the Salem-Keizer School District, Marion County, and Salem Area Mass Transit District (Cherriots).

A portion of the electric bill paid by the company would generate funds for General Fund services through the City's Franchise Fee, which assesses 5 percent to all utilities using the City's right of way. This fee is assessed on telephone, electricity, natural gas, cable providers, and City of Salem utilities (water, wastewater and stormwater). Verrus anticipates bringing 75 permanent new high-paying jobs to Salem.

Three-Year Property Tax Abatement. Verrus submitted their application for a three-year Enterprise Zone tax abatement to the Marion County Assessor on May 27, 2026. Their request was approved. A standard three-year enterprise zone application does not require Council approval.

New Tariffs Protect Residential Energy Customers. There are new tariffs specific to data centers. PGE, as the electric utility provider, is responsible for evaluating electrical service requirements and system capacity to serve customer demand. The Oregon Public Utility Commission recently approved PGE's request to establish a separate rate structure for large data centers. Under that decision, data center customers will see an average 29 percent increase in rates, while residential customers are expected to see an average 1.3 percent decrease. Verrus participated in the rate structure discussions and supported the changes.

Next Steps in Development Process

The City does not yet have a formal application for the proposed development.

If Verrus elects to move forward and submit an application, the proposal would move into a formal development application. The development proposal would be reviewed through the City's planning, development, building, utility and regulatory processes which includes protections for heritage oak trees. In the formal stage, [the status of a development application](#) is accessible on the City's website.

The review will include consideration of:

- Land use compliance
- Environmental regulations
- Transportation
- Water
- Wastewater
- Stormwater
- Infrastructure capacity
- Heritage oak tree protections
- Engineering standards
- Building code requirements

If Verrus's proposal meets the intent of the land use established in Salem Revised Code, this review remains administrative. Recent changes in State law restrict local governments from engaging in policy level review of this type of administrative land use application.

Opportunities for Community Engagement

Development Review. The development review process takes into account the City's land use regulations. The proposal will be reviewed through the City's planning, development, building, utility and regulatory processes which includes protections for heritage oak trees.

This process will provide an opportunity for public comment. Public notice is provided of a formal development application, in accordance with State law, to the Neighborhood Association and neighboring property owners. There is a 14-day comment period.

After a decision is issued, there is a 15-day appeal period during which an appeal could be filed, and then there would be a public hearing. Once they have a land use approval (the application is not appealed or all appeals are exhausted), the applicant would then need to obtain construction permits for infrastructure and site development, as well as building permits. Additional state and/or federal permits may be required prior to construction.

Community Input and Feedback. Staff and the City Council continue to remain available for feedback on this project proposal. City Council and staff are receiving comments and questions from constituents and the media. Answers to these questions are posted to our web page regularly. In addition to the development review process, there will be several opportunities to provide feedback on this project should it advance.

Verrus-led Community Conversations. Verrus has expressed a strong desire to

engage directly with the community and has indicated it intends to release a community engagement plan.

Community Benefits Agreement. Community benefits agreements are one tool that communities may use to secure commitments from developers for items of community interest. Should the proposal advance, the City will evaluate whether a community benefits agreement is an appropriate tool to establish accountability measures for the project. If the City determines a community benefits agreement is an appropriate tool and the proposal advances, such an agreement could establish clearly defined, legally binding commitments between the developer and the community. A community benefits agreement could address topics such as workforce development, employment opportunities, site improvements, residents' digital access, infrastructure investment, and other community priorities. Any such agreement would be evaluated based on the specific circumstances of the proposal, the community's interests, and the City's legal authority. The City has not committed to a Community Benefits Agreement at this stage.

Conservation Easement. Verrus has expressed interest in a conservation easement for the preservation of heritage oak trees on the site. An easement is permanently attached to the land itself rather than to a specific owner, meaning it "runs with the land" and automatically transfers to new owners if the property is sold.

BACKGROUND:

In late March 2025, at the request of the company, the City of Salem entered into a non-disclosure agreement with a company evaluating the Mill Creek Corporate Center as a potential location for a data center. During the preliminary review process, Verrus had three technical conversations with staff regarding the proposed development, and one conversation about a proposal to establish a conservation easement on the property. These discussions allowed the company to evaluate available land for their proposed need, whether the employment base was sufficient, and whether road, water, sewer and electrical capacity are sufficient to support the development.

In June 2026, after staff informed the City Manager that the company intended to move to the next stage of evaluation, the City took steps to seek the City's release from the non-disclosure agreement so information about the project could be shared publicly.

On July 8, 2026, the City was released from the non-disclosure agreement with Verrus, the company exploring development of a potential data center to be located in the Mill Creek Corporate Center. At the next opportunity to address the City Council and the community in an open public forum, the City Manager informed the Council about the proposal during the July 13, 2026, City Council meeting. On July 14, 2026, the City posted initial questions and answers regarding the data center proposal to its website and prepared to receive feedback at the July 27, 2026, City Council meeting.

Attachments:

1. Pre-Development - Data Center Proposal at Mill Creek Corporate Center. ?
2. Development and Community Benefits Agreement Process Steps.

Pre-Development Application Process:**Data Center Proposal at Mill Creek Corporate Center**

Development projects are iterative in nature. It can take time —sometimes years — from a company’s initial inquiry to site a facility in a community to proceeding through the development process.

Responses to initial inquiries allow companies to evaluate available land for their proposed need, identify whether the proposed use is allowed, what standards of the development code will apply, determine whether the employment base is sufficient and whether road, water, sewer and electrical capacity are sufficient to support the development.

The following presents a series of pre-development application activities, in chronological order of which they occurred from March 27, 2025 through July 20, 2026 regarding the data center proposal at Mill Creek Corporate Center in Salem.

Date	Activity
March 27, 2025	City signs the non-disclosure agreement regarding proposal for data center at Mill Creek Corporate Center. The agreement, Attached NDA , is subsequently executed by both parties on April 10, 2025.
April 1, 2025	Introductory meeting with Verrus to review the land use process, discuss the need to apply for a pre-application conference.
May 14, 2025	Follow up consultation regarding site plan review, conservation easement, infrastructure needs, and application process.
July 14, 2025	Pre-application conference scheduled with Verrus and technical staff for August 11, 2025 (Memo attached). (Pre-application materials were originally submitted July 2, 2025, and the meeting was rescheduled from July 24, 2025 to August 11, 2025.)
August 11, 2025	Pre-application conference occurs.
September 5, 2025 & September 8, 2025	Notes from pre-application conference (attached) are released to proposal proponent. Summary notes regarding transportation access, utility availability, water and wastewater infrastructure to the property released on September 5, 2025. Summary notes regarding land use, site design, and tree preservation released on September 8, 2025.
September 8, 2025	Verrus submits Tree Variance application to the City.
September 17, 2025	Verrus and technical staff meeting regarding oak knoll area on property proposed for data center, including the conservation easement requirement outlined in the original intergovernmental agreement with the State of Oregon and the City of Salem regarding development of the State-owned property (2006).
October 8, 2025	Tree Variance application determined to be incomplete and letter issued to applicant identifying required additional application materials that must be submitted.
March 8, 2026	Tree variance application expires due to required additional application materials not being submitted.
April 6, 2026	SEDCOR, on behalf of Verrus, requests a follow up meeting to discuss a revised site plan and other technical issues.
April 28, 2026	Verrus and technical staff meeting to review revised site plan (attached) .

Date	Activity
May 6, 2026	Verrus and technical staff meeting regarding stormwater management.
May 12, 2026	Enterprise Zone Application submitted (attached).
July 7, 2026	City leadership meeting with Verrus to discuss release from NDA.
July 8, 2026	City is released from NDA (attached) .
July 10, 2026	City leadership meeting with SEDCOR and Verrus regarding community engagement and briefings.
July 17, 2026	City leadership meeting with SEDCOR and Verrus regarding community engagement and briefings.
July 20, 2026	Verrus and technical staff meeting regarding permitting requirements for formal development application.

NON-DISCLOSURE AGREEMENT

This non-disclosure agreement (this "Agreement") is entered into as of April 10, 2025 (the "Effective Date") by and between City of Salem (Recipient) and VERRUS LLC (together with its affiliates, "Discloser") in order to facilitate discussions concerning location within the City of Salem (the "Purpose").

1. Definitions. "Confidential Information" means (i) all information disclosed by or on behalf of Discloser to Recipient or its Representatives in connection with the Purpose, whether disclosed before, on, or after the Effective Date, including information that is not marked or otherwise identified to Recipient as confidential but that is otherwise known or should be known to Recipient to be confidential in light of the nature of the information or the circumstances of disclosure, including, for the avoidance of doubt, both confidential information of or regarding Discloser and confidential information of or regarding a third party that Discloser has in its possession, and which may include information regarding current and prospective business plans, strategies, operations, portfolio companies, theses, terms of governance and investment, capital formation, press matters, personnel matters, research, investors, transactions, investments, intellectual property, marketing information, financial statements and projections, and similar information, (ii) this Agreement, the terms of this Agreement, and the existence and purpose of this Agreement, and the fact that discussions or negotiations are taking place with Discloser regarding the Purpose, the status of such discussions or negotiations, any of the terms, conditions or other facts related to such discussions or negotiations, and the fact that any Confidential Information or any other information has been requested or furnished, and (iii) any notes, analyses, memorandum, reports, or similar materials prepared by or on behalf of Recipient to the extent containing, reflecting, or based on such confidential information described in the foregoing clauses; provided, however, that "Confidential Information" does not include information that (a) is or becomes (other than as a result of improper disclosure of such information by Recipient or its Representatives) publicly known, (b) is learned by Recipient from a third party not known to Recipient to have a legal, contractual, or fiduciary duty to Discloser to maintain the confidentiality of such information, or (c) as demonstrated by contemporaneous written records of Recipient, was already known or in the possession of Recipient prior to Discloser's disclosure of such information to Recipient. "Representatives" means, with respect to Recipient, the Recipient's officers, directors, employees, and legal counsel.
2. Use and Disclosure Obligations. Except with the prior written consent of Discloser, Recipient will not, and will cause its Representatives not to, directly or indirectly use, disclose, reveal, divulge, publish, or otherwise make known Confidential Information provided by or on behalf of Discloser except as expressly set forth in this Section 2 solely for the Purpose. Recipient will not use the Confidential Information except solely for the Purpose. Except as otherwise expressly provided herein, the Recipient will, and will cause its Representatives to, hold the Confidential Information in strict confidence and protect the Confidential Information to the same extent the Recipient protects its own confidential information of a similar nature, including by taking reasonable precautions to protect and prevent the unauthorized disclosure of such Confidential Information. Except with the prior written consent of Discloser or as otherwise expressly permitted by Section 3, Recipient will not disclose or share Confidential Information provided by or on behalf of Discloser with any person, except that Recipient may disclose and share Confidential Information with its Representatives that (i) need to know such information for the Purpose, (ii) are advised of the confidential nature of the information, and (iii) are required to comply with the terms of this Agreement applicable to "Recipient" as if an original party to this Agreement or that are otherwise bound by fiduciary, professional, or contractual obligations of confidentiality that are no less stringent than the limitations on disclosure and use set forth in this Agreement. Recipient will be responsible for any non-compliance with this Agreement by its Representatives.
3. Disclosure Required by Law. Recipient and its Representatives may disclose Confidential Information solely to the extent such disclosure is required by applicable law or regulation or court order or process; provided, however, that prior to any such disclosure, to the extent reasonably practicable, Recipient or its Representatives will provide Discloser with reasonable prior notice of such anticipated disclosure and cooperate with Discloser, at Discloser's expense, to limit the scope of such disclosure, to seek a protective order. If such order or other remedy is not obtained, or Discloser waives compliance with the provisions of this Agreement, the Recipient and its Representatives will disclose only that portion of the Confidential Information that they are advised by counsel that they are legally required to so disclose and will use reasonable best efforts to obtain reliable assurance that confidential treatment will be accorded the Confidential Information so disclosed.
4. No Transaction Obligation. This Agreement imposes no obligation on either party or any affiliate of any party to proceed with any transaction or discussions regarding any transaction.

5. No IP Rights. Neither Recipient nor its Representatives acquire any right, title, or interest, including any intellectual property right, express or implied, by license or otherwise, under this Agreement to the Confidential Information disclosed by or on behalf of Discloser, except the limited right granted to use the Confidential Information for the Purpose in accordance with the terms of this Agreement.
6. No Warranty. Recipient agrees and acknowledges that no representation or warranty, express or implied, is made, and no responsibility or liability is or will be accepted, by Discloser, as to or in relation to the accuracy or completeness of any Confidential Information and that Recipient is responsible for making its own assessment and evaluation of the Confidential Information. DISCLOSER IS PROVIDING CONFIDENTIAL INFORMATION ON AN "AS IS" BASIS, WITHOUT WARRANTY, FOR USE BY RECIPIENT AT ITS OWN RISK. RECIPIENT DISCLAIMS ALL WARRANTIES, WHETHER EXPRESS, IMPLIED, OR STATUTORY, INCLUDING THAT THE CONFIDENTIAL INFORMATION IS ACCURATE AND COMPLETE.
7. Term. The term of this Agreement will begin on the Effective Date and end on the fourth anniversary of the Effective Date; provided, however, that the confidentiality and non-disclosure, non-use, and other obligations will survive such termination or expiration of this Agreement and remain in effect until the later of: (i) two (2) years following termination and/or expiration of this Agreement; or (ii) four (4) years from the disclosure of the Confidential Information; provided, further, that trade secret information will remain subject to the terms of this Agreement for so long as such information remains protectable as a trade secret under applicable intellectual property laws, notwithstanding the termination or expiration of this Agreement
8. Return or Destruction. Immediately upon the request of Discloser or its Representatives, the Recipient will, and will cause its Representatives to, return to Discloser all Confidential Information in tangible form (whether in written form, electronically stored, or otherwise), and neither the Recipient nor any of its Representatives will retain any copies thereof and delete, except as prohibited by public records retention laws, all Confidential Information in electronic form from the Recipient's and its Representatives' computer systems and from all back-up and archive tapes so that nothing remains in electronic form that constitutes or contains Confidential Information. Upon the request of the Discloser or its Representatives, the Recipient will certify in writing compliance with this Section 8.
9. Privileged Information. To the extent that any Confidential Information may include material subject to the attorney-client privilege, work product doctrine, or any other applicable privilege concerning pending or threatened legal proceedings or governmental investigations, the parties understand and agree that they have a commonality of interest with respect to such matters, and it is their desire, intention and mutual understanding that the disclosure of such material is not intended to, and will not, waive or diminish in any way the confidentiality of such material or its continued protection under the attorney-client privilege, work product doctrine, or other applicable privilege, and, any such Confidential Information will remain entitled to all protection under these privileges, this Agreement, and under the joint defense doctrine. Nothing in this Agreement obligates Discloser to reveal Confidential Information and/or related materials subject to the attorney-client privilege, work product doctrine, or any other applicable privilege.
10. Export Compliance. Recipient acknowledges that Confidential Information may be subject to export controls under the laws and regulations of the United States and any other applicable governments. Recipient agrees to comply, and cause its Representatives to comply, with these laws and regulations regarding export, re-export, import, transfer, distribution, and use of the Confidential Information, and to obtain all applicable government authorizations, permits, or licenses.
11. Securities Laws. Recipient agrees to comply, and to cause its Representatives to comply, with all applicable insider trading and other securities laws to the extent it receives any Confidential Information that constitutes or contains material non-public information with respect to any public issuer. Recipient is aware, and will advise its Representatives informed of the Purpose, of the restrictions imposed by the U.S. securities laws on the purchase or sale of securities by any person who has received material, nonpublic information from an issuer of such securities and on the communication of such information to any other person when it is reasonably foreseeable that such other person is likely to trade in such securities in reliance upon such information.

12. General Provisions. This Agreement does not create any agency, joint venture, employment, or partnership relationship between or among the parties or their affiliates or Representatives. This Agreement is not assignable or transferable, in whole or in part, by either party without prior written consent of the other party, except to an affiliate or successor by merger, change in control, or sale of substantially all of the assets of a party. The parties may execute this Agreement in counterparts, which taken together will constitute one instrument, and/or by electronic signature. Notices hereunder may be given to any senior employee of a party, including by email, using the contact information set forth on the signature page or otherwise on file for a party. Amendments to this Agreement must be in writing and signed by the parties. Any waiver under this Agreement must be in writing and signed by the party granting the waiver, and a waiver or failure to enforce any provision of this Agreement on one occasion will not be deemed a waiver of any other provision or on any other occasion. If any provision of this Agreement is found by a proper authority to be unenforceable or invalid, such unenforceability or invalidity will not render this Agreement unenforceable or invalid as a whole, and, in such event, such provision will be changed and interpreted so as best to accomplish the objectives of such unenforceable or invalid provision within the limits of applicable law. Each party agrees that, to the extent that any Confidential Information is covered or protected by privilege, disclosing such Confidential Information does not constitute a waiver of such privilege.
13. Remedies; Governing Law & Forum. The parties acknowledge and agree that a breach of this Agreement by Recipient or its Representatives will cause Discloser to suffer irreparable damage that could not be adequately remedied by an action at law. Accordingly, Discloser will have the right to specific performance to require performance of this Agreement or injunctive relief to enjoin a breach of this Agreement, in addition to all other rights and remedies available to it at law, in equity, or otherwise. This Agreement is governed by the laws of the State of Oregon, notwithstanding its conflict-of-laws principles. The exclusive venue for any dispute relating to this Agreement will be the courts in Marion County, Oregon.

Agreed to as of the Effective Date by:
City of Salem

By: 
 Name: Krishna Namburi, Interim City Manager
 Address: 295 Church St SE, Suite 210
 Email: KNamburi@cityofsalem.net

VERRUS, LLC

By: 
 Name: Nelson Abramson
 Title: Chief Executive Officer
 Address: 9301 Wilshire Boulevard, Suite 508
 Email: notices@verrusdata.com

MEMO

COMMUNITY DEVELOPMENT DEPARTMENT

TO: Pre-Application Conference Notification Group

FROM: City of Salem Planning Division

DATE: July 14, 2025

SUBJECT: Pre-Application Conference Number: PRE-AP25-44
Application Number: 25-113780-PA
5400 Turner Rd SE and 4720 Deer Park Rd – 97317

A pre-application conference to discuss the attached proposal for property at **5400 TURNER RD SE and 4720 Deer Park Rd – 97317** has been scheduled as a Zoom meeting for **August 11, 2025 at 1:15 p.m.**

Proposal: A pre-application conference to discuss development of a Data Center for property 64 acres in size, zoned EC (Employment Center), and located at 5400 Turner Rd SE and 4720 Deer Park Dr SE (Marion County Assessor's Map and Tax Lot number 082W18 / 600 and 700).

Feel free to share this with others that were meant to be at the meeting.

Join Zoom Meeting: <https://us02web.zoom.us/j/85743541008>

Meeting ID: 857 4354 1008

Phone: 253-215-8782

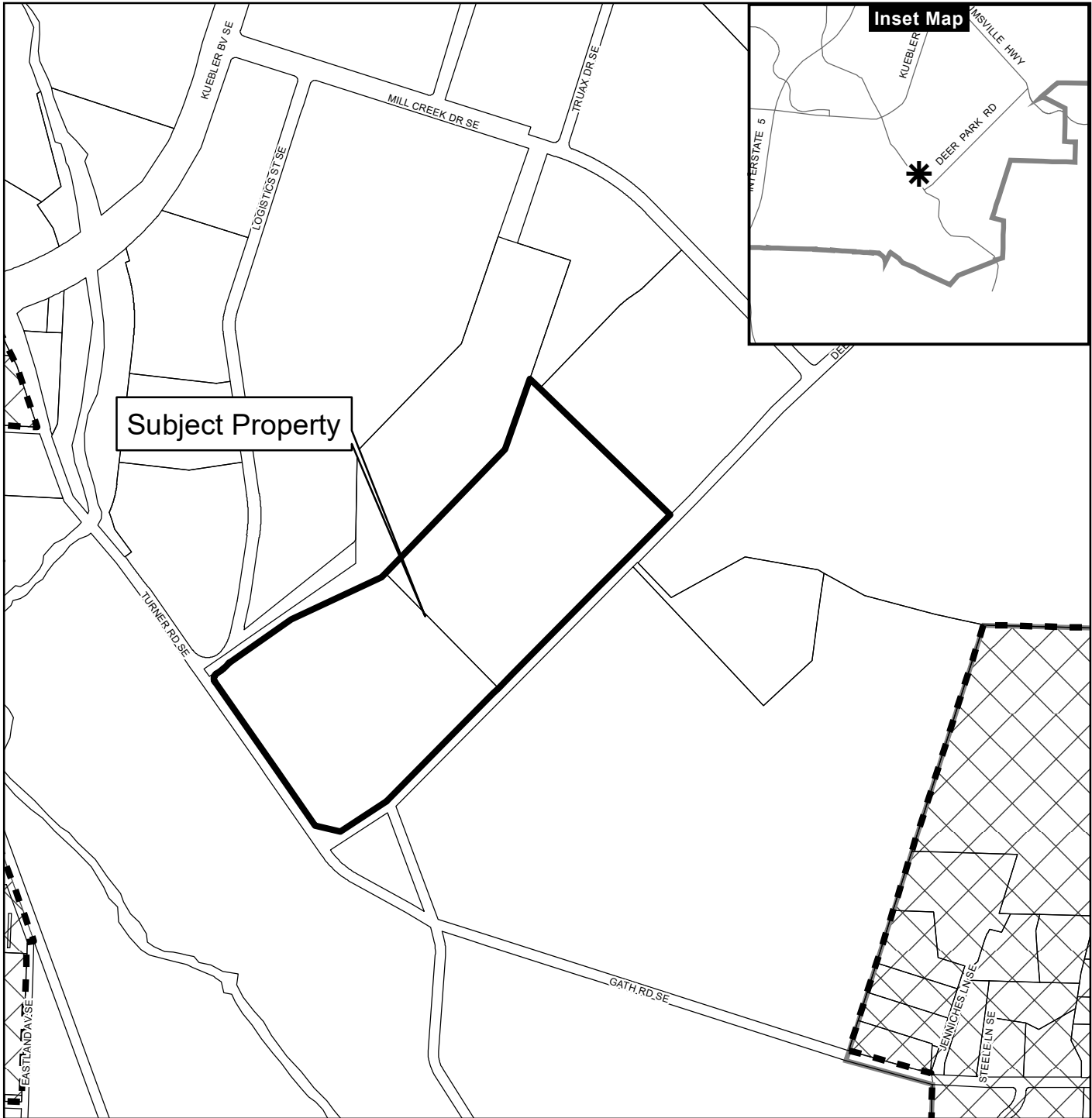
Please submit your comments to the assigned Planner below at least three business days prior to the Pre-Application Conference.

ASSIGNED PLANNER: Bryce Bishop, Planner III
E-Mail: bbishop@cityofsalem.net
Phone: 503-540-2399

<http://www.cityofsalem.net/planning>

Vicinity Map

5400 TURNER RD SE & 4720 DEER PARK DR SE



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools



Parks

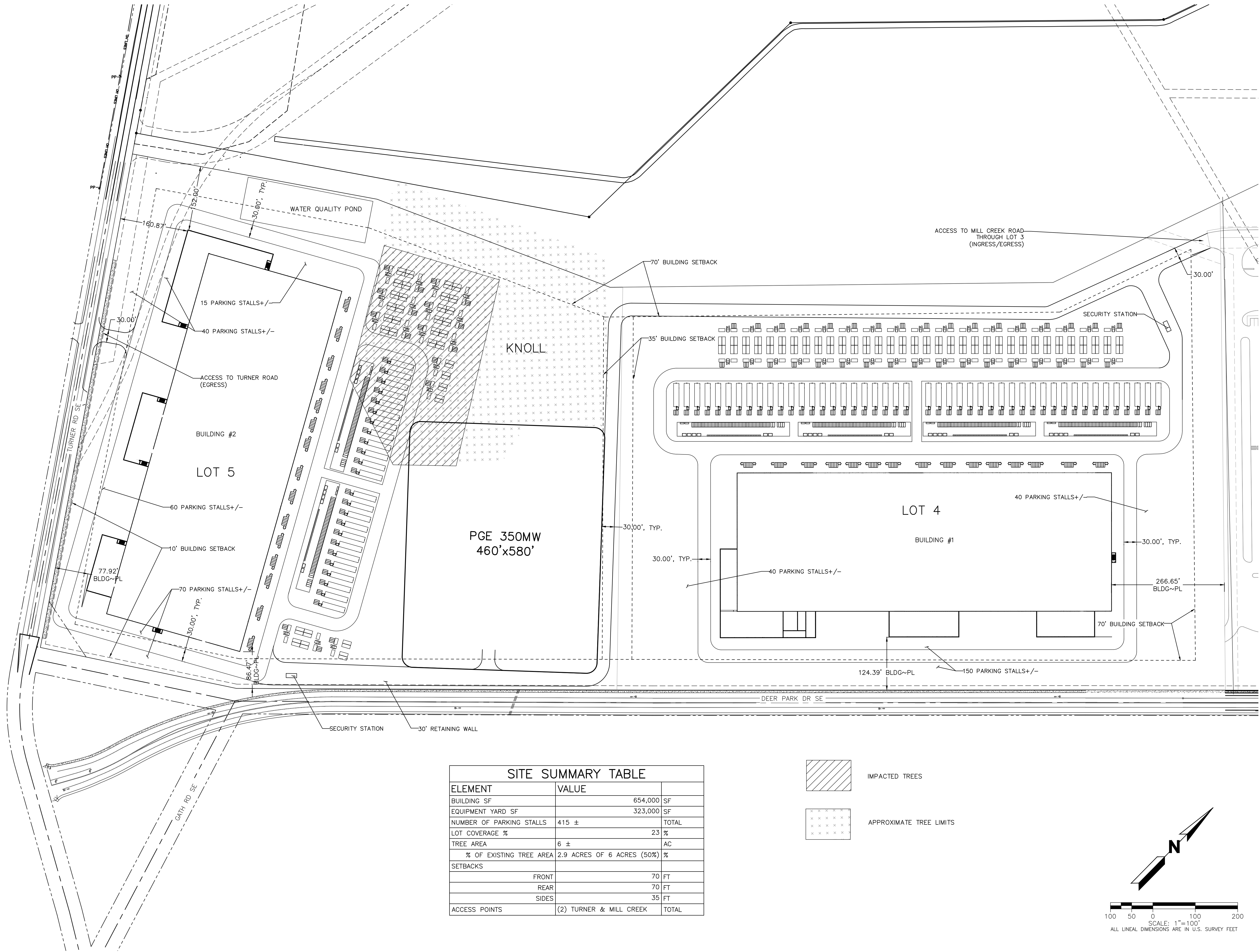


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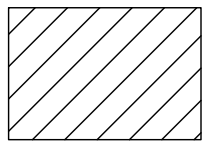
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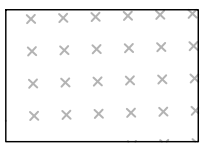
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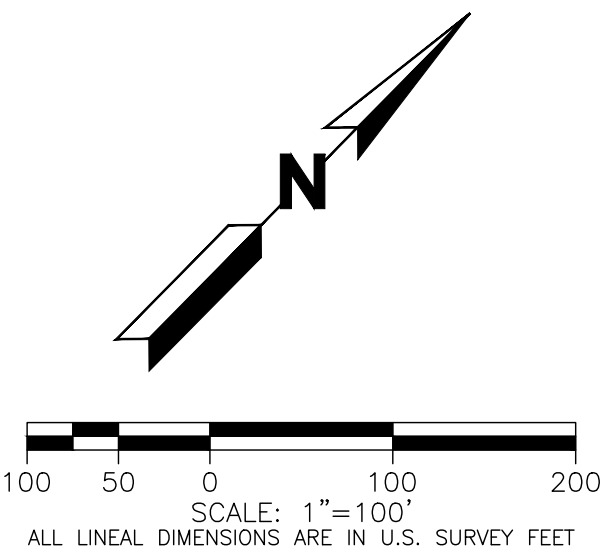
SITE SUMMARY TABLE		
ELEMENT	VALUE	
BUILDING SF	654,000	SF
EQUIPMENT YARD SF	323,000	SF
NUMBER OF PARKING STALLS	415 ±	TOTAL
LOT COVERAGE %	23	%
TREE AREA	6 ±	AC
% OF EXISTING TREE AREA	2.9 ACRES OF 6 ACRES (50%)	%
SETBACKS		
FRONT	70	FT
REAR	70	FT
SIDES	35	FT
ACCESS POINTS	(2) TURNER & MILL CREEK	TOTAL



IMPACTED TREES



APPROXIMATE TREE LIMITS



SALEM SITE PLAN

Job Number	Name
Project Manager	Date
Design By	Issue / Revision
Drawn By	No
Principal In Charge	5/13/25

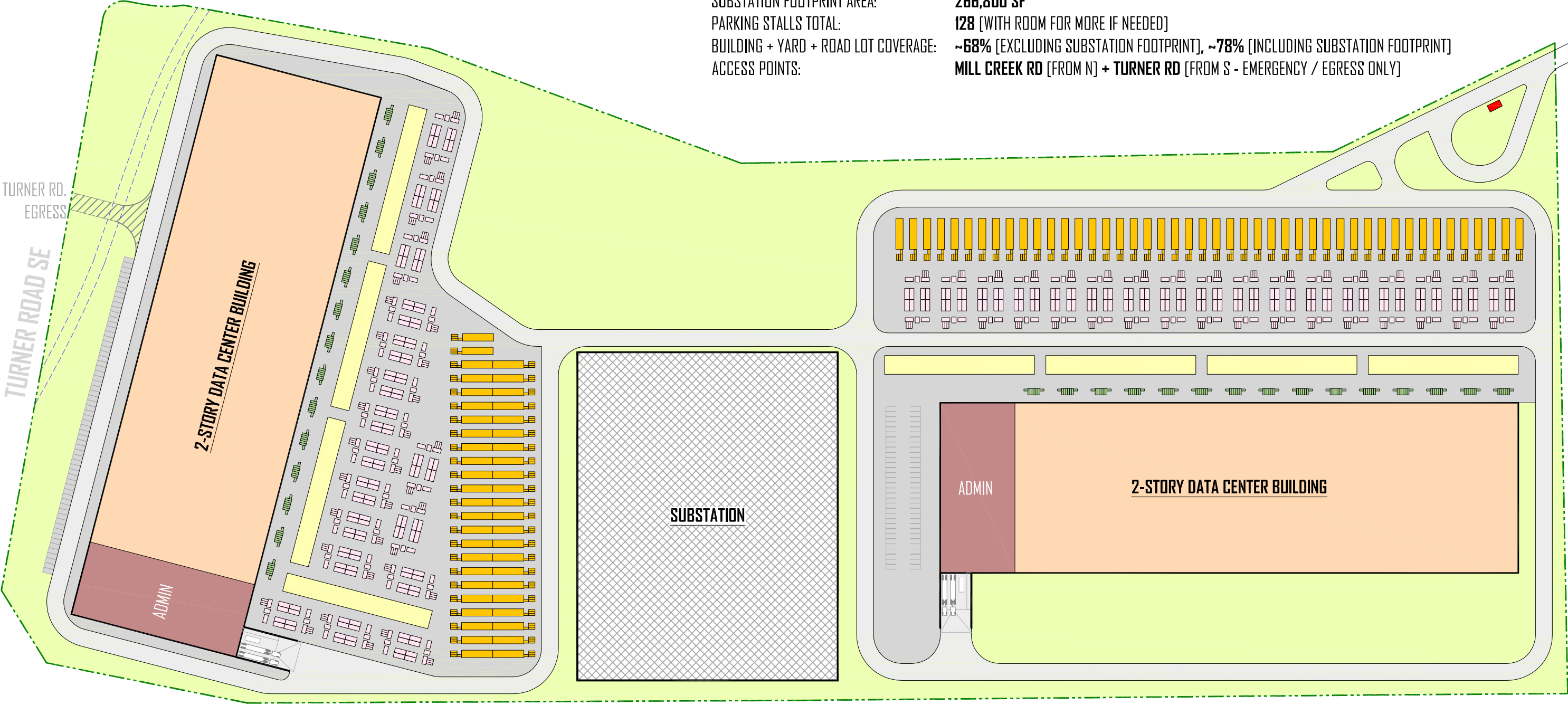
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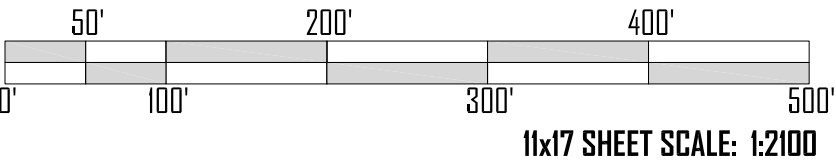
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SITE SUMMARY:

BUILDING COMBINED FOOTPRINT AREA:	615,000 SF
EQUIP. YARD COMBINED FOOTPRINT AREA:	813,000 SF
SUBSTATION FOOTPRINT AREA:	266,800 SF
PARKING STALLS TOTAL:	128 [WITH ROOM FOR MORE IF NEEDED]
BUILDING + YARD + ROAD LOT COVERAGE:	~68% [EXCLUDING SUBSTATION FOOTPRINT], ~78% [INCLUDING SUBSTATION FOOTPRINT]
ACCESS POINTS:	MILL CREEK RD [FROM N] + TURNER RD [FROM S - EMERGENCY / EGRESS ONLY]

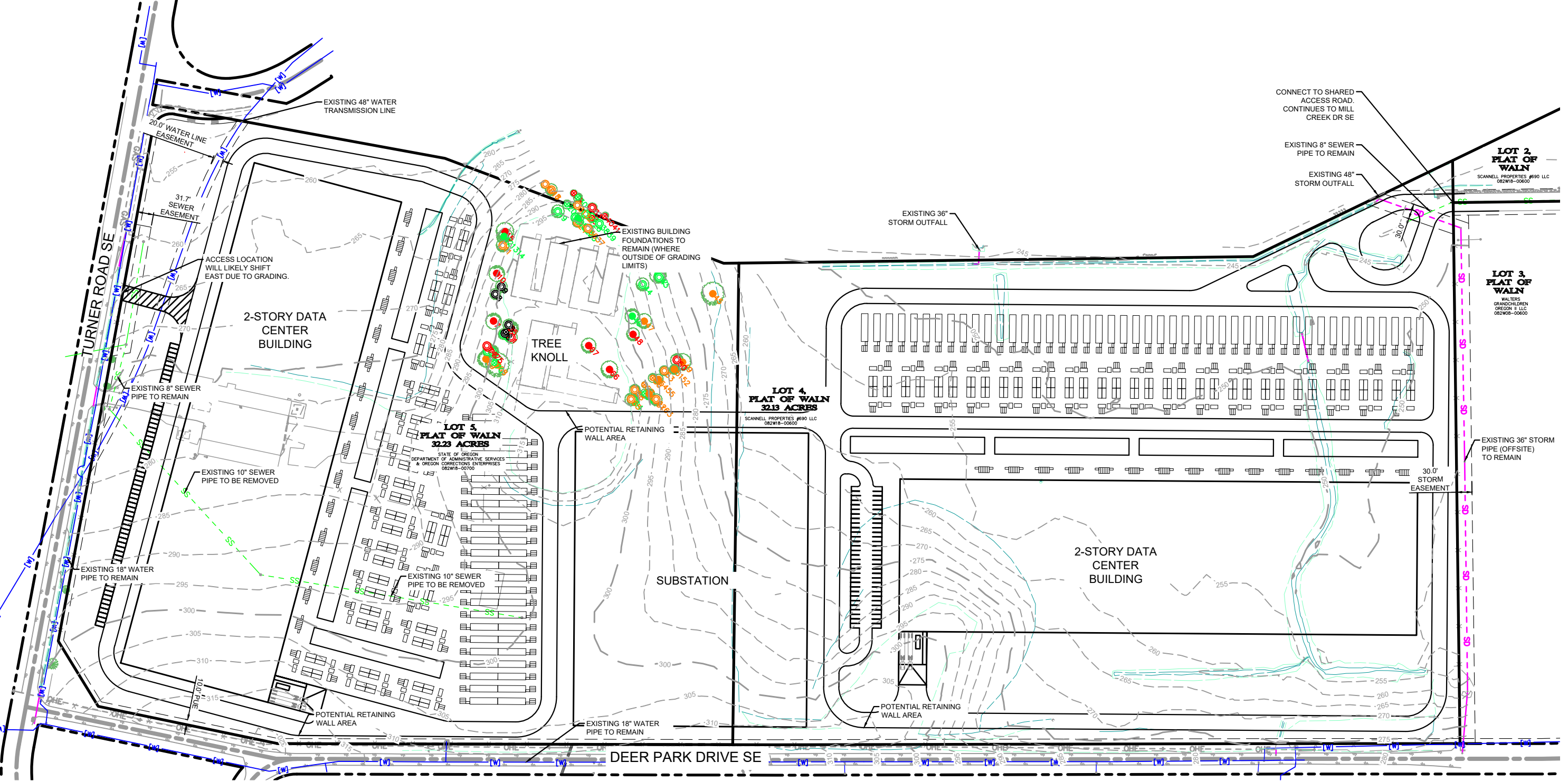


CONCEPTUAL DATA CENTER CAMPUS PLAN



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This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

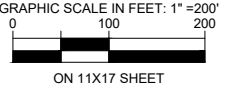


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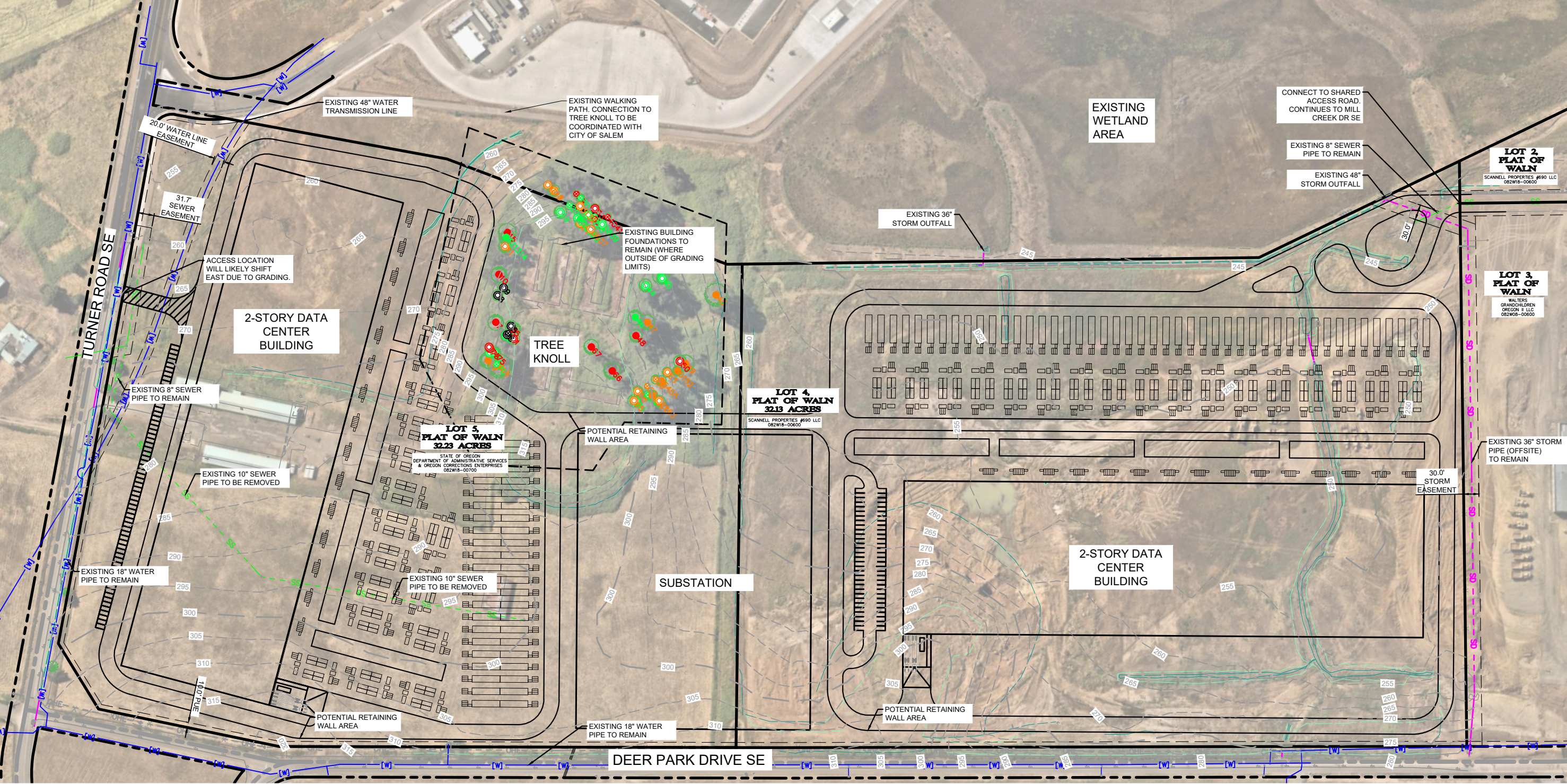
HEALTH				
DEAD	LOW	MODERATE	HEALTHY	
●	●	●	●	OAK - HERITAGE - 30\"+
⊙	⊙	⊙	⊙	OAK - PROTECTED - 20-30\"
⊕	⊕	⊕	⊕	OAK - UNDER 20\"

LEGEND

---	EXISTING PROPERTY LINE
---	EXISTING RIGHT OF WAY LINE
---	EXISTING EASEMENT
---	EXISTING STORM PIPE
---	EXISTING WATER PIPE
---	EXISTING WATER PIPE (RECORD DRAWING)
---	EXISTING SEWER PIPE
---	EXISTING TOP/TOE OF SLOPE
---	EXISTING TREE
---	EXISTING CONTOURS



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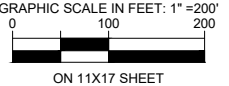


LEGEND:

HEALTH				
DEAD	LOW	MODERATE	HEALTHY	
●	●	●	●	OAK – HERITAGE – 30”+
⊙	⊙	⊙	⊙	OAK – PROTECTED – 20–30”
⊕	⊕	⊕	⊕	OAK – UNDER 20”

LEGEND

—	EXISTING PROPERTY LINE
- - -	EXISTING RIGHT OF WAY LINE
- - -	EXISTING EASEMENT
- - - S	EXISTING STORM PIPE
- - - W	EXISTING WATER PIPE
- - - [W]	EXISTING WATER PIPE (RECORD DRAWING)
- - - SS	EXISTING SEWER PIPE
- - -	EXISTING TOP/TOE OF SLOPE
●	EXISTING TREE
- - -	EXISTING CONTOURS





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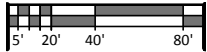
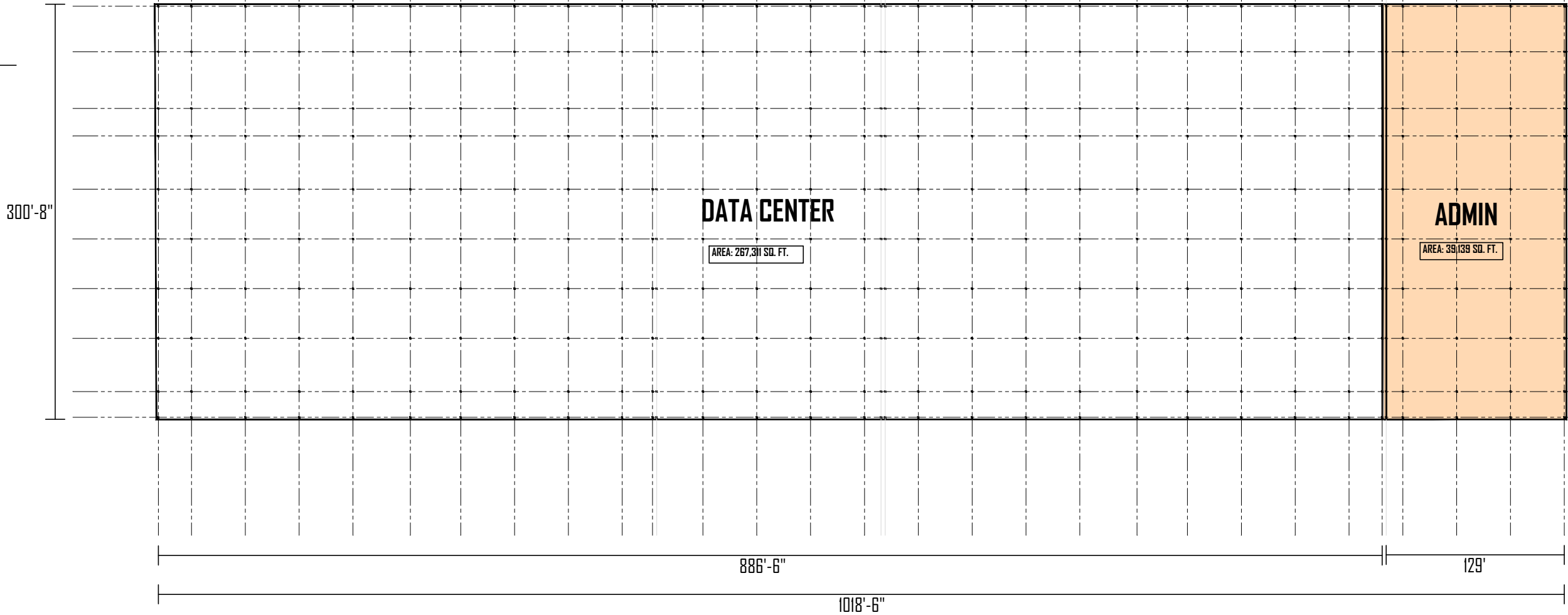
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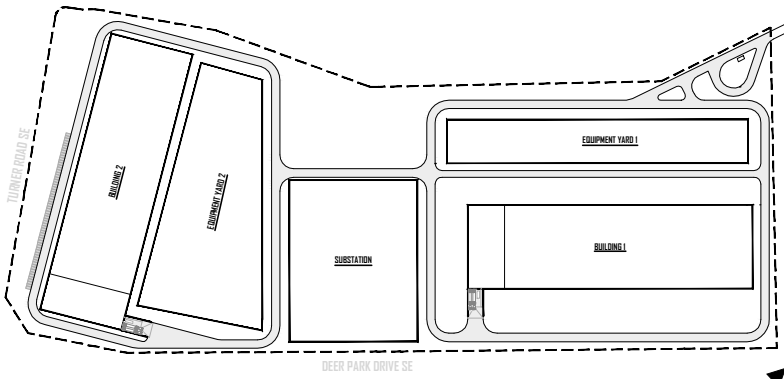
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Drawing is the Property of DLB Associates Consulting Engineers, P.C. It was Prepared Exclusively for This Particular Project and is Limited To This Project Only. Unauthorized Reproduction Or Other Use Of These Drawings Or Ideas is Prohibited.



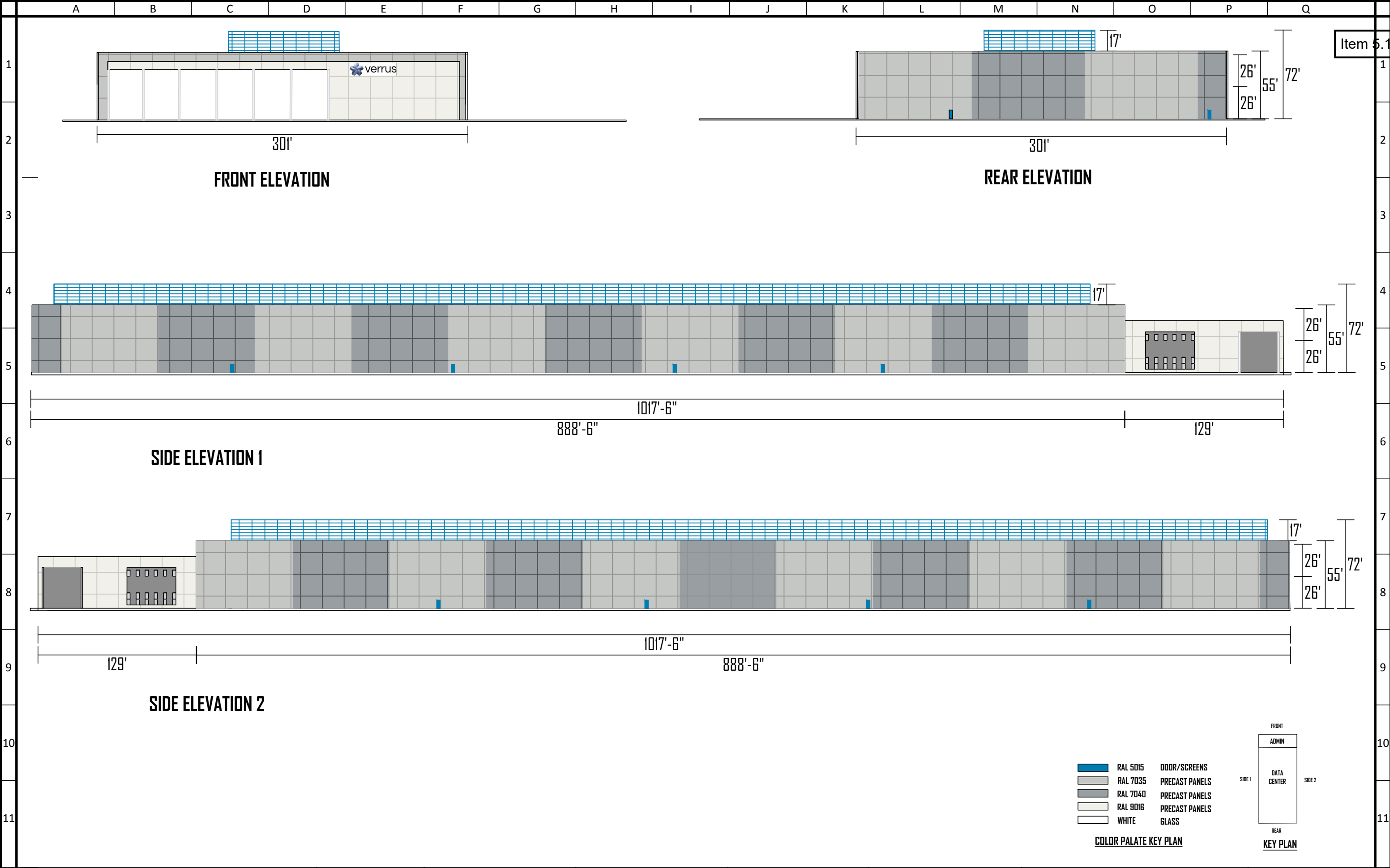
VERTICAL KEY PLAN



SITE KEY PLAN

Item 5.1

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Pre-Application Question List

To: City of Salem
 Anna Lahey, P.E. (Kimley-Horn)
 From: John Lanni, (DLB)
 Maria Poyer (Verrus)
 Peter Watkins (Gensler)
 Date: 8/1/2025
 Subject: Mill Creek Corporate Center Lots 4 and 5 Pre-Application Questions

The questions below have been prepared in advance of the pre-application meeting with the City of Salem taking place on August 11th, 2025 at 1:15 pm. The subject property consists primarily of Lots 4 and 5 of the Mill Creek Corporate Center. Tax/Map # 082W180000600 (Lot 4) and 082W180000700 (Lot 5).

Drainage

1. Who is the contact at the City for questions related to overall stormwater design? We'd like to be able to run conceptual designs by someone prior to the land use submittal.
2. Confirm the drainage shall be per the Mill Creek Corporate Center CC&R's and that only water quality is required. Detention is provided in the City wetland property.
3. Is a preliminary drainage report required for the Site Plan Review?
4. There is an existing 36" storm pipe just north of the site that is currently shown to remain. What does this pipe drain?
5. Does the City have locations where the proposed site drainage should connect to the wetland area?
6. While green infrastructure/LID will be utilized to the maximum extent feasible, we typically see cartridge filter vaults or similar allowed across Oregon jurisdictions in industrial areas/data center campuses. Is the City open to cartridge filter vaults for stormwater quality treatment?

Commented [AL1]: Per steve, if we can show that we are reserved 10% of land area for Water quality, we don't need full report. If not, we need full report. Still will ask the question to City.

Sewer

1. Per Steve Ward at Westech, the offsite improvements in Turner include a proposed 8" sewer line. We intend to connect Lot 5 to the future 8" sewer in Turner. We intend to connect Lot 4 to the existing sewer stub.
 - a. Does the City allow private sanitary sewer lift stations?
 - b. Is the City aware of any capacity concerns with the Lot 4 stub or the future Turner 8" sewer?
2. There is an existing 8"-12" sewer line within Lot 5. We assume the on-site portion of this pipe can be demolished upstream of the easement. Please confirm this is acceptable.

kimley-horn.com

1 SW Columbia Street, Portland, OR 97204

503.388.6032

3. Are there any requirements other than on-site sewer design required by the engineer for obtaining approvals for permits for this project?

Water

1. We understand there is existing 18" watermain available in Turner and Deer Park Drive. Can the City provide the water pressure and available capacity of both mains?
2. Are there any public water improvements required to be built in the proposed roadways or elsewhere?
3. We understand there's an existing 48" watermain in the southwest corner of Lot 5. Is the proposed driveway crossing over the watermain acceptable? What would be the considerations if we'd like to relocate it?

Building and Yard Design

1. Is there a maximum building height? Is this measured to roof ridge, top of parapet, or top of equipment screening?
2. Is there a minimum glazing percentage that the exterior facade needs to meet, and is this applicable to the "primary face" of a building or all elevations?
3. Are there any exterior materials that need to be used and/or any that are not permitted?
4. Are there any site noise limitations, any variations to those for daytime vs nighttime operations, and any exemptions applicable for testing or emergency situations?
5. Is equipment screening required to extend to the top of all components, including exhaust stacks and flues?

Site Design

1. Any comments on the site plan related to aerial apparatus access?
2. Any restrictions related to retaining walls?
3. Confirm the driveway locations proposed are acceptable.
4. What EV parking requirements, if any, will be applied?
5. What bicycle parking requirements, if any, will be applied?
6. What documentation will be needed to confirm no TIA is needed for this site?
7. What will be required to address removal of the trees impacted by the development?

Tree Knoll

1. Can we get the location information for the planned city pathways that are supposed to connect to the Tree knoll?
2. What are the requirements for connecting the tree knoll to the planned city pathways?

Commented [yo2]: @Anna & John I added a Tree knoll section



Pre-Application Summary

Community Planning & Development
Planning Division

555 Liberty Street SE/Room 305
Phone: 503-588-6173
www.cityofsalem.net/planning

Case Number / AMANDA No. PRE-AP25-44 / 25-113780-PA

Conference Date August 11, 2025

Applicant(s) Erik Andersson
626 High Street NE, Suite 200
Salem, OR 97301
eandersson@sedcor.com

Representative Mark Hoyt
693 Chemeketa Street NE
Salem, OR 97301
mark@shermlaw.com

Case Manager Bryce Bishop

Mandatory Pre-Application Conference: ☐ Yes ☒ No

Project Description & Property Information	
Project Description	Development of a proposed data center
Property Address	5400 Turner Rd SE and 4720 Deer Park Dr SE
Assessor's Map and Tax Lot Number	082W180000700 and 082W180000600
Property Size	Approximately 64.36 acres
Existing Use	Vacant
Comprehensive Plan Map Designation	Employment Center
Zoning	EC (Employment Center)
Overlay Zone(s) / Historic Districts	None
Historic & Cultural Resources Protection Zone	The property is located within the City's Historic & Cultural Resources Protection Zone.
Urban Service Area	The subject property is located outside the City's Urban Service Area. Note: When property is located outside the City's Urban Service Area an Urban Growth Preliminary Declaration is required for development of the property. An Urban Growth Preliminary Declaration for the Mill Creek Corporate Center (Case No. UGA09-05) was previously approved and remains valid. As such, an Urban Growth Preliminary Declaration is not required for the proposed development.
Urban Renewal Area(s)	Mill Creek Urban Renewal Area
Other Department / Agency Contacts	<u>Building & Safety</u> : Matt O'Donnell

	modonnell@cityofsalem.net / 503-540-2022
	Fire Department: Justin Guinan Guinan@cityofsalem.net / 503-588-6378
	Development Services: Aaron Panko APanko@cityofsalem.net / 503-540-2356
	Portland General Electric (PGE): Ken Spencer Kenneth.Spencer@pgn.com

Planning Division Comments

Proposal

A pre-application conference to discuss development of a Data Center for property 64 acres in size, zoned EC (Employment Center), and located at 5400 Turner Rd SE and 4720 Deer Park Dr SE (Marion County Assessors Map and Tax Lot number 082W18 / 600 and 700).

Past Land Use Decisions

Staff reviewed the Planning Division's records to determine if there were any prior land use approvals for the subject property. In review of those records, the following past land use decisions were found:

- **Partition Case No. PAR04-34:** An application for a partition to divide approximately 437.9 acres into three parcels with Parcel 1 consisting of approximately 184.6 acres, Parcel 2 consisting of approximately 91.5 acres, and Parcel 3 consisting of approximately 161.8 acres for property in a PH (Public and Private Health Services) zone and located in the 3400 block of Deer Park Drive, 3800 block of Aumsville Highway, and the 4900 block of Turner Road (Marion County Assessor's map/tax lot numbers 82W08/103, 104, 105 (Parcel F)).
- **City Initiated Comprehensive Plan Change/Zone Change & Text Amendment Case No. CI-CPC/ZC/Text Amendment 04-12:** A City-initiated Comprehensive Plan Text Amendment, Zoning Text Amendment, and Comprehensive Plan Change and Zone Change to: 1) To amend the Salem Area Comprehensive Plan (SACP) to include a new land use designation, "Employment Center"; 2) To amend Title X of the Salem Revised Code (SRC) to include a new chapter and zoning district, Employment Center (EC); 3) Apply the new EC zoning designation to the SREC property, currently zoned PH (Public and Private Health Services) and apply the "Employment Center" SACP designation to the SREC property, which is currently designated "Community Service - Government"; and 4) To amend SRC Chapter 113 to better-define how uses are described and classified.
- **Urban Growth Preliminary Declaration Case No. UGA05-18:** An application for an Urban Growth Preliminary Declaration to determine the public facilities required by the Urban Growth Management Program to develop the Mill Creek Industrial Park (MCIP) on approximately 646 acres in the Employment Center Zone and generally located east of Kuebler Boulevard SE, west of Deer Park Road SE, north of Turner Road SE and south of North Santiam Highway.
- **Partition Case No. PAR06-06:** An application for a partition to divide approximately 231.38 acres into three parcels with Parcel 1 consisting of approximately 58.85 acres, Parcel 2 consisting of approximately 167 acres, and Parcel 3 consisting of approximately 26.17 acres for property in the Employment Center (EC) zoning district and located east of Kuebler Boulevard SE, south of Aumsville Highway SE, and north of Turner Road SE.
- **Subdivision Case No. SUB08-05:** A subdivision application to subdivide approximately 496 acres into 11 phases with 51 lots ranging in size from approximately one (1.0) acre to approximately 107.9 acres; with a concurrent variance request to allow a cul-de-sac street that exceeds the maximum 800 feet in length allowed under SRC 63.225(d). The subject property is zoned EC (Employment Center) and located east of Kuebler Boulevard SE between Turner Road SE and Aumsville Highway SE

(Marion County Assessor's Map 082W07 and Tax Lot Number 00600 and Map 082W08 and Tax Lot Numbers 00103, 00105, 00106, 00107 and 00109).

- **Subdivision Modification Case No. SUB08-05A:** An application to amend the phasing plan and related conditions for approved subdivision SUB08-5, a subdivision of approximately 496 acres into 11 phases with 51 lots ranging in size from approximately one (1.0) acre to approximately 107.9 acres with a concurrent variance to allow a cul-de-sac street that exceeds the maximum 800 feet in length allowed under SRC 63.225(d). The subject property is zoned EC (Employment Center) and located east of Kuebler Boulevard SE between Turner Road SE and Aumsville Highway SE (Marion County Assessor's Map 082W07 and Tax Lot Number 00600 and Map 082W08 and Tax Lot Numbers 00103, 00105, 00106, 00107 and 00109).
- **Subdivision Modification Case No. SUB08-05MOD2:** An application to modify the phasing plan and related conditions of approval for the remaining unplatted phases from approved Subdivision Case No. 08-05A, for property approximately 310 acres in size, zoned EC (Employment Center), and located generally at 5400 Turner Road SE - 97317 (Marion County Assessors Map and Tax Lot numbers: 082W07 / 00602 also 082W08 / 00103 and 00109).
- **Class 1 Time Extension Case No. SUB08-05MOD2EXT1:** An application for a Class 1 Extension to extend the approval for a modified tentative subdivision plan (Case No. SUB08-05MOD2) by two years to November 5, 2023. SUB08-05MOD2 modified an amended subdivision approval (Case NO. SUB SUB08-05A) which had originally amended the approvals of a tentative subdivision plan, Case No. SUB08-05.

The remaining unplatted phases from approved Subdivision Case No. 08-05A, for property approximately 310 acres in size, zoned EC (Employment Center), and located generally at 5400 Turner Road SE - 97317 (Marion County Assessors Map and Tax Lot numbers: 082W07 / 00602 also 082W08 / 00103 and 00109).

- **Urban Growth Preliminary Declaration Case No. UGA09-05:** An Urban Growth Preliminary Declaration to determine the public facilities required by the Urban Growth Management Program to develop a subdivision of approximately 496 acres into 11 phases with 51 lots ranging in size from approximately one (1.0) acre to approximately 107.9 acres, zoned EC (Employment Center), and located east of Kuebler Boulevard SE between Turner Road SE and Aumsville Highway SE (Marion County Assessor's Map 082W07 and Tax Lot Number 00600 and Map 082W08 and Tax Lot Numbers 00103, 00105, 00106, 00107 and 00109).
- **Replat Case No. REP13-04:** An application for a Replat to adjust the boundaries of Parcel 1 of PP2004-116, Parcel 1 of PP2006-130, Parcel 2 of PP2006-130, and Parcel 3 of PP2007-109, resulting in four parcels of approximately 70 acres (proposed Parcel 1), 166 acres (proposed Parcel 2), 185 acres (proposed Parcel 3) and 23 acres (proposed Parcel 4), on property zoned EC (Employment Center) and located within the Mill Creek Corporate Center, bounded by Kuebler Boulevard SE, Aumsville Highway SE, Deer Park Drive SE, and Turner Road SE 97302 (Marion County Assessor Map and Tax Lots 082W07 / 00600 and 082W08 / 00103, 00106, and 00109).

Legal Unit(s) of Land

As shown by the excerpted portion of the Marion County Assessor's map below, the subject property is comprised of Lots 4 and 5 of the Waln subdivision plat. Both lots are therefore lawfully established discrete units of land.



Required Land Use Applications

The land use applications checked in the table below have been preliminarily identified as being required for development of the subject property based upon the information provided by the applicant at the time of the pre-application conference. Additional land use applications may be required depending on the specific proposal at the time of future development.

Required Land Use Applications			
Zoning		Site Plan Review	
☐	Conditional Use (SRC 240.005)	☐	Class 1 Site Plan Review (SRC 220.005)
☐	Comprehensive Plan Change (SRC 64.020)	☐	Class 2 Site Plan Review (SRC 220.005) (Applicable if the development meets the triggers for Class 2 Site Plan Review under SRC 220.005(b)(2)).
☐	Zone Change (SRC 265.000)	☒	Class 3 Site Plan Review (SRC 220.005) (Applicable if the development meets the triggers for Class 3 Site Plan Review under SRC 220.005(b)(3)).

☐	Temporary use Permit – Class 1 (SRC 701.010)	Design Review			
☐	Temporary Use Permit – Class 2 (SRC 701.010)	☐	Class 1 Design Review (SRC 225.005)		
☐	Non-Conforming Use Extension, Alteration, Expansion, or Substitution (SRC 270.000)	☐	Class 2 Design Review (SRC 225.005)		
☐	Manufactured Dwelling Park Permit (SRC 235.010)	☐	Class 3 Design Review (SRC 225.005)		
Land Divisions		Historic Design Review (SRC 230.020)			
☒	Property Line Adjustment (SRC 205.055)	☐	Major Commercial	☐	Minor Commercial
☒	Replat (SRC 205.025)	☐	Major Public	☐	Minor Public
☐	Partition (SRC 205.005)	☐	Major Residential	☐	Minor Residential
☐	Subdivision (SRC 205.010)	Wireless Communication Facilities			
☐	Phased Subdivision (SRC 205.015)	☐	Class 1 Permit (SRC 703.020)		
☐	Planned Unit Development Tentative Plan (SRC 210.025)	☐	Class 2 Permit (SRC 703.020)		
☐	Manufactured Dwelling Park Subdivision (SRC 205.020)	☐	Class 3 Permit (SRC 703.020)		
☐	Middle Housing Land Division (SRC 205.051)	☐	Temporary (SRC 703.100)		
☐	Validation of Unit of Land (SRC 205.060) (Required if the subject property is not a lawfully created unit of land)	☐	Adjustment (SRC 703.090)		
Relief					
☒	Adjustment – Class 1 (SRC 250.005) (Applicable when a proposed deviation from standards is within 20 percent of the standard)	Other			
☒	Adjustment – Class 2 (SRC 250.005) (Applicable when a proposed deviation from standards exceeds 20 percent of the standard)	☐	Annexation – Without Comprehensive Plan Change and/or Zone Change (SRC 260.010)		
☐	Variance (SRC 245.005)	☐	Annexation – With Comprehensive Plan Change and/or Zone Change (SRC 260.010)		
Natural Resources		☐	Sign Adjustment (SRC 900.035)		
☐	Tree Conservation Plan (SRC 808.035)	☐	Sign Conditional Use (SRC 900.045)		
☐	Tree Conservation Plan Adjustment (SRC 808.040)	☐	Sign Variance (SRC 900.040)		
☒	Tree Removal Permit (SRC 808.030) (Applicable if trees are proposed for removal that are protected under SRC Chapter 808)	☐	SWMU Zone Development Phasing Plan (SRC 531.015)		
☒	Tree Variance (SRC 808.045) (Applicable if trees are proposed for removal that do not meet the approval criteria for removal through a Tree Removal Permit)	☐	Urban Growth Preliminary Declaration (SRC 200.020)		
☐	Willamette Greenway Permit – Class 1 (SRC 600.015)				

☐	Willamette Greenway Permit – Class 2 (SRC 600.015)	☒	Historic Clearance Review- High Probability Archaeological Zone (SRC 230.100)
		☐	Fairview Refinement Plan Minor Amendment (SRC 530.035)
		☐	Fairview Refinement Plan Major Amendment (SRC 530.035)
		☒	Class 2 Driveway Approach Permit (SRC 804.025)
		☐	Landscaping Permit (SRC 807.020(b))

Staff Comments

Some of the applications identified in the above table are to anticipate various development scenarios which may or may not occur. Additional details are as follows:

- **Replat or Property Line Adjustments:** The subject property is currently comprised of two platted lots (*Lots 4 and 5 of the Waln subdivision plat*). As discussed at the pre-application conference, PGE indicated that the proposed electric substation on the site will need to be on its own lot separate lot under the ownership of PGE.

Because the subject property is comprised of two separate legal lots, an application for either a replat or a property line adjustment can be utilized to reconfigure the two lots in order to have one lot accommodating the data center buildings and associated accessory structures and the other lot accommodating the PGE substation. Please note, however, that a property line adjustment can only be utilized to reconfigure two contiguous lots or consolidate two contiguous lots into one lot. A property line adjustment cannot be used to create an additional lot. If there is a desire to reconfigure the subject property to result in three separate lots in order to accommodate the proposed development, an application for a replat would instead be required. Per [SRC 205.025\(a\)](#), a replat is required to reconfigure lots or parcels and public easements in a recorded partition or subdivision plat or to **increase or decrease the number of lots in a subdivision**.

- **Class 3 Site Plan Review:** The purpose of site plan review is to provide a unified, consistent and efficient means to conduct site plan review for development activity that requires a building permit, to ensure that such development meets all applicable standards of the UDC, including, but not limited to, standards related to access, pedestrian connectivity, setbacks, parking areas, external refuse storage areas, open areas, landscaping, and transportation and utility infrastructure.
- **Adjustments:** Depending on the final layout of the proposed development, not all of the applicable development standards of the Salem Revised Code (SRC) may be able to be met. If the proposed development will not be able to meet an applicable development standard, either a Class 1 Adjustment or Class 2 Adjustment will be required. A Class 1 Adjustment applies when a requested deviation from a development standard does not exceed 20 percent and a Class 2 Adjustment applies when a requested deviation from a development standard exceeds 20 percent. In order for an adjustment to be approved, the approval criteria must be satisfied. It's the applicant's burden to demonstrate the approval criteria are met.
- **Class 2 Driveway Approach Permit:** The purpose of the driveway approach permit is to establish development standards for safe and efficient access to public streets. A driveway approach permit is required for constructing, relocating, reconstructing, enlarging, or altering a driveway approach.
- **Tree Removal Permit or Tree Variance:** As discussed at the pre-application conference, there are existing trees on the property located on the elevated tree knoll portion of the site. If the proposed development will require the removal of any trees that are protected under the City's tree preservation ordinance (SRC Chapter 808), an application for either a Tree Removal Permit (per [SRC 808.030](#)) or a Tree Variance (per [SRC 808.045](#)) will be required.

- **Archeological Review:** The subject property is located within the City's [Historic and Cultural Resources Projection Zone](#) due to the possibility of archaeological resources being present on the site. Because of this, archeological review, in addition to the land use applications identified above, may be required in connection with any grading and ground disturbing activity conducted on the site. Prior to issuance of any City grading permits, an [Inadvertent Discovery Plan \(IDP\)](#) will also be required. The purpose of the IDP is to establish the process and protocols that must be followed, as required by law, in the event an archaeological resource is discovered during any ground disturbing activity being conducted on the site.

Due to the potential presence of archaeological resources on the site, it is strongly recommended that you contact Kimberli Fitzgerald, the City's Historic Preservation Officer and City Archaeologist, to determine what archaeological requirements will apply based on the specific extent of site development proposed. Kimberli can be reached at 503-540-2397 or KFitzgerald@cityofsalem.net.

Online Application Submittal Packets

The City has electronic application submittal guides for the applications identified above. The webpages include a summary of the review procedure, submittal requirements, and approval criteria. The submittal guides can be found on the City's website at the following location:

❖ **Replat:**

<https://www.cityofsalem.net/business/land-use-zoning/development-application-help/reconfigure-your-land-replat>

❖ **Property Line Adjustment:**

<https://www.cityofsalem.net/business/land-use-zoning/development-application-help/move-your-property-lines-property-line-adjustment>

❖ **Finalizing Your Land Survey (Plat):**

<https://www.cityofsalem.net/business/land-use-zoning/development-application-help/finalize-your-land-survey-plat>

❖ **Site Plan Review:**

<https://www.cityofsalem.net/business/land-use-zoning/development-application-help/build-on-your-property>

❖ **Class 1 and Class 2 Adjustments (if applicable):**

<https://www.cityofsalem.net/business/land-use-zoning/development-application-help/seek-an-adjustment-to-land-use-standards>

❖ **Tree Removal Permit & Tree Variance:**

<https://www.cityofsalem.net/community/household/home-improvement/tree-removal-on-your-property>

Land Use Application Fees

The applicable land use application fees for these applications can be found on the City's website at the location below. Land use application fees and descriptions start on **page 22** of the document.

<https://www.cityofsalem.net/home/showpublisheddocument/1124/638554242517500000>

Consolidated Land Use Application Procedures

When multiple land use applications are required or proposed for a development, the City's land use procedures ordinance (SRC Chapter 300) provides alternative methods for how such applications may be processed.

The applications may be processed individually in sequence, concurrently, or consolidated into a single application. Where multiple applications proposed to be consolidated include an application subject to review by the Historic Landmarks Commission, the application subject to Historic Landmarks Commission review may be processed individually in sequence or concurrently.

Multiple land use applications consolidated into a single application shall be accompanied by the information and supporting documentation required for each individual land use action. Review of the application shall be according to the highest numbered procedure type and the highest Review Authority required for any of the land use applications proposed to be consolidated.

Multiple applications processed concurrently require the filing of separate applications for each land use action. Each application shall be reviewed separately according to the applicable procedure type and Review Authority, and processed simultaneously.

Zoning

The zoning of the subject property has been identified in the table below. For specific requirements of the applicable zone(s), click on the zone(s) in the table.

Base Zones			
☐	EFU – Exclusive Farm Use (SRC 500.000)	☐	MU-II – Mixed Use II (SRC 534.000)
☐	RA – Residential Agriculture (SRC 510.000)	☐	MU-III – Mixed Use III (SRC 535.000)
☐	RS – Single Family Residential (SRC 511.000)	☐	MU-R – Mixed Use Riverfront (SRC 536.000)
☐	RM-I – Multiple Family Residential (SRC 513.000)	☐	ESMU – Edgewater/Second Street Mixed-Use Corridor (SRC 537.000)
☐	RM-II – Multiple Family Residential (SRC 514.000)	☐	PA – Public Amusement (SRC 540.000)
☐	RM-III – Multiple Family Residential (SRC 515.000)	☐	PC – Public/Private Cemetery (SRC 541.000)
☐	CO – Commercial Office (SRC 521.000)	☐	PE – Public/Private Education (SRC 542.000)
☐	CR – Retail Commercial (SRC 522.000)	☐	PH – Public/Private Health Services (SRC 543.000)
☐	CG – General Commercial (SRC 523.000)	☐	PS – Public Service (SRC 544.000)
☐	CB – Central Business District (SRC 524.000)	☐	PM – Capitol Mall (SRC 545.000)
☐	WSCB – West Salem Central Business District (SRC 525.000)	☒	EC – Employment Center (SRC 550.000)
☐	FMU – Fairview Mixed-Use (SRC 530.000)	☐	IC – Industrial Commercial (SRC 551.000)
☐	SWMU – South Waterfront Mixed-Use (SRC 531.000)	☐	IBC – Industrial Business Campus (SRC 552.000)
☐	NH – Neighborhood Hub (SRC 532.000)	☐	IP – Industrial Park (SRC 553.000)
☐	MU-I – Mixed Use I (SRC 533.000)	☐	IG – General Industrial (SRC 554.000)
Overlay Zones			
☐	Willamette Greenway (SRC 600.000)	☐	Chemawa-I-5 Northeast Quadrant Gateway (SRC 618.000)
☐	Floodplain (SRC 601.000)	☐	Superior-Rural (SRC 621.000)
☒	Airport (SRC 602.000)	☐	Saginaw Street (SRC 625.000)
☐	Portland Fairgrounds Road (SRC 603.000)	☐	McNary Field (SRC 629.000)
Staff Comments			

❖ **Proposed Use:** The proposal includes the development of two, 2-story, data center buildings along with supporting accessory structures and equipment. In addition, as shown on the proposed site plan, an electric substation for PGE is also proposed on the site.

Under the City's Use Classification chapter ([SRC 400](#)), Data Center Facilities uses are described, pursuant to [SRC 400.110\(e\)](#), as being characterized by, "...*facilities that physically house computer systems and associated equipment dedicated to data storage and/or transmission. Data Center facilities serve users beyond those present on the site. Facilities may or may not be regularly staffed by employees on-site. Facilities often include redundant or backup power supplies; redundant data communications connections; environmental controls, such as air conditioning and fire suppression; and security devices.*"

Within the EC zone, Data Center Facilities uses are allowed as a Permitted Use, per [SRC 550.010\(a\)](#) – Table 550-1.

As identified on the site plan, the proposed data center facilities will also include large areas of the site dedicated to accessory structures and supporting equipment, such as battery banks. At the pre-application conference the applicant indicated that the battery banks will be utilized to supply power to the data center facilities and will not be utilized to sell excess power back into the electrical grid. As such, the battery banks are considered accessory to the Data Center Facility use of the property. If the battery banks were ever, however, instead primarily used to store electricity and sell it back into the grid, that type of use would be classified as a Power Generation Facility. Within the EC zone, Power Generation Facilities are also allowed as a Permitted Use.

In regard to the proposed electric substation identified on the site, [SRC 400.110\(a\)](#) describes Basic Utility uses as being characterized by, "...*physical infrastructure providing utility services, including, but not limited to, water; wastewater; stormwater management; natural gas; electricity; telephone, internet, and other electronic data or communication services; and cable television. Such facilities are not regularly occupied by employees, and generally do not include parking areas or storage areas for vehicles, equipment, or materials.*"

Within the EC zone, Basic Utilities are allowed as a Permitted Use, per [SRC 550.010\(a\)](#) – Table 550-1.

Development Standards

The proposed development will be subject to the requirements of the [EC zone](#) and the provisions of the chapters identified in the table below. For specific requirements, click on chapters in the table.

Mill Creek Corporate Center CC&Rs: In addition to the applicable standards of the City's development code, development of the property will also be subject to the private Covenants, Conditions, and Restrictions (CC&Rs) established for the Mill Creek Corporate Center. As identified in the CC&Rs, all improvements to be constructed on a lot are required to conform to the established Design Standards and Guidelines, as they may be interpreted or modified by the Design Review Committee, except to the extent that the Design Review Committee allows a variance to such requirements.

Development Standards			
☐	Special Use Provisions (SRC 700.000)	☒	Off-Street Parking, Loading and Driveways (SRC 806.000)
☐	Multiple Family Design Review Standards (SRC 702.000)	☒	Landscaping and Screening (SRC 807.000)
☒	General Development Standards (SRC 800.000)	☒	Preservation of Trees and Vegetation (SRC 808.000)
☒	Public Improvements (SRC 802.000)	☐	Wetlands (SRC 809.000)

☒	Streets and Right-Of-Way Improvements (SRC 803.000)	☒	Landslide Hazards (SRC 810.000)
☒	Driveway Approaches (SRC 804.000)	☒	Sign Code (SRC 900.000)
☒	Vision Clearance (SRC 805.000)		

Staff Comments

Based upon review of the proposed plans, the following items have been identified concerning the proposed development's conformance with applicable Salem Revised Code standards.

▪ **EC Zone Development Standards ([SRC 550.015](#))**

- ❖ Lot Standards (SRC 550.015(a)(1) - Table 550-3): The minimum lot size and dimension standards of the EC zone are as follows:

EC Zone Lot Standards	
Lot Area	None
Lot Width	None
Lot Depth	None
Street Frontage	Min. 16 ft.

As identified by the above table, there are no minimum lot area, width, or depth standards in the EC zone. There is, however, a minimum street frontage requirement of 16 feet. Because the two lots which make up the subject property will need to be reconfigured to accommodate a separate lot for the proposed PGE electric substation on the site, the reconfigured lots will need to conform to the applicable EC zone lot standards. Based on the overall size of the subject property both reconfigured lots will have more than 16 feet of frontage on a street.

- ❖ Setbacks (SRC 550.015(a)(2) - Tables 550-4 and 550-5): A summary of the EC zone setbacks applicable to the proposed development is included in the table below. Please note that the Mill Creek Corporate Center CC&Rs establish additional setback requirements that are applicable to the proposed development.

EC Zone Setbacks		
Abutting Street		
Buildings & Accessory Structures	Min. 10 ft.	
Parking & Vehicle Use Areas	Min. 6 ft. to 10 ft.	Per alternative setback methods under SRC 806.035(c)(2).
Interior Side & Interior Rear		
Buildings and Accessory Structures	Min. 10 ft. with Type A Landscaping and Screening ⁽¹⁾	Zone-to-zone setback abutting Industrial and Employment Zone (EC, IC, IBC, & IP).
	Min. 10 ft. with Type A Landscaping and Screening ⁽¹⁾	Zone-to-zone setback abutting Public Zone.
Parking and Vehicle Use Areas	Min. 5 ft. with Type A Landscaping and Screening ⁽¹⁾	Zone-to-zone setback abutting Industrial and Employment Zone (EC, IC, IBC, & IP).

	Min. 5 ft. with Type A Landscaping and Screening ⁽¹⁾	Zone-to-zone setback abutting Public Zone.
<u>Notes</u> (1) <u>Required Landscaping & Screening</u>: Pursuant to SRC 807.015(a), Table 807-1, Type A Landscaping requires a minimum planting density of 1 plant unit per 20 square feet of landscaped area.		

Upon review of the plans, EC zone setbacks appear to be met with the exception of where the existing property line between the two properties passes through the site where the proposed PGE substation is located. At the pre-application conference the need to relocate this property line was discussed in order to create a separate parcel for the substation. With the needed adjustment to the location of the property line to create a separate lot for the PGE substation, required EC zone setbacks to the adjusted property line location will need to be met.

Mill Creek Corporate Center CC&Rs: In addition to the required EC zone setbacks, the CC&Rs for the Mill Creek Corporate Center include additional building and parking and service area setbacks abutting street and interior property lines. Addition CC&R setback requirements applicable to the proposed development include the following:

- Building setbacks abutting Turner Road, Deer Park Road, and all internal streets: All building walls facing property lines adjacent Turner Road, Deer Park Road, and all internal streets within the development shall be setback a minimum of 20 feet if the building is 50 in height or less. For buildings exceeding 50 feet in height, a minimum setback distance of 70 feet is required.

Because the proposed data center buildings exceed 50 feet in height, they are required to be setback a minimum of 70 feet from the streets abutting the site. As shown on the plans, the proposed data center buildings are setback more than 70 feet from abutting streets.

- Buildings setbacks abutting common side yards: All building walls facing adjacent parcels shall be setback within their respective parcels a minimum distance of 10 feet from the common property line, except for buildings in excess of 50 feet in height which shall have a minimum setback distance from the common property line of 35 feet.

Because the proposed data centers buildings are greater than 50 feet in height, they are required to have a minimum setback of 35 feet from interior side and rear property lines. As shown on the plans, the proposed data center buildings are setback more than 35 from interior side and rear property lines. Please note that with the relocation of the existing property line between the two properties in order to create a separate lot for the PGE substation, CC&R building setback requirements will need to be met abutting the new relocated property line.

- Building setbacks for parcels adjacent to public open spaces: All building walls facing property lines adjacent to public open spaces shall be setback a minimum distance of 5 feet.

Because a public open space area zoned PA abuts the northwestern boundary of the subject property, a minimum 5-foot building setback is required abutting this property line. As shown on the plans, the proposed buildings are setback more than five feet from the property line of the abutting open space parcel.

- Parking and service area setbacks abutting public streets other than Kuebler Boulevard: For all public streets adjacent to or within the Project, other than Kuebler Boulevard, parking and service areas shall be setback minimum distance of 10 feet from the street.

As shown on the plans, the proposed parking and service areas on the site are setback more than 10 feet from adjacent public streets.

- Parking lot setbacks abutting common side yards: All parking lots adjacent to neighboring parcels shall be set back a minimum distance of 5 feet from the common property line.

As shown on the plans, the proposed parking lots are setback more than 5 feet from abutting interior side and rear property lines in conformance with this standard. Please note that with the relocation of the existing property line between the two properties in order to create a separate lot for the PGE substation, CC&R parking lot setback requirements will need to be met abutting the new relocated property line.

- Parking lot setbacks adjacent to public open spaces: Parking lots shall be setback a minimum distance of 6 feet from property lines adjacent to public open space areas.

Because a public open space area zoned PA abuts the northwestern boundary of the subject property, a minimum 6-foot parking setback is required abutting this property line. As shown on the plans, the proposed parking lots are setback more than six feet from the property line of the abutting open space parcel.

- ❖ Lot Coverage (SRC 550.015(a)(3) - Table 550-6): Within the EC zone, the maximum allowed lot coverage for buildings and accessory structures is 60 percent. This maximum lot coverage requirement is consistent with that of the Mill Creek Corporate Center CC&Rs which also limits the area covered by building structures constructed in the Mill Creek Corporate Center to not more than 60 percent of the gross lot area.

The plans submitted appear to include the paved areas of the proposed equipment yards towards the overall lot coverage of the site. However, as discussed at the pre-application conference, the lot coverage requirements of the EC zone apply only to buildings and accessory structures. As such, all of the proposed exterior equipment serving the data center buildings are considered accessory structures and count towards the maximum allowed lot coverage of the site, but the paved areas within the equipment yards do not.

- ❖ Height (SRC 550.0015(a)(3) - Table 550-6): Within the EC zone the maximum allowed height for buildings and accessory structures is 80 feet; however, maximum building and accessory structure height is limited instead to 28 feet when for buildings and accessory structures located within 90 ft. of a property line abutting a residential zone.

Because the subject property does not abut any residential zones, the maximum EC zone height limit applicable to the proposed development is 80 feet. Upon review of the proposed building elevations, the overall height of the building and the proposed rooftop mechanical equipment screening totals approximately 72 feet and therefore does not exceed the maximum height limits of the EC zone.

- ❖ Landscaping (SRC 550.015(a)(4)): Within the EC zone landscaping is required as follows:

- **Setbacks:** Setbacks are required to be landscaped. The landscaping shall conform to the landscaping standards included under [SRC Chapter 807](#) (Landscaping).
- **Parking and Vehicle Use Areas:** Parking and vehicle use areas are required to be landscaped in conformance with the requirements of [SRC Chapter 806](#) (Off-Street Parking, Loading, & Driveways) and SRC Chapter 807, except that areas used primarily for truck parking, loading, and circulation are not required to provide:
 - (i) Perimeter setbacks and landscaping adjacent to buildings and structures (per SRC 806.035(c)(4));
 - (ii) Trees (per SRC 806.035(d)(4); and
 - (iii) Landscape islands and planter bays (per SRC 806.035(d)(4).

Upon review of the plans, no interior parking lot landscaping is currently provided within either of the two proposed off-street parking areas on the site. As such, the plans will need to be revised to include parking lot interior landscaping as required under SRC 806.0035(d).

❖ Outdoor Storage (SRC 550.015(a)(5)): Within the EC zone outdoor storage areas:

- Cannot be located within required setbacks;
- Are required to be enclosed by a minimum six-foot-high sight-obscuring fence, wall, or hedge; or a berm; and
- Materials and equipment stored shall not exceed a maximum of 14 feet above grade; provided, however, materials and equipment more than six feet in height above grade shall be screened by sight-obscuring landscaping.

As shown on the site plan, the proposed use will include outdoor equipment, but the outdoor equipment will be utilized for the direct function of the use and not simply stored on site. As such, the proposed equipment yards are not considered outdoor storage areas in the context of these standards and the standards are therefore not applicable to them.

❖ Exterior Lighting (SRC 550.015(a)(8)): Within the EC zone exterior lighting is required to be designed to provide illumination for the lot, and not cause glare onto the public right-of-way or any surrounding residential zoned properties or natural areas. Exterior lighting, including parking lot lighting, shall meet the following standards:

- The illumination level beyond any property line adjacent to a residentially zoned property or natural area shall not exceed 0.5 horizontal foot-candles on the adjacent residentially zoned property or natural area; and
- Luminaries shall have a cutoff classification with no more than 2.5 percent of the candlepower above 90 degrees from vertical, and no more than ten percent above 80 degrees from vertical. As an alternative, shields may be installed on the luminaries to achieve the cutoff requirements, or a non-cutoff luminary having a light source that emits no more than 10,000 lumens at each pole location may be installed. The luminaries shall be designed to eliminate glare.

In order to evaluate the proposed development for conformance with the lighting requirements of the EC zone, a lighting plan will be required to be submitted at the time of site plan review.

❖ Industrial Performance Standards (SRC 550.015(a)(9)): Within the EC zone, no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmentally Quality (DEQ), including the holding of all license and permits required by DEQ regulation, local ordinance, and state and federal law.

▪ **Off-Street Parking, Loading and Driveways ([SRC 806](#))**

SRC Chapter 806 establishes standards for the development of off-street parking, driveways, bicycle parking, and loading. The proposed development will need to meet the requirements of Chapter 806.

❖ Maximum Off-Street Parking (SRC 806.015(a)): There is no longer a minimum off-street parking requirement included in the Salem Revised Code. There is, however, a maximum off-street parking requirement that still applies. Maximum off-street parking requirements are included under [SRC 806.015\(a\)](#) – Table 806-1. The maximum off-street parking requirement for Data Center Facilities is as follows:

- **Data Center Facility**: Max. 1 space per 1,000 sq. ft.

A total of 126 off-street parking spaces are currently shown on the proposed. The number of off-street parking spaces proposed to be provided does not exceed the maximum allowed number of off-street parking spaces under SRC 806.

- ❖ Compact Parking (SRC 806.015(b)): Up to 75 percent of the off-street parking spaces provided on a development site may be compact parking spaces. As shown on the plans, all of the parking spaces proposed are standard size stalls. No compact parking stalls are proposed.
- ❖ Carpool/Vanpool Parking (SRC 806.015(c)): New developments with 60 or more off-street parking spaces and falling within the public services and industrial use classifications, and the business and professional services use category, shall designate a minimum of five percent of their total off-street parking spaces for carpool or vanpool parking.

The proposed Data Center Facility use does not fall within any of the applicable use classifications identified under SRC 806.015(c). As such, carpool/vanpool parking is not applicable to the proposed development.

- ❖ Electric Vehicle Charging (SRC 806.015(d)): Newly constructed buildings with five or more dwelling units on the same lot, including mixed-use buildings with five or more dwelling units, are required to designate a minimum of 40 percent of the off-street parking spaces provided on the site for the building to serve electric vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity as defined in ORS 455.417.

As discussed at the pre-application conference, provision of EV charging pursuant to SRC 806.015(d) is not applicable to the proposed development because no residential dwelling units are proposed.

- ❖ Off-Street Parking Design & Configuration (SRC 806.035): Off-street parking provided on the site is required to be designed and configured to meet the off-street parking development standards included under SRC 806.035.

As discussed at the pre-application conference, all of the proposed off-street parking spaces conform to the required dimensional standards; are served by parking lot drive-aisles conforming to the minimum required 24-foot width; and are designed so they do not have any drive-aisles that terminate in a dead-end.

Interior landscaping will be required to be provided within the off-street parking areas in conformance with the interior parking lot landscaping requirements included under SRC 806.035(d), which requires a minimum five percent of the parking lot area to be landscaped; deciduous shade trees to be provided within the parking lot at a minimum ratio of one tree per 12 parking spaces; and provision of landscape islands/planter bays within the parking lot that have a minimum planting area of 25 square feet and a minimum width of five feet.

- ❖ Additional Standards for New Off-Street Parking Areas Greater than One-Half Acre in Size (SRC 806.035(n)): Because the proposed development will include off-street parking areas that total more than one-half acre in size, the parking lots are required to be designed to meet the climate mitigation and tree canopy requirements contained under SRC 806.035(n). In order to comply with this standard, one or more of the climate mitigation measures identified under SRC 806.035(n)(1)(A)-(C) are required to be provided together with additional tree canopy to cover a minimum of 30 percent of the new off-street surface parking and vehicle use areas within 15 years. Please note, however, if "increased tree canopy coverage" of at least 40 percent is selected as a required climate mitigation measure under SRC 806.035(n)(1)(C), the increased canopy coverage of at least 40 percent also counts towards satisfying the tree canopy coverage requirement of SRC 806.035(n)(2).
- ❖ Driveway Development Standards (SRC 806.040): All driveways provided on the site are required to meet the driveway development standards of SRC 806.040. SRC 806.040(d)(1) – Table 806-8 requires one-way driveways to have a minimum of 12 feet in width and two-way driveways to have a minimum width of 22 feet.

As discussed at the pre-application conference, the width of the driveways shown on the plans are two-way driveways and exceed minimum required driveway width.

- ❖ **Bicycle Parking (SRC 806.055(a)):** Per SRC 806.055(a), Table 806-9, the minimum bicycle parking requirement for Data Center Facilities is as follows:

- **Data Center Facility:** The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.

As discussed at the pre-application conference, no bike parking is currently shown on the plans and the site plan will therefore need to be revised to provide the required bike parking. Please note that per SRC 806.055(a) – Table 806-9, 100 percent of the required bike parking spaces can be developed as long-term bike spaces.

All bike parking space provided on the site must be located and developed in conformance with the bike parking development standards included under [SRC 806.060](#).

- ❖ **Loading (SRC 806.075):** Per SRC 806.075, Table 806-11, the minimum off-street loading requirement for Data Center Facilities is as follows:

- **Data Center Facilities:**

- 10 spaces, plus additional 1 space for each additional 100,000 square feet, or portion thereof, of building area over 760,000 sq. ft. (12 ft. W x 40 ft. L x 14 ft. H) (*applicable to buildings greater than 760,000 ft.²*)

As shown on the plans, the two data center buildings have a total footprint of approximately 615,000 square feet. Because the data center buildings will be two-stories in height, the total square footage of the two data center buildings equals approximately 1,230,000 square feet. Based on the minimum off-street loading requirements identified above, the proposed development requires a minimum of 15 off-street loading spaces.

The plans submitted show two off-street loading spaces being provided for each building. The four loading spaces proposed therefore fall below the minimum required 15 spaces. As discussed at the pre-application conference, an adjustment to this standard could be supported based on evidence being submitted demonstrating that the four off-street loading spaces proposed are sufficient to meet the off-street loading needs of the use based on its nature and operational requirements.

The off-street loading spaces provided for the development are required to be located and developed in conformance with the off-street loading development standards included under [SRC 806.080](#).

- **Retaining Wall Height ([SRC 800.050](#))**

SRC 800.050 establishes location and height requirements for retaining walls. Pursuant to SRC 800.050(a)(4), retaining walls shall not exceed a maximum height of four feet when located at the property line abutting a street. Retaining walls not located at the property line abutting a street may exceed four feet in height.

As shown on the proposed plans, the site design will require retaining walls and it appears that the retaining walls will be set back from the property lines abutting the adjacent streets. Because it doesn't appear that any of the proposed retaining walls will be located at the property lines abutting the adjacent streets, the maximum 4-foot retaining wall height of SRC 800.050(a)(4) is not applicable.

The Mill Creek Corporate Center CC&Rs do, however, have standards that relate to site grading and retaining walls. Per Section 2.3.1 of the CC&Rs, finish grading for each lot shall meet the existing grade at the property or easement line, with a transition slope not exceeding 3:1 or be grade separated by a retaining wall approved by the Design Review Committee.

Due to the tall height of some of the retaining walls, staff encouraged the possibility of utilizing terraced retaining walls where possible to minimize the potential visual impact of tall uninterrupted retaining walls.

▪ **Solid Waste Service Area Standards ([SRC 800.055](#))**

Solid waste service areas are required to provide for the safe and convenient collection of solid waste, recyclable, and compostable materials by the local solid waste collection franchisee. Pursuant to SRC 800.055(a), the solid waste service area design standards included under SRC 800.055 apply to:

- (1) All new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle **one cubic yard or larger** is proposed, and
- (2) Any change to an existing solid waste service area for receptacles **one cubic yard or larger** that requires a building permit.

As discussed at the pre-application conference, the proposed solid waste collection and servicing areas included within the proposed development will be required to be located and designed in accordance with the solid waste service area standards of SRC 800.055, which include requirements for receptacle screening within enclosures; pad material, size, and thickness; minimum enclosure gate opening width; minimum separation distances between receptacles and their enclosures; and garbage truck access and maneuvering standards. It's strongly recommended that you contact the franchised trash hauler that serves the area to ensure that the trash/recycling areas proposed to be provided will be sufficient to serve the development and that their location and design are sufficient to allow unrestricted access and maneuvering space for servicing by the haulers.

The contact information for the franchised trash hauler for this area of the City can be obtained through the Mid-Valley Garbage & Recycling Association website at the following location:

<https://mrtrashrecycles.com/>

EC Zone Solid Waste Service Area Screening: In addition to the solid waste service area standards included under SRC 800.055, the EC zone, per SRC 550.015(a)(6) requires solid waste service areas to be screened from public streets by sight-obscuring landscaping, fences, or walls.

Upon review of the plans, it appears that neither of the proposed solid waste service areas for the two buildings are fully screened from adjacent public streets. The plans will therefore need to be revised to meet this standard.

Mill Creek Corporate Center CC&Rs: In addition to the solid waste service areas standards included under SRC 800.055, the CC&Rs for the Mill Creek Corporate Center include standards for refuse and garbage storage included under Section 1.3 of the document. These standards require any garbage or refuse that is stored outside of improvements to be stored within containers that are covered by lids and all such containers are required to be screened by screening walls compatible with the overall design character of the Improvements. The standards require the refuse container screening to be at least the size of the refuse container but in no case less than 6 feet in height; refuse containers are not permitted between the street and the front of a building unless a building has more than one street frontage; there shall be sufficient refuse containers on site to contain all refuse generated between collections; and refuse collection areas must be located on the property so as to provide clear and convenient access to refuse collection vehicles.

Upon review of the plans, the proposed northeastern data center facility building includes a trash collection area located between the building and Deer Park Drive SE. The location of this trash collection area does not conform to the Mill Creek Corporate Center CC&Rs.

▪ **Pedestrian Connectivity Standards ([SRC 800.065](#))**

Pursuant to SRC 800.065, developments are required to provide pedestrian connections:

- ❖ Between building entrances and streets;
- ❖ Between buildings on the same development site;
- ❖ Through off-street parking areas;
- ❖ To existing or planned Transportation System Plan (TSP) or Parks Master Plan paths and trails; and

- ❖ To abutting properties whenever a vehicular connection is provided from the development site to an abutting property.

Based on the pedestrian connectivity requirements of SRC 800.065, pedestrian connections for the development are required as follows:

- 1) Pedestrian connections are required from the primary building entrance of each of the proposed buildings to Deer Park Drive, Turner Road, and Logistics Street. Currently no pedestrian connections from the building entrances to the adjacent streets are identified on the plans. Where an adjacent street is a transit route and there is an existing or planned transit stop along the street frontage of the development site, at least one of the required pedestrian connections shall connect to the street within 20 feet of the transit stop.

Cherriots Route 30X: Santiam/Salem Express is currently located adjacent to the subject property on Turner Road SE. If an existing or planned transit stop for this route is located along the property's Turner Road SE frontage, at least one of the required pedestrian connections between the building entrances and Turner Road will need to connect to the street within 20 feet of the transit stop.

- 2) A pedestrian connection is required between the primary building entrances of the data center buildings on the site. Currently no connection between the buildings is provided.

Required pedestrian connections are required to be developed in conformance with the pedestrian connection design, material, and lighting standards included under SRC 800.065(b) & (c).

As discussed at the pre-application conference, the requirement for pedestrian connections through off-street parking areas is not triggered for the proposed development because either the individual proposed parking areas are not more than 25,000 square feet in size or the depth of the individual parking areas are not more than 124 feet. Similarly, the requirement for pedestrian connections to abutting properties is not applicable because although the proposed development will share vehicular access with the abutting development to the northeast, the use of that property falls within the Industrial use classification and a pedestrian connection is therefore not required per SRC 800.065(a)(5)(A)(iv).

The requirement to connect to abutting paths or trails is also not applicable due to their being no Transportation System Plan (TSP) or Parks Master Plan trails present to connect to.

▪ **Noise Requirements ([SRC 93](#) & [SRC 51](#))**

Noise is regulated in the City through the requirements of SRC Chapter 93 (Noise) and SRC Chapter 51 (Event Sound Permits). SRC Chapter 93 identifies specific noise disturbances which are prohibited ([SRC 93.020](#)) within the City and also identifies specific types of sounds which are not deemed to be noise disturbances ([SRC 93.030](#)).

SRC Chapter 51 establishes maximum allowed sound levels within the City and includes a permit approval process for obtaining Event Sound Permits for **temporary** events or activities where sound levels produced will exceed the maximum levels allowed.

Maximum allowed sound levels within the City are established under [SRC 51.015](#). The maximum sound levels allowed are classified and regulated by their source type (*e.g. whether the sound is being generated by a noise sensitive, commercial, or industrial use*), the type of receiver of the sound (*e.g. whether the sound is being received by a noise sensitive, commercial, or industrial use*), and when the sound is occurring (*e.g. either in the day or at night*). Table 51-1 of SRC Chapter 51 establishes the maximum sound levels (*in decibels*) allowed for noise sensitive, commercial, and industrial uses during the day and at night.

[SRC 51.005](#) defines noise sensitive as any use of real property, whether publicly or privately owned, as a church, temple, synagogue, day care center, hospital, rest home, retirement home, group care home, school, dwelling unit, or other similar uses. Commercial is defined as the use of real property, whether publicly or privately owned, as an office, service establishment, hotel, motel, retail store, park, amusement or recreation

facility, or other similar use. Industrial is defined as the use of real property, whether publicly or privately owned, as a warehouse, factory, mine, wholesale trade establishment, or other similar use.

For purposes of SRC Chapter 51, the proposed data center facility would be classified as an industrial use. Please note that noise sensitive uses have the lowest level of sound that is allowed to be received from other uses. The maximum level of sound that an industrial use may generate and be received by a noise sensitive use is 55 decibels in the day and 50 decibels at night.

Property to the southwest of the subject property across Turner Road SE is zoned MU-III (Mixed-Use-III) and there is RS (Single Family Residential) zoned property approximately 865 feet to the southeast of the property on the south side of Gath Road S. Due to the zoning of these nearby properties, there is a likelihood that they will be developed to include residential uses and, as such, these properties will likely be classified as noise sensitive once they are developed and the amount of sound allowed to be received on them will be lower.

▪ **Other Mill Creek Corporate Center CC&R Requirements**

- ❖ Electrical Equipment Screening (Section 1.7.4): Electrical equipment, such as **transformers** and **substations**, that are required to be located above grade must be screened in conformance with the screening standards under Sections 2.3 and 2.4 of the CC&Rs.
- ❖ Exterior Mounted Electrical Equipment (Section 1.7.5): Exterior mounted electrical equipment and conduit shall not be located on the side of a building, unless approved by the Design Review Committee. However, in no event shall conduit or piping of any kind be located on any exterior wall above 4 feet above adjacent grade.
- ❖ Exterior Mechanical Equipment (Section 1.8):
 - Rooftop mechanical equipment shall be hidden from view by parapets or other architectural elements from the viewing perspective of adjacent public streets. The Design Review Committee shall approve the color of such equipment.
 - Ground-mounted mechanical equipment shall be sited at the rear (*the elevation opposite the primary adjacent public streets, roads, or highways*) or side elevation, except when such side elevation fronts a public street. Improvements will be screened as required by the screening requirements of the CC&Rs.

The exterior mechanical equipment on the site proposed for both data center buildings appears to conform to this standard because the equipment is located at side/rear elevations of the buildings and no mechanical equipment is proposed to be provided between the buildings and the adjacent streets. Per this standard, the mechanical equipment will need to be screened per the screening requirements of the CC&Rs.

 - No exterior components of communications, power, plumbing, processing, heating, cooling, ventilating and other mechanical systems shall be mounted on a building wall unless the location and method of attachment are approved by the Design Review Committee. However, in no event shall piping or conduit of any kind be located on any exterior wall more than 4 feet above adjacent grade.
- ❖ Fencing (Section 2.4):
 - All permanent fencing and hedges shall be integrated into the overall design of the property and is required to be maintained in good condition by the owner.
 - No fence or wall shall be constructed within a front yard setback, except retaining walls may be approved by the Design Review Committee.
 - Walls and fences between buildings and fronting streets are discouraged and shall be allowed by the Design Review Committee only for specific uses for which a demonstrated need exists.
 - All fences and walls shall be designed as an integrated part of the overall architecture and lot design. Landscape materials used as an integral part of the fencing shall be encouraged. All materials used shall be durable and finished in textures and colors complementary to the overall architectural design.

- Where chain link fencing is approved by the Design Review Committee, it shall be of a dark color and be largely hidden from view off site behind plant materials and earth mounding. Bare galvanized chain link fencing is prohibited.
- ❖ Building Design (Section 1.11):
 - The Mill Creek Corporate Center CC&Rs (attached) include several standards regulating building design, appearance, and construction quality; requiring that buildings be designed with contemporary style and forms; requiring building exterior walls to be constructed of low maintenance materials of lasting quality (such as concrete, masonry, terra cotta, and pre-finished exterior metal panel system); requiring building elevations to be articulated through architectural form, material, variation, color and texture differentially, glazing, and architectural appurtenances (e.g. trellis, screens, etc.); and requiring at least one public entry for each building to face and be oriented to the public street;

Oak Knoll Area

As discussed at the pre-application conference, Parks Department staff indicated that the topography of the Oak Knoll Area presents significant challenges to providing an ADA-compliant route from the bike path; the remnants of the structures at the knoll pose safety hazards that appear to be expensive to address; and overall the property is not a suitable location for a public park.

Natural Resources

Trees (SRC Chapter 808): The City's tree preservation ordinance ([SRC Chapter 808](#)) protects:

- 1) Heritage Trees;
- 2) Significant Trees (including Oregon White Oaks with diameter-at-breast-height (*dbh*) of 20 inches or greater and any other tree with a *dbh* of 30 inches or greater, with the exception of tree of heaven, empress tree, black cottonwood, and black locust);
- 3) Trees and native vegetation in riparian corridors; and
- 4) Trees on lots or parcels 20,000 square feet or greater.

The tree preservation ordinance defines "tree" as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more *dbh*, and possesses an upright arrangement of branches and leaves."

Pursuant to [SRC 808.025](#), no person shall, prior to site plan review or building permit approval, remove a tree on a lot or parcel that is 20,000 square feet or greater - or on contiguous lots or parcels under the same ownership that total 20,000 square feet or greater, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC [808.030](#), undertaken pursuant to a tree conservation plan approved under SRC [808.035](#), or undertaken pursuant to a tree variance granted under SRC [808.045](#).

Similarly, as provided under [SRC 808.015](#), no person shall remove a significant tree unless the removal is undertaken pursuant to a permit ([SRC 808.030](#)), tree conservation plan ([SRC 808.035](#)), or variance ([SRC 808.045](#)).

Tree Protection Measures: [SRC 808.046](#) requires the protection of the **critical root zone** of all trees required to be preserved or protected under the UDC. Protection measures include the installation of an above ground silt fence, or its equivalent, around 100 percent of the critical root zone of the tree. The critical root zone measures **one-foot in radius for each one-inch of *dbh* of the tree**. In the case of non-significant trees, the critical root zone may alternatively be determined by a certified arborist through submittal of an arborist report.

Within the critical root zone, the tree's trunk, roots, branches, and soil are required to be protected to ensure the health and stability of the tree; and no grading, placement of fill, storage of building materials,

or parking of vehicles is allowed. Per SRC 808.046(a)(3)(A), up to 30 percent of the critical root zone of a tree may be disturbed in order to accommodate development of a property but only in conjunction with the submittal of a report from a certified arborist documenting that such disturbance will not compromise the long-term health and stability of the tree and all recommendations included in the report to minimize any impacts to the tree are followed.

*****Please Note:** When there are trees located on **abutting properties** that qualify for protection under the City's tree preservation ordinance, the required critical root zone protections established under SRC 808.046 also apply to the trees on the abutting properties.

As discussed at the pre-application conference, there are trees located on the oak knoll portion of the property, some of which are significant trees. On the site plan submitted it shows that the trees in this area are of varying degrees of health, with some being healthy, others having low and moderate health, and some which are dead. Any proposed removal of trees from the property will require an application for a tree removal permit and/or an application for a tree variance depending on the specific approval criteria that must be found to be met.

Wetlands (SRC Chapter 809):

Grading and construction activities within wetlands and waterways are regulated by the Oregon Department of State Lands (DSL) and US Army Corps of Engineers. State and Federal wetland laws are also administered by the DSL and Army Corps, and potential impacts to jurisdictional wetlands are addressed through application and enforcement of appropriate mitigation measures. The City's wetlands ordinance (SRC Chapter 809) establishes requirements for notification of DSL when an application for development is received in an area designated as a wetland on the official wetlands map.

According to the Salem-Keizer Local Wetland Inventory (LWI) there are no mapped wetlands or waterways located on the subject property.

Landslide Hazard Susceptibility (SRC Chapter 810):

According to the City's adopted landslide hazard susceptibility maps, the property is mapped with areas of 2 to 3 landslide hazard susceptibility points. Pursuant to the City's landslide hazard ordinance (SRC Chapter 810), there are 3 activity points associated with the proposed development activity – an industrial building permit. Per [SRC 810.025](#), the cumulative total of 5 to 6 points between the amount mapped with the land and the amount associated with proposed development activity indicates a moderate landslide susceptibility risk requiring a **Geologic Assessment** and potentially a **Geotechnical Report**.

Portland General Electric

At the pre-application conference questions were raised concerning the potential size of transformers that will be installed in the proposed PGE substation on the property as well as the size of the trucks that would be utilized to install them.

PGE indicates that the largest transformer that would be installed on the site would weigh approximately 350,000 lbs. and would be carried on a trailer shown in the detail drawing that is included at the end of this report. PGE also provided a turn diagram for the trailer, which is also attached. PGE indicates that the turn diagram is for a roundabout in Oregon City but provides an idea of the space needed.

Oregon Department of Aviation (ODAV)

The Oregon Department of Aviation reviewed the proposal and provided comments indicating that:

In accordance with FAR Part 77.9 and OAR 738-070-0060, the proposed development may be required to undergo aeronautical evaluations by the [FAA](#) and [ODAV](#). The applicant can use the FAA's [Pre-Screening Tool](#) to determine which proposed structures (including buildings, light poles, cranes, and other tall equipment used during dev / elopment or maintenance) warrant a *notice of construction*. If so, they are required to provide separate notices of construction to both the FAA and

ODAV. The applicant should receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of any building permits.

Any questions concerning the above comment can be directed to Brandon Pike with the Oregon Department of Aviation at 971-372-1339 / Brandon.PIKE@odav.oregon.gov

Open House / Neighborhood Association Contact Information

Applicants are required to contact the applicable neighborhood association for certain types of land use applications prior to application submittal. For a limited number of application types, an open house or presentation at a neighborhood association meeting is required. This allows the neighborhood association to be involved early in the process and helps to identify any potential issues that might arise.

The table below indicates if the proposed development must meet either the neighborhood association contact requirement or open house/neighborhood association meeting requirement prior to application submittal.

Pre-Submittal Requirement	
☒ Neighborhood Association Contact (SRC 300.310)	☐ Open House (SRC 300.320)
Staff Comments	
Neighborhood Association Contact is required for Class 3 Site Plan Review applications	

Neighborhood Association Contact

When a land use application requires **neighborhood association contact**, the applicant must contact the City-recognized neighborhood association(s) whose **boundaries include**, and are **adjacent to**, the subject property via e-mail or letter.

The e-mail or letter must be sent to **both** the Neighborhood Association Chair(s) and Land Use Chair(s) of the applicable neighborhood association and contain the following information:

- 1) The name, telephone number, and e-mail address of the applicant;
- 2) The address of the subject property;
- 3) A summary of the proposal;
- 4) A conceptual site plan, if applicable, that includes the proposed development; and
- 5) The date on which the e-mail or letter is being sent.

Note: Land use applications requiring neighborhood association contact will not be accepted unless they are accompanied by a copy of the e-mail or letter that was sent to the neighborhood association and a list of the e-mail or postal addresses to which the e-mail or letter was sent.

Neighborhood Association Information

For your convenience, contact information for the neighborhood association(s) is provided below. Please note that the identified neighborhood association chair(s) and land use chair(s), and their corresponding contact information, is current as of the date of the pre-application conference, but this information is subject to change if the chair(s) or their contact information has changed subsequent to the date of the pre-application conference.

Up-to-date contact information for neighborhood representatives may also be obtained by visiting the [Neighborhood Association page](#) on the City's website or by contacting the City's Neighborhood Program Coordinator at 503-540-2303.

Applicable Neighborhood Association(s):	Meeting Date, Time, & Location	Neighborhood Association Chair(s) & Land Use Chair(s)
Southeast Mill Creek Association (SEMCA)	Meetings are held the second Tuesday of each month at 10 am at Paradise Island Park, 3100 Turner Rd SE. <i>*Note: Please check the calendar here for specific meeting information, including location.</i>	Chair(s)
		Cory Poole robotopdx@gmail.com
		Land Use Chair(s)
		Andrew Gwin agwinssdp@gmail.com

Salem Revised Code Available Online

The entire Salem Revised Code can be accessed online through the City's website at:

<https://www.cityofsalem.net/government/laws-rules/salem-revised-code>

EXHIBIT C
DESIGN STANDARDS AND GUIDELINES
FOR PHASES IA, IC AND II

SECTION 1 General Development Standards

1.1 City Regulations. All Improvements must be designed and constructed in accordance with the ordinances of the City of Salem and with state and federal regulations.

1.2 Construction Activities. Construction activities requiring City permits shall conform with all permit requirements. During the construction of Improvements on any Lot, the Lot Owner shall ensure that the construction activities do not block access to or on any public or private streets. Where Improvements are being constructed on a Lot, that Lot Owner shall be responsible for causing the streets and roads to be promptly repaired after any damage caused by construction and to be cleaned daily during the course of construction, and that Lot Owner shall be responsible for the immediate removal from any adjacent Lots of any debris resulting from such construction activity.

1.3 Refuse and Garbage Storage. Any garbage or refuse that is stored outside of the Improvements shall be stored within containers that are covered by lids, and all such containers shall be screened by screening walls compatible with the overall design character of the Improvements. The refuse container screening shall be at least the size of the refuse container and shall in no case be less than 6 feet high. No hazardous or toxic materials shall be permitted in refuse containers. No refuse containers shall be permitted between the street and the front of a building unless a building has more than one street frontage. There shall be sufficient refuse containers to contain all refuse generated on site and deposited between collections. Deposit of refuse should not be visible from outside of the refuse container. Refuse collection areas must be located upon the Lot so as to provide clear and convenient access to refuse collection vehicles.

1.4 Fuel Tanks and Liquid Storage Tanks. All above-grade tanks shall be screened in accordance with the screening requirements of the City of Salem and the requirements of the Design Review Committee.

1.5 Outside Storage. Outside storage of materials, supplies or equipment shall be permitted only if:

1.5.1 The material, equipment or supplies being stored outside are incidental to the activities regularly conducted within the Improvement and not being displayed for sale or lease.

1.5.2 The area devoted to outside storage is not located within 20 feet of a lot line fronting a street.

1.5.3 The storage area must be screened in a manner approved by the Design Review Committee

1.5.4 Notwithstanding the above, with the exception of semi-truck trailer storage areas, all outside storage areas shall be screened with a minimum of either dense evergreen shrubs which shall reach a minimum 6' tall within 3 years of planting, or sight obscuring fence or wall approved by the Design Review Committee.

1.6 Parking, Loading and Maneuvering Areas.

1.6.1 All vehicular entryways, driveways and areas for parking, maneuvering, loading and unloading of vehicles shall be paved with asphalt, concrete or similar materials and shall be bordered by permanent raised curbs.

1.6.2 No parking, loading or unloading shall be permitted on any public right-of-way.

1.7 Utilities.

1.7.1 All exterior on-site utilities, including, but not limited to, drainage pipes (excluding bioswales or ditches), sewers, gas lines, water lines and electrical, telephone and communications wires and equipment shall be installed and maintained underground unless otherwise approved by the Design Review Committee. Existing overhead power and telecom lines along Kuebler Boulevard are exempt from this requirement.

1.7.2 On-site underground utilities shall be designed and installed to minimize the disruption to off-site utilities, paving and landscaping during construction and maintenance.

1.7.3 Temporary overhead power and telephone facilities are permitted during construction.

1.7.4 Electrical equipment, such as transformers and substations, that must be located above grade, shall be screened in conformance with the screening requirements set forth in sections 2.3 and 2.4 below.

1.7.5 Exterior mounted electrical equipment and conduit shall not be located on the side of a building, unless approved by the Design Review Committee. However, in no event shall conduit or piping of any kind be located on any exterior wall above 4 feet above adjacent grade.

1.8 Exterior Mechanical Equipment.

1.8.1 Rooftop mechanical equipment shall be hidden from view by parapets or other architectural elements from the viewing perspective of adjacent public streets. The Design Review Committee shall approve the color of such equipment.

1.8.2 Ground-mounted mechanical equipment shall be sited at the rear (the elevation opposite the primary adjacent public streets, roads, or highways) or side elevation, except when such side elevation fronts a public street. Improvements will be screened as required by the screening requirements set forth below.

1.8.3 No exterior components of communications, power, plumbing, processing, heating, cooling, ventilating and other mechanical systems shall be mounted on a building wall unless the location and method of attachment are approved by the Design Review Committee. However, in no event shall piping or conduit of any kind be located on any exterior wall more than 4 feet above adjacent grade.

1.9 Antennae.

1.9.1 No antenna for the transmission or reception of television signals or any other form of electromagnetic radiation shall be erected, used or maintained on a Lot outside of any building, whether attached to the building or attached to the ground, without the prior approval of the Design Review Committee. All antennae shall be located so as to avoid interfering with other antennae and to avoid the need to shield other antennae, unless the Owners of the affected antennae agree otherwise.

1.9.2 No operations of such antenna shall be conducted in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft and shall comply with any Federal Aviation Administration requirements.

1.10 Building Coverage. The area covered by building structures erected in the Mill Creek Corporate Center shall not exceed 60% of the gross Lot area.

1.11 Building Design.

1.11.1 The overall design and architectural features of Improvements to be built upon a Lot shall be subject to the prior approval of the Design Review Committee.

1.11.2 Each building design should contribute to the overall theme and vision of the Mill Creek Corporate Center as an institutional quality development that is of lasting design and construction quality. Buildings and sites should be designed to be in harmony with the natural environment—in form, in texture, in color. Buildings that appear “temporary or inexpensive” or are imported from another place shall not be allowed.

1.11.3 Prototype buildings that have been used by companies in other locations and are proposed to be site-adapted to the Mill Creek Corporate Center shall demonstrate adherence to the above guidelines. Any application to the Design Review Committee shall address how the prototype has been modified to create a design contributing to the overall identity of Mill Creek Corporate Center as an economic and employment center of lasting design and construction quality.

1.11.4 The architectural language of buildings shall be that of contemporary style and forms. Buildings of historic styles and periods shall not be permitted.

1.11.5 Building exterior walls should be of low maintenance materials of lasting quality. Materials envisioned for exterior walls shall include, but are not limited to, concrete, masonry, terra cotta and pre-finished exterior metal panel systems. Conventional pre-engineered metal building siding shall not be permitted.

1.11.6 Building elevations should be articulated through architectural form, material variation, color and texture differentiation, glazing and architectural appurtenances (e.g. trellis, screens, etc.). All articulation should be an integral part of the building design providing a harmonious and balanced exterior design.

1.11.7 Only landscaping, parking, or service areas shall be located between any building and a public street.

1.11.8 At least one public entry for each building shall face and be oriented to the public street. If a building is on a corner and has only one public entry, the applicant may choose which street frontage is the "front" for the purpose of this section. For multi-tenant buildings with more than one grade level public entry, the majority of all public entries shall face and be oriented to public street frontages.

1.11.9 Security walls and fences shall be designed integral with the building form, completing an overall design where walls and fences are extensions of the building form.

1.11.10 Roofs of buildings will be considered an integral part of the visual design of the buildings.

1.12 Landscaping.

1.12.1 Along building façade elevations where there are few or no surface penetrations, landscaping shall be provided of sufficient size or variety to visually break up the exterior of the building.

1.12.2 Areas that must be landscaped are those portions of the Lot that do not have buildings, service areas, outdoor plazas, driveways, or parking areas. With respect to such landscape areas, the finish grade for each such area shall meet the existing grade at the property line with a transition slope not exceeding 3:1, or be grade separated with a retaining wall approved by the Design Review Committee

1.13 Street Numbers. Each building shall be identified by a street number affixed in a location or locations on the property to be determined by the Design Review Committee and be acceptable to all governing authorities

1.14 Company Identification Signage.

The location, size, color and design of the company identification signage will be subject to the approval of the Design Review Committee; however, the Design Review Committee will respect the design theme of the company occupying the building. In a building occupied by multiple tenants or occupants, each tenant or occupant shall be entitled to at least one company identification sign. Wall signage is allowed and when installed shall consist of individual letters and graphic logos applied directly to the wall. Illumination, if any, shall be by concealed ground mounted lighting or building mounted lighting approved by the Design Review Committee.

1.15 Free-Standing Signage.

1.15.1 No more than one free-standing business identification sign shall be permitted on each street frontage of a Lot. All free-standing signs shall be monument type, in which the full sign base bears directly on the ground; no pole or post-mounted signs are allowed.

1.15.2 Signs must be located outside the vision clearance area (as defined in SRC 76.170).

1.15.3 No free-standing business identification sign shall exceed a sign area that is the lesser of 32 square feet or the maximum sign area permitted by the City of Salem's Revised Code. The sign area is defined as the single rectangular area that fully encloses all of the letters or symbols, identifying the business or businesses occupying the site. The sign area shall not include the base or pedestal to which a sign is mounted and shall be measured for the finished grade at the base of the sign.

1.15.4 All free-standing business identification signs shall be permanent, monument type signs and shall not exceed the height of 6 feet above the underlying finished grade, but shall not restrict visibility of vehicular traffic.

1.15.5 A free-standing business identification sign shall be of such materials and design as may be approved by the Design Review Committee, but shall in all cases be compatible with the building materials used on the same Lot.

1.15.6 Free-standing business identification signs may be illuminated by a continuous and uniform internal illumination, backlighting or ground lighting. No flashing or moving lights or animated signs will be permitted. No electronic information signs will be permitted. No unprotected lamp providing sign illumination shall be directly visible when viewed at any angle from the distance of 20 feet or more. No sign illumination shall cast a glare which will be visible from any street or access drive.

1.15.7 Free-standing business identification signs must be located on private property and within 20 feet of a fronting street and/or the access drive.

1.16 Other signage.

1.16.1 "For Sale" and "For Lease" or similar signs advertising the availability of space or portions of Lots shall be not more than 4 by 8 feet in size (6 by 10 feet if identifying land area greater than 20 acres.)

1.16.2 Billboards and other forms of outdoor advertising signs are prohibited in the Mill Creek Corporate Center.

1.16.3 All informational and vehicular control signs shall be of a common design and color scheme established by the Design Review Committee, and shall

have a panel face not exceeding 5 square feet in area per sign, and shall not exceed the height of 4 feet above the underlying finished grade.

1.16.4 No business name, symbol or advertising of any sort shall be permitted on any informational or vehicular control sign.

1.16.5 No informational or vehicular control sign shall be located so as to reduce the safe flow of vehicles or pedestrians.

1.16.6 No informational or vehicular control sign shall be externally illuminated from the ground.

1.16.7 The restrictions in Sections 1.16.3 through 1.16.6 do not apply to City signs located in public rights-of-way.

1.17 Master Sign Program.

1.17.1 Any developer who owns and proposes to develop or sell three or more Lots shall submit a Master Sign Program (MSP) to the Design Review Committee for approval prior to or as part of its first application for approval of Improvements. The intent of this section is to provide consistent and high quality signage throughout the developer's project, while still allowing distinctive and individualized identification for each tenant or owner in the project. It is also intended to allow for tenants or owners to install signs without Design Review Committee approval so long as such signs comply with the approved MSP.

1.17.2 The MSP shall contain design criteria for all types of signage to be allowed within its property. All signage shall comply with the requirements of sections 1.14 through 1.16 herein except that project monument signs, intended solely for identification of developer's multi-lot project, may be allowed along public rights of way near primary project entries and may exceed the area limitations contained elsewhere herein, but not vehicular visibility or safety restrictions. Sign design criteria shall describe the size, location, materials, colors, lighting, and other design features or characteristics of all types of signs to be allowed in the developer's project.

1.17.3 Phase IA shall have a single master sign plan which shall be added by amendment to these Design Standards and Guidelines.

1.18 Outdoor Lighting.

1.18.1 All lighting reaching the outdoors that could be seen from a landing aircraft, including, but not limited to, lighting from parking areas, access drives and internal vehicular circulation areas, shall be integrated into the overall design of the Improvements and shall be of such a design and operational characteristics as to adequately address safety of occupants of the buildings, safety of airport operations, property security and minimal off-site light infiltration, all as determined by the Design Review Committee. Lighting shall incorporate shielding in designs to reflect light away from airport approach surfaces. No use shall imitate airport lighting or impede the ability of pilots to distinguish

between airport lighting and other lighting. No glare-producing materials including, but not limited to, unpainted metal or reflective glass shall be used on the exterior of structures where glare could impede a pilot's vision.

1.18.2 All lighting potentially visible from an adjacent street except bollard lighting less than 42 inches high, shall be indirect or shall incorporate a full cut-off shield type fixture.

1.18.3 Service area lighting shall be contained within the service yard boundaries and enclosure walls. No light spillover should occur outside the service area. The light source should not be visible from the street or the adjacent hillside.

1.18.4 Building illumination and architectural lighting shall be indirect in character (no light source visible). Indirect wall lighting or "wall washing" overhead down lighting, or interior illumination which spills outside is encouraged. Architectural lighting should articulate and animate the particular building design, as well as provide the required functional lighting for safety and clarity of pedestrian movement.

1.18.5 Pedestrian walk lighting, where point-to-point lighting is acceptable to the Design Review Committee and no specific illumination levels are required, should clearly identify the pedestrian walkway and direction of travel.

1.18.6 The type of lighting fixture and pole for parking lot lighting shall be subject to the approval of the Design Review Committee. The style, color, pole section and height, and lamp type shall be consistent throughout any development of three or more Lots and there shall be a single standard for Phase 1A.

1.19 Mailboxes. A standardized mailbox design and location shall be established by the Design Review Committee for any mailboxes to be located within 200 feet of a public street.

SECTION 2 Development Standards Applicable to the Site Perimeters

2.1 Building setbacks. Buildings shall be set back from property lines as follows:

2.1.1 Kuebler Boulevard. All building walls facing property lines adjacent to Kuebler Boulevard shall be set back a minimum distance of 60 feet if the building is 50 feet in height or less; buildings exceeding 50 feet in height shall have a minimum setback distance of 100 feet.

2.1.2 Aumsville Highway. All building walls facing property lines adjacent to Aumsville Highway shall be set back a minimum distance of 40 feet if the building is 50 feet in height or less; buildings exceeding 50 feet in height shall have a minimum setback distance of 80 feet.

2.1.3 Turner Road, Deer Park Road, and all internal streets (Mill Creek Parkway, A Street, B Street, or others). All building walls facing property lines adjacent

to any other public street within the Project shall be set back a minimum distance of 20 feet if the building is 50 feet in height or less; buildings exceeding 50 feet in height shall have a minimum setback distance of 70 feet.

2.1.4 Common Side Yards. All building walls facing adjacent parcels shall be set back within their respective parcels a minimum distance of 10 feet from the common property line, except for buildings in excess of 50 feet in height which shall have a minimum set back distance from the common property line of 35 feet.

2.1.5 Parcels adjacent to Public Open Spaces. All building walls facing property lines adjacent to public open spaces shall be set back a minimum distance of 5 feet.

2.1.6 Where a building has adjoining walls facing property lines adjacent to two streets at an intersection with different setback requirements, the setbacks for each street frontage shall apply to the respective wall.

2.2 “Parking and service areas shall be set back from property lines as follows:

2.2.1 Kuebler Boulevard - Parking and service areas shall be set back a minimum distance of 20 feet.

2.2.2 All other public streets adjacent to or within the Project - Parking and service areas shall be set back a minimum distance of 10 feet

2.2.3 Common Side Yards - All parking lots adjacent to neighboring parcels shall be set back a minimum distance of 5 feet from the common property line.

2.2.4 Lots Adjacent to Public Open Spaces - Parking lots shall be set back a minimum distance of 6 feet from property lines adjacent to the public open spaces.

2.3 Landscaping.

2.3.1 Finish grading for each Lot shall meet the existing grade at the property or easement line, with a transition slope not exceeding 3:1 or be grade separated by a retaining wall approved by the Design Review Committee.

2.3.2 Screen service areas with a combination of evergreen or densely branched deciduous shrubs with a minimum mature height of six feet and within 3 years of planting and conifer trees. Solid or sight obscuring walls may be used provided they are of a character deemed by the Design Review Committee to be in keeping with the overall character of Mill Creek Corporate Center.

2.3.3 The use of native species is encouraged.

2.3.4 All landscape areas shall be provided with a fully automatic irrigation system.

2.3.5 Any area within a Lot that does not contain a parking or service area, sidewalks, plazas, or other hardscape shall be landscaped.

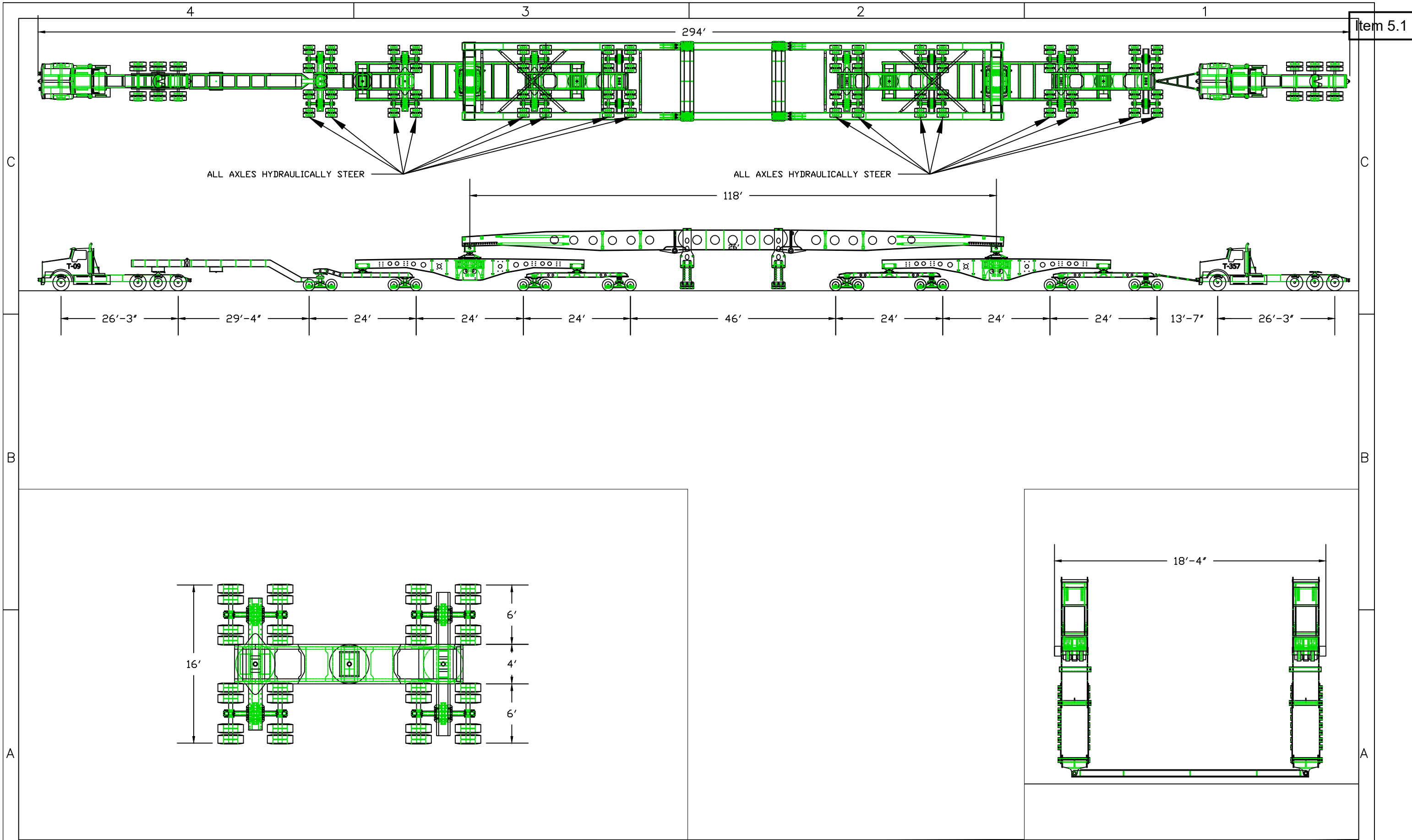
2.4 Fencing. All permanent fencing and hedges shall be integrated into the overall design proposal for the property and shall be maintained in good condition by the Owner.

2.4.1 No fence or wall shall be constructed within a front yard setback, except retaining walls as may be approved by the Design Review Committee.

2.4.2 Walls and fences between buildings and fronting streets are discouraged and shall be allowed by the Design Review Committee only for specific uses for which a demonstrated need exists.

2.4.3 All fences and walls shall be designed as an integrated part of the overall architectural and Lot design. Landscape materials used as an integral part of the fencing shall be encouraged. All materials used shall be durable and finished in textures and colors complementary to the overall architectural design.

2.4.4 Where chain link fencing is approved by the Design Review Committee, it shall be of a dark color and be largely hidden from view off site behind plant materials and earth mounding. Bare galvanized chain link is prohibited.



Item 5.1

THIS DRAWING IS FOR ONE APPLICATION ONLY. OMEGA MORGAN WILL NOT BE LIABLE IN ANY WAY WHAT SO EVER IF THIS DRAWING IS USED IN ANY WAY OTHER THAN ITS ORIGINAL INTENT.

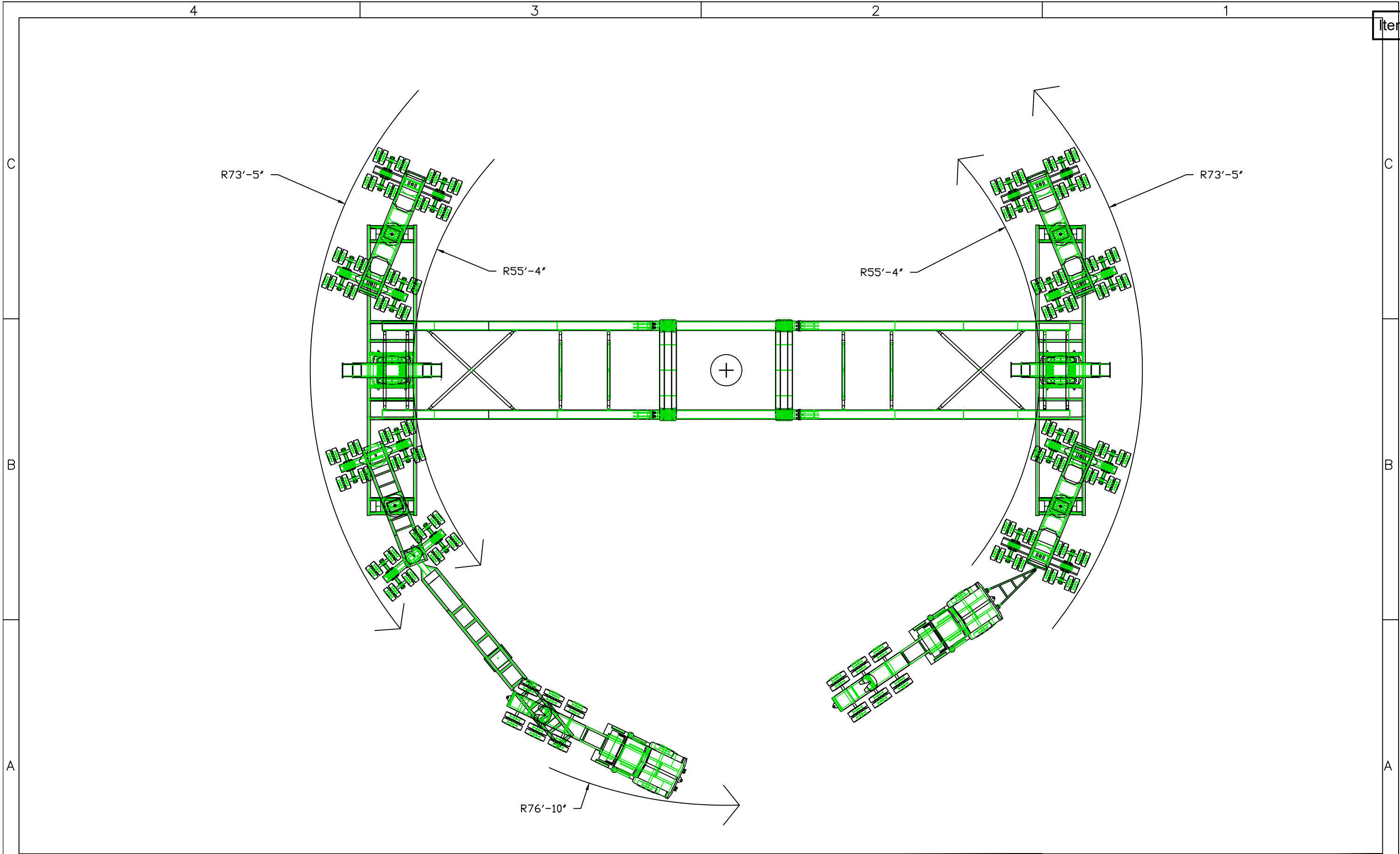
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OMEGA MORGAN
Phone: (503) 708-0928 Fax: (503) 647-7422
23810 NW Huffman Street, Hillsboro, Or. 97124



CLIENT:
TITLE: 16 Dolly Dual Lane Trailer

PROJECT MANAGER: Kenny Petersen	DATE: 7/17/2024
DRAWN BY: Kai Farrar	CHECKED BY:
DWG.NO.	SHT. 1 OF 2 REV. A



THIS DRAWING IS FOR ONE APPLICATION ONLY. OMEGA MORGAN WILL NOT BE LIABLE IN ANY WAY WHAT SO EVER IF THIS DRAWING IS USED IN ANY WAY OTHER THAN ITS ORIGINAL INTENT.

UNLESS OTHERWISE SHOWN, ALL DIMENSIONS ARE IN FT. AND IN. (DIMENSIONS IN BRACKETS ARE IN mm) AND TOLERANCES ARE: X"=+1/8" X.0"=+0.1" X.00"=+0.02" X.000"=+0.005"

OMEGA MORGAN
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23810 NW Huffman Street, Hillsboro, Or. 97124



CLIENT:

TITLE:

16 Dolly Dual Lane Trailer

PROJECT MANAGER: Kenny Petersen

DRAWN BY: Kai Farrar

CHECKED BY:

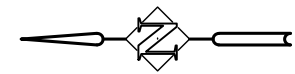
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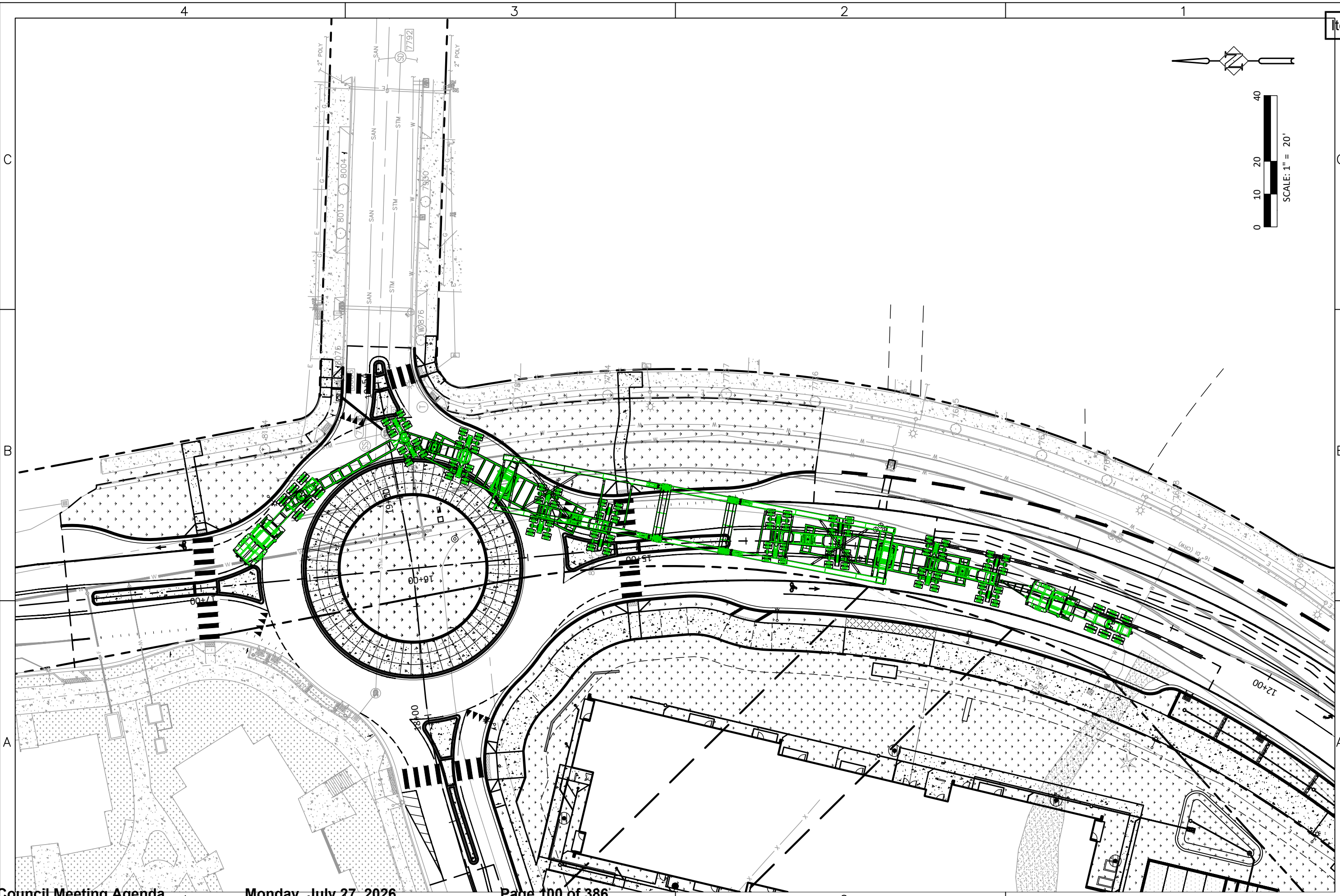
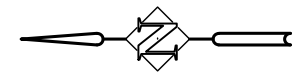
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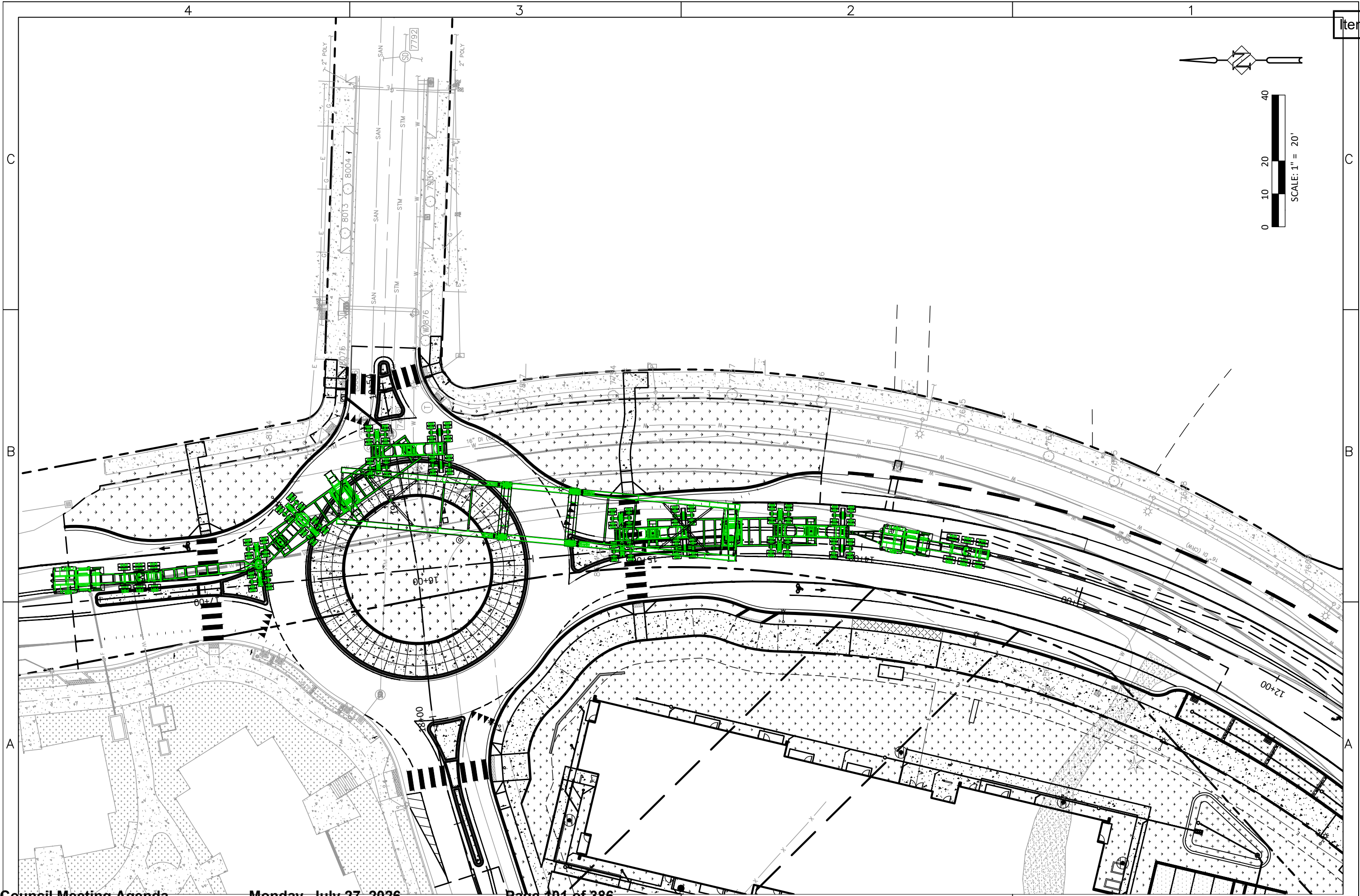
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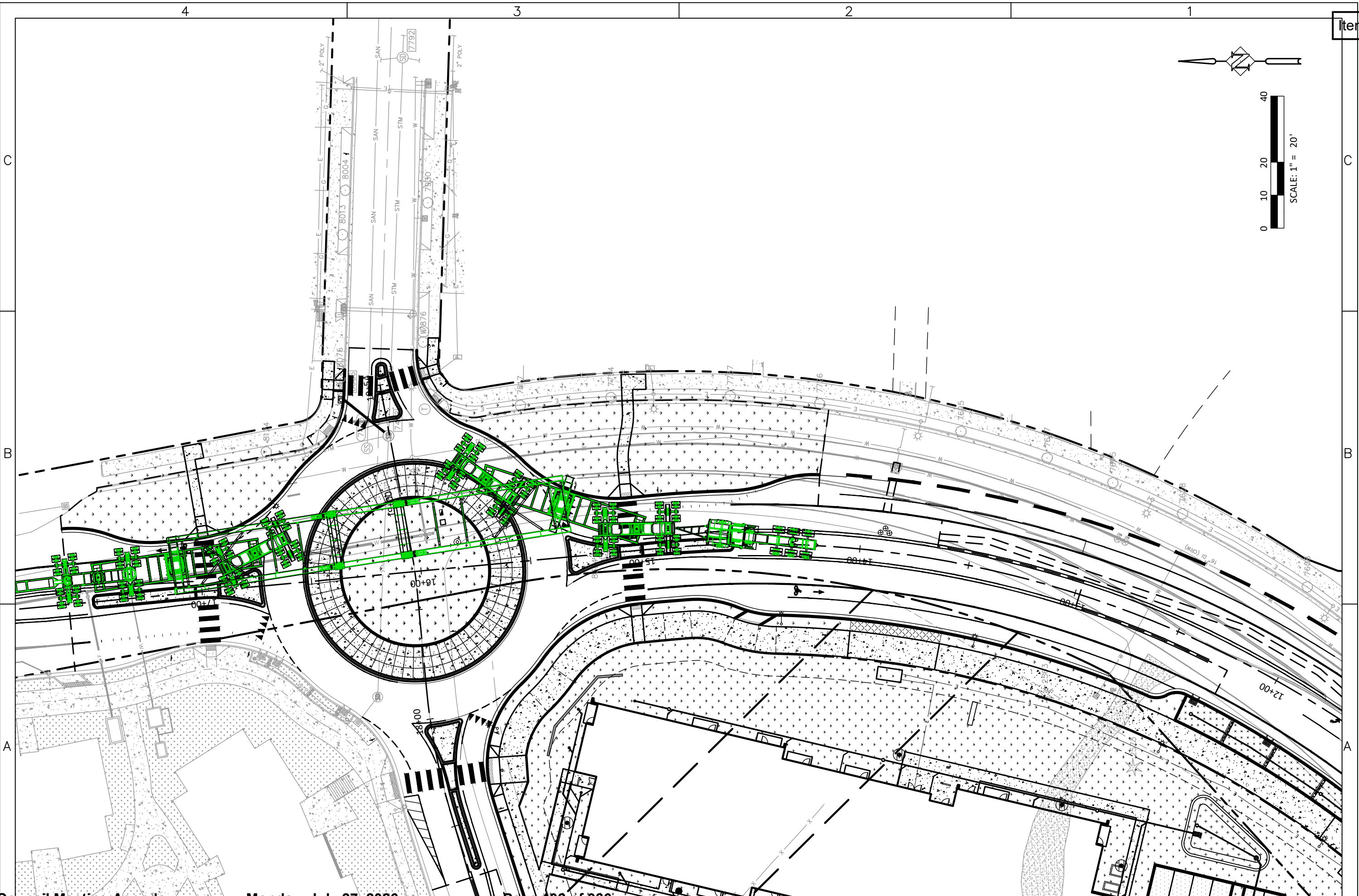
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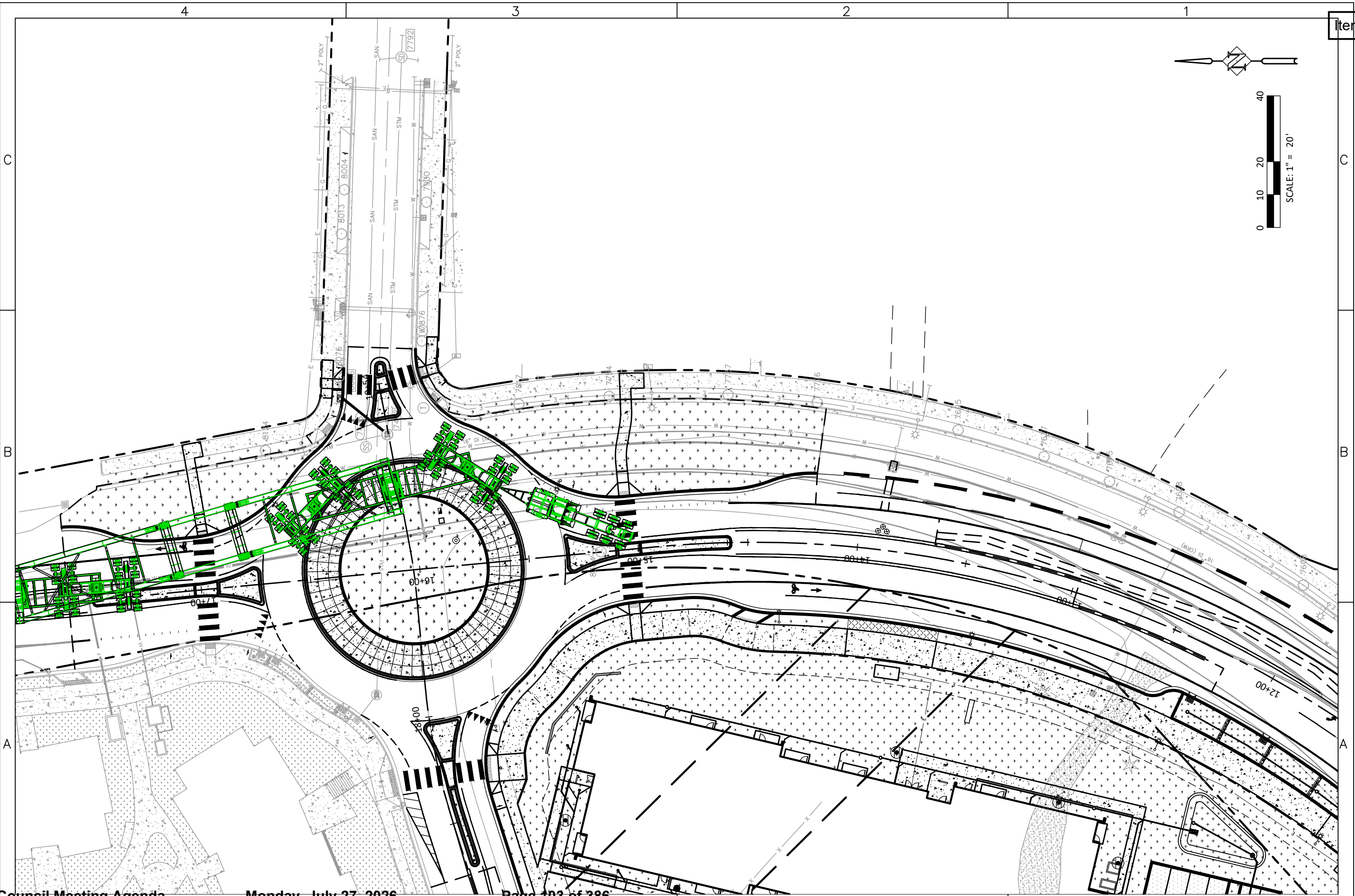


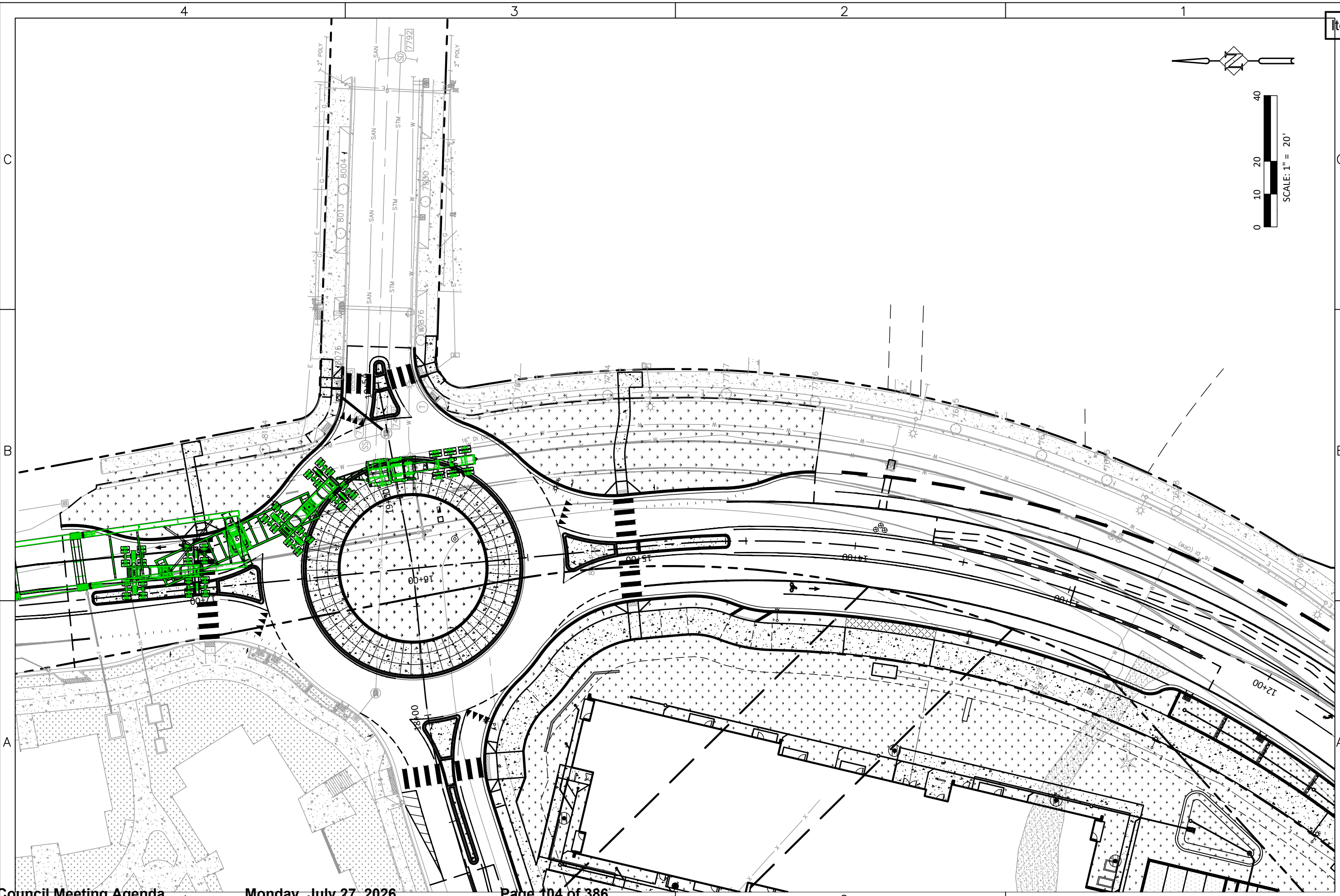
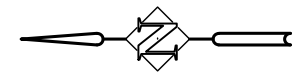


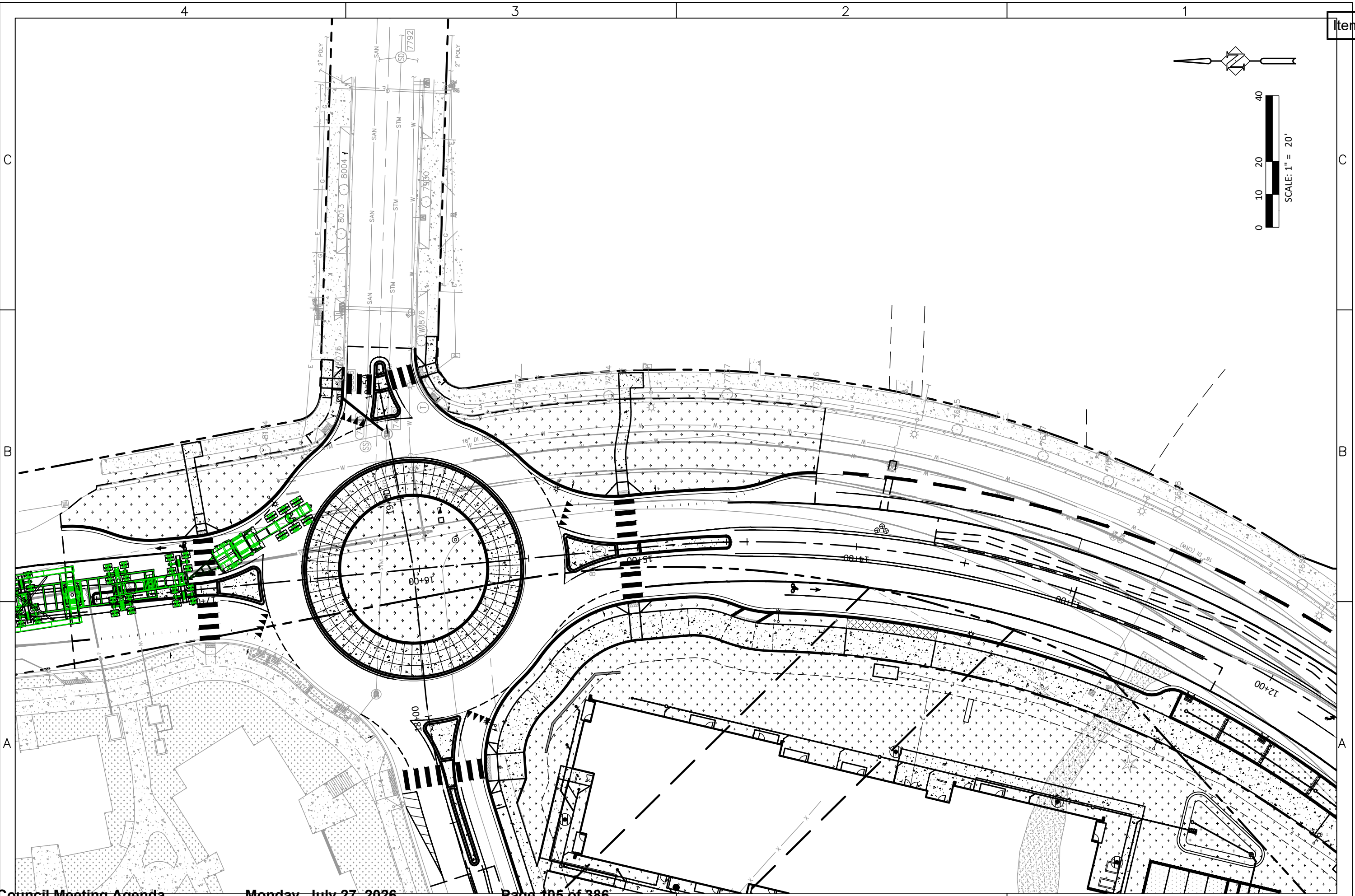












**Pre-application
Infrastructure Summary
Development Services Division**

555 Liberty Street SE/Room 320
Phone: 503-584-4646
developmentsservices@cityofsalem.net

Case No. / AMANDA No.	PRE-AP25-44 / 25-113780-PA
Conference Date	August 11, 2025
Applicant	Erik Andersson, SEDCOR eandersson@sedcor.com
Representative	Mark Hoyt, Sherman Sherman Jonnie & Hoyt, LLP mark@shermmlaw.com
Development Services Staff Contact	Aaron Panko, Infrastructure Planner III apanko@cityofsalem.net , 503-540-2356

Project Description & Property Information

Property Address	5400 Turner Road SE
Assessor's Tax Lot Number(s)	082W18 / 600 and 700
Project Description	New Data Center

Development Services – Infrastructure Summary

Proposal

A pre-application conference to discuss development of a Data Center for property 64 acres in size, zoned EC (Employment Center), and located at 5400 Turner Rd SE and 4720 Deer Park Dr SE (Marion County Assessors Map and Tax Lot number 082W18 / 600 and 700).

Urban Growth Area Preliminary Declaration (UGA)

UGA Permit

Required ☒	The subject property is located outside of the Urban Service Area. A UGA permit may be required subject to the type of development. A UGA permit was previously approved for development of the Mill Creek Corporate Center (Case No. 09-05) and remains valid.
---	---

Utility Information

Water

Water Service Level	S-1
Existing Conditions	An 18-inch water main is located in Deer Park Drive SE. An 18-inch water main is located in Turner Road SE.
Required Improvements	NA
Water Meters Service	Water meters shall be placed along the right-of-way of streets adjacent to the subject property (PWDS Water 5.9(b)).

Sanitary Sewer

Transportation

City Council Meeting Agenda **Monday, July 27, 2026**

Streets			
Turner Road SE	Street Classification	Minor Arterial	
	Right-of-way Width	Standard: 72-feet	Existing Condition: 69-feet
	Improvement Width	Standard: 46-feet	Existing Condition: 27-feet
	Required Improvements	Convey land for dedication to equal a half-width right-of-way of up to 36 feet on the development side of Turner Road SE. Per SUB08-05MOD2, construct a full width street improvement along the frontage of Turner Road SE. Sidewalks are required only on the development side.	
Deer Park Drive SE	Street Classification	Collector	
	Right-of-way Width	Standard: 60-feet	Existing Condition: 60-feet
	Improvement Width	Standard: 34-feet	Existing Condition: 22-feet
	Required Improvements	Convey land for dedication to equal a half-width right-of-way of up to 30 feet on the development side of Deer Park Drive SE. Per SUB08-05MOD2, construct a full width street improvement along the frontage of Deer Park Drive SE. Sidewalks are required only on the development side.	
Sidewalks	Construct sidewalks and replace non-conforming portions of existing sidewalk along abutting streets in conformance with the provisions of SRC Chapter 78 and PWDS (SRC 78.180(a)).		
Street Trees	Provide street trees to the maximum extent feasible in accordance with the standards and specifications set forth in SRC Chapter 86 and applicable administrative rules (SRC 86.015(e)).		
Connectivity	At the time of development, the applicant shall be required to comply with the Street Standards for connectivity (SRC 803.035(a)).		
Driveway Approaches			
Class 2 Driveway Approach Permit (SRC 804.025)	Required ☒	Not Applicable ☐	
Driveway Approach Adjustments	Spacing Standards	Required ☐	Not Applicable ☒
	Access to an Arterial Street	Required ☐	Not Applicable ☒
Vision Clearance	Requirements shall be observed at all street and driveway intersections as provided for in SRC Chapter 805 .		
Staff Comments			
Kuebler Boulevard SE. Condition 2(a) from Case No. SUB08-05MOD2 requires construction of a half-width turnpike improvement along the development side of Kuebler Boulevard SE from 1,200 feet south of Aumsville Highway SE to the Mill Creek bridge. This improvement is required as a condition of any phase. However, the applicant may pay a fee-in-lieu of improvements at the time of building permit issuance. Turner Road SE and Deer Park Drive SE Intersection. Alignment for Deer Park shall consider the intersection improvements required as a condition of approval from other land use decisions in the area (Case No. SUB-UGA23-07). Adequate site distance, both horizontal and vertical, required for the new intersection. Applicant to coordinate intersection layout with City staff.			

Natural Resources

Summary Items				
Environmental Pre-treatment	The applicant is advised to contact Matt Butcher, Environmental Compliance Specialist, at 503-588-6063 for more information regarding possible pre-treatment requirements. Please review Public Works Administrative Rule 109-012 <i>Stormwater Source Controls</i> for standards applicable to trash enclosures.			
Erosion Control	For projects greater than one acre, a National Pollutant Discharge Elimination System (NPDES) permit from the Oregon Department of Environmental Quality is required for all construction activities that disturb one acre or more. Proof of a valid permit must be submitted at the time of plans submission. City construction permits will not be issued without a valid NPDES permit. City permits will not be issued without a valid NPDES erosion control plan approval letter or written certification by the applicant that a permit is not required for this project.			
Floodplain Development	Within Special Flood Hazard Area	Yes ☐ No ☒		
	Base Flood Elevation	N/A		
Landslide Hazards	Mapped Hazard	3-Points		
	Activity Points	3-Points		
	Assigned Risk	Moderate Risk		
	Geo-assessment	Required ☒ Not Required ☐ As part of the application package, the applicant shall submit information required under SRC Chapter 810. The applicant has two options for submitting information as part of the application: 1. Submit a geological assessment from a certified engineering geologist; or 2. Submit findings from a qualified professional engineer, architect, or surveyor that ground slopes and geological map information demonstrate a low landslide hazard risk per SRC Chapter 810. *A geotechnical report for the area was complete with the Mill Creek Corporate Center Subdivision (SUB08-05).		
Wetlands	N/A ☐	Hydric Soils ☒	Wetlands ☐	Linear Channels ☐
	The applicant shall contact the Oregon Department of State Lands to verify if any permits are required for future development. The applicant is required to verify mapped wetland area(s). *WLUN provided with the Mill Creek Corporate Center Subdivision (SUB08-05).			

General Comments

Pre-application Conference Follow-up Meeting

April 28, 2026



Pre-Application Question List

To: City of Salem
Leif Van Acker, P.E. (Kimley-Horn)

From: John Lanni, (DLB)
Maria Poyer (Verrus)
Peter Watkins (Gensler)

Date: 4/21/2026

Subject: Mill Creek Corporate Center Lots 1, 2, 4 and 5 Follow-up Pre-Application Questions

The questions below have been prepared in advance of the second pre-application meeting with the City of Salem taking place on April 28th, 2026 at 1:00 pm. The original subject property discussed in the first pre-application included Lots 4 and 5 of the Mill Creek Corporate Center, tax/Map # 082W180000600 (Lot 4) and 082W180000700 (Lot 5). Since the original pre-application, Lot 1 (082W080000400) has been added to the application. Access for Lots 4 and 5 will be through Lot 2 (082W080000500).

Drainage

1. Can the City provide/clarify the ultimate stormwater discharge location(s) for Lot 1, considered Basins 2-2 through 2-6 based on the MCCC Open Space Design Report by Otak?
2. Confirm Rose Horton with Otak is point of contact for stormwater design questions.
3. Can the existing ditch on Lot 1 that conveys flows from Corban University be relocated and piped through the site? Confirming that any potential wetlands associated with this have already been mitigated with the Mill Creek wetland mitigation project.
4. Similar to lots 4 and 5, confirm the drainage shall be per the Mill Creek Corporate Center CC&R's and that only water quality is required. Detention is provided in the City wetland property.
5. Overall understanding of offsite/frontage stormwater for confirmation:
 - a. Mill Creek Drive has a system of storm inlets, pipes, and manholes that convey stormwater to the existing onsite swale on the western portion of the site
 - b. The southern portion of Deer Park Drive adjacent to Lot 1 also flows to the Mill Creek system
 - c. The northern portion of Deer Park Drive currently directly discharges to Lot 1. We anticipate this drainage will need to be incorporated into the overall onsite stormwater design.
 - d. Further, a portion of the flows from Corban University are piped across Deer Park Drive to an onsite swale. We understand this swale will need to be relocated due to the proposed site plan, but the stormwater design will need to be designed to accommodate these offsite flows.

- e. The drainage from Truax Drive SE goes directly to the wetland west of the road. No storm improvements are anticipated to be required.

Sewer

1. Are there any requirements other than on-site sewer design required by the engineer for obtaining approvals for permits for this project?
2. Please confirm preferred sewer connection point.

Water

1. There is an existing abandoned water line on-site. Is anything further required for this abandoned line?
2. Please confirm preferred water connection points (2).

Site Design

1. Any comments on the site plan related to aerial apparatus access?
2. Confirm the driveway locations proposed are acceptable.

Traffic Study

1. Given that total building square footage may be up to 1.8M square feet, at the 0.73 ADT/1000 sf in the ITE manual, this would result in up to 1,350 trips between Lot 1, 4 and 5. Please confirm if this would trigger traffic study requirement, given there would be multiple different points of access.

Mill Creek Dr SE Utility Crossing

1. The applicant is proposing a major utility crossing of Mill Creek Drive. An exhibit showing this crossing has been provided herein. We would like to understand the feasibility of this crossing.
2. What is the project name and completion date that triggered the 5-year pavement moratorium?
3. Is the restriction being applied under Public Works street opening policy rather than an adopted ordinance?
4. Will the City consider work within the moratorium with conditions?
5. What restoration detail would be required for approval during the moratorium period?
6. Is there precedent for exceptions on economic development projects?
7. Will the City grant an easement to PGE for this crossing?

Tree Knoll

1. Tree knoll area has been avoided, and conservation easement provided. Please confirm anticipated connection point to the existing multi use path, and whether that design should be proposed under this application, or with a separate future City project.

VERRUS DATA CENTER

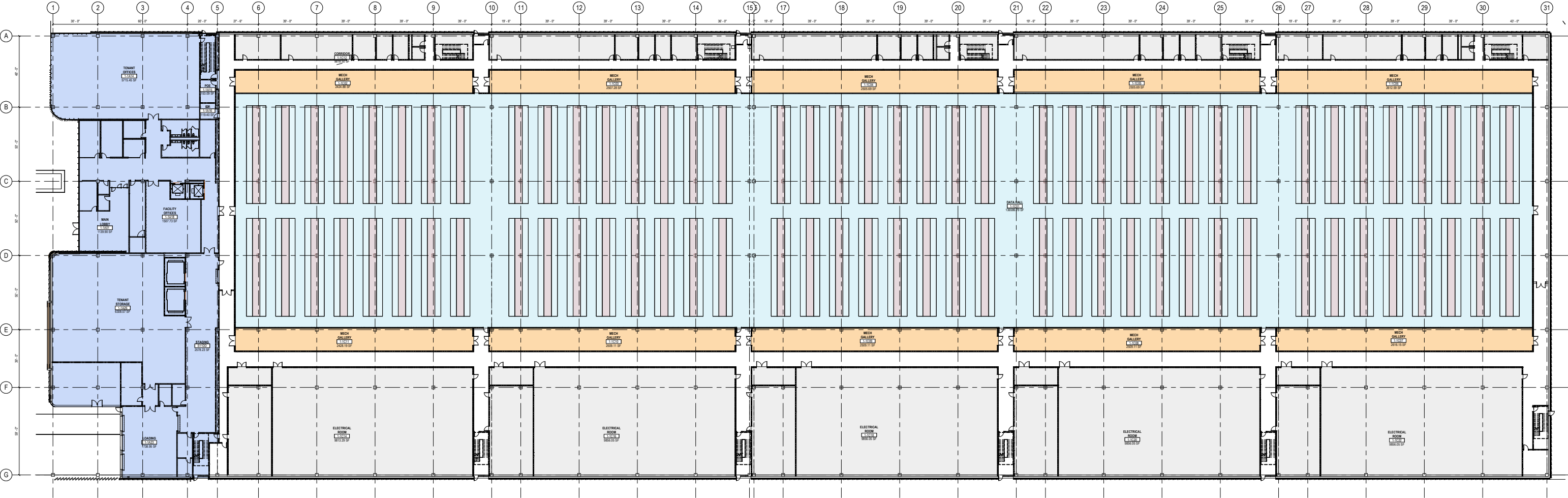
30% SCHEMATIC DESIGN PRESENTATION

OCTOBER 3rd 2025

Gensler

TWO STOREY | OVERALL PLAN

Item 5.1



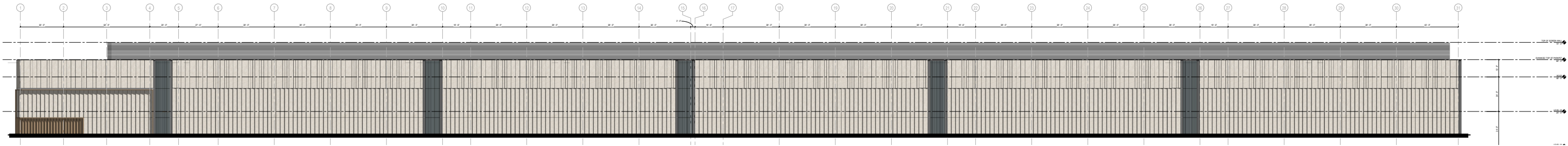




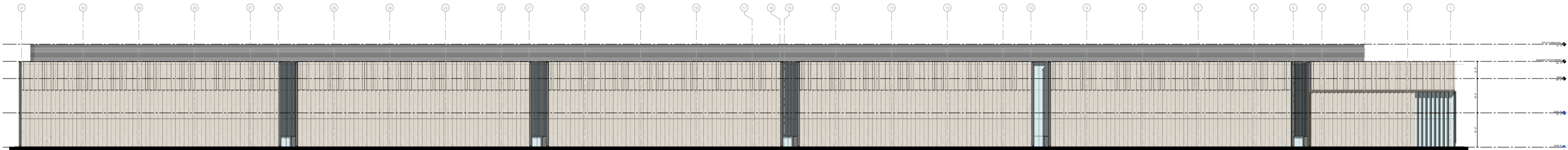




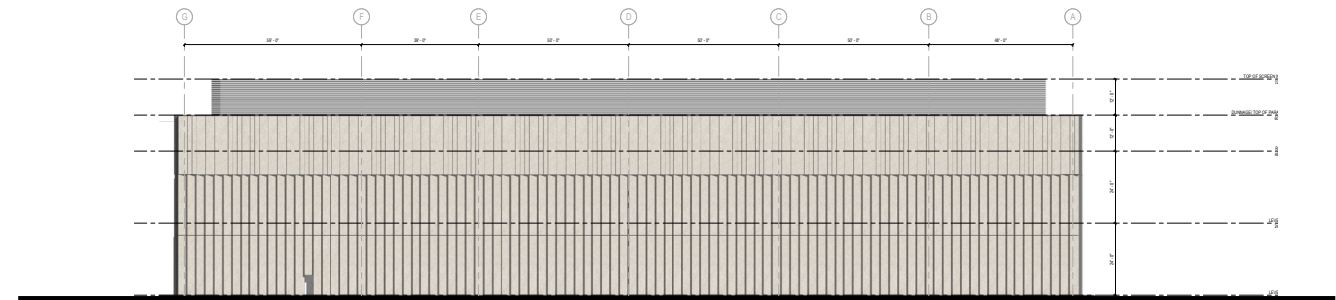
EXTERIOR ELEVATIONS



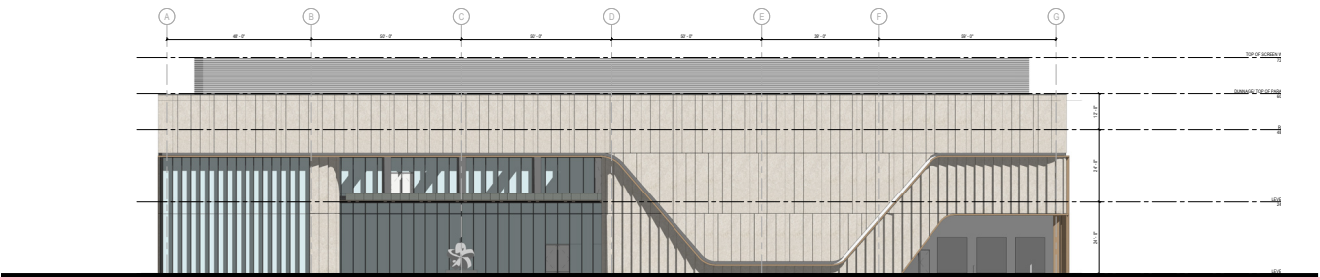
EAST ELEVATION



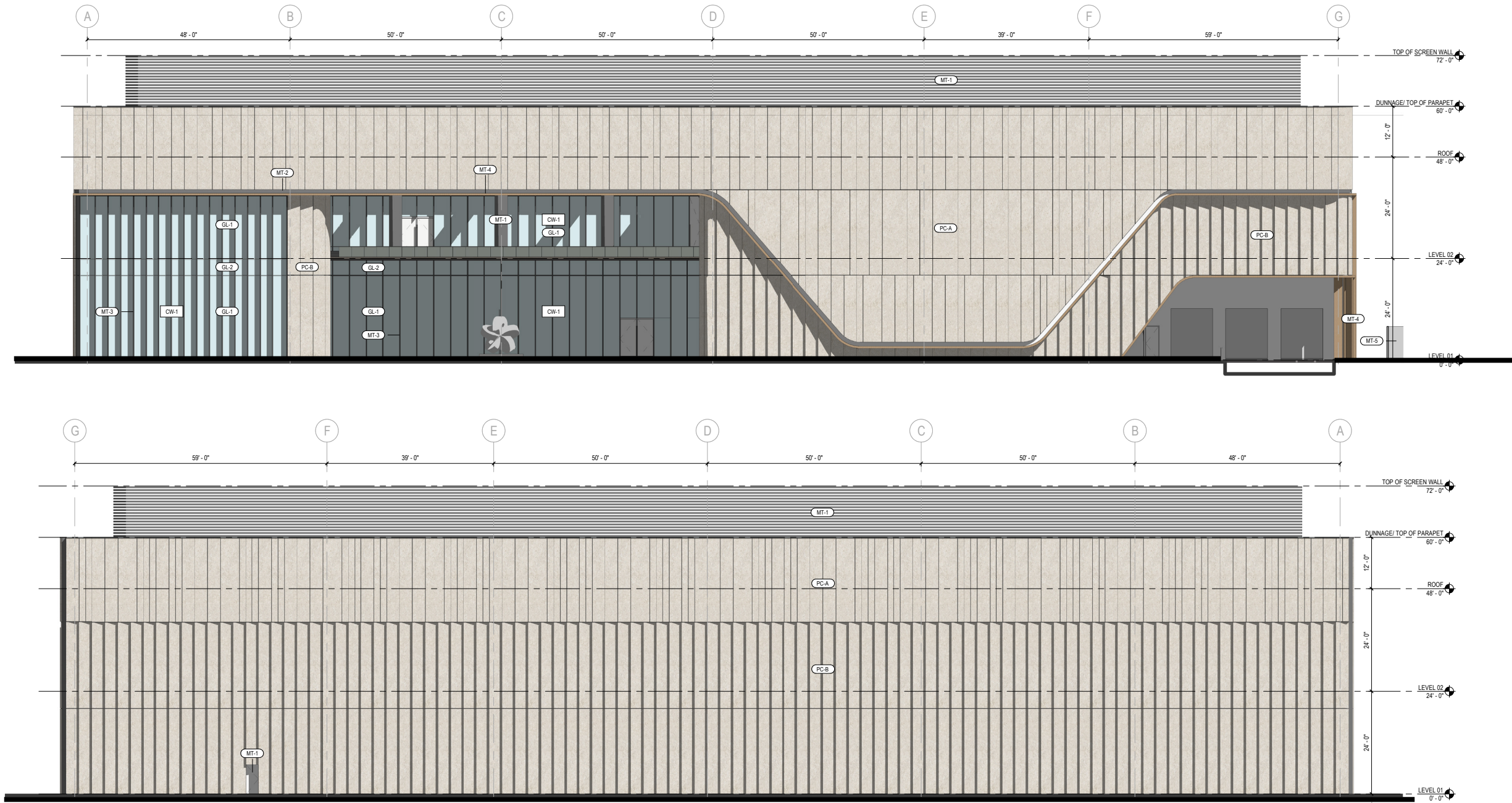
WEST ELEVATION



SOUTH ELEVATION

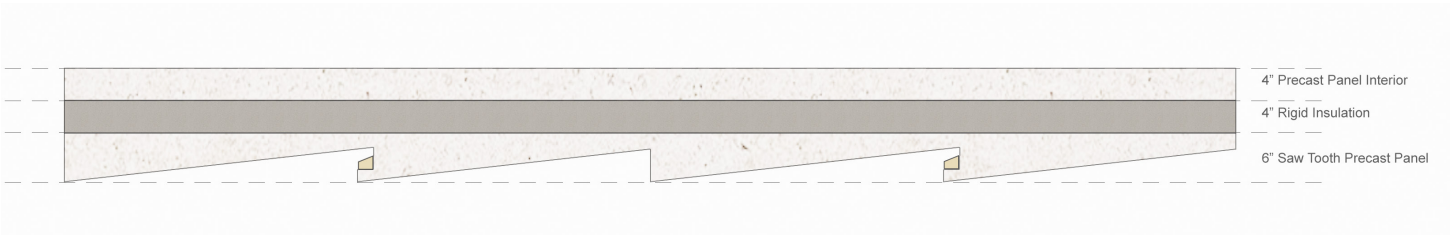
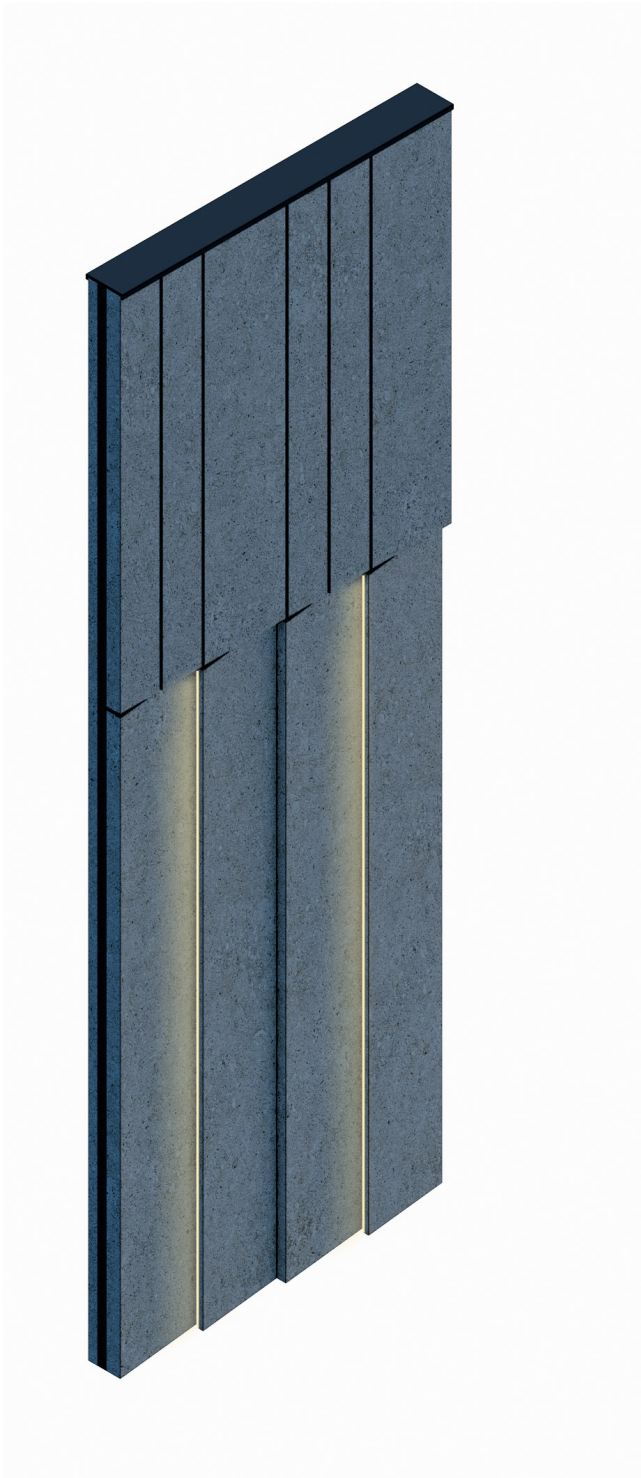
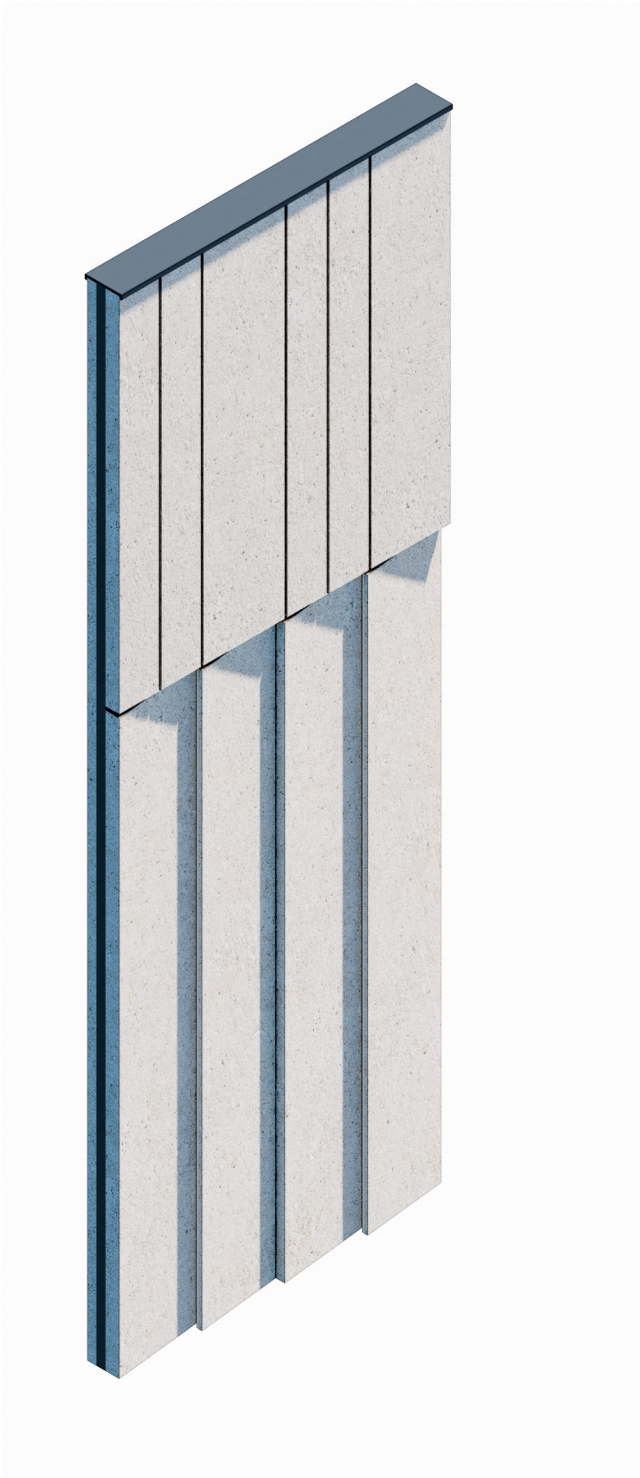
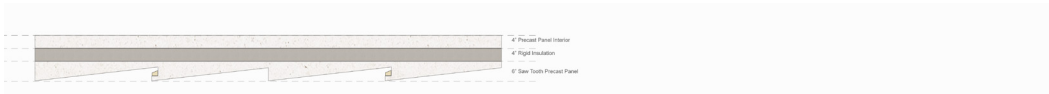
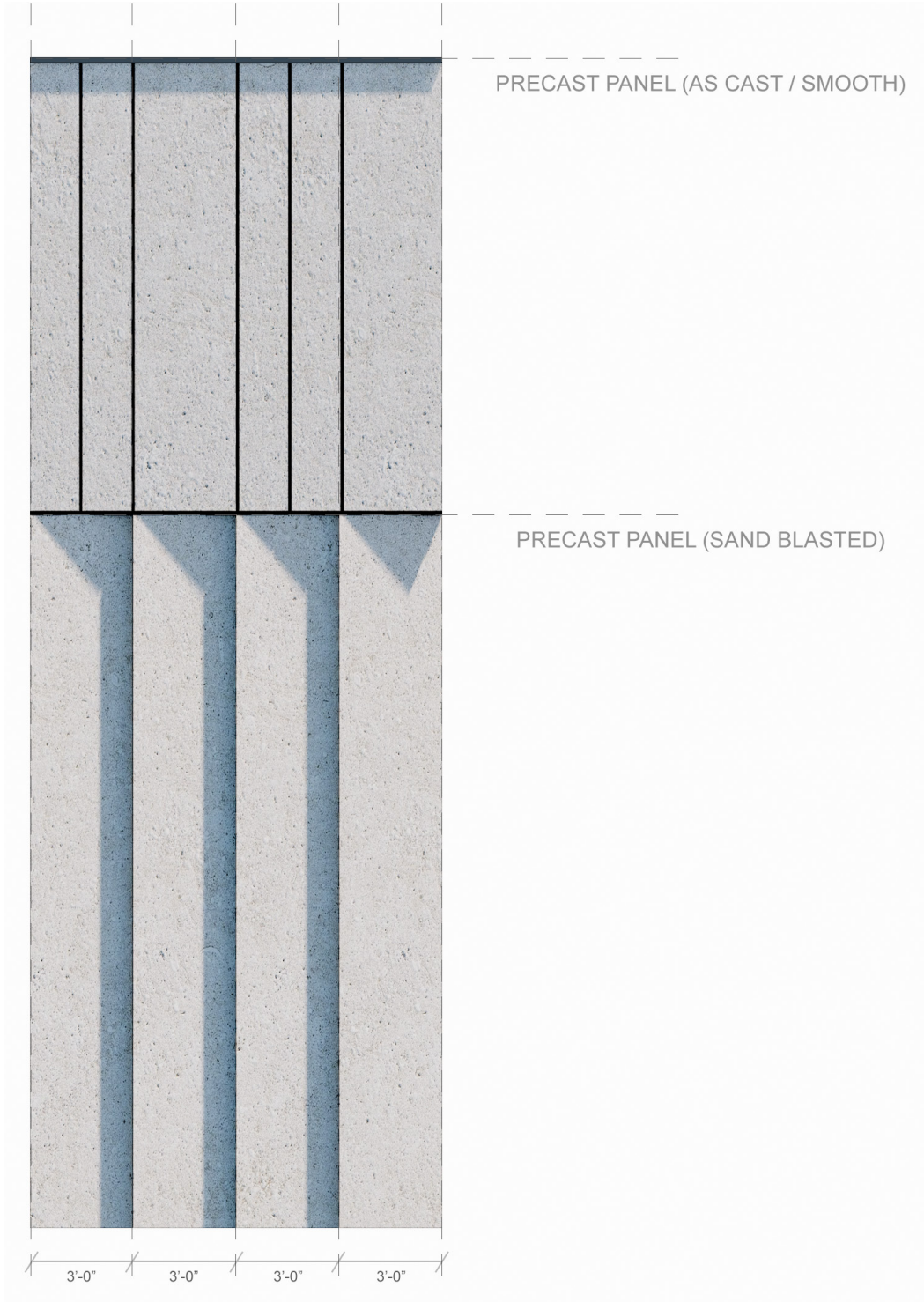


NORTH ELEVATION

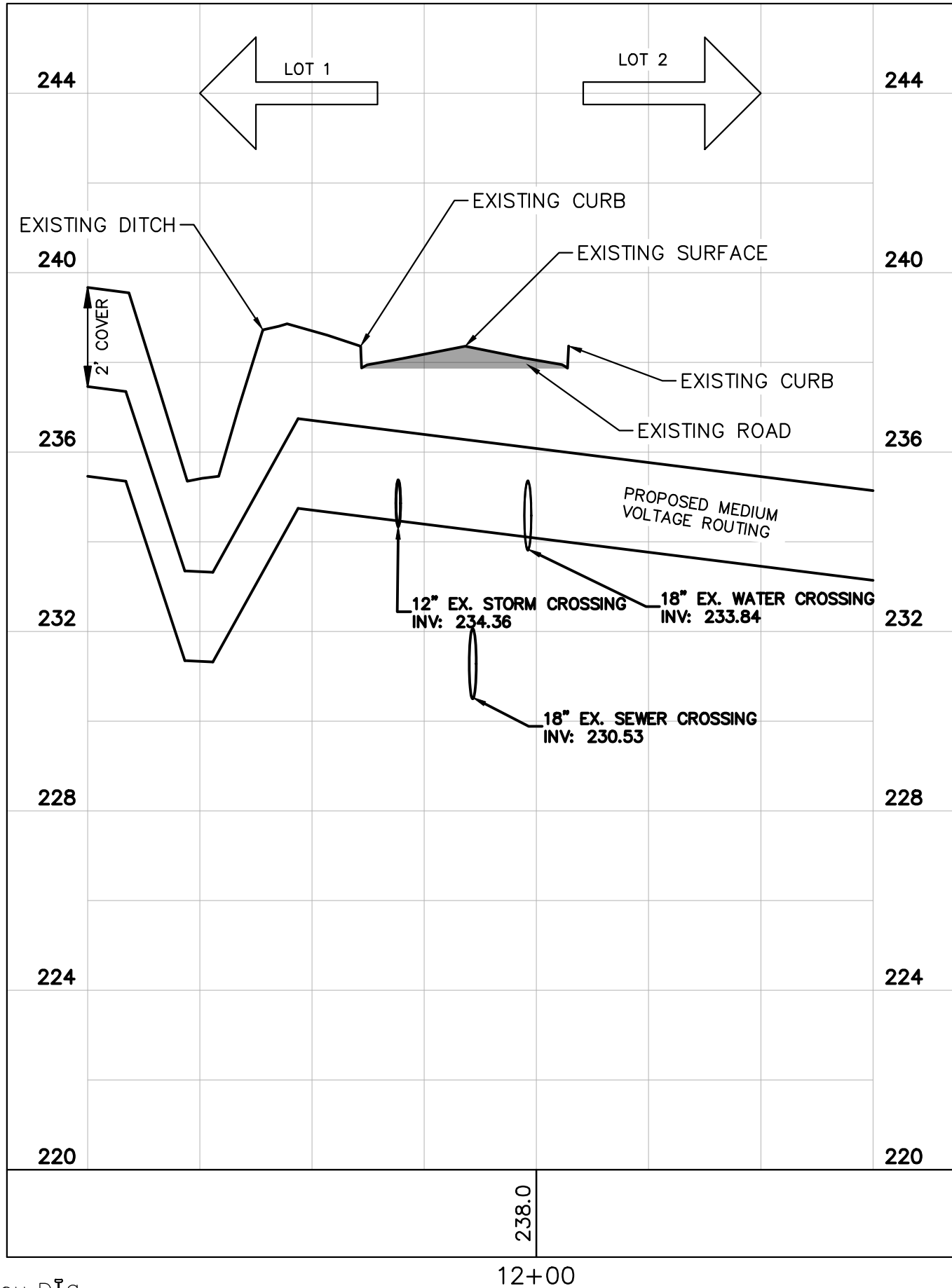
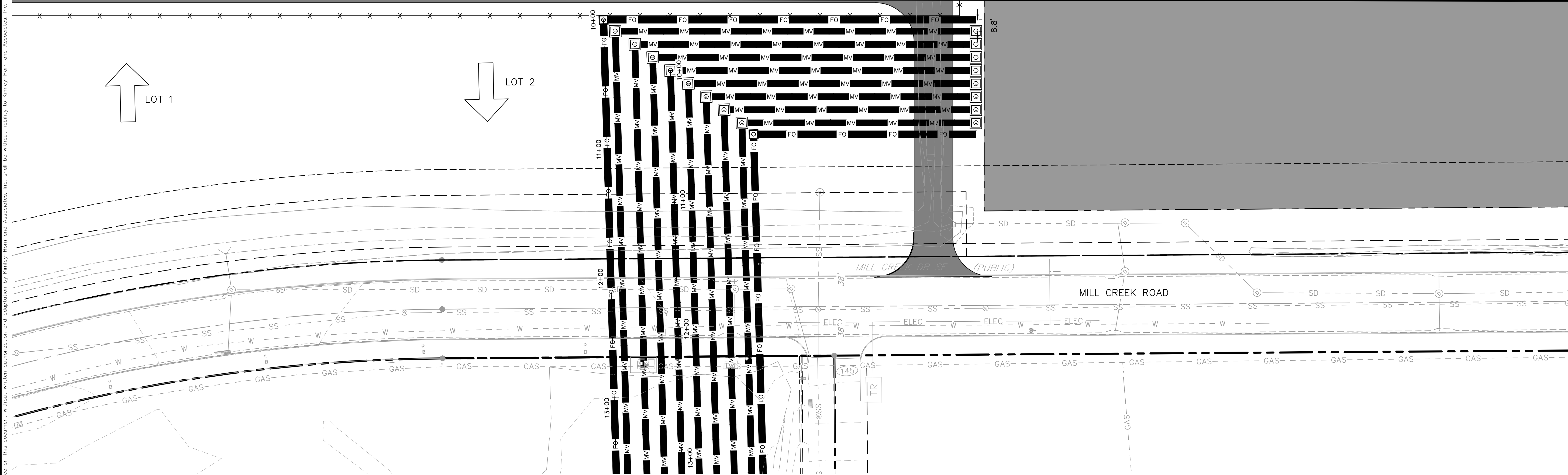


CODE	MANUFACTURER	DESCRIPTION	STYLE	FINISH
METALS				
MT-1	CONSTRUCTION SPECIALTIES	ARCHITECTURAL METAL LOUVERS	MODEL A2097	CHOCOLATE CHIP
MT-2	SHERWIN WILLIAMS	ARCHITECTURAL METAL	FLUROPON E397B830 - C 437X2907	CHOCOLATE CHIP
MT-3	ALPOLIC	ALUMINIUM COMPOSITE PANEL	WOOD GRAIN TEXTURE	TO MATCH MT-2
MT-4	HENDRICK	ALUMINIUM PERFORATED PANELS	48" W x 96" L W/ IMAGE BASED PATTERN 33% OPEN AREA	TO MATCH MT-2
CONCRETE				
PC-A	HIGH CONCRETE GROUP	INSULATED PRECAST CONCRETE PANEL W/ ARCHITECTURAL REVEALS	HCG STANDARD MIX, TBD	PC01 - AS CAST / SMOOTH
PC-B	HIGH CONCRETE GROUP	INSULATED PRECAST CONCRETE PANEL	HCG STANDARD MIX, TBD	PC01 W/ SANDBLAST FINISH
FENESTRATION				
CW-1	INNOVATION GLASS	ALUMINUM GLAZED CURTAIN WALL	VS1-A110	TO MATCH MT-2
GL-1	VITRO	EXTERIOR GLAZING VISION GLASS	SOLARBAN 72 ACUITY/ACUITY	CLEAR IGU WITH LOW-E COATING
GL-2	VITRO	EXTERIOR GLAZING SPANDREL	SOLARBAN 72 ACUITY/ACUITY W/HARMONIZED OPACIFYING COATING.	CLEAR IGU WITH LOW-E COATING

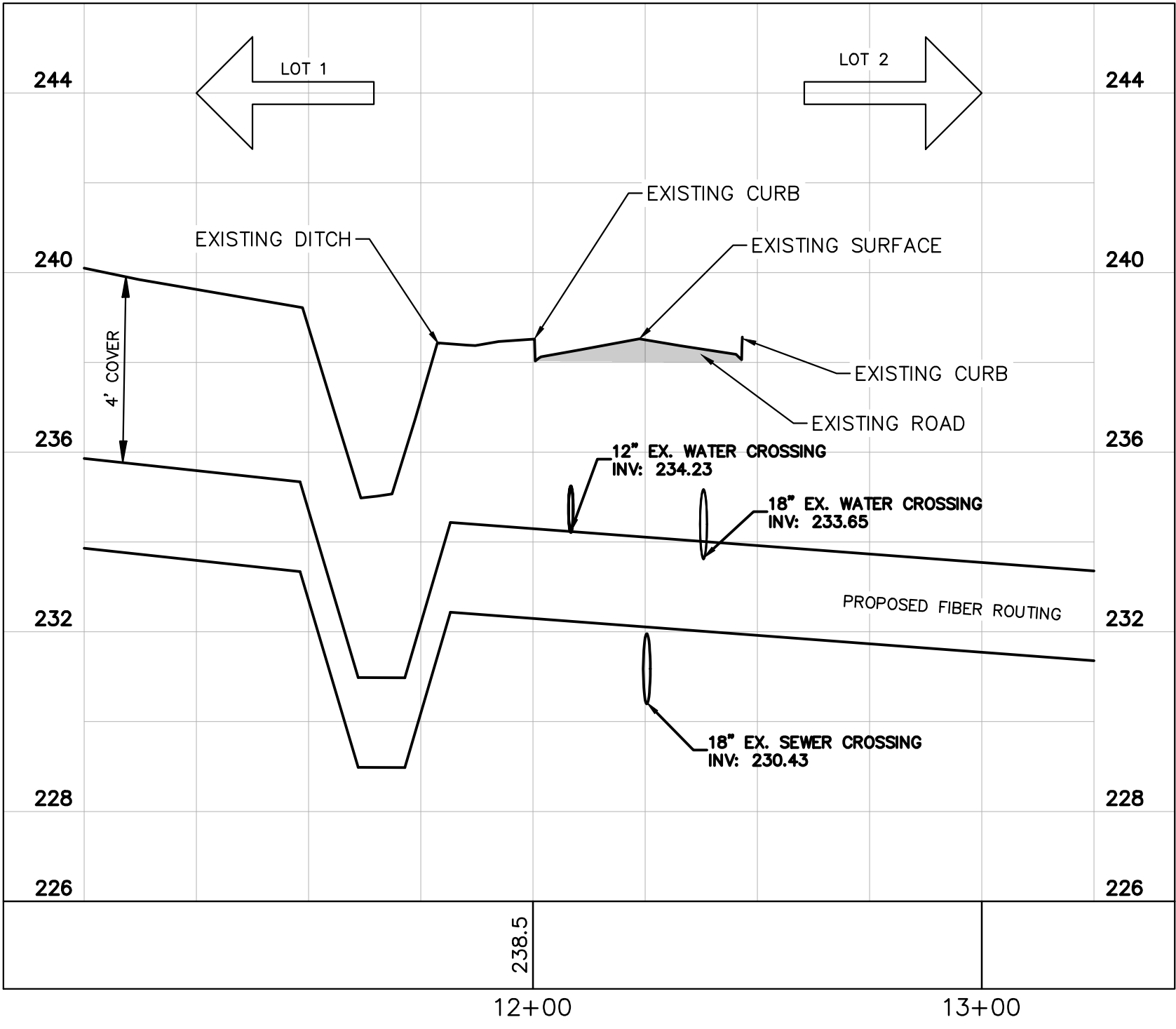
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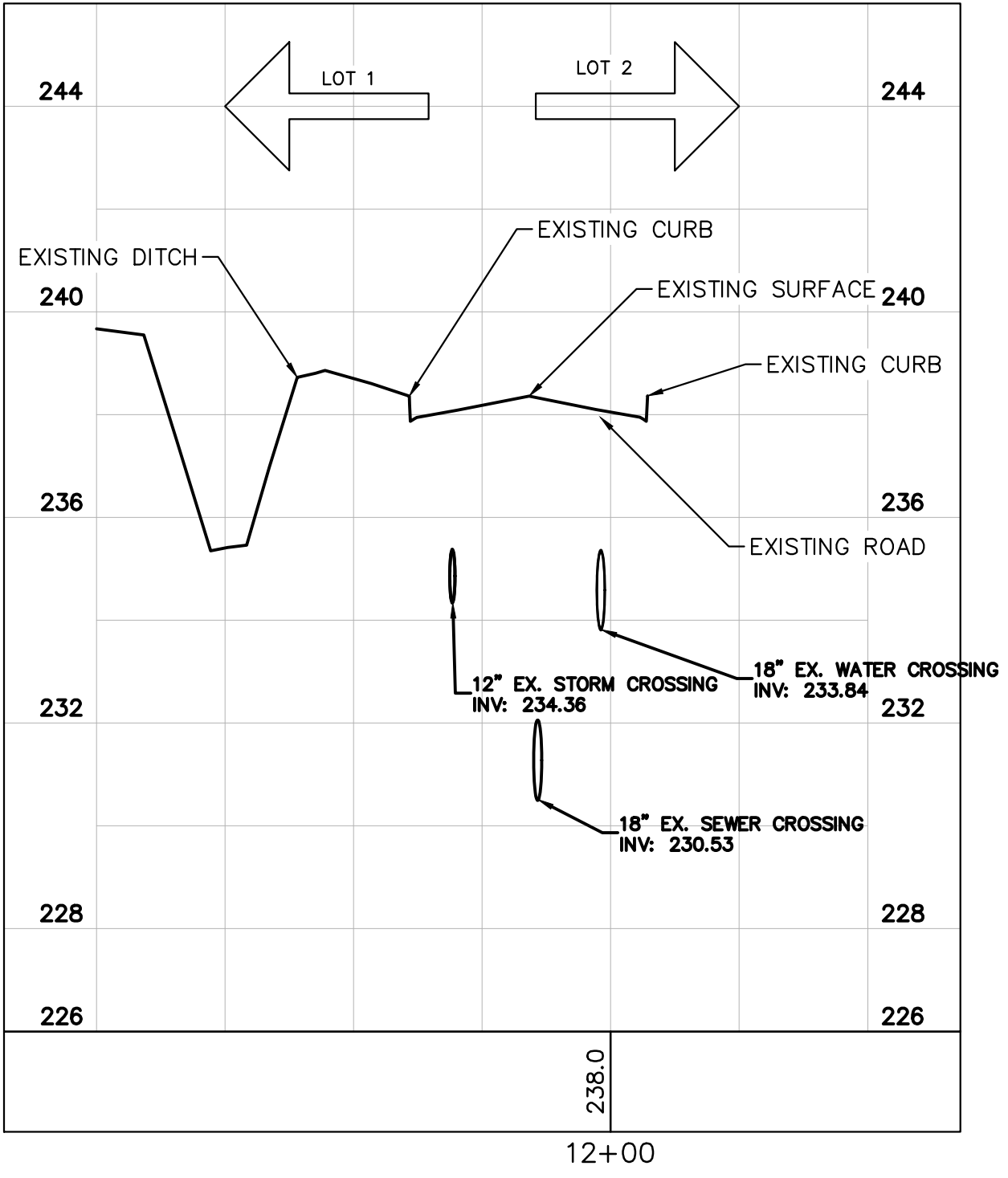
Gensler



MV PROFILE CROSSING



FIBER PROFILE CROSSING



GENERAL PROFILE CROSSING

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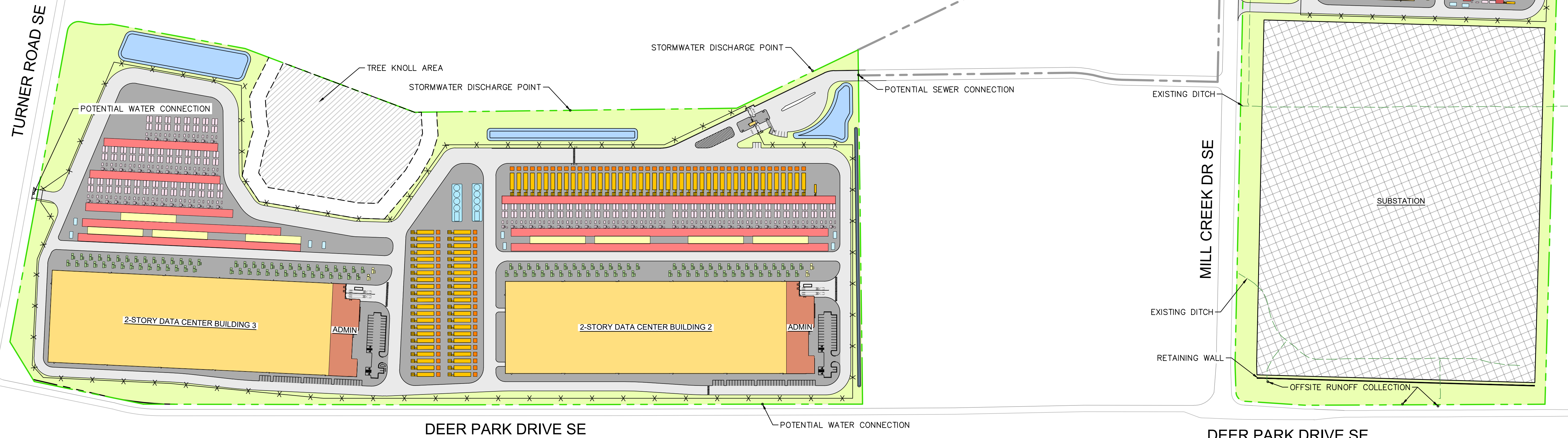
Call before you Dig
Avoid cutting underground
utility lines. It's costly.



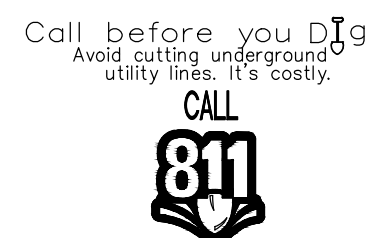
CALL: 1-800-332-2344 (OR 811)

KHA PROJECT 296292000		DATE 4/15/2026		SCALE AS SHOWN		DESIGNED BY		DRAWN BY		CHECKED BY	
LISCENSED PROFESSIONAL		PRELIMINARY NOT FOR CONSTRUCTION		DATE:		KIMLEY-HORN		© 2026 KIMLEY-HORN AND ASSOCIATES, INC. 1 SW COLUMBIA STREET, SUITE 650, PORTLAND, OR 97204 PHONE: 503-404-3910 WWW.KIMLEY-HORN.COM		REVISIONS	
SALEM DATA CENTER PREPARED FOR VERRUS		CITY OF SALEM		OREGON		SHEET NUMBER		DATE		No.	

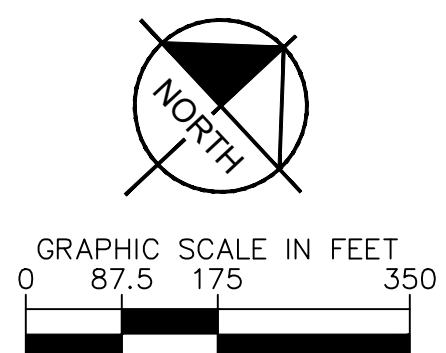
	PROPERTY LINE
	ADJACENT PROPERTIES
	EASEMENT
	EXISTING DITCH
	PROPOSED CHAIN LINK FENCE
	OPEN SPACE / LANDSCAPE AREA
	PROPOSED ROAD
	PROPOSED EQUIPMENT YARD AREA
	PROPOSED SUBSTATION
	PROPOSED STORMWATER PONDS
	BUILDING AREA
	ADMIN AREA
	OVERHEAD ELECTRICAL CORRIDOR
	TREE KNOLL EASEMENT AREA



BUILDING FOOTPRINT AREA:	BUILDING 1 399,000 SF, BUILDING 2&3 615,000 SF EACH (TOTAL 1,629,000 SF)
EQUIP. YARD FOOTPRINT AREA:	1,118,000 SF TOTAL
SUBSTATION FOOTPRINT AREA:	24.00 AC
PARKING STALLS TOTAL:	209
BUILDING + YARD + POND + TREE KNOLL + ROAD LOT COVERAGE:	~61% (EXCLUDES SUBSTATION FOOTPRINT), ~81.5% (INCLUDES SUBSTATION FOOTPRINT)
ACCESS POINTS:	MILL CREEK RD (FROM N) + TURNER RD (FROM S - EMERGENCY / EGRESS ONLY) + TRUAX DRIVE (FROM W) + MILL CREEK RD (FROM S - EMERGENCY / EGRESS ONLY)



CALL: 1-800-332-2344 (OR 811)

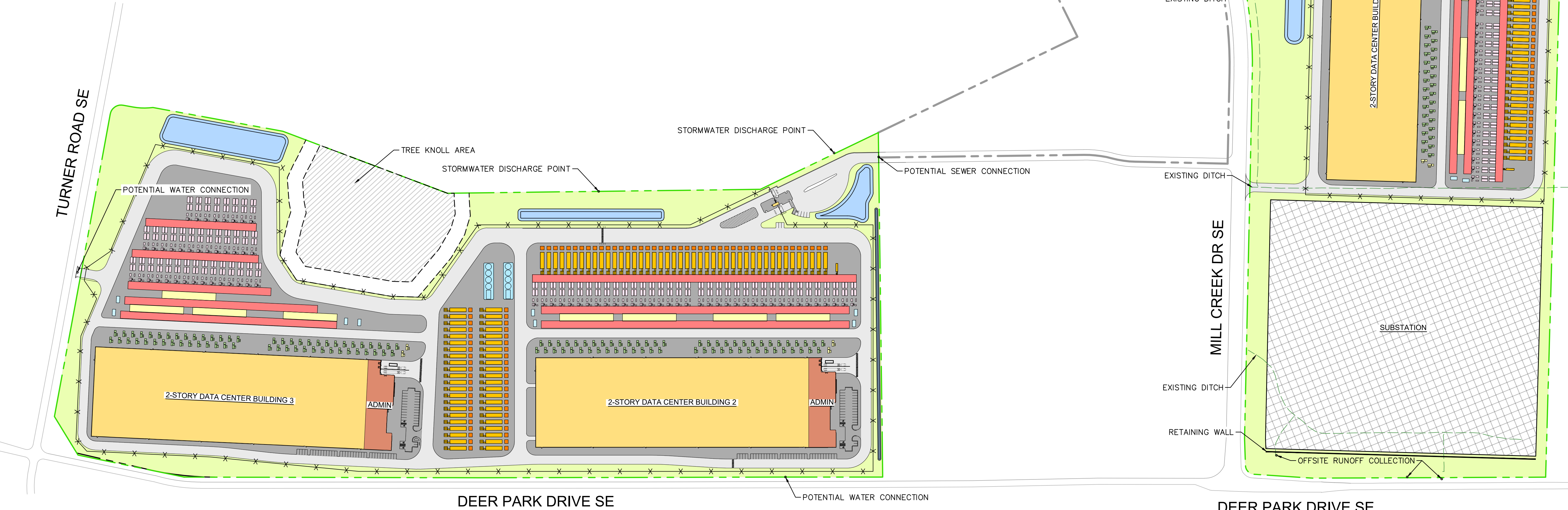


SHEET NUMBER EX-2	SALEM DATA CENTER PREPARED FOR VERRUS	CITY OF SALEM	OREGON	CONCEPTUAL SITE PLAN	KHA PROJECT 296292000 DATE 4/21/2026 SCALE AS SHOWN DESIGNED BY DRAWN BY CHECKED BY	LICENSED PROFESSIONAL PRELIMINARY NOT FOR CONSTRUCTION DATE:	 © 2026 KIMLEY-HORN AND ASSOCIATES, INC. 1 SW COLUMBIA STREET, SUITE 650, PORTLAND, OR 97204 PHONE: 503-404-3510 WWW.KIMLEY-HORN.COM	No.	REVISIONS	DATE

CONCEPTUAL DATA CENTER CAMPUS PLAN

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTIES
- EASEMENT
- EXISTING DITCH
- PROPOSED CHAIN LINK FENCE
- OPEN SPACE / LANDSCAPE AREA
- PROPOSED ROAD
- PROPOSED EQUIPMENT YARD AREA
- PROPOSED SUBSTATION
- PROPOSED STORMWATER PONDS
- BUILDING AREA
- ADMIN AREA
- OVERHEAD ELECTRICAL CORRIDOR
- TREE KNOLL EASEMENT AREA



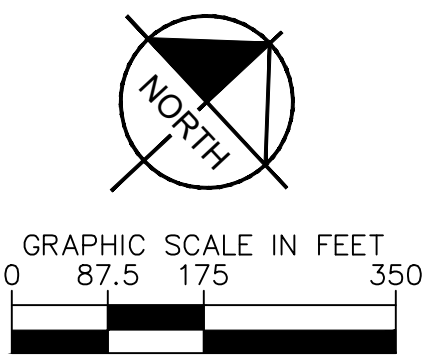
SITE SUMMARY:

BUILDING FOOTPRINT AREA: 615,000 SF EACH (1,845,000 SF TOTAL)
EQUIP. YARD FOOTPRINT AREA: 1,299,000 SF TOTAL
SUBSTATION FOOTPRINT AREA: 17.29 AC
PARKING STALLS TOTAL: 209
BUILDING + YARD + POND + TREE KNOLL + ROAD LOT COVERAGE: ~66% (EXCLUDES SUBSTATION FOOTPRINT), ~81% (INCLUDES SUBSTATION FOOTPRINT)
ACCESS POINTS: MILL CREEK RD (FROM N) + TURNER RD (FROM S - EMERGENCY / EGRESS ONLY)
+ TRUAX DRIVE (FROM W) + MILL CREEK RD (FROM S - EMERGENCY / EGRESS ONLY)

Call before you dig
Avoid cutting underground
utility lines. It's costly.

CALL 811

CALL: 1-800-332-2344 (OR 811)



KHA PROJECT 296292000		DATE 4/21/2026		SCALE AS SHOWN		DESIGNED BY		DRAWN BY		CHECKED BY	
KIMLEY-HORN		PRELIMINARY NOT FOR CONSTRUCTION		DATE:		LISCENSED PROFESSIONAL		No.		REVISIONS	
SALEM DATA CENTER PREPARED FOR VERRUS		CITY OF SALEM		OREGON		SHEET NUMBER EX-1		DATE		No.	

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PORTLAND, OR 97204
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Oregon Enterprise Zone Authorization Approval

Item 5.1

• See instructions on the back.

Zone manager approval

Authorization is granted to: Alderstone, LLC

(Name of eligible business firm)

Complete authorization application was submitted on: May 23, 2026

Date of pre-authorization conference (must be on or after date indicated above): May 12, 2026; May 26, 2026 ☒ Summary attached

The total **estimated** cost of the qualified property to be constructed, modified, or installed: \$ 5,125,764,137

Annual **average** employment existing inside the enterprise zone: 0 (Full-time, year-round, employees)

The total **estimated** new hiring expected inside the enterprise zone: 74 (Full-time, year-round, employees)

The **anticipated** first year(s) for the exemption period(s) is (are): 2027 (CIP) *

Special circumstances:

Urban enterprise zone that imposes additional conditions? ☒ No ☐ Yes If yes, a description of each additional condition imposed by the enterprise zone sponsor with applicant's commitment to satisfy such condition(s) is attached prior to assessor's approval.

Extended abatement of four of five years in total requested? ☒ No ☐ Yes If yes, the written agreement between zone sponsor and applicant is: ☐ Declined ☐ Finalized and attached (agreement must be executed prior to completion of this form).

The **filing fee** for authorization is: ☐ Waived ☐ \$200 ☒ \$ 50,000 (up to 0.1% of above estimated value).

I approve the above-indicated application for authorization on behalf of the zone sponsor. I have determined that the above-named applicant proposes to engage in eligible business operation and has committed to meet the requirements to qualify for the exemption.

X [Signature]
Signature of local zone manager

May 26, 2026
Date

City of Salem Enterprise Zone
Name of enterprise or rural renewable energy development zone

County assessor approval

I **approve** the application for authorization.

X [Signature]
Signature of County assessor or authorized representative

05/27/2026
Date

Marion
County

503-588-5130
Phone

I **deny** the application for authorization.

X
Signature of County assessor or authorized representative

Date

County

Phone

Information for applicant

If the county assessor approves your application, your business firm is authorized for an enterprise zone exemption on qualified property. Qualified property is property newly placed into service inside the enterprise zone and meeting other criteria. To receive this exemption **you must:**

- Achieve required minimum employment at some point on or before April 1*;
- File an exemption claim that includes a property schedule with the county assessor after January 1st but no later than April 1*;
- After each exemption year, file the claim form to show sufficient average employment in the prior year;
- Actually occupy or use qualified property consistent with intended commercial purposes before July 1*.

If, on January 1, you have unfinished qualified property at the authorized site, provide evidence to the assessor by April 1, using Form OR-AP-CIPEZ, *Application for Construction-In-Process Enterprise Zone Exemption*, 150-310-021, in order to be exempt while work to construct, modify, or install property is in process. This pre-enterprise zone exemption is available to most authorized business firms for up to two years, but it doesn't include centrally assessed or hotel/resort property.

Before the initial January 1, assessment date,* amend the application in writing to the zone manager and assessor to account for any substantial change of plans such as additional structure or basic type of property not represented in the application, so that it may also receive exemption. For other, future investments, submit a new application for authorization **before** beginning construction/installation activity.

If the county assessor denies your application and you disagree with that decision, you may **appeal under** ORS 305.404 to 305.560 to: Magistrate Division, **Oregon Tax Court**, 1163 State St, Salem OR 97301-2563. (You need to provide a copy of the appeal to the local zone manager, the Oregon Department of Revenue, and the Oregon Business Development Department.)

*Year following the calendar year when the constructed, modified, or installed property is in occupancy or use or fully ready to be occupied or used for commercial purposes consistent with intended operations described in the application for authorization.

Completed original copy goes to applicant with copies for:

- Zone manager
- County assessor
- Oregon Department of Revenue (with full application)
- Business Oregon (with full application)
- First source hiring agreement contact agency—Worksource Oregon (with only first page of application form)

Form OR-EZ-AUTH

Oregon Enterprise Zone Authorization Application*

Item 5.1

Complete form and submit to the local enterprise zone manager **before** breaking ground or beginning work at the site.

Applicant			
Enterprise zone or rural renewable energy development zone (where business firm and property will be located)		Email	
Salem Enterprise Zone		info@alderstone-llc.com	
Name of business firm		Phone	
Alderstone, LLC		760 9128668	
Mailing address	City	State	ZIP code
251 Little Falls Drive	Wilmington	DE	19808
Location of property (street address if different from above)	City	State	ZIP code
5156-5358 Deer Park Dr SE	Salem	OR	97317
County, TRS map ID number, and Tax lot number of site	Contact person	Title	
Lot 1 - Marion County, APN: 608652, Alt. APN: 082W0800	Jamie Brown	Authorized Representative	

My firm expects to first claim standard property tax exemption in (up to three consecutive) year(s): 2029
(Following year "Placed in service" on page 2.)

- ☐ Check here if your firm has or has had another exemption in this enterprise zone.
- ☒ Check here that you understand the need to renew the authorization pursuant to this application by April 1 after every two calendar years, until the tax exemption on qualified property is successfully claimed.
- ☐ Check here if requesting an **extended abatement** of one or two additional years of exemption, through written agreement with the sponsoring city, port, or county government(s) ("zone sponsor"), and subject to additional state or local requirements.

Zone manager use only (after written agreement but before authorizing firm):

County average wage: \$ _____ Year _____ Total exemption period: ☐ 4 or ☐ 5 Consecutive years (check one)

Business eligibility

Eligible activity—Check all activities that apply to proposed investment within the enterprise zone:

☐ Manufacturing ☐ Fabrication ☐ Bulk printing ☐ Shipping ☐ Agricultural production ☐ Energy generation

☐ Assembly ☐ Processing ☐ Software publishing ☒ Storage (warehousing) ☒ Back-office systems

☐ Other—describe the activities that provide goods, products, or services to other businesses (or to other operations of your firm): _____

☐ Check here if your business firm does or will engage in **ineligible activities** within the enterprise zone (such as retail sales, health care, professional services, or construction). Describe below (or in an attachment) these activities and their physical separation from "eligible activities": _____

Special cases—Check all that apply:

☐ Check here if a **hotel, motel, or destination resort** in an applicable enterprise zone.

☐ Check here if a **retail/financial call center**. Indicate expected percent of customers in local calling area: _____%.

☐ Check here if a **"headquarters" facility**. (Zone sponsor must find that operations are statewide-regional in scope and locally significant)

☐ Check here if an **electronic commerce investment** in an e-commerce enterprise zone.

Employment in the enterprise zone (see worksheets on last page)

Don't count FTEs, temporary, seasonal, construction, part-time jobs (32 hours or less per week), or employees working at ineligible operations.

Existing Employment—My business firm's average number of full-time employees **inside the zone** over the past 12 months is 0 _____

New Employees— • Hiring is expected to begin on (date or month and year): 01/2028 _____

• Hiring is expected to be completed by (month and year): 01/2032 _____

• Estimated number of new employees to be hired with this investment is: 74 _____

Commitments—By checking all boxes below, you agree to the following commitments as required by law for authorization:

☒ By April 1 of the first year of exemption on the proposed investment in qualified property, I will have increased the number of my firm's employees within the zone by the greater of one new job or by 10%.

☒ My firm's annual average number of employees will equal or exceed that minimum increase during the exemption period.

☒ When the exemption claim is filed by April 1 following each calendar year of exemption, my total number of employees in the zone will not have shrunk by more than 85% or by more than 50% twice in a row, compared to the highest total number in any previous claim.

☒ My firm will comply with local additional requirements as contained in: (1) a written agreement for extended abatement, (2) zone sponsor resolution(s) waiving required employment increase inside zone, or (3) an **urban** enterprise zone's adopted policy, if applicable.

☒ My firm will verify compliance with these commitments, as directed by local or state officials according to statute or administrative rule.

☒ My firm will enter into a **first-source hiring agreement** before hiring new eligible employees. (This **mandatory** agreement entails an obligation to consider referrals from publicly funded job training providers for eligible job openings within the zone during exemption period.)

Oregon employment outside the enterprise zone

Item 5.1

Check only those that apply:

- ☐ Check here if yours or any commonly controlled firm will curtail operations in the state **beyond 30 miles of the zone boundary and move them into the zone.** Indicate timing, location, number of any job losses, and relationship to the proposed enterprise zone investment:
- ☐ Check here if you are transferring operations into the zone from site(s) in the state **within 30 miles of zone boundary:**
My firm's average number of employees at the site(s) outside the zone boundary over the preceding 12 months is _____.
- ☐ Check here, if applicable, that your firm commits to increase the combined employment at the site(s) (outside but within 30 miles of zone boundary) and in the zone to 110% of the existing combined level by April 1 and on average during the first year of exemption.

Proposed investment in qualified property

Anticipated timing—Enter dates or months/years (non-binding)

Action	Site and building and structures			Machinery and equipment		
	Preparation	Construction*	Placed in service	Acquisition**	Installation	Placed in service
To commence or begin on	12/2026	04/2027	9/2031	01/2028	9/2028	9/2031
To be completed on	04/2027	09/2031		01/2031	2/3031	

* Including new reconstruction, additions to, or modifications of existing building(s) or structure(s).

** Taking possession of machinery and equipment through lease or purchase, or otherwise bringing it into the county, (including personal property), which must occur after January 1 of the year preceding its first exemption year or the date six months prior to the date of this application, whichever is earlier.

- ☐ Check here for building/structure acquired/leased from an unrelated 3rd party, for which reconstruction, additions, or modifications began prior to this application (attach executed lease or closing documents, and don't take up occupancy until this application is approved).

Qualifying property: Estimates are not binding, but in order for property to be exempted, its basic type and currently expected cost for any major improvement must be represented below.

Type of property		Number of each/item	Estimated cost	Check if any item will be leased
Real property	Building or structure to be newly constructed	3	\$4,432,764,137	☐
	New addition to or modification of an existing building or structure		\$	☐
	Heavy or affixed machinery and equipment		\$	☐
Personal property item(s) costing:	\$50,000 or more		\$	☐
	\$1,000 or more (E-commerce zone or used exclusively for production of tangible goods)		\$693,000,000	☐
		Total estimated cost of investment	\$ 5125764137	

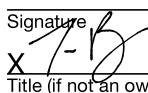
Describe below (or in an attachment) the overall nature and potential extent of your investment, including site plans or list of property items to be acquired, as appropriate and recommended by zone manager or county assessor, and as may be kept confidential.

Applicant will construct, own and operate a data center campus, comprised of three data center buildings. Lots include: Lot 1 – Marion County, APN: 608652, Alt. APN: 082W080000400; Lot 2 – Marion County, APN: 608653, Alt. APN: 082W080000500; Lot 4 – Marion County, APN: 608655, Alt. APN: 082W080000600; Lot 5 – Marion County, APN: 608656, Alt. APN: 082W080000700

Declaration

I declare under penalties of false swearing [ORS 305.990(4)] that I have examined this document and attachments, and to the best of my knowledge, they are true, correct, and complete. If any information changes, I will notify the zone manager and the county assessor and submit appropriate written amendments. I understand that my business firm will receive the tax exemption for property in the enterprise zone, only if my firm satisfies statutory requirements (ORS Chapter 285C) and complies with all local, Oregon, and federal laws that are applicable to my business.

Must be signed by an owner, company executive, or authorized representative of the business firm

Signature  Date 5/22/26

Title (if not an owner or executive, attach letter attesting to appropriate contractual authority)

Authorized Representative

Local enterprise zone manager and county assessor must approve this application (with *Enterprise Zone Authorization Approval*, Form 150-303-082)
For more information visit: www.oregon.gov/biz/



Pre-Authorization Meeting Notes

Alderstone LLC

May 12, 2026

Attending:

Maria Poyer & Nicholas Prescott, Alderstone, LLC
 Matt Jackson and Shannon Curley, JLL –Consulting Team
 Erik Andersson, SEDCOR
 Sarah McKinney, Marion County Assessor's Office

Alderstone LLC is the development company for Project Gridline, a three-building data center to be built in the southeast corner of the Mill Creek Corporate Center, on lots being purchased from Scannell Development, the Oregon Department of Administrative Services and Capstone. The company expects to close on all three properties in June 2026. Scannell will be responsible for offsite improvements such as road access.

The client started the process of developing this project in Salem in May of 2025. After the first Pre-Application Conference on August 11, 2025, the proposed site layout was required to change to mitigate/protect heritage oaks on the site. As a result, the site layout has been updated, and a 5-acre park will be developed (and ultimately turned over to the city of Salem for ownership and maintenance) to protect the trees and provide green space for employees and other residents. The project is currently going through the permitting process with the City of Salem, meeting most recently on April 28, 2026 to review the latest site plan (attached). One of the city's initial concerns was water usage; the company does not use water for cooling (like many other data centers), so will not be a major water user, only using water for employee needs.

This will be the first data center in Salem. The plan calls for a campus of three, two-story data center buildings; two adjacent to each other on the Scannell and DAS sites, and the third on the Capstone site. The company has been working with Portland General Electric for two years to identify a location for the project. It will be a third-party owner-operator of the data centers, meaning it will be a long-term member of the community. The flexible data center will provide relief when the grid is stressed by providing battery storage that Portland General can access during peak demand events. There will be no diesel-powered generation for backup.

Site work is expected to begin by the end of 2026, with construction of Building 1 starting in early 2027 to be placed in service in September 2028. Construction on Building 2 will start September 2028 to be placed in service in September 2030. Finally, construction of Building 3 will start in September 2030 to be placed in service September 2031. Estimated total investment is \$5.13 billion, broken down as follows:

	Building 1	Building 2	Building 3
Real Property	\$1.37 billion	\$1.48 billion	\$1.58 billion
Personal Property	\$231 million	\$231 million	\$231 million
Total	\$1.6 billion	\$1.71 billion	\$1.82 billion
Jobs	32 new	21 new	21 new

Pre-Authorization Follow-Up Meeting Notes

Alderstone LLC

May 26, 2026

Attending:

Maria Poyer, Alderstone, LLC

Shannon Curley, JLL

Erik Andersson, SEDCOR

Sarah McKinney of the Marion County Assessor's Office was out of office and unable to attend, but offered to respond to any questions the client had now that the complete application has been submitted.

The application for certification has been reviewed and reflects the discussion held on May 12. The First Source Hiring Agreement has also been signed and the package is ready to be submitted to Marion County Assessor for signature.



State of Oregon FIRST-SOURCE HIRING AGREEMENT

(Zone Name) Salem **Enterprise Zone Program**

This First Source Agreement for referral of qualified job applicants is entered into between WorkSource Oregon (Oregon Employment Department, (OED)), **605 Cottage St NE, Salem, OR, 97301**, hereinafter referred to as "OED," which coordinates job referrals for and represents the publicly funded job training fund administrator for Marion, Polk, Linn and Yamhill counties WIB (Workforce Investment Board) Willamette Workforce Partnership and their training providers for the Willamette Workforce Area covered in the Interagency Agreement under OAR 123-070-12100, hereinafter referred to as "PROVIDER", and the following business firm located in this geographic area,

Employer Name Alderstone, LLC **State Tax ID#** _____

Address 251 Little Falls Drive, Wilmington DE 19808 hereinafter referred to as the 'EMPLOYER.'

The EMPLOYER is or will be receiving benefits from the following program or programs (complete those that apply):

Enterprise zone program: Specify yes or no: yes

Other Qualifying Program: (specify) _____

I. GENERAL TERMS

Under this First Source Agreement, the EMPLOYER will use the OED as its first source for referral of Qualified Applicants for all external job openings of the EMPLOYER at the following location(s)

Address(es): 51565358 Deer Park Dr SE, Salem OR 97317, such that the EMPLOYER agrees to the following:

To provide the EMPLOYER'S designated internal liaison, if they are not the APPROVED contract signer on this FSH Agreement, and who will serve as the single point of contact for communications with OED related to job openings. Employer will notify OED immediately of any change for this internal liaison.

II. AS JOBS ARE OPENED, THE EMPLOYER AGREES TO:

Effectively notify OED of all external job openings, no later than when notification is received by any other job referral source external to the EMPLOYER or any public announcement for the job opening, throughout the term of this agreement;

That each such notice to OED shall include job qualifications and a deadline for referrals

That all job information may be shared with all PROVIDERS for which referrals are coordinated by the OED; and

That all job openings shall be listed in the PUBLIC LABOR EXCHANGE SYSTEM of the state Employment Department, insofar as a local office of that State agency is a PROVIDER.

For purposes of this Agreement long-term jobs will be defined as those positions 180 days or more in duration. Jobs lasting less than 180 days will be considered temporary and will not be subject to the terms of this Agreement.

Positions filled by internal transfers, promotions or recall of laid off employees on recall status will not be subject to the terms of this Agreement.

Give permission for OED to share the job posting and hire information with the **SEDCOR** Economic Development Program Representative. Other than the above permission, it is understood that OED will hold all information regarding the company and the job seekers in the strictest confidence.

III. UPON RECEIPT OF THE JOB OPENING NOTIFICATION, OED AGREES:

That to the extent Qualified Applicants are available through OED and among the relevant PROVIDERS, to refer those individuals to the EMPLOYER for job openings; and

To facilitate and implement the listing of all job openings in the "PUBLIC LABOR EXCHANGE SYSTEM", in cooperation with other PROVIDERS (though, not necessarily to the exclusion of other referral methods).

To provide OED's designated internal liaison, if they are not the APPROVED contract signer on this FSH Agreement, and who will serve as the single point of contact for communications with the EMPLOYER'S related to job openings.

IV. UPON RECEIPT OF REFERRALS FROM WORKSOURCE, THE EMPLOYER AGREES TO:

Fully consider for employment any Qualified Applicant referred by the OED by the referral deadline;

Notify OED with the name of the Qualified Applicant when a Qualified Applicant is hired by the EMPLOYER; and

Provide after-the-fact information to the OED about applicable overall hiring and job vacancies in a prescribed manner, or as requested by OED, in accordance with OAR 123-070-1900(1) to (3).

Comply with all relevant laws regarding employment of Qualified Applicants of this State or the Federal Government, including but not limited to not discriminating on the basis of race, color, religion, ancestry, national origin, political affiliation, sex, age, marital status, sexual orientation, physical or mental disability, or any other reason prohibited by such laws.

The EMPLOYER will make all final decisions on hiring new employees. After the EMPLOYER has hired the employees, the EMPLOYER assumes full responsibility for them as employees.

All persons hired under this Agreement are subject to the EMPLOYER's regular personnel policies and procedures and have no special or additional rights arising from this Agreement. If the terms of this Agreement conflict with the provisions of a collective bargaining agreement to which the EMPLOYER is a party, the bargaining agreement shall prevail.

Both OED and EMPLOYER agree to attempt to resolve all areas of misunderstanding, disagreement or dissatisfaction with each other as soon as they arise. If the parties are unable to resolve the issue, either may:

Initiate a meeting between the EMPLOYER and Strategic Economic Development Corporation (SEDCOR), or OED and all of the PROVIDERS; or to request assistance from the Oregon Business Development Department.

This agreement shall take effect on the date of the last signature by the contracting parties below, and shall be in full force and effect until DECEMBER 31 OF THE LAST YEAR OF THE EXEMPTION PERIOD (for Enterprise Zone Businesses) or, until the end of the term, period or periods as described in OAR 123-070-1600.

Approving Parties

WorkSource Oregon

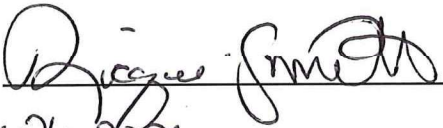
Name: Ricque Smith

Title: Mid Valley Area Manager

Address: 605 Cottage St NE Salem, OR 97301

Phone: 503-983-0325

Email: Ricque.J.Smith@employ.Oregon.gov

Signature 

Date: 5.26.2026

Company Name: Alderstone, LLC

Federal Employer ID Number: 92-3661717

State Business ID Number: _____

Name: Jamie Brown

Title: Authorized Representative

Address: 251 Little Falls Drive, Wilmington DE

Phone: 760-912-8668

Email: legal@alderstone-llc.com

Signature 

Date: 5/22/26

OED INTERNAL LIAISON

Name: _____

Title: _____

Address: _____

Phone: _____

Email: _____

Signature _____

Date: _____

EMPLOYER INTERNAL LIAISON

Name: Jamie Brown

Title: Authorized Representative

Address: Same as above

Phone: Same as above

Email: info@alderstone-llc.com

Signature 

Date: 5/22/26



July 8, 2026

VIA EMAIL AND OVERNIGHT COURIER

Krishna Namburi
Interim City Manager, City of Salem
295 Church St. SE, Suite 210
Salem, OR 97301

Re: Termination of Non-Disclosure Agreement

Dear Ms. Namburi:

This letter serves as notice of Verrus, LLC's ("Verrus") termination of the Non-Disclosure Agreement dated April 10, 2025 (the "NDA"), between Verrus and the City of Salem (the "City"), effective as of the date of this letter.

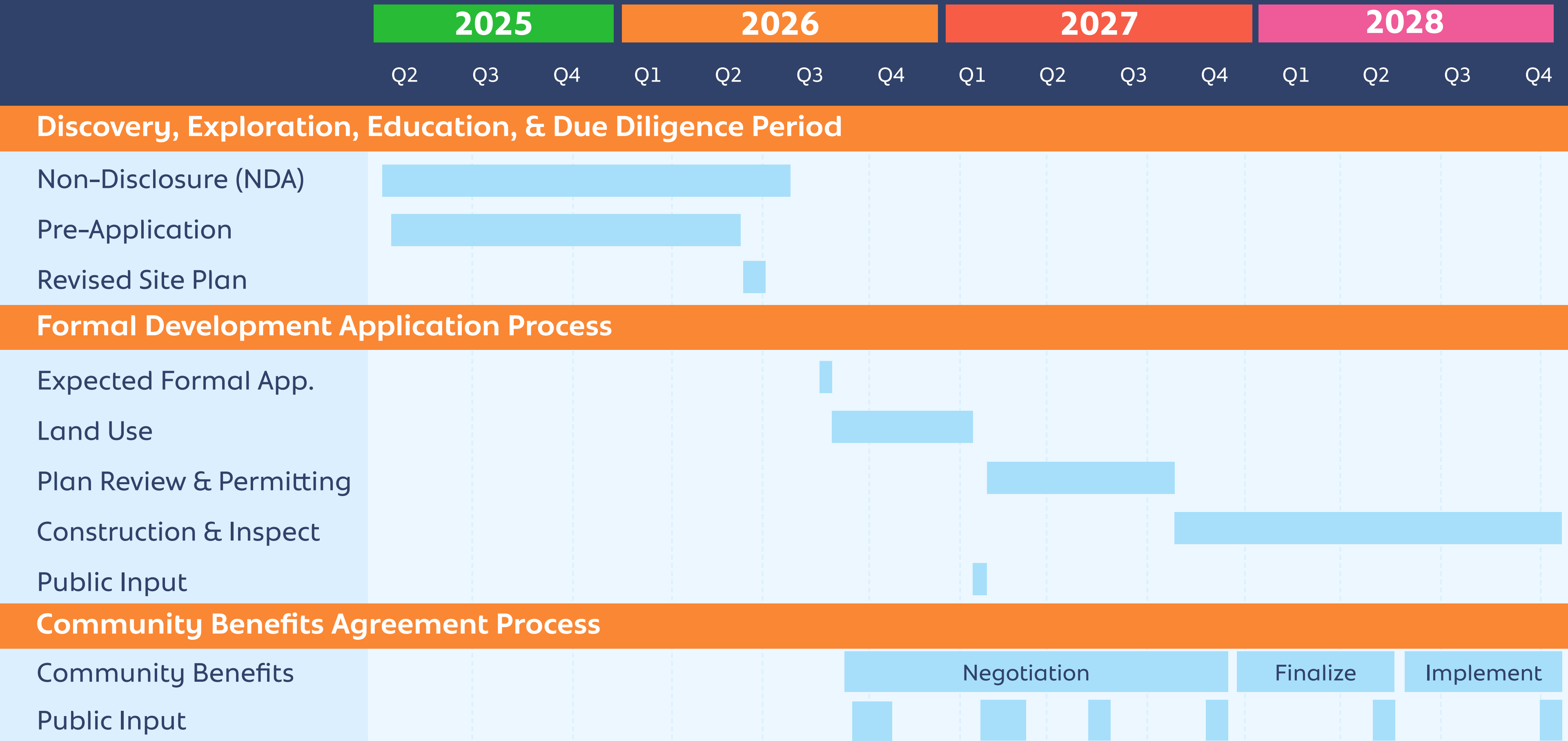
Verrus hereby releases and discharges the City from any current or surviving obligations with respect to the NDA including, without limitation, any obligations of confidentiality, non-use, and non-disclosure. For the avoidance of doubt, Sections 2 and 7 of the NDA are specifically waived.

Sincerely,

Nelson Abramson
Chief Executive Officer
Verrus, LLC

Development and Community Benefits Agreement General Timelines*

Item 5.1



*This is an estimated timeline that may change due to a variety of factors and conditions.

Carl Hoffman

From: Aaron Barnhart <aaronbarnhartmusic@gmail.com>
Sent: Thursday, July 16, 2026 3:52 PM
To: Julie Hoy
Cc: citycouncil
Subject: [EXTERNAL]Strong Opposition to Proposed Data Center Developments in Salem

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mayor Hoy and Members of the Salem City Council,

My name is Aaron Barnhart and I am a resident of Salem living at 2220 Emmett Dr NW. I am writing to express my strong opposition to any proposed data center developments in our community. While I understand the city's desire to expand our tax base and attract technology investments, data centers bring significant long-term liabilities to Salem with very little localized economic return. I urge the Mayor's office and the City Council to take proactive legislative action to protect our city by revising our municipal zoning and development codes to heavily restrict or exclude data center uses.

I oppose these developments for the following critical reasons: 1. Straining Our Power Grid & Raising Utility Rates: Data centers consume massive amounts of electricity. Bringing them to Salem risks overwhelming our local power infrastructure, which could lead to increased utility rates for everyday residents and families who are already struggling with inflation. 2. Incompatible Resource Demands: These facilities require millions of gallons of water daily for cooling, placing an unnecessary burden on our municipal water system—especially as we face increasingly unpredictable summer droughts. 3. Low Job Creation: While these projects generate temporary construction work, operating data centers are highly automated and employ very few permanent staff. They do not justify the massive physical footprint and resources they consume. 4. Noise Pollution: The high-decibel, 24/7 hum from industrial cooling fans is a known detriment to the mental health and property values of surrounding residential neighborhoods.

I urge the City Council to act immediately to protect Salem's resources, utility rates, and quality of life. Please reject any zone change requests, conditional use permits, or tax subsidies for these projects, and initiate a public review of our current industrial zoning codes regarding high-utility-demand technology facilities. Thank you for your time, your leadership, and your service to our community. I look forward to your response on how the city plans to address these community concerns.

Sincerely,

Item 5.1

Aaron Barnhart

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Carl Hoffman

From: noreply@cityofsalem.net on behalf of alma.n.davila@gmail.com
Sent: Thursday, July 16, 2026 1:41 PM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Follow Up Flag: Follow up
Flag Status: Completed

Your Name	Alma Davila
Your Email	alma.n.davila@gmail.com
Your Phone	4086567217
Street	120 Bush St S Apt 206
City	Salem
State	OR
Zip	97302
Message	Good afternoon, I am writing to express my opposition in the proposed data center at Mill Creek. I don't understand how amid all of the detrimental effects we have already seen from existing data centers across the country, that anywhere in Oregon this would be an acceptable proposal. We are already struggling through drought this year and a data center would only further put strain on the water supply for citizens. This is Oregon. We should respect and protect this state and it's beauty. All of the green and trees that we so proudly try to show off. Not only is the health of our ecosystem and communities in danger, but the trust the public has with our officials, which is already rocky, would plummet. Do not approve this data center. There is no benefit to us if you do.

This email was generated by the dynamic web forms contact us form on 7/16/2026.

Carl Hoffman

From: Amy Emig <aemig1@gmail.com>
Sent: Tuesday, July 14, 2026 3:39 PM
To: jhoy@cityofsalem.net
Subject: Data Center in Salem

Good afternoon,

I am writing as a resident of Salem. I am deeply concerned about a data center going up in Salem and am writing to strongly, strongly express how much I do not want a data center in the town where I live, or Oregon in general. I am letting you know now that I will not in vote for anyone, councilor, mayor, or representative who does not take a strong stand against data centers going up in our town and our state.

I am imploring you to stop this, to review the horrific environmental impact data centers have, and to use whatever is within your power to stop it. I will also be writing the incumbent mayor, the city manager, and my representative Tom Anderson. As a side note, I know you may not feel inclined to respond and stop a project like this, but I hope that the drive to be mayor in the first place was due to care for our community and so that you will place that care above whatever natural apathy you may feel right now.

Concerned Salem resident and voter,
Amy Emig

Carl Hoffman

From: noreply@cityofsalem.net on behalf of tobie6708@gmail.com
Sent: Friday, July 17, 2026 12:14 PM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Follow Up Flag: Follow up
Flag Status: Completed

Your Name	Alyxana Evans
Your Email	tobie6708@gmail.com
Your Phone	971-718-2850
Street	2155 Robins Lane Southeast, UNIT 29
City	SALEM
State	OR
Zip	97306
Message	We do not want a data center in our city. This project will disrupt life for many individuals, myself included. This is a joke and does not in anyway shape or form align with the values our city and our state uphold. This will cause unnecessary and unwanted pollution for everyone in the city. This is extremely disturbing to see the city I've grown up in, the city I love, attempting to ruin the natural beauty of Salem. If you have any true feelings for your city, you will not allow it to be ruined in this manner. This will cause people to turn away and leave. This will disrupt so many lives, human and animal alike. This is unwanted and unjust. Keep the data center out of our city. Nobody wants this. Keep greed out of Salem. There is a petition on Change.org with THOUSANDS of signatures against this project. Your citizens are not happy. Do not ruin our city.

This email was generated by the dynamic web forms contact us form on 7/17/2026.

Carl Hoffman

From: Andrea Heywood <a.hey.ban@gmail.com>
Sent: Tuesday, July 14, 2026 2:54 PM
To: CityRecorder
Subject: [EXTERNAL]Public Comment: AI Data Centers

Follow Up Flag: Follow up
Flag Status: Completed

Good afternoon,

I have seen reports of the city potentially approving an AI data center in Salem. I am writing to venamently disapprove of any AI data centers being built in our communities. These centers are catastrophic to communities and the environment. Any short term benefit does not out weigh the long term negative impacts. An AI data center in Salem will impact not only energy costs but water security in our community. We should be looking for ways to restrict these companies, not welcome them into our back yard.

Thank you

Andrea Heywood
1632 Court St NE, Salem, Or 97301

7 Ways Data Centers Affect US Communities | World Resources Institute
<https://share.google/LpvFgDbN0XC86exc4>

AI Data Centers Impact on Electric Bills, Water, and More - Consumer Reports
<https://share.google/g7yHSJn142RCTfuQE>

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Carl Hoffman

From: Al K <alicekollinzas@gmail.com>
Sent: Friday, July 17, 2026 8:56 AM
To: CityRecorder
Subject: [EXTERNAL]Data Center

Follow Up Flag: Follow up
Flag Status: Completed

City of Salem councilors and mayor,

I oppose the new data center that is proposed to be built near Corbin University. Any data center will take away our precious resources, water, energy and create more pollution in our environment, noise and air. Instead of allowing the data centers to come into the city, we should be focusing on the needs of humans, not AI or unnecessary “services” that only a few will profit from. Jobs will be temporary. Once the data center is built, there isn’t much room for people to get jobs there, since the computer AI will run itself. Please consider the cost of our future and do NOT allow this data center to be built.

Thank you for considering my request,

Alice Kollinzas

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Carl Hoffman

From: Alyssa Wagle <alyssawiggle@yahoo.com>
Sent: Thursday, July 16, 2026 2:42 PM
To: Julie Hoy
Subject: No Data Center

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello Mayor Hoy, my name is Alyssa Meyer. I live and work in Salem. News has come out that the city is planning to approve a data center. My family and I do not want one in our city, or anywhere in Oregon really.

I have seen many videos of Data Centers, and they are all negative. The damage data centers have on the environment is astronomical. The sounds they emit is unbearable, to humans and wildlife. The amount of water wasted on data centers is dangerous, for humans and animals. I love seeing the beauty in Salem, I love this city, and the massive data center will ruin a lot of that beauty. I don't want any data centers in Salem. I don't believe it's for the better of the community. Please, go out and take a walk around Corbin University, Mill creek, and Deer park, it is so beautiful, so peaceful. I love to watch for birds and greet the occasional cattle. Please don't do this to Salem, please stand up for our City and the people in it. Thank you.

Carl Hoffman

From: A ORourke <aorourke18@gmail.com>
Sent: Wednesday, July 22, 2026 6:43 PM
To: Paul Tigan; Julie Hoy; citycouncil
Subject: [EXTERNAL]Public Comment on Proposed 75-acre Data Center in Salem

July 22, 2026

To: City of Salem Council Members
Re: Proposed 75-acre Verrus Data Center

I adamantly **oppose** the proposed 75-acre Verrus Data Center to be built near Oakline and Mill Creek in Salem, Oregon.

Verrus claims the three data center buildings will use a “closed-loop” cooling system that will require 90 to 99 percent less water than standard data centers. “Closed-loop” is a shorthand term for water-efficient data centers, but it has little to do with the data center’s actual water usage. Yes, the water can circulate for months even years before it needs to be flushed out, and that “waste water discharge” is very concerning. It is a major infrastructure that needs to be considered for environmental impacts, wildlife effects and contamination.

Prior to beginning operations, a data center must clean its “closed-loop” pipes. The process is known as “fill and flush,” where the water gets circulated through the pipes — sometimes with the addition of chemicals to prevent pipe corrosion — to remove bacteria and other impurities.

What’s left behind is wastewater with contents that City of Salem’s water treatment facility may not recognize. That estimated \$9 million a year in tax revenue from Verrus Data Center will hardly cover the cost to clean up future contaminated drinking water.

Bottomline, vote no or vote without prejudice and revisit in 2030 when more environmental studies, energy and water consumption data and information are available. Keep the Willamette Valley pristine!

A. ORourke - Ward 1
 PO Box 2835
 Salem, OR 97308

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Carl Hoffman

From: Arlene Pate <aapate@me.com>
Sent: Sunday, July 19, 2026 11:30 AM
To: citycouncil
Subject: [EXTERNAL]New data center

To our City Council:

I strongly disagree with bringing a data center into Salem. These commitments are made with no guarantees about how it will affect our community. Comments about recycling water and other mitigating actions are not binding, and end up leaving us open to exploitation. Promises of bringing money to the community are not persuasive and smell of a sort of bribe to use our community in their profit making plans. These are not people invested in our quality of life.

I do not believe this company and others like it wish us well.

Please vote against it.

Arlene Pate

Salem **CAUTION!** This email came from outside the City of Salem. Do not click links or open attachments unless you recognize the sender. For guidance on identifying legitimate senders/emails, please review the IT Intranet Cyber Security Page.

Carl Hoffman

From: SALEM Manager
Sent: Monday, July 20, 2026 8:55 AM
To: CityRecorder
Subject: FW: [EXTERNAL]Proposed data center

-----Original Message-----

From: A Sellers <aasellers03@gmail.com>
Sent: Thursday, July 16, 2026 10:10 AM
To: SALEM Manager <MANAGER@cityofsalem.net>
Subject: [EXTERNAL]Proposed data center

To the Manager at the City of Salem,

I am reaching out in reference to the proposed data center in the Mill Creek Corporate Center in S.E. Salem.

I would strongly urge the city to avoid putting this through. Salem is no stranger to high utilities. Not only will this aid in raising the cost of utilities but it will take away resources from Salem.

Many of Salem's citizens are already in disparaging financial situations and struggle to stay afloat with their utilities, and Salem has struggled with water shortages in the past. Introducing this data center would put countless tax paying residents in precarious situations, which is not something Salem can honestly afford.

I implore you to research the impact of data centers on local economies and the impact on our natural resources prior to making a decision that may initially appear to be an investment in Salem's economy. In the long run, this will end up costing far more than what it will initially bring.

Thank you,
April Sellers

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Carl Hoffman

From: Alicia Spangle <aliciadspangle@icloud.com>
Sent: Saturday, July 18, 2026 11:14 AM
To: citycouncil
Subject: [EXTERNAL]Data Center

Thank you city leaders for guaranteeing the end of your terms for the city council. As far as I have learned the council decided to adhere to a NDA agreement with the center. Which implies that the council has entered some sort of agreement to proceed with this data center regardless of environmental impact, or the direct impact of utility use to the citizens of Salem. This is not the location nor is the data center needed to provide resources for the citizens of Salem. Your approach and execution of this is atrocious. I shall be out of town for the meetings but I will ensure that every individual on the council will be without my vote.

Sincerely, Alicia Spangle

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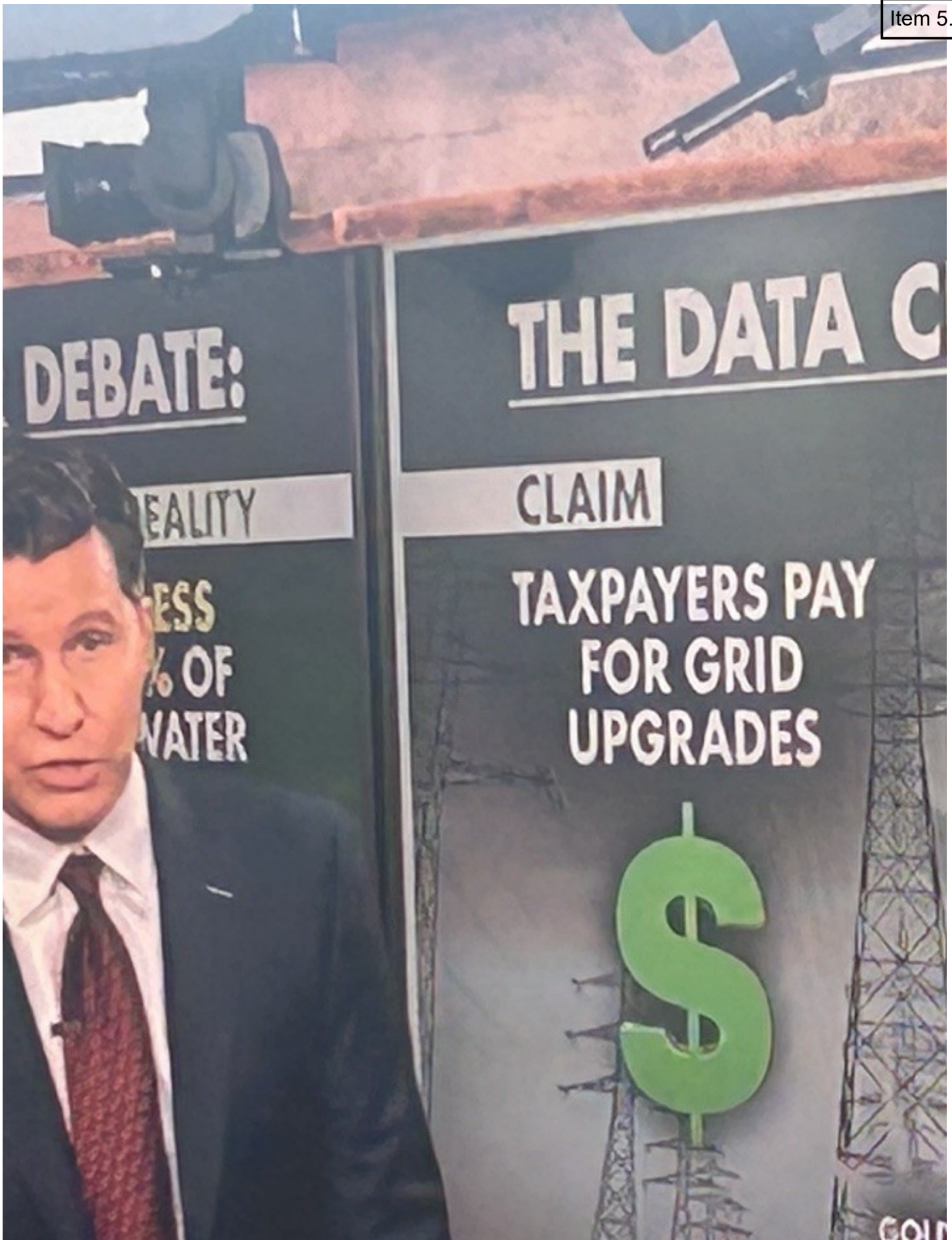
Carl Hoffman

From: Bob Elliott <robert.eugene.elliott@gmail.com>
Sent: Tuesday, July 21, 2026 2:22 PM
To: citycouncil
Subject: [EXTERNAL]Who provides educated/professional advice to our City Council on the Data Center issue?

I'm sure all of you have common sense, above average education, experience and acceptance of advice from outside sources. I would assume you will get a ton of advice and input from the Data Center community. My concern and interest is who on our City Council or full time City Leadership has enough knowledge to make the approval of our proposed Data center the correct vote. I'm in no way qualified to support or not support our City jumping onto the band wagon of a cash cow arriving in our current economic slump. You will hear a lot of citizen input soon against this local Data center. I just hope you are able to see thru the green trees and not blinded by the green "cash". Hundreds are going to protest, complain, fight and disagree when you have "listening" sessions. No one really knows the final impact down the road because this is such a new topic. Once they turn the first shovel of dirt we are living with your vote. As you know many Salem Citizens do not agree with the mostly woke and Liberal members on our council, you have so much "power", I hope each of you gain the insight needed to make the correct vote on this issue. Good luck, my grandchildren are depending on each of you. COL Bob Elliott

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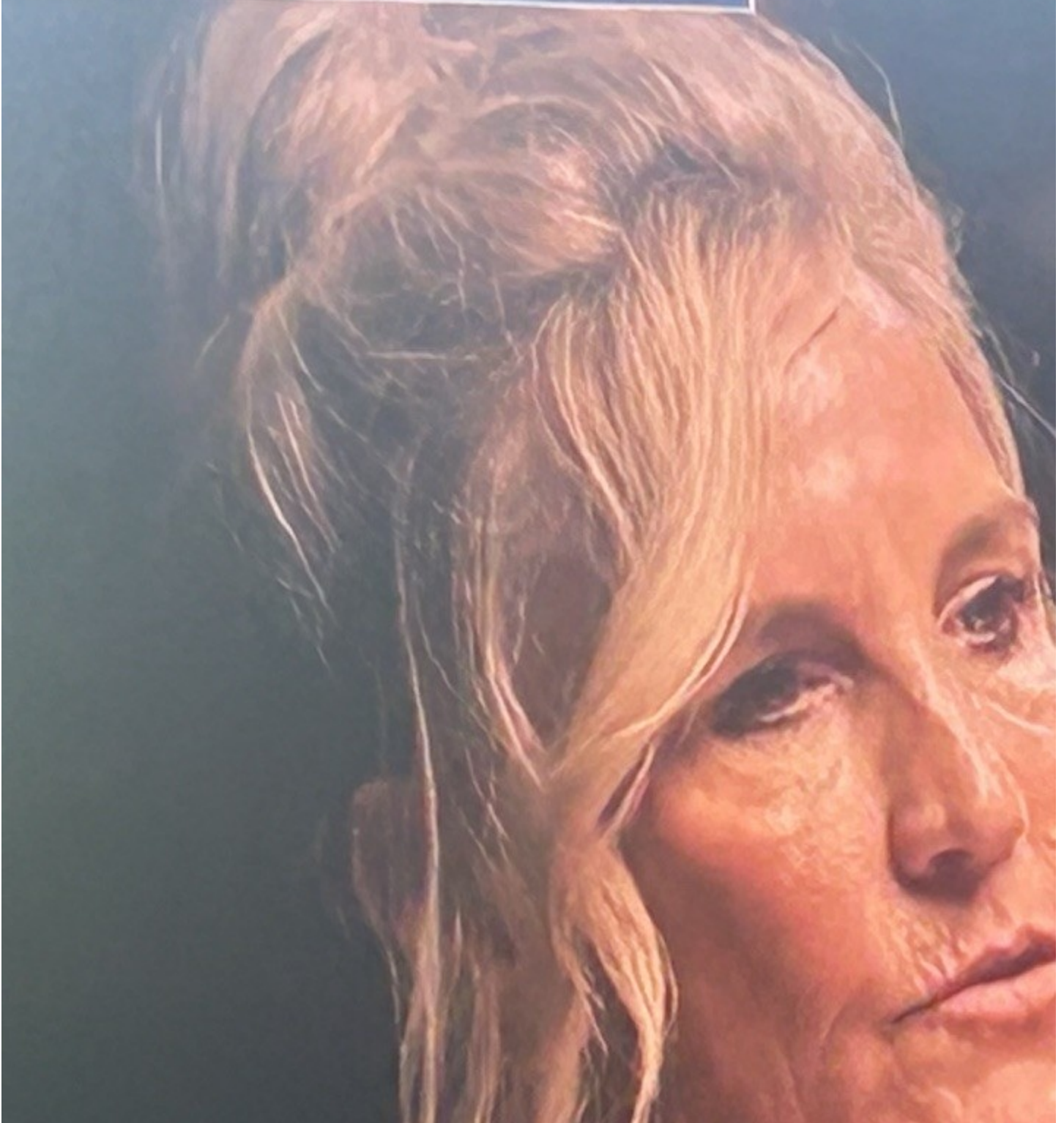


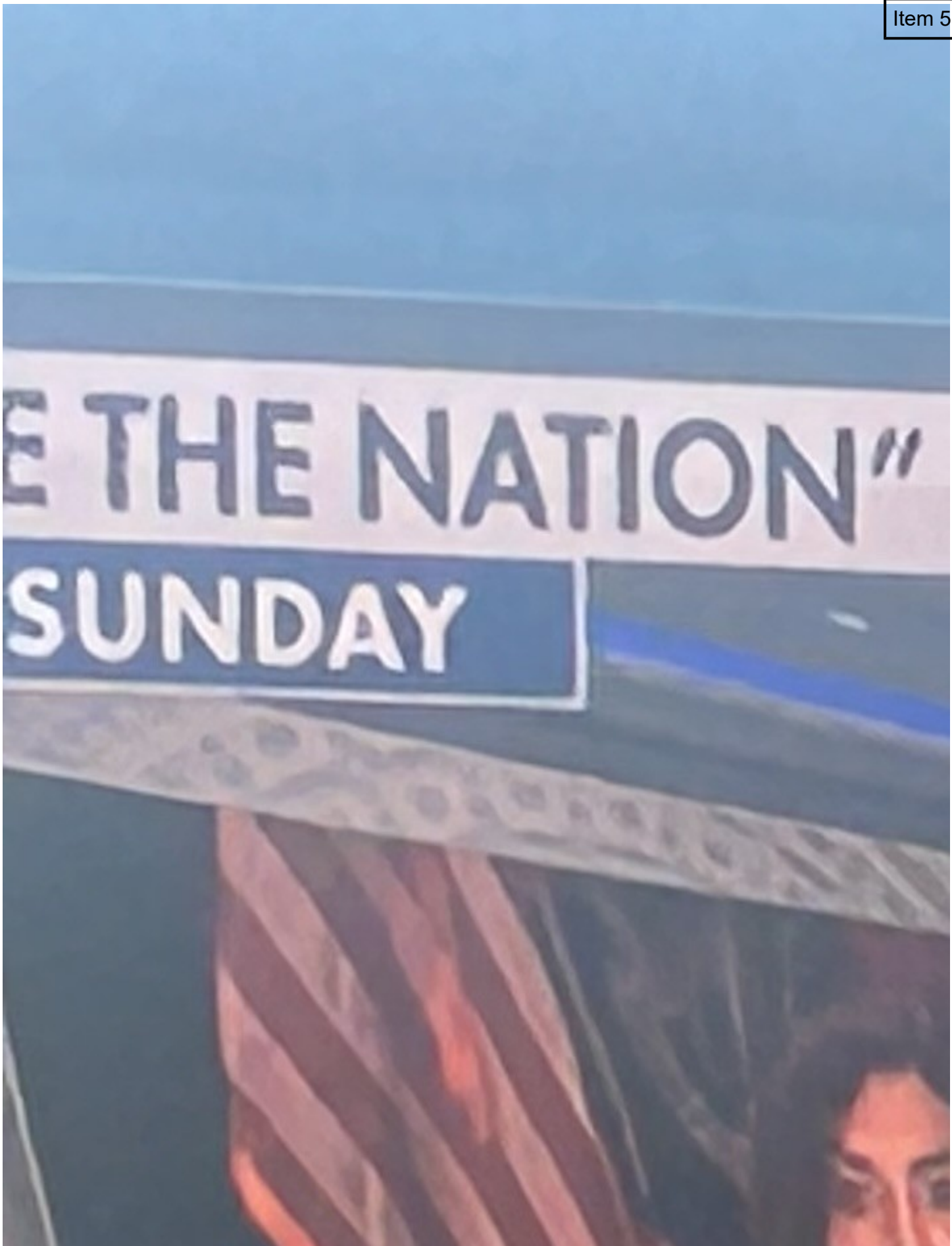




"SHAWN RYAN SHOW"

YOUTUBE | THURSDAY





A GROWING POLL DATA CENTER

"The new poll found t
data center being built
28 pe

Sent from my iPhone

Item 5.1

Carl Hoffman

From: cosmicat88@icloud.com
Sent: Saturday, July 18, 2026 11:26 AM
To: CityRecorder
Subject: [EXTERNAL]Data center

No just No. They all be disingenuous in their stated plans and their future impact. Do some independent thorough research and dont allow the trojan horse in. I moved to Salem because of the clean air and water.

Regards,

B. Haddad

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Carl Hoffman

From: Bob Madeley <roflbob@gmail.com>
Sent: Friday, July 17, 2026 2:49 PM
To: citycouncil
Subject: [EXTERNAL]Do not approve the data center

Council,

The data center is a terrible idea and would put excessive strain on our power grid, negatively affect our resources (polluting and using our water), and create unnecessary noise in our city. The construction jobs are temporary, and then there are not many jobs created to run the centers. Please, listen to the people of this community and city, we do NOT want data centers.

If you vote for this data center, rest assured you will be voted out come the next election.

Bob M.
Resident of Salem

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Carl Hoffman

From: SALEM Manager
Sent: Monday, July 20, 2026 8:56 AM
To: CityRecorder
Subject: FW: [EXTERNAL]Data center

From: Bob M <Bob.M@ams-nw.com>
Sent: Tuesday, July 14, 2026 3:14 PM
To: SALEM Manager <MANAGER@cityofsalem.net>
Subject: [EXTERNAL]Data center

Dear Sir or Madam: Just a quick note regarding the recently announced data center planned for the Mill Creek Industrial Park. I've been reading much about these centers being built across the country, including here in Oregon in Prineville, Boardman, and The Dalles.

My concern regarding these data centers is not so much about the water usage or electrical grid as much as it is about the number of jobs created. By providing millions in benefits, these cavernous buildings utilize much-needed industrial land without providing much in the way of employment. Have you thought of requiring a certain employment level based on square footage? The companies utilizing these data centers have tens of thousands, even hundreds of thousands of employees. It seems to me we could require employment of a few hundred people to be placed in the Salem area. Salem does need more than just government jobs.

Just a thought. Thank you for your time and consideration.

Regards,



Bob M, CCM[®], CMCA[®]
Association Business Manager
 AMS | Association Management Services NW

Direct Line: 503-858-1217
 Main Line: 503-598-0552
 Fax: 503-598-0554

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Carl Hoffman

From: Christina <christinadavies176@gmail.com>
Sent: Thursday, July 16, 2026 1:15 PM
To: CityRecorder; citycouncil
Subject: [EXTERNAL]Stop The Development of the Verrus Data Center in Southeast Salem

Follow Up Flag: Follow up
Flag Status: Completed

Hello,

My name is Christina Davies, and I live in Salem. I've been here for six years and am thankful to think of this wonderful city as my home. I'm reaching out to express my opposition to the Verrus Data Center project. I believe that the development of this project will harm our community in the long-term.

Data centers cause rising energy costs, which are shouldered by taxpayers. There is already a proposed draw down of our drinking water supply, and since data centers' water use is 50-60% potable water, this will exploit our already limited resources. It could also increase our risk of future drought.

They also provide little-to-no positive impact on our economic future - only short duration construction jobs, no substantive careers for meaningful numbers. I believe that this land should be reserved for a better purpose. There's no reason to waste the space on something that will not benefit our community, and possibly harm it. What happens 50, or 100 years from now? We can't let this, for lack of a better phrase, infection, take hold.

Our city council and representatives have a responsibility to safeguard the future well-being of our community. Our kids, grandkids, and future families deserve to look forward to a future where our resources are protected.

Thank you for your time and consideration.

A concerned local -
 Christina Davies

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Carl Hoffman

From:
Sent:
To:
Subject:

Follow Up Flag:
Flag Status:

Che Gilson <chegilson@gmail.com>
Saturday, July 18, 2026 4:18 PM
Julie Hoy
No Data Center!! The Oakline at Mill Creek!!

Flag for follow up
Flagged

No data centers in Salem! These are wasteful, harmful energy hogs sucking up water and wrecking both the planet and the economy! No one wants them and no one asked for them! Say no to the The Oakline at Mill Creek data center! All over the country local officials are losing their jobs after approving such projects. I hope you'll read the room.

Sincerely,
Che Gilson Salem resident, Ward 8, West Salem.

Carl Hoffman

From: Caroline <carolinejean13@gmail.com>
Sent: Thursday, July 16, 2026 6:48 PM
To: Julie Hoy
Subject: No Data Center

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello,
I am a homeowner raising my family in Salem. Please do not allow a data center to be built here. Data centers do not provide ongoing construction work and raise local electricity rates.

Please vote AGAINST the data center.

Caroline Condon
Salem Resident

Sent from my iPhone

Carl Hoffman

From: Chrees Jubilee <crystal.jub@gmail.com>
Sent: Sunday, July 19, 2026 11:25 PM
To: CityRecorder
Subject: [EXTERNAL]Meeting 7/27

Hello,

I'm not able to attend the meeting on 7/27 to discuss the data center, but I still wanted to submit the following comments:

We have seen what data centers bring from the other states they are in. They bring noise - a constant maddening humm that continues 24/7. They suck up electricity and rise the utility rates for the whole area. They completely destroy water syatems! Other places have brown water coming out of their facets! Sure, you can buy drinking water at the grocery store, but what about showering?! Just say no to data centers. They are not good neighbors. We do not want them in our community!

Chrees Jubilee
Resident of Salem, Oregon
[Crystal.jub@gmail.com](mailto:crystal.jub@gmail.com)

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Carl Hoffman

From: Coal L Morningstar <coalmorningstar@gmail.com>
Sent: Saturday, July 18, 2026 12:05 PM
To: Vanessa Nordyke; Micki Varney; Mai Vang; Dr. Irvin M Brown; Deanna Gwyn; Shane Matthews; Inishioka@cityofsalem.ne; Paul Tigan; Julie Hoy
Subject: No Data Centers!

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Good morning,

I am writing as a concerned citizen of Salem, Oregon. I and my loved ones do not want ANY data centers here in Salem or in Oregon. They will drain our already stressed water supply, are proven to raise energy costs, and are terrible for our environment. On top of all of this, me and my fellow neighbors are also concerned about the growing threat of mass surveillance. Building a data center certainly does not quell those concerns, nor the fears we continue to have about our changing climate and strained water supply.

This is not the way to improve the lives of those in the city of Salem. The town motto of Salem is “at your service”, voting for this is starkly against that motto as well as this great state’s, really. Alis volat propriis - Let’s fly on our own wings, not on the wings of private equity, big tech, and data centers.

Thank you for your attention to this matter. Please say no to data centers for me, your neighbors, yourselves, and your loved ones.

Respectfully,

Coal Morningstar

Carl Hoffman

From: Coal L Morningstar <coalmorningstar@gmail.com>
Sent: Saturday, July 18, 2026 11:33 AM
To: Julie Hoy
Subject: No Data Centers

Follow Up Flag: Flag for follow up
Flag Status: Flagged

We, the citizens of Salem, are also concerned about the growing threat and reality of mass surveillance.

Carl Hoffman

From: Camdon Newcomer <camdonthenewcomer@gmail.com>
Sent: Wednesday, July 15, 2026 7:46 AM
To: Julie Hoy
Subject: Oakline at Mill creek Data center

Follow Up Flag: Flag for follow up
Flag Status: Flagged

As a concerned resident, I ask that the data center that Verrus is proposing should NOT be built. The negative environmental impact is not worth any potential "boost" to our local economy. Putting a strain on the local water supply and risking blackouts with the strain on the power grid is not something Salem residents, nor the recently flourishing small business scene in Salem can afford to risk. Verrus says they want to be more efficient, but the fact of the matter is, everything we know about data centers is not efficient and I am not willing for my community to be the guinea pig. This affects real people's lives and livelihood. The fact that the beginning stages of this approval was done through an NDA is a red flag already. Listen to Salem residents and don't get caught up in greed. Make the right choice by stopping this project in its tracks.

Carl Hoffman

From: Danielle Bethell <DBethell@co.marion.or.us>
Sent: Tuesday, July 14, 2026 9:44 PM
To: Hannah Monroy; Julie Hoy
Cc: Krishna Namburi; Jan Fritz; Jonathan Sanford
Subject: Re: Data center

Hi Hannah,

Thank you for your email. The data center is proposed to be in the city limits of Salem. The Marion County Commission does not have jurisdiction over their actions.

I am looping in Mayor Hoy of Salem, she can assist with your concerns.

Danielle

Please excuse any errors, as this message was sent from my iPhone.

On Jul 14, 2026, at 5:53 PM, Hannah Monroy <hannahfmonroy@gmail.com> wrote:

You don't often get email from hannahfmonroy@gmail.com. [Learn why this is important](#)

⚠ WARNING: This email originated outside of Marion County.
DO NOT CLICK links or attachments unless you trust the sender and know the content is safe.

Hello, I am a resident of Marion county, and I have major concerns about the new data center that is planned to be built. I understand there was an NDA restricting you from disclosing these plans, but keeping this from the people you govern is horrible. I do not even have to explain why data centers are awful and harmful to both the people of Marion county and the environment as a whole. We've all seen how they've ruined communities and ecosystems across the country, and you are turning a blind eye for some kind of profit or revenue. This data center will help absolutely no one in this county or this state.

I'm absolutely disgusted with the approval of this data center and will be voting against any representatives who agreed to this \$5+ billion deal.

I ask that you read the room and listen to the thousands of Oregonians you represent. NO ONE wants this data center in our city, and you should be ashamed for letting it get this far. These selfish actions have no place in our county, in our city, or in our state.

Sincerely,
Hannah Monroy

Carl Hoffman

From: SALEM Manager
Sent: Monday, July 20, 2026 8:55 AM
To: CityRecorder
Subject: FW: [EXTERNAL]Please No Data Centers in Salem

From: dillonbowser@protonmail.com <dillonbowser@protonmail.com>
Sent: Tuesday, July 14, 2026 8:58 PM
To: Mai Vang <mvang@cityofsalem.net>
Cc: SALEM Manager <MANAGER@cityofsalem.net>
Subject: [EXTERNAL]Please No Data Centers in Salem

Hello Mai and city staff,

I am contacting you to provide my opinion on the recent news about the proposed Oakline Data Center at Mill Creek. I believe the city should do everything within it's power to prevent this from going through. Verrus is telling us that we do not need to worry about water usage, power usage, noise, and are making hints towards possible permanent jobs, and of course they are, it's their job to sell us on this idea, just like any good sales person.

Here are my personal opinions on the matter:

- "If approved, Verrus says the project would support cloud computing, artificial intelligence, and enterprise services while bringing years of construction work, 75 permanent jobs, and millions of dollars in annual tax revenue to the city." - [KATU](#)
 - Once a data center is up and running you do not need a lot of local personal, especially for one this small. Maybe they will hire 75 people, but not locally.
- Closed-Loop systems.....they aren't the magic trick to end all problems. Let me just point to this article from a few weeks ago; [Meta data center water discharges suspended after contaminating the city's reclamation water supply with bacterium — system offline for months for cleaning, closed-loop cooling system purge spread rare metal-resistant bacteria in Cheyenne's water system](#)
- Lastly, and maybe most importantly, nobody except the leaders of the big tech companies and the military actually want the product that this system would produce. Even if this was a big win for Salem in the long term, it would just mean that we are feeding the AI frenzy that simply does not have a future in the world that I want to live in. So let's draw a line in the sand and say no, we wont be part of that.

Thank you for representing Ward 6.
Dillon Bowser

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Carl Hoffman

From: Dinah Fedorow <fedorowdl@me.com>
Sent: Monday, July 20, 2026 9:32 AM
To: CityRecorder
Subject: [EXTERNAL]Data centers

I am opposed to data centers in the state of Oregon. I am a resident and homeowner in Salem. I have serious concerns of the negative impact as follows

1. Impacts of water consumption in Oregon when wildfires are a risk.
2. the potential increase in costs to Oregonians to water use and sewage.
3. Environmental impact my vision of Oregon is to maintain it's beauty our vast wilderness not landscapes of data centers
4. Utilities primarily electricity and the impacts on our electrical grid and future increased cost to Oregonians

No to data centers, no to detentions centers, no to Oligarchs

Thank you,

Sent from my iPad

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Carl Hoffman

From: Donald LePoidevin <pokeeypup45@gmail.com>
Sent: Wednesday, July 15, 2026 12:06 PM
To: CityRecorder
Subject: [EXTERNAL]Data Centers

Follow Up Flag: Follow up
Flag Status: Completed

I am against data centers within the state of oregon. Why would we need one? Is it for the governments good or the people? Please explain it to me in simple words

Don

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Carl Hoffman

From: David <rifecomp503@gmail.com>
Sent: Sunday, July 19, 2026 1:10 PM
To: citycouncil
Subject: [EXTERNAL]Data center

I for one do not want any data centers in or near Salem or Oregon for that matter. The fact that our public servants signed an NDA proves how dishonest they are and this deal is. So no on data centers, no on dishonest public council. God bless Oregon and God bless the united states. us

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Carl Hoffman

From: Micki Varney
Sent: Wednesday, July 15, 2026 4:01 PM
To: Francys Veras; Zuzana Holcova
Subject: Fw: Concern - Planned Development

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Ward 8 email, I will respond because I figure you are swamped.

Micki

From: Dillon Williams <t.dillonwilliams@gmail.com>
Sent: Tuesday, July 14, 2026 12:22 PM
To: Micki Varney <MVarney@cityofsalem.net>
Subject: Concern - Planned Development

Councilor,

My name is Thomas (Dillon) Williams. My family and I have been ward 8 residents since September of 2023. While relatively new to West Salem, we absolutely adore where we live. I'm reaching out today with grave concern about the planned Mill Creek Data Center by Verrus. With threats to our water supply as it is, the last thing we need is for our city to sacrifice unnecessary water and additional resources to add 75 jobs. With your background, I'm certain you are aware of the impacts on nature such centers have. Salem needs community and small business, not greed from tech companies. While this isn't planned for West Salem, I'm certain your voice can amplify mine saying NO to this planned development and any future proposals like it in our city. Please don't let this short term income for the city (data centers don't last forever but water and other natural resources being depleted does) blind you from the long term, devastating, impacts it will have.

Thank you for your time and attention for this concern as well as all you do for our city!

Sincerely,

Dillon

Carl Hoffman

From: Emily Crocker <emilycrocker@gmail.com>
Sent: Sunday, July 19, 2026 1:25 PM
To: CityRecorder
Subject: [EXTERNAL]No data center in Salem

I oppose the construction and operation of a data center in Salem. My concerns are as follows:

-Environmental

Many forms of pollution are associated with these centers including noise, light, air and ground water pollution. These and possibly unforeseen sources of pollution make a data center an environmental disaster for local residents and wildlife.

-Impact on current residents

Local resources aren't infinite, and with our diverse community which includes residential homes, businesses, and farming, we cannot afford the strain on our utilities. Water and electric bills may rise and the quality of service may decline. That's not a risk I want to take.

-Quality of life

The many forms of pollution, the rising utility costs and the uncertainty around long-term employment opportunities mean that data centers take real and unquantifiable tolls on the people and animals in our community.

For these reasons I would strongly oppose the construction and operation of a data center in Oregon, not to mention here in my hometown of Salem.

Thank you for your consideration,
Emily Crocker
Polk County and Ward 1 resident

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Carl Hoffman

From: Emme Jay <emmejaydiary@gmail.com>
Sent: Tuesday, July 21, 2026 9:36 AM
To: citycouncil
Cc: Francys Veras
Subject: Re: [EXTERNAL]No Data Centers in Salem

Thank you for your response.

Please consider this article (linked below) regarding the lie of closed loop cooling systems. The water burden isn't reduced, it's just shifted elsewhere. Regardless, the consequences will fall on residents.

No data center, no matter what.

Article:

<https://gneuton.com/the-illusion-of-waterless-ai-how-closed-loop-data-centers-shift-the-fresh-water-burden-to-power-plants>

Thank you for your consideration.

Nathan Owens
Ward 6

On Tue, Jul 14, 2026, 3:19 PM Francys Veras <fveras@cityofsalem.net> wrote:

[Mayor and Councilors bcc'd]

Good afternoon Mr. Owens,

Thank you for sharing your feedback regarding the proposed data center in the City of Salem. Councilors and City staff are in receipt of your comments.

Residents are encouraged to review the recently published Frequently Asked Questions relating to the [proposed Verrus Mill Creek Data Center Project](#) available on the City's website. Additional information about the project can be found on the company's website at oaklineatmillcreek.com.

We appreciate you taking the time to provide your input.

Best,

Francys Veras

Constituent and Government Affairs Manager

City of Salem | City Manager's Office

Find us at the Parkway Building, [440 Church Street SE, Suite 400](#)

P.O. Box 14300

Salem, Oregon 97309

fveras@cityofsalem.net | (971) 493-8761

From: Emme Jay <emmejaydiary@gmail.com>

Sent: Thursday, July 9, 2026 10:13 AM

To: citycouncil <citycouncil@cityofsalem.net>

Cc: Mai Vang <mvang@cityofsalem.net>

Subject: [EXTERNAL]No Data Centers in Salem

City Council,

I recently discovered several paragraphs in SEDCOR's annual report indicating that several data centers are under negotiation in Salem Oregon. Many of them intended for Mill Creek, which means they can draw on grant subsidies funded by our tax dollars. Data centers are necessary to a degree, but we should be increasingly selective and impose considerable oversight on developments within Salem. You have a duty to protect your constituents from special interests that would shift their burden onto the public without following public process.

SEDCOR is under contract with the City to promote economic growth in the area. Those tax dollars are meant to benefit Salem at large. There's considerable evidence to suggest a pattern of data centers profiting on the backs of working class people through higher priced utilities and major environmental impacts, all while receiving massive tax breaks and subsidies without adhering to public process.

The Boardman Oregon City Council was recently busted for signing NDAs that shield data center developments from Public inquiry. Please do not fall prey to this same tactic. It's apparent that SEDCOR already has.

You have a duty to serve all of Salem, especially the working class citizens that lack the resources to stand against special interests. Please take this duty seriously by admonishing SEDCOR for its attempt to skirt public input on projects that do not serve the greater good. Item 5.1

Thank you.

Nathan Owens

Ward 6

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Carl Hoffman

From: Glen Bledsoe <glenbledsoe@mac.com>
Sent: Tuesday, July 21, 2026 9:23 AM
To: citycouncil
Subject: [EXTERNAL]NO Data Center

City Council Members,

First of all: no secret deals, no NDAs, no “it’s just business,” no “it’s inevitable.” Nothing is inevitable. That’s the language of bullies, abusers. Complete transparency. Nobody elected you to make back room deals.

I received an email from PGA today asking me to do everything I can do save electricity today because of predicted high temperatures. So I’m doing this. I am writing you to say NO to a data center in Salem, which would not only consume city-loads of electricity, but contribute to a heat dome and turn Salem and the entire Willamette Valley into a wasteland. Any talk about new techniques to recycle water is a misdirection even if it were true. Physics can’t be changed.

We don’t need any more data centers. I’m sure you know the numbers. The US already has the most data centers (5,427) in the world and ten times the number of Germany (532), which has the second most. And don’t say we have to compete with China because China has 449. I don’t know the reason why the US believes it has to have so many, but I have a fear that it’s being used to surveil its own citizens. As in monitoring how we think, what we buy, how we move (Flock cameras), how we vote. I fear that these data centers will be used to turn America into a dystopia. Where else will they store the data about us, where else will they analyze us to control us?

I’ve heard that the data centers will cure cancer. Okay. Which AI model is working on that? I haven’t heard that any of them are. Data centers are at best a method for billionaire investors to make more money at our expense. It’s simple.

The people will note how council members vote on this issue. I can’t imagine any member who supports data centers will remain in office for long. I know I will sign any recall petition of those how vote for it.

By the way. What are Flock cameras doing in Salem?

Sincerely,

Glen Bledsoe

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Carl Hoffman

From: Gary Dunham <garydun062@gmail.com>
Sent: Tuesday, July 21, 2026 6:59 PM
To: CityRecorder; citycouncil; Salem Planning; Vanessa Nordyke
Subject: [EXTERNAL]Written Testimony Oakline Data Center 07/22/2026
Attachments: 2026-07-22 Oakline Data Center Written Testimony Gary Dunham.pdf

I am looking forward to the Salem City Council meeting on July 27, 2026 I have a written testimony attached.

Sincerely yours,
Gary D. Dunham
Garydun062@gmail.com
Ward 7

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To: Salem City Councilors and Planning Department

I am anxious to hear what type of sustainability processes are in the infrastructure and operation of the Oakline at Mill Creek Data Center which was proposed to Salem. Here are some facts that I researched.

Sustainability Starts with Data Center Efficiency

I feel the most important principle of sustainability in a data center is efficiency. Every watt of power that enters a facility is either used to run IT workloads or is lost through inefficiency in cooling, electrical distribution, or facility design. Modern data centers are engineered to minimize that loss through improved design and operational controls.

Operators continue to measure and record the use of Power Usage Effectiveness, or PUE, which evaluates how efficiently a data center uses energy. The closer that number is to 1.0, the more efficient the environment is.

According to the Uptime Institute, average data center PUE has improved to around 1.5 globally, with more efficient, modern facilities achieving significantly lower levels. That progress reflects how much data center design and operations have evolved.

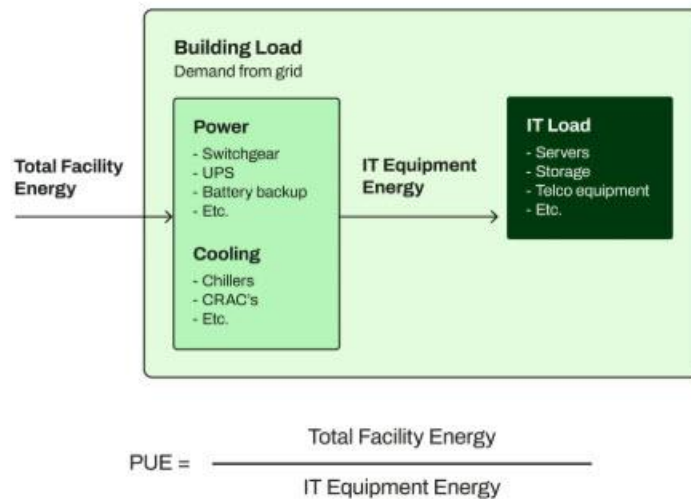
This focus on energy efficiency is not just about cost control. It directly impacts environmental footprint. The more efficient the facility is, the less energy is wasted and the lower the overall carbon impact.

Power Usage Effectiveness (PUE) has long been the gold standard for measuring data center energy efficiency. Introduced in the early 2000s, PUE calculates the ratio of total energy consumed by a data center to the energy used by its IT equipment. The closer the PUE value is to 1.0, the more energy-efficient the facility.

The chart below explains how PUE, Power Usage Effectiveness, is measured by comparing a data center's total energy consumption to IT equipment energy consumption.

As an example, if a data center is promoting a 20MW IT load capacity and runs the facility at 1.5 PUE, then the total maximum power this data center consumes is 30MW. This means 10MW of the energy is used for cooling, lighting, and other infrastructure needs when the data center is operating at 100% IT load capacity.

PUE offers a simple, comparable measure of performance across facilities, making it an important baseline for the industry. For years, it has provided a comparable measure of performance which urged data centers to find more efficient ways to optimize energy use.



However, while PUE is an essential starting point, it doesn't tell the whole story. PUE captures only the energy dynamics inside the data center, primarily focusing on IT and mechanical power. As data centers adapt to industrial changes, there's a growing recognition that factors, like water usage and carbon intensity, play a significant role in sustainability.

A Need for Additional Metrics Beyond PUE

PUE does account for innovations that directly impact energy consumption, such as AI-driven systems that optimize energy usage in real-time and liquid cooling that significantly reduces cooling energy. Yet, it doesn't matter:

1. **Water Usage:** Some data centers have come under scrutiny on their water usage because they are in what is considered to be "water-scarce areas" but this will become a more important metric even in non-water-scarce areas as the amount of evaporative cooling needed for larger and more dense data centers continues to grow.
2. **Energy Source:** PUE doesn't differentiate between renewable and non-renewable energy sources, which is critical for assessing carbon footprints.
3. **Embedded Carbon:** The building materials, equipment and transport needed to go from an empty plot of land to a fully functioning data center are not counted in the carbon footprint of the industry in any meaningful way just yet.

This focus on energy efficiency often overlooks these broader elements of a data center's environmental impact. Additional metrics give a complete understanding with comprehensive measures. These metrics are:

1. **Water Usage Efficiency (WUE):** With the rise of liquid cooling systems and larger evaporative cooling data centers, measuring water consumption alongside energy efficiency is crucial. WUE helps track how much water a facility uses per unit of energy, reflecting its water sustainability practices.
2. **Operational Lifecycle Costs:** Metrics that factor in equipment lifespan, maintenance, and energy use provide a more holistic view of a data center's environmental and economic sustainability.

- 3. Carbon Intensity:** This metric assesses carbon emissions related to the upstream supply chain for all materials, equipment and transportation used to construct the data center. Item 5.1

PUE Is a Strong Foundation, Not the Whole Solution

PUE serves the industry well and continues to be a valuable benchmark. Yet, as data centers grow more complex and sustainability goals become more ambitious, it's clear that we need a broader set of metrics.

<https://www.phaidra.ai/blog/breakthrough-AI-driven-liquid-cooling-management>

<https://www.geekwire.com/tag/phaidra/>

Renewable Energy and Responsible Data Center Design

Data center sustainability is not limited to cooling and efficiency. It also includes how energy is sourced and managed.

Many operators are participating in renewable energy programs to offset power usage and reduce environmental impact. This can include renewable energy credits and regional energy initiatives designed to support cleaner power consumption.

At the same time, site selection plays a critical role. Access to power is essential, but so is the ability to operate responsibly within the surrounding environment.

Modern data centers are engineered systems that support growing digital demand while improving efficiency and reducing environmental impact. When designed correctly, they can be a key part of a more sustainable digital economy.

<https://ussignal.com/blog/rethinking-data-center-sustainability/>

Thank You for your time and attention to these concerns,

Gary D. Dunham
4452 KURTH ST S
SALEM OR 97302-2412
Garydun062@gmail.com
Ward 7

Carl Hoffman

From: noreply@cityofsalem.net on behalf of genellewhite@hotmail.com
Sent: Thursday, July 16, 2026 3:50 PM
To: CityRecorder
Subject: Contact City Recorder
Attachments: ATT00001.bin

Follow Up Flag: Follow up
Flag Status: Completed

Your Name	Genelle White
Your Email	genellewhite@hotmail.com
Your Phone	5039300218
City	Salem
State	OR
Zip	97302
Message	As a person that has lived in this area since 1995 and been a homeowner since 2003... I do not want any kind of data center built in Salem. I do not wish to build something that will employ fewer than 100 employees which is less than a grocery store. I do not want the water of my community used for this.

This email was generated by the dynamic web forms contact us form on 7/16/2026.

Carl Hoffman

From: Hannah Monroy <hannahfmonroy@gmail.com>
Sent: Tuesday, July 14, 2026 5:55 PM
To: jhoy@cityofsalem.net
Subject: Data center

Hello, I am a resident of Marion county, and I have major concerns about the new data center that is planned to be built. I understand there was an NDA restricting you from disclosing these plans, but keeping this from the people you govern is horrible.

I do not even have to explain why data centers are awful and harmful to both the people of Marion county and the environment as a whole. We've all seen how they've ruined communities and ecosystems across the country, and you are turning a blind eye for some kind of profit or revenue. This data center will help absolutely no one in this county or this state.

I'm absolutely disgusted with the approval of this data center and will be voting against any representatives who agreed to this \$5+ billion deal.

I ask that you read the room and listen to the thousands of Oregonians you represent. NO ONE wants this data center in our city, and you should be ashamed for letting it get this far. These selfish actions have no place in our county, in our city, or in our state.

Sincerely,
Hannah Monroy

Carl Hoffman

From: Zuzana Holcova
Sent: Tuesday, July 21, 2026 1:17 AM
To: Amy Johnson
Cc: Carl Hoffman
Subject: Fw: Data center

Good morning,

Here is the first one of a series of data center emails that have been forwarded directly to the Mayor and or Councilors.

Thank you/

Zuzana

From: Hope Sloan <hope.sloan333@gmail.com>
Sent: Monday, July 20, 2026 3:54 PM
To: Julie Hoy <JHoy@cityofsalem.net>
Subject: Data center

we do not want this data center it will cause too many problems.

First every data center built so far has caused harm to their community. Using water they can't afford to lose, power has gone up in many areas they have been built, the noise they create is driving people crazy and harming wildlife and farm animals.

This is about greed and power and control. It is not about making our world better it is actually making it worse.

We are already in a drought situation having problems with our water shed they lie about how much water they use.

We do not face the infrastructure for the power they use.

The jobs are not even close to worth it. Who is even going to get those jobs I bet they are not from Salem.

We don't have housing for the people who already live here. 75 jobs are a pittance.

Don't sell us out for bully's tell them we don't want it.

Carl Hoffman

From: noreply@cityofsalem.net on behalf of hope.sloan333@gmail.com
Sent: Monday, July 20, 2026 3:46 PM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Your Name	Hope Sloan
Your Email	hope.sloan333@gmail.com
Your Phone	(503) 589-8084
Street	925 Sand Piper ne
City	Salem
State	OR
Zip	97301
Message	We do not want the proposed data center at mill creek or any where in Salem or Oregon. They lie about with they build and about the resources they use. The sounds it emits drives anyone who lives near it crazy and harms wildlife. The fact they make you sign an NDA at all is enough to question their actions. The jobs are a lie. The whole thing is about power and bullying tactics. The people who live here should be considered above and beyond greed. We don't want it. We already have water problems and drought issues we need clean water to live or there will be no one here people will start leaving the city if it's not safe to live here.

This email was generated by the dynamic web forms contact us form on 7/20/2026.

Carl Hoffman

From: Heidi Zuk <the5zuks@gmail.com>
Sent: Wednesday, July 22, 2026 9:00 PM
To: CityRecorder
Subject: [EXTERNAL]No data center

I am a resident of West Salem. I do not want any data center in the city or ANY surrounding areas. NO DATA CENTERS in or around Salem Or.
Sent from my iPhone
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Carl Hoffman

From: Isacc Urenda <urendaxx98@gmail.com>
Sent: Thursday, July 16, 2026 7:32 PM
To: Julie Hoy
Subject: NO DATA CENTERS IN OUR CITY

Follow Up Flag: Flag for follow up
Flag Status: Flagged

I think my subject line sums up my message.

Carl Hoffman

From: Jason Barnaby <jason@change.org>
Sent: Sunday, July 19, 2026 1:59 PM
To: Julie Hoy
Subject: Response Requested: 1440 Constituents Demand answers on Verrus Data Center

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello Julie Hoy,

I'm Jason with the Civic Engagement Team at Change.org. A petition titled "Stop the development of Verrus Data Center in SE Salem" — currently signed by 7,742 of your constituents — lists your office as a decision maker, and **we'd love to help you get your message directly to them.**

(Note: We're not asking you to sign — we're inviting you to respond. Not in a position to provide or help obtain a response? Is this issue outside your office's jurisdiction? Let us know and we'll adjust accordingly.)

Responding is simple: just reply to this email with whatever you'd like shared. We'll post your response on the petition page and email it to every signer so they hear directly from you.

Not sure what to say? Responses don't need to be lengthy. Officials often share actions already underway, clarify jurisdiction or next steps, acknowledge constituent concerns, or explain any policy constraints. You're also welcome to include links, resources, or newsletter signups — this is your space to communicate however works best for your office.

Petition Link: <https://change.org/p/stop-the-development-of-verrus-data-center-in-se-salem>

Petition Summary: The petition asks local decision-makers to reject the proposed Verrus Data Center in Southeast Salem, arguing that it would consume large amounts of water and electricity and potentially increase environmental impacts such as noise and heat pollution while providing limited local economic benefits. Signers say this matters because they want to protect Salem's natural beauty, sustainable community values, and everyday resources, and instead support development and investments that better serve residents' long-term well-being.

Thank you,
 Jason and the Civic Engagement Team

PS: [Change.org](https://change.org) is a nonpartisan organization committed to civic engagement between public officials and their communities.



Jason Barnaby
Senior Engagement Specialist
change.org

✉ jason@change.org
📞 (415) 907-4737

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Is this email not relevant to you? Click [here](#)

Carl Hoffman

From: Joshua Coleman <joshuacoleman4242@gmail.com>
Sent: Monday, July 20, 2026 10:55 PM
To: CityRecorder
Subject: [EXTERNAL]In Regards to the Verrus Data Center

Verrus claims to be a better data center, and if they follow their claims, I believe they easily can be better. However, I'd like to bring attention to a few major points of concern even if they can achieve "better." In the end, if the city is to consider a data center, it must come with guarantees that the city has real authority to stop a possible problem, not simply slap the business with a fine, which they can easily absorb and continue as is.

Noise is my top concern. From my understanding of OAR 340-035-0035, Noise Control Regulations for Industry and Commerce, this law does not regulate noise that is below an audible range (specifically, 25Hz and lower). Verrus says "The facility is being designed to comply with all applicable City of Salem noise standards," but the standards may not include infrasound. Please make sure that infrasound (0Hz-20Hz) IS included in the requirements before approving this project. Here is why:

Traditional data centers can produce huge amounts of noise that is heard 0.5-1 mile away. This noise produces health problems in people nearby, especially from infrasound, which is noise we humans *can't* hear, below 20hz. Infrasound is documented to harm humans on a cellular level, as this sound penetrates the body easily. It is unnoticeable unless you pay attention to the seemingly random symptoms human experience. It is described, at best, to cause feelings of anxiety, nausea, dizziness, insomnia, and even a sense of being haunted. At worst, it creates health effects like neuroinflammatory responses, memory impairment and more "unexplained" symptoms. This is because infrasound interrupts biomechanical processes that operate at the same frequencies, which manifests problems differently in different people. There have been reports of data center noise contributing to seizures in young children. Since data center noise (audible and inaudible) is continuous, so are the effects to anyone in its radius. In the case of Verrus's proposed site, this is directly next to Corban University.

Other places within a mile of the proposed site:

- Oregon State Police Headquarters
- Salem Transitional Care
- Dollar General Distribution Center
- Brokenridge Stables
- The Basic Corrections Course (BCC) Training Center
- Santiam Correctional Institution
- Many industrial shops (naturally, it being zoned for it)
- Homes, some that look like mansions

Limits on sound levels must be strict, and must include all frequency ranges, not just audible ones. Most microphones cannot record below 20hz, so special equipment is needed simply to ensure compliance.

Verrus's closed loop water system is the right way for them to go, but it is not without its risks. The systems, from my understanding, are not completely closed, and their discharges/backflow can add pollutants to the public water. The city needs ways to protect from this and diligently look at examples of

other data centers that more closely reflect what Verrus is proposing (and listen to the complaints of the people who may be negatively affected by the site). dfehe5.1

Thank you for your time, and I wish you the best in making an informed decision.

-Josh Coleman

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Carl Hoffman

From: noreply@cityofsalem.net on behalf of jjeanportraits@gmail.com
Sent: Wednesday, July 15, 2026 9:53 PM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Follow Up Flag: Follow up
Flag Status: Completed

Your Name	Jennifer Jean
Your Email	jjeanportraits@gmail.com
Your Phone	5039496487
Street	155 Washington St S
City	Salem
State	OR
Zip	97302
Message	I am against the data center development. How do we fight this? I see a lot of Salem sharing this and not liking the Idea - but there will be greedy people who fight for it as it's labeled " the biggest investment property Salem has ever had"

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Carl Hoffman

From: Jennifer-Jeneva E <shinyhappybird@gmail.com>
Sent: Monday, July 20, 2026 2:23 PM
To: citycouncil
Subject: [EXTERNAL]Re: Ward 7 public input for the 7/27/2026 city council meeting: Pollution and other environmental concerns.

This message erroneously stated that the topic was water concerns. It should have said the topic was pollution concerns. My apologies, and please replace my 11:52am input with this input. Thank you. - JE.

On Mon, Jul 20, 2026 at 11:52 AM Jennifer-Jeneva E <shinyhappybird@gmail.com> wrote:

Topic: Data center in Salem, water concerns.
 Date submitted: 7/20/2026.

I am writing to add my public input to the stack of input I expect the public will submit for your 7/27/2026 city council meeting.

I am extremely concerned about a very large number of potential and, I believe, likely negative data center impacts to Salem and its surrounding communities. I am generally opposed to the presence of data centers in the city and county where I live.

This particular email is about pollution and other environmental impacts.

I'm extremely concerned about multiple forms of pollution that are highly attributable to data centers. The most obvious one that many people talk about is safe and healthy water quality, and I absolutely agree that this is of the utmost importance. I also have major concerns about noise and light pollution.

There are annoyance factors at play when we talk about noise and light, but that's really only one small part of the entire puzzle. For some people with some medical conditions, the health impacts can extend far beyond simple annoyance and actually can cause deeper issues. Add to that how they can have an extreme negative impact on wildlife, and therefore an ecosystem, and the problem begins to extend far beyond the local area immediately surrounding the site.

Light pollution negatively impacts nocturnal and migratory animals and change predator/prey relationships, which can knock many parts of the natural world out of balance. Wetlands are prevalent in our area, and they suffer as well. This can affect breeding, feeding, and survivability in general. Insect populations can under or over populate, changing entire migratory patterns for the creatures that depend on them for food sources, and increasing disease vector impacts that impact both animals' (wild and livestock) and human beings' health and safety.

Noise pollution can have very similar ecological impacts, along with health outcomes like increased blood pressure, premature hearing and cognitive loss, sleep disturbance,

and additional stress-related negative health outcomes in humans and animals. These impacts are measurable and traceable over time. Use 5.1

I believe these and many other environmental concerns are all strong arguments against a data center in the city of Salem and I raise my voice in opposition.

Thank you for listening. I hope you will take this public input very seriously.

Jennifer Erickson
Ward 7

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Carl Hoffman

From: Jennifer-Jeneva E <shinyhappybird@gmail.com>
Sent: Monday, July 20, 2026 11:31 AM
To: citycouncil
Subject: [EXTERNAL]Ward 7 public input for the 7/27/2026 city council meeting: Water concerns.

Topic: Data center in Salem, water concerns.
 Date submitted: 7/20/2026.

I am writing to add my public input to the stack of input I expect the public will submit for your 7/27/2026 city council meeting.

I am extremely concerned about a very large number of potential and, I believe, likely negative data center impacts to Salem and its surrounding communities. I am generally opposed to the presence of data centers in the city and county where I live.

This particular email is about water.

In the immediate presence of the city's recently filed lawsuit pertaining to the U.S. Army Corps of Engineers in U.S. District Court in the District of Oregon in Eugene, I am frankly astonished that the city would, even for a moment, consider any business activity that has the potential to impact our community's water supply or quality. The city's opposition to the Corps' intended drawdown of Detroit Reservoir identifies that Salem needs critical water sources.

Even a high-tech cooling system needs a great deal of water from the community. Truly, in the face of consistently reducing local water supply over time, it seems absurd to consider adding a major consumer of this precious resource to our community for any reason.

Besides our usual capacity needs, what about costs to improve water delivery infrastructure and maintenance resulting from the need to ensure the facility's current and future needs can even be served? What if there is a cooling system failure, as can happen in any business? Look at the failures that just occurred in a different kind of facility in Longview. Machines fail sometimes. What does that do to our water needs? What about fire/wildfire risks in a climate that is getting drier by the year? We have to consider the risks we face if things DON'T work as intended as much as we consider the optimal scenario a company like Verrus paints.

What about local wildlife impact when water needs and capacity change? What about agriculture needs? And what would stop Verrus from changing their business model later? They could join the community under one water usage method and change their community impact later. What then?

I believe water capacity, safety, and even cost (both to consumers and to the city to alter and maintain the system) are all arguments against a data center in the city of Salem and I raise my voice in opposition. Item 5.1

Thank you for listening. I hope you will take this public input very seriously.

Jennifer Erickson
Ward 7

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Carl Hoffman

From: justin kliewer <justin.kliewer@yahoo.com>
Sent: Tuesday, July 14, 2026 2:58 PM
To: manager@cityofsalem.net; citycouncil@cityofsalem.net
Subject: Data Center Mill Creek

I oppose the data center. I do not agree with it being built and used in the salem community.

These are the reason why it causes hard to salem and the community.

Economic Disconnect: Mega-facilities often receive lucrative government subsidies and tax breaks. This won't provide relatively few long-term jobs compared to the large land and resource footprint they occupy.

Pollution and Noise: Backup diesel generators and industrial cooling systems generate continuous noise and air emissions, creating public health and environmental concerns for nearby neighborhoods. We need to care about where people live that own houses. It can make it unsafe for them to live near them, like the airport. This will also put humming noise for people that live close to it.

Resource Depletion: Many facilities require millions of gallons of water daily for cooling systems, threatening local municipal supplies and agricultural needs, particularly in drought-prone areas. We always have water issues in Salem, this doesnt help. This is making salem worst. So this will mess with Salem Water.

Escalating Utility Costs: Massive electricity demands required to power Artificial Intelligence (AI) and cloud computing strain the power grid. This will raise prices for energy monthly bills for residential consumers.

City never did anything when PGE raised are prices the last ten years.

There is no tax benefit to people that live in salem. Only benefit is for PGE and board members that live in Salem Oregon and people connected to this company that wants the DATA center here. Other people it benefits are the people building it that you give tax breaks to, just like when affordable housing was built.

I oppose the data center on so many levels. This is making salem worst all around.

Justin Kliewer
 Account Manager
 Valued Merchant Services
<http://www.valuedbusinessservices.com>
 C:5038815380

Carl Hoffman

From: Jacqueline Klose <jacquelinejklose@aol.com>
Sent: Friday, July 17, 2026 8:38 PM
To: citycouncil; Linda Nishioka
Subject: [EXTERNAL]Oakline at Mill Creek, 75-acre Data Center Campus

Dear Mayor and City Councilors:

I am writing to voice my objection to the California-based technology company proposing to build Oakline, a three-building data center campus and utility substation, in the Mill Creek Corporate Center in southeast Salem.

Data centers run 24/7. Communities across the country that welcomed them are now living with the consequences - residents near data centers report headaches, vertigo, nausea, sleep disturbances, ear pain, and hypertension a constant hum they can hear day and night - the noise never stops. Much of it is low-frequency sound and infrasound — noise so low you feel it in your body rather than hear it, and it often doesn't even register on standard decibel meters, making local noise ordinances nearly impossible to enforce. In Virginia's data center corridor, neighbors describe sealing windows and sleeping with earplugs just to get through the night. Once it's built, you can't unbuild it.

The 1,000+ construction jobs being promised are temporary, they end when the buildings are done. What's left? About 75 permanent positions. That's a \$5.1 BILLION facility employing fewer people than a single grocery store.

As a Salem resident, I am asking that you the right thing for the health of the community and unanimously say no to this data center.

Sincerely,

Jacqueline J. Klose

Ward 2

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Carl Hoffman

From: Josie Layton <josielayton@yahoo.com>
Sent: Thursday, July 16, 2026 10:17 PM
To: Julie Hoy
Subject: Oakline Mill Creek Data Center Proposal

Follow Up Flag: Flag for follow up
Flag Status: Flagged

7/16/2026

Dear Mayor Julie Hoy,

As a lifelong Salem resident I am writing to express my strong opposition to the proposed Verrus "Oakline at Mill Creek" data center. While I value economic growth, this \$5.1 billion, three-building project brings too many risks to our community.

I urge you to reject this proposal for three major reasons:

Straining our Water Supply: Data centers use millions of gallons of water for cooling. Salem cannot afford to put our vital water resources at risk during a time of environmental uncertainty.

Energy Consumption: This campus requires a massive utility substation. This will strain our local energy grid and threatens to increase electricity bills for everyday residents.

Lack of Transparency: This massive project was negotiated behind closed doors under a non-disclosure agreement for over a year. Community members deserve to have a voice before decisions are made, not after.

Furthermore, this development will use extreme amounts of resources while creating only about 75 permanent jobs. The heavy burden on our infrastructure is not worth the trade-off.

I urge you to halt this development and prioritize the needs of Salem residents.

Thank you,
Josie Layton

Carl Hoffman

From: SALEM Manager
Sent: Monday, July 20, 2026 8:54 AM
To: CityRecorder
Subject: FW: Contact City Manager's Office
Attachments: ATT00001.bin

From: noreply@cityofsalem.net <noreply@cityofsalem.net> **On Behalf Of** josielayton@yahoo.com
Sent: Thursday, July 16, 2026 10:19 PM
To: SALEM Manager <MANAGER@cityofsalem.net>
Subject: Contact City Manager's Office

Your Name	Josie Layton
Your Email	josielayton@yahoo.com
Street	2670 River Road South
City	Salem
State	OR
Zip	97302
Message	7/16/2026 Dear City Manager, As a lifelong Salem resident I am writing to express my strong opposition to the proposed Verrus "Oakline at Mill Creek" data center. While I value economic growth, this \$5.1 billion, three-building project brings too many risks to our community. I urge you to reject this proposal for three major reasons: Straining our Water Supply: Data centers use millions of gallons of water for cooling. Salem cannot afford to put our vital water resources at risk during a time of environmental uncertainty. Energy Consumption: This campus requires a massive utility substation. This will strain our local energy grid and threatens to increase electricity bills for everyday residents. Lack of Transparency: This massive project was negotiated behind closed doors under a non-disclosure agreement for over a year. Community members deserve to have a voice before decisions are made, not after. Furthermore, this development will use extreme amounts of resources while creating only about 75 permanent jobs. The heavy burden on our infrastructure is not worth the trade-off. I urge you to halt this development and prioritize the needs of Salem residents. Thank you, Josie Layton

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Carl Hoffman

From: Mai Vang
Sent: Friday, July 17, 2026 8:22 AM
To: Francys Veras; Zuzana Holcova
Subject: Fw: Oakline Mill Creek Data Center Proposal

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Mai Vang
 City Councilor Ward 6
 City of Salem
 Phone: (971) 493-9796 | [Email](#) | [Website](#)

From: Josie Layton <josielayton@yahoo.com>
Sent: Thursday, July 16, 2026 10:12 PM
To: Mai Vang <mvang@cityofsalem.net>
Subject: Oakline Mill Creek Data Center Proposal

7/16/2026

Dear City Councilor,

As a lifelong Salem resident I am writing to express my strong opposition to the proposed Verrus "Oakline at Mill Creek" data center. While I value economic growth, this \$5.1 billion, three-building project brings too many risks to our community.

I urge you to reject this proposal for three major reasons:

Straining our Water Supply: Data centers use millions of gallons of water for cooling. Salem cannot afford to put our vital water resources at risk during a time of environmental uncertainty.

Energy Consumption: This campus requires a massive utility substation. This will strain our local energy grid and threatens to increase electricity bills for everyday residents.

Lack of Transparency: This massive project was negotiated behind closed doors under a non-disclosure agreement for over a year. Community members deserve to have a voice before decisions are made, not after.

Furthermore, this development will use extreme amounts of resources while creating only about 75 permanent jobs. The heavy burden on our infrastructure is not worth the trade-off.

I urge you to halt this development and prioritize the needs of Salem residents.

Thank you,
 Josie Layton

Carl Hoffman

From: SALEM Manager
Sent: Monday, July 20, 2026 8:55 AM
To: CityRecorder
Subject: FW: [EXTERNAL]No data centers

From: Jake Miller <silverdax@protonmail.com>
Sent: Wednesday, July 15, 2026 5:35 PM
To: SALEM Manager <MANAGER@cityofsalem.net>
Subject: [EXTERNAL]No data centers

I don't want to live near one and I will happily do everything within my power to prevent it from happening. Data centers and the companies who want them are not welcome in Salem.

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Carl Hoffman

From: Jessye Nichols <jessyenichols@gmail.com>
Sent: Friday, July 17, 2026 5:26 PM
To: Julie Hoy; citycouncil
Subject: [EXTERNAL]Please stop data center

Dear Mayor and Members of the Salem City Council,

I am writing as a Salem resident to ask you to oppose the proposed data center.

I understand the importance of economic development, but I don't believe this project is the right fit for our community. Data centers require enormous amounts of electricity, can place significant demands on water resources, generate constant noise, and often provide relatively few permanent jobs compared to the long-term impact they have on the communities that host them.

This issue is also deeply personal to me. I live with Mast Cell Activation Syndrome (MCAS), a condition that makes my body extraordinarily sensitive to environmental triggers. Things that many people don't think twice about, like changes in air quality, odors, heat, or other environmental stressors, can have a real impact on my daily life and my health. While everyone deserves clean air, responsible development, and a healthy place to live, those of us with chronic illnesses often feel the effects first.

I want Salem to grow, but I want it to grow in ways that prioritize people over massive industrial development. Once a project like this is approved, our community will live with its impacts for decades. We have one opportunity to decide whether this is the legacy we want to leave.

I hope you will carefully consider not only the economic promises being made, but also the long-term costs to our natural resources, quality of life, and the health and well-being of the people who call Salem home. We deserve development that creates meaningful jobs while protecting the environment and preserving what makes our city a wonderful place to live.

Please vote against this proposal and continue pursuing economic opportunities that benefit Salem without placing such a significant burden on our community.

Thank you for your time, your service, and for considering the voices of the people you represent.

Sincerely,

Jessye Nichols
Salem Resident

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Carl Hoffman

From: Jessye Nichols <jessyenichols@gmail.com>
Sent: Friday, July 17, 2026 12:04 PM
To: citycouncil
Subject: [EXTERNAL]Data Center

Follow Up Flag: Follow up
Flag Status: Completed

We do not want a data center in Salem. This is reckless of you. Major concerns are as follows:

THE NOISE NEVER STOPS. Data centers run 24/7, and communities across the country that welcomed them are now living with the consequences. Residents near data centers report headaches, vertigo, nausea, sleep disturbances, ear pain, and hypertension a constant hum they can hear day and night. Much of it is low-frequency sound and infrasound — noise so low you feel it in your body rather than hear it, and it often doesn't even register on standard decibel meters, making local noise ordinances nearly impossible to enforce. In Virginia's data center corridor, neighbors describe sealing windows and sleeping with earplugs just to get through the night. Once it's built, you can't unbuild it.

THE JOBS DISAPPEAR:

The 1,000+ construction jobs being promised are temporary, they end when the buildings are done. What's left? About 75 permanent positions. That's a \$5.1 BILLION facility employing fewer people than a single grocery store.

THE PROCESS WAS QUIET:

Verrus approached the city through SEDCOR in March 2025. The city signed a non-disclosure agreement. The public didn't hear a word until just this month, sixteen months later. And because the land is already zoned for it, there's no rezoning vote where residents get a formal say. Public pressure is the process.

WATER AND POWER:

Verrus promises closed-loop cooling and grid-friendly design, but specific water figures haven't been released, and a facility of this scale is a massive new demand on regional infrastructure either way.

The people of Salem do not share your wishes. Stop this nonsense before it's too late.

Jessye Nichols
 3948 Shale St S
 Salem OR 97302
 541-954-8824

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Carl Hoffman

From: noreply@cityofsalem.net on behalf of Jbyrd55@aol.com
Sent: Wednesday, July 15, 2026 2:44 PM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Follow Up Flag: Follow up
Flag Status: Completed

Your Name	Jessica Opitz
Your Email	Jbyrd55@aol.com
Your Phone	6023804107
Street	1635 Hillwood Ct S
City	Salem
State	OR
Zip	97302
Message	Dear Members of the Salem City Council, I'm writing as a Salem resident to urge you not to approve the Verrus "Oakline at Mill Creek" data center proposal for southeast Salem. I understand this project comes with the promise of a \$5+ billion investment and new jobs. But I don't believe those benefits outweigh the risks to our community's health, water, and environment. We don't have to guess what can go wrong. In Morrow and Umatilla counties, investigative reporting by Rolling Stone and the Food and Environment Reporting Network found that residents living near Amazon data centers reported unusually high rates of miscarriages, kidney failure, and rare cancers, alongside groundwater nitrate levels far above legal limits. Local officials there are still trying to determine how much of that contamination is linked to data center water use. Amazon disputes the connection, and no peer-reviewed study has yet proven direct causation — but that is exactly the point: by the time we have certainty, the harm may already be done. I don't want Salem to become the next case study. Beyond the health question, data centers of this scale place enormous new demands on water and electricity, generate constant noise, and industrialize neighborhoods that residents did not sign up to live next to. Several of my neighbors have also pointed out that this project wasn't listed as a properly noticed agenda item, which cut the public out of the process at the front end. I'd ask the Council to: 1. Slow down and require a full, independent environmental and public health review before any approval, not one funded by Verrus. 2. Guarantee real public hearings, properly noticed in advance, before any decision is made. 3. Require binding, enforceable commitments on water use, energy demand, and monitoring—not vague promises of a future "community benefits agreement." 4. Reject the project if these conditions can't be met. Salem residents' health and water should not be treated as an

	acceptable cost of doing business. Please don't let a \$5 billion price tag outweigh the wellbeing of the people who actually live here. Thank you for your time and consideration.
--	---

Item 5.1

This email was generated by the dynamic web forms contact us form on 7/15/2026.

Carl Hoffman

From: Jennifer Quinn <jquinn1q@gmail.com>
Sent: Sunday, July 19, 2026 9:02 AM
To: Micki Varney; Julie Hoy; Vanessa Nordyke
Cc: citycouncil
Subject: [EXTERNAL]Regarding Mill Creek Data Center Proposal

Dear Mayor Hoy, Mayor-elect Nordyke, Councilor Varney, and Members of the Salem City Council,

I support economic development and bringing new investment to Salem. However, I would like the City to compare the proposed Mill Creek data center project against other potential economic development opportunities before making a decision of this scale.

A reported \$5 billion investment that creates approximately 75 permanent jobs represents an extremely low job-to-investment ratio. I would appreciate understanding whether the City has evaluated other industries that could provide more jobs, more diverse economic benefits, and fewer environmental impacts.

Examples of industries Salem might consider include:

- Clean technology manufacturing
- Semiconductor-related industries and suppliers
- Food and agricultural technology
- Research, education, and innovation hubs through partnerships with institutions such as Chemeketa Community College and Oregon State University.

A city can sometimes gain more long-term economic resilience by attracting multiple businesses that each create dozens of jobs rather than relying on a single highly automated facility that creates relatively few permanent positions.

I would also appreciate answers to the following questions:

- What is the projected annual tax revenue from this project after any incentives, abatements, or other agreements are taken into account?
- What is the expected long-term benefit to Salem residents compared with the infrastructure, energy, and environmental demands of the project?
- Has the City conducted an analysis comparing this project's economic return with alternative industries that may create more employment opportunities?

I am not opposed to development. I am asking that Salem pursue the strongest possible economic future for its residents and ensure that major projects provide the greatest public benefit. Item 5.1

Thank you for your time and for considering these questions.

Sincerely,

Jennifer Quinn

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Carl Hoffman

From: Mai Vang
Sent: Wednesday, July 15, 2026 6:30 PM
To: Francys Veras; Zuzana Holcova
Subject: Fw: Verrus Data Center

Follow Up Flag: Flag for follow up
Flag Status: Flagged

FYI

Mai Vang
 City Councilor Ward 6
 City of Salem
 Phone: (971) 493-9796 | [Email](#) | [Website](#)

From: Jared Reno <jaredreno@gmail.com>
Sent: Tuesday, July 14, 2026 4:53 PM
To: Mai Vang <mvang@cityofsalem.net>
Subject: Verrus Data Center

Councilor Vang,

I am writing you in response to the news regarding a \$5.1 Billion data center proposed at Mill Creek. The initial comments state that the data center would create 75 permanent jobs, bring in construction and electrical jobs, and millions in annual tax revenue to the city.

Data Centers have a high impact on natural resource usage and overall utility costs. Recently PGE got approval for a 29.7% increase in their electricity costs for data centers through the Oregon Public Utility Commission. Hillsboro, OR added 16 data centers since 2020 which increased PGE's megawatt usage for data centers from 50 MW to 300 MW by mid-2025. Meaning an average load of 16 MW per data center.

Data Centers also rely heavily on water to cool their systems. A large data center, such as the one proposed, require up to [5 million gallons of water per day to operate](#). This is water that does not return to the base flow of rivers and streams and has ecological effects. The cooling also leaves behind high concentrations of salts and other contaminants which leads to water quality issues.

I believe that a data center can be beneficial if the right requirements are put into place and monitored. A few asks that I would require.

1. A closed-loop water system with immersion cooling
2. Off-grid power requirements (the data center must have a net-zero effect on the power grid through solar power generation)
3. The "75 promised jobs" must live locally and are not allowed to be hybrid or remote jobs forcing the income to generate local revenues and boost local spend at our businesses
4. 1% of the Data Centers build cost must go to the school district

5. The Data Center shall make one weekend a month available for public touring and no cost to the residents Item 5.1
6. The data center will receive ZERO tax incentives from the city, county, or state.
7. Local contractors are to be used for all aspects of the construction
8. Verrus would be responsible for 100% of all infrastructure upgrades including noise blocks along Cordon Rd.

Carl Hoffman

From: J Stembridge <stembrij@yahoo.com>
Sent: Thursday, July 16, 2026 9:08 AM
To: citycouncil; Linda Nishioka; Vanessa Nordyke
Subject: [EXTERNAL]Data Center for SE Salem?

Follow Up Flag: Follow up
Flag Status: Completed

Dear City of Salem Councilors and Mayor,

I read with trepidation that Salem has been in preliminary discussion for over a year with Verrus about developing a data center in SE Salem (reported in the Statesman-Journal and in the Salem Reporter July 14, 2026).

And, the representative for Verrus stated to the Salem Reporter journalist "Ultimately, we are actually going to build it". Goodness, where have I been?

As a community member who lives in Salem and loves our community, I would hope the decision regarding developing a data center in Salem has NOT been pre-determined. As, there are so many issues that need to be carefully examined prior to any final determination to proceed.

I needed to learn more, and thus read up on how other communities are faring that are living with a data center operating in their midst.

From there, I went to the Verrus website to read their public facing information.

Here are my current requests for each of you, as guardians of our community and protectors of our public health:

1. Research other communities that have data centers developed by Verrus. Go visit. Talk to the people living near the centers. How are those communities doing? Has Verrus lived up to its promises to have low air pollution? Low water usage? Low noise pollution? Promotion of community financial stability? In general, how are the communities doing where Verrus has established a data center?
2. If Verrus is proposing to establish a different type of data center in Salem from any they have designed and/or maintained elsewhere, do not proceed. As what Verrus is proposing has no history and no accountability.
3. If Verrus somehow convinces the Council that their innovative untried original design will meet all of Salem's criteria for safety and public health (low water usage, minimal air pollution, below the limit for noise pollution 24/7) at the very least, involve eminent environmental scientists as well as public healthcare practitioners at every level of the review process. Have those prominent environmental and healthcare scientists write into any contract that Verrus will be held to strict regulations regarding limits on water usage, limits on air pollution, limits on noise pollution. And, if Verrus violates any part of the written agreement, the data center will be permanently shut down.

Thank you for your commitment to our beautiful city and to those of us who call Salem our home,

Sincerely,
 Joan Stembridge
 48 year resident
 SE Salem

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Carl Hoffman

From: Jack Wheeler <jswheeler7@gmail.com>
Sent: Wednesday, July 22, 2026 5:20 PM
To: citycouncil
Subject: [EXTERNAL]Re: Verrus Data Center

Hello,

As a resident of Salem, OR and a worker in the field of public utilities, I do not approve of the plans for the new Verrus data center. I also do not appreciate how Verrus have worked very quietly around the country to gain approval for power/water sapping data centers in places where people do not want them.

This project will not bring tangible benefits to the City of Salem, the people of Marion County, or the residents of Oregon. Who will this project bring benefits to?

At a time when public opposition to data centers is at an all-time high and when most people cannot afford basic necessities, I do not see the purpose of a luxury megaproject that will use up valuable resources and siphon money into the hands of people who are already rich.

Thanks,

Jack Wheeler

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Carl Hoffman

From: Kathryn Chambers <abbykats@hotmail.com>
Sent: Wednesday, July 15, 2026 3:36 PM
To: citycouncil
Cc: Deanna Gwyn; David Beltran Barajas; Governor Kotek * GOV
Subject: [EXTERNAL]Data Center

Follow Up Flag: Follow up
Flag Status: Completed

Salem does not want a Data Center.

The environment in Salem is being destroyed by overdevelopment and a Data Center will only add to the pressure on the environment.

Kathryn Chambers
541-602-1270
abbykats@hotmail.com

Live your best life!

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Carl Hoffman

From: Kelly cox <trickster04@comcast.net>
Sent: Tuesday, July 14, 2026 9:12 PM
To: jhoy@cityofsalem.net
Subject: Data Center Proposal

Hello,

I just heard that there are talks about a company from CA that wants to install a data center in Salem. This would not be a good investment in Salem. I understand they are going to install an advanced cooling system and this is supposed to save water but this will still raise costs ..electricity and likely water and who knows what it will do environmentally.

Please do what you can to stop this from happening. Most of my community does not support this.

Sent from my iPhone
Kelly Cox
503.551.4348

Carl Hoffman

From: noreply@cityofsalem.net on behalf of kayplusdan@gmail.com
Sent: Friday, July 17, 2026 10:24 PM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Your Name	Kay Gerard
Your Email	kayplusdan@gmail.com
Street	2032 Maorview Circle NW
City	Salem
State	OR
Zip	97304
Message	We do NOT want a data center in Salem for many reasons. Please do not approve the construction of this center that will use our water, our resources and our land. Do not be fooled by promises of jobs. We will remember how you acted to protect our community from this contruction.

This email was generated by the dynamic web forms contact us form on 7/17/2026.

Carl Hoffman

From: noreply@cityofsalem.net on behalf of kellisnyder111@gmail.com
Sent: Wednesday, July 15, 2026 12:08 PM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Follow Up Flag: Follow up
Flag Status: Completed

Your Name	Kelli Gilliland
Your Email	kellisnyder111@gmail.com
Your Phone	360-749-5757
Street	5440 Woodmill Dr SE
City	Salem
State	OR
Zip	97306
Message	I'm writing with concern about discussions on putting a data center in Salem with what we know on how they affect the local community, the air, the water. The fact the city has been in discussions with Verrus since last March and signed an NDA just goes to show the people of Salem that our city is not about transparency and makes it seem like the views of the residence really don't matter. It's a shame.

This email was generated by the dynamic web forms contact us form on 7/15/2026.

Carl Hoffman

From: noreply@cityofsalem.net on behalf of khawley20@hotmail.com
Sent: Friday, July 17, 2026 10:26 AM
To: CityRecorder
Subject: Contact a City DepartmentData Center
Attachments: ATT00001.bin

Follow Up Flag: Follow up
Flag Status: Completed

Your Name	Kathleen Hawley
Your Email	khawley20@hotmail.com
Message	Definitely Not in favor of having a data center here in Salem. We need to protect our water and power resources! I live in a 55+ mobile home park and I know there are many of us in this park that feel the same.

This email was generated by the dynamic web forms contact us form on 7/17/2026.

Carl Hoffman

From: kory k <kory.anne.k22@gmail.com>
Sent: Sunday, July 19, 2026 3:54 PM
To: Julie Hoy; Shane Matthews; Mai Vang; Paul Tigan; Deanna Gwyn; Vanessa Nordyke; Inishoka@cityofsalem.net; Dr. Irvin M Brown; Micki Varney
Subject: That NDA Was Shady

Follow Up Flag: Flag for follow up
Flag Status: Flagged

You are elected officials. The public that decides whether or not you have a job is watching, and we're angry.

Say no to the Verrus data center.

-Kory Kiplinger, Salem Resident

Carl Hoffman

From: Kathaleen Parker <parker.kathaleen@gmail.com>
Sent: Wednesday, July 22, 2026 5:19 PM
To: citycouncil; Salem Planning; CityRecorder; Vanessa Nordyke
Subject: [EXTERNAL]Written Testimony | KParker I Salem's Oakline Data Center (submitting) before 7/27/26 meeting
Attachments: 2026-07-22 OAKLINE at MILL CREEK DataCenter Salem Testimony.KParker.pdf

Thank you for giving us a chance to contribute our volunteer research to help keep the Data Center experience a positive enhancement to Salem.

Sincerely, Kathaleen

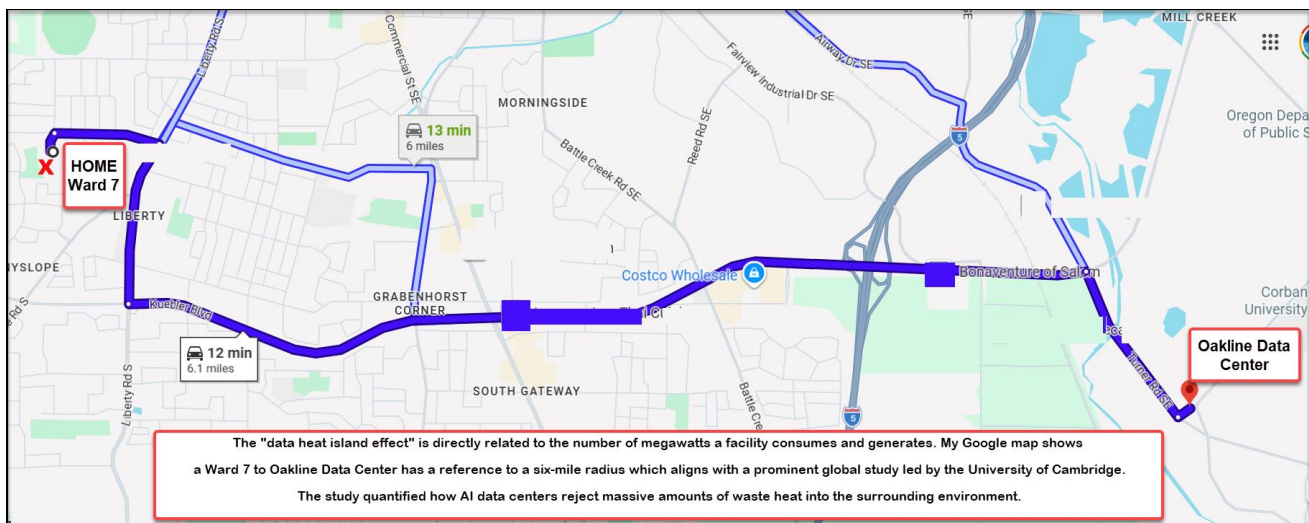
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Oakline Data Center | <https://oaklineatmillcreek.com/>

From: KParker, homeowner | Ward 7 | Sunnyslope Neighborhood Association

To: Salem City staff, City Councilors, and Salem Planning Commission members

I appreciate the opportunity to provide research I've found regarding four important areas of consideration regarding Salem's Oakline Data Center in south Salem. We had an extreme shock to find out there was a locked NDA for 16-months, and yet so much of the important details were not disclosed on July 15th. I understand the benefits of Data Centers, but I am against how close Oakline is to our homes. *see map – 6.1 miles from my home to Oakline Mill Creek datacenter.



I have four major concerns about why this data center has to be so close to a residential part of Salem. What protection will be made against air, water, heat and noise pollution? My property taxes are high already.

- I. As a data center developer Verrus didn't disclose if Oakline was going to be a Hyperscaler-type facility or a traditional multi-tenant Colocation facility in the three buildings. Also we are missing was the megawatt size of the 75 acre project, or if they had plans of expanding. Is the proposed facility explicitly being developed to support AI operations, cloud workloads, and enterprise IT—or do we need to worry if there will be any compute used for cryptocurrency mining?
- II. The risky proximity to our residential homeowners (and South Salem Costco) wasn't reviewed when the developer said that a group of heritage Oak trees would be able to withstand the close proximity to the 6-mile 'Data Heat Island Effect'? While closed-loop cooling significantly reduces local water evaporation, the data center's massive energy consumption and electrical substation will still release heat into the atmosphere.
- III. Considering the short lifespan with the operational Chips, was it discussed how a short term data center will leave a toxic industrial site in an abandoned exit strategy? What about the speed of Quantum computing AI replacing the current LLM AI that this data center campus is designed for?
- IV. Why is Private Equity investing in Data Centers (Sidewalk Infrastructure Partners)?

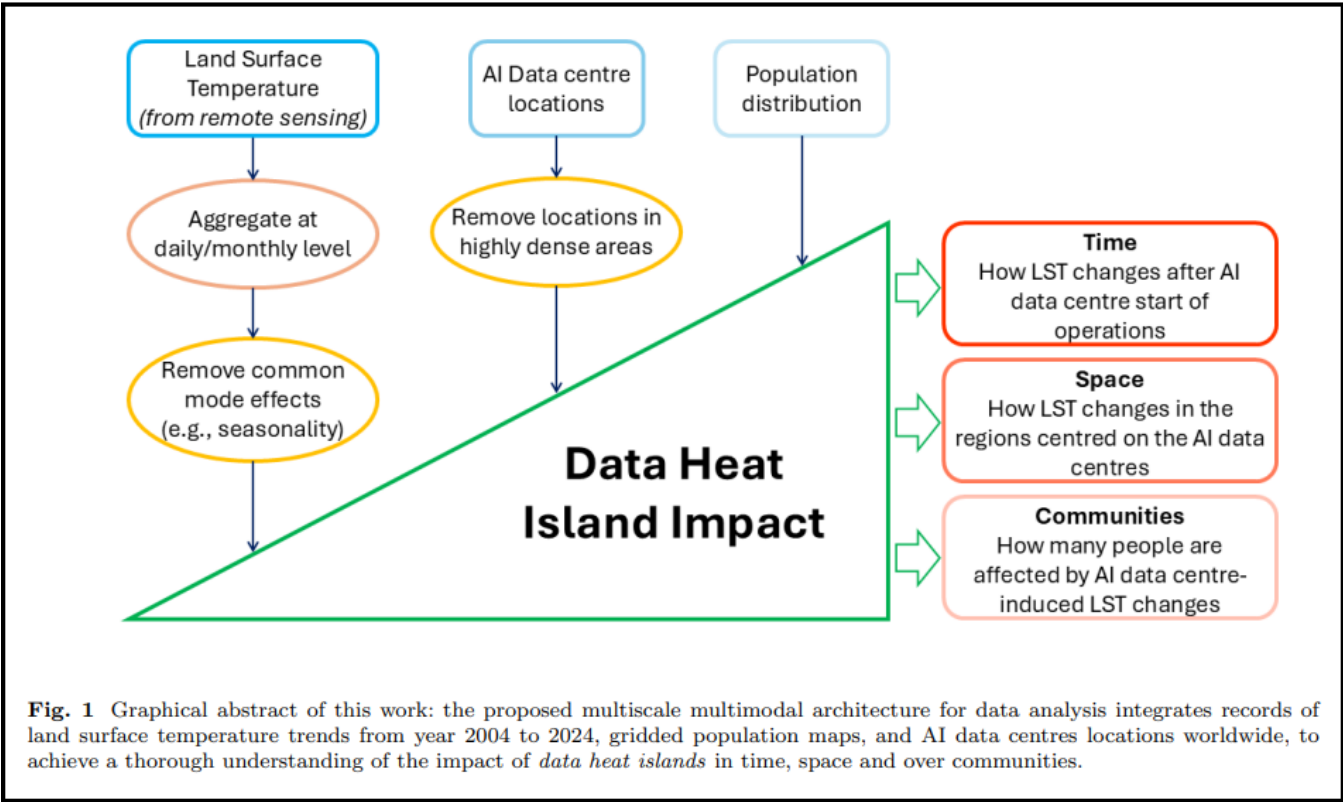
I surfed through the principal investors websites, and I used a lot of my environmental activism fact checking volunteer work to try and gather information in the short time frame. I read current newspapers and online resources, and lastly I reflected on the positive 2011 work experience I had in WA state, working on a Jones Lang LaSalle (JLL) managed ‘T-Mobile USA Global Design’ retail initiative contract project.

<https://www.t-mobile.com/news/press/t-mobile-usa-unveils-new-global-design-retail-stores>

We are hoping to find out more about the risk of bacteria or waste toxicity in our water (in people’s wells) from the Closed-Loop and Zero-Water designs. There was not any previous data centers from Verrus that we could find online

We could not find any best practices where Verrus facilities had successfully tracked Water Usage Effectiveness (WUE), and the strategy to aim for near-zero WUE scores by reducing the need for fresh makeup water through advanced filtration and recirculation technologies.

<https://www.facebook.com/share/p/195LYF8av5/>



Data Heat Island Effect

Data centers expel massive amounts of waste heat into the surrounding atmosphere, which inherently creates a localized micro-climate or urban heat island effect immediately surrounding the exhaust fans. The design challenge is while Verrus asserts their dry cooling design will operate efficiently, any large-scale mechanical exhaust of heat will contribute to local warming, though the severity depends heavily on outdoor ambient temperatures, wind dispersal, and specific building design.

The "data heat island effect" is directly related to the number of megawatts a facility consumes and generates. My Google map shows a Ward 7 to Oakline Data Center has a reference to a six-mile radius which aligns with a prominent global study led by the University of Cambridge. The study quantified how AI data centers reject massive amounts of waste heat into the surrounding environment.

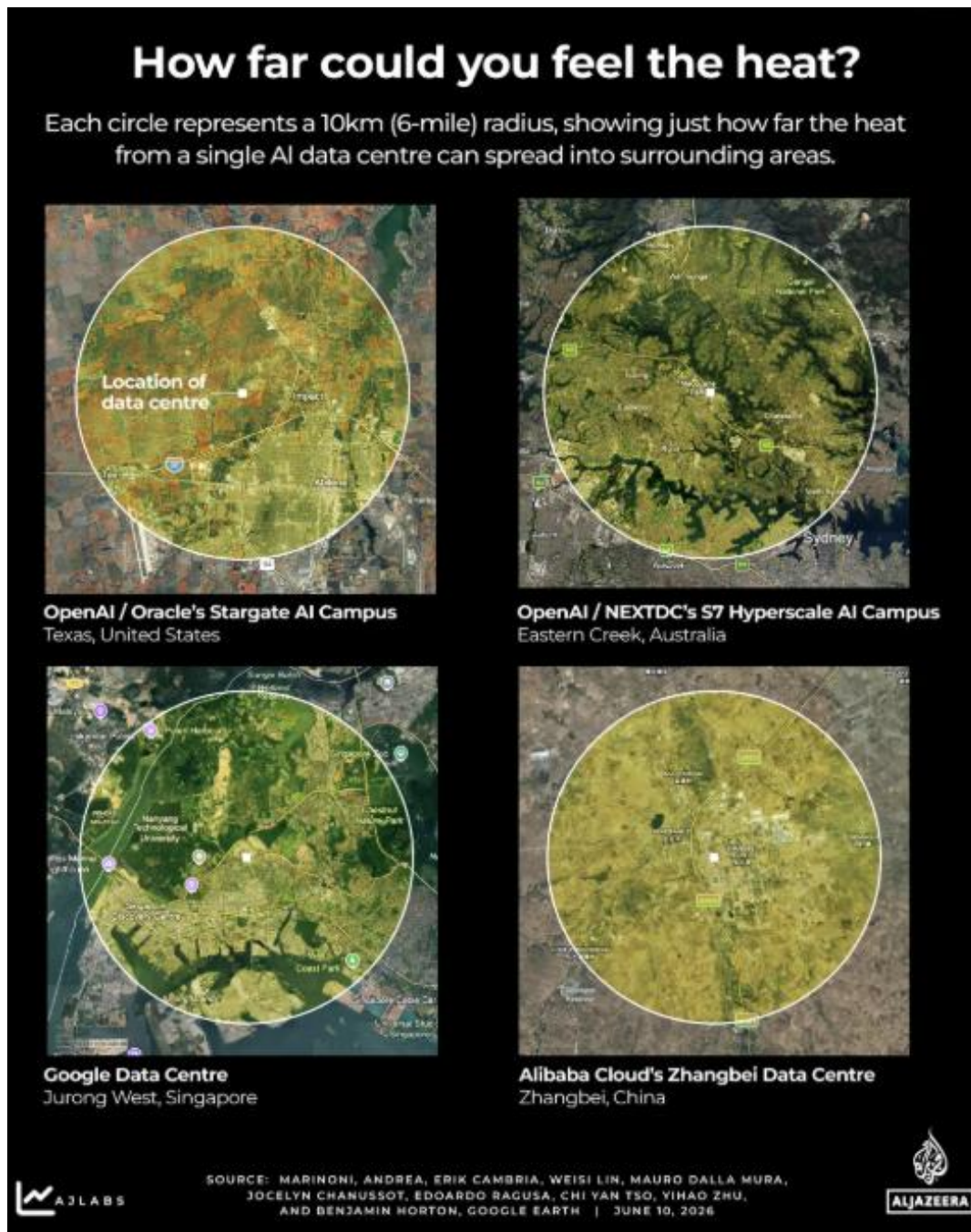


Photo Source: Al Jazeera <https://share.google/GjTHrJBO6FFXTOV9Q>

Conclusion - "We investigate, by means of a multimodal multiscale architecture, the land surface temperature change occurred as a consequence of the start of operations of the data centres. Our analysis spans over the last decades (from 2004 to 2024), taking advantage of the plethora of remotely sensed temperature measurements acquired by satellites worldwide.

Our study shows a non-negligible and rather remarkable impact of the AI data centres on their local regions, which is consistent across the data centres worldwide and extends for several kilometers around the AI hyperscalers. The consistency, scale and extent of these effects lead to think that the creation of local climate zones induced by data centres - that we call the data heat island effect - is real and significant, especially in the context of global warming and climate transformation.~ @arxiv.org”

The Data Heat Island Effect: Quantifying the Impact of AI Data Centers in a Warming World

<https://arxiv.org/pdf/2603.20897>

Chip Operational Lifespan

- **AI Accelerators:** The useful economic life of cutting-edge AI chips (like Nvidia's H100 and newer Blackwell architectures) is typically estimated at 1 to 3 years. This is largely due to immense thermal/electrical stress from continuous high-load computing and rapid technological obsolescence.
- **General CPUs and Memory:** Standard enterprise servers and compute components generally have an expected operational lifecycle of 4 to 6 years before they are replaced for power efficiency or performance reasons, even if the silicon itself is still functional.

<https://blog.citp.princeton.edu/2025/10/15/lifespan-of-ai-chips-the-300-billion-question/>

Why Private Equity Is Investing in Data Centers - AI Spending and Infrastructure Demand

After billions are invested in the data center shell, uninterrupted power supply systems, generators, and cooling, how do private equity firms turn today's frenzy into tomorrow's realized returns? The answer lies in exit strategies — and which monetization path best suits a maturing digital infrastructure platform.

- Private equity invested more than \$108 billion in data centers in 2024, fueled by surging demand from artificial intelligence workloads.
- Exit strategies for private equity investors include Initial Public Offering (IPO) as traditional corporations, IPOs as Real Estate Investment Trusts (REIT), and sales to strategic buyers or infrastructure funds.
- Successful IPO candidates must demonstrate long-term revenue visibility, high margins, and disciplined capital expenditure.

Data Centers heavily strain local resources and create significant environmental challenges. Financial exit strategies and operational realities frequently clash with community interests, though the specific types of pollution differ from traditional industrial dumping.

<https://www.staxengineering.com/stax-hub/the-environmental-impact-of-data-centers/>

Factchecking the Claims

- **Financial Exit Strategies:** Private Equity (PE) firms heavily invest in data centers, anticipating exits via IPOs or sales to Real Estate Investment Trusts (REITs). Because tech moves fast, hardware requires massive overhauls every 18 to 24 months. When equipment becomes obsolete or grids

demand it, PE firms can abandon sites or re-structure them, leaving local municipalities with infrastructure built for a higher tax base that may suddenly downsize.

<https://www.wri.org/insights/us-data-center-growth-impacts>

- **Pollution & "Toxic Land":** Data centers are not chemical plants, but they produce real waste. Electronic waste (discarded chips and batteries) is a major issue. Furthermore, cooling systems and semiconductors often rely on legal chemicals containing PFAS ("forever chemicals"). If not properly disposed of or if hardware degrades, these can leach into the soil or water.

<https://www.eesi.org/articles/view/data-centers-are-contributing-to-pfas-forever-chemical-pollution>

- **Thermal Stress:** Data centers churn out extreme amounts of waste heat, heavily raising water usage for cooling systems. Many facilities use continuous emergency diesel generators—especially with the surge of massive AI computing hubs—which produce toxic air pollution like nitrogen oxides and particulate matter.

<https://fieldreport.caes.uga.edu/publications/TP121/how-data-centers-impact-surface-and-ground-waters/>

- **Regulatory Loopholes:** Environmental pushback and local moratoria—like a statewide halt to large data centers in New York—are becoming more common as cities realize the strain on electrical grids. Many developers face criticism for requiring non-disclosure agreements (NDAs) with local governments, leaving communities unaware of the exact environmental tradeoffs before permits are finalized

<https://www.wired.com/story/data-centers-taking-over-texas-pollution-could-be-catastrophic/>



Thank you for the chance to share some information about this matter. I love living in Salem,

Kathaleen B Parker, Salem OR 97302 [Ward 7]

Carl Hoffman

From: Kate Patty <catherine.patty@gmail.com>
Sent: Friday, July 17, 2026 3:13 PM
To: CityRecorder
Subject: [EXTERNAL]No on Data Centers

Follow Up Flag: Follow up
Flag Status: Completed

As a resident of Salem, please vote against any data centers to be built in our area. Water is going to become a struggle. Let's not poison our water sources with a data center. The jobs you say will come aren't permanent. Why don't we focus on things that are sustainable for our community and beautify it? Not just fill it with more warehouses. Research is showing there is little benefit to the centers coming to the area.

Per the Harvard gazette, "Once the data center is up and running, it requires very few people, often just 20 to 50 staff members, because it's not an office for software developers, product managers, or marketing experts. It is a warehouse of servers.

Do tax revenues and other community benefits outweigh the downsides of data center expansion?

Unfortunately, there's just very little economic development that plays out on the local level."

We don't want this in our community!

Resident Salem

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Carl Hoffman

From: Micki Varney
Sent: Wednesday, July 15, 2026 3:59 PM
To: Francys Veras; Zuzana Holcova
Subject: Fw: No data center!!

Follow Up Flag: Flag for follow up
Flag Status: Flagged

So far, I have only had 3 emails sent directly to me (other than the general city council email) regarding the data center. I do plan on responding to constituents who have reached out to me personally, but I wanted to let you know I had received them so you could make record of it.

Micki

From: Kate Patty <catherine.patty@gmail.com>
Sent: Tuesday, July 14, 2026 9:33 PM
To: Micki Varney <MVarney@cityofsalem.net>
Subject: No data center!!

Hi Council member Varney,

Please don't allow this data center in Salem. Stop it from happening. Who cares what they bring to the city. Y'all are making parking money. Have you reimbursed the businesses and stopped making them pay their parking fees? I sure hope so since that's what we voted for.

With Detroit being a water issue, why are y'all allowing this in our community? Vote no and no support for it.

Thanks, Kate

Carl Hoffman

From: Kaylee the geek <msorreader@gmail.com>
Sent: Saturday, July 18, 2026 10:05 PM
To: citycouncil
Subject: [EXTERNAL]In Opposition of the Mill Creek Data Center

Dear Salem City Council,

I am writing as a Salem resident to express my strong opposition to the proposed AI data center at Mill Creek Corporate Center.

I find it deeply concerning that the City is considering a project that could have significant long-term impacts on our environment, natural resources, and community. While I understand the desire to attract new investment and jobs, I believe this proposal carries risks that outweigh its potential benefits.

One of my greatest concerns is water use. Large data centers require substantial amounts of water for cooling, placing additional demand on local water resources. In Salem, where wildfires have become an increasingly serious annual threat, water availability is already a critical issue during fire season. Some recent fires have come dangerously close to my family's home, and every summer we hear about the challenges of ensuring there is enough water available for firefighting and emergency response. Adding another major industrial water user to our community could place additional strain on these resources when they are needed most.

I am also concerned about the potential impacts on water quality. Communities across the country have raised concerns about the environmental effects of large data centers, including questions surrounding wastewater management and the protection of local drinking water. At a minimum, these issues deserve careful, transparent evaluation before any project moves forward.

Noise pollution is another issue that should not be overlooked. Continuous industrial noise from large data centers has raised concerns among nearby residents in other communities, and researchers continue to study its effects on both people and wildlife. There is evidence that persistent low-frequency noise can disrupt wildlife behavior, particularly for birds and other species that rely on sound for communication, navigation, and reproduction. These potential impacts should be taken seriously, especially in a region that values its natural habitats.

Perhaps most importantly, I worry about the effects this project could have on agriculture. Salem and the Willamette Valley are recognized for their productive farmland, and agriculture remains a vital part of our local economy and identity. Data centers consume large amounts of water and electricity and generate significant heat, all of which can place additional pressure on surrounding infrastructure and resources. Any project that risks reducing the sustainability or productivity of our farming community should be approached with extreme caution.

While supporters of the project have emphasized the potential for job creation, it is important to consider the long-term reality. Most of the jobs physically located in Salem are likely to be temporary construction positions during the building phase. Once operational, modern data centers typically require relatively few permanent on-site employees compared with the amount of land, water, and electrical

infrastructure they consume. I question whether the long-term economic benefits justify the lasting environmental costs and the potential impacts on existing industries, particularly agriculture, that already provide stable employment and contribute significantly to our local economy. Item 5.1

The Willamette Valley's farms, forests, waterways, and wildlife are among our region's greatest assets. Decisions made today will affect not only current residents but future generations. I urge the City Council to prioritize the long-term health of our community over short-term economic development and reject the proposal to construct an AI data center at Mill Creek Corporate Center.

Thank you for your time and consideration.

Sincerely,

Kaylee A. Schulte
Salem, Oregon Resident

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Carl Hoffman

From: Kathleen Trepka <nelsonparkcommunityaid@gmail.com>
Sent: Wednesday, July 15, 2026 3:15 PM
To: citycouncil; Krishna Namburi
Subject: [EXTERNAL]Proposed Data Center

Follow Up Flag: Follow up
Flag Status: Completed

Dear City Council and City Manager Namburi,

I am extremely disappointed with how the public was informed about the proposed data center at Monday night's Council meeting, July 13. An announcement from the dais at the beginning of the meeting under general Council / Manager comments while many tradespeople were clearly organized and prepared with thoughtful comments to share at the end of the meeting for items not on the agenda felt highly calculated and manipulative. I am assuming that is not necessarily staff's fault, but rather that the project proponents and SEDCOR, who have had a year to prepare for this moment, chose this strategy. That effort will only perpetuate a lack of trust in the City and whatever the project proponents have to say. I cannot stress enough how inappropriate that was and wish that staff had had a staff report ready to go for the Council agenda as part of that announcement.

I strongly urge that this project be brought before the City Council to inform the public on what the timeline will be for a robust environmental assessment, public engagement, and the decision-making process, and to provide the public with an opportunity to share their opinions at the front end of this project just as the trades were provided. Verrus and SEDCOR have had a year to prepare for this project application; the public deserves equal consideration to get involved and understand the very significant impacts this project could have on the community, especially in light of the negative outcomes that have been experienced by communities across this country with regard to data centers.

Thank you for your service, and your consideration.

Kathleen

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Carl Hoffman

From: Kaileigh Westermann <kaileighwestermann@gmail.com>
Sent: Wednesday, July 15, 2026 6:54 AM
To: Paul Tigan; Julie Hoy; Vanessa Nordyke
Subject: Concern: Mill Creek Data Center

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Councilor Tigan, Mayor Hoy and incoming Mayor Nordyke,

I am a resident of Ward 1 and I am writing to express my deep concern after hearing the news of a possible data center being established in the City.

Recently I have been hearing regular news stories about the impacts of data centers, their high water and electricity demand, overall environmental impact, increased electricity bills for the surrounding communities, and lack of long term job creation despite the grand claims of economic development for communities.

I understand this could be a boon for Salem with the projected \$5 billion investment in the community, but I as a resident have never once seen a benefit from large corporations. We had to fight and have to pay ourselves to keep parks and the library in operation.

Accepting large corporations into our community is fundamentally against what I hope to see for Salem. Especially a corporation and a technology that is regulated so poorly.

I would be proud to live in a community like Seattle, Monterrey Park, or the other 15 States that are considering moratoriums or bans on data centers. I hope we have the courage to do what is right for the long term future of our community.

Thank you for your time and consideration.

Kaileigh Westermann-Lewis

From: [Lisa Anderson-Ogilvie](#)
To: [Amy Johnson](#)
Subject: FW: [EXTERNAL]Oakline at Mill Creek
Date: Wednesday, July 22, 2026 9:03:35 AM

From: Lacey Peters <laceypeters369@gmail.com>
Sent: Tuesday, July 21, 2026 11:53 PM
To: Salem Planning <Planning@cityofsalem.net>
Subject: [EXTERNAL]Oakline at Mill Creek

Subject: Opposition to Oakline at Mill Creek Data Center – Well Water and Zoning Concerns

To: Salem Planning Commission / City Council

Dear Members of the Planning Commission,

I am writing to formally submit my objection and concerns regarding the proposed 75-acre Oakline at Mill Creek data center project developed by Verrus. As a resident living roughly one mile of the project site, my household relies entirely on private well water. While the developer has highlighted a closed-loop system, industrial-scale site grading with deep utility trenching and substation construction pose a direct risk to neighboring well infrastructures. Vibrations and deep drilling can destabilize underground rock formations, leading to severe sediment spikes, turbidity, and potential structural damage to shallow residential wells that share this water table.

Furthermore, I urge the Commission to challenge why a massive, resource-intensive infrastructure project of this scale must be zoned adjacent to residential neighborhoods. Data centers do not require a localized customer base to function. These facilities should be directed to remote, non-residential regions—such as arid, uninhabited lands or specialized offshore environments—where their structural footprint and resource demands do not actively threaten municipal resources or private residential utilities. I request that the City of Salem mandate comprehensive developer-funded baseline groundwater testing for all private wells within a two-mile radius before any grading permits are issued, and repeated annual testing if the project goes through. The city must also require a legally binding mitigation fund to repair or replace any private well damaged or contaminated by this construction.

We do not need a data center here in Salem, we have survived thus far without one.

Thank you for your time and consideration.

Remember, you were elected to represent the voice of the people. Please listen to us.

Sincerely,
Lacey Peters

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Carl Hoffman

From: Lana <looaripe@gmail.com>
Sent: Friday, July 17, 2026 12:54 PM
To: Julie Hoy
Subject: Protest of Data Center. Please Respectfully Read.

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Mayor,

I just moved to Salem from across the country, and quickly found that you are planning on building a 75 acre data center in this town.

As a new resident who appreciates nature and the calmness that this place has, I am writing this email in strong disdain of this abhorrent decision.

As an Oregonian, how can you look past the nature we have here? How can you look past the destruction of soul this land has that you're about to commence? Oregon is special in its own right, and you want to destroy it for AI, all in the name of making a profit. All for greed. If your goal is to create new jobs, the trade off is not worth it.

You will pollute the rivers, you will pollute the land. You will pollute property values and the habitats of animals. You will create loud noises that will bother your residents. You will use so much electricity it's almost unfathomable. You will pollute everything that makes this area unique and beautiful. Did you know that most data centers use between 1-5 MILLION gallons of water per day? Are you content with your residents paying higher electricity bills to fuel a data center?

As the Mayor of such a beautiful area, you should be ashamed with even considering this. You need to put your people first and do the right thing. I myself am disabled and will find any opportunity to come out and peacefully protest this, as I'm sure will many others! That's how important this is to us.

When the rivers are poisoned and the last tree has fallen you cannot eat money.

Unhappy regards,

A new Oregonian who really hates data centers and the people who build them.

Please see sources and peek into this research.

- https://earthjustice.org/article/what-you-need-to-know-about-ai-data-centers?utm_campaign=EJ2601aware&utm_source=google&utm_medium=paid&utm_term=dataterms&utm_content=&sourceid=1048973&ms=EJ2601_260424_aware_ad-google_dataterms_xai_&safelist=y&gad_source=1&gad_campaignid=23451447027&gclid=CjwKCAjwpEfSBhBvEiwAzyEtZ4xxlai8U5O-Ox3R1X78TZkYUaeFSP7IaXZFCL_o9H_I7JwNrtxqhoCqngQAvD_BwE

- <https://www.environmentalhealthproject.org/post/the-dangers-of-data-centers>
- <https://www.wri.org/insights/us-data-center-growth-impacts>

Carl Hoffman

From: lenny Friedman <lcfriedman@hotmail.com>
Sent: Monday, July 20, 2026 3:00 PM
To: Julie Hoy
Subject: Data center

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hi Julie Hoy,

I'm writing you to oppose the data center. My wife and I have been residents of Salem for 13 years; my wife was born here. But If they open the Data center, we will move away. We're not interested in the health ramifications that go along with these types of facilities. We put our trust in you to represent the wellbeing of the residents of Salem.

Thank you for your time,

Larry Friedman

Carl Hoffman

From: Leigha Gaynair <leigaynair@gmail.com>
Sent: Wednesday, July 15, 2026 2:43 PM
To: citycouncil
Cc: SALEM Manager
Subject: [EXTERNAL]Protecting Salem's Property Tax Base: Serious Concerns Regarding Mill Creek Data Center

Follow Up Flag: Follow up
Flag Status: Completed

Subject: Protecting Salem's Property Tax Base: Serious Concerns Regarding Mill Creek Data Center

Dear Mayor and Members of the Salem City Council,

I am writing as a Salem resident to express my concern regarding the city's active negotiations for a massive new data center development at the Mill Creek Corporate Center. While I understand the city is continuously looking for economic development opportunities, we cannot afford to enter into structural agreements with tech conglomerates without ironclad safeguards for our local taxpayers.

I have recently sent a formal letter to Governor Tina Kotek calling for a statewide moratorium on data center permitting until Oregon establishes strict, unyielding infrastructure and tax regulations. However, because Salem is on the frontlines of this issue right now, I am urging this Council to take a stand and protect our community.

As you are well aware, Salem faces an exhausting municipal budget shortfall. This crisis is amplified by a profound structural unfairness: the State of Oregon holds over \$1.65 billion in tax-exempt property within our city limits. Local homeowners and renters are already unfairly forced to subsidize the emergency services, fire departments, and roads that support these state institutions without the city receiving standard property taxes or adequate payments in lieu of taxes (PILOTs).

Allowing multi-billion-dollar tech corporations to buy up Salem land while exploiting tax-exempt loopholes—such as the Enterprise Zone program—is a slap in the face to everyday residents who are picking up the slack for municipal funding. Data centers create very few long-term jobs once built, yet they place an astronomical drain on our power grid and municipal water resources.

While I am not a technical expert on corporate utility infrastructure, I am experiencing the rising cost of living in Salem. Before the City Council approves any land sales, zoning changes, or site plans for the Mill Creek project, I ask that the city mandates the following protections:

- **No Full Property Tax Exemptions:** Any data center operating in Salem must be legally bound to pay a substantial, non-negotiable Payment in Lieu of Taxes (PILOT) to fund our underfunded schools, fire departments, and local infrastructure.

- **A Community Energy Dividend:** The city should pressure developers to build dedicated renewable energy infrastructure to support their operations, with any surplus power fed back into our local grid to lower utility costs for Salem residents.
- **Transparent Resource Siting:** The city must release a completely transparent, public impact study proving that this facility will not trigger a spike in local residential utility bills or jeopardize Salem's municipal water supply.

We must stop rushing into corporate land deals that leave local property owners holding the bill. Please protect the citizens of Salem and put our neighborhood stability ahead of big tech incentives.

Thank you for your time, your service, and your attention to this critical issue.

Sincerely,

Leigh Tracey-Gaynair, Ward 1

1915 Maple Ave NE

Salem, OR 97301

(541) 948-9312

leigaynair@gmail.com

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Carl Hoffman

From: Liz Henderson <elizabethgwyn@gmail.com>
Sent: Tuesday, July 14, 2026 2:47 PM
To: ptigan@cityofsalem.net; lnishioka@cityofsalem.net; smatthews@cityofsalem.net; dgwyn@cityofsalem.net; ibrown@cityofsalem.net; vnordyke@cityofsalem.net; mvarney@cityofsalem.net; jhoy@cityofsalem.net; mvang@cityofsalem.net
Subject: No Data Centers!

Dear Mayor, City Councilors, and Mayor-Elect Nordyke,

I was quite unpleasantly surprised at the announcement by City Manager Namburi re the data center at last night's council meeting. The city has had an NDA with them since March 2025, but we, the people, did not know. I am strongly opposed to any data center! This has Hoy's fingerprints all over it. And now, sadly, no one will be able to look beyond the money it will bring in. So disappointed. And y'all still need to disqualify Betsy Vega.

Liz Henderson
Ward 1

Carl Hoffman

From: Lynda LePoidevin <lynew70@hotmail.com>
Sent: Wednesday, July 15, 2026 5:07 PM
To: CityRecorder
Subject: [EXTERNAL]NO!! ON DATA CENTERS

Follow Up Flag: Follow up
Flag Status: Completed

Hi there,

I have never written to the city council before but here I am.

I must say how ashamed I am of any of you that voted to have a DATA Center approved in our community.

Whatever promises the DATA Center people make are untrue. They **never hire** from the community. The 75 people hired from the community will be on a janitor or two for keeping the computers clean and dust free.

The **noise** is horrendous that the Data Centers send off to the surrounding communities is unlivable to be around and worse than living near PDX.

All you have to do is **look up the unwelcome attributes of a Data Center** in Communities and AI itself will list several horrible things that happen.

The **waste water protection they claim is unfounded, never proved, its just speculation.**

Please put on your research glasses and spend 1 hr of your time to do much better research on the detriment to communities.....There are NO BENIFITS.

Lynda LePoidevin
 Woodburn, OR
 503-881-3405

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Carl Hoffman

From: noreply@cityofsalem.net on behalf of Lorileveaux@gmail.com
Sent: Saturday, July 18, 2026 9:54 AM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Your Name	Lori LeVeaux
Your Email	Lorileveaux@gmail.com
Your Phone	503-931-5890
Street	2684 Fort Rock Ct SE
City	Salem
State	OR
Zip	97306
Message	I wish to express my deep concern over the proposed new data center. Although zoning may not yet address public concerns, the resulting harm to the community and its wildlife should supersede existing zoning determinations. Independent studies and evidence from other installations needs to be seriously considered. We have a beautiful state and limited resources, such as our water supply in the Willamette Valley. I am especially concerned with the potential noise, which early reports indicate negatively affects wildlife and humans alike. Thank you for your assistance.

This email was generated by the dynamic web forms contact us form on 7/18/2026.

Carl Hoffman

From: noreply@cityofsalem.net on behalf of Leslielewisgardener@gmail.com
Sent: Thursday, July 16, 2026 10:50 AM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Follow Up Flag: Follow up
Flag Status: Completed

Your Name	Lulu Lewis
Your Email	Leslielewisgardener@gmail.com
Your Phone	5035072011
Street	6834 Fruitland Rd NE
City	Salem
State	OR
Zip	97317
Message	Please stop the data centre from being built it will raise our electric bill. It will lower our Water tables. Let's care about the people who actually live in Salem please.

This email was generated by the dynamic web forms contact us form on 7/16/2026.

Carl Hoffman

From: lmgb@earthlink.net
Sent: Saturday, July 18, 2026 12:28 PM
To: Julie Hoy; citycouncil; CityRecorder; SALEM Manager
Cc: HTAndersen@aol.com; sen.debpatterson@oregonlegislature.gov
Subject: [EXTERNAL]Data Center -- Questions

Importance: High

What happened to that accountability and transparency that Salem continually touts? Here are some questions that I and other residents of Salem deserve answers to:

Who signed the NDA for the city and who knew about it?
Who gave approval to sign the NDA?
What city officials knew about the NDA? Any city councilors?

Lora Meisner
Salem, OR
503-586-6176

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Carl Hoffman

From: lmgb@earthlink.net
Sent: Friday, July 17, 2026 1:39 PM
To: citycouncil; Julie Hoy; CityRecorder
Cc: SALEM Manager; HTAndersen@aol.com; sen.debpatterson@oregonlegislature.gov
Subject: [EXTERNAL]Data Center/Mill Creek Development--residents need answers

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

What's being proposed in Salem right now

- The city has disclosed talks with a California-based developer, **Verrus**, about a **\$5.1 billion data center project** ("Oakline at Mill Creek") at the **Mill Creek Corporate Center**, with SEDCOR (the city's economic development arm) involved since 2025.
- The project is still under review, and city leaders say details on **energy demand, water use, noise, and environmental impacts** are not yet fully public, which is a major source of community concern.
- At the same time, Oregon lawmakers have been debating a **one-year moratorium on certain state tax breaks for new data centers** and convened a **Data Center Advisory Committee** to develop policy recommendations, reflecting statewide unease about rapid growth.

Issues Salem should be especially concerned about

Building on the general concerns, here are the ones most salient for Salem:

1) Water use in a climate-stress region

- Salem sits in the Willamette Basin, which faces increasing summer low-flow and drought risk as the climate warms. A large, water-cooled data center could lock in high municipal or groundwater withdrawals during precisely the driest months.
- The nearby example of **The Dalles** shows how a big data center can dominate local water rights and create long-term tension over who gets water first in drought years.
- Key questions for Salem:
 - What is the **daily and annual water demand**, by source (city, groundwater, surface water)?
 - Will the project use **once-through cooling**, evaporative cooling, or **air-cooled/recirculating systems**?
 - Is there a **drought curtailment plan** that explicitly prioritizes public health and residential needs over the data center?

2) Electricity demand and rate impacts

- Hyperscale/AI data centers can demand **hundreds of megawatts**, comparable to a small city, and Salem's power comes largely through **Portland General Electric (PGE)** and other regional resources that are already under pressure from electrification and heat waves.
- Without strong conditions, the project could:
 - Increase strain on local substations and transmission, raising reliability risks during heat waves.
 - Contribute to higher long-term rates if utilities must add capacity or keep fossil plants running.
- Salem should insist on:
 - Transparent, independent modeling of **peak load, load factor, and 24/7 demand**.
 - A clear plan for **renewable, 24/7 clean power** (not just annual RECs) and how that aligns with Oregon's climate goals.

3) Noise and quality-of-life for nearby neighborhoods

- Residents in Salem and elsewhere consistently flag **constant industrial noise** from cooling towers, transformers, and backup generators as a major issue, particularly for homes near industrial parks.
- For Mill Creek or similar sites, the city should require:

- Detailed **noise modeling at property lines** for worst-case conditions (hot summer nights, full load)
- Enforceable **decibel limits**, buffer requirements, and monitoring with penalties for violations.

Item 5.1

4) Secrecy vs. public process

- The fact that negotiations were under an **NDA for over a year** and only recently disclosed has fueled distrust and fears that the public is being asked to approve a “black box” project.
- Salem should treat this as a red flag: any approval should be conditioned on:
 - Full public disclosure of **energy, water, emissions, traffic, and safety data**.
 - A robust **public comment period** and independent technical review, not just staff summaries.

5) Economic deal structure and who bears the risk

- Like many Oregon communities, Salem may be offered **tax abatements, infrastructure subsidies, or discounted utility rates** in exchange for the project.
- National research shows data centers often deliver **fewer permanent local jobs than promised**, while locking in large, inflexible loads and long-term incentives.
- Salem should demand:
 - A **fiscal impact analysis** showing net taxes after incentives, costs of public services, and infrastructure upgrades.
 - **Decommissioning and reclamation bonds** so the community isn’t left with abandoned industrial sites.
 - Clear **local hiring, training, and contracting commitments** with measurable targets.

6) Cumulative and regional impacts

- Oregon already has significant data center clusters (e.g., The Dalles, eastern Oregon, and now proposals around Salem). State officials and advocates warn that **cumulative grid and water impacts** are not being managed strategically.
- Salem should ask how this project fits into:
 - The **Governor’s Data Center Advisory Committee** recommendations.
 - Regional planning for **grid capacity, water allocation, and climate resilience**.

Will the City of Salem cover all of these important issues and possibly decline development of this data center or just roll over and “play developer-dead” like they did with the PacTrust/Costco development? Maybe our legislature will save us with a one or more years moratorium.

Lora Meisner
Salem, OR
503-586-6176

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Carl Hoffman

From: Luke 1 <neptun156@hotmail.com>
Sent: Saturday, July 18, 2026 1:08 PM
To: citycouncil
Subject: [EXTERNAL]Data Center?

Greetings!

I have heard that the City of Salem is thinking about a Data Center at the Mill Creek Corporate Center. I wanted to ask some questions about water use:

- Where will the water come from (municipal supply, groundwater wells, reclaimed wastewater)?
- How many gallons per day will it use during peak summer conditions?
- Will it use drinking-quality water or reclaimed/recycled water?
- What type of cooling system will it use?
- Will the water use change during heat waves?
- What is the expected electrical demand (in megawatts)?
- Will new power generation or transmission infrastructure be needed?
- How will the project affect local water availability for residents and agriculture?

Thank you for your time.

Luke

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Carl Hoffman

From: SALEM Manager
Sent: Monday, July 20, 2026 8:55 AM
To: CityRecorder
Subject: FW: Contact City Manager's Office
Attachments: ATT00001.bin

From: noreply@cityofsalem.net <noreply@cityofsalem.net> **On Behalf Of** Lwebber@eou.edu
Sent: Wednesday, July 15, 2026 8:13 AM
To: SALEM Manager <MANAGER@cityofsalem.net>
Subject: Contact City Manager's Office

Your Name	Laura webber
Your Email	Lwebber@eou.edu
Your Phone	5038847575
Street	3420 Willamette Dr N
City	Keizer
State	OR
Zip	97303
Message	We don't want data centers! This cannot be happening! No one wants to see Oregon destroyed. No one wants the pollution, the noise, the strain on resources. All because of digital data?? Are you for real? NO!!!

This email was generated by the dynamic web forms contact us form on 7/15/2026.

Carl Hoffman

From:
Sent:
To:
Subject:

Laura W <lwebber@eou.edu>
 Thursday, July 16, 2026 11:47 AM
 Julie Hoy
 Data Center

Follow Up Flag:
Flag Status:

Flag for follow up
 Flagged

I have been a resident all of my life and I want you to refuse any data centers in our city and state. We do not believe them necessary or safe for animals, humans, or the environment. You have the needs of the community to abide by. You were not elected to take part in the destruction of our homes and livelihoods.
 NO DATA CENTERS!!!!

Carl Hoffman

From:
Sent:
To:
Subject:
Attachments:

noreply@cityofsalem.net on behalf of lamMattBarton@gmail.com
Thursday, July 16, 2026 9:37 AM
citycouncil
Contact City Council
ATT00001.bin

Follow Up Flag:
Flag Status:

Follow up
Completed

Your Name	Matt Barton
Your Email	lamMattBarton@gmail.com
Street	2657 9th Court SE
City	Salem
State	OR
Zip	97302
Message	NO DATA CENTERS!!!

This email was generated by the dynamic web forms contact us form on 7/16/2026.

Carl Hoffman

From: noreply@cityofsalem.net on behalf of places4@yahoo.com
Sent: Friday, July 17, 2026 4:12 PM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Follow Up Flag: Follow up
Flag Status: Completed

Your Name	Mindy Blaize
Your Email	places4@yahoo.com
Your Phone	9045408773
Street	815 17th St NE
City	Salem
State	OR
Zip	97301
Message	NO DATA CENTER IN SALEM. PERIOD! THE NOISE NEVER STOPS. Data centers run 24/7, and communities across the country that welcomed them are now living with the consequences. Residents near data centers report headaches, vertigo, nausea, sleep disturbances, ear pain, and hypertension a constant hum they can hear day and night. Much of it is low-frequency sound and infrasound — noise so low you feel it in your body rather than hear it, and it often doesn't even register on standard decibel meters, making local noise ordinances nearly impossible to enforce. In Virginia's data center corridor, neighbors describe sealing windows and sleeping with earplugs just to get through the night. Once it's built, you can't unbuild it. THE JOBS DISAPPEAR: The 1,000+ construction jobs being promised are temporary, they end when the buildings are done. What's left? About 75 permanent positions. That's a \$5.1 BILLION facility employing fewer people than a single grocery store. THE PROCESS WAS QUIET: IF NOTHING ELSE THIS IS THE SHADIEST GARBAGE FROM ANY COMPANY TRYING TO WEASEL THEIR PROFITTING WHILE DESTROYING LANDS AND RESOURCES. Verrus approached the city through SEDCOR in March 2025. The city signed a non-disclosure agreement. The public didn't hear a word until just this month, sixteen months later. And because the land is already zoned for it, there's no rezoning vote where residents get a formal say. Public pressure is the process. WATER AND POWER: Verrus promises closed-loop cooling and grid-friendly design, but specific water figures haven't been released, and a facility of this scale is a massive new demand on regional infrastructure either way. NO NO NO NO NO NO

This email was generated by the dynamic web forms contact us form on 7/17/2026.

Carl Hoffman

From: Missy Melissa <melissa.elijah@hotmail.com>
Sent: Friday, July 17, 2026 11:50 AM
To: CityRecorder
Subject: [EXTERNAL]I am asking you to deny the Oakline at Mill Creek data center

Follow Up Flag: Follow up
Flag Status: Completed

To whom it may concern

I am writing as a resident living approximately 4 miles from the proposed Verrus "Oakline at Mill Creek" data center (Turner Road SE & Deer Park Drive SE), and I am asking you, directly, to vote to deny this project. Not to negotiate it down. To deny it.

I need you to understand why this isn't abstract for me. Sounds and vibrations can make me physically ill. Infrasound — the kind of constant low-frequency hum these facilities produce — does not stop at a property line or a few miles of distance. It moves through concrete and ground. A facility running 24 hours a day, every day, at this scale, is a direct threat to my health and to anyone else in this community who is sound-sensitive, has a nervous system condition, or simply wants to sleep at night.

This is not hypothetical. It is already happening to other communities, right now:

Noise: Residents in Vineland, NJ and Mount Pleasant, WI have filed lawsuits over constant humming from cooling systems and generators — described as sounding like a helicopter that never leaves. In the Wisconsin case, over 1,000 households were affected, and Microsoft's own court filings admitted the noise is low-frequency infrasound that doesn't register on standard dBA meters. Salem's noise ordinance (SRC Chapter 93) uses that same kind of dBA standard. A Georgia court has already ruled that a data center can fully comply with a noise ordinance and still be found a legal nuisance. In plain terms: this facility could be entirely "legal" while making people in this city sick, and our current code would do nothing to stop it.

Water: A single large data center can use up to 2.7 million gallons a day at peak — roughly a billion gallons a year, the equivalent of 180 swimming pools daily. Nationally, data centers' water footprint hit an estimated 211 billion gallons in 2023, and two-thirds of facilities built since 2022 sit in already water-stressed regions.

Money: National data center tax incentives are estimated at \$90 billion a year, with 14 states refusing to even disclose the true cost. The jobs used to justify these breaks routinely fail to materialize at the promised scale — Oakline is offering 75 permanent jobs in exchange for \$5.1 billion in infrastructure and everything listed above.

Electricity: In Virginia, 57% of residents now believe data centers are driving up their home energy bills, and public comfort with a nearby data center collapsed from 69% to 35% in three years as reality set in. No regulation exists yet to protect us: Oregon has no data-center-specific water/energy disclosure law, unlike New Jersey and New York, which are actively writing these protections into law right now.

Approving this project means approving it under rules that were never built for it.

"Community benefits" don't fix this: Some cities have tried to soften these projects with Community Benefit Agreements — equity stakes, revenue-sharing, water caps. Lancaster, PA got a \$10 million fund and a water cap. They still got a 24/7 industrial facility next to homes. A fund is not consent, and it does not undo the noise, the water draw, or the health risk. I am not asking for a better deal. I am asking you to say no.

The process itself is a problem: This project was kept under a non-disclosure agreement from March 2025 until this month, and by the city's own account, Council members learned of it only days before the public did. Because the site is already zoned for this use, there is no guaranteed public hearing or planning commission vote — approval happens at the staff level unless a decision is appealed. I don't think a project of this scale and risk should ever move forward without a real public hearing.

Before any decision is made, I'm also asking the city to require Verrus to publicly disclose, subject to independent verification:

Maximum and average electrical demand, annual consumption, and any phased expansion plans

Required grid interconnection upgrades and who pays for them

Backup generator type, fuel, emissions, and testing schedule

Property-line noise modeling, including nighttime and low-frequency/infrasound levels

Annual and peak water use under normal and extreme-heat conditions

A full accounting of any incentives, tax impacts, and projected public costs

Binding decommissioning and site-restoration guarantees, with financial penalties for unmet commitments

My ask is direct: vote to deny this proposal, and in the meantime, support a moratorium on new data center approvals in Salem — like Hillsboro and dozens of North Carolina counties have done — until real rules exist.

A facility that can be fully legal under existing code and still make residents sick — as courts elsewhere have already confirmed is possible — should not be built near homes, schools, and sensitive residents, regardless of what mitigations or funds are offered. This is not a negotiation I want you to win better terms on. It is a project I do not believe belongs in this community, full stop. And regardless of what happens with this specific application, I'm asking you to commit to a genuine public hearing before any similar project is approved in the future — not a staff-level sign-off with voluntary "engagement" bolted on afterward.

This isn't a fringe position. A March 2026 Gallup poll found 71% of Americans oppose a new AI data center being built near them. Organized opposition groups now exist in 49 states. At least 75 U.S. data center projects worth \$130 billion were delayed or blocked by local opposition in the first quarter of 2026 alone, and 29 North Carolina counties have stopped projects like this outright. Salem does not have to be the exception that says yes.

Please confirm this comment is entered into the public record, and notify me of the formal land-use hearing once Verrus files its permit application with the Planning Division.

Melissa Gauger
614 Browning Ave SE
Salem or 97302
7-17-2026

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Carl Hoffman

From: Missy Melissa <melissa.elijah@hotmail.com>
Sent: Friday, July 17, 2026 5:13 PM
To: Julie Hoy
Subject: I am asking you to deny the Oakline at Mill Creek data center

Follow Up Flag: Flag for follow up
Flag Status: Flagged

To whom it may concern

I am writing as a resident living approximately 4 miles from the proposed Verrus "Oakline at Mill Creek" data center (Turner Road SE & Deer Park Drive SE), and I am asking you, directly, to vote to deny this project. Not to negotiate it down. To deny it.

I need you to understand why this isn't abstract for me. Sounds and vibrations can make me physically ill. Infrasound — the kind of constant low-frequency hum these facilities produce — does not stop at a property line or a few miles of distance. It moves through concrete and ground. A facility running 24 hours a day, every day, at this scale, is a direct threat to my health and to anyone else in this community who is sound-sensitive, has a nervous system condition, or simply wants to sleep at night.

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Please confirm this comment is entered into the public record, and notify me of the formal land-use hearing once Verrus files its permit application with the Planning Division.

Melissa Gauger
614 Browning Ave SE
Salem or 97302
7-17-2026

Carl Hoffman

From: noreply@cityofsalem.net on behalf of mjgroppe@gmail.com
Sent: Friday, July 17, 2026 9:14 PM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Your Name	Marilyn Groppe
Your Email	mjgroppe@gmail.com
Your Phone	8022825900
Street	6786
City	Salem
State	OR
Zip	97305
Message	Dear Salem Mayor and Co, I'm writing to say no to the proposed data center in Salem. I know many constituents agree that this kind of project does not reflect the values or desires of the Salem population. We are the capital of Oregon and we are fighting regressive legislature on all fronts that are looking to corrode our landscape. After seeing what deforestation, drought, and other climate disasters have done to the beautiful state we call home, I cannot in good conscience cosign further destruction of the place we all call home. We should be setting an example for the state and reflecting the majoritys values - and most of Oregon wants to protect our land and our environment.

This email was generated by the dynamic web forms contact us form on 7/17/2026.

Data center

From Megan Harper <megan.harper0907@gmail.com>

Date Tue 7/14/2026 10:07 PM

To jhoy@cityofsalem.net <jhoy@cityofsalem.net>; Vanessa Nordyke <vnordyke@cityofsalem.net>; Deanna Gwyn <dgwyn@cityofsalem.net>

Good evening,

I'm sure I'm not the only person writing an email like this. I am trying to come from a place of rational thinking and not jumping to conclusions. But I'd be lying if I said that the news about the proposed data center didn't greatly concern me.

I think what I'm finding most confusing is that there was so much outcry against the payroll tax, and the biggest complaint I heard was that it wasn't sent to the voters, that it was a unilateral decision that was made. I admit to not fully understanding whether only the city manager knew about the data center plan and therefore only she was subject to the NDA, but as your average joe citizen, this does feel very much like a "father knows best" situation where our complaints weren't wanted until work could be underway and harder to stop.

I do understand and acknowledge that there is potential for great revenue with a data center for the city. This is money that could help fund my beloved library and park system, or be given to many other worthy projects. What I don't fully grasp yet is the cost.

I have the following questions that I believe are reflective of what a lot of us Salemanders are feeling. I don't expect a response or for you all to even know all the answers, but here they are:

1. The Oak Line at Mill Creek website specifically says "Verrus commits to NDA-free relationships with local governments and agencies," and this just calls into question our ability to trust any of their other promises--which do sound good! Their website makes it seem like this could be low-impact environmentally--but from the first day I've heard about this project, they are already seeming pretty dishonest.

2. Is our current grid built to handle the electrical load without causing outages? Will we need new substations or the like, and who pays for those? What happens during heat waves or grid emergencies?

3. Do you have a clear sense of how much water this data center would use? What would the impacts of the proposed Detroit Lake drawdown be? Even if we were going to welcome a data center, is this not fairly awful timing? What happens if they promise low water usage up front and then are unable to sustain at that level?

4. How many permanent jobs will this offer to Salemites after initial construction? Are they committed to hiring locally? What kinds of jobs/wages are we talking about?

5. What about noise pollution? The proposed location is maybe 500 feet from Riverfront Park and the Gilbert House. These are both gems of our city that we should be proud of. My daughters and I just attended the production of Mean Girls by Chemeketa at Riverfront Park last week, and I was marveling about what an amazing venue that was (and the talent of the performers!) I would be devastated to lose that kind of community brilliance to something like this. Once again: the website talks a good game about staying quiet, but what are the consequences for them if they don't? The consequences for us are too much.

6. Would water and energy use be publicly reported, and could residents see those numbers? What about our power bills? Are there protections sufficiently in place that this doesn't cause a cost increase to us for using power in our own homes?

I am hoping to come to the next City Council meeting. Will this be on the agenda? It would be nice if some of us could speak on this before the end of the night. I know you are all busy with separate lives and jobs, but would you consider maybe a special session just for public comment about this issue? A reverse listening session of sorts where we can be actually heard? I am concerned that business interests will prevail over the actual health and livability for non-business-owning residents.

Thank you for taking the time to read my thoughts. I hope I have not come off harsh, it isn't my intention. I am concerned, and again, I am trying to express concrete concerns in a rational way. And once again, it's ok not to respond to this email, but I would appreciate it I felt my elected officials at least had some sense of the answers to my questions, particularly #1.

Sincerely,

Megan Harper

Carl Hoffman

From: noreply@cityofsalem.net on behalf of Mjjonesin11@gmail.com
Sent: Friday, July 17, 2026 12:22 PM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Follow Up Flag: Follow up
Flag Status: Completed

Your Name	Matthew Jones
Your Email	Mjjonesin11@gmail.com
Your Phone	5037410759
Street	3279 Lorian Ln SE
City	Salem
State	OR
Zip	97302
Message	I am speaking for every member of my household (4, living human beings.) to voice our sincere concern about the proposed data center. We do not want this in our city! Our water is a precious resource and data centers use large amounts to cool servers. You cannot put a monetary value on our water, longterm effects could be disastrous! We beg you not to give in and turn our city into another Hillsboro! Matthew Jones

This email was generated by the dynamic web forms contact us form on 7/17/2026.

Carl Hoffman

From: Madeline Newcomer <madipaije@gmail.com>
Sent: Wednesday, July 15, 2026 7:01 AM
To: Julie Hoy
Subject: Data Center Project

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hi,

I am a local South Salem resident who loves this community. I'm growing my child here, and I feel it is a beautiful place to do so.

However, the data center being planned for South Salem OR absolutely cannot happen. This would absolutely ruin the life we have here. The environmental impact this would have on the community would be devastating. They say the site will be more energy efficient but there's actually no proof of that. The fact that this beginning stages of this approval was done under the nose of the local residents through an NDA is disturbing. Help your local community and stop this data center project in its tracks.

Thank you,

Madeline Newcomer

Carl Hoffman

From: Michael Olivarez <503.michael.oli@gmail.com>
Sent: Friday, July 17, 2026 1:34 PM
To: Julie Hoy
Subject: Proposed AI Datacenter

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello Mayor Hoy!

My name is Michael Olivarez and I am 19 years old. Going into my adulthood in 2024, I saw AI get more and more realistic. It's caused mass psychosis in people, and with apps like ChapGPT and Google Gemeni, everyone's critical thinking skills have been reduced. People can't even read books anymore without a paraphrase from AI. Not only that, but it's environmental damage is outrageous. With how much electricity each data center uses, it releases do much CO2 into the air, which only heats up the environment, and makes the air quality worse. Not to mention, the amount of CLEAN DRINKING WATER it steals to cool down its systems. Oregon is one of the few states with high quality tap water, and it's at serious risk if we let AI data centers take all our water. It's going to be 90 degrees this weekend, and these summers are only going to get worse if we don't stop the damage we've done to our environment. Salem is a beautiful city. While it is growing, it's still a small town, and the noise pollution a data center would cause is detrimental. I know this email is super long, but you must understand that nothing good will come from putting a data center in Salem. If you truly, care about the citizens you represent, please do not allow the data center to reach Salem. Thank you for reading!

- Michael E Olivarez

Get [Outlook for Android](#)

Carl Hoffman

From: Micki Varney
Sent: Wednesday, July 15, 2026 4:00 PM
To: Francys Veras; Zuzana Holcova
Subject: Fw: Concerns about AI Center in South Salem

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Ward 8 email, I will respond cause I figure you are swamped.

Micki

From: Melanie Rousseau <msmdr97@gmail.com>
Sent: Tuesday, July 14, 2026 3:04 PM
To: Micki Varney <MVarney@cityofsalem.net>
Subject: Concerns about AI Center in South Salem

Hello Ms Varney

I have recently learned about the proposed AI data center in South Salem. I am a constituent in Ward 8, and while this center is not being built in our ward, it will have city-wide implications. I am opposed to Salem becoming another AI data center site.

I understand the prospect of tax revenue is tempting for Salem given our budget constraints, but this is not the solution; it will cause negative down-stream effects and increased costs to Salem residents and the local environment.

I ask that you please consider rejecting this project.

Melanie Rousseau



TO: Mayor Julie Hoy, City Councilors

CC: Krishna Namburi, Dan Atkins

FROM: Northgate Neighborhood Association

DATE: July 20, 2026

Hello Mayor Julie Hoy and City Councilors,

Although it will bring revenue to the City of Salem, we have voted No or against the data center to be built near Turner Road and Deer Park Drive. Please see our reasons why:

- 1, Will be using a lot of water at a time of possible drawdown
- 2 Polluting the water
3. It will take five years to build
4. A lot of noise for people living close to it night and day
5. Using a lot of electricity and water will supposedly make the rates go up for the whole community
6. Could poison the water from pollution and water flows everywhere
7. The data centers owned by big corporations like Google, etc. will sell your personal information to other companies. (They gather information on everybody and sell it)
- 8, The company has not yet released any cost of water and electricity usage
(you'd think if they built that many, they would know)

Thank you.

Sincerely,

Northgate Neighborhood Association

Carl Hoffman

From: beebalmbees@gmail.com
Sent: Monday, July 20, 2026 10:25 AM
To: Julie Hoy; citycouncil
Cc: Krishna Namburi; Dan Atchison
Subject: [EXTERNAL]Building a Data Center in SE Salem, OR

Good morning Mayor Julie Hoy and City Councilors,

Although it will bring revenue to the City of Salem, we have voted No or against the data center to be built near Turner Road and Deer Park Drive. Please see our reasons why:

- 1, Will be using a lot of water at a time of possible drawdown
- 2 Polluting the water
3. It will take five years to build
4. A lot of noise for people living close to it night and day
5. Using a lot of electricity will supposedly make the rates go up for the whole community
6. Could poison the water from the pollution and water flows everywhere
7. The data centers owned by Google, etc. will sell your personal information to other companies. (They gather information on everybody and sell it)
- 8, The company has not yet released any cost of water and electricity usage
(you'd think if they built that many, they would know)

Thank you.

Sincerely,

Northgate Neighborhood Association

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Carl Hoffman

From: Nicole Trobaugh <trobaughnicole@gmail.com>
Sent: Saturday, July 18, 2026 12:54 PM
To: Julie Hoy
Subject: Data center

Follow Up Flag: Flag for follow up
Flag Status: Flagged

I'm writing in regards to the proposed data center in Salem. Salem does not want a data center.

Oregon is known for outdoor activities. When I worked at the T-Mobile call center in Salem we took most of our calls from California and they would always talk about how Oregon is where they go to vacation. They would talk about snow activities, hiking, camping, backpacking, kayaking, etc. Our airport has trees in it! This what Oregon is about! How can we continue to be that Oregon if all of the wild ares are data centers?

Oregon is also known for great food and wine. How are we supposed to be producing those quality products if the land is taken up by the data centers. I understand the data center in Salem is set to be built in an already industrial area but as we have seen in other parts of Oregon once one is built more start emerging.

A data center takes more jobs than it creates. When I worked at the T-Mobile call center we already had AI answering phones with us and that was 2 years ago. And I am not talking about an automated system, I am talking about an AI that even adds in ums and ahs into the sentence so you can't tell at all. That is someone's job that AI was taking away. The more data centers we build the better AI will be and the more jobs like that we will lose. I have already watched commercials that are painfully AI. Those commercials could have gone to Oregon's Film Industry. Data centers only bring profit to a select few not Salem as a community.

Everyone is sick of their data being collected and sold. And now your personal pictures that you post online are being collected as data. It's creepy. It's creepy to be talking about needing new glasses and then you get ads for glasses. Data centers increase the ability to collect our data and sell it.

They mentioned that the data center will be a closed loop water center and uses less water that way. Data centers don't need to use water to cool. There is a whole list of other ways that they can cool their systems, it's just water is the cheapest. Using water period, close loop or not, takes from the community. Talk to the farmers or the wine industry and you will know we get less and less rain each year. Our rivers and lakes get lower and lower each year. Our fire season gets worse and worse each year. We cannot afford to give up a finite resource like water to something that does not even need it.

Data centers run 24/7, and communities across the country that welcomed them are now living with the consequences. Residents near data centers report headaches, vertigo, nausea, sleep disturbances, ear pain, and hypertension a constant hum they can hear day and night. Much of it is low-frequency sound and infrasound — noise so low you feel it in your body rather than hear it, and it often doesn't even register on standard decibel meters, making local noise ordinances nearly impossible to enforce. In Virginia's data center corridor, neighbors describe sealing windows and sleeping with earplugs just to get through the night. Once it's built, you can't unbuild it.

Living 5.1

Data centers create light pollution. Other cities report never seeing the dark of night again. This creates many sleep disorders in those communities.

Salem's infrastructure couldn't even handle an ice storm. Is it really going to be able to handle a data center?

PGE is saying the extra cost is going to go to the data center at the same time they have already raised the prices even though cost of living is so high. What is there to stop them from raising the prices again and just saying it's not because of the data center?

The growing demand for artificial intelligence could push the annual public health burden of U.S. data centers' air pollution from over \$6 billion in 2023 to more than \$20 billion in 2028, according to research from the University of California. The air pollution from data centers could contribute to about 600,000 asthma symptom cases and 1,300 premature deaths by the same year.

What we should be investing in instead is the people of Salem. Getting people outside of their house to meet their neighbors. For example, the cherry blossoms or state fair. These are things that bring Salem together and invite people to visit. Something Portland has started doing in January is a light art show. It brings Portland and surrounding areas into the downtown area celebrating their local artists. They do many of these events to rejuvenate their downtown by bringing people together to celebrate their community. Growing our Saturday market is another example. Introducing more people to the farmers around them and growing the farmers profit as well. Monmouth's trolley public transit is another example of investing in the community while making it inviting to people to visit. The people around you is why you choose to move to a place and stay. Investing in Salem becoming a community that knows each other better and grows together is how you make a city livable. A data center only creates temporary construction jobs, 75 specialized jobs, unbearable noise pollution, water loss, strain on the infrastructure, land use loss, light pollution, air pollution, and living costs to go up. None of that makes people want to move here or visit here. None of that invests in Salem. None of that makes Salem livable.

Building a data center is a desperate act of a dying town in the middle of nowhere to bring in revenue that doesn't work and instead they end up on 60 minutes with Erin Brockovich representing them because the brown water runs at a trickle, the electricity doesn't work, and everyone has vertigo, migraines, asthma, and sleep disorders. We are the capital city of Oregon, let's act like it.

Carl Hoffman

From: Patrick Healy <patrickhealy91@gmail.com>
Sent: Tuesday, July 14, 2026 5:54 PM
To: jhoy@cityofsalem.net
Subject: Data Center in Salem, OR.

Dear Mayor Hoy,

I am writing to voice my strong opposition to the proposed data center in Salem.

These data centers negatively impact the communities where they are built. The projected water and electricity usage is often inconsistent and ultimately increases utility costs for residents who are already strained by rising expenses.

I urge you to stand with your community and reject this proposal. We do not want this data center in our town, and as a constituent who voted for you, I hope you will do the right thing.

Sincerely,

Patrick Healy

Carl Hoffman

From: Quinn Mathews <404quinn@gmail.com>
Sent: Wednesday, July 15, 2026 9:28 AM
To: CityRecorder
Cc: citycouncil; SALEM Manager; Julie Hoy; urbandev; Salem Planning
Subject: [EXTERNAL]Request for public discussion and written answers — Oakline / Project Gridline

Follow Up Flag: Follow up
Flag Status: Completed

Hello,

My name is Quinn, and I am a Salem resident writing about the proposed Oakline at Mill Creek development, previously known as Project Gridline.

Please distribute this email to the Mayor, City Council, City Manager, and the appropriate City departments.

I am asking a member of Council to raise this project publicly and request a future work session, staff report, or public hearing concerning the NDA, discussions conducted while the project was confidential, the project's public costs and benefits, and the opportunities residents will have to influence City decisions.

I am also requesting written answers to the following questions:

1. **Who signed or authorized the NDA, which officials or departments were briefed under it, and when did the City's confidentiality obligations end?**
2. **Will the City publish the NDA and all related non-exempt records, including meeting dates, attendee lists, communications, and records of discussions with the developer or SEDCOR?**
3. **Were any commitments or preliminary agreements discussed during the confidential period involving land, utilities, infrastructure, permitting, tax incentives, fee reductions, public funding, or City support?**
4. **Because the developer has stated that data centers are permitted under the property's current zoning, what exact decisions remain where Salem residents can meaningfully influence whether or how the project proceeds?**
5. **What public notice, comment, hearing, and appeal opportunities will residents receive before any discretionary agreements, incentives, infrastructure commitments, or community-benefits agreements are finalized?**
6. **What are the projected electricity demand, water use, wastewater output, noise, backup-generator use, fire risk, and emergency-response needs for this project, and will those figures be independently reviewed and released publicly?**
7. **Who will pay for required electrical, water, sewer, road, fire, and emergency-service upgrades, including long-term maintenance and replacement costs?**

8. **What tax abatements, enterprise-zone benefits, fee waivers, infrastructure reimbursements, or other public incentives are being considered, and what is the project's estimated net public benefit after public costs are included?**

Please provide question-by-question written responses from the appropriate departments. I also ask that the questions and answers be published in a publicly accessible agenda packet, staff report, meeting record, or project webpage.

If Oakline or Project Gridline comes up during the July 27 City Council meeting, please include this communication in the meeting record and ask that these concerns be addressed publicly. If it does not come up, please consider this a request for the subject to be placed on a future public agenda.

Please confirm that this email was received, distributed to the Mayor and Council, and entered into the public record.

I am speaking solely for myself as a Salem resident.

Thank you,

Quinn

Email: 404quinn@gmail.com

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Carl Hoffman

From: Randy Fishfader <rfishfader@gmail.com>
Sent: Sunday, July 19, 2026 2:38 PM
To: Julie Hoy
Subject: Verrus Oakline at Mill Creek Project

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello Mayor Hoy,

I am writing out of concern about the Verrus Oakline at Mill Creek Project. I am not educated or knowledgeable about the technical details of this project but I urge the council to take the time it needs to make astute decisions regarding the implementation. I urge the council to do the necessary homework and not fast-track this highly sensitive decision. A big question of mine regards the number of family-wage jobs being provided relative to the demands on our community resources. Are we gaining rather than losing if we proceed in this endeavor?

Thank you for your attention to my concerns.

Yours,
Randy Fishfader

Carl Hoffman

From: Vanessa Nordyke
Sent: Monday, July 20, 2026 5:49 PM
To: Zuzana Holcova; Francys Veras
Subject: Re: Verrus oakline at Mill Creek Project

Follow Up Flag: Flag for follow up
Flag Status: Flagged

See below for question re: data centers.

From: Randy Fishfader <rfishfader@gmail.com>
Sent: Sunday, July 19, 2026 2:32 PM
To: Vanessa Nordyke <VNordyke@cityofsalem.net>
Subject: Verrus oakline at Mill Creek Project

Hello Councilor Nordyke,

I am writing out of concern about the Verrus Oakline at Mill Creek Project. I am not educated or knowledgeable about the technical details of this project but I urge the council to take the time it needs to make astute decisions regarding the implementation. I urge the council to do the necessary homework and not fast-track this highly sensitive decision. A big question of mine regards the number of family-wage jobs being provided relative to the demands on our community resources. Are we gaining rather than losing if we proceed in this endeavor?

Thank you for your attention to my concerns.

Yours,
Randy Fishfader

Carl Hoffman

From: noreply@cityofsalem.net on behalf of roannafe@gmail.com
Sent: Wednesday, July 15, 2026 12:00 PM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Follow Up Flag: Follow up
Flag Status: Completed

Your Name	Roanna Gingrich
Your Email	roannafe@gmail.com
Your Phone	5035593209
Street	840 McGilchrist ST SE
City	Salem
State	OR
Zip	97302
Message	I am writing to request that we DO NOT allow data centers in our city. The projected benefit does not outweigh the cost at this juncture. Our water supply is already dwindling and compromised. My parents have a well and just this past month, for the first time in 30 years, were told that the water tables no longer support their ability to use water in multiple places, such as to water their plants and take a shower at the same time. This is significant as they have had the same water usage throughout these last 30 years, but what has started happening this year is different. The things our city and beyond rely on to live cannot be sold to the highest bidder. Please do not allow a data center in our city or surrounding area. We must protect our water, the cleanliness of our water, and tour environment, so that we can continue to thrive as a community. Thank you.

This email was generated by the dynamic web forms contact us form on 7/15/2026.

Carl Hoffman

From: SALEM Manager
Sent: Monday, July 20, 2026 8:54 AM
To: CityRecorder
Subject: FW: Contact City Manager's Office
Attachments: ATT00001.bin

From: noreply@cityofsalem.net <noreply@cityofsalem.net> **On Behalf Of** rod.gwinn@gmail.com
Sent: Friday, July 17, 2026 9:48 AM
To: SALEM Manager <MANAGER@cityofsalem.net>
Subject: Contact City Manager's Office

Your Name	Rod Gwinn
Your Email	rod.gwinn@gmail.com
Your Phone	5035514548
Street	5544 54th CT SE
City	Salem
State	OR
Zip	97317
Message	Good day. I am following the preliminary plans for the data center. It is unfortunate that there is so much misconceptions around the project. Ok see the benefits for the future and the city. Is there a plan to have a dedicated Project Manager on the City side ? I have extensive experience in large scale projects and I know a dedicated team would be beneficial. I do plan on attending the upcoming hearing. Wish you well Rod Gwinn

This email was generated by the dynamic web forms contact us form on 7/17/2026.

Carl Hoffman

From: Rob Kimmich <rkimmich12@gmail.com>
Sent: Wednesday, July 22, 2026 11:26 PM
To: Krishna Namburi; citycouncil; Julie Hoy; Vanessa Nordyke
Subject: [EXTERNAL]The Proposed Data Center

Dear Mayor Hoy and Salem City Councilors,

I am writing to express opposition to construction of the proposed data center in Salem named Oakline at Mill Creek, planned by the Verrus Data Company (oaklineatmillcreek.com). Of the many questions that come to mind, I will focus on two concerns: cooling and backup power.

Cooling

Please refer to this article on 20 July 2026 (<https://www.eenews.net/articles/data-centers-face-a-new-environmental-concern/>) which describes cases in Cheyenne, Wyoming and in Loudoun County, Virginia. It explains the flushing needed to clean the piping before the center can begin to operate. Contaminants can be in the pipes that local sewage systems may not be able to handle. Cheyenne, for example, revoked a wastewater permit and fined the developer because the project contaminated the sewer system with a rare bacterium which ended up on golf courses.

Closed-loop systems need to be kept filled which requires adding small amounts of water occasionally due to leaks and other problems. The water in the system may also include other chemicals such as glycol.

Where does the leaked water-glycol mixture go? Into Mill Creek near the site? Into the City wastewater system? Can our City sewer system handle these chemicals and bacteria that may build up in the piping?

What happens if the closed-loop system fails? What routine maintenance is needed and how much water does maintenance require?

Closed-loop systems need to cool the liquid in them by using radiators and fans. The heat removed from cooling system goes into the atmosphere. We have all experienced the heat domes that form over Salem and the Pacific Northwest in summer where heat is trapped near the ground for days on end. A data center such as this would become a steady point source of heat pollution, adding to the already elevated summertime temperatures.

This brings me to my second concern.

Backup Power

Oakline at Mill Creek says they plan to use battery backup called "battery-first". This implies secondary backup would also be in place, probably supplied by diesel generators. How much diesel fuel would be stored at the site? What exercising of the diesel generators would be needed? Does unused diesel fuel need to be replenished over time?

The diesel generators would be point sources of air pollution. Adding this pollution to the stagnant air that occurs in the Willamette Valley in summer as well as winter would reduce the livability of our town.

Thank you for your consideration of my concerns.

Sincerely,
Rob Kimmich
Ward 2

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Carl Hoffman

From: noreply@cityofsalem.net on behalf of Rrhuman16@gmail.com
Sent: Wednesday, July 15, 2026 12:10 PM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Follow Up Flag: Follow up
Flag Status: Completed

Your Name	Becca Dooley
Your Email	Rrhuman16@gmail.com
Your Phone	5037521063
Street	1955 21st St NE
City	Salem
State	OR
Zip	97301
Message	Please do not accept offers for a data center in/near Salem. In the recent past, we have had issues with our water. We cannot afford to have a data center using this precious resource. Data centers heat up the area nearby. Just a few years ago, we saw how devastating Wild Fires in our area could be. Adding extra heat to the area and adding a heavy user of water will make this way worse. The noise near a data center isn't pleasant. PGE is already hiking up prices even without data centers. Adding more price increases will make life harder for the people in our city. Data centers will significantly decrease the quality of life for those in Salem. Please DO NOT accept any new data centers in the Salem Area. Thank you, Becca

This email was generated by the dynamic web forms contact us form on 7/15/2026.

Carl Hoffman

From: noreply@cityofsalem.net on behalf of Sardizone64@gmail.com
Sent: Tuesday, July 14, 2026 1:11 PM
To: citycouncil
Subject: Contact City Council
Attachments: ATT00001.bin

Follow Up Flag: Follow up
Flag Status: Completed

Your Name	Stephanie Gates
Your Email	Sardizone64@gmail.com
Your Phone	8183218176
Street	470 Madrona Ave S
City	SALEM
State	OR
Zip	97302
Message	As a resident of the city of Salem, I am highly opposed to a data center in our area. Having a data center in our area will not only affect our valuable resources but will also cause great harm to the wildlife that lives in our area. Please look at what other communities doing to fight back. Enough with the money grab, we deserve better.

This email was generated by the dynamic web forms contact us form on 7/14/2026.

Carl Hoffman

From: Seadon Pierce <seaspierce@gmail.com>
Sent: Sunday, July 19, 2026 9:30 AM
To: citycouncil
Subject: [EXTERNAL]Proposed Data Center in Salem

To whom it may concern,

I am a resident living and working in Salem, OR. I would like to voice my stance regarding the proposed data center in Salem. I am strongly against the development of a data center in this city. I have concerns regarding how a data center will impact local wildlife and our environment. Despite Verrus claiming the data center is "quieter" than most other data centers, it will contribute to sensory pollution which may disorient or drive away our local wildlife. Data centers have also been linked to pollution and can introduce bacteria into local water supplies. I do not believe that the 75 jobs it will create are worth the damage it will cause. Put more funding into local conservation or assisting our unhoused neighbors!

Thank you!

Warmly,

Seadon Keeter
(626)222-3610

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Carl Hoffman

From: noreply@cityofsalem.net on behalf of shelbymartin22@yahoo.com
Sent: Tuesday, July 14, 2026 6:29 PM
To: citycouncil@cityofsalem.net
Subject: Contact City Council
Attachments: Untitled attachment 00004.dat

Your Name	Shelby Martin
Your Email	shelbymartin22@yahoo.com
Your Phone	503-302-3546
Street	1148 37th Place Northeast, 324
City	Salem
State	OR
Zip	97301
Message	Hello, I have recently learned that there are proposals to build a data center in Salem. I have seen countless stories of Data Centers severely impacting water resources, electricity costs, housing costs, etc in other states around the US. Please do everything in your power to stop these Centers from being built. The people of Salem do not want this in our town. AI is destroying our planet and those in power need to do everything they can to stop it before it's too late. Please listen to your constituents and put a stop to this before it goes any further.

This email was generated by the dynamic web forms contact us form on 7/14/2026.

Carl Hoffman

From: Sorin Nelson <sorin.squeaks@gmail.com>
Sent: Friday, July 17, 2026 8:11 AM
To: Julie Hoy
Subject: Data Center

Follow Up Flag: Flag for follow up
Flag Status: Flagged

I'm emailing to let you know I am EXTREMELY opposed to the data center being prepared for in Salem. Don't ruin this city and state by poisoning it with AI! Get rid of this center.

-Sorin (a constituent)

Carl Hoffman

From: Sheila Parkins <xoingu@yahoo.com>
Sent: Wednesday, July 15, 2026 11:50 AM
To: Julie Hoy
Subject: No to Data Centers

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Salem does not need a data center in SE Salem. Billionaires profiting off our resources, contaminating our air, water and soil is not welcomed. We cannot solve this city's problems by adding more to them. We do not need 1 or more data centers in this city at all!! Say NO to California companies coming in and destroying our land, our air, our water, our culture and our way of life. Stand up for Oregonians and for Salemites! Just say No!

[Yahoo Mail: Search, Organize, Conquer](#)

Carl Hoffman

From: Siobhan Reboh <siobhanjuly7@yahoo.com>
Sent: Monday, July 20, 2026 9:11 AM
To: Julie Hoy
Subject: Opposed to Data Center

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hi there,

I just wanted to reach out I live and work in Salem-Marion county.

I am 100% opposed against any data center being built here.

I have also signed a petition against it.

No need to reply I know you are busy I just wanted to share my opinion.

Thank you,
Siobhan Reboh

[Yahoo Mail: Search, Organize, Conquer](#)

Carl Hoffman

From: sueb <sueb@onlinenw.com>
Sent: Tuesday, July 14, 2026 9:47 AM
To: jhoy@cityofsalem.net
Subject: FW: Data center

Sent from my Galaxy

----- Original message -----

From: sueb <sueb@onlinenw.com>
Date: 7/14/26 9:22 AM (GMT-08:00)
To: jhoy@cityofsalem.com
Subject: Data center

Data centers are certainly an issue. A negative issue. Using all the water and raising everyone's electric bill. Let alone those who live within 2 miles have noise like a 24/7 airport. The long term effect of this is obvious but yet to be proven. I do believe this should be put up to the vote of the people affected. But for now the answer is no data center there or anywhere within 2 miles of a residential area and the data center is to pay for all added electricity and no increase to anyone else.

Thank you

Sent from my Galaxy

Carl Hoffman

From: Sarah Vito <savee419@hotmail.com>
Sent: Friday, July 17, 2026 7:48 AM
To: Julie Hoy
Subject: No Data Center in Salem

Follow Up Flag: Flag for follow up
Flag Status: Flagged

I am registering my disapproval of the data center proposal for Salem. In order to protect us from the megawealthy tech class that want to destroy civilization for their own gain, we need to stop their expansion in whatever way we can. The easiest thing for us to stop is data center expansion, which starves them of endless data collection, limiting their reach and AIDS omniscience.

Thanks,

Sarah

Carl Hoffman

From: Tina Blacksmith <tmbjwb4ever@protonmail.com>
Sent: Wednesday, July 15, 2026 7:16 PM
To: Julie Hoy
Subject: (No Subject)

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello Mayor Julie Hoy,

I am very concerned about the proposal for the Verrus data center in SE Salem and urge you to reject any proposals made to advance or approve the project.

The massive expansion of data centers, driven by the unregulated generative AI and crypto frenzy, is wreaking havoc on communities, depleting water resources, harming the environment, and driving up electricity prices. We need an immediate halt on new data centers until a comprehensive regulatory framework is developed to fully protect communities and the environment. Verrus's claims on "sustainable" data centers are a textbook example of greenwashing and the data center will create environmental hazards and problems instead of solving them in proactive and permanent ways. The environmental, financial, and social costs of unregulated AI, crypto, and data centers is tremendous. It's time to unite for a halt to this frenzy. Together we can protect our communities and the environment from this exponentially growing problem.

Thank you,

Tina Blacksmith
Salem, OR 97306

Carl Hoffman

From: Vanessa Nordyke
Sent: Thursday, July 16, 2026 4:21 PM
To: Zuzana Holcova; Francys Veras
Subject: Fw: No data center!

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Sharing a series of emails received regarding data centers, starting with this one.

From: Tina Blacksmith <tmbjwb4ever@protonmail.com>
Sent: Wednesday, July 15, 2026 7:33 PM
To: Vanessa Nordyke <VNordyke@cityofsalem.net>
Subject: No data center!

Hello Vanessa Nordyke,

I am very concerned about the proposal for the Verrus data center in SE Salem and urge you to reject any proposals made to advance or approve the project.

The massive expansion of data centers, driven by the unregulated generative AI and crypto frenzy, is wreaking havoc on communities, depleting water resources, harming the environment, and driving up electricity prices. We need an immediate halt on new data centers until a comprehensive regulatory framework is developed to fully protect communities and the environment. Verrus's claims on "sustainable" data centers are a textbook example of greenwashing and the data center will create environmental hazards and problems instead of solving them in proactive and permanent ways.

The environmental, financial, and social costs of unregulated AI, crypto, and data centers is tremendous. It's time to unite for a halt to this frenzy. Together we can protect our communities and the environment from this exponentially growing problem.

Thank you,

Tina Blacksmith
Salem, OR 97306

Carl Hoffman

From: Ted and Candi <ficken@comcast.net>
Sent: Monday, July 20, 2026 1:54 PM
To: citycouncil
Subject: [EXTERNAL]Data Center

Dear City Council,

We are opposed to having a data center in Salem, or anywhere near Salem neighborhoods.

We share the concerns and questions below.

Sincerely,
 Ted and Candi Ficken
 1655 Jamestown St. SE
 Salem, Oregon 97302

mobile phone: 503-269-0548
 email: ficken@comcast.net

Questions and Concerns

1. Will Verrus actually operate the data center or will they sell or lease to another entity? [Links from Reddit that it will be Google]
2. What other data centers are currently being operated by Verrus or whatever entity will actually operate this data center? We need this information to determine if that entity has had problems elsewhere.
3. Verrus claims that the facility will create 75 jobs once it is operational. Please provide titles, job descriptions, and salaries for those positions. This needs to come from whatever entity will operate the data center. Or are there comparable data centers; where, operated by whom, what jobs there?
4. According to the City Manager, it is represented that the data center could generate \$9 million annually for the city's general fund and \$1.5 million annually for the community livability levy. However, according to the website for the Mill Creek Corporate Center, developers will be entitled to property tax exemptions [property tax goes to the county not the city anyway??], the City of Salem would provide a dedicated project co-ordinator position for any investment over \$10 million (which this supposedly is) and "tax increment financing" is provided to assist with infrastructure improvements. <http://www.millcreekcorpcenter.com/zoning--incentives.html>
 - a. Through what mechanism or fee does the money come to the city? What are the underlying assumptions behind this claim?
 - b. How much does the City of Salem dedicated project co-ordinator cost, including all benefits, worker's compensation etc? Does the city hire a new position or assign an

existing city employee (if the latter, what happens to that employee's former duties) Items 5.1
this position funded through the general city budget or elsewhere?

c. What is "tax increment financing?" How much does this cost the city?

5. Electricity: how much power will the data center consume? How does that compare to the capacity of the electrical grid that serves Salem? Is PGE (and are there other electrical utilities in Salem?) prepared to say that the grid can accommodate this load? Will there be mechanisms in place to ensure that if the grid is close to being overloaded, power will be cut to the data center before residential electricity users?
6. Water: What happens if the City loses its lawsuit against the corps of engineers to prevent the drawdown of the Detroit reservoir? How much water will the facility use? Verrus claims this will be a "closed loop" cooling system, which will therefore use less water. In Cheyenne Wyoming Meta's closed loop cooling system introduced bacteria into the city's water system requiring an extensive cleaning operation. <https://www.techspot.com/news/113041-cheyenne-suspends-datacenter-wastewater-after-rare-bacterium-traced.html>
7. Noise: What data do we have as to what the actual noise level will be and how far away it will be perceptible? What about infrasound? If the noise level will be "comparable to a freeway" what happens when you put that noise next to an existing freeway? We need to map out the possibly affected housing areas. A lot of residential development is happening just west of the freeway and just north of Kuebler.
8. Process: what entities have to approve the data center? What is their process? How do we communicate questions/concerns to them?

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Carl Hoffman

From: noreply@cityofsalem.net on behalf of tylerfoley999@gmail.com
Sent: Sunday, July 19, 2026 12:15 PM
To: citycouncil
Subject: Type the subject of the email-here
Attachments: ATT00001.bin

Your Name	Tyler J Foley
Your Email	tylerfoley999@gmail.com
Your Phone	5039899885
Street	4728 Center Street NE - 344
City	Salem
State	OR
Zip	97301
Message	Public Comment: Verrus Oakline at Mill Creek Data Center Proposal Dear Mayor and City Council members, I am writing to you today as a Salem resident to ask that you reject the proposed \$5.1 billion Verrus "Oakline at Mill Creek" data center. I am incredibly frustrated to learn that the city held a 16-month non-disclosure agreement regarding this massive project, keeping local residents entirely in the dark until it was practically a done deal. This lack of transparency is incredibly disappointing, and the community deserves a real voice before our resources are handed over. Data centers are an incredibly detrimental to the environment and this city council was already trying to fight the US army corps over the draining over Detroit Lake over environmental and water supply concerns. It seems incredibly hypocritical to come off as protecting your citizens while making NDA agreements with billion dollar tech firms behind the scenes. This data center will drain our local water supply and cause an immense environmental impact to the wildlife and fish populations. Then there is the noise, these massive data centers are incredibly disruptive noise wise and there is a ton of research don on this with decibel readers you can find an abundance online of. This will cause harm to local populations as well and most likely force many to leave especially around the immediate vicinity. Finally there is the cost, the jobs that it brings other than the less than 100 proposed tech jobs, will be temporary. And the energy bills will go up massively. With housing/rent prices the way they already are in this state, many will have an even harder time living here and be forced to move, taking they cash with them. I love this city and want to see it improved and thriving. A data center will likely do the reverse. I urge you all to please do your research if you have not already and see the effects these data centers are causing nationwide. The only upside is the massive amount of money you would recieve and I ask from a spiritual perspective if this would be worth it. Selling the soul and even the soul of the city for profit will not make it a better and thriving community. These tech firms also have no loyalty or allegiance to us. Once they get their way they will keep going until their power is so great they will overrule you and the local government as well. I believe you would quite

literally be voting for your own downfall in terms of power and authority. Please take these points to heart and this as my official proclamation to oppose this proposal as a local citizen of Salem. I request that my comments be added to the public record for the upcoming July 27 council meeting. Thank you for your time and whoever took time out of their day to read and catalogue this. I sincerely wish you all a good day and pray you will listen to the needs of your local citizenry. -Tyler J Foley

This email was generated by the dynamic web forms contact us form on 7/19/2026.

Carl Hoffman

From: noreply@cityofsalem.net on behalf of Thedogses@gmail.com
Sent: Sunday, July 19, 2026 1:28 PM
To: CityRecorder
Subject: Contact City Recorder
Attachments: ATT00001.bin

Your Name	Everett
Your Email	Thedogses@gmail.com
Street	Orchard heights road
City	Salem
State	OR
Zip	97304
Message	I am a salem citizen texting you to say that i heavily oppose the building of an ai data center in salem. An ai data center will be harmfull in many ways, including but not limited to: polluting air, polluting water, loud noise, large electricity usage, the fact that ai cant create anything origonal and instead regurgeatates human artists work without permission, heating up the area around them causing harm to the local ecosystem, etc. Please do not let them build this ai data center.

This email was generated by the dynamic web forms contact us form on 7/19/2026.

Carl Hoffman

From: Tara Lee <taralee0@icloud.com>
Sent: Monday, July 20, 2026 9:29 PM
To: CityRecorder
Subject: [EXTERNAL]Verrus project

To the Mayor Hoy and City Council,

I have lived my entire life in Salem and I am absolutely horrified that the City of Salem is so blind as to think this project is a good idea. The environmental impact will most likely be catastrophic and the greed and blind agreement to something like this shows just how short sighted this team is- Mayor Hoy, I blame you. Your avarice and right leaning garbage has gone TOO far and why you lost the last election.

Absolutely shut this down. DO not proceed with this project, we care about our city, and our kids. As a teacher of over 27 years for this school district, you cannot saddle the future generations with this sort of mess to clean up. Stand up against this and do not chase money at the risk of our community.

Thank you.

Tara Lee

Sent from my iPad

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Carl Hoffman

From: tiffloveswords <tiffloveswords@gmail.com>
Sent: Friday, July 17, 2026 4:04 PM
To: CityRecorder
Subject: [EXTERNAL]Comment for 7/27 City Council Meeting

Follow Up Flag: Follow up
Flag Status: Completed

In reference to Verrus Data Center

Tiff Reagan
435 22nd St NE
Salem, Oregon 97301

Dear City Councilors:

I am extremely disappointed to learn that you all signed non disclosure agreements with Verrus regarding a potential data center. You were elected to represent our city and neighborhoods with transparency and honesty. Even Verrus states on their website that they are committed to NDA-free relationships with local governments, and yet you all signed NDAs? Wow. That is not upholding the values of this city, and its clearly in violation of your own policy no. A-5 infringement of personal rights to freedom. A data center will bring more environmental pollution, noise pollution, commercial depletion of our natural resources, and put Salem in the hands of corporate interests. How many cities across the nation have rallied and said no to data centers? You are all very aware of the national discourse and yet you still chose to sign NDAs and entertain this for months. Please be respectful of your constituents and stop doing things in the dark. Salem does not want a data center. No city wants that.

3:43 

Salem City Manager Krishna Nan the city entered into a non-disclo agreement with Verrus when the contacted them through the Salem development group SEDCOR in M about potential locations in the c

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Click or tap here to enter text. **OBJ** and City Council

FROM: Councilor Micki Varney

SUBJECT:

Motion from Councilor Micki Varney concerning preventing non-disclosure agreements pertaining to future development of land for use as a data center.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

RECOMMENDATION:

I recommend that the Council adopt this motion.

MOTION:

I move that City Council direct staff to explore options for prohibiting the City from entering into non-disclosure agreements with entities seeking to develop land in Salem for use as a data center.

DISCUSSION:

- At the July 13 City Council meeting, the public was informed that a data center was being considered for the at the Mill Creek Corporate Center. Members of our community have expressed concern and anger that they did not know a data center was being considered and they felt left out of the decision-making process.
- This occurred because of a non-disclosure agreement, executed many months earlier between the City and the developer. Non-disclosure agreements are common practice in economic development.
- Data centers, in particular and as they relate to NDAs, are unique projects. They can involve significant impacts related to our community, including energy, water, infrastructure, and environment, and they generate a high level of public interest.
- The question to ask is whether our current approach strikes the right balance between protecting business confidentiality and maintaining public trust.
- Because of that, I believe Salem must take a different approach regarding NDAs for these types of projects.

- This motion directs staff to study the issue and bring back options for Council's consideration.

SUMMARY:

This motion directs staff to explore options that would prohibit the City from entering into any future non-disclosure agreements regarding future data center development.

BACKGROUND:

This motion seeks to determine the best path forward for prohibiting the City from entering into any future non-disclosure agreement for any potential future data center development in Salem.

FISCAL IMPACT:

No immediate fiscal impact.

Attachments:

1. None.

Click or tap here to enter text. **TO:** Mayor and City Council

FROM: Councilor Micki Varney

SUBJECT:

Motion from Councilor Micki Varney concerning community and City Council input on future development of data centers in Salem.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

RECOMMENDATION:

I recommend that the Council adopt this motion.

MOTION:

I move City Council authorize a Task Force:

- A) Consisting of not more than nine (9) persons with a mix of council members, three (3) citizens-at-large, union representatives, and at least one representative from an organization that leads workforce development;
- B) Empowered to facilitate a minimum of three (3) town hall discussions about the subject of "data centers;"
- C) Empowered to evaluate available models at the national, state, and community level, and draft recommendations for a principle-driven approach to managing data center growth within the Salem region; and,
- D) Directed to report back to the Salem City Council no later than December, 31 2026, with a draft proposal for a rational, reasonable, and responsible policy for data center management.

DISCUSSION:

- Data centers are a unique form of development that can have significant long-term impacts on our community, including impacts to infrastructure, energy demand, water resources, transportation, and our environment. We don't yet know the full implications of data center development over the long-term.
- This type of development generates a high level of public interest.
- I believe that projects of this scale deserve a higher level of community conversation and Council involvement.

- This motion does not change City policy tonight, nor does it prohibit data centers at this moment.
- My goal is to ensure that Council, stakeholders and community members get to have this conversation before any future data center projects move forward.

SUMMARY:

This motion authorizes a task force composed of Councilors, stakeholders, and community members to draft a proposal for a policy regarding future data centers in the Salem region.

BACKGROUND:

This motion seeks to ensure that Council, stakeholders and community members get to have this conversation before any future data center projects move forward.

FISCAL IMPACT:

No immediate fiscal impact. Staff time will be used to provide administrative support to the Task Force meetings, research best practice for managing data center growth, support for Town Hall discussions, and preparation of a report to Council on these activities.

Attachments:

1. None.

TO: Mayor and City Council
THROUGH: Krishna Namburi, City Manager
FROM: Josh Eggleston, Chief Financial Officer

SUBJECT:

Purchases approved administratively from June 1, 2026 through June 30, 2026

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

SUMMARY:

Specific awards and the sources of funds for all contracts administratively awarded, renewed, or modified during the month of June. Included in the report are procurement contracts and public contracting activities with a current fiscal year impact and annual contracts.

ISSUE:

Monthly purchasing activity report presented for City Council review.

RECOMMENDATION:

Information only.

FACTS AND FINDINGS:

The attached purchases, renewals, and modifications were approved administratively during the month of June.

BACKGROUND:

The City Manager, or designee, approves administrative awards, renewals, and modifications of contracts through the review of the Weekly Purchasing Report presented by the Contracts and Procurement Manager. All completed procurement transactions valued at \$25,000 and above that have been recommended for award by user departments are presented in the Weekly Purchasing Report and reviewed for compliance with the City's Public Contracting Rules.

Shawna Self, NIGP-CPP, CPPB

Contracts and Procurement Manager

Attachments:

1. Purchasing Approved Administratively June 2026

Category I: Current Fiscal Year Procurement Contracts

	Business Entity	Dept.	Description	Contract Amount	Fund
1	AVAAP	Enterprise Services	Enterprise Resource Planning (ERP) Implementation (Change Order No. 6) ¹	\$334,343.00	CI
2	BCV, Inc.	PW	2026 Crack Seal. 2 bids received. The work under this contract includes street pavement preparation and sealing of existing cracks within asphalt pavement surfaces throughout the City. Tabulation Sheet	\$130,350.00	CI
3	Clair Company, Inc.	PW	Special Inspection & Testing Services for Salem Civic Center Facility (Change Order No. 1) ²	\$42,800.00	CI
4	Michael Boonstra	PW	Public Art for the Salem Civic Center Improvements. 24 proposals received.	\$130,000.00	CI
5	Riverbend Construction Inc.	PW	Salem-Willamette Valley Airport Terminal Apron Hardstand and Security Fencing. 3 bids received. The Work under this contract includes: 1. Removal of the existing asphalt in the location where terminal apron concrete hardstand will be installed – asphalt pavement removal; existing aggregate base removal; and unclassified excavation. 2. Installation of a new concrete terminal hardstand – subgrade stabilization; reconditioning of existing subbase and/or crushed aggregate base course; new crushed aggregate base course; asphalt base course; concrete pavement; and new pavement markings. 3. Installation of approximately 600 feet of chain-link security fence, and two new vehicle gates including motor and access control systems. 4. Removal and Installation of Airport Perimeter Gate W-14. Tabulation Sheet	\$1,005,820.75	CI
6	Corvallis Neighborhood Housing Services, Inc. dba DevNW	CPD	Community Housing Development Organization Operating Expenses (Grant Agreement)	\$33,909.15	CR
7	Day Wireless	ES-Fleet Services	Vehicle Upfit Services, FY 25/26 (Change Order No. 1) ³	\$65,000.00	CS

8	Ferguson	PW	1" & 2" Soft Copper Tubing	\$41,766.90	CS
9	US Digital Design	WVCC	ATX G2 Fire Alerting System at Fire Stations (Sole Source)	\$56,905.23	CS
10	Park N Play Northwest LLC	PW	Riverfront Park Playground Equipment Purchase and Installation (Change Order No. 1) ⁴	\$48,048.92	ECF
11	Wire Works LLC	ES-Fleet Services	Upfitting for two Fire Dept Vehicles	\$40,104.86	ERR
12	Bound Tree Medical	Fire	First Aid & Emergency Medical Supplies, FY 25/26 (Change Order No. 2) ⁵	\$45,000.00	ES
13	Zoll Medical Corporation	Fire	Public Safety Medical Supplies, Equipment, and Monitors, FY 25/26 (Change Order No. 1) ⁶	\$31,000.00	ES
14	Christina Puentes Consulting Group, LLC	Police	Mentorship for Community Violence Reduction Initiative Safety Meeting (Sole Source). The Salem Police Department has developed an initiative to combat growing violent crime in the Salem Area. The Community Violence Reduction Initiative is based on a national framework for reducing the risk of community violence and employs two parallel strategies – stop the violence through focused criminal justice system efforts and a community-led coordinated approach to prevention and intervention of violence.	\$62,400.00	G
15	Dell Marketing LP	Enterprise Services	Software Purchases, Software Licensing, Services, and Software Maintenance, FY 25/26 (Change Order No. 1) ⁷	\$300,000.00	G
16	MCCI	Enterprise Services	Laserfiche Renewal, FY 25/26 (Cooperative Agreement)	\$99,176.14	G
17	SHI International	Enterprise Services	Software Purchases, Licensing, and Services, FY 25/26 (Change Order No. 3) ⁸	\$55,000.00	G
18	Code Electric	CS	Electrician of Record, FY 25/26 (Change Order No. 1) ⁹	\$40,000.00	LOLF
19	Roadrunner Sawcutting, Inc.	PW	Sawcutting, Primary Provider, FY 25/26 (Change Order No. 1) ¹⁰	\$30,000.00 \$67,000.00	PW U

20	CAPA Strategies	PW	Heat Watch Campaign Urban Heat Island Mapping (Sole Source) The proposed heat mapping study is critical for informing various programs and policies aimed at promoting equitable access to tree canopy, parks, green spaces, and public health interventions. By understanding the specific heat dynamics within our community, we can make data-driven decisions that enhance urban planning and contribute to the overall well-being of our residents.	\$30,000.00	U
21	Frontier Precision	CPD	GPS Survey Equipment, Receivers Data Capacity, Dual-Band Radio, 5 year Protection (Cooperative Agreement)	\$63,423.00	U
22	NV5 Geospatial Inc.	PW	3D Reality Capture & Extract GIS Features of Vertical Facilities for Asset Management, FY 25/26 (Change Order No. 1) ¹¹	\$250,000.00	U
23	HDR Engineering	PW	General Civil Engineering Services, FY 25/26 (Change Order No. 1) ¹²	\$500,000.00	Various
24	Portland General Electric	Citywide	Electricity, FY 25/26 (Change Order No. 2) ¹³	\$500,000.00	Various

255 CI = Capital Improvement Fund	\$1,643,313.75
165 CR = Community Renewal	\$33,909.15
355 CS = City Services Fund	\$163,672.13
260 ECF = Extra Capacity Facilities Fund	\$48,048.92
388 ERR = Equipment Replacement Reserve Fund	\$40,104.86
320 ES = Emergency Services	\$76,000.00
101 G = General Fund	\$516,576.14
151 LOLF = Local Option Levy Fund	\$40,000.00
155 PW = Public Works Fund	\$30,000.00
310 U = Utility Fund	\$410,423.00
Various = Various	\$1,000,000.00
TOTAL, CATEGORY 1	\$4,002,047.95

END NOTES TO CHANGE ORDERS:

- 1. Change Order No. 6 adds \$334,343:** Provides for an extended project timeline and related costs.
- 2. Change Order No. 1 adds \$42,800:** Provides for micro-pile testing and inspections.
- 3. Change Order No. 1 adds \$65,000:** Underestimated annual usage for fiscal year 2025-26.
- 4. Change Order No. 1 adds \$48,048.92:** Provides for the total cost for Kid Builder Small Structure with matching leaf toppers including all shipping and freight charges.
- 5. Change Order No. 2 adds \$45,000:** Provides for increased medical supplies needed for fiscal year 2025-26.
- 6. Change Order No. 1 adds \$31,000:** Provides for increased Zoll EMS supplies needed for fiscal year 2025-26.
- 7. Change Order No. 1 adds \$300,000:** Underestimated annual usage for fiscal year 2025-26.
- 8. Change Order No. 3 adds \$55,000:** Underestimated annual usage for fiscal year 2025-26.
- 9. Change Order No. 1 adds \$40,000:** Underestimated annual usage for fiscal year 2025-26.
- 10. Change Order No. 1 adds \$97,000:** Underestimated annual usage for fiscal year 2025-26.
- 11. Change Order No. 1 adds \$250,000:** Provides for vertical facility scanning project. Additional facilities in Pumps and Controls, Willow Lake, and Geren Island need to be covered.
- 12. Change Order No. 1 adds \$500,000:** Provides for the following project: Geren Island Flow Maintenance, this is a critical and urgent project necessary to ensure the reliable supply of North Santiam River water to the Geren Island Water Treatment Facility.
- 13. Change Order No. 2 adds \$500,000:** Underestimated annual usage for fiscal year 2025-26.

Category II: Annual Requirement Contracts

The following Category II Annual Requirement Contracts were approved administratively during the month of June 2026. The not-to-exceed contract amounts are competitively set by applying bidder's/proposer's per unit price(s) to estimated annual requirement quantities. These contracts carry no guarantee for quantity of units purchased or services performed during any annual contract period. Both the bids and the contracts themselves state that the City retains the right to not award contracts and/or change contract amounts, both dollar and quantity, based on specific Council/Budget Committee actions/decisions. These are non-exclusive, one-year contracts that may be renewed for up to four additional one-year renewal periods.

	Business Entity	Dept.	Description	Contract Amount	Fund
1	US Dept of Agriculture, USDA APHIS Wildlife Services	PW	Wildlife Management Assistance, FY 26/27 (Intergovernmental Agreement)	\$60,000.00	A
2	Stryker	Fire	Gurney and Stair Chair Equipment, FY 26/27 (Cooperative Agreement)	\$73,000.00	ERR
3	Carahsoft	Police	Cellebrite Software License Renewal, FY 26/27 (Cooperative Agreement)	\$31,164.40	G
4	Darkhorse Emergency LP	Fire	Darkhorse Annual Subscription, FY 26/27. Integrates with the CAD system to provide analytics and recommendations based on the data.	\$41,680.00	G
5	Everon, LLC	Enterprise Services	Security Services Maintenance and Services, FY 26/27	\$75,000.00	G
6	JM Total Clean	ES-Facilities	Window Washing and Related Services, FY 26/27	\$80,000.00	G
7	Sea Western Inc.	Fire	Bauer Compressor Services and Annual Maintenance, FY 26/27	\$25,000.00	G
8	Tyler Technologies, Inc.	Police	Brazos Crash Report Software Annual Renewal, FY 26/27 (Sole Source)	\$39,000.00	G
9	Best Pots Inc.	CS	Portable Toilet Rental, FY 26/27	\$80,000.00	LOLF
10	Code Electric	CS	Electrical Contractor of Record for Parks, FY 26/27	\$50,000.00	LOLF
11	Outdoor Fence Co.	CS	Various Types of Fencing and Gates for Parks, FY 26/27	\$50,000.00	LOLF
12	Wilbur-Ellis Company LLC	CS	Turf Fertilizers, Pesticides, and Related Products and Services, FY 26/27 (Cooperative Agreement)	\$50,000.00	LOLF
13	SWARCO McCain, Inc.	PW	MyCity Central System Annual Maintenance Services, FY 26/27 (Sole Source)	\$35,000.00	PW
14	ADS, LLC	PW	Equipment, Field Maintenance, Software, and Data Reporting Services, FY 26/27 (Sole Source)	\$510,000.00	U

15	Advanced Commercial Communication	Enterprise Services	Interior and Exterior Cabling Services, Alternate, FY 26/27	\$40,000.00	U
16	Brown Contracting, Inc.	PW	Sawcutting, Alternate Provider, FY 26/27	\$300,000.00	U
17	Clean Methane Systems LLC	PW	Media Replacement for Cogeneration Gas Conditioning System, FY 26/27	\$50,000.00	U
18	Five Star Electric	PW	Electrician of Record for Water Division, Primary Contractor, FY 26/27	\$125,000.00	U
19	Garten Services	PW	Grounds Maintenance for Green Stormwater Facilities, FY 26/27	\$100,000.00	U
20	Herc Rentals	PW	Equipment Rentals, FY 26/27 (Cooperative Agreement)	\$40,000.00	U
21	Horner Enterprises	PW	Hauling Services for Dewatered Biosolids, Primary, FY 26/27	\$400,000.00	U
22	Jimco Electrical	Enterprise Services	Interior and Exterior Cabling Services, Primary, FY 26/27	\$40,000.00	U
23	O'Malley Brothers Corporation	PW	Hauling Services for Dewatered Biosolids, Alternate, FY 26/27	\$250,000.00	U
24	Republic Services, Inc.	PW	Landfill Disposal of Dewatered Biosolids at Coffin Butte Landfill, FY 26/27	\$500,000.00	U
25	Roadrunner Sawcutting, Inc.	PW	Sawcutting, Primary Provider, FY 26/27	\$300,000.00	U
26	Univar Solutions	PW	25% Sodium Hydroxide, FY 26/27	\$32,000.00	U
27	US West Corporation	PW	Electrician of Record for Water Division, Alternate Contractor, FY 26/27	\$125,000.00	U
28	Waste Connections/Wasco County Landfill	PW	Landfill Disposal of Dewatered Biosolids at Wasco County Landfill, FY 26/27	\$700,000.00	U
29	Waste Management Disposal Services of Oregon, Inc.	PW	Landfill Disposal of Dewatered Biosolids at Columbia Ridge Landfill, FY 26/27	\$150,000.00	U
30	Xylem Water Solutions (Flygt Pump)	PW	Flygt Pumps, Products, and Repair Services, FY 26/27 (Sole Source)	\$200,000.00	U
31	WCP - Wilsonville Concrete Products	PW	Transit Concrete Mix, FY 26/27	\$210,000.00	Various
32	Day Wireless Systems	WVCC	Perform Warranty and Repair Services on Motorola Simulcast Radio System, FY 26/27 (Sole Source)	\$50,000.00	WVCC
33	Needl, Inc. dba Aurelian	WVCC	Non-Emergency Call Automation, FY 26/27 (Cooperative Agreement)	\$175,000.00	WVCC

160 A = Airport Fund	\$60,000.00
388 ERR = Equipment Replacement Reserve Fund	\$73,000.00
101 G = General Fund	\$291,844.40
151 LOLF = Local Option Levy Fund	\$230,000.00

155 PW = Public Works Fund	\$35,000.00
310 U = Utility Fund	\$3,862,000.00
Various = Various	\$210,000.00
330 WVCC = Willamette Valley Communications Center	\$225,000.00
TOTAL, CATEGORY 2	\$4,986,844.40

TO: Mayor and City Council
THROUGH: Krishna Namburi, City Manager
FROM: Brandon Ditto, Interim Chief of Police

SUBJECT:

Salem Police Department Update on the Community Violence Reduction Initiative and Youth Engagement Efforts

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe and Healthy Community; Welcoming and Livable Community

SUMMARY:

This informational report provides an update from the Salem Police Department on the Community Violence Reduction Initiative, which aims to reduce gun violence through data-informed, focused, and proactive efforts in high-risk neighborhoods and among high-risk individuals. The report also provides a reintroduction of the Guardian Program, a juvenile outreach program aimed at proactively engaging youth in our community.

ISSUE:

Information only.

RECOMMENDATION:

Information only.

FACTS AND FINDINGS:

The dual approach of community and law enforcement collaboration is foundational to the success of the Community Violence Reduction Initiative (CVRI). With ongoing law enforcement efforts to reduce violent crime and the reintroduction of the Guardian Program to engage with youth and further strengthen police-community connections, the department is making significant strides toward creating a safer environment for all Salem residents.

Notably, the Salem Police Department's updated 15-year crime trend study showed a reduction in violent crimes. Specifically, violent crime decreased by 20.2% in 2025 compared with the prior year, translating to 194 fewer reported incidents. There was also a significant drop in aggravated assault, which fell by 23.8%, or 171 fewer crimes. Furthermore, four homicides occurred in Salem last year, marking a substantial decrease of 55.6% from the nine homicides

in 2024.

BACKGROUND:

Community Violence Reduction Initiative (CVRI)

The Salem Police Department is committed to reducing gun violence in our community through a balanced and proactive approach. CVRI emphasizes strong community partnerships, recognizing that lasting impact requires collaboration beyond law enforcement. The strategy focuses on both intervention and prevention, addressing the root causes of violence to reduce future incidents, while also responding to ongoing gun-related activity to prevent serious injury and loss of life.

As part of this effort, the Department works in close collaboration with federal partners, including the Federal Bureau of Investigation (FBI), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and the Drug Enforcement Administration (DEA), to identify individuals actively engaged in gun violence and hold them accountable. These coordinated efforts have led to numerous arrests for violent felony offenses, as well as the seizure of illegally possessed firearms. In 2025, the department seized 295 firearms, many of which were linked to convicted felons or used in the commission of felony crimes. As of July 2026, the department has seized a total of 200 firearms.

These efforts are a critical component of our broader strategy to reduce gun violence, holding individuals accountable while proactively mitigating the risks posed to our community.

Intervention: Department and Inter-Agency Collaboration

Some notable investigations related to the CVRI efforts include:

- **November 2025.** A joint operation between Salem Police and the ATF led to the arrest of suspected gang members in Northeast and West Salem. Search warrants executed at those locations resulted in the seizure of 15 firearms, 58 devices used to convert firearms into machine guns, and 57 grams of cocaine.
- **November 2025.** Salem Police detectives arrested two Salem residents in connection with a shooting that left a man with a gunshot wound to the chest.
- **December 2025.** Detectives from the Violent Crimes Unit, supported by the Strategic Investigations Unit, resulted in the arrest of a suspect on charges of first-degree assault, second-degree attempted murder, unlawful use of a weapon, and felon in possession of a firearm. A second suspect was later taken into custody by Salem SWAT and charged with the same offenses. Four firearms were seized during the investigation.
- **January 2026.** Salem Police Violent Crimes Unit detectives, in collaboration with the ATF, arrested a man and seized a firearm related to a road rage incident that escalated into robbery and assault. The victims reported being threatened with a firearm during the encounter. The suspect then repeatedly rammed the victim's vehicle with his SUV before breaking the driver's window with an AR-style carbine rifle and demanding money.

- **February 2026.** Following a shooting incident in Southeast Salem, officers located three spent casings and a vehicle that had been shot. Officers canvassed the area and identified a suspect. The SWAT Team served a warrant and arrested the male on charges of unlawful use of a weapon, felon in possession of a firearm, and first-degree criminal mischief. A search of his residence uncovered two firearms: a bolt-action rifle and a handgun.
- **July 2026.** Strategic Investigations Unit detectives, with assistance from the ATF, arrested a man after a domestic stalking incident. Subsequent search warrants executed at multiple locations linked to the suspect led to the seizure of 78 firearms, including stolen weapons, 11 homemade suppressors, firearm parts, and thousands of rounds of ammunition. Detectives also recovered equipment used to manufacture undetectable firearms, including drill presses and 3D printers. Additionally, large quantities of illegal narcotics, including psilocybin mushrooms, fentanyl, cocaine, and anabolic steroids, along with drug manufacturing equipment, were seized.

Prevention: Community-led Initiatives

The community remains a key partner in the ongoing efforts to reduce violence in Salem. In April 2026, the department, in collaboration with Community Business and Education Leaders (CBEL), the Marion County Juvenile Department, and several community organizations, hosted the inaugural Safety Meeting (formerly known as a call-in), which is one component of the comprehensive strategy to address gun violence.

This meeting brought together law enforcement, community leaders, local businesses, and individuals affected by violence, along with seven participants identified as high risk of becoming victims or offenders. Participation in the meeting and the decision to accept services are voluntary. Community partners, such as the Marion County Juvenile Department, identify the high-risk participants.

During the meeting, law enforcement delivers a clear message about the consequences of ongoing criminal behavior. Community members share personal experiences and offer support and encouragement for positive change. The goal is to foster an open and respectful dialogue that promotes accountability and connects individuals with helpful resources like job training, education, and counseling.

This approach fosters collaboration and trust, with the dual purpose of reducing violence and providing pathways toward positive change, promoting accountability, restoring hope, and strengthening a sense of belonging in the community.

Two additional safety meetings are scheduled for 2026, with an overall goal of convening three safety meetings per year. The next meeting is scheduled for August 2026.

To date, this program has operated on limited resources provided by community partners. To sustain the Safety Meetings program through September 2027, the Salem Police Department recently received approval to reallocate federal grant funds originally intended for its trust-building initiatives. These funds will assist participants with mentorship and life coaching support.

Furthermore, various community action ideas emerged from the town hall-style meetings held throughout 2024. One such strategy implemented by the community was the concept of peace walks, or community walks through the city's neighborhoods, including at-risk areas, to demonstrate neighbor-to-neighbor support and unity in the effort to reduce violence on Salem streets.

The Salem Leadership Foundation leads the efforts to organize the peace walks. Faith-based organizations, such as Oak Park Church, and neighborhood groups, like the Highland Neighborhood Association, actively participate in the program. The walks are ongoing, with dates and locations available on the [Salem Leadership Foundation website](#).

Youth Engagement: The Guardian Program

In support of positive youth engagement and in alignment with CVRI, the department is reestablishing its teen-focused Guardian Program. The idea of youth-centered engagement began in 2015, with the creation of the Gladiator program by members of the then-Downtown Enforcement Team. The Gladiators were later renamed the Guardians and attached to the Community Action Unit but still continued to focus on youth-centered activities and outreach.

After the Community Action Unit was disbanded, the Guardian Program was temporarily paused but has since been reinvigorated with a fresh focus. The Department is restarting the Guardians as a stand-alone program, allowing officers from every division and unit to participate in youth-focused engagement efforts and activities.

The department is working to re-establish partnerships for this renewed initiative. Activities will primarily involve invitations to participate in events hosted by community partners, such as the Boys & Girls Club of Salem, Marion, and Polk Counties, CBEL Family Councils, Dream Center, HOME Drop-in Center, and the YMCA of Marion & Polk Counties.

Brandon Ditto
Interim Chief of Police

Attachments:
None.

TO: Mayor and City Council
THROUGH: Krishna Namburi, City Manager
FROM: Kristin Retherford, Community Planning and Development Director

SUBJECT:

Salem Commercial Property Assessed Clean Energy (CPACE) Program Overview.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

SUMMARY:

The Salem Commercial Property Assessed Clean Energy (CPACE) Program provides a voluntary financing mechanism that allows owners of eligible commercial, industrial, agricultural, nonprofit, and multifamily properties to obtain long-term private financing for qualified energy efficiency, renewable energy, water conservation, seismic resiliency, and other eligible improvements.

PARAGRAPH. The summary is a concise (3-4 sentence max.) statement of the action and the intended effects

ISSUE:

Information Only

RECOMMENDATION:

Information Only

FACTS AND FINDINGS:

Commercial Property Assessed Clean Energy (CPACE) is an economic development financing tool that allows commercial property owners to access private capital to finance eligible building improvements, including energy efficiency, renewable energy, water conservation, and seismic resiliency improvements. Financing is repaid through a voluntary property assessment lien placed on the property.

Unlike traditional financing, CPACE financing is tied to the property rather than the property owner, allowing for long-term financing that can make significant building improvements and new development projects more financially feasible.

Where is CPACE Available?

CPACE is a widely used economic development financing tool across the United States, with active programs in most states. Programs are authorized through state legislation and generally established and administered at the local level. While the specific program structure varies by state and jurisdiction, CPACE programs share the common purpose of leveraging private capital to finance eligible improvements to commercial properties.

Through ORS 223.680 and ORS 223.685, Oregon law authorizes cities and counties to establish CPACE programs within their jurisdictions. CPACE programs are becoming increasingly available throughout Oregon. Programs have been established in Multnomah, Washington, Deschutes, Hood River, Sherman, Clackamas, Columbia, Clatsop, Benton, and Yamhill counties. Tillamook County is exploring the establishment of a program. The City of Pendleton has also established a CPACE program. However, CPACE is not available statewide; a city or county must establish a local program before property owners can access this financing tool.

Establishing a Salem CPACE program would make CPACE financing available for eligible projects within the City of Salem and expand the economic development financing tools available to support new development and investment in existing commercial properties.

Eligible Properties & Qualified Improvements

The Salem CPACE program would be available to a wide range of privately owned commercial properties, including hospitality, senior living, multifamily housing with five or more units, office, retail, mixed-use, storage, and industrial properties. CPACE financing may be used for eligible improvements to existing buildings, rehabilitation projects, and new construction.

Qualified improvements may include HVAC equipment and controls, indoor air quality improvements, seismic and resiliency upgrades, indoor and outdoor lighting, elevators and escalators, windows, insulation and building envelope improvements, water efficiency and plumbing systems, roofing, renewable energy and energy storage systems, electric vehicle charging infrastructure, and energy recovery systems.

By providing access to long-term private financing, CPACE can help property owners and developers make significant building improvements that may otherwise be difficult to finance through traditional lending sources.

Benefits for Building Owners and Developers

CPACE provides building owners and developers access to long-term private financing for up to 100 percent of eligible project costs. Repayment terms can be structured over the useful life of the improvements, helping to reduce upfront costs and support positive cash flow through lower operating expenses.

CPACE improvements can also increase property value, and because the financing is secured by the property, the lien may transfer to a new owner upon sale. For properties with net leases, CPACE repayment costs may also be passed through to tenants, allowing the costs and benefits of the improvements to be shared with building occupants.

Benefits for Local Governments

CPACE provides local governments with an economic development tool that can support new development, job creation, housing production, and investment in existing building stock. Improvements financed through CPACE may increase property values and, over time, contribute to increased property tax revenues.

CPACE projects are financed with private capital, so no City funding is at risk. Local governments establish fees to recover the costs of administering their programs and may generate program revenue. Salem proposes an administrative fee equal to one percent of the total CPACE financing amount.

CPACE also provides broader public benefits by supporting buildings that are more energy and water efficient, resilient, and healthy. The program can be administered with a relatively limited administrative burden on City staff.

Application Process

The CPACE application process is designed to be straightforward and primarily managed by the property owner, capital provider, and Program Administrator. The property owner and capital provider prepare and submit an application and required supporting documentation to the Program Administrator for review.

Once the application is determined to meet program requirements, the Program Administrator issues an approval or conditional approval. Following approval, the required closing documents are executed and recorded, and the capital provider disburses the financing directly to the project.

Repayment is made through assessment installments that are billed and collected directly by the capital provider.

Safeguards

The CPACE program includes several safeguards to protect property owners, existing lenders, and the City. Consent from the existing mortgage holder is required before CPACE financing can be approved, ensuring the lender is aware of and agrees to the additional property assessment lien.

CPACE uses a non-accelerating lien structure, meaning that in the event of a default, only the delinquent assessment installments become due rather than the entire outstanding financing amount. The City assumes no financial liability or responsibility for the private financing.

Standardized program documents, agreements, and procedures help ensure projects comply with state law and Salem CPACE program requirements.

Conclusion

CPACE is a valuable economic development financing tool that provides benefits to property owners, local governments, and the broader community. By leveraging private capital, CPACE can support new development and investment in existing properties while advancing modernization, sustainability, resiliency, and economic growth.

Establishing a Salem CPACE program would expand the financing tools available to property owners and developers without placing City funds at risk. Council action in the form of approval of Ordinance Bill #10-26 is required to establish the local CPACE program. First reading of Ordinance Bill #10-26 authorizing and implementing the Salem CPACE Program will occur before Council on July 27, 2026.

BACKGROUND:

Dana DeKlyen
Urban Development Assistant Director

Attachments:

1. CPACE PowerPoint



Salem CPACE Program Overview

July 27, 2026

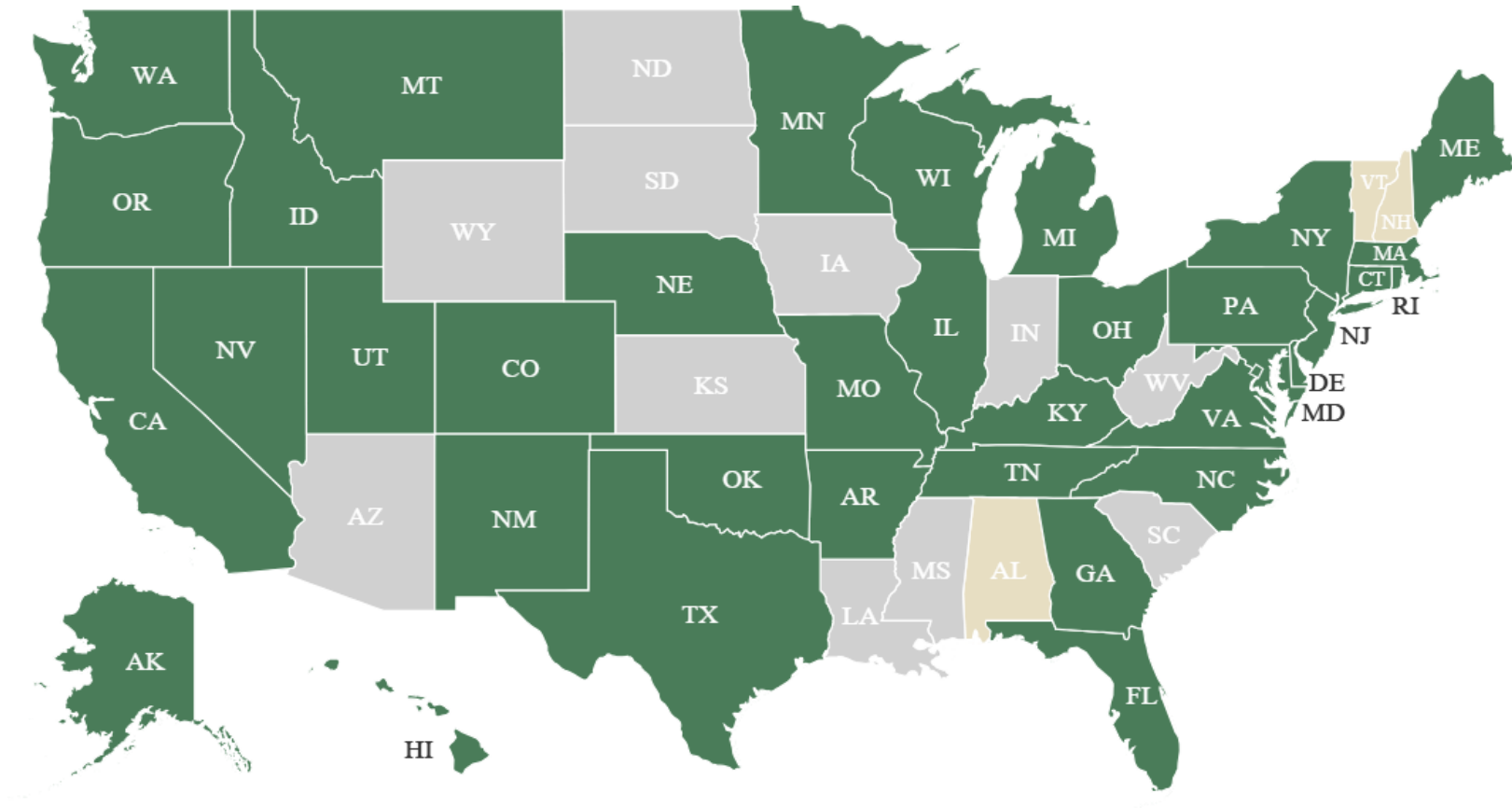
Agenda

- **Background**
 - What is CPACE?
 - Where is it Available?
- **CPACE in Oregon**
 - Legislation
 - Current Programs
- **Eligible Properties & Qualified Improvements**
- **Benefits**
 - Building Owners & Developers
 - Local Governments
- **Application Process**
- **Safeguards**
- **Wrap Up**

What is CPACE?

- Economic Development Financing Tool
- Commercial Property Assessed Clean Energy (CPACE)
- Private Capital to fund building improvements related to energy efficiency, water conservation, and seismic/resiliency
- Repayment secured by a voluntary property assessment lien

Where is CPACE Available?



Map key



Monday, July 27, 2026
Active program(s)



Page 333 of 386
Program in development



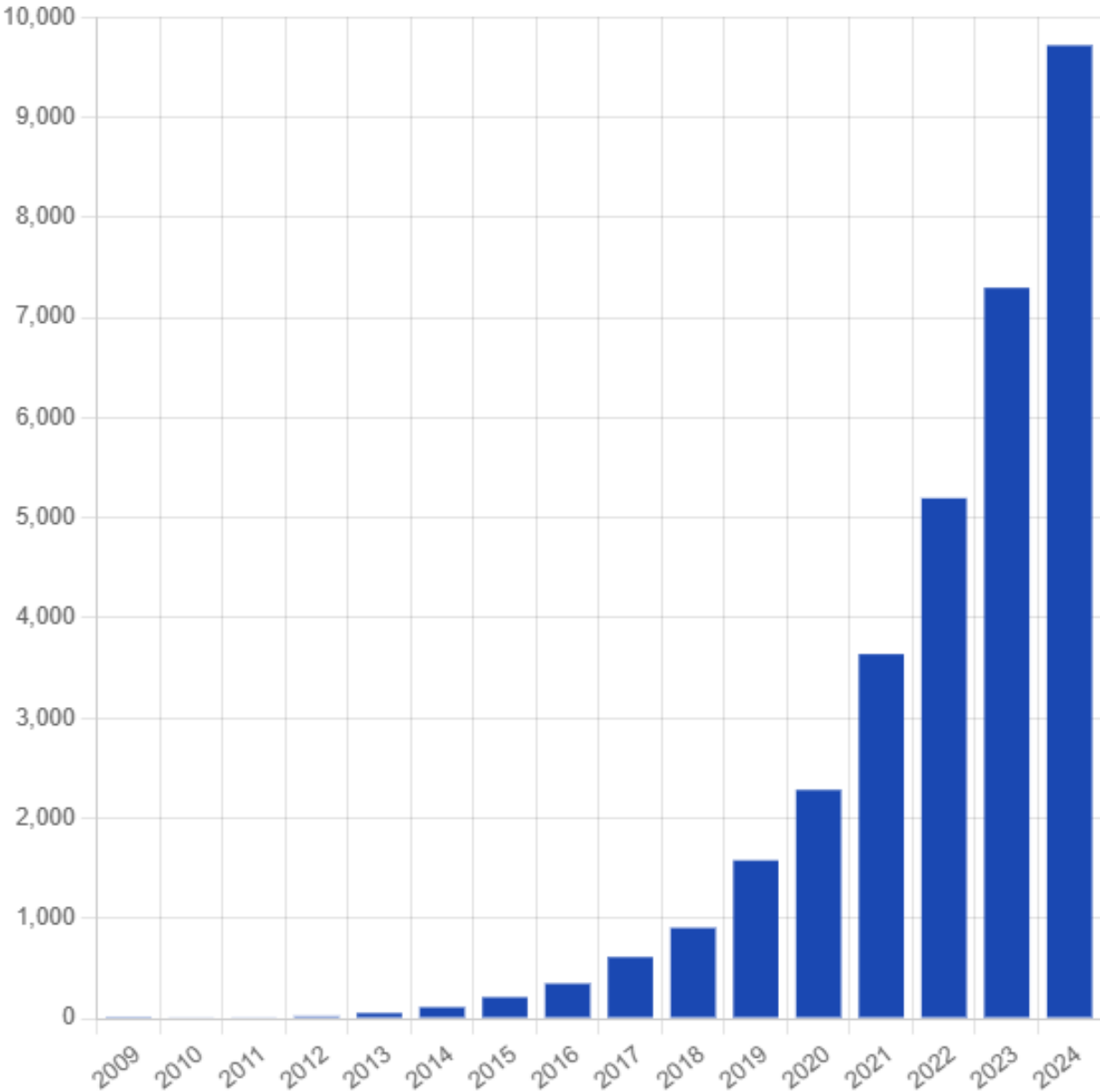
PACE-enabled

To Date:

\$9.7B Funded

3,581 Projects

CUMULATIVE C-PACE INVESTMENT, MM (2009-DEC. 2024)



CPACE in Oregon

- CPACE was authorized by the Oregon State Legislature under ORS 223.680 and ORS 223.685
- Local governments adopt resolutions to launch programs & define boundaries
- Program Administrator designated to review applications and record liens

Cities & Counties That Have a Current Program

Counties:

- Multnomah
- Washington
- Deschutes
- Hood River
- Sherman
- Clackamas
- Columbia
- Clatsop
- Benton
- Yamhill (pending)
- Tillamook (exploring)
- Yamhill

Cities

- Pendelton
- Salem (pending)

Eligible Properties & Qualified Improvements



HVAC
EQUIPMENT
& CONTROLS



ELEVATOR/
ESCALATOR



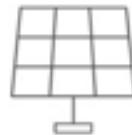
ROOFING



INDOOR
AIR QUALITY



WINDOWS



RENEWABLE ENERGY
& ENERGY STORAGE



SEISMIC & RESILIENCY



INSULATION &
ENVELOPE



EV CHARGING



INDOOR
& OUTDOOR
LIGHTING



WATER EFFICIENCY
& PLUMBING



ENERGY RECOVERY



Hospitality
Senior living
Multifamily

Office
Retail
Multi-use
Storage
Industrial

Note: This is not an exhaustive list. Every state has unique options for eligibility.

Benefits: Building Owners & Developers

- Up to 100% long-term financing for improvements
- Positive cash flow: repayments spread over useful life & reduced operating costs
- Increases Property Value
- Lien transfers with property upon sale
- Costs may be passed through to tenants under net leases

Benefits: Local Governments

- Economic development tool: jobs, improved building stock, housing
- Higher property values → increased tax revenues
- No government funding at risk
- Fees - local governments establish their desired fee structure; revenue source
(Note: Salem is proposing a fee of 1% on the total amount financed)
- Public Benefit: better buildings are more efficient, resilient, and healthy
- Minimal administrative burden

Application Process

- Property Owner + Capital Provider prepare application
- Program Administrator reviews
- Approval or conditional approval issued
- Closing documents executed and recorded
- Capital Provider disburses funds
- Repayment made via assessment installments direct billed by capital provider

Safeguards

- Mortgage holder consent required
- Non-accelerating lien structure
- Local government has no liability or financial responsibility
- Standardized forms ensure compliance

Conclusion

- CPACE is a **win-win tool** for property owners, local governments, and communities
- Supports modernization, sustainability, and economic growth



Questions?

TO: Mayor and City Council
THROUGH: Krishna Namburi, City Manager
FROM: Dan Atchison, City Attorney

SUBJECT:

First reading of ordinance bill no. 8-26, amending the Salem Revised Code concerning boards, commissions and committees.

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

SUMMARY:

Ordinance Bill No. 8-26 contains proposed amendments to the Salem Revised Code to update, modify, and standardize requirements for boards, commissions, and committees ("Governance Groups") and their membership requirements, as recommended by the Boards and Commissions Appointments Committee ("B&C Committee") and city staff.

The recommendations are the result of a multi-year process initiated by council to review governance groups, that began with work and recommendations from Moss Adams (now Baker Tilly) consultants. The consultant's recommendations were further refined by staff, the B&C Committee, and City Council.

ISSUE:

Shall City Council advance ordinance bill no. 8-26 to second reading.

RECOMMENDATION:

Advance ordinance bill no. 8-26 to second reading.

FACTS AND FINDINGS:

City Council reviewed the proposed changes at its June 22, 2026 meeting.

In May 2024 Moss Adams provided a governance assessment to the City (<https://www.cityofsalem.net/home/showdocument?id=30861&t=639168509043877057>). The assessment reviewed the City's governance framework, including the Salem Charter, governance groups, and the City's neighborhood association program. The assessment provided 15 observations and corresponding recommendations concerning governance groups. The City has implemented many of the assessment's recommendations and continues to work toward others. The proposed Code changes discussed in this report are specific to recommendations for boards, commission, and committees, as well as other specific code changes to update related code sections.

The proposed amendments fall into three primary categories:

1. Governance Group General Requirements: establish standardized membership qualifications, terms, reporting requirements, and operational expectations for boards and commissions across the City.
2. Sunsetting Commissions: formally eliminate inactive advisory bodies that are no longer meeting or serving an ongoing functional purpose.
3. Updates to code language: provide clarity, remove redundancies, and ensure consistency with state law and current City practices.

Proposed changes:

1. Governance Group General Requirements. These general requirements apply unless the ordinance or resolution that created the board or commission provides otherwise. As an example, SRC 8.010(b) provides for a youth member on the Human Rights Commission, the general requirement that members be at least 18 years old would not apply to this special provision for the HRC:

- Annual Reports and Annual Work Plans – SRC 2.535.
Council has already given direction to implement these requirements. A staggered schedule for governance groups to provide these reports will be implemented administratively.
- Public meeting and public record compliance – 2.545.
Compliance is already required by state law, this code change simply memorializes that requirement and removes redundant language found in other code sections.
- Qualifications and terms for members of governance groups – SRC 2.560.
This new code section standardizes membership requirements and creates a

single rule, subject to specific exceptions for some boards (such as the allowance for a youth member on the Library Advisory Board). The generally applicable standards include:

- Minimum age of 18 for members,
 - Resident or have their place of business or employment in Salem,
 - Service on a maximum of two boards or commissions at the same time,
 - Default term length of two years,
 - Maximum of two terms of continuous service,
 - Must pass a criminal background check at the beginning of their continuous service,
 - No compensation for service, but may be reimbursed for authorized costs,
 - Preference for applicants with broad range of socio-economic and professional backgrounds, and broad city geographic representation on groups.
- Criminal background check – SRC 2.565.
 - No cost to applicant (approximately \$15/check),
 - Applicant must consent,
 - Failure to pass background check results in an administrative denial, but the applicant may request Council reconsider their application notwithstanding the criminal history,
 - Background check results will be considered confidential, unless the applicant consents to make it public by appealing to Council for reconsideration, in which case the background check results will be included in a staff report to the B&C Committee and potentially city council.
 - Background check criteria:
 - Any felony conviction,
 - Being under investigation for a crime or pending criminal case,
 - Any misdemeanor conviction within the last three years, and
 - Other criminal history that gives reasonable concern about the safety of others.
 - Community Advisory Traffic Commission – SRC 5.010 – 5.030.
 - No change to membership qualifications.
 - Proposed changes to name and purpose.
 - Changes were proposed following conversation with council and community groups in 2024. The proposed changes address inclusivity and clarify that the scope of CATC includes all modes of transportation.
 - Removes confusion of the purpose of the Commission.
 - Provides guidance on procedures to address transportation issues brought to the Commission.
 - The Commission does not have decision-making authority on any issue that will result in a land use decision.

- Planning Commission – SRC 6.010 – 6.030.
 - The B&C Committee considered setting aside positions for certain land use related professions, such as land use planning, transportation planning or architecture, as proposed by the Planning Commission, but ultimately elected not to recommend those changes.
- Human Rights Commission – SRC 8.010.
 - Preference for applicants who self-identify as part of a marginalized community or from a class not currently represented on the Commission.
- Parks and Recreation Advisory Board – SRC 13.030 – 13.070.
 - Eliminate Salem Keizer School District representative position.
 - Changed requirement that one member have experience in certain professional areas related to parks and recreation to a preference that all members have that experience – with the effect of making it easier to find qualified applicants and reduce vacancies.
- Public Art Commission – SRC 15.020.
 - Reduce specific membership requirements for six positions with a general professional experience requirement for five positions and increase of at-large positions from one to two.
- Library Advisory Board – SRC 18.020 – 18.040.
 - Addition of one youth member (between 15-20) of the nine-member board.
 - One member may be from outside the city limits.
 - Applicants must have a library card at the time of application.
- Historic Landmarks Commission – SRC 20C.020 – 20C.040.
 - Reduce from five to four the number of members who must meet certain historic preservation qualifications, and
 - Add a requirement that one member be an archaeologist meeting the state law definition.
- Center 50+ Advisory Commission - SRC 20E.040.
 - Increase “community” members to 8 from 7.
 - Reduce “partner” members from 8 to 7.
 - One member may be from outside the city limits but within the Urban Growth Boundary.
 - Provided standing partner membership for an authorized representative of the Friends of Center 50+.
- Community Police Review Board – SRC 20I.020.

- Criminal background check requirement is now required for all boards and commissions.
 - Added consideration for at least one member who is a victim of a felony crime.
 - Other considerations, including criminal history, are retained in the code.
 - Downtown Advisory Board – City-URA IGA and resolutions.
 - Created via resolution, not included in this code amendment,
 - Amended resolution(s) will be brought to Council and the URA Board later this summer.
 - Changes generally try to make appointments more flexible and reduce chronic vacancies.
 - North Gateway Redevelopment Advisory Board – URA resolution.
 - No changes recommended because the URA is expected to close in FY27.
 - West Salem Redevelopment Advisory Board – URA resolution.
 - Created by URA Board resolution,
 - Amended resolution will be brought to the URA Board later this summer.
 - Changes generally try to make appointments more flexible and reduce chronic vacancies.
 - Civil Service Commission
 - Criminal background check now required for all boards and commissions.
2. Sunsetting Commissions
- SHA Housing Advisory Committee
 - Created by SHA resolution.
 - Recommend sunsetting this commission.
 - Resolution to sunset this committee will be brought to the SHA Commission later this summer.
 - City Council may consider sunsetting inactive governance groups in the future.

3. Code Updates

Proposed changes to Title I – Government to update code language and provide consistency with state law.

- SRC 2.040 – Administering oaths. Expanding the classification of people who may administer oaths to include any Oregon elected official.
- SRC 4.035 – Municipal Judge Compensation Commission. Allow City Manager to recommend salary increases for the Judge if the Commission is unable to meet.
 - The City has had difficulty in finding volunteers to serve on this

- commission, in part because it meets infrequently and limited purpose.
 - Judge Beatty recommends that the Commission's role be expanded to serve a judicial fitness role to hear complaints against the Judge. This commission may not be well suited for that role, and would allow non-attorneys, who also have authority to recommend salary adjustments for the Judge, be in a position to discipline the Judge.
 - Staff are investigating alternatives to address the issue the Judge raises.
- SRC 12.015 – Ethics Code definitions.
 - Modified definition of actual and potential conflict of interest and added definition of "member of household" to conform to state law.

BACKGROUND:

Governance groups perform a vital function for the City; providing advice and recommendations to city staff and city council on a wide span of issues and subject matter, consider issues, taking public input and issuing decisions that affect the rights of private parties, and give residents the ability to serve their community and become directly involved in the city policy formation and implementation. The recommended changes are intended to standardize the form and function for governance groups and membership requirements and qualifications for those groups; ensure groups' mission and practice are consistent with City Council policy, and; ensure the continued vitality and relevance of each group.

Dan Atchison
City Attorney

Attachments:

1. Ordinance Bill No. 8-26
2. Exhibit A, proposed code amendments.

1 **ORDINANCE BILL NO. _____**

2 AN ORDINANCE RELATING TO BOARDS, COMMISSIONS AND COMMITTEES;
3 AMENDING SRC 2.040, 2.530, 2.535, 2.540, 2.545, 2.655, 4.035, 5.010, 5.020, 5.030,
4 6.010, 8.010, 9.300, 12.015, 13.030, 13.055, 15.020, 16.020, 16.040, 18.020, 18.040,
5 20C.020, 20C.030, 20C.040, 20E.040, and 20I.020; REPEALING SRC 2.650, 6.030,
6 13.040, 13.070, and 16.030; CREATING NEW PROVISIONS SRC 2.560, and 2.565.

7 *The City of Salem ordains as follows:*

8 **Section 1.** SRC chapters 2,4, 5, 6, 8, 9, 12, 13, 15, 16, 18, 20C, 20E, and 20I are hereby
9 amended as set forth in Exhibit A, attached hereto and by reference incorporated herein.

10 **Section 2. Findings.** The changes herein are intended to standardize the form and
11 function for City, URA, and SHA boards, commissions, and committees and
12 requirements for members of these groups to ensure the groups' operations are more
13 efficient and aligned with City policies and goals and therefore are in the best interests of
14 the City and the public.

15 **Section 3. Codification.** In preparing this ordinance for publication and distribution, the
16 City Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but
17 within such limitations, may:

- 18 (a) Renumber sections and parts of sections of the ordinance;
- 19 (b) Rearrange sections;
- 20 (c) Change reference numbers to agree with renumbered chapters, sections or other
21 parts;
- 22 (d) Delete references to repealed sections;
- (e) Substitute the proper subsection, section or chapter, or other division numbers;
- (f) Change capitalization and spelling for the purpose of uniformity;
- (g) Add headings for purposes of grouping like sections together for ease of
 reference; and
- (h) Correct manifest clerical, grammatical or typographical errors.

Section 4. Severability. Each section of this ordinance, and any part thereof, is
severable, and if any part of this ordinance is held invalid by a court of competent
jurisdiction, the remainder of this ordinance shall remain in full force and effect.

1 PASSED by the City Council this _____ day of _____, 2026.

2 ATTEST:

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4 City Recorder

5 Approved by City Attorney: Dan Atchison

6 Checked by: Dan Atchison

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Sec. 2.040. Administering oaths.

An oath required or allowed under this Code or the Salem Charter may be administered by any City or State of Oregon elected official, the City Attorney, a notary public, or a judge or magistrate of any court of record in the State of Oregon. Oaths shall be in writing and signed by both the person taking and administering the oath.

BOARDS AND COMMISSIONS**Sec. 2.530. Definitions.**

The following words, terms and phrases, when used in SRC 2.530 through 2.655, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Board or commission means a group of ~~persons~~ people to whom the Council has given official authorization to perform certain functions or to undertake certain duties.

Budget Committee means the body established pursuant to ORS 294.414 to review and recommend the City's budget.

Committee means a group of ~~persons~~ people to whom consideration of a matter has been committed by the Council.

Sec. 2.535. ~~Creation~~ Board and commission general requirements.

- (a) Creation. All boards and commissions shall be created by ordinance or resolution of the Council. The resolution or ordinance creating a board or commission shall specify whether the Mayor or the Council appoints the members. For purposes of SRC 2.530 through 2.655, the Budget Committee shall be deemed a board or commission. Committees may be created by ordinance, resolution, or motion of the Council, and shall be either standing committees or ad hoc committees.
- (b) Annual Reports and Work Plans. All boards and commissions shall submit to City Council, the URA Board, or SHA Commission as applicable, an annual report for the prior 12 months and an annual work plan for the next 12 months. The Director shall establish a staggered schedule for board and commission submittals.

Sec. 2.540. Appointments.

- (a) The Mayor shall appoint the members of all committees, unless state law provides otherwise.
- (b) The Mayor shall appoint the members of boards and commissions if so provided in the ordinance or resolution creating the board or commission.

- (c) The Council shall appoint the members of boards and commissions if so provided in the ordinance or resolution creating the board or commission, or if the ordinance or resolution is silent as to appointment authority.

Sec. 2.545. Authority of boards and commissions.

- (a) Unless the ordinance or resolution creating the board or commission specifically provides, boards and commissions are only advisory to the Council.
- (b) Except as to recommendations to the Council as provided herein, no board or commission shall take, advocate, promote or oppose positions on issues or advocate, promote, endorse or oppose candidates for public office or matters to be voted on by the electors pursuant to the initiative and referendum power. Boards and commissions may make recommendations to the Council regarding positions on issues affecting the City.
- (c) Except as may be required by law, No board or commission shall hold a public hearing upon its own motion on a matter if the Council or another board or commission is required to conduct a public hearing on the same matter.
- (d) All boards, commissions, and committees, and their members, shall comply with Oregon public meetings and records law and shall maintain meeting minutes and any meeting recordings consistent with the law and applicable City administrative procedures and policies.

Sec. 2.560. Qualifications and terms of board, commission committee members.

Except as provided in the ordinance (including the SRC chapter specific to that board, commission, or committee) or resolution creating or governing a board or commission, appointments to boards, commissions and committees shall meet the following requirements: all members of boards and commissions shall meet the following requirements:

- (a) Members shall be at least 18 years of age,
- (b) Members shall be at resident of, or have their place of business or employment in, the city of Salem,
- (c) In addition to other qualifications or preferences for members as set forth in the Code, the appointing authority shall consider Council's preference that members represent a broad range of professional or life experience, socio-economic backgrounds, and that members should represent all parts of the city,
- (d) A person may not serve on more than two City, URA, or SHA boards, commissions or committees simultaneously,
- (e) A person serving on the budget committee may not serve on any other City or URA board, commission or committee,
- (f) Terms for board or commission members shall be two years. Terms for committee members shall be two years. Members may serve a maximum of two consecutive terms.

A person shall be eligible for a new appointment after serving for two consecutive terms only after a break in service of at least one year,

- (g) An individual who is appointed to complete an unexpired term of a member shall be considered to have served one full term when at least two-thirds of the unexpired term remains on the date of appointment and the individual completes the unexpired term, and
- (h) All members of boards, commissions, and non-council members of committees shall pass a criminal background check, subject to standards as determined by Council, at the time of appointment. A background check shall only be required once, at the time of appointment, during the member's continuous service. A new background check will be required after any break in continuous service upon a new application by the person. The criteria for the background check are:
 - 1. Any felony conviction at any time in the person's history,
 - 2. Being under investigation for a crime or has a criminal case pending,
 - 3. Any misdemeanor conviction within the last three years, and
 - 4. Other criminal history that gives reasonable concern about the safety of others.
- (i) Members shall receive no compensation for their services but may be reimbursed for expenses incurred in the performance of their duties as authorized by the Director.

Sec. 2.565. Procedures for considering an applicant's criminal history.

- (a) An applicant's criminal history obtained by the City shall be considered confidential by the City and shall not be disclosed, subject to the requirements of Oregon Public Records Law,
- (b) Appropriate staff shall review the applicant's criminal history and determine if the applicant passes or fails based on the criteria adopted by City Council. If staff determines the applicant did not pass, staff shall inform the applicant in writing and the application shall not be processed further.
- (c) An applicant who has failed a background check may submit a written request to the City Manager or designee that City Council review the applicant's criminal history and consider the applicant for appointment. The applicant shall acknowledge and give consent in their written request that their criminal history shall be provided to City Council at a public meeting and shall be subject to disclosure to the public. Upon receipt of the applicant's complete written request, the application shall be processed consistent with other applications.

Sec. 2.650. Completing unexpired term. Renumbered Sec. 2.560(e).

- ~~(a) Notwithstanding any other ordinance or resolution of the City, an individual who is appointed to complete an unexpired term of a member of a board, commission or committee shall be considered to have served one full term when at least two-thirds of the~~

~~unexpired term remains on the date of appointment and the individual completes the unexpired term.~~

Sec. 2.655. Bylaws.

Boards, commissions and committees may adopt bylaws or rules for their ~~government~~ governance and procedures consistent with the laws of the State and with the Charter and ordinances of the City. Where not inconsistent with such bylaws or where such bylaws are not adopted, Robert's Rules of Order Newly Revised (10th 12th Ed., ~~2000~~2020) shall apply.

Sec. 4.035. Municipal Judge Compensation Commission.

- (a) There is hereby created a Municipal Judge Compensation Commission, which shall be comprised of three members. The Commission shall consist of the City Manager, one attorney of good standing who is a member of the Marion or Polk County Bar Association, and one member of the general public of good character. The Council shall appoint all members, other than the City Manager. The term of office shall be four years.
- (b) The Municipal Judge Compensation Commission shall review and make recommendations to the Council regarding the salary of the municipal judge and compensation for municipal judges pro tempore, based on the following criteria:
 - (1) The qualifications and skills necessary for office.
 - (2) The level of responsibility implicit in the office.
 - (3) The cost of living.
 - (4) The total compensation, including benefits other than salary.
 - (5) Budget limitations.
 - (6) Any other factors the Commission may consider to be reasonable, appropriate and in the public interest.
- (c) The Municipal Judge Compensation Commission shall meet biennially, commencing with the 2008 calendar year, and shall make a recommendation to the Council within 60 days of the date the Commission concludes its review. The Council shall review the recommendation and determine whether to accept the recommendation. If accepted, the recommendation shall become effective during the next fiscal year.
- (d) The compensation for the municipal judge, and any municipal judge pro tempore, shall not be diminished during the term of office.
- (e) If the Commission is unable to meet as required by this section, the City Manager shall make a recommendation to Council following the procedures set for in subsection (b) of this section.

Sec. 5.010. Citizens Community Advisory Transportation Traffic Commission created.

There is hereby created a City ~~traffic transportation~~ advisory body which shall be known as the Citizens Community Advisory Transportation Traffic Commission. The Commission shall be advisory to the Public Works Director and City Council upon a request of the Director or their designee, or Council.

Sec. 5.020. Composition; appointments and terms of members.

The ~~Citizens Advisory Traffic~~ Commission shall consist of nine members to be appointed by the Council. Members shall be chosen from among such persons concerned with and interested in transportation. The appointive members shall serve for a term of three years. No appointive members shall serve more than two consecutive terms. The ~~Traffic~~ Commission shall select one of the appointive members as ~~chairman~~ to serve as chair and one as vice-chair. ~~, and the Traffic Engineer or designee shall serve as an ex-officio member of the Commission. of the Public Works Department shall act as non-voting secretary to said Commission.~~ A representative of the Salem Police Department shall attend and act as a technical advisor at all commission meetings as requested by the Director, Salem Police Department or Chair of the Commission.

Sec. 5.030. Advisory functions of ~~Citizens Advisory Traffic~~ the Commission.

~~The Citizens Advisory Traffic Commission shall be an advisory body, which functions to advise Council, upon request of Council, and the Director, as appropriate, on all matters related to traffic and parking control within the City's transportation system. The Citizens Advisory Traffic Commission shall hold hearings, investigate, and make reports and recommendations to the Director, on all matters before them. Controversial traffic issues, as determined by the Citizens Advisory Traffic Commission, shall be referred to Council with the recommendation and report of the Citizens Advisory Traffic Commission within 30 days, unless additional time be granted. Recommendations shall be through the Director and City Manager to the Council.~~

- (a) Upon request of the Public Works Director or their designee, or City Council, the Commission shall have the following duties:
 - (1) To hold hearings, investigate transportation-related issues, and make reports and recommendations to the Director on all matters before the Commission,
 - (2) To make and issue reports to the Council respecting its studies, research, examinations, and other activities as requested,
 - (3) To send a representative to attend or participate in other transportation-related meetings or processes, as requested, and
 - (4) To serve as a liaison between the community and the Director, encouraging public engagement and input on non-land use transportation-related matters.
- (b) When holding hearings and making recommendations, the Commission shall apply the following criteria:

- (1) Recommendations by the Commission shall comply with adopted policies of the City Council, including but not limited to goals and policies in the City's Comprehensive Plan,
- (2) All recommendations shall comply with Federal, State, and City standards, and
- (3) The Commission shall thoroughly evaluate all sides of the issue, giving due consideration to public testimony, written comments, and evidence presented during the hearing process. All perspectives shall be weighed impartially to ensure that recommendations reflect a balanced and inclusive understanding of the matter at hand.

Sec. 6.010. Salem Planning Commission; composition; term of office; vacancies in office; removal from office.

- (a) The Salem Planning Commission is hereby created.
- (b) The Commission shall consist of nine members to be appointed by the Council,⁵
Commission composition:
 - (1) ~~a~~Not more than one of whom shall be a nonresident of the City. If the Council appoints a nonresident member, that member shall reside within the Salem/Keizer Urban Growth Boundary.
 - (2) ~~Not~~ more than two members of a City Planning Commission may be city officers, who shall serve as ex officio non-voting members.
 - (3) No more than two members shall be engaged principally in the buying, selling, or developing of real estate for profit as an individual or be a member of any corporation that is engaged principally in the buying, selling, or developing of real estate for profit.
 - (4) No more than two members shall be engaged in the same kind of business, trade, or profession. In making appointments to the Commission, the Council shall encourage, but not require, geographic distribution of members throughout the City.
- (c) The term of office for a member shall be four years, or until a successor is appointed and qualified. Terms shall be staggered so that the term of office of not more than three members will expire in the same calendar year. No member shall serve more than two consecutive terms.
- (d) Any vacancy in office shall be filled by appointment made by the Council for the unexpired portion of the term. Members shall qualify by taking an oath to uphold the Constitution of the United States and the State, the laws of the State, the City Charter and the ordinances of the City, and to faithfully and impartially perform the duties of office to the best of their ability.
- (e) A member may be removed by the Council, after hearing, for misconduct or nonperformance of duty. Any member who misses more than four consecutive regular meetings without having been given a leave of absence by the Council shall be removed by

the Council without a hearing, and another member shall be appointed to complete the unexpired term of such member.

- (f) ~~Members shall receive no compensation for their service on the Commission but shall be reimbursed for duly authorized expenses.~~

Sec. 6.030. Annual report to Council.

~~The Commission shall, not later than October 1 of each calendar year, file a report with Council, providing a comprehensive review of its activities during the preceding fiscal year.~~

Sec. 8.010. Human Rights Commission created.

- (a) The Salem Human Rights Commission is hereby created. The Commission shall consist of 15 members to be appointed by the Mayor, said appointments to be representative of the residents of the City. The Commission shall have the powers and duties hereinafter set forth. Except as provided in subsection (b) of this section, the term of office of the appointive members shall be three years, or until their successors are appointed and qualified. Their terms shall be staggered so that the term of office of not more than five members will expire in the same year. Any vacancy in the Commission shall be filled by appointment made by the Mayor for the unexpired portion of the term. ~~Members may be reappointed, except that a member who has served two full three-year terms may not be reappointed until after the expiration of one full year from the date of expiration of the member's immediate previous term of office. The members of the Commission shall receive no compensation for their services.~~
- (b) One member shall be the youth member. The youth member shall be not younger than 15 and not older than 21 years of age at the time of appointment. The term of the youth member shall be one year. The youth member may be reappointed for not more than one additional one-year term.
- (c) There shall be a preference for applicants who self-identify as part of a marginalized community or from a class not currently represented on the Commission.

Sec. 9.300. Airport Advisory Commission.

An Airport Advisory Commission is hereby created. Said Commission shall have seven members to be appointed by the Mayor, ~~who shall serve at his or her pleasure.~~ The Commission shall elect a Chairperson and Vice-Chairperson annually, at the first Commission meeting held in a new calendar year, and they shall serve for the remainder of that calendar year. At least two members of the Commission shall be active pilots holding a current valid pilot's license with a rating of private pilot or higher. At least one member shall be a resident of the ward in which the

Airport is located. One member shall be an individual who is appointed by the Mayor as a representative of the Army Aviation Support Facility after considering the recommendation of the Adjutant General. ~~The Commission shall not receive any compensation for their services. The term of office for members shall be three years, and no member shall serve more than two consecutive terms. Commission members shall serve terms of three years and under no circumstances will be eligible to serve more than two consecutive terms or six years total. Initially, two members shall be appointed for terms of one year, two members for a term of two years, and one member for a term of three years, and for terms of three years thereafter on terminations of such initial appointments.~~

Sec. 12.015. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Actual conflict of interest means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private benefit or detriment of the person or a relative or member of the household of the person, or any business with which the person or a relative or member of the household of the person is associated ~~or the person's relative or any business with which the person or the person's relative is associated~~ unless the pecuniary benefit or detriment arises out of circumstances described under the definition of the term "potential conflict of interest" in this section.

Business has the meaning defined in ORS 244.020(2).

Business with which the person is associated has the meaning defined in ORS 244.020(3).

Member of the household has the meaning defined in ORS 244.020(11).

Potential conflict of interest means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which could be to the private benefit or detriment of the person or a relative or member of the household of the person, or any business with which the person or a relative or member of the household of the person is associated ~~the person's relative, or a business with which the person or the person's relative is associated,~~ unless the benefit or detriment arises out of the following:

- (a) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.
- (b) Any action in the person's official capacity which would affect to the same degree a class consisting of all inhabitants of the State, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member, or is engaged.

- (c) Membership in or membership on the Board of Directors of a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code.

Public official means any person who, when an alleged violation of this chapter occurs, is serving the City as an elected official, appointed official, officer, employee, agent or otherwise, and irrespective of whether the person is compensated for such services.

Relative has the meaning defined in ORS 244.020(16).

[Parks and Recreation Advisory Board]

Sec. 13.030. Composition; appointment and term of members.

The Board shall consist of nine voting members appointed by the Council. Board members shall serve for a term of three years, but the terms shall be staggered so that not more than three terms shall expire in any one year. ~~No appointive member shall serve more than two consecutive terms. One member shall be chosen to represent the Salem-Keizer School District, and at least one member shall have e~~Expertise in urban forestry, arboriculture, or horticulture, to the extent that professionals meeting these standards are available in the community shall be preferred. Members shall be chosen from among such persons concerned with and interested in the development of public parks and playgrounds and like public places in the City. Members shall be residents of or have their places of business in the City. The Director shall serve as ex officio, non-voting secretary to the Board. In case of vacancy, the Council shall appoint a successor to fill out the unexpired term.

Sec. 13.040. Compensation of members.

~~The members of the Board shall not receive any compensation for their services.~~

(Prior Code, § 13.040; Ord. No. 4724)

Sec. 13.055. Organization.

- (a) The Board shall establish the time and place of meetings which shall be open to the public, and shall adopt bylaws for the conduct of its business consistent with the Salem Charter and this Code.
- (b) The Board shall annually elect a chairman and vice-chairman.
- (c) Five members of the Board shall constitute a quorum.
- (d) At least once each year the Council ~~shall~~ may meet in joint sessions with the Board to review existing and changing policies, review Board bylaws, and tour facilities and programs.

Sec. 13.070. Meeting place.

~~The City Manager shall make available to the Board a convenient meeting place.~~

Sec. 15.020. Salem Public Art Commission.

- (a) There is hereby created a seven-member Salem Public Art Commission, who shall be appointed by the Council, ~~after receiving recommendations on the applicants from the Mayor.~~ The City Manager shall serve as an ex officio non-voting secretary to the Commission. The appointed members of the Salem Public Art Commission shall consist of
- (1) ~~two~~ Five members who have experience, training or expertise in any of the following: the visual arts, art history, art criticism, ~~or art education~~, ~~two members who have experience, training or expertise in museum curation, art restoration, or art appraisal~~, ~~two members who have experience, training, or expertise in architecture or landscape architecture, commercial real estate or development, or experience with foundations and cultural development~~; and ~~one~~ two at-large members.
- (b) Members of the Salem Public Art Commission shall serve three-year terms, but the terms shall be staggered, to the extent feasible, so that not more than three members' terms of office shall expire in any one year. ~~Members may be reappointed, except that a member who has served two full three-year terms may not be reappointed until one full year after the date of expiration of his or her immediate previous term of office.~~ In case of a vacancy, a successor to serve the remainder of the term shall be appointed by the Council, ~~after receiving recommendations on the applicants from the Mayor.~~ ~~The members of the Commission shall not receive any compensation for their services.~~
- (c) ~~Except for the first year, t~~The Salem Public Art Commission shall elect a chair and a vice-chair from among its members who shall hold office at the pleasure of the Commission. ~~The first chair and vice chair will be appointed by the Mayor.~~ The Salem Public Art Commission shall adopt rules of procedure and organization of the Commission, and rules for the conduct of meetings that are consistent with generally recognized principles for the orderly conduct of business by a deliberative body. All meetings of the Commission shall be open to the public.
- (d) The Salem Public Art Commission shall have the authority to select, acquire, receive, borrow, commission the design or fabrication of, and maintain, deaccession, document and register all works of art within the City's public art collection with funds from the Public Art Trust Fund. The Commission shall have the authority to advise the City Manager on the management, execution, installation, or placement of works of art, and administration of public art education activities.
- (e) The Salem Public Art Commission shall recommend guidelines for adoption by the Council for the selection, acquisition, commissioning and deaccessioning of public art that give preference to Oregon artists and that shall include consideration of the following:
- (1) Whether the work of art is compatible with the design of the City building;

- (2) Whether the work of art is of exceptional quality and enduring value;
 - (3) Whether the work of art promotes a broad range of artistic styles and media in order to maintain an overall balance within the City;
 - (4) Whether the work of art presents a safety hazard to the public; and
 - (5) Whether the work of art requires extraordinary maintenance, including, but not limited to, periodic adjustment, repainting, repair or replacement of moving parts.
- (f) The Salem Public Art Commission shall establish procedures for the maintenance, management, documentation and registration of all works of art within the City's public art collection and such other procedures and guidelines consistent with this chapter to facilitate the implementation of the Commission's responsibilities under this chapter.
 - (g) Each year at a time specified by the City Manager, the Salem Public Art Commission shall prepare and submit to the City Manager a recommended budget for the Public Art Trust Fund for the ensuing fiscal year, which the City Manager shall forward to the Salem Budget Committee. The budget shall estimate income and expenditures for the Public Art Trust Fund for that year, conform to the requirements of SRC 15.030, and be in a form prescribed by the City Manager.
 - (h) Except as limited by other sections of this chapter, the Salem Public Art Commission's decisions as to the acquisition, fabrication, deaccessioning, and registration of public art, including public murals, shall be final

Sec. 16.020. Composition.

The Cultural and Tourism Promotion Advisory Board shall consist of nine appointed members and the City Manager or the City Manager's designate, who shall be a non-voting member. ~~The members shall be residents of or have their places of business in the City. One member shall be a representative of the for-profit tourism industry. Appointments shall be made by the Council upon recommendation of the Mayor. Subsequent members shall be recommended by the Mayor after consultation with the Board chair. Terms shall be three years.~~

Sec. 16.030. Term of office of Board.

- ~~(a) Except as provided in subsection (b) of this section, members of the Board shall each be appointed for terms of three years, with the further exception that persons appointed to the Board to fill vacancies left by members whose terms on the Board have not expired shall have as their terms of office the unexpired terms of their immediate predecessors on the Board.~~
- ~~(b) Any vacancy in said Board shall be filled by appointment recommended by the Mayor and approved by the Council for the unexpired portion of the term. Members may be reappointed, except that a member who has served two full three-year terms may not be reappointed until after the expiration of one full year from the date of expiration of his or her immediate previous term of office.~~

- (c) ~~Members of the Board shall receive no compensation for their services, but may be reimbursed for expenses incurred in the performance of their duties.~~

Sec. 16.040. Organization of Board.

- (a) ~~Except for the first year, t~~The Salem Cultural and Tourism Promotion Advisory Board shall annually elect a chair and a vice-chair from among its members who shall hold office at the pleasure of the Board. ~~The first chair and vice chair will be appointed by the Mayor.~~
- (b) The Board shall meet at least quarterly at a time and place that it specifies at least five days in advance. The Board may meet at other times in accordance with its rules. All meetings of the Board shall be open to the public, provided executive sessions may be held pursuant to the provisions of state law.
- (c) The Board may establish and alter rules and regulations for its own internal government and procedure consistent with the laws of the State and with the Charter and ordinances of the City.
- (d) The Board's plan of internal organization and rules of procedure shall be governed by Robert's Rules of Order as set forth in SRC 2.655. ~~A record of its proceedings shall be filed with the City Recorder.~~

Sec. 18.020. Library Board.

- (a) The Salem Public Library Advisory Board is hereby created. The Board shall consist of nine members to be appointed by the Council. One position shall be a youth member between 15 and 20 years of age at the time of the appointment. A maximum of one member may be a non-resident of the city and members shall have a Salem Public Library card at the time of application.
- (b) The term of office of the Board members shall be four years, or until their successors are appointed and qualified, and their term shall commence July 1 and be staggered so that the term of office of not more than three will expire in the same year. ~~No person shall hold appointment as a member for more than two full consecutive terms, but any person may be appointed again to the Board after an interval of one year. The terms of members in office at the effective date of the ordinance from which this chapter is derived shall not terminate, but they shall serve out their respective terms. Members of the Board shall receive no compensation for their services, but may be reimbursed for expenses incurred in the performance of their duties.~~

Sec. 18.040. Annual report to State library.

The Library Board shall make an annual report to the State library and to the Council on a form supplied by the State library.

Sec. 20C.020. Salem Historic Landmarks Commission created; composition.

- (a) There is hereby created a commission to be known as the Salem Historic Landmarks Commission. The Commission shall consist of nine members to be appointed by the Mayor. All members shall have a positive interest in historic preservation ~~and be residents of or have their places of business in the City.~~
- (b) At least ~~five~~ four of the Commissioners shall meet the United States Secretary of the Interior's Historic Preservation Qualification Standards, to the extent that professionals meeting those standards are available in the community. In making such appointments, the Mayor should consider the applicants' qualifications in the fields of archaeology, architectural history, conservation, cultural anthropology, curation, engineering, folklore, historic architecture, historic landscape architecture, historic preservation, historic preservation planning, and history. At least one member shall be a qualified archaeologist as defined in ORS 390.235(6)(b). The remaining Commissioners may be appointed at large.
- (c) When making appointments to the Commission, the Mayor may also consider applicants' qualifications in the fields of construction, restoration, real estate, local history, and architecture, as these fields are directly related to the routine functions of the Commission.

Sec. 20C.030. Appointments and terms of members.

- (a) Any vacancies on said Commission shall be filled by appointment by the Mayor, after consulting with the chair of the Commission. ~~Members may be reappointed except that a member who has served two full three-year terms may not be reappointed until after the expiration of one full year from the date of expiration of his or her immediate previous term of office.~~
- (b) ~~Members of the Commission shall receive no compensation for their services, but may be reimbursed for expenses incurred in the performance of their duties.~~

(Prior Code, § 20C.030; Ord. No. 50-85; Ord. No. 10-93; Ord. No. 50-99)

Sec. 20C.040. Organization of Commission.

- (a) The Commission shall elect a chair and vice-chair who shall hold office at the pleasure of the Commission.
- (b) The Commission shall meet at least once each quarter at a time and place that it specifies at least five days in advance. The Commission may meet at other times in accordance with its

rules. All meetings of the Commission shall be open to the public, provided executive sessions may be held pursuant to the provisions of state law.

- (c) The Commission may establish and alter rules and regulations for its own internal government and procedure consistent with the laws of the State and with the Charter and ordinances of the City.
- (d) The Commission's plan of internal organization and rules of procedure shall be governed by Robert's Rules of Order as adopted by SRC 2.655. ~~A record of its proceedings shall be filed with the City Recorder.~~
- (e) The Department of Community Development shall provide the staff support to the Commission. One such staff person shall be designated as its secretary, who shall keep an accurate record of all proceedings of the Commission.

[Center 50+ Advisory Commission]

Sec. 20E.040. Composition, appointment and terms of office.

- (a) The Commission shall consist of 15 members. Seven Commission members shall be persons drawn from the community at large ("community members"), and a maximum of one community member may be from outside the city but within the Urban Growth Boundary. Six of the seven community members shall be 50 years of age or older at the time of their appointment. The eight other Commission members shall be representatives of Center 50+ partners ("partner members"). A Center 50+ partner is a community agency that has a shared mission and vision with Center 50+, and has both an in-kind and financial investment in the success of shared programming that exists at Center 50+ or throughout the community. A partner represents facets of the aging sector and provides expertise and industry knowledge to the Commission as it creates initiatives and programming to better serve the growing population. Friends of Center 50+ is a Center 50+ partner and shall have a standing position on the Commission. ~~Partners include Chemeketa Community College, Northwest Senior & Disability Services, Friends of the Salem Senior Center, Marion Polk Food Share, Alzheimer's Association Oregon Chapter, Salem Electric, a representative from the healthcare industry, and a representative from either the faith community or business community.~~
- (b) Community members shall be appointed by the Mayor for a term of three years, and the terms of not more than three members thereof shall expire in any one year. Partner members shall be appointed, and may be removed, by the Mayor. No community member shall serve more than two full consecutive terms, and partner members may serve any number of consecutive terms.
- (c) In the case of vacancy, the Mayor shall appoint a successor to fill out the unexpired term. The Director shall be an ex officio participating non-voting member of the advisory commission. ~~Members of the Commission shall receive no compensation for their services but may be reimbursed for expenses incurred in the performance of their duties.~~

[Community Police Review Board]**Sec. 20I.020. Appointment and terms of members.**

- (a) Members of the Board shall be appointed by the Council.
- (b) ~~Terms of the members other than those originally appointed shall be for staggered terms of two years or until successors are appointed. Terms of the originally appointed members shall run as follows: three members until January 1, 2004, two members until January 1, 2005, and two members until January 1, 2006. Persons appointed to fill vacancies left by members whose terms on the Board have not expired shall have as their term of office the unexpired terms of their immediate predecessors on the Board. Members, other than members who have resigned, may be appointed for additional terms. Members may serve only two consecutive terms.~~
- ~~(c) Members of the Board shall receive no compensation for their services.~~
- (d) When appointing members of the Board, Council shall consider:
 - (1) Civic participation within the community;
 - (2) Residency within the City of Salem;
 - (3) Criminal history;
 - (4) Commitment to the goals of the Board;
 - (5) Demonstrated life experiences or training in cultural or ethnic diversity; and
 - (6) Victim of felony crime; and
 - (7) Any experience the individual has had with police officers in general, and the Salem Police Department in particular.

TO: Mayor and City Council
THROUGH: Krishna Namburi, City Manager
FROM: Kristin Retherford, Community Planning and Development
 Director

SUBJECT:

Implementation of the Salem Commercial Property Assessed Clean Energy (CPACE) Program.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Strong and Diverse Economy; Welcoming and Livable Community.

SUMMARY:

The Salem Commercial Property Assessed Clean Energy (CPACE) Program expands access to private capital for owners of qualifying real property, including commercial, industrial, agricultural, nonprofit, and multifamily residential properties with five or more dwelling units. The program enables financing for energy efficiency, renewable energy, water conservation, and seismic rehabilitation improvements.

These improvements are financed through a voluntary property assessment recorded as a lien on the property and repaid over time to private Capital Providers. The City does not provide funding for this financing mechanism, but will provide administrative oversight. The program supports improved building performance, increased resilience, reduced operating costs, and strengthened long-term economic infrastructure within the City of Salem.

?

ISSUE:

Shall the City Council advance Ordinance Bill No. 10-26 relating to a Commercial Property Assessed Clean Energy Program, creating Salem Revised Code Chapter 39 to authorize and implement the Salem CPACE Program in accordance with ORS 223.680 and ORS 223.685 and move to the second reading?

RECOMMENDATION:

Advance Ordinance Bill No. 10-26 relating to a Commercial Property Assessed Clean Energy Program, creating Salem Revised Code Chapter 39 to authorize and implement the Salem CPACE Program in accordance with ORS 223.680 and ORS 223.685 and move to the second reading.

FACTS AND FINDINGS:

ORS 223.680 and ORS 223.685 authorize local governments to establish programs that assist owners of qualifying real property in financing cost-effective improvements to real property, including energy efficiency, renewable energy, water conservation, and seismic rehabilitation improvements. These statutes authorize a voluntary property-assessed financing mechanism known as the Commercial Property Assessed Clean Energy (CPACE) Program.

Ordinance Bill No. 10-26 establishes SRC Chapter 39, which creates the legal framework for the City's CPACE Program. The ordinance defines "Qualifying Real Property," "Capital Provider," "Benefit Assessment Lien," and other program terms necessary for implementation.

The CPACE Program allows property owners to voluntarily obtain financing from private Capital Providers for eligible Building Resiliency Improvements. Financing is repaid through a Benefit Assessment Lien recorded with the County Recorder. The lien is secured by the property and remains with the property upon transfer of ownership. Property taxes and other government liens remain senior to the CPACE lien.

The ordinance establishes that the City's role is administrative only. The City will review applications for eligibility, establish program rules and a Program Guidebook, and record required lien documents. The City is not a lender, does not guarantee financing, and is not a party to the financing agreement between the property owner and the Capital Provider.

The program will be funded through a 1 percent administrative fee charged on each CPACE transaction. Program income will first fund the administration and implementation of the CPACE Program. Funds earned in excess of administrative costs would be restricted for economic development activities, including business retention and expansion, entrepreneurial and startup support, workforce development, and other initiatives that strengthen Salem's economy. Financial activity for the program including revenues earned will be segregated and tracked to ensure funds are used for eligible program expenses.

Benefits to the City

If implemented, the CPACE program would stand to benefit the City in several ways. Foremost, the program would encourage the use of more resilient and energy efficient building systems

within the City. These systems and building methods would increase local resilience to the effects of climate change through improvements to air quality, reduced energy costs, conservation of energy and water, and reduced greenhouse gas production and, in the case of seismic upgrades, help to mitigate life and safety risks caused by earthquakes.

CPACE: Examples of Eligible

Building Improvements

- EV Charging
- Solar and wind energy
- Boilers, chillers, and furnaces
- HVAC upgrades and controls
- Seismic retrofits
- Energy storage
- Combined heat and power
- Water conservation
- Building envelopes

The CPACE Program provides significant economic development benefits by expanding access to private capital for building improvements. By lowering financing costs for new construction and major rehabilitation projects, while also reducing long-term operating expenses through energy and water efficiency improvements, the program serves as a financial incentive for private investment and redevelopment in Salem.

Before adoption of the program, the City provided required notice to utilities that distribute electric energy, natural gas, and water within the City in accordance with ORS 223.680(3).

BACKGROUND:

CPACE programs have been implemented in Oregon and across the United States for more than a decade and are increasingly used to support new construction and major redevelopment projects. Oregon jurisdictions with established programs include Multnomah, Washington, Deschutes, Hood River, Benton, Sherman and Clackamas Counties, along with the City of Pendleton.

These programs provide long-term financing for building improvements that reduce operating costs, improve energy and water efficiency, and increase seismic resilience. The financing structure allows property owners to access private capital secured through a voluntary assessment on the property.

Interest in CPACE financing continues to grow among developers and property owners seeking additional financing tools for projects within Salem.

Dana DeKlyen

Assistant Director of Urban Development

Attachments:

1. Ordinance Bill No. 10-26
2. Exhibit A to Ordinance Bill No. 10-26

ORDINANCE BILL NO. 10-26

AN ORDINANCE RELATING TO A COMMERCIAL PROPERTY ASSESSED
CLEAN ENERGY PROGRAM; CREATING NEW PROVISIONS SRC 39.010, 39.020, 39.030,
39.040, and 39.050.

The City of Salem ordains as follows:

Section 1. SRC chapter 39 is hereby adopted as set forth in Exhibit A, attached hereto and by this reference incorporated herein.

Section 2. Findings. ORS 223.680 and ORS 223.685 authorize the City to establish a program to assist owners of commercial property with securing the financing of cost-effective energy improvements, water conservation and seismic rehabilitation improvements. The program authorized by ORS 223.680 and 223.685 is called the Commercial Property Assessed Clean Energy Program (CPACE). The CPACE program supports the financing of energy and water efficiency and renewable energy upgrades and seismic rehabilitation improvements on commercial buildings using a property tax lien. Reducing energy and water consumption and improving seismic resiliency through building retrofits will strengthen the city's economic infrastructure by improving property values, building performance and marketability of the city's commercial real estate. The program shall allow property owners to apply for approval of CPACE benefit assessment on their property to repay financing from third party private capital providers, said benefit assessments to be recorded on title of their property upon approval and closing of financing. Before implementing the program, the City has provided notice to utilities that distribute electric energy, natural gas or water within the areas in which the City will operate the CPACE program in accordance with ORS 223.680(3).

Section 3. Codification. In preparing this ordinance for publication and distribution, the City Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but within such limitations, may:

- (a) Renumber sections and parts of sections of the ordinance;
- (b) Rearrange sections;
- (c) Change reference numbers to agree with renumbered chapters, sections or other parts;
- (d) Delete references to repealed sections;
- (e) Substitute the proper subsection, section or chapter, or other division numbers;

(f) Change capitalization and spelling for the purpose of uniformity;

(g) Add headings for purposes of grouping like sections together for ease of reference; and

(h) Correct manifest clerical, grammatical or typographical errors.

Section 4. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this _____ day of _____, 2026.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: D. DeKlyen

CHAPTER 39. - COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM

Sec. 39.010. – Title and purpose.

This chapter shall be known and may be cited as the "Commercial Property Assessed Clean Energy Program." The purpose of this chapter is to establish a program to assist owners of Qualifying Real Property with securing the financing of cost-effective energy improvements, water conservation and seismic rehabilitation improvements.

Sec. 39.020 - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Acts means ORS 223.680 and ORS 223.685 that authorize the Local Government Programs to Finance Certain Improvements.

Benefit Assessment Lien means the special assessment lien levied against the Qualifying Real Property securing CPACE financing, pursuant to ORS 223.680(7)(a) and ORS 223.685(6)(a).

Building Resiliency improvements means those certain Utility Improvements and Seismic Rehabilitation to the Qualifying Real Property that meet the requirements of the Acts and program guide.

Building Resiliency Improvements means those certain utility and seismic rehabilitation improvements to the Qualifying Real Property that meets the requirements of the Acts and program guide.

Capital Provider means a private third-party lender, including its designee, successor, and assigns, that provides or funds C-PACE financing, including refinancing, pursuant to the Acts.

City of Salem CPACE Program (or CPACE Program) means the program provided for under the Acts and authorized by the City Council for the financing and construction of Building

Resiliency Improvements on Qualifying Real Property.

Clean Energy means the energy that comes from renewable, zero emission sources that do not pollute the atmosphere when used, as well as energy saved by energy efficiency measures.

CPACE Program Guidebook means that guidebook promulgated by the City as may be updated from time to time.

Qualifying Real Property means real property that qualifies to receive CPACE financing for Building Resiliency Improvements under the CPACE program.

Recorder means the County Clerk's Office in which the property is located.

Renewable Energy means clean energy that comes from natural sources or processes that are constantly replenished.

Seismic Rehabilitation means improvements to Qualifying Real Properties that are intended to reduce or prevent harm to persons and property due to the effects of seismic activity on the Qualifying Real Property.

Treasurer means the City of Salem Finance Director, or designee, designated pursuant to ORS 223.505(3) to take all steps necessary to enforce delinquent liens and to maintain records pertaining to collection proceedings thereon.

Utilities Improvements means improvements to Qualifying Real Property for any of the following purposes: (a) energy efficiency; (b) renewable energy; (c) energy storage; (d) smart electric vehicle charging stations, or; (e) water efficiency.

Sec. 39.030 - Benefit Assessment Liens.

- (a) Benefit Assessment Liens shall be recorded with the County Clerk's Office in which the property is located.

- (b) Pursuant to ORS 223.680(7)(a), Benefit Assessment Liens shall have the same priority, as determined under ORS 223.230(3), as a lien for assessment for local improvements arising under ORS 223.393.

Sec. 39.040 - Enforcement of CPACE Benefit Assessment Liens.

- (a) If any installment on any Benefit Assessment Lien bonded is delinquent for a period of one-year from the time it became due and payable, or at any time after 60 days from the time it became due and payable if not bonded, the Recorder may thereafter prepare and transmit to the Treasurer a list in tabular form, made up from the lien docket, describing each Benefit Assessment Lien or installment due on any Benefit Assessment Lien that is so delinquent. The list shall also contain the name of the person to whom assessed, a particular description of the property, the amount of the Benefit Assessment Lien or installment due, and any other facts necessary to be given.
- (b) The Treasurer may take all steps necessary to enforce delinquent Benefit Assessment Liens and maintain records pertaining to those enforcement proceedings pursuant to the procedure set forth in ORS 223.505 to 223.560, including collecting unpaid Benefit Assessment Liens or installments by advertising and selling the Qualifying Real Property in the manner provided in ORS 223.505 to ORS 223.650.
- (c) When an individual/entity purchases real property at a foreclosure sale under ORS 223.505 to ORS 223.590, if, with written preapproval of the Treasurer, that purchaser incurs costs for maintaining or improving the property during the period allowed for redemption and if the property is subsequently redeemed, the Treasurer may return up to all of the penalty paid by the person redeeming the property to the purchaser.

Sec. 39.050 - Program Rules, Administration, Enforcement and Program Fee

- (a) Program Rules. Guidelines, eligibility, approval criteria, and forms for the administration of the CPACE Program for the City will be established at the direction of the Director.

- (b) Billing and Assessment collection. Billing, collection and enforcement of delinquent CPACE Liens or CPACE financing installment payments, remain the responsibility of the Capital Provider, as provided in the Financing Agreement.
- (c) Enforcement of Lien. At the Capital Provider's discretion, a delinquent account can be referred to the City for enforcement through the collection process outlined in ORS 223.505 to 223.650. The City is entitled to recover its fees and costs for the enforcement proceeding. The City Attorney may require the Capital Provider to remit a deposit for the City's costs and fees associated with the enforcement.
- (d) Program Fee. The City, as compensation for time and costs incurred in the establishment and administration of the CPACE Program, including the CPACE ordinance and attendant documents, as well as for reviewing a project application for completeness and executing the Benefit Assessment Agreement, CPACE Lien, and Assignment, shall be determined in an amount establish by Council. The Property Owner must pay this fee to the City at the closing of the transaction between the Property Owner and the Capital Provider, and such payment is a condition precedent to recording.
- (e) All program income from CPACE fees paid to the City as well as expenses associated with the program shall be credited to and accounted for in a segregated cost center. Program income generated by the CPACE program shall first fund the CPACE program administration and implementation. Once the CPACE program expenses are covered, program income shall be restricted for economic development activities including initiatives related to supporting start-up and entrepreneurial programs, workforce development, business retention and expansion, and other economic development activities.
- (f) Lienholder Consent. Before entering into a Benefit Assessment Agreement with the City, and pursuant to ORS 223.680(6)(a) and (b) and 223.685(5)(a) and (b), the Capital

Provider must obtain, and the Project Applications must show proof of notice and written consent for the placement of the assessment and CPACE Lien from any holder of a lien, mortgage, or security interest in the real property.

- (g) No City Liability or Financial Responsibility. Neither the City, its governing body, employees, officers, nor agents are personally liable as a result of exercising any rights or responsibilities granted under the CPACE program. The City shall not pledge, offer, or encumber its full faith and credit for any lien amount under the CPACE program. No City funds may be used to repay any CPACE financing obligation.
- (h) Penalties. The City may establish penalties for failure to pay any required fee in the CPACE Program Guidebook.

TO: Mayor and City Council
THROUGH: Krishna Namburi, City Manager
FROM: Kristin Retherford, Community Planning and Development Director

SUBJECT:

Annexation of an approximate 1.01-acre territory located at 3851 Croisan Creek Road S (ANXC-766).

Ward(s): Ward 7
 Councilor(s): Nordyke
 Neighborhood(s): South West Association of Neighbors (SWAN)
 Result Area(s): Welcoming and Livable Community

SUMMARY:

Annexation of an approximate 1.01-acre territory located at 3851 Croisan Creek Road S (ANXC-766).

ISSUE:

Shall City Council advance Ordinance Bill No. 12-26, approving annexation, applying City zoning, and approving withdrawal of the territory from the Salem Suburban Rural Fire Protection District, for a territory located at 3851 Croisan Creek Road S to second reading for enactment?

RECOMMENDATION:

Advance Ordinance Bill No. 12-26, approving annexation, applying City zoning and approving withdrawal from the Salem Suburban Rural Fire Protection District, for a territory located at 3851 Croisan Creek Road S to second reading for enactment?

FACTS AND FINDINGS:

The annexation request is for an approximate 1.01-acre territory located at 3851 Croisan Creek Road S (Marion County Assessor Map and Tax Lot no. 083W05DD01400). A vicinity map identifying the location of the territory is included as **Attachment 1**. The facts and findings supporting the annexation and withdrawal from the Salem Suburban Rural Fire Protection District are included in Ordinance Bill No. 12-26 (**Attachment 2**). The map and legal description of the territory are included as Exhibit A to the ordinance.

BACKGROUND:

The City Council held a public hearing on the proposed annexation on July 13, 2026. Council closed the public hearing, conducted deliberations, and voted to approve the annexation request.

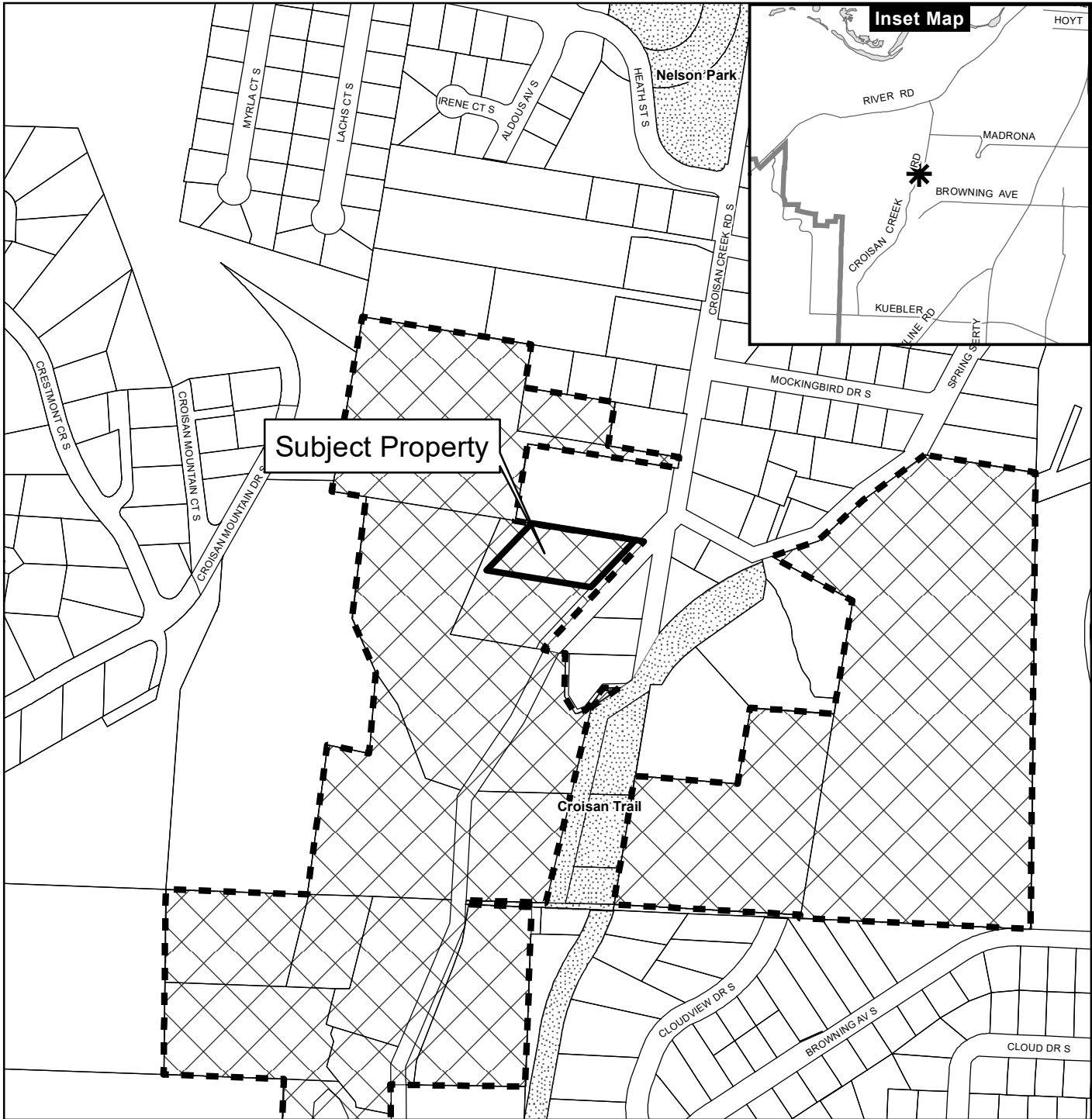
Jacob Brown
Planner III

Attachments:

1. Vicinity Map
2. Ordinance Bill No. 12-26
3. Exhibit A – Territory Legal Description and Map

Vicinity Map

3851 Croisan Creek Road S



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools

Parks



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ORDINANCE BILL NO. 12-26

AN ORDINANCE DECLARING CERTAIN TERRITORY LOCATED AT 3851 CROISAN CREEK ROAD S ANNEXED TO THE CITY OF SALEM, PRESCRIBING ZONING, AND WITHDRAWING THE TERRITORY FROM THE SALEM SUBURBAN RURAL FIRE PROTECTION DISTRICT

The City of Salem ordains as follows:

Section 1. Findings.

Annexations Exempt from Voter Approval.

Pursuant to SRC 260.010(d)(2) voter approval is not required if the annexation request meets one of the following criteria:

(A) The annexation is being made pursuant to an annexation agreement effective prior to May 16, 2000;

(B) The annexation is necessitated by a failing septic system or health hazard; or

(C) The annexation, notwithstanding the Salem City Charter, complies with all of the following requirements:

(i) The annexation petition request is signed by all owners of the property proposed to be annexed;

(ii) The territory proposed for annexation is within the urban growth boundary;

(iii) The territory proposed for annexation is subject to an acknowledge comprehensive plan upon annexation; and

(iv) At least one lot within the territory proposed for annexation is contiguous to the City limits.

Finding: The proposed annexation is exempt from voter approval pursuant to SRC 260.010(d)(2)(C) (i)-(iv). The territory proposed for annexation includes one property owned by Francis Graney. Mr. Graney, who is the sole owner of the property, has signed the annexation petition. The property is located within the Salem Urban Growth Boundary and subject to Salem's acknowledged Comprehensive Plan. The property is also contiguous to the City limits along its northern and eastern boundaries. The territory is therefore exempt from voter approval.

Annexation Approval Criteria.

1 Salem Revised Code (SRC) 260.010(g)(1)(A) sets forth the following criteria that must be met
 2 before approval can be granted to a request for an Annexation without a minor comprehensive
 3 plan map amendment or quasi-judicial zone change:

4 *SRC 260.010(g)(1)(A): The annexation will result in a boundary in which services can be*
 5 *provided in an orderly, efficient, and timely manner.*

6 **Finding:** The proposed annexation is for a territory that is 1.01-acres in size. The annexation of
 7 unincorporated territory contiguous to the City limits will result in urban services being provided
 8 in a more orderly, efficient and timely manner. Unincorporated territory adjacent to the City
 9 limits prevents the orderly expansion of City services because gaps are created in the city's
 10 infrastructure, and services within those gaps must be provided by the County, or by the City
 11 pursuant to intergovernmental or other agreements. This results in inefficiencies due to
 12 discontinuous and fragmented methods of providing infrastructure and inefficiencies, as well as
 13 additional delays for any development proposal. The boundary resulting from the proposed
 14 annexation will provide a more compact and efficient urban form for providing urban services,
 15 because the services will be integrated into the existing City infrastructure that exists adjacent to
 16 the property, and potential jurisdictional conflicts will not exist. The proposed annexation
 17 complies with this criterion

18 *SRC 260.010(g)(1)(B): The land uses and development densities that will be allowed can be*
 19 *served through the orderly, efficient, and timely extension of key urban facilities and services.*

20 **Finding:** Comments provided by the various City departments indicate that the territory in the
 21 proposed annexation may be served through the orderly, efficient and timely extension of key
 22 urban facilities and services as outlined in the City's adopted master plans, Capital Improvement
 23 Plan (CIP) and Public Works and Parks design and construction standards. No improvements to
 24 urban facilities and services are needed at this time to serve the Territory. If new development is
 25 proposed for the Territory, additional urban facilities and services will be required and will be
 26 provided in accordance with the City's adopted master plans, CIP and Urban Growth
 27 Management process as set forth in SRC Chapter 200. The Territory proposed for annexation lies
 28 outside of the Urban Service Area (USA). Pursuant to the City's adopted growth management
 29 program found in SRC Chapter 200, an Urban Growth Area (UGA) Permit is required to provide
 30 adequate public facilities, including water, sewer, stormwater, transportation, and park services,

that may be necessitated by future development. The proposed annexation complies with this criterion.

SRC 260.010(g)(1)(C): The withdrawal of the territory from any applicable special districts complies with applicable state statutes governing the withdrawal of the territory from those districts.

Finding: When withdrawal from a special service district is not automatic, the City Council shall decide on withdrawal from those special service districts. These withdrawals shall be made according to applicable state statutes governing the specific withdrawal. The City will withdraw the Territory from the Salem Suburban Rural Fire Protection and replace those services with service from the City of Salem Fire Department. ORS 222.520 establishes the process by which the Territory may be withdrawn from service districts at the same time as the annexation. No Comprehensive Plan provision or implementing ordinance of the City applies to the withdrawal decision, and none is amended in the process of making the decision. In addition, the decision to withdraw the Territory and serve the Territory with City-supplied urban services rather than district supplied services, does not have significant impacts on present or future land uses. Consequently, the withdrawal decision is not the kind of decision that requires application of land use laws.

SRC 260.010(g)(1)(D): The public interest is furthered by the annexation of the territory.

Finding: The proposed annexation of the territory conforms to the Salem Area Comprehensive Plan and City services can be provided consistent with the City's adopted master plans. The City is expected to add land within the Urban Growth Boundary over time to facilitate development commensurate with urban densities found within the City. The annexation of unincorporated territory contiguous to the City limits will result in urban services being provided in a more orderly, efficient and timely manner and will allow urban levels of development. Therefore, the proposal is found to be in the public interest.

Section 2. Annexation. The Territory described in "Exhibit A" is hereby annexed to the City of Salem, Oregon.

Section 3. Land Use Designations. The zoning for the Territory is prescribed as "RA – Residential Agriculture." The Planning Administrator shall add to the official zoning map the Territory herein annexed

1 **Section 4. Withdrawal.** The Territory is hereby withdrawn from the Salem Suburban Rural
2 Fire Protection District. Such withdrawal is effective upon, and contemporaneous with, the date
3 of annexation.

4 **Section 5.** The City Recorder shall submit a copy of this ordinance and such other information
5 as ORS 222.177 requires to the Oregon Secretary of State, and shall provide the notice and
6 reports required by ORS 222.005(1) and ORS 222.010 to the person or entities described therein.

7 PASSED by the City Council this _____ day of _____, 2026.

8 ATTEST:

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11 City Recorder

12 Approved by City Attorney: _____

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14 Checked by: J. Brown

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Item 7.1.3

**Exhibit Not to Scale**EXISTING CITY
LIMITS LINEReel 4539, Page 398
MCDR

Boundary Commission Order No. 13-70

P.O.B

N 41°45'00" E 174.90'

Reel 4461, Page 309
MCDRReel 1902, Page 46
MCDR

N 83°00'00" W 305.66'

S 83°00'00" E 305.66'

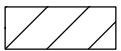
S 41°45'00" W 161.03'

Instruement No. 2025-1989
MCDRCroisan Creek Road S
(Variable Width)Boundary Commission
Order No. 73-45

MCDR = Marion County Deed Records

TOWNSHIP 8 SOUTH, RANGE 3 WEST, SECTION 5,
WILLAMETTE MERIDIAN

Property in Marion County

PROPERTY PROPOSED
TO BE ANNEXED INTO CITY

City Council Meeting Agenda

**CITY OF SALEM, OREGON
PUBLIC WORKS DEPARTMENT**

3851 Croisan Creek Road S and Land Adjacent

CITY OF SALEM ORDINANCE NO. _____

ANNEXED: _____ ADJACENT TO WARD 7
CONTAINING 1.01 acres of land lying outside the existing annexed
right-of-way, more or less.

Monday, July 27, 2026

Page 385 of 386

3851 Croisan Creek Road S and Land Adjacent

A portion of that property described in Reel 4461, Page 309, Marion County Deed Records, together with that property conveyed to the City of Salem as described in Reel 1902, Page 46, Marion County Deed records being situate in the Southeast One-Quarter of Section 5, Township 8 South, Range 3 West, Willamette Meridian, Marion County, City of Salem, State of Oregon, and being more particularly described as follows:

Beginning at the northwest corner of said Reel 4461, Page 309, Marion County Deed Records, said corner also lying along the south line of the Now Existing City Limits Line as established in Boundary Commission Order No. 13-70;

Thence along the north lines of said Reel 4461, Page 309, and Reel 1902, Page 46 coincident with said Now Existing City Limits Line, South 83°00'00" East 305.66 feet to the west line of the Now Existing City Limits Line established in Boundary Commission Order No. 73-45, and lying on the westerly right-of-way of Croisan Creek Road S;

Thence continuing along the west line of the last said Now Existing City Limits Line coincident with the westerly right-of-way line of Croisan Creek Road S, South 41°45'00" West 161.03 to the southeast corner of said Reel 1902, Page 46;

Thence leaving said Now Existing City Limits Line and said westerly right-of-line and continuing along the south lines of said Reel 1902, Page 46 and said Reel 4461, Page 309, North 83°00'00" West 305.66 feet to the southwest corner of said Reel 4461, Page 309;

Thence North 41°45'00" East 174.90 feet along the west line of said Reel 4461, Page 309 to the Point of Beginning.

The above-described property contains 1.01 acres of land lying outside the existing annexed right-of-way, more or less.

The Basis of Bearing for this description is North 41°45'00" East along the centerline of Croisan Creek Road S as depicted on Marion County Survey Record 2465.

Said property is shown on the attached Exhibit Map and by this reference made a part thereof.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Preliminary

OREGON
DECEMBER 03, 2014
PAUL M. KOWALCZYK
79315

RENEWS: JUNE 30, 2027

Approved: _____

Date: _____

Annexation No.: C-766

DOR No.: _____

DOR Date: _____