

## **Council Roundup for February 5, 2018**

The Newberg City Council met on February 5, 2018 and took the following actions:

- Tabled action on sale of the Newberg Animal Shelter property until the City receives an appraisal on its value.
- Approved Ordinances 2018-2824 on updating population projections, 2018-2821 on new legal description for city limits, 2018-2822 creation of private streets in Planned Unit Developments.
- Approved Resolutions 2018-3438, Mid Willamette Valley Council of Governments contract on Economic Development; 2018-3434, to begin work on updating the Code for the Wastewater Master Plan.
- Approved a credit of \$5,645.54 to Cal Portland's Municipal Services account.
- Appointed John Wuitschick, Jr. to the Newberg Planning Commission.
- Directed staff to research options for low-income customers and not shutting their water off if they can't afford to pay the fees on the municipal services statement.
- Approved minutes from January 2, 9 and 11, 2018.

In other business, the Council:

- Heard reports on Council Priorities from the City Manager and department directors.
- Heard from citizens on the recommendations to change the City's system for scoring Transient Lodging Tax applications, and a report on Family Pet Partners.
- Heard an overview of the 2007 Water Management and Conservation Plan





**City Council Work Session  
February 5, 2018 - 6:00 PM  
Public Safety Building 401 East Third Street**

- I. CALL MEETING TO ORDER**
- II. ROLL CALL**
- III. REVIEW OF THE COUNCIL AGENDA AND MEETING**
- IV. COUNCIL BUSINESS ITEMS**
  - IV.A November and December 2017 Fund Financial Statements  
[RCA Information Financial Reports - 2017-11 & 12 Nov & Dec.pdf](#)
- V. COUNCIL PRIORITIES UPDATE**
  - V.A Council Priorities update  
[Council Priorities Update](#)
- VI. ADJOURNMENT**

**PUBLIC COMMENT**

*WORK SESSIONS ARE INTENDED FOR DISCUSSION. NO ACTION WILL BE TAKEN ON THE AGENDA ITEMS AND NO DECISIONS WILL BE MADE. NO ORAL OR WRITTEN TESTIMONY WILL BE HEARD OR RECEIVED FROM THE PUBLIC.*

# REQUEST FOR COUNCIL ACTION

**DATE ACTION REQUESTED: February 5, 2018**

|                           |                               |                                |                    |                              |
|---------------------------|-------------------------------|--------------------------------|--------------------|------------------------------|
| <b>Order ____<br/>No.</b> | <b>Ordinance ____<br/>No.</b> | <b>Resolution ____<br/>No.</b> | <b>Motion ____</b> | <b>Information <u>XX</u></b> |
|---------------------------|-------------------------------|--------------------------------|--------------------|------------------------------|

**SUBJECT: Newberg Fund Financial Statements  
for November and December 2017**

**Contact Person (Preparer) for this  
Item: Matt Zook  
Dept.: Finance**

Included with this report are the fund financial statements for November and December 2017. The financial statements represent the City's ongoing commitment at all levels of the organization to monitor financial status and make adjustments on a monthly basis. These are provided for your information and review, as well as an opportunity for you to ask questions and keep abreast of the financial health of the City. As you review these statements, please feel free to contact me directly in advance of the meeting with questions or comments. This will provide me with an opportunity to come to the Council Work Sessions with sufficient information to answer your questions. No formal action is required at the meeting.

As a reminder, most revenue is not recognized in an equal amount every month. Property taxes are received primarily in November, February, and May. Water revenue tends to trend higher in the summer months. Community Development revenue, such as building and planning fees as well as system development charges, is harder to predict. Transient Lodging Tax and Marijuana Tax is received quarterly. The point is that while 50% of the fiscal year has transpired through December, the year-to-date revenue received may reflect less or more depending on the revenue cycle. At this point, many of the revenues are on track as expected.

A couple items to note:

- 1) The 911 Emergency Fund (13) has a negative balance because the quarterly revenue is received with a one-month lag (i.e. October, January, April, and July). Thus, revenue through December represents only one quarterly payment (25%) rather than 50%. The expenditures in the fund are below budget (44%) rather than 50%. This fund provides primarily for 1.60 FTE of dispatch personnel and not designed to maintain a high ending fund balance as the level of 911 funds from the state are not keeping pace with the cost of the service provided. Once the January 2018 revenue is received, the fund will resume a positive balance.
- 2) The Water SDC Fund (47) has a negative balance due to the timing of anticipated revenue in FY 2017-18. Staff analysis in January 2018 indicates that the SDC revenue should be sufficient to provide for the budgeted capital projects in 2017-18. SDC revenue can be more difficult to predict because as it is based on external drivers generally outside the City's control. It is anticipated that this fund will have a positive fund balance at June 30, 2018.
- 3) City staff is busy preparing the FY 2018-19 Proposed Budget. The budget calendar has been distributed to the Council and the website with Budget Committee meetings scheduled for mid-April through the beginning of May.

## SUMMARY REPORT

NOV 2017

| SUMMARY REPORT     |                                       | NOV 2017       |                   |               |                   | Current YTD       |  |
|--------------------|---------------------------------------|----------------|-------------------|---------------|-------------------|-------------------|--|
| FUNDS              |                                       | 2017-18 BUDGET | MONTH OF NOV 2017 | 2017-18 YTD   | Compare to Budget | 2016-17 PRIOR YTD |  |
|                    |                                       |                |                   |               |                   |                   |  |
|                    |                                       |                |                   |               | 42%               |                   |  |
| City Budget Totals |                                       |                |                   |               |                   |                   |  |
|                    | Total Beg Fund Balance                | \$ 37,027,145  | \$ 40,588,918     | \$ 40,588,918 | 110%              | 39,824,311        |  |
|                    | Total Revenues                        | 62,560,841     | 10,507,263        | 25,373,997    | 41%               | 23,294,483        |  |
|                    | Total Beg Fund Bal & Revenues         | 99,587,986     | 51,096,180        | 65,962,915    |                   | 63,118,793        |  |
|                    | Total Expenses                        | 73,599,226     | 6,269,423         | 22,414,606    | 30%               | 20,988,917        |  |
|                    | Total Contingencies / Reserves        | 25,988,760     | -                 | -             | 0%                | -                 |  |
|                    | Total Exp & Contingen / Reserves      | 99,587,986     | 6,269,423         | 22,414,606    | 23%               | 20,988,917        |  |
|                    | Total Monthly & YTD Net Gain / (Loss) |                | \$ 4,237,839      | \$ 2,959,391  |                   |                   |  |
|                    | Total Ending Fund Balance             |                |                   | \$ 43,548,309 |                   | 42,129,876        |  |
|                    |                                       |                |                   |               |                   |                   |  |
| City Services      |                                       |                |                   |               |                   |                   |  |
| General Fund (01)  |                                       |                |                   |               |                   |                   |  |
|                    | Beg Fund Balance                      | \$ 3,077,675   | \$ 3,563,186      | \$ 3,563,186  | 116%              | 3,313,037         |  |
|                    | Revenues                              |                |                   |               |                   |                   |  |
|                    | General Government                    | -              | -                 | -             | 0%                | -                 |  |
|                    | Municipal Court                       | 12,777         | 494               | 4,620         | 36%               | 6,293             |  |
|                    | Police                                | 1,060,968      | 92,590            | 485,660       | 46%               | 468,612           |  |
|                    | Fire                                  | 363,258        | -                 | -             | 0%                | -                 |  |
|                    | Communications                        | 41,483         | -                 | 21,379        | 52%               | 19,754            |  |
|                    | Library                               | 116,430        | 2,778             | 34,864        | 30%               | 38,413            |  |
|                    | Planning                              | 708,100        | 52,101            | 307,264       | 43%               | 292,811           |  |
|                    | Property Taxes                        | 7,855,522      | 7,047,100         | 7,143,730     | 91%               | 7,023,233         |  |
|                    | Other Taxes                           | 66,400         | 6,358             | 27,625        | 42%               | 65,054            |  |
|                    | Franchise Fees                        | 1,520,823      | 61,714            | 113,532       | 7%                | 106,566           |  |
|                    | Intergovernmental                     | 1,387,137      | 147,961           | 687,423       | 50%               | 557,509           |  |
|                    | Miscellaneous                         | 2,244,616      | 456               | 2,242         | 0%                | 8,131             |  |
|                    | Interest                              | 21,233         | 4,712             | 8,362         | 39%               | 4,631             |  |
|                    | Transfers                             | 1,174,924      | 47,701            | 475,971       | 41%               | 376,938           |  |
|                    | Revenue Total                         | 16,573,671     | 7,463,965         | 9,312,672     | 56%               | 8,967,946         |  |
|                    | Expenses                              |                |                   |               |                   |                   |  |
|                    | General Government                    | 210,073        | 11,360            | 89,351        | 43%               | 121,621           |  |
|                    | Municipal Court                       | 312,131        | 25,332            | 124,176       | 40%               | 150,466           |  |
|                    | Police                                | 6,871,213      | 542,142           | 2,668,799     | 39%               | 2,478,145         |  |
|                    | Fire                                  | 3,866,703      | 320,726           | 1,609,971     | 42%               | 1,596,217         |  |
|                    | Communications                        | 3,509,676      | 842,845           | 1,233,010     | 35%               | 420,773           |  |
|                    | Library                               | 1,767,171      | 262,599           | 753,376       | 43%               | 671,591           |  |
|                    | Planning                              | 1,262,702      | 63,983            | 323,616       | 26%               | 408,498           |  |
|                    | Transfers                             | 143,834        | 1,151             | 22,166        | 15%               | 65,193            |  |
|                    | Contingency                           | 607,843        | -                 | -             | 0%                | -                 |  |
|                    | Unappropriated Ending Balance         | 1,100,000      | -                 | -             | 0%                | -                 |  |
|                    | Total Expenses                        | 19,651,346     | 2,070,137         | 6,824,464     | 35%               | 5,912,503         |  |
|                    | Monthly & YTD Net Gain / (Loss)       |                | \$ 5,393,827      | \$ 2,488,207  |                   |                   |  |
|                    | Ending Fund Balance                   |                |                   | \$ 6,051,394  |                   | 6,368,480         |  |

## SUMMARY REPORT

NOV 2017

| SUMMARY REPORT                          |                   |                      | NOV 2017       |            |    | Current<br>YTD | 2016-17<br>PRIOR YTD |           |
|---|-------------------|----------------------|----------------|------------|----|----------------|----------------------|-----------|
| FUNDS                                   | 2017-18<br>BUDGET | MONTH OF<br>NOV 2017 | 2017-18<br>YTD | Compare to |    |                |                      |           |
|   |                   |                      |                | Budget     |    |                |                      |           |
|   |                   |                      |                | 42%        |    |                |                      |           |
| <u>Public Safety Fee (16)</u>           |                   |                      |                |            |    |                |                      |           |
| Beg Fund Balance                        | \$                | 109,612              | \$             | 171,437    | \$ | 171,437        | 156%                 | 163,546   |
| Revenues                                |                   | 496,809              |                | 42,084     |    | 209,526        | 42%                  | 205,459   |
| Expenses                                |                   | 542,792              |                | 35,435     |    | 162,665        | 30%                  | 245,190   |
| Contingencies / Reserves                |                   | 63,629               |                | -          |    | -              | 0%                   | -         |
| Monthly & YTD Net Gain / (Loss)         |                   |                      | \$             | 6,649      | \$ | 46,862         |                      |           |
| Ending Fund Balance                     |                   |                      |                |            | \$ | 218,299        |                      | 123,816   |
| <u>EMS (05)</u>                         |                   |                      |                |            |    |                |                      |           |
| Beg Fund Balance                        | \$                | 87,036               | \$             | 79,659     | \$ | 79,659         | 92%                  | 1,245,742 |
| Revenues                                |                   | 501,000              |                | 43,762     |    | 218,301        | 44%                  | 317,751   |
| Expenses                                |                   | 551,741              |                | 47,988     |    | 237,430        | 43%                  | 807,355   |
| Contingencies / Reserves                |                   | 36,295               |                | -          |    | -              | 0%                   | -         |
| Monthly & YTD Net Gain / (Loss)         |                   |                      | \$             | (4,226)    | \$ | (19,129)       |                      |           |
| Ending Fund Balance                     |                   |                      |                |            | \$ | 60,530         |                      | 756,139   |
| <u>911 Emergency (13)</u>               |                   |                      |                |            |    |                |                      |           |
| Beg Fund Balance                        | \$                | 23,357               | \$             | 19,080     | \$ | 19,080         | 82%                  | 10,713    |
| Revenues                                |                   | 221,000              |                | -          |    | 55,810         | 25%                  | 53,146    |
| Expenses                                |                   | 224,876              |                | 16,145     |    | 80,640         | 36%                  | 80,684    |
| Contingencies / Reserves                |                   | 19,481               |                | -          |    | -              | 0%                   | -         |
| Monthly & YTD Net Gain / (Loss)         |                   |                      | \$             | (16,145)   | \$ | (24,830)       |                      |           |
| Ending Fund Balance                     |                   |                      |                |            | \$ | (5,750)        |                      | (16,825)  |
| <u>Civil Forfeiture (03)</u>            |                   |                      |                |            |    |                |                      |           |
| Beg Fund Balance                        | \$                | 25,234               | \$             | 25,268     | \$ | 25,268         | 100%                 | 24,302    |
| Revenues                                |                   | 200                  |                | 30         |    | 148            | 74%                  | 798       |
| Expenses                                |                   | 25,434               |                | -          |    | -              | 0%                   | -         |
| Contingencies / Reserves                |                   | -                    |                | -          |    | -              | 0%                   | -         |
| Monthly & YTD Net Gain / (Loss)         |                   |                      | \$             | 30         | \$ | 148            |                      |           |
| Ending Fund Balance                     |                   |                      |                |            | \$ | 25,416         |                      | 25,100    |
| <u>Library Gift &amp; Memorial (22)</u> |                   |                      |                |            |    |                |                      |           |
| Beg Fund Balance                        | \$                | 63,516               | \$             | 88,497     | \$ | 88,497         | 139%                 | 92,550    |
| Revenues                                |                   | 135,600              |                | 392        |    | 21,309         | 16%                  | 6,339     |
| Expenses                                |                   | 160,000              |                | 2,327      |    | 39,676         | 25%                  | 21,942    |
| Contingencies / Reserves                |                   | 39,116               |                | -          |    | -              | 0%                   | -         |
| Monthly & YTD Net Gain / (Loss)         |                   |                      | \$             | (1,936)    | \$ | (18,367)       |                      |           |
| Ending Fund Balance                     |                   |                      |                |            | \$ | 70,130         |                      | 76,946    |

## SUMMARY REPORT

NOV 2017

SUMMARY REPORT

NOV 2017

| FUNDS                              |                   |                      |                |      | Current<br>YTD<br>Compare to<br>Budget<br>42% | 2016-17<br>PRIOR YTD |
|------------------------------------|-------------------|----------------------|----------------|------|---|----------------------|
|                                    | 2017-18<br>BUDGET | MONTH OF<br>NOV 2017 | 2017-18<br>YTD |      |   |                      |
|                                    |                   |                      |                |      |   |                      |
| <u>Building Inspection (08)</u>    |                   |                      |                |      |   |                      |
| Beg Fund Balance                   | \$ 932,354        | \$ 1,107,774         | \$ 1,107,774   | 119% | 746,431                                       |                      |
| Revenues                           | 825,318           | 51,152               | 310,675        | 38%  | 399,291                                       |                      |
| Expenses                           | 706,767           | 54,836               | 273,167        | 39%  | 222,312                                       |                      |
| Contingencies / Reserves           | 1,050,905         | -                    | -              | 0%   | -   |                      |
| Monthly & YTD Net Gain / (Loss)    |                   | \$ (3,684)           | \$ 37,507      |      |   |                      |
| Ending Fund Balance                |                   |                      | \$ 1,145,282   |      | 923,410                                       |                      |
| <u>Streets (Operating) (02)</u>    |                   |                      |                |      |   |                      |
| Beg Fund Balance                   | \$ 489,326        | \$ 736,256           | \$ 736,256     | 150% | 816,245                                       |                      |
| Revenues                           | 2,913,541         | 225,659              | 1,185,583      | 41%  | 513,546                                       |                      |
| Expenses                           | 3,306,928         | 131,070              | 1,357,790      | 41%  | 1,169,964                                     |                      |
| Contingencies / Reserves           | 95,939            | -                    | -              | 0%   | -   |                      |
| Monthly & YTD Net Gain / (Loss)    |                   | \$ 94,589            | \$ (172,207)   |      |   |                      |
| Ending Fund Balance                |                   |                      | \$ 564,049     |      | 159,827                                       |                      |
| <u>Water (Operating) (07)</u>      |                   |                      |                |      |   |                      |
| Beg Fund Balance                   | \$ 8,874,908      | \$ 8,988,958         | \$ 8,988,958   | 101% | 7,784,122                                     |                      |
| Revenues                           | 5,877,525         | 426,375              | 3,428,935      | 58%  | 3,035,669                                     |                      |
| Expenses                           | 6,024,114         | 714,825              | 1,929,345      | 32%  | 2,101,202                                     |                      |
| Contingencies / Reserves           | 8,728,319         | -                    | -              | 0%   | -   |                      |
| Monthly & YTD Net Gain / (Loss)    |                   | \$ (288,450)         | \$ 1,499,589   |      |   |                      |
| Ending Fund Balance                |                   |                      | \$ 10,488,547  |      | 8,718,589                                     |                      |
| <u>Wastewater (Operating) (06)</u> |                   |                      |                |      |   |                      |
| Beg Fund Balance                   | \$ 10,812,028     | \$ 11,959,292        | \$ 11,959,292  | 111% | 12,445,970                                    |                      |
| Revenues                           | 8,147,159         | 649,486              | 3,375,327      | 41%  | 3,124,453                                     |                      |
| Expenses                           | 11,252,805        | 715,280              | 3,340,133      | 30%  | 3,666,687                                     |                      |
| Contingencies / Reserves           | 7,706,382         | -                    | -              | 0%   | -   |                      |
| Monthly & YTD Net Gain / (Loss)    |                   | \$ (65,794)          | \$ 35,194      |      |   |                      |
| Ending Fund Balance                |                   |                      | \$ 11,994,486  |      | 11,903,735                                    |                      |
| <u>Stormwater (Operating) (17)</u> |                   |                      |                |      |   |                      |
| Beg Fund Balance                   | \$ 898,152        | \$ 1,028,251         | \$ 1,028,251   | 114% | 1,169,140                                     |                      |
| Revenues                           | 1,488,924         | 124,756              | 631,854        | 42%  | 565,403                                       |                      |
| Expenses                           | 2,174,253         | 475,792              | 1,235,496      | 57%  | 667,825                                       |                      |
| Contingencies / Reserves           | 212,823           | -                    | -              | 0%   | -   |                      |
| Monthly & YTD Net Gain / (Loss)    |                   | \$ (351,035)         | \$ (603,641)   |      |   |                      |
| Ending Fund Balance                |                   |                      | \$ 424,610     |      | 1,066,718                                     |                      |

## SUMMARY REPORT

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SUMMARY REPORT

NOV 2017

FUNDS

2017-18 BUDGET

MONTH OF NOV 2017

2017-18 YTD

Current YTD

Compare to Budget

42%

2016-17 PRIOR YTD

Administrative Support (31)

Beg Fund Balance

\$ 553,185

\$ 728,861

\$ 728,861

132%

474,296

Revenues

4,750,352

383,066

1,916,666

40%

1,807,069

Expenses

City Manager

640,981

44,131

228,790

36%

191,888

Human Resources

216,501

15,275

80,644

37%

64,111

Emergency Management

-

-

-

0%

-

Finance

734,726

59,092

309,584

42%

281,813

Gen Office(Postage/Phones)

177,289

13,783

58,449

33%

58,654

Utility Billing

323,036

24,997

139,746

43%

130,297

Information Technology

1,071,444

70,727

465,781

43%

430,358

Legal

480,443

36,961

182,527

38%

171,563

Fleet Maintenance

208,735

18,234

94,633

45%

72,551

Facilities Repair/Replacement

835,675

64,155

306,128

37%

151,587

Insurance

366,446

1,000

312,367

85%

289,899

Transfers

3,362

280

1,401

42%

11,473

Contingencies / Reserves

244,898

-

-

0%

-

Total Expenses

5,303,536

348,635

2,180,051

41%

1,854,194

Monthly & YTD Net Gain / (Loss)

\$ 34,430

\$ (263,385)

Ending Fund Balance

\$ 465,476

427,170

Capital Improvement Projects

Streets CIP's (18)

Beg Fund Balance

\$ 168,396

\$ 168,834

\$ 168,834

0%

165,646

Revenues

5,894,337

12,105

939,690

16%

834,316

Expenses

5,892,337

11,901

936,783

16%

832,854

Contingencies / Reserves

170,396

-

-

0%

-

Monthly & YTD Net Gain / (Loss)

\$ 205

\$ 2,908

Ending Fund Balance

\$ 171,742

167,109

Water / Wastewater / Stormwater CIP's (04)

Beg Fund Balance

\$ -

\$ -

\$ -

0%

-

Revenues

7,278,467

467,899

1,552,464

21%

1,169,870

Expenses

7,278,467

467,899

1,552,464

21%

1,169,870

Contingencies / Reserves

-

-

-

0%

-

Monthly & YTD Net Gain / (Loss)

\$ 0

\$ (0)

Ending Fund Balance

\$ (0)

-

Street SDC (42)

Beg Fund Balance

\$ 2,965,113

\$ 2,936,734

\$ 2,936,734

99%

2,824,984

Revenues

2,365,125

155,111

412,598

17%

180,329

Expenses

3,971,000

1,862

97,918

2%

196,588

Contingencies / Reserves

1,359,238

-

-

0%

-

Monthly & YTD Net Gain / (Loss)

\$ 153,249

\$ 314,680

Ending Fund Balance

\$ 3,251,414

2,808,724

## SUMMARY REPORT

NOV 2017

SUMMARY REPORT

NOV 2017

| FUNDS                           | 2017-18 |           |    |           |   | 2016-17<br>PRIOR YTD |      |           |
|---------------------------------|---------|-----------|----|-----------|---|----------------------|------|-----------|
|                                 | BUDGET  | MONTH OF  |    | YTD       | Current<br>YTD<br>Compare to<br>Budget<br>42% |                      |      |           |
|                                 |         | NOV 2017  |    |           |   |                      |      |           |
| Water SDC (47)                  |         |           |    |           |   |                      |      |           |
| Beg Fund Balance                | \$      | 298,518   | \$ | 572,610   | \$  | 572,610              | 192% | 821,631   |
| Revenues                        |         | 734,713   |    | 29,389    |   | 163,368              | 22%  | 313,365   |
| Expenses                        |         | 1,028,931 |    | 603,381   |   | 605,309              | 59%  | 634,738   |
| Contingencies / Reserves        |         | 4,300     |    | -         |   | -                    | 0%   | -         |
| Monthly & YTD Net Gain / (Loss) |         |           | \$ | (573,992) | \$  | (441,941)            |      |           |
| Ending Fund Balance             |         |           |    |           | \$  | 130,669              |      | 500,259   |
| Wastewater SDC (46)             |         |           |    |           |   |                      |      |           |
| Beg Fund Balance                | \$      | 4,516,526 | \$ | 5,106,412 | \$  | 5,106,412            | 113% | 4,527,496 |
| Revenues                        |         | 830,000   |    | 39,910    |   | 281,165              | 34%  | 569,605   |
| Expenses                        |         | 1,579,724 |    | 85,813    |   | 463,059              | 29%  | 125,215   |
| Contingencies / Reserves        |         | 3,766,802 |    | -         |   | -                    | 0%   | -         |
| Monthly & YTD Net Gain / (Loss) |         |           | \$ | (45,903)  | \$  | (181,894)            |      |           |
| Ending Fund Balance             |         |           |    |           | \$  | 4,924,518            |      | 4,971,886 |
| Stormwater SDC (43)             |         |           |    |           |   |                      |      |           |
| Beg Fund Balance                | \$      | 94,806    | \$ | 106,284   | \$  | 106,284              | 112% | 167,567   |
| Revenues                        |         | 71,200    |    | 5,945     |   | 12,416               | 17%  | 18,963    |
| Expenses                        |         | 55,000    |    | 21,025    |   | 41,424               | 75%  | 69,280    |
| Contingencies / Reserves        |         | 111,006   |    | -         |   | -                    | 0%   | -         |
| Monthly & YTD Net Gain / (Loss) |         |           | \$ | (15,080)  | \$  | (29,008)             |      |           |
| Ending Fund Balance             |         |           |    |           | \$  | 77,275               |      | 117,250   |
| Debt                            |         |           |    |           |   |                      |      |           |
| Debt Service (General Op) (09)  |         |           |    |           |   |                      |      |           |
| Beg Fund Balance                | \$      | 36,946    | \$ | 38,270    | \$  | 38,270               | 104% | 216,728   |
| Revenues                        |         | 743,425   |    | 270,614   |   | 354,788              | 48%  | 347,111   |
| Expenses                        |         | 736,006   |    | 317,209   |   | 317,209              | 43%  | 317,207   |
| Contingencies / Reserves        |         | 44,365    |    | -         |   | -                    | 0%   | -         |
| Monthly & YTD Net Gain / (Loss) |         |           | \$ | (46,594)  | \$  | 37,579               |      |           |
| Ending Fund Balance             |         |           |    |           | \$  | 75,849               |      | 246,632   |
| City Hall (10)                  |         |           |    |           |   |                      |      |           |
| Beg Fund Balance                | \$      | 512,086   | \$ | 552,745   | \$  | 552,745              | 108% | 509,076   |
| Revenues                        |         | 93,000    |    | 8,153     |   | 50,504               | 54%  | 52,939    |
| Expenses                        |         | 108,486   |    | 103,486   |   | 103,486              | 95%  | 98,718    |
| Contingencies / Reserves        |         | -         |    | -         |   | -                    | 0%   | -         |
| Unappropriated Ending Balance   |         | 496,600   |    | -         |   | -                    | 0%   | -         |
| Monthly & YTD Net Gain / (Loss) |         |           | \$ | (95,334)  | \$  | (52,982)             |      |           |
| Ending Fund Balance             |         |           |    |           | \$  | 499,763              |      | 463,297   |

## SUMMARY REPORT

NOV 2017

| SUMMARY REPORT                       |                   |                      | NOV 2017       |                   |    | Current YTD | 2016-17<br>PRIOR YTD |           |
|--------------------------------------|-------------------|----------------------|----------------|-------------------|----|-------------|----------------------|-----------|
| FUNDS                                | 2017-18<br>BUDGET | MONTH OF<br>NOV 2017 | 2017-18<br>YTD | Compare to Budget |    |             |                      |           |
|                                      |                   |                      |                | 42%               |    |             |                      |           |
|                                      |                   |                      |                |                   |    |             |                      |           |
|                                      |                   |                      |                |                   |    |             |                      |           |
| Reserves                             |                   |                      |                |                   |    |             |                      |           |
| PERS Stabilization Reserve (25)      |                   |                      |                |                   |    |             |                      |           |
| Beg Fund Balance                     | \$                | 179,255              | \$             | 179,840           | \$ | 179,840     | 100%                 | -         |
| Revenues                             |                   | -                    |                | 124               |    | 789         | 0%                   | 74,652    |
| Expenses                             |                   | 179,255              |                | 14,987            |    | 74,933      | 42%                  | -         |
| Contingencies / Reserves             |                   | -                    |                | -                 |    | -           | 0%                   | -         |
| Monthly & YTD Net Gain / (Loss)      |                   |                      | \$             | (14,863)          | \$ | (74,144)    |                      |           |
| Ending Fund Balance                  |                   |                      |                |                   | \$ | 105,697     |                      | 74,652    |
| Vehicle / Equipment Replacement (32) |                   |                      |                |                   |    |             |                      |           |
| Beg Fund Balance                     | \$                | 1,372,748            | \$             | 1,431,306         | \$ | 1,431,306   | 104%                 | 1,176,384 |
| Revenues                             | \$                | 1,114,077            | \$             | 92,338            | \$ | 486,555     | 44%                  | 337,292   |
| Expenses                             |                   |                      |                |                   |    |             |                      |           |
| General Government                   |                   | -                    |                | -                 |    | -           | 0%                   | 1,373     |
| City Manager's Office                |                   | 1,468                |                | -                 |    | -           | 0%                   | -         |
| Human Resources                      |                   | 1,013                |                | -                 |    | -           | 0%                   | -         |
| Finance                              |                   | 17,496               |                | -                 |    | -           | 0%                   | -         |
| Information Technology               |                   | 76,396               |                | -                 |    | 68,272      | 89%                  | 108,482   |
| Legal                                |                   | 423                  |                | -                 |    | -           | 0%                   | -         |
| Municipal Court                      |                   | 4,114                |                | -                 |    | -           | 0%                   | -         |
| Police                               |                   | 461,425              |                | 1,140             |    | 93,930      | 20%                  | 113,484   |
| Communications                       |                   | 153,488              |                | -                 |    | -           | 0%                   | -         |
| Library                              |                   | 13,103               |                | -                 |    | -           | 0%                   | -         |
| Planning                             |                   | 2,975                |                | -                 |    | -           | 0%                   | -         |
| Building                             |                   | 26,412               |                | -                 |    | -           | 0%                   | -         |
| PW Administration                    |                   | 1,556,524            |                | 7,379             |    | 38,906      | 2%                   | -         |
| Fleet Maintenance                    |                   | 11,048               |                | 34                |    | 254         | 2%                   | 210       |
| Facilities Repair/Replacement        |                   | 160,940              |                | -                 |    | 11,064      | 7%                   | 54,350    |
| Contingencies / Reserves             |                   | -                    |                | -                 |    | -           | 0%                   | -         |
| Total Expenses                       |                   | 2,486,825            |                | 8,553             |    | 212,425     | 9%                   | 334,982   |
| Monthly & YTD Net Gain / (Loss)      |                   |                      | \$             | 83,785            | \$ | 274,130     |                      |           |
| Ending Fund Balance                  |                   |                      |                |                   | \$ | 1,705,436   |                      | 1,178,694 |



## SUMMARY REPORT

NOV 2017

| SUMMARY REPORT                  |                   |                      | NOV 2017       |            |    | Current<br>YTD | 2016-17<br>PRIOR YTD |         |
|---------------------------------|-------------------|----------------------|----------------|------------|----|----------------|----------------------|---------|
| FUNDS                           | 2017-18<br>BUDGET | MONTH OF<br>NOV 2017 | 2017-18<br>YTD | Compare to |    |                |                      |         |
|                                 |                   |                      |                | Budget     |    |                |                      |         |
|                                 |                   |                      |                | 42%        |    |                |                      |         |
|                                 |                   |                      |                |            |    |                |                      |         |
| Community Projects              |                   |                      |                |            |    |                |                      |         |
| Cable TV Trust (23)             |                   |                      |                |            |    |                |                      |         |
| Beg Fund Balance                | \$                | 37,825               | \$             | 37,897     | \$ | 37,897         | 100%                 | 37,504  |
| Revenues                        |                   | 200                  |                | 45         |    | 222            | 111%                 | 140     |
| Expenses                        |                   | 38,025               |                | -          |    | -              | 0%                   | -       |
| Contingencies / Reserves        |                   | -                    |                | -          |    | -              | 0%                   | -       |
| Monthly & YTD Net Gain / (Loss) |                   |                      | \$             | 45         | \$ | 222            |                      |         |
| Ending Fund Balance             |                   |                      |                |            | \$ | 38,118         |                      | 37,644  |
| Economic Development (14)       |                   |                      |                |            |    |                |                      |         |
| Beg Fund Balance                | \$                | 554,825              | \$             | 617,748    | \$ | 617,748        | 111%                 | 570,191 |
| Revenues                        |                   | 457,771              |                | 3,939      |    | 35,191         | 8%                   | 31,394  |
| Expenses                        |                   | 882,174              |                | 2,751      |    | 20,849         | 2%                   | 9,120   |
| Contingencies / Reserves        |                   | 130,423              |                | -          |    | -              | 0%                   | -       |
| Monthly & YTD Net Gain / (Loss) |                   |                      | \$             | 1,188      | \$ | 14,342         |                      |         |
| Ending Fund Balance             |                   |                      |                |            | \$ | 632,090        |                      | 592,465 |
| Transient Lodging Tax (19)      |                   |                      |                |            |    |                |                      |         |
| Beg Fund Balance                | \$                | 343,718              | \$             | 343,718    | \$ | 343,718        | 100%                 | 149,857 |
| Revenues                        |                   | 1,047,427            |                | 10,964     |    | 417,475        | 40%                  | 366,802 |
| Expenses                        |                   | 1,391,145            |                | 18,086     |    | 327,890        | 24%                  | 293,598 |
| Contingencies / Reserves        |                   | -                    |                | -          |    | -              | 0%                   | -       |
| Monthly & YTD Net Gain / (Loss) |                   |                      | \$             | (7,122)    | \$ | 89,585         |                      |         |
| Ending Fund Balance             |                   |                      |                |            | \$ | 433,303        |                      | 223,061 |

## SUMMARY REPORT

DEC 2017

| SUMMARY REPORT                        |                   |                      | DEC 2017       |            |     | Current<br>YTD | 2016-17<br>PRIOR YTD |
|---------------------------------------|-------------------|----------------------|----------------|------------|-----|----------------|----------------------|
| FUNDS                                 | 2017-18<br>BUDGET | MONTH OF<br>DEC 2017 | 2017-18<br>YTD | Compare to |     |                |                      |
|                                       |                   |                      |                | Budget     | 50% |                |                      |
|                                       |                   |                      |                |            |     |                |                      |
| City Budget Totals                    |                   |                      |                |            |     |                |                      |
| Total Beg Fund Balance                | \$ 37,027,145     | \$ 40,611,931        | \$ 40,611,931  | 110%       |     | 39,824,311     |                      |
| Total Revenues                        | 62,560,841        | 2,812,299            | 28,186,295     | 45%        |     | 26,124,167     |                      |
| Total Beg Fund Bal & Revenues         | 99,587,986        | 43,424,230           | 68,798,226     |            |     | 65,948,478     |                      |
| Total Expenses                        | 73,599,226        | 3,546,256            | 25,960,862     | 35%        |     | 24,989,754     |                      |
| Total Contingencies / Reserves        | 25,988,760        | -                    | -              | 0%         |     | -              |                      |
| Total Exp & Contingen / Reserves      | 99,587,986        | 3,546,256            | 25,960,862     | 26%        |     | 24,989,754     |                      |
|                                       |                   |                      |                |            |     |                |                      |
| Total Monthly & YTD Net Gain / (Loss) |                   | \$ (733,958)         | \$ 2,225,433   |            |     |                |                      |
| Total Ending Fund Balance             |                   |                      | \$ 42,837,364  |            |     | 40,958,724     |                      |
|                                       |                   |                      |                |            |     |                |                      |
| City Services                         |                   |                      |                |            |     |                |                      |
| General Fund (01)                     |                   |                      |                |            |     |                |                      |
| Beg Fund Balance                      | \$ 3,077,675      | \$ 3,564,316         | \$ 3,564,316   | 116%       |     | 3,313,037      |                      |
| Revenues                              |                   |                      |                |            |     |                |                      |
| General Government                    | -                 | -                    | -              | 0%         |     | -              |                      |
| Municipal Court                       | 12,777            | 428                  | 5,048          | 40%        |     | 6,749          |                      |
| Police                                | 1,060,968         | 78,724               | 564,384        | 53%        |     | 552,046        |                      |
| Fire                                  | 363,258           | -                    | -              | 0%         |     | -              |                      |
| Communications                        | 41,483            | -                    | 21,379         | 52%        |     | 19,754         |                      |
| Library                               | 116,430           | 2,481                | 37,345         | 32%        |     | 40,652         |                      |
| Planning                              | 708,100           | 12,783               | 320,047        | 45%        |     | 313,268        |                      |
| Property Taxes                        | 7,855,522         | 95,492               | 7,239,222      | 92%        |     | 7,118,916      |                      |
| Other Taxes                           | 66,400            | 25                   | 27,650         | 42%        |     | 65,054         |                      |
| Franchise Fees                        | 1,520,823         | 67                   | 113,600        | 7%         |     | 106,580        |                      |
| Intergovernmental                     | 1,387,137         | 105,214              | 792,637        | 57%        |     | 641,925        |                      |
| Miscellaneous                         | 2,244,616         | 77                   | 2,319          | 0%         |     | 8,273          |                      |
| Interest                              | 21,233            | 5,393                | 13,755         | 65%        |     | 7,817          |                      |
| Transfers                             | 1,174,924         | 41,272               | 517,243        | 44%        |     | 405,123        |                      |
| Revenue Total                         | 16,573,671        | 341,958              | 9,654,630      | 58%        |     | 9,286,157      |                      |
| Expenses                              |                   |                      |                |            |     |                |                      |
| General Government                    | 210,073           | 14,089               | 103,440        | 49%        |     | 134,615        |                      |
| Municipal Court                       | 312,131           | 23,850               | 148,025        | 47%        |     | 180,165        |                      |
| Police                                | 6,871,213         | 624,969              | 3,293,768      | 48%        |     | 3,047,479      |                      |
| Fire                                  | 3,866,703         | 322,319              | 1,932,290      | 50%        |     | 1,914,629      |                      |
| Communications                        | 3,509,676         | 120,460              | 1,353,470      | 39%        |     | 507,227        |                      |
| Library                               | 1,767,171         | 135,390              | 888,766        | 50%        |     | 777,914        |                      |
| Planning                              | 1,262,702         | 59,496               | 383,112        | 30%        |     | 479,080        |                      |
| Transfers                             | 143,834           | 1,151                | 23,317         | 16%        |     | 94,643         |                      |
| Contingency                           | 607,843           | -                    | -              | 0%         |     | -              |                      |
| Unappropriated Ending Balance         | 1,100,000         | -                    | -              | 0%         |     | -              |                      |
| Total Expenses                        | 19,651,346        | 1,301,723            | 8,126,188      | 41%        |     | 7,135,751      |                      |
| Monthly & YTD Net Gain / (Loss)       |                   | \$ (959,765)         | \$ 1,528,442   |            |     |                |                      |
| Ending Fund Balance                   |                   |                      | \$ 5,092,758   |            |     | 5,463,442      |                      |

## SUMMARY REPORT

DEC 2017

| SUMMARY REPORT                          |                   |                      | DEC 2017       |      |  | Current<br>YTD<br>Compare to<br>Budget<br>50% | 2016-17<br>PRIOR YTD |
|---|-------------------|----------------------|----------------|------|--|---|----------------------|
| FUNDS                                   | 2017-18<br>BUDGET | MONTH OF<br>DEC 2017 | 2017-18<br>YTD |      |  |   |                      |
| <u>Public Safety Fee (16)</u>           |                   |                      |                |      |  |   |                      |
| Beg Fund Balance                        | \$ 109,612        | \$ 171,860           | \$ 171,860     | 157% |  | 163,546                                       |                      |
| Revenues                                | 496,809           | 41,979               | 251,506        | 51%  |  | 246,684                                       |                      |
| Expenses                                | 542,792           | 49,477               | 212,142        | 39%  |  | 318,033                                       |                      |
| Contingencies / Reserves                | 63,629            | -                    | -              | 0%   |  | -   |                      |
| Monthly & YTD Net Gain / (Loss)         |                   | \$ (7,498)           | \$ 39,363      |      |  |   |                      |
| Ending Fund Balance                     |                   |                      | \$ 211,224     |      |  | 92,198  |                      |
| <u>EMS (05)</u>                         |                   |                      |                |      |  |   |                      |
| Beg Fund Balance                        | \$ 87,036         | \$ 79,659            | \$ 79,659      | 92%  |  | 1,245,742                                     |                      |
| Revenues                                | 501,000           | 46,414               | 264,716        | 53%  |  | 326,435                                       |                      |
| Expenses                                | 551,741           | 45,978               | 283,409        | 51%  |  | 902,206                                       |                      |
| Contingencies / Reserves                | 36,295            | -                    | -              | 0%   |  | -   |                      |
| Monthly & YTD Net Gain / (Loss)         |                   | \$ 436               | \$ (18,693)    |      |  |   |                      |
| Ending Fund Balance                     |                   |                      | \$ 60,966      |      |  | 669,972                                       |                      |
| <u>911 Emergency (13)</u>               |                   |                      |                |      |  |   |                      |
| Beg Fund Balance                        | \$ 23,357         | \$ 19,080            | \$ 19,080      | 82%  |  | 10,713  |                      |
| Revenues                                | 221,000           | -                    | 55,810         | 25%  |  | 53,146  |                      |
| Expenses                                | 224,876           | 17,603               | 98,243         | 44%  |  | 95,602  |                      |
| Contingencies / Reserves                | 19,481            | -                    | -              | 0%   |  | -   |                      |
| Monthly & YTD Net Gain / (Loss)         |                   | \$ (17,603)          | \$ (42,433)    |      |  |   |                      |
| Ending Fund Balance                     |                   |                      | \$ (23,353)    |      |  | (31,744)                                      |                      |
| <u>Civil Forfeiture (03)</u>            |                   |                      |                |      |  |   |                      |
| Beg Fund Balance                        | \$ 25,234         | \$ 25,268            | \$ 25,268      | 100% |  | 24,302  |                      |
| Revenues                                | 200               | 34                   | 182            | 91%  |  | 819   |                      |
| Expenses                                | 25,434            | -                    | -              | 0%   |  | -   |                      |
| Contingencies / Reserves                | -                 | -                    | -              | 0%   |  | -   |                      |
| Monthly & YTD Net Gain / (Loss)         |                   | \$ 34                | \$ 182         |      |  |   |                      |
| Ending Fund Balance                     |                   |                      | \$ 25,450      |      |  | 25,121  |                      |
| <u>Library Gift &amp; Memorial (22)</u> |                   |                      |                |      |  |   |                      |
| Beg Fund Balance                        | \$ 63,516         | \$ 88,497            | \$ 88,497      | 139% |  | 92,550  |                      |
| Revenues                                | 135,600           | 1,209                | 22,517         | 17%  |  | 13,081  |                      |
| Expenses                                | 160,000           | 1,888                | 41,564         | 26%  |  | 25,751  |                      |
| Contingencies / Reserves                | 39,116            | -                    | -              | 0%   |  | -   |                      |
| Monthly & YTD Net Gain / (Loss)         |                   | \$ (680)             | \$ (19,046)    |      |  |   |                      |
| Ending Fund Balance                     |                   |                      | \$ 69,450      |      |  | 79,879  |                      |

## SUMMARY REPORT

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| SUMMARY REPORT                     |                   | DEC 2017             |                |                             |            | Current<br>YTD | 2016-17<br>PRIOR YTD |
|------------------------------------|-------------------|----------------------|----------------|-----------------------------|------------|----------------|----------------------|
| FUNDS                              | 2017-18<br>BUDGET | MONTH OF<br>DEC 2017 | 2017-18<br>YTD | Compare to<br>Budget<br>50% |            |                |                      |
|                                    |                   |                      |                |                             |            |                |                      |
|                                    |                   |                      |                |                             |            |                |                      |
| <u>Building Inspection (08)</u>    |                   |                      |                |                             |            |                |                      |
| Beg Fund Balance                   | \$ 932,354        | \$ 1,107,774         | \$ 1,107,774   | 119%                        | 746,431    |                |                      |
| Revenues                           | 825,318           | 85,317               | 395,992        | 48%                         | 434,808    |                |                      |
| Expenses                           | 706,767           | 51,475               | 324,642        | 46%                         | 267,396    |                |                      |
| Contingencies / Reserves           | 1,050,905         | -                    | -              | 0%                          | -          |                |                      |
| Monthly & YTD Net Gain / (Loss)    |                   | \$ 33,842            | \$ 71,350      |                             |            |                |                      |
| Ending Fund Balance                |                   |                      | \$ 1,179,124   |                             | 913,843    |                |                      |
| <u>Streets (Operating) (02)</u>    |                   |                      |                |                             |            |                |                      |
| Beg Fund Balance                   | \$ 489,326        | \$ 736,256           | \$ 736,256     | 150%                        | 816,245    |                |                      |
| Revenues                           | 2,913,541         | 212,457              | 1,398,040      | 48%                         | 640,889    |                |                      |
| Expenses                           | 3,306,928         | 123,034              | 1,480,823      | 45%                         | 1,355,177  |                |                      |
| Contingencies / Reserves           | 95,939            | -                    | -              | 0%                          | -          |                |                      |
| Monthly & YTD Net Gain / (Loss)    |                   | \$ 89,424            | \$ (82,783)    |                             |            |                |                      |
| Ending Fund Balance                |                   |                      | \$ 653,472     |                             | 101,957    |                |                      |
| <u>Water (Operating) (07)</u>      |                   |                      |                |                             |            |                |                      |
| Beg Fund Balance                   | \$ 8,874,908      | \$ 8,995,620         | \$ 8,995,620   | 101%                        | 7,784,122  |                |                      |
| Revenues                           | 5,877,525         | 348,021              | 3,776,956      | 64%                         | 3,379,234  |                |                      |
| Expenses                           | 6,024,114         | 247,171              | 2,176,516      | 36%                         | 2,407,295  |                |                      |
| Contingencies / Reserves           | 8,728,319         | -                    | -              | 0%                          | -          |                |                      |
| Monthly & YTD Net Gain / (Loss)    |                   | \$ 100,850           | \$ 1,600,440   |                             |            |                |                      |
| Ending Fund Balance                |                   |                      | \$ 10,596,060  |                             | 8,756,061  |                |                      |
| <u>Wastewater (Operating) (06)</u> |                   |                      |                |                             |            |                |                      |
| Beg Fund Balance                   | \$ 10,812,028     | \$ 11,973,385        | \$ 11,973,385  | 111%                        | 12,445,970 |                |                      |
| Revenues                           | 8,147,159         | 680,099              | 4,055,426      | 50%                         | 4,035,112  |                |                      |
| Expenses                           | 11,252,805        | 601,702              | 3,941,834      | 35%                         | 4,372,048  |                |                      |
| Contingencies / Reserves           | 7,706,382         | -                    | -              | 0%                          | -          |                |                      |
| Monthly & YTD Net Gain / (Loss)    |                   | \$ 78,397            | \$ 113,592     |                             |            |                |                      |
| Ending Fund Balance                |                   |                      | \$ 12,086,976  |                             | 12,109,034 |                |                      |
| <u>Stormwater (Operating) (17)</u> |                   |                      |                |                             |            |                |                      |
| Beg Fund Balance                   | \$ 898,152        | \$ 1,028,956         | \$ 1,028,956   | 115%                        | 1,169,140  |                |                      |
| Revenues                           | 1,488,924         | 118,533              | 750,388        | 50%                         | 678,326    |                |                      |
| Expenses                           | 2,174,253         | 106,077              | 1,341,573      | 62%                         | 792,905    |                |                      |
| Contingencies / Reserves           | 212,823           | -                    | -              | 0%                          | -          |                |                      |
| Monthly & YTD Net Gain / (Loss)    |                   | \$ 12,456            | \$ (591,185)   |                             |            |                |                      |
| Ending Fund Balance                |                   |                      | \$ 437,771     |                             | 1,054,561  |                |                      |

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| SUMMARY REPORT                                    |                   |                      | DEC 2017       |      |  | Current<br>YTD<br>Compare to<br>Budget<br>50% | 2016-17<br>PRIOR YTD |
|---|-------------------|----------------------|----------------|------|--|---|----------------------|
| FUNDS   | 2017-18<br>BUDGET | MONTH OF<br>DEC 2017 | 2017-18<br>YTD |      |  |   |                      |
| <u>Administrative Support (31)</u>                |                   |                      |                |      |  |   |                      |
| Beg Fund Balance                                  | \$ 553,185        | \$ 728,861           | \$ 728,861     | 132% |  |   | 474,296              |
| Revenues  | 4,750,352         | 382,110              | 2,298,776      | 48%  |  |   | 2,168,829            |
| Expenses  |                   |                      |                |      |  |   |                      |
| City Manager                                      | 640,981           | 43,675               | 272,465        | 43%  |  |   | 236,619              |
| Human Resources                                   | 216,501           | 15,008               | 95,652         | 44%  |  |   | 80,993               |
| Emergency Management                              | -                 | -                    | -              | 0%   |  |   | -                    |
| Finance   | 734,726           | 54,710               | 364,293        | 50%  |  |   | 339,997              |
| Gen Office(Postage/Phones)                        | 177,289           | 12,272               | 70,721         | 40%  |  |   | 69,286               |
| Utility Billing                                   | 323,036           | 28,884               | 168,630        | 52%  |  |   | 153,601              |
| Information Technology                            | 1,071,444         | 75,695               | 541,476        | 51%  |  |   | 509,283              |
| Legal   | 480,443           | 36,588               | 219,116        | 46%  |  |   | 199,188              |
| Fleet Maintenance                                 | 208,735           | 19,640               | 114,273        | 55%  |  |   | 89,258               |
| Facilities Repair/Replacement                     | 835,675           | 81,823               | 387,951        | 46%  |  |   | 188,986              |
| Insurance   | 366,446           | -                    | 312,367        | 85%  |  |   | 289,899              |
| Transfers   | 3,362             | 280                  | 1,681          | 50%  |  |   | 13,768               |
| Contingencies / Reserves                          | 244,898           | -                    | -              | 0%   |  |   | -                    |
| Total Expenses                                    | 5,303,536         | 368,575              | 2,548,627      | 48%  |  |   | 2,170,877            |
| Monthly & YTD Net Gain / (Loss)                   |                   | \$ 13,535            | \$ (249,851)   |      |  |   |                      |
| Ending Fund Balance                               |                   |                      | \$ 479,010     |      |  |   | 472,247              |
| <u>Capital Improvement Projects</u>               |                   |                      |                |      |  |   |                      |
| <u>Streets CIP's (18)</u>                         |                   |                      |                |      |  |   |                      |
| Beg Fund Balance                                  | \$ 168,396        | \$ 168,834           | \$ 168,834     | 0%   |  |   | 165,646              |
| Revenues  | 5,894,337         | 52,138               | 991,828        | 17%  |  |   | 956,631              |
| Expenses  | 5,892,337         | 51,817               | 988,600        | 17%  |  |   | 954,830              |
| Contingencies / Reserves                          | 170,396           | -                    | -              | 0%   |  |   | -                    |
| Monthly & YTD Net Gain / (Loss)                   |                   | \$ 320               | \$ 3,228       |      |  |   |                      |
| Ending Fund Balance                               |                   |                      | \$ 172,063     |      |  |   | 167,447              |
| <u>Water / Wastewater / Stormwater CIP's (04)</u> |                   |                      |                |      |  |   |                      |
| Beg Fund Balance                                  | \$ -              | \$ -                 | \$ -           | 0%   |  |   | -                    |
| Revenues  | 7,278,467         | 56,274               | 1,608,738      | 22%  |  |   | 1,379,005            |
| Expenses  | 7,278,467         | 56,274               | 1,608,738      | 22%  |  |   | 1,379,005            |
| Contingencies / Reserves                          | -                 | -                    | -              | 0%   |  |   | -                    |
| Monthly & YTD Net Gain / (Loss)                   |                   | \$ (0)               | \$ 0           |      |  |   |                      |
| Ending Fund Balance                               |                   |                      | \$ 0           |      |  |   | -                    |
| <u>Street SDC (42)</u>                            |                   |                      |                |      |  |   |                      |
| Beg Fund Balance                                  | \$ 2,965,113      | \$ 2,936,734         | \$ 2,936,734   | 99%  |  |   | 2,824,984            |
| Revenues  | 2,365,125         | 238,026              | 650,624        | 28%  |  |   | 202,189              |
| Expenses  | 3,971,000         | 25,783               | 123,701        | 3%   |  |   | 234,688              |
| Contingencies / Reserves                          | 1,359,238         | -                    | -              | 0%   |  |   | -                    |
| Monthly & YTD Net Gain / (Loss)                   |                   | \$ 212,243           | \$ 526,923     |      |  |   |                      |
| Ending Fund Balance                               |                   |                      | \$ 3,463,657   |      |  |   | 2,792,485            |

## SUMMARY REPORT

DEC 2017

| SUMMARY REPORT                        |                   | DEC 2017             |                |            |           | Current<br>YTD | 2016-17<br>PRIOR YTD |
|---------------------------------------|-------------------|----------------------|----------------|------------|-----------|----------------|----------------------|
| FUNDS                                 | 2017-18<br>BUDGET | MONTH OF<br>DEC 2017 | 2017-18<br>YTD | Compare to |           |                |                      |
|                                       |                   |                      |                | Budget     |           |                |                      |
|                                       |                   |                      |                | 50%        |           |                |                      |
| <u>Water SDC (47)</u>                 |                   |                      |                |            |           |                |                      |
| Beg Fund Balance                      | \$ 298,518        | \$ 572,610           | \$ 572,610     | 192%       | 821,631   |                |                      |
| Revenues                              | 734,713           | 30,845               | 194,213        | 26%        | 338,759   |                |                      |
| Expenses                              | 1,028,931         | 175,446              | 780,754        | 76%        | 821,937   |                |                      |
| Contingencies / Reserves              | 4,300             | -                    | -              | 0%         | -         |                |                      |
| Monthly & YTD Net Gain / (Loss)       |                   | \$ (144,601)         | \$ (586,541)   |            |           |                |                      |
| Ending Fund Balance                   |                   |                      | \$ (13,932)    |            | 338,453   |                |                      |
| <u>Wastewater SDC (46)</u>            |                   |                      |                |            |           |                |                      |
| Beg Fund Balance                      | \$ 4,516,526      | \$ 5,106,412         | \$ 5,106,412   | 113%       | 4,527,496 |                |                      |
| Revenues                              | 830,000           | 46,633               | 327,797        | 39%        | 620,220   |                |                      |
| Expenses                              | 1,579,724         | 245,652              | 708,711        | 45%        | 367,272   |                |                      |
| Contingencies / Reserves              | 3,766,802         | -                    | -              | 0%         | -         |                |                      |
| Monthly & YTD Net Gain / (Loss)       |                   | \$ (199,019)         | \$ (380,914)   |            |           |                |                      |
| Ending Fund Balance                   |                   |                      | \$ 4,725,498   |            | 4,780,444 |                |                      |
| <u>Stormwater SDC (43)</u>            |                   |                      |                |            |           |                |                      |
| Beg Fund Balance                      | \$ 94,806         | \$ 106,284           | \$ 106,284     | 112%       | 167,567   |                |                      |
| Revenues                              | 71,200            | 769                  | 13,185         | 19%        | 20,524    |                |                      |
| Expenses                              | 55,000            | 768                  | 42,192         | 77%        | 82,063    |                |                      |
| Contingencies / Reserves              | 111,006           | -                    | -              | 0%         | -         |                |                      |
| Monthly & YTD Net Gain / (Loss)       |                   | \$ 2                 | \$ (29,007)    |            |           |                |                      |
| Ending Fund Balance                   |                   |                      | \$ 77,277      |            | 106,028   |                |                      |
| <u>Debt</u>                           |                   |                      |                |            |           |                |                      |
| <u>Debt Service (General Op) (09)</u> |                   |                      |                |            |           |                |                      |
| Beg Fund Balance                      | \$ 36,946         | \$ 38,270            | \$ 38,270      | 104%       | 216,728   |                |                      |
| Revenues                              | 743,425           | 24,580               | 379,367        | 51%        | 370,035   |                |                      |
| Expenses                              | 736,006           | -                    | 317,209        | 43%        | 337,747   |                |                      |
| Contingencies / Reserves              | 44,365            | -                    | -              | 0%         | -         |                |                      |
| Monthly & YTD Net Gain / (Loss)       |                   | \$ 24,580            | \$ 62,159      |            |           |                |                      |
| Ending Fund Balance                   |                   |                      | \$ 100,428     |            | 249,016   |                |                      |
| <u>City Hall (10)</u>                 |                   |                      |                |            |           |                |                      |
| Beg Fund Balance                      | \$ 512,086        | \$ 552,745           | \$ 552,745     | 108%       | 509,076   |                |                      |
| Revenues                              | 93,000            | 3,213                | 53,717         | 58%        | 57,628    |                |                      |
| Expenses                              | 108,486           | -                    | 103,486        | 95%        | 98,718    |                |                      |
| Contingencies / Reserves              | -                 | -                    | -              | 0%         | -         |                |                      |
| Unappropriated Ending Balance         | 496,600           | -                    | -              | 0%         | -         |                |                      |
| Monthly & YTD Net Gain / (Loss)       |                   | \$ 3,213             | \$ (49,769)    |            |           |                |                      |
| Ending Fund Balance                   |                   |                      | \$ 502,976     |            | 467,986   |                |                      |

## SUMMARY REPORT

DEC 2017

| SUMMARY REPORT                       |                   | DEC 2017             |                |            | Current<br>YTD | 2016-17<br>PRIOR YTD |
|--------------------------------------|-------------------|----------------------|----------------|------------|----------------|----------------------|
| FUNDS                                | 2017-18<br>BUDGET | MONTH OF<br>DEC 2017 | 2017-18<br>YTD | Compare to |                |                      |
|                                      |                   |                      |                | Budget     |                |                      |
|                                      |                   |                      |                | 50%        |                |                      |
| Reserves                             |                   |                      |                |            |                |                      |
| PERS Stabilization Reserve (25)      |                   |                      |                |            |                |                      |
| Beg Fund Balance                     | \$ 179,255        | \$ 179,840           | \$ 179,840     | 100%       | -              |                      |
| Revenues                             | -                 | 121                  | 910            | 0%         | 89,622         |                      |
| Expenses                             | 179,255           | 14,987               | 89,919         | 50%        | -              |                      |
| Contingencies / Reserves             | -                 | -                    | -              | 0%         | -              |                      |
| Monthly & YTD Net Gain / (Loss)      |                   | \$ (14,866)          | \$ (89,009)    |            |                |                      |
| Ending Fund Balance                  |                   |                      | \$ 90,831      |            | 89,622         |                      |
| Vehicle / Equipment Replacement (32) |                   |                      |                |            |                |                      |
| Beg Fund Balance                     | \$ 1,372,748      | \$ 1,431,306         | \$ 1,431,306   | 104%       | 1,176,384      |                      |
| Revenues                             | \$ 1,114,077      | \$ 95,208            | \$ 581,763     | 52%        | 421,226        |                      |
| Expenses                             |                   |                      |                |            |                |                      |
| General Government                   | -                 | -                    | -              | 0%         | 1,373          |                      |
| City Manager's Office                | 1,468             | -                    | -              | 0%         | -              |                      |
| Human Resources                      | 1,013             | -                    | -              | 0%         | -              |                      |
| Finance                              | 17,496            | -                    | -              | 0%         | -              |                      |
| Information Technology               | 76,396            | -                    | 68,272         | 89%        | 108,482        |                      |
| Legal                                | 423               | -                    | -              | 0%         | -              |                      |
| Municipal Court                      | 4,114             | -                    | -              | 0%         | -              |                      |
| Police                               | 461,425           | -                    | 93,930         | 20%        | 131,233        |                      |
| Communications                       | 153,488           | -                    | -              | 0%         | -              |                      |
| Library                              | 13,103            | -                    | -              | 0%         | 303            |                      |
| Planning                             | 2,975             | -                    | -              | 0%         | -              |                      |
| Building                             | 26,412            | -                    | -              | 0%         | -              |                      |
| PW Administration                    | 1,556,524         | 48,381               | 87,287         | 6%         | -              |                      |
| Fleet Maintenance                    | 11,048            | -                    | 254            | 2%         | 210            |                      |
| Facilities Repair/Replacement        | 160,940           | -                    | 11,064         | 7%         | 56,893         |                      |
| Contingencies / Reserves             | -                 | -                    | -              | 0%         | -              |                      |
| Total Expenses                       | 2,486,825         | 48,381               | 260,806        | 10%        | 366,994        |                      |
| Monthly & YTD Net Gain / (Loss)      |                   | \$ 46,827            | \$ 320,957     |            |                |                      |
| Ending Fund Balance                  |                   |                      | \$ 1,752,263   |            | 1,230,616      |                      |

## SUMMARY REPORT

DEC 2017

| SUMMARY REPORT                  |                   | DEC 2017             |                |  |      | Current<br>YTD<br>Compare to<br>Budget<br>50% | 2016-17<br>PRIOR YTD |
|---------------------------------|-------------------|----------------------|----------------|--|------|---|----------------------|
| FUNDS                           | 2017-18<br>BUDGET | MONTH OF<br>DEC 2017 | 2017-18<br>YTD |  |      |   |                      |
| Community Projects              |                   |                      |                |  |      |   |                      |
| Cable TV Trust (23)             |                   |                      |                |  |      |   |                      |
| Beg Fund Balance                | \$ 37,825         | \$ 37,897            | \$ 37,897      |  | 100% |   | 37,504               |
| Revenues                        | 200               | 51                   | 272            |  | 136% |   | 171                  |
| Expenses                        | 38,025            | -                    | -              |  | 0%   |   | -                    |
| Contingencies / Reserves        | -                 | -                    | -              |  | 0%   |   | -                    |
| Monthly & YTD Net Gain / (Loss) |                   | \$ 51                | \$ 272         |  |      |   |                      |
| Ending Fund Balance             |                   |                      | \$ 38,169      |  |      |   | 37,676               |
| Economic Development (14)       |                   |                      |                |  |      |   |                      |
| Beg Fund Balance                | \$ 554,825        | \$ 617,748           | \$ 617,748     |  | 111% |   | 570,191              |
| Revenues                        | 457,771           | 5,748                | 40,940         |  | 9%   |   | 34,666               |
| Expenses                        | 882,174           | 787                  | 21,636         |  | 2%   |   | 10,130               |
| Contingencies / Reserves        | 130,423           | -                    | -              |  | 0%   |   | -                    |
| Monthly & YTD Net Gain / (Loss) |                   | \$ 4,961             | \$ 19,303      |  |      |   |                      |
| Ending Fund Balance             |                   |                      | \$ 637,052     |  |      |   | 594,727              |
| Transient Lodging Tax (19)      |                   |                      |                |  |      |   |                      |
| Beg Fund Balance                | \$ 343,718        | \$ 343,718           | \$ 343,718     |  | 100% |   | 149,857              |
| Revenues                        | 1,047,427         | 562                  | 418,037        |  | 40%  |   | 368,990              |
| Expenses                        | 1,391,145         | 11,657               | 339,548        |  | 24%  |   | 305,060              |
| Contingencies / Reserves        | -                 | -                    | -              |  | 0%   |   | -                    |
| Monthly & YTD Net Gain / (Loss) |                   | \$ (11,096)          | \$ 78,489      |  |      |   |                      |
| Ending Fund Balance             |                   |                      | \$ 422,208     |  |      |   | 213,787              |



## COUNCIL PRIORITIES REPORT

UPDATED 01-29-2018

**GOAL 1: Maintain a state-of-the-art 911 dispatch center and 800 MHz radio communications system**

| STRATEGIES |  | TIMELINE (in months) |                  |                   | LEAD                          | PROGRESS   |
|------------|--|----------------------|------------------|-------------------|-------------------------------|--|
|            |  | Short-Term (0-12)    | Mid-Term (12-24) | Long-Term (24-36) |                               |  |
| 1.1        | Agree on plan to upgrade the City's dispatch center  |                      |                  |                   |                               | In partnership with Washington County Consolidated Communications Agency (WCCCA), and in anticipation of Next Gen 911, the City has determined the furniture, equipment, software needs and preliminary costs required for the continuation of operations as a primary PSAP dispatch center in Newberg. Next Gen 911 anticipates dispatch center may/will receive text-to-911, smart phone videos, medical bracelet information sharing. |
| Actions    | Replace 1998-era dispatch furniture with ergonomic functional furniture designed to withstand 24-hour operations.  | X                    |                  | X                 | Police Chief                  | Four quotes in process, with vendor decision anticipated 7/30/2017.<br><b>1/25/18: Preliminary quotes obtained. Anticipate approx. \$70,000, to include electrical work.</b>   |
| Actions    | Implement Text-To-911  | X                    |                  |                   | Police Chief and IT Director  | Office of Emergency Management (OEM) approved. Vendor ComTech identified; contract signed; FCC registration completed; carriers notified. Awaiting ComTech Project Manager Kickoff conference call. Note: paid by OEM with State 911 funds.<br><b>1/25/18: Installed, tested, and dispatchers trained. Media rollout; est. Mid-February</b>  |
| Actions    | Agree on the plan to upgrade VisionAIR computer aided dispatch (CAD) to TriTech CAD as standalone or as part of WCCCA system.  | X                    |                  |                   | Police Chief and IT Director  | Engineering conference call 7/10/17; quotes will be updated by 7/21/17.<br>11/8/17: No fiber available. CAD will be updated as a standalone system, with CAD-to-CAD capability. <b>1/25/18: Awaiting funding. Est. \$350,000; anticipated 1-year implementation after contract signing.</b>  |
| Actions    | Replace three CAD computers and three GIS/Camera computers.  | X                    |                  |                   | Police Chief                  | Computers ordered and received, awaiting software installation. Operational 7/30/2017.<br>11/8/17: Computers installed and in operation. <b>1/25/18: Completed.</b>  |
| Actions    | Determine value and feasibility of dispatch center being capable of stand-alone operation.   | X                    |                  |                   | Police Chief and IT Director  | 11/8/17: No fiber available. CAD will be updated as a standalone system, with CAD-to-CAD capability. <b>1/25/18: To be determined by City Council as part of budget process.</b>   |
| 1.2        | As needed, design and install fiber link   |                      |                  |                   |                               |  |
| Actions    | Determine the value and cost of fiber link from Newberg Dispatch to WCCCA/CCOM for live CAD connectivity between Newberg CAD and WCCCA CAD.                                  | X                    |                  |                   | Police Chief and IT Director  | Government fiber not available. Awaiting quotes from private vendors.<br>11/8/17: Fiber not needed as standalone operation. CAD-to-CAD will allow Newberg to push data to WCCCA (or other systems with CAD-to-CAD capability). <b>1/25/18: DONE. Preliminary estimates procured by IT show fiber not a viable option. Wireless not approved by TriTech, so not an option either.</b>   |
| 1.3        | Upgrade Motorola 800 MHz radio system  |                      |                  |                   |                               |  |
| Actions    | Update existing Intergovernmental Agreement with Washington County Consolidated Agency for radio system access, maintenance, and area wide communications upgrade by 8/31/17 | X                    |                  |                   | City Manager and Police Chief | Police Chief Scheduled conference call for discussion and finalization of details of IGA. Agree on radio upgrade and determine if upgrade should include simulcast capability independent of the WCCCA system (allowing for independent dispatch during downtime of WCCCA). Coordination meeting scheduled for 7/18/2017.<br>11/8/17: Contract signed  |
| Actions    | Council review/approval of contract with Motorola for Newberg radio project, including towers, microwaves, subscriber radios, etc.   | X                    |                  |                   | Police Chief                  | Preliminary contract review in progress. Contract discussions weekly, with anticipated contract language mid-August. Anticipated Council review early September, 2017.<br>11/8/17: Resolution 2017-3411 adopted by Council on 9/18/2017. <b>1/25/18: Contract signed. WCCCA/C800/Newberg currently involved in final system design phase</b>   |

## COUNCIL PRIORITIES REPORT

UPDATED 01-29-2018

**GOAL 1: Maintain a state-of-the-art 911 dispatch center and 800 MHz radio communications system (continued)**

| STRATEGIES |   | TIMELINE (in months) |                     |                      | LEAD             | PROGRESS  |
|------------|---|----------------------|---------------------|----------------------|------------------|---|
|            |   | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                  |   |
| Actions    | Tower location.                               | X                    |                     | X                    | Police Chief     | Tower location will be at new public works yard. Updated 11/8/17 location agreed upon, WCCA consultants conducting further soil testing. Next step preapplication meeting and likely submittal to Planning Commission for variance request approval.  |
| Actions    | Subscriber radio needs identified for police. | X                    |                     |                      | Police Chief     | Number of portable and mobile subscriber radios identified; anticipated order fall 2017. Goes towards bulk rate order for best cost savings. Updated 11/8/17: Radios ordered.<br><b>1/25/18: Radios in storage awaiting programming once code plugs/template prepared; estimated June 2018 distribution/installation.</b>   |
| Actions    | Estimate costs and means to pay for upgrade.  |                      | X                   |                      | Finance Director | Communications upgrade costs are estimated at \$3.4 million, the 2017-18 budget includes financing for a portion of the cost to upgrade the 800 MHz radio communications system as part of the Washington County Consolidated Communication Agency. Computer Aided Dispatch upgrade costs still to be determined. Updated 11/8/17: Financing for the project is in progress, estimated to be wrapped up in January 2018. TVFR has given verbal agreement to fund costs of new antenna tower using proceeds of sale of unneeded fire equipment. Funding of balance of \$3.4 million proposed by staff to come from sale of surplus City property, Council asked to approved appraisal of Butler property at 11/20 meeting<br><b>1/18/18: Staff engaged financial advisor to evaluate additional options for financing, in addition to combining communications project with refunding existing debt to take advantage of lower debt costs. Timeline reset to complete in 3-4 months. Conducted two Long Range Financial Plan presentations in December 2017 and January 2018 to discuss various revenue sources, including a local option levy, increasing the internal franchise fee, and increasing the public safety fee, with the first two sources receiving the most interest from Council. Staff will prepare FY19 Proposed Budget accordingly.</b> |



## COUNCIL PRIORITIES REPORT

UPDATED 01-29-2018

**GOAL 2: Repair and maintain City's streets and sidewalks and secure funding**

| STRATEGIES |  | TIMELINE (in months) |                  |                   | LEAD                               | PROGRESS  |
|------------|--|----------------------|------------------|-------------------|------------------------------------|---|
|            |  | Short-Term (0-12)    | Mid-Term (12-24) | Long-Term (24-36) |                                    |   |
| 2.1        | Determine desired level of services for City streets   |                      |                  |                   |                                    |   |
| Actions    | Determine the desired level of pavement condition based on the pavement condition index (PCI).   | X                    |                  |                   | City Engineer                      | In 2014, the City evaluated and rated the street system. Using a Pavement Condition Index (PCI). In January, 2017, the City Council approved a desired, average PCI standard of 71 for city streets. Street conditions were updated in 2016. Updated 11/13/17 (inventory on City's website) <b>1/29/18: DONE.</b>   |
| 2.2        | Determine condition of city streets and sidewalks and estimate costs of repair, replacement and maintenance  |                      |                  |                   |                                    |   |
| Actions    | Prepare a street condition report.   | X                    |                  |                   | City Engineer                      | The City has 65.5 miles of paved streets and four miles of gravel roadways with a replacement value of approximately \$150 million. The condition of our roads range from poor to good. In 2014, the City determined that \$2 million per year for 10 years is required to upgrade the city street system and maintain the system at a PCI of 71. Updated 11/13/17 (inventory on City's website). Work done in 2017 included 1) Crack sealing (3.69 miles), 2) Slurry sealing (3.05 miles), and 3) Grind and inlay (0.50 miles as well as Elliott Road and Eighth Street. <b>1/18/18: Projects for 5-year road maintenance capital improvement plan has been updated. Plan assumes existing level of funding (about \$1.8 million/year). Pavement condition index model to be updated in near future to determine if PCI is being maintained.</b>   |
| 2.3        | Develop and approve short term and long term finance strategy  |                      |                  |                   |                                    |   |
| Actions    | 1. Identify potential source of street funding.<br>2. Implement Transportation Utility fee.<br>3. Work session to discuss other funding options (September, 2017). | X                    |                  |                   | City Engineer and Finance Director | The Newberg Pavement Maintenance and Funding Master Plan was developed in 2017 to identify new funding to maintain roads. Several funding sources were discussed with a Transportation Utility Fee approved to fund \$1.2 million of the \$2.5 million annual need. In April, 2017, the Council authorized a Transportation Utility Fee scheduled for implementation with the August, 2017 municipal services bills. Other funding sources are still to be determined and are scheduled to be discussed during Council work session September, 2017. The Council is also scheduled to consider a financing proposal to borrow against future TUF revenues to permit 2017/2018 construction. Staff is also monitoring the proposed State transportation bill for any additional revenue directed to cities. Updated 11/8/17: 3 sources of funding proposed: Transportation Utility Fee: Transportation Utility Fee adopted 5/25/17; implemented billing on 9/17 MSS statement. Local Gas Tax revenue increase with the passage of HB 2017, new gas revenue expected in 2018. Other sources considered: heavy vehicle tax and local improvement taxes. Council work session on 5 year Street Improvement Plan and funding recommendations scheduled for 3/19/18. <b>1/18/18: With the updated 5-year pavement maintenance CIP utilizing existing funding currently in-place, consultant will update the pavement condition index (PCI) model and determine if a funding gap still exists to adequately maintain the PCI. Staff has a work session scheduled with Council on March 19<sup>th</sup> to discuss the information and review additional options for supplemental funding, if needed. HB2017 – Additional annual gas tax revenue \$560,000 (10 year averages)</b> |

## COUNCIL PRIORITIES REPORT

UPDATED 01-29-2018

**GOAL 2: Repair and maintain City's streets and sidewalks and secure funding (continued)**

| STRATEGIES |   | TIMELINE (in months) |                     |                      | LEAD          | PROGRESS   |
|------------|---|----------------------|---------------------|----------------------|---------------|--|
|            |   | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |               |  |
| 2.4        | Produce five year schedule of street restoration, repair and maintenance  |                      |                     |                      |               |  |
| Actions    | Develop a project list for 2018.  | X                    |                     |                      | City Engineer | The Pavement Management/Street Conditions Report of 2014 (revised in 2016) identified street segments requiring maintenance, repair or replacement. Several streets have been identified for repair, maintenance (sealcoat or slurry seal) or complete rebuild in 2017. The award for the work is scheduled for 7/17/17. Updated 11/13/17  |
| Actions    | Develop a project list for the following 5 years will be developed by 6/30/18 and will be dependent on securing additional funding. | X                    |                     |                      | City Engineer | 11/8/17: Council work session on 5 year Street Improvement Plan and funding recommendations scheduled for early Summer 2018.<br><b>1/18/18: The 5-year project list will be updated every year as capital improvement projects are completed and new projects are added to the list. The project list will also be updated if it is determined during the analysis of the city-wide pavement condition index (PCI) that additional/supplemental funding is needed to maintain the PCI identified in section 2.1 above.</b> |

## COUNCIL PRIORITIES REPORT

UPDATED 01-29-2018

**GOAL 3: Facilitate Annexation to Tualatin Valley Fire and Rescue District**

| STRATEGIES |  | TIMELINE (in months) |                     |                      | LEAD                               | PROGRESS  |
|------------|--|----------------------|---------------------|----------------------|------------------------------------|---|
|            |  | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                                    |   |
| <b>3.1</b> | <b>Public vote on Annexation</b>   |                      |                     |                      |                                    |   |
| Actions    | Council has stated its desire to schedule a public vote on whether to annex or not to Tualatin Valley Fire and Rescue. | X                    |                     |                      | Finance Director and City Attorney | <p>A resolution is scheduled for Council action on July 17, 2017<br/>Updated 11/8/17: Public vote held on Measure 36-190. Final unofficial results from Yamhill County on 11/8/2017 - 32.96% voted in favor.</p> <p>11/28/17, Public hearing on Annexation request before Washington County Board of Commissioners if approved, the Board will hold the second required public hearing 12/17/17</p> <p>Discussions will be held beginning after Thanksgiving on an annexation agreement details dealing with topics including transfer of records, personnel account reconciliation, facilities and equipment sale and transfer.</p> <p><b>1/18/18: Voter's residing in TVF&amp;R service area will be asked in the March 13, 2018 election, (Measures 34-280 &amp; 34-281) to consider whether to allow annexation of City and Newberg rural Fire Protection District into TVF&amp;R's service area.</b></p> |
| <b>3.2</b> | <b>Reduce tax levy</b>   |                      |                     |                      |                                    |   |
| Actions    | Present Tax Reduction Ordinance.   | X                    |                     |                      | Finance Director and City Attorney | <p>Updated 11/8/17: Public vote held on Measure 36-191 - 11. Final unofficial results from Yamhill County on 11/8/2017 – 32.96% voted in favor.</p> <p><b>1/18/18: FY19 Proposed Budget will include reduced property tax rate from \$4.3827 to \$2.5000 per \$1,000 assessed value.</b></p>  |



## COUNCIL PRIORITIES REPORT

UPDATED 01-29-2018

**GOAL 4: Improve Newberg Employee Retirement Pension System (NERPS)**

| STRATEGIES |   | TIMELINE (in months) |                     |                      | LEAD             | PROGRESS  |
|------------|---|----------------------|---------------------|----------------------|------------------|---|
|            |   | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                  |   |
| 4.1        | Reduce cost and future funding burden through changes in plan design and membership |                      |                     |                      |                  |   |
| Actions    | Consider changes to future enrollment in NERPS.                                     | X                    |                     |                      | Finance Director | Legal opinions have been requested. Bargaining units will be involved in any recommended changes. Discussion anticipated throughout Fall, 2017.<br><b>1/18/18: Successfully negotiated the AFSCME Contract Local 1569 for all "newly hired" employees as of 1-1-2018 to be PERS covered. Anna Lee-HR Director</b> |

**GOAL 5: Utilize Technology to Improve and Economize City Services and within 3 years obtain functional software/hardware that reduces redundancies and duplications through the integration of departmental systems.**

| STRATEGIES |   | TIMELINE (in months) |                     |                      | LEAD                            | PROGRESS   |
|------------|---|----------------------|---------------------|----------------------|---------------------------------|--|
|            |   | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                                 |  |
| 5.1        | Evaluate opportunities for expanded use of technology   |                      |                     |                      |                                 | Software packages to aid in staff communication and workflow have been identified and are awaiting funding.  |
| Actions    | By 12/31/17 develop a technology plan that addresses long term equipment and software needs of all departments and includes financial plan. | X                    |                     |                      | IT Director and Dept. Directors | Technology plan is complete. Equipment and software needs are identified and awaiting budget approval.   |
| 5.2        | Streamline City permitting process  |                      |                     |                      |                                 |  |
| Actions    | Enhance city permitting processes.  | X                    |                     |                      | City Engineer                   | eTrakit system went live 6/27/17. Six month evaluation scheduled for December, 2017.<br><b>1-18-18: The eTrakit vender is currently working on finalizing the configuration of several processes in the system. City staff has been trained to add additional workflows/processes in the future to the software system if the need arises.</b> |
| 5.3        | Evaluate expansion of fiber   |                      |                     |                      | IT Director                     | Government and commercial options are being evaluated.   |

**GOAL 6: Complete a 5-Year Financial Plan and Fiscal Policies**

| STRATEGIES |  | TIMELINE (in months) |                     |                      | LEAD             | PROGRESS   |
|------------|--|----------------------|---------------------|----------------------|------------------|--|
|            |  | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                  |  |
| 6.1        | Complete a comprehensive five-year financial plan for operating and enterprise funds   |                      |                     |                      |                  |  |
| Actions    | Five-year financial planning document for seven operating funds presented to Council by 11/20/17.  | X                    |                     |                      | Finance Director | A citizens planning committee assisted in the development of a five-year planning document that was completed and used in preparation of 2017/18 budget. Formal presentation to City Council is scheduled for 12/2017.<br><b>1/18/18: Five-year financial projections for General Fund presented to Council at December 2017 and January 2018 Council meetings to generate robust discussion on various scenarios and receive input on strategic direction. Ongoing development of remaining operating funds expected to be presented with the FY19 Proposed Budget.</b> |
| Actions    | Five-year financial planning document for enterprise funds presented to Council by 3/30/18.  | X                    |                     |                      | Finance Director | <b>1/18/18: In conjunction with the 2017-18 Citizens' Rate Review Committee meetings, staff will be developing the five-year projections for the enterprise funds, including streets, water, wastewater, and stormwater programs.</b>  |
| 6.2        | Adoption of financial policies for operating budget; revenues; capital improvement; accounting; debt, fund balance/reserve and long range planning |                      |                     |                      |                  |  |
| Actions    | Presentation of fund balance/reserve and operating budget policies to Council by 12/31/17.   | X                    |                     |                      | Finance Director | <b>1/18/18: These policies are being internally re-evaluated in conjunction with the long-range planning to ensure that the City balances compliance with flexibility to address future General Fund challenges. The policies will have additional importance as the City seeks financing for the Public Safety Communications Upgrade project.</b>  |
| Actions    | Presentation of revenues, capital improvement, accounting, debt and long range financial planning to Council by 3/31/18.                           | X                    |                     |                      | Finance Director | <b>1/18/18: Policies on track to be presenting in next couple months.</b>  |



## COUNCIL PRIORITIES REPORT

UPDATED 01-29-2018

**GOAL 7: Expand the City's Urban Growth Boundary**

| STRATEGIES |  | TIMELINE (in months) |                     |                      | LEAD                           | PROGRESS  |
|------------|--|----------------------|---------------------|----------------------|--------------------------------|---|
|            |  | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                                |   |
| <b>7.1</b> | <b>Determine expansion needs</b>   |                      |                     |                      |                                |   |
| Actions    | Apply for and receive a State grant to evaluate expanding the urban growth boundary.   | X                    |                     |                      | Community Development Director | A State grant was applied for and received. An initial Buildable Lands Inventory using OAR Chapter 660, Division 38 has been completed.<br><b>1/18/18 – A draft scope of work is being prepared with DLCD.</b>  |
| Actions    | Conduct a Buildable Lands Inventory to determine residential and employment land needs.  | X                    |                     |                      | Community Development Director | A preliminary Buildable Lands Inventory using OAR Chapter 660, Division 38 has been completed with technical fixes identified to make this OAR useable.<br><b>2/5/18 – The draft scope of work for Phase 2 includes updating the Buildable Lands Inventory after DLCD/LCDC approve the technical fixes for OAR Chapter 660, Division 38.</b>  |
| <b>7.2</b> | <b>Determine appropriate process for UGB expansion request</b>   |                      |                     |                      |                                |   |
| Actions    | Evaluate options for the appropriate process to expand the Urban Growth Boundary.  | X                    |                     |                      | Community Development Director | Options include:<br>1. Proceed with OAR Chapter 660, Division 38.<br>2. Request DLCD/LCDC make technical fixes to OAR Chapter 660, Division 38. Staff has requested the State make administrative changes to the Division 38 process. LCDC has added to their Policy agenda Minor amendments to Division 38.<br>3. Wait for another comparable sized city to work through Division 38 process before Newberg proceeds any further.<br>4. Abandon the Division 38 process and proceed with Division 24 (which will require an Economic Opportunity Analysis and Housing Needs Assessment).<br><b>1/18/18 – With the DLCD grant for Phase 2 and DLCD/LCDC working on technical fixes to the OAR the City is moving forward with OAR Chapter 660, Division 38 process.</b> |
| Actions    | Work with the Department of Land Conservation and Development on modifications to OAR Chapter 660, Division 38   | X                    |                     |                      | Community Development Director | Coordination is scheduled to occur starting in January 2018 and run through June 2018.<br><b>1/18/18 – Staff met with DLCD staff to clarify the process, timing and what would be included in the technical fix process for the OAR Chapter 660, Division 38 process. DLCD is establishing a Rules Advisory Committee which should be formalized in March and developing an interested stakeholders list.</b>   |
| Actions    | Apply for a Department of Land Conservation and Development Technical Assistance Grant to conduct the Phase II UGB analysis                                | X                    |                     |                      | Community Development Director | A technical assistance grant has been applied for to use the Division 38 process.<br><b>1/18/18 – A draft scope of work is being prepared with DLCD.</b>  |
| Actions    | Work with the Yamhill County Assessor to fix assessment data for the Division 38 process.  | X                    |                     |                      | Community Development Director | Initial discussions have been held with the County Assessor with additional discussions to be scheduled.<br><b>1/18/18 – A contract has been entered into with EcoNorthwest to work with the County Assessor on the assessment data issue identified in Phase 1 of the UGB process. A meeting with the County Assessor is scheduled for January 31.</b>   |
| Actions    | If the Division 38 process cannot be corrected revert to the Division 24 process and conduct an Economic Opportunity Analysis and Housing Needs Assessment |                      | X                   |                      | Community Development Director | <b>1/18/18 – With the DLCD grant the City is moving forward with the OAR Chapter 660, Division 38 process.</b>  |

**GOAL 7: Expand the City's Urban Growth Boundary (continued)**

| STRATEGIES |   | TIMELINE (in months) |                     |                      | LEAD                           | PROGRESS  |
|------------|---|----------------------|---------------------|----------------------|--------------------------------|---|
|            |   | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                                |   |
| Actions    | Advance selected Urban Growth Boundary selected process with consultant(s) and Citizens Advisory Committee. | X                    | X                   | X                    | Community Development Director | 1/18/18 – Contact has been made with the Citizen Committee members who worked on Phase 1. A list is being developed of possible participants for Phase 2. |



## COUNCIL PRIORITIES REPORT

UPDATED 01-29-2018

**GOAL 8: Encourage Affordable Housing**

| STRATEGIES |   | TIMELINE (in months) |                     |                      | LEAD                           | PROGRESS  |
|------------|---|----------------------|---------------------|----------------------|--------------------------------|---|
|            |   | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                                |   |
| 8.1        | Define need and potential strategies to address the affordable housing need   |                      |                     |                      |                                |   |
| Actions    | Consider the recommendation of the community citizens committee Housing Newberg to explore several different areas to help provide affordable housing in Newberg including: | X                    | X                   | X                    | Community Development Director | The City Council is scheduled to hear Housing Newberg's recommendations 7/17/17.<br><b>1/18/18 – Council met in three Work Sessions and one Business Session on Housing Newberg proposals.</b>  |
|            | 1. Annexations Policies applying a mixture of zoning, to include some R-3 zoned lands   |                      |                     |                      |                                | Annexations Policies applying a mixture of zoning, to include some R-3 zoned lands.<br><b>1/18/18 – City Council identified the annexation action to advance forward on December 18, 2017. A proposal is anticipated to come back to City Council in April 2018.</b>  |
|            | 2. Accessory Dwelling Units (ADUs)  |                      |                     |                      |                                | Accessory Dwelling Units (ADUs) - Make ADU's permitted uses in all zones with no systems development charges (SDCs).<br><b>1/18/18 – City Council identified the ADU action to advance forward on December 18, 2017. A proposal is anticipated to come back to City Council in June 2018.</b>   |
|            | 3. Construction Excise Tax  |                      |                     |                      |                                | Construction Excise Tax - Assess a 1% of permit valuation construction excise tax on new residential, commercial and industrial construction. The proceeds of the levy directed to the existing Affordable Housing Trust Fund for such things as developer incentives, land acquisition, consultant fees, to replenish waived SDC fees, to finance a City-wide bond campaign and other actions to develop a range of affordable housing in our community.<br><b>1/18/18 – City Council identified the Construction Excise Tax action to advance forward on December 18, 2017. A proposal timeline has not been developed.</b>                             |
|            | 4. Subsidized Work and Living Spaces  |                      |                     |                      |                                | Subsidized Work and Living Spaces - City should contract with a consultant to assess the City's appropriateness for artist work and living space and hopefully for development. Economic Development Loan funds should be used for this purpose.<br><b>1/18/18 - City Council did not identify the Subsidized Work and Living Spaces action to advance forward on December 18, 2017.</b>  |
|            | 5. Housing Ombudsman<br>(Education/Community Awareness)   |                      |                     |                      |                                | Education/Community Awareness - City staff publicize programs available including but not limited to 1) SDC fee financing 2) use of the economic development fund 3) manufactured housing repair 4) ADU regulations and the application process 5) annexation opportunities and 6) the Housing Trust Fund small grant program. City's Community Development Director or designee shall serve as the community's ombudsman for housing and make efforts to educate the public on the need for a range of housing types in Newberg.<br><b>1/18/18 - City Council did not identify the Housing Ombudsman action to advance forward on December 18, 2017.</b> |
|            | 6. Missing Middle Level Housing   |                      |                     |                      |                                | Missing Middle Level Housing - Housing of the type between high density and single family is a missing component to our current market. Action: duplexes or triplexes shall be allowed on corner lots in R-1 zones.<br><b>1/18/18 – City Council identified the Missing Middle Level Housing action to advance forward on December 18, 2017. A proposal timeline has not been developed.</b>  |

## COUNCIL PRIORITIES REPORT

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**GOAL 8: Encourage Affordable Housing (continued)**

| STRATEGIES |  | TIMELINE (in months) |                     |                      | LEAD                           | PROGRESS   |
|------------|--|----------------------|---------------------|----------------------|--------------------------------|--|
|            |  | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                                |  |
|            | 7. Expedited Review and Permitting           |                      |                     |                      |                                | For qualifying affordable housing projects the City of Newberg should offer expedited review and permitting from the Building, Engineering, and Planning Divisions. Understanding the potential strain on City staff, funds to retain third-party consulting for the review of affordable housing projects should be directed from the proposed Construction Excise Tax (CET).<br><b>1/18/18 – City Council did not identify the Expedited Review and Permitting action to advance forward on December 18, 2017.</b>                                       |
|            | 8. Public Street Standards                   |                      |                     |                      |                                | Reduce the public street right-of-way width standard to that allowed by the Fire Department.<br><b>1/18/18 - City Council did not identify the Public Street Standards action to advance forward on December 18, 2017.</b>   |
|            | 9. System Development Charge Deferrals/Loans |                      |                     |                      |                                | Deferrals – The City of Newberg should allow qualifying affordable projects to defer payment of SDCs until time of ownership transfer or one year from the date of deferral; whichever comes first. No interest should be charged during the deferral period. CET funds might be used to offset costs.<br><b>1/18/18 - City Council did not identify the System Development Charge Deferrals/Loans action to advance forward on December 18, 2017.</b>   |
| Actions    | Areas for future review                      |                      | X                   | X                    | Community Development Director | <ol style="list-style-type: none"> <li>1. Decrease time from substantial completion of utilities to final plat approval.</li> <li>2. Reduce complexity, maintenance requirements and cost of storm water treatment.</li> <li>3. Lift building height restrictions outside of downtown.</li> <li>4. Allow sharing of utility lines (sewer, water) for more than one</li> <li>5. Staff is working with Newberg High School Design Class to consider any ordinance changes needed to implement school construction of two tiny homes by June 2018.</li> </ol> |



## COUNCIL PRIORITIES REPORT

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**GOAL 9: Develop a Riverfront Master Plan**

| STRATEGIES |  | TIMELINE (in months) |                     |                      | LEAD                           | PROGRESS  |
|------------|--|----------------------|---------------------|----------------------|--------------------------------|---|
|            |  | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                                |   |
| 9.1        | Establish parameters for updating the Riverfront Master Plan   |                      |                     |                      |                                |   |
| Actions    | Apply for planning grant and negotiate a scope of work and consultant contract to update the Riverfront Master Plan.   | X                    |                     |                      | Community Development Director | Study area has been defined as 450 acres. Planning process estimated at 18 months. Waterfront Committee has been appointed by Mayor which includes the County, Chamber of Commerce, Downtown Coalition, neighborhood representatives and other community interest groups including holding a position for new owners of WestRock mill site. First Riverfront Master Plan Meeting February/March 2018. Negotiations on the Statement of Work with the Transportation Growth Management continue. Negotiations on the Statement of Work continue.<br><b>1/18/18 – A statement of work is close to being finalized, going through TGM program internal review.</b> |
| 9.2        | Conduct existing conditions analysis and Community Outreach  |                      |                     |                      |                                |   |
| Actions    | Modeled on the Economic Development Strategy Plan it is desirable to identify and interview stakeholders, neighborhood representatives and interested community members to identify interests concerns and topics for study. An analysis of infrastructure conditions and needs is needed. | X                    |                     |                      | Community Development Director | With the Governor's Regional Solutions assistance, eight State agencies gathered and reported on regulatory, environmental, transportation, land use, energy and economic development issues related to the Riverfront.   |
| 9.3        | Develop Master Plan and financing of the Master Plan   |                      |                     |                      |                                |   |
| Actions    | Develop financing plan for development and re-development in the planning area such as tax increment financing, property tax abatement programs and infrastructure capital improvement funding.  |                      | X                   |                      | Community Development Director |   |
| 9.4        | Comprehensive Plan and Zoning Changes  |                      |                     |                      |                                |   |
| Actions    | Based on the work of the Riverfront Citizens Advisory Committee it is likely to require Comprehensive Plan and Zoning changes.   |                      | X                   |                      | Community Development Director |   |

**GOAL 10: Implement Emergency preparedness and Response Program**

| STRATEGIES |   | TIMELINE (in months) |                     |                      | LEAD                     | PROGRESS  |
|------------|---|----------------------|---------------------|----------------------|--------------------------|---|
|            |   | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                          |   |
| 10.1       | Develop an effective emergency program that plans, trains and coordinates public, non-profit and private efforts in emergency response, mitigation and recovery.  |                      |                     |                      |                          |   |
| Actions    | Organize and train city organizations for emergency response and mitigation   | X                    |                     |                      | City Manager or Designee | <p>11/8/17:</p> <ul style="list-style-type: none"> <li>• A monthly Emergency Management meeting schedule has been prepared.</li> <li>• Department Heads are discussing Emergency Preparedness concerns on a regular basis.</li> <li>• Department Heads are evaluating the needs of their departments and setting minimum ICS training standards.</li> <li>• Staff is compiling training certificates and will coordinate necessary additional training to meet those standards. City Management team has committed to monthly meetings to plan and prepare for disaster responses and recovery. The effort includes revision to the emergency operations plan, commitment to enhanced FEMA training, scheduling of regular training activation of the City's Emergency Operations Center, evaluation of seismic resiliency of city facilities. The City's department directors are organizing around the Incident Command system for emergency response and are developing strategies for preparing individual employees and their families to respond to a disaster and are planning for extended disaster response as well as organizing with a goal of staff backup to each emergency response function. Staff is reviewing and revising the City Emergency Operations Plan (EOP) and will assist other government agencies and private-sector entities in the preparation of standard operating procedures (SOP's) in support of the EOP. Reviews and recommendations will extend to businesses, industry, hospital, and nursing homes on the preparation of their emergency plans to ensure they are workable within the framework of the city, county, and state plans. <b>1/18/18: City has an accurate record of what employees have completed NIMS training. Employees that were found to need additional coursework have been completing the online training, which should be completed in the coming months. Training records will be tracked by the HR Department moving forward, rather than by each individual department.</b></li> </ul> |
| Actions    | Update City Emergency Operations Plan   |                      | X                   |                      | City Manager or Designee |   |
| Actions    | Plan and operate, maintain, and upgrade a multi-tiered emergency communication system that includes an 911 call center, emergency operations center land lines, satellite phones, citizens band radios, ham radios, cell phones, email system, and city-wide code red alert system. |                      | X                   |                      | City Manager or Designee |   |

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|         |   |   |  |  |                          |   |
|---------|---|---|--|--|--------------------------|---|
| Actions | Coordinate fire and medical communications and response protocols with Tualatin Valley Fire & Rescue. | X |  |  | City Manager or Designee | 11/8/17: Communication with TVFR to 1) Help us in setting up EOC and, 2) Participate in a mock exercise.<br><b>1/18/18: A training exercise with TVF&amp;R is in the planning stage and is tentatively scheduled for late spring.</b> |
|---------|---|---|--|--|--------------------------|---|



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**Goal 10: Implement Emergency Preparedness and Response Program (continued)**

| STRATEGIES |   | TIMELINE (in months) |                     |                      | LEAD                     | PROGRESS  |
|------------|---|----------------------|---------------------|----------------------|--------------------------|---|
|            |   | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                          |   |
| 10.2       | Develop, foster, and maintain private sector interest in the emergency program. Emergency partners in the private sector range from businesses and industry to civic organizations and individuals. |                      |                     |                      |                          |   |
| Actions    | Coordinate Emergency Preparedness programs with GFU, A-dec, CPRD, and the School District.  |                      | X                   |                      | City Manager or Designee | Updated 11/8/17: Obtained copies of Emergency Operations Plans from <ul style="list-style-type: none"> <li>• GFU</li> <li>• Tualatin Hills Country Club</li> <li>• Newberg School District</li> <li>• City of Dundee</li> <li>• PNMC</li> </ul> The City components consist of police, emergency communications, public works, support departments (such as finance, planning, logistics, public information, etc.) and the coordination of volunteers and other groups contributing to the management of emergencies. Organize and coordinate local training for public safety and volunteer first responders. |
| 10.3       | Maintain the Emergency Operations Center (EOC) in a continuous state of readiness.  |                      |                     |                      |                          |   |
| Actions    | Setup storage area for needed supplies for primary and secondary EOC locations.   | X                    |                     |                      | City Manager or Designee | 1/18/18: Bids for storage cupboards were acquired. Installation is being postponed due to current year budget constraints and will be proposed to be completed in the FY 18/19 budget.  |
| Actions    | Review/modify/upgrade needed equipment and infrastructure to effectively operate the EOC.   |                      | X                   |                      | City Manager or Designee | 1/18/18: City staff recently prepared and submitted a State of Oregon Homeland Security grant application for \$17,000 for EOC items: 2 pallets of meals ready to eat, 2 fuel transport bladders, and a storage container installed on a gravel pad. In June the State will provide notice of grants that were funded.  |
| Actions    | Train city staff in the operations of EOC positions (provide redundancy).   | X                    |                     |                      | City Manager or Designee | 11/8/17: Public Works - Jill Dorrell coordinating monthly meetings - response planning & training.  |
| Actions    | Ensure adequate staffing to operate the EOC is available.   | X                    |                     |                      | City Manager or Designee | 1/18/18: A large number of employees have recently completed the NIMS coursework and will add to the pool of staff available to staff the EOC. With the tracking of required training for most city employees, adequate staffing to operate the EOC should not be an issue in the future.   |
| 10.4       | Establish and maintain coordination with other Cities, Counties, and State governmental departments and agencies, utilities, and the private sector during any type of emergency.                   |                      |                     |                      |                          | 11/8/17: Met with Providence Hospital, GFU, PGE & Yamhill County - updated coordination efforts.  |



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|         |  |   |  |  |                          |  |
|---------|--|---|--|--|--------------------------|--|
| Actions | Reach out to the Yamhill County Sheriff Office Emergency Management office in partnership. | X |  |  | City Manager or Designee | <p>11/8/17: Several communications with County Emergency Manager.</p> <p><b>1/18/18: Staff have attended the monthly County emergency management meetings. The Yamhill County Emergency Manager, Brian Young, has been attending the monthly City emergency management coordination meetings. City staff will be participating in the all-county emergency management tabletop exercise this spring.</b></p> |
|---------|--|---|--|--|--------------------------|--|

## COUNCIL PRIORITIES REPORT

UPDATED 01-29-2018

**GOAL 10: Implement Emergency preparedness and Response Program (continued)**

| STRATEGIES |   | TIMELINE (in months) |                     |                      | LEAD                     | PROGRESS  |
|------------|---|----------------------|---------------------|----------------------|--------------------------|---|
|            |   | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                          |   |
| 10.5       | Facilitate Disaster planning, response and recovery in partnership with Newberg's faith community |                      |                     |                      |                          |   |
| Actions    | Invite faith community to partner with the City   | X                    |                     |                      | City Manager or Designee | <p>The City has sponsored two introduction and planning meetings with churches introducing concept to disaster response and recovery partnerships. The Mayor offered to preposition water filtration equipment at churches interested in participating and asked for congregations interested in further planning with the city. The City is actively seeking surplus state and federal equipment and supplies that might be prepositioned at churches in addition to seeking supplies for the City's response efforts.</p> <p>The concept is to ultimately engage all of the community's church congregations to plan for disaster response and recovery and for the City to facilitate training, exercises and individual facility planning and to relocate emergency supplies at the churches.</p> <p>One church has volunteered to become the first pilot church to jointly develop an agency response plan for church congregation and to accept prepositioned emergency equipment and supplies. A memorandum of Understanding between the City and Church is being drafted.</p> |
| Actions    | Identify three churches to become pilot response and recovery partners                            | X                    |                     |                      | City Manager or Designee | The initial goal is for three pilot churches to do joint planning. As of 7/1/17, one congregation has stepped forward and two others are considering their level of participation. Pilot churches: Seventh Day Adventist, LDS & Newberg Christian.  |
| Actions    | Organize and coordinate local training for public safety and volunteer first responders.          |                      | X                   |                      | City Manager or Designee | LDS Fair was done in October 2017. Newberg Christian will take place Spring of 2018.  |

**Goal 11: Implement Newberg Economic Development Strategy**

| STRATEGIES |  | TIMELINE (in months) |                     |                      | LEAD                           | PROGRESS   |
|------------|--|----------------------|---------------------|----------------------|--------------------------------|--|
|            |  | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                                |  |
| 11.1       | Implement Economic Development Strategy  |                      |                     |                      |                                |  |
| Actions    | Continue implementation of the Newberg Economic Development Strategy and its implementing actions. Update the Strategy in FY 2018–2019.  | X                    | X                   | X                    | Community Development Director | <p>In 2016, the City Council, Chamber of Commerce and Downtown Coalition approved the Economic Development Strategy with an accompanying action plan. The Newberg Economic Development Strategy is based on four pillars of activity:</p> <ol style="list-style-type: none"> <li>1. Industrial Sector.</li> <li>2. Commercial Sector.</li> <li>3. Business Development and Workforce.</li> <li>4. Tourism and Hospitality.</li> </ol> <p>Under each pillar there are identified strategies and actions. The Industrial Sector has nine strategies, the Commercial Sector has seven strategies, Business Development and Workforce has eight strategies, and Tourism and Hospitality has three strategies.</p> <p>The first annual Economic Development Strategy progress report was held on July 25, 2017. Meetings are occurring monthly with the core group on action updates.</p> <p><b>1/18/18 – The Newberg Economic Development Strategy group meets on a monthly bases to report on activities over the past month. No meeting was held in December. The next meeting is January 23.</b></p>  |
| 11.2       | Implement Newberg Downtown Improvement Plan  |                      |                     |                      |                                |  |
| Actions    | Implement the identified actions that support the 10 Big Ideas contained in the Newberg Downtown Improvement Plan adopted City Council in December, 2016 as a guiding document for future planning efforts and investments downtown. | X                    | X                   | X                    | Community Development Director | <p>The Downtown Improvement Plan includes an incremental implementation strategy identifying actions, programs and projects needed to carry out the Plan. Not all of these can be done at once. The Incremental Implementation Strategy is a renewable/rolling, short-term action plan that is annually updated with a regularly-scheduled monitoring and updating process and a supporting budget. Included below are charts with action items and timelines for each strategy identified in the adopted plan.</p> <p><b>1/18/18 – An appraisal is being prepared for the property, the McCann apartment project at the corner of Second St and Edwards St received land use approval and building permits have been submitted, discussions on a hotel downtown continue, discussions on repurposing and new buildings have been discussed for the properties at the corner of First St and Blaine St, Chapters completed its front façade improvement, Tesmer &amp; Emery LLC completed the façade improvement for the old Cancun building, the food cart pod is operational on first street, a pre-application meeting was held for a new commercial building on Second St, a meeting was held on possible apartments on Second St.</b></p> |



## COUNCIL PRIORITIES REPORT

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**GOAL 11: Implement Newberg Economic Development Strategy (continued)**

| STRATEGIES |  | TIMELINE (in months) |                     |                      | LEAD                           | PROGRESS   |
|------------|--|----------------------|---------------------|----------------------|--------------------------------|--|
|            |  | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                                |  |
| 11.3       | Implement Newberg Strategic Tourism Plan   |                      |                     |                      |                                |  |
| Actions    | Implement the identified actions that support Organizational Development, Destination Development and Marketing adopted City Council in June, 2016 as a guiding document for future tourism efforts with the city. | X                    | X                   | X                    | Community Development Director | <p>The Small Grant Program for FY 2016-2017 awarded five grants totaling \$20,000.</p> <p>The Destination Development – Marketing Grant program applications closed in October and six applications are under review by the TLT Ad Hoc Committee.</p> <p>The Small Grant Program for FY 2017-2018 will begin its solicitation on November 15, 2017 for up to \$20,000 in available funds.</p> <p><b>1/18/18 – The TLT Ad Hoc Committee reviewed and recommended three Destination Development-Marketing grants to City Council. City Council awarded two grants and referred one recommendation back the Committee for further consideration. Five Small Grant applications are under review by the Committee. The marketing Subcommittee has developed a marketing proposal the TLT Committee will discuss in February.</b></p> |

## COUNCIL PRIORITIES REPORT

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**GOAL 12: Complete community visioning process and communication plan to engage Newberg residents**

| STRATEGIES |   | TIMELINE (in months) |                     |                      | LEAD                           | PROGRESS  |
|------------|---|----------------------|---------------------|----------------------|--------------------------------|---|
|            |   | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                                |   |
| 12.1       | Determine what constitutes a Community Vision and who should be involved in developing a Community Vision   |                      |                     |                      |                                |   |
| Actions    | Evaluate models for community visioning processes that reflect Newberg's values, trends and issues.   | X                    |                     |                      | Community Development Director | <p>The Community Engagement Specialist has interviewed several councilmembers, commission volunteers and staff who have revealed patterns and desires for a city communications effort. Research has also been conducted to determine best practices of other public agencies on effective communications plans.</p> <p>Staff has reviewed the International Association of Public Participation (IAP2) model along with the City of Hillsboro, City of Sherwood and City of Tualatin programs.</p> <p>1/18/18 - None</p> |
| Actions    | Identify key stakeholders to gauge level of engagement in a community visioning process.  | X                    |                     |                      | Community Development Director |   |
| Actions    | Hold briefings with other communities that have engaged a community visioning process to gather best practices and lessons learned.   | X                    |                     |                      | Community Development Director |   |
| 12.2       | Develop community vision and actionable plan  |                      |                     |                      |                                |   |
| Actions    | Secure a facilitator for the community visioning process.   |                      | X                   |                      | Community Development Director | Initial conversations have been held with the Sustainable Cities Initiative (SCI) program out of the University of Oregon about possible facilitation support.  |
| Actions    | Reach out to Newberg residents and stakeholders in listening sessions and public forums. 2-4 community sessions, 5 stakeholder sessions and 3 large community wide sessions (modeled after process used to create Economic Development Strategy and Downtown Plan). |                      | X                   | X                    | Community Development Director |   |
| Actions    | Based on listening sessions and stakeholders meetings develop series of values community values, emerging trends and issues.  |                      | X                   | X                    | Community Development Director |   |
| Actions    | Develop a community visioning plan and actions.   |                      | X                   | X                    | Community Development Director |   |

**GOAL 12: Complete community visioning process and communication plan to engage Newberg residents (continued)**

| STRATEGIES |  | TIMELINE (in months) |                     |                      | LEAD                            | PROGRESS  |
|------------|--|----------------------|---------------------|----------------------|---------------------------------|---|
|            |  | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                                 |   |
| 12.3       | Develop Communications Plan and Strategy   |                      |                     |                      |                                 |   |
| Actions    | Create a Communications Plan based on interviews and research of best practices for public agencies. | X                    | X                   | X                    | Community Engagement Specialist | <p>A draft communications plan has been developed based on the following themes and guiding principles:</p> <ol style="list-style-type: none"> <li>1. Engage the community.</li> <li>2. Ensure City of Newberg has a positive image with all stakeholders.</li> <li>3. Ensure consistent and proactive external communication.</li> <li>4. Enhance internal communication to increase awareness, coordination and participation of City employees in City goals. Open Two-Way Communication - Ensure that information is shared throughout the community and the organization emphasizing two-way informational flow.</li> </ol> <p>Community Problem Solving - Provide citizens with complete, accurate and timely information enabling them to make informed judgments.</p> <p>Proactive - The plan attempts to give the City the opportunity to tell its story rather than rely exclusively on others to interpret the City's actions, issues and decisions.</p> <p>Inclusive - Including everyone in the process builds teamwork and a feeling of belonging, breaking down feelings of us vs. them, which are common in many city governments and in many relationships of city government with citizens. The goal is to include everyone who cares to participate and to motivate those who are not currently engaged.</p> <p>Strong and Consistent Messages -The communication plan should support, reinforce and reflect the goals of the City government as established by the City Council and the City management, thus underscoring the idea of an organization with one common purpose: the citizens.</p> <p>A draft communications plan with an implementation schedule will be presented to Council for comments in August, 2017. Joe need s to fix the date as August came and went.</p> |



## COUNCIL PRIORITIES REPORT

UPDATED 01-29-2018

**GOAL 13: Improve the Transit System in and out of Newberg**

| STRATEGIES  |   | TIMELINE (in months) |                     |                      | LEAD                                  | PROGRESS   |
|-------------|---|----------------------|---------------------|----------------------|---------------------------------------|--|
|             |   | Short-Term<br>(0-12) | Mid-Term<br>(12-24) | Long-Term<br>(24-36) |                                       |  |
| <b>13.1</b> | <b>Actively contribute to development of Yamhill County's Transit Plan for Newberg</b>                |                      |                     |                      |                                       |  |
| Actions     | Appoint Council member to Yamhill County Transit Master Plan study group.                             | X                    |                     |                      | <b>Mayor</b>                          | Councilor Essin is the appointed City Council representative.  |
| Actions     | Appoint staff member to support Yamhill County Transit Master Plan.                                   | X                    |                     |                      | <b>Community Development Director</b> | Brad Allen is the City staff member assisting Councilor Essin.   |
| Actions     | Recommend Newberg residents to participate in the County Committee reviewing the Transit Master Plan. | X                    | X                   |                      | <b>Mayor and City Manager</b>         | The City assisted in outreach efforts in Newberg for residents to participate in Yamhill County Transit Area workshops in Newberg and surveys on the existing transit system and possible modifications to the system. |
| Actions     | Periodic updates on the Transit Plan development to the City Council.                                 | X                    | X                   |                      |                                       | Councilor Essin provided material from the draft technical memorandums prepared for the Transit Master Plan with the City Council on October 5, 2017.  |



**City Council Business Session  
February 5, 2018 - 7:00 PM  
Public Safety Building 401 East Third Street**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. PLEDGE OF ALLEGIANCE**

**IV. CITY MANAGER'S REPORT**

**V. COUNCIL APPOINTMENTS**

- V.a Appointment of John Wuitschick, Jr. to Planning Commission  
[RCA Appointment 2018-0205-PC.pdf](#)

**VI. PUBLIC COMMENTS**

*(30 minutes maximum which may be extended at the mayor's discretion; an opportunity to speak for not more than five (5) minutes per speaker allowed)*

**VII. CONSENT CALENDAR**

- VII.a Resolution 2018-3438, A Resolution approving an Intergovernmental Agreement between the City of Newberg and Mid-Willamette Valley Council of Governments for Economic Development Revolving Loan Fund services  
[RCA Resolution 3438 EDRLF COG-City.doc](#)  
[Exhibit A - 2017-2018 Newberg EDRLF COG Contract.pdf](#)

- VII.b Council Minutes  
[Council Minutes](#)

**VIII. CONTINUED BUSINESS**

- VIII.a CalPortland Utility Adjustment  
[RCA Motion - CalPortland.pdf](#)

- VIII.b Ordinance 2018-2821, An Ordinance adopting a new legal description of the Newberg City limits  
[RCA Ord No. 2018-2821.doc](#)  
[Exhibit A - Newberg Limits 2017-Final\\_clean.pdf](#)  
[Exhibit B - City Limits Boundary Map.pdf](#)



- VIII.c Ordinance 2018-2822, An Ordinance amending the Newberg Development Code to allow for the creation of private streets in Planned Unit Developments (PUDs)  
[RCA Ordinance 2822 - PUD private streets.doc](#)  
[Attachment 1 -Res3400 signed.pdf](#)  
[Attachment 2.1 - Application by JT Smith Companies.pdf](#)  
[Attachment 2.2 - 10.3.17 revision to application.pdf](#)  
[Attachment 2.3 - Letters from applicant.pdf](#)  
[Attachment 3 - PC Resolution 2017-335.pdf](#)  
[Attachment 4 - Comments.pdf](#)  
[Attachment 5 - Soppe Ord 2822 testimony 2018-0116.pdf](#)
- VIII.d Ordinance 2018-2824, An ordinance amending the Newberg Comprehensive Plan, Section IV (Subsections A and B) to reflect updated historic and projected population information.  
[RCA Ordinance 2018-02824 2nd Reading.doc](#)  
[Att 1 PC Res\\_ 2017-334.pdf](#)  
[Att 2 PC Res\\_ 2017-336.pdf](#)  
[Att 3 Yamhill\\_Pop\\_Report\\_2017\\_Final.pdf](#)

## **IX. NEW BUSINESS**

- IX.a Resolution 2018-3434, A Resolution initiating a comprehensive plan text amendment for the wastewater master plan update  
[RCA Resolution 2018-3434.doc](#)
- IX.b 2007 Newberg Water Management and Conservation Plan Review  
[RCA Water Management and Conservation Plan.doc](#)  
[2007 Water Mgmt and Conservation Plan.pdf](#)
- IX.c Potential Sale of the Newberg Animal Shelter  
[RCA Animal Shelter right of first refusal](#)

## **X. COUNCIL BUSINESS**

- X.a Council SEI filing reminder  
[Council Business SEI reminder](#)

## **XI. ADJOURNMENT**

## **COMMENTS**

*Council accepts comments on agenda items during the meeting. Fill out a form identifying the item you wish to speak on prior to the agenda item beginning and turn it into the City Recorder. Speakers who wish the Council to consider written material are encouraged to submit written information in writing by 12:00 p.m. (noon) the day of the meeting.*

## **ADA STATEMENT**

*ACCOMMODATION OF PHYSICAL IMPAIRMENTS: In order to accommodate persons with physical impairments, please notify the City Recorder's Office of any special physical or language accommodations you may need as far in advance of the meeting as possible and no later than two business days prior to the meeting. To request these arrangements, please contact the City Recorder at (503) 537-1283. For TTY services please dial 711.*

## **ORDER**

*The Mayor reserves the right to change the order of items to be considered by the Council at their meeting. No new items will be heard after 11:00 p.m., unless approved by the Council.*

# ***REQUEST FOR COUNCIL ACTION***

**DATE ACTION REQUESTED: February 5, 2018**

|                   |                       |                        |                         |                         |
|-------------------|-----------------------|------------------------|-------------------------|-------------------------|
| <b>Order ____</b> | <b>Ordinance ____</b> | <b>Resolution ____</b> | <b>Motion <u>XX</u></b> | <b>Information ____</b> |
| <b>No. ____</b>   | <b>No. ____</b>       | <b>No. ____</b>        |                         |                         |

**SUBJECT: Appoint John Wuitschick, Jr. to the City of Newberg Planning Commission.**

**Contact Person (Preparer) for this Motion: Mayor Bob Andrews  
Dept.: Administration**

## **RECOMMENDATION:**

To consent to the appointment, by the Mayor, of John Wuitschick, Jr. for one position resignation effective immediately, on the Newberg Planning Commission for term expiring December 31, 2020.

## **EXECUTIVE SUMMARY:**

The Newberg Planning Commission is an eight member committee with one position designated as a non-voting student commissioner position.

John is a nine-year resident of Newberg. He is a retired educator, taught Grades 3 - 8 and was a school administrator at the District, High School, Middle School and Elementary school levels. John currently volunteers at Providence Newberg Hospital; has served on various school committees and has been involved in school emergency plan development.

John understands the challenges with community interaction and planning. His goal is to contribute his support and strong decision making while serving on the Planning Commission.

## **FISCAL IMPACT:**

None.

## **STRATEGIC ASSESSMENT:**

The Newberg Planning Commission serves a very important role in the betterment of our community and downtown making our City government viable and a great place to grow.

# REQUEST FOR COUNCIL ACTION

**DATE ACTION REQUESTED: February 5, 2018**

|                   |                       |                             |                    |                         |
|-------------------|-----------------------|-----------------------------|--------------------|-------------------------|
| <b>Order ____</b> | <b>Ordinance ____</b> | <b>Resolution <u>XX</u></b> | <b>Motion ____</b> | <b>Information ____</b> |
| <b>No.</b>        | <b>No.</b>            | <b>No. 2018-3438</b>        |                    |                         |

**SUBJECT: A Resolution approving an Intergovernmental Agreement between the City of Newberg and Mid-Willamette Valley Council of Governments for Economic Development Revolving Loan Fund services**

**Contact Person (Preparer) for this Motion: Doug Rux, Director**  
**Dept.: Community Development**  
**File No.:**

## RECOMMENDATION:

Adopt Resolution No. 2018-3438 authoring the City Manager to execute an Intergovernmental Agreement with the Mid-Willamette Valley Council of Governments for Economic Development Revolving Loan Fund services.

## EXECUTIVE SUMMARY:

The City of Newberg created the Economic Development Revolving Loan Fund program by Resolution No. 1984-1109. The Economic Development Revolving Loan Fund went through a major revision in 1988 by approval of Resolution No. 1988-356. Oregon Revised Statutes, Chapter 190 allows units of governments to enter into agreements for services. The City of Newberg initially entered into an Intergovernmental Agreement with the Mid-Willamette Valley Council of Governments in 1995 to provide services for the City's Economic Development Revolving Loan Fund.

Annually the Mid-Willamette Valley Council of Governments forwards to the City an Intergovernmental Agreement to cover the current fiscal year for providing the services. The compensation for the services is as follows:

Loan packaging and Loan Closing – Fee basis at rate of 1.5% of the loan amount for a complete loan package with a minimum fee amount of \$600.00.

Loan Servicing and Reporting is a flat monthly fee of \$150.00.

Special Technical Assistance and Collections Assistance the rate is \$90.00 hour for the Loan Officer and the Loan Documentation and Servicing Specialist rate of \$60.00 hour.

The term of the Intergovernmental Agreement is July 1, 2017 through June 30, 2018.

The City currently has three Economic Development Revolving Loan Fund loans outstanding for Ruddick-Wood, Newberg Bakery and Debra Fields. Two of these loans are current in payments. The Fields loan is on deferment. A loan to Boniventura was settled in FY 15/16 and has been paid off. The Mid-Willamette Valley Council of Governments does the loan servicing on the two outstanding loans. No loan applications were submitted during FY 16/17, but the Newberg Bakery loan was modified through a Release of Guarantor.

**FISCAL IMPACT:**

Funds for FY 2017-2018 have been budgeted in Fund 14, Professional Services, line item 14-4120-580000 for Economic Development Revolving Loan Fund services with the Mid-Willamette Valley Council of Governments.

**STRATEGIC ASSESSMENT (RELATE TO COUNCIL PRIORITIES FROM SEPTEMBER 2017):**

Not applicable.



## ***RESOLUTION No. 2018-3438***

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**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT  
BETWEEN THE CITY OF NEWBERG AND MID-WILLAMETTE VALLEY  
COUNCIL OF GOVERNMENTS FOR ECONOMIC DEVELOPMENT  
REVOLVING LOAN FUND SERVICES**

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### **RECITALS:**

1. The City of Newberg created the Economic Development Revolving Loan Fund program by Resolution No. 1984-1109.
2. The Economic Development Revolving Loan Fund went through a major revision in 1988 by approval of Resolution No. 1988-356.
3. Oregon Revised Statutes, Chapter 190 allows units of governments to enter into agreements for services. The City of Newberg initially entered into an Intergovernmental Agreement with the Mid-Willamette Valley Council of Governments in 1995 to provide services for the City's Economic Development Revolving Loan Fund.
4. The City of Newberg is a member of the Mid-Willamette Valley Council of Governments.

### **THE CITY OF NEWBERG RESOLVES AS FOLLOWS:**

1. The City Manager is authorized to execute the Intergovernmental Agreement between the City of Newberg and the Mid-Willamette Valley Council of Governments in the form substantially in conformance with Exhibit A.
2. Exhibit "A" is hereby attached and by this reference incorporated.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: February 6, 2018.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 5<sup>th</sup> day of February, 2018.

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Sue Ryan, City Recorder

**ATTEST** by the Mayor this 8<sup>th</sup> day of February, 2018.

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Bob Andrews, Mayor

## **A G R E E M E N T**

**Between**

**MID WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS**

**and**

**CITY OF NEWBERG**

### **R E C I T A L S:**

1. The **Mid-Willamette Valley Council of Governments (COG)** and the **City of Newberg, Oregon**, a municipal corporation, **(CITY)** have long had interests in common; and
2. The **CITY** is a member of the **COG**; and
3. The **CITY** desires assistance with various aspects of the operation of its business development loan fund and the **COG** provides such services for its member governments; and
4. The **CITY** has authority to enter into intergovernmental agreements for cooperation between units of local government in accordance with Oregon Revised Statutes Chapter 190.

In consideration of the mutual benefits and obligations set out herein, the parties agree as follows:

#### **1. DESCRIPTION OF WORK TO BE PERFORMED BY COG**

The **COG** shall provide the following services for the **CITY'S** Economic Development Revolving Loan Program:

- A. Loan Packaging
- B. Loan Closing
- C. Loan Servicing
- D. Reporting
- E. Special Technical Assistance and Loan Collection work, including training of **CITY** staff as required

#### **2. COMPENSATION**

- A. For services described under 1.A and 1.B above, the **COG** will be compensated on a fee basis at the rate of 1.5% of the loan amount for any complete loan package prepared by **COG** staff and submitted to the **CITY** for final disposition. The fee shall be due at the time the loan is closed. The minimum fee for such loans shall be **\$600**. The **CITY** shall reserve the right to provide all of the loan packaging services based on the City Manager's evaluation of staff capabilities and the needs of the

**CITY.** The **CITY** shall provide **COG** with notice that the **CITY** intends to provide loan-packaging services.

- B. For all activities described in 1.C, 1.D, above (Loan Servicing and Reporting), the COG will be compensated at a flat monthly rate of \$150. These services include monitoring and verifying the provisions of all loan agreements, maintaining current documentation of insurance and tax payments, collecting and reviewing financial statements from each borrower on at least an annual basis and preparing an annual loan activity from report to the CITY.
- C. Services described under 1.E above, (Special Technical Assistance and Loan Collections Assistance Activities) will be provided as requested by the **COG** will be compensated at the Loan Officer hourly rate of \$90 and the Loan Documentation Specialist hourly rate of \$60. This rate include salary and all overhead costs, including travel.

3. **TRAVEL**

**COG** shall bear the cost of staff travel and incidental expenses and these costs are included as part of the fees stipulated in this Agreement.

4. **TERMS AND TERMINATION**

This Agreement shall be effective on *July 1, 2017* and continue until *June 30, 2018* or until such time as either party provides sixty (60) days written notice of its intent to terminate the Agreement, and then the Agreement shall terminate on the 60<sup>th</sup> day following said notice.

5. **AMENDMENTS**

This Agreement may be amended by mutual agreement of **CITY** and **COG**. Any amendments shall be in writing and signed by duly authorized representatives of both parties.

**IN WITNESS WHEREOF**, the above parties have caused this Agreement to be signed in their respective names by their duly authorized representatives.

**MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS**

By: \_\_\_\_\_  
Sean O'Day, Executive Director

Date: \_\_\_\_\_

**CITY OF NEWBERG**

**Signed by the City Manager pursuant to his authority as the administrator of the Economic Development Revolving Loan Fund.**

By: \_\_\_\_\_  
Joe Hannan, City Manager

Date: \_\_\_\_\_



**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Truman Stone, City Attorney

Date: \_\_\_\_\_

# ***REQUEST FOR COUNCIL ACTION***

**DATE ACTION REQUESTED: February 5, 2018**

**Order \_\_\_\_      Ordinance \_\_\_\_      Resolution \_\_\_\_      Motion XX      Information \_\_\_\_**  
**No.                      No.                      No.**

**SUBJECT: Council Minutes**

**Contact Person (Preparer) for this  
Motion: Sue Ryan  
Dept.: City Recorder**

**RECOMMENDATION:**    Approve Council Minutes for January 2, 9 and 11, 2018.

**NEWBERG CITY COUNCIL MINUTES**  
**REGULAR SESSION**  
**January 2, 2018, 7:00 PM**  
**PUBLIC SAFETY BUILDING (401 E. THIRD STREET)**

**CALL MEETING TO ORDER**

Mayor Andrews called the business session to order at 7:00 p.m.

**ROLL CALL**

|                  |                   |                  |            |
|------------------|-------------------|------------------|------------|
| Members Present: | Mayor Bob Andrews | Stephen McKinney | Mike Corey |
|                  | Denise Bacon      | Scott Essin      |            |
|                  | Patrick Johnson   |                  |            |

Members Absent: Matt Murray

|                |   |  |
|----------------|---|--|
| Staff Present: | Joe Hannan, City Manager                  | Truman Stone, City Attorney              |
|                | Sue Ryan, City Recorder                   | Doug Rux, Community Development Director |
|                | Caleb Lippard, Assistant Finance Director |  |
|                | Jay Harris, Public Works Director         |  |

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was performed.

**ELECTION OF COUNCIL PRESIDENT:**

**MOTION: Johnson/Essin** moved to elect Denise Bacon as Council President for 2018.  
Motion passed (3 Yes/2 No [Corey, McKinney]/1 Abstain [Andrews]/1 Absent [Murray]).

**MOTION: Corey/McKinney** moved to elect Stephen McKinney as Council President for 2018.  
Motion failed (2 Yes/3 No [Bacon, Essin, Johnson]/1 Abstain [Andrews]/1 Absent [Murray]).

Councilor McKinney said he would advocate for a Charter amendment to have the Chief of Police answer directly to the Council and not to the City Manager. There were some unresolved issues from last year that he would like to help resolve. This would be his last year on the Council.

Councilor Bacon had served as Council President for several years and it was an honor. Councilor Essin thought the position should rotate among the Council members.

**CITY MANAGER'S REPORT:** City Manager Hannan reported on the Washington County hearing for the TVF&R annexation, director annual evaluations, long range budget planning, discussions on the future of the animal shelter, soliciting appraisals for the Butler property and the animal shelter property, Cal Portland's water adjustment proposal, background calls and vetting regarding staff communication training, transit proposal, draft ordinance clarifying Council compensation, airport development rights, and meetings he attended. The Bypass would be opening this week.

**PUBLIC COMMENTS:**

Rick Lipinski said the City asked the Newberg Animal Shelter Friends to manage the shelter, with the terms of \$1 per year for rent and the City would paying utilities. He said the group saved money by providing services formerly done by City employees. They developed a successful shelter with three full time employees. Mr. Lipinski said their concern about selling the city's building included the investment the non-profit group had made and whether they would get their investment back. He said the City did not tell them before planning to sell the building. The group wanted the City to reconsider the sale and renew the lease.

There was a brief discussion on support for the Animal Shelter, its function, the friends non profit group, the purpose for the sale to fund the communications system upgrade, and the possibility of the right of first refusal.

#### **CONSENT CALENDAR:**

**MOTION: Corey/Bacon** moved to adopt Resolution 2018-3428, A Resolution to authorize the City Manager to enter into a construction contract with 2KG Contractors, Inc. for the Dayton Avenue Pump Station Improvement Project in the amount of \$1,334,947; and Resolution 2018-3430, A Resolution initiating an amendment to the Newberg Comprehensive Plan and Newberg Municipal Code, Title 15 Development Code to implement affordable housing provisions of SB 1051. Motion carried (6 Yes/0 No/1 Absent [Murray]).

#### **NEW BUSINESS:**

Assistant Finance Director Lippard said in March of 2016 a two inch water meter was installed in Wynyoski where Cal Portland was located. When it was installed there was a miscommunication where staff thought it was a replacement meter, not an additional meter. For about 15 months Cal Portland was not charged for the water usage of the two inch meter. When this was discovered, they were charged a flat line consumption charge for each month since they did not know the exact amount that was used. A water leak was also discovered, however they were not getting a credit for the leak. Cal Portland agreed to a \$14,000 credit for their water usage for 2016.

There was discussion on the error, not having the same mistake happen again, improving city processes, and how Cal Portland didn't notice the reduction in their bill.

**MOTION: Corey/Essin** moved to approve a credit in the amount of \$14,746.76 to apply toward Cal Portland's Municipal Services account.

#### **Deliberation:**

Councilor Johnson said the City had budget issues and he had an issue approving something like this even if it involved different funds. They should be consistent. If you used a service, you had to pay for the service. He was not in support of the motion. Councilor Corey said the City neglected to read the meter. He thought if a similar situation happened with a residential customer they would be given a credit as well. This was a mistake the City made. Councilor Bacon would support crediting half of the amount, but not all because it was a business that used the water to make money. It was the City's mistake, but people knew when they did not get a water bill.

Motion failed (2 Yes/4 No [Andrews, Bacon, Johnson, McKinney]/1 Absent [Murray]). Mayor Andrews suggested staff renegotiate the amount with Cal Portland.

#### **COUNCIL BUSINESS:**

City Recorder Ryan reminded Council about their annual Statement of Economic Interest filing with the State Oregon Government Ethics Commission.

**ADJOURNMENT:** The meeting was adjourned at 8:21 p.m.

**ADOPTED** by the Newberg City Council this 2nd of January, 2018.

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Sue Ryan, City Recorder

**ATTESTED** by the Mayor this \_\_\_\_ day of January, 2018.

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Bob Andrews, Mayor

**NEWBERG CITY COUNCIL MINUTES**  
**STUDY SESSION**  
**January 9, 2018, 6:00 PM**  
**PUBLIC SAFETY BUILDING (401 E. THIRD STREET)**

**CALL MEETING TO ORDER**

Mayor Andrews called the study session to order at 6:00 p.m.

**ROLL CALL**

|                  |                               |  |              |
|------------------|-------------------------------|--|--------------|
| Members Present: | Mayor Bob Andrews             | Mike Corey                                   | Denise Bacon |
|                  | Scott Essin                   | Patrick Johnson                              | Matt Murray  |
| Members Absent:  | Stephen McKinney              |  |              |
| Staff Present:   | Joe Hannan, City Manager      | Truman Stone, City Attorney                  |              |
|                  | Sue Ryan, City Recorder       | Doug Rux, Community Development Director     |              |
|                  | Matt Zook, Finance Director   | Caleb Lippard, Assistant Finance Director    |              |
|                  | Dan Keuler, Senior Accountant | Mary Newell, Police Support Services Manager |              |

Long Range Financial Plan Presentation:

Finance Director Zook discussed the challenges, which were how to pay for the \$3.15 million communications upgrade and how to address the \$1.3 million operating budget shortfall. He the communications upgrade and using one time revenues to address these challenges through: Butler and Animal Shelter properties sales, Selling equipment to TVF&R, and Dundee Fire contribution. New scenarios included a 2% Cost of Living Adjustment (COLA). A chart showed its impact. He discussed the new base projection if they did nothing as well as debt service payments for the communications project and PERS rate increases. He summarized the annual surplus/shortfall in each fiscal year with the intent that the City would not use reserves.

In Fiscal Year 2017-18 expenses would be higher than revenues. Over time that gap would widen. Reserves would decline as the City used revenues to fill the gap. He explained the debt service for the communications upgrade anticipated starting in 2018-19. There would also be a budget shortfall. Under Scenario 1 the base projection with a Local Option Levy with 0% compression of \$1 per \$1,000 of assessed value beginning in 2019-20 for five years. The annual shortfall would decrease to \$330,000.

The shortfall in Scenario 1 would be the City's debt service payments. There was discussion on how far out the City should forecast and how accurate it would be, the five-year Local Option Levy.

FD Zook said Scenario 2 was the base projection with increasing internal franchise fees for water, wastewater, and storm water from 5% to 7% starting in Fiscal Year 2018-19. If franchise fees were increased, the impact on rates would be \$2.50 to \$3 more per month. The revenues from this option were not enough to cover the annual shortfall. The shortfall was lessened, but there would still be a shortfall.

In Scenario 3, there was proposed a Local Option Levy of \$1 per \$1,000 in 2019-20 and an increase in internal franchise fees in 2018-19. This would close the gap on the shortfall and move the City into a positive position. This did not include the sale of City properties.

FD Zook said Scenario 4 was to increase the Public Safety Fee from \$5 to \$15 in 2018-19 and \$20 in 2019-20 and an internal franchise fee increase. For every dollar of the Public Safety Fee, it would generate \$100,000 worth of revenue. This would not quite close the shortfall gap. CM Hannan said this scenario included everyone that used a utility, not just property owners. However, there were legal questions about using the Public Safety Fee in this way as it might seem like a property tax.



FD Zook said there would be a 5-year debt service payment for the communications project, which went two years past what was shown in the PowerPoint.

FD Zook said the Scenario 5 was a combination of a \$1.14 per \$1,000 Local Option Levy and internal franchise fee increase, and no Public Safety Fee. He pointed out the breakdown between debt service payment and the annual shortfall. He explained the impacts if WCCCA provided dispatch services. He reviewed police and communications revenues and expenditures.

CM Hannan said if the City took every single dollar collected in property taxes and gave it to Police, it still would not be sufficient. That was one thing that they should discuss with the public if they decided to go with a Local Option Levy.

Councilor Corey wanted to make sure they looked at expenses as well as revenues.

Councilor Murray was concerned about taking away the Public Safety Fee in Scenario 5 as police costs weren't going to go down. Would they be in the red again a few years later? CM Hannan said there was value in overall planning, but going beyond three years was not that useful and could be dangerous.

Councilor Essin asked if the Police budget was a short term problem. CM Hannan said there was a short term issue with the communications project but also a systemic problem for the long term to maintain the current level of service. Property taxes were not keeping up with costs. Councilor Essin thought there were some good options. It made sense to do a Local Option Levy that had a sunset. Fees were needed because of the longer term issue of lower taxes.

Councilor Corey thought the Local Option Levy would have to be more than \$1. CM Hannan said staff thought the \$1 should take care of the issue. He thought the community needed to be educated that every single dollar of property taxes was going to the Police Department.

Councilor Corey asked transferring Springbrook Fire Station property. CM Hannan explained how that proposal would be brought to Council as part of the annexation. This was done by other jurisdictions when they annexed into TVF&R. The City would retain the Downtown Fire Station.

CM Hannan said after Council gave guidance, staff would begin drafting a Fiscal Year 2018-19 budget. Staff recommended a Local Option Levy and increase in franchise fees. He would also like to know if the Council wanted to reduce employees in dispatch or get rid of the new positions that had recently been added. Some of the positions did generate money. FD Zook described the new positions and their effect on the budget.

Councilor Johnson thought the first thing they need to do was look at the sale of equipment and assets and how to talk to people about the Animal Shelter. He would like to see a robust plan to cut expenditures across the City. An honest assessment needed to be done of what departments could cut and still make the budget numbers work for a long term solution. He also asked that in the next 12 months that staff didn't buy anything new and have a hiring freeze in order to help sell the Local Option Levy idea to the public.

Councilor Essin wanted to see the benefits of the new positions. Councilor Corey agreed with not buying anything if possible, to freeze hiring, and to see if positions could be combined to eliminate others. In addition he thought the proposal to close dispatch and have WCCCA perform that task should be kept on the table.

Councilor Murray agreed that staff should look at expenditures. He said the \$1.88 coming out of the budget was what the voters wanted. He did not think there was a problem with going back to the voters and asking for more. He was in favor of Scenarios 1 and 3. He would rather pass a 5-year Local Option Levy than change fees. 15

Councilor Essin said citizens should make the decision by voting on a Local Option Levy. He favored selling the Animal Shelter as long as they allowed the Friends group to have the chance to purchase it.

Councilor Bacon said Scenario 3 was her first choice, and Scenario 1 was her second choice. She thought they should make the cuts where possible and think strategically about purchases. She thought they made the right decision to take the \$1.88 to voters. They had smart voters who would spend the money if Police services were important to them. They owed voters the opportunity to voice their opinion.

CM Hannan said staff would start putting the budget together with Scenarios 1 and 3 in mind and would look at the whole organization to see what other cuts could be made. He would also look at the new positions to see if they were money generators or if they fit in Council's priorities.

**ADJOURNMENT:** The meeting was adjourned at 7:55 p.m.

**ADOPTED** by the Newberg City Council this 5th of February, 2018.

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Sue Ryan, City Recorder

**ATTESTED** by the Mayor this \_\_\_\_ day of February, 2018.

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Bob Andrews, Mayor

**NEWBERG CITY COUNCIL MINUTES**  
**EXECUTIVE SESSION**  
**January 11, 2018, 6:00 PM**  
**CITY HALL (414 E. FIRST STREET)**

An executive session pursuant to ORS 192.660 (2) (i) Performance evaluations of public officers and employees and (h) Legal Counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed.

Start: 7:31 p.m.

Stop: 9:45 p.m.

Staff present: City Attorney Truman Stone

Topic: City Attorney performance and current litigation

**ADOPTED** by the Newberg City Council this 5th of February, 2018.

\_\_\_\_\_  
Sue Ryan, City Recorder

**ATTESTED** by the Mayor this \_\_\_\_ day of February, 2018.

\_\_\_\_\_  
Bob Andrews, Mayor

# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: February 5, 2018

|                   |                       |                        |                  |                  |
|-------------------|-----------------------|------------------------|------------------|------------------|
| Order ____<br>No. | Ordinance ____<br>No. | Resolution ____<br>No. | Motion <u>XX</u> | Information ____ |
|-------------------|-----------------------|------------------------|------------------|------------------|

**SUBJECT: To approve a credit in the amount of \$5,645.54 to CalPortland's Municipal Services account.**

**Contact Person (Preparer) for this Motion: Caleb Lippard  
Dept.: Finance  
File No.:**

**RECOMMENDATION:** Make a motion to approve a leak adjustment in the amount of \$5,645.54 to apply towards CalPortland's Municipal Services account.

**EXECUTIVE SUMMARY:** At the January 2, 2018 Council meeting a recommendation was given to make a motion to approve a credit in the amount of \$14,746.76 to CalPortland's Municipal Services account. This original motion was given per the request of CalPortland management to write off all calendar year 2016 charges.

After discussion with the council, staff was directed to go back and renegotiate the credit amount. On January 3rd, the day after the council meeting, the amount was recalculated by treating the credit as a leak adjustment. That amount came to a \$5,645.54 credit which covers the entire time the meter was not read plus the first 3 months that the City began reading the meter again and a leak was still present.

The revised credit amount has been presented to CalPortland management, and they did not respond with a different proposal.

**BACKGROUND INFORMATION:** In March 2016, a request from Public Works was made to the Municipal Services billing staff to install a meter at 2808 Wynooski Rd (the site of CalPortland). In most cases, when a request for a newly installed meter is generated, at a site that currently has a meter, the Municipal Services staff usually swaps the new meter for the old meter. This is what happened at the CalPortland site. The Public Works staff gave a new meter install to the Municipal Services staff. Instead of making this an additional meter at 2808 Wynooski, the Municipal Services staff swapped this meter in the billing system.

In June 2017, on a regular water meter reading route, it came to the attention to Public Works staff that they were only reading one meter at the CalPortland site. Due to the misunderstanding when the second meter was installed, only one meter was being charged for consumption from March 2016 until August 2017.

Upon discovery of the error, a meeting was held with CalPortland management to discuss the issue. The amount of consumption that went unbilled from 3/10/2016 until 06/21/2017 was 618,100 cubic feet. The next meter reading on 07/25/2017 was for 84,400 cubic feet. Subsequent to the meeting with CalPortland, it was discovered that the site also had a leak that had gone undetected.

Without having any way of knowing when the leakage began, it was agreed with all parties that we would use consumption reports from two of CalPortland's other comparable sites located in other cities (McMinnville & Troutdale). Also, in the discussions, it was requested from CalPortland that we would use these consumption reports to figure out seasonal fluctuations in consumption to calculate what the charges

would have been. Since the City did not issue any billings, it was also requested that we would write off calendar year 2016 charges once the calculations had been performed.

Going forward, to prevent missing other meter charges:

- The City's Utility Billing database is being reconciled with Cartegraph to confirm all water use is being accounted for and billed.
- Public Works is scheduling a hands-on inventory & analysis of each of the City's 7,000-plus meters that is anticipated to be completed by the end of 2018.
- Municipal Services staff is verifying with Public Works staff on every new meter install to ensure that it's either a replacement or an additional meter.

**FISCAL IMPACT:** If approved, this motion would result in a \$5,645.54 reduction in Water Fund (07) revenues. CalPortland's annual water consumption is approximately 450,000 cubic feet which generates roughly \$18,000 in revenues.



# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: February 5, 2018

Order \_\_\_\_ Ordinance XX Resolution \_\_\_\_ Motion \_\_\_\_ Information \_\_\_\_  
No. No. 2018-2821 No.

**SUBJECT: An Ordinance adopting a new legal description of the Newberg City limits**

Contact Person (Preparer) for this  
Motion: Doug Rux, Director  
Dept.: Community Development  
File No.: G-17-005

HEARING TYPE: ☒ LEGISLATIVE ☐ QUASI-JUDICIAL ☐ NOT APPLICABLE

## RECOMMENDATION:

Adopt Ordinance No. 2018-2821.

## EXECUTIVE SUMMARY:

The Newberg Charter Chapter 1, Section 4 Boundaries states “The city includes all territory within its boundaries as they now exist or are legally modified. Unless mandated by state law, annexation, delayed or otherwise, to the City of Newberg, may only be approved by a majority of the voters. The city will maintain as a public record an accurate and current description of the boundaries.”

The last time the City updated its legal description of the boundaries of the City was in 2000 by Ordinance No. 2000-2532. Since 2000 there have been 43 annexations of properties into the City through June 30, 2017. The proposed legal description builds upon the 2000 legal description based on annexations that have occurred. The legal description does not add or withdraw any land to the City of Newberg and is not an annexation process.

Staff has coordinated with the Oregon Department of Revenue and the Yamhill County Assessor’s Office in preparation of the City Limit Legal Description.

## FISCAL IMPACT:

Not applicable.

## STRATEGIC ASSESSMENT (RELATE TO COUNCIL PRIORITIES FROM SEPTEMBER 2017):

Not applicable.



## ORDINANCE No. 2018-2821

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### AN ORDINANCE ADOPTING A NEW LEGAL DESCRIPTION OF THE NEWBERG CITY LIMITS

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#### RECITALS:

1. The Newberg Charter Chapter 1, Section 4 Boundaries states “The city includes all territory within its boundaries as they now exist or are legally modified. Unless mandated by state law, annexation, delayed or otherwise, to the City of Newberg, may only be approved by a majority of the voters. The city will maintain as a public record an accurate and current description of the boundaries.”
2. The City of Newberg last updated its legal description of the boundaries of the City in 2000 by Ordinance No. 2000-2532
3. Since 2000 there have been 43 annexations of properties into the corporate limits of the City through June 30, 2017.
4. The updated legal description does not add or withdraw any land to the City of Newberg and is not an annexation process.

#### THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The legal description for the City limits boundary, described in Exhibit A and shown in Exhibit B, is hereby adopted.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: March 7, 2018.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 5<sup>th</sup> day of February, 2018, by the following votes: **AYE:**      **NAY:**      **ABSENT:**      **ABSTAIN:**

\_\_\_\_\_  
Sue Ryan, City Recorder

**ATTEST** by the Mayor this 8<sup>th</sup> day of February, 2018.

\_\_\_\_\_  
Bob Andrews, Mayor

DESCRIPTION OF THE CITY LIMITS OF THE CITY OF NEWBERG

Beginning at a 1 inch iron pipe that is 162.7 feet East of the Southwest corner of the Benjamin Heater Donation Land Claim No. 50, in the Southwest quarter of the Northeast quarter of Section 16 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, said point also being the Northeast corner of "Spring Meadow Subdivision, Stage 2" a duly recorded subdivision in the City of Newberg, Yamhill County, Oregon;

- B1. thence Easterly along the South line of the Benjamin Heater Donation Land Claim, 2193 feet more or less to the point of intersection of the East right-of-way of Benjamin Road with the South line of the Benjamin Heater Donation Land Claim;
- B2. thence Southerly along the Easterly right-of-way of Benjamin Road, 486 feet more or less to the Northerly right-of-way of Pacific Highway 99W;
- B3. thence along the Northerly right-of-way of Pacific Highway 99W, 1470 feet more or less to a point on said right-of-way at Engineer's Station 729+55;
- B4. thence crossing Pacific Highway 99W along Engineer's Station 729+55, to the Southerly right-of-way of Pacific Highway 99W;
- B5. thence Southwesterly along the Southerly right-of-way of Pacific Highway 99W, 25 feet more or less to the Northwest corner of Klimek Homes Subdivision;
- B6. thence Southerly along the West boundary line of Klimek Homes Subdivision, 630 feet more or less to the Southwest corner of said subdivision;
- B7. thence Easterly along the South boundary line of Klimek Homes Subdivision, said line also being the Southerly North line of that tract of land described in Instrument No.200320677, 288 feet more or less to the Easterly most Northeast corner of said tract;
- B8. thence Southeasterly along the Easterly boundary of that tract of land described in Instrument No.200320677, 469 feet more or less to a point;
- B9. thence Southerly along the Easterly boundary of that tract of land described in Instrument No.200320677, 422 feet more or less, to the Southeast corner of said tract, said point being on the South line of the North half of the Sebastian Brutscher Donation Land Claim No.51;
- B10. thence Easterly along the South line of the North half of the Sebastian Brutscher Donation Land Claim No.51, 1573 feet more or less to the East boundary of said claim, said point also being the Northeast corner of the plat of The Greens At Springbrook No.7;

- B11. thence Southerly along the East line of the Sebastian Brutscher Donation Land Claim No.51, 2537 feet more or less to the Southeast corner of said Donation Land Claim, said point being the northeast corner of the plat of The Greens at Springbrook No3; thence southerly along the east line of said plat and its southerly extension thereof, 500 feet more or less to the southeast corner of that parcel of land described in instrument 2005-09121, said point also being on the north line of Jesse Parish Donation Land Claim;
- B12. thence Westerly along the north line of the Jesse Parish Donation Land Claim, said line being also the South line of the plat of The Greens at Springbrook No.3 and its easterly extension, 340 feet more or less to a point on the North right-of-way of Fernwood Road;
- B13. thence Southwesterly 36 feet more or less to an angle point on the South right-of-way of Fernwood Road;
- B14. thence Westerly along the South right-of-way of Fernwood Road, 851 feet more or less to the east line of the Luke McKern Donation Land Claim No.56;
- B15. thence Southerly along the East boundary of the Luke McKern Donation Land Claim No.56, 1305 feet more or less to the Southeast corner of Parcel 2 of Instrument No.199511488, said point being also the Southeast corner of the North half of the North half of said Donation Land Claim;
- B16. thence Westerly along the south line of Parcel 2 of Instrument No.199511488 and continuing westerly 2448 feet more or less to the Southwest corner of Parcel 1 of Instrument No.199511486;
- B17. thence Southerly 9 feet more or less to the Southeast corner of that tract of land described as Parcel 2 in Instrument No.199511486;
- B18. thence Westerly along the southerly line of said Parcel 2, 402 feet more or less to the Southwest corner of said Parcel 2 in Instrument No.199511486;
- B19. thence Northerly along the west line of said Parcel 2 and continuing along the west line of Parcel 3 in Instrument No. 199511486, parallel with the West line of the Luke McKern Donation Land Claim No.56, 1075 feet more or less to the Southerly most Northwest corner of said Parcel 3.;
- B20. thence Easterly, parallel with the centerline of Fernwood Road, 236 feet more or less to the Southerly most Northeast corner of said Parcel 3;
- B21. thence Northerly along the Northerly most West line of said Parcel 3, 530 feet more or less to the South right-of-way line of Fernwood Road;
- B22. thence Westerly along the South right-of-way line of Fernwood Road, 1641 feet more or less to the Easterly right-of-way of Springbrook Road (Market Road No.5);

- B23. thence Southerly along the East right-of-way of Springbrook Road (Market Road No.5), 1064 feet more or less to the Northwest corner of that tract of land described as Parcel 1 Partition Plat 99-28;
- B24. thence Easterly 620 feet more or less along the North line of said Parcel 1 to a point;
- B25. thence Southerly 344 feet more or less to a point on the south line of said Parcel 1;
- B26. thence Westerly along the South line of said Parcel 1, 620 feet more or less to the East right-of-way of Springbrook Road (Market Road No.5);
- B27. thence Southerly along the East right-of-way of Springbrook Road (Market Road No.5), 198 feet to a point;
- B28. thence Easterly parallel with the South line of said Parcel 1, 595 feet more or less to a point;
- B29. thence Southerly parallel with the West line of the Luke McKern Donation Land Claim, 1640 feet more or less to the South right-of-way line of Willsonville Road;
- B30. thence Westerly along the South right-of-way of Wilsonville Road, 868 feet more or less to the East right-of-way line of Sandoz Road;
- B31. thence Southerly along the East right-of-way of Sandoz Road, 598 feet more or less to the Northwest corner of that tract of land described as Parcel 1 Partition Plat 95-60;
- B32. thence Easterly, leaving the East right-of-way of Sandoz Road, along the North line of said Parcel 1, 367 feet more or less to the Westerly right-of-way of Saint Paul Highway No.219;
- B33. thence Southeasterly along the Westerly right-of-way of Saint Paul Highway No.219, 842 feet more or less to the North right-of-way of Wynooski Street;
- B34. thence Westerly along the North right-of-way of Wynooski Street, 1007 feet more or less to the Northerly extension of the East line of the property described in Survey Number 13206, Yamhill County survey records;
- B35. thence Southerly along said East line and its Northerly extension thereof, 485 feet more or less to the Southeast corner of said property;
- B36. thence Westerly along the South line of said property, 230 feet more or less to an angle point in said South line;
- B37. thence continuing along said South line, Southwesterly 150 feet more or less to the Southwest corner of said property;

- B38. thence Northerly along the West line of said property and its Northerly extension thereof, 431 feet more or less to the North right-of-way of Wynooski Street;
- B39. thence Southwesterly along the North right-of-way of Wynooski Street, 267 feet more or less to the Southwest corner of Parcel 1 of Partition Plat 94-32, Yamhill County survey records;
- B40. thence South 31 feet more or less to the centerline of Wynooski Street;
- B41. thence Westerly along the centerline of Wynooski Street, 1053 feet more or less to the Southerly extension of the West line of the land described in Survey Number 7889, Yamhill County survey records;
- B42. thence leaving the centerline of Wynooski Street Northerly along said West line, 1038 feet more or less to the Northwest corner of said property;
- B43. thence Easterly along the North line of said property, 1840 feet more or less to the Northeast corner of said property, said point being on the West right-of-way of Sandoz Road;
- B44. thence Northerly along the West right-of-way line of Sandoz Road, 422 feet more or less to a point on the North line of the Samuel Snowden Donation Land Claim;
- B45. thence Westerly along the North line of said Snowden DLC, 1385 feet more or less to the Southwest corner of the land described in Survey Number 9673, Yamhill County survey records;
- B46. thence Northerly along the West line of said property and the Northerly extension thereof, 876 feet more or less to the South line of Partition Plat 05-47, Yamhill County survey records;
- B47. thence Westerly along said South line, 55 feet more or less to the Southwest corner of said Partition Plat;
- B48. thence Northwesterly along the West line of Partition Plat 05-47, 405 feet more or less to the Northwest corner of said Partition Plat;
- B49. thence Easterly along the North line of said Partition Plat, 485 feet more or less to the Southwest corner of Parcel 3 Partition Plat 00-35 Yamhill County survey records;
- B50. thence Northerly along the West line of said Parcel 3, 326 feet more or less to the Northwest corner of said parcel;
- B51. thence Easterly along the North line of said Parcel 3, 249 feet more or less to the West right-of-way of State Secondary Highway 140;
- B52. thence Northwesterly along said right-of-way, 1644 feet more or less to the Westerly extension of the



South right-of-way line of East Second Street;

- B53. thence South along the East line of Lot 1 of Survey Number 2071, Yamhill County survey records, 136 feet more or less to the Southeast corner of said lot;
- B54. thence Westerly along the South line of said Lot 1, 195 feet more or less to the Northeast corner of Partition Plat 07-15 Yamhill County survey records;
- B55. thence Southerly along the East line of said Partition Plat, 600 feet more or less to the Southeast corner of said Partition;
- B56. thence Westerly along the South line of said Partition, 462 feet more or less to the centerline of Hess Creek, said point being the Northwest corner of The Highlands at Hess Creek subdivision;
- B57. thence Southerly along the centerline of Hess Creek, 2100 feet more or less to the junction of two small creeks; thence southerly along the westerly small creek, 400 feet more or less to the South line of the Richard Everest Donation Land Claim No.52;
- B58. thence Westerly along the South line of said Everest Donation Land Claim No.52, 500 feet more or less to the Southwest corner of that tract of land described in Instrument No.199912319 Yamhill County deed records;
- B59. thence Northerly along the West line of said tract, 693 feet more or less to the South line of Parcel 1 Partition Plat 97-61 Yamhill County survey records;
- B60. thence Westerly 260 feet more or less to the Southwest corner of said Parcel 1;
- B61. thence Northerly along the west line of said Parcel 1, 1090 feet more or less to the Northwest corner of said Parcel 1;
- B62. thence Easterly along the northerly line of said Parcel 1, 293 feet more or less to the northeast corner of said Parcel 1 and the Easterly most Southeast corner of Parcel 2 Partition Plat 97-61 Yamhill County survey records;
- B63. thence Northerly along the East line of said Parcel 2, 545 feet more or less to the South line of Lot 2 Survey Number 2071, Yamhill County survey records;
- B64. thence Westerly along the South line of said Lot 2, 736 feet more or less to the West line of the Richard Everest Donation Land Claim;
- B65. thence Southerly along the West line of said Everest Donation Land Claim, 1569 feet more or less to

an iron pipe;

B66. thence Westerly along the Easterly extension of the North line of that property depicted in Survey Number 9246, Yamhill County survey records, 136 feet more or less to the Northeast corner of said property;

B67. thence Southerly along the East line of said property, 95 feet more or less to the Southeast corner of said property;

B68. thence Westerly along the south line of said property, 102 feet more or less to the East right-of-way of Wynooski Street;

B69. thence Northwesterly along the East right-of-way of Wynooski Street, 115 feet more or less to the Northwest corner of said property;

B70. thence Westerly, leaving the East right-of-way of Wynooski Street, 527 feet more or less to the East line of a 15 foot alley adjacent to Block 18 of the City Park Addition to the City of Newberg;

B71. thence South along the East line of said alley, 128 feet more or less to the Northwest corner of Lot 15 of Millview Estates;

B72. thence Easterly along the North line of Millview Estates and the Easterly extension thereof, 563 feet more or less to the centerline of Wynooski Street;

B73. thence Southeasterly along the centerline of Wynooski Street, 455 feet more or less to a point of intersection with the East line of the Joseph B. Rodgers Donation Land Claim;

B74. thence Southerly along said East line, 25 feet more or less to the Easterly extension of the South line of Eleventh Street;

B75. thence Westerly along the South line of Eleventh Street, 761 feet more or less to the East line of a 15 foot alley adjacent to Block 17 of the City Park Addition to the City of Newberg;

B76. thence Southerly along the East line of the said alley, 580 feet more or less to the Southeast corner of said subdivision;

B77. thence Westerly along the South line of said subdivision, 1221 feet more or less to the centerline of River Street;

B78. thence Southerly along said centerline, 99 feet more or less to the intersection point of the Easterly extension of the South line of Wildwood Addition to the City of Newberg;

- B79. thence Westerly along said south line, 660 feet more or less to the Southwest corner of said subdivision;
- B80. thence Southerly along the Southerly extension of the West line of said subdivision, 150 feet more or less to the North line of the Spaulding Railroad right-of-way;
- B81. thence Westerly along said North line, 469 feet more or less to the West right-of-way of South College Street;
- B82. thence Northerly along said West right-of-way, 115 feet more or less to the intersection of the Easterly extension of the East most South line of that property described as Parcel 2 Partition Plat 95-29 Yamhill County survey records;
- B83. thence Westerly along the south line of said Parcel 2 and its easterly extension, 95 feet more or less to an angle point;
- B84. thence continuing along said south line of Parcel 2, Northerly 4 feet more or less to an angle point;
- B85. thence continuing along said south line of Parcel 2, Westerly 104 feet more or less said to the Southwest corner of Parcel 2 Partition Plat 95-29 Yamhill County survey records;
- B86. thence Northerly along the West line of said Parcel 2, 71 feet more or less to the Northwest corner thereof;
- B87. thence Easterly along the North line of said Parcel 2, 54 feet more or less to the northerly southeast corner of Parcel 1 of said Partition Plat 95-29;
- B88. thence Northerly along the East line of said Parcel 1, 247 feet more or less to the most northerly corner thereof, said point also being on the South line of Village Park Addition to the City of Newberg at the centerline of a creek;
- B89. thence Southwesterly along the south line of said Lot 11, Block 1 of the Village Park Addition to the City of Newberg, 503 feet more or less to the southwest corner thereof;
- B90. thence Northerly along the West line of said Lot 11, 208 feet more or less to the Southeast corner of Lot 9, Block 1 in said subdivision;
- B91. thence Westerly along the South line of Lots 8 and 9, Block 1 in said subdivision, 179 feet more or less to the Southwest corner of said Lot 8, said point also being on the East right of way of Publishers Paper Company Railroad;

- B92. thence Northerly along said East right-of-way of Publishers Paper Company Railroad to a point 55 feet more or less South of the South right-of-way of East Ninth Street;
- B93. thence Westerly parallel to the South right-of-way of East Ninth Street, 61 feet more or less to the Southerly extension of the West right-of-way of South Blaine Street;
- B94. thence Southerly along said Southerly right of way extension, 226 feet more or less to the northeast corner of Parcel 1, Partition Plat 2016-08, Yamhill County records;
- B95. thence continuing southerly along the east line of said plat, 20 feet more or less to an angle point; thence easterly continuing along the east line of said plat, 6 feet more or less to angle point; thence southerly continuing along the east line of said plat, 61 feet more or less to the southeast corner of said plat; these Easterly along the extension of the southerly line of said plat, 14 feet more or less to the West right-of-way line of Publishers Paper Company Railroad ;
- B96. thence Southerly along said West right-of-way, 1043 feet more or less to the East line of that tract of land described in deed from Smurfit Newsprint Corporation to Chehalem Park and Recreation District and recorded November 5 1993 in Film Vol. 297 Page 586;
- B97. thence Southerly along the East line of said tract, 436 feet more or less to the Southeast corner of said tract;
- B98. thence Westerly along the North line of that tract of land described in land sales contract from Weatherly to Hollis and executed December 16 1976 and recorded in Film Vol. 116 Page 1641, 124 feet more or less to the Northwest corner of said tract;
- B99. thence Southerly along the West line of said Hollis tract and its southerly extension, 1205 feet more or less to the south right of way line of County Road No. 65;
- B100. thence Southwesterly along said southerly right of way line, 1274 feet more or less to the Northeasterly line of that tract of land described in deed from Mellinger to Christenson (Parcel 1) recorded February 26, 1967 in Film Vol. 74 Page 1366;
- B101. thence Southerly along said Northeasterly line 386 feet more or less to an angle point, said point also being the northeast corner of the tract shown in Survey Number 4574, Yamhill County Survey records; thence Westerly continuing along said Northeasterly line, 380 feet more or less to the northwest corner of said tract shown in Survey Number 4574; thence Southerly continuing along said Northeasterly line, 392 feet more or less to the southwest corner of said tract shown in Survey Number 4574; thence northeasterly continuing along said Northeasterly line, 394 feet more or less to the southeasterly corner of said tract shown in Survey Number 4574; thence Southeasterly continuing along said Northeasterly line, 995 feet

more or less to the center of Chehalem Creek;

B102. thence Westerly and Northwesterly along the center of Chehalem Creek, 3570 feet more or less to the Southwest corner of Lot 8 of South Newberg Suburban Acre Tracts, Yamhill County survey records;

B103. thence Northerly along the west line of said Lot 8, 400 feet more or less to the North line of that tract of land described in deed from Lorence M. Christenson and Lois A. Christenson to Lorence M. Christenson and Lois A. Christenson as co-trustees of the Christenson Family Trust and recorded in Instrument Number 200401939;

B104. thence Easterly along the North line of said Christenson tract, 452 feet more or less to an angle point; thence continuing Easterly along said north line, 616 feet more or less to the center of Chehalem Creek and the Northeast corner of said tract;

B105. thence Northerly along the West line of that tract of land described in deed from Weatherly to Wozniak and recorded January 8, 1976 in Film Vol. 110 Page 125, 469 feet more or less to the Northwest corner of said tract;

B106. thence Easterly along the North line of said Wozniak tract, 350 feet more or less to an angle point; thence continuing Easterly along said North line, 76 feet more or less to the West line of that tract of land described in Maurice E. Cronin and Elizabeth H. Cronin to Kenneth I. Weatherly and Mildred A. Weatherly and recorded November 21, 1963 in Film Vol. 34 Page 52;

B107. thence Northerly along the West line of said Weatherly tract, 201 feet more or less to the center of Chehalem Creek;

B108. thence Northeasterly and Northerly along the center of Chehalem Creek, 402 feet more or less to the South line of that tract of land described in deed from Robert Swift, personal representative of the Leonard C. French Estate to Chehalem Park and Recreation District and recorded December 12, 1977 in Film Vol. 125 Page 481;

B109. thence continuing Northerly along the center of Chehalem Creek, 1622 feet more or less to a point being Southwesterly 83 feet more or less from the Southwest corner of Parcel 3 of Partition Plat 97-53 Yamhill County survey records;

B110. thence Northeasterly, leaving the center of Chehalem Creek, 83 feet more or less to the Southwest corner of said Parcel 3;

B111. thence Northwesterly along the West line of said Parcel 3, 295 feet more or less to an angle point; thence Northwesterly continuing along the West line of said Parcel 3, 125 feet more or less to an angle

point; thence Northeasterly continuing along the West line of said Parcel 3, 18 feet more or less to the North line of said Parcel 3;

B112. thence Easterly along the north line of said Parcel 3, 192 feet more or less to the most Northerly Northeast corner of said Partition Plat 97-53;

B113. thence Northerly 144 feet more or less to the South line of Partition Plat 1993-30 Yamhill County survey records;

B114. thence Northeasterly along the South line of said Partition Plat, 195 feet more or less to the Southeast corner thereof, said point being on the West line of the Joseph B. Rogers Donation Land Claim;

B115. thence Northerly along the East line of said Partition Plat, 112 feet more or less to the Northeast corner thereof;

B116. thence Northwesterly along the Northeast line of said Partition Plat, 302 feet more or less to the East right-of-way of Dayton Avenue;

B117. thence Southwesterly along the East right-of-way of Dayton Avenue, 288 feet more or less to the Northwest corner of Parcel 2 of said partition;

B118. thence Easterly along the North line of said Parcel 2, 60 feet more or less to the Northeast corner thereof;

B119. thence Southeasterly along the East line of said Parcel 2, 97 feet more or less to the Southeast corner thereof;

B120. thence Southwesterly along the South line of said Parcel 2 and the Westerly extension thereof, 223 feet more or less to the West right-of-way of Dayton Avenue;

B121. thence Northeasterly along the West right-of-way of Dayton Avenue, 422 feet more or less to the South line of that tract of land described as Lot 2 in Survey Number 2510, Yamhill County survey records;

B122. thence Northerly 598 feet more or less to the most westerly Northwest corner of that property described in Survey Number P-3962, Yamhill County survey records, said point also being on the South line of Parcel 1 of Partition Plat 95-32 Yamhill County survey records;

B123. thence Northwesterly along the South line of said Parcel 1, 191 feet more or less to the Southwest corner thereof;

B124. thence Northerly along the West line of said Parcel 1, 42 feet more or less to the South line of Little



Homes Subdivision Yamhill County survey records;

B125. thence Westerly 278 feet more or less along said South line to the Southwest corner of Partition Plat 92-64 Yamhill County survey records;

B126. thence Northerly 362 feet more or less along the West line of said Partition Plat 92-64 to the South right-of-way of West 5th Street;

B127. thence Westerly 370 feet more or less along the South right-of-way of West 5th Street to a 2 inch iron rod;

B128. thence Northerly 290 feet more or less to a point on the North line of Little Homes Subdivision also being the South line of Survey Number 12652, Yamhill County survey records, said point being 84 feet more or less Westerly along said North line from the Northwest corner of Lot 16 Little Homes Subdivision;

B129. thence Westerly along the South line of said survey 12652, 189 feet more or less to the center of Chehalem Creek;

B130. thence Northwesterly along the center of Chehalem Creek, 130 feet more or less to the Easterly right-of-way of Southern Pacific Railroad;

B131. thence Northeasterly along the Easterly right-of-way of said Railroad, 416 feet more or less to the Northwest corner of said survey 12652;

B132. thence N79° 12' 40"W to a point on the Westerly right-of-way of said Railroad;

B133. thence Southwesterly along the Westerly right-of-way of said Railroad, 411 feet more or less to the center of Chehalem Creek;

B134. thence Southwesterly along the center of Chehalem Creek to the Westerly right of way of Highway 99W; thence continuing Northerly along the center of Chehalem creek to the South line of Sunnycrest Point Condominiums Plat, Yamhill County Survey Records;

B135. thence Easterly along said South line, 228 feet more or less, said point being westerly 436 feet more or less from the Southeast Corner of said plat;

B136. thence Northerly 335 feet more or less to the North right-of-way of the county road running Westerly from First Street;

B137. thence Northeasterly along the North right-of-way of said county road, 410 feet more or less to a point 25 feet more or less westerly from the northerly extension of the east line of Tract 14, Hurley's Fruit-land

Subdivision, Yamhill County survey records;

- B138. thence Northerly 10 feet more or less to the North right-of-way of First Street;
- B139. thence Easterly 304 feet more or less along the North right-of-way of First Street to the southwest corner of Partition Plat 2004-31, Yamhill County survey records;
- B140. thence Northerly along the westerly line of said partition plat, 348 feet more or less;
- B141. thence Northeasterly 304 feet more or less to the North line of Sheridan Street;
- B142. thence Northeasterly 725 feet more or less;
- B143. thence Northeasterly 1113 feet more or less to the North right-of-way of West Chehalem Road and State Secondary Highway 240;
- B144. thence Northwesterly along said North right-of-way, 175 feet more or less to the intersection of the Westerly extension of the North line of survey P-4028 Yamhill County survey records;
- B145. thence Easterly 65 feet more or less to the Southeast corner of Lot 20 of Northwest Newberg Subdivision Yamhill County survey records;
- B146. thence Northerly along the East line of said subdivision, 1016 feet more or less to the most Westerly Northwest corner of Creekside Phase 2 subdivision, , Yamhill County survey records;
- B147. thence easterly along the northerly line of said subdivision, 166 more or less to an angle point; thence northerly along the westerly line of said subdivision 32 feet more or less to the most northerly Northwest corner, said point also being the Southwest corner of Creekside Phase 1 subdivision, Yamhill County survey records; thence northerly along the westerly boundary of said Creekside Phase 1 subdivision, 128 feet more or less to an angle point; thence continuing Westerly along said west boundary, 55 feet more or less to an angle point;
- B148. thence Northerly along said West line and the extension thereof, 634 feet more or less to the Northwest corner of Parcel 3 Survey Number 9030, Yamhill County survey records;
- B149. thence Easterly along the North line of said Parcel 3, 175 feet more or less to the Southwest corner of Ashley Park subdivision Yamhill County plat records;
- B150. thence Northerly along the West line of said Ashley Park Subdivision, 260 feet more or less to the Northwest corner thereof;
- B151. thence Easterly along the North line of said subdivision, 248 feet more or less to an angle point;

thence continuing along said north line, Southerly 10 feet more or less to an angle point thence Easterly continuing along said North line and its easterly extension, 200 feet more or less to the West right-of-way of North Main Street;

B152. thence Northerly along the West right-of-way of North Main Street, 300 feet more or less to the South line of that property described in Survey Number 6385, Yamhill County survey records;

B153. thence Westerly along the South line of said survey, 212 feet more or less to the Southwest corner thereof;

B154. thence Northerly along the westerly line of said survey, 65 feet more or less to the northwest corner thereof, said point also being the most northerly south line of Partition Plat 95-90 Yamhill County survey records;

B155. thence Westerly along said south line, 100 feet more or less to the West line of said Partition Plat;

B156. thence Northerly along the west line of said Partition Plat and its extension thereof, 100 feet more or less to the South line of Survey Number 8128, Yamhill County survey records;

B157. thence Easterly along the said South line, 156 feet more or less to the Southwest corner of Bears Addition Subdivision, Yamhill County plat records;

B158. thence Northerly along the West line of said subdivision, 308 feet more or less to the South right-of-way of Lynn Drive;

B159. thence Westerly along said right-of-way, 176 feet more or less to the Northerly extension of the East line of Willamette Meadows Subdivision, Yamhill County plat records;

B160. thence Southerly along the Northerly extension and East line of said subdivision, 425 feet more or less to the Southeast corner of said subdivision;

B161. thence Westerly along the South line of said subdivision, 329 feet more or less to the Southwest corner thereof, said point being on the northeast corner of Tract 32 of Northwest Newberg Subdivision, Yamhill County plat records;

B162. thence Southerly along the East line of said tract, 220 feet more or less to the centerline of Columbia Drive;

B163. thence Westerly along the centerline of Columbia Drive, 220 feet more or less to the Southerly extension of the West line of Survey Number 7017, Yamhill County survey records;

- B164. thence Northerly along the Southerly extension and West line of said survey, 645 feet more or less to the South line of Madison's Garden subdivision, Yamhill County survey plat records;
- B165. thence Westerly along said South line, 36 feet more or less to the most southerly southwest corner of said Plat;
- B166. thence Northerly along the west line of said Plat, 140 feet more or less to an angle point, said point also being on the north line of Parcel 1, Partition Plat 93-40, Yamhill County plat records;
- B167. thence Westerly along the said North line of Parcel 1 and its westerly extension, 371 feet more or less to the West right-of-way of Chehalem Drive;
- B168. thence Northerly along the West right-of-way of Chehalem Drive, 3383 feet more or less to the Westerly extension of the North right-of-way of Foothills Drive;
- B169. thence Easterly along said Westerly extension, 56 feet more or less to the East right-of-way of Chehalem Drive;
- B170. thence Northerly along said East right-of-way, 584 feet more or less to the North line of Partition Plat 97-68 Yamhill County survey records;
- B171. thence Westerly along the Westerly extension of said North line, 16 feet more or less to the West line of the Morris Donation Land Claim;
- B172. thence Northerly along the West line of that Morris Donation Land Claim, 588 feet more or less to the Westerly extension of the North line of that tract of land conveyed to the Chehalem Park and Recreation District as recorded in Book 308 Page 0627, Yamhill County deed records;
- B173. thence Westerly along the Westerly extension of said North line, 40 feet more or less to the West right-of-way of Chehalem Drive;
- B174. thence Northerly along the West right-of-way of Chehalem Drive, 790 feet more or less to the North right-of-way of North Valley Road (County Road 62);
- B175. thence Easterly along the North right-of-way of North Valley Road, 660 feet more or less to the Northerly extension of the West line of that tract of land conveyed to Robert Edward Phillips Jr. and Barbra Jean Phillips as recorded in Book 109 Page 1140, Yamhill County deed records;
- B176. thence Southerly along said West line and its northerly extension, 800 feet more or less to the Southwest corner of said Phillips tract and the North line of that tract of land conveyed to the Chehalem Park and Recreation District as recorded in Book 308 Page 0627, Yamhill County deed records ;

- B177. thence Easterly along said North line, 685 feet more or less along to the Northeast corner thereof;
- B178. thence Southerly along the East line of said Chehalem Park and Recreation District tract, 136 feet more or less along to the Northwest corner of Lot 11 of Natalie Park Subdivision, Yamhill County plat records;
- B179. thence Easterly along the North line of said Natalie Park Subdivision and Natalie Park No. 2 Subdivision, Yamhill County plat records, 665 feet more or less to the Southwest corner of Terra Estates Phase 2 Subdivision, Yamhill County plat records;
- B180. thence Northerly along the West line of said Terra Estates Phase 2 Subdivision, 602 feet more or less to the northwest corner thereof;
- B181. thence Easterly along the north line of said plat and across Terra Estates Phase 1, Yamhill County plat records, 682 feet more or less to the East right-of-way of Terrace Drive (County Road 162);
- B182. thence Southerly along the East right-of-way of Terrace Drive (County Road 162), 815 feet more or less to the North right-of-way of State Highway 219;
- B183. thence Southerly 117 feet more or less to the intersection of the Easterly right-of-way of State Highway 219 and the North line of that tract of land conveyed to Walter H Anderson and Frances H Anderson recorded September 7, 1956 Book 181 Page 732, Yamhill County deed records;
- B184. thence Northeasterly along said Easterly right-of-way of State Highway 219 (College Street), 575 feet more or less to the Northwest corner of Cottages at Oak Knoll Subdivision, , Yamhill County plat records;
- B185. thence Easterly along the North line of said plat, 129 feet more or less to the Northeast corner thereof;
- B186. thence Southerly along the East line of said plat, 281 feet more or less along to the North line of Oak Knoll No. 10 subdivision, Yamhill County plat records;
- B187. thence Easterly along said North Line 375 feet more or less to the northeast corner thereof, said point also being on the most southerly West line of The Summit at Oak Knoll subdivision, Yamhill County plat records;
- B188. thence Northerly along said southerly most West line of said Plat, 308 feet more or less to the initial point thereof, said point also being on the most northerly South line of Partition Plat 99-49, Yamhill County plat records;
- B189. thence Westerly along the boundary of said Partition Plat 99-49, 418 feet more or less to the East right-of-way of State Highway 219 (College Street);

- B190. thence Northeasterly along the East right-of-way of State Highway 219 (College Street), 410 feet more or less to the most northerly Northwest corner of said Partition Plat 99-49;
- B191. thence Westerly along the Westerly extension of said North line of Partition Plat 99-49, 83 feet more or less to the west right-of-way of State Highway 219 (College Street);
- B192. thence Northeasterly along said West right-of-way of State Highway 219 (College Street), 454 feet more or less to the Westerly extension of the North line of that tract of land described in Bargain and Sale Deed to William Rourke Jr. and Myrlene J. Rourke, husband and wife, recorded as Fee Number 200502945, Yamhill County deed records;
- B193. thence Easterly along said North line and its westerly extension, 237 feet more or less to the Northeast corner of said Rourke tract;
- B194. thence Southerly along the East line of said Rourke tract, 406 feet more or less to the Southeast corner thereof, said point being on the North line of Partition Plat 99-49 Yamhill County plat records;
- B195. thence Easterly along said North line, 374 feet more or less to the Northeast corner thereof;
- B196. thence Southerly along said East line of Partition Plat 99-49, 660 feet more or less to the Southeast corner thereof, said point being on the North line of the Oak Knoll subdivision, Yamhill County plat records;
- B197. thence Easterly along the North line of said Oak Knoll subdivision and continuing along the North line of Springbrook District subdivision, Yamhill County plat records, , 1102 feet more or less to the Southerly extension of the East right-of-way of Aspen Way;
- B198. thence Northerly 30 feet more or less to the North right-of-way of Aspen Way;
- B199. thence Easterly along the North right-of-way of Aspen Way, 1287 feet more or less to an angle point;
- B200. thence Southeasterly along the East right-of-way of Aspen Way, 928 feet more or less to the North line of Tract H, Springbrook District subdivision, Yamhill County plat records;
- B201. thence Northeasterly along the North line of said Tract H, 1019 feet more or less to its the most Northerly corner;
- B202. thence Southerly along the East line of said Tract H, 466 feet more or less to an angle point;
- B203. thence Easterly along said Tract H, 106 feet more or less to an angle point, said point also being the Northwest corner of Lot 6 of Bryce Acres subdivision Yamhill County plat records;



- B204. thence Southerly along the West line of said Bryce Acres, 407 feet more or less to the Southwest corner of Lot 5 of said subdivision;
- B205. thence Westerly along the North line of Lot 4 of said Bryce Acres, 92 feet more or less to the Northwest corner thereof;
- B206. thence Southerly along the West line of said Bryce Acres and the East right-of-way of Aspen Way, 350 feet more or less to the Southwest corner of Lot 3 of said subdivision;
- B207. thence Easterly along the Southerly line of said Bryce Acres, 367 feet more or less to the Southeast corner of Lot 3 of said subdivision, said point also being on the West line of Lot 2 of said subdivision;
- B208. thence Southerly along the West line of Lot 2 of said Bryce Acres, 124 feet more or less to the Southwest corner thereof;
- B209. thence Easterly along the South line of said Bryce Acres, said line also being the North line of Lot 6, Springbrook District, Yamhill County plat records, 217 feet more or less to angle point on said Lot 6;
- B210. thence Southerly along the East line of said Lot 6, 189 feet more or less to an angle point;
- B211. thence Easterly along the Northerly line of said Lot 6 and its easterly extension, 268 feet more or less to the West right-of-way of County Road Number 56 (Zimri Drive);
- B212. thence Northerly along the West right-of-way of Zimri Drive, 74 feet more or less to a point on the westerly extension of the North line of Lot 7, Springbrook District subdivision, Yamhill County plat records;
- B213. thence Easterly along the North line of said Lot 7, 912 feet more or less to an angle point at the West line of the East half of the Solomon Heater Donation Land Claim Number 48;
- B214. thence Southerly along the North line of said Lot 7, 13 feet more or less to an angle point;
- B215. thence Easterly along the North line of said Lot 7, 148 feet more or less to an angle point;
- B216. thence Southerly along the North line of said Lot 7, 148 feet more or less to an angle point;
- B217. thence Easterly along the North line of said Lot 7 and its extension across Lot 10, Springbrook District subdivision, Yamhill County plat records, 763 feet more or less to the Northeast corner thereof ;
- B218. thence Southerly along the East line of said Lot 10 and its extension, 449 feet more or less to the South right-of-way of the Southern Pacific Railroad, said point also being on the North line of Tract O, Springbrook District subdivision, Yamhill County plat records;

B219. thence Northeasterly along the South right-of-way of said Railroad, 725 feet more or less to the North right-of-way of Benjamin Road;

B220. thence Easterly along the North right of way of Benjamin Road, 620 feet more or less to the West line of the Benjamin Heater Donation Land Claim;

B221. thence Southerly along the West line of said Benjamin Heater Donation Land Claim, 2245 feet more or less to the Southwest corner of said Donation Land Claim;

B222. thence Easterly along the South line of said Benjamin Heater Donation Land Claim, 163 feet more or less to the Point of Beginning.

Excepting therefrom the following parcels:

Exception Parcel #1

Located in the Northwest quarter of the Northeast quarter of Section 18, T3S, R2W, Willamette Meridian and being part of the William Jones Donation Land Claim No. 38, Yamhill County, Oregon being more particularly described as follows:

Parcel 2 of Partition Plat 94-28, Yamhill County plat records.

Exception Parcel #2

Located in the Northeast quarter of Section 18, T3S, R2W, Willamette Meridian and being part of the William Jones Donation Land Claim No. 38, Yamhill County, Oregon being more particularly described as follows:

Beginning at a point on the east right of way of Crater Lane, 20 feet east of the centerline, and on the westerly extension of the South line of Prospect Park II subdivision, Yamhill County plat records, thence East along said South line of Prospect Park II and its westerly extension, 188 feet more or less to the Northwest corner of Lot 4, Prospect Park III subdivision, Yamhill County plat records; thence South along the most northerly west line of said Prospect Park III subdivision, 366 feet more or less to the most southerly North line of said Prospect Park III subdivision; thence West along said most southerly North line and its westerly extension, 187 feet more or less to the east right of way of Crater Lane, 20 feet east of the centerline; thence North along said easterly right of way line, 366 feet more less to the point of beginning.

Exception Parcel #3

Located in the Southwest quarter of Section 21 and the Southeast quarter of Section 20, T3S, R2W, Willamette Meridian and being part of the Richard Everest Donation Land Claim No. 52, Yamhill County, Oregon being more particularly described as follows:

Beginning at a point on the East line of the Richard Everest Donation Land Claim No. 52, and 1096 feet more or less north of the southeast corner thereof; thence West along the south line of the tract of land depicted in Survey No. 12039, Yamhill County survey records, 260 feet more or less to an angle point; thence continuing along said south line, North 17 feet more or less to an angle point; thence continuing along said south line, West 136 feet more or less to an angle point; thence continuing along said south line, North 44 feet more or less to an angle point; thence continuing along said south line, West 231 feet more or less to east right of way line of State Highway 219; thence South along said east right of way line, 328 feet more or less to the South line of the tract of land depicted in Survey No. 6476, Yamhill County survey records; thence East along said South line and its easterly extension, 500 feet more or less to the east line of the Richard Everest Donation Land Claim No. 52, said point being 846 feet more or less north of the southeast corner of said D.L.C.; thence North along said east line, 250 feet more or less to the point of beginning.

Exception Parcel #4

A tract of land in the Northwest quarter of section 21, T3S, R2W, Willamette Meridian, Yamhill County, Oregon being more particularly described as follows:

Beginning at a point on the West line of the Sebastian Brutscher Donation Land Claim No. 51, 1189 feet more or less North of the Southwest corner of said D .L. C.; thence East along the south line of Parcel 2, Partition Plat 2013-03, Yamhill County plat records and its westerly extension thereof, 441 feet more or less to an angle point; thence Southwesterly along the west line of Tract A of said Partition Plat, 131 feet more or less to the southwest corner thereof; thence East 240 feet more or less to the west line of Oaks at Springbrook No. 2 subdivision, Yamhill County plat records; thence South along said west line 280 feet more or less to the North line of the tract depicted in Survey Number 4614, Yamhill County survey records; thence West along said northerly line 462 feet more or less to an angle point; thence South 148.5 feet more or less to an angle point; thence West 171 feet more or less to the East line of Springbrook Road; thence North along the East line of said road 67.5 feet more or less to a point on the easterly extension of the South line of the North half of the Richard Everest Donation Land Claim No. 52; thence West, along the South line of the North half of the Richard Everest Donation Land Claim No. 52 and its easterly extension, 565 feet more or less to the southeast corner of Parcel 2, as depicted in Survey No. 9111, Yamhill County survey records; thence North along the east line of said Parcel 2, 83 feet more or less to an angle point; thence East 525 feet more or less to the West line of the Brutscher Donation Land Claim No. 51; thence North along the West line of said Brutscher Donation Land Claim No. 51, 59 feet more or less to a point that is northerly 775 feet more or less from the southwest corner of said Brutscher Donation Land Claim No. 51 and the westerly extension of the south line of the tract depicted in Survey Number 12216, Yamhill County survey records; thence East along said south line and its westerly extension, 220 feet to the dividing line shown on said survey; thence North along said dividing line, 82 feet more or less to the north line of the tract depicted on said Survey 12216; thence West along said north line, 220 feet more or less to the west line of said Brutscher Donation Land Claim No. 52; thence North along said Brutscher Donation Land Claim, 266 feet more or less to the point of beginning.

Exception Parcel #5

A tract of land in the Northwest quarter of Section 21, T3S, R2W, Willamette Meridian, and being part of the Sebastian Brutscher Donation Land Claim No. 51, Yamhill County, Oregon being more particularly described as follows:

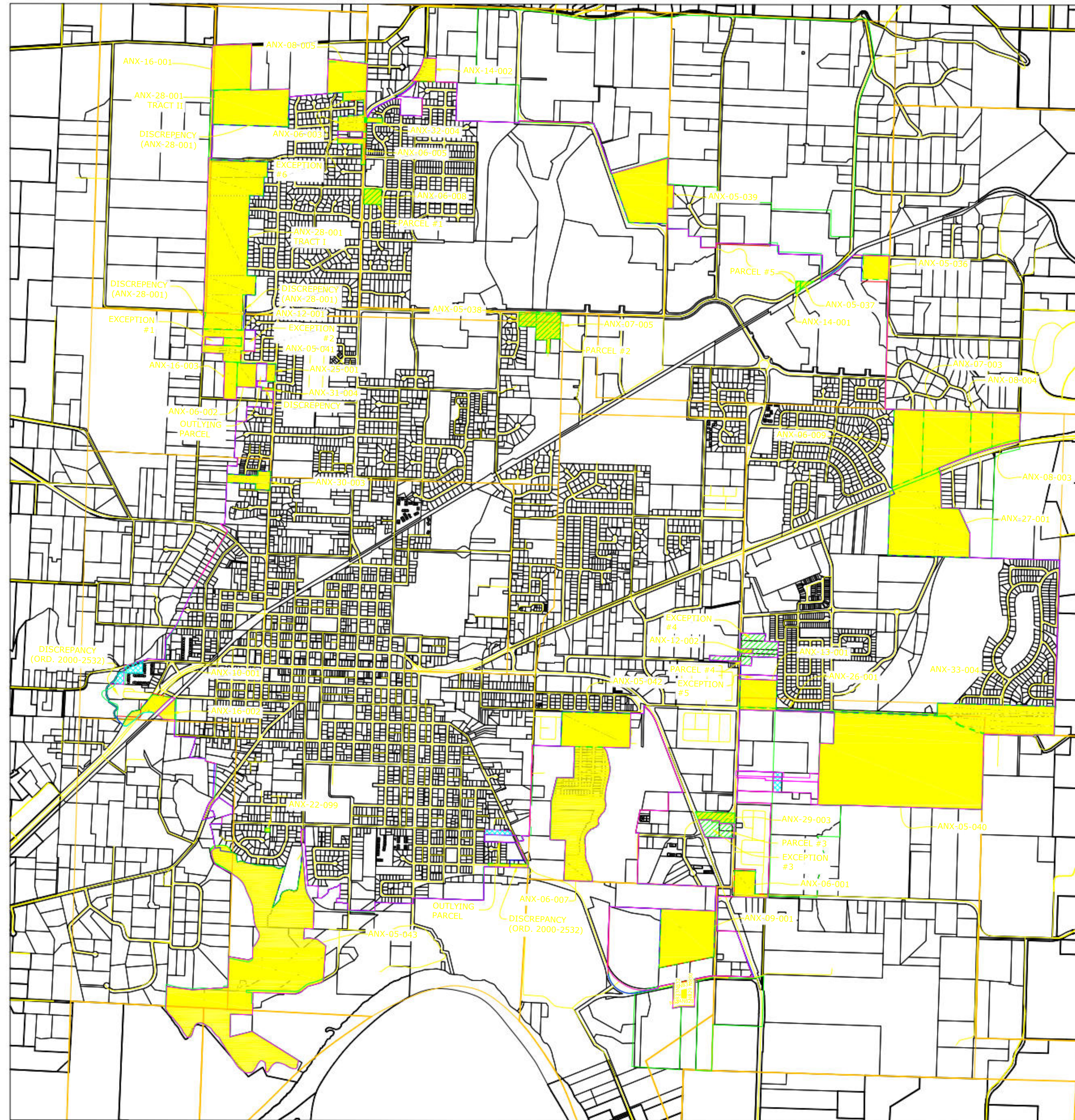
Beginning at a point on the West line of the Sebastian Brutscher Donation Land Claim No. 51, 396 feet more or less North of the Southwest corner of said D .L. C., said point being on the westerly extension of the south line of the parcel depicted on Survey Number 4614, Yamhill County survey records; thence East along said south line and its easterly extension, 660 feet more or less to the West line of Oaks at Springbrook No. 2 subdivision, Yamhill County plat records; thence South along said west line 66 feet more or less to a point; thence West 660 feet more or less to the West line of the Sebastian Brutscher Donation Land Claim No. 51; thence North along said west line 66 feet more or less to the point of beginning.

Exception Parcel #6

A tract of land in the Southeast quarter of the Northeast quarter of Section 7, T3S, R2W, Willamette Meridian, Yamhill County, Oregon being more particularly described as follows:

Beginning at a point on the East right of way line of State Highway 219, 100 feet more or less north of the easterly extension of the north line of Anne's Addition subdivision, Yamhill County plat records; thence West 486 feet more or less to the east line of Anne's Addition Phase II, Yamhill County plat records; thence North along said east line 117 feet more or less to the south line of Terrace Heights subdivision, Yamhill County plat records; thence East along said south line and its easterly extension thereof, 486 feet more or less to the East right of way line of State Highway 219; thence South along said east right of way line to the point of beginning.





1 INCH = 1000 FEET



LEGEND

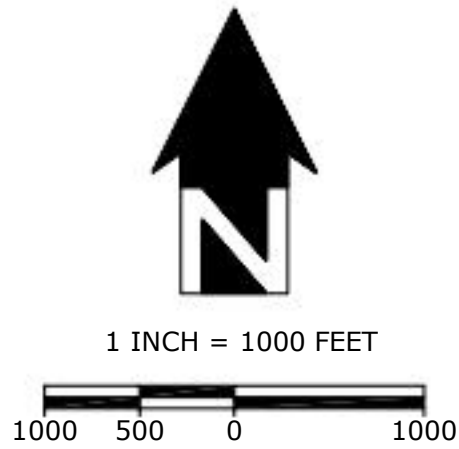
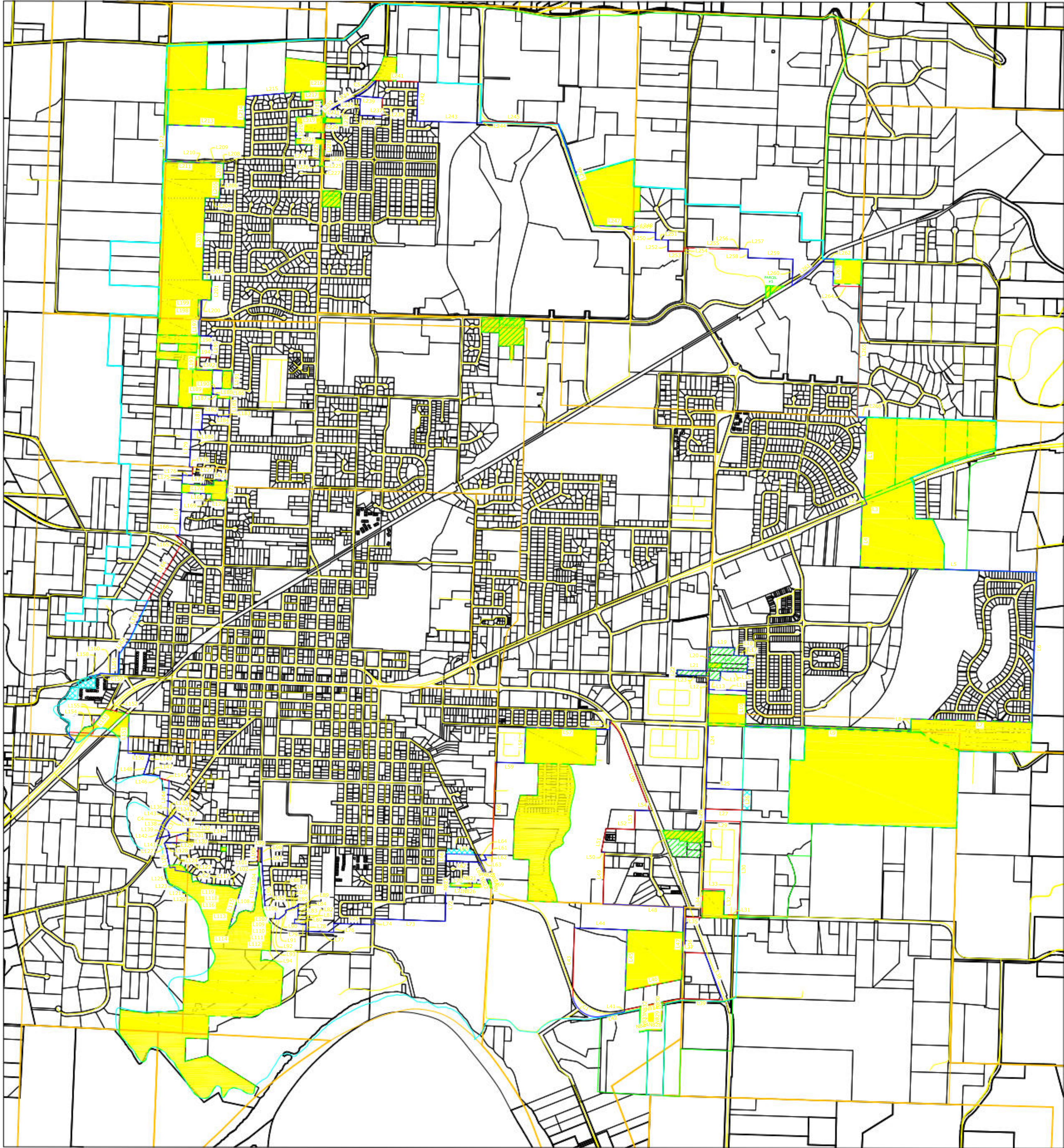
BOUNDARY  
(ORD # 2000-2532) ————

EXCEPTION PARCELS  
(ORD # 2000-2532) ————

GIS CITY LIMITS  
- - - - -

ANNEXATIONS  
(SINCE 2000) ————

NEW CITY LIMITS ————



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

**PRELIMINARY**

OREGON  
JANUARY 18, 1994  
ANTHONY R. WELLER  
2649  
RENEWS: 6/30/18

NEWBERG CITY LIMITS

CITY OF NEWBERG  
414 E. FIRST ST.  
NEWBERG, OR 97132

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13190 SW 68th Parkway, Suite 150  
Tigard, Oregon 97223  
503.968.6655 www.casnw.com

REVISIONS

PROJECT NO.: 3146 DATE: 07/21/17  
DESIGNED BY: JGT

CITY LIMITS  
ORD 2000-2532

SHEET

2

OF

6

3146-BASE-CLEAN.DWG



**LEGEND**

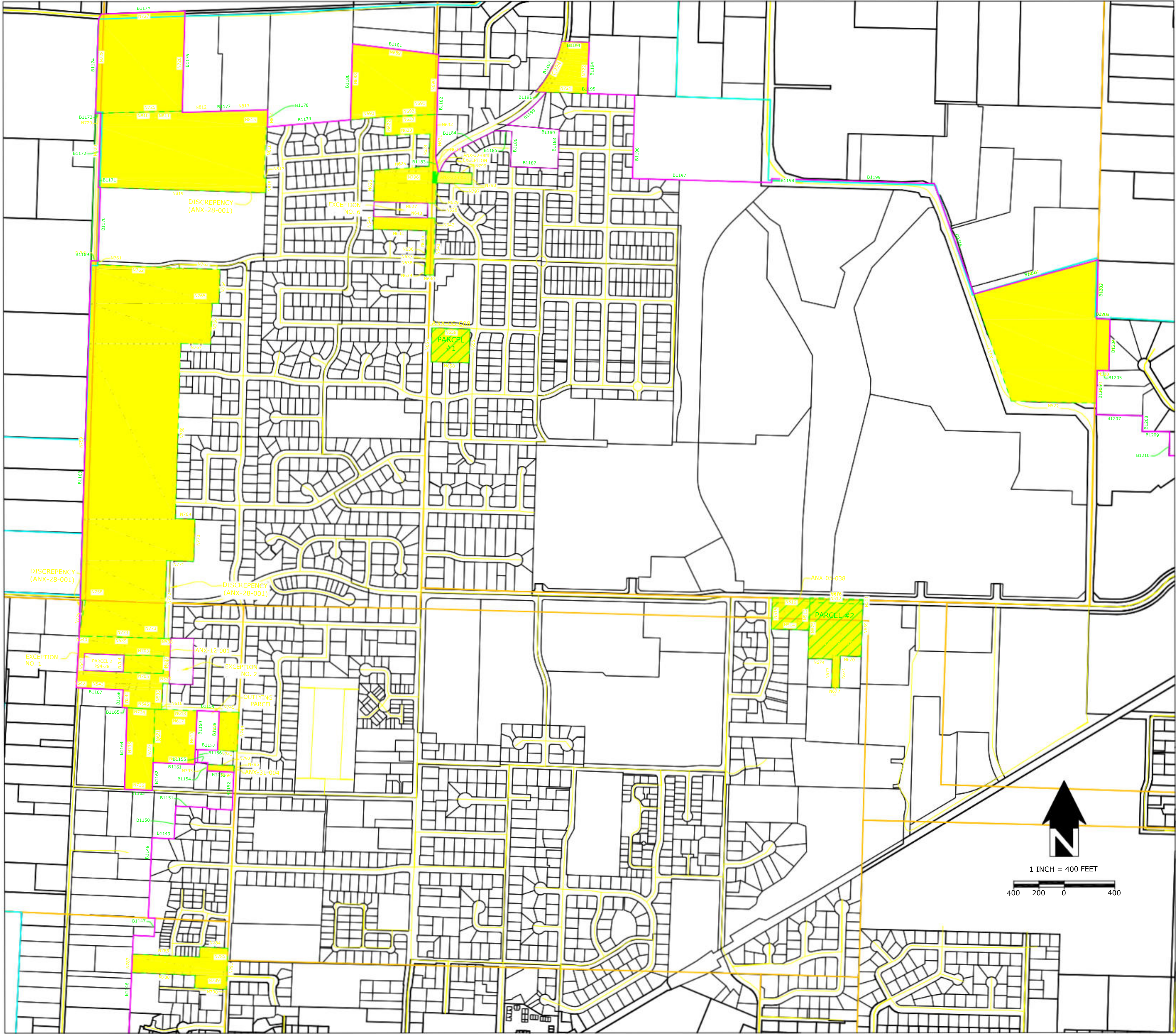
BOUNDARY  
(ORD # 2000-2532) ————

EXCEPTION PARCELS  
(ORD #2000-2532) ————

GIS CITY LIMITS  
- - - - -

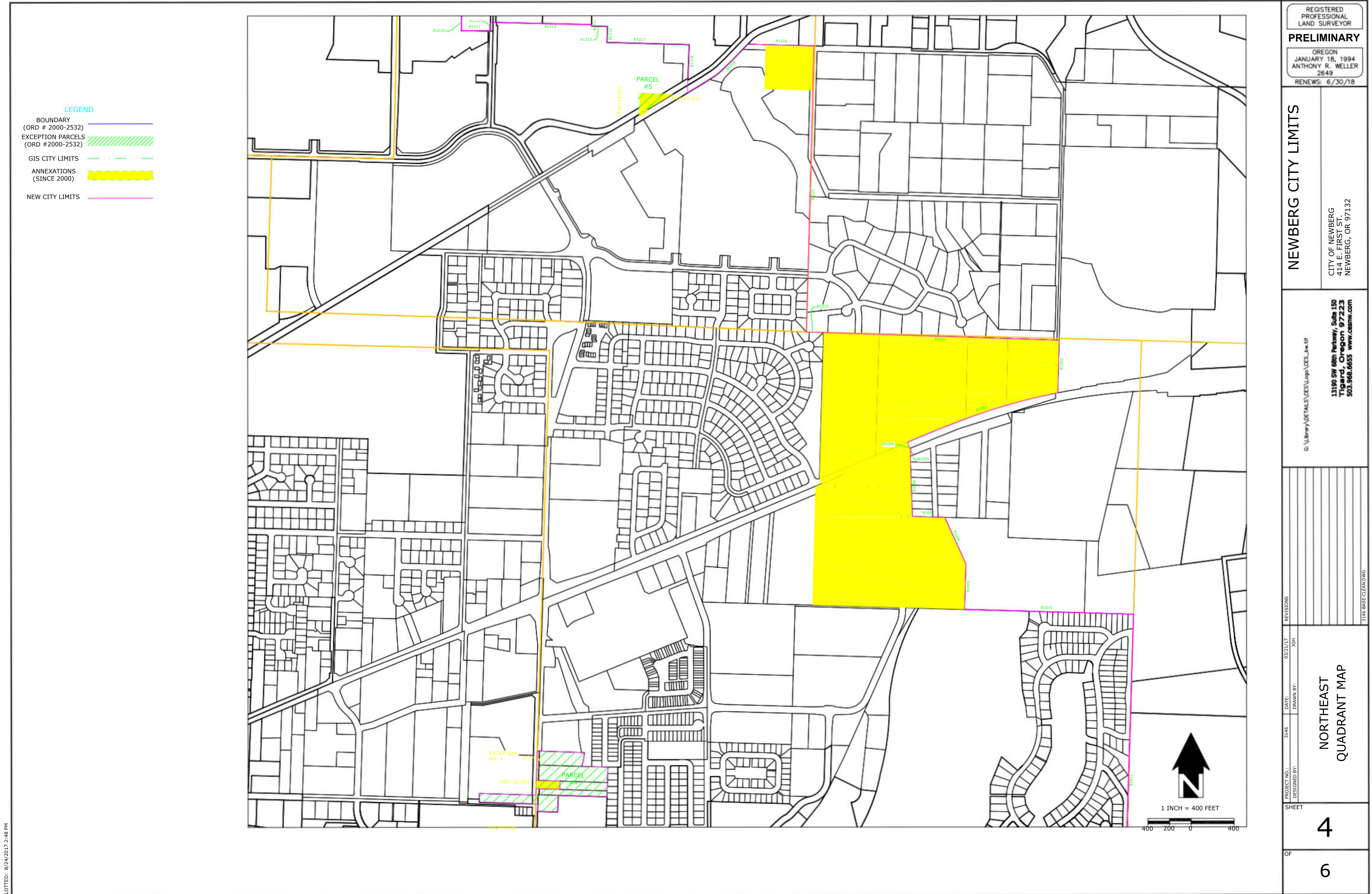
ANNEXATIONS  
(SINCE 2000) ————

NEW CITY LIMITS ————

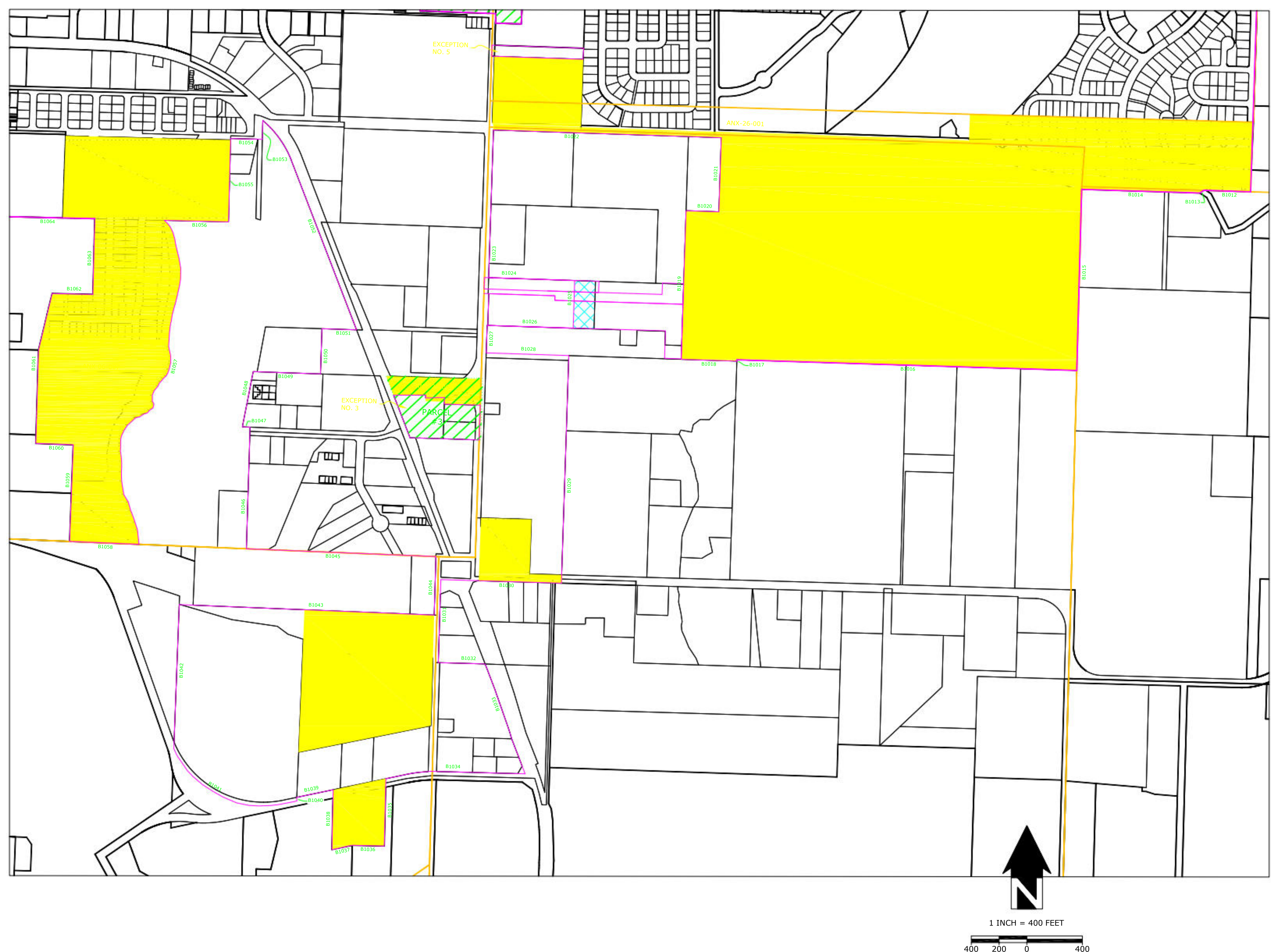


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| PRELIMINARY  |                    |
| OREGON<br>JANUARY 18, 1994<br>ANTHONY R. WELLER<br>2649<br>RENEWS: 6/30/18             |                    |
| NEWBERG CITY LIMITS  |                    |
| CITY OF NEWBERG<br>414 E. FIRST ST.<br>NEWBERG, OR 97132                               |                    |
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| 13190 SW 68th Parkway, Suite 150<br>Tigard, Oregon 97223<br>503.968.6655 www.cesnw.com |                    |
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| PROJECT NO.:<br>DESIGNED BY:   | DATE:<br>DRAWN BY: |
| 3146   | JGH                |
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| REVISIONS  |                    |
| NORTHWEST<br>QUADRANT MAP  |                    |
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REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

**PRELIMINARY**

OREGON  
JANUARY 18, 1994  
ANTHONY R. WELLER  
2649

RENEW: 6/30/18

NEWBERG CITY LIMITS

CITY OF NEWBERG  
414 E. FIRST ST.  
NEWBERG, OR 97132

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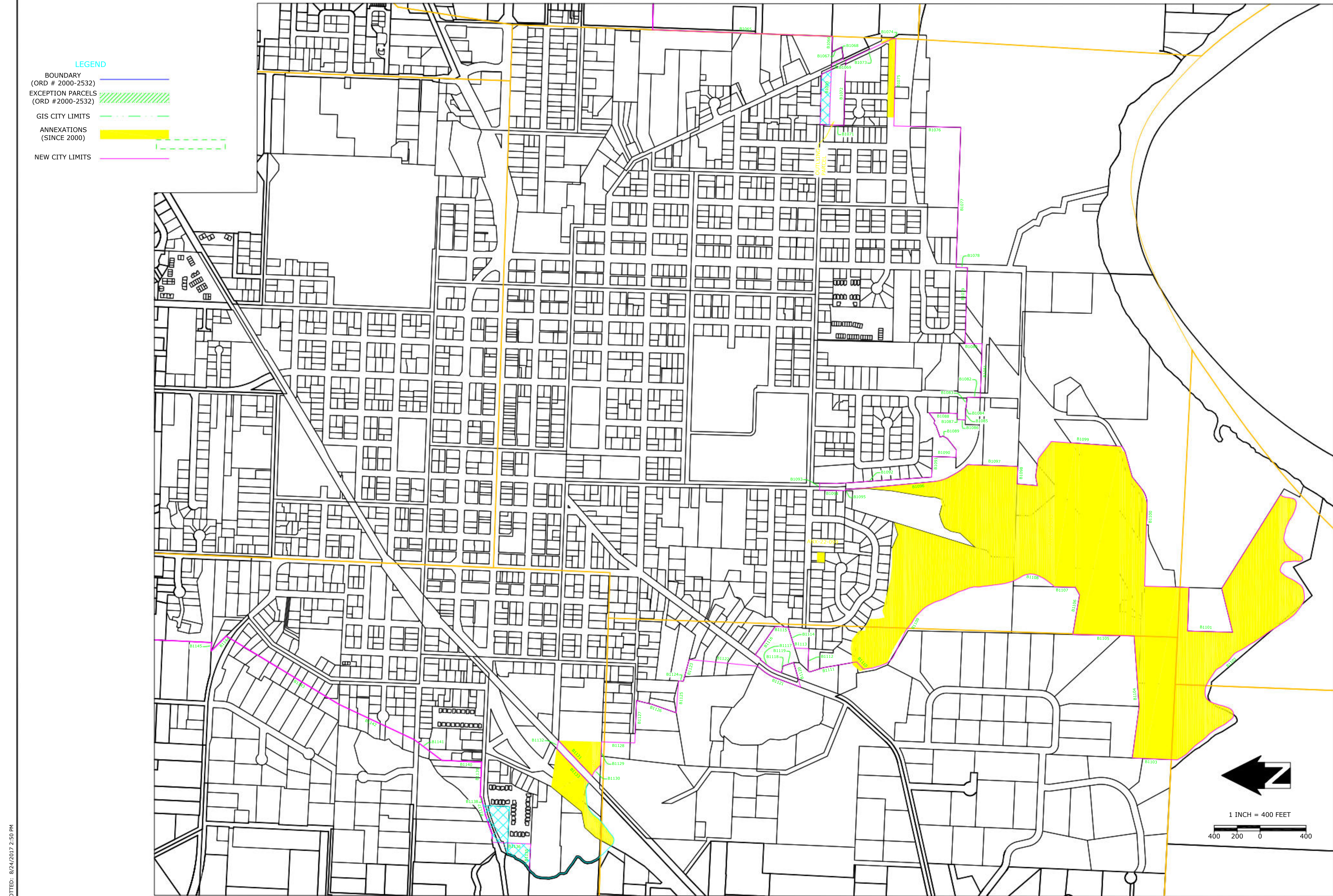
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SOUTHEAST  
QUADRANT MAP

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REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

**PRELIMINARY**

OREGON  
JANUARY 18, 1994  
ANTHONY R. WELLER  
2649  
RENEW: 6/30/18

# NEWBERG CITY LIMITS

CITY OF NEWBERG  
414 E. FIRST ST.  
NEWBERG, OR 97132

13190 SW 68th Parkway, Suite 150  
Tigard, Oregon 97223  
503.968.6655 [www.cesnw.com](http://www.cesnw.com)

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## REVISIONS

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# SOUTHWEST QUADRANT MAP

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6



# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: February 5, 2018

Order \_\_\_\_ Ordinance XX Resolution \_\_\_\_ Motion \_\_\_\_ Information \_\_\_\_  
No. No. 2018-2822 No.

**SUBJECT: An Ordinance amending the Newberg Development Code to allow for the creation of private streets in Planned Unit Developments (PUDs)**

Contact Person (Preparer) for this  
Motion: Doug Rux, Director  
Dept.: Community Development  
File No.: DCA17-0004

HEARING TYPE: ☒ LEGISLATIVE ☐ QUASI-JUDICIAL ☐ NOT APPLICABLE

## RECOMMENDATION:

Adopt Ordinance No. 2018-2822 as recommended by Planning Commission Resolution No. 2017-335.

## EXECUTIVE SUMMARY:

### A. SUMMARY:

The proposed amendments do the following:

Amend Newberg Development Code sections 15.405.030(D)1.a, 15.505.030(P), and 15.240.020 to allow for the creation of private streets in Planned Unit Developments, subject to approval by the Planning Commission and after coordination with the City Engineer and Fire Marshal. The PUD would need to have at least 50 dwelling units and would be required to have a Home Owners Association run by a Community Management company in perpetuity to enforce on-street parking restrictions and maintain the private streets.

### B. BACKGROUND:

On July 17, 2017 Michael Robinson, representing JT Smith Companies, submitted a letter requesting that the City Council initiate an amendment to the Newberg Development Code (NDC). The NDC currently prohibits private streets, and JT Smith Companies is considering a development proposal that would include a mix of public streets and private streets. They are requesting that the city consider allowing private streets if approved within a Planned Unit Development (PUD). A PUD acts as a master plan for a site, and requires review by the Planning Commission at a public hearing before it can be approved. The applicant is not requesting that private streets be approved for use in typical partitions and subdivisions.

The Planning Division staff discussed this potential change with the City Engineer and Tualatin Valley Fire & Rescue (TVF&R), and determined that, as long as certain conditions could be met, private streets could potentially be acceptable within a Planned Unit Development proposal. The conditions would include that the design of the development comply with all Fire Code access and fire protection standards, and that there be effective parking enforcement and pavement maintenance for the private streets.

The City Council adopted Resolution No. 2017-3400 on August 7, 2017, which initiated the code amendment process (Attachment 1). On August 24, 2017 JT Smith Companies submitted an application requesting the Development Code Amendment. The Planning Division staff reviewed the proposal with the Engineering Services Department and TVF&R, and provided feedback to the applicant. Based on that discussion, the applicant submitted a revised application on October 3, 2017. Both the original submission and the revision are included as Attachment 2.

The Planning Commission held a public hearing on November 9, 2017, took public testimony, and discussed the pros and cons of the proposal. They asked the applicant to return with more detailed language about the management of the HOA regarding parking and maintenance issues, and continued the hearing to December 14, 2017. The applicant submitted revised code language. The Planning Commission reopened public testimony on December 14, 2017, took public testimony, deliberated, and adopted Resolution No. 2017-335 on December 14, 2017 (Attachment 3), which recommended that the City Council adopt an amendment to the Newberg Development Code to allow the creation of private streets in Planned Unit Developments (PUDs), as shown in Exhibit A of that resolution.

## **C. ANALYSIS:**

1. **Past experience with private streets:** The Development Code used to allow private streets but their use was discontinued in 1999 because of concerns over adequate emergency access due to lack of parking enforcement. Most of the private streets in Newberg are narrow dead-end streets which were developed as part of small subdivisions of single-family homes. The streets are typically posted “no parking – fire lane” but illegal parking sometimes occurs. The Police Department cannot enforce parking laws on private streets. Parking enforcement and street maintenance are the responsibility of the homeowners along these private streets.
2. **Proposed solutions to past problems:**
  - a. The applicant has proposed allowing the creation of new private streets but only within Planned Unit Developments, which tend to be larger master-planned developments with active Home Owners Associations (HOAs). The HOAs have the ability to enforce parking rules on private streets and maintain the streets, and would need to remain active in perpetuity in order to fulfill these functions. The Planning Commission can require the creation of an HOA as a condition of approval of the PUD approval. The proposed code language only allows private streets in a PUD that is a Class 1 planned community as defined in ORS Chapter 94. The definitions for ORS Chapter 94 are pasted in below.
  - b. The positive aspect of private streets is that they allow more design flexibility and can help designers create denser, more walkable neighborhoods. Private streets can be a useful tool to help the City meet our housing and density goals.
  - c. The Planning Commission and city staff want to ensure that this code amendment would not allow a return to the creation of small subdivisions with narrow dead-end private streets. The Planning Commission and staff support the proposal because the minimum size (50 dwelling units) and the requirement for a

community management association should ensure that the development will be professionally managed, and the criteria in the proposed code amendment give the Planning Commission the ability to approve or deny the private street request.

- d. For the full text of the code amendment, see Exhibit A in the proposed ordinance.

3. **ORS Chapter 94 definitions**

2015 ORS 94.550<sup>1</sup>

Definitions for ORS 94.550 to 94.783

As used in ORS 94.550 (Definitions for ORS 94.550 to 94.783) to 94.783 (When certain administrative provisions apply):

(1)"Assessment" means any charge imposed or levied by a homeowners association on or against an owner or lot pursuant to the provisions of the declaration or the bylaws of the planned community or provisions of ORS 94.550 (Definitions for ORS 94.550 to 94.783) to 94.783 (When certain administrative provisions apply).

(2)"Blanket encumbrance" means a trust deed or mortgage or any other lien or encumbrance, mechanic's lien or otherwise, securing or evidencing the payment of money and affecting more than one lot in a planned community, or an agreement affecting more than one lot by which the developer holds such planned community under an option, contract to sell or trust agreement.

(3)"Class I planned community" means a planned community that:

(a)Contains at least 13 lots or in which the declarant has reserved the right to increase the total number of lots beyond 12; and

(b)Has an estimated annual assessment, including an amount required for reserves under ORS 94.595 (Reserve account for maintaining, repairing and replacing common property), exceeding \$10,000 for all lots or \$100 per lot, whichever is greater, based on:



(A) For a planned community created on or after January 1, 2002, the initial estimated annual assessment, including a constructive assessment based on a subsidy of the association through a contribution of funds, goods or services by the declarant; or

(B) For a planned community created before January 1, 2002, a reasonable estimate of the cost of fulfilling existing obligations imposed by the declaration, bylaws or other governing document as of January 1, 2002.

(4) "Class II planned community" means a planned community that:

(a) Is not a Class I planned community;

(b) Contains at least five lots; and

(c) Has an estimated annual assessment exceeding \$1,000 for all lots based on:

(A) For a planned community created on or after January 1, 2002, the initial estimated annual assessment, including a constructive assessment based on a subsidy of the association through a contribution of funds, goods or services by the declarant; or

(B) For a planned community created before January 1, 2002, a reasonable estimate of the cost of fulfilling existing obligations imposed by the declaration, bylaws or other governing document as of January 1, 2002.

(5) "Class III planned community" means a planned community that is not a Class I or II planned community.

(6) "Common expenses" means expenditures made by or financial liabilities incurred by the homeowners association and includes any allocations to the reserve account under ORS 94.595 (Reserve account for maintaining, repairing and replacing common property).

(7)"Common property" means any real property or interest in real property within a planned community which is owned, held or leased by the homeowners association or owned as tenants in common by the lot owners, or designated in the declaration or the plat for transfer to the association.

(8)"Condominium" means property submitted to the provisions of ORS chapter 100.

(9)"Declarant" means any person who creates a planned community under ORS 94.550 (Definitions for ORS 94.550 to 94.783) to 94.785 (Short title).

(10)"Declarant control" means any special declarant right relating to administrative control of a homeowners association, including but not limited to:

(a)The right of the declarant or person designated by the declarant to appoint or remove an officer or a member of the board of directors;

(b)Any weighted vote or special voting right granted to a declarant or to units owned by the declarant so that the declarant will hold a majority of the voting rights in the association by virtue of such weighted vote or special voting right; and

(c)The right of the declarant to exercise powers and responsibilities otherwise assigned by the declaration or bylaws or by the provisions of ORS 94.550 (Definitions for ORS 94.550 to 94.783) to 94.783 (When certain administrative provisions apply) to the association, officers of the association or board of directors of the association.

(11)"Declaration" means the instrument described in ORS 94.580 (Declaration) which establishes a planned community, and any amendments to the instrument.

(12)"Electric vehicle charging station" or "charging station" means a facility designed to deliver electrical current for the purpose of charging one or more electric motor vehicles.

(13)"Governing document" means an instrument or plat relating to common ownership or common maintenance of a portion of a planned community and that is binding upon lots within the planned community.

(14)"Homeowners association" or "association" means the organization of owners of lots in a planned community, created under ORS 94.625 (Formation of homeowners association), required by a governing document or formed under ORS 94.572 (Applicability of certain provisions of ORS 94.550 to 94.783 to Class I or Class II planned communities).

(15)"Majority" or "majority of votes" or "majority of owners" means more than 50 percent of the votes in the planned community.

(16)"Mortgagee" means any person who is:

- (a)A mortgagee under a mortgage;
- (b)A beneficiary under a trust deed; or
- (c)The vendor under a land sale contract.

(17)"Owner" means the owner of any lot in a planned community, unless otherwise specified, but does not include a person holding only a security interest in a lot.

(18)"Percent of owners" or "percentage of owners" means the owners representing the specified voting rights as determined under ORS 94.658 (Voting or granting consent).

(19)(a) "Planned community" means any subdivision under ORS 92.010 (Definitions for ORS 92.010 to 92.192) to 92.192 (Property line adjustment) that results in a pattern of ownership of real property and all the buildings, improvements and rights located on or belonging to the real property, in which the owners collectively are responsible for the maintenance, operation, insurance or other expenses relating to any property within the planned community, including common property, if any, or for the exterior maintenance of any property that is individually owned.

(b)"Planned community" does not mean:

(A)A condominium under ORS chapter 100;

(B)A planned community that is exclusively commercial or industrial; or

(C)A timeshare plan under ORS 94.803 (Definitions for ORS 94.803 and 94.807 to 94.945) to 94.945 (Advertising regulation).

(20)"Purchaser" means any person other than a declarant who, by means of a voluntary transfer, acquires a legal or equitable interest in a lot, other than as security for an obligation.

(21)"Purchaser for resale" means any person who purchases from the declarant more than two lots for the purpose of resale whether or not the purchaser for resale makes improvements to the lots before reselling them.

(22)"Special declarant rights" means any rights, in addition to the rights of the declarant as a lot owner, reserved for the benefit of the declarant under the declaration or ORS 94.550 (Definitions for ORS 94.550 to 94.783) to 94.783 (When certain administrative provisions apply), including but not limited to:

(a)Constructing or completing construction of improvements in the planned community which are described in the declaration;

(b)Expanding the planned community or withdrawing property from the planned community under ORS 94.580 (Declaration) (3) and (4);

(c)Converting lots into common property;

(d)Making the planned community subject to a master association under ORS 94.695 (Authority to delegate association powers to master association); or

(e)Exercising any right of declarant control reserved under ORS 94.600 (Declarant control of association).

(23)"Successor declarant" means the transferee of any special declarant right.

(24)"Turn over" means the act of turning over administrative responsibility pursuant to ORS 94.609 (Notice of meeting to turn over administrative responsibility) and 94.616 (Turnover meeting).

(25)"Unit" means a building or portion of a building located upon a lot in a planned community and designated for separate occupancy or ownership, but does not include any building or portion of a building located on common property.

(26)"Votes" means the votes allocated to lots in the declaration under ORS 94.580 (Declaration) (2). [1981 c.782 §3; 1999 c.677 §1; 2001 c.756 §5; 2003 c.569 §3; 2007 c.410 §1; 2013 c.438 §1]

#### **FISCAL IMPACT:**

No significant fiscal impact to the City is expected. The city would not be required to maintain any new private streets, so that may slightly reduce future street maintenance costs. Allowing private streets may encourage denser developments, which could improve the city's tax base.

#### **STRATEGIC ASSESSMENT (RELATE TO COUNCIL PRIORITIES FROM SEPTEMBER 2017):**

Goal 2 is "Repair and maintain City's streets and sidewalks and secure funding." The proposed private streets would not be maintained by the city, so they would not increase the need for street maintenance funds. The recommended code amendment would require the property owners in the PUD to have a Homeowners Association that collected funds for maintenance of the private streets.

Goal 8 is "Encourage Affordable Housing." Allowing private streets will encourage denser development, lower the initial development cost for streets, and may encourage the development of more affordable housing.

#### **ATTACHMENTS:**

Ordinance No. 2018-2822 with

Exhibit "A": Proposed Development Code Text Amendment

Exhibit "B": Findings

1. Newberg City Council Resolution No. 2017-3400 initiating text amendments
2. Application and letters by JT Smith Companies (8/24 original and 10/3 revision, letters)
3. Newberg Planning Commission Resolution No. 2017-335
4. Comments
5. Robert Soppe Letter



## ***ORDINANCE No. 2018-2822***

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**AN ORDINANCE AMENDING THE NEWBERG DEVELOPMENT CODE TO  
ALLOW FOR THE CREATION OF PRIVATE STREETS IN PLANNED UNIT  
DEVELOPMENTS (PUDs)**

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### **RECITALS:**

1. The Newberg City Council adopted Resolution 2017-3400 on August 7, 2017, which initiated amendments to the Newberg Development Code to consider the creation of private streets in Planned Unit Developments.
2. JT Smith Companies applied on August 24, 2017, for a Development Code Amendment to allow the creation of private streets in Planned Unit Developments.
3. After proper notice, the Newberg Planning Commission opened the hearing on October 12, 2017 to consider the amendment and, at the applicant's request, continued the hearing to the next meeting on November 9, 2017.
4. On November 9, 2017 the Planning Commission continued the hearing, considered testimony and deliberated. They continued the hearing to December 14, 2017.
5. On December 14, 2017 the Planning Commission continued the hearing, reopened public testimony, considered public testimony, and deliberated. They found that the proposed code amendment was in the best interests of the city. They adopted Resolution No. 2017-335, which recommended that the City Council amend the Newberg Development Code to allow for the creation of private streets in Planned Unit Developments, as shown in Exhibit "A".
6. After proper notice, the Newberg City Council held a public hearing on January 16, 2018, considered public testimony, and deliberated. They found that the proposed code amendment was in the best interests of the city.

### **THE CITY OF NEWBERG ORDAINS AS FOLLOWS:**

1. The City Council adopts the amendments to the Newberg Development Code as shown in Exhibit "A". Exhibit "A" is hereby adopted and by this reference incorporated.
2. The findings shown in Exhibit "B" are hereby adopted. Exhibit "B" is by this reference incorporated.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: March 7, 2018.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 5<sup>th</sup> day of February, 2018, by the following votes: **AYE:**      **NAY:**      **ABSENT:**      **ABSTAIN:**

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Sue Ryan, City Recorder

**ATTEST** by the Mayor this 8<sup>th</sup> day of February, 2018.

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Bob Andrews, Mayor

List of Exhibits:

Exhibit "A": Development Code Amendments

Exhibit "B": Findings



Exhibit "A" to City Council Ordinance 2018-2822  
Development Code Amendments –File DCA17-0004  
Private Streets in Planned Unit Developments

Note: Existing text is shown in regular font.  
Added text is shown in highlighted underline  
Deleted text is shown in strikethrough.

The Newberg Development Code shall be amended as follows:

15.405.030 Lot dimensions and frontage.

D. Frontage.

1. No lot or development site shall have less than the following lot frontage standards:

a. Each lot or development site shall have either frontage on a public street for a distance of at least 25 feet or have access to a public street through an easement that is at least 25 feet wide. No new private streets, as defined in NMC 15.05.030, shall be created to provide frontage or access- except as allowed by NDC 15.240.020.L.2.

15.505.030 Street standards.

P. Private Streets. New private streets, as defined in NMC 15.05.030, shall not be created- except as allowed by NDC 15.240.020.L.2.

Chapter 15.240

PD PLANNED UNIT DEVELOPMENT REGULATIONS

Sections:

- 15.240.010 Purpose.
- 15.240.020 General provisions.
- 15.240.030 Preliminary plan consideration – Step one.
- 15.240.040 Final plan consideration – Step two.
- 15.240.050 Enforcement.

15.240.010 Purpose.

The city's planned unit development regulations are intended to:

A. Encourage comprehensive planning in areas of sufficient size to provide developments at least equal in the quality of their environment to traditional lot-by-lot development and that are reasonably compatible with the surrounding area; and

B. Provide flexibility in architectural design, placement and clustering of buildings, use of open space and outdoor living areas, and provision of circulation facilities, parking, storage and related site and design considerations; and

C. Promote an attractive, safe, efficient and stable environment which incorporates a compatible variety and mix of uses and dwelling types; and

D. Provide for economy of shared services and facilities; and

E. Implement the density requirements of the comprehensive plan and zoning districts through the allocation of the number of permitted dwelling units based on the number of bedrooms provided. [Ord. 2451, 12-2-96. Code 2001 § 151.225.]

#### 15.240.020 General provisions.

A. Ownership. Except as provided herein, the area included in a proposed planned unit development must be in single ownership or under the development control of a joint application of owners or option holders of the property involved.

B. Processing Steps – Type III. Prior to issuance of a building permit, planned unit development applications must be approved through a Type III procedure and using the following steps:

1. Step One – Preliminary Plans. Consideration of applications in terms of on-site and off-site factors to assure the flexibility afforded by planned unit development regulations is used to preserve natural amenities; create an attractive, safe, efficient, and stable environment; and assure reasonable compatibility with the surrounding area. Preliminary review necessarily involves consideration of the off-site impact of the proposed design, including building height and location.

2. Step Two – Final Plans. Consideration of detailed plans to assure substantial conformance with preliminary plans as approved or conditionally approved. Final plans need not include detailed construction drawings as subsequently required for a building permit.

C. Phasing. If approved at the time of preliminary plan consideration, final plan applications may be submitted in phases. If preliminary plans encompassing only a portion of a site under single ownership are submitted, they must be accompanied by a statement and be sufficiently detailed to prove that the entire area can be developed and used in accordance with city standards, policies, plans and ordinances.

D. Lapse of Approval. If the applicant fails to submit material required for consideration at the next step in accordance with the schedule approved at the previous step or, in the absence of a specified schedule, within one year of such approval, the application as approved at the previous step expires. If the applicant fails to obtain a building permit for construction in accordance with the schedule as previously approved, or in the absence of a specified schedule, within three years of a preliminary plan approval, preliminary and final plan approvals expire. Prior to expiration of plan approval at any step,

the hearing authority responsible for approval may, if requested, extend or modify the schedule, providing it is not detrimental to the public interest or contrary to the findings and provisions specified herein for planned unit developments. Unless the preliminary plan hearing authority provides to the contrary, expiration of final plan approval of any phase automatically renders all phases void that are not yet finally approved or upon which construction has not begun.

E. Resubmittal Following Expiration. Upon expiration of preliminary or final plan approval, a new application and fee must be submitted prior to reconsideration. Reconsideration shall be subject to the same procedures as an original application.

F. Density. Except as provided in NMC 15.302.040 relating to subdistricts, dwelling unit density provisions for residential planned unit developments shall be as follows:

1. Maximum Density.

a. Except as provided in adopted refinement plans, the maximum allowable density for any project shall be as follows:

| District | Density Points   |
|----------|--|
| R-1      | 175 density points per gross acre, as calculated in subsection (F)(1)(b) of this section |
| R-2      | 310 density points per gross acre, as calculated in subsection (F)(1)(b) of this section |
| R-3      | 640 density points per gross acre, as calculated in subsection (F)(1)(b) of this section |
| RP       | 310 density points per gross acre, as calculated in subsection (F)(1)(b) of this section |
| C-1      | As per required findings   |
| C-2      | As per required findings   |
| C-3      | As per required findings   |

b. Density point calculations in the following table are correlated to dwellings based on the number of bedrooms, which for these purposes is defined as an enclosed room which is commonly used or capable of conversion to use as sleeping quarters. Accordingly, family rooms, dens, libraries, studies, studios, and other similar rooms shall be considered bedrooms if they meet the above definitions, are separated by walls or doors from other areas of the dwelling and are accessible to a bathroom without passing through another bedroom. Density points may be reduced at the applicant's discretion by 25 percent for deed-restricted affordable dwelling units as follows:

## Density Point Table

| Dwelling Type         | Density Points:   |  |
|-----------------------|-------------------|--|
|                       | Standard Dwelling | Income-Restricted Affordable Dwelling Unit |
| Studio and efficiency | 12                | 9  |
| One-bedroom           | 14                | 11   |
| Two-bedroom           | 21                | 16   |
| Three-bedroom         | 28                | 21   |
| Four or more bedrooms | 35                | 26   |

The density points in the right-hand column are applicable to income-restricted affordable dwelling units, provided the dwelling units meet the affordability criteria under NMC 15.242.030 regarding affordable housing requirements for developments using the flexible development standards.

2. **Approved Density.** The number of dwelling units allowable shall be determined by the hearing authority in accordance with the standards set forth in these regulations. The hearing authority may change density subsequent to preliminary plan approval only if the reduction is necessary to comply with required findings for preliminary plan approval or if conditions of preliminary plan approval cannot otherwise be satisfied.

3. **Easement Calculations.** Density calculations may include areas in easements if the applicant clearly demonstrates that such areas will benefit residents of the proposed planned unit development.

4. **Dedications.** Density calculations may include areas dedicated to the public for recreation or open space.

5. **Cumulative Density.** When approved in phases, cumulative density shall not exceed the overall density per acre established at the time of preliminary plan approval.

**G. Buildings and Uses Permitted.** Buildings and uses in planned unit developments are permitted as follows:

1. R-1, R-2, R-3 and RP Zones.

a. Buildings and uses permitted outright or conditionally in the use district in which the proposed planned unit development is located.

b. Accessory buildings and uses.

c. Duplexes.

d. Dwellings, single, manufactured, and multifamily.

e. Convenience commercial services which the applicant proves will be patronized mainly by the residents of the proposed planned unit development.

2. C-1, C-2 and C-3 Zones.

a. When proposed as a combination residential-commercial planned unit development, uses and buildings as listed in subsection (G)(1) of this section and those listed as permitted outright or conditionally in the use district wherein the development will be located.

b. When proposed as a residential or commercial planned unit development, uses and buildings as permitted outright or conditionally in the use district wherein the development will be located.

3. M-1, M-2 and M-3 Zones. Uses and buildings as permitted outright or conditionally in the use district wherein the development will be located.

4. M-4 Zone. Uses and buildings as permitted outright or conditionally in the use district wherein the development will be located. Proposed sites, structures and uses must work together to support a common theme, product or industry. Applicants for an industrial planned development in M-4 must demonstrate conformance with any adopted master plan for the subject area and provide a plan describing how the proposed structures and uses will work together to support a common theme, product or industry. Prior to subdivision, covenants must limit occupancy to the types of industrial and related uses identified in the development plan.

H. Professional Coordinator and Design Team. Professional coordinators and design teams shall comply with the following:

1. Services. A professional coordinator, licensed in the State of Oregon to practice architecture, landscape architecture or engineering, shall ensure that the required plans are prepared. Plans and services provided for the city and between the applicant and the coordinator shall include:

a. Preliminary design;

b. Design development;

c. Construction documents, except for single-family detached dwellings and duplexes in subdivisions; and

d. Administration of the construction contract, including, but not limited to, inspection and verification of compliance with approved plans.

2. Address and Attendance. The coordinator or the coordinator's professional representative shall maintain an Oregon address, unless this requirement is waived by the director. The coordinator or other member of the design team shall attend all public meetings at which the proposed planned unit development is discussed.

3. Design Team Designation. Except as provided herein, a design team, which includes an architect, a landscape architect, engineer, and land surveyor, shall be designated by the professional coordinator to prepare appropriate plans. Each team member must be licensed to practice the team member's profession in the State of Oregon.

4. Design Team Participation and Waiver. Unless waived by the director upon proof by the coordinator that the scope of the proposal does not require the services of all members at one or more steps, the full design team shall participate in the preparation of plans at all three steps.

5. Design Team Change. Written notice of any change in design team personnel must be submitted to the director within three working days of the change.

6. Plan Certification. Certification of the services of the professionals responsible for particular drawings shall appear on drawings submitted for consideration and shall be signed and stamped with the registration seal issued by the State of Oregon for each professional so involved. To assure comprehensive review by the design team of all plans for compliance with these regulations, the dated cover sheet shall contain a statement of review endorsed with the signatures of all designated members of the design team.

I. Modification of Certain Regulations. Except as otherwise stated in these regulations, fence and wall provisions, general provisions pertaining to height, yards, area, lot width, frontage, depth and coverage, number of off-street parking spaces required, and regulations pertaining to setbacks specified in this code may be modified by the hearing authority, provided the proposed development will be in accordance with the purposes of this code and those regulations. Departures from the hearing authority upon a finding by the engineering director that the departures will not create hazardous conditions for vehicular or pedestrian traffic. Nothing contained in this subsection shall be interpreted as providing flexibility to regulations other than those specifically encompassed in this code.

J. Lot Coverage. Maximum permitted lot and parking area coverage as provided in this code shall not be exceeded unless specifically permitted by the hearing authority in accordance with these regulations.

K. Height. Unless determined by the hearing authority that intrusion of structures into the sun exposure plane will not adversely affect the occupants or potential occupants of adjacent properties, all buildings and structures shall be constructed within the area contained between lines illustrating

the sun exposure plane (see Appendix A, Figure 8 and the definition of “sun exposure plane” in NMC 15.05.030). The hearing authority may further modify heights to:

1. Protect lines of sight and scenic vistas from greater encroachment than would occur as a result of conventional development.
2. Protect lines of sight and scenic vistas.
3. Enable the project to satisfy required findings for approval.

L. Dedication, Improvement and Maintenance of Public Thoroughfares. Public thoroughfares shall be dedicated, improved and maintained as follows:

1. Streets and Walkways. Including, but not limited to, those necessary for proper development of adjacent properties. Construction standards that minimize maintenance and protect the public health and safety, and setbacks as specified in NMC 15.410.050, pertaining to special setback requirements to planned rights-of-way, shall be required.

2. Notwithstanding subsection L.1., above, a private street may be approved if the following standards are satisfied.

A. An application for approval of a PUD with at least fifty (50) dwelling units may include a private street and the request for a private street shall be supported by the evidence required by this section. The Planning Commission may approve a private street if it finds the applicant has demonstrated that the Purpose Statements in 15.240.010.A.-D. are satisfied by the evidence in subsections a.-e.

a. A plan for managing on-street parking, maintenance and financing of maintenance of the private street, including a draft reserve study showing that the future homeowners association can financially maintain the private street;

b. A plan demonstrating that on -and off-street parking shall be sufficient for the expected parking needs and applicable codes;

c. Proposed conditions, covenants and restrictions that include a requirement that the homeowners association shall be established in perpetuity and shall continually employ a community management association whose duties shall include assisting the homeowners association with the private street parking management and maintenance, including the enforcement of parking restrictions;

d. Evidence that the private street is of sufficient width and construction to satisfy requirements of the Fire Marshall and City Engineer; and

e. The PUD shall be a Class I planned community as defined in ORS Chapter 94.



B. If the PUD is established, the homeowners association shall provide an annual written report on the anniversary date of the final approval of the PUD approval to the Community Development Director that includes the following:

a. The most recent reserve study.

b. The name and contact information for the retained community management association.

c. A report on the condition of the private street and any plans for maintenance of the private street.

**32.** Easements. As are necessary for the orderly extension of public utilities and bicycle and pedestrian access.

M. Underground Utilities. Unless waived by the hearing authority, the developer shall locate all on-site utilities serving the proposed planned unit development underground in accordance with the policies, practices and rules of the serving utilities and the Public Utilities Commission.

N. Usable Outdoor Living Area. All dwelling units shall be served by outdoor living areas as defined in this code. Unless waived by the hearing authority, the outdoor living area must equal at least 10 percent of the gross floor area of each unit. So long as outdoor living area is available to each dwelling unit, other outdoor living space may be offered for dedication to the city, in fee or easement, to be incorporated in a city-approved recreational facility. A portion or all of a dedicated area may be included in calculating density if permitted under these regulations.

O. Site Modification. Unless otherwise provided in preliminary plan approval, vegetation, topography and other natural features of parcels proposed for development shall remain substantially unaltered pending final plan approval.

P. Completion of Required Landscaping. If required landscaping cannot be completed prior to occupancy, or as otherwise required by a condition of approval, the director may require the applicant to post a performance bond of a sufficient amount and time to assure timely completion.

Q. Design Standards. The proposed development shall meet the design requirements for multifamily residential projects identified in NMC 15.220.060. A minimum of 40 percent of the required points shall be obtained in each of the design categories. [Ord. 2763 § 1 (Exh. A §§ 9, 10), 9-16-13; Ord. 2730 § 1 (Exh. A § 9), 10-18-10; Ord. 2720§ 1(4), 11-2-09; Ord. 2505, 2-1-99; Ord. 2451, 12-2-96. Code 2001 § 151.226.]

15.240.030 Preliminary plan consideration – Step one.

A. Preapplication Conference. Prior to filing an application for preliminary plan consideration, the applicant or coordinator may request through the director a preapplication conference to discuss the feasibility of the proposed planned unit development and determine the processing requirements.

B. Application. An application, with the required fee, for preliminary plan approval shall be made by the owner of the affected property, or the owner's authorized agent, on a form prescribed by and submitted to the director. Applications, accompanied by such additional copies as requested by the director for purposes of referral, shall contain or have attached sufficient information as prescribed by the director to allow processing and review in accordance with these regulations. As part of the application, the property owner requesting the planned development shall file a waiver stating that the owner will not file any demand against the city under Ballot Measure 49, approved November 6, 2007, that amended ORS Chapters 195 and 197 based on the city's decision on the planned development.

C. Type III Review and Decision Criteria. Preliminary plan consideration shall be reviewed through the Type III procedure. Decisions shall include review and recognition of the potential impact of the entire development, and preliminary approval shall include written affirmative findings that:

1. The proposed development is consistent with standards, plans, policies and ordinances adopted by the city; and
2. The proposed development's general design and character, including but not limited to anticipated building locations, bulk and height, location and distribution of recreation space, parking, roads, access and other uses, will be reasonably compatible with appropriate development of abutting properties and the surrounding neighborhood; and
3. Public services and facilities are available to serve the proposed development. If such public services and facilities are not at present available, an affirmative finding may be made under this criterion if the evidence indicates that the public services and facilities will be available prior to need by reason of:
  - a. Public facility planning by the appropriate agencies; or
  - b. A commitment by the applicant to provide private services and facilities adequate to accommodate the projected demands of the project; or
  - c. Commitment by the applicant to provide for offsetting all added public costs or early commitment of public funds made necessary by the development; and
4. The provisions and conditions of this code have been met; and
5. Proposed buildings, roads, and other uses are designed and sited to ensure preservation of features, and other unique or worthwhile natural features and to prevent soil erosion or flood hazard; and
6. There will be adequate on-site provisions for utility services, emergency vehicular access, and, where appropriate, public transportation facilities; and
7. Sufficient usable recreation facilities, outdoor living area, open space, and parking areas will be conveniently and safely accessible for use by residents of the proposed development; and

8. Proposed buildings, structures, and uses will be arranged, designed, and constructed so as to take into consideration the surrounding area in terms of access, building scale, bulk, design, setbacks, heights, coverage, landscaping and screening, and to assure reasonable privacy for residents of the development and surrounding properties.

D. Conditions. Applications may be approved subject to conditions necessary to fulfill the purpose and provisions of these regulations. [Ord. 2693 § 1 (Exh. A(6)), 3-3-08; Ord. 2612, 12-6-04; Ord. 2451, 12-2-96. Code 2001 § 151.227.]

#### 15.240.040 Final plan consideration – Step two.

A. Application. An application, with the required fee, for final plan approval shall be submitted in accordance with the provisions of this code, and must be in compliance with all conditions imposed and schedules previously prescribed.

B. Referral. Referral of final plans and supportive material shall be provided to appropriate agencies and departments.

C. Decision Type I Procedure. The final plan consideration shall be reviewed through the Type I procedure. Upon receipt of the application and fee, final plans and required supportive material, the director shall approve, conditionally approve or deny the application for final plan approval. The decision of the director to approve or deny the application shall be based on written findings of compliance or noncompliance with approved preliminary plans and city standards, plans, policies and ordinances. Minor variations from approved preliminary plans may be permitted if consistent with the general character of the approved preliminary plans.

D. Conditions. Applications may be approved subject to such conditions as are necessary to fulfill the purpose and provisions of this code.

#### E. Performance Agreement.

1. Preparation and Signatures. A duly notarized performance agreement binding the applicant, and the applicant's successors in interest, assuring construction and performance in accordance with the approved final plans shall be prepared by the city and executed by the applicant and city prior to issuance of a building permit.

2. Return. Unless an executed copy of the agreement is returned to the director within 60 days of its delivery to the applicant, final plan approval shall expire, necessitating the reapplication for final plan reapproval.

3. Filing. The director shall file a memorandum of the performance agreement with the Yamhill County recorder.

4. Improvement Petitions and Dedications. Improvement petitions and all documents required with respect to dedications and easements shall be submitted prior to completion of the agreement.

5. Project Changes. The director may permit project changes subsequent to execution of the agreement upon finding the changes substantially conform to final approved plans and comply with city standards, plans, policies and ordinances. Other modifications are subject to reapplication at the appropriate step.

6. Compliance. Compliance with this section is a prerequisite to the issuance of a building permit. [Ord. 2451, 12-2-96. Code 2001 § 151.228.]

#### 15.240.050 Enforcement.

Upon the applicant's violation of or failure to comply with any of the provisions of the performance contract or final approved plan, the city may, in its discretion, invoke the enforcement procedures provided in the agreement or under applicable law. [Ord. 2451, 12-2-96. Code 2001 § 151.229.]



Exhibit "B" to City Council Ordinance 2018-2822  
Findings –File DCA17-0004  
Private Streets in Planned Unit Developments

APPROVAL CRITERIA

A. Statewide Planning Goals (the "Goals")

GOAL 1: CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding: This application is subject to the Type IV Legislative process, which requires public notification and public hearings before the Planning Commission and the City Council. This process has been established by the City and determined to be consistent with this Goal. The public hearing notice of the action and decision, and the hearings on this case before the Planning Commission and the City Council are all recognized as opportunities for citizen participation.

GOAL 2: LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding: This Goal requires that land use decisions 1) have an adequate factual base, 2) that alternatives have been considered, and 3) that implementation measures are consistent with and adequate to carry out comprehensive plan policies and designations.

The land use action has an adequate factual base and has been thoroughly described in this application.

The alternatives to amending the development code text would be to: 1) require all developments to provide public streets for access and frontage, which would remove a design tool which may help developers achieve design excellence where public streets do not geometrically meet the intent of the design or where constraints necessitate the placement of non-standard road configurations, or 2) deny the application.

Implementation measures proposed are consistent with and adequate to carry out comprehensive plan policies and designations. No changes to the implementation measures of the code are proposed as a part of this land use action.

The Applicant's proposed amendments to the NDC are consistent with the Comprehensive Plan.

## GOAL 9: ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Finding: The Newberg Economic Development Strategy identifies a threat of the City's incapability to financially maintain existing public infrastructure. The use of private streets, owned and maintained by a Homeowners Association can help reduce the City's responsibility in maintaining public infrastructure within large developments. The reduction in cost to the City will allow for the allocation of taxpayer funds elsewhere in the community, where it may contribute to the health, welfare and prosperity of the citizens.

## GOAL 10: HOUSING

To provide for the housing needs of citizens of the state.

Finding: The proposed text amendments can provide flexibility necessary to develop constrained and partially constrained lands, which may not be developable with a traditional public street system. Efficient development of the residentially zoned land located within the City can provide opportunity for additional housing to meet the needs of the citizens of Newberg.

The Newberg Economic Development Strategy identifies several housing weaknesses within the City, including lack of affordable housing for lower income families, lack of multifamily housing, and a lack of vacant rental residential housing. The proposed text amendments will create flexibility to accommodate a variety of housing types including those that can be utilized for affordable housing and rental housing.

## GOAL 12: TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

Finding: The proposed text amendment to allow for private streets within a PUD is consistent with Goal 12. Private streets provide flexibility to develop a transportation system that suits the needs of the site, creating a street hierarchy that is safe, convenient and economic. PUDs are subject to a higher level of review than traditional development which ensures that PUDs provide a transportation system that is safe, convenient and economic.

### B. Oregon Administrative Rules

Department of Land Conservation and Development

Division 12 Transportation Planning

660-012-0060 (1)-(3)

Finding: The proposed text amendment to allow for private streets within a PUD is consistent with the Oregon Transportation Planning Rule. Private streets provide flexibility within large developments to create a transportation system that suits the needs of the site, creating a hierarchy that can be both safe and convenient. PUDs are subject to a higher level of review than traditional development which

ensures that the City will be able to thoughtfully consider whether an applicant has provided a transportation system that is safe, convenient and economic.

### C. Newberg Development Code

#### Chapter 15.100 LAND USE PROCESSES AND PROCEDURES

##### 15.100.060 Type IV procedure – Legislative.

A. Type IV Actions Are Legislative. The planning commission shall hold a public hearing and make a recommendation to the city council. The city council shall hold another public hearing and make a final decision.

B. Legislative actions include, but are not limited to:

1. Amendments to the Newberg comprehensive plan text;
2. Amendments to the Newberg development code;
3. The creation of any land use regulation.

C. The public hearing before the planning commission shall be held in accordance with the requirements of this code. Notice of a hearing on a legislative decision need not include a mailing to property owners or posting of property (refer to NMC 15.100.200 et seq.).

D. Interested persons may present evidence and testimony relevant to the proposal. If criteria are involved, the planning commission shall make findings for each of the applicable criteria.

E. The city council shall conduct a new hearing pursuant to this code. At the public hearing, the staff shall present the report of the planning commission and may provide other pertinent information. Interested persons shall be given the opportunity to present new testimony and information relevant to the proposal that was not heard before the planning commission.

F. To the extent that a finding of fact is required, the city council shall make a finding for each of the applicable criteria and in doing so may sustain or reverse a finding of the planning commission. In granting an approval, the city council may delete, add, or modify any of the provisions in the proposal or attach certain conditions beyond those warranted for the compliance with standards if the city council determines that the conditions are necessary to fulfill the approval criteria.

G. The city council's decision shall become final upon the effective date of the ordinance or resolution.

Finding: Public hearings with the Planning Commission and the City Council will be required to finalize a decision regarding the application for the Amendments to the NDC. This requirement can be met.

## Chapter 15.240 PD PLANNED UNIT DEVELOPMENT REGULATIONS

### 15.240.010 Purpose.

The city's planned unit development regulations are intended to:

- A. Encourage comprehensive planning in areas of sufficient size to provide developments at least equal in the quality of their environment to traditional lot-by-lot development and that are reasonably compatible with the surrounding area; and
- B. Provide flexibility in architectural design, placement and clustering of buildings, use of open space and outdoor living areas, and provision of circulation facilities, parking, storage and related site and design considerations; and
- C. Promote an attractive, safe, efficient and stable environment which incorporates a compatible variety and mix of uses and dwelling types; and
- D. Provide for economy of shared services and facilities; and
- E. Implement the density requirements of the comprehensive plan and zoning districts through the allocation of the number of permitted dwelling units based on the number of bedrooms provided.

Finding: The proposed allowance of private streets within PUDs is consistent with the overall purpose of the City's development regulations. Private streets within planned unit developments will provide for flexibility of placement and clustering of buildings, greater use of open space and outdoor living areas, and the provision of circulation and parking facilities which relate to site and design considerations.

### D. Newberg Comprehensive Plan

#### II. GOALS AND POLICIES

##### A. CITIZEN INVOLVEMENT

GOAL: To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.

Finding: This application is subject to the Type IV Legislative process, which requires public notification and public hearings before the Planning Commission and the City Council. This process has been established by the City and determined to be consistent with Goal I of the Oregon Statewide Planning Goals. The public hearing notice of the action and decision, and the hearings on this case before the Planning Commission and the City Council are all recognized as opportunities for citizen participation.

##### B. LAND USE PLANNING

GOAL: To maintain an on-going land use planning program to implement statewide and local goals. The program shall be consistent with natural and cultural resources and needs.

Finding: The proposed text amendment to allow for private streets within planned unit developments is consistent with the land use planning goals of the City.



## I. HOUSING

GOAL: To provide for diversity in the type, density and location of housing within the City to ensure there is an adequate supply of affordable housing units to meet the needs of City residents of various income levels.

Finding: The proposed text amendments to allow for private streets within PUDs will allow for greater diversity in the type and density of housing within the City, consistent with Goal I of the Newberg Comprehensive Plan.

Goal 1, Policy j, encourages innovation in housing types and design as a means of offering a greater variety of housing and reducing housing costs. Private streets will allow for innovation in housing types, with small lot and cluster homes located off of main local roads, which will provide opportunity for gathering spaces and reduce the overall housing costs.

Goal 1, Policy m, encourages land use policies that provide a broad range of residential uses and encourage innovative development techniques. Private streets within planned unit developments will allow for greater flexibility in residential uses and innovative development techniques.

Goal 1, Policy o, encourages the City to adopt a comprehensive approach to meeting housing needs that balances density, design and flexibility in the code standards and procedures. Incentives mentioned include density bonuses, flexible development standards and streamlined review procedures to simulate the production and preservation of affordable housing. The proposed use of private streets within planned unit developments will allow for greater density by utilizing flexible standards to reduce infrastructure needs of the development. The reduction of infrastructure needs creates greater opportunity to provide affordable housing within planned unit developments.

## K. TRANSPORTATION

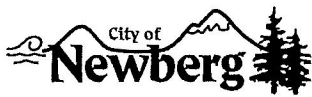
GOAL 9: Create effective circulation and access for the local transportation system.

### POLICIES:

d. New private streets should not be allowed. (Ordinance 2016-2810, December 19, 2016)

Finding: The Applicant is not proposing a text amendment to Goal 9 – Policy d listed above, because this policy is aspirational and not mandatory. The proposed text amendments to the NDC would allow for review by City staff and the Planning Commission of any proposed private street within a PUD. This review of private streets would ensure that any proposed private street meet the requirements of Goal 9 of the Comprehensive Plan, to “create effective circulation and access for the local transportation system”. The Applicant also notes the significant opportunity to create exceptional and unique design through flexible standards for street.

Conclusion: The proposed development code amendments meet the applicable requirements of the Statewide Planning Goals, and the Newberg Comprehensive Plan, and should be approved.



## RESOLUTION No. 2017-3400

### A RESOLUTION INITIATING AN AMENDMENT TO THE NEWBERG MUNICIPAL CODE, TITLE 15 DEVELOPMENT CODE FOR PRIVATE STREET REGULATIONS IN PLANNED UNIT DEVELOPMENTS

#### RECITALS:

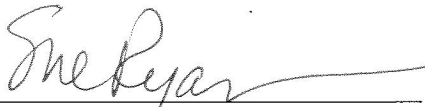
1. On July 17, 2017 Michael Robinson, representing JT Smith Companies, submitted a letter requesting that the City Council initiate an amendment to the Newberg Development Code (NDC). The NDC currently prohibits private streets, and JT Smith Company is considering a development proposal that would include a mix of public streets and private streets. They are requesting that the city consider allowing private streets if approved within a Planned Unit Development (PUD). The request does not ask that private streets be allowed within standard partitions and subdivisions.
2. A PUD acts as a master plan for a site, and requires review by the Planning Commission at a public hearing before it can be approved.

#### THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

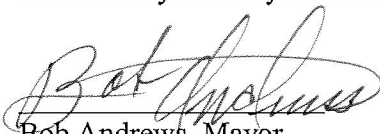
1. The City Council initiates an amendment to the Newberg Municipal Code, Title 15 Development Code for private street regulations in PUDs. This starts the public process to study the proposed amendments.
2. By initiating this amendment, the City Council does not commit to taking any specific action on the proposal. It only wishes to give the amendment full consideration by the Planning Commission and City Council in public hearings.
3. JT Smith Companies would have to file an application and pay the appropriate fee for a Type IV Development Code Amendment to move the process to the next step. Staff will then schedule a Planning Commission public hearing to make a recommendation on the item. The Planning Commission recommendation will be brought to the City Council for a public hearing and final decision.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: August 8, 2017.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 7<sup>th</sup> day of August, 2017.

  
Sue Ryan, City Recorder

**ATTEST** by the Mayor this 10<sup>th</sup> day of August, 2017.

  
Bob Andrews, Mayor

PERKINScoie

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July 17, 2017

Michael C. Robinson  
MRobinson@perkinscoie.com  
D. +1.503.727.2264  
F. +1.503.346.2264

**VIA EMAIL**

Mayor Bob Andrews  
City of Newberg City Council  
Newberg City Hall  
414 E. First Street  
Newberg, OR 97132

**Re: Request that the Newberg City Council Initiate an Amendment to the Text of the Newberg Land Use Regulations Pursuant to Newberg Development Code ("NDC") Section 15.302.030.C, "Amendment of Land Use Regulations," to Allow Private Streets in Planned Unit Developments**

Dear Mayor Andrews and Members of the Newberg City Council:

This office represents the J.T. Smith Companies (the "Applicant"). Smith owns the Crestview property located north of the intersection of Providence Lane and US Highway 99W. On behalf of Smith, this letter respectfully requests that the City Council initiate amendments to the NDC as explained in this letter. NDC Section 15.302.030.C requires that a change in land use regulations may be initiated only by a resolution of the Newberg Planning Commission or the Newberg City Council. Public notice is not required to initiate the amendment. Should the City Council approve the initiation of this amendment, the amendment will be reviewed pursuant to the Type IV procedure.

The Applicant requests that the City Council initiate an amendment to NDC Sections 15.405.030(B)1.a. and (D)2.c. and 15.505.030(P) to authorize private streets in planned unit developments. The Applicant has been discussing this matter with City staff and understand they support the initiation of the amendment. Staff has explained that initiation of the amendments does not guarantee staff support for, or approval by the City Council of, the amendments.

The reason for the amendments is to authorize an applicant to propose private streets in planned unit developments. The Applicant understands that as long as certain conditions are followed, the Tualatin Hills Fire District and the Public Works Department could support private streets in planned unit developments. Of course, any planned unit development with a private street is subject to approval by the Planning Commission as provided for in the NDC. Should the City Council initiate this text amendment and the text amendment be approved, the amendment simply gives an applicant for a planned unit development the opportunity to propose private

Mayor Bob Andrews  
July 17, 2017  
Page 2

streets but there is no guarantee that they will be approved unless they meet the approval criteria and are satisfactory to service providers.

On behalf of Smith, we looking forward to speaking with the City Council on August 7 and answering any questions that you may have about this request.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael C. Robinson", with a stylized flourish at the end.

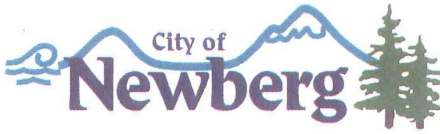
Michael C. Robinson

MCR:sv

Cc: Mr. Doug Rux (via email)  
Mr. Steve Olson (via email)  
Mr. Jeff Smith (via email)  
Mr. Jesse Nemec (via email)  
Mr. Andrew Tull (via email)  
Mr. Aaron Murphy (via email)



ATTACHMENT 2.1: 8/24/17 APPLICATION BY JT SMITH COMPANIES  
TYPE IV APPLICATION (LEGISLATIVE AMENDMENTS) -- 2017



OFFICE USE ONLY: (Pre-Application Conference is  
Optional for Type 2)  
Total App. Fee: \_\_\_\_\_ File #: \_\_\_\_\_ Project  
Cost: \_\_\_\_\_  
Less Pre-App Fee: \_\_\_\_\_ Date: \_\_\_\_\_

**TYPES – PLEASE CHECK ALL THAT APPLY:**

☐ Comprehensive Plan Text Amendment  
☒ Development Code Text Amendment

☐ Comprehensive Plan Map (Large Areas) Amendment  
☐ Zoning Map (Large Areas) Amendment

**APPLICANT INFORMATION:**

APPLICANT: JT Smith Companies

ADDRESS: 5285 Meadows Rd, Suite 171, Lake Oswego, OR 97035

**GENERAL INFORMATION:**

PROJECT NAME: Crestview Crossing Planned Development PROJECT LOCATION: OR 99W and Crestview Drive  
PROJECT DESCRIPTION/USE: \_\_\_\_\_  
MAP/TAX LOT NO.(i.e. 3200AB-400): R3216AC 13800 & 01100 ZONE: R1/R3/C2 SITE SIZE: 33.13 SQ. FT. ☐ ACRE: ☒  
COMP PLAN DESIGNATION: LDR, MDR, COM TOPOGRAPHY: Sloping  
CURRENT USE: Vacant  
SURROUNDING USES:  
NORTH: Single Family Residential SOUTH: Single Family Residential and Providence Medical Ctr  
EAST: Vacant WEST: Single Family Residential

**SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED**

**General Checklist:**

☒ Fees ☐ Noticing Information ☐ Site Development Plan (12 reduced, 2 full sized)  
☒ Criteria Response ☒ Owner Signature/Letter of Consent ☐ Title Report

**Design Review Checklist:**

☐ Site Analysis Diagram ☐ Architectural Drawings ☐ Landscape Plan  
☐ Existing Features/Natural Landscape ☐ Drives/Parking/Circulation ☐ Drainage  
☐ Buffering/Screening ☐ Signs/Graphics ☐ Exterior Lighting ☐ Trash/Refuse Storage  
☐ Roadways/Utilities ☐ Traffic Study ☐ Special Needs for Handicapped

**Preliminary Plat for Partition/Subdivision Checklist:**

☐ Reproducible Final Plat (3 sets) ☐ Preliminary Plat File No.  
☐ Preliminary Approval Conditions ☐ Phasing Plan (optional)

**Minor Design Review: Duplex, Comm/Ind Checklist:**

☐ Vicinity Map ☐ Tentative Plan ☐ Architectural Drawings (optional)  
☐ Landscape/Fencing Plan ☐ Existing Features/Natural Landscape ☐ Roadways/Utilities/Drainage  
☐ Proposed CCRs ☐ Traffic Study ☐ Phasing Plan (optional)

**Variance Checklist:**

☐ Landscape Plan ☐ Signs/Graphics

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

Applicant Signature

Date

Print Name

Owner Signature

Date

Print Name

Attachments: General Information, Fee Schedule, Criteria, Checklists

**BEFORE THE NEWBERG PLANNING COMMISSION AND NEWBERG CITY COUNCIL:**

A PROPOSAL TO AMEND NEMBERG DEVELOPMENT CODE 15.405.030.D.1 AND 15.505.030.P TO  
ALLOW FOR THE CREATION OF PRIVATE STREETS WITHIN A PLANNED UNIT DEVELOPMENT

**APPLICANT:**

JT SMITH COMPANIES  
5285 SW MEADOWS ROAD #171  
LAKE OSWEGO, OREGON 97035

**APPLICANT'S REPRESENTATIVE:**

3J CONSULTING, INC  
5075 SW GRIFFITH DRIVE, SUITE 150  
BEAVERTON, OR 97005  
CONTACT: ANDREW TULL  
PHONE: (503) 545-1907

**LEGAL REPRESENTATIVE:**

MICHAEL C. ROBINSON  
PERKINS COIE LLP  
1120 NW COUCH STREET TENTH  
FLOOR  
PORTLAND, OR 97209  
PHONE: (503) 727-2264

## 1. INTRODUCTION.

JT Smith Companies ("Smith") requests two (2) amendments to the Newberg Development Code (NDC) to allow for the creation of private streets within Planned Unit Development ("PUD") applications.

The Newberg City Council approved the initiation of this text amendment pursuant to Newberg Development Code ("NDC") 15.405.030.D.1 AND 15.505.030.P at its public meeting on August 7, 2017 and adopted Resolution No. 2017-3400 (Exhibit 1).

This Type IV Legislative Application is subject to relevant approval criteria in the Oregon Statewide Planning Goals (the "Goals"), the Oregon Transportation Rule, OAR 660-012-0060 (1)-(3), The NDC and the Newberg Comprehensive Plan (the "Plan").

This application requests two amendments to the NDC to authorize private streets in Planned Unit Developments ("PUD"). The application, if approved, will not authorize private streets outside of PUDs. The Plan does not prohibit private streets in PUDs.

## 2. PROPOSED NEWBERG DEVELOPMENT CODE TEXT AMENDMENTS

Text changes to the Newberg Development Code are proposed below. The format of the proposed changes is a ~~strikeout~~/underline (new language is underlined). The narrative following each amendment explains its justification.

### A. 15.405.030, Lot Dimensions and Frontage.

#### D. Frontage.

1. No lot or development site shall have less than the following lot frontage standards:
  - a. Each lot or development site shall have either frontage on a public street for a distance of at least 25 feet or have access to a public street through an easement that is at least 25 feet wide. No new private streets, as defined in NMC 15.05.030, shall be created to provide frontage or access, unless created through a planned unit development. If the Planning Commission approves private streets, the Planning Commission may impose conditions of approval to ensure that a Homeowners Association is created and that the Homeowners Association enforces on-street parking restrictions on, and maintenance of, the private streets.

The Applicant requests this amendment to the NDC to allow for the creation of private streets through the PUD process. A PUD is subject to the standards of Chapter 15.240 which allows for greater flexibility within the design, subject to approval by the Newberg Planning Commission. This first of two proposed text amendments gives an applicant for a PUD the opportunity to propose private streets, subject to the Planning Commission approval criteria and provides the City with the ability to review the proposal which may conclude that the proposed use of a private street system is appropriate given each project's unique design.

### B. 15.505.030, Street Standards.





P. Private Streets. New private streets, as defined in NMC 15.05.030, shall not be created, unless created through a planned unit development, subject to the approval of the City Engineer and Fire Marshall.

The Applicant is proposing that private streets created through a planned unit development should be allowed, subject to approval by the City Engineer and Fire Marshall. City Ordinance 2507, which was passed in 1999 eliminated the creation of new private streets based on concerns about access for emergency vehicles and parking enforcement. The proposed text amendment would allow for review and require approval by the City Engineer and Fire Marshall ensuring that the proposed private streets provide adequate access for emergency vehicles and meet the City's needs for parking enforcement.

### **3. APPROVAL CRITERIA**

#### **A. Statewide Planning Goals (the "Goals")**

##### **GOAL 1: CITIZEN INVOLVEMENT**

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

This application is subject to the Type IV Legislative process, which requires public notification and a public hearing before the City Council. This process has been established by the City and determined to be consistent with this Goal. The public hearing notice of the action and decision, and the hearing on this case before the City Council are all recognized as opportunities for citizen participation.

##### **GOAL 2: LAND USE PLANNING**

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

This Goal requires that land use decisions 1) have an adequate factual base, 2) that alternatives have been considered, and 3) that implementation measures are consistent with and adequate to carry out comprehensive plan policies and designations.

The land use action has an adequate factual base and has been thoroughly described in this application.

The alternatives to amending the development code text would be to: 1) require all developments to provide public streets for access and frontage, which would remove a design tool which may help developers achieve design excellence where public streets do not geometrically meet the intent of the design or where constraints necessitate the placement of non-standard road configurations, or 2) deny the application.

Implementation measures proposed are consistent with and adequate to carry out comprehensive plan policies and designations. No changes to the implementation measures of the code are proposed as a part of this land use action.



The Applicant's proposed amendments to the NDC are consistent with the Comprehensive Plan.

#### **GOAL 9: ECONOMIC DEVELOPMENT**

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The Newberg Economic Development Strategy identifies a threat of the City's incapability to financially maintain existing public infrastructure. The use of private streets, owned and maintained by a Homeowners Association can help reduce the City's responsibility in maintaining public infrastructure within large developments. The reduction in cost to the City will allow for the allocation of taxpayer funds elsewhere in the community, where it may contribute to the health, welfare and prosperity of the citizens.

#### **GOAL 10: HOUSING**

To provide for the housing needs of citizens of the state.

The proposed text amendments can provide flexibility necessary to develop constrained and partially constrained lands, which may not be developable with a traditional public street system. Efficient development of the residentially zoned land located within the City can provide opportunity for additional housing to meet the needs of the citizens of Newberg.

The Newberg Economic Development Strategy identifies several housing weaknesses within the City, including lack of affordable housing for lower income families, lack of multi-family housing, and a lack of vacant rental residential housing. The proposed text amendments will create flexibility to accommodate a variety of housing types including those that can be utilized for affordable housing and rental housing.

#### **GOAL 12: TRANSPORTATION**

To provide and encourage a safe, convenient and economic transportation system.

The proposed text amendment to allow for private streets within a PUD is consistent with Goal 12. Private streets provide flexibility to develop a transportation system that suits the needs of the site, creating a street hierarchy that is safe, convenient and economic. PUDs are subject to a higher level of review than traditional development which ensures that PUDs provide a transportation system that is safe, convenient and economic.

### **B. Oregon Administrative Rules Department of Land Conservation and Development**

#### **Division 12 Transportation Planning**

**660-012-0060 (1)-(3)**



**Applicant's  
Finding:**

The proposed text amendment to allow for private streets within a PUD is consistent with the Oregon Transportation Planning Rule. Private streets provide flexibility within large developments to create a transportation system that suits the needs of the site, creating a hierarchy that can be both safe and convenient. PUDs are subject to a higher level of review than traditional development which ensures that the City will be able to thoughtfully consider whether an applicant has provided a transportation system that is safe, convenient and economic.

**C. Newberg Development Code**  
**Chapter 15.100 LAND USE PROCESSES AND PROCEDURES**  
**15.100.060 Type IV procedure – Legislative.**

A. Type IV Actions Are Legislative. The planning commission shall hold a public hearing and make a recommendation to the city council. The city council shall hold another public hearing and make a final decision.

B. Legislative actions include, but are not limited to:

1. Amendments to the Newberg comprehensive plan text;
2. Amendments to the Newberg development code;
3. The creation of any land use regulation.

C. The public hearing before the planning commission shall be held in accordance with the requirements of this code. Notice of a hearing on a legislative decision need not include a mailing to property owners or posting of property (refer to NMC 15.100.200 et seq.).

D. Interested persons may present evidence and testimony relevant to the proposal. If criteria are involved, the planning commission shall make findings for each of the applicable criteria.

E. The city council shall conduct a new hearing pursuant to this code. At the public hearing, the staff shall present the report of the planning commission and may provide other pertinent information. Interested persons shall be given the opportunity to present new testimony and information relevant to the proposal that was not heard before the planning commission.

F. To the extent that a finding of fact is required, the city council shall make a finding for each of the applicable criteria and in doing so may sustain or reverse a finding of the planning commission. In granting an approval, the city council may delete, add, or modify any of the provisions in the proposal or attach certain conditions beyond those warranted for the compliance with standards if the city council determines that the conditions are necessary to fulfill the approval criteria.

G. The city council's decision shall become final upon the effective date of the ordinance or resolution.

**Applicant's  
Finding:**

Public hearings with the Planning Commission and the City Council will be required to finalize a decision regarding the application for the Amendments to the NDC. This requirement can be met.

**Chapter 15.240 PD PLANNED UNIT DEVELOPMENT REGULATIONS**  
**15.240.010 Purpose.**

The city's planned unit development regulations are intended to:

A. Encourage comprehensive planning in areas of sufficient size to provide developments at least equal in the quality of their environment to traditional lot-by-lot development and that are reasonably compatible with the surrounding area; and

- B. Provide flexibility in architectural design, placement and clustering of buildings, use of open space and outdoor living areas, and provision of circulation facilities, parking, storage and related site and design considerations; and
- C. Promote an attractive, safe, efficient and stable environment which incorporates a compatible variety and mix of uses and dwelling types; and
- D. Provide for economy of shared services and facilities; and
- E. Implement the density requirements of the comprehensive plan and zoning districts through the allocation of the number of permitted dwelling units based on the number of bedrooms provided.

**Applicant's  
Finding:**

The proposed allowance of private streets within PUDs is consistent with the overall purpose of the City's development regulations. Private streets within planned unit developments will provide for flexibility of placement and clustering of buildings, greater use of open space and outdoor living areas, and the provision of circulation and parking facilities which relate to site and design considerations.

**D. Newberg Comprehensive Plan**

**II. GOALS AND POLICIES**

**A. CITIZEN INVOLVEMENT**

GOAL: To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.

**Applicant's  
Finding:**

This application is subject to the Type IV Legislative process, which requires public notification and a public hearing before the City Council. This process has been established by the City and determined to be consistent with Goal I of the Oregon Statewide Planning Goals. The public hearing notice of the action and decision, and the hearing on this case before the City Council are all recognized as opportunities for citizen participation.

**B. LAND USE PLANNING**

GOAL: To maintain an on-going land use planning program to implement statewide and local goals. The program shall be consistent with natural and cultural resources and needs.

**Applicant's  
Finding:**

The proposed text amendment to allow for private streets within planned unit developments is consistent with the land use planning goals of the City.

**I. HOUSING**

GOAL: To provide for diversity in the type, density and location of housing within the City to ensure there is an adequate supply of affordable housing units to meet the needs of City residents of various income levels.

**Applicant's  
Finding:**

The proposed text amendments to allow for private streets within PUDs will allow for greater diversity in the type and density of housing within the City, consistent with Goal I of the Newberg Comprehensive Plan.





Goal 1, Policy j, encourages innovation in housing types and design as a means of offering a greater variety of housing and reducing housing costs. Private streets will allow for innovation in housing types, with small lot and cluster homes located off of main local roads, which will provide opportunity for gathering spaces and reduce the overall housing costs.

Goal 1, Policy m, encourages land use policies that provide a broad range of residential uses and encourage innovative development techniques. Private streets within planned unit developments will allow for greater flexibility in residential uses and innovative development techniques.

Goal 1, Policy o, encourages the City to adopt a comprehensive approach to meeting housing needs that balances density, design and flexibility in the code standards and procedures. Incentives mentioned include density bonuses, flexible development standards and streamlined review procedures to simulate the production and preservation of affordable housing. The proposed use of private streets within planned unit developments will allow for greater density by utilizing flexible standards to reduce infrastructure needs of the development. The reduction of infrastructure needs creates greater opportunity to provide affordable housing within planned unit developments.

#### **K. TRANSPORTATION**

GOAL 9: Create effective circulation and access for the local transportation system.

POLICIES:

d. New private streets should not be allowed. (Ordinance 2016-2810, December 19, 2016)

**Applicant's  
Finding:**

The Applicant is not proposing a text amendment to Goal 9 – Policy d listed above, because this policy is aspirational and not mandatory. The proposed text amendments to the NDC would allow for review by City Staff, the Fire Marshall and the Planning Commission of any proposed private street within a PUD. This review of private streets would ensure that any proposed private street meet the requirements of Goal 9 of the Comprehensive Plan, to *“create effective circulation and access for the local transportation system”*. The Applicant also notes the significant opportunity to create exceptional and unique design through flexible standards for street.

#### **4. CASE STUDIES SUPPORTING THE TEXT AMENDMENTS**

The following case studies have been selected for their exceptional use of hierarchical transportation systems which include traditional arterial, connector and local streets as well as narrow streets and alleyways. As illustrated, vehicular access to homes provided primarily from narrow streets at the rear of the homes, which allows for better flow of traffic on major streets. The narrow street network allows for greater flexibility within the design, promoting safe pedestrian activities on the street, and opportunities for community gather spaces and open space.



*High Point – Seattle Washington*

The High Point Community in Seattle Washington is an award-winning mixed-income neighborhood which houses approximately 1,600 families encompassing nearly 120 acres. The site utilized many sustainable design and development practices, including 25-foot wide local streets, which reduce impervious surfaces, slow traffic and promote safe pedestrian activity within the community.

*New Columbia – Portland Oregon*

The New Columbia Neighborhood located in Portland Oregon is a LEED Gold Certified development designed to be a mixed-income neighborhood which consists of approximately 854 units, which includes public housing, affordable rentals, senior housing, and single-family homes. The street system within the neighborhood utilizes narrower streets with curb extensions, as well as alleyways which provide vehicular access. The street network design creates pedestrian friendly environment by slowing traffic and providing space for landscaped areas.





#### *Waterfront District - Hercules California*

The Waterfront District located in Hercules California is a 163-acre brownfield development site which underwent an urban-design land use planning effort in 2000 in an effort to counteract urban sprawl. The development aimed to create a walkable mixed-use neighborhood with a multi-modal transportation center.





## 5. Conclusion

Based on the evidence contained in this application, the proposed amendments to the NDC can be approved. The Applicant has met all required procedural and application submission requirements and has provided facts and findings in support of the proposed amendments to the NDC. The applicant respectfully requests that the Planning Commission recommend to the City Council the application be approved and the Newberg City Council approve the application.

**BEFORE THE NEWBERG PLANNING COMMISSION AND NEWBERG CITY COUNCIL:**

A PROPOSAL TO AMEND NEMBERG DEVELOPMENT CODE 15.405.030.D.1 AND 15.505.030.P TO ALLOW FOR THE CREATION OF PRIVATE STREETS WITHIN A PLANNED UNIT DEVELOPMENT

**APPLICANT:**

JT SMITH COMPANIES  
5285 SW MEADOWS ROAD #171  
LAKE OSWEGO, OREGON 97035

**APPLICANT'S REPRESENTATIVE:**

3J CONSULTING, INC  
5075 SW GRIFFITH DRIVE, SUITE 150  
BEAVERTON, OR 97005  
CONTACT: ANDREW TULL  
PHONE: (503) 545-1907

**LEGAL REPRESENTATIVE:**

MICHAEL C. ROBINSON  
PERKINS COIE LLP  
1120 NW COUCH STREET TENTH  
FLOOR  
PORTLAND, OR 97209  
PHONE: (503) 727-2264



## 1. INTRODUCTION.

JT Smith Companies ("Smith") requests two (2) amendments to the Newberg Development Code (NDC) to allow for the creation of private streets within Planned Unit Development ("PUD") applications.

The Newberg City Council approved the initiation of this text amendment pursuant to Newberg Development Code ("NDC") 15.405.030.D.1 AND 15.505.030.P at its public meeting on August 7, 2017 and adopted Resolution No. 2017-3400 (Exhibit 1).

This Type IV Legislative Application is subject to relevant approval criteria in the Oregon Statewide Planning Goals (the "Goals"), the Oregon Transportation Rule, OAR 660-012-0060 (1)-(3), The NDC and the Newberg Comprehensive Plan (the "Plan").

This application requests two amendments to the NDC to authorize private streets in Planned Unit Developments ("PUD"). The application, if approved, will not authorize private streets outside of PUDs. The Plan does not prohibit private streets in PUDs.

## 2. PROPOSED NEWBERG DEVELOPMENT CODE TEXT AMENDMENTS

Text changes to the Newberg Development Code are proposed below. The format of the proposed changes is a ~~strikeout~~/underline (new language is underlined). The narrative following each amendment explains its justification.

A. 15.405.030, Lot Dimensions and Frontage.

D. Frontage.

1. No lot or development site shall have less than the following lot frontage standards:

- a. Each lot or development site shall have either frontage on a public street for a distance of at least 25 feet or have access to a public street through an easement that is at least 25 feet wide. No new private streets, as defined in NMC 15.05.030, shall be created to provide frontage or access, ~~unless created through a planned unit development. Only those Planned Unit Development applications that propose, and are approved with, at least nineteen lots may include private streets. If the Planning Commission approves private streets, the Planning Commission shall impose conditions of approval to ensure that a Homeowners Association is created in perpetuity and that the Homeowners Association enforces on-street parking restrictions on, and maintenance of, the private streets.~~

The Applicant requests this amendment to the NDC to allow for the creation of private streets through the PUD process. A PUD is subject to the standards of Chapter 15.240 which allows for greater flexibility within the design, subject to approval by the Newberg Planning Commission. This first of two proposed text amendments gives an applicant for a PUD the opportunity to propose private streets, subject to the Planning Commission approval criteria and provides the City with the ability to review the proposal which may conclude that the proposed use of a private street system is appropriate given each project's unique design.

B. 15.505.030, Street Standards.

P. Private Streets. New private streets, as defined in NMC 15.05.030, shall not be created, unless created through a planned unit development, subject to the approval of the Planning Commission after coordinating with the City Engineer and Fire Marshal.

The Applicant is proposing that private streets created through a planned unit development should be allowed, subject to approval of the Planning Commission after coordinating with the City Engineer and Fire Marshal. City Ordinance 2507, which was passed in 1999 eliminated the creation of new private streets based on concerns about access for emergency vehicles and parking enforcement. The proposed text amendment would require approval by the Planning Commission and allow coordination with the City Engineer and Fire Marshal ensuring that the proposed private streets provide adequate access for emergency vehicles and meet the City's needs for parking enforcement.

### **3. APPROVAL CRITERIA**

#### **A. Statewide Planning Goals (the "Goals")**

##### **GOAL 1: CITIZEN INVOLVEMENT**

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

This application is subject to the Type IV Legislative process, which requires public notification and a public hearing before the City Council. This process has been established by the City and determined to be consistent with this Goal. The public hearing notice of the action and decision, and the hearing on this case before the City Council are all recognized as opportunities for citizen participation.

##### **GOAL 2: LAND USE PLANNING**

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

This Goal requires that land use decisions 1) have an adequate factual base, 2) that alternatives have been considered, and 3) that implementation measures are consistent with and adequate to carry out comprehensive plan policies and designations.

The land use action has an adequate factual base and has been thoroughly described in this application.

The alternatives to amending the development code text would be to: 1) require all developments to provide public streets for access and frontage, which would remove a design tool which may help developers achieve design excellence where public streets do not geometrically meet the intent of the design or where constraints necessitate the placement of non-standard road configurations, or 2) deny the application.

Implementation measures proposed are consistent with and adequate to carry out comprehensive plan policies and designations. No changes to the implementation measures of the code are proposed as a part of this land use action.

The Applicant's proposed amendments to the NDC are consistent with the Comprehensive Plan.

#### **GOAL 9: ECONOMIC DEVELOPMENT**

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The Newberg Economic Development Strategy identifies a threat of the City's incapability to financially maintain existing public infrastructure. The use of private streets, owned and maintained by a Homeowners Association can help reduce the City's responsibility in maintaining public infrastructure within large developments. The reduction in cost to the City will allow for the allocation of taxpayer funds elsewhere in the community, where it may contribute to the health, welfare and prosperity of the citizens.

#### **GOAL 10: HOUSING**

To provide for the housing needs of citizens of the state.

The proposed text amendments can provide flexibility necessary to develop constrained and partially constrained lands, which may not be developable with a traditional public street system. Efficient development of the residentially zoned land located within the City can provide opportunity for additional housing to meet the needs of the citizens of Newberg.

The Newberg Economic Development Strategy identifies several housing weaknesses within the City, including lack of affordable housing for lower income families, lack of multi-family housing, and a lack of vacant rental residential housing. The proposed text amendments will create flexibility to accommodate a variety of housing types including those that can be utilized for affordable housing and rental housing.

#### **GOAL 12: TRANSPORTATION**

To provide and encourage a safe, convenient and economic transportation system.

The proposed text amendment to allow for private streets within a PUD is consistent with Goal 12. Private streets provide flexibility to develop a transportation system that suits the needs of the site, creating a street hierarchy that is safe, convenient and economic. PUDs are subject to a higher level of review than traditional development which ensures that PUDs provide a transportation system that is safe, convenient and economic.

### **B. Oregon Administrative Rules Department of Land Conservation and Development**

#### **Division 12 Transportation Planning**

**660-012-0060 (1)-(3)**

**Applicant's  
Finding:**

The proposed text amendment to allow for private streets within a PUD is consistent with the Oregon Transportation Planning Rule. Private streets provide flexibility within large developments to create a transportation system that suits the needs of the site, creating a hierarchy that can be both safe and convenient. PUDs are subject to a higher level of review than traditional development which ensures that the City will be able to thoughtfully consider whether an applicant has provided a transportation system that is safe, convenient and economic.

**C. Newberg Development Code**  
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**15.100.060 Type IV procedure – Legislative.**

A. Type IV Actions Are Legislative. The planning commission shall hold a public hearing and make a recommendation to the city council. The city council shall hold another public hearing and make a final decision.

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G. The city council's decision shall become final upon the effective date of the ordinance or resolution.

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Public hearings with the Planning Commission and the City Council will be required to finalize a decision regarding the application for the Amendments to the NDC. This requirement can be met.

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**15.240.010 Purpose.**

The city's planned unit development regulations are intended to:

A. Encourage comprehensive planning in areas of sufficient size to provide developments at least equal in the quality of their environment to traditional lot-by-lot development and that are reasonably compatible with the surrounding area; and



- B. Provide flexibility in architectural design, placement and clustering of buildings, use of open space and outdoor living areas, and provision of circulation facilities, parking, storage and related site and design considerations; and
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- E. Implement the density requirements of the comprehensive plan and zoning districts through the allocation of the number of permitted dwelling units based on the number of bedrooms provided.

**Applicant's Finding:** The proposed allowance of private streets within PUDs is consistent with the overall purpose of the City's development regulations. Private streets within planned unit developments will provide for flexibility of placement and clustering of buildings, greater use of open space and outdoor living areas, and the provision of circulation and parking facilities which relate to site and design considerations.

#### **D. Newberg Comprehensive Plan**

### **II. GOALS AND POLICIES**

#### **A. CITIZEN INVOLVEMENT**

GOAL: To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.

**Applicant's Finding:** This application is subject to the Type IV Legislative process, which requires public notification and a public hearing before the City Council. This process has been established by the City and determined to be consistent with Goal I of the Oregon Statewide Planning Goals. The public hearing notice of the action and decision, and the hearing on this case before the City Council are all recognized as opportunities for citizen participation.

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### **I. HOUSING**

GOAL: To provide for diversity in the type, density and location of housing within the City to ensure there is an adequate supply of affordable housing units to meet the needs of City residents of various income levels.

**Applicant's Finding:** The proposed text amendments to allow for private streets within PUDs will allow for greater diversity in the type and density of housing within the City, consistent with Goal I of the Newberg Comprehensive Plan.

Goal 1, Policy j, encourages innovation in housing types and design as a means of offering a greater variety of housing and reducing housing costs. Private streets will allow for innovation in housing types, with small lot and cluster homes located off of main local roads, which will provide opportunity for gathering spaces and reduce the overall housing costs.

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## K. TRANSPORTATION

GOAL 9: Create effective circulation and access for the local transportation system.

POLICIES:

d. New private streets should not be allowed. (Ordinance 2016-2810, December 19, 2016)

**Applicant's  
Finding:**

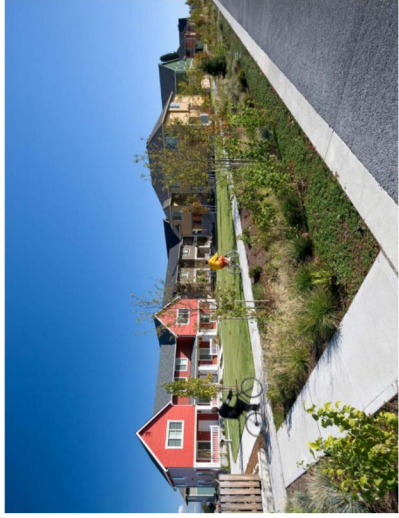
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## 4. CASE STUDIES SUPPORTING THE TEXT AMENDMENTS

The following case studies have been selected for their exceptional use of hierarchical transportation systems which include traditional arterial, connector and local streets as well as narrow streets and alleyways. As illustrated, vehicular access to homes provided primarily from narrow streets at the rear of the homes, which allows for better flow of traffic on major streets. The narrow street network allows for greater flexibility within the design, promoting safe pedestrian activities on the street, and opportunities for community gather spaces and open space.

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## 5. Conclusion

Based on the evidence contained in this application, the proposed amendments to the NDC can be approved. The Applicant has met all required procedural and application submission requirements and has provided facts and findings in support of the proposed amendments to the NDC. The applicant respectfully requests that the Planning Commission recommend to the City Council the application be approved and the Newberg City Council approve the application.



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December 26, 2017

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## VIA EMAIL

Mr. Bob Andrews, Mayor  
City of Newberg City Council  
414 E. First Street  
Newberg, OR 97132

**Re: City of Newberg File No. DCA 17-0004; Proposed Amendment to the Newberg Development Code to Allow the Establishment of Private Streets Certain to Subject Conditions within a Planned Unit Development**

Dear Mayor Andrews and Members of the Newberg City Council:

This office represents the J.T. Smith Companies (the “Applicant”). The Newberg City Council (the “City Council”) granted the Applicant’s request to initiate an amendment to the Newberg Development Code (the “NDC”) to allow private streets within a planned unit development (“PUD”) at the August 10, 2017 City Council meeting. The City Council adopted Resolution No. 2017-3400 authorizing the initiation of the amendment.

The Newberg Planning Commission (the “Planning Commission”) met on October 12, 2017 and again on December 14, 2017 to consider the text amendment. The Newberg Planning Department (the “Department”) recommended that the Planning Commission adopt the text amendment.

The Planning Commission considered the text amendment at its first meeting and asked a number of questions about how the text amendment would be applied in a PUD application. The Applicant, in cooperation with Staff, revised the text amendment, and the Planning Commission considered it again at its December 14, 2017 public hearing. No person spoke in opposition to the text amendment at either meeting, although three persons testified about the application, including Mr. Stewart Brown, an affordable housing advocate. At the conclusion of the December 14, 2017 public hearing, the Planning Commission unanimously adopted a motion recommending to the City Council that it adopt the text amendment.

The Applicant respectfully requests that the City Council follow the Department’s and the Planning Commission’s recommendation. The revised text amendment language addresses the issues raised by the Planning Commission, including:



Mr. Bob Andrews, Mayor  
 December 26, 2017  
 Page 2

- Providing a way for the Planning Commission to deny the application (the proposed language provides that a private street “may be allowed” in a PUD) if the criteria are not satisfied;
- Requiring a permanent Home Owner’s Association (“HOA”) that continually employs a community management firm to manage parking and private streets;
- Providing that a PUD with a private street must have a minimum of either 50 dwelling units or 13 lots because it must qualify as a Class I Planned Community as defined in Oregon Revised Statute (“ORS”) Chapter 94, which requires certain financial requirements;
- Requiring the HOA to provide an annual report to the Community Development Director;
- Requiring a draft reserve study (the cost estimated to maintain common areas, including private streets) as part of the PUD application which proposes private streets;
- Requiring the Applicant to coordinate successfully with the Fire Marshal and City Engineer on the public health and safety requirements for private streets; and
- The City retains its right to enforce the requirements of a private street in a PUD decision throughout the life of the PUD.

The Planning Commission heard evidence that the reason the City eliminated private streets from the NDC was bad experiences with those streets. However, it appears that the bad experiences were outside of PUDs. The Planning Commission also heard specific evidence from Mr. Smith that his numerous PUDs have not encountered problems with private streets.

Finally, and perhaps most importantly, allowing private streets in appropriate locations in a PUD allows an applicant to reduce infrastructure costs, thus allowing the applicant to reduce the cost of housing. This helps the City achieve its goal of providing more affordable housing. Mr. Smith has promised to dedicate a certain amount of affordable housing units in this PUD and to work with Newberg affordable housing advocates to achieve this goal.

On behalf of the Applicant, I respectfully request that the City Council follow the Planning Commission’s unanimous recommendation and approve the text amendment. This will allow Mr. Smith to submit his PUD application sometime in Spring 2018, thus providing additional housing opportunities, including affordable housing for Newberg residents.

Mr. Bob Andrews, Mayor  
December 26, 2017  
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The Applicant thanks the Planning Commission and the Department for their courtesies and helpful questioning regarding the text amendment. With their assistance, the text amendment that will be before the City Council is a better proposal than the one originally submitted.

Very truly yours,



Michael C. Robinson

MCR:rsr

cc: Mr. Jeff Smith (via email)  
Mr. Jesse Nemec (via email)  
Mr. Andrew Tull (via email)  
Ms. Mercedes Smith (via email)  
Mr. Doug Rux (via email)





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November 1, 2017

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**VIA EMAIL**

Mr. Jason Dale, Chair  
City of Newberg Planning Commission  
City Hall  
414 E First Street  
Newberg, OR 97132

**Re: City of Newberg File No. DCA17-0004**

Dear Chair Dale and Members of the Newberg Planning Commission:

This office represents the J.T. Smith Companies, the Applicant for the text amendment to the Planned Unit Development ("PUD") Ordinance to allow private streets in PUDs.

The revised staff report for the November 9, 2017 continued public hearing will contain a recommendation for new text amendment language. The Applicant and City staff, including the City Attorney, have discussed this new language. The Applicant agrees with the revised text amendment. The revised text amendment will allow the Planning Commission to approve private streets in PUDs where it finds that the proposed homeowner's association, which will maintain the private streets, has sufficient resources to do so, consistent with state law requirements.

We look forward to meeting with the Planning Commission on November 9, 2017 and answering your questions about the text amendment.

I have asked Mr. Olson to place this letter before you at the continued public hearing and in the official Planning Department file for this application.

Very truly yours,

A handwritten signature in black ink that reads "Michael C. Robinson".

Michael C. Robinson

MCR:rsr

cc: Mr. Jeff Smith (via email)  
Mr. Jesse Nemec (via email)  
Mr. Andrew Tull (via email)  
Mr. Truman Stone (via email)  
Mr. Doug Rux (via email)  
Mr. Steve Olson (via email)



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October 13, 2017

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## VIA EMAIL

Mr. Jason Dale, Chair  
City of Newberg Planning Commission  
City Hall  
414 E First Street  
Newberg, OR 97132

**Re: City of Newberg File No. DCA17-0004; Legislative Text Amendments to Allow  
Planned Unit Development Applications to Propose Private Streets**

Dear Chair Dale and Members of the Newberg Planning Commission:

This office represents J.T. Smith Companies (the "Applicant").

The Applicant has reviewed the staff report to the Planning Commission for the October 12, 2017 public hearing regarding the text amendments. As you know, the text amendments were initiated by the Newberg City Council. If approved, the amendments will authorize private streets under certain conditions in planned unit developments of at least 19 lots or more. The Applicant agrees with the staff report analysis and recommendation that the Planning Commission recommend approval of the amendments to the Newberg City Council text amendment.

The amendments do not require that private streets be approved in planned unit developments but simply allow applicants an opportunity to submit planned unit developments with private streets. The Applicant has reviewed the comments provided to the Planning Commission thus far and will address those at the Planning Commission hearing. The comments address how a private street will function in a planned unit development. While the questions can be answered, they are more appropriately addressed at the time an applicant requests a planned unit development with private streets. Moreover, the Applicant has extensive experience developing residential and mixed use developments in Oregon, many of which contain private streets. The key to successful planned unit developments with private streets is a strong management company implementing the conditions, covenants, and restrictions, which include the management of private streets.

Mr. Jason Dale, Chair  
October 13, 2017  
Page 2

The Applicant looks forward to discussing the text amendments with the Planning Commission and answering any questions that it may have.

Very truly yours,



Michael C. Robinson

MCR:rsr

cc: Mr. Jeff Smith (via email)  
Mr. Jesse Nemec (via email)  
Mr. Andrew Tull (via email)  
Ms. Mercedes Smith (via email)  
Mr. Doug Rux (via email)  
Mr. Steve Olson (via email)



## PLANNING COMMISSION RESOLUTION 2017-335

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### A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL AMEND THE NEWBERG DEVELOPMENT CODE REGARDING PRIVATE STREETS IN PLANNED UNIT DEVELOPMENTS

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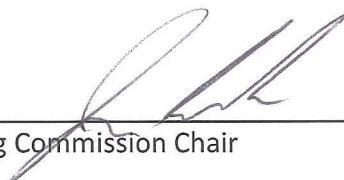
#### RECITALS

1. The Newberg City Council adopted Resolution 2017-3400 on August 7, 2017, which initiated amendments to the Newberg Development Code to consider the creation of private streets in Planned Unit Developments.
2. JT Smith Companies applied on August 24, 2017, for a Development Code Amendment to allow the creation of private streets in Planned Unit Developments.
3. After proper notice, the Newberg Planning Commission opened the hearing on October 12, 2017 to consider the amendment and, at the applicant's request, continued the hearing to the next meeting on November 9, 2017.
4. On November 9, 2017 the Planning Commission continued the hearing, considered testimony and deliberated. They continued the hearing to December 14, 2017.
5. On December 14, 2017 the Planning Commission continued the hearing, considered public testimony, and deliberated. They found that the proposed code amendment was in the best interests of the city.

#### The Newberg Planning Commission resolves as follows:

1. The Commission recommends that the City Council adopt the amendments to the Newberg Development Code as shown in Exhibit "A". Exhibit "A" is hereby adopted and by this reference incorporated.
2. The findings shown in Exhibit "B" are hereby adopted. Exhibit "B" is by this reference incorporated.

**Adopted by the Newberg Planning Commission this 14<sup>th</sup> day of December, 2017.**

  
\_\_\_\_\_  
Planning Commission Chair

ATTEST:

  
\_\_\_\_\_  
Planning Commission Secretary

#### List of Exhibits:

- Exhibit "A": Development Code Amendments
- Exhibit "B": Findings



**Exhibit "A" to Planning Commission Resolution 2017-335  
Development Code Amendments –File DCA17-0004  
Private Streets in Planned Unit Developments**

Note: Existing text is shown in regular font.  
Added text is shown in highlighted underline  
Deleted text is shown in strikethrough.

**The Newberg Development Code shall be amended as follows:**

**15.405.030 Lot dimensions and frontage.**

**D. Frontage.**

1. No lot or development site shall have less than the following lot frontage standards:
  - a. Each lot or development site shall have either frontage on a public street for a distance of at least 25 feet or have access to a public street through an easement that is at least 25 feet wide. No new private streets, as defined in NMC 15.05.030, shall be created to provide frontage or access—except as allowed by NDC 15.240.020.L.2.

**15.505.030 Street standards.**

- P. Private Streets. New private streets, as defined in NMC 15.05.030, shall not be created—except as allowed by NDC 15.240.020.L.2.

**Chapter 15.240**

**PD PLANNED UNIT DEVELOPMENT REGULATIONS**

**Sections:**

- 15.240.010 Purpose.
- 15.240.020 General provisions.
- 15.240.030 Preliminary plan consideration – Step one.
- 15.240.040 Final plan consideration – Step two.
- 15.240.050 Enforcement.

**15.240.010 Purpose.**

The city's planned unit development regulations are intended to:

- A. Encourage comprehensive planning in areas of sufficient size to provide developments at least equal in the quality of their environment to traditional lot-by-lot development and that are reasonably compatible with the surrounding area; and

B. Provide flexibility in architectural design, placement and clustering of buildings, use of open space and outdoor living areas, and provision of circulation facilities, parking, storage and related site and design considerations; and

C. Promote an attractive, safe, efficient and stable environment which incorporates a compatible variety and mix of uses and dwelling types; and

D. Provide for economy of shared services and facilities; and

E. Implement the density requirements of the comprehensive plan and zoning districts through the allocation of the number of permitted dwelling units based on the number of bedrooms provided.

[Ord. 2451, 12-2-96. Code 2001 § 151.225.]

#### **15.240.020 General provisions.**

A. Ownership. Except as provided herein, the area included in a proposed planned unit development must be in single ownership or under the development control of a joint application of owners or option holders of the property involved.

B. Processing Steps – Type III. Prior to issuance of a building permit, planned unit development applications must be approved through a Type III procedure and using the following steps:

1. Step One – Preliminary Plans. Consideration of applications in terms of on-site and off-site factors to assure the flexibility afforded by planned unit development regulations is used to preserve natural amenities; create an attractive, safe, efficient, and stable environment; and assure reasonable compatibility with the surrounding area. Preliminary review necessarily involves consideration of the off-site impact of the proposed design, including building height and location.

2. Step Two – Final Plans. Consideration of detailed plans to assure substantial conformance with preliminary plans as approved or conditionally approved. Final plans need not include detailed construction drawings as subsequently required for a building permit.

C. Phasing. If approved at the time of preliminary plan consideration, final plan applications may be submitted in phases. If preliminary plans encompassing only a portion of a site under single ownership are submitted, they must be accompanied by a statement and be sufficiently detailed to prove that the entire area can be developed and used in accordance with city standards, policies, plans and ordinances.

D. Lapse of Approval. If the applicant fails to submit material required for consideration at the next step in accordance with the schedule approved at the previous step or, in the absence of a specified schedule, within one year of such approval, the application as approved at the previous step expires. If the applicant fails to obtain a building permit for construction in accordance with the schedule as previously approved, or in the absence of a specified schedule, within three years

of a preliminary plan approval, preliminary and final plan approvals expire. Prior to expiration of plan approval at any step, the hearing authority responsible for approval may, if requested, extend or modify the schedule, providing it is not detrimental to the public interest or contrary to the findings and provisions specified herein for planned unit developments. Unless the preliminary plan hearing authority provides to the contrary, expiration of final plan approval of any phase automatically renders all phases void that are not yet finally approved or upon which construction has not begun.

E. Resubmittal Following Expiration. Upon expiration of preliminary or final plan approval, a new application and fee must be submitted prior to reconsideration. Reconsideration shall be subject to the same procedures as an original application.

F. Density. Except as provided in NMC 15.302.040 relating to subdistricts, dwelling unit density provisions for residential planned unit developments shall be as follows:

1. Maximum Density.

a. Except as provided in adopted refinement plans, the maximum allowable density for any project shall be as follows:

| District | Density Points   |
|----------|--|
| R-1      | 175 density points per gross acre, as calculated in subsection (F)(1)(b) of this section |
| R-2      | 310 density points per gross acre, as calculated in subsection (F)(1)(b) of this section |
| R-3      | 640 density points per gross acre, as calculated in subsection (F)(1)(b) of this section |
| RP       | 310 density points per gross acre, as calculated in subsection (F)(1)(b) of this section |
| C-1      | As per required findings   |
| C-2      | As per required findings   |
| C-3      | As per required findings   |

b. Density point calculations in the following table are correlated to dwellings based on the number of bedrooms, which for these purposes is defined as an enclosed room which is commonly used or capable of conversion to use as sleeping quarters. Accordingly, family rooms, dens, libraries, studies, studios, and other similar rooms shall



be considered bedrooms if they meet the above definitions, are separated by walls or doors from other areas of the dwelling and are accessible to a bathroom without passing through another bedroom. Density points may be reduced at the applicant's discretion by 25 percent for deed-restricted affordable dwelling units as follows:

**Density Point Table**

| Dwelling Type         | Density Points:   |  |
|-----------------------|-------------------|--|
|                       | Standard Dwelling | Income-Restricted Affordable Dwelling Unit |
| Studio and efficiency | 12                | 9  |
| One-bedroom           | 14                | 11   |
| Two-bedroom           | 21                | 16   |
| Three-bedroom         | 28                | 21   |
| Four or more bedrooms | 35                | 26   |

The density points in the right-hand column are applicable to income-restricted affordable dwelling units, provided the dwelling units meet the affordability criteria under NMC 15.242.030 regarding affordable housing requirements for developments using the flexible development standards.

2. **Approved Density.** The number of dwelling units allowable shall be determined by the hearing authority in accordance with the standards set forth in these regulations. The hearing authority may change density subsequent to preliminary plan approval only if the reduction is necessary to comply with required findings for preliminary plan approval or if conditions of preliminary plan approval cannot otherwise be satisfied.

3. **Easement Calculations.** Density calculations may include areas in easements if the applicant clearly demonstrates that such areas will benefit residents of the proposed planned unit development.

4. **Dedications.** Density calculations may include areas dedicated to the public for recreation or open space.

5. **Cumulative Density.** When approved in phases, cumulative density shall not exceed the overall density per acre established at the time of preliminary plan approval.



G. Buildings and Uses Permitted. Buildings and uses in planned unit developments are permitted as follows:

1. R-1, R-2, R-3 and RP Zones.

- a. Buildings and uses permitted outright or conditionally in the use district in which the proposed planned unit development is located.
- b. Accessory buildings and uses.
- c. Duplexes.
- d. Dwellings, single, manufactured, and multifamily.
- e. Convenience commercial services which the applicant proves will be patronized mainly by the residents of the proposed planned unit development.

2. C-1, C-2 and C-3 Zones.

- a. When proposed as a combination residential-commercial planned unit development, uses and buildings as listed in subsection (G)(1) of this section and those listed as permitted outright or conditionally in the use district wherein the development will be located.
- b. When proposed as a residential or commercial planned unit development, uses and buildings as permitted outright or conditionally in the use district wherein the development will be located.

3. M-1, M-2 and M-3 Zones. Uses and buildings as permitted outright or conditionally in the use district wherein the development will be located.

4. M-4 Zone. Uses and buildings as permitted outright or conditionally in the use district wherein the development will be located. Proposed sites, structures and uses must work together to support a common theme, product or industry. Applicants for an industrial planned development in M-4 must demonstrate conformance with any adopted master plan for the subject area and provide a plan describing how the proposed structures and uses will work together to support a common theme, product or industry. Prior to subdivision, covenants must limit occupancy to the types of industrial and related uses identified in the development plan.

H. Professional Coordinator and Design Team. Professional coordinators and design teams shall comply with the following:

- 1. Services. A professional coordinator, licensed in the State of Oregon to practice architecture, landscape architecture or engineering, shall ensure that the required plans are

prepared. Plans and services provided for the city and between the applicant and the coordinator shall include:

- a. Preliminary design;
- b. Design development;
- c. Construction documents, except for single-family detached dwellings and duplexes in subdivisions; and
- d. Administration of the construction contract, including, but not limited to, inspection and verification of compliance with approved plans.

2. Address and Attendance. The coordinator or the coordinator's professional representative shall maintain an Oregon address, unless this requirement is waived by the director. The coordinator or other member of the design team shall attend all public meetings at which the proposed planned unit development is discussed.

3. Design Team Designation. Except as provided herein, a design team, which includes an architect, a landscape architect, engineer, and land surveyor, shall be designated by the professional coordinator to prepare appropriate plans. Each team member must be licensed to practice the team member's profession in the State of Oregon.

4. Design Team Participation and Waiver. Unless waived by the director upon proof by the coordinator that the scope of the proposal does not require the services of all members at one or more steps, the full design team shall participate in the preparation of plans at all three steps.

5. Design Team Change. Written notice of any change in design team personnel must be submitted to the director within three working days of the change.

6. Plan Certification. Certification of the services of the professionals responsible for particular drawings shall appear on drawings submitted for consideration and shall be signed and stamped with the registration seal issued by the State of Oregon for each professional so involved. To assure comprehensive review by the design team of all plans for compliance with these regulations, the dated cover sheet shall contain a statement of review endorsed with the signatures of all designated members of the design team.

I. Modification of Certain Regulations. Except as otherwise stated in these regulations, fence and wall provisions, general provisions pertaining to height, yards, area, lot width, frontage, depth and coverage, number of off-street parking spaces required, and regulations pertaining to setbacks specified in this code may be modified by the hearing authority, provided the proposed development will be in accordance with the purposes of this code and those regulations. Departures from the hearing authority upon a finding by the engineering director that the



departures will not create hazardous conditions for vehicular or pedestrian traffic. Nothing contained in this subsection shall be interpreted as providing flexibility to regulations other than those specifically encompassed in this code.

J. Lot Coverage. Maximum permitted lot and parking area coverage as provided in this code shall not be exceeded unless specifically permitted by the hearing authority in accordance with these regulations.

K. Height. Unless determined by the hearing authority that intrusion of structures into the sun exposure plane will not adversely affect the occupants or potential occupants of adjacent properties, all buildings and structures shall be constructed within the area contained between lines illustrating the sun exposure plane (see Appendix A, Figure 8 and the definition of "sun exposure plane" in NMC 15.05.030). The hearing authority may further modify heights to:

1. Protect lines of sight and scenic vistas from greater encroachment than would occur as a result of conventional development.
2. Protect lines of sight and scenic vistas.
3. Enable the project to satisfy required findings for approval.

L. Dedication, Improvement and Maintenance of Public Thoroughfares. Public thoroughfares shall be dedicated, improved and maintained as follows:

1. Streets and Walkways. Including, but not limited to, those necessary for proper development of adjacent properties. Construction standards that minimize maintenance and protect the public health and safety, and setbacks as specified in NMC 15.410.050, pertaining to special setback requirements to planned rights-of-way, shall be required.

2. Notwithstanding subsection L.1., above, a private street may be approved if the following standards are satisfied.

A. An application for approval of a PUD with at least fifty (50) dwelling units may include a private street and the request for a private street shall be supported by the evidence required by this section. The Planning Commission may approve a private street if it finds the applicant has demonstrated that the Purpose Statements in 15.240.010.A.-D. are satisfied by the evidence in subsections a.-e.

a. A plan for managing on-street parking, maintenance and financing of maintenance of the private street, including a draft reserve study showing that the future homeowners association can financially maintain the private street;

b. A plan demonstrating that on -and off-street parking shall be sufficient for the expected parking needs and applicable codes;

c. Proposed conditions, covenants and restrictions that include a requirement that the homeowners association shall be established in perpetuity and shall continually employ a community management association whose duties shall include assisting the homeowners association with the private street parking management and maintenance, including the enforcement of parking restrictions;

d. Evidence that the private street is of sufficient width and construction to satisfy requirements of the Fire Marshall and City Engineer; and

e. The PUD shall be a Class I planned community as defined in ORS Chapter 94.

B. If the PUD is established, the homeowners association shall provide an annual written report on the anniversary date of the final approval of the PUD approval to the Community Development Director that includes the following:

a. The most recent reserve study.

b. The name and contact information for the retained community management association.

c. A report on the condition of the private street and any plans for maintenance of the private street.

32. Easements. As are necessary for the orderly extension of public utilities and bicycle and pedestrian access.

M. Underground Utilities. Unless waived by the hearing authority, the developer shall locate all on-site utilities serving the proposed planned unit development underground in accordance with the policies, practices and rules of the serving utilities and the Public Utilities Commission.

N. Usable Outdoor Living Area. All dwelling units shall be served by outdoor living areas as defined in this code. Unless waived by the hearing authority, the outdoor living area must equal at least 10 percent of the gross floor area of each unit. So long as outdoor living area is available to each dwelling unit, other outdoor living space may be offered for dedication to the city, in fee or easement, to be incorporated in a city-approved recreational facility. A portion or all of a dedicated area may be included in calculating density if permitted under these regulations.

O. Site Modification. Unless otherwise provided in preliminary plan approval, vegetation, topography and other natural features of parcels proposed for development shall remain substantially unaltered pending final plan approval.

P. Completion of Required Landscaping. If required landscaping cannot be completed prior to occupancy, or as otherwise required by a condition of approval, the director may require



the applicant to post a performance bond of a sufficient amount and time to assure timely completion.

Q. Design Standards. The proposed development shall meet the design requirements for multifamily residential projects identified in NMC 15.220.060. A minimum of 40 percent of the required points shall be obtained in each of the design categories. [Ord. 2763 § 1 (Exh. A §§ 9, 10), 9-16-13; Ord. 2730 § 1 (Exh. A § 9), 10-18-10; Ord. 2720§ 1(4), 11-2-09; Ord. 2505, 2-1-99; Ord. 2451, 12-2-96. Code 2001 § 151.226.]

#### **15.240.030 Preliminary plan consideration – Step one.**

A. Preapplication Conference. Prior to filing an application for preliminary plan consideration, the applicant or coordinator may request through the director a preapplication conference to discuss the feasibility of the proposed planned unit development and determine the processing requirements.

B. Application. An application, with the required fee, for preliminary plan approval shall be made by the owner of the affected property, or the owner's authorized agent, on a form prescribed by and submitted to the director. Applications, accompanied by such additional copies as requested by the director for purposes of referral, shall contain or have attached sufficient information as prescribed by the director to allow processing and review in accordance with these regulations. As part of the application, the property owner requesting the planned development shall file a waiver stating that the owner will not file any demand against the city under Ballot Measure 49, approved November 6, 2007, that amended ORS Chapters 195 and 197 based on the city's decision on the planned development.

C. Type III Review and Decision Criteria. Preliminary plan consideration shall be reviewed through the Type III procedure. Decisions shall include review and recognition of the potential impact of the entire development, and preliminary approval shall include written affirmative findings that:

1. The proposed development is consistent with standards, plans, policies and ordinances adopted by the city; and
2. The proposed development's general design and character, including but not limited to anticipated building locations, bulk and height, location and distribution of recreation space, parking, roads, access and other uses, will be reasonably compatible with appropriate development of abutting properties and the surrounding neighborhood; and
3. Public services and facilities are available to serve the proposed development. If such public services and facilities are not at present available, an affirmative finding may be made under this criterion if the evidence indicates that the public services and facilities will be available prior to need by reason of:
  - a. Public facility planning by the appropriate agencies; or

b. A commitment by the applicant to provide private services and facilities adequate to accommodate the projected demands of the project; or

c. Commitment by the applicant to provide for offsetting all added public costs or early commitment of public funds made necessary by the development; and

4. The provisions and conditions of this code have been met; and

5. Proposed buildings, roads, and other uses are designed and sited to ensure preservation of features, and other unique or worthwhile natural features and to prevent soil erosion or flood hazard; and

6. There will be adequate on-site provisions for utility services, emergency vehicular access, and, where appropriate, public transportation facilities; and

7. Sufficient usable recreation facilities, outdoor living area, open space, and parking areas will be conveniently and safely accessible for use by residents of the proposed development; and

8. Proposed buildings, structures, and uses will be arranged, designed, and constructed so as to take into consideration the surrounding area in terms of access, building scale, bulk, design, setbacks, heights, coverage, landscaping and screening, and to assure reasonable privacy for residents of the development and surrounding properties.

D. Conditions. Applications may be approved subject to conditions necessary to fulfill the purpose and provisions of these regulations. [Ord. 2693 § 1 (Exh. A(6)), 3-3-08; Ord. 2612, 12-6-04; Ord. 2451, 12-2-96. Code 2001 § 151.227.]

#### **15.240.040 Final plan consideration – Step two.**

A. Application. An application, with the required fee, for final plan approval shall be submitted in accordance with the provisions of this code, and must be in compliance with all conditions imposed and schedules previously prescribed.

B. Referral. Referral of final plans and supportive material shall be provided to appropriate agencies and departments.

C. Decision Type I Procedure. The final plan consideration shall be reviewed through the Type I procedure. Upon receipt of the application and fee, final plans and required supportive material, the director shall approve, conditionally approve or deny the application for final plan approval. The decision of the director to approve or deny the application shall be based on written findings of compliance or noncompliance with approved preliminary plans and city standards, plans, policies and ordinances. Minor variations from approved preliminary plans may be permitted if consistent with the general character of the approved preliminary plans.



D. Conditions. Applications may be approved subject to such conditions as are necessary to fulfill the purpose and provisions of this code.

E. Performance Agreement.

1. Preparation and Signatures. A duly notarized performance agreement binding the applicant, and the applicant's successors in interest, assuring construction and performance in accordance with the approved final plans shall be prepared by the city and executed by the applicant and city prior to issuance of a building permit.
2. Return. Unless an executed copy of the agreement is returned to the director within 60 days of its delivery to the applicant, final plan approval shall expire, necessitating the reapplication for final plan reapproval.
3. Filing. The director shall file a memorandum of the performance agreement with the Yamhill County recorder.
4. Improvement Petitions and Dedications. Improvement petitions and all documents required with respect to dedications and easements shall be submitted prior to completion of the agreement.
5. Project Changes. The director may permit project changes subsequent to execution of the agreement upon finding the changes substantially conform to final approved plans and comply with city standards, plans, policies and ordinances. Other modifications are subject to reapplication at the appropriate step.
6. Compliance. Compliance with this section is a prerequisite to the issuance of a building permit. [Ord. 2451, 12-2-96. Code 2001 § 151.228.]

**15.240.050 Enforcement.**

Upon the applicant's violation of or failure to comply with any of the provisions of the performance contract or final approved plan, the city may, in its discretion, invoke the enforcement procedures provided in the agreement or under applicable law. [Ord. 2451, 12-2-96. Code 2001 § 151.229.]

**Exhibit "B" to Planning Commission Resolution 2017-335**  
**Findings –File DCA17-0004**  
**Private Streets in Planned Unit Developments**

**APPROVAL CRITERIA**

**A. Statewide Planning Goals (the "Goals")**

**GOAL 1: CITIZEN INVOLVEMENT**

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

**Finding:** This application is subject to the Type IV Legislative process, which requires public notification and public hearings before the Planning Commission and the City Council. This process has been established by the City and determined to be consistent with this Goal. The public hearing notice of the action and decision, and the hearings on this case before the Planning Commission and the City Council are all recognized as opportunities for citizen participation.

**GOAL 2: LAND USE PLANNING**

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

**Finding:** This Goal requires that land use decisions 1) have an adequate factual base, 2) that alternatives have been considered, and 3) that implementation measures are consistent with and adequate to carry out comprehensive plan policies and designations.

The land use action has an adequate factual base and has been thoroughly described in this application.

The alternatives to amending the development code text would be to: 1) require all developments to provide public streets for access and frontage, which would remove a design tool which may help developers achieve design excellence where public streets do not geometrically meet the intent of the design or where constraints necessitate the placement of non-standard road configurations, or 2) deny the application.

Implementation measures proposed are consistent with and adequate to carry out comprehensive plan policies and designations. No changes to the implementation measures of the code are proposed as a part of this land use action.

The Applicant's proposed amendments to the NDC are consistent with the Comprehensive Plan.



**GOAL 9: ECONOMIC DEVELOPMENT**

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

**Finding:** The Newberg Economic Development Strategy identifies a threat of the City's incapability to financially maintain existing public infrastructure. The use of private streets, owned and maintained by a Homeowners Association can help reduce the City's responsibility in maintaining public infrastructure within large developments. The reduction in cost to the City will allow for the allocation of taxpayer funds elsewhere in the community, where it may contribute to the health, welfare and prosperity of the citizens.

**GOAL 10: HOUSING**

To provide for the housing needs of citizens of the state.

**Finding:** The proposed text amendments can provide flexibility necessary to develop constrained and partially constrained lands, which may not be developable with a traditional public street system. Efficient development of the residentially zoned land located within the City can provide opportunity for additional housing to meet the needs of the citizens of Newberg.

The Newberg Economic Development Strategy identifies several housing weaknesses within the City, including lack of affordable housing for lower income families, lack of multifamily housing, and a lack of vacant rental residential housing. The proposed text amendments will create flexibility to accommodate a variety of housing types including those that can be utilized for affordable housing and rental housing.

**GOAL 12: TRANSPORTATION**

To provide and encourage a safe, convenient and economic transportation system.

**Finding:** The proposed text amendment to allow for private streets within a PUD is consistent with Goal 12. Private streets provide flexibility to develop a transportation system that suits the needs of the site, creating a street hierarchy that is safe, convenient and economic. PUDs are subject to a higher level of review than traditional development which ensures that PUDs provide a transportation system that is safe, convenient and economic.

**B. Oregon Administrative Rules****Department of Land Conservation and Development****Division 12 Transportation Planning**

**660-012-0060 (1)-(3)**

**Finding:** The proposed text amendment to allow for private streets within a PUD is consistent with the Oregon Transportation Planning Rule. Private streets provide flexibility within large developments to create a transportation system that suits the needs of the site, creating a

hierarchy that can be both safe and convenient. PUDs are subject to a higher level of review than traditional development which ensures that the City will be able to thoughtfully consider whether an applicant has provided a transportation system that is safe, convenient and economic.

### **C. Newberg Development Code**

#### **Chapter 15.100 LAND USE PROCESSES AND PROCEDURES**

##### **15.100.060 Type IV procedure – Legislative.**

A. Type IV Actions Are Legislative. The planning commission shall hold a public hearing and make a recommendation to the city council. The city council shall hold another public hearing and make a final decision.

B. Legislative actions include, but are not limited to:

1. Amendments to the Newberg comprehensive plan text;
2. Amendments to the Newberg development code;
3. The creation of any land use regulation.

C. The public hearing before the planning commission shall be held in accordance with the requirements of this code. Notice of a hearing on a legislative decision need not include a mailing to property owners or posting of property (refer to NMC 15.100.200 et seq.).

D. Interested persons may present evidence and testimony relevant to the proposal. If criteria are involved, the planning commission shall make findings for each of the applicable criteria.

E. The city council shall conduct a new hearing pursuant to this code. At the public hearing, the staff shall present the report of the planning commission and may provide other pertinent information. Interested persons shall be given the opportunity to present new testimony and information relevant to the proposal that was not heard before the planning commission.

F. To the extent that a finding of fact is required, the city council shall make a finding for each of the applicable criteria and in doing so may sustain or reverse a finding of the planning commission. In granting an approval, the city council may delete, add, or modify any of the provisions in the proposal or attach certain conditions beyond those warranted for the compliance with standards if the city council determines that the conditions are necessary to fulfill the approval criteria.

G. The city council's decision shall become final upon the effective date of the ordinance or resolution.

**Finding:** Public hearings with the Planning Commission and the City Council will be required to finalize a decision regarding the application for the Amendments to the NDC. This requirement can be met.



**Chapter 15.240 PD PLANNED UNIT DEVELOPMENT REGULATIONS****15.240.010 Purpose.**

The city's planned unit development regulations are intended to:

- A. Encourage comprehensive planning in areas of sufficient size to provide developments at least equal in the quality of their environment to traditional lot-by-lot development and that are reasonably compatible with the surrounding area; and
- B. Provide flexibility in architectural design, placement and clustering of buildings, use of open space and outdoor living areas, and provision of circulation facilities, parking, storage and related site and design considerations; and
- C. Promote an attractive, safe, efficient and stable environment which incorporates a compatible variety and mix of uses and dwelling types; and
- D. Provide for economy of shared services and facilities; and
- E. Implement the density requirements of the comprehensive plan and zoning districts through the allocation of the number of permitted dwelling units based on the number of bedrooms provided.

**Finding:** The proposed allowance of private streets within PUDs is consistent with the overall purpose of the City's development regulations. Private streets within planned unit developments will provide for flexibility of placement and clustering of buildings, greater use of open space and outdoor living areas, and the provision of circulation and parking facilities which relate to site and design considerations.

**D. Newberg Comprehensive Plan****II. GOALS AND POLICIES****A. CITIZEN INVOLVEMENT**

**GOAL:** To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.

**Finding:** This application is subject to the Type IV Legislative process, which requires public notification and public hearings before the Planning Commission and the City Council. This process has been established by the City and determined to be consistent with Goal I of the Oregon Statewide Planning Goals. The public hearing notice of the action and decision, and the hearings on this case before the Planning Commission and the City Council are all recognized as opportunities for citizen participation.

**B. LAND USE PLANNING**

**GOAL:** To maintain an on-going land use planning program to implement statewide and local goals. The program shall be consistent with natural and cultural resources and needs.

**Finding:** The proposed text amendment to allow for private streets within planned unit developments is consistent with the land use planning goals of the City.

## I. HOUSING

**GOAL:** To provide for diversity in the type, density and location of housing within the City to ensure there is an adequate supply of affordable housing units to meet the needs of City residents of various income levels.

**Finding:** The proposed text amendments to allow for private streets within PUDs will allow for greater diversity in the type and density of housing within the City, consistent with Goal I of the Newberg Comprehensive Plan.

Goal 1, Policy j, encourages innovation in housing types and design as a means of offering a greater variety of housing and reducing housing costs. Private streets will allow for innovation in housing types, with small lot and cluster homes located off of main local roads, which will provide opportunity for gathering spaces and reduce the overall housing costs.

Goal 1, Policy m, encourages land use policies that provide a broad range of residential uses and encourage innovative development techniques. Private streets within planned unit developments will allow for greater flexibility in residential uses and innovative development techniques.

Goal 1, Policy o, encourages the City to adopt a comprehensive approach to meeting housing needs that balances density, design and flexibility in the code standards and procedures. Incentives mentioned include density bonuses, flexible development standards and streamlined review procedures to simulate the production and preservation of affordable housing. The proposed use of private streets within planned unit developments will allow for greater density by utilizing flexible standards to reduce infrastructure needs of the development. The reduction of infrastructure needs creates greater opportunity to provide affordable housing within planned unit developments.

## K. TRANSPORTATION

**GOAL 9:** Create effective circulation and access for the local transportation system.

**POLICIES:**

d. New private streets should not be allowed. (Ordinance 2016-2810, December 19, 2016)

**Finding:** The Applicant is not proposing a text amendment to Goal 9 – Policy d listed above, because this policy is aspirational and not mandatory. The proposed text amendments to the NDC would allow for review by City staff and the Planning Commission of any proposed private street within a PUD. This review of private streets would ensure that any proposed private street meet the requirements of Goal 9 of the Comprehensive Plan, to “create effective circulation and access for the local transportation system”. The Applicant also notes the significant opportunity to create exceptional and unique design through flexible standards for street.

**Conclusion:** The proposed development code amendments meet the applicable requirements of the Statewide Planning Goals, and the Newberg Comprehensive Plan, and should be approved.





September 18, 2017

Mr. Steve Olson  
City of Newberg  
Community Development Department – Planning Division  
414 E. First Street  
Newberg, Oregon 97132

**Re: File No. DCA-17-0002**  
**Private Streets in Planned Unit Developments (PUDs); Crestview Crossing**  
**Tax Lot I.D: R3216AC 13800& 01100**

Dear Mr. Olson,

Thank you for the opportunity to provide input about the requested amendment for private roads to be accepted within Planned Unit Developments (PUDs). This response is regarding the Development Code Text Amendment referenced above that was received September 15, 2017.

Tualatin Valley Fire & Rescue (TVF&R) does not require one type of road over another (public vs. private), however, it is based upon experience that we do have a preference. The Fire District is a strong proponent for public roads based on maintenance and parking enforcement. Reasons for our preference include:

- Emergency calls where private roads are not maintained and the poor surface condition causes response delay.
- Roads where vehicles are parked in a manner that obstructs access, and the Fire District and Law Enforcement have no authority to enforce parking standards.
- Roads that have brush or overgrowth that creates obstructions and that damage our apparatus and/or equipment.
- Roads, that during extreme winter weather, can create situations where we are not able to respond or return without the aid of hiring a tow vehicle or private sand/gravel truck and subsequent road sweeper.
- Receiving complaint letters and calls from neighbors who have entered disputes with other neighbors over parking on private roads, expecting the Fire District to manage, garnering support and compliance from offenders using the HOA rules.
- Receiving complaint letters and calls from Home Owner Associations, seeking support for enforcing the parking rules on private roads.

We currently serve 11 cities and 4 counties, and in each we have had the experience of receiving complaints from responding fire crews, neighbors, law enforcement, Home Owner Associations, and the municipalities themselves, attempting to remedy parking issues or maintenance on private roadways. We have no enforcement ability on private roads and are forced to rely on our public relations in hopes to gain support or remedies.

It is our preference, as stated earlier, that roads be public in nature for the reasons outlined above.

If you have questions or need further clarification, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Katherine M. A. Stoller". The signature is fluid and cursive, with the first name "Katherine" being the most prominent part.

Katherine M. A. Stoller  
Assistant Fire Marshal

[katherine.stoller@tvfr.com](mailto:katherine.stoller@tvfr.com)  
503-259-1500

Cc: Chris Mayfield, AFM  
File

## 1. INTRODUCTION.

JT Smith Companies ("Smith") requests two (2) amendments to the Newberg Development Code (NDC) to allow for the creation of private streets within Planned Unit Development ("PUD") applications.

The Newberg City Council approved the initiation of this text amendment pursuant to Newberg Development Code ("NDC") 15.405.030.D.1 AND 15.505.030.P at its public meeting on August 7, 2017 and adopted Resolution No. 2017-3400 (Exhibit 1).

This Type IV Legislative Application is subject to relevant approval criteria in the Oregon Statewide Planning Goals (the "Goals"), the Oregon Transportation Rule, OAR 660-012-0060 (1)-(3), The NDC and the Newberg Comprehensive Plan (the "Plan").

This application requests two amendments to the NDC to authorize private streets in Planned Unit Developments ("PUD"). The application, if approved, will not authorize private streets outside of PUDs. The Plan does not prohibit private streets in PUDs.

## 2. PROPOSED NEWBERG DEVELOPMENT CODE TEXT AMENDMENTS

Text changes to the Newberg Development Code are proposed below. The format of the proposed changes is a strikeout/underline (new language is underlined). The narrative following each amendment explains its justification.

### A. 15.405.030, Lot Dimensions and Frontage.

#### D. Frontage.

##### 1. No lot or development site shall have less than the following lot frontage standards:

- a. Each lot or development site shall have either frontage on a public street for a distance of at least 25 feet or have access to a public street through an easement that is at least 25 feet wide. No new private streets, as defined in NMC 15.05.030, shall be created to provide frontage or access, unless created through a planned unit development. If the Planning Commission approves private streets, the Planning Commission may impose conditions of approval to ensure that a Homeowners Association is created and that the Homeowners Association enforces on-street parking restrictions on, and maintenance of, the private streets.

The Applicant requests this amendment to allow for private streets through the PUD process. This amendment allows for greater flexibility within the Planning Commission. This first of two proposed amendments provides the opportunity to propose private streets and provides the City with the proposed use of a private street design.

### B. 15.505.030, Street Standards.

"MAINTENANCE" NEEDS TO INCLUDE SOMETHING TO THE EFFECT "INCLUDING ALL COSTS TO INSTALL, REPAIR, REPLACE, OR OPERATE ALL PRIVATE STREET APPURTENANCES, SUCH AS, BUT NOT LIMITED TO, SIGNS, PAVEMENT & PAVEMENT MARKINGS, STREET LIGHTS, SIDEWALKS OR OTHER ITEMS ASSOCIATED WITH MAINT OF THE PRIVATE STREET"

private streets which planning JD the approval include unique

Written testimony for Ordinance 2018-2822 (Private streets in PUDs)

I read through the proposed Ordinance and would like to pass along some concerns.

The first thing I would like the Council to consider is why private streets are allowed at all. The usual motivation for a developer to construct a private street is the intent to use standards that are not consistent with City Code. Most commonly, this involves constructing a street that is narrower than would be required in a public street. I think that the Council should consider carefully why the City road standards are set as they are. What is different about a PUD that makes the different standards appropriate? It seems to me that if the standards used in the PUD are acceptable, then they should be acceptable elsewhere. If they are not acceptable elsewhere, then there must be some reason that they are considered as such. Unless there is something special about PUDs that removes the reasons for the standards in the first place, then the same standards should apply.

I also have significant concerns with enforcement of parking standards. The Analysis section comments that in some of the existing private streets "illegal parking sometimes occurs". I think that is a gross understatement. A day or two after I heard the Planning Commission discussing the issue, I happened to be walking on College Street just north of the railroad tracks. I noticed that on Ella Ct. (a private street) there were at least 8 vehicles parked on the street, which had 2 "No Parking" signs. I don't think that this is uncommon.

While the Ordinance does require the establishment of an HOA which could enforce parking rules, I'm not seeing anything in the Ordinance to allow the City any remedy if the HOA fails to do its job. Once the PUD has been approved and constructed, what leverage does the City have if the parking restrictions are violated and the HOA takes no action?

Section L(2)(B) requires an annual report to the City, but nothing is included about parking regulations and their enforcement. I would suggest adding "d" in this section to include such a report. I would expect the report to include information about how violations are identified (e.g. is it strictly complaint-driven or is there active enforcement?), how many there had been in the last year, and how they were resolved.

Getting back to the enforcement issue, what can the City do if it doesn't receive this report or if the report shows unacceptable deficiencies?

Lastly, I have one technical comment. On page 17, L(2), there are repeated references to "a private street". It is easy to imagine in a PUD that there could be more than one. Strict reading of this language



could lead to the conclusion that a PUD could have no more than one private street. I'm assuming that this is not what is intended. It may be preferable to replace this with "private streets" to be clear that more than one could be approved in a single PUD.

Thank you for your consideration of my comments.

Robert Soppe

RS@NewbergTaxes.org

# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: February 5, 2018

Order \_\_\_ Ordinance XX Resolution \_\_\_ Motion \_\_\_ Information \_\_\_  
No. No. 2018-2824 No.

**SUBJECT:** An ordinance amending the Newberg Comprehensive Plan, Section IV (Subsections A and B) to reflect updated historic and projected population information.

Contact Person (Preparer) for this  
Motion: Cheryl Caines, Associate Planner  
Dept.: Community Development  
File No.: CPTA17-0004

HEARING TYPE: ☒ LEGISLATIVE ☐ QUASI-JUDICIAL ☐ NOT APPLICABLE

## RECOMMENDATION:

Adopt Ordinance No. 2018-2824 amending the Newberg Comprehensive Plan, Section IV (Subsections A and B) to reflect updated historic and projected population information.

## EXECUTIVE SUMMARY:

- A. SUMMARY:** The proposed amendment will update the population growth information in the Newberg Comprehensive Plan (Section IV) to reflect the new projected population data and add the most recent U.S. Census population data for 2010 to the historic population subsection. This information will be used to determine future housing and employment needs for the city.
- B. BACKGROUND:** In 2013 legislation was passed (HB 2253) to eliminate statewide issues with population forecasting. Oregon Revised Statutes (ORS) 195.033 requires that Portland State University Population Research Center (PRC) issue a population forecast for each county (except Multnomah, Clackamas, and Washington) and urban growth boundary (except Metro UGB) at least once every four years.

Oregon Administrative Rule (OAR) 660-032-0020 requires local governments apply the most recent final forecast issued by the PRC for land use planning purposes such as updating the comprehensive plan or zoning regulations. The population forecast for Yamhill County and its cities was completed in June 2017, which covers a 50 year forecast period from 2017 -2067. The final report is attached for informational purposes only. Please note that amendments cannot be made to this report. The proposed Comprehensive Plan text amendments reflect population forecast data from Appendix C, Figure 23 of the report.

- C. PROCESS:** A comprehensive plan text amendment is a Type IV application and follows the procedures in Newberg Development Code 15.100.060. Important dates related to this application are as follows:

- 9/14/17: The Newberg Planning Commission adopted Resolution No. 2016-334, initiating the Comprehensive Plan text amendment. (Attachment 1)
- 12/14/17: After proper notice, the Planning Commission held a legislative hearing to consider the item and approved Resolution No. 2017-

336. (Attachment 2)

3. 1/16/18 The City Council held a legislative hearing to consider the item.
4. 2/5/18 The items was continued to a second reading due to insufficient notice.

**D. PUBLIC COMMENTS:** As of the writing of this report, the city has not received any written public comments. If the city receives written comments by the deadline, Planning staff will forward them to the City Council.

**E. PLANNING COMMISSION RECOMMENDATION**

The Newberg Planning Commission held a public hearing on December 14, 2017 and approved Resolution No. 2017-336, which recommends that the City Council: amend the Newberg Comprehensive Plan Section IV (Subsections A and B) to reflect updated historic population and population projections information.

**FISCAL IMPACT:**

There are no fiscal impacts related to the proposed amendments.

**STRATEGIC ASSESSMENT (RELATE TO COUNCIL PRIORITIES FROM SEPTEMBER 2017):**

The proposed amendments will help achieve Council Goal 7 – Expand the City’s Urban Growth Boundary, Goal 8 – Encourage Affordable Housing, and Goal 10 – Implement Newberg Economic Development Strategy.

**ATTACHMENTS:**

Ordinance No. 2018-2824 with

Exhibit “A”: Proposed Comprehensive Plan Text Amendment

Exhibit “B”: Findings

1. Planning Commission Resolution No. 2016-334 Initiating the Comprehensive Plan Text Amendment
2. Planning Commission Resolution No. 2017-336
3. *Coordinated Population Forecast for Yamhill County, its Urban Growth Boundaries (UGB), and Area Outside UGBs 2017-2067*



## ORDINANCE No. 2018-2824

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**AN ORDINANCE AMENDING THE NEWBERG COMPREHENSIVE PLAN,  
SECTION IV (SUBSECTIONS A AND B) TO REFLECT UPDATED HISTORIC  
AND PROJECTED POPULATION INFORMATION.**

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### RECITALS:

1. The Newberg Planning Commission adopted Resolution 2016-334, which initiated text amendments to the Newberg Comprehensive Plan.
2. After proper notice, the Newberg Planning Commission held a hearing on December 14, 2017 to consider the text amendment. The Commission considered testimony, deliberated, and adopted Resolution No. 2017-336 recommending that the City Council adopt text amendments to the Newberg Comprehensive Plan to update historic and projected population information.
3. The Newberg City Council held a public hearing on January 16, 2018 to consider the proposed text amendment. Due to insufficient notice, the Council continued the item to February 5, 2018 for a second reading.

### THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The Council finds that amending the historic and projected population information would be in the best interests of the city. The Council adopts the text amendments to the Newberg Comprehensive Plan as shown in Exhibit "A". Exhibit "A" is hereby adopted and by this reference incorporated.
2. The findings shown in Exhibit "B" are hereby adopted. Exhibit "B" is by this reference incorporated.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: March 7, 2018.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 5<sup>th</sup> day of February, 2018, by the following votes: **AYE:**      **NAY:**      **ABSENT:**      **ABSTAIN:**

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Sue Ryan, City Recorder

**ATTEST** by the Mayor this 8<sup>th</sup> day of February, 2018.

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Bob Andrews, Mayor



**Exhibit “A” to City Council Ordinance No. 2018-2824  
Comprehensive Plan Text Amendment –File CPTA17-0004  
Population Projections Comprehensive Plan Text Amendment**

Note: Existing text is shown in regular font.  
Added text is shown in double-underline.  
Deleted text is shown in strikethrough.

## **IV POPULATION GROWTH**

### **A. HISTORIC POPULATION**

Newberg grew over ~~400~~ 500 percent from 1960 to ~~2004~~ 2010. This population growth was due to a variety of factors: regional population growth, expansion of industry and business in the area, proximity to other employment centers, and the high quality of life in the area.

**Table IV-1. Newberg City Population – 1960-~~2004~~2010**

| <b>Year</b>     | <b>Population</b> |
|-----------------|-------------------|
| 1960            | 4,204             |
| 1970            | 6,507             |
| 1980            | 10,394            |
| 1990            | 13,086            |
| 2000            | 18,064            |
| <del>2004</del> | <del>19,910</del> |
| <u>2010</u>     | <u>22,068</u>     |

Sources: U.S. Census; Population Research Center, Portland State University

~~In addition, approximately 374 people live in the area between the city limits and the urban growth boundary, making the 2004 Newberg UGB population about 20,284.~~

### **B. POPULATION PROJECTIONS**

Population projections are the basis of comprehensive land use planning. To maintain a high quality of living, the community must plan for its future population. Population growth will require sufficient land and services.

Oregon Revised Statutes (ORS) 195.033 requires that Portland State University Population Research Center issue a population forecast for each county and urban growth boundary outside the Metro region not less than once every four years. Previously each county was required to establish and maintain forecasts with local governments. The population forecast was completed in 2017 for Yamhill County and its cities. Population projections from the report *Coordinated Population Forecast for Yamhill County, its Urban Growth Boundaries (UGB), and Area Outside UGBs 2017-2067*, are found in Table IV-2.

Many of the same factors that have contributed to Newberg’s historic population growth will contribute to its future growth: employment opportunities both in Newberg and nearby, housing opportunities, high quality of life, and regional population growth. Newberg ~~is already~~ continues

to experience experiencing a great amount of population growth due to the lack of buildable land within the Portland area increased in-migration. Population in Newberg is expected to increase at a fast rate in the first half of the forecast period (through 2035) and then more slowly in the second half.

~~Future population projections for the City of Newberg were prepared in 2004 by Barry Edmonston, Portland State University, Population Research Center,<sup>a</sup> using two different methodologies: a ratio method and a cohort component method. While the two methods produced similar results, City staff and the Ad Hoc Committee on Newberg's Future felt that the cohort component method more accurately projected the future population of Newberg. In addition, projected population growth for the area outside the city limits but inside the UGB was added to the City population projections to yield Urban Area population projections. Table IV-2 presents the resulting population forecasts through 2040.~~

**Table IV-2. Future Population Forecast – Newberg Urban Area**

| Year               | Population Forecast      |
|--------------------|--------------------------|
| 2000 <sup>ba</sup> | 18,438                   |
| 2005               | 21,132                   |
| 2010               | 24,497                   |
| 2015               | 28,559                   |
| 2020               | <del>33,683</del> 25,889 |
| 2025               | <del>38,352</del> 28,602 |
| 2030               | <del>42,870</del> 31,336 |
| 2035               | <del>48,316</del> 34,021 |
| 2040               | <del>54,097</del> 36,709 |

Sources: Johnson Gardner, Barry Edmonston; Population Research Center, Portland State University

~~This population forecast was used to determine future land needs within the Newberg urban area.~~

#### Footnotes

<sup>a</sup> Barry Edmonston, Director, Population Research Center, Portland State University, Portland, Oregon. "Population Projection for Newberg, Yamhill County, Oregon: 2000 to 2040." March 25, 2004.

<sup>b</sup> 2000 Population is the U.S. Census estimate for Newberg plus the estimate of population outside City limits but within the UGB.

**Exhibit “B” to City Council Ordinance No. 2018-2824**  
**Findings –File CPTA17-0004**  
**Population Projections Comprehensive Plan Text Amendment**

Comprehensive Plan amendments must comply with applicable statewide planning goals (SPG) and Newberg Comprehensive Plan (NCP) goals and policies.

**NCP: A. Citizen Involvement/SPG 1: Citizen Involvement**

*NCP/SPG GOAL: To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.*

**FINDING:** Newberg has a Citizen Involvement Program, including citizens appointed to decision making committees and several opportunities for the public to comment on proposed applications during review of planning applications. This proposed Comprehensive Plan amendment will go before both the appointed Planning Commission and the elected City Council for local decisions. This goal is met.

**NCP: B. Land Use Planning/SPG 2: Land Use Planning**

*NCP GOAL: To maintain an on-going land use planning program to implement statewide and local goals. The program shall be consistent with natural and cultural resources and needs.*

*NCP POLICIES: 2. The Comprehensive Plan and implementing ordinances shall be reviewed continually and revised as needed. Major reviews shall be conducted during the State periodic review process.*

*SPG GOAL: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

**FINDING:** Newberg has an ongoing land use planning program, which includes using the adopted Comprehensive Plan, Development Code, and related plans to guide planning activities within the city. This proposed amendment to the Comprehensive Plan will help keep the Plan relevant and current. This goal is met.

**NCP: H. The Economy/SPG 9: Economic Development**

*NCP GOAL: To develop a diverse and stable economic base.*

*NCP POLICIES: 1. General Policies. b. The City shall encourage economic expansion consistent with local needs.*

*SPG GOAL: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.*

**FINDING:** In 2013, the State of Oregon adopted new administrative rules for population forecasts, which specified that the Portland State University Population Research Center (PRC) will forecast populations for the regions of the state. Projections for Yamhill County and its cities were finalized in 2017. The proposed Comprehensive Plan amendment is to update the historic and projected population sections based on these projections and U.S. Census data.

Newberg had previously adopted the coordinated population forecast as part of the south industrial urban growth boundary amendment and Economic Opportunities Analysis code amendments. However, City Council repealed these items on October 5, 2015, through adoption of Ordinance No. 2015-2786, which also voided adoption of the coordinated population forecast

The purpose of these amendments is to help the city plan for the future, including the ability to help develop a diverse and stable economic base and to provide a variety of economic opportunities. Without an accurate population forecast, the city would not be as prepared to plan for future needs. This goal is met.

#### **NCP: I. Housing/SPG 10: Housing**

*NCP GOAL: To provide for diversity in the type, density and location of housing within the City to ensure there is an adequate supply of affordable housing units to meet the needs of City residents of various income levels.*

*SPG GOAL: To provide for the housing needs of the citizens of the state.*

**FINDING:** Newberg uses the Comprehensive Plan and related adopted plans to guide future land use planning efforts. The proposed Comprehensive Plan amendment will reference the updated population forecast for the city, enabling future planning efforts to plan for adequate housing for the current and future citizens of the city. This goal is met.

#### **NCP: L. Public Facilities And Services/SPG 11: Public Facilities and Services**

*NCP/SPG GOAL: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development.*

**FINDING:** Newberg needs to have an updated population and employment forecast in order to effectively plan future needs for public facilities and services. By updating the Comprehensive Plan, Newberg can more effectively plan for public facility needs. This goal is met.





## PLANNING COMMISSION RESOLUTION 2017-334

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A RESOLUTION INITIATING A COMPREHENSIVE PLAN TEXT AMENDMENT TO  
ADOPT THE 2017 YAMHILL COUNTY COORDINATED POPULATION TEXT  
FORECAST FOR NEWBERG.

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### RECITALS

1. Oregon Revised Statutes (ORS) 195.033 requires that Portland State University (PSU) Population Research Center issue a population forecast for land use planning purposes for each county (except Multnomah, Clackamas, and Washington) and urban growth boundary (except Metro UGB) not less than once every four years.
2. The PSU Population Research Center completed population forecasting for Yamhill County and its cities in June 2017.
3. Newberg needs to amend the Newberg Comprehensive Plan to reflect the updated population data for future planning efforts.

### The Newberg Planning Commission resolves as follows:

1. A Comprehensive Plan text amendment to adopt the 2017 Yamhill County coordinated population forecast for Newberg is hereby initiated.
2. The proposed Comprehensive Plan text amendment will be heard by the Planning Commission for a recommendation to the City Council and will be heard by the City Council for a final decision.

Adopted by the Newberg Planning Commission this 14<sup>th</sup> day of September, 2017.

ATTEST:

  
\_\_\_\_\_  
Planning Commission Chair

  
\_\_\_\_\_  
Planning Commission Secretary



## **PLANNING COMMISSION RESOLUTION 2017-336**

**A RESOLUTION RECOMMENDING CITY COUNCIL ADOPT A COMPREHENSIVE PLAN AMENDMENT TO SECTION IV (SUBSECTIONS A AND B) TO REFLECT UPDATED HISTORIC POPULATION AND POPULATION PROJECTIONS INFORMATION.**

### **RECITALS:**

1. Oregon Revised Statutes (ORS) 195.033 requires that Portland State University (PSU) Population Research Center issue a population forecast for land use planning purposes for each county (except Multnomah, Clackamas, and Washington) and urban growth boundary (except Metro UGB) not less than once every four years.
2. The PSU Population Research Center completed population forecasting for Yamhill County and its cities in June 2017.
3. In 2010, U. S. Census population data was released, which is now considered historical data.
4. A comprehensive plan amendment is necessary at this time to update the historic population and population projections sections of the Newberg Comprehensive Plan.
5. After proper notice, the Newberg Planning Commission held a hearing on December 14, 2017 to consider the proposal.

**NOW THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Newberg that it recommends the City Council adopt the proposed Comprehensive Plan amendment as shown in Exhibit "A". This recommendation is based on the staff report, the findings in Exhibit "B", and testimony.

**Adopted by the Newberg Planning Commission this 14<sup>th</sup> day of December, 2017.**

  
 \_\_\_\_\_  
 Planning Commission Chair

ATTEST:

  
 \_\_\_\_\_  
 Planning Commission Secretary

Attached:  
 Exhibit "A": Comprehensive Plan text amendment  
 Exhibit "B": Findings

Note: Existing text is shown in regular font.  
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 Deleted text is shown in strikethrough.

## IV POPULATION GROWTH

### A. *HISTORIC POPULATION*

Newberg grew over 400 500 percent from 1960 to ~~2004~~ 2010. This population growth was due to a variety of factors: regional population growth, expansion of industry and business in the area, proximity to other employment centers, and the high quality of life in the area.

**Table IV-1. Newberg City Population – 1960-~~2004~~2010**

| Year        | Population        |
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| 2004        | <del>19,910</del> |
| <u>2010</u> | <u>22,068</u>     |

Sources: U.S. Census; Population Research Center, Portland State University

~~In addition, approximately 374 people live in the area between the city limits and the urban growth boundary, making the 2004 Newberg UGB population about 20,284.~~

### B. *POPULATION PROJECTIONS*

Population projections are the basis of comprehensive land use planning. To maintain a high quality of living, the community must plan for its future population. Population growth will require sufficient land and services.

Oregon Revised Statutes (ORS) 195.033 requires that Portland State University Population Research Center issue a population forecast for each county and urban growth boundary outside the Metro region not less than once every four years. Previously each county was required to establish and maintain forecasts with local governments. The population forecast was completed in 2017 for Yamhill County and its cities. Population projections from the report *Coordinated Population Forecast for Yamhill County, its Urban Growth Boundaries (UGB), and Area Outside UGBs 2017-2067*, are found in Table IV-2.

Many of the same factors that have contributed to Newberg's historic population growth will contribute to its future growth: employment opportunities both in Newberg and nearby, housing opportunities, high quality of life, and regional population growth. Newberg ~~is already continues to experience~~ experiencing a great amount of population growth due to ~~the lack of buildable land within the Portland area~~ increased in-migration. Population in Newberg is expected to increase



at a fast rate in the first half of the forecast period (through 2035) and then more slowly in the second half.

Future population projections for the City of Newberg were prepared in 2004 by Barry Edmonston, Portland State University, Population Research Center,<sup>a</sup> using two different methodologies: a ratio method and a cohort component method. While the two methods produced similar results, City staff and the Ad Hoc Committee on Newberg's Future felt that the cohort component method more accurately projected the future population of Newberg. In addition, projected population growth for the area outside the city limits but inside the UGB was added to the City population projections to yield Urban Area population projections. Table IV-2 presents the resulting population forecasts through 2040.

**Table IV-2. Future Population Forecast – Newberg Urban Area**

| <b>Year</b>        | <b>Population Forecast</b> |
|--------------------|----------------------------|
| 2000 <sup>ba</sup> | 18,438                     |
| 2005               | 21,132                     |
| 2010               | 24,497                     |
| 2015               | 28,559                     |
| 2020               | <del>33,683</del> 25,889   |
| 2025               | <del>38,352</del> 28,602   |
| 2030               | <del>42,870</del> 31,336   |
| 2035               | <del>48,316</del> 34,021   |
| 2040               | <del>54,097</del> 36,709   |

Sources: Johnson Gardner, Barry Edmonston; Population Research Center, Portland State University

This population forecast was used to determine future land needs within the Newberg urban area.

#### Footnotes

<sup>a</sup> Barry Edmonston, Director, Population Research Center, Portland State University, Portland, Oregon. "Population Projection for Newberg, Yamhill County, Oregon: 2000 to 2040." March 25, 2004.

<sup>b</sup> 2000 Population is the U.S. Census estimate for Newberg plus the estimate of population outside City limits but within the UGB.



## Exhibit "B"

# Comprehensive Plan Amendment – CPTA17-0004 - Findings

Comprehensive Plan amendments must comply with applicable statewide planning goals (SPG) and Newberg Comprehensive Plan (NCP) goals and policies.

### **NCP: A. Citizen Involvement/SPG 1: Citizen Involvement**

*NCP/SPG GOAL: To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.*

**FINDING:** Newberg has a Citizen Involvement Program, including citizens appointed to decision making committees and several opportunities for the public to comment on proposed applications during review of planning applications. This proposed Comprehensive Plan amendment will go before both the appointed Planning Commission and the elected City Council for local decisions. This goal is met.

### **NCP: B. Land Use Planning/SPG 2: Land Use Planning**

*NCP GOAL: To maintain an on-going land use planning program to implement statewide and local goals. The program shall be consistent with natural and cultural resources and needs.*

*NCP POLICIES: 2. The Comprehensive Plan and implementing ordinances shall be reviewed continually and revised as needed. Major reviews shall be conducted during the State periodic review process.*

*SPG GOAL: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

**FINDING:** Newberg has an ongoing land use planning program, which includes using the adopted Comprehensive Plan, Development Code, and related plans to guide planning activities within the city. This proposed amendment to the Comprehensive Plan will help keep the Plan relevant and current. This goal is met.

### **NCP: H. The Economy/SPG 9: Economic Development**

*NCP GOAL: To develop a diverse and stable economic base.*

*NCP POLICIES: 1. General Policies. b. The City shall encourage economic expansion consistent with local needs.*

*SPG GOAL: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

**FINDING:** In 2013, the State of Oregon adopted new administrative rules for population forecasts, which specified that the Portland State University Population Research Center (PRC) will forecast populations for the regions of the state. Projections for Yamhill County and its cities were finalized in 2017. The proposed Comprehensive Plan amendment is to update the historic and projected population sections based on these projections and U.S. Census data. Newberg had previously adopted the coordinated population forecast as part of the south industrial urban growth boundary amendment and Economic Opportunities Analysis code amendments. However, City Council repealed these items on October 5,

2015, through adoption of Ordinance No. 2015-2786, which also voided adoption of the coordinated population forecast

The purpose of these amendments is to help the city plan for the future, including the ability to help develop a diverse and stable economic base and to provide a variety of economic opportunities. Without an accurate population forecast, the city would not be as prepared to plan for future needs. This goal is met.

**NCP: I. Housing/SPG 10: Housing**

*NCP GOAL: To provide for diversity in the type, density and location of housing within the City to ensure there is an adequate supply of affordable housing units to meet the needs of City residents of various income levels.*

*SPG GOAL: To provide for the housing needs of the citizens of the state.*

**FINDING:** Newberg uses the Comprehensive Plan and related adopted plans to guide future land use planning efforts. The proposed Comprehensive Plan amendment will reference the updated population forecast for the city, enabling future planning efforts to plan for adequate housing for the current and future citizens of the city. This goal is met.

**NCP: L. Public Facilities And Services/SPG 11: Public Facilities and Services**

*NCP/SPG GOAL: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development.*

**FINDING:** Newberg needs to have an updated population and employment forecast in order to effectively plan future needs for public facilities and services. By updating the Comprehensive Plan, Newberg can more effectively plan for public facility needs. This goal is met.

# Coordinated Population Forecast



**2017**

Through

**2067**

## Yamhill County

Urban Growth  
Boundaries (UGB)  
& Area Outside UGBs



Population Research Center  
PORTLAND STATE UNIVERSITY

Photo Credit McGuire Reservoir along Meadow Lake Road in the Coast Range mountains.  
(Photo No. yamDA0127). Gary Halvorson, Oregon State Archives <http://arcweb.sos.state.or.us/pages/records/local/county/scenic/yamhill/85.html>



**Coordinated Population Forecast for Yamhill County,  
its Urban Growth Boundaries (UGB), and  
Area Outside UGBs  
2017-2067**

**Prepared by  
Population Research Center  
College of Urban and Public Affairs  
Portland State University**

**June 30, 2017**

This project is funded by the State of Oregon through the Department of Land Conservation and Development (DLCD). The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

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## How to Read this Report

This report should be read with reference to the documents listed below—downloadable on the Forecast Program website (<http://www.pdx.edu/prc/opfp>).

Specifically, the reader should refer to the following documents:

- *Methods and Data for Developing Coordinated Population Forecasts*—Provides a detailed description and discussion of the forecast methods employed. This document also describes the assumptions that feed into these methods and determine the forecast output.
- *Forecast Tables*—Provides complete tables of population forecast numbers by county and all sub-areas within each county for each five-year interval of the forecast period (i.e., 2017-2067).

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# Executive Summary

## Historical

Different parts of the county experience differing growth patterns. Local trends within the UGBs and the area outside them collectively influence population growth rates for the county as a whole.

Yamhill County's total population grew rapidly during the 2000s, with average annual growth rates above one and a half percent between 2000 and 2010 (**Figure 1**); however, most of its sub-areas experienced more rapid population growth during the 2000s. With the exception of Amity, Sheridan, and Willamina, all other sub-areas grew at a faster rate than the county.

Yamhill County's positive population growth in the 2000s was largely the result of substantial net in-migration. Meanwhile an aging population not only led to an increase in deaths, but also resulted in a smaller proportion of women in their childbearing years. This, along with more women choosing to have fewer children and have them at older ages has led to fewer births in recent years. The larger number of births relative to deaths caused a natural increase (more births than deaths) in every year from 2000 to 2015. While net in-migration outweighed natural increase during the early and middle years of the last decade, the gap between these two numbers has narrowed more recently, slowing population growth at the turn of the decade. In more recent years (2014 and 2015) net in-migration has increased, bringing with it population growth (**Figure 12**).

## Forecast

Total population in Yamhill County as a whole as well as within its sub-areas will likely grow at a slightly faster pace in the near-term (2015 to 2035) compared to the long-term (**Figure 1**). The tapering of growth rates is largely driven by an aging population—a demographic trend which is expected to contribute to natural increase transitioning into natural decrease (more deaths than births) during the middle of the forecast horizon. As natural decrease occurs, population growth will become increasingly reliant on net in-migration.

Even so, Yamhill County's total population is forecast to increase by more than 28,500 over the next 18 years (2017-2035) and by more than 70,000 over the entire 50 year forecast period (2017-2067). Sub-areas that showed strong population growth in the 2000s are expected to experience similar rates of population growth during the forecast period.

**Figure 1. Yamhill County and Sub-Areas—Historical and Forecast Populations, and Average Annual Growth Rates (AAGR)**

|                         | Historical |        |                     | Forecast |         |         |                     |                     |
|-------------------------|------------|--------|---------------------|----------|---------|---------|---------------------|---------------------|
|                         | 2000       | 2010   | AAGR<br>(2000-2010) | 2017     | 2035    | 2067    | AAGR<br>(2017-2035) | AAGR<br>(2035-2067) |
| <i>Yamhill County</i>   | 84,992     | 99,193 | 1.6%                | 106,555  | 135,096 | 177,170 | 1.3%                | 0.9%                |
| Amity UGB               | 1,481      | 1,623  | 0.9%                | 1,642    | 1,910   | 2,276   | 0.8%                | 0.5%                |
| Carlton UGB             | 1,514      | 2,007  | 2.9%                | 2,229    | 3,013   | 3,998   | 1.7%                | 0.9%                |
| Dayton UGB              | 2,244      | 2,708  | 1.9%                | 2,837    | 3,200   | 3,761   | 0.7%                | 0.5%                |
| Dundee UGB              | 2,672      | 3,162  | 1.7%                | 3,243    | 4,570   | 6,697   | 1.9%                | 1.2%                |
| Gaston UGB (Yamhill)    | 110        | 154    | 3.4%                | 157      | 159     | 161     | 0.1%                | 0.0%                |
| Lafayette UGB           | 2,586      | 3,742  | 3.8%                | 4,083    | 5,717   | 6,937   | 1.9%                | 0.6%                |
| McMinnville UGB         | 26,709     | 32,527 | 2.0%                | 34,293   | 44,122  | 62,804  | 1.4%                | 1.1%                |
| Newberg UGB             | 18,558     | 22,572 | 2.0%                | 24,296   | 34,021  | 52,135  | 1.9%                | 1.3%                |
| Sheridan UGB            | 5,581      | 6,210  | 1.1%                | 6,340    | 6,893   | 7,560   | 0.5%                | 0.3%                |
| Willamina UGB (Yamhill) | 1,128      | 1,180  | 0.5%                | 1,227    | 1,272   | 1,360   | 0.2%                | 0.2%                |
| Yamhill UGB             | 805        | 1,024  | 2.4%                | 1,077    | 1,338   | 1,671   | 1.2%                | 0.7%                |
| Outside UGBs            | 21,604     | 22,284 | 0.3%                | 25,132   | 28,880  | 27,812  | 0.8%                | -0.1%               |

*Sources: U.S. Census Bureau, 2000 and 2010 Censuses; Forecast by Population Research Center (PRC).*

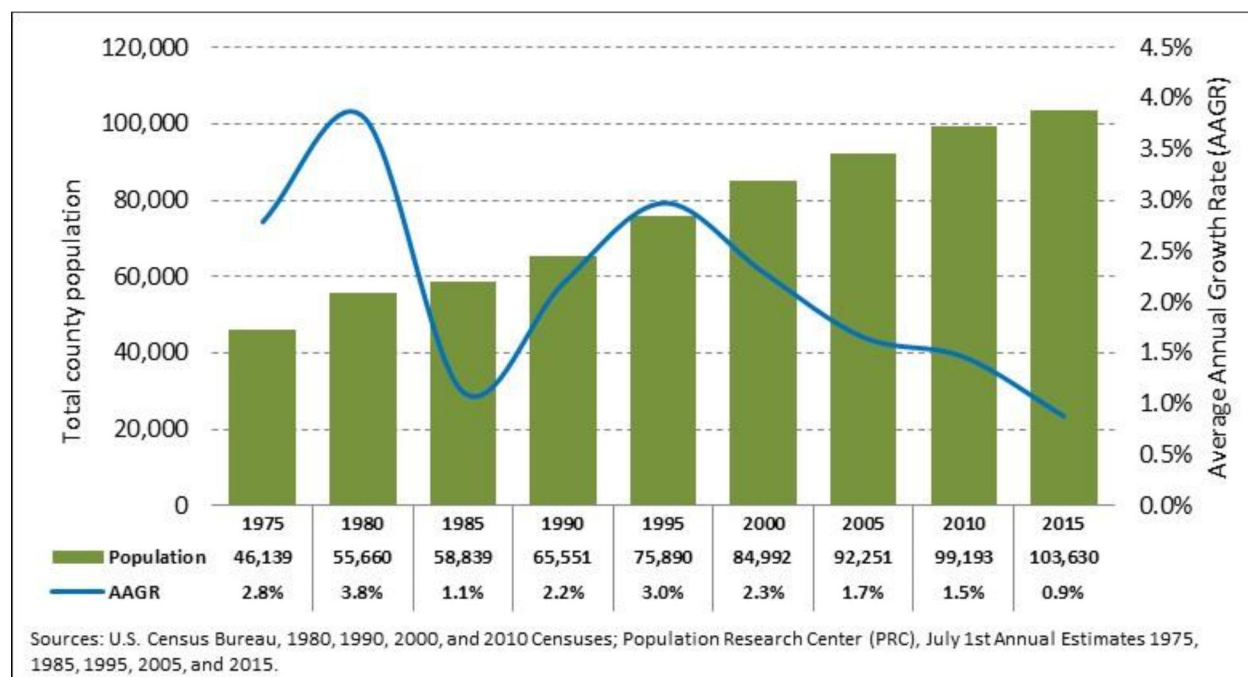
## Historical Trends

Different growth patterns occur in different parts of Yamhill County. Each of Yamhill County's sub-areas were examined for any significant demographic characteristics or changes in population or housing growth that might influence their individual forecasts. Factors analyzed include age composition of the population, race and ethnicity, births, deaths, migration, the number of housing units, housing occupancy, and persons per household (PPH). It should be noted that population trends of individual sub-areas often differ from those of the county as a whole. However, population growth rates for the county are collectively influenced by local trends within its sub-areas.

## Population

Yamhill County's total population more than doubled between 1975 and 2015—from roughly 46,100 in 1975 to about 103,500 in 2015 (Figure 2). During this 40-year period, the county realized the highest growth rates just prior to the 1980s, which coincided with a period of relative economic prosperity. During the early 1980s however, challenging economic conditions, both nationally and within the county, led to population decline. Again, during the early 1990s population growth rates increased, but challenging economic conditions building up to the 2000s and Great Recession yielded slower rates of population growth. Even so, Yamhill County's experienced positive population growth throughout the 40-year period.

**Figure 2. Yamhill County—Total Population by Five-year Intervals (1975-2015)**



During the 2000s, Yamhill County's average annual population growth rate stood at 1.6 percent (Figure 3). At the same time Lafayette, Carlton and Yamhill recorded average annual growth rates of 3.8, 2.9 and 2.4 percent, respectively. In fact, all sub-areas except for Amity, Sheridan, the portion of Willamina



within Yamhill County, and the area outside UGBs had faster growth rates relative to the county as a whole.

**Figure 3. Yamhill County and Sub-areas— Total Population and Average Annual Growth Rate (AAGR) (2000 and 2010)<sup>1</sup>**

|                         | 2000   | 2010   | AAGR<br>(2000-2010) | Share of<br>County 2000 | Share of<br>County 2010 |
|-------------------------|--------|--------|---------------------|-------------------------|-------------------------|
| <i>Yamhill County</i>   | 84,992 | 99,193 | 1.6%                | 100.0%                  | 100.0%                  |
| Amity UGB               | 1,481  | 1,623  | 0.9%                | 1.7%                    | 1.6%                    |
| Carlton UGB             | 1,514  | 2,007  | 2.9%                | 1.8%                    | 2.0%                    |
| Dayton UGB              | 2,244  | 2,708  | 1.9%                | 2.6%                    | 2.7%                    |
| Dundee UGB              | 2,672  | 3,162  | 1.7%                | 3.1%                    | 3.2%                    |
| Gaston UGB (Yamhill)    | 110    | 154    | 3.4%                | 0.1%                    | 0.2%                    |
| Lafayette UGB           | 2,586  | 3,742  | 3.8%                | 3.0%                    | 3.8%                    |
| McMinnville UGB         | 26,709 | 32,527 | 2.0%                | 31.4%                   | 32.8%                   |
| Newberg UGB             | 18,558 | 22,572 | 2.0%                | 21.8%                   | 22.8%                   |
| Sheridan UGB            | 5,581  | 6,210  | 1.1%                | 6.6%                    | 6.3%                    |
| Willamina UGB (Yamhill) | 1,128  | 1,180  | 0.5%                | 1.3%                    | 1.2%                    |
| Yamhill UGB             | 805    | 1,024  | 2.4%                | 0.9%                    | 1.0%                    |
| Outside UGBs            | 21,604 | 22,284 | 0.3%                | 25.4%                   | 22.5%                   |

*Sources: U.S. Census Bureau, 2000 and 2010 Censuses.*

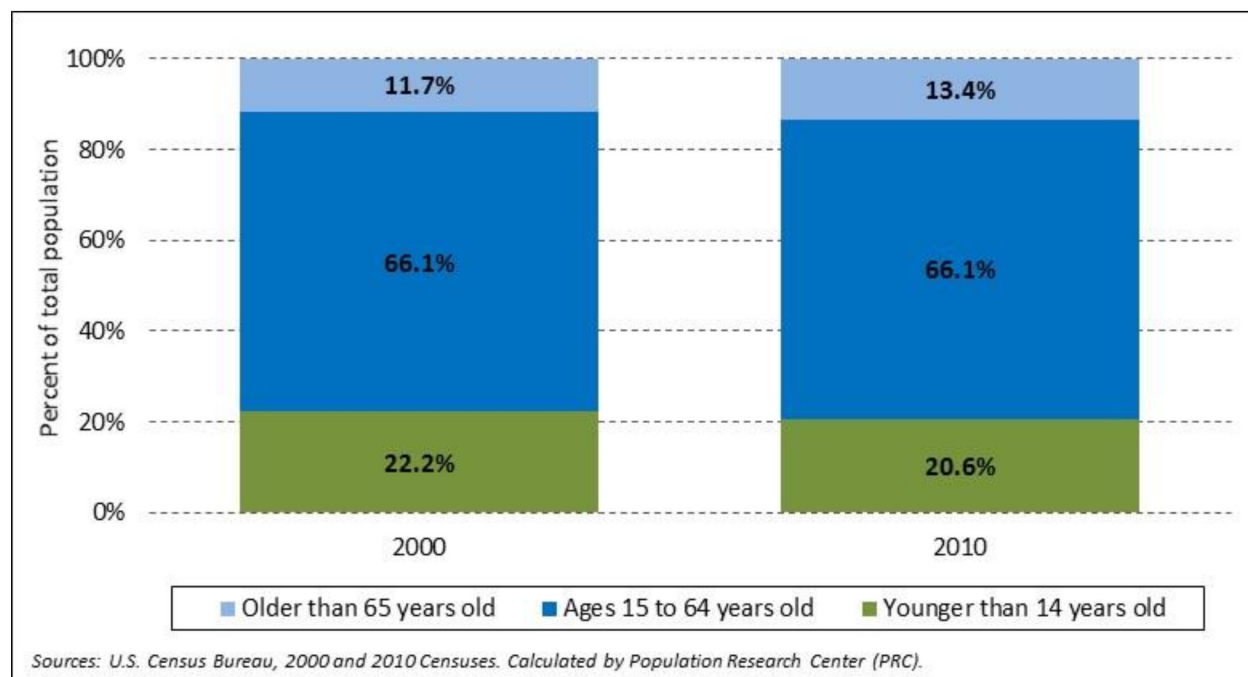
## Age Structure of the Population

Yamhill County's population is aging at a pace similar to other areas across Oregon. An aging population significantly influences the number of deaths but also yields a smaller proportion of women in their childbearing years, which may result in a decline in births. For Yamhill County this has not been true. Births increased, in spite of the slight rise in the proportion of county population 65 or older between 2000 and 2010 (**Figure 4**). Further underscoring Yamhill County's modest trend in aging, the median age went from 34.1 in 2000 to 36.8 in 2010 and 37.5 in 2015, an increase that is only slightly higher than that observed statewide and other Region 3 counties over the same time period.<sup>2</sup>

<sup>1</sup> When considering growth rates and population growth overall, it should be noted that a slowing of growth rates does not necessarily correspond to a slowing of population growth in absolute numbers. For example, if a UGB with a population of 100 grows by another 100 people, it has doubled in population. If it then grows by another 100 people during the next year, its relative growth is half of what it was before even though absolute growth stays the same.

<sup>2</sup> Median age is sourced from the U.S. Census Bureau's 2000 and 2010 Censuses and 2011-2015 ACS 5-year Estimates.

**Figure 4. Yamhill County—Age Structure of the Population (2000 and 2010)**



## Race and Ethnicity

While the statewide population is aging, another demographic shift is occurring across Oregon—minority populations are growing as a share of total population. A growing minority population affects both the number of births and average household size. The Hispanic population within Yamhill County increased significantly, going from a 10.6 percent share of Yamhill’s total population in 2000 to almost 15 percent in 2010 (Figure 5). The White, non-Hispanic population also increased, however, their share of Yamhill’s total population decreased from a little over 89 percent to 85 percent between 2000 and 2010. This increase in the Hispanic population and other minority populations brings with it several implications for future population change. First, both nationally and at the state level, fertility rates among Hispanic and minority women tend to be higher than among White, non-Hispanic women. However, it is important to note recent trends show these rates are quickly decreasing. Second, Hispanic and minority households tend to be larger relative to White, non-Hispanic households.

**Figure 5. Yamhill County—Hispanic or Latino and Race (2000 and 2010)**

| Hispanic or Latino and Race                      | 2000          |               | 2010          |               | Absolute Change | Relative Change |
|--|---------------|---------------|---------------|---------------|-----------------|-----------------|
| <i>Total population</i>                          | <i>84,992</i> | <i>100.0%</i> | <i>99,193</i> | <i>100.0%</i> | <i>14,201</i>   | <i>16.7%</i>    |
| Hispanic or Latino                               | 9,017         | 10.6%         | 14,592        | 14.7%         | 5,575           | 61.8%           |
| Not Hispanic or Latino                           | 75,975        | 89.4%         | 84,601        | 85.3%         | 8,626           | 11.4%           |
| White alone                                      | 71,684        | 84.3%         | 78,448        | 79.1%         | 6,764           | 9.4%            |
| Black or African American alone                  | 592           | 0.7%          | 784           | 0.8%          | 192             | 32.4%           |
| American Indian and Alaska Native alone          | 1,134         | 1.3%          | 1,272         | 1.3%          | 138             | 12.2%           |
| Asian alone                                      | 889           | 1.0%          | 1,418         | 1.4%          | 529             | 59.5%           |
| Native Hawaiian and Other Pacific Islander alone | 91            | 0.1%          | 163           | 0.2%          | 72              | 79.1%           |
| Some Other Race alone                            | 76            | 0.1%          | 143           | 0.1%          | 67              | 88.2%           |
| Two or More Races                                | 1,509         | 1.8%          | 2,373         | 2.4%          | 864             | 57.3%           |

*Sources: U.S. Census Bureau, 2000 and 2010 Censuses.*

## Births

Historical fertility rates for Yamhill County generally mirror the decreasing trend of fertility rates in Oregon as a whole (**Figure 6**). At the same time, fertility for women over 30 years of age remained the same for Yamhill County while rates for women under 30 years of age declined (**Figure 7** and **Figure 8**). As **Figure 7** and **Figure 8** demonstrate, fertility rates for younger women in Yamhill County and Oregon are lower in 2010 compared to earlier decades, explaining why total fertility rates have dropped in the county as a whole. Both Yamhill County and Oregon as a whole have fertility rates below replacement level fertility, though the county experienced a steeper drop than the state.

**Figure 6. Yamhill County and Oregon—Total Fertility Rates (2000 and 2010)**

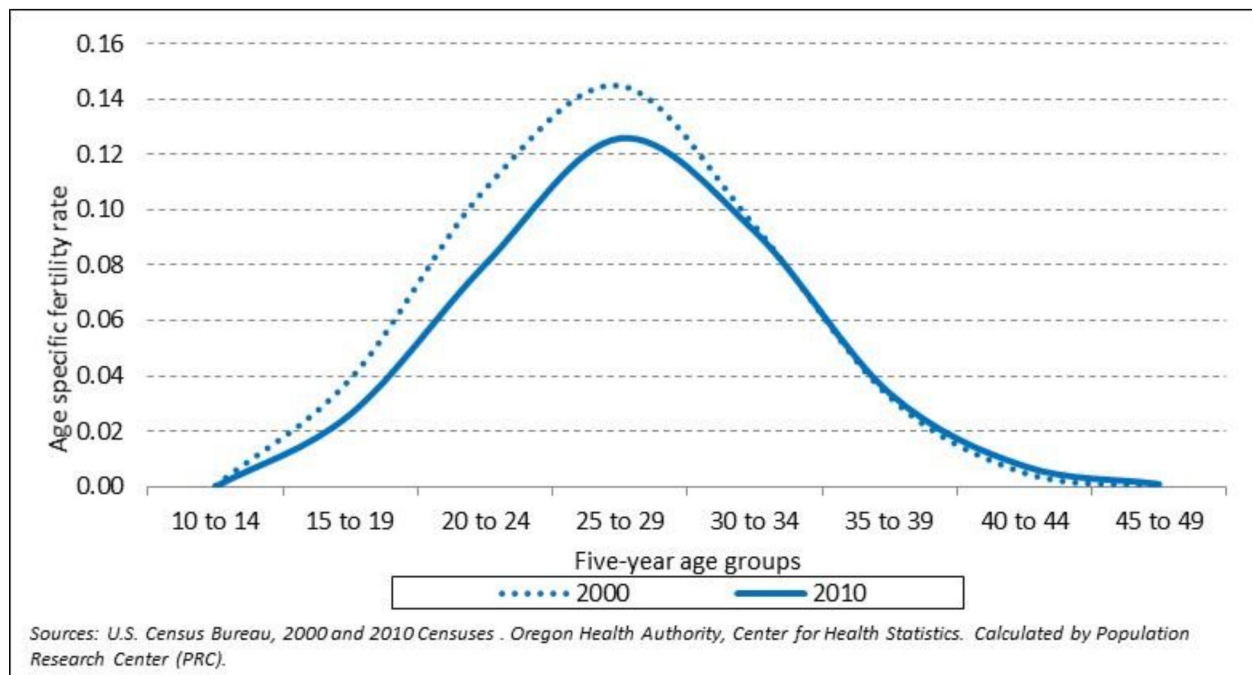
|                       | 2000 | 2010 |
|-----------------------|------|------|
| <b>Yamhill County</b> | 2.12 | 1.83 |
| <b>Oregon</b>         | 1.98 | 1.80 |

*Sources: U.S. Census Bureau, 2000 and 2010 Censuses.*

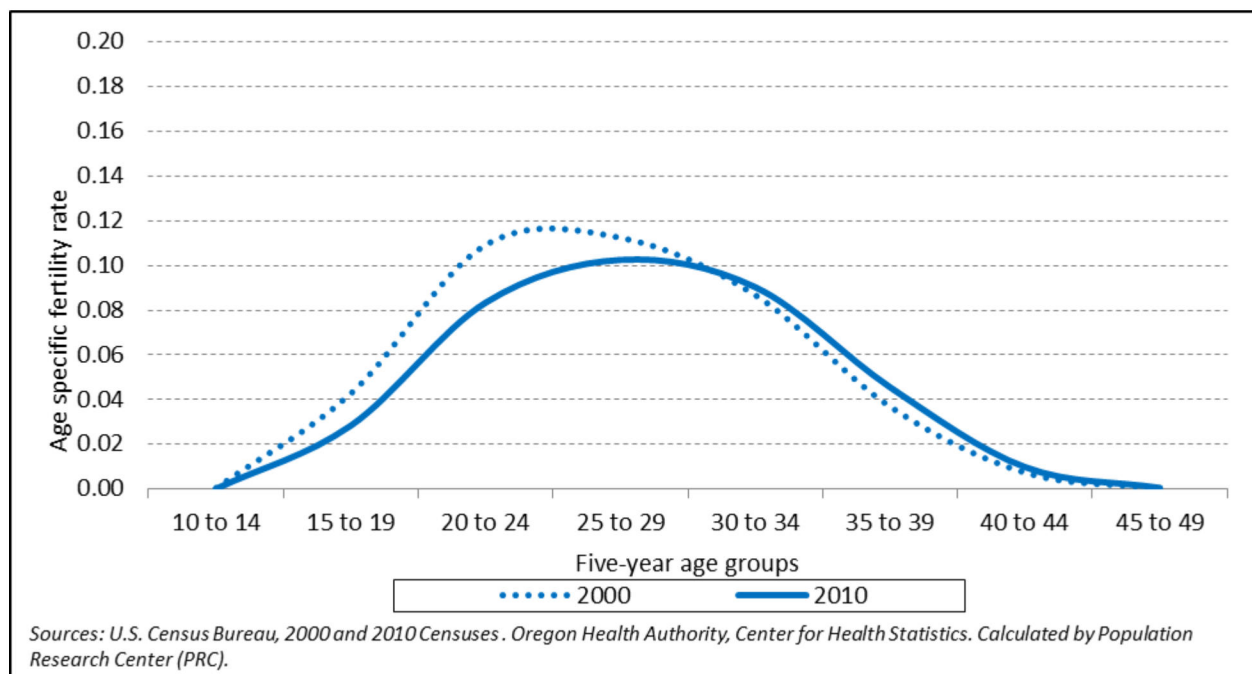
*Oregon Health Authority, Center for Health Statistics.*

*Calculated by Population Research Center (PRC).*

**Figure 7. Yamhill County—Age Specific Fertility Rate (2000 and 2010)**



**Figure 8. Oregon—Age Specific Fertility Rate (2000 and 2010)**



**Figure 9** shows the number of births by the area in which the mother resides. Note that the number of births fluctuates from year to year. For example, a sub-area with an increase in births between two



years could easily show a decrease for a different time period. The county and all of its sub-areas, except Newberg, recorded fewer births in 2010 than in 2000 (**Figure 9**).

**Figure 9. Yamhill County and Sub-Areas—Total Births (2000 and 2010)**

|                       | 2000 | 2010 | Absolute Change | Relative Change | Share of County 2000 | Share of County 2010 |
|-----------------------|------|------|-----------------|-----------------|----------------------|----------------------|
| <i>Yamhill County</i> | 1238 | 1155 | -83             | -6.7%           | 100.0%               | 100.0%               |
| McMinnville           | 418  | 406  | -12             | -2.9%           | 33.8%                | 35.2%                |
| Newberg               | 287  | 303  | 16              | 5.6%            | 23.2%                | 26.2%                |
| Outside UGBs          | 193  | 167  | -26             | -13.5%          | 15.6%                | 14.5%                |
| Smaller UGBs          | 340  | 279  | -61             | -17.9%          | 27.5%                | 24.2%                |

Sources: Oregon Health Authority, Center for Health Statistics. Aggregated by Population Research Center (PRC).

Note: Smaller UGBs are those with populations less than 7,000 in forecast launch year.

## Deaths

Though Yamhill County's population is aging, life expectancy slightly increased in the 2000s.<sup>3</sup> For Yamhill County in 2000, life expectancy for males was 77 years and for females was 81 years. By 2010, life expectancy slightly increased for both males and females to 78 and 82 years, respectively. For both the county and Oregon, the survival rates changed little between 2000 and 2010—underscoring the fact that mortality is the most stable component, relative to birth and migration rates, of population change. Even so, the total number of countywide deaths increased as the county population increased (**Figure 10**).

**Figure 10. Yamhill County and Sub-Areas—Total Deaths (2000 and 2010)**

|                       | 2000 | 2010 | Absolute Change | Relative Change | Share of County 2000 | Share of County 2010 |
|-----------------------|------|------|-----------------|-----------------|----------------------|----------------------|
| <i>Yamhill County</i> | 614  | 735  | 121             | 19.7%           | 100.0%               | 100.0%               |
| McMinnville           | 204  | 304  | 100             | 49.0%           | 33.2%                | 41.4%                |
| Newberg               | 168  | 170  | 2               | 1.2%            | 27.4%                | 23.1%                |
| Outside UGBs          | 224  | 177  | -47             | -21.0%          | 36.5%                | 24.1%                |
| Smaller UGBs          | 18   | 84   | 66              | 366.7%          | 2.9%                 | 11.4%                |

Sources: Oregon Health Authority, Center for Health Statistics. Aggregated by Population Research Center (PRC).

Note: All other areas includes all smaller UGBs (those with populations less than 7,000) and the area outside UGBs. Detailed, point level death data were unavailable for 2000, thus PRC was unable to assign deaths to some UGBs.

## Migration

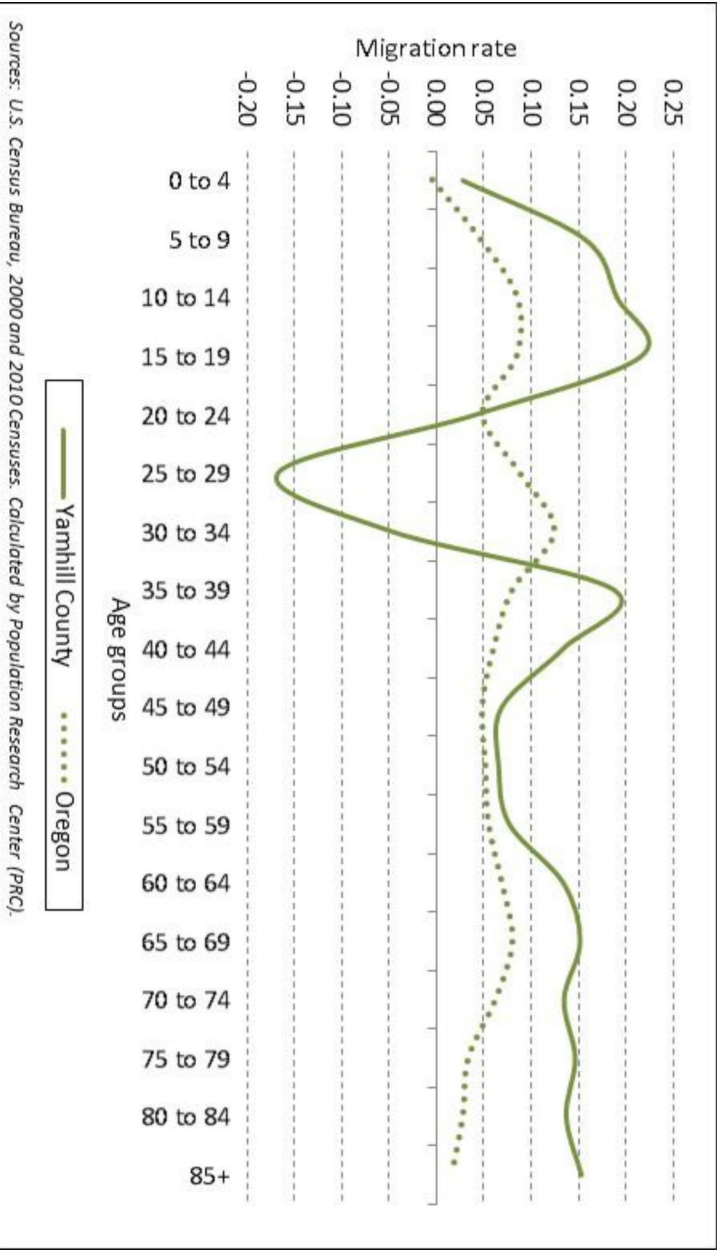
The propensity to migrate is strongly linked to age and stage of life. As such, age-specific migration rates are critically important for assessing these patterns across five-year age cohorts. **Figure 11** shows the

<sup>3</sup> Researchers have found evidence for a widening rural-urban gap in life expectancy; life expectancy declined for some rural areas in Oregon during the 2000's. This gap is particularly apparent between race and income groups and may be one explanation for the decline in life expectancy in the 2000s. See the following research article for more information. Singh, Gopal K., and Mohammad Siahpush. "Widening rural-urban disparities in life expectancy, US, 1969-2009." *American Journal of Preventative Medicine* 46, no. 2 (2014): e19-e29.

historical age-specific migration rates by five-year age group, both for Yamhill County and for Oregon. The migration rate is shown as the number of net in/out migrants per person by age group.

From 2000 to 2010, younger individuals (ages with the highest mobility levels) moved out of the county. This out-migration of young adults is a trend typical of most Oregon counties. At the same time however, the county attracted a substantial number of retirees and middle aged migrants, accompanied by their children, in search of housing and employment.

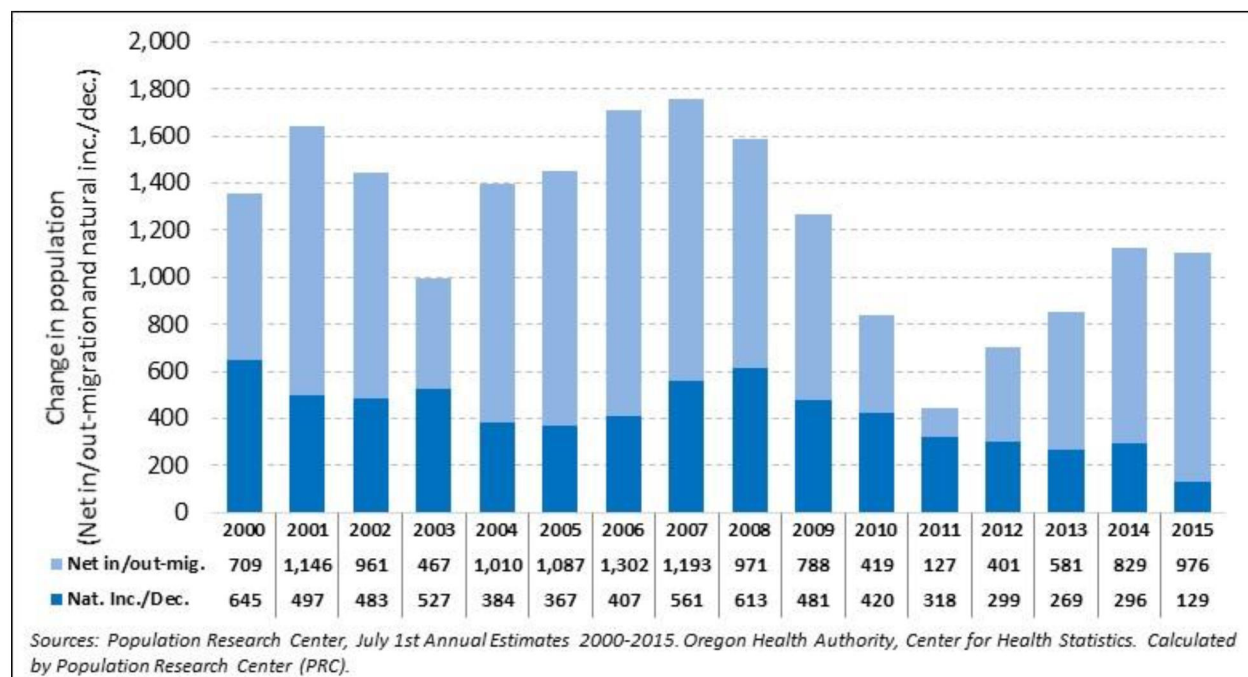
**Figure 11. Yamhill County and Oregon—Age Specific Migration Rates (2000-2010)**



### Historical Trends in Components of Population Change

In summary, Yamhill County's positive population growth during the 2000s was the result of steady natural increase and periods of substantial net in-migration (Figure 12). The larger number of births relative to deaths has led to natural increase (more births than deaths) in every year from 2000 to 2015. While net in-migration fluctuated dramatically during the early and middle years of the last decade, the number of in-migrants has risen during recent years, contributing to population increase. Even so, historical trends show that net in-migration accounted for most of the population growth.

**Figure 12. Yamhill County—Components of Population Change (2000-2015)**



## Housing and Households

The total number of housing units in Yamhill County increased rapidly during the middle years of this last decade (2000 to 2010), but this growth slowed with the onset of the Great Recession in 2008. During the 2000 to 2010 period, the total number of housing units increased by about 22 percent countywide; this was nearly 7,000 new housing units (**Figure 13**). McMinnville and Newberg combined captured the majority of the county's new housing units in the 2000s. In terms of relative housing growth, Lafayette grew the most during the 2000s; its total housing stock increased by 48 percent (427 housing units) by 2010.

The rates of increase in the number of total housing units in the county, UGBs, and area outside UGBs are similar to the growth rates of their corresponding populations. Housing growth rates may slightly from population growth rates because (1) the number of total housing units are smaller than the numbers of people; (2) the UGB has experienced changes in the average number of persons per household; or (3) occupancy rates have changed (typically most pronounced in coastal locations with vacation-oriented housing). However, the patterns of population and housing change in the Yamhill County are relatively similar.

**Figure 13. Yamhill County and Sub-Areas—Total Housing Units (2000 and 2010)**

|                       | 2000   | 2010   | AAGR<br>(2000-2010) | Share of<br>County 2000 | Share of<br>County 2010 |
|-----------------------|--------|--------|---------------------|-------------------------|-------------------------|
| <i>Yamhill County</i> | 30,270 | 37,110 | 2.1%                | 100.0%                  | 100.0%                  |
| Amity                 | 497    | 576    | 1.5%                | 1.6%                    | 1.6%                    |
| Carlton               | 578    | 769    | 2.9%                | 1.9%                    | 2.1%                    |
| Dayton                | 699    | 904    | 2.6%                | 2.3%                    | 2.4%                    |
| Dundee                | 974    | 1,175  | 1.9%                | 3.2%                    | 3.2%                    |
| Gaston (Yamhill)      | 47     | 58     | 2.1%                | 0.2%                    | 0.2%                    |
| Lafayette             | 888    | 1,315  | 4.0%                | 2.9%                    | 3.5%                    |
| McMinnville           | 9,913  | 12,526 | 2.4%                | 32.7%                   | 33.8%                   |
| Newberg               | 6,616  | 8,444  | 2.5%                | 21.9%                   | 22.8%                   |
| Sheridan              | 1,392  | 1,699  | 2.0%                | 4.6%                    | 4.6%                    |
| Willamina (Yamhill)   | 438    | 439    | 0.0%                | 1.4%                    | 1.2%                    |
| Yamhill               | 268    | 375    | 3.4%                | 0.9%                    | 1.0%                    |
| Outside UGBs          | 7,960  | 8,830  | 1.0%                | 26.3%                   | 23.8%                   |

*Sources: U.S. Census Bureau, 2000 and 2010 Censuses.*

*Note: For simplicity each UGB is referred to by its primary city's name.*

Occupancy rates tend to fluctuate more than PPH. This is particularly true in smaller UGBs where fewer housing units allow for larger changes (in relative terms) to occupancy rates. From 2000 to 2010 the occupancy rate in Yamhill County declined slightly; this was most likely due to slack in demand for housing as individuals experienced the effects of the Great Recession (**Figure 14**). Most sub-areas experienced similar declines in occupancy rates, while only the Yamhill County portion of Gaston recorded an increase during the 2000s.

Average household size, or persons per household (PPH), in Yamhill County was 2.7 in 2010, a slight drop from 2000 (**Figure 14**). Yamhill County's PPH in 2010 was slightly higher than for Oregon as a whole, which had a PPH of 2.5. Average household size varied across the 12 UGBs, with all of them falling between two and three PPH.



**Figure 14. Yamhill County and Sub-Areas—Persons per Household (PPH) and Occupancy Rate**

|                       | Persons Per Household (PPH) |      |                     | Occupancy Rate |       |                     |
|-----------------------|-----------------------------|------|---------------------|----------------|-------|---------------------|
|                       | 2000                        | 2010 | Change<br>2000-2010 | 2000           | 2010  | Change<br>2000-2010 |
| <i>Yamhill County</i> | 2.8                         | 2.7  | -0.1                | 94.9%          | 93.6% | -1.3%               |
| Amity                 | 3.1                         | 3.0  | -0.1                | 95.2%          | 93.8% | -1.4%               |
| Carlton               | 2.8                         | 2.9  | 0.1                 | 93.4%          | 91.3% | -2.1%               |
| Dayton                | 3.3                         | 3.2  | -0.1                | 97.3%          | 94.6% | -2.7%               |
| Dundee                | 2.8                         | 2.8  | -0.1                | 96.8%          | 96.7% | -0.1%               |
| Gaston (Yamhill)      | 2.8                         | 2.7  | 0.0                 | 85.1%          | 98.3% | 13.2%               |
| Lafayette             | 3.1                         | 3.1  | 0.0                 | 94.7%          | 91.9% | -2.8%               |
| McMinnville           | 2.7                         | 2.6  | 0.0                 | 95.3%          | 94.2% | -1.0%               |
| Newberg               | 2.8                         | 2.7  | -0.1                | 94.8%          | 93.7% | -1.2%               |
| Sheridan              | 2.8                         | 2.8  | 0.0                 | 92.7%          | 92.4% | -0.3%               |
| Willamina (Yamhill)   | 2.8                         | 3.0  | 0.2                 | 92.5%          | 90.0% | -2.5%               |
| Yamhill               | 3.1                         | 2.9  | -0.3                | 95.9%          | 94.1% | -1.8%               |
| Outside UGBs          | 2.8                         | 2.7  | -0.2                | 94.8%          | 92.8% | -2.0%               |

*Sources: U.S. Census Bureau, 2000 and 2010 Censuses.*

*Note: For simplicity each UGB is referred to by its primary city's name.*

## Assumptions for Future Population Change

Evaluating past demographic trends provides clues about what the future will look like and helps determine the most likely scenarios for population change. Past trends also explain the dynamics of population growth specific to local areas. Relating recent and historical population change to events that influence population change serves as a gauge for what might realistically occur in a given area over the long-term. Our forecast period is 2017-2067.

Assumptions about fertility, mortality, and migration were developed for Yamhill County's overall population forecast and for each of its larger sub-areas.<sup>4</sup> The assumptions are derived from observations based on life events, as well as trends unique to Yamhill County and its larger sub-areas. Yamhill County sub-areas falling into this category include McMinnville and Newberg.

Population change for smaller sub-areas is determined by the change in the number of total housing units, occupancy rates, and PPH. Assumptions around housing unit growth as well as occupancy rates are derived from observations of historical building patterns and current plans for future housing development. In addition, assumptions for PPH are based on observed historical patterns of household demographics—for example the average age of householder. Yamhill County sub-areas falling into this category include Amity, Carlton, Dayton, Dundee, Lafayette, Sheridan, Yamhill (city), and the Yamhill County portions of Gaston and Willamina.

### Assumptions for the County and Larger Sub-Areas

During the forecast period, the population in Yamhill County is expected to age more quickly during the first half of the forecast period, then remain relatively stable over the forecast horizon. Fertility rates are expected to remain stable throughout the forecast period. Total fertility in Yamhill County was 1.76 children per woman during the 2010-15 period, and we forecast a slight uptick to 1.78 children per woman for the duration of the forecast. TFR for the county's larger sub-areas are expected to be relatively stable as well.

Changes in mortality and life expectancy are more stable compared to fertility and migration. The county and larger sub-areas are projected to follow the statewide trend of increasing life expectancy throughout the forecast period—progressing from a life expectancy of 80 years in 2010 to 87 in 2060. However, in spite of increasing life expectancy and the corresponding increase in survival rates, Yamhill County's aging population will increase the overall number of deaths throughout the forecast period. Larger sub-areas within the county will experience a similar increase in deaths as their populations age.

Migration is the most volatile and challenging demographic component to forecast due to the many factors influencing migration patterns. Economic, social, and environmental factors—such as employment, educational opportunities, housing availability, family ties, cultural affinity, climate

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<sup>4</sup> County sub-areas with populations greater than 7,000 in the forecast launch year were forecast using the cohort-component method. County sub-areas with populations less than 7,000 in forecast launch year were forecast using the housing-unit method. See Glossary of Key Terms at the end of this report for a brief description of these methods or refer to the *Methods* document for a more detailed description of these forecasting techniques.

change, and natural amenities—occurring both inside and outside the study area can affect both the direction and the volume of migration.

We assume net migration rates will change in line with historical trends unique to Yamhill County. Net out-migration of younger persons and net in-migration of retirees, middle-aged individuals, and their children will persist throughout the forecast period. Countywide average annual net in-migration is expected to increase from 600 net in-migrants in 2015 to roughly 1,700 net in-migrants in 2035. Over the last 30 years of the forecast period average annual net in-migration is expected to be more steady, remaining at about 1,750 net in-migrants through 2065.

### **Assumptions for Smaller Sub-Areas**

Rates of population growth for the smaller UGBs are determined by corresponding growth in the number of housing units, as well as by changes in housing occupancy rates and PPH. The change in housing unit growth is much more variable than change in housing occupancy rates or PPH.

Occupancy rates and PPH are assumed to stay relatively stable over the forecast period. Smaller household size is associated with an aging population in Yamhill County and its sub-areas.

In addition, for sub-areas experiencing population growth we assume a higher growth rate in the near-term, with growth stabilizing over the remainder of the forecast period. If planned housing units were reported in the surveys, then we account for them being constructed over the next 5-15 years or as specified by city officials. Finally, for county sub-areas where population growth has been flat or declined and there is no planned housing construction, we hold population growth mostly stable with little to no change.

## Forecast Trends

Under the most-likely population growth scenario for Yamhill County, countywide and sub-area populations are expected to increase over the forecast period. The countywide population growth rate is forecast to peak in 2020 and then slowly decline for the remainder of the forecast period. A reduction in population growth rates is driven by both (1) an aging population—contributing to steady increase in deaths — as well as (2) the expectation of relatively stable in-migration over the second half of the forecast period. The combination of these factors will likely result in population growth rates slowing as time progresses.

Yamhill County’s total population is forecast to grow by a little more than 70,000 persons from 2017 to 2067, which translates into a total countywide population of 177,170 in 2067 (**Figure 15**). The population is forecast to grow at the highest rate—just below one and a half percent per year—in the near-term (2017-2025). This anticipated population growth in the near-term is based on three core assumptions: (1) Yamhill County’s economy will continue to strengthen in the next 10 years; (2) middle-aged persons will continue migrating into the county—bringing their families or having more children; and (3) empty nesters and retirees will continue migrating into the county, thus increasing deaths. The largest component of growth in this initial period is net in-migration. Over 1,300 more births than deaths are forecast for the 2017 to 2025 period. At the same time roughly 13,000 net in-migrants are also forecast, combining with a diminishing natural increase for continued population growth.

**Figure 15. Yamhill County—Total Forecast Population by Five-year Intervals (2017-2067)**



Yamhill County’s two largest UGBs—McMinnville and Newberg—are forecast to experience a combined population growth of nearly 20,000 from 2017 to 2035 and nearly 37,000 from 2035 to 2067 (**Figure 16**). McMinnville is expected to increase by 9,829 persons from 2017 to 2035 (1.4% AAGR), growing from a



total population of 34,293 in 2017 to 44,122 in 2035. Newberg’s population is expected to increase at a slightly faster rate (1.9% AAGR), growing from 24,296 persons in 2017 to 34,021 in 2035. McMinnville and Newberg are forecast to grow more slowly during the second part of the forecast period at 1.1 and 1.3 percent, respectively. We expect both sub-areas to capture increasing shares of the county’s total population.

Population outside UGBs is expected to grow by more than 3,700 people from 2017 to 2035, but is expected to decline during the second half of the forecast period, losing roughly 1,000 people from 2035 to 2067. The population of the area outside UGBs is forecast to decline as a share of total countywide population over the forecast period, composing 21 percent of the countywide population in 2017 and less than 19 percent in 2067.

**Figure 16. Yamhill County and Larger Sub-Areas—Forecast Population and AAGR**

|                       | 2017    | 2035    | 2067    | AAGR<br>(2017-2035) | AAGR<br>(2035-2067) | Share of<br>County 2017 | Share of<br>County 2035 | Share of<br>County 2067 |
|-----------------------|---------|---------|---------|---------------------|---------------------|-------------------------|-------------------------|-------------------------|
| <i>Yamhill County</i> | 106,555 | 135,096 | 177,170 | 1.3%                | 0.9%                | 100.0%                  | 100.0%                  | 100.0%                  |
| McMinnville UGB       | 34,293  | 44,122  | 62,804  | 1.4%                | 1.1%                | 32.2%                   | 32.7%                   | 35.4%                   |
| Newberg UGB           | 24,296  | 34,021  | 52,135  | 1.9%                | 1.3%                | 22.8%                   | 25.2%                   | 29.4%                   |
| Outside UGBs          | 25,132  | 28,880  | 27,812  | 0.8%                | -0.1%               | 23.6%                   | 21.4%                   | 15.7%                   |
| Smaller UGBs          | 22,834  | 28,073  | 34,419  | 1.2%                | 0.6%                | 21.4%                   | 20.8%                   | 19.4%                   |

*Source: Forecast by Population Research Center (PRC)*

*Note: Smaller UGBs are those with populations less than 7,000 in forecast launch year.*

McMinnville and Newberg combined are expected to capture the majority of total countywide population growth throughout the forecast period (**Figure 17**). Additionally, the share of the county’s growth is expected to increase for both sub-areas, growing from 68 percent during the first 18 years of the forecast (2017-2035) to 85 percent during the 32 year remainder (2035-2067).

**Figure 17. Yamhill County and Larger Sub-Areas—Share of Countywide Population Growth**

|                       | 2017-2035 | 2035-2067 |
|-----------------------|-----------|-----------|
| <i>Yamhill County</i> | 100.0%    | 100.0%    |
| McMinnville UGB       | 34.4%     | 43.3%     |
| Newberg UGB           | 34.1%     | 42.0%     |
| Outside UGBs          | 13.1%     | 0.0%      |
| Smaller UGBs          | 18.4%     | 14.7%     |

*Source: Forecast by Population Research Center (PRC)*

*Note: Smaller UGBs are those with populations less than 7,000 in forecast launch year.*

The remaining smaller UGBs are expected to grow by a combined number of about 5,200 persons from 2017 to 2035, with a combined average annual growth rate of more than one percent (**Figure 16**). This growth rate is due to rapid growth expected in many of the smaller UGBs (**Figure 18**). Carlton, Dundee, Lafayette, and Yamhill (city) sub-areas are expected to grow above one percent annually from 2017 to 2035. Similar to the larger UGBs and the county, population growth rates are forecast to decline for the

second half of the forecast period (2035 to 2067). During that time period we expect the smaller sub-areas to collectively add 6,300 people.

**Figure 18. Yamhill County and Smaller Sub-Areas—Forecast Population and AAGR**

|                         | 2017    | 2035    | 2067    | AAGR<br>(2017-2035) | AAGR<br>(2035-2067) | Share of<br>County 2017 | Share of<br>County 2035 | Share of<br>County 2067 |
|-------------------------|---------|---------|---------|---------------------|---------------------|-------------------------|-------------------------|-------------------------|
| <i>Yamhill County</i>   | 106,555 | 135,096 | 177,170 | 1.3%                | 0.9%                | 100.0%                  | 100.0%                  | 100.0%                  |
| Amity UGB               | 1,642   | 1,910   | 2,276   | 0.8%                | 0.5%                | 1.5%                    | 1.4%                    | 1.3%                    |
| Carlton UGB             | 2,229   | 3,013   | 3,998   | 1.7%                | 0.9%                | 2.1%                    | 2.2%                    | 2.3%                    |
| Dayton UGB              | 2,837   | 3,200   | 3,761   | 0.7%                | 0.5%                | 2.7%                    | 2.4%                    | 2.1%                    |
| Dundee UGB              | 3,243   | 4,570   | 6,697   | 1.9%                | 1.2%                | 3.0%                    | 3.4%                    | 3.8%                    |
| Gaston UGB (Yamhill)    | 157     | 159     | 161     | 0.1%                | 0.0%                | 0.1%                    | 0.1%                    | 0.1%                    |
| Lafayette UGB           | 4,083   | 5,717   | 6,937   | 1.9%                | 0.6%                | 3.8%                    | 4.2%                    | 3.9%                    |
| Sheridan UGB            | 6,340   | 6,893   | 7,560   | 0.5%                | 0.3%                | 6.0%                    | 5.1%                    | 4.3%                    |
| Willamina UGB (Yamhill) | 1,227   | 1,272   | 1,360   | 0.2%                | 0.2%                | 1.2%                    | 0.9%                    | 0.8%                    |
| Yamhill UGB             | 1,077   | 1,338   | 1,671   | 1.2%                | 0.7%                | 1.0%                    | 1.0%                    | 0.9%                    |
| Outside UGBs            | 25,132  | 28,880  | 27,812  | 0.8%                | -0.1%               | 23.6%                   | 21.4%                   | 15.7%                   |
| Larger UGBs             | 58,589  | 78,143  | 114,939 | 1.6%                | 1.2%                | 55.0%                   | 57.8%                   | 64.9%                   |

Source: Forecast by Population Research Center (PRC)

Note: Larger UGBs are those with populations equal to or greater than 7,000 in forecast launch year.

Yamhill County's smaller sub-areas are expected to compose roughly 18 percent of countywide population growth in the first 18 years of the forecast period and about 15 percent in the final 32 years (Figure 17). Dundee is expected to capture an increasing share of countywide growth, while the shares of the other smaller sub-areas are expected to remain stable or decline (Figure 19).

**Figure 19. Yamhill County and Smaller Sub-Areas—Share of Countywide Population Growth**

|                         | 2017-2035 | 2035-2067 |
|-------------------------|-----------|-----------|
| <i>Yamhill County</i>   | 100.0%    | 100.0%    |
| Amity UGB               | 0.9%      | 0.8%      |
| Carlton UGB             | 2.7%      | 2.3%      |
| Dayton UGB              | 1.3%      | 1.3%      |
| Dundee UGB              | 4.6%      | 4.9%      |
| Gaston UGB (Yamhill)    | 0.0%      | 0.0%      |
| Lafayette UGB           | 5.7%      | 2.8%      |
| Sheridan UGB            | 1.9%      | 1.5%      |
| Willamina UGB (Yamhill) | 0.2%      | 0.2%      |
| Yamhill UGB             | 0.9%      | 0.8%      |
| Outside UGBs            | 13.1%     | 0.0%      |
| Larger UGBs             | 68.5%     | 85.3%     |

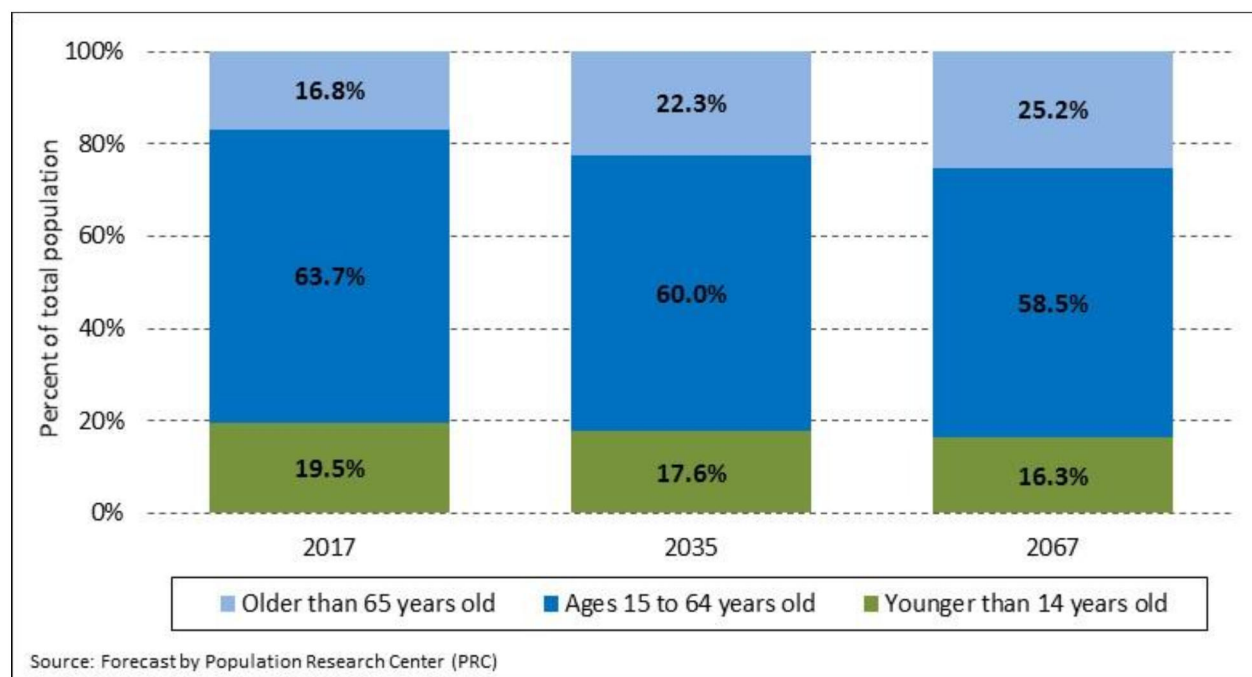
Source: Forecast by Population Research Center (PRC)

Note: Larger UGBs are those with populations equal to or greater than 7,000 in forecast launch year.

## Forecast Trends in Components of Population Change

As previously discussed, a key factor in increasing deaths is an aging population. From 2017 to 2035 the proportion of county population 65 or older is forecast to grow from roughly 17 percent to about 22 percent. However, the proportion of the population 65 or older is expected to increase slightly to 25 percent from 2035 to 2067 (**Figure 20**). For a more detailed look at the age structure of Yamhill County's population see the final forecast table published to the forecast program website (<http://www.pdx.edu/prc/opfp>).

**Figure 20. Yamhill County—Age Structure of the Population (2017, 2035, and 2067)**

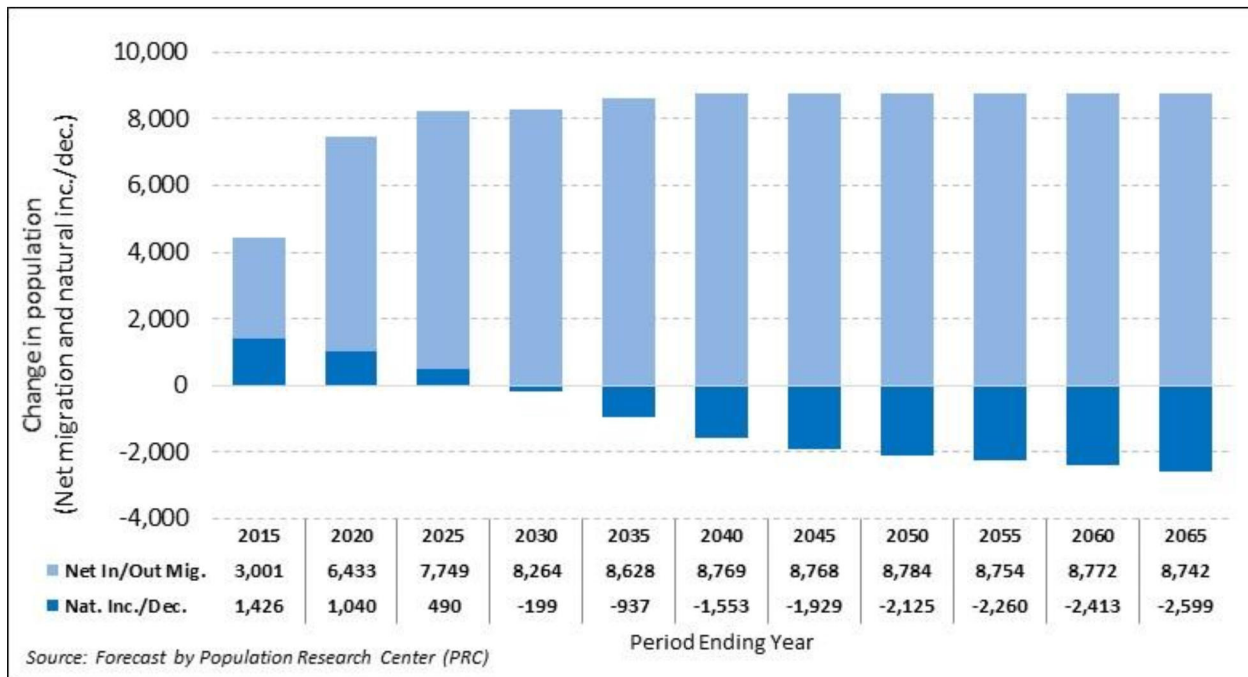


As the countywide population ages in the near-term—contributing to a slow-growing population of women in their years of peak fertility—and more women choose to have children at an older age, the increase in average annual births is expected to slow. This, combined with the rise in the number of deaths, is expected to cause natural increase to transition into a growing natural decrease (**Figure 21**).

Net in-migration is forecast to increase rapidly in the near-term and then remain relatively stable over the remainder of the forecast period. The majority of these net in-migrants are expected to be middle-aged individuals and children under the age of 19.

In summary, a declining natural increase and steady net in-migration are expected to lead to population growth reaching its peak in 2025 and then slightly tapering through the remainder of the forecast period (**Figure 21**). An aging population is expected to not only lead to an increase in deaths, but also in a smaller proportion of women in their childbearing years, likely resulting in a natural increase to transition to a natural decrease. Net in-migration is expected to remain relatively steady throughout the forecast period and will therefore offset a growing natural decrease.

**Figure 21. Yamhill County—Components of Population Change, 2015-2065**





# Glossary of Key Terms

**Cohort-Component Method:** A method used to forecast future populations based on changes in births, deaths, and migration over time.

**Coordinated population forecast:** A population forecast prepared for the county along with population forecasts for its urban growth boundary (UGB) areas and non-UGB area.

**Housing unit:** A house, apartment, mobile home or trailer, group of rooms, or single room that is occupied or is intended for occupancy.

**Housing-Unit Method:** A method used to forecast future populations based on changes in housing unit counts, vacancy rates, the average numbers of persons per household (PPH), and group quarter population counts.

**Occupancy rate:** The proportion of total housing units that are occupied by an individual or group of persons.

**Persons per household (PPH):** The average household size (i.e. the average number of persons per occupied housing unit).

**Replacement Level Fertility:** The average number of children each woman needs to bear in order to replace the population (to replace each male and female) under current mortality conditions in the U.S. This is commonly estimated to be 2.1 children per woman.

## Appendix A: Surveys and Supporting Information

Supporting information is based on planning documents and reports, and from submissions to PRC from city officials and staff, and other stakeholders. The information pertains to characteristics of each city area, and to changes thought to occur in the future. The cities of Amity, Carlton, Dayton, Dundee, Lafayette, Willamina and Yamhill did not submit survey responses.

| Amity — Yamhill County— NO RESPONSE  |  |   |                                  |                  |                |  |
|--|--|---|----------------------------------|------------------|----------------|--|
| Observations about Population Composition (e.g. about children, the elderly, racial ethnic groups) | Observations about Housing (including vacancy rates) | Planned Housing Development/ Est. Year Completion | Future Group quarters Facilities | Future Employers | Infrastructure | Promotions (Promos) and Hindrances (Hinders) to Population and Housing Growth; Other notes |
|  |  |   |                                  |                  |                | <p>Promos:</p> <p>Hinders:</p>   |

**Amity — Yamhill County— NO RESPONSE**

|   |     |
|---|-----|
| <b>Highlights or summary from planning documents of influences on or anticipation of population and housing growth (including any plans for UGB expansion and the stage in the expansion process)</b> | N/A |
| <b>Other information (e.g. planning documents, email correspondence, housing development survey)</b>  | N/A |

**Carlton — Yamhill County— NO RESPONSE**

| <b>Observations about Population Composition (e.g. about children, the elderly, racial ethnic groups)</b>  | <b>Observations about Housing (including vacancy rates)</b> | <b>Planned Housing Development/ Est. Year Completion</b> | <b>Future Group quarters Facilities</b> | <b>Future Employers</b> | <b>Infrastructure</b> | <b>Promotions (Promos) and Hindrances (Hinders) to Population and Housing Growth; Other notes</b> |
|--|---|--|---|-------------------------|-----------------------|---|
|  |   |  |   |                         |                       | <b>Promos:</b><br><br><b>Hinders:</b>   |
| <b>Highlights or summary from planning documents of influences on or anticipation of population and housing growth (including any plans for UGB expansion)</b> | N/A   |  |   |                         |                       |   |



**Carlton — Yamhill County— NO RESPONSE**

|   |     |
|---|-----|
| and the stage in the expansion process)   |     |
| Other information (e.g. planning documents, email correspondence, housing development survey) | N/A |

**Dayton — Yamhill County— NO RESPONSE**

| Observations about Population Composition (e.g. about children, the elderly, racial ethnic groups)  | Observations about Housing (including vacancy rates) | Planned Housing Development/ Est. Year Completion | Future Group quarters Facilities | Future Employers | Infrastructure | Promotions (Promos) and Hindrances (Hinders) to Population and Housing Growth; Other notes |
|---|--|---|----------------------------------|------------------|----------------|--|
|   |  |   |                                  |                  |                | <b>Promos:</b><br><br><b>Hinders:</b>  |
| Highlights or summary from planning documents of influences on or anticipation of population and housing growth (including any plans for UGB expansion) | N/A  |   |                                  |                  |                |  |

**Dayton — Yamhill County— NO RESPONSE**

|   |     |
|---|-----|
| and the stage in the expansion process)   |     |
| Other information (e.g. planning documents, email correspondence, housing development survey) | N/A |

**Dundee — Yamhill County— NO RESPONSE**

| <b>Observations about Population Composition (e.g. about children, the elderly, racial ethnic groups)</b>  | <b>Observations about Housing (including vacancy rates)</b> | <b>Planned Housing Development/ Est. Year Completion</b> | <b>Future Group quarters Facilities</b> | <b>Future Employers</b> | <b>Infrastructure</b> | <b>Promotions (Promos) and Hindrances (Hinders) to Population and Housing Growth; Other notes</b> |
|--|---|--|---|-------------------------|-----------------------|---|
|  |   |  |   |                         |                       | <b>Promos:</b><br><br><b>Hinders:</b>   |
| <b>Highlights or summary from planning documents of influences on or anticipation of population and housing growth (including any plans for UGB expansion)</b> | N/A   |  |   |                         |                       |   |



## Dundee — Yamhill County— NO RESPONSE

|   |     |
|---|-----|
| and the stage in the expansion process)   |     |
| Other information (e.g. planning documents, email correspondence, housing development survey) | N/A |

**Gaston — Yamhill County— NO RESPONSE**

| Observations about Population Composition (e.g. about children, the elderly, racial ethnic groups)  | Observations about Housing (including vacancy rates) | Planned Housing Development/ Est. Year Completion | Future Group quarters Facilities | Future Employers | Infrastructure | Promotions (Promos) and Hindrances (Hinders) to Population and Housing Growth; Other notes |
|---|--|---|----------------------------------|------------------|----------------|--|
|   |  |   |                                  |                  |                | <b>Promos:</b><br><br><b>Hinders:</b>  |
| Highlights or summary from planning documents of influences on or anticipation of population and housing growth (including any plans for UGB expansion) | N/A  |   |                                  |                  |                |  |

**Gaston — Yamhill County— NO RESPONSE**

|   |     |
|---|-----|
| and the stage in the expansion process)   |     |
| Other information (e.g. planning documents, email correspondence, housing development survey) | N/A |

**Lafayette — Yamhill County— NO RESPONSE**

| <b>Observations about Population Composition (e.g. about children, the elderly, racial ethnic groups)</b>  | <b>Observations about Housing (including vacancy rates)</b> | <b>Planned Housing Development/ Est. Year Completion</b> | <b>Future Group quarters Facilities</b> | <b>Future Employers</b> | <b>Infrastructure</b> | <b>Promotions (Promos) and Hindrances (Hinders) to Population and Housing Growth; Other notes</b> |
|--|---|--|---|-------------------------|-----------------------|---|
|  |   |  |   |                         |                       | <b>Promos:</b><br><br><b>Hinders:</b>   |
| <b>Highlights or summary from planning documents of influences on or anticipation of population and housing growth (including any plans for UGB expansion)</b> | N/A   |  |   |                         |                       |   |



**Lafayette — Yamhill County— NO RESPONSE**

|   |     |
|---|-----|
| and the stage in the expansion process)   |     |
| Other information (e.g. planning documents, email correspondence, housing development survey) | N/A |

## Mcminnville — Yamhill County— 2/27/2017

| Observations about Population Composition (e.g. about children, the elderly, racial ethnic groups) | Observations about Housing (including vacancy rates) | Planned Housing Development/ Est. Year Completion   | Future Group quarters Facilities | Future Employers | Infrastructure | Promotions (Promos) and Hindrances (Hinders) to Population and Housing Growth; Other notes |
|--|--|---|----------------------------------|------------------|----------------|--|
|  |  | There are 961 SFR/SFA units in the pipeline. Of those 961 planned units, the largest development is the Hillcrest Development expecting 441 detached and 50 attached SFR units. |                                  |                  |                | <p><b>Promos:</b></p> <p><b>Hinders:</b></p>   |
| Highlights or summary from planning documents of influences on or anticipation of population and   | N/A  |   |                                  |                  |                |  |

## **Mcminnville — Yamhill County— 2/27/2017**

|  |     |
|--|-----|
| <b>housing growth<br/>(including any plans<br/>for UGB expansion<br/>and the stage in the<br/>expansion process)</b>         |     |
| <b>Other information<br/>(e.g. planning<br/>documents, email<br/>correspondence,<br/>housing<br/>development<br/>survey)</b> | N/A |

## Newberg — Yamhill County— 11/17/2016

| Observations about Population Composition (e.g. about children, the elderly, racial ethnic groups)   | Observations about Housing (including vacancy rates)  | Planned Housing Development/ Est. Year Completion  | Future Group quarters Facilities  | Future Employers   | Infrastructure  | Promotions (Promos) and Hindrances (Hinders) to Population and Housing Growth; Other notes   |
|--|---|--|---|--|---|--|
| George Fox University continues to grow at a healthy rate, with many students now living off campus. Newberg has a large population of seniors, with persons over age 65 making up around 11% of the population. Median age has risen from 30 to | Vacancy rates within the city are extremely low, around 2% for rentals.<br><br>Housing costs have risen since the end of the Great Recession making it difficult for potential homeowners.<br><br>Homes in Newberg that in 2010 sold for \$170,000 to \$189,000 are now selling for between | The Springbrook Master Plan area encompasses approximately 450 acres and will accommodate 1,345 dwelling units when completed. Construction is likely to begin within the next 5 years. Approximately 190 large subdivisions | Friendsview Manor, a retirement community, has a master plan to add 175 multi-family units. Phase 1 of this project is currently underway, which will add 38 units to be completed in 2017. | Manufacturing continues to be a strong sector in the local economy. However, Newberg is facing a shortage of industrial land, which may be addressed through a UGB expansion effort that is likely to begin in the latter half of 2017. Healthcare services continue to be a strong sector of the local economy. Providence Newberg Medical Center has plans in development to construct a medical | City has good water and wastewater infrastructure. This should not be a limiting factor except where topographic constraints exist. For example, the area within the UGB along Chehalem Drive cannot currently be annexed and developed until sewer and water mainlines are | <b>Promos:</b> The City is actively planning for future growth, including a likely UGB expansion effort in the latter part of 2017. Newberg is completing a Downtown Improvement Plan geared at making downtown Newberg a thriving commercial core post-Bypass when some of the traffic, particularly large truck traffic, has been removed. Newberg has received a TGM grant to update the Riverfront Master Plan, which will look at best uses for the Riverfront area post-Bypass and post-mill. Proximity to |



## Newberg — Yamhill County— 11/17/2016

|   |   |   |   |  |   |  |
|---|---|---|---|--|---|--|
| <p>32. The Newberg Hispanic population is approximately 15% of the population, risen from 10% in 2000. Newberg continues to be a family friendly community, attracting families with children. Newberg continues to be predominantly white. Because of Newberg's proximity to the Portland Metro area and other job centers, people continue to move to Newberg while</p> | <p>\$242,000 and \$275,000.</p> <p>A modest 1200 square foot home in Newberg will cost \$280,000 to build and sell today (land \$90,000, City fees \$30,000, build cost \$120,000, realtor fees \$14,000 and profit/overhead \$26,000).</p> <p>Affordable housing continues to be an important issue. There is very little multifamily land to develop. The existing stock of housing for low income families is static and there is a competition between low income families and George Fox University students</p> | <p>have recently been approved, with more properties either having Preapplication meetings about annexation and subdivision or beginning the annexation process. These properties are located in north Newberg and make up the bulk of the UGB area along the northern city limits line between Chehalem Drive and Terrace Drive. A 6 acre property was rezoned for</p> | <p>George Fox University has a 20 year master plan which includes future dormitory housing but the timing is unknown.</p> | <p>office building on their campus and discussions are underway on additional medical office space within the community. The City is in discussions with Veterans Affairs and Oregon Department of Human Services on facilities and services to serve the Newberg community.</p> <p>Newberg has adopted an Economic Development Strategy which focuses on retaining and expanding existing industrial and commercial business along with attracting new commercial and industrial businesses to the community. The City is coordinating recruitment activities with Business Oregon,</p> | <p>extended north from the Hwy 240 pump station – this is a significant infrastructure project that will likely take an LID or a large development funded effort to complete.</p> <p>The Phase 1 Bypass is under construction and slated to be finished in 2017. Newberg has good electricity and natural gas infrastructure. Newberg schools have been expanded and upgraded</p> | <p>the Portland Metropolitan area makes Newberg an attractive location for those desiring to live with a small city ambience but close to big city amenities. It also is attractive to businesses who want to expand without Metro regulations/taxes/traffic.</p> <p>Newberg has high quality of life: good parks, schools, access to the Willamette, a high quality golf course, a great downtown, access to Oregon's Wine Country.</p> <p>Newberg has a supply of ready to go residential land.</p> <p><b>Hinders:</b> Land use laws and appeals have and are likely to continue to thwart economic opportunities. Previous UGB expansion efforts have been met with</p> |
|---|---|---|---|--|---|--|

## Newberg — Yamhill County— 11/17/2016

|  |   |   |  |  |  |  |
|--|---|---|--|--|--|--|
| commuting out to jobs in other locations, particularly as housing prices in the Portland Metro area rise higher than the outlying areas. | <p>for affordable housing.</p> <p>The current waiting list for subsidized housing is 2 to 4 years for elderly or handicapped applicants; years longer for others.</p> <p>A Housing Task Force has been formed to address the housing affordability issue within the community. Under discussion are hostels, dormitories, tiny homes, cottages, seniors, farmworker, artist and disabled housing.</p> | <p>high density residential in 2015; this property could accommodate a maximum of 147 dwelling units.</p> <p>About 360 additional SFR units are in the pre-application phase looking for annexations or subdivisions.</p> |  | <p>Strategic economic Development Corporation and Greater Portland Inc. Examples of new commercial businesses are Black Bear Diner, Starbucks, AT&amp;T, Growler House. Industrial development growth has occurred through employee hires at facilities such as A-dec and A.R.E. Manufacturing.</p> <p>The Chehalem Valley Innovation Accelerator has been established to assist technology based entrepreneurs start businesses. Two tenants are located in the facility.</p> <p>Tourism continues to be a strong sector of the local economy and is supported by the</p> | <p>consistently to meet needs.</p> <p>The City is in the final stages of updating its Transportation System Plan and it is scheduled to be adopted in December 2016. The Newberg-Dundee Bypass is under construction and scheduled to be open in December 2017. The City is in discussions on a Transportation Utility Fee to address the maintenance of our roadway infrastructure.</p> | <p>significant opposition from outside groups.</p> <p>Traffic in downtown Newberg will still be relatively heavy post-Bypass.</p> <p>Newberg lacks affordable housing.</p> |
|--|---|---|--|--|--|--|

## Newberg — Yamhill County— 11/17/2016

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|--|--|--|--|--|--|--|
|  |  |  |  | <p>Newberg Strategic Tourism Plan adopted in June 2016 to expand tourism opportunities and investments.</p> <p>With closure of the WestRock mill site the City will be updating its Riverfront Master Plan to address redevelopment of the site for industrial development as well as mixed use development.</p> <p>Garmor is advancing its plans to develop a major retail complex on Highway 99W across from Providence Newberg Medical Center.</p> <p>The Newberg Downton Improvement Plan is in its final stages of adoption to enhance the downtown area with</p> |  |  |
|--|--|--|--|--|--|--|

## Newberg — Yamhill County— 11/17/2016

|   |  |  |  |  |  |  |
|---|--|--|--|--|--|--|
|   |  |  |  | <p>new development opportunities.</p> <p>George Fox University has prepared a new master plan for expansion of academic facilities for the next 20 years which includes education buildings, dormitories, activity center and parking in response to its growing student population.</p> |  |  |
| <p><b>Highlights or summary from planning documents of influences on or anticipation of population and housing growth (including any plans for UGB expansion and the stage in the</b></p> | <p>Newberg attempted a UGB expansion for industrial land from 2009-2015; this was ultimately unsuccessful. We are currently doing a “UGB pre-work” planning project via a DLCD grant that will include a BLI. This is in anticipation of a future UGB amendment application, potentially using the new streamlined OAR 660 Division 38, once we are eligible. We are not currently doing any forecasting work until we have our updated population forecast, in accordance with the new state laws.</p> <p>Newberg also recently received a TGM grant to update the Riverfront Master Plan, which is anticipated to be a future growth area. The Riverfront area is already within the UGB, but land uses may change somewhat with the new update, particularly as relates to the now closed WestRock mill site (former paper mill site – 200+ acres).</p> |  |  |  |  |  |



## Newberg — Yamhill County— 11/17/2016

|   |  |
|---|--|
| expansion process)  |  |
| Other information (e.g. planning documents, email correspondence, housing development survey) | <p><b>According to PRC background research:</b></p> <ul style="list-style-type: none"><li>- The future land needs were predicted on a population projection produced in 2004. That forecast estimated a 2035 population of over 48,000, which is 10,000 more than the 2012 forecast produced by PRC. A comparison of commercial and industrial land needs to supply resulted in the conclusion that there was a deficit in both land uses at the time. The City subsequently initiated the process of expanding its UGB but after nearly 10 years of negotiations, the City Council voted to withdraw the application.</li><li>- Findings from buildable and analysis in 2005 shows that the City had a deficit of residential land to meet needs through 2025 in all residential categories.</li><li>- The Newberg Enterprise Zone is also a rural zone that was designated in 2014 and terminates in 2024. It is sponsored by the City of Newberg.</li></ul> |

## Sheridan — Yamhill County— 2/27/2017

| Observations about Population Composition (e.g. about children, the elderly, racial ethnic groups)               | Observations about Housing (including vacancy rates)    | Planned Housing Development/Est. Year Completion   | Future Group quarters Facilities | Future Employers   | Infrastructure   | Promotions (Promos) and Hindrances (Hinders) to Population and Housing Growth; Other notes  |
|--|---|--|----------------------------------|--|--|---|
| Sheridan does not seem to have as high a percentage of Hispanic people as the cities in northern Yamhill County. | There does not seem to be a lot of “executive” housing. | The owner/developer of an 11.8 acre site contacted the city late 2016 about a manufactured home park. The site has wetland issues (no wetland determination yet) and a drainage ditch that will reduce the buildable acres by an unknown amount. He’s doing prelim things. No application as of yet. | None known                       | Forest River Co. (FRC) owns the 24 acre Liberty Homes site with 112,000 and 104,000 sq. ft. buildings. FRC will move most of their Dallas, OR operations to Sheridan and begin production on or about 7/1/17 with 100 – 200 employees. | Sewer, water, storm drainage and streets are adequate to accommodate growth. | <p><b>Promos:</b> The FRC will be a boost to the demand for housing</p> <p><b>Hinders:</b> There are no built subdivisions with vacant lots for houses. Residential development will be on an infill basis until a subdivision is approved, but no subdivision is on the horizon.</p> |

## Sheridan — Yamhill County— 2/27/2017

|   |   |
|---|---|
| <b>Highlights or summary from planning documents of influences on or anticipation of population and housing growth (including any plans for UGB expansion and the stage in the expansion process)</b> | No plan now for UGB expansion, but FRC's employment could spur the city to add a 30-ac property that is an Exception Area (1 <sup>st</sup> priority to add to the UGB per ORS 197). |
| <b>Other information (e.g. planning documents, email correspondence, housing development survey)</b>  | N/A   |

**Willamina — Yamhill County— NO RESPONSE**

| <b>Observations about Population Composition (e.g. about children, the elderly, racial ethnic groups)</b>  | <b>Observations about Housing (including vacancy rates)</b> | <b>Planned Housing Development/ Est. Year Completion</b> | <b>Future Group quarters Facilities</b> | <b>Future Employers</b> | <b>Infrastructure</b> | <b>Promotions (Promos) and Hindrances (Hinders) to Population and Housing Growth; Other notes</b> |
|--|---|--|---|-------------------------|-----------------------|---|
|  |   |  |   |                         |                       | <b>Promos:</b><br><br><b>Hinders:</b>   |
| <b>Highlights or summary from planning documents of influences on or anticipation of population and housing growth (including any plans for UGB expansion)</b> | N/A   |  |   |                         |                       |   |

**Willamina — Yamhill County— NO RESPONSE**

|   |     |
|---|-----|
| and the stage in the expansion process)   |     |
| Other information (e.g. planning documents, email correspondence, housing development survey) | N/A |



**Yamhill — Yamhill County— NO RESPONSE**

| <b>Observations about Population Composition (e.g. about children, the elderly, racial ethnic groups)</b>  | <b>Observations about Housing (including vacancy rates)</b> | <b>Planned Housing Development/ Est. Year Completion</b> | <b>Future Group quarters Facilities</b> | <b>Future Employers</b> | <b>Infrastructure</b> | <b>Promotions (Promos) and Hindrances (Hinders) to Population and Housing Growth; Other notes</b> |
|--|---|--|---|-------------------------|-----------------------|---|
|  |   |  |   |                         |                       | <b>Promos:</b><br><br><b>Hinders:</b>   |
| <b>Highlights or summary from planning documents of influences on or anticipation of population and housing growth (including any plans for UGB expansion)</b> | N/A   |  |   |                         |                       |   |

**Yamhill — Yamhill County— NO RESPONSE**

|   |     |
|---|-----|
| and the stage in the expansion process)   |     |
| Other information (e.g. planning documents, email correspondence, housing development survey) | N/A |

## **Appendix B: Specific Assumptions**

### **Amity**

The 5-year average annual housing unit growth rate is assumed to decline throughout the forecast period. The occupancy rate is assumed to be steady at 93.8 percent throughout the 50 year horizon. PPH is assumed to be stable at 3.01 over the forecast period. There is no group quarters population in Amity.

### **Carlton**

The 5-year average annual housing unit growth rate is assumed to rapidly increase to 2.02 percent during the first 10 years and then decline thereafter. The occupancy rate is assumed to be steady at 92.4 percent throughout the 50 year horizon. PPH is assumed to be stable at 2.83 over the forecast period. There is no group quarters population in Carlton.

### **Dayton**

The 5-year average annual housing unit growth rate is assumed to slowly decline throughout the forecast period. The occupancy rate is assumed to be steady at 94.6 percent throughout the 50 year horizon. PPH is assumed to gradually decline from 3.17 to 3.07 during the entire forecast period. There is no group quarters population in Dayton.

### **Dundee**

The 5-year average annual housing unit growth rate is assumed to increase to 2.05 percent during the first 10 years and then decline thereafter. The occupancy rate is assumed to be steady at 96.7 percent throughout the 50 year horizon. PPH is assumed to be stable at 2.78 over the forecast period. Group quarters population is assumed to remain at 8.

### **Gaston**

The 5-year average annual housing unit growth rate is assumed to decline throughout the forecast period. The occupancy rate is assumed to be steady at 96 percent throughout the 50 year horizon. PPH is assumed to be stable at 2.66 over the forecast period. There is no group quarters population in Gaston.

### **Lafayette**

The 5-year average annual housing unit growth rate is assumed to decline throughout the forecast period. The occupancy rate is assumed to increase from 91.9 to 93.3 percent in the first 5 years of the forecast period and then remain stable thereafter. PPH is assumed to be stable at 3.10 over the forecast period. There is no group quarters population in Lafayette.

### **McMinnville**

Total fertility rates are assumed to follow a historical trend (observed from the 2000 to 2010 period) and gradually decline over the forecast period. Survival rates are assumed to be the same as those forecast for the county as a whole; these rates are expected to gradually increase over the 50-year period. Age specific net migration rates are assumed to follow historical county patterns.

### **Newberg**

Total fertility rates are assumed to be stable throughout the forecast period. Survival rates are assumed to be the same as those forecast for the county as a whole; these rates are expected to gradually increase over the 50-year period. Age specific net migration rates are assumed to follow historical county patterns, but with higher rates for retirees.

### **Sheridan**

The 5-year average annual housing unit growth rate is assumed to increase to 0.88 percent during the first 10 years and then decline thereafter. The occupancy rate is assumed be steady at 92.4 percent throughout the 50 year horizon. PPH is assumed to be stable at 2.77 over the forecast period. Group quarters population is assumed to remain at 2023.

### **Willamina**

The 5-year average annual housing unit growth rate is assumed to increase from 0.08 percent to 0.24 percent during the first 10 years and then slowly decline thereafter. The occupancy rate is assumed be steady at 90 percent throughout the 50 year horizon. PPH is assumed to be stable at 2.96 over the forecast period. Group quarters population is assumed to remain at 11.

### **Yamhill City**

The 5-year average annual housing unit growth rate is assumed to increase from 0.67 percent to 1.24 percent during the first 10 years and then decline thereafter. The occupancy rate is assumed be steady at 94.1 percent throughout the 50 year horizon. PPH is assumed to be stable at 2.88 over the forecast period. Group quarters population is assumed to remain at 9.

### **Outside UGBs**

The 5-year average annual housing unit growth rate is assumed to increase to 0.72 percent during the first 10 years and then decline thereafter. The occupancy rate is assumed be steady at 92.8 percent throughout the 50 year horizon. PPH is assumed to be stable at 2.67 over the forecast period. Group quarters population is assumed to remain at 369.

## Appendix C: Detailed Population Forecast Results

Figure 22. Yamhill County—Population by Five-Year Age Group

| Population<br>Forecasts by Age<br>Group / Year | 2017           | 2020           | 2025           | 2030           | 2035           | 2040           | 2045           | 2050           | 2055           | 2060           | 2065           | 2067           |
|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| 00-04  | 6,582          | 6,674          | 6,978          | 7,241          | 7,483          | 7,727          | 7,982          | 8,248          | 8,506          | 8,750          | 8,980          | 9,072          |
| 05-09  | 6,958          | 7,147          | 7,378          | 7,713          | 8,004          | 8,263          | 8,517          | 8,784          | 9,062          | 9,335          | 9,591          | 9,689          |
| 10-14  | 7,190          | 7,335          | 7,736          | 7,985          | 8,348          | 8,652          | 8,915          | 9,173          | 9,445          | 9,731          | 10,012         | 10,118         |
| 15-19  | 7,889          | 7,983          | 8,320          | 8,775          | 9,056          | 9,456          | 9,782          | 10,061         | 10,334         | 10,627         | 10,934         | 11,056         |
| 20-24  | 7,139          | 7,325          | 7,544          | 7,862          | 8,291          | 8,545          | 8,902          | 9,191          | 9,434          | 9,676          | 9,935          | 10,045         |
| 25-29  | 6,341          | 6,564          | 6,918          | 7,133          | 7,433          | 7,833          | 8,055          | 8,375          | 8,628          | 8,844          | 9,057          | 9,149          |
| 30-34  | 6,345          | 6,514          | 6,963          | 7,339          | 7,565          | 7,875          | 8,284          | 8,504          | 8,828          | 9,085          | 9,301          | 9,388          |
| 35-39  | 6,779          | 7,027          | 7,404          | 7,916          | 8,345          | 8,596          | 8,934          | 9,385          | 9,622          | 9,979          | 10,260         | 10,355         |
| 40-44  | 6,865          | 7,133          | 7,640          | 8,048          | 8,606          | 9,065          | 9,316          | 9,669          | 10,138         | 10,384         | 10,759         | 10,878         |
| 45-49  | 6,698          | 6,877          | 7,401          | 7,931          | 8,358          | 8,932          | 9,395          | 9,642          | 9,995          | 10,472         | 10,718         | 10,871         |
| 50-54  | 6,711          | 6,774          | 7,149          | 7,700          | 8,256          | 8,693          | 9,280          | 9,751          | 9,993          | 10,352         | 10,837         | 10,938         |
| 55-59  | 6,651          | 6,670          | 6,843          | 7,229          | 7,796          | 8,356          | 8,790          | 9,375          | 9,844          | 10,084         | 10,444         | 10,638         |
| 60-64  | 6,481          | 6,676          | 6,777          | 6,961          | 7,365          | 7,944          | 8,511          | 8,948          | 9,541          | 10,019         | 10,265         | 10,412         |
| 65-69  | 5,732          | 6,350          | 6,738          | 6,846          | 7,038          | 7,446          | 8,027          | 8,592          | 9,025          | 9,621          | 10,100         | 10,198         |
| 70-74  | 4,311          | 5,059          | 6,066          | 6,448          | 6,563          | 6,750          | 7,145          | 7,705          | 8,248          | 8,667          | 9,245          | 9,431          |
| 75-79  | 3,283          | 3,864          | 5,014          | 5,975          | 6,311          | 6,373          | 6,499          | 6,823          | 7,298          | 7,748          | 8,071          | 8,256          |
| 80-84  | 2,223          | 2,592          | 3,388          | 4,380          | 5,200          | 5,465          | 5,487          | 5,564          | 5,806          | 6,175          | 6,519          | 6,613          |
| 85+  | 2,377          | 2,534          | 3,083          | 3,923          | 5,079          | 6,339          | 7,331          | 8,019          | 8,555          | 9,114          | 9,777          | 10,061         |
| <b>Total</b>                                   | <b>106,555</b> | <b>111,101</b> | <b>119,339</b> | <b>127,404</b> | <b>135,096</b> | <b>142,311</b> | <b>149,150</b> | <b>155,808</b> | <b>162,303</b> | <b>168,662</b> | <b>174,806</b> | <b>177,170</b> |

Population Forecasts prepared by: Population Research Center, Portland State University, June 30, 2017.

Figure 23. Yamhill County's Sub-Areas—Total Population

| Area / Year             | 2017    | 2020    | 2025    | 2030    | 2035    | 2040    | 2045    | 2050    | 2055    | 2060    | 2065    | 2067    |
|-------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Yamhill County          | 106,555 | 111,101 | 119,339 | 127,404 | 135,096 | 142,311 | 149,150 | 155,808 | 162,303 | 168,662 | 174,806 | 177,170 |
| Amity UGB               | 1,642   | 1,691   | 1,769   | 1,840   | 1,910   | 1,975   | 2,038   | 2,096   | 2,154   | 2,206   | 2,257   | 2,276   |
| Carlton UGB             | 2,229   | 2,340   | 2,586   | 2,813   | 3,013   | 3,204   | 3,384   | 3,551   | 3,704   | 3,841   | 3,959   | 3,998   |
| Dayton UGB              | 2,837   | 2,914   | 3,004   | 3,108   | 3,200   | 3,290   | 3,376   | 3,461   | 3,545   | 3,628   | 3,723   | 3,761   |
| Dundee UGB              | 3,243   | 3,408   | 3,772   | 4,158   | 4,570   | 4,936   | 5,296   | 5,645   | 5,979   | 6,296   | 6,590   | 6,697   |
| Gaston UGB (Yamhill)    | 157     | 157     | 158     | 158     | 159     | 159     | 159     | 160     | 160     | 160     | 161     | 161     |
| Lafayette UGB           | 4,083   | 4,436   | 4,958   | 5,375   | 5,717   | 5,970   | 6,187   | 6,367   | 6,540   | 6,709   | 6,872   | 6,937   |
| McMinnville UGB         | 34,293  | 35,709  | 38,437  | 41,255  | 44,122  | 46,956  | 49,728  | 52,541  | 55,428  | 58,449  | 61,557  | 62,803  |
| Newberg UGB             | 24,296  | 25,889  | 28,602  | 31,336  | 34,021  | 36,709  | 39,393  | 42,101  | 44,984  | 47,966  | 50,957  | 52,135  |
| Sheridan UGB            | 6,340   | 6,401   | 6,598   | 6,754   | 6,893   | 7,016   | 7,122   | 7,225   | 7,326   | 7,424   | 7,521   | 7,560   |
| Willamina UGB (Yamhill) | 1,227   | 1,230   | 1,245   | 1,259   | 1,272   | 1,287   | 1,302   | 1,315   | 1,328   | 1,341   | 1,355   | 1,360   |
| Yamhill UGB             | 1,077   | 1,099   | 1,184   | 1,264   | 1,338   | 1,406   | 1,467   | 1,514   | 1,560   | 1,606   | 1,652   | 1,671   |
| Outside UGB Area        | 25,132  | 25,827  | 27,027  | 28,084  | 28,880  | 29,403  | 29,698  | 29,831  | 29,594  | 29,037  | 28,203  | 27,812  |

Population Forecasts prepared by: Population Research Center, Portland State University, June 30, 2017.



# ***REQUEST FOR COUNCIL ACTION***

**DATE ACTION REQUESTED: February 5, 2018**

|                                 |                                     |   |                    |                         |
|---------------------------------|-------------------------------------|---|--------------------|-------------------------|
| <b>Order ____</b><br><b>No.</b> | <b>Ordinance ____</b><br><b>No.</b> | <b>Resolution <u>XX</u></b><br><b>No. 2018-3434</b> | <b>Motion ____</b> | <b>Information ____</b> |
|---------------------------------|-------------------------------------|---|--------------------|-------------------------|

**SUBJECT: A Resolution initiating a comprehensive plan text amendment for the wastewater master plan update**

**Contact Person (Preparer) for this Motion: Doug Rux, Director**  
**Dept.: Community Development**  
**File No.: CPTA18-0002**

## **RECOMMENDATION:**

Adopt Resolution No. 2018-3434.

## **EXECUTIVE SUMMARY:**

The City of Newberg Engineering Services Department has been working since August 2016 to update the Wastewater Master Plan. The last Sewerage Master Plan Update and Wastewater Treatment Plant Facilities Master Plan were updated in 2007. Keller Associates are the consultants on the project and have been working with City staff on compiling the required information to update the plan. A draft of the Wastewater Master Plan will be available in the spring of 2018 to start the process of adopting the Wastewater Master Plan as part of the Newberg Comprehensive Plan. Oregon Administrative Rule (OAR) Chapter 660, Division 11 (660-011-0000) includes language in the Purpose Statement that a city or county must develop and adopt a public facility plan for areas within an urban growth boundary. It further indicates that a plan is to assure that urban development is guided and supported by types and levels of urban facilities and services appropriate for the needs. OAR 660-011-0005 has a definition of Public Facilities Plan that includes wastewater (sanitary sewer) and its associated subsets of treatment facilities system and primary collection system.

The City Council is not asked to make a decision on these proposed changes at this time; only to initiate the amendment so that these proposed changes can be studied through the public hearing process. If the Council initiates the amendment then staff will prepare the specifics for a proposal. Staff will then schedule the item for a Planning Commission public hearing anticipated to occur in May 2018 to make a recommendation. The Planning Commission recommendation would then be brought to the City Council for a public hearing and final decision which is anticipated to occur in June 2018.

## **FISCAL IMPACT:**

No fiscal impact at this time.

## **STRATEGIC ASSESSMENT (RELATE TO COUNCIL PRIORITIES FROM SEPTEMBER 2017):**

Not applicable

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**A RESOLUTION INITIATING A COMPREHENSIVE PLAN TEXT  
AMENDMENT FOR THE WASTEWATER MASTER PLAN UPDATE**

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**RECITALS:**

1. Oregon Administrative Rule Division 11 Public Facilities Planning states that “The purpose of this division is to aid in achieving the requirements of Goal 11, Public Facilities and Services, OAR 660-015-0000(11), interpret Goal 11 requirements regarding public facilities and services on rural lands, and implement ORS 197.712(2)(e), which requires that a city or county shall develop and adopt a public facility plan for areas within an urban growth boundary containing a population greater than 2,500 persons. The purpose of the plan is to help assure that urban development in such urban growth boundaries is guided and supported by types and levels of urban facilities and services appropriate for the needs and requirements of the urban areas to be serviced, and that those facilities and services are provided in a timely, orderly and efficient arrangement, as required by Goal 11. The Division contains definitions relating to a public facility plan, procedures and standards for developing, adopting, and amending such a plan, the date for submittal of the plan to the Commission and standards for Department review of the plan.”
2. The City of Newberg Engineering Services Department had in their FY 2016-2017 and 2017-2018 work program to update the Wastewater Master Plan as the prior Sewerage Master Plan Update and Wastewater Treatment Plant Facilities Master Plan were last updated in 2007.
3. The City of Newberg Engineering Service Department contracted with Keller Associates to update the Wastewater Master Plan and a draft plan will be available in the spring of 2018 to be reviewed and adopted consistent with Oregon Administrative Rule Chapter 660, Division 11 Public Facilities Planning.
4. After proper notice, the Newberg City Council considered the proposal at their February 5, 2018 meeting.

**THE CITY OF NEWBERG RESOLVES AS FOLLOWS:**

1. The City Council initiates an amendment to the Newberg Comprehensive Plan to update the Wastewater System Master Plan.
2. By initiating this amendment, the City Council does not commit to taking any specific action on the proposal. It only wishes to give the amendment full consideration by the Planning Commission and City Council in public hearings.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: February 6, 2018.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 5<sup>th</sup> day of February, 2018.

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Sue Ryan, City Recorder

**ATTEST** by the Mayor this 8<sup>th</sup> day of February, 2018.

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Bob Andrews, Mayor

# REQUEST FOR COUNCIL ACTION

**DATE ACTION REQUESTED: February 5, 2018**

|                           |                               |                                |                    |                              |
|---------------------------|-------------------------------|--------------------------------|--------------------|------------------------------|
| <b>Order ____<br/>No.</b> | <b>Ordinance ____<br/>No.</b> | <b>Resolution ____<br/>No.</b> | <b>Motion ____</b> | <b>Information <u>XX</u></b> |
|---------------------------|-------------------------------|--------------------------------|--------------------|------------------------------|

**SUBJECT: 2007 Newberg Water Management and Conservation Plan Review**

**Contact Person (Preparer) for this  
Item: Cheryl Caines, Associate Planner  
Dept.: Community Development  
File No.: N/A**

## RECOMMENDATION:

Information only.

## EXECUTIVE SUMMARY:

Oregon Revised Statutes requires municipal water suppliers to develop a water management and conservation plan in order to ensure the efficient use of the state's water resources and facilitate water supply planning. In July 2007, the City of Newberg completed the Newberg Water Management and Conservation Plan (WMCP), which is an update to the 2002 plan. The purpose of the plan (Attachment 1) is to outline the current water sources, conservation measures (current and proposed), benchmark measures to be implemented within the first five years of the plan, and a projection of the City of Newberg's future water needs. In addition, the plan includes a water curtailment element with actions to be taken in the case of severe water shortages.

Activities undertaken since adoption to implement the plan include on-going conservation measures. Public Works staff reports there has been a reduction of the water coming into the system that ends up at the Wastewater Treatment Plant as waste (5.63% down to approximately 5%). Conservation measures include:

1. **Water Audits.** Since 2006, the City has completed annual audits to measure unaccounted for water and measure leakage rates to identify potential problems in the system and record water use.
2. **Improvements to the water system.** These include detection of and repairs to leaks in the well system and installing check valves to limit water loss. In addition, well meters have been upgraded to better monitor the amount of water coming into the system. Improved monitoring allows for better processing and management of the water supply. Since the adoption of the plan, there has been a reduction of water coming into the system that ends up at the Wastewater Treatment Plant as waste.
3. **Public Education.** The City promotes water conservation by offering free water conservation kits, awarding grants for school classroom education and property owner stream restoration/rain infiltration projects, and promoting conservation through the City website and at community events.
4. **Water Reuse, Recycling, and Non-potable Water Opportunities.** In 2008, the City installed a recycled water system for irrigation customers, which has reduced the draw on drinking water by up to 500,000 gallons per day.

## **Relationships to Other Adopted Plans:**

The updated Newberg Water Master Plan was completed in February 2017. As part of the water supply analysis, it was noted that the 2007 WMCP authorizes the city to appropriate less water than that authorized under the current water right permits. Currently the city appropriates approximately 65% of its permit authorized rate. Access to additional rate under the permit, up to the maximum authorized rate, will require an update of the City's WMCP justifying the need for the additional rate. An updated WMCP must be submitted to the Oregon Water Resources Department (OWRD) by July 17, 2019 per a condition of the final order approving the City's current WMCP. Prior to this update, a water rights review is necessary. Both a water rights review and update of the WMCP will be completed as part of the Capital Improvement Program (CIP).

## **FISCAL IMPACT:**

The 2017-18 budget includes \$25,000 to complete the water rights review, and the proposed 2018-19 budget will include \$100,000 to update the WMCP. Funding for CIP projects come from a variety of sources such as customer water rates, system development charges (SDC), grants, etc.

## **STRATEGIC ASSESSMENT (RELATE TO COUNCIL PRIORITIES FROM SEPTEMBER 2017):**

This update and water conservation are not directly related to the 2017-2018 Council priorities adopted in September for 2017. However, this review is related to the 2016-2017 Council priorities adopted in March 2016. One of the adopted priorities was Project Planning. The priority states:

### **PROJECT PLANNING**

In 3 years the council will have a schedule for reviewing of existing Master and Long Range plans. These will include acknowledgement of inter-departmental dependencies and demonstrate a mitigation of redundancy. The intent of this is to have a strategic approach for the Council to review existing plans in a scheduled manner to ensure that the original intentions and targets are being achieved. It is not intended that the council reviews the details of all the documents.

A schedule was prepared and shared with the City Council on March 4, 2017 outlining when various Master and Long Range plans would be brought before the City Council for review. This is the first annual report on the Newberg Water Management and Conservation Plan.

Attachment: 1. Newberg Water Management and Conservation Plan – Executive Summary

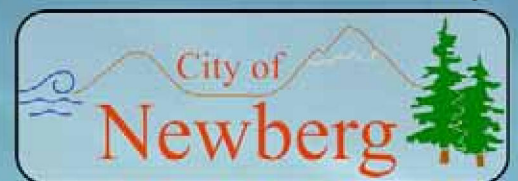




# 2007 CITY OF NEWBERG Water Management and Conservation Plan



PREPARED FOR



PREPARED BY

**CH2MHILL**

JULY 2007



# **City of Newberg Water Management and Conservation Plan**

Prepared for  
**City of Newberg, Oregon**

July 2007

**CH2MHILL**



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# Executive Summary

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The City of Newberg is submitting this Water Management and Conservation Plan (WMCP) for review and approval by the Oregon Water Resources Department (OWRD).

The City of Newberg is located in Yamhill County and operates a public community water system that supplies drinking water to approximately 20,570 people in northwestern Oregon.

This WMCP satisfies the requirements of Oregon Administrative Rules (OAR) Chapter 690, Division 86 adopted by the Water Resources Commission in November 2002. It includes each of the required elements under OAR 690-086-0125 Municipal Water Supplier Plan Elements.

This WMCP also presents the City's water conservation and curtailment programs. These include a combination of existing programs that the City will continue, and new programs that will be initiated in coming years.

The plan is organized into the sections shown in Exhibit ES-1, each addressing specific sections of OAR Chapter 690, Division 86:

## EXHIBIT ES-1

### Plan Organization

#### *2007 City of Newberg Water Management and Conservation Plan*

| Section                               | Requirement      |
|---------------------------------------|------------------|
| Section 1: Introduction               | OAR 690-086-0125 |
| Section 2: Water Supplier Description | OAR 690-086-0140 |
| Section 3: Water Conservation         | OAR 690-086-0150 |
| Section 4: Curtailment                | OAR 690-086-0160 |
| Section 5: Water Supply               | OAR 690-086-0170 |

## Description of Municipal Water Supplier

The City of Newberg has the second largest population in Yamhill County and serves as the commerce center for the eastern portion of the county's primarily agricultural economy. Over the past couple of decades, the City has been transitioning into a city with more urban characteristics. The City of Newberg's economic base has become more diversified, including some of its home-grown industries that have evolved into national and international leaders in their respective fields. This trend toward urbanization is likely to continue as the growth of the Portland metropolitan area increasingly influences the character of the City.

The City of Newberg operates a public community water system (Public Water System Identification No. 00557), supplying water to approximately 20,570 City residents through approximately 6,316 connections in three separate but interconnected distribution systems.

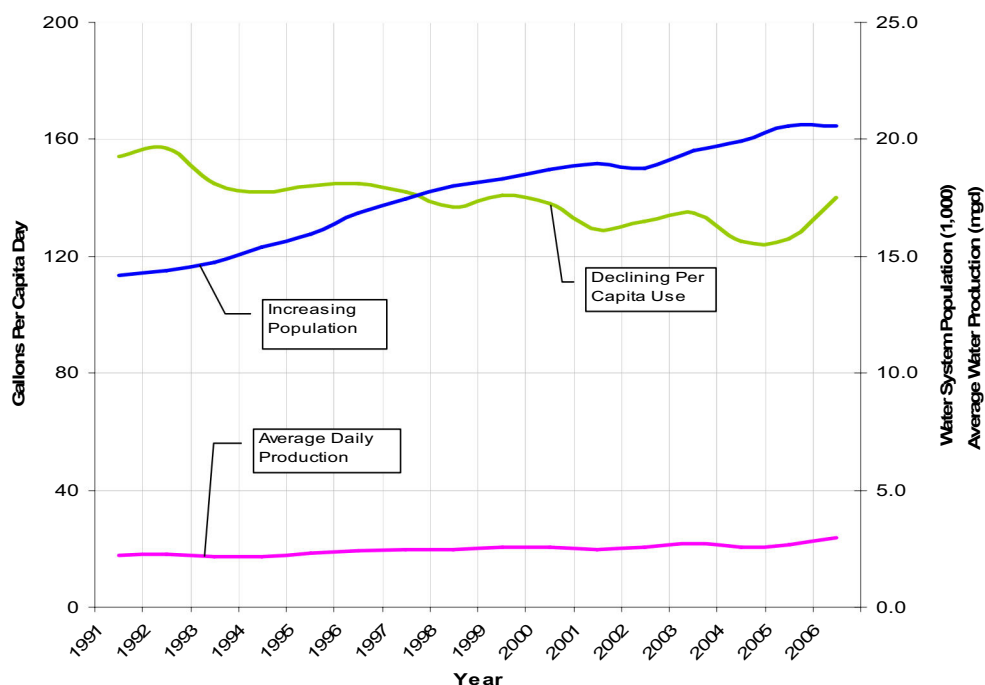
The City currently has ten operating groundwater sources of supply, including seven wells and three springs. Water from two of the three springs located north of the City – Skelton Spring and Snider Spring – supplies the Riparian Distribution System and flows directly to 49 connections after the addition of chlorine for disinfection. Water from the Riparian Distribution System in excess of consumer demand flows into a natural drainage swale and then percolates back into the ground. The Riparian Distribution System is separated by a series of normally closed valves from the main Newberg Water Distribution System that is primarily supplied by the groundwater wells. The City intends to maintain the separation between these two distribution systems.

Water from Oliver Spring supplies water to 19 connections in the Oliver Spring Water Distribution System after the addition of chlorine for disinfection. The Oliver Spring Water Distribution System is connected to the Newberg Water Distribution System by an altitude valve that allows excess water to flow into the Newberg Water Distribution System. Water from the Newberg Water Distribution System does not flow into the Oliver Spring Water Distribution System.

The seven operating groundwater wells are located in a well field on the south side of the Willamette River across from City and the water treatment plant. All water from the groundwater wells is treated at the water treatment plant before being delivered to customers.

Exhibit ES-2 compares the increasing population growth in the City of Newberg with the generally declining per capita use of water. This relationship is further illustrated by the fact that water production rates have remained relatively flat over the same period, and have increased at a much smaller rate of increase than that exhibited by population growth.



**EXHIBIT ES-2**

Historical per Capita Production

2007 City of Newberg Water Management and Conservation Plan

## Water Conservation Element

### Current Conservation Measures

The City has an approved WMCP that was last submitted to the OWRD on February 22, 2002. This WMCP is an updated version of that document.

The City has implemented the following conservation programs:

1. **Public Information.** The City's Water Conservation Coordinator has worked to provide information to the public that will educate them on the value of and means to conserve water.
2. **Rates.** The City has a uniform rate structure that is based on the quantity of water metered. Irrigation customers have special irrigation meters and are charged at a higher rate than domestic customers.
3. **Leak Detection and Repair.** Approximately 7.1 percent of the water in the larger Newberg Water Distribution System is unaccounted for, and the City quickly responds to any leaks reported by customers or water department staff. The City does not have a systematic leak detection program for the distribution system at this time because of the low level of unaccounted-for water. However, in 1995 a leak detection survey was conducted and four small leaks were detected and repaired. The city currently uses leak

detection on an as-needed basis in the maintenance and operation of the distribution system. The much smaller Riparian Distribution System has approximately 75 percent unaccounted-for water due to deficient accounting and monitoring practices. The City is aware of this shortfall and has implemented a plan to bring the Riparian Distribution System up to the standard of the larger Newberg Water Distribution System. When both systems' data are combined for analysis, the unaccounted-for water is about 10.1 percent.

4. **Water Audit.** Beginning in 2006 the City accounts for annual average, maximum day, and per capita water use, total production and consumption, and unaccounted-for water in its two distribution systems.
5. **System-Wide Metering.** The City of Newberg serves more than 20,570 water customers. Almost all of its 6,316 connections are metered. A few connections in the Riparian Water Distribution System may be unmetered and the City will meter these connections when they are identified. All new connections have meters.
6. **Fixture Replacements.** Since 1992, the City has offered free water-efficient showerheads, faucet aerators, and hose nozzles to its water customers. Approximately 200 replacements are made each year.
7. **Technical Assistance to Large-volume Users.** The City's Water Conservation Coordinator provides advice, information, and resources on request by any of the City's water customers. This service includes large volume customers both as requested and as unusual trends in their consumption are noted.
8. **Water Meter Replacements.** The City's meter replacement program from 2001 to 2004 resulted in the replacement of almost all residential and commercial water meters. The new meters are expected to be problem-free until at least 2011, at which time the City will begin to investigate their accuracy and explore the need for another replacement cycle. Meters are repaired and replaced as required to produce accurate readings of the water actually consumed at a metered location. The City has assessed to a water meter fee that funds the maintenance and replacement of meters, and meters are replaced as they fail or are damaged.
9. **Improvements to the Water Treatment Plant.** The City of Newberg's Water Treatment Plant (WTP) has been in operation since it was originally built in 1949. The WTP has been expanded and upgraded through the years to increase its instantaneous peak capacity to 9.5 million gallons per day (mgd), and sustained capacity of 8.6 mgd. In 2002, the City began the Phase I construction of the WTP to ensure continued optimal treatment at a WTP capacity of 5.63 mgd. Phase II construction, which began in 2005, upgraded and expanded the existing treatment facilities to ensure optimal treatment at instantaneous peak operation of 9.5 mgd and sustained capacity of 8.6 mgd. These improvements to the City's WTP have resulted in significant water conservation from reduced filter backwash water consumption, and are due in part to improved settling basin hydraulics and automatic solids removal system, filter air scour, reliable accurate electric actuated valves, two additional filters, Leopold underdrains and pilot plant testing data that specified specific media sizes and ratios all of which allowed backwash cycle programming specific to ideal performance with minimal backwash water loss. A

new onsite chlorine generation system for oxidation and disinfection was also constructed and is in operation at the facility.

10. **Use of Non-Potable water for Irrigation.** Otis Spring will supply approximately 0.35 mgd of non-potable water for golf course irrigation in 2007 and beyond, thereby reducing demand on the well supply and WTP system.
11. **Water Reuse Project.** The City of Newberg's wastewater treatment plant will produce up to 1.0 mgd of non-potable water for irrigation purposes when it is put into operation in 2008, thereby reducing demand on the well supply and water treatment plant system. The reuse facility is being designed for future expansion to 2.0 mgd.

## Summary of Ongoing and Proposed Conservation Programs

The City will continue or implement the following conservation measures:

1. **Public Information.** Continue membership in the Regional Water Providers Consortium and public education programs.
2. **Rates.** Continue the current uniform rate structure that links the amount of water used to the amount billed, because this encourages water conservation.
3. **Water Audit.** Perform annual water audits that record annual average, maximum day, per capita water use, and unaccounted-for water rates.
4. **Leak Detection.** Maintain the City's water pipe maintenance program that has resulted in less than 10 percent system-wide leakage in the Newberg Water Distribution System.
5. **Water Accounting:** Upgrade the measurement and accounting procedures used to track water distribution and consumption in the smaller Riparian Water Distribution System to obtain an accurate account of water actually consumed, water discharged to the natural swale for recharging groundwater supplies, and unaccounted-for water.
6. **Production Meter Calibration.** Accurate metering is essential for achieving reliable accounting of water use. To achieve this goal, the City installed two new master meters at the water treatment plant and will periodically calibrate and check them every 5 years, or more frequently if conditions warrant. There is one meter dedicated to measuring the output through each of two treatment trains. Prior to 2006, well production was measured by individual well meters and settling basin influent meters and these were used to calculate WTP water production. The new master meters are an improvement on the old system.
7. **Large Meter Calibration.** The City supports an ongoing recalibration program for water meters 3" and larger, and calibrates these meters on a biennial basis (every two years), with half of the meters being calibrated in a given year.
8. **Meter Installations.** Continue to install meters for all new customers, and on any existing connections that are identified as unmetered.
9. **Pipe Looping.** Continue to complete pipe loops to reduce flushing water requirements.

## 5-Year Benchmarks

In keeping with OAR 690-086-0150(4) and (6), the City will implement the following conservation benchmark measures over the next 5 years:

- **Annual Water Audits.** The City of Newberg plans to conduct annual water audits to measure unaccounted-for water and estimate leakage rates. The City is now tracking production against billed consumption on a monthly basis to generate a rolling 12-month average that is used to calculate unaccounted-for water. By this means the City will be able to determine more quickly deviations from the trend that could indicate potential problems in the system.
- **System Metering.** The City will install a meter at any unmetered connection when identified. The City will continue to require meters for all new development within the City.
- **Riparian Water Distribution System Accounting.** The City of Newberg will implement a program to accurately monitor water flowing into and out of the Riparian Distribution System to obtain an accurate representation of unaccounted-for water in this system.
- **Oliver Spring Water Distribution System Accounting.** The City of Newberg will implement a program to accurately monitor water flowing into and out of the Oliver Spring Water Distribution System to obtain an accurate representation of unaccounted-for water in this system.
- **Meter Testing and Maintenance.** The City will track the performance of new and existing meters installed throughout the distribution system and maintain records of their performance. The City intends to develop a residential meter evaluation program after 2011 to assess meter accuracy and candidacy for replacement. The meter evaluation program will most likely begin during 2016.
- **Rate Structure.** The City will continue to support a conservation-oriented water rate structure.
- **Leak Detection.** The City has an ongoing water line replacement program with a \$45,000 annual budget. The goal is to replace leaking and undersized pipes, and those pipes that are most prone to failure. New pipes are also added to complete looping in the system to eliminate dead-end sections. The result of this program is a reduction in leakage and a reduced need for flushing because dead-end sections are eliminated. Also, the City is implementing a program that compares water production, demand, and billable consumption for the previous year to gain insight into unaccounted-for water.
- **Public Education.** The City is planning to build an approximately 2,500 square foot Xeriscape™ demonstration garden during the next 5 years that will contain native, drought tolerant, water wise, wildlife friendly vegetation. Although the types of vegetation have yet to be finalized, there will most probably be some mountain hemlock, blue blossom, Oregon grape, flowering currant, aster, Oregon iris, and California fescue. The garden will be designed around plant varieties that will give it year-round beauty. Additionally, signage and kiosks will provide plant identification and resources for visitors. The City will continue to provide public education to highlight the importance

of water conservation through community business meetings, open houses, and other community functions.

- **Water Reuse, Recycling, and Non-potable Water Opportunities.** The City will look for additional reuse and recycling opportunities.

## Water Curtailment Element

The City adopted a curtailment ordinance in 1998. This ordinance outlines four stages of severity of water shortages, and the actions to be initiated at each stage. Proposed minor variations to the established ordinance are presented in this plan, specifically the addition of a drought emergency declared by the Governor. These changes are provided for the City's consideration, but the City's actual plan remains in force as adopted in 1998. Exhibit ES-3 summarizes the proposed, revised curtailment plan.

### EXHIBIT ES-3

Newberg Curtailment Plan

2007 City of Newberg Water Management and Conservation Plan

| Stage   | Initiating Conditions  | Water Use Reduction Goal      |
|---|--|-------------------------------|
| 1. Water Alert Status                                       | Daily water demand is $\geq 90\%$ of the instantaneous production capacity of the system for 3 or more days in a row, or a Drought Emergency is declared by the Governor.  | Reduce demands by 5%          |
| 2. Serious Water Shortage                                   | Daily water demand is $\geq 95\%$ of the instantaneous production capacity of the system, for 3 or more days in a row, or the Drought Emergency continues.   | Reduce demands by 10%         |
| 3. Critical Water Shortage                                  | The City cannot completely refill reservoirs during the nighttime for 2 or more days in a row (demands are $\geq 100\%$ of instantaneous production capacity).   | Reduce demands by 20%         |
| 4. Emergency Water Shortage (Minimum Fire Protection Level) | Water system failure due to natural or human-made disasters: <ol style="list-style-type: none"> <li>1. Reservoirs remain at 50% full or less after nighttime refill period and conditions suggest that the shortfall will continue.</li> <li>2. One or more of the primary transmission lines from the groundwater wells or from the water treatment plant break.</li> <li>3. A natural or human-made disaster occurs that disrupts production.</li> </ol> | Reduce demands by 35% or more |

## Water Supply Element

The per capita method was used to project the City of Newberg's demands. This method assumes: (1) per capita use will remain unchanged compared to recent years, and (2) the mix of commercial versus residential water use will remain unchanged compared to recent years. The City will periodically monitor both factors to determine their validity.



Based on the available records, the following values were used to project future demands:

- 2006 service population = 20,570
- 2006 annualized average daily water demand = 3.0 mgd
- Annual residential growth rate = 2.5 percent
- Maximum daily demand to average daily demand (MDD/ADD) ratio = 2.1

Population growth, based on an average annual increase of 2.5 percent, is expected to continue during the 20-year period of this report. The projected population in 2027 is predicted to approach 40,000.

Based on a per capita demand of 140 gallons per day (gpd) in 2006, a 2.5 percent growth rate, and an MDD/ADD ratio of 2.1, the City's sustained maximum 8.6 mgd WTP capacity with every unit running and no redundancy will be unable to meet the system's MDD before 2020. A new WTP expansion is planned in this time frame to replace the existing treatment plant.

The City is creating this plan for two reasons. The first reason is to meet new requirements Oregon Administration Rules and the second is to provide justification for receiving legal access to the maximum amount of water available under its extended permit G-13876. The following two paragraphs summarize the current situation and describe future needs.

The City of Newberg has water rights for a total of 43.6 cfs (28.2 mgd), of which 15.4 cfs (9.95 mgd) is currently available for potable water use by the City to supply its three water distribution systems. A considerable portion of the water that is legally accessible for use by the City (8.15 cfs [5.2 mgd]) is assigned to six springs, of which only three with a total production of 0.28 cfs (0.18 mgd) are producing potable water. In addition, a substantial portion of the legally available water is inaccessible during the summer months when the maximum daily demand (MDD) is the greatest. During the summer of 2006, for example, the City had access to only 9.7 cfs (6.3 mgd) from all of its water sources. The City's current MDD 10.7 cfs (6.9 mgd) exceeds available supply by 1.0 cfs (0.65 mgd). Although the City has the necessary resources to produce sufficient additional quantities of water to meet its current MDD from Well 8 (which can pump 5.1 cfs [3.3 mgd]), the amount of water legally available from this well field currently limits Well 8's production to 2.2 cfs (1.4 mgd) when Well 7 is in operation. Other system resources, including groundwater wells and springs, have reduced output in the summer when the water is most needed. It is typical for a Phase I water shortage alert to be issued during the summer months to reduce water use and manage the shortfall. This situation is expected to become more critical as the population increases and water resources are strained even further.

The City of Newberg received an extension of time for permit G-13876 that allows use of up to 6.22 cfs of the 20 cfs authorized under the permit. The existing 1.0 cfs (0.65 mgd) deficit between the City's maximum daily demand and legally available water is expected to increase to 7.9 cfs (5.1 mgd) during the 20 year period of this plan. This represents a 45 percent deficit when compared to the projected MDD of 17.64 cfs (11.4 mgd). The data suggest that an increase in legal access to the existing water rights will be required to meet water system demand over the next 20 years, and this increase will be needed for specific water resources within the City's water supply system. The City is requesting legal access to the entire 20 cfs (12.9 mgd) allocated to existing Wells 7 and 8 and future Wells 9, 10, and 11.

This will provide the City with the necessary water resources to meet expected demand, to operate its other water resources more efficiently, and will eliminate the need to activate water curtailment measures due to a shortfall in legally available water.

## **List of Affected Local Governments**

This plan may affect Yamhill County where the City of Newberg is located and Marian County where the well field is located. Thirty days before submitting this plan to OWRD, Yamhill County and Marian County were invited to review this plan and provide comments relating to its consistency with their comprehensive land use plans.

## **Plan Update Schedule**

The City anticipates submitting an update of this plan within 10 years, or by June 2017. As required by OAR 690-86, a progress report will be submitted in 5 years, or by June 2012.



## SECTION 1

# Introduction

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*This section satisfies the requirements of Oregon Administrative Rule (OAR) 690-086-0125.*

## Municipal Water Supply Plan Elements OAR 690-086-0125

### Overview

The City of Newberg had a 2006 service population of approximately 20,570 people served through approximately 6,316 service connections in three separate distribution systems. Exhibit 1-1 shows the City location and its surroundings. The City currently has ten operating groundwater sources of supply, including seven wells and three springs that provide potable water for its water distribution systems. The following is an overview of the three water distribution systems:

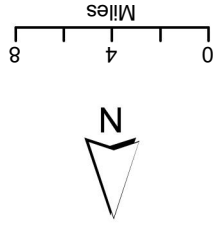
- **Newberg Water Distribution System:** Seven wells and Oliver Spring currently supply the larger Newberg Water Distribution System. Approximately 99 percent of the water in this system comes from seven operating groundwater wells located in a well field on the south side of the Willamette River across from City and the water treatment plant. All water from the groundwater wells is treated at the water treatment plant before being delivered to consumers. Oliver Spring supplies water to 19 dedicated connections after the addition of chlorine, and excess water then flows through an altitude valve into the Newberg Water Distribution System. The City of Newberg supplies on average about 93.7 percent of its total water demand through this large system.
- **Riparian Water Distribution System.** Skelton Spring and Snider Spring supply water to 49 connections in the Riparian Water Distribution System after disinfection with chlorine. Excess water from this system flows into a natural swale where it percolates into the ground. The Riparian Water Distribution System is interconnected to the Newberg Water Distribution System by way of normally closed valves on the south side of the North Valley Reservoirs. Water from the Newberg Water Distribution System does not flow into the Riparian Water Distribution System. The City of Newberg derives on average about 4.5 percent of its water supply from these two springs.
- **Oliver Spring Water Distribution System.** Oliver Spring supplies water to 19 connections in a small distribution system after disinfection with chlorine. Excess water from this spring flows through an altitude valve and supplements the Newberg Water Distribution System. Water from the Newberg Water Distribution System does not flow into the Oliver Spring Water Distribution System. The City of Newberg derives on average about 1.8 percent of its water supply from Oliver Spring.

The City's water sources are mapped in Exhibit 1-2.

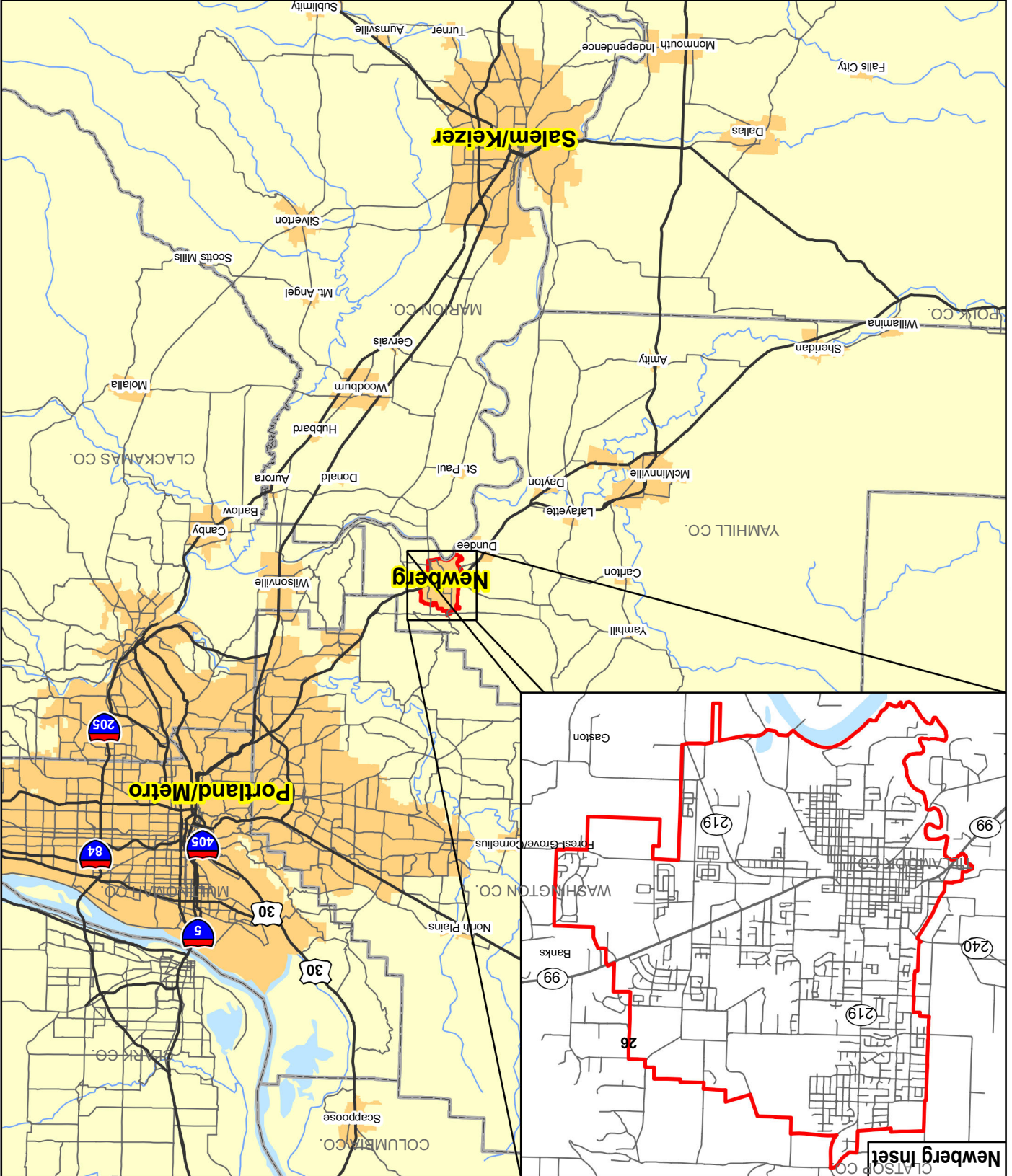




- LEGEND**
- Newberg City Limits
  - Other Urban Areas
  - County Boundaries
  - Highways
  - Other Roads

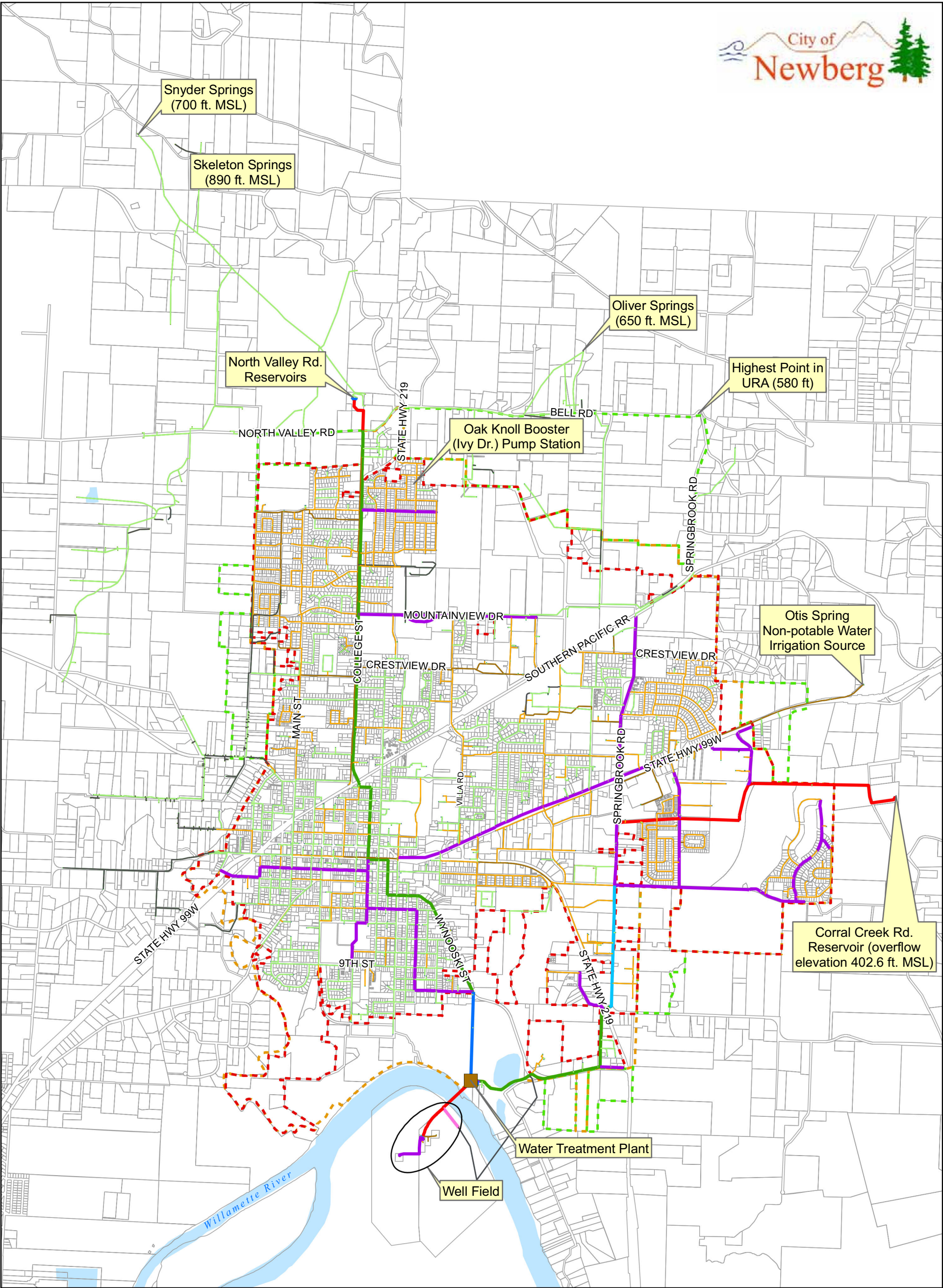


**Exhibit 1-1**  
**Newberg, Oregon**  
**and Vicinity**









LEGEND

- City Limits
- Urban Growth Boundary (UGB)
- Urban Reserve Area (URA)
- Tax Lots
- Large Waterbodies

Existing Water System  
Pipe Diameter (inches)

- |     |              |
|-----|--------------|
| 24" | 14"          |
| 20" | 12"          |
| 18" | 10"          |
| 16" | 8"           |
|     | <= 6"        |
|     | Size Unknown |

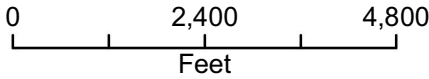


Exhibit 1-2

Water System Schematic

2007 City of Newberg Water  
Management and Conservation Plan





## Plan Organization OAR 690-086-0125 (1), (2), (3), and (4)

This WMCP fulfills the requirements of the Oregon Administrative Rules adopted by the Water Resources Commission in November 2002 (OAR Chapter 690, Division 86). It describes water conservation and curtailment programs to guide planning and operation of the City's system. As outlined in Exhibit 1-3, the plan is organized into sections that address specific sections of OAR Chapter 690, Division 86.

### EXHIBIT 1-3

#### Plan Organization

#### *2007 City of Newberg Water Management and Conservation Plan*

| Section                               | Requirement      |
|---------------------------------------|------------------|
| Section 1: Introduction               | OAR 690-086-0125 |
| Section 2: Water Supplier Description | OAR 690-086-0140 |
| Section 3: Water Conservation         | OAR 690-086-0150 |
| Section 4: Curtailment                | OAR 690-086-0160 |
| Section 5: Water Supply               | OAR 690-086-0170 |

## Affected Local Governments OAR 690-086-0125 (5)

This plan may affect Yamhill County where the City of Newberg is located and Marian County where the well field is located. Thirty days before submitting this plan to OWRD, Yamhill County and Marian County were invited to review this plan and provide comments relating to its consistency with their comprehensive land use plans. The letters requesting this input and the corresponding input received, are provided in Appendix A.

## Plan Update Schedule OAR 690-086-0125 (6)

The City of Newberg anticipates submitting an update of this plan within 10 years of plan approval. As required by the Commission's rules, a progress report will be submitted within 5 years from the approval of this plan.

## Time Extension OAR 690-086-0125 (7)

No extension of time to implement metering is required or requested.





## SECTION 2

# Water Supplier Description

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*This section satisfies the requirements of Oregon Administrative Rule (OAR) 690-086-0140.*

## Source 690-086-0140(1)

Founded in 1869, the City of Newberg (City) was formally incorporated in 1893. The town soon became the active service center for surrounding agricultural areas. The local Quaker community founded the Friends Church in 1884, and, 1 year later established the Pacific Academy, which is now George Fox University.

The City owns and operates the public drinking water system that serves City residents and a small number of customers located outside the City limits through three separate but interconnected water distribution systems that are supplied by ten groundwater sources. The three water distribution systems are:

- **Newberg Water Distribution System:** Seven wells and Oliver Spring currently supply the larger Newberg Water Distribution System. Approximately 99 percent of the water in this system comes from seven operating groundwater wells located in a well field on the south side of the Willamette River across from City and the water treatment plant. All water from the groundwater wells is treated at the water treatment plant before being delivered to consumers. Oliver Spring supplies water to 19 dedicated connections after the addition of chlorine, and excess water then flows through an altitude valve into the Newberg Water Distribution System. The City of Newberg supplies on average about 93.7 percent of its total water demand through this large system.
- **Riparian Water Distribution System.** Skelton Spring and Snider Spring supply water to 49 connections in the Riparian Water Distribution System after disinfection with chlorine. Excess water from this system flows into a natural swale where it recharges the groundwater. The Riparian Water Distribution System is interconnected to the Newberg Water Distribution System by way of normally closed valves on the south side of the North Valley Reservoirs. Water from the Newberg Water Distribution System does not flow into the Riparian Water Distribution System. The City of Newberg derives on average about 4.5 percent of its water supply from these two springs.
- **Oliver Spring Water Distribution System.** Oliver Spring supplies water to 19 connections in a small distribution system after disinfection with chlorine. Excess water from this spring flows through an altitude valve to supplement the Newberg Water Distribution System. Water from the Newberg Water Distribution System does not flow into the Oliver Spring Water Distribution System. The City of Newberg derives on average about 1.8 percent of its water supply from Oliver Spring.

The first components of the system were constructed in 1894, and the system has been owned and operated by the City since that time. Originally, water came primarily from the Columbia River Basalt formation springs on the southwest flank of the Chehalem

Mountains. Oliver Spring was the first to be developed in 1894, then Otis Springs in 1911, Skelton Springs in 1919, Atkinson/Reynolds Springs in 1923, and Snider Springs in 1905.<sup>1</sup> In recent times the majority of water supplied to the City's system comes from groundwater wells located south of the City. The City continues to use Oliver, Skelton, and Snider Springs.

Wells in young alluvium formations on the south side of the Willamette River serve as the primary source of water. The City constructed the first well in 1948, another in 1951, two in 1970, two in 1980, one in 2001, and one in 2005. This well water contains high levels of iron and is treated at the nearby City of Newberg Water Treatment Plant (WTP).

The WTP has been in operation since it was originally built in 1949. Over the years, the WTP has been expanded and upgraded so that the current instantaneous capacity is 9.5 million gallons per day (mgd) with a sustained capacity of 8.6 mgd. The treatment processes at the plant include pre-oxidation and disinfection using onsite generated sodium hypochlorite, contact basins, filtration, and pH adjustment using sodium hydroxide.

In 2002, the City began the Phase I improvements of the WTP to retain its capacity, improve performance and ensure continued optimal treatment at a plant capacity of 5.63 mgd. Components of this project included:

- Filter rehabilitation to replace filter media and underdrains
- Auxiliary air scour cleaning system for filters
- Backwash flow control improvements
- Permanent sodium hydroxide storage and feed system
- Instrumentation and control improvements

Phase II improvements of the WTP project in 2006 upgraded and expanded the existing treatment facilities to ensure continued optimal treatment at the expanded plant capacity to an instantaneous capacity of 9.5 mgd and a sustained capacity of 8.6 mgd. Components of this project included:

- Contact Basin repair and improvements
- Filter expansion and improvements
- Clearwell expansion and improvements
- Finished Water expansion and improvements
- Chlorine system replacement and expansion
- Sodium hydroxide system improvements
- Backwash lagoon pump station and pipeline to wastewater treatment plant (WWTP)
- Site development improvements
- Site electrical expansion and improvements
- Site instrumentation and control (I&C) expansion and improvements
- Access and safety improvements

Recent improvements to the City's WTP have resulted in the efficient utilization of process water side streams. From 2003 through 2006 an average of 3 percent of water produced by

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<sup>1</sup> *Water Management and Conservation Plan for the City of Newberg*. December 2004.

the well field was used in the WTP as process water. During the same period, an average of 4 percent of water produced by the well field was used in the WTP to backwash the filters.

The system identification number provided by the Oregon Department of Human Services Drinking Water Program is Public Water Supply No. 41-00557. It is listed as the Newberg Water District.

## Intergovernmental Agreements 690-086-0140(1)

The City of Newberg currently has no interconnections with other municipal supply systems or cooperative regional water management systems.

## Service Area Description 690-086-0140(2)

Exhibit 1-2 is service area map of the City's existing water system. Exhibit 2-1 provides service population for 1991 through 2006. As of 2006, the City's water system served a population of approximately 20,570. Based on U.S. Census data, and population estimates from Portland State University's Population Research Center, the historical annual rate of population growth in Yamhill County from 1990 through 2005 was 3.7 percent. The average population growth rate for the City of Newberg from 1991 through 2006 is 2.5 percent.

The service area populations listed in Exhibit 2-1 include customers within and outside City limits. According to the Oregon Department of Human Services Drinking Water Program web site (<http://oregon.gov/DHS/ph/dwp/index.shtml>, accessed February 2007), the City's water distribution systems serve approximately 20,570 people through 6,316 connections.

### EXHIBIT 2-1

#### Population Data

#### *2007 City of Newberg Water Management and Conservation Plan*

| Year | Water System Population | Percent Change |
|------|-------------------------|----------------|
| 1991 | 14,166                  |                |
| 1992 | 14,406                  | 1.69%          |
| 1993 | 14,735                  | 2.28%          |
| 1994 | 15,371                  | 4.32%          |
| 1995 | 15,956                  | 3.81%          |
| 1996 | 16,831                  | 5.48%          |
| 1997 | 17,436                  | 3.59%          |
| 1998 | 18,029                  | 3.40%          |
| 1999 | 18,321                  | 1.62%          |
| 2000 | 18,735                  | 2.26%          |
| 2001 | 18,951                  | 1.15%          |
| 2002 | 19,421                  | 2.48%          |

**EXHIBIT 2-1**

## Population Data

*2007 City of Newberg Water Management and Conservation Plan*

| <b>Year</b> | <b>Water System Population</b> | <b>Percent Change</b> |
|-------------|--------------------------------|-----------------------|
| 2003        | 19,530                         | 0.56%                 |
| 2004        | 19,910                         | 1.95%                 |
| 2005        | 20,565                         | 3.29%                 |
| 2006        | 20,570                         | 0.02%                 |
| Average     | -                              | 2.5%                  |
| Low         | -                              | 0.02%                 |
| High        | -                              | 5.5%                  |

As can be seen in Exhibit 2-2, the City's population grew at an increasing rate through the 1970s when it achieved a growth rate of almost 60 percent, and then the growth rate tapered off to an estimated 35 percent for decade that will end in 2010. The City expects that its growth rate will continue to decline, although it is expected to achieve a healthy 25–37 percent through 2040.

**EXHIBIT 2-2**

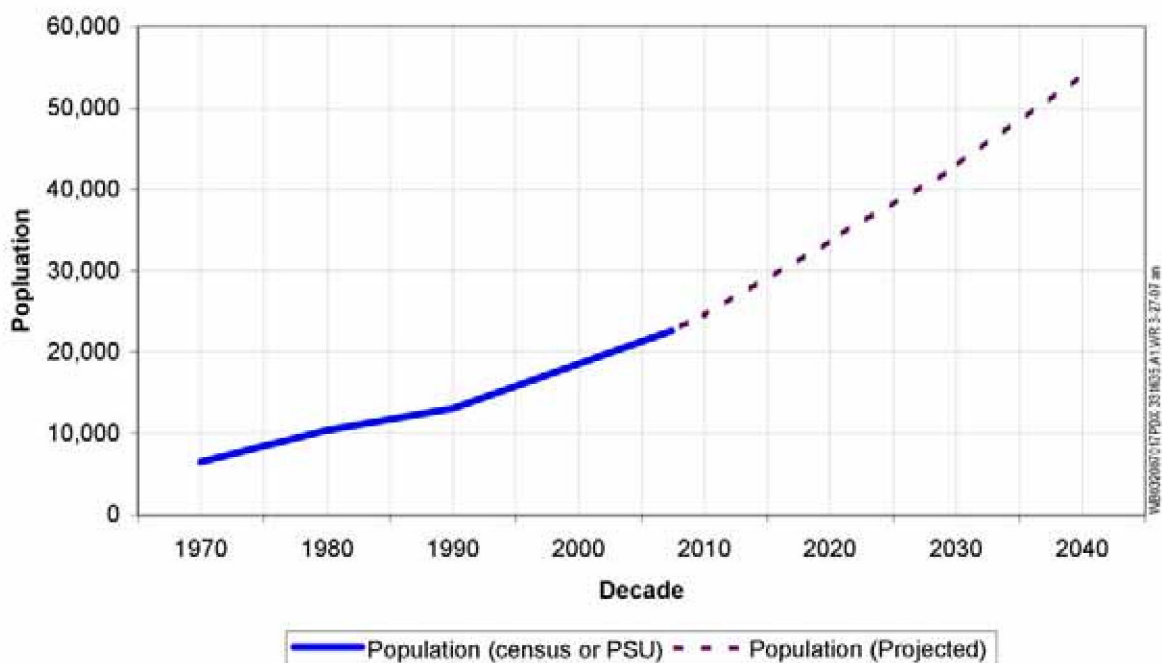
## Population Data by Decade

*2007 City of Newberg Water Management and Conservation Plan*

| <b>Decade</b> | <b>Population</b> | <b>Increase</b> |
|---------------|-------------------|-----------------|
| 1960          | 4,208             | —               |
| 1970          | 6,507             | 54.8%           |
| 1980          | 10,394            | 59.7%           |
| 1990          | 13,086            | 25.9%           |
| 2000          | 18,064            | 38.0%           |
| 2010          | 24,497            | 35.6%           |
| 2020          | 33,683            | 37.5%           |
| 2030          | 42,870            | 27.3%           |
| 2040          | 54,097            | 26.2%           |

The City of Newberg future population projections are shown graphically in Exhibit 2-3; these data are extrapolated from the average percent change calculated from the data contained in Exhibit 2-1



**EXHIBIT 2-3**

City of Newberg Population Projection to 2040  
 2007 City of Newberg Water Management and Conservation Plan

## Reliability of Water Supply 690-086-0140(3)

The City's potable water supply currently comes from ten groundwater sources: Oliver Spring, Skelton Spring, Snider Spring, and seven groundwater wells. These water sources serve three separate but interconnected distribution systems as described earlier in this section in the subsection entitled Source 690-086-0140(1). Currently, during the summer months, the City is unable to meet its maximum daily demand of 6.9 mgd (10.7 cfs) due to water supply capacity constraints. Under these conditions, the MDD exceeds the production capacity of 6.3 mgd, and this has caused the City to activate its curtailment plan, Phase 1 – Water Alert Status on a regular basis. Exhibit 2-4 provides details about the water resources actually available to the City in the summer when it must meet its MDD. The City has been able to meet the seasonal system demands in excess of system capacity by reducing this demand through its curtailment efforts. Exhibit 5-7 depicts this shortfall and illustrates how the deficit between the existing water right and maximum daily demand will continue to increase.

The Riparian Water Distribution System supplies 49 connections and is supplied by Snider and Skelton springs. At all times, excess water not consumed in this distribution system flows into a natural drainage swale. During the peak demand months of summer, this source of supply is almost entirely consumed by demand within the system.

Oliver Spring supplies water to 19 customers located in the Oliver Spring Water Distribution System which is at a higher elevation than the larger Newberg Water Distribution System. During the fall, winter, and spring months, excess water from Oliver

Spring flows into the Newberg Water Distribution System through an altitude valve. During the summer, when water production from Oliver Spring declines to a level that is only sufficient to provide water to the 19 Oliver Spring Water Distribution System customers, no water flows into the Newberg Water Distribution System from this source.

Seven groundwater wells and Oliver Spring currently supply the larger Newberg Water Distribution System. Approximately 99 percent of the water in this system comes from seven operating groundwater wells located in a well field on the south side of the Willamette River across from City and the water treatment plant. The well field production is limited by both water supply capacity and water rights permit constraints. The water supply capacity constraints include seasonal variations in aquifer levels that affect specific wells, limits on access to water rights, and water source production limitations. The following examples are given to provide further understanding of the limitations the City currently encounters:

- Seasonally, during the summer, the aquifer serving Well 5 drops to a level that renders it non-operational. Oliver Spring also has reduced flow, and no water from this source is available to supply the Newberg Water Distribution System.
- Well 8 operates at a maximum production rate of 1.44 mgd due to water rights limitations, although it has the tested capability to produce approximately 5.8 mgd. As currently configured, its pump can produce 3.3 mgd. However, the current water rights limitations for Wells 7-11 limits production from Well 8 to 1.44 mgd.
- The production limitations result from the management of well output to prevent iron fouling in the aquifer and around the well screens, which could result in a permanent reduction of well capacity.
- During the summer months, the pumping capacity of Wells 1-6 is reduced from an observed maximum of 5.9 mgd in the winter (2006 data) down to 2.8 mgd (2006 data).

**EXHIBIT 2-4**

## Seasonal Access to Water Resources

## 2007 City of Newberg Water Management and Conservation Plan

| Source                        | Supported System       | WRD Status      | Water Right (mgd) | Potable Water Production Capability (mgd) | Summer Production Capacity (mgd) | Remarks  |
|-------------------------------|------------------------|-----------------|-------------------|---|----------------------------------|--|
| Gardner Spring                | N/A                    | Non- Cancelled  | 2.6               | N/A                                       | N/A                              | Out-of-service   |
| Otis Spring                   | Non-potable Irrigation | Non- Cancelled  | 2.6               | N/A                                       | N/A                              | Used for non-potable irrigation  |
| Oliver Spring                 | Oliver                 | Non- Cancelled  | 0.05              | 0.050                                     | 0.002                            | The City has exclusive rights to this water, which serves 19 domestic customers in the Oliver Spring Water Distribution System before excess water is allowed to feed the Newberg Water Distribution System. |
| Atkinson Spring               | Riparian               | Non- Cancelled  | 1.3               | N/A                                       | N/A                              | Not connected to the system due to excessive sediment.   |
| Skelton Spring                | Riparian               | Non- Cancelled  | 1.3               | 0.030                                     | 0.030                            | Serves 49 domestic customers in the Riparian Water Distribution System before excess water is allowed to go to natural drainage.   |
| Snyder Spring                 | Riparian               | Pending w/ OWRD | 0.3               | 0.100                                     | 0.010                            |  |
| <b>SPRINGS TOTAL:</b>         |                        |                 | 8.15              | 0.18                                      | 0.042                            |  |
| <b>POTABLE SPRINGS TOTAL:</b> |                        |                 | 1.65              | 0.18                                      | 0.042                            |  |
| Well # 1                      | Newberg                | Non- Cancelled  | 1.4               | 0.900                                     | 0.504                            |  |
| Well # 2                      | Newberg                | Non- Cancelled  | 1.4               | 0.300                                     | 0.230                            |  |
| Well # 3                      | Newberg                | Cancelled       | N/A               | N/A                                       | N/A                              | Water right for 1.9 mgd transferred to Well # 5  |
| Well # 4                      | Newberg                | Non- Cancelled  | 1.7               | 0.500                                     | 0.319                            |  |
| Well # 5                      | Newberg                | Non- Cancelled  | 2.6               | 1.600                                     | 0.0                              | Original 0.7 mgd plus 1.9 mgd from Well # 3  |
| Well # 6                      | Newberg                | Non- Cancelled  | 2.6               | 2.2                                       | 1.6                              |  |

**EXHIBIT 2-4**

## Seasonal Access to Water Resources

*2007 City of Newberg Water Management and Conservation Plan*

| Source   | Supported System | WRD Status     | Water Right (mgd) | Potable Water Production Capability (mgd) | Summer Production Capacity (mgd) | Remarks   |
|--|------------------|----------------|-------------------|---|----------------------------------|---|
| Well # 7                                       | Newberg          | Non- Cancelled | 2.7               | 2.6                                       | 2.3                              | Currently shares 4.0 mgd with Well # 8  |
| Well # 8                                       | Newberg          | Non- Cancelled | 1.3               | 3.3                                       | 2.9                              | Currently shares 4.0 mgd with Well # 7  |
| Wells 9, 10, & 11 (future)                     | Newberg          | Non- Cancelled | See Remarks       | N/A                                       | N/A                              | Potential to share a total of 12.9 mgd (20 cfs) with Wells 7-11, which has been applied for. This includes the 4.0 mgd listed in the notes for Wells 7 and 8 above. |
| <b>WELLS TOTAL:</b>                            |                  |                | 13.7              | 11.0                                      | 7.8                              |   |
| <b>Total Water Available for MDD in Summer</b> |                  |                | <b>6.3</b>        | <b>mgd</b>                                |                                  |   |

Exhibit 2-5 details the seasonal access to water resources by the distribution system they serve.

#### EXHIBIT 2-5

Seasonal Access to Water Resources by Distribution System Served  
 2007 City of Newberg Water Management and Conservation Plan

| MDD Water Resources (Summer)            | Summer (mgd) | Winter (mgd) | Water Rights in Use (mgd) |
|---|--------------|--------------|---------------------------|
| Newberg Water Distribution System       | 6.25         | 11.00        | 13.70                     |
| Riparian Water Distribution System      | 0.04         | 0.13         | 1.60                      |
| Oliver Spring Water Distribution System | 0.002        | 0.05         | 0.05                      |
| <b>Total Available Water:</b>           | 6.3          | 11.2         | 15.35                     |

The above limitations result in a total summertime production capacity of 6.3 mgd, which is 0.6 mgd less than the current MDD of 6.9 mgd. The expansion of legally available water for Wells 7-11 to the water rights limit of 12.9 mgd (20 cfs) under permit G-13876 will allow the City to produce water sufficient to meet its MDD through 2027, the period covered by this report, while providing the flexibility to manage its water resources intelligently for long-term use.

## Records of Water Use 690-086-0140(4)

### Production and Demands

Production refers to the quantity of potable water delivered to the distribution system. For the City of Newberg, total production equals the amount of water pumped from the WTP and added to the amount discharged from the springs into the distribution system. Production is equal to system demand minus any excess water sent to the City's recharge swales. System demand is all the water used within the system, including metered consumption (residential, commercial/ industrial, and wholesale), unmetered public uses (fire fighting, hydrant flushing, other), and water lost to leakage, reservoir overflow, and evaporation.

Exhibit 2-6 contains data from the 2004 City of Newberg Water Distribution System Plan to develop the following three different demand levels:

- **Average Day Demand (ADD):** The total volume of water delivered to the system in a calendar year, divided by 365 days. ADD is the same as average annual demand.
- **Maximum Day Demand (MDD):** The maximum volume of water delivered to the system in any single day of the year.
- **Peak Hour Demand (PHD):** The maximum volume of water delivered to the system in any single hour of the year.



**EXHIBIT 2-6**

## Newberg Average Peaking Factors

*2007 City of Newberg Water Management and Conservation Plan*

| <b>Flow Rate Condition</b> | <b>Factor*</b> |
|----------------------------|----------------|
| MDD/ADD                    | 2.09           |
| PHD/MDD                    | 1.58           |
| PHD/ADD                    | 3.30           |

\*2004 City of Newberg Water Distribution System Plan.

The factors depicted in Exhibit 2-6 provide insight into the relationship of the maximum daily demand and peak hourly demand to the average daily demand. These relationships are used to develop insights into what water resources the distribution system will require to meet these demands in the future. For the most part, peak hourly demands are managed by distribution system storage facilities, which also contain water reserves for fire fighting and emergency purposes. Maximum day demands must be met by water supply and system storage capacities so the emergency reserves will be available at all times and the reservoirs are able to be filled in time to meet the next day's demand.

Annual daily water production data from 1991 through 2006 are tabulated in Exhibit 2-7. These data include water produced by both well and spring sources, and exclude process and backwash water utilized by the water treatment plant to produce treated water. In other words, the total amount of water utilized to produce the amounts of water sent to the distribution system is greater than the amounts shown in the exhibit.

**EXHIBIT 2-7**

Annual Average Daily Water Production (Gallons per Day)  
 2007 City of Newberg Water Management and Conservation Plan

| Year | Water<br>Treatment<br>Plant | Oliver<br>Spring | Snider<br>Springs | Skelton<br>Springs | Atkinson<br>Springs | Total     |
|------|-----------------------------|------------------|-------------------|--------------------|---------------------|-----------|
| 1991 | 1,877,000                   | 67,500           | 128,700           | 57,300             | 57,300              | 2,187,800 |
| 1992 | 1,969,000                   | 61,000           | 123,600           | 48,500             | 53,800              | 2,255,900 |
| 1993 | 1,813,000                   | 60,700           | 159,900           | 26,316             | 81,500              | 2,141,416 |
| 1994 | 1,900,000                   | 59,300           | 126,100           | 22,600             | 75,100              | 2,183,100 |
| 1995 | 1,906,000                   | 62,400           | 156,500           | 31,400             | 143,700             | 2,300,000 |
| 1996 | 2,037,000                   | 64,400           | 144,700           | 34,200             | 152,700             | 2,433,000 |
| 1997 | 2,170,000                   | 65,500           | 119,100           | 44,000             | 79,800              | 2,478,400 |
| 1998 | 2,153,000                   | 62,000           | 138,700           | 42,200             | 79,400              | 2,475,300 |
| 1999 | 2,315,000                   | 57,500           | 103,900           | 37,100             | 72,000              | 2,585,500 |
| 2000 | 2,369,000                   | 56,800           | 71,500            | 37,900             | 57,900              | 2,593,100 |
| 2001 | 2,231,000                   | 61,000           | 60,000            | 34,300             | 53,800              | 2,440,100 |
| 2002 | 2,403,000                   | 66,000           | 46,300            | 31,900             | 22,600              | 2,569,800 |
| 2003 | 2,524,485                   | 72,000           | 71,000            | 23,000             | 13,000              | 2,703,485 |
| 2004 | 2,389,526                   | 67,000           | 95,000            | 11,000             | 12,000              | 2,574,526 |
| 2005 | 2,501,471                   | 57,000           | 95,000            | 16,000             | 10,000              | 2,679,471 |
| 2006 | 2,832,762                   | 51,000           | 106,000           | 26,000             | 0                   | 3,015,762 |

An important metric that the City uses for planning purposes, to meet the water demand of increasing population growth, is per capita production. This is the average amount of water used by each person served by the system in a specified time frame. Exhibit 2-8 shows a general decline in the City's per capita water use since 1991, due in part to water conservation measures and public education programs sponsored by the City. The average per capita water use for the period of 1991 to 2006 is 140 gallons, which is also the per capita use in 2006.

**EXHIBIT 2-8**

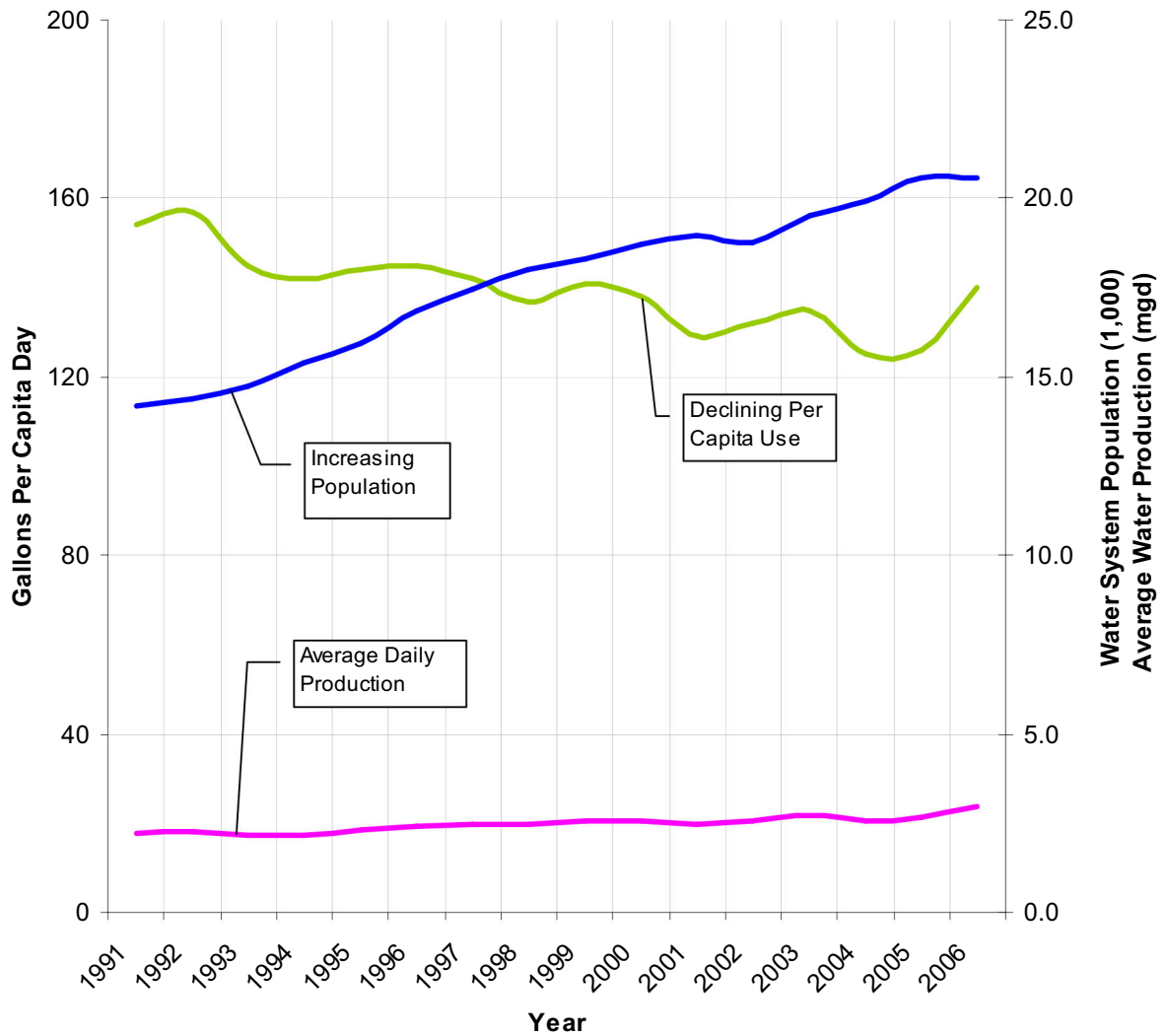
## Historical Per Capita Production

*2007 City of Newberg Water Management and Conservation Plan*

| <b>Year</b> | <b>Water System<br/>Population</b> | <b>Average Daily<br/>Production<br/>(mgd)</b> | <b>Gallons per<br/>Capita per Day<br/>(gpcd)</b> |
|-------------|------------------------------------|---|--|
| 1991        | 14,166                             | 2.2   | 154  |
| 1992        | 14,406                             | 2.3   | 157  |
| 1993        | 14,735                             | 2.1   | 145  |
| 1994        | 15,371                             | 2.2   | 142  |
| 1995        | 15,956                             | 2.3   | 144  |
| 1996        | 16,831                             | 2.4   | 145  |
| 1997        | 17,436                             | 2.5   | 142  |
| 1998        | 18,029                             | 2.5   | 137  |
| 1999        | 18,321                             | 2.6   | 141  |
| 2000        | 18,735                             | 2.6   | 138  |
| 2001        | 18,951                             | 2.4   | 129  |
| 2002        | 19,421                             | 2.6   | 132  |
| 2003        | 20,201                             | 2.7   | 135  |
| 2004        | 20,581                             | 2.6   | 125  |
| 2005        | 21,236                             | 2.7   | 126  |
| 2006        | 21,241                             | 3.0   | 140  |

Source: *2004 City of Newberg Water Distribution System Plan*, updated through 2006 with population data from Portland State University's Population Research Center.

Exhibit 2-9 compares the increasing population growth in the City of Newberg with the generally declining per capita use of water. This relationship is further illustrated by the fact that water production rates have remained relatively flat over the same period, and have increased at a much smaller rate of increase than exhibited by population growth.

**EXHIBIT 2-9**

Historical Per Capita Production

*2007 City of Newberg Water Management and Conservation Plan*

## City Water Rights 690-140(5)

Exhibit 2-10 is a table of the City's water rights, which provide for up to 28.1 mgd.

**EXHIBIT 2-10**

## City Water Rights Summary

## 2007 City of Newberg Water Management and Conservation Plan

| Location        |    |    |    | Permitted Amount |   |                 |               |                  |     |     |      |           |               |                                   |
|-----------------|----|----|----|------------------|---|-----------------|---------------|------------------|-----|-----|------|-----------|---------------|-----------------------------------|
| Name            | T  | R  | S  | Application No.  | Permit No.  | Certificate No. | Priority Date | Certificate Date | cfs | mgd | gpm  | Type      | WRD Status    | Comments                          |
| Springs         |    |    |    |                  |   |                 |               |                  |     |     |      |           |               |                                   |
| Gardner Spring  | 3S | 2W | 15 | S-1646           | S-915   | 2389            | 8/23/1911     | 8/1/1919         | 4   | 2.6 | 1795 | Primary   | Non-cancelled | Out of Service                    |
| Otis Spring     | 3S | 2W | 15 | S-1646           | S-915   | 2389            | 8/23/1911     | 8/1/1919         | 4   | 2.6 | 1795 | Alternate | Non-cancelled | Used for Irrigation Only          |
| Skeleton Spring | 3S | 2W | 20 | S-6604           | S-5977  | 5456            | 6/24/1919     | 9/1/1925         | 2   | 1.3 | 898  | Primary   | Non-cancelled |                                   |
| Atkinson Spring | 3S | 2W | 20 | S-9065           | S-6530  | 5456            | 7/10/1923     | 9/1/1925         | 2   | 1.3 | 898  | Primary   | Non-cancelled | Out of Service                    |
| Oliver Spring   | 3S | 2W | 19 |                  | D-6829  | 6829            | 12/31/1894    | 12/20/1926       |     |     |      | Primary   | Non-cancelled | Exclusive rights to the spring    |
| Snider Spring   | 3S | 2W | 36 | S-1345           | SWR-641   |                 | 11/30/1905    |                  | 0.5 | 0.3 | 224  | Primary   |               | Water right is pending with OWRD. |
|                 |    |    |    |                  | Springs Total (not including Otis (alternate) spring) |                 |               |                  | 8.5 | 5.5 | 3815 |           |               |                                   |
| Wells           |    |    |    |                  |   |                 |               |                  |     |     |      |           |               |                                   |
| Well 1          | 3S | 2W | 29 | GR-63            | GR-54   |                 | 9/30/1951     |                  | 2.2 | 1.4 | 1000 | Primary   | Non-cancelled | Groundwater Registration          |
| Well 2          | 3S | 2W | 29 | GR-63            | GR-54   |                 | 5/31/1948     |                  | 2.2 | 1.4 | 1000 | Primary   | Non-cancelled | Groundwater Registration          |



**EXHIBIT 2-10**

## City Water Rights Summary

## 2007 City of Newberg Water Management and Conservation Plan

| Location   |    |    |    | Permitted Amount |            |                 |                        |                  |      |      |        |         |               |                             |
|--|----|----|----|------------------|------------|-----------------|------------------------|------------------|------|------|--------|---------|---------------|-----------------------------|
| Name   | T  | R  | S  | Application No.  | Permit No. | Certificate No. | Priority Date          | Certificate Date | cfs  | mgd  | gpm    | Type    | WRD Status    | Comments                    |
| Well 4   | 3S | 2W | 29 | G-5254           | G-5276     | 48100           | 7/20/1970              | 5/25/1979        | 2.7  | 1.7  | 1203   | Primary | Non-cancelled |                             |
| Well 5   | 3S | 2W | 29 | G-9638           | G-10067    |                 | 3/28/1980              |                  | 1    | 0.7  | 453    | Primary | Non-cancelled | Original Permit             |
| Well 5   | 3S | 2W | 29 | T-4547           | G-5277     | 68620           | 8/6/1970               | 5/25/1979        | 3    | 1.9  | 1346   | Primary | Non-cancelled | Transferred from Well No. 3 |
| Well 6   | 3S | 2W | 29 | G-9805           | G-10068    |                 | 6/23/1980              |                  | 4    | 2.6  | 1800   | Primary | Non-cancelled |                             |
| Collector Well and existing Wells 7 & 8 (Future Wells 9, 10, and 11 to be constructed) | 3S | 2W | 29 | G-12515          | G-13876    |                 | 5/3/1991               |                  | 20   | 12.9 | 8976   | Primary | Non-cancelled |                             |
|  |    |    |    |                  |            |                 | Well Total             |                  | 35.1 | 22.6 | 15,750 |         |               |                             |
|  |    |    |    |                  |            |                 | Well and Springs Total |                  | 43.6 | 28.2 | 19,569 |         |               |                             |

## Water Use Characteristics 690-086-140(6)

Exhibit 2-11 lists customer categories served by the City of Newberg's water distribution systems. These values are net of process water used in the water treatment plant.

### EXHIBIT 2-11

Annual Consumption (in million gallons) (Source City of Newberg)

2007 City of Newberg Water Management and Conservation Plan

| Category           | 2000       | 2001       | 2002       | 2003       | 2004       | 2005       | 2006       |
|--------------------|------------|------------|------------|------------|------------|------------|------------|
| Single Family      | 171        | 166        | 236        | 201        | 252        | 327        | 404        |
| Multi Family       | 72         | 90         | 119        | 125        | 109        | 127        | 138        |
| Commercial         | 66         | 84         | 98         | 104        | 82         | 103        | 122        |
| Industrial         | 16         | 22         | 28         | 24         | 20         | 23         | 27         |
| University         | 3          | 2          | 9          | 10         | 8          | 9          | 10         |
| Outside City       | 24         | 29         | 27         | 40         | 38         | 42         | 49         |
| Other Government   | 14         | 17         | 31         | 22         | 21         | 49         | 28         |
| Irrigation         | 18         | 23         | 57         | 45         | 36         | 66         | 137        |
| Riparian           | 3          | 4          | 4          | 5          | 4          | 0          | 8          |
| <b>Grand Total</b> | <b>386</b> | <b>438</b> | <b>609</b> | <b>574</b> | <b>570</b> | <b>746</b> | <b>924</b> |

Exhibit 2-12 lists the top users of water supplied by the City of Newberg. The City does not supply water to other water suppliers and does not receive water from other water suppliers.

### EXHIBIT 2-12

Largest Water Consumers 2006

2007 City of Newberg Water Management and Conservation Plan

| Customer                       | 2006<br>Consumption<br>(cf/yr) | 2006<br>Consumption<br>(mgd) | Category          |
|--------------------------------|--------------------------------|------------------------------|-------------------|
| CHEHALEM PARK & #38; REC Total | 6,688,800                      | 0.14                         | City              |
| NEWBERG SCHOOL DIST 29J Total  | 4,767,300                      | 0.10                         | Education         |
| GEORGE FOX UNIVERSITY Total    | 4,275,400                      | 0.09                         | Education         |
| CITY OF NEWBERG Total          | 2,829,600                      | 0.06                         | City              |
| A-DEC Total                    | 1,889,400                      | 0.04                         | Industry          |
| OAKS @ SPRINGBROOK H.O.A Total | 1,826,500                      | 0.04                         | Residential       |
| FRIENDSVIEW MANOR Total        | 1,783,100                      | 0.04                         | Retirement Center |
| BAUER WILBUR Total             | 1,554,000                      | 0.03                         | Industry          |

**EXHIBIT 2-12**

Largest Water Consumers 2006

*2007 City of Newberg Water Management and Conservation Plan*

| <b>Customer</b>                                  | <b>2006<br/>Consumption<br/>(cf/yr)</b> | <b>2006<br/>Consumption<br/>(mgd)</b> | <b>Category</b>   |
|--|---|---------------------------------------|-------------------|
| SP NEWSPRINT CO Total                            | 1,408,000                               | 0.03                                  | Industry          |
| SPRINGBROOK ESTATES Total                        | 1,202,400                               | 0.02                                  | Residential       |
| PROVIDENCE HEALTH SYSTEM PHS<br>Attn: Jill Total | 1,037,700                               | 0.02                                  | Health            |
| WOODSIDE PARK APARTMENTS<br>Total                | 901,800                                 | 0.02                                  | Residential       |
| VIKING PROP/CANYON RIDGE Total                   | 900,200                                 | 0.02                                  | Residential       |
| BAKER ROCK Total                                 | 876,800                                 | 0.02                                  | Industry          |
| CHEHALEM VALLEY WATER ASSOC.<br>Total            | 870,500                                 | 0.02                                  | Residential       |
| NBG RETIREMENT RESIDENCE, LLC<br>Total           | 813,800                                 | 0.02                                  | Retirement Center |
| WINERY REX HILL Total                            | 799,300                                 | 0.02                                  | Industry          |
| NW NEWBERG WATER ASSN. Total                     | 711,700                                 | 0.01                                  | Residential       |
| SP NEWSPRINT CO. Total                           | 646,900                                 | 0.01                                  | Industry          |
| PROVIDENCE HEALTH SYSTEM PHS<br>Attn: Jill Total | 620,500                                 | 0.01                                  | Health            |
| NUT TREE RANCH Total                             | 612,800                                 | 0.01                                  | Agriculture       |
| AVAMERE HEALTH SERVICES Total                    | 599,800                                 | 0.01                                  | Health            |
| HAZELDEN SPRINGBROOK Total                       | 565,600                                 | 0.01                                  | Health            |
| SUNTRON Total                                    | 529,400                                 | 0.01                                  | Industry          |
| SUNNY ACRES W.D. Total                           | 508,000                                 | 0.01                                  | Residential       |
| USHIO AMERICA, INC Total                         | 504,200                                 | 0.01                                  | Industry          |
| <b>Total:</b>                                    | <b>39,723,500</b>                       | <b>0.81</b>                           |                   |

As explained in Consumption and Unaccounted-for Water 690-086-0140(9) below, problems with accounting, data collection, and data management have made the task of providing a meaningful comparison between the data shown in this Water Management and Conservation Plan and those data depicted in the previous Water Management and Conservation Plan difficult. The City is taking steps to resolve these problems in time to make a meaningful comparison between this report and subsequent updates.

## Interconnections with Other Systems 690-086-0140(7)

The City does not have regular or emergency interconnections with other public or private water systems.

## Water System Description 690-086-140(8)

The City of Newberg's water distribution system has three 4-million-gallon finished water storage reservoirs with a total storage capacity of 12 million gallons, enough to provide the system with water for more than three days at an average daily demand flow for the foreseeable future. Exhibit 2-13 describes the water reservoirs in the system.

### EXHIBIT 2-13

Inventory of Water Distribution System Reservoirs  
2007 City of Newberg Water Management and Conservation Plan

| Name                             | Volume (gallons) | Overflow Elevation (ft) | Shape/Material                          |
|----------------------------------|------------------|-------------------------|---|
| North Valley Road Reservoir East | 4,000,000        | 402.60                  | Circular prestressed concrete reservoir |
| North Valley Road Reservoir West | 4,000,000        | 402.69                  | Circular prestressed concrete reservoir |
| Corral Creek Road                | 4,000,000        | 402.55                  | Circular prestressed concrete reservoir |

The Newberg Water Distribution System has a distribution system pump station located at the WTP and one pressure zone booster pump station in the system.

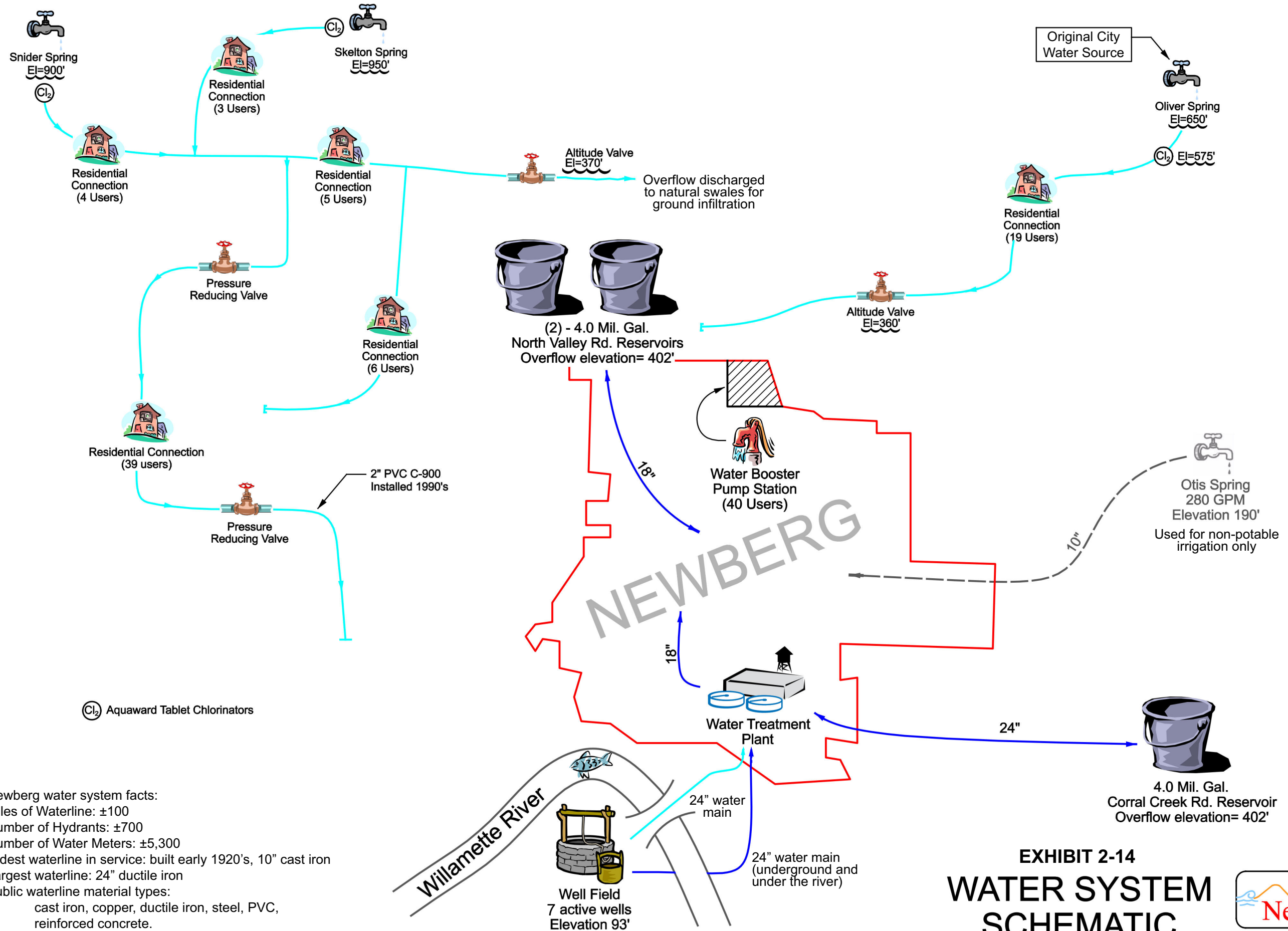
A schematic of the City of Newberg water supply system is shown in Exhibit 2-14.

The distribution system supply pump station is located in the WTP. The pumping system at the WTP has four vertical turbine pumps with a total rated firm capacity of about 9.5 mgd with three pumps in operation. This pump station has a backup power generator.

Existing pumping facilities are described in Exhibit 2-15. The Oak Knoll closed-loop booster pump station was constructed in 2000 and is located at 3613 Ivy Drive. The purpose of this pump station is to augment low pressures to 40 homes in the area.



Not to scale



Newberg water system facts:  
Miles of Waterline: ±100  
Number of Hydrants: ±700  
Number of Water Meters: ±5,300  
Oldest waterline in service: built early 1920's, 10" cast iron  
Largest waterline: 24" ductile iron  
Public waterline material types:  
cast iron, copper, ductile iron, steel, PVC,  
reinforced concrete.

## EXHIBIT 2-14 WATER SYSTEM SCHEMATIC



Updated March 2007 by CH2M HILL.





**EXHIBIT 2-15**

## Existing Pumping Facilities

## 2007 City of Newberg Water Management and Conservation Plan

| <b>Pump</b>                    | <b>Installation</b> | <b>Make</b>               | <b>Model</b>                              | <b>Capacity</b>  |
|--------------------------------|---------------------|---------------------------|---|--|
| WTP Clearwell Pump 1           | 2005                | Flowserve                 | 15EHM<br>Vertical Turbine                 | 2,800 gpm  |
| WTP Clearwell Pump 2           | 2005                | Flowserve                 | 15EHM<br>Vertical Turbine                 | 2,800 gpm  |
| WTP Clearwell Pump 3           | 1980                | Byron Jackson             | 12MQH 5 Stage<br>Vertical Turbine         | 1,440 gpm  |
| WTP Clearwell Pump 4           | 2005                | Flowserve                 | 15EHM<br>Vertical Turbine                 | 2,800 gpm  |
| Oak Knoll Booster Pump Station | 2000                | Triangle<br>3 pump system | "Pressurite" series<br>320 triplex system | Low flow: 10 gpm<br>Peak flow: 250 gpm<br>Fire flow: 1,000 gpm |

gpm = gallons per minute.

The City of Newberg's water distribution systems have approximately 100 miles of pipe in three systems. The larger Newberg Water Distribution System has about 90 miles of pipe and serves most of the City. The two smaller distribution systems have approximately 10 miles of pipe and are supplied by three springs. Exhibit 2-16 is a current inventory of water distribution system pipe by type and size.

**EXHIBIT 2-16**

## Inventory of Water Distribution System Pipe

## 2007 City of Newberg Water Management and Conservation Plan

| <b>Pipe Material</b> | <b>Pipe Size</b> | <b>Main System Quantity (linear feet)</b> | <b>Springs System Quantity (linear feet)</b> | <b>Total Pipe in the Distribution System (linear feet)</b> |
|----------------------|------------------|---|--|--|
| Black Poly           | 3/4"             | 0   | 826  | 826  |
|                      | 1"               | 108                                       | 3,539  | 3,648  |
| Cast Iron            | Unknown          | 122                                       | 0  | 122  |
|                      | 1"               | 193                                       | 0  | 193  |
|                      | 2"               | 188                                       | 0  | 188  |
|                      | 4"               | 7,136                                     | 7,356  | 14,491   |
|                      | 6"               | 64,517                                    | 4,749  | 69,265   |
|                      | 8"               | 27,292                                    | 0  | 27,292   |
|                      | 10"              | 9,084                                     | 0  | 9,084  |
|                      | 12"              | 11,252                                    | 0  | 11,252   |
|                      | 16"              | 97  | 0  | 97   |
|                      | 18"              | 4,919                                     | 0  | 4,919  |

**EXHIBIT 2-16**

## Inventory of Water Distribution System Pipe

## 2007 City of Newberg Water Management and Conservation Plan

| Pipe Material                    | Pipe Size | Main System Quantity (linear feet) | Springs System Quantity (linear feet) | Total Pipe in the Distribution System (linear feet) |
|----------------------------------|-----------|------------------------------------|---------------------------------------|---|
| Copper                           | 3/4"      | 0                                  | 1,022                                 | 1,022   |
|                                  | 1"        | 4,356                              | 1,214                                 | 5,569   |
|                                  | 2"        | 2,502                              | 64                                    | 2,566   |
|                                  | 4"        | 26                                 | 0                                     | 26  |
|                                  | 8"        | 8                                  | 0                                     | 8   |
| Ductile Iron                     | Unknown   | 15                                 | 0                                     | 15  |
|                                  | 1"        | 600                                | 0                                     | 600   |
|                                  | 2"        | 47                                 | 0                                     | 47  |
|                                  | 4"        | 19,276                             | 851                                   | 20,127  |
|                                  | 6"        | 59,134                             | 0                                     | 59,134  |
|                                  | 8"        | 154,375                            | 0                                     | 154,375   |
|                                  | 10"       | 20,361                             | 0                                     | 20,361  |
|                                  | 12"       | 36,793                             | 0                                     | 36,793  |
|                                  | 14"       | 3,146                              | 0                                     | 3,146   |
|                                  | 16"       | 19                                 | 0                                     | 19  |
|                                  | 18"       | 7,395                              | 0                                     | 7,395   |
|                                  | 24"       | 8,251                              | 0                                     | 8,251   |
| Galvanized Steel                 | 1"        | 624                                | 0                                     | 624   |
|                                  | 2"        | 1,971                              | 704                                   | 2,676   |
| PVC                              | Unknown   | 0                                  | 3,504                                 | 3,504   |
|                                  | 1"        | 163                                | 3,063                                 | 3,226   |
|                                  | 2"        | 6,284                              | 15,871                                | 22,155  |
|                                  | 3"        | 0                                  | 1,728                                 | 1,728   |
|                                  | 6"        | 2                                  | 0                                     | 2   |
| Reinforced Cement Concrete (rcc) | 1"        | 176                                | 0                                     | 176   |
|                                  | 4"        | 34                                 | 0                                     | 34  |
|                                  | 12"       | 17                                 | 0                                     | 17  |
|                                  | 16"       | 2,599                              | 0                                     | 2,599   |
|                                  | 18"       | 9,029                              | 0                                     | 9,029   |

**EXHIBIT 2-16**

## Inventory of Water Distribution System Pipe

2007 City of Newberg Water Management and Conservation Plan

| Pipe Material                            | Pipe Size | Main System Quantity (linear feet) | Springs System Quantity (linear feet) | Total Pipe in the Distribution System (linear feet) |
|--|-----------|------------------------------------|---------------------------------------|---|
| Steel                                    | 24"       | 946                                | 0                                     | 946   |
|  | 3"        | 0                                  | 1,931                                 | 1,931   |
|  | 4"        | 0                                  | 2,625                                 | 2,625   |
|  | 6"        | 0                                  | 156                                   | 156   |
| Sand Cast Iron                           | 4"        | 12                                 | 0                                     | 12  |
| Wrought Iron                             | 5"        | 819                                | 0                                     | 819   |
|  | 5"        | 340                                | 0                                     | 340   |
| Unknown                                  | Unknown   | 1,365                              | 2,247                                 | 3,612   |
|  | 1"        | 262                                | 0                                     | 262   |
|  | 4"        | 104                                | 698                                   | 801   |
|  | 6"        | 2,054                              | 44                                    | 2,098   |
|  | 8"        | 375                                | 0                                     | 375   |
|  | 10"       | 9,061                              | 0                                     | 9,061   |
|  | 18"       | 103                                | 0                                     | 103   |
| Total Linear Feet of Pipe in the System: |           | 477,545                            | 52,191                                | 529,737   |
| Total Miles of Pipe in the System:       |           | 90.4                               | 9.9                                   | 100.3   |

## Consumption and Unaccounted-for Water 690-086-0140(9)

Consumption is equal to the metered water use within the system and other identified and tracked but unmetered uses such as intentional tank drainage. Unaccounted-for water in the City of Newberg water systems is the difference between the total amount of water produced at the WTP and by the springs plus the identified unmetered uses and the total quantity of water billed to customers. Currently, unaccounted-for water is attributed to accounting system errors, system leakage losses, meter discrepancies and inaccuracies, unmetered hydrant and main flushing, street sweeping, unmetered WTP operation and maintenance uses, fire flow uses, unauthorized connections, and unmetered miscellaneous uses. Water used from hydrant connections for construction purposes is metered and recorded, but is not included in the billing records.

The total annual consumption for temporary hydrant meters is shown in Exhibit 2-17. The difference in the magnitude of annual hydrant consumption recorded for the years prior to

2003 and those recorded afterwards is due to a change in the City's process for tracking these flows. The City is implementing an accounting process that will provide consistency going forward from this report.

**EXHIBIT 2-17**

Annual Hydrant Meter Consumption 1998-2006

*2007 City of Newberg Water Management and Conservation Plan*

| <b>Year</b> | <b>Use (gallons)</b> |
|-------------|----------------------|
| 1998        | 390,300              |
| 1999        | 522,800              |
| 2000        | 786,316              |
| 2001        | 961,300              |
| 2002        | 739,800              |
| 2003        | 38,297               |
| 2004        | 76,218               |
| 2005        | 22,902               |
| 2006        | 34,313               |

The water treatment plant uses water to backwash filters, for various process purposes, and to conduct routine maintenance tasks. Water produced by the groundwater wells serving the WTP minus the water delivered through the master meters serving the system equals the amount of process water used in the WTP for normal operations. Approximately 7.6 percent of well water pumped to the WTP on an annual basis is used for various operational purposes. During peak summer months as much as 250,000 gallons per day is used to backwash filters to remove sediment and iron coming from the larger producing wells. Two new master meters were installed at the water treatment plant in June 2006, and, as a result of this installation, future numbers are expected to be accurate.

Annual WTP process water use is shown in Exhibit 2-18.

**EXHIBIT 2-18**

Annual WTP Process Water Use 2001-2006

*2007 City of Newberg Water Management and Conservation Plan*

| <b>Year</b> | <b>Annual WTP Process Water Use (mg)</b> | <b>Percent of Wellfield Production</b> |
|-------------|--|--|
| 2001        | 98                                       | 10%                                    |
| 2002        | 95                                       | 10%                                    |
| 2003        | 74                                       | 7%                                     |
| 2004        | 59                                       | 6%                                     |
| 2005        | 81                                       | 8%                                     |
| 2006        | 91                                       | 8%                                     |



Exhibit 2-19 lists production, consumption, and unaccounted-for water rates from January 2006 until April 2007 in the larger Newberg Water Distribution System. As listed in the exhibit, the unaccounted-for water loss rate is calculated to be 7.1 percent for the most recent twelve months when reliable data are available. Due to accounting, data collection, and data management problems in the City, this is the most recent information available for making the required calculation to determine unaccounted-for water. The contributing problems leading to this situation have been identified and will soon be resolved.

**EXHIBIT 2-19**

Water Production, Consumption, and Unaccounted-for Water in the Newberg Distribution System (Wells & Oliver Spring Only)  
 2007 City of Newberg Water Management and Conservation Plan

| Month                          | Total Water Billed <sup>1</sup> (CF) | Total Water Billed <sup>1</sup> (MG) | Meter Adjusted Factor <sup>2</sup> | WTP Water Production <sup>3</sup> (MG) | Oliver Spring Water <sup>3</sup> (MG) | Total Water Production <sup>3</sup> (MG) | Unaccounted-for Water (%) |
|--------------------------------|--------------------------------------|--------------------------------------|------------------------------------|--|---------------------------------------|--|---------------------------|
| Jan-06                         | 5,892,000                            | 44.1                                 | 44.7                               | 63.1                                   | 1.7                                   | 64.7                                     | 30.9%                     |
| Feb-06                         | 6,223,400                            | 46.6                                 | 47.3                               | 56.8                                   | 1.5                                   | 58.3                                     | 18.9%                     |
| Mar-06                         | 6,189,300                            | 46.3                                 | 47.0                               | 68.4                                   | 1.6                                   | 70.1                                     | 32.9%                     |
| Apr-06                         | 6,632,200                            | 49.6                                 | 50.4                               | 67.4                                   | 1.5                                   | 69.0                                     | 27.0%                     |
| May-06                         | 8,123,100                            | 60.8                                 | 61.7                               | 91.1                                   | 1.5                                   | 92.6                                     | 33.4%                     |
| Jun-06                         | 10,407,700                           | 77.8                                 | 79.0                               | 96.0                                   | 1.5                                   | 97.5                                     | 19.0%                     |
| Jul-06                         | 17,223,100                           | 128.8                                | 130.8                              | 151.0                                  | 1.6                                   | 152.6                                    | 14.3%                     |
| Aug-06                         | 16,372,600                           | 122.5                                | 124.3                              | 143.9                                  | 1.6                                   | 145.5                                    | 14.5%                     |
| Sep-06                         | 18,710,900                           | 140.0                                | 142.1                              | 108.2                                  | 1.5                                   | 109.8                                    | -29.4%                    |
| Oct-06                         | 11,079,200                           | 82.9                                 | 84.1                               | 78.0                                   | 1.5                                   | 79.6                                     | -5.7%                     |
| Nov-06                         | 8,483,400                            | 63.5                                 | 64.4                               | 54.0                                   | 1.5                                   | 55.5                                     | -16.0%                    |
| Dec-06                         | 5,954,602                            | 44.5                                 | 45.2                               | 55.9                                   | 1.6                                   | 57.5                                     | 21.4%                     |
| Jan-07                         | 6,504,597                            | 48.7                                 | 49.4                               | 58.8                                   | 1.6                                   | 60.4                                     | 18.3%                     |
| Feb-07                         | 6,327,100                            | 47.3                                 | 48.0                               | 50.1                                   | 1.4                                   | 51.5                                     | 6.7%                      |
| Mar-07                         | 5,596,800                            | 41.9                                 | 42.5                               | 55.1                                   | 1.7                                   | 56.7                                     | 25.1%                     |
| Apr-07                         | 6,500,600                            | 48.6                                 | 49.4                               | 55.6                                   | 1.6                                   | 57.2                                     | 13.7%                     |
| May-07                         | 6,868,600                            | 51.4                                 | 52.2                               | 55.6                                   | 1.6                                   | 57.2                                     | 8.8%                      |
| <b>Rolling 12-Month Values</b> |                                      | <b>897.8</b>                         | <b>911.5</b>                       | <b>962.3</b>                           | <b>18.8</b>                           | <b>981.0</b>                             | <b>7.1%</b>               |

<sup>1</sup> Source is Newberg Finance Office

<sup>2</sup> AWWA Meter Accuracy is 96-101%, assumed Newberg meters read at 98.5%

<sup>3</sup> Source is Newberg Water Treatment Operations Section (Dan Wilson)

Exhibit 2-20 lists production, consumption, and unaccounted-for water rates from January 2006 until April 2007 in the Riparian Water Distribution System that serves 49 connections, of the 6,316 total in both systems. As listed in the exhibit, the unaccounted-for water loss rate is calculated to be 74 percent for the most recent twelve months when reliable data are available. Due to accounting, data collection and data management problems, this is the most recent information available for making the required calculation to determine unaccounted-for water. The actual loss in the Riparian Distribution System is estimated to be much less than the amount shown, and this will be corrected in the first update to this Water Management and Conservation Plan.

**EXHIBIT 2-20**

Water Production, Consumption, and Unaccounted-for Water in the Riparian Distribution System (Skelton and Snider Springs)

2007 City of Newberg Water Management and Conservation Plan

| Month                          | Total Water Billed <sup>1</sup> (CF) | Total Water Billed <sup>1</sup> (MG) | Meter Adjustment Factor <sup>2</sup> | Snider & Skelton Springs Production <sup>3</sup> (MG) |             |             | Simple Unaccounted-for Water % |
|--------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|---|-------------|-------------|--------------------------------|
|                                |                                      |                                      |                                      | Snider  | Skelton     | Total       |                                |
| Jan-06                         | 38,300                               | 0.29                                 | 0.29                                 | 3.40  | 0.96        | 4.36        | 93%                            |
| Feb-06                         | 33,900                               | 0.25                                 | 0.26                                 | 2.80  | 0.71        | 3.51        | 93%                            |
| Mar-06                         | 41,900                               | 0.31                                 | 0.32                                 | 3.10  | 0.50        | 3.60        | 91%                            |
| Apr-06                         | 46,500                               | 0.35                                 | 0.35                                 | 2.98  | 0.68        | 3.66        | 90%                            |
| May-06                         | 47,300                               | 0.35                                 | 0.36                                 | 3.59  | 0.78        | 4.37        | 92%                            |
| Jun-06                         | 68,900                               | 0.52                                 | 0.52                                 | 3.71  | 0.71        | 4.42        | 88%                            |
| Jul-06                         | 102,900                              | 0.77                                 | 0.78                                 | 3.80  | 0.71        | 4.51        | 83%                            |
| Aug-06                         | 90,000                               | 0.67                                 | 0.68                                 | 3.75  | 0.79        | 4.54        | 85%                            |
| Sep-06                         | 124,000                              | 0.93                                 | 0.94                                 | 3.58  | 0.76        | 4.34        | 78%                            |
| Oct-06                         | 135,900                              | 1.02                                 | 1.03                                 | 3.08  | 0.92        | 4.00        | 74%                            |
| Nov-06                         | 214,000                              | 1.60                                 | 1.63                                 | 2.34  | 1.02        | 3.36        | 52%                            |
| Dec-06                         | 151,700                              | 1.13                                 | 1.15                                 | 2.47  | 1.13        | 3.60        | 68%                            |
| Jan-07                         | 314,100                              | 2.35                                 | 2.39                                 | 2.31  | 1.08        | 3.39        | 30%                            |
| Feb-07                         | 245,500                              | 1.84                                 | 1.86                                 | 2.04  | 0.96        | 3.00        | 38%                            |
| Mar-07                         | 21,100                               | 0.16                                 | 0.16                                 | 2.65  | 1.05        | 3.70        | 96%                            |
| Apr-07                         | 24,600                               | 0.18                                 | 0.19                                 | 2.74  | 1.02        | 3.76        | 95%                            |
| May-07                         | 67,700                               | 0.51                                 | 0.51                                 | 2.74  | 1.02        | 3.76        | 86%                            |
| <b>Rolling 12 Month Values</b> |                                      | <b>11.7</b>                          | <b>11.8</b>                          | <b>35.2</b>   | <b>11.2</b> | <b>46.4</b> | <b>74%</b>                     |

<sup>1</sup> Source is Newberg Finance Office

<sup>2</sup> AWWA Meter Accuracy is 96-101%, assumed Newberg meters read at 98.5%

<sup>3</sup> Source is Newberg Water Treatment Operations Section (Dan Wilson)

The 2004 *Water Distribution System Plan (WDSP)* (CH2M HILL, 2004) reported that the average unaccounted-for water in the Newberg water system averaged 8.5 percent between 1998 and 2001. Fluctuation in unaccounted-for water can be affected by operation and maintenance activities associated with hydrant and main flushing as well as other uses. In a year when there are aggressive maintenance activities, unaccounted-for water would be expected to increase. This is not to indicate that these types of maintenance activities should not be performed; rather, Newberg should continue its current water system maintenance program and attempt to meter and record all water use to continue its excellent reputation for maintaining a low unaccounted-for water volume.

The amount of unaccounted water in the Riparian Water Distribution System is excessive and has caused Newberg staff to examine its processes for collecting and analyzing water quantity data. The amount of unaccounted water seems to be caused not by leaks in the system (which should be clearly visible to the distribution system operators in many cases), but rather a result of a chronic under-estimating of the quantity of water used in the production of finished water at the WTP and over-estimating of the water produced by the Newberg wells. Another cause results from inaccurate meters, which were replaced in 2004. Compounding the error in these figures is a lack of a systematic effort to document the amount of excess water allowed to discharge to a recharge swale from the Riparian Water Distribution System.

In June 2006 as part of the WTP upgrade project new accurate meters were installed in the plant to replace chronically inaccurate meters. Further evaluation has shown that the Newberg Water Distribution System (supplied by the wells and Oliver Spring) has only 7.1 percent unaccounted-for water. In contrast, the Riparian Water Distribution System, which is supplied by Snider and Skelton Springs has 74 percent unaccounted-for water. This high rate of unaccounted water is most probably due to the lack of data on the quantity of water allowed to overflow out of the system, and the possibility that unknown water users exist on the Riparian Water Distribution System. The older Riparian Water Distribution System may have several customers that were not originally metered because they were allowed all the water they could use through a specific service pipe diameter for no charge as part of the original agreements with the City regarding use of the springs. The City meters these unmetered connections as they are identified.

Newberg is now doing a monthly audit of both billed and production water from the WTP. Events such as major fires, water line ruptures, flushing events, discovery of unauthorized users, and other unmetered uses will be identified, estimated, and categorized. This process should result in a reasonably accurate monthly establishment of critical water quantity data and to identify the unaccounted water component. This summer the City of Newberg is also in the process of designing and contracting a project to refurbish and upgrade the three operational springs (Skelton, Snider & Oliver). In addition, a detailed investigation of the Riparian Water Distribution System and its customers will be accomplished using Newberg staff over the course of the next year.

Exhibit 2-21 lists production, consumption, and unaccounted-for water rates from January 2006 until April 2007 in the Riparian Water Distribution System that serves 49 connections, the Oliver Spring Water Distribution System that serves 19 connections, and the larger Newberg Water Distribution System that serves the remainder of the City's connections. As listed in the exhibit, the unaccounted-for water loss rate is calculated to be 10.1 percent for the most recent twelve months when reliable data are available. Due to accounting, data collection, and data management problems, this is the most recent information available for making the required calculation to determine unaccounted-for water. The actual loss in the Riparian Water Distribution System is estimated to be much less than the amount shown in Exhibit 2-20 above, and this value will be corrected in the first subsequent update to this Water Management and Conservation Plan.

**EXHIBIT 2-21**

Water Production, Consumption, and Unaccounted-for Water in both the smaller Riparian Distribution System (Skelton and Snider Springs) and the larger Newberg Water Distribution System  
*2007 City of Newberg Water Management and Conservation Plan*

| Month                          | Total Water Billed <sup>1</sup><br>(CF) | Total Water Billed <sup>1</sup> (MG) | Meter Adjustment Factor <sup>2</sup> | Water Production <sup>3</sup><br>(MG) | Simple Unaccounted-for Water (%) |
|--------------------------------|---|--------------------------------------|--------------------------------------|---------------------------------------|----------------------------------|
| Jan-06                         | 5,930,300                               | 44.36                                | 45.03                                | 64.74                                 | 30.44%                           |
| Feb-06                         | 6,257,300                               | 46.80                                | 47.52                                | 58.31                                 | 18.50%                           |
| Mar-06                         | 6,231,200                               | 46.61                                | 47.32                                | 70.05                                 | 32.45%                           |
| Apr-06                         | 6,678,700                               | 49.96                                | 50.72                                | 70.72                                 | 28.29%                           |
| May-06                         | 8,170,400                               | 61.11                                | 62.05                                | 97.01                                 | 36.04%                           |
| Jun-06                         | 10,476,600                              | 78.36                                | 79.56                                | 101.95                                | 21.97%                           |
| Jul-06                         | 17,326,000                              | 129.60                               | 131.57                               | 157.12                                | 16.26%                           |
| Aug-06                         | 16,462,600                              | 123.14                               | 125.02                               | 150.03                                | 16.67%                           |
| Sep-06                         | 18,834,900                              | 140.89                               | 143.03                               | 114.11                                | -25.34%                          |
| Oct-06                         | 11,215,100                              | 83.89                                | 85.17                                | 83.59                                 | -1.89%                           |
| Nov-06                         | 8,697,400                               | 65.06                                | 66.05                                | 58.88                                 | -12.17%                          |
| Dec-06                         | 6,106,302                               | 45.68                                | 46.37                                | 61.11                                 | 24.12%                           |
| Jan-07                         | 6,818,697                               | 51.00                                | 51.78                                | 63.83                                 | 18.87%                           |
| Feb-07                         | 6,572,600                               | 49.16                                | 49.91                                | 54.49                                 | 8.41%                            |
| Mar-07                         | 5,617,900                               | 42.02                                | 42.66                                | 60.43                                 | 29.40%                           |
| Apr-07                         | 6,525,200                               | 48.81                                | 49.55                                | 60.95                                 | 18.70%                           |
| May-07                         | 6,936,300                               | 51.88                                | 52.67                                | 60.95                                 | 13.58%                           |
| <b>Rolling 12 Month Values</b> |   | <b>909.5</b>                         | <b>923.3</b>                         | <b>1,027.4</b>                        | <b>10.1%</b>                     |

<sup>1</sup> Source is Newberg Finance Office

<sup>2</sup> AWWA Meter Accuracy is 96-101%, assumed Newberg meters read at 98.5%

<sup>3</sup> Source is Newberg Water Treatment Operations Section (Dan Wilson)

## SECTION 3

# Water Conservation

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*This section addresses the requirements of Oregon Administrative Rule (OAR) 690-086-0150 (1)–(6).*

## Current Conservation Measures 690-086-0150 (1)

The City of Newberg is committed to and has invested heavily in water conservation. In support of this ethic, the City proposed the following conservation measures when it published its most recent 2002 City of Newberg Water Management and Conservation Plan.

### Public Education

The City has continued its funding of a Water Conservation Coordinator at 0.25 full time equivalent (FTE). The City actively educates water users on conservation through an ongoing water conservation education program. In addition, the City has established a water conservation program for irrigation users. Examples of the education program include:

- Displays at public events
- Free plumbing fixture check-up kits
- School presentations
- Donations of books on conservation to local libraries
- Landscape audits
- Demonstration Xeriscape™ Park

### Leak Detection

The City of Newberg's rate of unaccounted-for water has averaged approximately 10.1 percent through 2006 when water from both the larger Newberg Water Distribution System and the smaller Riparian Water Distribution System are considered together. The larger Newberg Water Distribution System has an estimated 7.1 percent unaccounted-for water while the much smaller Riparian Water Distribution System has about 74 percent unaccounted-for water. The OARs require that cities with unaccounted-for water rates above 10 percent adopt a leak detection program. The City's accounting, data collection, and data management practices are undergoing improvements and the actual unaccounted-for water rate is estimated to be closer to 9.0 percent. The difference is primarily due to a steady flow of excess water from the two springs in the Riparian Water Distribution System into a natural recharge swale. For this reason, a leak detection program will not be initiated before the next Water Management and Conservation Plan update. The City has not budgeted for additional leak detection and repair in the next few years, and does expect to repeat its leak detection evaluation in 5 to 10 years, depending on the annual rate of unaccounted-for



water. Instead, the City is putting all its efforts into accounting for known water consumption.

## Water-Efficient Landscaping Workshops

The City's Water Conservation Coordinator at 0.25 FTE is charged with educating the public on the benefits of water conservation measures and water efficient landscape methods. The City has developed plans to build an approximately 2,500 square foot Xeriscape™ demonstration garden during the next 5 years that will contain native, drought tolerant, water wise, wildlife friendly vegetation. Although the types of plants have yet to be finalized, there will most probably be some mountain hemlock, blue blossom, Oregon grape, flowering currant, aster, Oregon iris, and California fescue. The garden will be designed around plant varieties that will give it year-round beauty. Additionally, signage and kiosks will provide plant identification and educational resources for visitors.

## Incentive Programs

In its 2002 Water Management and Conservation Plan, the City of Newberg proposed a Landscape Incentive Program, a Clothes Washing Machine Rebate Program, and an Ultra Low-Flush Toilet Rebate Program. However, the City has not implemented these incentive programs because fiscal resources have not been available to do so. In lieu of these programs, the City conducts an active and continuing water conservation education program to assist water users with reducing their consumption.

## Rate Structure

The City of Newberg has a flat rate structure that charges customers based on the type of use, size of meter, and quantity of water consumed. This rate structure encourages conservation by not providing a discount to customers that use large amounts of water. Customers with secondary irrigation meters pay a surcharge for use of the water. Exhibit 3-1 lists monthly and volume charges for water.

### EXHIBIT 3-1

#### Monthly Water Service Charges

#### 2007 City of Newberg Water Management and Conservation Plan

| Item   | July 1, 2006 | July 1, 2007 |
|--|--------------|--------------|
| Service Charge (\$/month):                     | \$1.30       | \$1.30       |
| Meter Charge Inside & Outside City (\$/month): |              |              |
| 3/4"   | \$ 2.56      | \$2.56       |
| 1"   | \$4.35       | \$4.35       |
| 1 1/2"   | \$8.45       | \$8.45       |
| 2"   | \$13.57      | \$13.57      |
| 3"   | \$25.60      | \$25.60      |
| 4"   | \$42.75      | \$42.75      |
| 6"   | \$85.25      | \$85.25      |

**EXHIBIT 3-1****Monthly Water Service Charges***2007 City of Newberg Water Management and Conservation Plan*

| <b>Item</b>                            | <b>July 1, 2006</b> | <b>July 1, 2007</b> |
|--|---------------------|---------------------|
| 8"                                     | \$136.45            | \$136.45            |
| 10"                                    | \$213.25            | \$213.25            |
| Volume Charge (\$/hundred cubic feet): |                     |                     |
| Single Family Residential              | \$2.40              | \$2.60              |
| Multi-family Residential               | \$2.03              | \$2.17              |
| Commercial                             | \$2.60              | \$2.75              |
| Industrial                             | \$2.27              | \$2.51              |
| University                             | \$1.52              | \$1.33              |
| Outside City                           | \$3.60              | \$3.89              |
| Public Agency                          | \$2.29              | \$2.50              |
| Irrigation                             | \$3.98              | \$4.18              |

**Water Reuse and Water Treatment Plant Backwash Improvements**

The City of Newberg is reducing demand for treated potable water in its distribution system by increasing the use of non-potable irrigation water from other sources. These include revitalizing the previously decommissioned spring water source of Otis Spring. This had been a potable water source until 1990, when it was considered to possibly be "under the influence of surface waters." The City has just completed renovating Otis Spring and connecting it by pipeline to the Chehalem Glens Golf Course, where beginning in the summer of 2007 it will provide 0.35 mgd for irrigation to the existing 9-hole golf course.

The City is designing and will construct a membrane filter process to deliver up to 1.0 mgd of wastewater treatment plant treated to Level IV reuse standards to the Chehalem Glens Golf Course for use on their next 18 hole course. This project should be completed and in operation by summer 2008 and the facility will be designed for future expansion to 2.0 mgd as conditions warrant.

The use of production water in the water treatment plant varies seasonally. The larger production wells have more dissolved iron than the lower producing wells which results in an increase in the amount of water used to backwash the filters in the summer. This amounts to as much as 250,000 gallons per day of backwash water. On an averaged annual basis, approximately 7.5 percent of water produced by the well field and sent to the water treatment plant is used for production purposes. Operational process water use is summarized in Exhibit 3-2.

**EXHIBIT 3-2**

Overview of Annual Water Treatment Plant Water Use 2003–2006

*2007 City of Newberg Water Management and Conservation Plan*

| <b>Time Period</b> | <b>Influent Water from the Well Field to the WTP (mgd)</b> | <b>WTP Effluent Water to the Distribution System (mgd)</b> | <b>Total Water Utilization at the WTP (mgd)</b> | <b>WTP Water Utilization as % of Influent</b> |
|--------------------|--|--|---|---|
| 2003               | 2,726,359  | 2,524,485  | 201,874   | 7%  |
| 2004               | 2,551,756  | 2,389,526  | 162,230   | 6%  |
| 2005               | 2,722,819  | 2,501,471  | 221,348   | 8%  |
| 2006               | 3,083,233  | 2,832,762  | 250,471   | 8%  |

Within the water treatment plant, water from the well field is utilized to backwash the filters and for process side streams that serve water treatment effort. Exhibit 3-3 tabulates these uses. On average, filter backwash water consumes 57 percent of the production water utilized to support the treatment process, while process water consumes about 43 percent.

**EXHIBIT 3-3**

Detail of Annual Water Treatment Plant Water Use 2003–2006

*2007 City of Newberg Water Management and Conservation Plan*

| <b>Time Period</b> | <b>Effluent Water to the Distribution System (mgd)</b> | <b>Filter Backwash Water (mgd)</b> | <b>Process Water (mgd)</b> | <b>Total WTP Water Utilization (mgd)</b> | <b>Filter Backwash Water as % of WTP Utilization</b> | <b>Process Water as % of WTP Utilization</b> |
|--------------------|--|------------------------------------|----------------------------|--|--|--|
| 2003               | 2,524,485  | 132,871                            | 69,003                     | 201,874                                  | 66%  | 34%  |
| 2004               | 2,389,526  | 92,622                             | 69,608                     | 162,230                                  | 57%  | 43%  |
| 2005               | 2,501,471  | 104,811                            | 116,537                    | 221,348                                  | 47%  | 53%  |
| 2006               | 2,832,762  | 149,142                            | 101,329                    | 250,471                                  | 60%  | 40%  |

## Decline in Per Capita Water Usage

Coupled with the influence of regional programs (those carried out by Portland, Beaverton, Hillsboro, and other cities near the City of Newberg), the City has realized measurable declines in per capita water use. This decline is illustrated in Exhibit 3-4.

**EXHIBIT 3-4**

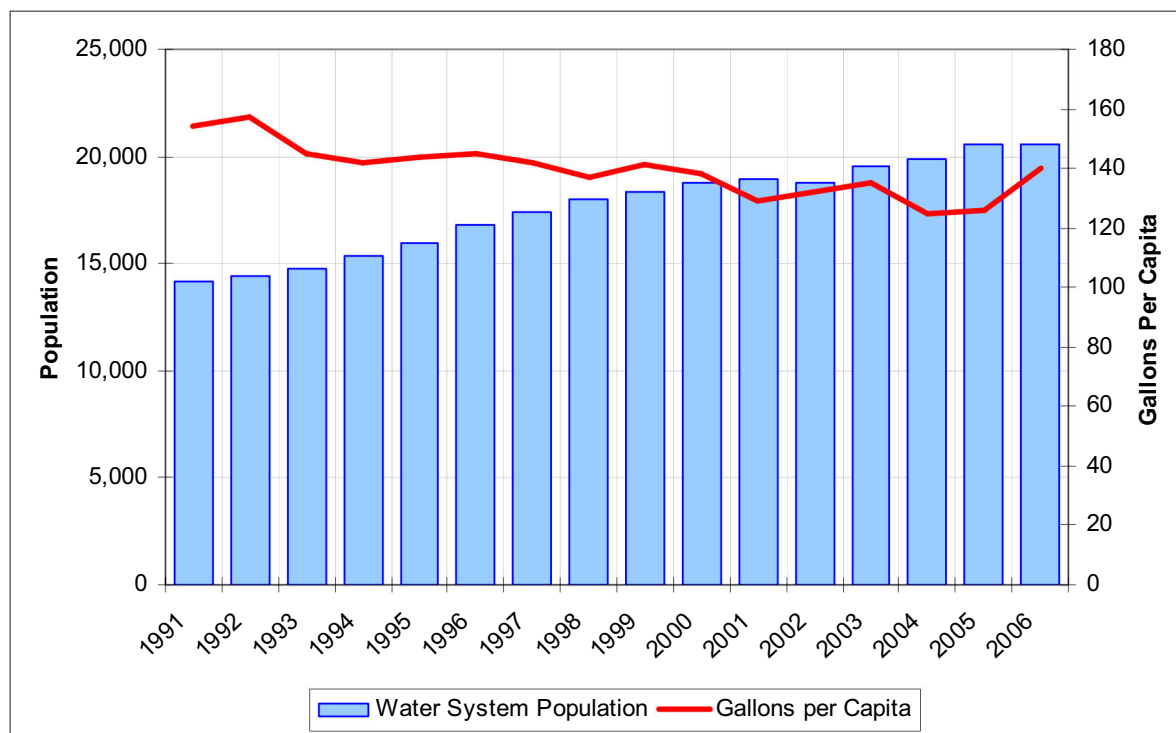
## Historical Per Capita Production

*2007 City of Newberg Water Management and Conservation Plan*

| <b>Year</b> | <b>Water System<br/>Population</b> | <b>Average Daily<br/>Production<br/>(mgd)</b> | <b>Gallons per<br/>Capita per Day<br/>(gpcd)</b> |
|-------------|------------------------------------|---|--|
| 1991        | 14,166                             | 2.19  | 154  |
| 1992        | 14,406                             | 2.26  | 157  |
| 1993        | 14,735                             | 2.14  | 145  |
| 1994        | 15,371                             | 2.18  | 142  |
| 1995        | 15,956                             | 2.30  | 144  |
| 1996        | 16,831                             | 2.43  | 145  |
| 1997        | 17,436                             | 2.48  | 142  |
| 1998        | 18,029                             | 2.48  | 137  |
| 1999        | 18,321                             | 2.59  | 141  |
| 2000        | 18,735                             | 2.59  | 138  |
| 2001        | 18,951                             | 2.44  | 129  |
| 2002        | 19,421                             | 2.57  | 132  |
| 2003        | 19,530                             | 2.73  | 135  |
| 2004        | 19,910                             | 2.57  | 125  |
| 2005        | 20,565                             | 2.68  | 126  |
| 2006        | 20,570                             | 2.98  | 140  |

Note: Water System Population includes 671 customers outside the City.

The data in Exhibit 3-4 are shown graphically in Exhibit 3-5.

**EXHIBIT 3-5**

Declining Per Capita Demand

*2007 City of Newberg Water Management and Conservation Plan*

## Use and Reporting Program 690-086-0150(2)

The City of Newberg has a water use measurement and reporting program that complies with the measurement standards in OAR 690-85.

## Other Conservation Measures 690-086-0150 (3)

### Public Information

The City is a member of the Regional Water Providers Consortium (RWPC). The RWPC serves as a collaborative and coordinating organization to improve the planning and management of municipal water supplies in the Portland metropolitan region. The membership costs the City \$5,200 per year, and provides the City with benefits from region wide conservation activities. RWPC programs include a variety of public outreach efforts. For example, the RWPC:

- Maintains a web site, [www.conserveh2o.org](http://www.conserveh2o.org) that has indoor and outdoor water conservation information and suggestions.
- Sponsors a summer media campaign that includes TV and radio advertisements and news interviews on local stations.



- Provides workshops for developers and landscapers that focus on water-efficient landscape design and installation and using water-efficient irrigation equipment.
- Develops conservation displays available to consortium members for use at local events.
- Produces brochures containing conservation information.
- Conducts outreach at large regional events such as the Yard, Garden, and Patio Show and the Salmon Festival.
- Promotes cost-efficient use of water resources and wise stewardship and protection of those resources to meet the values of its collective members and the needs of future generations.

### **Customer and Staff Education**

The City of Newberg has continued to promote water conservation through many public venues, including displays at public events, free plumbing fixture check-up kits, school presentations, donations of books on conservation to local libraries, and landscape audits. The City has also made conservation education for City employees a high priority.

### **Non-Potable Water for Irrigation**

During the 2006/2007 budget year the City will expend approximately \$33,500 for staffing and other annual water conservation expenses, plus another \$365,000, on a capital improvement project to reduce potable water consumption by providing 0.35 mgd of non-potable irrigation water from Otis Spring. When completed in the summer of 2007, this project will reduce system dependence on the City's existing groundwater well field.

In addition, the City of Newberg has budgeted \$7 million for the design and construction of a water reuse facility at its wastewater treatment plant to produce up to 1.0 mgd of non-potable water for irrigation purposes. It is scheduled to be put into operation in 2008, and will reduce demand on the well supply and water treatment plant system. The reuse facility will be designed for future expansion to 2.0 mgd as conditions warrant.

### **Alternating Irrigation Schedules**

The City has recommended an alternate day (odd/even) water schedule for summer irrigation to reduce maximum day withdrawals. The City has found this means of curtailing water consumption to be very effective.

### **Rate Structure**

The City of Newberg uses a flat rate structure, meaning that the volume charge for water remains constant whether a customer uses small or great quantities of water. Customers with irrigation meters are charged a higher volume rate than domestic consumers. The City sends monthly water bills so that customers can see their water use and the cost on a regular basis and then make adjustments accordingly. Exhibit 3-6 provides a summary of the City's current rate structure.

**EXHIBIT 3-6**

## Monthly Water Service Charges

*2007 City of Newberg Water Management and Conservation Plan*

| Item   | July 1, 2006 | July 1, 2007 |
|--|--------------|--------------|
| Service Charge (\$/month):                     | \$1.30       | \$1.30       |
| Meter Charge Inside & Outside City (\$/month): |              |              |
| 3/4"   | \$ 2.56      | \$2.56       |
| 1"   | \$4.35       | \$4.35       |
| 1 1/2"   | \$8.45       | \$8.45       |
| 2"   | \$13.57      | \$13.57      |
| 3"   | \$25.60      | \$25.60      |
| 4"   | \$42.75      | \$42.75      |
| 6"   | \$85.25      | \$85.25      |
| 8"   | \$136.45     | \$136.45     |
| 10"  | \$213.25     | \$213.25     |
| Volume Charge (\$/hundred cubic feet):         |              |              |
| Single Family Residential                      | \$2.40       | \$2.60       |
| Multi-family Residential                       | \$2.03       | \$2.17       |
| Commercial                                     | \$2.60       | \$2.75       |
| Industrial                                     | \$2.27       | \$2.51       |
| University                                     | \$1.52       | \$1.33       |
| Outside City                                   | \$3.60       | \$3.89       |
| Public Agency                                  | \$2.29       | \$2.50       |
| Irrigation                                     | \$3.98       | \$4.18       |

**Leak Detection**

The City of Newberg's rate of unaccounted-for water has averaged approximately 10.1 percent through 2006 when water from both the larger Newberg Water Distribution System and the smaller Riparian Water Distribution System are considered together. The larger Newberg Water Distribution System has an estimated 7.1 percent unaccounted-for water while the much smaller Riparian Water Distribution System has about 74 percent unaccounted-for water. The OARs require that cities with unaccounted-for water rates above 10 percent adopt a leak detection program. The City's accounting, data collection and data management practices are undergoing improvements and the actual unaccounted-for water rate is estimated to be closer to 9.0 percent. The difference is primarily due to a steady flow of excess water from the two springs in the Riparian Water Distribution System into a

natural recharge swale. For this reason, a leak detection program will not be initiated before the next Water Management and Conservation Plan update. The City has not budgeted for additional leak detection and repair in the next few years. Instead, it is putting all its efforts into accounting for known water consumption. If the findings of this effort indicate greater than anticipated unaccounted-for water, the city will repeat its leak detection evaluation in 5 to 10 years, or sooner if warranted.

The City last performed a leak detection survey in 1995. An outside firm was hired and spent one day surveying the city's system. The firm was unable to locate any leaks. Because the firm failed to locate any leaks, it provided a second day of leak detection services at no charge later that year, and successfully located four small leaks. The firm concluded that the Newberg system was in good condition, and reported that their equipment was generally more appropriate for larger mains than were surveyed in Newberg. Exhibit 2-12 summarizes the quantities of distribution mains in the Newberg system by type of pipe and size. The vast majority of pipe is cast iron or ductile iron, which contributes to the low leakage and failure rates.

### **Water Line Replacement Program**

The City has an ongoing water line replacement program with a \$45,000 annual budget. The goal is to replace leaking and undersized lines, and those lines that are most prone to failure. New lines are also added to complete looping of the pipes to eliminate dead-end sections. The result of this program is a reduction in leakage and a reduced need for flushing because dead-end sections are eliminated.

### **Water Audit**

The City of Newberg now tracks annual average, maximum day, and per capita water use, total production and consumption, and unaccounted-for water.

### **System-Wide Metering**

The City of Newberg has approximately 6,316 metered customers who are served by the City's water distribution systems. The policy of the City is to meter all customers. The City recently completed a program from 2001 through 2004 that replaced or upgraded all the existing meters. This replacement program has provided greater accuracy and efficiency in reading all customer water meters.

Almost all water customers served by the City of Newberg's water system are metered; when discovered, unmetered customers are required to obtain a meter. It is possible that a few customers served by the springs are unmetered. The Riparian Water Distribution System is a separate system supplied by Skelton and Snider springs that is not physically connected to the Newberg Water Distribution System, which is supplied by the groundwater wells and Oliver Spring. All of the residents on the Riparian Water Distribution System are outside of the city limits, as are the 19 customers supplied exclusively by Oliver Spring. The City intends to meter any unmetered service at the earliest opportunity. Greater than 99 percent of the City's services are metered. All new connections are required to have meters.

## **Water Meter Testing**

The City tests all 3-inch diameter and larger water meters (37 total) on a biennial basis, with 50 percent completed each year. The meters are tested at various flow rates and repaired as needed to comply with American Water Works Association (AWWA) standards. Generally, the meters are averaging 98 percent accuracy. This reflects what is believed to be the accuracy of the smaller meters throughout the system.

## **Water Conservation Tools**

The City continues to offer a wide variety of free water conservation items to its residents including low-flow showerheads, faucet aerators, toilet tank bladders, toilet leak detectors, hose shut off handles, and lawn watering gauges.

## **Required Conservation Programs 690-086-0150(4)**

### **Introduction**

OAR 690-086-0150(4) requires that all water suppliers establish 5-year benchmarks for implementing the following required conservation measures:

- Annual water audit
- System-wide metering
- Meter testing and maintenance
- Unit-based billing program
- Leak detection and repair (if system leakage exceeds 10 percent)
- Public education

As described in the preceding subsections, the City of Newberg already has ongoing programs to implement many of the above conservation measures. Specifically, the City conducts annual water audits, has meters on nearly every service connection, installs meters for all new connections, uses a unit-based rate structure, and conducts public outreach through monthly bills and consumer confidence reports.

### **5-Year Benchmarks for Required Conservation Measures**

Over the next 5 years the City of Newberg intends to continue the programs described above and to expand measures related to annual water audits, meter installation, meter testing and maintenance, leak detection and repair, and public education. Exhibit 3-7 shows specific OAR 690-086-0150 water conservation activities and 5-Year benchmarks that the City of Newberg plans on implementing.

**EXHIBIT 3-7**

OAR 690-086-0150 (4) Specific Water Conservation Activities and 5-Year Benchmarks

*2007 City of Newberg Water Management and Conservation Plan*

| <b>OWRD Requirement</b>   | <b>City of Newberg: Current Measures</b>  | <b>Suggested 5-Year Benchmarks</b>   |
|---|---|--|
| (4) A description of the specific activities, along with a schedule that establishes 5-year benchmarks, for implementation of each of the following conservation measures that are required of all municipal water suppliers:   |   |  |
| (a) An annual water audit that includes a systematic and documented methodology for estimating any unmetered authorized and unauthorized uses.  | This utility is unaware of any unmetered unauthorized uses. If any are discovered, City Ordinance establishes that such uses are subject to citation and civil penalties.   | <p>The City will continue to be watchful for unauthorized, unmetered water users.</p> <p>The City plans to conduct annual water audits to measure unaccounted-for water and estimate leakage rates.</p>  |
| (b) If the system is not fully metered, a program to install meters on all unmetered water service connections. The program shall start immediately after the plan is approved and shall identify the number of meters to be installed each year with full metering completed within 5 years of approval of the water management and conservation plan. | The City's water utility is fully metered except for those uses noted above. As discussed in Section 1, the City of Newberg occasionally finds unmetered connections in its water system. Generally, these connections are served by the springs source of supply to the north of the City and were established as part of an agreement when the City began operating the springs as a water supply source. | <p>The City will meter any unmetered connections as they are identified.</p> <p>The City will continue to require meters for all development within the City.</p>  |
| (c) A meter testing and maintenance program   | The City tests all 3-inch diameter and larger water meters (37 total) on a biannual basis, with 50 percent completed each year. The meters are tested at various flow rates and repaired as needed IAW AWWA standards. Generally, the meters are averaging 98 percent accuracy. This reflects what is believed to be the accuracy of the smaller meters throughout the system.                              | <p>The City will track the performance of new meters installed throughout the system and maintain records on meters that are removed from service.</p> <p>The City will develop a sampling program for residential meters to assess their accuracy and age, so that their optimum life and a cost-effective replacement program can be determined. The data can also be statistically analyzed to identify collective biases in the residential meters and adjust customer use accordingly in annual water audits.</p> |

**EXHIBIT 3-7**

OAR 690-086-0150 (4) Specific Water Conservation Activities and 5-Year Benchmarks

*2007 City of Newberg Water Management and Conservation Plan*

| <b>OWRD Requirement</b>  | <b>City of Newberg: Current Measures</b>   | <b>Suggested 5-Year Benchmarks</b>   |
|--|--|--|
| (d) A rate structure under which customers' bills are based, at least in part, on the quantity of water metered at the service connections.  | The City of Newberg has a flat rate structure that discourages excessive water use. The most recent version of City Resolution No. 2006-2641 was made effective July 1, 2006 (contained in Appendix B). In addition, the City's rate structure charges more to customers with irrigation meters than to domestic users. Exhibit 3-1 details the various water rate classes and charges for the City.   | Continue to support a conservation oriented water rate structure.  |
| (e) If the annual water audit indicates that system leakage exceeds 10 percent, a regularly scheduled and systematic program to detect leaks in the transmission and distribution system using methods and technology appropriate to the size and capabilities of the municipal water supplier; and, | The City of Newberg's unaccounted-for water is estimated to be approximately 7.1% percent in its larger Newberg Water Distribution System and 75% in its much smaller Riparian Water Distribution System. Together, the two systems have a total of about 10.1% unaccounted-for water. The City's Leak Detection Program is response-based because of the relatively small percentage of unaccounted-for water. When a portion of the distribution system is suspected of leaking, the City hires a contractor to quickly find and resolve the problem. The most recent instance was in August of 2006, when a leak was suspected due to noise heard on the pipe. The leak was found and repaired after which a second leak detection was performed to confirm that there were no other leaks in the 1,600 linear feet of distribution system in and around the area of the leak. This example is typical of the way the City addresses leaks when they are suspected or discovered. | <p>The City is implementing accounting, data collection, and data management procedures that will significantly reduce the amount of unaccounted-for water in the Riparian Water Distribution System.</p> <p>The City has an ongoing water line replacement program with a \$45,000 annual budget. The goal is to replace leaking and undersized lines, and those lines that are most prone to failure. New lines are also added to complete looping of the pipes to eliminate dead-end sections. The result of this program is a reduction in leakage and a reduced need for flushing because dead-end sections are eliminated. Maintain and continue this program.</p> <p>Also, the City is implementing a monthly program to track water production, demand, and billable consumption to gain insight into unaccounted-for water.</p> |



**EXHIBIT 3-7**

OAR 690-086-0150 (4) Specific Water Conservation Activities and 5-Year Benchmarks

*2007 City of Newberg Water Management and Conservation Plan*

| <b>OWRD Requirement</b>   | <b>City of Newberg: Current Measures</b>  | <b>Suggested 5-Year Benchmarks</b>  |
|---|---|---|
| (f) A public education program to encourage efficient water use and the use of low water use landscaping that includes regular communication of the supplier's water conservation activities and schedule to customers. | The City of Newberg meets with the public at least annually during the Newberg Community Night, provides support to school programs, information with the annual consumer confidence report, and periodic flyers in the water billing. Several water pamphlets are available at City Hall and elsewhere encouraging water conservation, the most popular being "Water-Efficient Plants of the Willamette Valley." | The City is planning to build an approximately 2,500 square foot Xeriscape™ demonstration garden during the next 5 years that will contain native, drought tolerant, water wise, wildlife friendly vegetation. Although the types have yet to be finalized, there will most probably be some mountain hemlock, blue blossom, Oregon grape, flowering currant, aster, Oregon iris, and California fescue. The garden will be designed around plant varieties that will give it year-round beauty. Additionally, signage and kiosks will provide plant identification and resources for visitors. |

## **Expanded Use under Extended Permits 690-086-0150 (5)**

The City of Newberg intends to expand diversion of water under extended permit G-13876; however, this is a groundwater appropriation and there are no resource issues under OAR 690-086-0140(5)(i). OAR 690-086-0150(5) is not applicable in this case; moreover, the City's unaccounted-for water is currently estimated to be less than 10 percent.

## **Expanded Use under Extended Permits 690-086-0150 (6)**

Under this rule requirement, if a municipal water supplier serves a population of greater than 7,500, it must describe the specific activities it will perform, along with a schedule that establishes 5-year benchmarks. This is provided for the City of Newberg in Exhibit 3-8.

**EXHIBIT 3-8**

OAR 690-086-0150 (6) Specific Water Conservation Activities and 5-Year Benchmarks  
 2007 City of Newberg Water Management and Conservation Plan

| OWRD Requirement  | City of Newberg: Current Measures   | Suggested 5-Year Benchmarks   |
|---|---|---|
| (6) If the municipal water supplier serves a population greater than 1,000 and proposes to expand or initiate diversion of water under an extended permit for which resource issues have been identified under OAR 690-086-0140(5)(i), or if the municipal water supplier serves a population greater than 7,500, a description of the specific activities, along with a schedule that establishes 5-year benchmarks, for implementation of each of the following measures; or documentation showing that implementation of the measures is neither feasible nor appropriate for ensuring the efficient use of water and the prevention of waste: |   |   |
| (a) A system-wide leak repair program or line replacement to reduce leakage to 15 percent, and if the reduction of system leakage to 15 percent is found to be feasible and appropriate, then to reduce system leakage to 10 percent,   | The City of Newberg's rate of unaccounted-for water has averaged approximately 10.1 percent through 2006 when water from both the larger Newberg Water Distribution System and the smaller Riparian Water Distribution System are considered together. The larger Newberg Water Distribution System has an estimated 7.1% unaccounted-for water while the much smaller Riparian Water Distribution System has about 74% unaccounted-for water. The OARs require that cities with unaccounted-for water rates above 10 percent adopt a leak detection program. The City's accounting, data collection, and data management practices are undergoing improvements and the actual unaccounted-for water rate is estimated to be closer to 9.0%. The difference is primarily due to a steady flow of excess water from the two springs in the Riparian Water Distribution System into a natural recharge swale. For this reason, a leak detection program will not be initiated before the next Water Management and Conservation Plan update. The City has not budgeted for additional leak detection and repair in the next few years. Instead, it is putting all its efforts into accounting for known water consumption. If the findings of this effort indicate greater than anticipated unaccounted-for water, the city will repeat its leak detection evaluation in 5 to 10 years, or sooner if warranted. | The City is implementing accounting, data collection, and data management procedures that will significantly reduce the amount of unaccounted-for water in the Riparian Water Distribution System.<br><br>Continue to monitor the difference between water distributed to the system and water billings, and take steps to identify new leaks when an increasing difference indicates they exist. |
| (b) Technical and financial assistance programs to encourage and aid residential, commercial, and industrial customers in the implementation of conservation measures,  | The City of Newberg currently offers no technical or financial assistance to aid in the implementation of conservation measures.  | Continue to provide public education to highlight the importance of water conservation.   |

**EXHIBIT 3-8**

OAR 690-086-0150 (6) Specific Water Conservation Activities and 5-Year Benchmarks

*2007 City of Newberg Water Management and Conservation Plan*

| <b>OWRD Requirement</b>   | <b>City of Newberg: Current Measures</b>  | <b>Suggested 5-Year Benchmarks</b>   |
|---|---|--|
| (c) Supplier financed retrofitting or replacement of existing inefficient water using fixtures, including distribution of residential conservation kits and rebates for customer investments in water conservation, | Currently, the City does not offer rebate or incentive programs.  | None contemplated for this item.   |
| (d) Adoption of rate structures, billing schedules, and other associated programs that support and encourage water conservation,  | The City currently bills on a monthly cycle. Water rates are uniform across all customer classes irrespective of volume consumed.   | Continue current billing practices.  |
| (e) Water reuse, recycling, and non-potable water opportunities; and,   | The City will utilize non-potable water from Otis Spring (0.35 mgd) in 2007 and wastewater reuse (1.0 mgd, expandable to 2.0 mgd) in 2008 for irrigation purposes, thereby reducing demand on the potable water supply. | The City will look for additional reuse and recycling opportunities.   |
| (f) Any other conservation measures identified by the water supplier that would improve water use efficiency.   | The City of Newberg is currently funding water efficient landscape demonstrations & workshops.  | The City is planning an approximately 2,500 square foot Xeriscape garden, with native, drought tolerant, water wise, wildlife friendly vegetation. While the types have yet to be finalized there will most probably be some Mountain Hemlock, Blue Blossom, Oregon Grape, Flowering Currant, Aster, Oregon Iris, California Fescue. The garden will be design around plant varieties that will give it year-round beauty. Additionally signage and kiosks will provide plant identification and resources for visitors. |

## SECTION 4

# Curtailment

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*This section fulfills the requirements of Oregon Administrative Rule (OAR) 690-086-0160.*

Curtailment planning is the development of proactive measures to reduce demand during supply shortages due to prolonged drought, landslides, earthquakes, or contamination.

The goal of this curtailment plan is to provide objective criteria that trigger actions to ensure sufficient water is available to meet the water demands of the water supply system without jeopardizing the health, safety, or welfare of the community.

## History of Curtailment Episodes 690-086-0160 (1)

The City of Newberg continues to experience water shortage and curtailment events. These have been caused by a variety of several different conditions, including steady increases in seasonal (summer) irrigation demands, a growing population, and reduced precipitation that causes local drought-like conditions.

The following actions have been taken to increase the ability of the system to meet demand and reduce the incidence of curtailment events:

- Construction of wells 7 and 8 with a combined capacity of 5.8 million gallons per day (mgd) (9.0 cfs).
- Addition of a second 24-inch diameter delivery pipeline to convey water from the City's well field into the distribution system.
- Expansion of the City of Newberg Water Treatment Plant (WTP) from 5.63 mgd to 8.6 mgd to provide a 53 percent increase in sustained capacity.
- Utilization of non-potable water from Otis Spring (non-potable 0.35 mgd) in the summer of 2007 and non-potable wastewater reuse (1.0 mgd, expandable to 2.0 mgd) in 2008 for irrigation purposes, thereby reducing demand on the potable water supply by 1.35 mgd.

## Curtailment Program 690-086-0160 (2)

The City's existing curtailment plan was adopted in 1998 as an ordinance (Water Crisis Emergency Ordinance 98-2495) and then updated in 2005. The policy of the City is to curtail water use during drought conditions to ensure that the City has adequate fire flow and supply for essential service requirements. The purpose of its Curtailment Plan is to curtail water use during times of critical water shortages due to severe droughts, reduction in treatment or pumping capability, equipment malfunctions, or other emergency situations where there may be an insufficient water supply. The Mayor or City Manager is empowered to declare a water crisis state of emergency if in the opinion of the Mayor or City Manager, the adequacy of the water supply for the City of Newberg is sufficiently endangered to

create a risk of danger to the health, safety, and welfare of the people of the City of Newberg.

The City of Newberg Curtailment Plan, presented here, has four stages increasing in severity:

1. Water Alert Status
2. Serious Water Shortage
3. Critical Water Shortage
4. Emergency Water Shortage (Minimum Fire Protection Level)

## Curtailment Triggers 690-086-0160 (3)

The curtailment stages described above will be triggered by the criteria presented in Exhibit 4-1.

Exhibit 4-1 summarizes the four-stage curtailment plan for the City of Newberg. The authority to declare a curtailment stage is limited to the City Manager or Mayor.

### EXHIBIT 4-1

Newberg Curtailment Plan

2007 City of Newberg Water Management and Conservation Plan

| Stage   | Initiating Conditions  | Water Use Reduction Goal      |
|---|--|-------------------------------|
| 1. Water Alert  | Daily water demand is $\geq 90\%$ of the production capacity of the system for 3 or more days in a row, or a Drought Emergency is declared by the Governor.  | Reduce demands by 5%          |
| 2. Serious Water Shortage                                   | Daily water demand is $\geq 95\%$ of the production capacity of the system, for 3 or more days in a row, or the Drought Emergency continues.   | Reduce demands by 10%         |
| 3. Critical Water Shortage                                  | City cannot completely refill reservoirs during the nighttime for 2 or more days in succession (demands are $\geq 100\%$ of production capacity) for any reason.   | Reduce demands by 20%         |
| 4. Emergency Water Shortage (Minimum Fire Protection Level) | Water system failure due to natural or human-made disasters: <ol style="list-style-type: none"> <li>1. Reservoirs remain at 50% full or less after nighttime refill period and conditions suggest that the shortfall will continue.</li> <li>2. One or more of the primary transmission lines from the groundwater wells or from the water treatment plant break.</li> <li>3. A natural or human-made disaster occurs that disrupts production.</li> </ol> | Reduce demands by 35% or more |



## Curtailment Actions 690-086-0160 (4)

### Stage 1—Water Alert Status

The Stage 1 – Water Alert Status is activated whenever system demands reach 90 percent of the instantaneous production capacity for 3 or more consecutive days or whenever a Drought Emergency is declared by the Governor. The current instantaneous system capacity is approximately 9.5 mgd. Therefore, this stage of curtailment is activated when demands reach 8.6 mgd, the sustained WTP capacity. The water curtailment goal at this stage is to reduce water demand by 5 percent or more.

The City has very little reserve capacity when greater than 90 percent system demand conditions exist and a slight reduction in production capacity (due to mechanical failures or other mishaps) or an increase in demand (because of hot, dry weather or a series of fires) will result in the system not being able to keep pace with demand.

Under Stage 1 – Water Alert Status, the City of Newberg will issue a notice requesting voluntary reduction in water use by all customers. The notice will include a description of the current water situation, the reason for the requested conservation measures, and a warning that mandatory restrictions will be implemented if voluntary measures are not sufficient to achieve water use reduction goals. The notice also will direct customers to the Regional Water Providers Consortium web site ([www.conserveh2o.org](http://www.conserveh2o.org)) for conservation information and tips. A similar notice could be issued through local media (newspaper, radio, or TV). However, if the drought is regional, the media may already be alerting users of water shortage concerns. Therefore, the City's Stage 1 plan does not automatically involve press releases or paid media announcements.

When Stage 1 is triggered, the City will also ask customers to voluntarily comply with the following:

1. Minimize landscape watering between 10:00 am and 6:00 pm, the period of highest water loss due to evaporation.
2. Water landscapes on alternate days (even numbered addresses water on even numbered days and odd numbered addresses on odd numbered days).
3. Implement other conservation measures such as those suggested by the Regional Water Providers Consortium web site and their brochures, *H2Ooutdoor* and *H2O indoor*.
4. Provide notice on water bills. Beginning with the first water bill following issuance of the curtailment stage and continuing until curtailment is cancelled, add a sentence or two describing the need to curtail use on each monthly water bill. This brief note is an effective means to keep customers aware of the curtailment status.
5. Contact potential partners in water conservation, including local businesses that are the most affected (e.g., commercial car wash businesses, nurseries, etc.).
6. Use City web page to keep public informed of curtailment need and actions they can take to reduce water use.

## Stage 2—Serious Water Shortage Status

The Stage 2—Serious Water Shortage Status is activated when system demands reach 95 percent of the instantaneous production capacity for 3 or more consecutive days, or a declared Drought Emergency continues with no relief in sight. The current system capacity is approximately 9.5 mgd (6,600 gpm). Therefore, this stage of curtailment is activated when demands reach 9.0 mgd (6,250 gpm).

Under these conditions, the City has very little reserve capacity. A slight reduction in production capacity (because of mechanical failures or other occurrences) or an increase in demand (because of hot, dry weather or a series of fires) will result in the system not being able to keep pace with demand. The water curtailment goal at this stage is to reduce water demand by 10 percent or more.

Under Stage 2—Serious Water Shortage Status, City customers will be notified of the following mandatory water restrictions:

1. Water landscapes only between 6:00 pm and 10:00 am, and not during daylight hours between 10:00 am and 6:00 pm.
2. Water landscapes only when allowed by the odd/even schedule.
3. No water for washing motorbikes, motor vehicles, boat trailers, or other vehicles except at a commercial washing facility that practices wash water recycling. (Exceptions include vehicles that must be cleaned to maintain public health and welfare such as food carriers and solid waste transfer vehicles.)
4. Limit City uses of water. Discontinue hydrant flushing, reduce nonessential cleaning that uses water, and curtail temporary access to water at hydrants.
5. No water to wash sidewalks, walkways, driveways, parking lots, tennis court, and other hard-surfaced areas.
6. No water to wash buildings and structures, except as needed for painting or construction.
7. No water for a fountain or pond for aesthetic or scenic purposes, except for recirculating systems and where necessary to support fish life.
8. Discourage the serving water to customers in restaurants unless water is requested by the customer. This action does not provide significant water savings, but is useful for generating awareness of the need to curtail water use.
9. Water only tees and greens and not other golf course areas.
10. No water for dust control unless absolutely necessary.
11. No water for gutter cleaning.

In addition to the above mandatory water use restrictions, during a summertime Stage 2—Serious Water Storage Status, the City will ask the top ten irrigators to limit watering to 3 days per week. The Water Conservation Coordinator keeps a list of large irrigators, and will initiate contact with them.

### **Stage 3—Critical Water Shortage Status**

The Stage 3 – Critical Water Shortage Status is activated by the City when the reservoirs cannot be completely refilled during the nighttime for 3 or more days in a row. This occurs when system demands are 100 percent or greater of the instantaneous production capacity. The current system capacity is approximately 9.5 mgd (6,600 gpm). Therefore, this stage of curtailment is activated when demands reach 9.5 mgd (6,600 gpm).

Under these conditions, the City has no reserve capacity. It is necessary to achieve reductions in demand immediately. The system is at risk because a day with slightly higher demand or lower production could result in the system running out of water.

The goal at this stage is to reduce water demand by 20 percent as quickly as possible. A delay in demand reduction could result in a serious shortage—one that affects water quality (because of a loss in pressure) or one that reduces fire-fighting capacity.

Stage 3 – Critical Water Shortage Status includes the following measures:

1. Perform the actions indicated for Stage 1.
2. Perform the actions indicated for Stage 2.
3. Replace the restriction of odd/even watering from Stage 2 with a prohibition on all outdoor watering (exceptions include new lawn, grass or turf planted after March 1<sup>st</sup> of the calendar year in which restrictions are imposed, sod farms, high-use athletic fields, golf tees and greens, or park and recreation areas specifically designated by the City Council).
4. No water to fill, refill, or add to any indoor or outdoor swimming pools or hot tubs, except if one of the following conditions is met: the pool is used for a neighborhood fire control supply, the pool has a recycling water system, the pool has an evaporative cover, or the pool's use is required by a medical doctor's prescription.
5. No water from hydrants for construction purposes (except on a case-by case basis), fire drills, or any purpose other than fire fighting.
6. Implement limitations on commercial uses of water, depending on the severity of the shortage.
7. Issue public service announcements to notify customers of the severity of the conditions.
8. Provide reminders to violators, using door hangers. Keep records of violations and the fines that are collected.

### **Stage 4—Emergency Water Shortage Status (Minimum Fire Protection Level)**

The Stage 4 – Emergency Water Shortage Status is activated when one of the following three conditions is encountered:

1. Reservoirs remain at 50 percent full or less following the nighttime refill period, and conditions suggest that the shortfall will continue.

2. One or more of the primary transmission lines from the groundwater wells or from the water treatment plant break. A natural or human-made disaster occurs that disrupts production.

Stage 4 is the most severe curtailment status. It represents the minimum system performance needed to provide sufficient fire protection for the community. If the shortage becomes more severe, the system will not have the capability to meet fire protection needs.

The goal at this stage is to reduce water demand by 35 percent or more as quickly as possible. A delay in demand reduction could result in a serious health and safety emergency. The activities are to include all of the actions for Stages 1, 2, and 3, as well as the following:

1. Prohibit all outside water use. The only exceptions will be those specifically identified by the City Manager.
2. Prohibit all nonessential water use. Only exceptions will be those specifically identified by the City Manager.
3. Prohibit nonessential water use by all industrial and commercial customers.
4. Contact the Oregon Drinking Water Program, Department of Human Services, and request their assistance in responding to the problem.
5. Notify the local news media, if appropriate, to ask for their assistance in notifying customers.

The City will continue to investigate and develop specific backup plans for a Stage 4—Emergency Water Shortage Status situation. These plans may include renting a water hauling truck, purchasing water from neighboring communities, or sending water customers to a pre-designated water distribution location, and supplying them with bottled water.

## SECTION 5

# Water Supply

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*This section addresses the requirements of Oregon Administrative Rule (OAR) 690-086-0170.*

## Delineation of Service Areas OAR 690-086-0170(1)

The City of Newberg has experienced and continues to experience a trend of increased residential development and population growth. Exhibit 5-1 is a map that shows City limits, the urban growth boundary, urban reserve area, tax lots and large bodies of surface water. The City currently serves all residents within the City limits as well as a small population located outside City limits.

## Population Projections for Service Areas OAR 690-086-0170(1)

Based on water system population values from 1991 through 2005, the City of Newberg grew at an average rate of 2.5 percent per year, with a high value of 5.5 percent in 1996 and a low value of 0.2 percent in 2006. These data, which are shown in Exhibit 5-2, suggest an increasing trend of growth that will result in a population of about 40,000 in 20 years, or 2027. Exhibit 5-3 shows this trend graphically.

### EXHIBIT 5-2

#### Population Data

#### 2007 City of Newberg Water Management and Conservation Plan

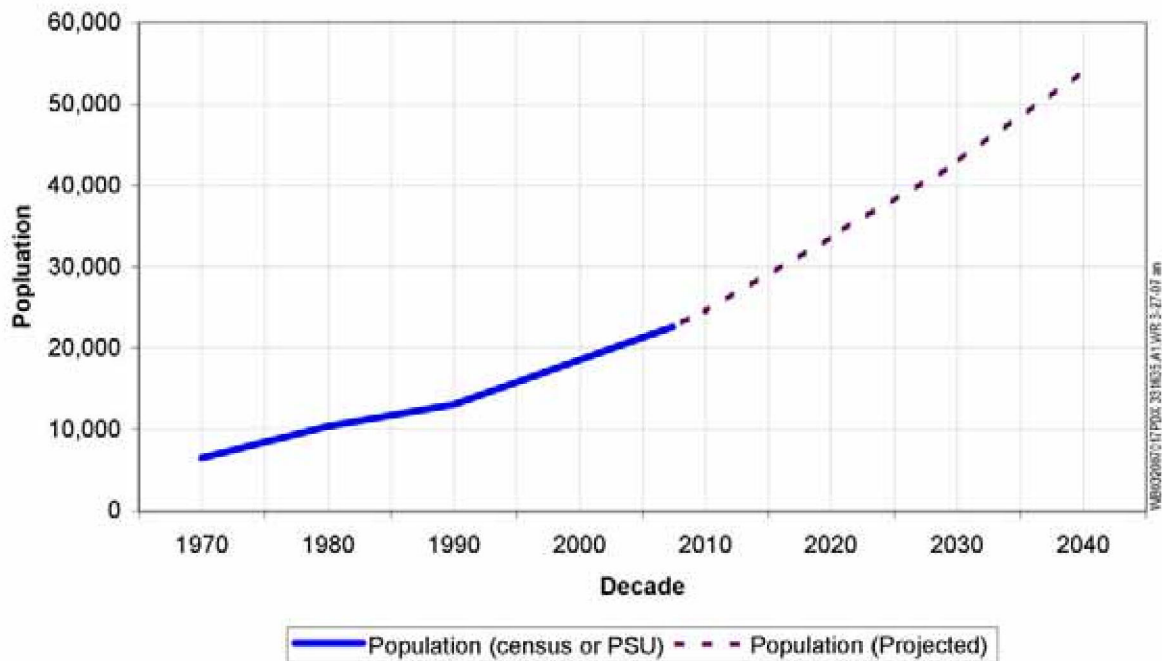
| Year | Water System Population | Percent Change |
|------|-------------------------|----------------|
| 1991 | 14,166                  | -              |
| 1992 | 14,406                  | 1.69%          |
| 1993 | 14,735                  | 2.28%          |
| 1994 | 15,371                  | 4.32%          |
| 1995 | 15,956                  | 3.81%          |
| 1996 | 16,831                  | 5.48%          |
| 1997 | 17,436                  | 3.59%          |
| 1998 | 18,029                  | 3.40%          |
| 1999 | 18,321                  | 1.62%          |
| 2000 | 18,735                  | 2.26%          |
| 2001 | 18,951                  | 1.15%          |
| 2002 | 19,421                  | 2.48%          |
| 2003 | 19,530                  | 0.56%          |
| 2004 | 19,910                  | 1.95%          |

**EXHIBIT 5-2**

## Population Data

*2007 City of Newberg Water Management and Conservation Plan*

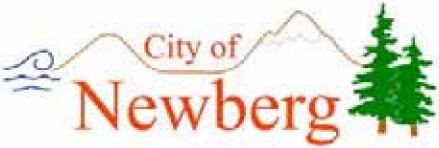
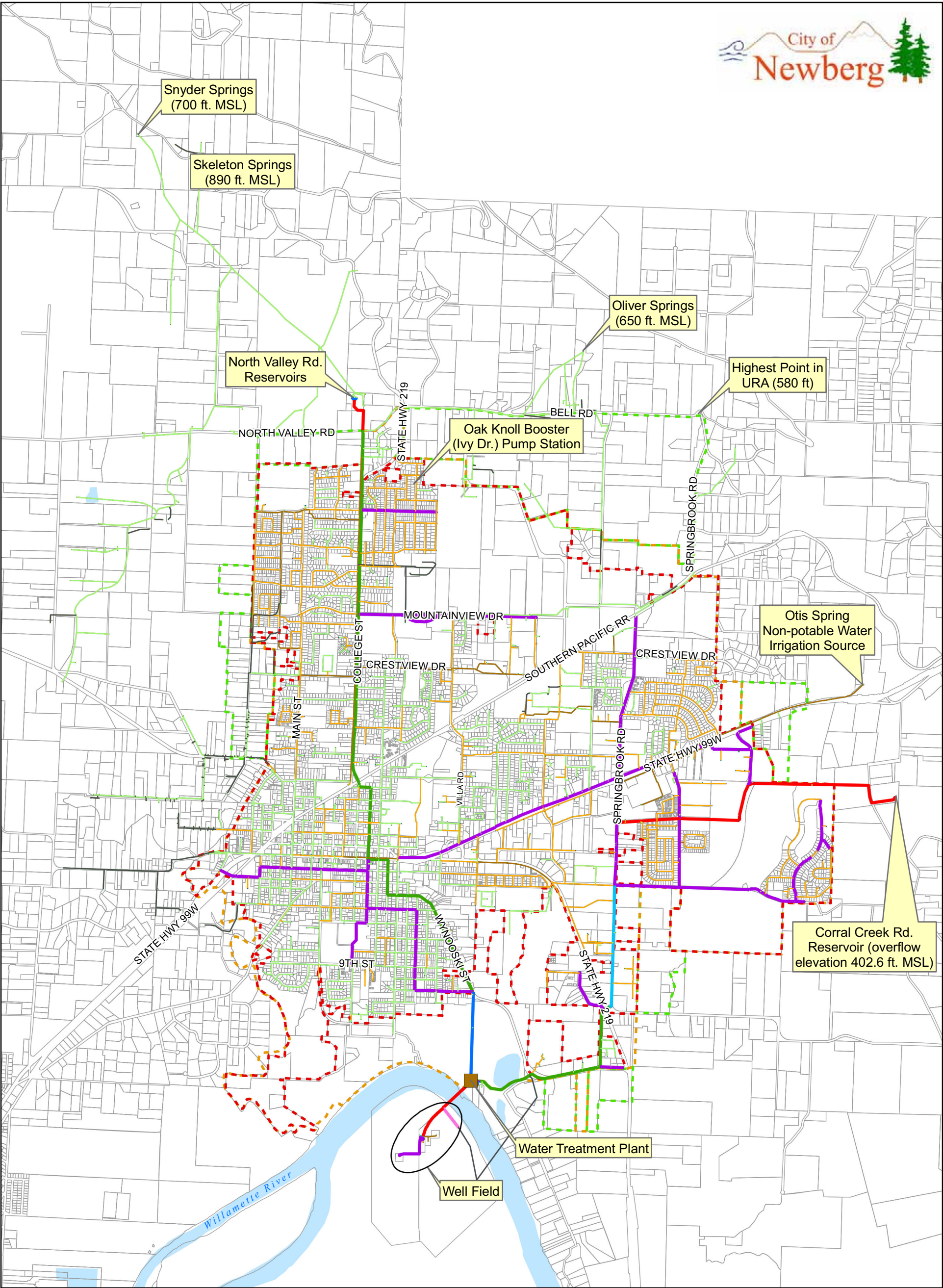
| Year    | Water System Population | Percent Change |
|---------|-------------------------|----------------|
| 2005    | 20,565                  | 3.29%          |
| 2006    | 20,570                  | 0.02%          |
| Average |                         | 2.53%          |
| Low     |                         | 0.02%          |
| High    |                         | 5.48%          |

**EXHIBIT 5-3**

## City of Newberg Population Projection

*2007 City of Newberg Water Management and Conservation Plan*



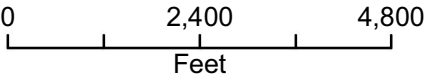


**LEGEND**

- City Limits
- Urban Growth Boundary (UGB)
- Urban Reserve Area (URA)
- Tax Lots
- Large Waterbodies

**Existing Water System Pipe Diameter (inches)**

- 24"
- 20"
- 18"
- 16"
- 14"
- 12"
- 10"
- 8"
- <= 6"
- Size Unknown



**Exhibit 5-1**

**Water System Schematic**

2007 City of Newberg Water Management and Conservation Plan





## Schedule to Exercise Water Use Permits 690-086-0170(2)

The City's water rights are shown in Exhibit 5-4. The exhibit is divided into two parts, one for the springs and one for the groundwater wells.

The City has primary or alternate water rights to six springs. Two of the six springs (Gardner and Atkinson) are out of service, one spring (Otis) produces non-potable water that is used exclusively for irrigation purposes, two springs (Skelton and Snider) provide potable water to 49 connections in the City's Riparian Water Distribution System, and one spring (Oliver) provides water to 19 connections in the Oliver Spring Water Distribution System before sending the remaining flow to the Newberg Water Distribution System. The three springs now in operation produce approximately 0.2 mgd of potable water. Excess water from Skelton and Snider springs that is not consumed in the Riparian Water Distribution System is discharged through an altitude valve into natural swales on the south side of the North Valley Reservoir site, where the water then infiltrates into the ground. The total water rights allocated to the three operating water sources, not including Otis spring (an alternate source), is 0.3 mgd.

The following list details the status of the six springs:

- Gardner Spring (Primary, out of service)
- Otis Spring (Alternate, non-potable, used for irrigation water)
- Skelton Spring (Primary, Riparian Water Distribution System, in service, 46 gpm)
- Atkinson Spring (Primary, out of service)
- Oliver Spring (Primary, Oliver Spring Water Distribution System, in service, 51 gpm)
- Snider Spring (Primary, Riparian Water Distribution System, in service, 32 gpm)

The City has eight groundwater wells, seven of which are currently in operation (Well 3 has had its water right transferred to Well 5). The seven wells are the primary sources of water for the water treatment plant. On an average daily basis in 2006, the wells delivered 3.2 mgd to the water treatment plant. Exhibit 5-5 tabulates well production data from 2001 to 2006.

**EXHIBIT 5-4**

## City Water Rights Summary

## 2007 City of Newberg Water Management and Conservation Plan

| Location        |    |    |    | Permitted Amount |   |                 |               |                  |     |     |      |           |               |                                   |
|-----------------|----|----|----|------------------|---|-----------------|---------------|------------------|-----|-----|------|-----------|---------------|-----------------------------------|
| Name            | T  | R  | S  | Application No.  | Permit No.  | Certificate No. | Priority Date | Certificate Date | cfs | mgd | gpm  | Type      | WRD Status    | Comments                          |
| Springs         |    |    |    |                  |   |                 |               |                  |     |     |      |           |               |                                   |
| Gardner Spring  | 3S | 2W | 15 | S-1646           | S-915   | 2389            | 8/23/1911     | 8/1/1919         | 4   | 2.6 | 1795 | Primary   | Non-cancelled | Out of Service                    |
| Otis Spring     | 3S | 2W | 15 | S-1646           | S-915   | 2389            | 8/23/1911     | 8/1/1919         | 4   | 2.6 | 1795 | Alternate | Non-cancelled | Used for Irrigation Only          |
| Skeleton Spring | 3S | 2W | 20 | S-6604           | S-5977  | 5456            | 6/24/1919     | 9/1/1925         | 2   | 1.3 | 898  | Primary   | Non-cancelled |                                   |
| Atkinson Spring | 3S | 2W | 20 | S-9065           | S-6530  | 5456            | 7/10/1923     | 9/1/1925         | 2   | 1.3 | 898  | Primary   | Non-cancelled | Out of Service                    |
| Oliver Spring   | 3S | 2W | 19 |                  | D-6829  | 6829            | 12/31/1894    | 12/20/1926       |     |     |      | Primary   | Non-cancelled | Exclusive rights to the spring    |
| Snider Spring   | 3S | 2W | 36 | S-1345           | SWR-641   |                 | 11/30/1905    |                  | 0.5 | 0.3 | 224  | Primary   |               | Water right is pending with OWRD. |
|                 |    |    |    |                  | Springs Total (not including Otis (alternate) spring) |                 |               |                  | 8.5 | 5.5 | 3815 |           |               |                                   |
| Wells           |    |    |    |                  |   |                 |               |                  |     |     |      |           |               |                                   |
| Well 1          | 3S | 2W | 29 | GR-63            | GR-54   |                 | 9/30/1951     |                  | 2.2 | 1.4 | 1000 | Primary   | Non-cancelled | Groundwater Registration          |
| Well 2          | 3S | 2W | 29 | GR-63            | GR-54   |                 | 5/31/1948     |                  | 2.2 | 1.4 | 1000 | Primary   | Non-cancelled | Groundwater Registration          |

**EXHIBIT 5-4**

## City Water Rights Summary

## 2007 City of Newberg Water Management and Conservation Plan

| Location   |    |    |    | Permitted Amount |            |                 |               |                  |      |      |        |         | WRD Status    | Comments                    |
|--|----|----|----|------------------|------------|-----------------|---------------|------------------|------|------|--------|---------|---------------|-----------------------------|
| Name   | T  | R  | S  | Application No.  | Permit No. | Certificate No. | Priority Date | Certificate Date | cfs  | mgd  | gpm    | Type    |               |                             |
| Well 4   | 3S | 2W | 29 | G-5254           | G-5276     | 48100           | 7/20/1970     | 5/25/1979        | 2.7  | 1.7  | 1203   | Primary | Non-cancelled |                             |
| Well 5   | 3S | 2W | 29 | G-9638           | G-10067    |                 | 3/28/1980     |                  | 1    | 0.7  | 453    | Primary | Non-cancelled | Original Permit             |
| Well 5   | 3S | 2W | 29 | T-4547           | G-5277     | 68620           | 8/6/1970      | 5/25/1979        | 3    | 1.9  | 1346   | Primary | Non-cancelled | Transferred from Well No. 3 |
| Well 6   | 3S | 2W | 29 | G-9805           | G-10068    |                 | 6/23/1980     |                  | 4    | 2.6  | 1800   | Primary | Non-cancelled |                             |
| Collector Well and existing Wells 7 & 8 (Future Wells 9, 10, and 11 to be constructed) | 3S | 2W | 29 | G-12515          | G-13876    |                 | 5/3/1991      |                  | 20   | 12.9 | 8976   | Primary | Non-cancelled |                             |
| Well Total   |    |    |    |                  |            |                 |               |                  | 35.1 | 22.6 | 15,750 |         |               |                             |
| Wells and Springs Total  |    |    |    |                  |            |                 |               |                  | 43.6 | 28.2 | 19,569 |         |               |                             |



**EXHIBIT 5-5**

## Well Production Data

*2007 City of Newberg Water Management and Conservation Plan*

| Year | Well 1 | Well 2 | Well 4 | Well 5 | Well 6 | Well 7 | Well 8 | Average<br>Daily Total<br>to WTP<br>(mgd) |
|------|--------|--------|--------|--------|--------|--------|--------|---|
| 2001 | 0.7    | 0.1    | 0.3    | 0.7    | 0.5    | 0.3    | 0.0    | 2.6                                       |
| 2002 | 0.3    | 0.1    | 0.2    | 0.8    | 1.0    | 0.3    | 0.0    | 2.7                                       |
| 2003 | 0.2    | 0.0    | 0.1    | 0.5    | 1.5    | 0.4    | 0.0    | 2.8                                       |
| 2004 | 0.3    | 0.0    | 0.1    | 0.5    | 1.3    | 0.3    | 0.0    | 2.5                                       |
| 2005 | 0.3    | 0.0    | 0.1    | 0.6    | 1.1    | 0.5    | 0.0    | 2.7                                       |
| 2006 | 0.5    | 0.0    | 0.1    | 0.6    | 1.0    | 0.6    | 0.4    | 3.2                                       |

Note: Data provided by the City of Newberg from historical data.

The City has created this plan for two reasons. The first reason is to meet new requirements Oregon Administration Rules and the second is to provide justification for receiving legal access to the maximum amount of water available under its extended permit G-13876. The following two paragraphs summarize the current situation and describe future needs.

The City of Newberg has water rights for a total of 43.6 cfs (28.2 mgd), of which 15.4 cfs (9.95 mgd) is currently available for potable water use by the City to supply its three water distribution systems. A considerable portion of the water that is legally accessible for use by the City (8.15 cfs [5.2 mgd]) is assigned to six springs, of which only three with a total production of 0.28 cfs (0.18 mgd) are producing potable water. In addition, a substantial portion of the legally available water is inaccessible during the summer months when the maximum daily demand (MDD) is the greatest. During the summer of 2006, for example, the City had access to only 9.7 cfs (6.3 mgd) from all of its water sources. The City's current MDD 10.7 cfs (6.9 mgd) exceeds available supply by 1.0 cfs (0.65 mgd). Although the City has the necessary resources to produce sufficient additional quantities of water to meet its current MDD from Well 8 (which can pump 5.1 cfs [3.3 mgd]), the amount of water legally available from this well field currently limits Well 8's production to 2.2 cfs (1.4 mgd) when Well 7 is in operation. Other system resources, including groundwater wells and springs, have reduced output in the summer when the water is most needed. It is typical for a Phase I water shortage alert to be issued during the summer months to reduce water use and manage the shortfall. This situation is expected to become more critical as the population increases and water resources are strained even further.

The existing 1.0 cfs (0.65 mgd) deficit between the City's maximum daily demand and legally available water is expected to increase to 7.9 cfs (5.1 mgd) during the 20 year period of this plan. This represents a 45 percent deficit when compared to the projected MDD of 17.64 cfs (11.4 mgd). The data suggest that an increase in access to the existing water rights held by the City will be required to meet water system demand over the next 20 years, and this increase will be needed for specific water resources within the City's water supply



system. The City is requesting legal access to the entire 20 cfs (12.9 mgd) allocated to existing Wells 7 and 8 and future Wells 9, 10, and 11 under permit G-13876. This will provide the City with the necessary water resources to meet expected demand, to operate its other water resources more efficiently, and will eliminate the need to activate water curtailment measures due to a shortfall in legally available water.

## Demand Forecast OAR 690-086-0170(3)

Exhibit 5-6 contains data from the 2004 City of Newberg Water Distribution System Plan to develop the following three different demand levels:

- **Average Day Demand (ADD):** The total volume of water delivered to the system in a calendar year, divided by 365 days. ADD is the same as average annual demand.
- **Maximum Day Demand (MDD):** The maximum volume of water delivered to the system in any single day of the year.
- **Peak Hour Demand (PHD):** The maximum volume of water delivered to the system in any single hour of the year.

### EXHIBIT 5-6

Newberg Average Peaking Factors

2007 City of Newberg Water Management and Conservation Plan

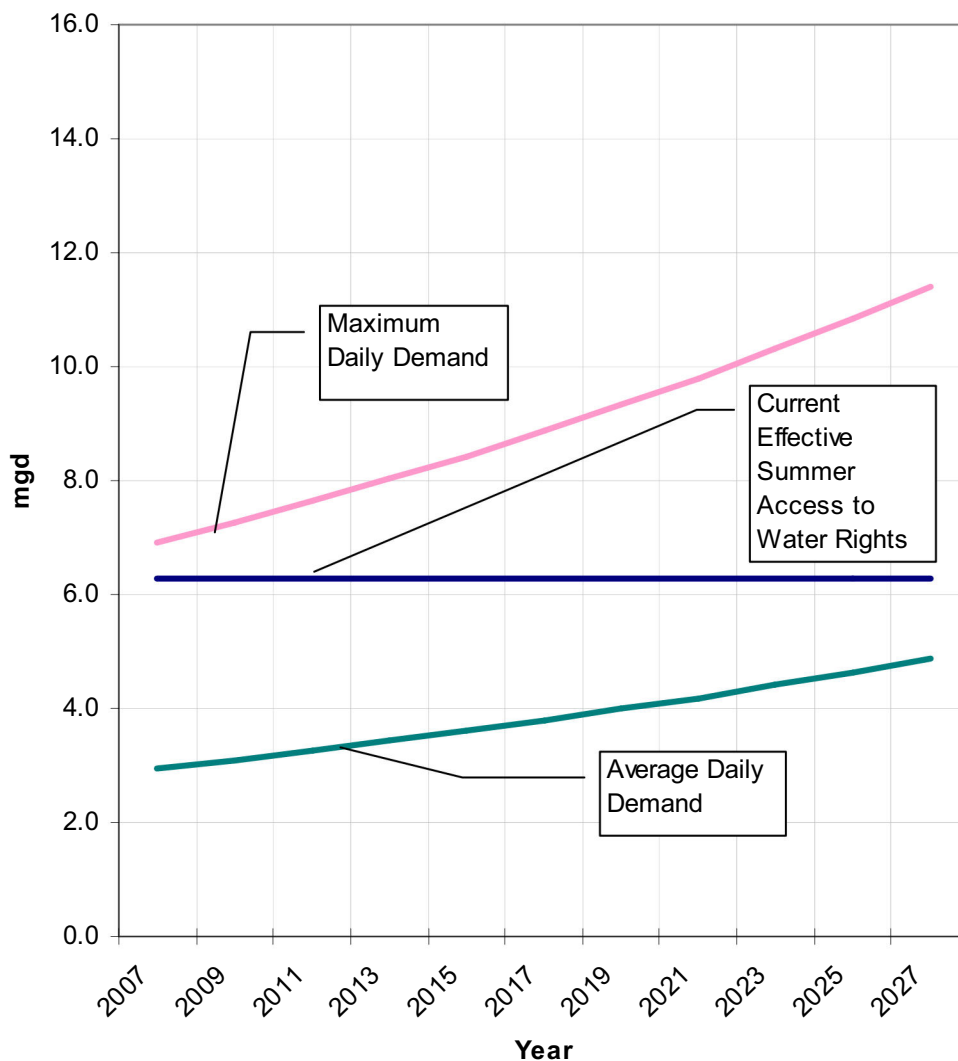
| Flow Rate Condition | Factor |
|---------------------|--------|
| MDD/ADD*            | 2.09   |
| PHD/MDD*            | 1.58   |
| PHD/ADD             | 3.30   |

\*2004 City of Newberg Water Distribution System Plan.

The factors depicted in Exhibit 5-6 provide insight into the relationship of the maximum daily demand and peak hourly demand to the average daily demand. These relationships are used to develop insights into what water resources the distribution system will require to meet these demands in the future. For the most part, peak hourly demands are managed by distribution system storage facilities, which also contain water reserves for fire fighting and emergency purposes. Maximum day demands must be met by water supply and system storage capacities so the emergency reserves will be available at all times and the reservoirs are able to be filled in time to meet the next day's demand.

## Comparison of Projected Need and Available Sources OAR 690-086-0170(4)

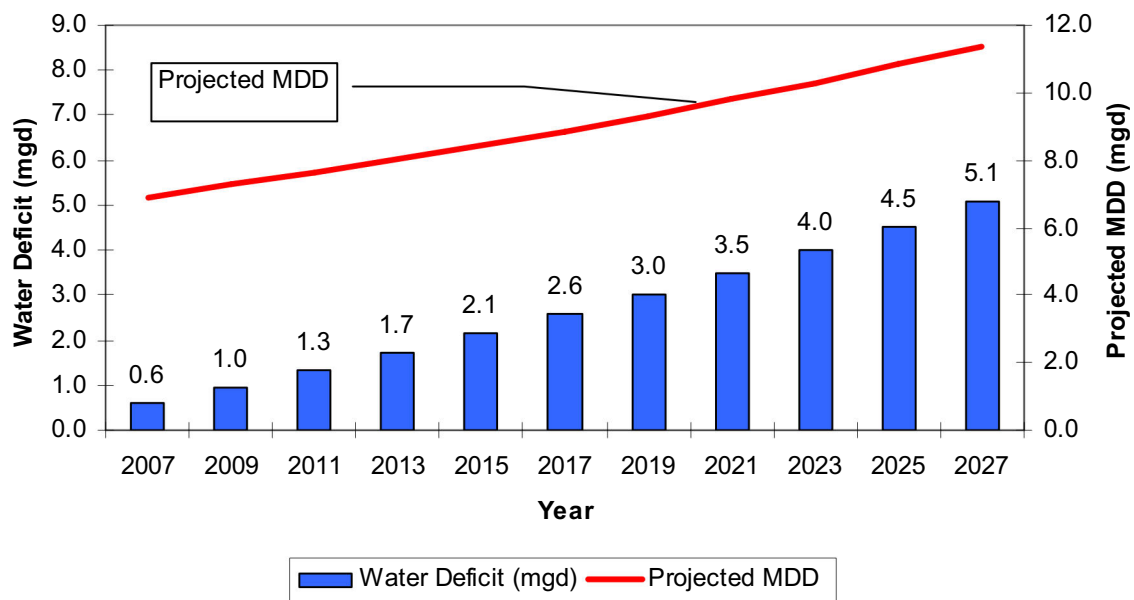
Exhibit 5-7 displays the City's worst-case projected maximum daily demand and a graphical representation of the shortfall that is expected to exist between the MDD and current water sources to which the City has access.

**EXHIBIT 5-7**

Demand versus Current Access to Water Rights

2007 City of Newberg Water Management and Conservation Plan

Exhibit 5-8 illustrates the existing shortfall in water. Access to additional water rights will allow the City to meet the MDD without having to apply curtailment measures. The graph shows that the existing deficit of 0.6 mgd increases to 5.1 mgd during the 20 year period of this study.

**EXHIBIT 5-8**

Water Deficit Compared to Maximum Daily Demand through 2027  
 2007 City of Newberg Water Management and Conservation Plan

This increase in water deficit directly tracks the increase in projected MDD. As shown in Exhibit 5-9, this quantity of water represents a 9 to 45 percent deficit when compared to the 6.3 mgd of water that is available when the MDD occurs.

**EXHIBIT 5-9**

Water Deficit Relative to the Existing and Legally Available Water  
 2007 City of Newberg Water Management and Conservation Plan

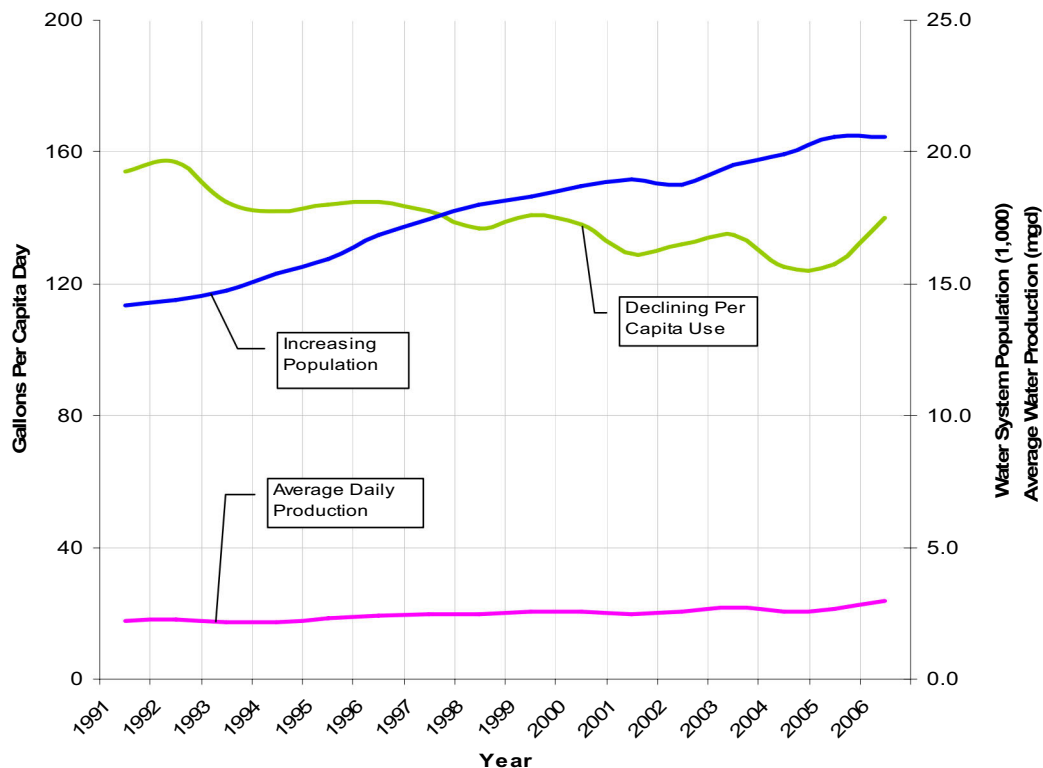
| Year | Projected MDD (mgd) | Difference Between MDD and Legally Available Water (mgd) | Water Deficit as Percent of MDD |
|------|---------------------|--|---------------------------------|
| 2007 | 6.9                 | 0.6  | 9%                              |
| 2009 | 7.3                 | 1.0  | 13%                             |
| 2011 | 7.6                 | 1.3  | 18%                             |
| 2013 | 8.0                 | 1.7  | 22%                             |
| 2015 | 8.4                 | 2.1  | 25%                             |
| 2017 | 8.9                 | 2.6  | 29%                             |
| 2019 | 9.3                 | 3.0  | 32%                             |
| 2021 | 9.8                 | 3.5  | 36%                             |
| 2023 | 10.3                | 4.0  | 39%                             |
| 2025 | 10.8                | 4.5  | 42%                             |
| 2027 | 11.4                | 5.1  | 45%                             |

## Alternative Sources 690-086-0170 (5)

The City's ongoing water conservation program coupled with the influence of regional conservation programs (those carried out by Portland, Beaverton, Hillsboro, and other cities near the City of Newberg) has resulted in a general decrease in per capita water use and a relatively stable average daily demand as the population continues to increase. Exhibit 5-10 graphically illustrates these facts.

The City of Newberg currently has no interconnections with other municipal supply systems or cooperative regional water management systems.

Permit G-13876, modified by Permit Amendment 9098, authorizes the municipal use of water up to 20 cfs (12.9 mgd) from wells 7, 8, 9, 10, and 11. Wells 7 and 8 are legally able to produce a total of 4.0 mgd. Well 7 currently has a summer peak production of 2.3 mgd. Well 8 is currently configured to produce a total of 3.3 mgd. Together, Wells 7 and 8 are capable of producing 5.6 mgd in the summer. Future Wells 9, 10, and 11 will expand the existing well field serving the water treatment plant and provide additional water resources to serve the water distribution system and meet water demands with some redundancy. Costs for this future expansion are expected to be equivalent to ongoing costs for operating the existing wells.



### EXHIBIT 5-10

Historical per Capita Production and Average Daily Production  
2007 City of Newberg Water Management and Conservation Plan

## **Quantification of Maximum Rate and Monthly Volume 690-086-0170(6)**

OAR 690-086-0170(6) requires a quantification of the maximum rate of withdrawal and maximum monthly use if initial diversion of water allocated under an existing permit is necessary to meet demands in the 20-year planning horizon. As described above and illustrated in Exhibit 5-8, the City's water demand by 2027 could exceed an MDD of 11.4 mgd or approximately 17.64 cfs. Therefore, in addition to the firm supply of 4.0 mgd from wells and springs, an additional 11.4 mgd or 17.6 cfs will be needed from the City's water right permits.

## **Mitigation Actions under State and Federal Law 690-086-0170(7)**

Under OAR 690-086-0170(7), for expanded or initial diversion of water under an existing permit, the water supplier is to describe mitigation actions it is taking to comply with legal requirements of the Endangered Species Act (ESA), Clean Water Act and other applicable state or federal environmental regulations. The City will obtain all required permits prior to its initial diversion of water under its water right permit should it decide to develop a water diversion requiring state and federal permitting.

## **Acquisition of New Water Rights 690-086-0170(8)**

The City does not anticipate needing to acquire new water rights in the next 20 years.





APPENDIX A

**Letters Requesting Local Government Comments  
and Input Received**

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**CH2M HILL**  
2020 SW 4<sup>th</sup> Avenue  
3<sup>rd</sup> Floor  
Portland, Oregon 97201  
**Tel 503.736.4122**  
**Fax 503.736.2000**



June 4, 2007

331635.A1.WR

Sterling Anderson  
Marion County Planning Department Manager  
PO Box 14500  
555 Court St. NE  
Salem, Oregon 97309  
(503) 588-5038

Subject: 2007 City of Newberg Water Management and Conservation Plan for Review

Dear Mr. Anderson:

We have attached a draft copy of the 2007 City of Newberg Water Management and Conservation Plan for your review and comment regarding its consistency with demand projections in your comprehensive land use plan.

The City of Newberg has prepared this plan to fulfill the requirements of Oregon Administrative Rule Chapter 690, Division 86, of the Oregon Water Resources Department. Please provide written comments to me within 30 days of the date of this letter.

If the plan appears acceptable to you as written, a comment to that effect would be appreciated. You may either send your comments to me at the address on the letterhead or e-mail them to me at [James.Lee@CH2M.com](mailto:James.Lee@CH2M.com).

You are welcome to call me at (503) 736-4122 or contact Lawrence Fain, the City of Newberg's project manager for this project at (503) 554-8881 if you have questions about this plan. Thank you for your interest in this project.

Sincerely,

CH2M HILL

A handwritten signature in blue ink that reads "James Lee".

James Lee  
As Representative of the City of Newberg

# Marion County Response

---

**From:** Brandon Reich [mailto:BREICH@co.marion.or.us]  
**Sent:** Tuesday, June 05, 2007 3:02 PM  
**To:** Lee, James/PDX  
**Subject:** Newberg Water Management Plan

Dear Mr. Lee:

I received your request to comment on the City of Newberg Water Management and Conservation Plan. The city has previously received permits from Marion County Planning to expand the wellfield in Marion County (Administrative Review Case #00-32) and to construct a new pipeline in the river (Administrative Review Case #06-10). The plan appears consistent with the development that has already been approved. If any additional developments are proposed, the city must apply for applicable permits from Marion County. Regarding demand protections, the county has no comment because the City of Newberg is not in Marion County.

Please contact me if you have any questions, (503) 588-5038.

Sincerely,

Brandon Reich  
Associate Planner  
Marion County Planning



**CH2M HILL**  
2020 SW 4<sup>th</sup> Avenue  
3<sup>rd</sup> Floor  
Portland, Oregon 97201  
**Tel 503.736.4122**  
**Fax 503.736.2000**

June 1, 2007

331635.A1.WR

Mike Brandt  
Yamhill County Planning Director  
525 NE 4<sup>th</sup> Street  
McMinnville, OR 97128  
(503) 434-7516

Subject: 2007 City of Newberg Water Management and Conservation Plan for Review

Dear Mr. Brandt:

We have attached a draft copy of the 2007 City of Newberg Water Management and Conservation Plan for your review and comment regarding its consistency with demand projections in your comprehensive land use plan.

The City of Newberg has prepared this plan to fulfill the requirements of Oregon Administrative Rule Chapter 690, Division 86, of the Oregon Water Resources Department. Please provide written comments to me within 30 days of the date of this letter.

If the plan appears acceptable to you as written, a comment to that effect would be appreciated. You may either send your comments to me at the address on the letterhead or e-mail them to me at [James.Lee@CH2M.com](mailto:James.Lee@CH2M.com).

You are welcome to call me at (503) 736-4122 or contact Lawrence Fain, the City of Newberg's project manager for this project at (503) 554-8881 if you have questions about this plan. Thank you for your interest in this project.

Sincerely,

CH2M HILL

A handwritten signature in blue ink that reads "James Lee".

James Lee  
As Representative of the City of Newberg

# **Yamhill County Response**

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No comments were received for Yamhill County within the 30-day comment period or as of July 12, 2007.

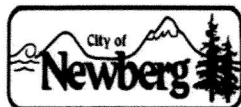


APPENDIX B

## Rate Structure Resolution

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## ***RESOLUTION No. 2006-2641***

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### **A RESOLUTION ADOPTING MONTHLY WATER RATES FOR THE CITY OF NEWBERG, EFFECTIVE JULY 1, 2006**

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#### **RECITALS:**

1. City Code Section 50.48 governs the adoption of water rates for the City of Newberg and Chapter 50 governs the City of Newberg water system.
2. The Citizens' Rate Review Committee ("Rate Committee") reviewed water system characteristics and requirements, including the capital improvement plan and operating/maintenance costs, and recommends changes to the monthly water charges based on an analysis of current and near-term future anticipated water fund needs.
3. The Rate Committee met three times between January 25, 2006 and February 22, 2006 to discuss water rates.
4. The Rate Committee held a public hearing on the proposed monthly charges on May 3, 2006 and the City Council held a public hearing on May 15, 2006 and June 5, 2006.

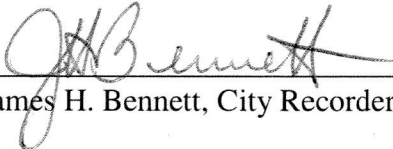
#### **THE CITY OF NEWBERG RESOLVES AS FOLLOWS:**

1. Effective July 1, 2006, the monthly water service rates shall consist of charges as shown on the attached Exhibit "A."
2. Each customer applying for connection to the City water system shall pay to the City a water connection charge and water systems development charge which shall be due and payable at the time of issuance of a permit to proceed with each service connection. The water connection charge shall be calculated based on the estimate of the actual costs incurred by the City in conjunction with the connection of the service and shall be payable with the application for service. Costs in excess shall be due upon completion. Failure to pay the additional costs will cause the water meter to be removed. Any excess payment shall be refunded to the applicant.
3. A turn-on charge of twenty dollars (\$20.00) shall be applied to all customer accounts to recover the cost of setting up the new account and turning the service on.
4. A charge of fifteen dollars (\$15.00) shall be imposed on each delinquent account which receives a late payment notice and an additional turn-on charge of fifteen dollars (\$15.00) shall be imposed on any account whose service has been terminated for failure to pay for the service and subsequently must be turned back on.


5. Builders or contractors wishing to purchase water from the City through a hydrant, which shall be served by a meter obtained from the City, shall be charged a \$10.00 billing charge, \$25.00 for the meter, and the appropriate commercial volume charge. There shall be a non-refundable deposit of \$150.00, for the first 10,000 gallons. The cost of any damage to the meter or hydrant shall be reimbursed to the City in addition to the above charges and may be collected through the City's regular collection procedures.
6. Rates for any other water use, not explicitly provided for in this resolution, shall be established by the Public Works Director and Finance Director so as to conform as closely as practicable to the charges established herein. Such charges will be reviewed by the Finance Committee.
7. The cost of any damage by a customer to the City's portion of the water system, including locks and meters, will be charged to the customer's account in the utility billing system and collected in the usual manner.
8. The Rate Committee shall review the water system requirements and water rates at least every two years.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: June 6, 2006.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 5<sup>th</sup> day of June 2006.

  
James H. Bennett, City Recorder

**ATTEST** by the Mayor this 9<sup>th</sup> day of June 2006.

  
Bob Stewart, Mayor

### LEGISLATIVE HISTORY

By and through the Citizens' Rate Review Committee at their May 3, 2006 meeting.

## EXHIBIT "A"

### MONTHLY WATER SERVICE CHARGES Effective July 1, 2006

|   | <u>July 1, 2006</u> | <u>July 1, 2007</u> |
|---|---------------------|---------------------|
| <b>Service Charge (\$/month):</b>                   | \$1.30              | \$1.30              |
| <b>Meter Charge (\$/month):</b>                     |                     |                     |
| <b><u>Inside &amp; Outside City</u></b>             |                     |                     |
| 3/4" meter  | \$ 2.56             | \$2.56              |
| 1"  | 4.35                | 4.35                |
| 1 1/2"  | 8.45                | 8.45                |
| 2"  | 13.57               | 13.57               |
| 3"  | 25.60               | 25.60               |
| 4"  | 42.75               | 42.75               |
| 6"  | 85.25               | 85.25               |
| 8"  | 136.45              | 136.45              |
| 10"   | 213.25              | 213.25              |
| <b>Volume Charge (\$/hundred cubic feet (ccf)):</b> |                     |                     |
| Single Family Residential                           | \$2.40              | \$2.60              |
| Multi-family Residential                            | 2.03                | 2.17                |
| Commercial  | 2.60                | 2.75                |
| Industrial  | 2.27                | 2.51                |
| University  | 1.52                | 1.33                |
| Outside City  | 3.60                | 3.89                |
| Public Agency                                       | 2.29                | 2.50                |
| Irrigation  | 3.98                | 4.18                |

### LEGISLATIVE HISTORY

By and through Citizens' Rate Review Committee at February 22, 2006 meeting.





## **Conservation and Curtailment Ordinance**

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## ORDINANCE NO. 98-2495

AN ORDINANCE ESTABLISHING REGULATIONS RELATIVE TO WATER CRISIS EMERGENCIES; REGULATING THE USE OF WATER; PROHIBITING CERTAIN USES OF WATER FROM THE CITY OF NEWBERG'S WATER SYSTEM NOT ESSENTIAL TO PUBLIC WELL-BEING; DESIGNATING THE CREATION OF WATER CRISIS STATE OF EMERGENCY; AUTHORIZING CITY TO TERMINATE WATER SERVICE FOR VIOLATION; PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AND REPEALING ORDINANCE NUMBER 2029.

NOW, THEREFORE, THE CITY OF NEWBERG, OREGON, ORDAINS AS FOLLOWS:

**Section 1. Definitions.** For the purpose of this ordinance, the following terms, words, phrases and derivations shall have the meaning given herein. When not inconsistent with the context, the words used in the present tense include the future words and the plural number include the singular and words in the singular number include the plural number.

- a. City - the City of Newberg.
- b. Conservation - the careful preservation, planned management of the City's water supply in order to preserve the resource.
- c. Curtailment - the cutting off of supply or reducing the supply by some amount or through some effort.
- d. Person - any firm, partnership, association, corporation, including municipal corporation and a subdivision of the State of Oregon, company or other organization of any kind.
- e. Water - water from the City's water supply system.

**Section 2. Application of Regulations.** Provisions of this ordinance shall apply to all persons using water both in and outside the City regardless of whether any person using water shall have a contract for water service with the City.

**Section 3. Conservation Policy.** The policy of the City is to encourage water conservation which is the careful preservation and planned management of the City's water supply in order to preserve the resource. This means careful use of water in order to protect the City's water resources without creating an undo hardship on water users. Implementation of this policy shall include the following actions:

- A. The City of Newberg shall establish a water conservation program and periodically increase public awareness of the benefits of water conservation including encouraging some or all of the following conservation measures on water use:

1. Landscape sprinkling for each landscaped area (i.e. sprinkler zone) shall be limited to 20 minutes per day. This requirement is waived for new landscaping within 180 days of occupancy of facility.
  2. No landscape sprinkling shall be allowed between 9:00 AM and 5:00 PM if the outside temperature exceeds 80° Fahrenheit. This requirement is waived for new landscaping within 180 days of occupancy of a facility.
  3. Residential and commercial landscape sprinkling on an alternate-day basis is encouraged. Even numbered addresses may water on even numbered days and odd numbered addresses on odd numbered days.
  4. All water use with a hand-held hose is exempt from restrictions, however, water users are encouraged to monitor hand-held hose use.
  5. All new construction and all repair and/or replacement of fixtures, shall comply with the Energy Conservation Provisions of the Oregon Specialty Codes.
- B. The City shall actively educate the City utility water users on conservation through an on-going water conservation education program.
- C. The City Manager or a designee shall annually establish a definitive conservation program with the major irrigation water users, (based on Summer water use), to include an alternate-day irrigation schedule and a compliance monitoring program. Water audits will be encouraged.
- D. The City shall continue the ongoing water conservation efforts, including water line leak detection and repair, replacement of deteriorating pipe, and replacement/repair of older and under-registering water meters, providing water users with educational materials, and connecting lines which are dead end lines in order to increase water circulation in the system.

**Section 4. Curtailment Policy.** The policy of the City is to curtail water use during drought conditions to insure that the City has adequate fire flow and supply for essential service requirements. The purpose of this section is to curtail water use during times of critical water shortages due to severe droughts, reduction in treatment or pumping capability, equipment malfunctions, or other emergency situations where there may be an insufficient water supply. The Mayor or City Manager is empowered to declare a water crisis state of emergency if in the opinion of the Mayor or City Manager, the adequacy of the water supply for the City of Newberg is sufficiently endangered to create a risk of danger to the health, safety and welfare of the people of the City of Newberg. Implementation of this policy shall include the following actions and such

other actions are deemed to be necessary subject to the judgement of the Mayor or City Manager:

A. The City shall restrict water use by all customer classes by using some or all of the following methods subject to the severity of the water shortage as determined by the City Manager or a designee, and subject to the approval of the Mayor or City Manager and notification as provided for in Section 5 of this ordinance. Curtailing water use shall include some or all of the following activities:

1. Sprinkling, watering or irrigation of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers or any other vegetation. On request, the Community Development Director may approve exceptions for new landscaping that previously has been planted, but not established.
2. Washing automobiles, trucks, trailers, trailer houses, motorbikes, boats, or any other type of mobile equipment.
3. Washing sidewalks, driveways, parking lots, tennis courts, filling station aprons, porches and other hard surface areas.
4. Washing the exteriors of dwellings; washing the exteriors or interiors of office buildings.
5. Operating any ornamental fountain, scenic or recreational pond or lake or other structure using water similarly, except for the minimum quantity necessary to support fish life.
6. Filling, refilling or adding water to any swimming or wading pool or hot tub not employing a filter and recirculating system nor evaporation covers, except where the use of the pool or hot tub is required by a doctor.
7. Permitting the escape of water through defective plumbing.
8. Using water for construction projects.
9. Serving customers water in a restaurant unless requested.

**Section 5. Emergency Powers.** As provided in Ordinance No. 1040, Section 9, the City expressly reserves the right to discontinue furnishing water to any and all water users, and consumers outside the corporate limits of the said City, in the event of water shortage or other public emergency or catastrophe. Any water saving measures that in the opinion of the Mayor or City Manager are reasonable and necessary to protect the health, safety and welfare of the people of the City of Newberg may be implemented to address the emergency. These measures shall be

in writing, and shall state the effective time and date of such measure.

**Section 6. Notification.** If a water shortage is anticipated to occur or actually occurs, the Community Development Director or Utilities Manager shall inform the Mayor or City Manager when water consumption exceeds production and available water storage is approaching the minimum quantity required by the City to meet fire protection and other essential demands. Upon notification, the Mayor or City Manager shall see that the following actions are taken:

A. On receipt of this notification, the Mayor or City Manager may impose the water curtailment measures deemed necessary to address the situation pursuant to Section 4 of this Ordinance, effective immediately or at such date and time indicated in the notice. The water curtailment measures shall be in writing and prepared for general release to the City water utility customers, City Council and other interested parties. Notification in accordance with this Ordinance shall then commence as follows:

1. The Mayor or City Manager, or a designee, shall notify each City Council member by telephone, with a written statement to follow, or in writing of the curtailment measures within six (6) hours.

2. The curtailment measures shall be publicly announced by any means reasonably necessary to give notice to the City water utility customers.

3. Each announcement shall state the action taken by the Mayor or City Manager including the time the curtailment measures became or will become effective and the announcement shall specify the particular curtailment measures to be imposed. Any water user aggrieved by the proposed curtailment shall immediately, upon notice, contact the Mayor or City Manager to discuss and resolve the grievance.

4. Whenever the Mayor or City Manager finds that the conditions which gave rise to the water curtailment measures no longer exist, the Mayor or City Manager may declare the curtailment measures terminated in whole or in part, effective immediately on announcement. The announcement shall be in writing. The Mayor or City Manager shall notify the City Council pursuant to this Ordinance and take whatever actions are necessary to give notice to the City water utility customers.

**Section 7. Penalties.** Violation of a duly written and noticed water curtailment measure or this ordinance shall be a City Class 3 civil infraction and shall be processed in accordance with the procedure set forth in the "Uniform Civil Infraction Procedure Ordinance" of the City. Each day in which any such violation shall continue shall be deemed a separate offense.

**Section 8. Exception to Maintain Sanitation.** The City Community Development Director or a designee, after written notice to the Mayor or City Manager, shall have the authority to permit



a reasonable use of water in any case necessary to maintain adequate health, safety and sanitation standards.

**Section 9. Length of the Curtailment Measures.** The length of curtailment measures established by the Mayor or City Manager shall remain in effect until terminated by announcement of the Mayor or City Manager in accordance with this ordinance.

**Section 10. Authority of Officer.** Any police officer or other employee of the City of Newberg may enter upon the premises of any person for the purpose of reducing the flow of any water used contrary to the provisions of this ordinance, providing that such measures shall not be taken until the following have occurred:

- A. The person in violation has been cited once for a violation of this ordinance.
- B. The person has had served upon them written notice to cease and desist any further violation of any measures imposed under this ordinance.

**Section 11. Severability.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**Section 12. Repeal.** Ordinance No. 2029 are hereby repealed by the City Council of the City of Newberg.

**ADOPTED** by the Newberg City Council this 18th day of May, 1998 by the following votes:

**AYES: 6**

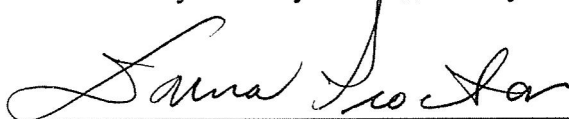
**NAYS: 0**

**ABSENT:1**



Duane R. Cole, City Recorder

ATTEST by the Mayor this 22nd day of May, 1998:



Donna Proctor, Mayor

**NOTE: Clerical error corrected on August 26, 1998 and resigned on that date.**

# REQUEST FOR COUNCIL ACTION

|  |                       |                     |   |                         |
|--|-----------------------|---------------------|---|-------------------------|
| <b>DATE ACTION REQUESTED: February 5, 2018</b>               |                       |                     |   |                         |
| <b>Order</b> ____  | <b>Ordinance</b> ____ | <b>Resolution</b> _ | <b>Motion</b> <u> X </u>  | <b>Information</b> ____ |
| <b>No.</b>   | <b>No.</b>            | <b>No.</b>          |   |                         |
| <b>SUBJECT: Potential Sale of the Newberg Animal Shelter</b> |                       |                     | <b>Contact Person (Preparer) for this Motion: Joe Hannan City Manager<br/>Dept.: City Manager</b> |                         |

## RECOMMENDATION:

That the City Council approve the following motions:

1. That the City Council declares its intent that the Newberg Animal Shelter building continue to be used as an animal shelter;
2. That the City recognize the value of the donations and grant revenues contributed by the Newberg Animal Shelter Friends (NASF) to construct and improve the Newberg Animal Shelter if the Shelter is sold;
3. That a public hearing on the sale of the animal shelter be scheduled for March 19, 2018.

## EXECUTIVE SUMMARY:

The City Council is being asked to consider selling the Newberg Animal Shelter as a means of transferring animal shelter services to a community group and as a means of generating funds to pay for a portion of a \$3.15 million public safety communications upgrade.

The Newberg Animal Shelter Friends is interested in purchasing the land and building and has requested a right of first refusal. A right of first refusal cannot be granted without a public hearing.

Over \$560,000 in donations and interest were raised in the construction of the Newberg Animal Shelter. In addition, there have been significant grants received to finance Shelter capital improvements.

## BACKGROUND

### Sale of Public Property

Oregon Revised Statutes (221.725) describe the requirements for the sale of real property.

- City must publish a notice of the proposed sale;
- Notice must state time and place of a public hearing, description of the property, proposed uses for the property and reasons why the City considers it necessary or convenient to sell.
- There must also be appraisal or other evidence of the market value of the property disclosed at a public hearing.

### Process

The City has commissioned an appraisal of the property which is anticipated to be in City hands by the end of February.

The appraisal will be presented to the City Council along with an accounting of all City contributions, general donations and Newberg Animal Shelter friends fundraising and grant contributions that have been spent on the planning, development and capital enhancement of the facility.

Staff's recommendation is that public hearing be scheduled for March 19, 2018.

### Newberg Animal Shelter

For over four decades the Newberg Animal Shelter was operated by Newberg-Dundee Police Department. The City's previous shelter building was built as a high school project in the 70's, as a one room building that held both cats and dogs.

Newberg Animal Shelter Friends (NASF), 501c3 fundraising organization, began raising money in 2000 for construction of a new shelter building.

In 2013, the Newberg Animal Shelter moved into a new facility on Sandoz Road, Newberg. In July 2014, due to budget reasons, the City of Newberg announced that they cut their Animal Control program... Dog control operations for Newberg and Dundee moved to Yamhill County Sheriff Department.

## **FINANCIAL**

The 7,128 sq. ft. Newberg Animal Shelter was constructed on City property and financed through public fundraisers, donation, grants and City contributions.

The Shelter operates under a four-year lease with NASF (through July 2018). The \$1.00 per year lease and City payment of utilities is in exchange for Newberg Animal Shelter Friends operation of the shelter. NASF operates and staffs the shelter, pays phone and internet service, security system, medical expenses for animals in their care and has provided funding to continue building improvements.

### Capital Costs

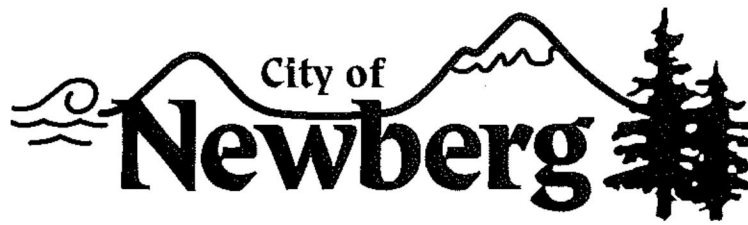
|                            | City           | NASF           | Total          |
|----------------------------|----------------|----------------|----------------|
| Land                       | 86,801         | -              | 86,801         |
| Planning, Design, and Fees | No charge      | -              | -              |
| Construction               | 200,000        | 508,374 (1)    | 708,374        |
| Additional Improvements    | 30,468         | 1,189          | 31,657         |
| HVAC                       | -              | - (2)          | -              |
| Utility Improvements       | 48,550         | -              | 48,550         |
|                            | <u>365,819</u> | <u>509,563</u> | <u>875,382</u> |

If the property is sold there are anticipated expenses for the appraisal and land division expenses.

- (1) Net fundraising proceed toward construction (\$512,500 donations plus \$55,004 interest earned less \$59,130 in fundraising costs).
- (2) The City is still waiting for a detailed description of physical improvements made to the facility by the Newberg Animal Shelter Friends since 2013. It is the intent to recognize any physical improvement costs made to the facility as part of any recommendation to sell the Shelter.

On-Going Costs (City provides utility and maintenance funds to assist in operation of the Shelter).

|                              | City         |
|------------------------------|--------------|
| Portland General Electric    | 3,588        |
| Northwest Natural Gas        | 1,974        |
| Municipal Services Statement | 2,168        |
| Building Maintenance         | 609          |
| Property Insurance           | 704          |
|                              | <u>9,043</u> |



February 5, 2018

To: City Manager, City Council

Re: Annual Statement of Economic Interest Reminder – Filing is March 15-April 15

Remember to test your user names and passwords this month so you can be ready for filing your annual Statement of Economic Interest with the Oregon Government Ethics Commission.


In mid-March, OGEC will send you a notice that you can go in and file your SEI. You will have between March 15, 2018 and **the deadline of April 15, 2018** to file. You can only file during this one-month window.

You cannot file your form early but you can log in to test your username or password ahead of time to make sure those work.

If you have forgotten either your username or password, contact OGEC at (503) 378-5105, email at [ogecmail@oregon.gov](mailto:ogecmail@oregon.gov) or check out their website at [www.oregon.gov/OGEC](http://www.oregon.gov/OGEC).

Questions about ethics? The Commission offers online trainings through Adobe Connect or iLearn. See February 2018 calendar for topics.

Sincerely,

  
Sue Ryan  
Newberg City Recorder

C: DawnKaren Bevill

Encl: February 2018 OGEC training calendar for Adobe Connect webinars

G/CityRecorder/OGECfilings/OGEC letter to Council 2018-0205 SEI second reminder

# February 2018

## Oregon Government Ethics Commission AdobeConnect Webinar Training Calendar

| Monday   | Tuesday | Wednesday  | Thursday   | Friday   |
|--|---------|--|--|--|
| <div>Email <a href="mailto:ogec.training@oregon.gov">ogec.training@oregon.gov</a> to register for a webinar.</div> |         |  | 1<br><br><b>New Employees: you're a public official, now what!</b><br>10:00 – 11:00 AM | 2  |
|  |         |  |  |  |
| 5  | 6       | 7<br><br><b>Executive Session</b><br>10:00 – 11:00 AM    | 8  | 9<br><br><b>Use of Position/Office</b><br>10:00 – 11:00 AM |
| 12   | 13      | 14<br><br><b>Conflicts of Interest</b><br>2:00 – 3:00 PM | 15   | 16<br><br><b>OGEC PUBLIC MEETING</b>                       |
| 19<br><br><b>PRESIDENTS' DAY<br/>OFFICES CLOSED</b>  | 20      | 21   | 22   | 23<br><br><b>Lobby law</b><br>10:00 – 11:00 AM             |
| 26<br><br><b>Gifts</b><br>2:00 – 3:00 PM   | 27      | 28   |  |  |



David S. Wall  
P.O. Box 756 Newberg, Oregon 97132

February 5, 2018

VIA HAND DELIVERY

Mayor Bob Andrews  
Councilor Mark Murray; Councilor Stephen McKinney; Councilor Mike Corey  
Councilor Patrick Johnson; Councilor Denise Bacon; Councilor Scott Essin  
Newberg City Hall; 414 E. First Street; Newberg, Oregon 97132

[SET 2]

**Re: Wolves and People Vines to Steins Trail project: Where is the Public benefit?**

Dateline: County Desk [Monday, (02.05.18)] *All TLT Grant Funded Awards should have a demonstrable Public Benefit.*

I am enclosing additional documents for your perusal and usage to assist your deliberative process whether granting public monies, using the Transient Lodging Tax Designation Development-Marketing Grant Funds (Herein TLT Funds) to the Wolves and People Vines to Steins Trail **[Resolution 2018-3429]** is justified.

You all should be concerned with the decisions made by your Transient Lodging Tax Ad hoc Committee. Specifically, the Rating Criteria and how Rating Scores are justified.

The issue of "Public Benefit" for the City of Newberg, arising from the grant process and award should be clearly defined, justified with accounting measures in place to monitor the success and or failure of any and all projects funded by the TLT. Illusory projections and grandiose claims of unsubstantiated successes should be considered unreliable.

The Wolves and People Vines to Steins Trail is a "Private Trail." Access to the "Trail" is conditioned by having a "Passport." The "Passport" issue should be fully vetted by the TLT Ad Hoc Committee and the Newberg City Council.

"Letters of Support" for a particular project should not be accepted into the record and or as criteria in the Rating process from family members of Applicants and or the Applicants themselves.

TLT Committee Members should not be permitted to monies to their respective businesses arising from any and all "Grant Awards."

Membership criteria and resulting appointment to serve on the TLT Ad Hoc Committee should not be made by one member of the Newberg City Council. Background checks should be made and made public records.

Review the voting record of TLT Ad Hoc Committee Members McKinney and departed Member Kelsh.  
\*\*\***Note** the extreme opposites of the scores. This is an indicator of a flawed Rating System.

The TLT Grant Application itself requires review. TLT Grant Applications should have a disclosure to alert the Rating Process that the Applicant has; a Conditioned Land-Use / Agritourism and any and all conditioned Permits issued by Yamhill County Commissioners and or the Land Use Board of Appeals (LUBA). No TLT Grants should be issued to any Applicant who might lose their specific conditioned permit, resulting in a material reduction in the benefit of the investment by the City of Newberg.

The TLT Ad Hoc Committee should be afforded the Agritourism Permit issued by Yamhill County as referenced and incorporated into **[DOCKET NO.: E-06-16]**.

Respectfully submitted,  
/s/ David S. Wall

///  
///  
///

Cc: The Honorable Yamhill County Commissioners

City Council Meeting

Date: 2/5/18

Re:

Topic: Public Comment

## Summary White Board Evaluation

|                                  | 1 = Highest Ranking |          |        | 6 = Lowest Ranking |        |          |         |       |        |  |       |      |               |                      |
|----------------------------------|---------------------|----------|--------|--------------------|--------|----------|---------|-------|--------|--|-------|------|---------------|----------------------|
|                                  | Lewis               | McKinney | Bagley | Carda              | Felton | Lattimer | Lippard | Louis | Parish |  | Total | Rank | Grant Request | Award Recommendation |
| Hoover-Minthorn                  | 5                   | 2        | 4      | 6                  | 3      | 6        | 5       | 4     | 6      |  | 41    | 4    | \$ 30,000     | \$ -                 |
| Downtown Wineries Association    | 1                   | 4        | 2      | 2                  | 6      | 3        | 3       | 1     | 2      |  | 24    | 2    | \$ 20,500     | \$ 20,000            |
| Cultural Center Culinary Kitchen | 2                   | 1        | 1      | 1                  | 2      | 1        | 2       | 3     | 1      |  | 14    | 1    | \$ 250,000    | \$ 250,000           |
| CPRD Sports Lighting             | 6                   | 5        | 6      | 4                  | 1      | 5        | 4       | 6     | 4      |  | 41    | 4    | \$ 225,000    | \$ -                 |
| Cultural District Wayfinding     | 4                   | 3        | 5      | 5                  | 5      | 4        | 6       | 5     | 5      |  | 42    | 6    | \$ 73,500     | \$ -                 |
| Wolves & People                  | 3                   | 6        | 3      | 3                  | 4      | 2        | 2       | 2     | 3      |  | 28    | 3    | \$ 45,000     | \$ 30,000            |

# SUMMARY DESTINATION DEVELOPMENT - MARKETING GRANT SCORES

|   | Grant Request<br>Amount | Total Points<br>Possible | Total Points | Average |
|---|-------------------------|--------------------------|--------------|---------|
| Hoover-Minthorn House Museum<br>Roof/Gutters/Electrical | \$ 30,000               | 504                      | 215          | 17.92   |
| Newberg Downtown Wineries Association                   | \$ 20,500               | 462                      | 348          | 31.64   |
| Chehelam Cultural Center Culinary<br>Enrichment Center  | \$ 250,000              | 504                      | 368          | 30.67   |
| CPRD Darnell Wright Sport Complex Lighting              | \$ 225,000              | 504                      | 182          | 15.17   |
| City of Newberg Cultural District Wayfinding            | \$ 73,500               | 504                      | 221          | 18.42   |
| Wolves & People Vines to Steins Trail                   | \$ 65,000 - \$ 80,000   | 504                      | 251          | 20.92   |

|   | Grant Request<br>Amount | Total Points<br>Possible | Total Points | Average |
|---|-------------------------|--------------------------|--------------|---------|
| Newberg Downtown Wineries Association                   | \$ 20,500               | 462                      | 348          | 31.64   |
| Chehelam Cultural Center Culinary<br>Enrichment Center  | \$ 250,000              | 504                      | 368          | 30.67   |
| Wolves & People Vines to Steins Trail                   | \$ 65,000 - \$ 80,000   | 504                      | 251          | 20.92   |
| City of Newberg Cultural District Wayfinding            | \$ 73,500               | 504                      | 221          | 18.42   |
| Hoover-Minthorn House Museum<br>Roof/Gutters/Electrical | \$ 30,000               | 504                      | 215          | 17.92   |
| CPRD Darnell Wright Sport Complex Lighting              | \$ 225,000              | 504                      | 182          | 15.17   |

# Wolves & People Vines to Steins Trail

Funding Request \$65,000 - \$80,000

| Criteria  | Score Range | Lewis     | Nicholas  | McKinney | Bagley    | Carda     | Felton    | Kelsh     | Lattimer  | Lippard   | Louls     | Love      | Parrish   |
|---|-------------|-----------|-----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 1. What is the projected return on investment   |             |           |           |          |           |           |           |           |           |           |           |           |           |
| a. Predicted number of tourists attracted/overnight guests  | 0 - 5       | 1         | 3         | 0        | 3         | 1         | 2         | 5         | 2         | 0         | 5         | 1         | 3         |
| b. Will it have lasting impact and utility  | 0 - 5       | 2         | 3         | 0        | 4         | 3         | 2         | 5         | 2         | 3         | 5         | 4         | 2         |
| 2. Demonstrated history of attracting tourists/overnight guests   | 0 - 3       | 1         | 3         | 0        | 3         | 1         | 2         | 3         | 1         | 0         | 3         | 2         | 3         |
| 3. Does it engage and energize local tourism partner(s)   | 0 - 3       | 2         | 0         | 0        | 2         | 1         | 3         | 3         | 2         | 1         | 3         | 3         | 3         |
| 4. Does it enhance Newberg as a destination   | 0 - 5       | 1         | 0         | 0        | 4         | 2         | 4         | 5         | 3         | 2         | 5         | 2         | 2         |
| 5. Does it enhance Newberg as a location for Makers and Doers   | 0 - 3       | 1         | 3         | 0        | 2         | 2         | 1         | 3         | 2         | 0         | 3         | 1         | 2         |
| 6. Does it catalyze downtown development  | 0 - 3       | 0         | 0         | 0        | 1         | 0         | 0         | 3         | 2         | 2         | 1         | 0         | 2         |
| 7. Is it likely to increase visitor spending  | 0 - 5       | 0         | 0         | 0        | 2         | 1         | 1         | 5         | 2         | 1         | 5         | 1         | 1         |
| 8. Does it enhance tourism from October – May or any Sunday – Thursday Visitation   | 0 - 5       | 1         | 2         | 0        | 1         | 0         | 3         | 5         | 2         | 1         | 5         | 0         | 1         |
| 9. Does this project align with at least one of the four target audiences (Wine Country Adventurers, Millennial Explorers, George Fox Network, Luxury Wine Travelers) | 0 - 5       | 3         | 5         | 0        | 4         | 3         | 5         | 5         | 4         | 1         | 5         | 5         | 4         |
|   | 42          |           |           |          |           |           |           |           |           |           |           |           |           |
| <b>Total</b>  |             | <b>12</b> | <b>19</b> | <b>0</b> | <b>26</b> | <b>14</b> | <b>23</b> | <b>42</b> | <b>22</b> | <b>11</b> | <b>40</b> | <b>19</b> | <b>23</b> |

**Total Points Possible** 504  
**Total Points** 251  
**Average** 20.92

**TRANSIENT LODGING TAX AD HOC COMMITTEE**  
**MARKETING SUBCOMMITTEE**  
**September 18, 2017 8:30 am**  
**Chehalem Valley Chamber of Commerce**  
**2119 Portland Road**

The meeting called to order by Chair Ashley Lippard at 8:30 a.m.

**ROLL CALL:**

|                  |                       |                        |
|------------------|-----------------------|------------------------|
| Members Present: | Ashley Lippard, Chair | Rob Felton, Vice Chair |
|                  | Sheila Nicholas       | Sheryl Kelsh           |
|                  | Jessica Bagley        | Dennis Lewis           |
|                  | Kyle Lattimer         |                        |

Staff Present:

Guests:

**TOURISM MARKETING MATERIAL:**

Chair Lippard opened the discussion and passed out a refined list of possible shot locations for the video and photos. Looking for sites that would reflect a contrast between New & Hip verses established. Stephanie and Laurie Peterson were introduced. They are the George Fox University students that will be producing the videos. It is unknown how many videos will be produced but probably two or three from 15 seconds to no more than a minute.

The Marketing Subcommittee discussed the best use of videos including social media, online, distribution to media, and distribution to local tourism partners to post on their websites. The Subcommittee also discussed that the target market audience is 50+ miles from Newberg. The discussion additional included three concepts for the videos of by the numbers, Doers and Makers, and the typical all the things you can do video. The Subcommittee identified the concept of Doers and Makers as the theme.

There was a general discussion of the shot list with committee members assigned to contact.

1. Brickhouse Winery – Member Nicholas
2. The Painted Lady – Member Bagley
3. Ruddick/Wood – Member Lattimer
4. Vista Balloons – Member Kelsh
5. The Allison Inn & Spa – Member Kelsh
6. AN Artist – Chair Lippard will contact Loni Parrish. Possible Romona Younquist could be the artist.
7. Chehalem Cultural Center – Member Lewis
8. Wolves & People – Member Lattimer
9. JK Carrier Winery – Member Nicholas
10. Chehalem Ridge Bed & Breakfast – Member Nicholas
11. Adventure Shot – Dewey Neilsen – Member Lattimer or Chair Lippard will contact.

**Wolves & People Vines to Steins Trail****Request amount: \$65,000 - \$80,000****Required Application Materials****YES NO NOTES**

|   |   |   |   |
|---|---|---|---|
| 1) Completed application Cover Sheet  | X |   |   |
| 2) Budget for project/program/event being funded that lists all anticipated income and expenses.  | X |   | States \$65,000 request, Application states \$80,000 request, need to clarify |
| 3) Board or Owner approved financial statement for most recently completed fiscal year of the organization or business responsible for the project/program/event. | X |   | Private entity confidential information                                       |
| 4) Letter signed by officers of the Organization's Board of Directors or Business Owners authorizing this application.  |   | X | Signed Certification Letter in application but no separate letter             |
| 5) Documentation of organization or business existence: Current, valid Oregon Secretary of State Corporation Division registry filing.                            | X |   | 2017 Annual Report  |
| 6) Documentation that no bankruptcy or other financial corruption has occurred within the past five years.  |   | X | Confidential financial information submitted does not indicate a bankruptcy   |
| 7) Letters of support.  | X |   | 2 letters   |
| 8) Past grant recipient.  |   | X |   |



**Eligibility Requirements****YES****NO****NOTES**

|  |   |   |   |
|--|---|---|---|
| 1) Aligns with Transient Lodging Tax regulations (Tourist, Tourism Promotion, Tourism Promotion Agency, Tourism related facility)                                      | X |   | Tourist, Tourism Promotion, Tourism Related Facility. The trail is a grey area according to legal counsel review. |
| 2) Promote or create experiences for: Outdoor recreation visitor, Experiential arts, Wayfinding, Downtown enhancement  | X |   | Outdoor recreation visitor, wayfinding, and indirectly downtown enhancement                                       |
| 3) Appeals to designated audiences in the Newberg Strategic Tourism Plan (Wine Country Adventures, Millennial Explores, George Fox Network, and Luxury Wine Travelers) | X |   | Wine Country Adventures, Millennial Explores, George Fox Network, and Luxury Wine Travelers                       |
| 4) The project will create or enhance an experience for shoulder or off-season visitors  | X |   | Both Shoulder and off-season  |
| 5) Does it align with other tourism activities in the community  | X |   | Winery tours, restaurants,  |
| 6) Builds on existing assets   | X |   | Vineyards, winery, brewery  |
| 7) Leverages funding   |   | X | 2:1 for Phase 1; .33:1 for Phase 2; .7:1 combined Phase 1 & 2 does not meet 1:1 requirement                       |
| 8) Entities that have a bankruptcy or other financial corruption within the past five years are ineligible   |   | X | None  |

I am here today to share the services that Family Pet Partners offers the community of Newberg in Response to a statement made at last council meeting by Dr. Johnson of Newberg Veterinary Hospital.

Yamhill County decided last march that they were going to push animal control back to the municipalities as of July 1<sup>st</sup>, 2017. It turned into October for municipalities that did not have a solution as to how they would handle their animal control.

Mary Starrett contacted Chief Casey and asked what the solution was for Newberg because this was happening before 4<sup>th</sup> of July and that is a busy dog at large date. Chief Casey met with Family Pet Partners and the city manager because we offered a solution to help with the case load of dog at large calls.

Family Pet Partners has in effect partnered with the Newberg-Dundee Police department since July 1<sup>st</sup> to provide assistance with Dog at Large calls, found dogs, missing dogs and animal complaints. We partner with Critter Cabana to house exotic animals that the PD or FPP comes across. Family Pet Partners is the only organization that receives phone calls to be dispatched to dog at large or animal related call. We have been called to a scene to take possession of animals when a person has passed away.

One of the items discussed and we hear quite often is that Newberg does not have animal control. I feel this misinformation reflects badly on our Police Department and our city. We absolutely still have animal control as our Police Department upholds the city code and ordinances as they are written. Since we do not have a dedicated Animal Control Officer, all of our officers fulfill the duty of animal control when dispatched to do so. They will respond to dangerous dog calls, quarantine dangerous dogs when needed and refer out calls to Family Pet Partners when it is something that can be handled without them. At times Family Pet Partners has had to call the Police Department and request an assist with certain dog at large situations. They are readily available to do that.

- In addition to the service we provide for the city of Newberg at no cost, as all of our volunteers do not get paid, we also offer the following.
- Lost and Found Services, to include holding an animal until an owner is found
- Microchip verification
- Spay / Neuter assistance
- Microchip implant assistance
- Medical assistance to those that cannot afford care or in an extreme emergency
- Mental health and domestic violence foster care. We receive calls from Marion county, Polk County and Yamhill County to foster animals so individuals and families can seek the assistance they need without having to worry about their animals. There is NO other organization that provides that service.
- We work with the Newberg-Dundee police department, Marion County and Polk County on hoarding cases and help with abandoned animals.
- We will find solutions for stray and feral cats and work them into our program in Marion County. There is not another organization that takes Stray cats in Newberg. Newberg Animal Shelter will take them in special circumstances only.

Family Pet Partners has been operating since 2014. We originate from Marion County and are a Registered Animal Rescue Entity. We have been operating in Newberg since January of 2017. We look forward to expanding our services and being able to help the community even more in the coming year.

Kind Regards,  
Rebecca Wallis, President  
Family Pet Partners.

City Council Meeting

Date: 2/5/18

Re:

Topic: Public Comment

## Bob Andrews

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**From:** Roger <rcurrier@hevanet.com>  
**Sent:** Wednesday, January 31, 2018 12:18 PM  
**To:** Bob Andrews; Denise Bacon; 'Matt Murray'; Mike Corey; Patrick Johnson; Scott Essin; Stephen McKinney  
**Subject:** PUD

### RE: PLANNED UNIT DEVELOPMENTS

Councilors,

Please take a long hard look at what you have now versus what you will get after passing a PUD allotment in Newberg again.

I do not recall the exact date, but somewhere around 2006 I believe we revoked the PUD aspect to be built in Newberg. Yes we since I was one of the city council at the time of removal.

We had until then allowed PUD's to be used and built here. But with so many having questions and problems through the years we removed it.

What and where were the problems, I am sorry to say that I do not have the list in my head any longer.

But a couple that come to mind I will attempt to recall:

Buckley's Edition was built with sub standard streets that did not hold up through the years and they ended up giving them to the city to maintain.

Jacquith Park Estates had to have a separate ordinance passed to allow for the City to sweep their streets under contract since they are private.

This development was proposed to have 2 entrances to meet some of the City code. But what happened was that it was required to have 28 ft. access to 219 (College) st.

To make room for an extra home they made 1 driveway 28 ft. wide at the street. But the street 20 ft. back are only 24 ft. wide ( I believe or less) and not made to standards to allow for us if it ever happens to take over.

There is a small sub division right off to the East of north College, just north of the ODOT building by the tracks. This is a PUD that when built was "never" going to have ANY on street parking! Sorry name escapes me right now --but ?? court across from Mission st. The stated when approved that all visitors would park over on Illinois and walk over! Of course this never happens ever! They were required to install NO PARKING Signs on the street as well to stop this. last year I brought this to the code enforcement officers attention that you could not read the signs and they were parked everywhere which I sent him pictures of. This was about the time you approved the one on South Wyooski st. by Del Bocca. with the same agreements. the code officer made them put up new signs that are still ignored to this day! You can check that street almost any time day of night ( of course evenings are worse). AND then they have landscapers park along there too to add to the problem.

Then there was the sub division of I believe Lewis court just before Melody that looks great and was a big discussion at Council on one item of a street and how large of lot / house could be built and still maintain safety. We talked on this one item with the developer and staff for at least an hour and a half. Finally agreeing to what must happen. About a month latter I found out that the developer had applied for a staff approved variance to this sub division and was approved! And the variance was to allow exactly what we had discussed not to happen. But staff said they had forgot about the requirements.

City Council Meeting  
Date: 2/5/18  
Re: \_\_\_\_\_  
Topic: Ord 2018-2822

I work for a group that was built with a PUD many years ago behind Abbys pizza. the first thought that comes to mind is the problem I have with lot maintained. We only have one drive for ingress / egress! So if we have a major driveway issue which we have in the past and are looking at again, it requires flaggers and a shut down of half the access. then there was the issue of a lot for sale in there. It was on the verge of title signing when I asked a question of City staff. Why are you going to allow them to build over a sewer easement? I was told there was none! But finally after convincing them to review papers , they found I was right. Thus helping to prevent a major issue for the future having a building over it.

One large issue of debate is the street width; which is safer narrow or wider? Form my perspective I like the wide ones that allow parking on both sides for a couple reasons. On is obvious that of getting trucks through safely in times of emergency as well as need to move from one home to another. The other is that of my neighbor always having to park over in front of my house since you only have access to park on one side. Not only does it choke up my ability to have guests park in front, but any mess they leave oil or whatever is in front as well. It tends to cause a conflict that I have seen where by people park their car in front so that the neighbor does not, just because they do not like it!

Yes you can say that a narrow street is safer since it is "supposed to" create a squeezed situation for the driver? But what happens in most is that the speed stays the same; but the field of vision (safety area ) is much smaller when a child runs out in front. You now have no where to go! So are you going to do what the City of Portland is doing for these streets and make them 20 MPH?

The wide streets like mine ( Pinehurst Drive) are a speed problem I know! The drivers find that the 4 block street tends to let them go way over the 25 MPH speed and have had up to about 50 MPH going by at times. Most are running around the 30-35 MPH speed. But when we put up a radar speed sign everyone slows down and now there is no problem for that day. I know that the PD can not just sit here and wait. But sitting at either end will get them a speeder in a short time!

What we have wanted through all the 35 years out here is at least one speed Hump. There needs to be one on Pinehurst and Illinois st. to deter speeders!! These streets are so long that drivers tend to just keep increasing as they go with no concern for anyone crossing the street here or even opening a door. It is a situation like the problem at Friends view Manor where you allowed a speed hump "after" a person was hit. We have no crosswalks because we have no intersections, Illinois has at least one. But this long street that is a cutoff from College to Main and the Yamhill Hwy. is a problem that I hope some day you might address. But making it a narrow street like a PUD would not help.

I hope that some of you or at least one might take a look at the couple examples I have provided and ask questions of history, Although with the staff changes no one will recall what transpired . Please maintain the livability of Newberg but NOT approving these again. When they fail staff will be gone and no one will be accountable for what you have allowed.

Roger Currier



## City Council hearing notes 2/5/2018

Roger Currier letter response:

We appreciate Mr Currier's concerns in his email dated 1/31/18, however, for clarification we believe that he has mistakenly used the term "PUD" and "Private Street" synonymously in his letter. None the less, his points such as are heard.

Substandard streets that won't hold up can be addressed by the fact that the City Engineer must agree on the design. The City needing to take over street sweeping or other maintenance functions can be addressed by a Class 1 HOA, and the threshold of at least 50 units paying dues and the Community Development Director reviewing the reserve study on an annual basis to ensure appropriate steps are being taken.

The widths of streets would need to be examined and approved by the City Engineer and the Fire Marshall, and a wholistic neighborhood view needs to be examined.

HOAs often times can have better parking enforcement by having a contract with a towing company with the towing company's phone number posted on signs, giving neighbors the ability to anonymously self-police. Furthermore, private streets can allow for parking spaces to be tucked into pockets that would otherwise be under-utilized and not allowed on a traditional private street. It should be noted that the parking lot of an apartment complex is essentially one large private street.

E 3<sup>rd</sup> St – Near the Airport



Alley Loaded detached homes allow for a narrower home and higher density. The alley would be a private street with driveways that serve garages, boarded by public streets with on-street parking. This is a good option when the dimensions of the property require double-fronted lots.

City Council Meeting

Date: 2/5/18

Re:

Topic: ORD 2018-2822



Sometimes the geometry of a property or design considerations such as parks or natural resources necessitate creative design solutions in order to optimize efficiency. Private streets give designers opportunities to incorporate real design that can't be prescribed in standard documents.

Examples of alley-loaded homes that provide unique design opportunities:

Alley loaded homes fronting on a park



Alley loaded homes provide more on-street parking on the public street-side:





Aerial view of pictures on previous page:



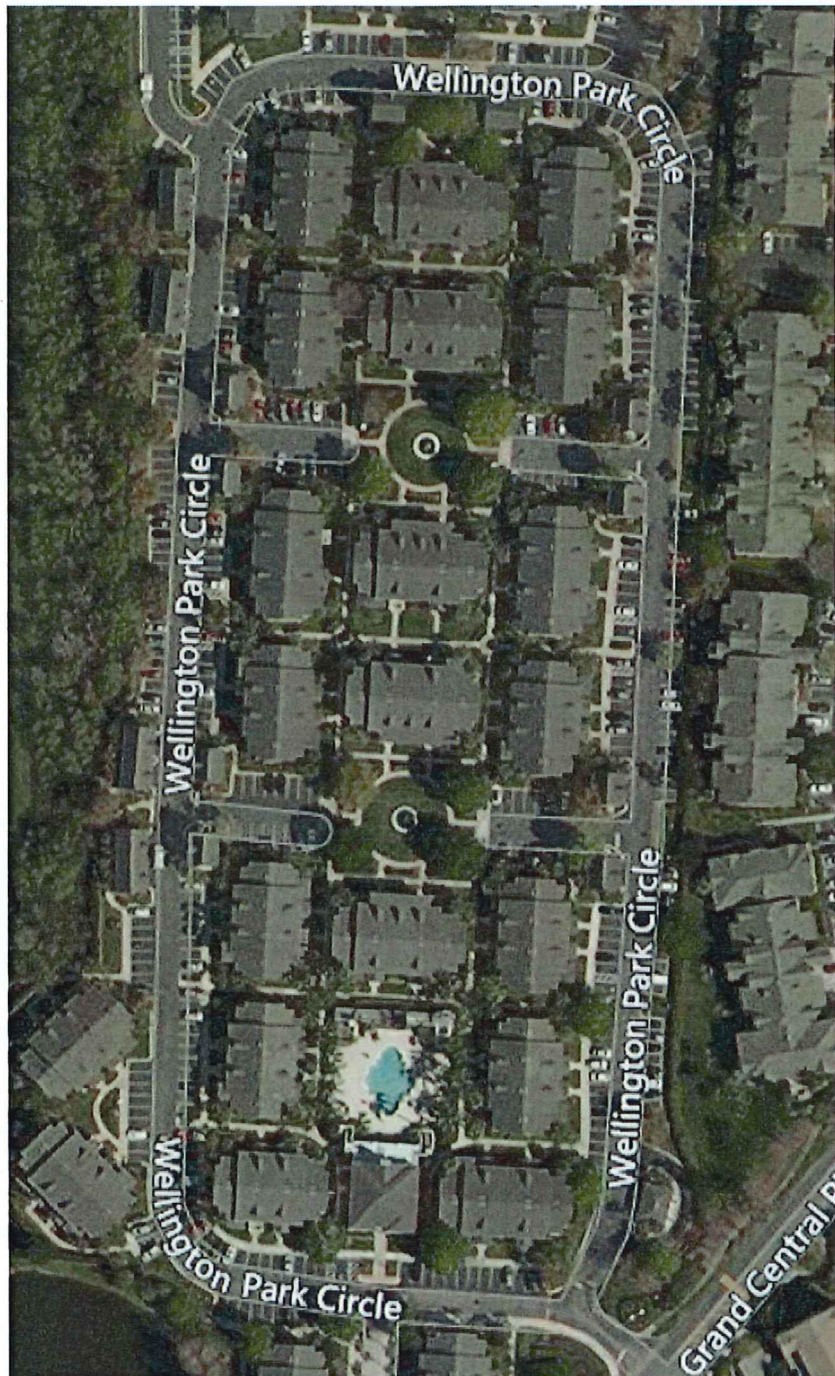
40-lot subdivision in Beaverton that utilizes a small private street to serve 4 of the lots to optimize geometry for density and protecting wetlands and other natural resources:



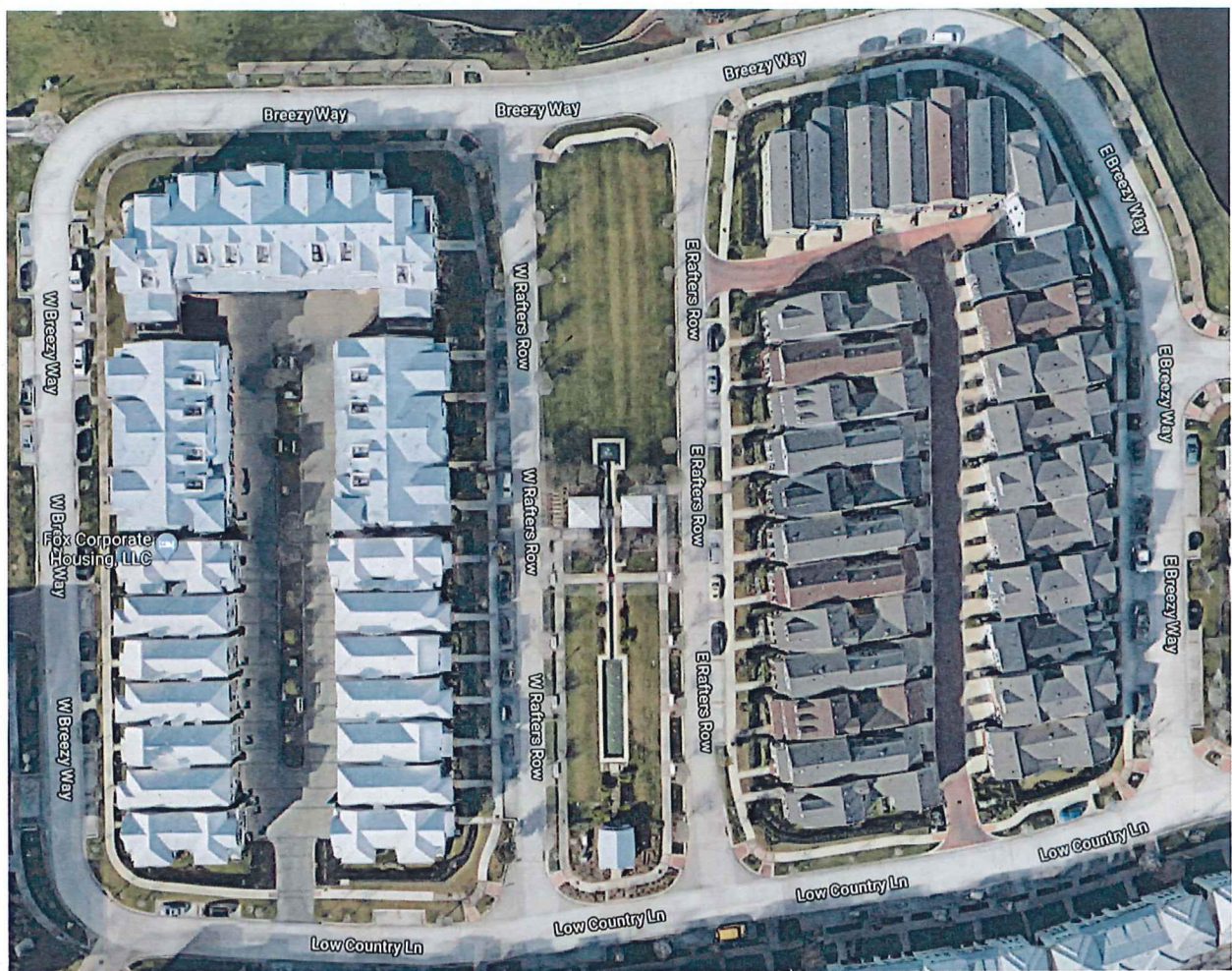
In the above example, a professional management company oversees the HOA board and updates the reserve study on an annual basis. Majority of the standard \$35/month HOA dues support maintenance of the natural open space, pathway and lighting, and the additional \$3/month for each of the 4-lots on

the private street covers all maintenance of the private street. Future phases of development by other developers will connect the public streets.

Below is an example of a project where private streets function much like a linear parking lot.







Courtyard-style private streets that allow for on-street parking separate from garage access in proven neighborhoods that function well.









Example of narrow, high density homes fronting on a **standard public street**, showing how parking can be a problem with high density without the benefit from creative solutions offered by private streets:



Often need to be single car garages to make room for downstairs living space:



# NEWBERG CITY COUNCIL MEETING INFORMATION

Meeting Date: February 5th, 2018

Prepared by: Sue Ryan

| Councilors                                  | Roll Call      | Planning Commission Appointment<br>John Wuitschick, Jr. | Animal Shelter sale – No vote taken – see motion to right | Table vote on Animal Shelter motion until appraisal received | Consent Minutes –<br>Jan. 2<br>Jan. 9<br>Jan. 11<br>Res 3438- MWVCOG contract for EDLRF services | Cal Portland municipal account adjustment | Ord 2821 2 <sup>nd</sup> reading<br>Revised legal description of NB City limits |
|---|----------------|---|---|--|--|---|---|
| ANDREWS, Bob, Mayor                         | X              | Yes   |   | Yes  | Yes  | Yes                                       | Yes   |
| BACON, Denise                               | X              | Yes   |   | Yes  | Yes  | Yes                                       | Yes   |
| COREY, Mike                                 | X              | Yes   |   | Yes  | Yes  | Yes                                       | Yes   |
| ESSIN, Scott                                | X              | Yes   |   | Yes  | Yes  | Yes                                       | Yes   |
| JOHNSON, Patrick                            | X              | Yes   |   | Yes  | Yes  | Yes                                       | Yes   |
| McKINNEY, Stephen                           | Absent-excused | Absent  |   | Absent   | Absent   | Absent                                    | Absent  |
| MURRAY, Matt                                | X              | Yes   |   | Yes  | Yes  | Yes                                       | Yes   |
| ROLL CALL VOTES                             |                | YES: 6<br>NO: 0<br>ABSENT: 1                            |   | YES: 6<br>NO: 0<br>ABSENT: 1                                 | YES: 6<br>NO: 0<br>ABSENT: 1   | YES: 6<br>NO: 0<br>ABSENT: 1              | YES: 6<br>NO: 0<br>ABSENT: 1  |
| MOTION (1 <sup>st</sup> /2 <sup>nd</sup> ): |                | Bacon/Corey   | Murray/Bacon  | Essin/Johnson  | Corey/Murray   | Bacon/Corey                               | Essin/Corey   |

Meeting adjourned at 9:22 p.m.



| <b>Councilors</b>                                  | <b>Roll<br/>Call</b> | <b>Ord 2822<br/>NMC<br/>amendment –<br/>allowing for<br/>private streets</b> | <b>Ord 2824<br/>NB Comp Plan<br/>amendment –<br/>Population<br/>Projections</b> | <b>Res 3434<br/>Initiate Comp Plan<br/>amendment to update<br/>WWMP</b> |  |  |  |
|--|----------------------|--|---|---|--|--|--|
| <b>ANDREWS,<br/>Bob, Mayor</b>                     | X                    | Yes  | Yes   | Yes   |  |  |  |
| <b>BACON,<br/>Denise</b>                           | X                    | Yes  | Yes   | Yes   |  |  |  |
| <b>COREY, Mike</b>                                 | X                    | Yes  | Yes   | Yes   |  |  |  |
| <b>ESSIN, Scott</b>                                | X                    | Yes  | Yes   | Yes   |  |  |  |
| <b>JOHNSON,<br/>Patrick</b>                        | X                    | Yes  | Yes   | Yes   |  |  |  |
| <b>McKINNEY,<br/>Stephen</b>                       | Absent-<br>excused   | Absent   | Absent  | Absent  |  |  |  |
| <b>MURRAY,<br/>Matt</b>                            | X                    | Yes  | Yes   | Yes   |  |  |  |
| <b>ROLL CALL<br/>VOTES</b>                         |                      | <b>YES: 6<br/>NO: 0<br/>ABSENT: 1</b>  | <b>YES: 6<br/>NO: 0<br/>ABSENT: 1</b>   | <b>YES: 6<br/>NO: 0<br/>ABSENT: 1</b>                                   |  |  |  |
| <b>MOTION<br/>(1<sup>st</sup>/2<sup>nd</sup>):</b> |                      | Bacon/Murray   | Corey/Johnson   | Bacon/Murray  |  |  |  |