



**City Council Work Session
November 6, 2017 - 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**
- V. COMMITTEE REPORTS**
- 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.



**City Council Business Session
November 6, 2017 - 7:00 PM
Public Safety Building 401 East Third Street**

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. PRESENTATIONS

IV.a County Transit Update

V. CITY MANAGER'S REPORT

VI. COUNCIL APPOINTMENTS

VI.a Waste Water Management Plan Ad Hoc Committee Appointments
[RCA WWMP Ad Hoc appointments](#)

VII. 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)

VIII. CONSENT CALENDAR

VIII.a Council Minutes for 9/18, 10/2 and 10/16
[RCA Council Minutes](#)

IX. NEW BUSINESS

IX.a Housing Newberg Proposals
[RCA Information Housing Newberg.doc](#)
[Attachment 1 - Housing Newberg PPT 11-6-17.pdf](#)

IX.b TLT Grant for Cultural District Wayfinding
[RCA_Wayfinding_Signs vers 2.docx](#)
[tlt_destination-marketing_grant_cover_sheet_v6_NCD Wayfinding 2017.docx](#)
[tlt_destination-marketing_grant_application_Newberg Cultural District Wayfinding 2017.docx](#)

IX.c Resolution 2017-3417, A Repeal of Resolution 2008-2771 and incorporating changes in State Law for public records requests.

[RCA Res 3417 Public Records Request Policy changes.doc](#)

IX.d Resolution 2017-3419

Service Line Warranty Marketing Agreement

[Res 2017-3419 Service Line Warranty Resolution.pdf](#)

[Attachment A, Marketing Agreement.pdf](#)

[Service Line Warranty PowerPoint Presentation.pdf](#)

X. COUNCIL BUSINESS

X.a League of Oregon Cities reports

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: November 6, 2017

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

SUBJECT: To consent to the Mayor's Appointment of members of the Wastewater Master Plan Citizens Advisory Committee

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

RECOMMENDATION: To consent to the Mayor's appointment of members to the Wastewater Master Plan Citizens Advisory Committee as listed below for terms beginning November 2017 and ending December 31, 2018. The Committee will include Councilor Patrick Johnson as a liaison.

- 1) Janet Bleck is a Newberg business owner.
- 2) Robert Soppe is a Newberg resident and interested in serving because it's an important amendment to the Sewerage Master Plan. His background includes 14 years on the Budget Committee, 5 years on the Council and Chair of the Cultural District Board.
- 3) Mike Gougler is a Newberg resident. He is interested in serving on the committee because supporting staff supports his business. He has lived in Newberg for 15 years. His background includes land development in Newberg, serving on the Rate Review Committee and the Affordable Housing Committee.
- 4) Eric Groenweghe is the General Manager for Harris Thermal.
- 5) Larry Hampton is the Facilities Manager for the Newberg School District.
- 6) Bruce Jones is the Facilities Director for Friendsview Retirement Community.
- 7) Greg McKinley is a Newberg resident. He is interested in serving on the committee to represent A-Dec, Inc. He has lived in Newberg for 46 years. His background includes wastewater planning and permitting at A-Dec, and serving on the Transportation Utility Ad-Hoc Advisory Committee.
- 8) Rick Rogers is a Newberg resident. His background includes knowledge of non-profit management, housing, public policy and serving on several committees.
- 9) Jeff Schorzman is the Facilities Manager at Providence Newberg Medical Center.
- 10) Clyde Thomas is the Director of Plant Services for George Fox University, which oversees multiple departments.
- 11) Bill Madison is the Chief Engineer for the Allison Inn.

EXECUTIVE SUMMARY:

The City's Wastewater Master Plan was last updated in 2007. The plan should generally be updated every 10 years. Along with collection and treatment components, this plan will address:

- Non-potable water storage and distribution: better identify future potential users and to evaluate the system filter, pumping, distribution line, and storage costs vs. the benefits of the reuse system;
- Trunk line conveyance capacity;
- Treatment capacity;
- Inflow and Infiltration Impacts; and
- Pump Station Capacity and possible consolidation.

This update to the Wastewater Master Plan will help staff determine the needs of the City's wastewater system over the next 20 years. There will be significant public involvement through the use of a citizen advisory committee through the process of updates to the 2007 Master Plan. The Ad-hoc Committee will provide input to the project's consultant and ultimately to the Newberg Planning Commission and City Council.

It is planned that the Advisory Committee will meet three to four times over the course of the project, which will end in March 2018.

- The first meeting will be an orientation for the work that was started back in the spring of 2017 and gain your feedback on the existing conditions and analysis to date.
- The second meeting will be to get your feedback on the capital improvement plan and financial evaluation.
- And the third meeting will be to review and provide feedback on a draft Water System Master Plan.

The anticipated first meeting date of the Citizens Advisory Committee is to be in November of 2017 and will be a noticed public meeting.

FISCAL IMPACT:

Not applicable

STRATEGIC ASSESSMENT:

Not applicable

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: November 6, 2017

Order ____ Ordinance ____ Resolution ____ Motion XX Information ____
No. No. No.

SUBJECT: Minutes

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

RECOMMENDATION:

Approve City Council minutes from September 18th, October 2nd, and October 16th, 2017.

NEWBERG CITY COUNCIL MINUTES
REGULAR SESSION
September 18, 2017, 7:00 PM
PUBLIC SAFETY BUILDING (401 E. THIRD STREET)

A work session was held at 6:00 p.m. preceding the meeting. Present were Mayor Andrews, Councilors Patrick Johnson, Scott Essin, Denise Bacon, Mike Corey, Stephen McKinney and Matt Murray. Also present was the Chehalem Parks and Recreation District (CPRD) board including Peter Siderius, Don Loving, Bart Rierson, Mike Ragsdale, and Lisa Rogers. Staff present for CPRD included Don Clements and Kat Ricker. City staff present were City Manager Joe Hannan, City Attorney Truman Stone, City Recorder Sue Ryan, Public Works Director Jay Harris, Community Development Director Doug Rux, and Library Director Leah Griffith.

Joint Work Session with CPRD: Mayor Andrews called the meeting to order. CPRD Director Rierson asked to add under the discussion of trails the Dayton Avenue to Ewing Young Park connection.

Cultural District Vision: CDD Rux said some improvements in the Cultural District vision had been done, and others would be tied into the Downtown Improvement Plan. There had been discussions with the Masonic Temple for ADA improvements and bringing the Festival Street down Howard. There was also a parking management plan and there had been conversations with the Cultural Center on what the parking requirements would be for them and the Cultural District as a whole. CM Hannan said staff was looking for direction on developing a project list. One project was for the Cultural Center kitchen. There was discussion on the next round of tourism grants. There was discussion on ADA issues in the Cultural District including the needs for ADA ramps and wider sidewalks.

CPRD President Siderius said CPRD wanted to create a sense of whole with uniform landscaping throughout the Cultural District. There needed to be visioning about expansion of the District and its future uses. There was discussion on what tourism monies could be used for including wayfinding signs. There was discussion on expanding Howard Street, the impact of that on parking and current places for parking. There was discussion on the remaining projects for the Chehalem Cultural Center including signage, top floor renovation, kitchen, and restrooms.

Future Focus: CPRD Director Clements said a community wide survey could be done together and the survey could include some of these issues they were talking about. He thought elected officials should meet in early 2018 as well. There was discussion regarding the elected officials meeting more often, such as a couple of times per year, and who to include in these meetings.

Newberg Trails: Director Rierson said the new trail at Ewing Young Park was a 1.6 mile loop that took people down to the creek with plans to go under the Bypass and connect to Yamhill County landfill property. A spur of the Ewing Young trail was 150 yards short of the Dayton Avenue pumping station. He wanted to know if City Engineering could work on getting the trail through. There was discussion on the types of use on the trails. CPRD Director Clements said there was a Trails Master Plan that included equestrian trails and the possibility of a campground on Highway 219 and trails to connect to it. People used the trails all the time around the golf course. There was discussion on the Waterfront Master Plan, funding sources for trails and maps showing locations.

PWSD Harris stated the Dayton Avenue pump station was slated for replacement and the plans were near completion. They evaluated a trail connection from the end of 9th Street through private property. The problem was this area was topographically constrained and there was not enough frontage at the top of the site to have a fenced compound and a trail connection. They would need to acquire property to make the trail work. He suggested their trails planner contact him to discuss it further. There was discussion on when the City and CPRD could meet next and they decided in early February.

Reuse Water Agreement: CPRD Director Clements asked about the reuse water agreement as they were ready to sign it. CM Hannan said the reuse water rate had been reduced by Council action to \$2.51. The agreement was if CPRD signed the reuse water agreement, at the next Citizens Rate Review Committee process there would be discussion on reducing the rate to \$2.00.

CALL MEETING TO ORDER

Mayor Andrews called the business session to order at 7:20 p.m.

ROLL CALL

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

Staff Present:	Joe Hannan, City Manager	Truman Stone, City Attorney
	Sue Ryan, City Recorder	Doug Rux, Community Development Director
	Jay Harris, Public Works Director	Anna Lee, Human Resources Director
	Brian Casey, Police Chief	Mary Newell, Police Support Services Manager
	Matt Zook, Finance Director	Rosa Olivares, Community Engagement

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was performed.

PROCLAMATION: Mayor Andrews read the proclamation recognizing George Fox University for their 19th annual Serve Day on September 13, 2017 and presented it to student representatives.

CITY MANAGER'S REPORT: CM Hannan had worked with staff on revenue projections. He and staff met with PGE staff to collaborate on projects, issues with police reserves, Motorola on the new communications system, discussed waterfront development with people in Portland, and worked on the presentation to City Club regarding emergency preparedness.

CONSENT CALENDAR:

MOTION: McKinney/Corey moved to approve the Consent Calendar including Council Minutes for August 14, 2017. Motion carried (7 Yes/0 No).

PUBLIC HEARINGS: Ordinance 2017-2820, Marijuana Regulations amendment:

Mayor Andrews opened the public hearing. He called for any abstentions, ex parte contacts, and objections to jurisdiction. There was none.

CDD Rux gave the staff report. This issue was related to two overlay districts and the City's marijuana regulations. Marijuana producers, processors, and wholesalers were allowed in industrial zones, and most of the Bypass Overlay area was industrial land. The purpose of the Bypass Overlay was to limit commercial activities so more trips were not being generated. Staff recommended dropping the word "recreational" and leaving just marijuana laboratories. The Planning Commission recommended for the Airport Overlay to go back to the base zone and see if the regulation allowed the use. They also recommended permitting marijuana producers, processors, and wholesalers but not retailers and dispensaries in the Bypass Overlay. The intent was to exclude commercial operations, not industrial. The Development Code would also need to be amended. Processors, producers, retailers, wholesalers, and laboratories were not allowed in the R-2 district. Recreational marijuana retailers were prohibited in the Bypass Overlay. Medical marijuana dispensaries, processors, grow sites, and wholesalers were allowed in Airport Industrial.

Councilor McKinney clarified there were no current establishments in these zones. CDD Rux said that was correct. There were three retail operations elsewhere. If the entirety of the Airport Overlay was included those

uses could not be there. The consequence was no State revenue sharing. Councilor Johnson asked if the displaced threshold was important if the City did a future development agreement with Sportsman Airpark. CDD Rux said the airport had a split designation of Public/Quasi-Public and Industrial. The City could limit use activities in the agreement.

Proponents: Pat Marshall spoke in favor of the ordinance. He owned Sunrise Analytical Laboratory and would like to be located in Newberg. Sunrise had demonstrated commitment to providing the highest quality testing of cannabis in Oregon. They were the first to close their previous location when the City outlawed cannabis based businesses. Locating in a legally zoned area for a cannabis lab had been a daunting task. Oregon had few industrial, light industrial, and mixed use lands and warehouse style buildings were not good structures for laboratories. They were looking for a medical office. Employees would go out and pick up samples so there would be no increase of cars around the Bypass.

Opponents: None

Undecided: None

Mayor Andrews closed the public hearing. CDD Rux recommended adoption of the Ordinance.

MOTION: Bacon/Johnson moved to waive the second reading of Ordinance 2017-2820. Motion carried (7 Yes/0 No).

MOTION: Bacon/Essin moved to adopt Ordinance 2017-2820 and read by title only, An Ordinance amending the Newberg Development Code for marijuana regulations as they relate to the Airport Overlay (AO) Subdistrict and Bypass Interchange (BI) Overlay Subdistrict as permitted, conditional or prohibited uses within the City of Newberg. Motion carried (7 Yes/0 No).

Glass Recycling:

CM Hannan said this came from a citizen request. Waste Management said they would consider adding glass recycling on a subscription service. If 1,000 people signed up it would cost \$5.22 per month, if there were 3,400 it would be \$3.64 per month, and if the service was mandated it would be \$2.88 per month. He recommended not mandating this service.

Proponents: Shannon Gustafson, Newberg resident, spoke in favor. There were many benefits. There had been two online petitions in favor of glass recycling, which totaled over 300 signatures. She thought glass recycling should be made mandatory as it would be a burden on the citizens to get enough people to participate and it would be too expensive for some people to do otherwise.

Mayor Andrews asked if citizens were required to use Waste Management. Mike Jeffries, Waste Management, said the company had a franchise with the City to collect garbage but it was not mandatory. People could haul their own garbage. Councilor Johnson thought the next franchise agreement would be negotiated in 12-18 months. He asked if the amount would only increase if they waited.

Mr. Jeffries said they wouldn't know actual costs until program rollout. They would establish a rate and then go through a rate review process looking at profitability and consolidation with other collections. Rate of return would determine the charge. Councilor Johnson asked if they charged a fee for glass recycling in other communities. Mr. Jeffries said other communities already had it factored in as part of the recycling program. Newberg was the only community that didn't do residential glass.

There was discussion on the markets for glass recycling, processing, and how commercial customers in Newberg had glass recycling and it was taken to a facility where it went to the glass markets. HOAs were considered commercial customers. Councilor Bacon was in favor of making this a subscription service as recently citizens had taken on new burdens with the TUF and TVF&R and she was not comfortable adding

more by creating a mandatory program. There was discussion and consensus about adding a subscription model for residential glass recycling, and to possibly consider making it mandatory after a trial period or as part of negotiations during the next franchise renewal.

MOTION: Bacon/Murray moved to have staff work with Waste Management to start a residential recycling program for glass as a subscription service. Motion carried (7 Yes/0 No).

There was a brief recess.

CONTINUED BUSINESS: Council Priorities:

CM Hannan said there had been at least three sessions on the Council priorities for the next two years. The priorities were listed out in order. Attached to the priorities were action steps to accomplish the priorities. He was asking for approval to go forward. He explained the difference between goals and priorities.

Councilor Johnson had discussed with other Councilors including in these priorities a review of the City's processes to match up the processes with how they thought they should be working. He said staff did an amazing job but controversies took away from the priorities. They also needed to make sure that departments weren't working against one another and that there was enough staff to accomplish the priorities. He saw Council as reacting and not being proactive.

Councilor Bacon agreed with Councilor Johnson. Sometimes they moved onto the next thing before the first thing was completed. She was afraid if they pushed too many things at once then projects would not be completed in the future. They needed to finish one thing completely before moving on. Councilor McKinney said 13 priorities might be too many. There needed to be a glean from the 13 priorities into what they were going to be able to get accomplished. It was time to regain focus.

Councilor Essin suggested removing number 12, the TVF&R annexation. They also were currently working on improving the transit system and he thought that could be removed. He recommended adding an Urban Forest Plan to address tree maintenance, hazardous trees, site distance issues, and street tree issues. Councilor Corey said the listed priorities were good and some were already being worked on. The Council needed to commit to the priorities but also not stop what had already begun. Councilor McKinney agreed with Councilor Bacon to focus on items where they could show measurable results. There needed to be some vigorous energy applied to the priorities to make substantial headway.

CM Hannan said the tree issue had recently come up and it should only be a priority if the policy was going to be changed. The priorities had action steps to make them happen. The purpose of the priorities was to lay out their vision and how to get there. Councilor McKinney said number 10 was very important but got lost in the mix and needed to be energized. Councilor Essin said there was a big difference in whether or not there was an Urban Forest Plan. CM Hannan suggested the Council could vote on the priorities and deal separately with the other factors involving specific issues such as trees.

CA Stone said the City was dealing with tree issues. The priorities would be a document they would take to the budget process and decide what resources would be devoted to them. There was no one in the City that was qualified as an arborist and if the Council wanted to make that a priority they would also need to devote the resources to make it happen. Another example was emergency preparedness where there was no dedicated employee or budget for it. He did not think they should remove TVF&R from the list because it was not completed yet.

Councilor Essin said high utility bills were another issue that needed to be addressed, especially as the rates were going to be reviewed soon. He thought more public education and equal pay were ways to help address the problem. Councilor McKinney clarified there was not a consensus to add trees as a priority.

Mayor Andrews asked if priorities were listed in a priority order. Priority number 2 included implementing plans for road repair and maintenance, replacing and repairing sidewalks, and securing additional funding and he thought that had already been done through TUF and HB 2017. Were some of these priorities or were they an administrative activity that the City did? CM Hannan said they were in priority order except TVF&R should be closer to the top. The financial plan took a big effort to do and staff was almost done and it could possibly be taken off. Transit was important, but no funding and little effort had been given. He explained the TUF still needed to be fully implemented and evaluated and they were still short on funding for the streets' issue.

Councilor McKinney suggested categories like Class A, B, or C, for implementation, evaluation, and reevaluation. Councilor Essin wanted to hear from staff if the list was realistic. CM Hannan said the attached chart had the strategy to complete priorities for a two-year period. Councilor McKinney asked if they were in priority order. If not, then how could they be brought back to Council differently? CM Hannan said the only thing he would change was to move Number 12 to Number 3. Councilor Essin clarified a tree program was not included in the priorities. CA Stone said staff handled code complaints as related to trees for sight/distance at intersections.

MOTION: Murray/Corey moved to accept the Council Priorities for 2017-2018 in the order outlined in the RCA except that Number 12 became Number 3 in order of priority. Motion carried (6 Yes/1 No [Essin]).

NEW BUSINESS: Resolution 2017-3407, Code Amendment initiation

CDD Rux said Western Oregon Dispensary requested modifying their hours. The Municipal Code set hours from 9 a.m. to 8 p.m. This business would like to extend hours to 9 p.m. That required a Development Code amendment and Council was being asked to initiate the process. There was discussion on hours of neighboring facilities, how much staff time it would take to amend the code and reimbursement to the City.

There was discussion on there being no crimes committed at marijuana facilities either in Newberg or Dundee, and how assisting and promoting businesses was part of what economic development encompassed. CDD Rux clarified there were things that Council asked staff to do and there were things that a community member proposed to change and asked the Council to allow. In the second case that party paid a fee to go through the application process.

MOTION: Johnson/Corey moved to deny Resolution 2017-3407, A Resolution initiating an amendment to the Newberg Municipal Code, Title 15 Development Code for hours of operation of marijuana retail and dispensary facilities. Motion passed (5 Yes/2 No [Bacon, Essin]).

Resolution 2017-3410, PD Union Contract:

HR Director Lee said this was a request to ratify the Newberg-Dundee Public Safety Association Agreement. The Agreement would be retroactively effective to July 1, 2017.

MOTION: McKinney/Johnson moved to adopt Resolution 2017-3410, A Resolution approving the Collective Bargaining Agreement between the City and the Newberg-Dundee Public Safety Association, effective retroactively to July 1, 2017 through June 30, 2022, and authorizing the City Manager to execute the agreement as well as delegating the authority to make minor amendments and interpret the agreement on behalf of the City. Motion carried (7 Yes/0 No).

Resolution 2017-3391, WCCCA MOU:

FD Zook said the purpose for this agreement was recognizing the formal role of WCCCA on behalf of the City in the communications upgrade process as project manager and to negotiate contracts. This was a \$3.3 million project for antennas, radios, and updated dispatch equipment. He explained the procurement process and the \$91 per hour fee for overhead. Staff recommended approval.

There was discussion on funding for the \$2.9 million project. Mayor Andrews thought there should be a decision on the MOU before there was further discussion on the funding options.

MOTION: McKinney/Corey moved to adopt Resolution 2017-3391, A Resolution adopting a Memorandum of Understanding with Washington County Consolidated Communications Agency pertaining to the Emergency Communications System upgrade project.

Councilor Johnson clarified the MOU did not lock the City into spending the \$3 million. It was agreeing to \$91 per hour for implementation of the plan.

Motion passed (6 Yes/1 No [Essin]).

Resolution 2017-3411, Motorola Contract:

CM Hannan discussed the discount and upgrade amount. The number they should focus on was \$2.9 million. There were additional costs not for Motorola but for other expenses. The three components of the total project were antennas, dispatch, and radios and not all were being paid for by Motorola. The City had to come up with \$2.9 million to make the upgrade happen.

Councilor Murray thought they had to do the upgrade as a public safety issue. Numbers weren't adding up if the annexation to the Tualatin Valley Fire and Rescue District failed. The City would be tied through the MOU to Motorola and would have to pay that amount of money in a set amount of time. CM Hannan said if the annexation failed, the only way they would be able to have a Fire Department in comparison to TVF&R would be going back out to the voters for additional funding, probably through a levy. The communications upgrade would be part of that levy. FD Zook said it would be paid back in 5-7 years, which made the annual fiscal cost about \$500,000 to \$700,000 per year. They would borrow the money to make the timely payments to Motorola and would pay it back slower. Councilor McKinney said they had known about the upgrade to WCCCA longer than the TVF&R annexation and the annexation did not have anything to do with the upgrade. There was a methodology to cover the costs. He didn't think there was a choice as the upgrade was needed.

MOTION: McKinney/Corey moved to adopt Resolution 2017-3411, A Resolution authorizing the City Manager to enter into an agreement with Motorola Solutions, Inc. for \$2,019,576.91.

Councilor Essin asked if this was in addition to the \$1.2 million gap in the budget. He asked how soon they would sell the Fire Stations. CM Hannan said it was in addition to the budget gap and the same funding options would be looked at for that gap as well. He was not recommending selling the Fire Station buildings, but for TVF&R to purchase the City's fire equipment. That was an easier option than raising additional fees.

Motion passed (6 Yes/1 No [Essin]).

COUNCIL BUSINESS: Mayor Andrews discussed lodging for the League of Oregon Cities Conference. Councilor McKinney said the subscription ambulance payment could not be made at the local Fire Station. He asked if they could make arrangements for payments to be dropped off at City Hall. CM Hannan would look into the issue.

ADJOURNMENT: The meeting was adjourned at 11:10 p.m.

ADOPTED by the Newberg City Council this 6th of November, 2017.

Sue Ryan, City Recorder

ATTESTED by the Mayor this ___ day of November, 2017.

Bob Andrews, Mayor

NEWBERG CITY COUNCIL MINUTES
REGULAR SESSION
October 2, 2017, 7:00 PM
PUBLIC SAFETY BUILDING (401 E. THIRD STREET)

A work session was held at 6:00 p.m. preceding the meeting. Present were Mayor Andrews, Councilors Patrick Johnson, Scott Essin, Denise Bacon, Mike Corey, Stephen McKinney and Matt Murray. City staff present were City Manager Joe Hannan, City Attorney Truman Stone, City Recorder Sue Ryan, Public Works Director Jay Harris, Community Development Director Doug Rux, Library Director Leah Griffith, Information Technology Director Dave Brooks, Police Chief Brian Casey, Finance Director Matt Zook, Human Resources Director Anna Lee, Police Captain Jeff Kosmicki, Police Support Services Manager Mary Newell, and Communication Outreach Specialist Rosa Olivares.

Mayor Andrews called the meeting to order.

Department Head Presentations: CDD Rux reported on project work involving affordable housing, grants, economic development, stormwater and wastewater master plans, population estimates for the comprehensive plan. Annexation work had included approval of the Dutchman Ridge and Veritas applications, and work on regulations for R-3 land on large annexations. The Council approved the Stormwater Master Plan and staff was working on the Wastewater Master Plan. He listed Site Design Review applications in process. He toured A-Dec with the governor, worked on the Bypass MOU which was on the agenda tonight, and a variety of other items. The RFP for the Cameo Theatre was out for the theatre to be added to the national historic register. Work involving SDCs had been done with Habitat for Humanity, and Gracie's Landing.

IT Director Brooks said year to date average the department had closed 442 tickets per month. A new on-call pager service had been instituted. They were working on an Advanced Vehicle Locator program and Use of Force application for the Police Department, software upgrade in the Dispatch Center, building the disaster recovery site, upgrading the Wonderware system for Public Works, and replacing the wireless network at the well field. They would be doing a security upgrade soon and continued to do business analytics work.

Police Captain Kosmicki said from January to present there had been 25,808 calls for service, 2,200 arrests, 967 traffic stops, 6,500 citations, 3,226 written warnings, 4,400 mental calls, 98 suicide attempts, and 14 drug overdoses. He discussed how the department was handling suicide, homelessness, and panhandling calls.

HR Director Lee reported on recruitments and new hires in Public Safety and Public Works. The Public Safety contract had been ratified and was being implemented. There would be a union negotiation meeting tomorrow with AFSCME. She attended conferences. HR was scanning files to have electronic versions, and was working on electronic self-service for employees. She would be rolling out a new employee training seminar on teamwork and customer service. Open benefit enrollment would begin next week.

FD Zook had been securing funding for the WCCCA communications upgrade, equal pay budget billing for utility customers to begin in 2018. The Transportation Utility Fee was now in its second month and generated more than \$100,000 last month. Staff estimated receiving \$1.15 million annually from the Fee. In October they had the least amount of utility shut-offs than in the last four years, only 19 people. Citizens Rate Review Committee started work this week. People could pay online now for Court. There was discussion on the TUF, and utility assistance.

PWSD Harris said Wastewater Treatment Plant had a new chlorine system, and other improvements. Software systems were changing so staff could use I-pads in the field. Trak-it software was working well. He said summer production went well at the Water Treatment Plant, water line flushing during the fall months, the recycled water system was now off-line for the season, and Otis Spring was online. The new office building for

facilities was online now. Exterior repairs and landscape improvements had been made to City Hall. He was working on an ADA study for City Hall and the Library. Villa Road construction began today. Staff was working on a five year pavement maintenance plan. There was discussion on how to fund it.

Library Director Griffith said there were 2,300 participants in the Summer Reading Program. They also gave out free eclipse glasses. Summer Lunch Program had 100 kids per day participating. Remodel of the Circulation Workroom began today. As part of the Library Strategic Plan, library hours had been added and new books and materials had been purchased. This had not happened for a long time. They were still only open 42 hours per week, which was lower than most libraries their size. She would like to add Sunday afternoon hours in the future. They had a good Facebook presence and had completed a technology review. The RFID technology had been added to all of the Library's materials. For 2017 they received \$105,000 in grants. The Library's website, brochures, and signage would be updated and there were several projects to be done. The annual Christmas tree lighting would be December 2.

CALL MEETING TO ORDER

Mayor Andrews called the business session to order at 7:20 p.m. The mayor called for a moment of silence for the communities in Las Vegas affected by a mass shooting and those affected by recent hurricanes.

ROLL CALL

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

Staff Present:	Joe Hannan, City Manager	Truman Stone, City Attorney
	Sue Ryan, City Recorder	Doug Rux, Community Development Director
	Jay Harris, Public Works Director	

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was performed.

PRESENTATIONS: City Recorder Ryan gave a brief overview of the changes to Public Records laws passed in the 2017 Legislature. She discussed SB 106 which created a Public Records Advocate position. The purpose of the position was to resolve conflicts between requesters and agencies and to provide training to public agencies. There would be an advisory body that would go along with the position. She then discussed HB 2101 which set up a database to search for exemptions to the public records laws and set up a subcommittee to streamline the laws. SB 481 would change the process for public records requests by setting timelines for responding to requests and exemptions. Requests would be acknowledged within 5 business days of receiving them and would be fulfilled within 10 business days from the acknowledgement. This bill would become effective January 1, 2018. The City's forms would need to be changed to conform and she explained the changes that would be made as well as how the 10 day clock could start and stop under certain circumstances. She would be bringing this back as a resolution to Council on November 6 for adoption. There was discussion on the fees charged for records requests.

CITY MANAGER'S REPORT: City Manager Hannan asked Community Outreach Specialist Olivares to speak. She reported on public information efforts that had been taken regarding the TVF&R annexation and the Bypass event. She thanked Newberg High School group, community members, and staff who had volunteered to help with the event.

CM Hannan said the Oak trees were down on Villa Road and staff would look into how the wood could be used. An Emergency Preparedness Fair would be held October 21. He met with the State Forestry representative regarding possible tree preservation programs. He attended several events and meetings. He asked for topics to discuss with the School Board at the upcoming joint meeting.

CONSENT CALENDAR:

MOTION: Corey/Bacon moved to approve the Consent Calendar including convening the Citizens Rate Review Committee and instruct the committee to begin the rate review process under the authority as described in Newberg Municipal Code 2.15.130, and that the committee meet on October 5, 2017 and set a schedule to accomplish the tasks and Council Minutes for August 24, 2017. Motion carried (7 Yes/0 No).

NEW BUSINESS: Resolution 2017-3413, Support for DLCD Technical Assistance Grant
CDD Rux said the City received a DLCD grant in 2015 to start the Urban Growth Boundary expansion process. They required a resolution in support. Staff planned to submit the application by the end of the week. They were going to request \$75,000 to take the next steps.

MOTION: Bacon/McKinney moved to adopt Resolution 2017-3413, A Resolution supporting and authorizing staff to submit an application to the Department of Land Conservation and Development for a Technical Assistance Grant for planning project assistance – Urban Growth Boundary (UGB). Motion carried (7 Yes/0 No).

Resolution 2017-3414, ODOT MOU for Springbrook Road Access:

CDD Rux said ODOT agreed to do the permitting for driveways on Springbrook Road under the 2016 agreement. This year ODOT began discussions with the City on temporary jurisdictional transfer of Springbrook Road to ODOT. Some challenges were emergency access onto the Bypass as Springbrook was designated as an expressway. The City agreed not to require a public hearing if ODOT would amend the IGA. This MOU outlined what both agencies' intentions. The City's intent was to grandfather in all of the existing driveways and ODOT would give them permits. For the undeveloped properties they could apply to ODOT for a permit and both ODOT and the City would review the applications. There was discussion on how residents would access the road and jurisdictional issues.

MOTION: McKinney/Corey moved to approve Resolution 2017-3414, A Resolution approving a Memorandum of Understanding OR 18: Newberg-Dundee Bypass for access to Springbrook Road. Motion carried (7 Yes/0 No).

City Building Seismic Hazard Evaluation: PWS Director Harris said consultants did a high level seismic analysis of City facilities. Each building was rated for safety, anticipated damage, and how long it would take to recover. The rating was 1 as the lowest and 5 as the highest. There were no 5 stars, no 4 stars, and a few 3 stars. Recommendations for bringing the facilities up to standard included: A more detailed analysis with cost estimates, Design work for Public Safety this year and budgeting money in the future, the Water Treatment Plant next and replacing the maintenance facility in 2021. The Wastewater Treatment Plant was not an immediate need. If sewer went into the Willamette River it would not be an unusual issue during an earthquake. City Hall was designed at a medium seismic level and it might not be that expensive to upgrade it to the highest level. The Library would most likely be a near or total loss in an earthquake, especially the old Carnegie portion. There was discussion on retrofitting costs for City buildings, especially the Water Treatment Plant, wells and pipes, seismic upgrade grants, and the effects of an earthquake in Newberg.

2016 Newberg Strategic Tourism Plan Review:

CDD Rux reviewed the Plan which designated what the Transient Lodging Tax would be used for. The three elements in the plan were destination development, destination marketing, and organizational structure. An ad hoc committee had worked on the small grant program and destination development marketing grant program, a marketing subcommittee, and worked on a trolley concept from the mill site to downtown. He explained the TLT budget expenditures and revenues. This plan related to the fourth pillar of the Economic Development Strategy regarding tourism and related to the implementation of the Downtown Improvement Plan.

2007 Springbrook Master Plan Review:

CDD Rux said this document included a master plan, development agreement, and Comprehensive Plan and zoning changes. The project built before the recession was the Allison Inn and Spa. Other developments had been on hold. Springbrook Properties was selling 261 acres of their holdings. There were still some outstanding conditions of approval that needed to be met. There were also differences in the new Transportation System Plan and Water Master Plan. Staff was currently updating the Wastewater Master Plan. The City would need to work with whoever purchased this property about needed adjustments. The development agreement would expire in 2023. There was discussion regarding the future plans for this property.

COUNCIL BUSINESS:

Councilor Essin reported on Yamhill County Transit Authority. He showed maps of McMinnville's and Newberg's transit routes. He had been told the City did not have the ridership needed to make improvements, but he had explained there was not the ridership due to the layout of Newberg's routes, poorly placed bus stops, and lack of bus shelters. It did not run often enough and did not go to places people wanted to go. The Transit Authority was proposing to increase vehicle registration fees to get more funding. At the next meeting the Transit Authority was going to come back with a plan to improve Newberg's system if the vehicle registration fee increase was passed.

There was discussion on low ridership in town, need for marketing the bus system and for better bus stops, and not putting more City resources into a failing system. Councilor Essin recommended the Transit Authority come to a meeting and discuss this issue further with the Council and to support the vehicle registration fee increase.

ADJOURNMENT: The meeting was adjourned at 9:15 p.m.

ADOPTED by the Newberg City Council this 6th of November, 2017.

Sue Ryan, City Recorder

ATTESTED by the Mayor this ____ day of November, 2017.

Bob Andrews, Mayor

NEWBERG CITY COUNCIL MINUTES
REGULAR SESSION
October 16, 2017, 7:00 PM
PUBLIC SAFETY BUILDING (401 E. THIRD STREET)

A joint work session with the Newberg School District Board of Directors was held at 6:00 p.m. preceding the meeting. Present were Mayor Andrews, Councilors Patrick Johnson, Scott Essin, Denise Bacon, Mike Corey, Stephen McKinney and Matt Murray. City staff present were City Manager Joe Hannan, City Attorney Truman Stone, City Recorder Sue Ryan, Community Development Director Doug Rux, Public Works Director Jay Harris, Library Director Leah Griffith, Information Technology Director Dave Brooks, and Community Engagement Specialist Rosa Olivares. School District Board members were present including Chairman Bob Woodruff, Mindy Allison, Debbie Hawblitzel, Ron Mock, Brandy Penner, Todd Thomas, and Melinda Van Bossuyt. School District staff present included Superintendent Kym LeBlanc-Esparza.

Mayor Andrews called the meeting to order.

Joint Meeting with School Board: Disaster Preparedness –There was discussion on how the City and School District would respectively handle disasters for citizens and students. There were mutual concerns on debris removal, waste management and long term needs for the community during a catastrophe. There was discussion on community outreach to the public and businesses.

Housing Affordability In Newberg: CDD Rux gave an update on housing availability and future development in the City. There was discussion on impacts on the marketplace and the needs to house workers in the community who can't afford to purchase homes. There were concerns about the impact from George Fox University's policies on living off campus.

CALL MEETING TO ORDER

Mayor Andrews called the business session to order at 7:45 p.m.

ROLL CALL

Members Present:	Mayor Bob Andrews	Scott Essin	Stephen McKinney
	Mike Corey	Denise Bacon	Patrick Johnson
	Matt Murray		
Staff Present:	Joe Hannan, City Manager	Truman Stone, City Attorney	
	Sue Ryan, City Recorder	Doug Rux, Community Development Director	

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was performed. Mayor Andrews called for a moment of silence for the people affected by recent tragedies including fires in California, mass shooting in Las Vegas, and hurricanes impacting southeastern United States including Puerto Rico.

CITY MANAGER'S REPORT: City Manager Hannan reported on his activities including several community meetings regarding development, emergency preparedness and affordable housing; staff meetings on daily operations; and working with the Newberg Old Fashioned Festival on their 2018 plans.

PUBLIC COMMENTS: None

CONSENT CALENDAR:

MOTION: Bacon/Corey moved to approve the Consent Calendar including the minutes for September 5, 2017. Motion carried (7 Yes/0 No).

NEW BUSINESS: Resolution 2017-3418, Support for DLCD Technical Assistance Grant
CDD Rux said this resolution was necessary to be in compliance with the grant the City had received.

MOTION: **Corey/Johnson** moved to adopt Resolution 2017-3418 as amended, A Resolution supporting the administration of the 2016 Housing Rehabilitation Community Development Block Grant (CDBG) by adopting a Non-Discrimination on the basis of Handicapped Status Policy and Grievance Procedure, and a Fair Housing Resolution that are required because of the federal funding associated with the grant. Motion carried (7 Yes/0 No).

COUNCIL BUSINESS: Mayor Andrews asked for a report on LOC conference from council be added to the next agenda. Councilor McKinney wanted a proclamation for Newberg being a safe city based on recent email from Police Chief.

EXECUTIVE SESSION PURSUANT TO ORS 192.660 2 (E) REAL PROPERTY NEGOTIATIONS

Entered executive session at 8:05 p.m.

Exited executive session at 8:34 p.m.

Staff present: City Manager Hannan, City Attorney Stone, Community Development Director Rux
Topic: Negotiations for sale of Butler property.

ADJOURNMENT: The meeting was adjourned at 8:34 p.m.

ADOPTED by the Newberg City Council this 6th of November, 2017.

Sue Ryan, City Recorder

ATTESTED by the Mayor this ____ day of November, 2017.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: November 6, 2017

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

SUBJECT: Housing Newberg Proposals

**Contact Person (Preparer) for this
Item: Doug Rux, Director
Dept.: Community Development
File No.: G-17-004**

RECOMMENDATION:

Information only.

EXECUTIVE SUMMARY:

Beginning in October of 2016 a group of thirty-eight individuals representing housing advocates, faith based community members, housing developers, major employers, educational institutions, elected officials and city staff met monthly to discuss the housing problem in Newberg. Attachment 1 includes a list of the participants.

The October 2016 meeting was a wide ranging discussion with participants sharing their perspectives on housing within Newberg including housing process, land prices, construction costs, land supply, rental rates, starting teacher salaries, number of students on reduced lunch program, waiting time for Section 8 housing, concept of a construction excise tax for affordable housing, inclusionary zoning, stormwater regulations, city fees, up zoning land to R-3, down payment assistance, teacher/worker/farm worker housing, and student housing.

At the November 2016 meeting topics discussed included Reduced Housing Cost (development standards, flexible design standards, form based zoning, new manufactured home park zone, cooperative land trust ownership, permit and SDC fees), Local Funding (construction excise tax), Land Availability (Streamlined UGB), Riverfront Master Plan, High Density inclusion with annexation, higher density residential zone, increased building height and areas for redevelopment), Communication/Advocacy (educate public on housing needs and outcomes/goals of Housing Newberg and targeting audiences), and Student/Workforce Housing (Accessory Dwelling Unit code amendments, housing contracts and housing sponsorship).

The January 2017 meeting topics of discussion included Workforce Housing, Minimum/Maximum Densities, Annexations R-3 required, Design Standards, Vacation Rental Regulations, Incentives/Flexible Design Standards, Employee/Employer Survey, ADU Regulations, Construction Excise Tax, Education/Awareness, Art Spaces, and Inclusionary Zoning.

The February 2017 meeting was a report out on activities identified at the January meeting on the topics of Workforce Housing and GFU student research, Minimum/Maximum densities and 80% target, Annexations and R-3 designation, ADU regulations, Construction Excise Tax, Education/Awareness, and Inclusionary Zoning.

At the April 2017 meeting discussions focused on a letter from Allyn Edwards on the topic of fees and taxes, ombudsman position with the City and forty year mortgages. Reports were provided on the topics of Incentives/Flexible Design Standards, Employer/Employee Survey, Art Spaces, Education/Community Awareness, CPRD proposed SDC increase, and Roger Grahn's concept of an apartment project and costs for a site on Wyooski.

The May 2017 meeting began to coalesce the past discussions into a proposal concept with six topic categories and identified actions which included Annexations and R-3 designations, Accessory Dwelling Units, Construction Excise Tax, Artist Work and Living Spaces, Missing Middle Housing, and Education/Community Awareness.

On July 17, 2017 Housing Newberg provided a presentation on six proposals that were developed by the group. The City Council received the information and invited the Housing Newberg group to return on November 6, 2017 for a more in-depth discussion on the proposals. Between July and November the Housing Newberg group met again and further refined their proposals and added three additional topics.

The final proposal (Attachment 1) includes nine topic areas:

1. Annexations and R-3 designations
2. Accessory Dwelling Units
3. Construction Excise Tax
4. Housing Ombudsman (Education/Community Awareness)
5. Missing Middle Level Housing
6. Subsidized Work and Living Spaces
7. Expedited Review and Permitting
8. Public Street Standards
9. System Development Charge Deferrals/Loans

Housing Newberg has additionally identified six potential areas for additional review which include:

1. Decrease time from substantial completion of utilities to final plat approval.
2. Reduce complexity, maintenance requirements and cost of storm water treatment.
3. Lift building height restrictions outside of downtown.
4. Allow sharing of utility lines (sewer, water) for more than one residential unit.
5. Lift restriction on second kitchens in a residence to allow for 'in house' ADUs.
6. Monitor impact of Short Term /Vacation Rentals on residential neighborhoods.

Rick Rogers will provide a presentation on the final proposals.

FISCAL IMPACT:

The fiscal impact of implementing the nine recommended policy considerations is unknown at this time. All nine items would require staff time from the City along with allocation of financial resources to implement the Subsidized Work and Living Space proposal which could be in the \$25,000 range.

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

Goal 7: Encourage Affordable Housing.

The Housing Newberg proposal addresses Goal 7 by identifying nine topic areas to encourage affordable housing within the City of Newberg. City Council will need to determine which of the nine topic areas they want staff to work on to respond to the community's affordable housing issues.

Attachment: 1. Housing Newberg Proposals

HOUSING NEWBERG

PROPOSALS

NOVEMBER 6, 2017



HOUSING NEWBERG – A CITIZENS GROUP

- *Housing Newberg* is comprised of thirty-eight community members including housing developers, major employers, elected officials, city staff, housing advocates, faith community leaders and members with expertise in property management, real estate sales and mortgage lending.

HOUSING NEWBERG - ACTIVITIES

- *Housing Newberg* - met eight times between October 2016 to October 2017 to work toward what we hope will be constructive recommendations for the development of a range of housing types – from high density apartments to single family detached homes and everything in between.

HOUSING CRISIS

- *Newberg has a housing problem. Too many of those who work here, cannot afford to live here. Too many are commuting from too far away for work; and, because of this, we are losing too many qualified employees. In losing employees, we are losing community.*

- *See Appendix B*

WHAT IS AFFORDABLE?

- Affordable housing is defined as:
 - A family at 80% of median income not spending more than 30% of their income on housing. For a family of four in HUD's Portland MSA (including Newberg) this means a mortgage not in excess of \$250,000. Rent and utilities not in excess of \$1,495 per month.
- See Appendices C and D

WHAT HAS CAUSED THE PROBLEM?

- The Oregon Office of Economic Analysis ranks the state-wide pressures on housing in the following order (from least to most impactful):
 - Confidence, Land Use, Permitting, Labor, Lots and Financing.

RANGE OF TOOLS

- Unfortunately there is no single “Silver Bullet” to solve housing issues.
- A range of tools is required to address land use, permitting, lots and financing.

SOURCES:

- Most of the recommendations that follow have been tried in other Oregon communities. Particular attention was paid to actions taken in Bend, Cannon Beach, Hood River and Washington County.
- Recent legislation was also reviewed including OAR Chapter 660, Division 38- Simplified Urban Growth Boundary Method and Senate Bill 1533B.

HOUSING NEWBERG - PROPOSALS

1. Annexations
2. Accessory Dwelling Units
3. Construction Excise Tax
4. Housing Ombudsman
5. The Missing Middle

HOUSING NEWBERG – PROPOSALS (CONTINUED)

- 6. Work and Living Spaces
- 7. Expedited Review and Permitting
- 8. Public Street Standards
- 9. SDC Deferrals/Loans

I. ANNEXATIONS - NEWBERG'S GREATEST HOUSING NEED IS FOR HIGH DENSITY (R-3) LAND.



I. INCLUSION OF HIGH DENSITY LAND WITH ANNEXATION

- BACKGROUND:
 - In 2009, the City Council approved a change to the *Comprehensive Plan Section I. Housing 3. Mix Policies* that stated “Where **large** residentially designated parcels are to be annexed, the City shall apply a mixture of zoning, to include **some** R-3 zoned lands, consistent with the policy of distributing affordable housing throughout the community. Such zoning shall be applied to portions of the property that are most suitable for high density development.”
 - The Planning Commission recently revisited the subject and determined **large** is 15 total acres and **some** is 10% excluding wetlands.

I. INCLUSION OF HIGH DENSITY LAND WITH ANNEXATION (CONTINUED)

- ACTION:
 - The City Council should adopt the Planning Commission's recommendation (large = 15 acres and some = 10%).
 - Corresponding language should be added to the Development Code.

2. ACCESSORY DWELLING UNITS



2. ACCESSORY DWELLING UNITS (CONTINUED)

- BACKGROUND:
 - ADUs are currently allowed in medium density residential zones (R-2) as a permitted use, but are only allowed as a conditional use in low density residential (R-1) zones. The development of this type of housing has been slow to materialize since the regulations were relaxed in 2009.

2. ACCESSORY DWELLING UNITS (CONTINUED)

- ACTION:
 - The City shall allow ADU's as an outright permitted use in all zones.
 - No additional off-street parking will be required.
 - Systems development charges (SDCs) shall be deferred for an introductory two year period.
 - Funding will be recouped from 3) below.

3. CONSTRUCTION EXCISE TAX (CET)



3. CONSTRUCTION EXCISE TAX (CONTINUED)

BACKGROUND:

- The 2016 Legislature passed senate bill 1533B, authorizing cities and counties to pass a construction tax as a means to provide funding for affordable housing, either through direct expenditure or through incentives.

3. CONSTRUCTION EXCISE TAX (CONTINUED)

- ACTION:
 - Assess a 1% (of permit valuation) construction excise tax (CET) on new residential, commercial and industrial construction. Proceeds of the levy will be directed to the existing Affordable Housing Trust Fund.

3. CONSTRUCTION EXCISE TAX (CONTINUED)

- USES:
 - CET revenue will be used for such things as developer incentives, land acquisition, to replenish deferred/waived SDC fees, to finance a City-wide bond campaign and other actions to develop a range of affordable housing in our community.
 - See Appendices E and F

4. EDUCATION/COMMUNITY AWARENESS



4. EDUCATION/COMMUNITY AWARENESS (CONTINUED)

- BACKGROUND:
- Too few Newberg residents appear aware of
 - City housing programs.
 - The housing challenges we face.
 - The need for a range of housing types.

4. EDUCATION/COMMUNITY AWARENESS (CONTINUED):

- ACTION:
 - The City's Community Development Director or designee will serve as the community's ombudsman for housing.

4. EDUCATION/COMMUNITY AWARENESS (CONTINUED)

- RESPONSIBILITIES:
 - The Housing Ombudsman shall be empowered to promote actions that will further the Master Plan goal of developing a range of housing types in our community.
 - The Housing Ombudsman will recommend variances and changes in regulations as appropriate.
 - The Housing Ombudsman will promote City housing programs.

5. MISSING MIDDLE LEVEL HOUSING



5. MISSING MIDDLE LEVEL HOUSING (CONTINUED)

- BACKGROUND:
 - Housing of the type between high density and single family is a missing component in our current market.

5. MISSING MIDDLE LEVEL HOUSING (CONTINUED):

- ACTION:
 - Duplexes or triplexes shall be outright permitted uses on corner lots in R-I zones.

6. SUBSIDIZED WORK & LIVING SPACES



6. SUBSIDIZED WORK & LIVING SPACES (CONTINUED)

- BACKGROUND:
 - Shared work/living spaces may be a means to reduce the cost of housing for certain professions (i.e. artists).

6. SUBSIDIZED WORK & LIVING SPACES (CONTINUED)

- ACTION:
 - The Community Development Department of the City will contract with a proven consultant to assess the City's appropriateness for artist work and living space.
 - Economic Development Revolving Loan funds will be used for this purpose.

7. EXPEDITED REVIEW AND PERMITTING

- BACKGROUND:
 - For all of us, but particularly for developers, time is money.
 - The time between when land is purchased and when permits are issued requires financing.
 - Financing results in higher project costs.

7. EXPEDITED REVIEW AND PERMITTING (CONTINUED)

- ACTION:
 - 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).

8. PUBLIC STREET STANDARDS

- BACKGROUND:
 - The more land we devote to streets, the less we have for homes, schools, recreation, commerce and industry.

8. PUBLIC STREET STANDARDS (CONTINUED)

- ACTION:
 - Reduce the public street right-of-way width standard to that allowed by the Fire Department.

9. SYSTEM DEVELOPMENT CHARGE (SDC) DEFERRALS/LOANS

- BACKGROUND:
 - As of February 2017, Newberg single family home SDCs stood at \$21,802 per unit.
- See Appendix G

9. SYSTEM DEVELOPMENT CHARGE DEFERRALS/LOANS (CONTINUED)

- ACTION:
 - 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.

9. SYSTEM DEVELOPMENT CHARGE DEFERRALS/LOANS (CONTINUED)

- ACTION:
 - Loans – The City of Newberg should establish a program whereby qualifying affordable projects can apply for low interest (0% to 1.5%) loans for the value of the SDCs.
 - CET funds might be used to offset costs.

AREAS FOR FUTURE REVIEW:

- 1. Decrease time from substantial completion of utilities to final plat approval.
- 2. Reduce complexity, maintenance requirements and cost of storm water treatment.
- 3. Lift building height restrictions outside of downtown.

AREAS FOR FUTURE REVIEW (CONTINUED)

- 4. Allow sharing of utility lines (sewer, water) for more than one residential unit.
- 5. Lift restriction on second kitchens in a residence to allow for 'in house' ADUs.
- 6. Monitor impact of Short Term /Vacation Rentals on residential neighborhoods. See Appendix H

IF WE DO NOTHINGTHE FOLLOWING IS LIKELY:

- Gentrification devours neighborhoods
- Schools atrophy
- Workers become scarcer
- Traffic worsens
- Volunteers disappear
- Community is lost
- AndNewberg becomes a place to pass through not to grow

HOUSING NEWBERG REQUESTS THE CITY COUNCIL:

Direct City staff to draft and codify the nine (9) recommendations included here within 180 days.

Include the other suggestions in future discussions.

November 6, 2017

IDEAS? SOLUTIONS?

- *It is common sense to take a method and try it. If it fails, admit it frankly and try another. But above all, try something.*

Franklin D. Roosevelt

THANK YOU

- To the thirty-eight members of Housing Newberg who spent precious time to research and discuss potential actions to help relieve the housing crisis in our community.
- To Mayor Andrews, the City Council, the Planning Commission and City Staff for their often-thankless dedication to the public good and to the improvement of our community.

APPENDIX A:

HOUSING NEWBERG MEMBERSHIP – OCTOBER 2017

-
- Allyn Edwards, Planning Commission, *Edwards & Associates*
 - Catherine Davis, *First United Methodist Church*
 - Charlie Harris, *Founder CASA of Oregon*
 - Don Clements, *Superintendent Chehalem Parks & Rec Dist.*
 - Doug Bartlett, *Formerly with YCAP, Habitat ReStore, Pastor*
 - Doug Rux, *City of Newberg*
 - EC Bell, *Chehalem Valley Presbyterian/AHTF*
 - Elise Hui, *Housing Authority of Yamhill County*
 - Fred Gregory, *George Fox University*
 - Gregg Koskela, *Newberg School District*
 - Irma Vera, *Newberg Foursquare*
 - Jodi Hansen, *Love Inc.*
 - Joe Hannan, *City of Newberg*
 - Kathy Watson, *Director of Programs*
 - Kayin Griffith, *George Fox University*
 - Curt Walker, *JDC Homes LLC*
 - Kym LeBlanc-Esparza, *Newberg School District*
 - Leonard Rydell, *Civil Engineer*
 - Leslie Murray, *North Valley Friends Church*
 - Loni Parrish, *Austin Industries/Springbrook Properties*
 - Louis Liu, *George Fox University*
 - Matt Willcuts, *Willcuts Company Realtors*
 - Megan Carda, *Lifestyle Properties*
 - Melisa Dailey, *Washington County*
 - Mike Gougler, *MJG Development, Housing Authority*
 - Mike Ragsdale, *Newberg Downtown Coalition*
 - Pam Irish, *Premier Property Group*
 - Patrick Johnson, *Newberg City Council*
 - Pierre Zreik, *The Allison*
 - Rachel Munyifwa, *George Fox University*
 - Rick Rogers, *Newberg Area Habitat for Humanity*
 - Rosa Olivares, *City of Newberg*
 - Shannon Eoff, *Chehalem Property Management*
 - Stephen McKinney, *Newberg City Council*
 - Stuart Brown, *Guild Mortgage, former AHTF*
 - Todd Engle, *Friendsview*
 - Marc Wilcutts, *Del Boca Vista*
 - Carolyn Ewing, *Community Home Builders*

APPENDIX B:

QUOTES FROM ATTENDEES (OCTOBER 2016)

“Homes in Newberg that in 2010 sold for \$170,000 to \$189,000 are now selling for between \$242,000 and \$275,000.” (October 2016)

Matt Willcuts, Willcuts Company Realtors

“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).” (October 2016)

Curt Walker, JDC Homes LLC

“I have a kitchen worker commuting from Junction City every day (1 hour and 45 minutes each way) because there is no available housing. There is a desperate need.” (October 2016)

Pierre Zreik, The Allison Inn and Spa

“The current rental vacancy rate stands at a very low 2%.” (October 2016)

Shannon Eoff, Chehalem Property Management

“A first year teacher in the district makes \$37,000. Majority of our teachers live outside this community.” (October 2016)

Kym La Blanc-Esparza, Newberg School District

“The current waiting list for subsidized housing is 2 to 4 years for elderly or handicapped applicants; years longer for others.” (October 2016)

Elise Hui, Housing Authority of Yamhill County

APPENDIX B:

QUOTES FROM ATTENDEES (SEPTEMBER 2017)

- *Of 350 rental properties under management (by Chehalem Property Management), 6 (or 1.8%), are currently available – Shannon Eoff, Chehalem Property Management.*
- *Inventory of properties for sale has gone from a low of between 1.6 and 1.7 months to a current level of 2.5 months (worth of sales). In a balanced market, inventory would be in the 6-month range – Pam Irish, Premiere Property Group.*
- *Buyers are finding more value in Salem, Keizer, and Amity – Pam Irish, Premiere Property Group.*
- *The HUD determined median income for a family of four in the Portland Metropolitan Statistical Area (Portland MSA) which covers Newberg and all of Yamhill County is \$74,700. Income in Newberg is generally believed to be 17% below the Portland MSA – Doug Rux, City of Newberg.*
- *A family that earns \$59,760 (80% of PMSA median) could qualify for a total monthly mortgage payment (PITI) of roughly \$1800. This income level could support a \$250,000 mortgage (PITI) – Stuart Brown, Guild Mortgage.*
- *\$38,000 is the starting pay for a first year Newberg School District teacher (73% of PMSA median). Over 50% of teachers live outside the Newberg area – Dr. Kym Le Blanc-Esparza, Newberg Public Schools*
- *59 of 162 employees (36%) of the City have Newberg as their place of residence – Anna Lee, City of Newberg*
- *District enrollment dropped 100 students for 2017 – 2018. Many families have moved out of the area due to the cost of living and specifically the cost and/or availability of housing in our communities – Dr. Kym Le Blanc – Esparza, Newberg Public Schools.*
- *Higher land costs, higher building materials costs, and higher fees have contributed to a rise in the overall cost of housing. In October 2016, a 1200 square foot entry-level home could have been built for \$280,000, by September 2017; this number had risen to the mid - \$290,000's – Curt Walker, JDC Homes.*

APPENDIX B:

EXCERPTS FROM CITY COMMISSIONED STUDIES

February – January 2017

- **Newberg Strategic Tourism Plan** (June 2016) – pp 55.

The top item on the list of threats to Newberg becoming a tourism destination is
“Workforce/Labor – Capacity, Housing”.

- **Newberg Economic Development Strategy** (March 2016) –

Strengths/Weaknesses/Opportunities/Threats: – (Full Report, Appendix B)

Weaknesses: Distance from Portland, Distance from I-5, lack of industrial building space, lack of shopping variety/ Lack of retail diversity
lack of industrial land, *lack of affordable housing for lower income families*

- **Newberg Downtown Improvement Plan** (January 2017) - pp.20

Housing is a key component of successful downtowns

- **Newberg City Council Priorities 2017 – 2018** (May 15, 2017)

8. Encourage affordable housing

APPENDIX C: INCOME GUIDELINES PORTLAND MSA - 2017

• Family Size:	1	2	3	4
• 80% of Median	\$41,840	\$47,840	\$53,840	\$59,760

- Note: Newberg is generally considered to be 17% below these levels.

• Source: HUD

APPENDIX D: FAIR MARKET RENTS – YAMHILL COUNTY 2017

• Bedrooms	0	1	2	3	4
	\$946	\$1053	\$1242	\$1808	\$2188

Source: Oregon Housing and Community Services

APPENDIX E: CET CALCULATIONS (CONTINUED)

- **How much would this tax raise?**
- In 2015, the city's Permit Valuations were about \$20 million for residential permits and \$20 million for commercial/industrial permits. At a 1% tax, this would raise \$200,000 from residential permits and \$200,000 from commercial and industrial permits.
- **Where would the money go?**
- 4% of the proceeds go to the city as an administrative fee (\$16,000, using the 2015 permit example above)

APPENDIX E: CET CALCULATIONS (CONTINUED)

- **Then, of the balance raised from residential construction:**
 - 50% of the balance (\$96,000 based on 2015 figures) goes to fund incentives to developers/builders of affordable housing, including whole or partial waivers of permit fees, system development charges or impact fees, full or partial property tax exemptions, and other finance-based incentives of the city's choosing
 - 15% (\$28,800) would go to down payment assistance for home ownership, and
 - 35% (\$67,200) for any of the city's affordable housing programs
- **Of the balance raised from commercial and industrial development:**
 - 50% of the balance to fund city programs related to housing (\$96,000), and
 - 50% is unrestricted (\$96,000).

APPENDIX F: COMMUNITIES THAT HAVE ADOPTED CET

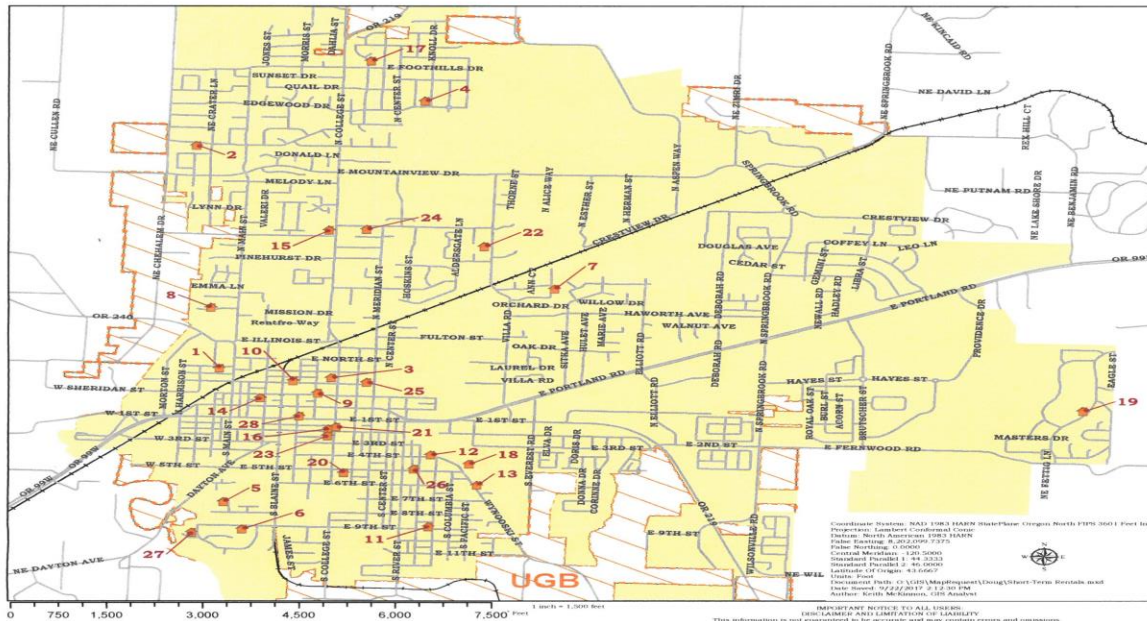
<u>Municipality</u>	<u>Date</u>	<u>Ordinance</u>
• Portland	6/29/2016	Ch. 6.08
• Hood River County	6/19/2017	Ch. 3.24
• Hood River City	7/24/17	Ch. 15.17
• Corvallis	11/7/2016	Ch. 8.16
• Cannon Beach	6/6/2017	Ch. 3.20
• Tillamook County	5/17/2017	Ord. No. 83
• Newport	8/7/2017	Ord. No. 2114
• Bend	2006	
• Municipalities considering affordable housing CET adoption:	Astoria, Eugene, McMinnville, Salem, Sisters	

As of 10/17/17

APPENDIX G: COMPARATIVE SYSTEMS DEVELOPMENT CHARGES

Single Family SDCs	
Source: Portland Metro Home Builders Association as of February 2017	
2000 sq ft/500 sq ft garage/set value \$369,000	
<u>Cities Outside Metro</u>	
McMinnville	\$ 9,675.95
St Helens	\$ 13,103.93
Sandy	\$ 13,336.00
Hood River	\$ 15,790.00
Estacada	\$ 16,025.36
Scappoose	\$ 16,436.50
Molalla	\$ 20,203.00
Newberg	\$ 21,802.25
Banks	\$ 23,918.36
Canby	\$ 27,987.57
North Plains	\$ 28,419.36

APPENDIX H: SHORT TERM AND VACATION RENTALS



Short Term Rentals

- 1, Antje Johnson
- 2, Bill Parker
- 3, Caleb Lippard
- 4, Chehalem Knoll
- 5, Debi Thomas
- 6, DGSK Newberg LLC
- 7, Ferncreek
- 8, Krista Miller
- 9, Life Style Properties
- 10, Lions Gate Inn
- 11, Little Red Cottage
- 12, Michelle Lipka & Andrew Turner
- 13, Moore Farmhouse (Vacasa Rentals)
- 14, Newberg Bungalow
- 15, Nondices Inn "The Water Ave Inn"
- 16, Pulp & Circumstance
- 17, Rachelle Staley
- 18, Shelby Wright
- 19, The Bear Necessities Lodge
- 20, The Cottage Attic
- 21, The Downtowner Newberg
- 22, The Dwelling Place
- 23, The Painted Lady
- 24, Tiny House Living
- 25, University House of Newberg
- 26, Valley Property Management
- 27, Wimsey Books
- 28, Yamhill Flats / Life Style Properties

Appendix I: Proposed Changes in Regulations

ISSUE	CURRENT LAW	PROPOSED CHANGE
1. Annexations	Comp Plan (Section I. Housing Goal, Policy 3(x)). Requires “large” annexations of residential land to include “some” R-3 land NMC: Silent	- Add Subsection E to NDC Sec. 15.250.080: Notwithstanding any other provision of the NMC, annexations involving 20 acres or more of residential land shall include at least 10% R-3 land - See Newberg 2030 Task 4 Action Plan, Item 3a and 3g
2. Accessory Dwelling Units (ADUs)	NMC 15.445.260 A. Location. <u>Accessory dwelling</u> units are permitted as conditional <u>uses</u> in the R-1 zone and as outright permitted <u>uses</u> in the R-2 and R-3 zones. NDC 14.05.280 E. Allows city council to waive permit fees.	- Revise NMC 15.445.260A to state that ADUs are permitted uses in <u>all</u> residential zones. - Revise the definition of “Dwelling, Accessory” in NMC 15.05.030 to be consistent with Sec. 15.445.260 in allowing free-standing ADUs. - In addition, systems development charges (SDCs) for ADUs shall be waived. Funding will be recouped from the CET (no. 3 below). - See Newberg 2030 Task 4 Action Plan, Item 2a and 3g
3. Construction Excise Tax (CET)	New legislation in 2016 (SB 1533) authorized cities to adopt construction excise tax No current ordinance. However there are several similar fees that builders/developers must pay: - Newberg School District assesses a \$1/sf construction excise tax, - City technology fee of 5 % of Planning, Building and Engineering Fees - City Facility Fee of .25% of valuation and Community Development Fee of .75% of valuation, both for costs related to the Permit Center	- Add a provision to NMC Title 3 authorizing the collection of a Construction Excise Tax equal to 1% of the permit valuation for all new residential, commercial and industrial construction and for additions or remodeling that add square footage (See Construction Excise Tax memo, attached.) - Provide for the same exemptions as are available for the school construction excise tax - The proceeds of the CET shall be deposited into the Newberg Affordable Housing Trust Fund established pursuant to NMC 3.35.030, for uses as authorized therein, including providing incentives to users of the Flexible Design Track authorized in NDC 15.242
4. Missing Middle Level Housing: Allow duplexes and triplexes on corner lots in R-1 zones	NMC 15.305 allows duplexes in R-1 zone only as conditional use, and only at 5,000 sf / unit	- Amend NMC 15.405.010(B) by adding subsection 4: Notwithstanding subsection (B)(1), duplexes and triplexes shall be allowed on corner lots in the R-1 District. - See Newberg 2030 Task 4 Action Plan, Items 2g and 3a

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: November 6, 2017				
Order ____ No.	Ordinance ____ No.	Resolution ____ No.	Motion <u>X</u>	Information
SUBJECT: Lodging Tax Grant Request for Way finding			Contact Person (Preparer) for this Item: Joe Hannan Dept.: City Manager	

EXECUTIVE SUMMARY:

Staff requests committing \$15,000 from the Economic Development Funds as match for a Lodging Tax Committee grant request for way finding signs in the Cultural District. Way finding development is a stated City priority in destination development and downtown revitalization. Chehalem Park and Recreation District has agreed to commit \$15,000 toward the grant request.

Motion: That the City Council direct staff to apply for Destination Development and Marketing Promotion Grant for Cultural District Way finding and that the City's match of \$15,000 come from the City's Economic Development Revolving Loan Fund.

BACKGROUND

Attached is a copy of the application requesting Lodging Tax grant.

Economic Development Revolving Loan Fund

The Economic Development Revolving Loan Fund was created in 1984 with the purpose to use funds received through a Community Development Block grant to make loans to local businesses to create jobs. In 1988, the ordinance creating the fund as amended: "The City Council may budget monies from this fund for other activities that promote economic development".

Newberg Cultural District

In 2012 and 2013, the City Council and the Chehalem Park and Recreation District Board accepted the Newberg Cultural District Master Plan and signed an Intergovernmental Agreement (IGA) creating the Newberg Cultural District partnership. The IGA established an executive board of the City, CPRD, the Library, the Cultural Center and the neighborhood, to manage the outdoor activities of the Cultural District.

Way finding improvements specifically called for in several approved City plans include:

- The Cultural District Master Plan presents a "place making vision and program..., for an expanded network of public spaces in the civic corridor and downtown. The Cultural District area should function as a gateway to both regional and local destinations..., this can be achieved through decorative signage, lighting, art, planting material, and a possibly a gateway structure."
- The 2013 IGA specifically calls out Cultural District branding and way finding: To ensure the identity and branding of the Cultural District ..., efforts shall be made to have a consistent look and

feel to the design of the Cultural District in permanent exterior signage, landscaping, web presence, printed items and other materials.

- Newberg Strategic Tourism Plan, (June, 2016) “Newberg will invest TLT funding in destination projects that enhance the destination, signage and way finding, to name a few”.
- Newberg Downtown Improvement Plan calls for revitalization of downtown utilizing Transient Lodging Tax Program **for several areas including signage and way finding**

Transient Lodging Tax – Grant Program

The City’s Destination Development and Marketing Promotion Grant Program is funded by lodging taxes and is intended to aid organizations and businesses that further the Newberg Strategic Tourism Plan. The Cultural District Board has applied for a \$73,500 grant (application attached) which requires matching funds. Chehalem Parks and Recreation District has agreed to cosponsor the application and to contribute \$ 15,000.

FINANCING

The City Economic Development Revolving Loan Fund is a low interest loan program that aims to assist new businesses and encourage the expansion of existing local businesses. The fund has been used previously to assist with City initiated economic development efforts.

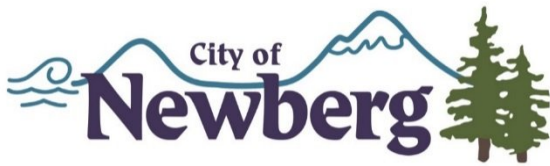
The 2017-18 budget for the Economic Development with the Economic Development Revolving Loan Fund:

\$ 79,720	Program Expenses & Transfers
\$350,000	Special Payments (loans)
\$121,313	Contingency
\$551,033	Total

The request is to commit \$15,000 from the fund contingency as a match with Chehalem Park and Recreation’s \$15,000 contribution to the lodging tax grant. If approved by Council, the budget will be adjusted in the next supplemental budget. If the lodging tax grant is not approved then the funds would remain in the Economic Development Revolving Loan Fund.

ALTERNATIVE

If the Council decides to not use the Economic Development Revolving Loan Fund, staff recommends withdrawing the application for 2017.



**City of Newberg 2017 - 2018
Transient Lodging Tax – Destination Development and Marketing
Promotion Grant Program Application Cover Page**

Project Title: Newberg Cultural District Wayfinding Project

Applicant Name: City of Newberg

Mailing Address: 503 E Hancock Newberg OR 97132
Street City State Zip

Contact Name: Leah M. Griffith

Phone: 503-537-1267

Email: leah.griffith@newbergoregon.gov

Amount of total Funding Requested: \$ \$73,500

Please note: Funds not spent on the approved project must be returned to the City of Newberg by check with the Final Report due 30 days after completion of the project, program or event.

Project, Program or Event Detail:

- A. To apply, attach a completed application to this cover sheet along with any required supporting materials.
- B. Submit an updated Project, Program or Event Detail as your Progress Report.
- C. Within 30 days after project, program or event is complete submit a Final Report. Attach receipts/paid invoices for monies spent and a check to the City of Newberg for any unspent funds.

Any changes to your project must have prior approval to receive funding.

I agree to all terms described on this application and verify that the information provided on this cover sheet is true and accurate.

Print Name: Joe Hannan

Signature: Signed 10-9-17

Title: City Manager, City of Newberg

Date: 10/9/2017

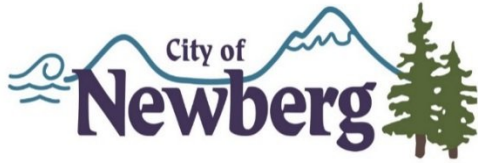
*****FOR OFFICE USE ONLY*****

APPROVED/NOT APPROVED/REVISED (ATTACH DETAILS) _____

Progress Report Received: _____

Final Report received: _____

Funds returned, received on: _____



**City of Newberg 2017 - 2018
Transient Lodging Tax – Destination Development and Marketing
Promotion Grant Program Application**

THE FOLLOWING ITEMS MUST BE INCLUDED WITH YOUR APPLICATION:

- ❖ Completed application Cover Sheet.
- ❖ Budget for project/program/event being funded that lists all anticipated income and expenses.
- ❖ Board or Owner approved financial statement for most recently completed fiscal year of the organization or business responsible for the project/program/event.
- ❖ Letter signed by officers of the Organization's Board of Directors or Business Owners authorizing this application.
- ❖ Documentation of organization or business existence: Current, valid Oregon Secretary of State Corporation Division registry filing.
- ❖ Documentation that no bankruptcy or other financial corruption has occurred within the past five years.
- ❖ Letters of support.

Project Title: Newberg Cultural District Wayfinding Project

Applicant Name: City of Newberg

Mailing Address: 503 E Hancock Newberg OR 97132
Street City State Zip

Contact Name: Leah M. Griffith

Phone: 503-537-1267 Email: leah.griffith@newbergoregon.gov

Website Address: www.newbergculturaldistrict.org

Secretary of State Business Registry Number: 93-6002221

Non Profit _____ Government X For-Profit _____

Amount of total Funding Requested: \$ 73,500

Please note: Funds not spent on the approved project, program or event must be returned to the City of Newberg by check with the Final Report due 30 days after completion of the project, program or event.

Classify how funds will be used for your project/program/event: *check all that apply*

 X New Project New Program New Event

 Existing Project Existing Program Existing Event

Has this project, program or event received these grant funds in the past?

No

If so when and for how much?

Prior year grant award through this program does not guarantee additional funding in subsequent years. All returning projects, programs or events must reapply and are subject to approval. This program has limitations of funding available in the fiscal year in total amount of funds requested. All required reports must be in good standing at the time of application for future funding by a past grant recipient.

Budget Summary (this format must be used):

Project/Program/Event Budget: This budget provides the detail of the project, program or event that the grants funds would be applied to. This should include how the funds from this grant will be spent. Expenses must be explicitly defined. Please include in-kind and cash match.

Fiscal Year: 2017 to 2018

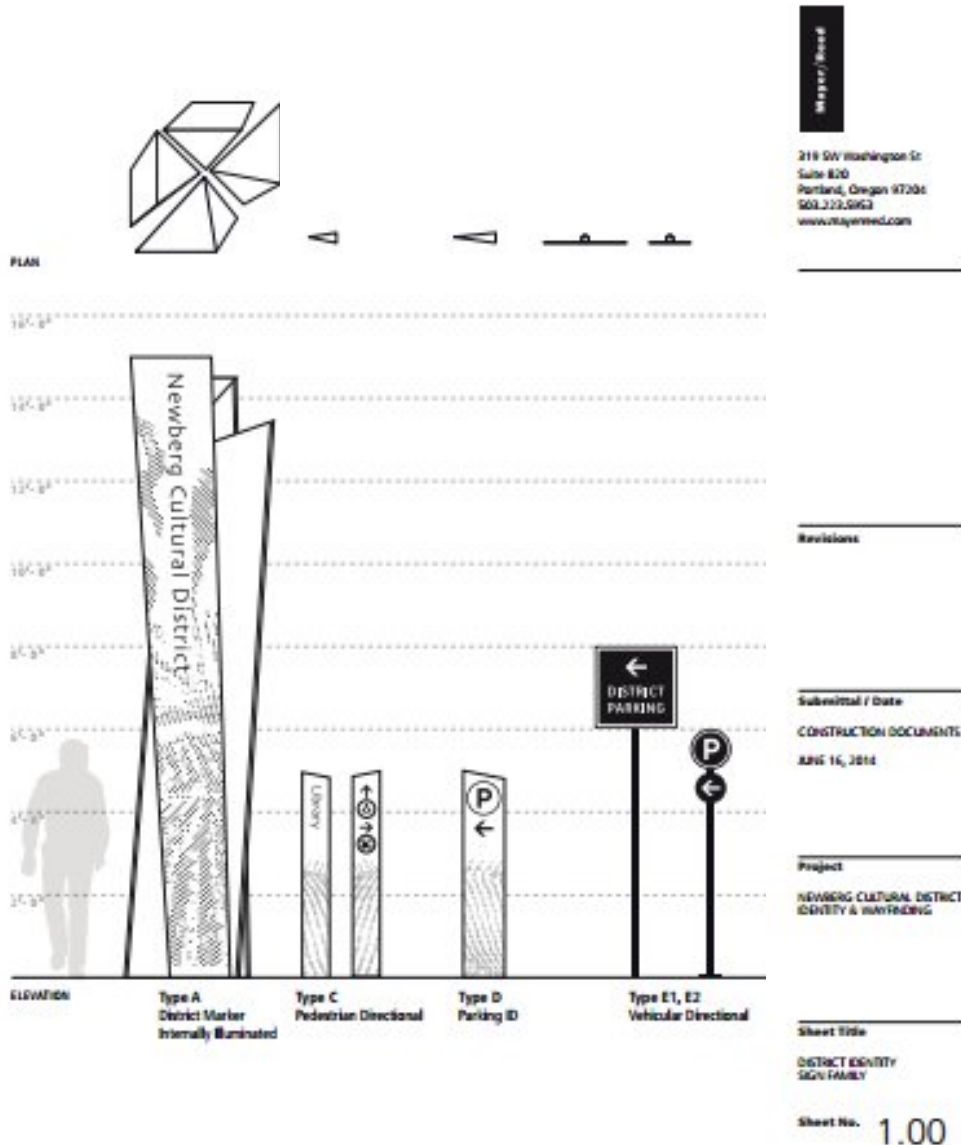
Income Sources	Amount
TLT Grant	73,500
Matching	
City of Newberg Cash	15,000
City of Newberg In kind	21,750
Chehalem Park & Recreation District Cash	15,000
Chehalem Park & Recreation District In kind	21,750
Total Project/Program/Event Income	\$147,000

Expenses – Must be explicitly defined.	Amount
Large Monument size at Hancock/Howard	42,550
Pedestrian Directional	25,559
Parking Identification	13,800
Vehicular Directional	2,070
Parking Direction w Pole	3,450
Demo and Install	46,000
Contingency	13,571
Total Project/Program/Event Expense	\$147,000

Wayfinding at the Newberg Cultural District Expense

2017-18

		Quantity	2014 Cost	Extended Cost	Estimate
A	Large monument at Howard and Hancock	1	\$37,000	\$37,000	\$42,550
C	Pedestrian Directional	7	\$3,175	\$22,225	\$25,559
D	Parking Identification	4	\$3,000	\$12,000	\$13,800
E1	Vehicular Directional	2	\$900	\$1,800	\$2,070
E2	Parking Direction w/Pole	3	\$1,000	\$3,000	\$3,450
					\$0
	Demo & Install	1	\$40,000	\$40,000	\$46,000
	Remove existing Signs		\$3,450		
	Installation		\$23,000		
	Landscaping		\$17,250		
	Other		\$2,300		
	Contingency 10%		\$8,508	\$11,603	\$13,571
	TOTAL				\$147,000



Organization Budget: This budget shows how this project, program or event fits into your organization. Your project, program or event should be shown as a line in this budget.

Fiscal Year: 2017 to 2018

Income Sources	Amount
This project would be added as a	
Supplemental budget to the 2017-18 budget	\$46,714,784
as shown on the next page	
Fund 22	
TLT Transfer	\$73,500
City Cash	\$15,000
CPRD Cash	\$15,000
Total Organization Income	\$46,818,284

Expenses	
This project would be added as a	
Supplemental budget to the 2017-18 budget	\$57,482,894
as shown on the next page	
Fund 22	
TLT Transfer	\$73,500
City Cash	\$15,000
CPRD Cash	\$15,000
Public Works Funds In Kind	\$21,750
(note:CPRD In Kind would be within their	
Budget \$21,750)	
Total Organization Expense	\$57,608,144

**CITY OF NEWBERG
2017-18 ADOPTED BUDGET**

2017-18 Budget - All Funds Summary - Adopted

Fund	Fund No.	Beginning Fund Balance	RESOURCES		REQUIREMENTS		ENDING FUND BALANCE	
			Revenues	Transfers In	Expenditures	Transfers Out	Contingencies	Reserves
General	01	3,077,675	15,398,746	1,174,924	17,764,008	143,834	643,504	1,100,000
Street	02	489,326	1,953,375	2,829	1,362,441	987,150	95,939	-
Civil Forfeiture	03	25,234	200	-	25,434	-	-	-
Public Works Capital Projects	04	(0)	-	7,135,000	7,135,000	-	-	-
Emergency Medical Services	05	87,036	501,000	-	200,000	351,741	36,295	-
Wastewater	06	10,812,028	8,144,331	2,829	8,038,751	3,110,000	1,979,530	5,830,907
Water	07	8,874,908	5,837,714	39,811	4,218,940	1,805,174	2,084,343	6,643,976
Building Inspection	08	932,354	824,671	647	689,957	16,810	1,050,905	-
Debt Service	09	36,946	518,244	225,181	736,006	-	-	44,365
City Hall Fee	10	512,086	93,000	-	-	108,486	-	496,600
9-1-1 Tax	13	23,357	221,000	-	224,876	-	19,481	-
Economic Development	14	522,130	457,771	-	842,460	4,872	132,568	-
Public Safety Fee	16	109,612	496,809	-	542,792	-	63,629	-
Stormwater	17	898,152	1,486,095	2,829	1,279,253	895,000	212,823	-
Streets Capital Projects	18	168,396	2,000	4,935,000	4,935,000	-	-	170,396
Transient Lodging Tax	19	250,000	1,047,427	-	617,295	680,132	-	-
Library Gift, Memorial, and Grant	22	63,516	135,600	-	160,000	-	39,116	-
Cable TV	23	37,825	200	-	38,025	-	0	-
PERS Stabilization Reserve	25	179,255	-	-	-	179,255	-	-
Administrative Support Services	31	553,185	4,726,111	24,241	5,055,277	3,362	244,898	-
Vehicle/Equipment Replacement	32	1,372,748	1,097,665	16,412	2,486,825	-	(0)	-
Fire & EMS Equipment Fee	33	-	-	-	-	-	-	-
Street Systems Development	42	2,965,113	2,365,125	-	-	3,971,000	1,359,238	-
Stormwater Systems Development	43	94,806	71,200	-	-	55,000	96,772	14,234
Wastewater Systems Development	46	4,516,526	830,000	-	284,724	1,295,000	3,766,802	-
Water Systems Development	47	298,518	504,500	230,213	845,831	183,100	4,300	-
Total		36,900,731	46,712,784	13,789,916	57,482,894	13,789,916	11,830,143	14,300,478

Total Budget \$ 97,403,431

Project Narrative:

1. Project description:

Newberg Cultural District Wayfinding Project will provide wayfinding signage for directing people to the Newberg Cultural District as well as the Chehalem Cultural Center. It will also provide directional signage for parking and identifying locations within the district. While the large monument sign at Hwy 99W and Hancock will not specifically say Chehalem Cultural Center, the use of the word Cultural will allow visitors to extrapolate the location of the Chehalem Cultural Center.

2. How will your project, program or event further the Newberg Strategic Tourism Plan goals?

Signage and Wayfinding are part of the "Destination Development" investment strategy with TLT funding. The Newberg Cultural District leads visitors to experiences at the Cultural District, a playground/splash pad when traveling with children, and to events at the Chehalem Cultural Center.

3. How does your project, program or event align with Transient Lodging Tax regulations (Tourist, Tourism Promotion, Tourism Promotion Agency, or Tourism related facility)?

The wayfinding project fits under the Tourism-related facility in that it directs and welcomes people to an area where events are being held. Data collected at numerous events in the Newberg Cultural District and the Chehalem Cultural Center have demonstrated that annually over 3,250 visitors either spend the night in local lodging or come from more than 50 miles away. This grant would increase the number of visitors by making the area more visible and by improving their experiences in the District.

4. What is the projected return on investment?

The added visibility of the Newberg Cultural District with the Wayfinding resources would bring in more users to the District and Cultural Center which would result in higher TLT revenues.

5. Predicted number of tourists' attracted / overnight guests?

At present, large events alone attract 15,000 visits. A modest estimate is that the long-term impact of the grant would increase that by 10%, or 1,500 visits. The visitors to the Newberg Cultural District events would be at the same ratio/level as visitors to events sponsored by the Chehalem Cultural Center.

The main monument sign at the corner of Howard and Hwy 99W will have a greater impact on attracting tourists than locals as it will make people travelling through Newberg aware of the Cultural District.

6. Will it have lasting impact and utility?

The signage will have over 20 years of life, if not longer. The impact of heightened awareness by travelers going through our community will be much longer. Travelers to the coast and wine destinations will now see that Newberg has a cultural area and be more likely to return for events and activities.

7. How does your project, program or event leverage funding?

Once the signs have been in place and visits have increased, funding for other projects, both in the Chehalem Cultural Center and in the Newberg Cultural District, will be easier to obtain.

8. What is the ratio at which Transient Lodging Tax funds will be matched?

There will be a 1:1 match between the TLT funds and local match. Half the local match will come from CPRD and half from the City of Newberg.

9. What is your demonstrated history of attracting tourists?

Currently events such as Camellia Festival, Lavender Festival and Tunes on Tuesday attract tourists and locals. Each of those events have grown each year and continue to bring in tourists. With more visibility on Hwy 99W those attendees will increase.

10. Does your project, program or event engage and energize local tourism partner(s)?

The project will promote local tourism projects such as the Oktoberfest, Camellia Festival and more as it will provide better directional signage and help to identify the location of these events. The improvements will also serve to make the District a more attractive place for new tourist-oriented events to be held here.

11. Does your project, program or event enhance Newberg as a destination? If so how?

Quality wayfinding signage enhances the appearance of the downtown area and allows tourists to find their way events and locations. The improvements will also serve to make the District a more attractive place for new tourist-oriented events to be held here.

12. Does your project, program or event enhance Newberg as a location for Makers and Doers? If so how?

Not specifically, other than to locate the Cultural District.

13. Does your project, program or event catalyze downtown development? If so how?

We have seen from existing events that visitors often walk to downtown to enjoy what is offered there. Since the improvements being requested are expected to have a great impact on attracting new tourists, an even greater percentage of those can be expected to visit downtown. The wayfinding project would engage the downtown in activities at the Cultural District which then have attendees visit downtown businesses.

This project would work with the Newberg Downtown Coalition and others to blend all the wayfinding signage into a cohesive appearance to enhance the impression presented by Newberg.

14. Does your project, program or event enhance offseason (October – May or Sunday – Thursday Visitation), or shoulder season visitation? Explain how.

The wayfinding system will make the indoor events at the Chehalem Cultural Center more easily found during the dreary, rainy months. Visits will see the lighted sign at Howard and the parking directional signs and be able to park and attend those events at the Center.

15. Does this project align with at least one of the four target audiences (Wine Country Adventurers, Millennial Explorers, George Fox Network, or Luxury Wine Travelers)?

The Newberg Cultural District hosts events that appeal to all four target audiences, such as Tunes on Tuesday, Oktoberfest, Lavender Festival, Truffle Festival and Camellia Festival. Without the large monument sign on Hwy 99W and Howard, many travelers miss the fact they are a block away from the Newberg Cultural District and Chehalem Cultural Center.

16. What is the timeframe for completion of your project, program or event?

The project would be complete in 12 months.

Signature and Certification Letter:

I hereby certify that all facts, figures and representations made in this application, including all attachments, are true and correct. This application is made with the written approval of my Board of Directors or Owners, which is attached to this application.

I agree that all publicity, press releases, publications, materials and or media advertising produced as part of this proposed project/program/event will acknowledge the grant program as follows:

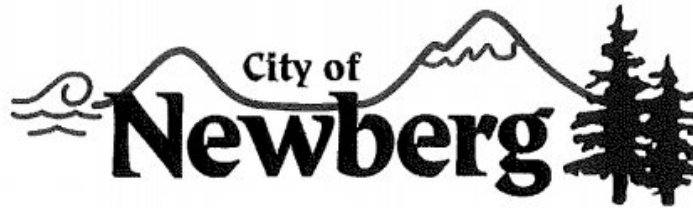
"This project/program/event is made possible in part by a grant from Newberg transient lodging taxes and the City of Newberg."

I agree to carry out this project/program/event as outlined within the application. Further, I understand that failure to do so will invalidate this agreement and necessitate the immediate return of all Transient Lodging Tax grant monies to the City of Newberg.

Signed 10-9-17
Signature of Authorizing Official

October 9, 2017
Date

Joe Hannan
Print Name of Authorizing Official



414 E. First Street • P.O. Box 970 • Newberg, OR 97132

October 9, 2017

To Transient Lodging Tax Committee:

The City of Newberg strongly supports the request for a lodging tax grant to enhance tourist travel throughout the cultural district and downtown through the Newberg Cultural District Wayfinding Project. The City will commit to \$21,750 of in-kind service for the Newberg Cultural District Wayfinding Project. The City will join CPRD's support of the grant request for this project and will also commit \$15,000 as a cash match to the project


Joe Hannan
City Manager

joe.hannan@newbergoregon.gov
206.992.4702



October 9, 2017

503-537-2909
fax 503-538-9669
125 South Elliott Road
Newberg, OR 97132
cprdnewberg.org

To Whom It May Concern:

Chehalem Park and Recreation District will commit to \$21,750 of in-kind service for the Newberg Cultural District Wayfinding Project. CPRD supports the City of Newberg's grant request for this project from the City of Newberg 2017 – 2018 Transient Lodging Tax – Destination Development and Marketing Promotion Grant Program.

Additionally, CPRD Superintendent Don Clements intends to submit a request to the CPRD Board of Directors for a \$15,000 monetary donation, also for this wayfinding project.

Feel free to contact us with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Clements", written over a horizontal line.

Don Clements



www.chehalemculturalcenter.org
415 E Sheridan St
Newberg, OR 97132
(503) 487-6883

October 9, 2017

Leah M Griffith
Newberg Public Library
503 E. Hancock
Newberg, OR 97132

President
Mark Terry

Past President
Ashley Lippard

Vice President
Cathy Redman

Secretary
Pierre Zreik

Treasurer
Mary Martin Miller

At Large
Rick Lee

Directors
Allyn Brown
Deb Claggett
Stan Halle
Karen Halliday
David Hamrelson
Kris Horn
Jody Kropf
Dennis Lewis
Barbara Palmer
Mike Ragsdale
Deborah Stevenson

To Whom It May Concern:

As Interim Executive Director of the Chehalem Cultural Center (CCC), I want to express my support of the Newberg Cultural District Wayfinding Project. Wayfinding is critical to travelers coming to Newberg. CCC will see well over 40,000 people come through our doors in 2017, 3,250 of whom come from beyond 50 miles and even out-of-state. Providing excellent signage can be a huge help for these many visitors in finding their way.

CCC's business relations committee is very active with the Newberg Downtown Coalition. One of our goals is to direct people between the Cultural District and our Historic Downtown and visa versa. Effective wayfinding will greatly enhance our ability to support these partnerships with downtown businesses.

We are deeply grateful to the Cultural District for its efforts to inform and guide the thousands of visitors and guests that come to Newberg.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Halliday".

Jim Halliday
Interim Executive Director
Chehalem Cultural Center

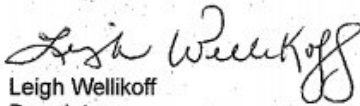
University House of Newberg

October 9, 2017

I would like to express my support for use of the Transient Lodging Tax money for signage to assist out-of-town visitors in discovering the many assets of the Cultural District. Use of these funds would synergistically help all local lodging-based industries and as such would aid all of the ancillary hospitality related industries.

For the last 15 years The U House has welcomed hundreds of visitors to the Cultural District. In the course of our hosting these guests, we are frequently asked for guidance and direction to various events. (The Camellia Festival, Truffle Festival, Tunes on Tuesday, Childrens' park, weddings etc.)

Good signage for the Cultural District would also improve the identification of the Cultural District as a Destination District.


Leigh Wellikoff
Proprietor
University House of Newberg





October 9, 2017

Shannon Buckmaster
Co-Chair, Tunes on Tuesday
Young Professionals of Yamhill Valley
P. O. Box 302
Newberg, OR 97132
shannon@tunesontuesday.com
(503) 758-5585

To Whom It May Concern:

I fully support the efforts of Leah Griffith, on behalf of the Newberg Cultural District, to install wayfinding signage for our district facilities and events.

Tunes on Tuesday is a free outdoor summer concert series held in the Cultural District Plaza from 6:30-8:30pm for eight consecutive Tuesday evenings in July and August. Tunes on Tuesday is an interactive experience for the people of Newberg and surrounding towns and is an affiliated project with the Young Professionals of Yamhill Valley. Each concert, we hear from individuals who have travelled from Central and Coastal Oregon, Portland and SW Washington to experience the music and cultural celebration. With so many people who are unfamiliar with our city layout travelling to Newberg for the concerts, the wayfinding signs would more efficiently help our concert attendees find our event, increasing our attendance and professional appeal.

Our event would greatly benefit by the approval of the Newberg Cultural District's proposal.

Thank you.

Sincerely,

Shannon Buckmaster



Boldt Carlisle + Smith
CERTIFIED PUBLIC ACCOUNTANTS

The right people. The right answers.

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INDEPENDENT AUDITOR'S REPORT

To the City Council
City of Newberg

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Newberg as of and for the year ended June 30, 2016, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

INDEPENDENT AUDITOR'S REPORT (Continued)

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Newberg, as of June 30, 2016, and the respective changes in financial position and, where applicable, cash flows thereof, and the respective budgetary comparison for the General, Street and Building Inspection Funds for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages a-o and the required supplementary information on pages 71-75 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The introductory section, combining statements and individual fund financial schedules, the other financial schedules, and the statistical section are presented for purposes of additional analysis and are not a required part of the basic financial statements. The schedule of expenditures of federal awards is presented for purposes of additional analysis as required by Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards*, and is also not a required part of the basic financial statements.

The combining statements and individual fund financial schedules and the schedule of expenditures of federal awards are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining statements and individual fund financial schedules and the schedule of expenditures of federal awards are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

The introductory section, other financial schedules, and the statistical section have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

INDEPENDENT AUDITOR'S REPORT (Continued)

Reports on Other Legal and Regulatory Requirements

Other Reporting Required by Government Auditing Standards

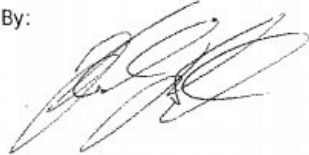
In accordance with *Government Auditing Standards*, we have also issued our report dated December 30, 2016 on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

Other Reporting Required by Oregon State Regulations

In accordance with Minimum Standards for Audits of Oregon Municipal Corporations, we have also issued our report dated December 30, 2016, on our consideration of the City's compliance with certain provisions of laws and regulations, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules. The purpose of that report is to describe the scope of our testing of compliance and the results of that testing and not to provide an opinion on compliance.

Boldt Carlisle + Smith
Certified Public Accountants
Salem, Oregon
December 30, 2016

By:



Bradley G. Bingenheimer, Member

Full Audit is available at

<http://www.newbergoregon.gov/finance/page/annual-financial-reports>

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: November 6, 2017

Order ____ No.	Ordinance ____ No.	Resolution <u>X</u> No. 3417	Motion ____	Information ____
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SUBJECT: Resolution 2017-3417, Repealing Resolution 2008-2771 and incorporating changes in Oregon State Law 192.

**Contact Person (Preparer) for this Motion: Sue Ryan, City Recorder & Truman Stone, City Attorney
Dept.: City Manager & Legal**

RECOMMENDATION:

Adopt Resolution 2017-3417, A Repeal of Resolution 2008-2771 and incorporating changes in State Law for public records requests.

EXECUTIVE SUMMARY:

The Oregon Legislature passed Senate Bill 481 in July 2017. This bill amends ORS 192, the state's Public Records law. The main areas that will require a change in City policy involve responses to requests and adhering to new timeframes required under the law.

FISCAL IMPACT: The Fee exhibit to Resolution 2008-2771 is no longer applicable as the Council adopted a Master Fee Schedule in 2016 that replaced this exhibit. Public Records fees are now part of the annual update of fees by the Finance Department. There will be some staff time required to train staff on the new law and changes in forms and internal procedures.

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

While this is not a Council Priority, it is required that the City follow ORS 192 and must make changes to its City policy to be current with the changes in state law.



RESOLUTION No. 2017-3417

**A RESOLUTION REPEALING RESOLUTION 2008-2771, AND
INCORPORATING CHANGES IN OREGON STATE LAW 192 EFFECTIVE
JANUARY 1, 2018.**

RECITALS:

1. The City adopted Resolution 2008-2771, which outlined a City policy for responding to Public Records requests.
2. The Oregon State Legislature approved Senate Bill 481 in July 2017, which will take effect January 1, 2018.
3. Staff have put this resolution before the Council to take effect on January 1, 2018 but ask the Council to approve the resolution now to give staff time to amend processes and forms to comply with the changes in state law at the beginning of the calendar year.
4. Senate Bill 481 modifies the Oregon Public Records Law in the Oregon Revised Statutes (ORS) 192.410 to 192.440. This bill amends the following:
 - A) Requirement for a written records request policy by providing a written response to requests within at least five days with at least one of the following responses:
 - i) Confirm that the public body is the custodian of the requested record;
 - ii) Inform the requester that the public body is not the custodian of the requested record; or
 - iii) Notify the requestor that the public body is uncertain whether the public body is the custodian of the requested record.
 - B) Provides further definition for the timeframe to respond to public records requests as described in ORS 192.440 as soon as practicable and without unreasonable delay.
 - i) A public body's response to a public records request is complete when the public body:
 - a) Provides access to or copies of all requested records within the possession or custody of the public body that the public body does not assert are exempt from public disclosure, or explains where the records are already publicly available;
 - b) Asserts any exemptions from disclosure that the public body believes apply to any requested records and, if the public body cites ORS 192.502 (8) or (9), identifies the state or federal law that the public body relied on in asserting the exemptions;

- c) Complies with ORS 192.505;
 - d) To the extent that the public body is not the custodian of records that have been requested, provides a written statement to that effect;
 - e) To the extent that state or federal law prohibits the public body from acknowledging whether or a requested record exists would result in loss of federal benefits or imposition of another sanction, provides a written statement to that effect, citing the state or federal law that the public body relies on, unless the written statement itself would violate state or federal law; and
 - f) If the public body asserts that one or more requested records are exempt from public disclosure, includes a statement that the requester may seek review of the public body's determination pursuant to ORS 192.450, 192.460, 192.470, 192.480 and 192.490.
- C) As soon as reasonably possible, but no later than 10 business days after the date by which a public body is required to acknowledge receipt of the request under ORS 192.440, a public body shall:
- i) Complete its response to the public records request; or
 - ii) Provide a written statement that the public body is still processing the request and a reasonable estimated date by which the public body expects to complete its response based on the current information available.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. Repeal Resolution 2008-2771.
2. Adopt the city policy on public records requests as stated in Exhibit A, which is incorporated in full by this reference.
3. This resolution will take effect on January 1, 2018, which is the date the changes in state law ORS 192 go into effect.

- **EFFECTIVE DATE** of this resolution is the first day of the next calendar year after the adoption date, which is: January 1, 2018.

ADOPTED by the City Council of the City of Newberg, Oregon, this 6th day of November, 2017.

Sue Ryan, City Recorder

ATTEST by the Mayor this _____ day of November, 2017.

Bob Andrews, Mayor

Resolution 2017-3417
Exhibit A
City of Newberg Public Records Request Policy

The City desires to adopt a policy addressing the procedure for records requests to comply with the Oregon Public Records Law, ORS 192.410-505. Exempt records will be determined by the City Attorney's office.

Section 1. Right to Inspect Public Records. ORS 192.420 gives every person the right to inspect any non-exempt public record held by a public body. Requests for such City records must be made under the Oregon Public Records Law and in accordance with this policy.

Section 2. Written Requests. All requests must be made in writing [ORS 192.440 (1)].

Section 3. Levels of Requests and Staff Response. The purpose of this policy is to help provide accurate records to the public in a reasonable time. In order to accommodate the purpose of this policy, levels of requests have been established.

Level 1 Request.

Requested records must be current and accessible, require no duplication, are not subject to the Public Records Fee Schedule, and must require no additional staff time or resources to be made available.

Level 2 Request.

Requested records are not accessible, but can be made accessible with no more than 30 minutes of staff time. Level 2 requests can be made to the public records officer for departments as specified in Section 4 C. Requested records must be located in a single department and readily accessible. Records requiring attorney review are Level 3 records.

Level 3 Request. This type of request is complex, involves multiple staff and/or departments, or requires more than 30 minutes of staff time. It may involve extensive research or compilation of records. Any requests requiring legal review fall under this section.

Section 4. Procedures.

A. Requests for public records must include: name, address, sufficient contact information, date of the request, and a detailed description of the requested records including year of creation or range of dates. If electronic records are requested, keywords must be sufficient to locate the requested records.

B. Except as otherwise provided by these rules, public records will not be released for inspection or copies provided to the requestor unless the City receives payment of the required estimated fee from the requesting party.

///

C. Written requests for inspection or copies of city records must be submitted, on the City's form, to one of the following or designees for processing: the City Recorder for general City records, the police records custodian for police records, the court administrator for court records or designees. If the City needs additional information or clarification, staff will contact the requestor.

D. If the City is unable to comply with a request, a written response explaining why the City is unable to process the request will be sent to the requesting party.

Section 5. City Response

The City shall follow timelines as required under ORS 192.

A. Within five business days the City will acknowledge all records requests.

B. As soon as reasonably possible, but not later than 10 business days after the date by which a public body is required to acknowledge receipt of the request under ORS 192.440, the City shall:

i. Complete its response to the public records request; or

ii. Provide a written statement that the City is still processing the request and a reasonable estimated date by which City staff expects to complete its response based on the information currently available.

Section 6. Appeal

A person who has submitted a written public records request in compliance with City policy may seek review of the following, in the same manner as a person petitions when inspection of a public record is denied under ORS 192.410 to 192.505:

A. The failure of a public body to provide the response required by ORS 192 within the prescribed period. A failure of the public body to timely respond shall be treated as a denial of the request unless the public body demonstrates that compliance was not required.

B. An estimate of time provided by a public body - if the person believes that the estimated timeframe for the response is unreasonably long and will result in undue delay of disclosure.

C. Any other instance in which the person believes that the public body has failed to comply with ORS 192.

D. The district attorney and the court have the same authority with respect to petitions under this section as when inspection of a public record is denied.

Section 7. Fees

A. Fees for public records requests are set annually by resolution through the Master Fee Schedule process.

///

B. Once receipt of a public records request has been acknowledged, staff will prepare a cost estimate reflecting the cost of City staff time and materials required to make the records available. Cost estimate will include costs of summarizing, compiling, or researching the public records request. The City will require a deposit in the full amount of the estimated costs before expending additional City resources on the request. City staff will begin work on the request only upon receipt of the deposit. If the actual cost of completing the request exceeds the estimate, the City will not release records until the City's actual costs are received in full. If the actual cost of responding to the request is less than the estimated cost, then the balance of the deposit will be refunded promptly. The payment will be in the form generally accepted for City purchases.

C. A person requesting a waiver or reduction of fees must file a written request and include the requestor's name, address, basis for the request and whether the requestor can demonstrate benefit to the general public. The city may consider the requestor's ability to pay and any financial hardship on the City that would arise from granting a waiver. Any requestor disabled within the definition of the Americans with Disabilities Act may also apply for a waiver or reduction of fees if any of the cost of complying with the request is due to the requestor's disability. Level 1 or Level 2 requests by the news media will be made available without charge. Any request at a Level 3 may be charged in accordance with the City's Master Fee Schedule. The decision of the city manager or designee on any fee waiver or reduction is final.

Section 7. Inspection of Records.

A. Inspection of records will occur during regular City business hours, by appointment. All records shall be inspected at the City of Newberg's place of business. A person making a public records request may personally inspect the requested records, but the right to inspect records does not include the right to access file cabinets or the right to disassemble or change the order of records in files or binders. Original records may not leave the custody of the City. A City staff member must be present while any records are inspected to ensure protection of the records. If any person attempts to alter, remove, or destroy any record, the City staff shall immediately terminate review and notify the city attorney.

B. If the City maintains copyrighted material, the City will permit the person making the request to inspect the copyrighted material, and may allow limited copying of such material if allowed under Federal copyright law. The City may require the requestor to obtain written consent from the copyright holder before allowing copying of such materials.

Section 8. Closing of the Request

A. Response to a public records request is complete when the City:

- i) Provides access to or copies of all requested records within the possession or custody of the City that are not exempt from public disclosure, or explains where the records are already publicly available;
- ii) Asserts any exemptions from disclosure that the City believes apply to any requested records and, if the public body cites ORS 192.502 (8) or (9), identifies the state or federal law that the City relied on in asserting the exemptions;
- iii) Complies with ORS 192.505;

- iv) To the extent that the City is not the custodian of records that have been requested, provides a written statement to that effect;
- v) To the extent that state or federal law prohibits the City from acknowledging whether or a requested record exists would result in loss of federal benefits or imposition of another sanction, provides a written statement to that effect, citing the state or federal law that the City relies on, unless the written statement itself would violate state or federal law;
- vi) If the City asserts that one or more requested records are exempt from public disclosure, includes a statement that the requester may seek review of the City determination pursuant to ORS 192.450, 192.460, 192.470, 192.480 and 192.490.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: November 6, 2017

Order ____ Ordinance ____ Resolution XX Motion ____ Information ____
No. No. No. 2017-3419

SUBJECT: A Resolution approving a marketing license agreement with Utility Service Partners Private Label Inc., and authorizing the City Manager to modify and execute the agreement.

Contact Person (Preparer) for this
Motion: Jay Harris, Public Works Director
Dept.: Public Works Department
File No.:

RECOMMENDATION:

Adopt Resolution No. 2017-3419 approving a marketing license agreement with Utility Service Partners Private Label Inc. Staff also recommends that the city waives any monthly licensing fee and that the monthly program cost(s) to homeowners is reduced accordingly.

EXECUTIVE SUMMARY:

Newberg currently has over 7,000 water services and an equal number of wastewater laterals of varying material types and age. The City maintains the public portion of each service and lateral within the public right of way, and the property owner is responsible for the private water line and wastewater lateral from the right of way to the structure. Many of the property owner maintained private water lines and wastewater laterals are reaching the end of their useful life and will need replacement over the next several decades.

Several months ago the City Manager and Public Works Department were made aware of a National League of Cities service line warranty program administered by Utility Service Partners Private Label Inc. This program offers property owner's opportunity to purchase a warranty to cover the repair costs for interior (in-home) and exterior (in-yard) water and sewer pipe lines.

Below is information taken from the National League of Cities (NLC) website:

The [NLC Service Line Warranty Program](#) gives your residents who have not set aside money to pay for an unexpected, expensive utility line repair the opportunity to obtain a low cost warranty that will provide repairs for a low monthly fee, with no deductibles or service fees. The work is performed by licensed, local plumbers who will call the customer within one hour of filing a claim. The repair is performed professionally and quickly, typically within 24 hours. USP provides a personally staffed 24/7 repair hotline for residents, 365 days a year.

Many people believe that when their water or sewer service lines leak, break or clog, the repair is either the responsibility of the City or covered by their homeowner's insurance. Unfortunately, neither is the case.

Myths about the cause of service line failures are common. Many people believe that their service lines will never fail in their lifetime; however, reports indicate that the vast majority of the nation's water pipes were installed after World War II and are in serious need of replacement or repair. In fact, a report from the National Association of Water Companies and the U.S. Chamber of Commerce stated that nearly half of all pipes in the U.S. were in poor shape.

In addition to the age of the lines, there are other reasons for line failure:

- a. Invasive tree roots – Roots often “follow” and disrupt service lines, seeking out pipes because they provide essential elements that trees need to grow, such as water, nutrients and oxygen. When tree roots get into pipes, they can cause clogs and blocks that lead to serious problems and the need for repair.*
- b. Poor soil conditions – Conditions such as low soil resistivity and high chloride content can cause corrosion of pipes from the outside and lead to leaks and contamination.*

- c. *Sudden climate change – Water lines are more susceptible to breaks at times of extreme temperature swings, both hot and cold. The Washington Suburban Sanitary Commission and the American Society of Civil Engineers advise that just a 10-degree change in temperature can increase stress on water mains and service lines and increase the risk of damage.*
- d. *Pipe materials – Older pipes were generally made from clay, steel or tile – materials more prone to deterioration over time. If your home was built before the 1980s, it is most likely that your pipes are made of clay and in need of repair or replacement.*

With the support and endorsement of the National League of Cities (NLC), the Service Line Warranty Program, administered by Service Line Warranties of America (SLWA), is currently available in more than 300 cities and municipalities across North America and has helped over 140,000 homeowners save more than \$90 million in service line repair costs.

“Service Line Warranties of America has an exemplary record of delivering outstanding service to customers, partners and contractors. The Program is an asset to every city across the nation as older homes feel the pain of aging infrastructure and deteriorating water and sewer lines. Addressing our nation’s aging infrastructure is a top priority at National League of Cities for both public and private infrastructure – and this is a valuable solution every community can offer to homeowners,” advises NLC CEO & Executive Director Clarence Anthony.

The experience derived from having executed a multitude of city and municipal rollouts has enabled SLWA and NLC to refine the program to meet the unique requirements of the community in which the program is implemented. City-specific terms and conditions address the needs of homeowners and leadership within city limits. The program is also committed to small, minority and women-owned businesses by working with contractors in the immediate service area to keep dollars in the local economy. The collective result of this experience has led to a thoroughly vetted, tested and successful program structure that educates residents about their service line responsibilities and provides a very consumer-friendly service line warranty option at a fair-market price.

4 REASONS WHY HOMEOWNERS NEED A SERVICE LINE WARRANTY

Most homeowners don’t think about the condition of the external buried water and sewer lines that run from the public utility connection to the exterior of their homes – out of sight, out of mind. In fact, people don’t think about their service lines until confronted with a backed up sewer or leaking water line when challenged to find a reputable plumber and pay for the repair that can cost thousands of dollars. Protecting home and property – usually the single largest investment an individual will make in their lifetime, according to Freddie Mac – is a top priority for many homeowners.

When evaluating monthly expenses, such as a water or sewer line warranty program, homeowners are encouraged to consider what they have in savings and what they can honestly spend each month for protection. For homeowners with limited resources, a few dollars a month to provide peace of mind could outweigh the risk of “if” a failure would ever occur, considering only 38 percent said they had sufficient savings to cover an emergency expense.

The Western-Pennsylvania chapter of the BBB comments on the challenge of locating the right contractor. “Hiring a home improvement contractor to perform work or repairs can certainly be an overwhelming process during an unexpected emergency. It’s also the type of situation that likely has an impact on people’s budgets, which is why it’s important for consumers to be educated on their rights and responsibilities when choosing a contractor.” The NLC Service Line Warranty Program only uses contractors that have successfully passed a rigorous background check, maintain proper licensing and insurance – and as the program’s representatives, they’re committed to providing exceptional customer service.

1. *The American Society of Civil Engineers (ASCE) recently gave a D (D = Poor) rating to America’s water and wastewater public infrastructure. Homeowners’ water and sewer lines are subjected to the same conditions as the lines that make up the public infrastructure – age, root invasion, ground shifting, fluctuating temperatures and more. While government is addressing the public infrastructure, homeowners are responsible for the cost of repairs to the service lines located on their property. These repairs can cost from hundreds of dollars to upwards of \$3,500 per repair, which can be hard on a family’s budget. With a warranty, the homeowner is covered for the repair costs due to normal wear and tear, with no service fees or deductibles.*
2. *Several studies indicate that many people in the U.S. are not prepared for these kind of unexpected expenses, even though most Americans have a budget. A recent study by the Federal Reserve suggested*

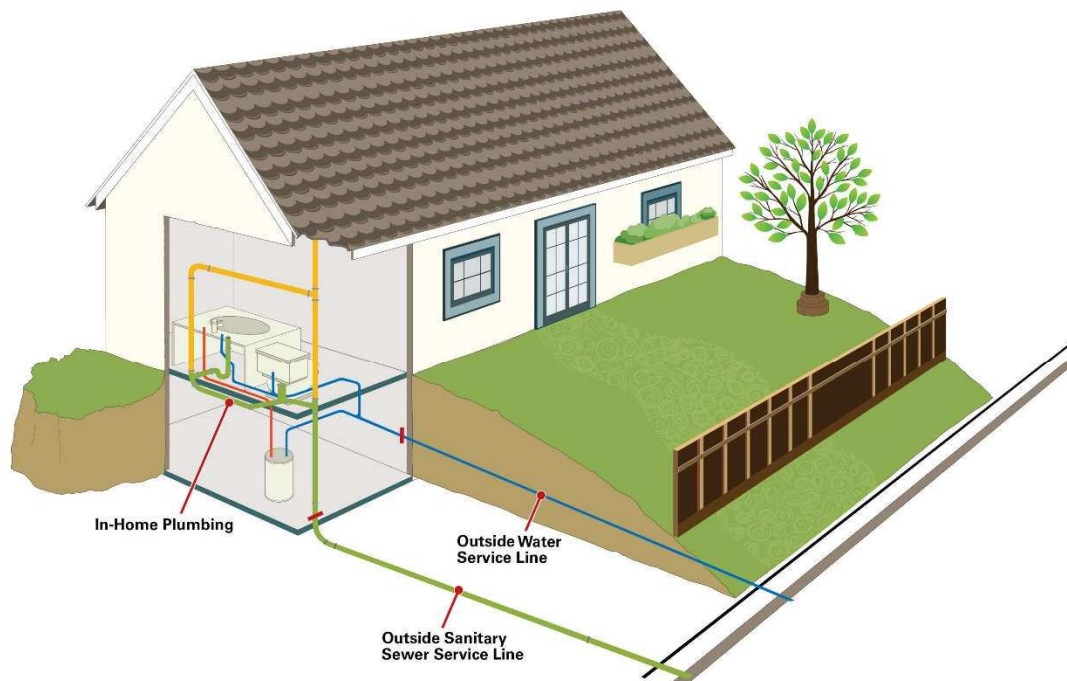
that more than 50% of individuals surveyed could not afford a hypothetical emergency expense of \$400 without selling belongings or borrowing money. Homeowners work hard for their money and it's no secret that the expense of owning a home adds up over time. Bankrate's study revealed that while more than 80 percent of Americans have a prepared household budget, more than three in five would have to look elsewhere, such as borrowing from family or using a credit card, in order to cover a small emergency expense; they simply don't have enough savings to cover the cost. With depleted savings and many of those eligible for retirement unprepared, expensive repairs are just not in the budget.

3. It can be difficult to find a contractor you can trust to do the job right the first time. Lifehacker.com suggests, "You can't cut corners here – there are plenty of bad handymen out there willing to do shoddy work and charge you a ton of money, and they give the good ones who are eager for your business a bad name." With a service line warranty, the vetting has been done, so you know that the contractor sent to make the repair has proper licenses and insurance and is located within the area.
4. Homeowners with a service line warranty are more likely to report a problem and have it fixed quickly, which helps with water conservation efforts and prevents ground pollution. We know the impacts that water main breaks have on water waste: a campaign launched by the National Association of Water Companies and the U.S. Chamber of Commerce reports that there are 650 water main breaks per day in the U.S., resulting in a daily loss of 7 billion gallons of water. The same failing pipes wreaking havoc with municipal water systems are carrying water to your resident's homes, and are subject to the same breaks and leaks.

There is no cost to your city to participate in the program. PLUS, your city receives a share of the revenues collected! Implementation is easy and USP provides all of the required services. If you are a local elected official looking to implement this program in your city, please contact Charlie McQuillan at 202-626-3106 or at mcquillan@nlc.org.

About Utility Service Partners, Inc.

USP, headquartered in Canonsburg, Pennsylvania, is a leading independent provider of service line warranties in the United States. USP is part of HomeServe USA, a provider of home repair solutions serving nearly 3 million customers across the US and Canada. Started in 2002, HomeServe protects homeowners against the expense and inconvenience of water, sewer, electrical, HVAC and other home emergencies by providing affordable coverage and quality local service. For more information on USP, please visit their website.



Service Line Warranties of America also offers warranties for the repair of interior water supply and sanitary sewer plumbing within homes.

Two other cities in Oregon, Hermiston (pop. 17,300; 6,094 homes) and Cottage Grove (pop. 10,100; 3,891 homes) currently have endorsed Service Line Warranties of America to market warranty programs in their cities. Cottage Grove has endorsed marketing of the program since the spring of 2012, their experience is as follows:

- Two letters marketing both water and sewer warranties are approved for mailing each year by the city. The letters include the city logo and a statement signed by the mayor.
- The city receives several phone calls each year from citizens that think that the program is being managed by the city. Calls are usually directed back to the warranty company.
- In the last six years they had one complaint from a citizen regarding the program. City staff assisted in resolving the issue between the citizen and warranty company.

Hermiston has endorsed marketing of the program since the fall of 2015, their experience is as follows:

- The city receives some phone calls from citizens after marketing materials mailed out, people also think that the marketing materials are for a city run program. Hermiston has recently had Service Line Warranties of America revise the marketing materials to address the issue.
- Hermiston has expanded over the last couple of decades with many new additional service lines. The program may not be as beneficial to the residents of Hermiston as warranty programs that are offered in older cities.
- Marketing materials were mistakenly mailed to residents in the Hermiston zip code that reside in the county.

To offer warranty programs to property owners with an endorsement from the City, Newberg would enter into a Marketing License Agreement with Service Line Warranties of America. A draft of the exterior service line and in-home (interior) plumbing warranty marketing agreement, which identifies items such as the term of the agreement and monthly costs for the various warranty programs, is included as Attachment A.

FISCAL IMPACT:

There is no cost for the City to offer the program. There is an option for the City to receive a share of the revenues, as outlined in Exhibit A of the attached Marketing Agreement. The City could opt out of the revenue share, which would reduce the monthly fee to the resident.

STRATEGIC ASSESSMENT:

Offering interior (in-home) and exterior (in-yard) water and sewer pipe line plumbing warranties to property owners in the City could reduce future homeowner repair costs, reduce water bills by the repair of leaking pipes, reduce the potential hazard of exposure to raw sewage, and potentially reduce inflow and infiltration into the city sanitary sewer collection system due to damaged laterals.

**A RESOLUTION APPROVING A MARKETING LICENSE AGREEMENT
WITH UTILITY SERVICE PARTNERS PRIVATE LABEL INC., AND
AUTHORIZING THE CITY MANAGER TO MODIFY AND EXECUTE THE
AGREEMENT**

RECITALS:

1. Newberg has approximately 7,000 water services and approximately 7,000 wastewater services in the city of varying material types and age.
2. The city maintains the public portion of each service and lateral within the public right of way, and the property owner is responsible for the private water line and wastewater lateral from the right of way to the structure.
3. Many of the property owner maintained private water lines and wastewater laterals are reaching the end of their useful life and will need replacement over the next several decades.
4. Several months ago the City Manager and Public Works Department were made aware of a National League of Cities service line warranty program administered by Utility Service Partners Private Label Inc. This program offers property owner's opportunity to purchase a warranty to cover the repair costs for interior (in-home) and exterior (in-yard) water and sewer pipe lines.
5. To offer the warranty programs to the property owners, the city would enter into a marketing license agreement with Service Line Warranties of America. A draft of the exterior service line and in-home plumbing warranty marketing agreement, which identifies the term of the agreement and monthly costs for the various warranty programs, is included as Attachment A of the RCA.
6. There is no cost for the city to offer the program. There is an option for the City to receive a share of the revenues, as outlined in Exhibit A of the attached Marketing Agreement. The City could opt out of the revenue share, which would reduce the monthly fee to the resident. Since there is no cost for the city to support the program, staff recommends that the city waives any monthly licensing fee and that the monthly program cost(s) to homeowners is reduced accordingly.
7. Offering interior (in-home) and exterior (in-yard) water and sewer pipe line plumbing warranties to property owners in the City could reduce future homeowner repair costs, reduce water bills by the repair of leaking pipes, reduce the potential hazard of exposure to raw sewage, and potentially reduce inflow and infiltration into the city sanitary sewer collection system due to damaged laterals.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council, acting as the Contract Review Board, authorizes the City Manager to modify and execute a marketing license agreement with Utility Service Partners Private Label Inc. for an interior (in-home) and exterior (in-yard) water and sewer pipe line warranty program. The City Attorney is authorized to modify and approve the marketing agreement and attachments as to form and content.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: November 7, 2017.

ADOPTED by the City Council of the City of Newberg, Oregon, this 6nd day of November 2017.

Sue Ryan, City Recorder

ATTEST by the Mayor this 9th day of November 2017.

Bob Andrews, Mayor

MARKETING AGREEMENT

This MARKETING AGREEMENT ("Agreement") is entered into as of [_____, 20__] ("**Effective Date**"), by and between the City of Newberg, Oregon ("**City**"), and Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America ("**Company**"), herein collectively referred to singularly as "Party" and collectively as the "Parties".

RECITALS:

WHEREAS, sewer and water line laterals between the mainlines and the connection on residential private property are owned by individual residential property owners residing in the City ("**Residential Property Owner**"); and

WHEREAS, City desires to offer Residential Property Owners the opportunity, but not the obligation, to purchase a service line warranty and other similar products set forth in Exhibit A or as otherwise agreed in writing from time-to-time by the Parties (each, a "**Product**" and collectively, the "**Products**"); and

WHEREAS, Company is the administrator of the National League of Cities Service Line Warranty Program and has agreed to make the Products available to Residential Property Owners subject to the terms and conditions contained herein; and

NOW, THEREFORE, in consideration of the foregoing recitals, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and with the intent to be legally bound hereby, the Parties agree as follows:

1.**Purpose.** City hereby grants to Company the right to offer and market the Products to Residential Property Owners subject to the terms and conditions herein.

2.**Grant of License.** City hereby grants to Company a non-exclusive license ("**License**") to use City's name and logo on letterhead, bills and marketing materials to be sent to Residential Property Owners from time to time, and to be used in advertising (including on the Company's website), all at Company's sole cost and expense and subject to City's prior review and approval, which will not be unreasonably conditioned, delayed, or withheld. City agrees that it will not extend a similar license to any competitor of Company during the Term and any Renewal Term of this Agreement.

3.**Term.** The term of this Agreement ("**Term**") shall be for three (3) years from the Effective Date. The Agreement will automatically renew for additional one (1) year terms ("**Renewal Term**") unless one of the Parties gives the other written notice at least ninety (90) days prior to end of the Term or of a Renewal Term that the Party does not intend to renew this Agreement. In the event that Company is in material breach of this Agreement, the City may terminate this Agreement thirty (30) days after giving written notice to Company of such breach, if said breach

is not cured during said thirty (30) day period. Company will be permitted to complete any marketing initiative initiated or planned prior to termination of this Agreement after which time, neither Party will have any further obligations to the other and this Agreement will terminate.

4. Consideration.

A. As consideration for such license, Company will pay to City a License Fee of as set forth in Exhibit A ("**License Fee**") during the term of this Agreement. The first payment shall be due by January 30th of the year following the conclusion of first year of the Term. Succeeding License Fee payments shall be made on an annual basis throughout the Term and any Renewal Term, due and payable on January 30th of the succeeding year. City will have the right, at its sole expense, to conduct an audit, upon reasonable notice and during normal business hours, of Company's books and records pertaining to any fees due under this Agreement while this Agreement is in effect and for one (1) year after any termination of this Agreement.

5. **Indemnification.** Company hereby agrees to protect, indemnify, and hold the City, its elected officials, officers, employees and agents (collectively or individually, "**Indemnitee**") harmless from and against any and all third party claims, damages, losses, expenses, suits, actions, decrees, judgments, awards, reasonable attorneys' fees and court costs (individually or collectively, "**Claim**"), which an Indemnitee may suffer or which may be sought against or are recovered or obtainable from an Indemnitee, as a result of or arising out of any breach of this Agreement by the Company, or any negligent or fraudulent act or omission of the Company or its officers, employees, contractors, subcontractors, or agents in the performance of services under the Products; provided that the applicable Indemnitee notifies Company of any such Claim within a time that does not prejudice the ability of Company to defend against such Claim. Any Indemnitee hereunder may participate in its, his, or her own defense, but will be responsible for all costs incurred, including reasonable attorneys' fees, in connection with such participation in such defense.

6. **Notice.** Any notice required to be given hereunder shall be deemed to have been given when notice is (i) received by the Party to whom it is directed by personal service, (ii) sent by electronic mail (provided confirmation of receipt is provided by the receiving Party), or (iii) deposited as registered or certified mail, return receipt requested, with the United States Postal Service, addressed as follows:

To: City:
ATTN: Joe Hannan
City of Newberg
414 E. First Street
Newberg, OR 97132
Phone: (503) 538-9421

To: Company:
ATTN: Chief Sales Officer
Utility Service Partners Private Label, Inc.
11 Grandview Circle, Suite 100
Canonsburg, PA 15317
Phone: (866) 974-4801

7. Modifications or Amendments/Entire Agreement. Any and all of the representations and obligations of the Parties are contained herein, and no modification, waiver or amendment of this Agreement or of any of its conditions or provisions shall be binding upon a party unless in writing signed by that Party.

8. Assignment. This Agreement and the License granted herein may not be assigned by Company other than to an affiliate or an acquirer of all or substantially all of its assets, without the prior written consent of the City, such consent not to be unreasonably withheld.

9. Counterparts/Electronic Delivery; No Third Party Beneficiary. This Agreement may be executed in counterparts, all such counterparts will constitute the same contract and the signature of any Party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the Parties hereto, regardless of whether originals are delivered thereafter. Nothing expressed or implied in this Agreement is intended, or should be construed, to confer upon or give any person or entity not a party to this agreement any third- party beneficiary rights, interests, or remedies under or by reason of any term, provision, condition, undertaking, warranty, representation, or agreement contained in this Agreement.

10. Choice of Law/Attorney Fees. The governing law shall be the laws of the State of Oregon. In the event that at any time during the Term or any Renewal Term either Party institutes any action or proceeding against the other relating to the provisions of this Agreement or any default hereunder, then the unsuccessful Party shall be responsible for the reasonable expenses of such action including reasonable attorney's fees, incurred therein by the successful Party.

11. Incorporation of Recitals and Exhibits. The above Recitals and Exhibit A attached hereto are incorporated by this reference and expressly made part of this Agreement.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the day and year first written above.

CITY OF NEWBERG

Name:

Title:

UTILITY SERVICE PARTNERS PRIVATE LABEL, INC.

Name: Tom Rusin

Title: Chief Executive Officer

Exhibit A
NLC Service Line Warranty Program
City of Newberg
Term Sheet
September 5, 2017

I. Initial Term. Three years

II. License Fee. \$0.50 per Product for each month that a Product is in force for a Residential Property Owner (and for which payment is received by Company), aggregated and paid annually, for:

- a. City logo on letterhead, advertising, billing, and marketing materials
- b. Signature by City official

III. Products.

- a. External sewer/septic line warranty (initially, \$7.75 per month; \$88.00 annually)
- b. External water service line warranty (initially, \$5.75 per month; \$64.00 annually)
- c. In-home plumbing warranty (initially, \$9.99 per month; \$114.99 annually)

Company may adjust the foregoing Product fees; provided, that any such adjustment shall not exceed \$.50 per month in any 12-month period, unless otherwise agreed by the Parties in writing.

IV. Scope of Coverage.

- a. External sewer/septic line warranty: Scope is from the main tap until line daylights inside home, which includes the service line under the concrete floor. (Covers septic lines if applicable)
- b. External water service line warranty: Scope is from the meter and/or curb box until line daylights inside home, which includes the service line under the concrete floor. Coverage also includes thawing of frozen external water lines. (Covers well service lines if applicable)
- c. In-home plumbing warranty: Scope covers residential in-home water supply lines and in-home sewer lines and all drain lines connected to the main sewer stack that are broken or leaking inside the home after the point of entry. Coverage includes broken or leaking water, sewer, or drain lines that may be embedded under the slab or basement floor. Coverage also includes repair of clogged toilets.

V. Marketing Campaigns. Company shall have the right to conduct up to three campaigns per year, comprised of up to six mailings and such other channels as may be mutually agreed. Initially, Company anticipates offering the In-home plumbing warranty Product via in-bound channels only.



we promise



Service Line Warranty Program Overview

Dennis Lyon

Manager, Regional Water Team



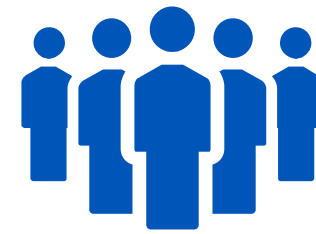
WHY CHOOSE UTILITY SERVICE PARTNERS?



EXPERIENCE



REPUTATION



PARTNERSHIP



**BBB Torch Award for
Marketplace Ethics**

Trust • Performance • Integrity

2013 Winner
Western Pennsylvania Better Business Bureau®

"This award underscores one of the primary reasons the National League of Cities selected USP as a partner. The organization's exemplary record of customer service and transparency is what has driven the success of this partnership over the years."



Clarence Anthony
Executive Director
National League of Cities



Experience

Utility Service Partners is the administrator for the National League of Cities Service Line Warranty Program

- Over 400 cities are participating in the program
- Invested more than \$64 million in private infrastructure repairs
- Returned nearly \$4 million to cities through revenue sharing component

Management team that has provided these types of services for over 15 years

USP is a solution provider

- Educate homeowners about their responsibility
- Provide an affordable repair solution

Keep our promise to your homeowners

- 97% claim approval rating
- 95% customer satisfaction rating



Reputation

Brand stewardship

- 2013 BBB Torch Award for Marketplace Ethics
- A+ Accredited BBB rating



BBB Torch Award for Marketplace Ethics

Trust • Performance • Integrity

2013 Winner
Western Pennsylvania Better Business Bureau®

Commitment to local government

- **Only** service line warranty provider that will never market to consumers without the consent and support of the City

Respect for homeowner's privacy

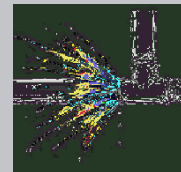
- Limited mailings to residents



INFRASTRUCTURE CHALLENGES... A NATIONAL PROBLEM



2013 ASCE NATIONAL PUBLIC
INFRASTRUCTURE RATING



OVER 850 WATER MAIN BREAKS
EVERY DAY ACROSS THE U.S.



EPA ESTIMATES THAT CITIES WILL SPEND HEAVILY
ON INFRASTRUCTURE OVER THE NEXT 20 YEARS

- **\$77 billion** for repair or replacement of public water distribution systems
- **\$10 billion** for wastewater collection system upgrades
- **\$22 billion** for new sewer construction
- **\$45 billion** to control combined sewer overflows
- **\$7 billion** to control municipal storm water



CHALLENGES FOR HOMEOWNERS

LATERAL LINES ARE SUBJECTED TO THE SAME ELEMENTS AS PUBLIC LINES

- ground shifting, fluctuating temperatures, tree root penetration, corrosion and more

OUT OF SIGHT, OUT OF MIND

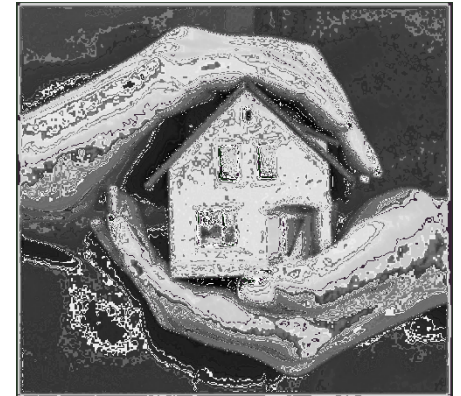
- water and sewer lines located outside, usually underground

FAILED LINES WASTE THOUSANDS OF GALLONS OF WATER

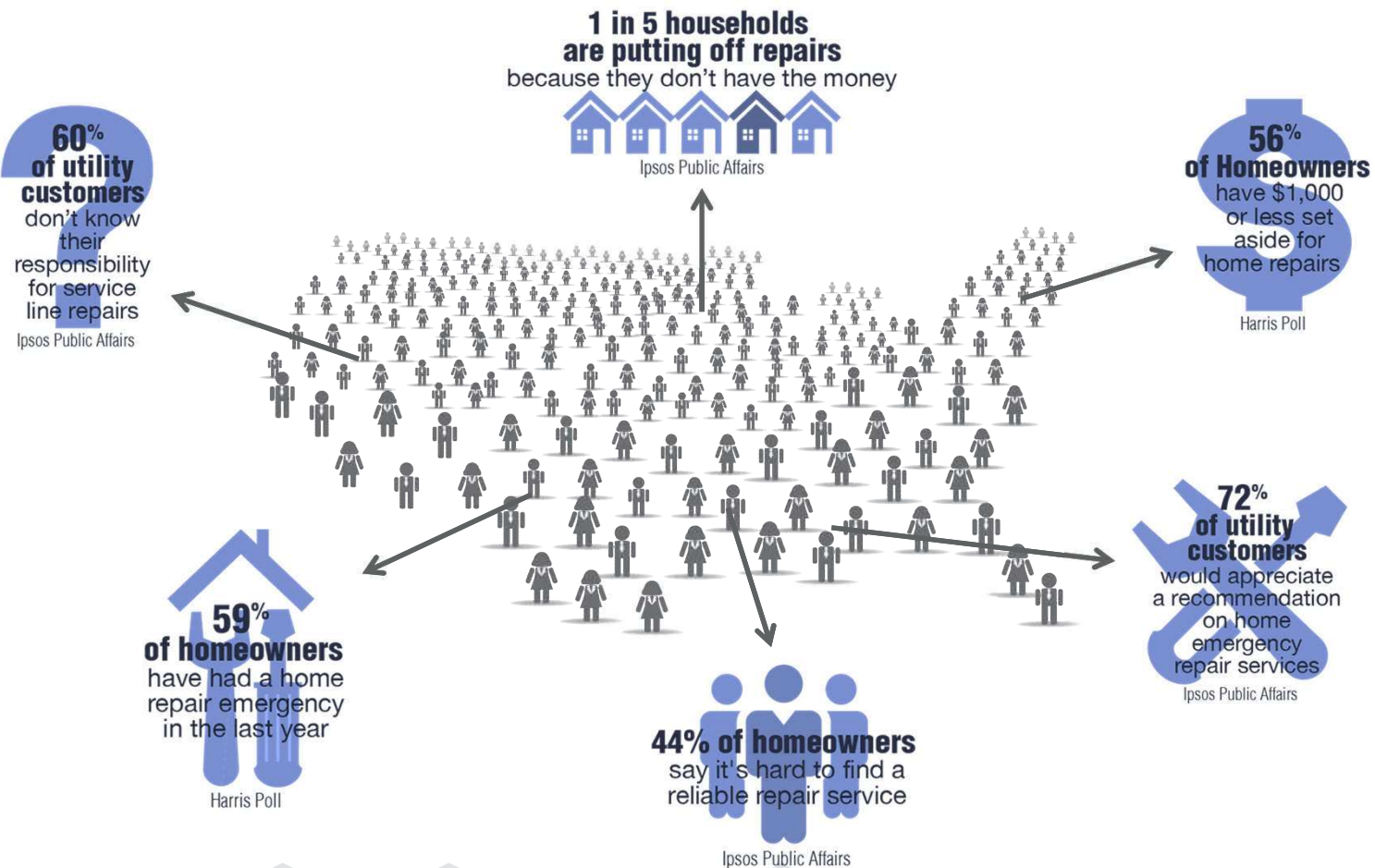
- and present an environmental hazard

COMMON HOMEOWNER MISCONCEPTIONS

- the City is responsible for maintenance of the water and sewer lines on their property
- repairs are covered by their homeowner's policy



HOMEOWNERS ARE NOT PREPARED



SOLUTION FOR MUNICIPALITIES AND THE HOMEOWNERS THEY SERVE

PEACE OF MIND

Repair protection for leaking, clogged or broken water and sewer lines from the point of utility connection to the home exterior



PROGRAM HIGHLIGHTS

- Over 400 cities and 400,000 homeowners participating
- Saved homeowners over \$33 million in service line repair costs over the last three years
- Consistent customer satisfaction rating of 98%
- 9 of every 10 customers surveyed have recommended the NLC Service Line Warranty Program to friends, family and neighbors



COVERAGE INCLUDES

- Educating homeowners about their service line responsibilities
- Up to \$8,500 coverage per repair incident
- Includes public street and sidewalk cutting
- No annual or lifetime limits
- No deductibles, service fees, forms or paperwork
- 24/7/365 availability
- Repairs made only by licensed, local area contractors
- Affordable rates and multiple payment methods



Municipality Solution for Homeowners

Homeowner repair protection for leaking, clogged or broken water and sewer lines from the point of utility connection to the home exterior

Coverage includes:

- Educating homeowners about their service line responsibilities.
- Up to \$8,500 coverage per repair incident.
- Includes public street and sidewalk.
- No annual or lifetime limits.
- No deductibles, service fees, forms, or paperwork.
- 24/7/365 availability.
- Repairs made only by licensed, local contractors.
- Affordable rates and multiple payment methods.



Municipality Solution for Homeowners

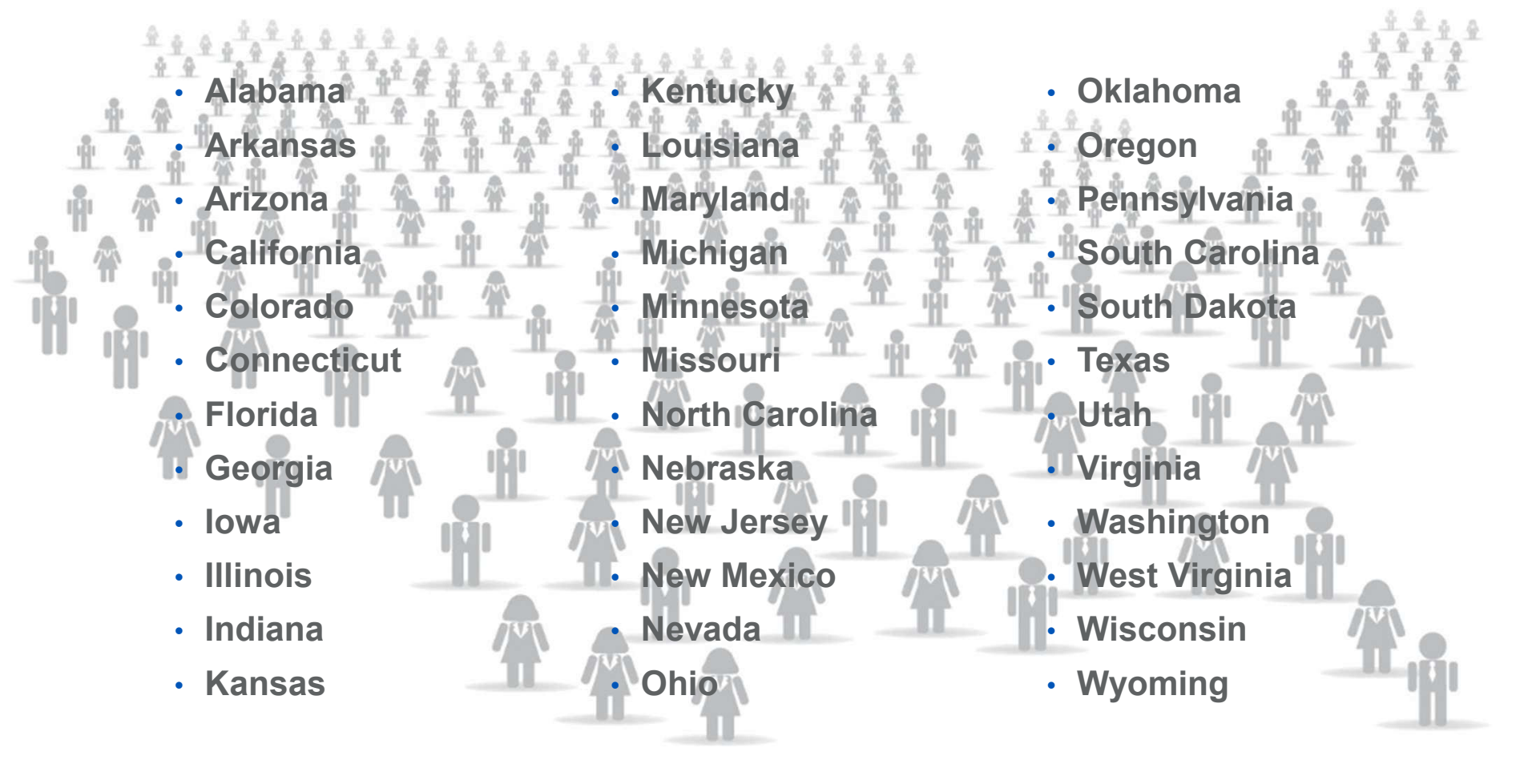
Homeowner repair protection for in-home water supply lines and in-home sewer lines and all drain lines connected to the main sewer stack that are broken or leaking inside the home after the point of entry.

Coverage includes:

- Up to \$3,000 coverage per repair incident.
- Repair of clogged toilets
- Includes coverage for broken or leaking water, sewer, or drain lines under the slab or basement floor
- No annual or lifetime limits.
- 24/7/365 availability
- No deductibles, service fees, forms, or paperwork.
- Repairs made only by licensed, local contractors.
- Affordable rates and multiple payment methods.



OVER 400 PARTNERS IN 36 STATES

- 
- Alabama
 - Arkansas
 - Arizona
 - California
 - Colorado
 - Connecticut
 - Florida
 - Georgia
 - Iowa
 - Illinois
 - Indiana
 - Kansas
 - Kentucky
 - Louisiana
 - Maryland
 - Michigan
 - Minnesota
 - Missouri
 - North Carolina
 - Nebraska
 - New Jersey
 - New Mexico
 - Nevada
 - Ohio
 - Oklahoma
 - Oregon
 - Pennsylvania
 - South Carolina
 - South Dakota
 - Texas
 - Utah
 - Virginia
 - Washington
 - West Virginia
 - Wisconsin
 - Wyoming

COMMENTS FROM CITY OFFICIALS



Felicia Moore
City Councilwoman
Atlanta, GA

"The program has already paid out over \$1 million in repairs and replacements for our homeowners' lateral service lines. My constituents are happy that we have provided this option for city homeowners. We use the revenue associated with the program to assist lower income homeowners with repairs to their service lines. I am sure your City will be pleased with the NLC Service Line Program."

"This program has been available to Clarksburg's residents for nearly two years, and it's a real winner. Resident satisfaction is high and it's a lot easier to tell citizens about this great service rather than explain why they are on the hook for costly repairs."



James C. Hunt
past NLC President
former Council Member
Clarksburg, WV



Jon Brodsky
Public Information Officer
Phoenix, AZ

"The Service Line Protection Program helps Phoenix residents and the city government. Revenue from the program goes to core city services like police, fire, parks, libraries and senior centers. The warranties give residents an affordable option for repairs to their sewer and water lines."



HOMEOWNER TESTIMONIALS

"Glad the city made this recommendation and that I purchased it. Fantastic contractor!"
Julie M., Mooresville, NC

"After my recent home fire, it was very comforting to contact SLW and be told that my line would be immediately repaired. The fast service was truly appreciated, and I highly recommend your service - I have already recommended SLW to all my family and friends."
James H., Charleston, WV

"Having water and sewer line coverage is a Godsend. When I bought my home and turned on the water, there was a leak in the alley that the city said I was responsible for and the repair cost a small fortune. Thank you for this protection. It really eases my mind!"
Patricia G., Abilene, TX

"I recently had a huge problem with my sewer line and I cannot begin to express how helpful it was to have this coverage. It gets increasingly difficult to keep up with repairs. Having the warranty made it easy."
Marsha B., New Brighton, PA



AN ATLANTA, GA RESIDENT LETTER TO FELICIA MOORE, CITY COUNCILWOMAN

Dear Felicia,

On Christmas Day my sewer line backed up into my house and into my tub! I could not flush toilets or take a shower or wash dishes or clothes or even my hands. It turned out to be due to a clogged sewer line in my front yard. Thanks to you, I had the warranty and did not have to pay for the \$2000 plus repair! Thank you! The warranty company had good customer service and the local plumbing company that they sent to do the work, Atlanta Plumbing Plus, WAS AMAZING! They did a wonderful job and were very respectful of my property (and my anxiety about the situation). Thank you so much Felicia for always looking out for us!

Cindy
Homeowner, Atlanta, GA



WHY SHOULD YOU OFFER THIS PROGRAM?

BECAUSE an unforeseen repair expense could be hard on a budget.



BECAUSE homeowners believe service line repairs are the City's responsibility.



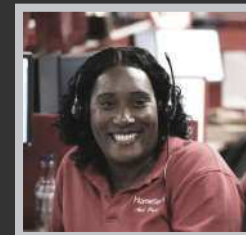
BECAUSE without a referral, your citizens may use inferior contractors.



BECAUSE the City can further help its residents by generating funds for important programs.



BECAUSE your homeowners deserve the very best customer experience.





YCTA TDP City of Newberg Project Update

November 6, 2017



Yamhill County
Transit Area

DKS

N NELSON
NYGAARD

Presentation Overview

- Project Overview
- Transit Goals & Planning Framework
- Existing Conditions Analysis
- Improvement Priorities & Needs Assessment
- Solution Strategies
- Next Steps
- Questions & Answers



Project Overview

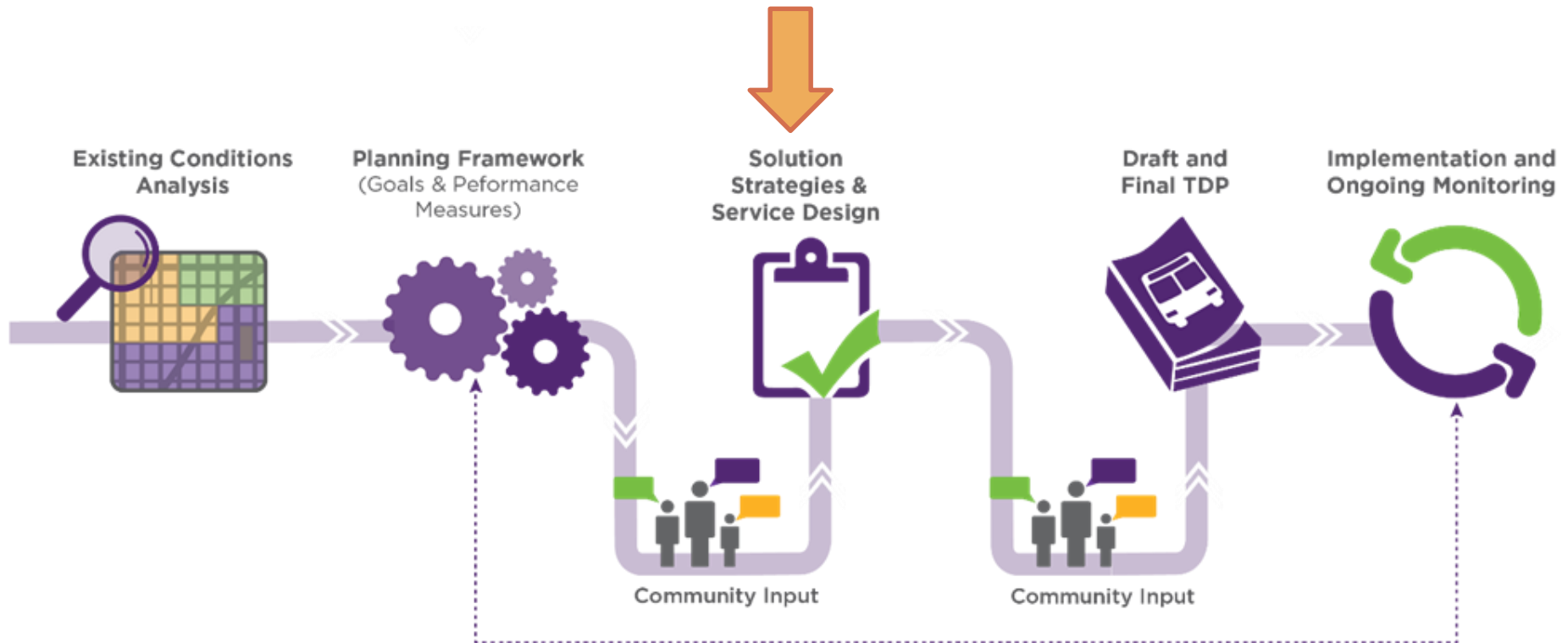


YTCA Snapshot

- \$2.0 million annual operating budget
- 4 intercity routes and local service in McMinnville and Newberg
- 300,000 annual rides
 - Nearly 50% are for work commute
- People and jobs within $\frac{1}{4}$ mile of YCTA routes/stops:
 - McMinnville: ~70% of people and jobs
 - Newberg: ~80% of people and jobs
 - Other cities: 36% of people and 58% of jobs



Planning Framework



Desired outcomes for a successful plan?

- Convenient system that provides seamless travel options for residents, employees, and out-of-area visitors
 - Optimize and/or reorganize existing service
 - Enhance physical transit infrastructure
 - Provide revenue-neutral and increased funding scenarios
 - Promote full range of transportation options
 - Identify transit-supportive land use policies and provide guidance for local jurisdictions
 - Improve integration & coordination of urban & rural services
 - Meet needs expected from future regional growth and tourism
 - Preserve function of state highways by expanding regional transit and reducing single-occupant vehicle travel

Project Decision-Making Structure

- YCTA Board (Yamhill County Board of Commissioners)
 - Overall policy direction and decision-making
 - Plan adoption
- Project Advisory Committee (PAC)
 - Review deliverables and methodologies
 - Provide policy advice and act as a “sounding board”
 - Bring local knowledge and input to the table
- YCTA Advisory Committee *(Representatives appointed by their City Councils from Yamhill County’s 10 cities and Grand Ronde to serve as liaison’s to YCTA district.)*
 - Advises Board of Directors on transit related issues – all members are also members of the Project Advisory Committee (PAC)



YCTA Goals and Planning Framework



Goals, Objectives, Performance Measures, & Standards

■ Goals

- Typically value statements establishing overall policy direction and organizational philosophy

■ Objectives

- Typically action-oriented strategy statements articulating the means to meeting a goal
- Should be understandable, specific, attainable, and measurable
- Can be met through a variety of actions

■ Performance Measures and Standards

- How each objective is measured
- The targeted level that should be achieved for each measure

Recommended Transit Goals

- **Goal 1: Mobility** – convenient, reliable public transportation serving a range of customer needs
- **Goal 2: Accessibility** – equitable and address the needs of all users
- **Goal 3: Passenger experience** – convenient, attractive and welcoming way to travel
- **Goal 4: Safety and security** – transit riders and drivers have safe and secure vehicles and facilities
- **Goal 5: Livability and economy** – integrate public transit in the transportation system to support a prosperous, healthy community
- **Goal 6: Efficiency and financial accountability** – manage the transit system in a fiscally responsible way to maximize return on investment

PROVIDE INPUT ON GOALS FOR YCTA

Public Transportation Issue Areas	What do these mean for your community?	Which issues matter most to you? (Vote using "dots")
MOBILITY Provide efficient, reliable transit serving a wide range of needs	Transit serves job locations with convenient hours for commuters Transit runs on weekends Transit serves locations within my city or area Connections to other cities within Yamhill County Well-timed connections with regional transit (outside of Yamhill County)	
ACCESSIBILITY Provide transit services that are equitable and address the needs of all users	Transit is available within a short walk for most residents Transit picks me up at my house and drops me off at my destination	
PASSENGER EXPERIENCE Make transit a convenient and welcoming way to travel	Transit schedules and fares are easy to understand Buses are clean and well kept Bus stops are well marked and there is a comfortable place to wait Buses arrive and depart on schedule	
SAFETY AND SECURITY Ensure transit riders and drivers have safe and secure vehicles and facilities	Vehicles are well-maintained, and drivers are well-trained and supported Feeling safe in vehicles and at bus stops	
LIVABILITY AND ECONOMY Integrate public transit in the transportation system to support a prosperous, healthy community	Transit is an affordable way to get around Transit serves major employment and residential areas Transit service is available in every community	
EFFICIENCY & FINANCIAL ACCOUNTABILITY Manage the transit system in a fiscally responsible way to provide quality, affordable services	Match service to land use densities and demand for key connections between activity centers Cost of operating transit is in-line with users	

Yamhill County Transit Area

YCTA 1960, 2000, 2010, 2020, 2030, 2040, 2050



Existing Conditions Analysis

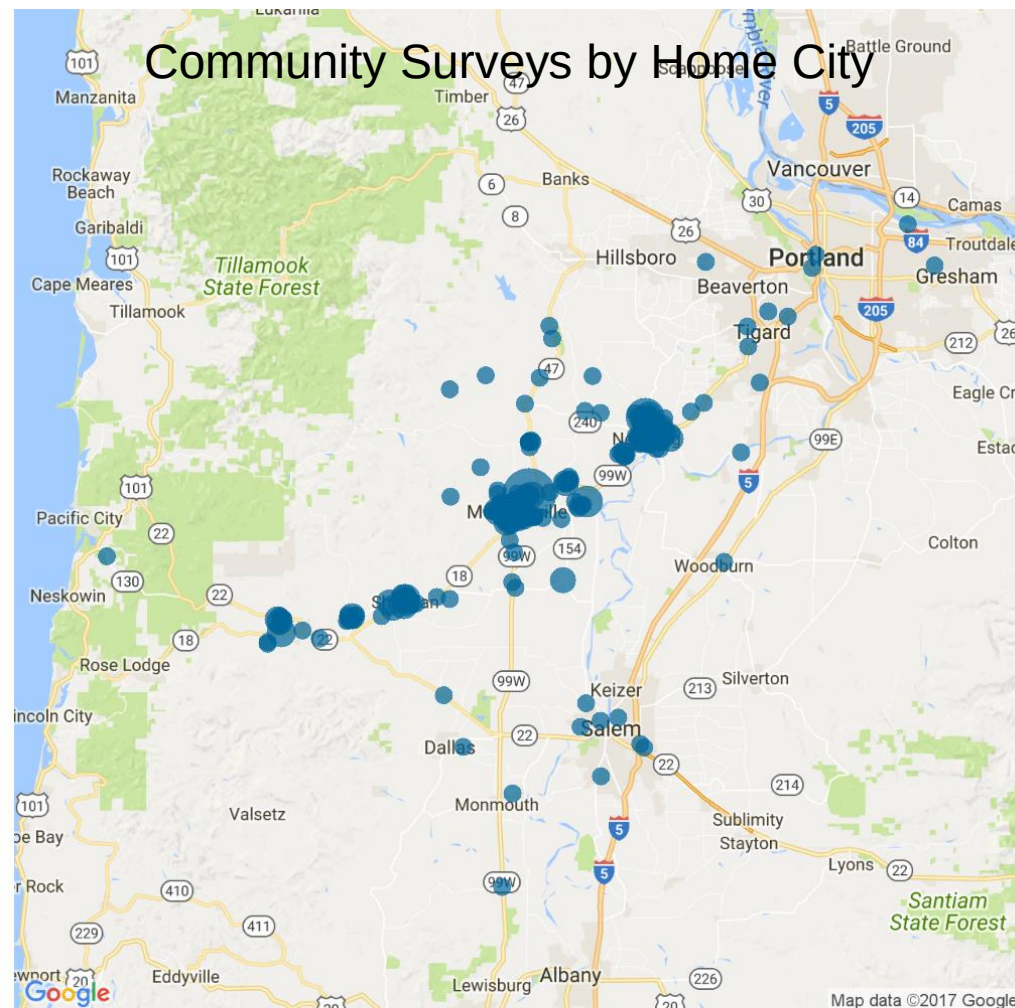


Analysis of Existing and Future Conditions

- Existing county and local plans, policies, codes
- Demographics – Census, PSU, State
- Existing YCTA data and National Transit Database
- Data collection – stop-level boardings, on-time performance
- Field observations
- Bus operator interviews

Public and Stakeholder Input (To-Date)

- **Project Advisory Committee Meetings:** 2
- **Community Events & Destinations:** 7
- **Community Survey:** 400 responses
- **Focus Groups:** 5 meetings
- **On-board Rider Survey:** 300 responses



of Respondents



Demographics

% of Yamhill County Population:

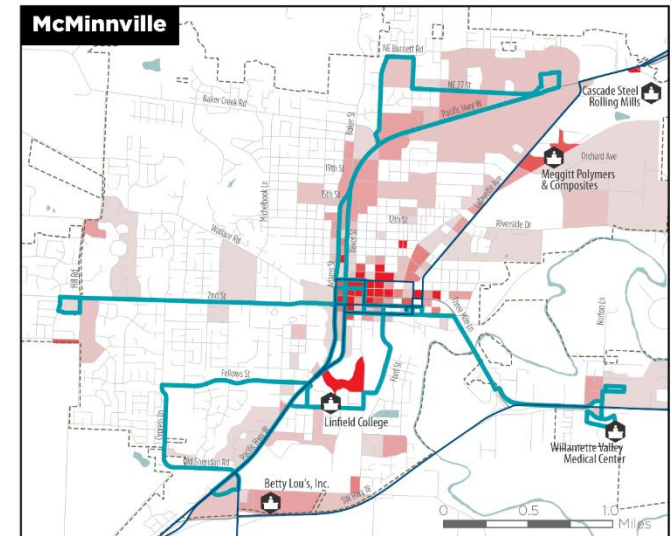
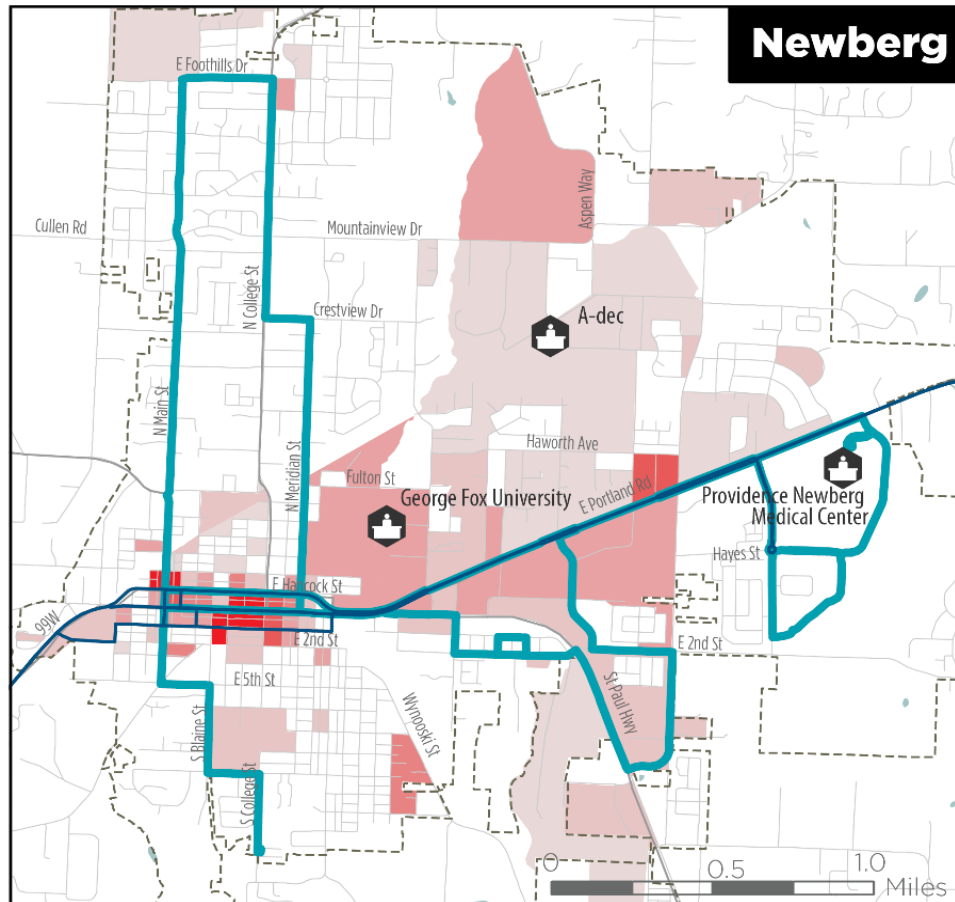
- Older adults – 15%
- People with disabilities – 15%
- Low-income population – 16%
- Limited-English speaking population – 3%
- Race – non-white population – 12%

Economy

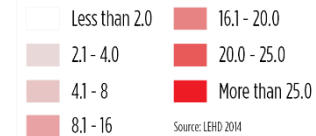
Employment Sector	% of County Total
Manufacturing	18.1%
Health Care And Social Assistance	14.7%
Educational Services	10.3%
Retail Trade	10.2%
Agriculture, Forestry, Fishing & Hunting	9.4%
Accommodation and food services	8.8%
All Other Industries	28.5%

Source: 2016 Oregon Employment Department

Employment



Jobs per Acre, by Census Block



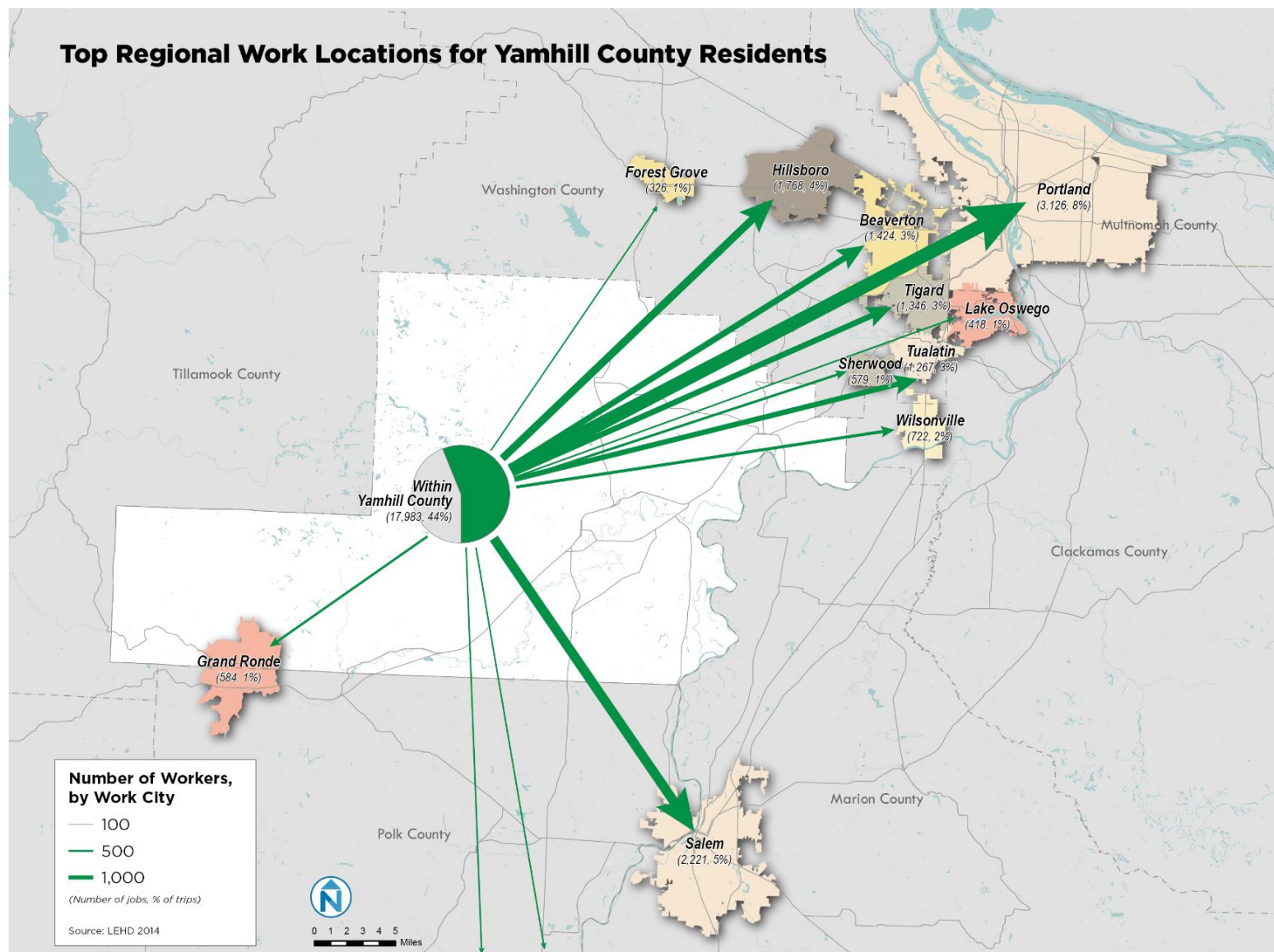
- Local Bus Routes
- Intercity Bus Routes
- Major Employers

Major Commute Patterns *from* Yamhill County

44% live & work
in Yamhill County

30% commute to
Portland area

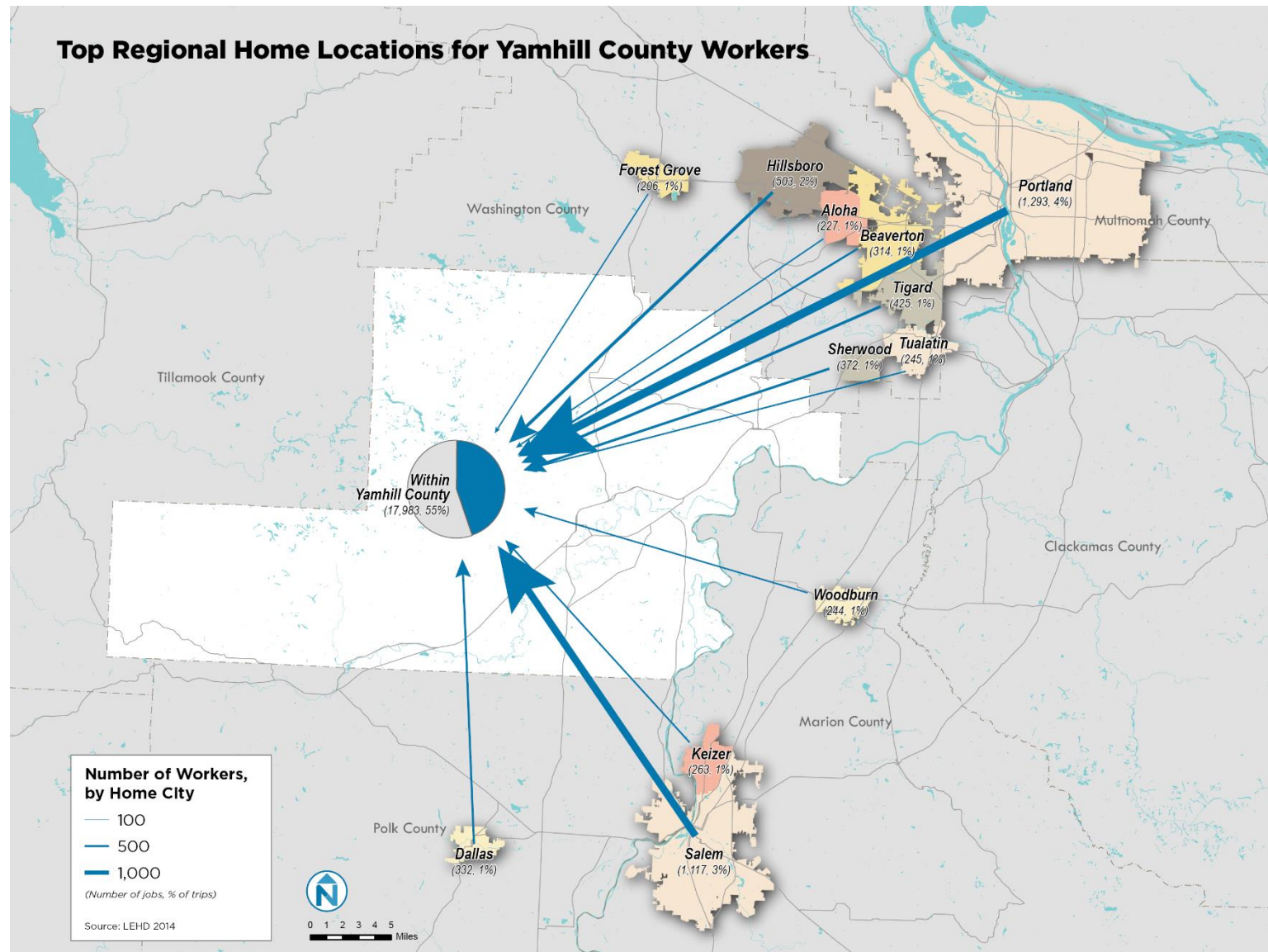
11% commute to
Salem area



Major Commute Patterns to Yamhill County

16% commute from
Portland area

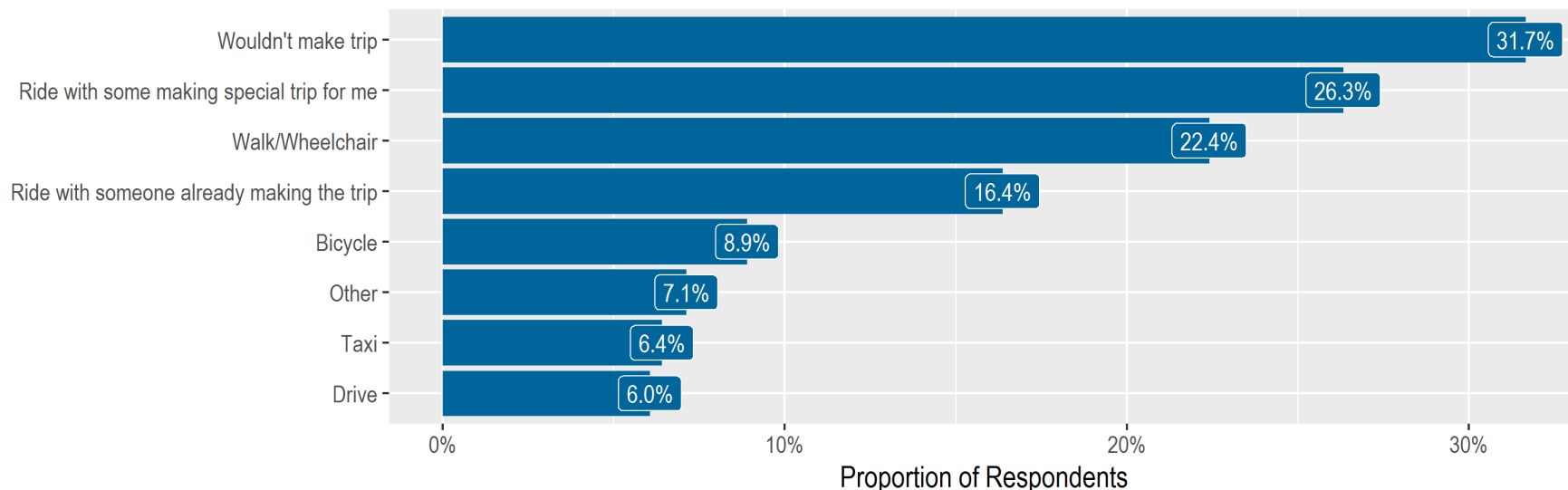
5% commute
from Salem area



YCTA Rider Characteristics

- **Trip Purpose:** 47% use for work commute
- **Access to Transit:** 60% walk to/from the bus stop, typically 10 minutes or less
- **Frequency of Use:** 81% use YCTA 2+ days/week
- **Transit Reliance:** 32% say YCTA is their only option

Alternate Means to Make Trip without Bus Service?



Existing YCTA Service Types

- Intercity Routes
 - **McMinnville – Newberg – Tigard:** Route 44/45x/46s
 - **McMinnville – Grand Ronde:** Route 22/24s
 - **McMinnville – Salem:** Route 11
 - **McMinnville – Hillsboro:** Route 33

- Local Fixed-Routes
 - McMinnville: Routes 2 & 3
 - 2 buses, each alternating between 2 routes on the half-hour
 - Newberg: Routes 5 & 7
 - 1 bus, alternating between 2 routes on the half-hour

- Demand-Response
 - ADA Paratransit – within $\frac{3}{4}$ mile distance of local fixed-routes
 - General Public Dial-A-Ride

2017 Yamhill County Transit Area Existing Fixed-Route and Inter-City Services

Multnomah County



Yamhill County

Tillamook County

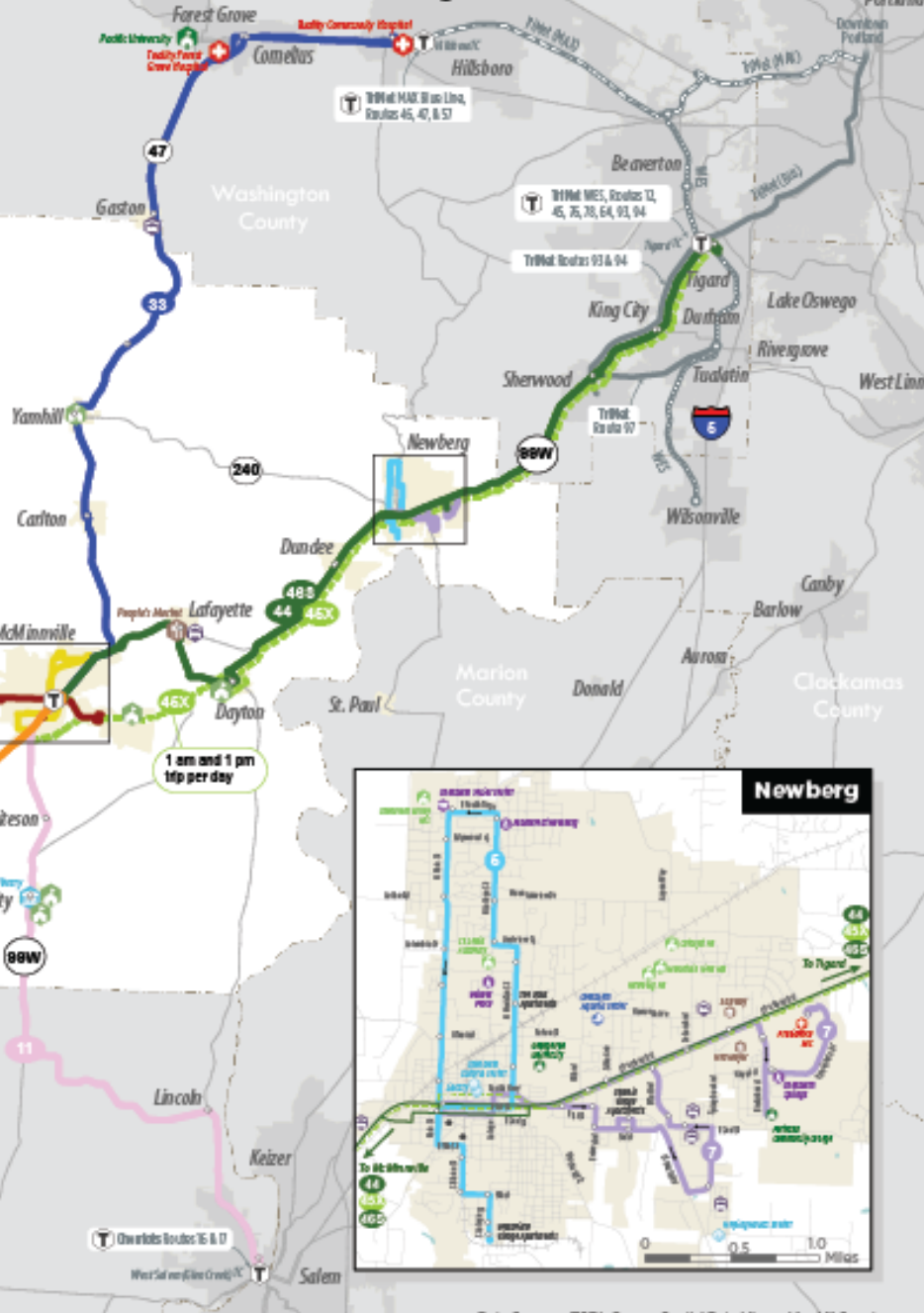
Coastal Connector
(Lincoln City - Salem)
connects at Spirit Mountain

Grand Ronde
Coastal Community Center

Spirit Mountain Center

McMinnville	2	-
Newberg	3	-
McMinnville-Salem	5	-
McMinnville-Grand Ronde	7	-
McMinnville-Hillsboro	11	-
McMinnville-Tigard	22	24s
	33	-
	44	46s
	45x	-

- Education
 - Schools (Middle/High)
 - Senior Centers
 - Senior Housing
 - Casino
 - Grocery Store
 - Health Care
 - Public Services
 - Mobile Home Parks
 - Transit Center
 - Bus Stop
 - Closed Bus Stop
- 0 1 2 Miles



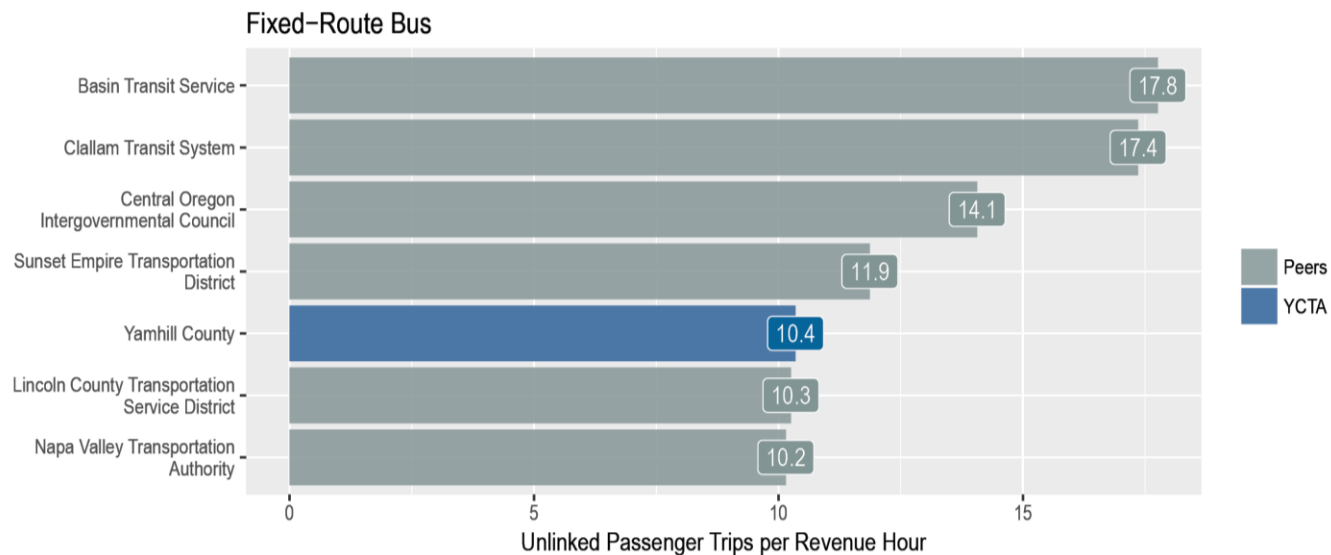
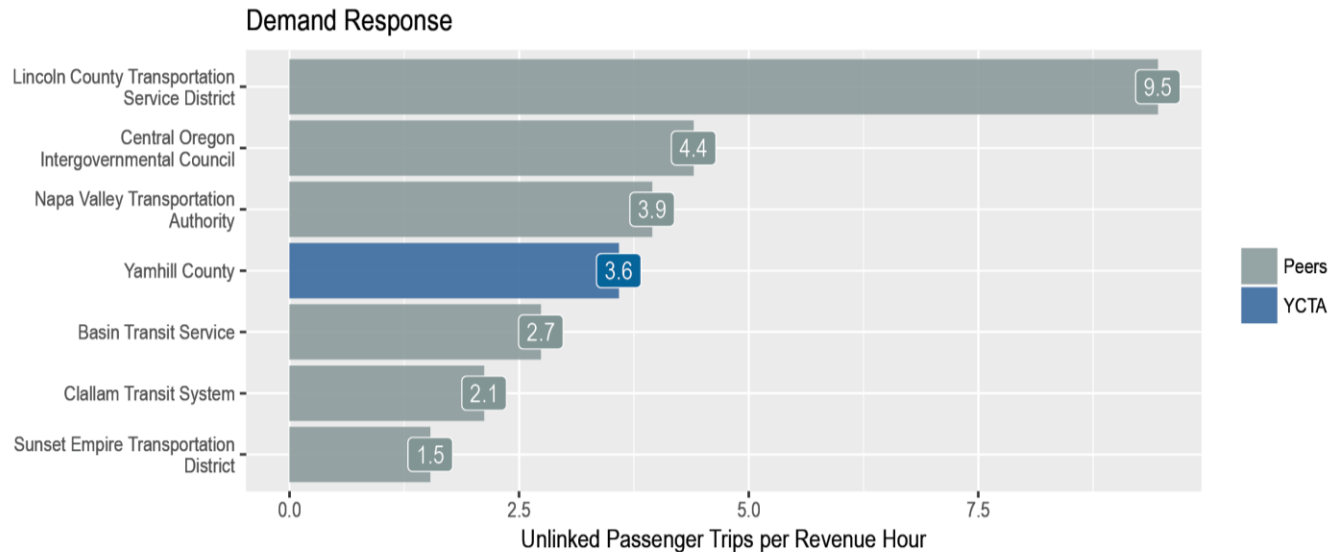
Data Source: ESRI, Oregon Spatial Data Library, Yamhill County

Existing YTCA Ridership and Service Hours (2016)

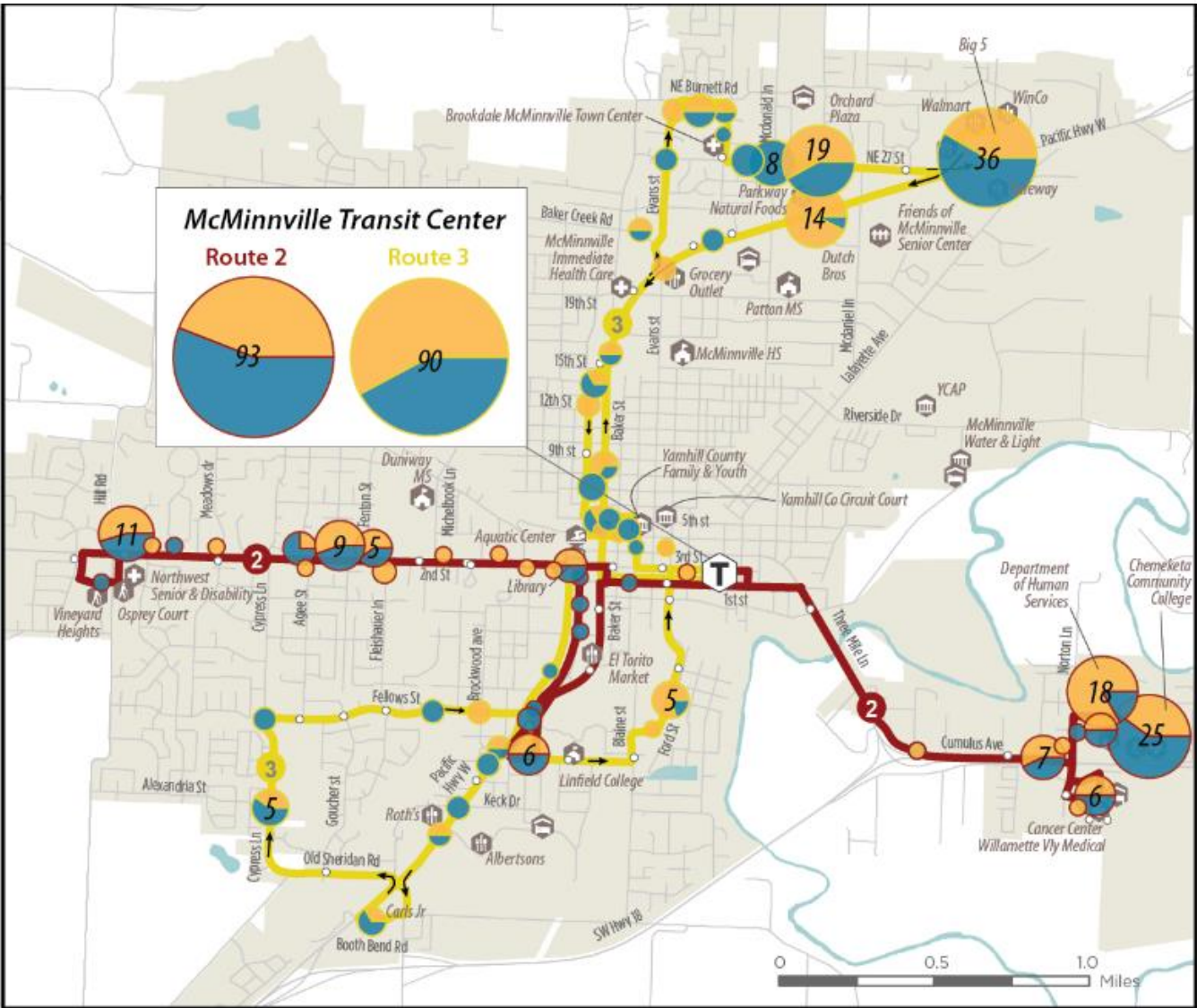
Service Type	Annual Ridership		Annual Service Hours		Productivity (Boardings/Hour)
Local Fixed Route	95,000	31%	8,500	23%	11.1
Intercity	165,000	55%	15,900	43%	10.4
Dial-A-Ride	42,000	14%	12,700	34%	3.3
Total	302,000	-	37,100	-	8.1

Ridership rounded to nearest 1,000 and service hours rounded to nearest 100

Peer Review – Boardings per Revenue Hour

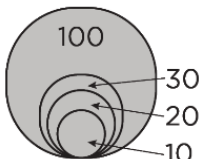


McMinnville Fixed Route Service (Weekday)



Average Daily Total Activities (Ons + Offs)

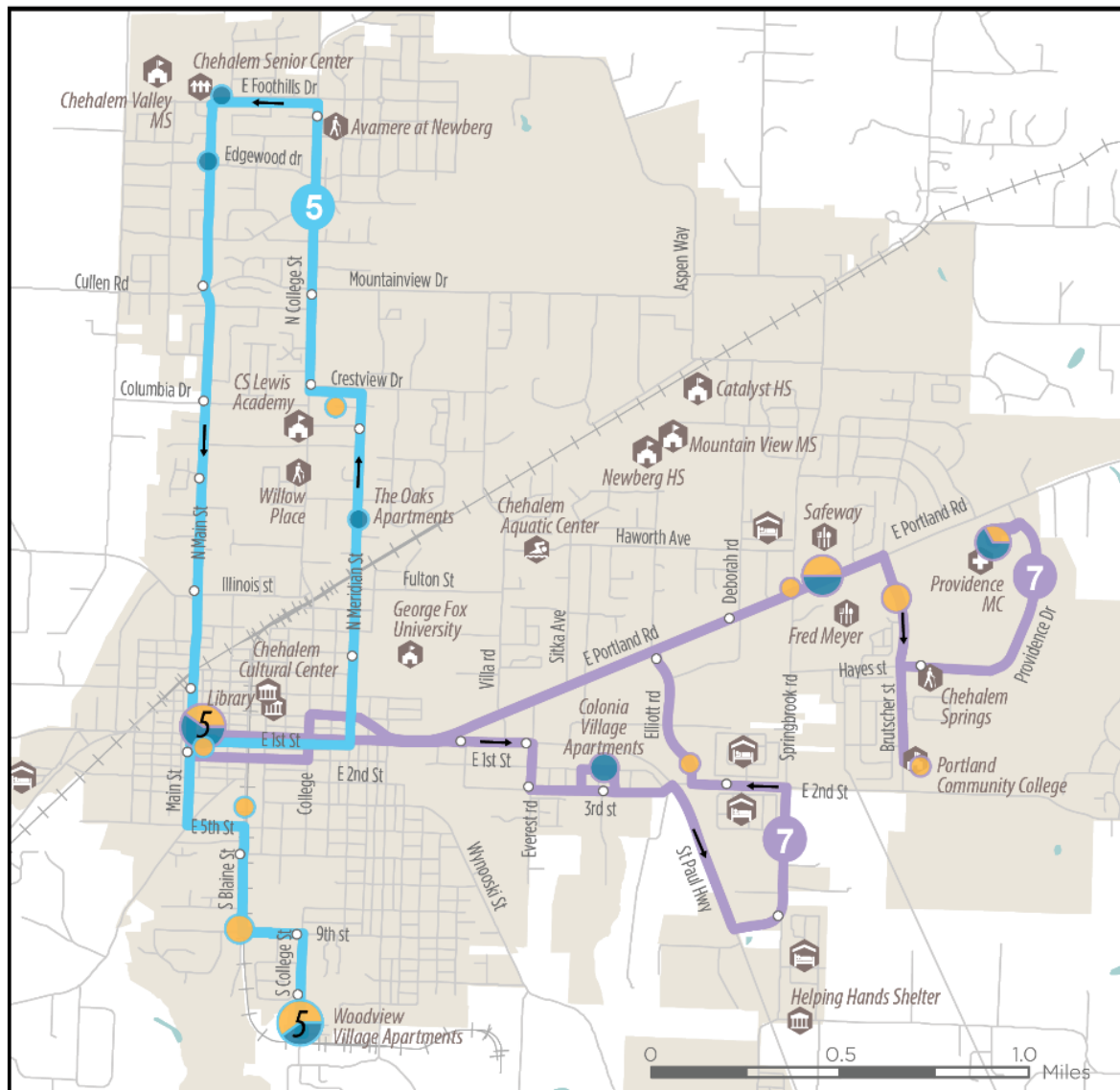
Weekday, June 2017



- Boarding
- Alighting
- Zero Activity

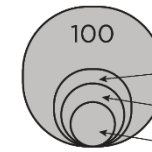
(Proportionally sized)

Newberg Fixed-Route Service (Weekday)



Average Daily Total Activities (Ons + Offs)

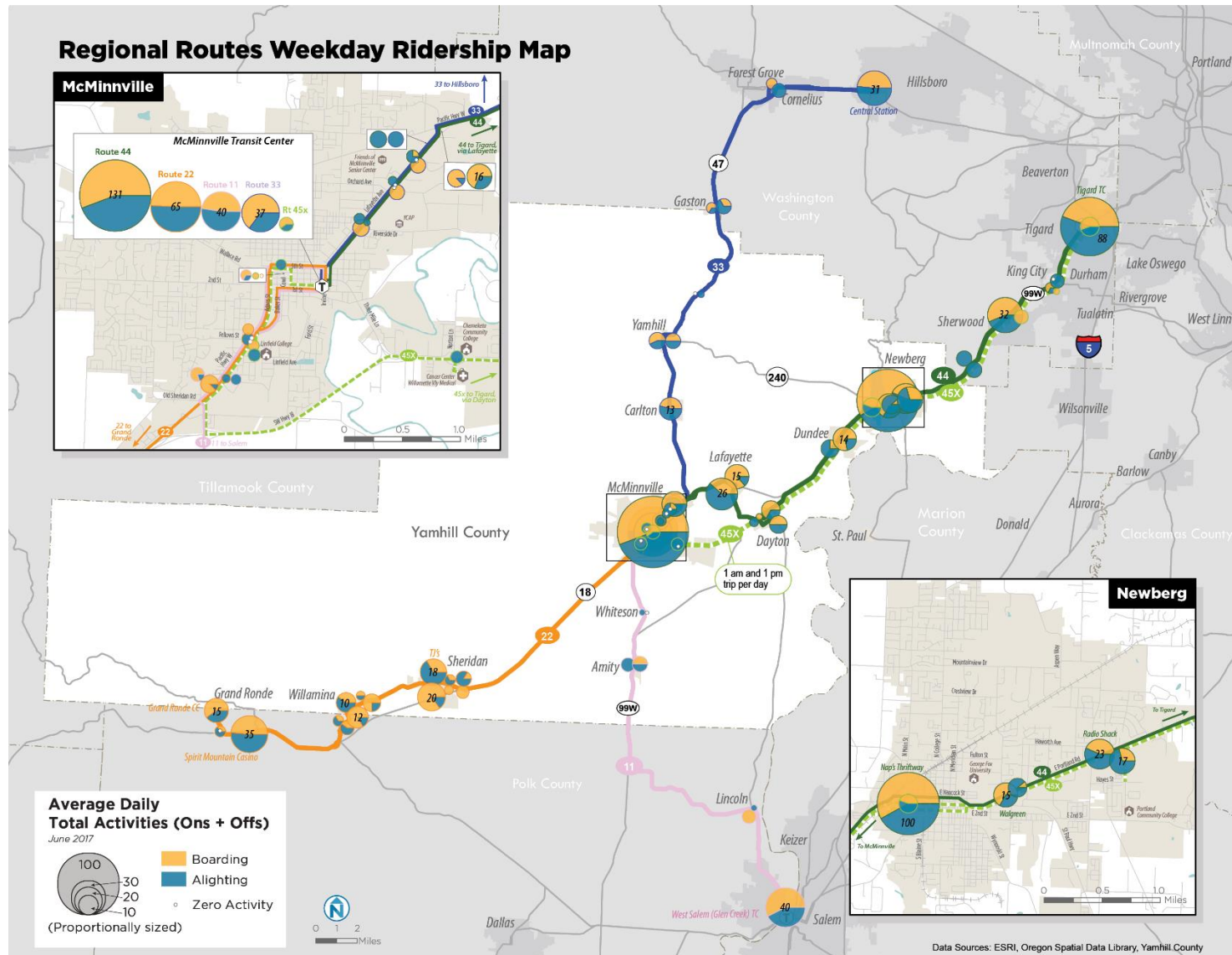
Weekday, June 2017



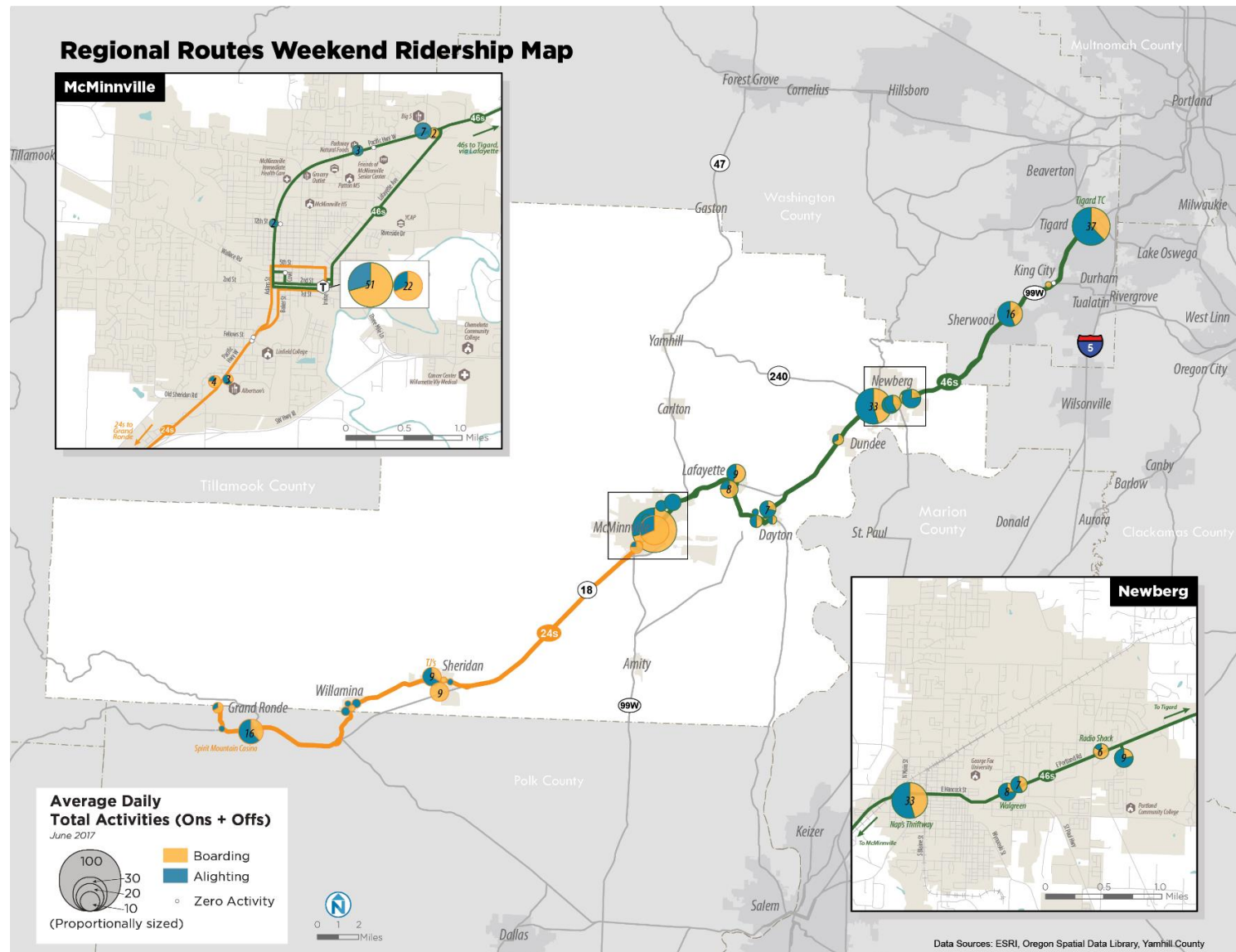
(Proportionally sized)

- Boarding
- Alighting
- Zero Activity

Intercity Routes - Weekday



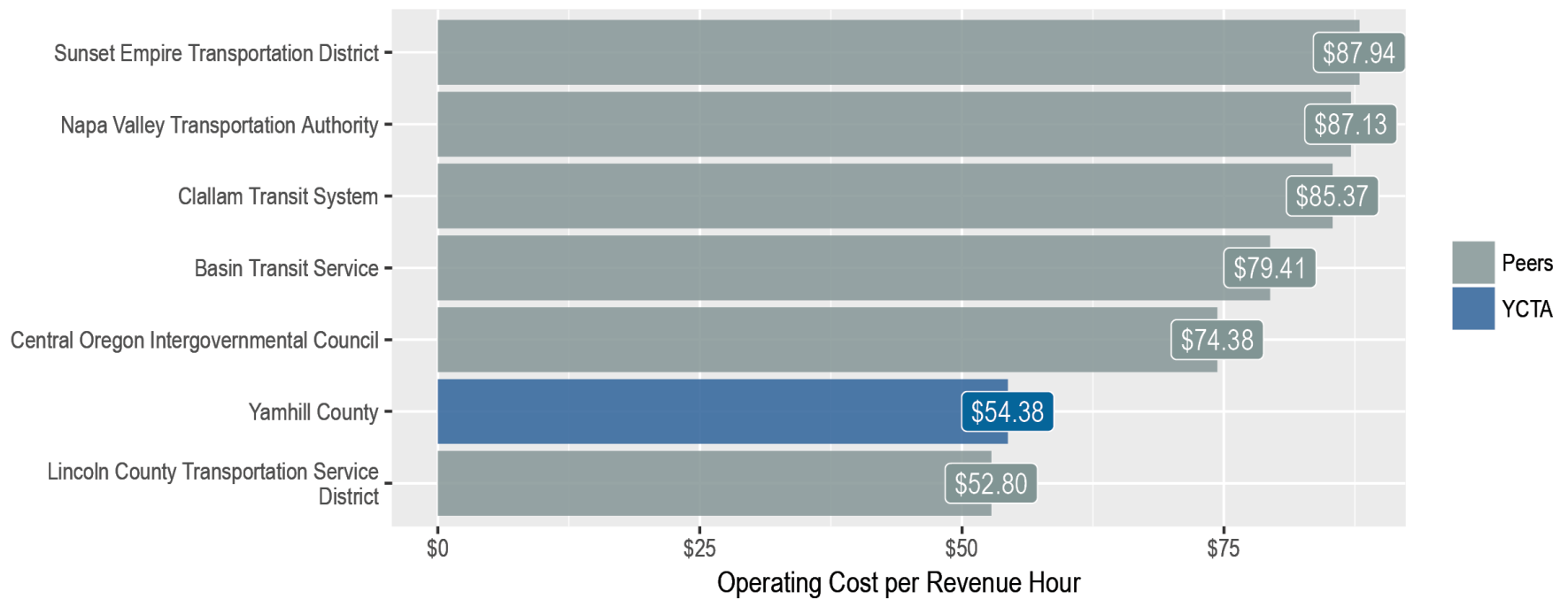
Intercity Routes - Weekend



Existing YTCA Operating Funding

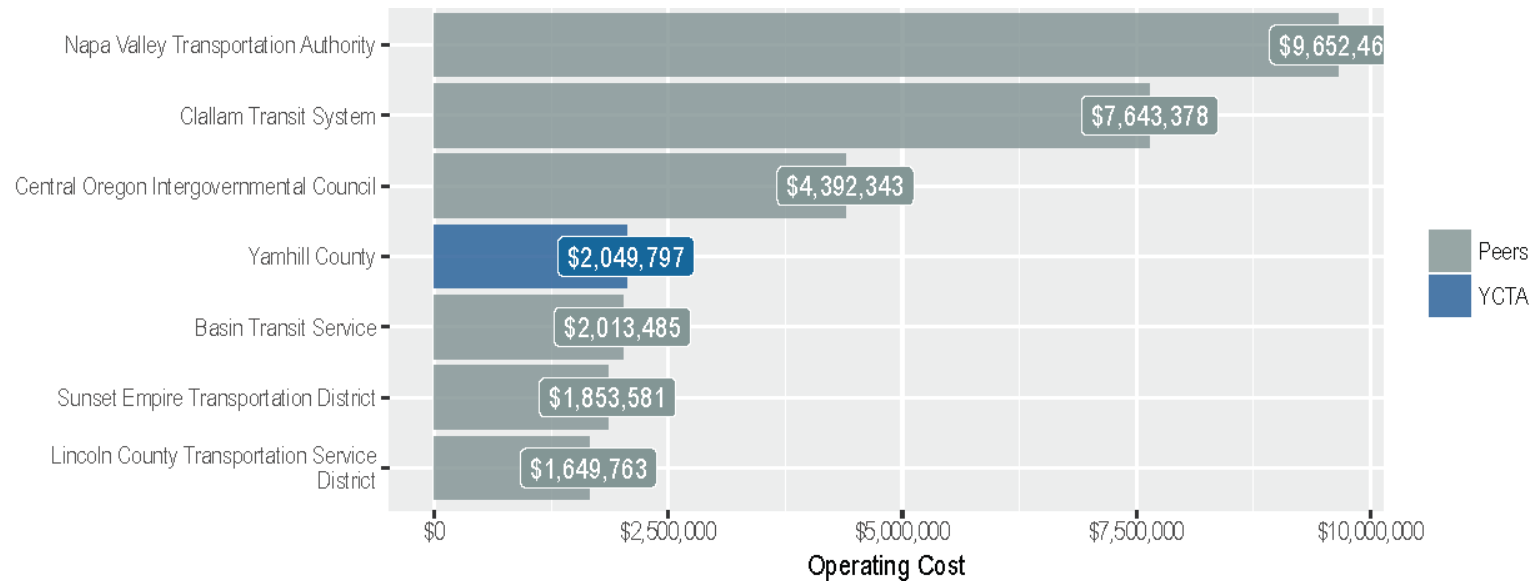
Fund Category	FY 2018
Operating Revenues	\$2,060,000
Local Funds	\$620,000
Fares	\$310,000
Contracts	\$90,000
County General Fund	\$220,000
State and Federal Funds - Formula	\$1,440,000
Oregon Special Transportation Fund	\$250,000
Federal §5310 Elderly and Disabled	\$330,000
Federal §5311 Rural General	\$860,000
State Transportation Improvement Fund	\$0

Peer Review – Cost per Hour

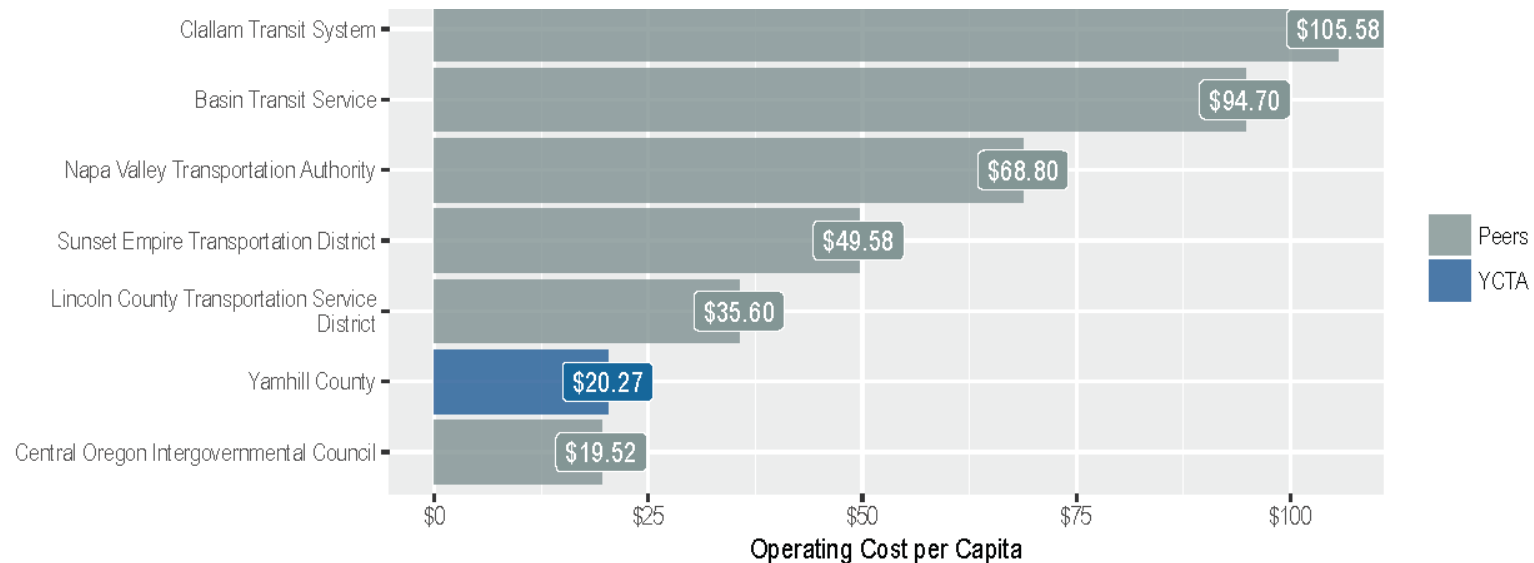


Peer Review – Operating Spending per Capita

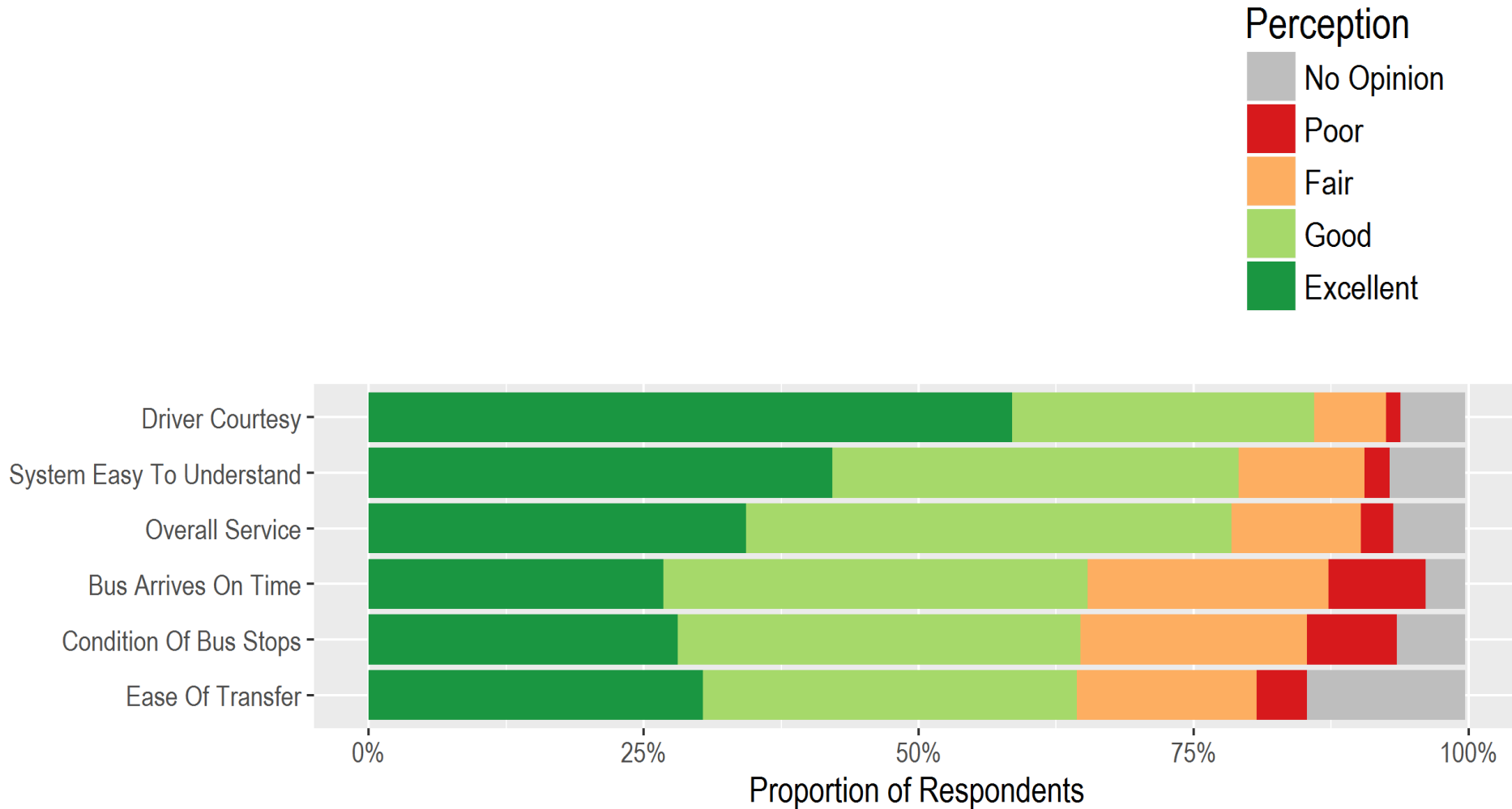
Total Operating Cost



Operating Cost per Capita



Rider Satisfaction



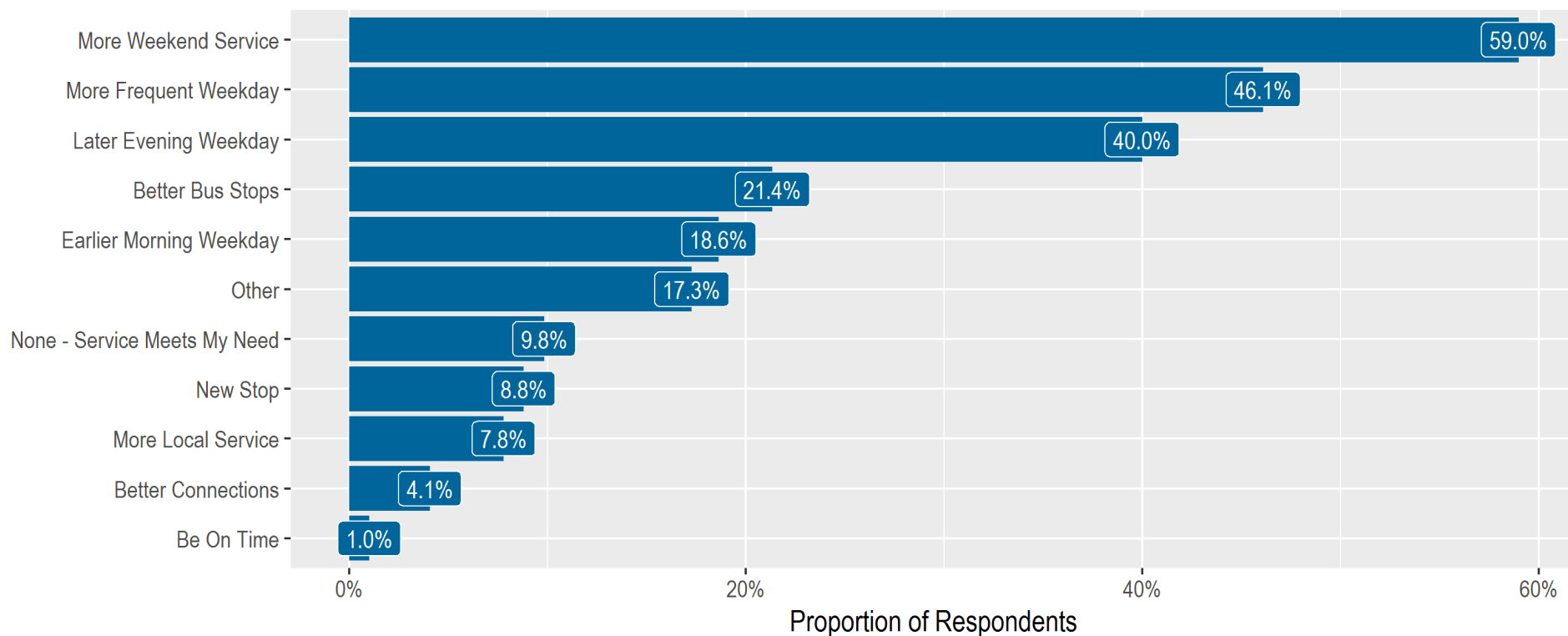


Improvement Priorities and Needs Assessment



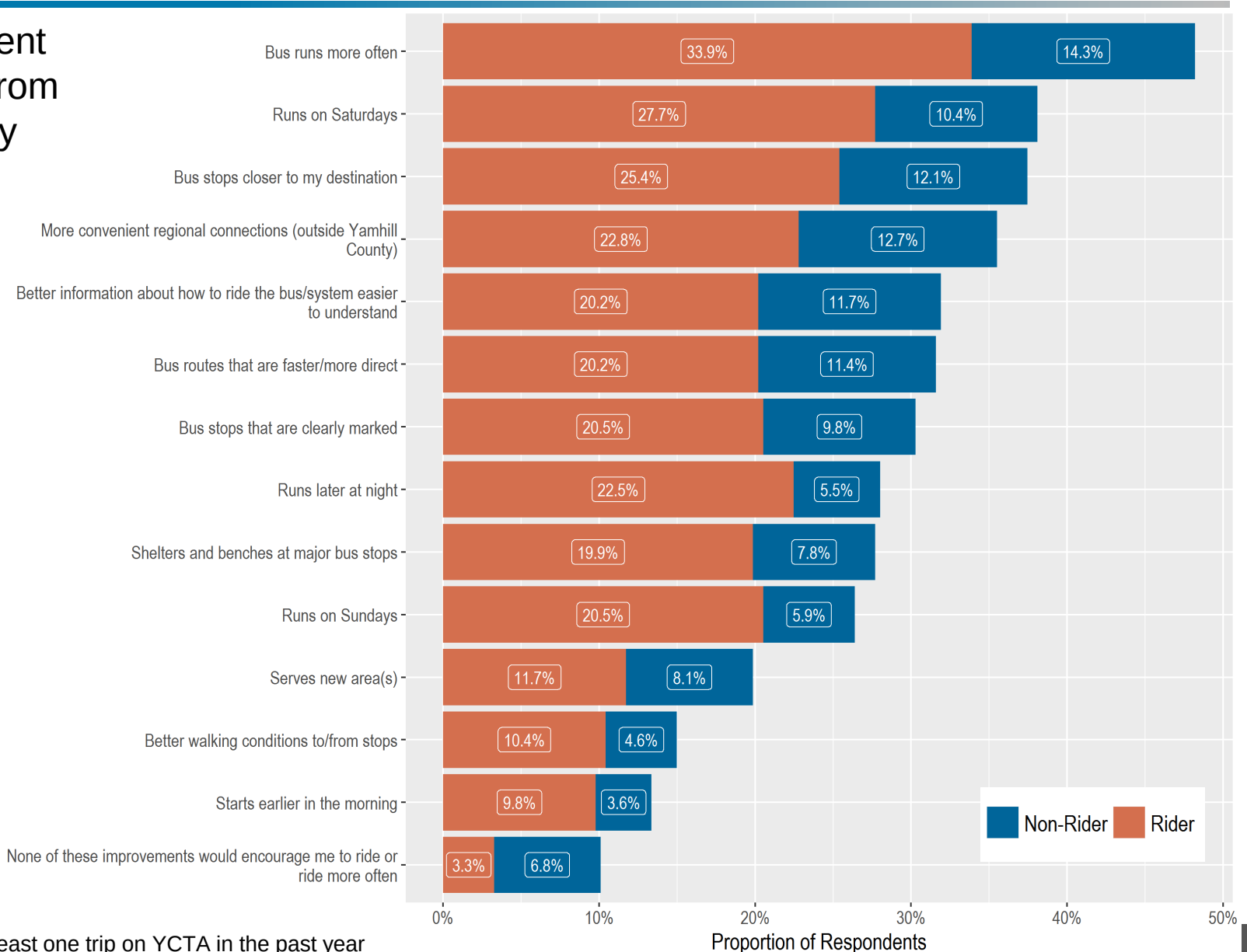
How can YCTA better serve existing riders?

Improvement Priorities from Rider Survey (Top 3)



How can YCTA better serve occasional riders or non-riders?

Improvement Priorities from Community Survey (Top 5)



* Riders made at least one trip on YCTA in the past year

Community Input on Goals - Dot Exercise

Mobility Priorities

- Well-timed connections outside of Yamhill County
- Service on weekends
- Job locations with convenient hours for commuters
- Connections to other cities in the county

Accessibility Priorities

- Service within a short walk for most residents

Other Passenger Experience Priorities

- Run on-time
- Improve bus stops

PROVIDE INPUT ON GOALS FOR YCTA

Public Transportation Issue Areas	What do these mean for your community?	Which issues matter most to you? (Vote using "dots")
MOBILITY Provide efficient, reliable transit serving a wide range of needs	Transit serves job locations with convenient hours for commuters Transit runs on weekends Transit serves locations within my city or area Connections to other cities within Yamhill County Well-timed connections with regional transit (outside of Yamhill County)	
ACCESSIBILITY Provide transit services that are equitable and address the needs of all users	Transit is available within a short walk for most residents Transit picks me up at my house and drops me off at my destination	
PASSENGER EXPERIENCE Make transit a convenient and welcoming way to travel	Transit schedules and fares are easy to understand Buses are clean and well kept Bus stops are well marked and there is a comfortable place to wait Buses arrive and depart on schedule	
SAFETY AND SECURITY Ensure transit riders and drivers have safe and secure vehicles and facilities	Vehicles are well-maintained, and drivers are well-trained and supported Feeling safe in vehicles and at bus stops	
LIVABILITY AND ECONOMY Integrate public transit in the transportation system to support a prosperous, healthy community	Transit is an affordable way to get around Transit serves major employment and residential areas Transit service is available in every community	
EFFICIENCY & FINANCIAL ACCOUNTABILITY Manage the transit system in a fiscally responsible way to provide quality, affordable services	Match service to land use densities and demand for key connections between activity centers Cost of operating transit is in-line with users	

Yamhill County Transit Area

YCTA Info
 Email: YCTA@YCTA.org
 Phone: 503.766.1234
 Website: www.ycta.org
 Twitter: @YCTA

Key Issues: Awareness of Transit

- YCTA serves people who depend on it
- People in the community are not aware of current service
- Need for signage, shelters, and information at stops
 - Lack of marked stops is a major barrier for passengers and a challenge for drivers
- Uneven quality of vehicles and lack of consistent branding
 - YCTA has funding for several new vehicles

Key Issues: Intercity Routes

- Regional connections are useful, but need to improve local service connections
- Congestion results in major transit delays, particularly on Tigard route
- Need to increase prominence of YCTA service at out-of-county transit centers



Key Issues: Local Service

- Route alignment generally good, but:
 - Changes to schedules and route design are needed
 - Some key destinations/areas in McMinnville/Newberg lack service
 - Local congestion
- Weekend service and earlier/later hours are priorities
- Transitioning to fixed stops will improve travel time and make people more aware of transit
- Future transit center location in Newberg



Key Issues: Other Service Types

- Opportunity for shopper (or other) types of shuttles to improve access to destinations
- Door-to-door service is important for older people
 - Challenging to access destinations on Hwy 99
- Some local routes may need a different type of service model
- Partnerships to help reach employers located off of highway

 SHOPPING SHUTTLE Monday - Friday / lunes - viernes							
DEPART				ARRIVE			
Fred Meyer	Sandy Marketplace	Safeway	Action Center	Evans St.	Cascade Crest Park (Cascade Village)	Sandy Heights at Balkan	Fred Meyer
12:00	12:02	12:06	12:11	12:18	12:21	12:26	12:29
12:30	12:32	12:36	12:41	12:48	12:51	12:56	12:59
1:00	1:02	1:06	1:11	1:18	1:21	1:26	1:29
1:30	1:32	1:36	1:41	1:48	1:51	1:56	1:59
2:00	2:02	2:06	2:11	2:18	2:21	2:26	2:29
2:30	2:32	2:36	2:41	2:48	2:51	2:56	2:59

Sandy Shopper does not stop at Industrial, Ruben Lane or the Transit Center shelters

601

NEIGHBORLINK
Poinciana

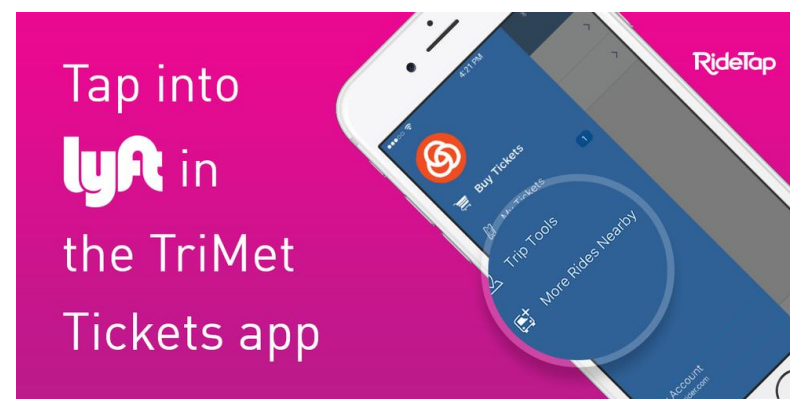
NeighborLink 601 is based at the Poinciana Walmart Center between Towne Center Drive and S. Doverplum Avenue. The service area includes Villages 1, 2, 3, 4 and 5 of Poinciana, including Solivita.

Passengers must call 407-244-0808 at least two hours in advance to arrange a pickup.

MINS AFTER THE HOUR	MON-FRI	SAT	SUN/HOL
FIRST TRIP	6:10 am	6:10 am	NO SERVICE
ALL-DAY	:10	:10	
LAST TRIP	7:10 pm	7:10 pm	

Key Issues: Technology and Programs

- Improve communications (radios), dispatch software, website/mobile applications
- Improve marketing and information, e.g., system map, online trip planning, real-time information/alerts
- Fare payment technology
- Travel training, volunteer driver program, etc.





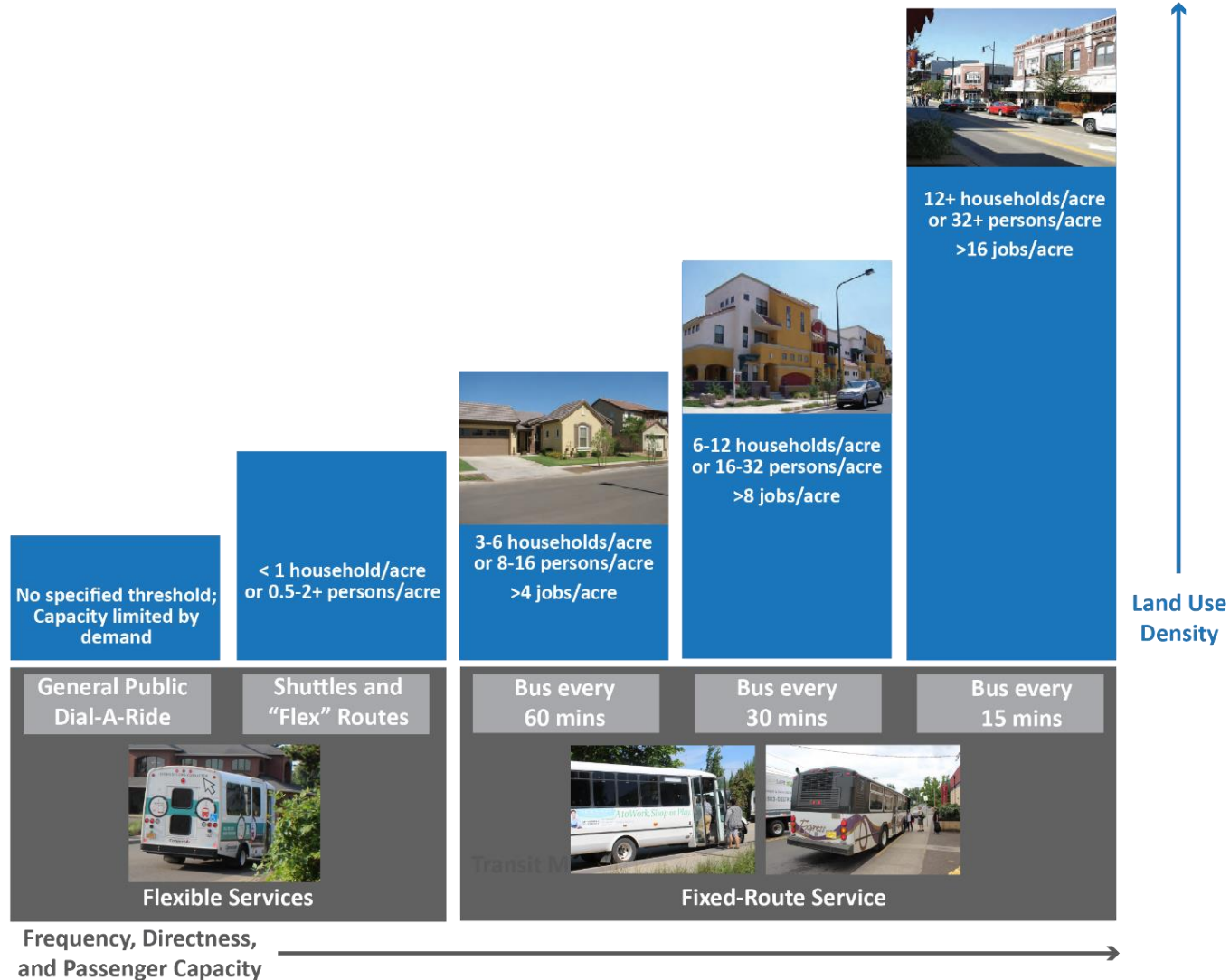
Solution Strategies



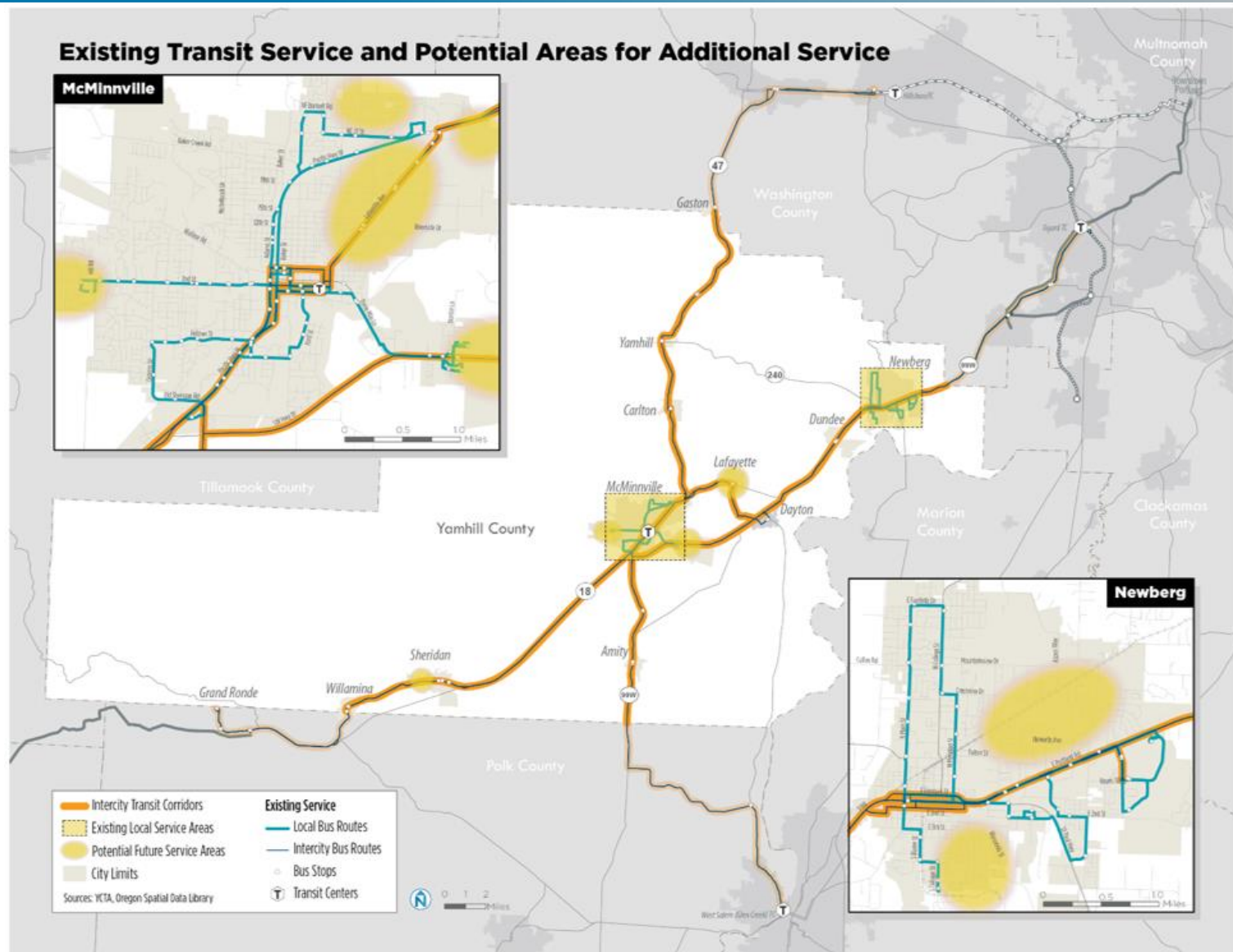
Potential Funding Sources

- State Transportation Improvement Fund (HB 2017)
 - Statewide employee payroll tax
 - Revenue collection starts in 2019
 - Legislative rule-making is underway
 - Estimated new revenues of \$1.0M in 2020 and \$1.7 M annually by 2021
 - HB 2017 eliminates Connect Oregon for major capital projects (transit center)
- Other types of funding sources used by transit providers:
 - Local service contracts
 - Product-specific tax (lodging, etc.)
 - Highest rated option in community survey
 - Local jurisdiction contributions

Aligning Transit Service and Land Use



Existing and Potential Additional Service Areas



Next Steps

- Evaluate general solution strategies against YCTA goals framework
 - Cost-neutral service or relatively low cost infrastructure or program changes
 - Enhancement scenarios consistent with projected funding levels (financially constrained)
 - Other potential enhancements (unconstrained)
- Obtain input from PAC and public
- Develop detailed service, capital and programmatic elements + phasing plan
- Draft TDP
 - YCTA Board (Board of Commissioners) input
- Final TDP

Project Schedule

Memo #1

Memo #2

Memo #3

1 & 2. Project Initiation, Transit Goals and Existing Conditions Analysis

Jan 2017 - Aug 2017



PUBLIC OUTREACH #1

3. Identify Potential Future Transit Service Areas and Costs

July 2017 - Oct 2017

4. Financial Analysis

July 2017 - Oct 2017

5. Develop Method for Comparing Transit System Improvement Strategies

June 2017 - Oct 2017

6. Develop Transit System Improvement Strategies

Oct 2017 - Feb 2018



PUBLIC OUTREACH #2

7. Recommend Short, Medium, and Long-Term Transit Service Plans

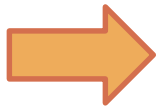
Feb 2018 - Apr 2018

8. Prepare Transit Development Plan

Apr 2018 - June 2018

9. Transit Development Plan Adoption

July 2018 - Sept 2018



Thank You!



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jdempster@nelsonnygaard.com



Yamhill County
Transit Area

Cynthia Thompson
503-474-4910
Thompsonc@co.yamhill.or.us

Possible Reference Slides

Bus Graphics- Signage- Marketing



Existing YCTA Service Types (Reference)

Characteristics	Intercity Routes	Local Fixed-Route	ADA Paratransit	General Public Dial-A-Ride
YCTA Coverage	4 route patterns (not including 24s and 46s which operate on weekends or 45X which is an express variant of 44)	2 routes in Newberg 2 routes in McMinnville	$\frac{3}{4}$ mile distance around fixed-route service The origin and destination must both be within a $\frac{3}{4}$ mile distance of a fixed-route bus stop.	Countywide, but generally serves trips in McMinnville and Newberg due to capacity limitations. Some trips extending to the greater McMinnville and Newberg areas
YCTA Service Hours	Varies by route	7:00/7:30 P.M. to 6:00/6:30 P.M.	Same days, hours, and times as fixed-route service	8 A.M. – 4:30 P.M.
Subscription Trips	N/A	N/A	Limited to 50% of available trips at a given time of day; it is permitted to exceed the ceiling if there is excess capacity to provide additional trips. Exceeding the threshold is discretionary.	Allowed, no restriction
Access	Fixed stops	Fixed stops and flag stops along local routes	Door-to-door	Curb-to-curb

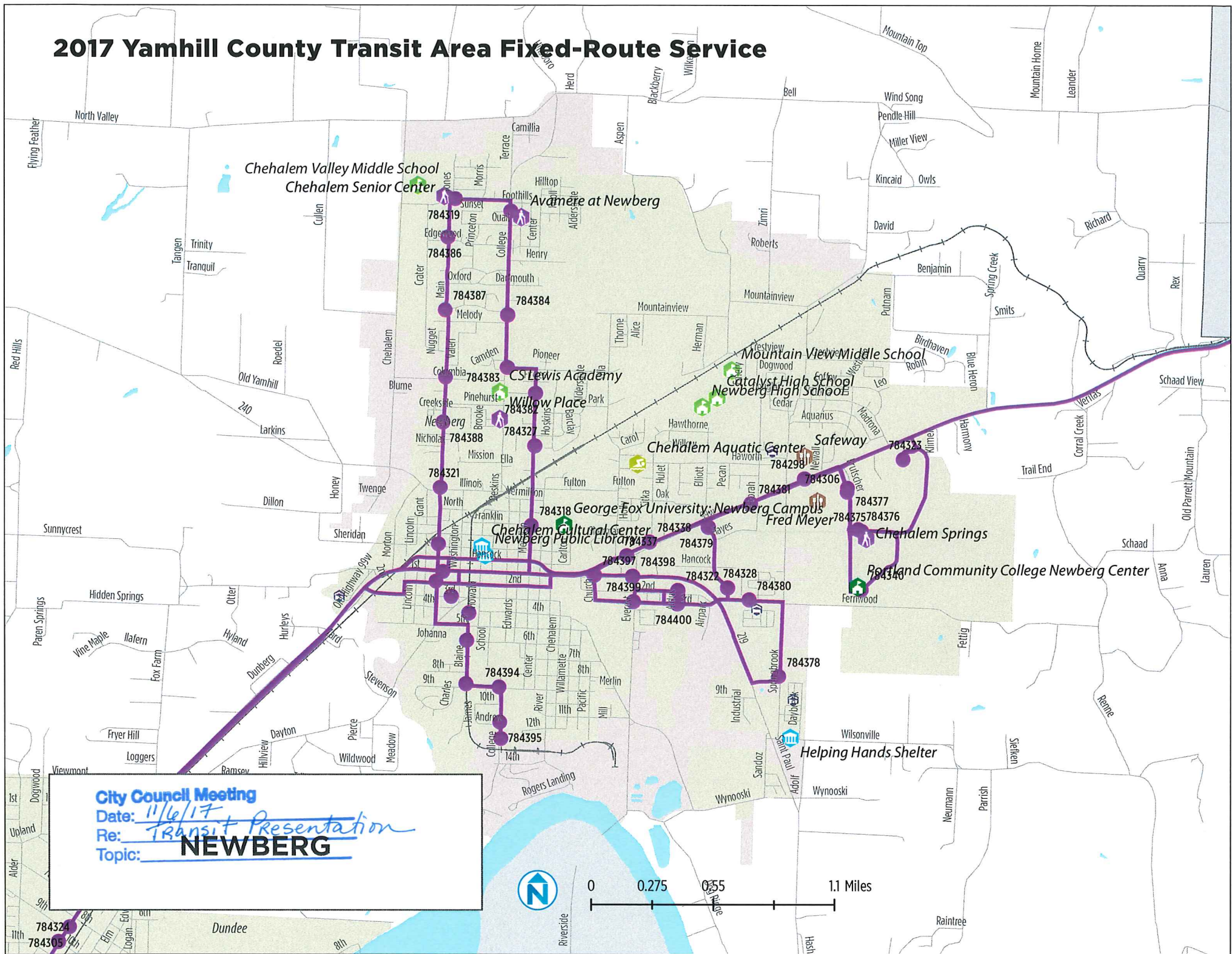
Route Performance (Reference)

Route		Boardings	Alightings	Service Hours	Productivity	On Time	Early	Late	Max Load	Max Load Stop
Weekday										
2	East-West Express	108	108	8.2	13.1	83%	17%	1%	8	NE Tanger Dr & NE Norton Ln (DHS)
3	City Loop	121	119	7.7	15.8	58%	1%	41%	9	Town Center / Dutch Bros.
5	Foothills Drive	8	5	4.6	1.7	82%	4%	14%	2	Nap's Thriftway (Newberg)
7	Providence	11	12	6	1.8	91%	6%	3%	2	Newberg (Radio Shack)
11	West Salem	56	53	6.6	8.5	64%	11%	25%	12	Amity Hwy 99 @ Chevron
22	Grand Ronde	124	104	11.1	8.8	67%	6%	27%	13	Spirit Mountain East Entrance
33	Hillsboro	85	61	8.5	10	71%	2%	28%	24	Carlton - N Pine St. Bus Shelter
44	Tigard	275	270	22.9	11.2	47%	6%	47%	25	Sherwood Shari's
45x	Tigard Express	22	22	2.2	10.2	44%	6%	50%	13	Sherwood Shari's
Total / Average		810	754	77.8	9	67%	7%	26%	12	
Saturday										
24S	Grand Ronde (Saturday)	41	34	6.3	6.5	76%	1%	23%	6	Spirit Mountain East Entrance
46S	Tigard (Saturday)	107	113	9.3	11.5	41%	3%	56%	17	Sherwood Shari's
Total / Average		148	147	15.6	9	58%	2%	40%	11.5	

Financial Scenarios

Time Frame	Existing	Near term		Long term
Year	2018	2020	2021	2035
Costs w/Current Trends	\$2.1 M	\$2.2 M	\$2.3M	\$3.3M
Total new funds (STIF)	\$0	\$1.0M	\$1.7M	\$2.3M
Total Operating Revenues w/STIF	\$2.1 M	\$3.2 M	\$4.0 M	\$5.5 M

2017 Yamhill County Transit Area Fixed-Route Service



NEWBERG CITY COUNCIL MEETING INFORMATION

Meeting Date: November 6, 2017

Prepared by: Sue Ryan

Councilors	Roll Call	Wastewater Master Plan Ad Hoc committee appointments	Consent Calendar Minutes 9/18 10/2 10/16	TLT Wayfinding Grant \$15,000 match from Econ Dev. Revolving Loan Fund	Res 3417 Repeal of 2008-2771 and incorporating changes in Public Records law		
ANDREWS, Bob, Mayor	X	Yes	Yes	Yes	Yes		
BACON, Denise	X	Yes	Yes	Yes	Yes		
COREY, Mike	X	Yes	Yes	Yes	Yes		
ESSIN, Scott	X	Yes	Yes	Yes	Yes		
JOHNSON, Patrick	X	Yes	Yes	Yes	Yes		
McKINNEY, Stephen	X	Yes	Yes	Yes	Yes		
MURRAY, Matt	X	Yes	Yes	Yes	Yes		
ROLL CALL VOTES		YES: 7 NO: 0	YES: 7 NO: 0	YES: 7 NO: 0	YES: 7 NO: 0		
MOTION (1 st /2 nd):		Bacon/Corey	Corey/Johnson	Essin/Murray	Essin/Johnson		

Meeting adjourned at 10:15 p.m.