



**City Council Executive Session
December 18, 2017 - 5:00 PM
Public Safety Building 401 East Third Street**

I. CALL TO ORDER

II. EXECUTIVE SESSION

II.A Executive Session pursuant to ORS 192.660 (2) h Legal Counsel

III. ADJOURNMENT



**City Council Work Session
December 18, 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**
 - IV.A October 2017 Fund Financial Statements
[RCA Information Financial Reports - 2017-10 Oct.pdf](#)
- V. PRESENTATIONS**
 - V.A Housing Newberg Proposals
[RCA Information Housing Newberg.doc](#)
[Attachment 1 - Housing Newberg PPT 12-18-17.pdf](#)
[Attachment 2 - Housing Newberg Proposal Ranking 11-15-17.pdf](#)
- VI. ADJOURNMENT**

PUBLIC COMMENT

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

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 18, 2017

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

**SUBJECT: Newberg Fund Financial Statements
for October 2017**

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

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

As a reminder, most revenue is not recognized in an equal amount every month. Property taxes are received primarily in November, February, and May. Water revenue tends to trend higher in the summer months. Community Development revenue, such as building and planning fees as well as system development charges, is harder to predict. Transient Lodging Tax and Marijuana Tax is received quarterly. The point is that while 33% of the fiscal year has transpired through October, the year-to-date revenue received may reflect less or more depending on the revenue cycle. At this point, many of the revenues are on track as expected.

SUMMARY REPORT

OCT 2017

SUMMARY REPORT			OCT 2017			Current YTD	
FUNDS					Compare to Budget		
	2017-18 BUDGET	MONTH OF OCT 2017	2017-18 YTD				
				33%	2016-17 PRIOR YTD		
City Budget Totals							
Total Beg Fund Balance	\$ 36,900,731	\$ 40,588,918	\$ 40,588,918	110%	39,824,311		
Total Revenues	60,502,700	4,826,484	14,866,734	25%	14,577,661		
Total Beg Fund Bal & Revenues	97,403,431	45,415,402	55,455,652		54,401,972		
Total Expenses	71,272,809	4,561,904	16,145,182	23%	15,483,449		
Total Contingencies / Reserves	26,130,622	-	-	0%	-		
Total Exp & Contingen / Reserves	97,403,431	4,561,904	16,145,182	17%	15,483,449		
Total Monthly & YTD Net Gain / (Loss)		\$ 264,579	\$ (1,278,448)				
Total Ending Fund Balance			\$ 39,310,470		38,918,523		
City Services							
General Fund (01)							
Beg Fund Balance	\$ 3,077,675	\$ 3,563,186	\$ 3,563,186	116%	3,313,037		
Revenues							
General Government	-	-	-	0%	-		
Municipal Court	12,777	407	4,126	32%	5,306		
Police	1,060,968	85,307	393,071	37%	380,365		
Fire	363,258	-	-	0%	-		
Communications	41,483	10,690	21,379	52%	19,754		
Library	116,430	19,949	32,086	28%	34,056		
Planning	708,100	46,557	255,163	36%	278,626		
Property Taxes	7,855,522	-	96,630	1%	1,169,713		
Other Taxes	66,400	21,267	21,267	32%	60,738		
Franchise Fees	1,520,823	51,674	51,818	3%	46,430		
Intergovernmental	1,387,137	115,829	539,462	39%	477,365		
Miscellaneous	2,244,616	1,125	1,786	0%	7,991		
Interest	21,233	(214)	3,650	17%	467		
Transfers	1,174,924	304,456	428,270	36%	348,754		
Revenue Total	16,573,671	657,045	1,848,707	11%	2,829,565		
Expenses							
General Government	210,073	15,171	77,991	37%	110,593		
Municipal Court	312,131	23,872	98,844	32%	121,746		
Police	6,835,552	549,096	2,126,657	31%	1,971,868		
Fire	3,866,703	322,397	1,289,245	33%	1,277,819		
Communications	3,509,676	93,293	390,165	11%	351,692		
Library	1,767,171	124,406	490,777	28%	562,252		
Planning	1,262,702	63,453	259,633	21%	336,396		
Transfers	143,834	1,151	21,015	15%	52,154		
Contingency	643,504	-	-	0%	-		
Unappropriated Ending Balance	1,100,000	-	-	0%	-		
Total Expenses	19,651,346	1,192,839	4,754,327	24%	4,784,519		
Monthly & YTD Net Gain / (Loss)		\$ (535,794)	\$ (2,905,620)				
Ending Fund Balance			\$ 657,566		1,358,083		

SUMMARY REPORT

OCT 2017

SUMMARY REPORT			OCT 2017			Current YTD	2016-17 PRIOR YTD
FUNDS	2017-18 BUDGET	MONTH OF OCT 2017	2017-18 YTD	Compare to			
				Budget			
				33%			
<u>Public Safety Fee (16)</u>							
Beg Fund Balance	\$ 109,612	\$ 171,437	\$ 171,437	156%	163,546		
Revenues	496,809	42,285	167,442	34%	164,258		
Expenses	542,792	35,114	127,230	23%	196,681		
Contingencies / Reserves	63,629	-	-	0%	-		
Monthly & YTD Net Gain / (Loss)		\$ 7,170	\$ 40,212				
Ending Fund Balance			\$ 211,650		131,123		
<u>EMS (05)</u>							
Beg Fund Balance	\$ 87,036	\$ 79,659	\$ 79,659	92%	1,245,742		
Revenues	501,000	43,748	174,539	35%	296,814		
Expenses	551,741	45,978	189,443	34%	579,548		
Contingencies / Reserves	36,295	-	-	0%	-		
Monthly & YTD Net Gain / (Loss)		\$ (2,231)	\$ (14,903)				
Ending Fund Balance			\$ 64,756		963,009		
<u>911 Emergency (13)</u>							
Beg Fund Balance	\$ 23,357	\$ 19,080	\$ 19,080	82%	10,713		
Revenues	221,000	55,792	55,810	25%	53,146		
Expenses	224,876	19,224	64,495	29%	64,700		
Contingencies / Reserves	19,481	-	-	0%	-		
Monthly & YTD Net Gain / (Loss)		\$ 36,568	\$ (8,685)				
Ending Fund Balance			\$ 10,395		(841)		
<u>Civil Forfeiture (03)</u>							
Beg Fund Balance	\$ 25,234	\$ 25,268	\$ 25,268	100%	24,302		
Revenues	200	29	118	59%	779		
Expenses	25,434	-	-	0%	-		
Contingencies / Reserves	-	-	-	0%	-		
Monthly & YTD Net Gain / (Loss)		\$ 29	\$ 118				
Ending Fund Balance			\$ 25,386		25,081		
<u>Library Gift & Memorial (22)</u>							
Beg Fund Balance	\$ 63,516	\$ 88,497	\$ 88,497	139%	92,550		
Revenues	135,600	17,292	20,917	15%	5,631		
Expenses	160,000	5,530	37,348	23%	19,778		
Contingencies / Reserves	39,116	-	-	0%	-		
Monthly & YTD Net Gain / (Loss)		\$ 11,761	\$ (16,431)				
Ending Fund Balance			\$ 72,066		78,403		

SUMMARY REPORT

OCT 2017

SUMMARY REPORT

OCT 2017

FUNDS						Current YTD Compare to Budget 33%	2016-17 PRIOR YTD	
	2017-18	MONTH OF		2017-18				
	BUDGET	OCT 2017		YTD				
<u>Building Inspection (08)</u>								
Beg Fund Balance	\$	932,354	\$	1,107,774	\$	1,107,774	119%	746,431
Revenues		825,318		62,983		259,523	31%	368,993
Expenses		706,767		51,569		218,331	31%	178,400
Contingencies / Reserves		1,050,905		-		-	0%	-
Monthly & YTD Net Gain / (Loss)			\$	11,413	\$	41,191		
Ending Fund Balance					\$	1,148,966		937,025
<u>Streets (Operating) (02)</u>								
Beg Fund Balance	\$	489,326	\$	736,256	\$	736,256	150%	816,245
Revenues		1,956,204		577,327		959,923	49%	387,255
Expenses		2,349,591		698,913		1,226,719	52%	951,805
Contingencies / Reserves		95,939		-		-	0%	-
Monthly & YTD Net Gain / (Loss)			\$	(121,585)	\$	(266,796)		
Ending Fund Balance					\$	469,460		251,695
<u>Water (Operating) (07)</u>								
Beg Fund Balance	\$	8,874,908	\$	8,988,958	\$	8,988,958	101%	7,784,122
Revenues		5,877,525		730,050		3,002,560	51%	2,660,308
Expenses		6,024,114		311,165		1,214,521	20%	1,222,170
Contingencies / Reserves		8,728,319		-		-	0%	-
Monthly & YTD Net Gain / (Loss)			\$	418,886	\$	1,788,039		
Ending Fund Balance					\$	10,776,997		9,222,261
<u>Wastewater (Operating) (06)</u>								
Beg Fund Balance	\$	10,812,028	\$	11,959,292	\$	11,959,292	111%	12,445,970
Revenues		8,147,159		693,635		2,725,842	33%	2,520,774
Expenses		11,148,750		443,811		2,624,853	24%	2,890,100
Contingencies / Reserves		7,810,437		-		-	0%	-
Monthly & YTD Net Gain / (Loss)			\$	249,825	\$	100,989		
Ending Fund Balance					\$	12,060,281		12,076,645
<u>Stormwater (Operating) (17)</u>								
Beg Fund Balance	\$	898,152	\$	1,028,251	\$	1,028,251	114%	1,169,140
Revenues		1,488,924		123,383		507,098	34%	453,817
Expenses		2,174,253		134,381		759,704	35%	547,764
Contingencies / Reserves		212,823		-		-	0%	-
Monthly & YTD Net Gain / (Loss)			\$	(10,998)	\$	(252,606)		
Ending Fund Balance					\$	775,645		1,075,193

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FUNDS					Current YTD Compare to Budget 33%	2016-17 PRIOR YTD
	2017-18 BUDGET	MONTH OF OCT 2017	2017-18 YTD			
Administrative Support (31)						
Beg Fund Balance	\$ 553,185	\$ 728,861	\$ 728,861	132%	474,296	
Revenues	4,750,352	382,005	1,533,600	32%	1,446,508	
Expenses						
City Manager	640,981	46,237	184,659	29%	150,803	
Human Resources	216,501	15,552	65,369	30%	49,110	
Emergency Management	-	-	-	0%	-	
Finance	734,726	71,296	250,492	34%	217,095	
Gen Office(Postage/Phones)	177,289	9,898	44,666	25%	46,974	
Utility Billing	323,036	27,047	114,749	36%	104,399	
Information Technology	1,071,444	68,842	395,054	37%	362,963	
Legal	480,443	35,616	145,566	30%	142,579	
Fleet Maintenance	208,735	19,781	76,399	37%	58,194	
Facilities Repair/Replacement	835,675	56,200	241,973	29%	128,294	
Insurance	366,446	12,999	311,367	85%	289,899	
Transfers	3,362	280	1,121	33%	9,179	
Contingencies / Reserves	244,898	-	-	0%	-	
Total Expenses	5,303,536	363,748	1,831,416	35%	1,559,488	
Monthly & YTD Net Gain / (Loss)		\$ 18,257	\$ (297,816)			
Ending Fund Balance			\$ 431,045		361,316	
Capital Improvement Projects						
Streets CIP's (18)						
Beg Fund Balance	\$ 168,396	\$ 168,834	\$ 168,834	0%	165,646	
Revenues	4,937,000	693,095	927,585	19%	700,087	
Expenses	4,935,000	691,298	924,882	19%	698,947	
Contingencies / Reserves	170,396	-	-	0%	-	
Monthly & YTD Net Gain / (Loss)		\$ 1,797	\$ 2,703			
Ending Fund Balance			\$ 171,538		166,786	
Water / Wastewater / Stormwater CIP's (04)						
Beg Fund Balance	\$ -	\$ -	\$ -	0%	-	
Revenues	7,135,000	116,621	1,084,565	15%	809,531	
Expenses	7,135,000	116,621	1,084,565	15%	809,531	
Contingencies / Reserves	-	-	-	0%	-	
Monthly & YTD Net Gain / (Loss)		\$ 0	\$ 0			
Ending Fund Balance			\$ 0		-	
Street SDC (42)						
Beg Fund Balance	\$ 2,965,113	\$ 2,936,734	\$ 2,936,734	99%	2,824,984	
Revenues	2,365,125	36,398	257,486	11%	171,332	
Expenses	3,971,000	85,648	96,056	2%	176,688	
Contingencies / Reserves	1,359,238	-	-	0%	-	
Monthly & YTD Net Gain / (Loss)		\$ (49,250)	\$ 161,430			
Ending Fund Balance			\$ 3,098,165		2,819,627	

SUMMARY REPORT

OCT 2017

SUMMARY REPORT			OCT 2017			Current YTD	2016-17 PRIOR YTD
FUNDS	2017-18 BUDGET	MONTH OF OCT 2017	2017-18 YTD	Compare to			
				Budget			
				33%			
<u>Water SDC (47)</u>							
Beg Fund Balance	\$ 298,518	\$ 572,610	\$ 572,610	192%	821,631		
Revenues	734,713	14,067	133,979	18%	293,946		
Expenses	1,028,931	1,153	1,928	0%	10,232		
Contingencies / Reserves	4,300	-	-	0%	-		
Monthly & YTD Net Gain / (Loss)		\$ 12,914	\$ 132,051				
Ending Fund Balance			\$ 704,661		1,105,345		
<u>Wastewater SDC (46)</u>							
Beg Fund Balance	\$ 4,516,526	\$ 5,106,412	\$ 5,106,412	113%	4,527,496		
Revenues	830,000	75,276	241,255	29%	543,869		
Expenses	1,579,724	25,777	377,246	24%	52,536		
Contingencies / Reserves	3,766,802	-	-	0%	-		
Monthly & YTD Net Gain / (Loss)		\$ 49,499	\$ (135,991)				
Ending Fund Balance			\$ 4,970,421		5,018,829		
<u>Stormwater SDC (43)</u>							
Beg Fund Balance	\$ 94,806	\$ 106,284	\$ 106,284	112%	167,567		
Revenues	71,200	774	6,471	9%	18,061		
Expenses	55,000	1,005	20,400	37%	66,543		
Contingencies / Reserves	111,006	-	-	0%	-		
Monthly & YTD Net Gain / (Loss)		\$ (230)	\$ (13,928)				
Ending Fund Balance			\$ 92,356		119,085		
<u>Debt</u>							
<u>Debt Service (General Op) (09)</u>							
Beg Fund Balance	\$ 36,946	\$ 38,270	\$ 38,270	104%	216,728		
Revenues	743,425	20,915	84,173	11%	83,845		
Expenses	736,006	-	-	0%	4,335		
Contingencies / Reserves	44,365	-	-	0%	-		
Monthly & YTD Net Gain / (Loss)		\$ 20,915	\$ 84,173				
Ending Fund Balance			\$ 122,443		296,238		
<u>City Hall (10)</u>							
Beg Fund Balance	\$ 512,086	\$ 552,745	\$ 552,745	108%	509,076		
Revenues	93,000	11,086	42,351	46%	49,365		
Expenses	108,486	-	-	0%	-		
Contingencies / Reserves	-	-	-	0%	-		
Unappropriated Ending Balance	496,600	-	-	0%	-		
Monthly & YTD Net Gain / (Loss)		\$ 11,086	\$ 42,351				
Ending Fund Balance			\$ 595,096		558,441		

SUMMARY REPORT

OCT 2017

SUMMARY REPORT		OCT 2017			Current YTD	2016-17 PRIOR YTD
FUNDS	2017-18 BUDGET	MONTH OF OCT 2017	2017-18 YTD	Compare to		
				Budget		
				33%		
Reserves						
PERS Stabilization Reserve (25)						
Beg Fund Balance	\$ 179,255	\$ 179,840	\$ 179,840	100%	-	
Revenues	-	138	665	0%	59,700	
Expenses	179,255	14,987	59,946	33%	-	
Contingencies / Reserves	-	-	-	0%	-	
Monthly & YTD Net Gain / (Loss)		\$ (14,848)	\$ (59,281)			
Ending Fund Balance			\$ 120,559		59,700	
Vehicle / Equipment Replacement (32)						
Beg Fund Balance	\$ 1,372,748	\$ 1,431,306	\$ 1,431,306	104%	1,176,384	
Revenues	\$ 1,114,077	\$ 92,476	\$ 394,217	35%	269,837	
Expenses						
General Government	-	-	-	0%	1,373	
City Manager's Office	1,468	-	-	0%	-	
Human Resources	1,013	-	-	0%	-	
Finance	17,496	-	-	0%	-	
Information Technology	76,396	-	68,272	89%	102,464	
Legal	423	-	-	0%	-	
Municipal Court	4,114	-	-	0%	-	
Police	461,425	16,004	92,790	20%	97,448	
Communications	153,488	-	-	0%	-	
Library	13,103	-	-	0%	-	
Planning	2,975	-	-	0%	-	
Building	26,412	-	-	0%	-	
PW Administration	1,556,524	31,526	31,526	2%	-	
Fleet Maintenance	11,048	29	220	2%	187	
Facilities Repair/Replacement	160,940	-	11,064	7%	8,506	
Contingencies / Reserves	-	-	-	0%	-	
Total Expenses	2,486,825	47,560	203,872	8%	255,645	
Monthly & YTD Net Gain / (Loss)		\$ 44,916	\$ 190,345			
Ending Fund Balance			\$ 1,621,652		1,190,577	

SUMMARY REPORT

OCT 2017

SUMMARY REPORT		OCT 2017				Current YTD	2016-17 PRIOR YTD	
FUNDS	2017-18 BUDGET	MONTH OF OCT 2017	2017-18 YTD	Compare to				
				Budget				
				33%				
Community Projects								
Cable TV Trust (23)								
Beg Fund Balance	\$	37,825	\$	37,897	\$	37,897	100%	37,504
Revenues		200		44		177	88%	112
Expenses		38,025		-		-	0%	-
Contingencies / Reserves		-		-		-	0%	-
Monthly & YTD Net Gain / (Loss)			\$	44	\$	177		
Ending Fund Balance					\$	38,074		37,616
Economic Development (14)								
Beg Fund Balance	\$	522,129	\$	617,748	\$	617,748	118%	570,191
Revenues		457,771		5,595		31,252	7%	27,956
Expenses		847,332		743		18,098	2%	6,395
Contingencies / Reserves		132,569		-		-	0%	-
Monthly & YTD Net Gain / (Loss)			\$	4,852	\$	13,155		
Ending Fund Balance					\$	630,903		591,752
Transient Lodging Tax (19)								
Beg Fund Balance	\$	250,000	\$	343,718	\$	343,718	137%	149,857
Revenues		1,047,427		374,425		406,511	39%	361,489
Expenses		1,297,427		274,841		309,804	24%	282,135
Contingencies / Reserves		-		-		-	0%	-
Monthly & YTD Net Gain / (Loss)			\$	99,583	\$	96,707		
Ending Fund Balance					\$	440,425		229,210

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 18, 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 and 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.

On November 6, 2017 Rick Rogers presented the final proposals to the City Council for consideration.

Housing Newberg has ranked their priorities for activities which is included as Attachment 2.

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 8: Encourage Affordable Housing.

The Housing Newberg proposal addresses Goal 8 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
 2. Housing Newberg Proposal Rankings

HOUSING NEWBERG

PROPOSALS

DECEMBER 18, 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.

• See Appendix A

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 housing 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 housing 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 NOTHING THE FOLLOWING IS LIKELY:

- Gentrification devours neighborhoods
- Schools atrophy
- Workers become scarcer
- Traffic worsens
- Volunteers disappear
- Community is lost
- And Newberg 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

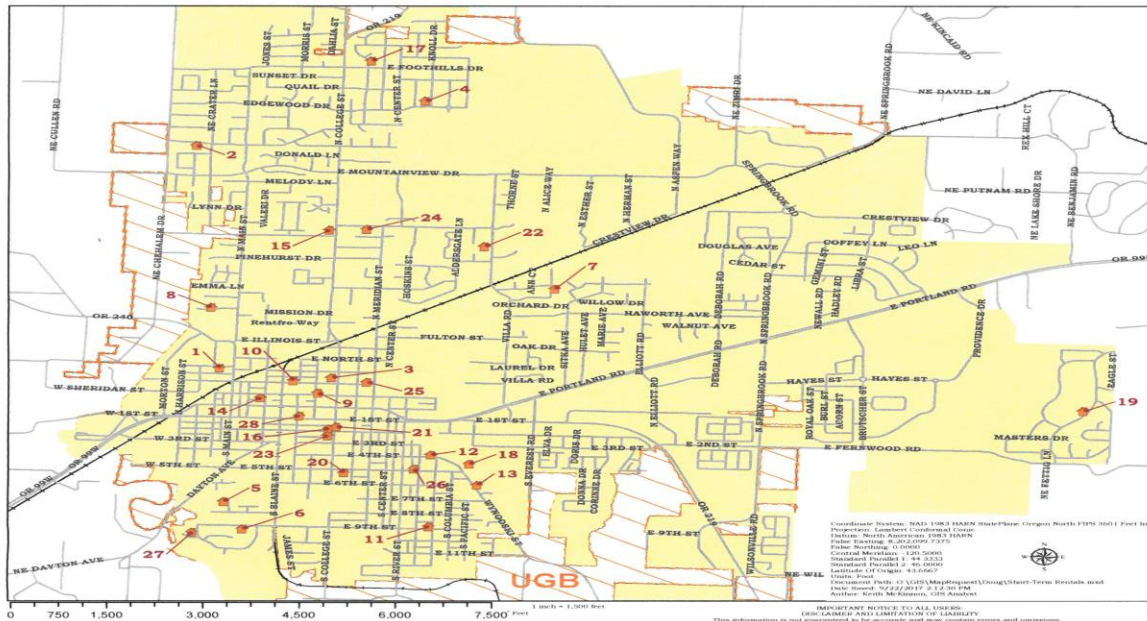
Source: Portland Metro Home Builders Association as of February 2017

2000 sq ft/500 sq ft garage/set value \$369,000

Cities Outside Metro

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

Housing Newberg
11-15-17

Proposals (Ranked):

- 1) Annexations and R3 – there has been substantial discussion on this item: a carryover from 2009.
- 2) Construction Excise Tax – will provide funds for affordable housing and the general fund.
- 3) ADUs – this should get units on the ground quickly.
- 4) Missing Middle – corner lot duplexes/triplexes. Again, this should get units up quickly.
- 5) SDC Deferrals/Loans - developer incentives for affordable housing, costs might be paid for through 2) above.
- 6) Expedited Review & Permitting – developer incentives for affordable housing, additional staff time might be paid for through 2) above.
- 7) Street Widths – dependent upon Traffic Safety Commission and TVF & R
- 8) Work and Living Spaces – will require an investment through the Economic Development Revolving Loan Fund.
- 9) Housing Ombudsman – the Community Development Director is the de facto/current holder of this title.

Other Areas (Ranked):

- 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.



**City Council Business Session
December 18, 2017 - 7:00 PM
Public Safety Building 401 East Third Street**

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. MAYORS MEMORIAL

V. CITY MANAGER'S REPORT

VI. PUBLIC COMMENTS

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

VII. CONSENT CALENDAR

VII.a A motion to apply for a Business Oregon Rural Opportunity Initiative Grant
[RCA Motion ROI Grant.doc](#)

VII.b Council Minutes for November 20, 2017
[Council Minutes November 20, 2017](#)

VIII. PUBLIC HEARINGS

VIII.a Resolution 2017-3424, A resolution authorizing the City Manager to waive the competitive solicitation requirement and authorizing the request of a proposal for installation of an onsite hypochlorite generation system at the Water Treatment Facility from Whitney Equipment Company Inc., the supplier of the MicroClor system referenced in Resolution 2017-3403.
[11-17-17 Newberg WTP - OSHG Generation Replacement.pdf](#)
[Res_2017-3424_WTP_Hypochlorite Generation Sole Source Installation.docx](#)

IX. NEW BUSINESS

IX.a 1999 Springbrook Oaks Specific Plan Review
[RCA Information Springbrook Oaks Specific Plan.doc](#)
[Attachment 1 - Springbrook Oaks Specific Plan and Amendments.pdf](#)

- IX.b 1993 Northwest Newberg Specific Plan Review
[RCA Information NW Newberg Specific Plan.doc](#)
[Attachment 1 - Northwest Newberg Specific Plan and Amendments.pdf](#)
- IX.c Housing Newberg Proposals
[RCA Motion Housing Newberg.doc](#)
[Attachment 1 - Housing Newberg PPT 12-18-17.pdf](#)
- IX.d Resolution 2017-3419
Service Line Warranty Program
[Res 2017-3419 Service Line Warranty RCA.pdf](#)
[Attachment A, Marketing Agreement.pdf](#)
[Service Line Warranty PowerPoint Presentation.pdf](#)
- IX.e Cartegraph Operations Management System
[Res 17-3416 - Cartegraph.pdf](#)
[Res 17-3416 - Exhibit A, Cartegraph Software Upgrade Purchase Agreement.pdf](#)
[Res 17-3416 - Exhibit B, Cartegraph Bidding Exemption Findings.pdf](#)

X. COUNCIL BUSINESS

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: December 18, 2017

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

SUBJECT: A motion to apply for a Business Oregon Rural Opportunity Initiative Grant

Contact Person (Preparer) for this
Motion: Doug Rux
Dept.: Community Development
File No.: GR-17-0010

RECOMMENDATION:

I move that City Council approve applying for a Rural Opportunity Initiative Grant by submittal of a Letter of Intent, and if requested by Business Oregon submit an application, and accept the grant award if approved.

Staffs suggested motion is as stated above.

EXECUTIVE SUMMARY:

The Rural Opportunity Initiative (ROI) is a strategy to unify and strengthen existing business development resources to build rural prosperity through capacity-building grants. The initiative places value on entrepreneurship-based economic development, which emphasizes the creation and support of entrepreneurs and small businesses. This is not a new layer, and it is not operating in competition with existing initiatives. Because of this, applicants are prioritized based on: their ability to demonstrate broad commitment and meaningful support from existing local economic development and small business support organizations, and their ability to build the capacity of existing local economic development and small business support organizations, as well as, grow their collective ongoing efforts to strengthen the entrepreneurial ecosystem.

The overarching goal is to position rural communities for success as they strengthen entrepreneurship-based economic development in their communities.

Objectives to meet goals include:

- Building longevity through strengthened partnerships;
- Connecting local resources to one another and to a statewide network;
- Proactively ensuring equitable participation for entrepreneurs and service providers of all backgrounds and demographics; and
- Increasing entrepreneurship by elevating and making existing resources more accessible, and by filling gaps in local resources through available statewide resource partners.

Eligibility Requirements:

- This is a fund to support collaborative work. Applicants must be applying on behalf of three or more total partners (including the applicant).
- Groups must then identify a "Lead Agency" to serve as the applicant. Applicants are responsible for receiving and managing funding, if selected.
- The proposed Lead Agency must be based in a geographic area with a population of 30,000 or less and proposed activities must benefit residents of a geographic area with a population of 30,000 or less.

- In addition to working collaboratively (or having a plan to work collaboratively), eligible applicants must be focused on improving the entrepreneurial ecosystem in support of entrepreneurs and small businesses.

The Newberg partnership for this grant would consist of the City of Newberg, Newberg School District, Chehalem Valley Innovation Accelerator, Chehalem Valley Chamber of Commerce, George Fox University, Innovate Yamhill County and other organizations. The City of Newberg would function as the “Lead Agency” for the application. Applicants are responsible for receiving and managing funding. Newberg meets the requirement for a population being under 30,000.

Newberg would be considered a “New Community” for the grant program which requires submittal of a Letter of Intent. If selected to be a semi-finalist a full application by January 19, 2018. There are three categories for applicants – Concept, Launch and Scale. The City of Newberg and its partners would be applying under the Launch category and request \$75,000.00. The Chehalem Valley Innovation Accelerator, Newberg School District and City of Newberg would collaborate on preparing the Letter of Intent and if selected the formal application.

FISCAL IMPACT:

The grant request would be for \$75,000.00. Revenue and expenditure for the grant was not budgeted for FY 2017-18 as this grant opportunity was not known at the time of budget development. There would be staff time commitments to administer the grant and to collaborate with the Newberg partnership.

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

Goal 11: Implement the Newberg Economic Development Strategy.

The Newberg Economic Development Strategy has four pillars of activity that include:

1. Industrial Sector
2. Commercial Sector
3. Business Development and Workforce
4. Tourism and Hospitality

Support for this grant opportunity would further the Business Development and Workforce pillar and the Goal to Create a Premier Business and Workforce Development Program through Strategies 3.1 Foster Entrepreneurial Business Formation and Growth, 3.5 Workforce Development and 3.8 Business Financing Program.

NEWBERG CITY COUNCIL MINUTES
REGULAR SESSION
November 20, 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, and Stephen McKinney. City staff present were City Manager Joe Hannan, City Attorney Truman Stone, City Recorder Sue Ryan, Community Development Director Doug Rux, Community Engagement Specialist Rosa Olivares,

Mayor Andrews called the meeting to order.

Community Engagement Specialist Olivares said as part of the youth homelessness awareness campaign, she was requesting the City Council to take a picture with their purple bracelets in support of the campaign. The picture would be taken between the work session and regular meeting.

Hearings Officer for Land Use cases: City Attorney Stone said this was an alternate way to handle quasi-judicial land use cases that other jurisdictions used. This came about after a couple of difficult land use decisions before Council where there had been ex parte contact issues. The Council served as both the administrative, legislative, and judicial functions of government. That could make it difficult to keep issues separated. Most decisions had little to no discretion and the Council was often being asked to interpret their own legislation. These cases were a few times per year.

Community Development Director Rux said Oregon Revised Statutes authorized delegation of quasi-judicial case review to a hearings officer. He explained different types of land use reviews. The first option was a hearings officer could do an initial review and that decision could be appealed to the Planning Commission for a final decision or appealed to the City Council. The second option was the Planning Commission review the application and that decision could be appealed to the hearings officer which could then be appealed to the City Council. A third option was the Planning Commission making recommendations to the hearings officer and the hearings officer making the final decision. All of these could go to LUBA as well.

CDD Rux said common types of land use applications were annexations and zone changes. The Council reviewed eight of these types in 2016 and four in 2017. Other examples were Comprehensive Plan amendments, conditional uses, Planned Unit Developments, subdivisions, and appeals. The Planning Commission also looked at variances and design reviews. In 2016, the Planning Commission had 15 quasi-judicial cases and in 2017 they had 12. Often by the time it came to Council, they were at the 120-day deadline and a decision had to be made at that meeting. Several cities and counties used hearings officers.

CA Stone said a hearings officer was a land use professional. It did not have to be a city employee, but could be contracted out. Another difficulty with land use applications coming to Council was when the proposed findings had to be amended on the spot at the hearing. A hearings officer could schedule the meeting during business hours or early evenings and it would be a sole item. They would have more time to work through the applications.

There was discussion on how an independent contractor would work, the potential costs, how Council often did not understand the law, the cost of appeals to LUBA on land use cases, and the potential to reduce workload for staff. Councilor McKinney asked if the hearings officer's decisions were binding. CDD Rux said if the Planning Commission did the initial review and their decision was appealed to the hearings officer, the hearings officer's decision was binding. If it came to the Council, the Council's decision would be binding. If it initially went to the hearings officer and was appealed to the Planning Commission, the Planning Commission's decision was binding.

There was discussion on the role that citizens expected of the Council in making difficult decisions, the authority in the Charter, how the Council delegated its authority. There was additional discussion on where this item fit under Council priorities, the land use hearing timeline requirement of the 120-day rule, the cost, and how other jurisdictions used hearings officers in handling land use cases, and what other alternatives there were available. Mayor Andrews asked staff to refine the scenarios presented tonight with the questions and feedback and return with a staff recommendation.

The work session was adjourned at 7:10 p.m.

CALL MEETING TO ORDER

Mayor Andrews called the business session to order at 7:25 p.m.

ROLL CALL

Members Present:	Mayor Bob Andrews Mike Corey	Scott Essin Denise Bacon	Stephen McKinney Patrick Johnson
Staff Present:	Joe Hannan, City Manager Sue Ryan, City Recorder Jay Harris, Public Works Director Leah Griffith, Library Director	Truman Stone, City Attorney Doug Rux, Community Development Director Matt Zook, Finance Director Brian Casey, Police Chief	

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was performed. Mayor Andrews asked for a moment of silence.

PRESENTATIONS: Sheryl Kelsh, Chehalem Valley Chamber of Commerce, presented a quarterly report. She discussed Oregon wine industry statistics. She served on the Willamette Valley Wineries Association Board that did a large wine display at the San Jose Airport. She was looking at locations for the display in Newberg.

Mayor Andrews asked about the budget report and the deficit in the net income. Ms. Kelsh said she spent more money in tourism than she had budgeted due to an unexpected opportunity. Any differences in the money spent came out of the Chamber budget. Councilor McKinney asked about other communities contributing to the Visitors Center. He did not think Newberg should bear most of the burden. Ms. Kelsh had not asked for contributions from Carlton, Dayton, and St. Paul. There was discussion on smaller communities contributing to the Chamber.

CITY MANAGER'S REPORT: City Manager Hannan reported on the Austin Family Foundation presentation on Yamhill County needs, Downtown Coalition Board meeting discussion on downtown parking, Waste Management glass recycling starting in March, VFW banners, meeting with Representative Suzanne Bonamici, changes to take to the Transit Authority, and a homeland security grant application for emergency preparedness items.

COUNCIL APPOINTMENTS:

MOTION: Andrews/Johnson moved to consent to the Mayor's appointment of Adam Lundstrom to the Citizens Rate Review Committee for a term of November 20, 2017 to June 30, 2018. Motion carried (6 Yes/0 No/1 Absent [Murray]).

PUBLIC COMMENT:

Rebecca Wallis, Newberg resident, discussed the Newberg-Dundee Police Citizens Academy. She attended this year's academy and it was helpful to better understand the laws and the challenges the Police Department faced. It was very valuable training and she thanked the City for the opportunity.

Crystal Case, Newberg resident, gave an update on the Animal Shelter. She said adoptions had increased with 485 adoptions in 2017. Hours were expanded to Wednesday through Saturday 11 a.m. to 6 p.m. The shelter was able to take stray dogs every day for extended hours. The HVAC system had been installed and they received a kennel license. They donated dog and cat food to FISH and YCAP and held a microchip clinic in the summer. She invited everyone to visit the shelter to see the changes.

CONSENT CALENDAR:

MOTION: Bacon/Corey moved to approve the Consent Calendar including the minutes for November 6, 2017, Resolution 2017-3240, A Resolution authorizing expenditure of Fund 14-Economic Development Fund resources in the amount of \$5,000 to prepare an appraisal and develop a Request for Qualifications or Request for Proposals for the Butler Property at 411 E. First Street; Resolution 2017-3408, A Resolution declaring an intent to reimburse the City for expenditures of the WCCCA Emergency Communications System Upgrade Project paid prior to the issuance of tax-exempt financing. Motion carried (6 Yes/0 No/1 Absent [Murray]).

PUBLIC HEARING: Supplemental Budget #1 for Fiscal Year 2017-2018:

Mayor Andrews opened the public hearing. He asked if there were any abstentions, conflicts of interest, or objections to jurisdiction. There were none.

Finance Director Zook presented the staff report. There were a few minor operational changes for Council approval. These included personnel adjustments due to the collective bargaining agreement for the Police Department in the General Fund, and recognizing the Transportation Utility Fee revenue in the Street Fund. He discussed the TUF projects. Funds with carryover from the prior fiscal year included Economic Development Fund, and the Transient Lodging Tax Fund.

Proponents: None

Opponents: None

Undecided: None

Mayor Andrews closed the public hearing. FD Zook said staff recommended adoption of the resolution.

MOTION: Corey/Johnson moved to approve Resolution 2017-3390, A Resolution to adopt Supplemental Budget #1 for Fiscal Year 2017-2018 beginning July 2017, and ending June 30, 2018. Motion carried (6 Yes/0 No/1 Absent [Murray]).

NEW BUSINESS: Newberg 2030 Project Update – Land Conservation and Development Commission Policy Agenda and Next Steps: CDD Rux said the Commission agreed on technical fixes to Division 38, the simplified Urban Growth Boundary expansion process. They broke the work into two segments. The first was to review three minor issues, clarifying exclusions of publicly owned land, updating the list of measures to accommodate needed housing, and updating employment projection tables. This work would begin in January 2018 and would be completed by June/July 2018. The City had applied for a grant to move forward with this process if the technical fixes could be done. The county assessment database incorrectly identified vacant and partially vacant land. The next steps were continuing to work with DLCD and the Yamhill County Assessor.

Council Priorities Update:

CM Hannan explained the Council priorities update format.

Goal 1 – CM Hannan said a lot of action had been taken on the upgrade of the communication system. At the next Council meeting there would be a detailed staff recommendation for the funding of this upgrade. Mayor Andrews asked about the significance of 1.1 of no fiber availability. CM Hannan said if they wished to keep a

stand-alone dispatch system they would need to get a dedicated fiber link back to WCCCA. So far it had been too expensive.

Goal 2 – PWSD Harris said they had been billing for the Transportation Utility Fee for three months and the revenues were projected. He explained the transportation projects that had been done. Staff would be bring back to Council a five-year Street Capital Improvement Plan. Staff planned to put the CIP into the pavement model to see where the budget shortfalls were. He would come back with the results in February. There was discussion on the five-year pavement list, what TUF paid for, and how streets were prioritized for the five year CIP. PWSD Harris said the goal was to do the maintenance projects up front and then move to reconstruction of streets later in the program.

Goal 3 – CM Hannan said the TVF&R annexation passed as well as the Charter change. Staff was currently working on the annexation agreement.

Goal 4 – CM Hannan said not much was happening with this goal. Some employees had left the City that were on the City's retirement plan (NERPS), and those positions had been switched to PERS.

Goal 5 – CM Hannan said there was a technology plan and a chart for this goal.

Goal 6 – FD Zook said the Long Range Financial Plan had progressed. The models continued to help staff evaluate what was coming up in the future and items that needed to be addressed.

Goal 7 – CDD Rux said the City was working with DLCD regarding technical fixes to the Division 38 Urban Growth Boundary expansion process and had applied for a grant to continue the process. Staff was also in conversation with the County Assessor regarding the data for identifying vacant and partially vacant land.

Goal 8 – CDD Rux said staff would be coming back to Council in December for direction on moving forward with Housing Newberg's recommendations. There were nine recommendations from that group.

Goal 9 – CDD Rux said staff was still negotiating the scope of work for the Riverfront Master Plan. Councilor Johnson asked about the Urban Renewal District in connection with that plan. CDD Rux said until they resolved the other issues, it would not be prudent to go out and do the feasibility analysis.

Goal 10 – CM Hannan said staff met regularly, and also with local churches on emergency preparedness. The City applied for a grant for equipment.

Goal 11 – CDD Rux said Economic Development Strategy work included industrial retention activities, recruitment opportunities, downtown commercial businesses retention, workforce and talent development, and tourism. The Destination Development Marketing Grant program would come to Council in January. Small grants solicitation would close December 15. The Downtown Plan, the Butler property, food cart pod, apartment project, hotel opportunities, and Mill District opportunities were moving forward.

Goal 12 – CM Hannan said some items had been done for the community visioning and more would be done in the future.

Goal 13 – CM Hannan said regarding improving the transit system, Councilor Essin had been working on this topic and the Transit Authority had made a presentation to Council. There were several ideas for improvements that would be sent to the Authority. Library Director Leah Griffith gave an update on Library improvements at She discussed her role in starting the transit system. Councilor McKinney thought expanding the hours at the Library should be a Council goal. There was discussion regarding installing more bus shelters.

COUNCIL BUSINESS:

Mayor Andrews said there would be a Local Government Dinner on November 30 and Newberg-Dundee Bypass event on December 18. The contract for the Bypass was to be completed by December 31, however the Bypass might not open on time.

ADJOURNMENT: The meeting was adjourned at 9:01 p.m.

ADOPTED by the Newberg City Council this 18th of December, 2017.

Sue Ryan, City Recorder

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

Bob Andrews, Mayor

DRAFT



WECI

Whitney Equipment Company, Inc

21222 30th Dr. SE, Ste. 110
7017 NE Hwy 99, Ste. 118

Bothell, WA 98024
Vancouver, WA 98665

www.weci.com

800-255-2580

425-486-9499

360-694-9175

Attention: Dan Wilson
Company: City Of Newberg

Date: 11/17/2017
Quote#: 26741

Email: Dan.Wilson@newbergoregon.gov
Phone: (503) 537-0875
Re: Wtp 1000Ppd Oshg Replacement

Quotation valid for 30 days
Prepared by: Jason Morse
Phone: 360-694-9175
FAX: 360-695-2389
jmorse@weci.com

Dan Wilson,
We are pleased to offer the following quote. If you have any questions please don't hesitate to call.

Quantity	Item	Description	EACH	TOTAL
1		1000PPD On-site Sodium Hypochlorite Generation System	\$277,312.50	\$277,312.50
		Reuse city's existing tanks, water softener, and brine make-up.		

Start-up Estimate:	Not Included
Freight Estimate:	Included
Total:	\$277,312.50

Please make purchase orders out to: Whitney Equipment Company Inc.

Freight: FOB Factory, Prepaid and Add
Terms: Net 30 days & per attached terms and conditions.

Lead Time: 10-12 weeks ARO
Sales and/or use tax not included

Comments or Special Instructions:

This quote does not include installation, electrical, or any other products and services not specifically listed.
All conduits, anchors, piping, fasteners, and interconnection supplied by others.



7017 NE Hwy 99, Suite 118

Vancouver, WA 98665

www.weci.com

360-694-9175

Subject: Newberg WWTP – OSHG Replacment

Date: Friday, October 27, 2017

<u>No</u>	<u>Item Description</u>	<u>Qty.</u>
1.	Skid-Mounted, Pre-Assembled, Piped, Wired, and Factory-Tested Microclor® MC-1000 On-Site Hypochlorite Generation System, including: ▪ 200 ppd Electrolytic Cell (Qty. 5) ▪ Stainless Steel Brine Gear Pump ▪ Water and Brine Rotameters ▪ Magnetic Flow Meter ▪ Optical Level Switch (Qty. 5) ▪ Temperature Switch (Qty. 4) ▪ Temperature Sensor ▪ Water Solenoid Valve ▪ 304 Stainless Steel, Electropolished Open Frame Equipment Skid ▪ Seismic Calculations of the Skid	1
2.	Transformer Rectifier, including: ▪ NEMA 1 Enclosure – 304 Stainless Steel Construction ▪ 120 kVA Step-Down Transformer – 300 VDC @ 400 A ▪ DC Bridge Rectifier with Diode Assemblies and Aluminum Heat Sink with Cooling Fan ▪ DC Current Transducer ▪ Panel-Mounted Disconnect Switch	1
3.	Electrical Control Panel, including: ▪ NEMA 4X Enclosure – 304 Stainless Steel Construction ▪ Allen-Bradley MicroLogix 1400 Programmable Logic Controller with Ethernet Communication ▪ 10" Color Touchscreen HMI ▪ 24 VDC Power Supply ▪ Emergency Stop Pushbutton ▪ Panel-Mounted Disconnect Switch ▪ Junction Box	1

Note: Control Panel is Remote-Mounted

4.	Hydrogen Dilution Blower, including: ▪ 900 cfm Maximum Volumetric Flow Rate ▪ TEFC Motor ▪ Current Sensor ▪ Differential Pressure Switch	1
5.	Cartridge Filters	3
6.	Spare Parts, including: ▪ Cell Level Switch ▪ Cell Temperature Sensor ▪ Differential Pressure Switch ▪ Blower, Hydrogen Dilution ▪ Solenoid Valve ▪ Brine Pump Service Kit	1
7.	Manufacturer's Field Services (2 Days at the Jobsite), including: ▪ Installation Inspection ▪ Operator Training	Included
8.	Design Submittal and Operation & Maintenance Manual as Follows ▪ Submittal: Sent Electronically ▪ O&M Manual: Sent Electronically ▪ Certifications ▪ Schedule ▪ Warranty ▪ Utility and Connection Requirements ▪ Skid Assembly Dimensions and Key Components ▪ Electrical Components and Schematic ▪ Transformer Rectifier Drawing and Connection ▪ Hydrogen Blower Assembly Drawings ▪ Mechanical Drawings/P&ID's	Included

9.	FCA Factory, Campbell, CA with Full Freight Allowed to Jobsite	Included
10.	OSHG Skid Venting Transition Layout – Drawing provided to showing all manufacturer's and safety requirements. (Field plumbing by installation contractor.)	Included
11.	P&ID Development Assistance – Related to the interconnection of the OSHG connections. All field connections to be defined by installing contractor(s)	Included

Scope of work by others:

1. Water Softener. (Use Existing)
2. Brine Tank. (Use Existing)
3. Hypochlorite Storage Tank. (Use Existing)
4. Hypochlorite Dosing Assembly. (Use Existing)
5. Acid Cleaning Cart (Use Cart at WWTP)
6. Equipment unloading and installation.
7. All civil works and concrete pad for equipment.
8. Any underground or structural work.
9. Anchor bolts and seismic restraints.
10. All interconnecting piping, including between brine tank, OSHG skid, hypochlorite tank, metering pumps and accessories, and point of hypochlorite injection.
11. Water supply piping to water connection- 1" at 50-80 psi.
12. Valves, fittings, appurtenances not specifically listed under Scope of Supply
13. Heat tracing and insulation of all interconnecting piping, if required.
14. Electrical power to control panel (208/3Ph/60Hz for 50A) and transformer rectifier (480V/3Ph/60Hz for 200A).
15. Remote installation of control panel and interconnecting wiring from remote-mounted control panel to junction box, etc.
16. All electrical conduit, wiring, electrical material, etc. between control panel, brine tank, OSHG skid, hypochlorite tank, metering pumps, SCADA, etc.
17. Room ventilation, air conditioning, or lighting.
18. Any video recording.
19. All taxes, fees, lien waivers, bonds and licenses.
20. Any permitting or regulatory approvals.
21. Any items not explicitly listed under Scope of Supply by Process Solutions, Inc.

DELIVERY

- Design Submittal: 4 - 6 Weeks After Receipt of Fully Executed Order
- Equipment Shipment: 8 - 10 Weeks After Approval of Submittals

WHITNEY EQUIPMENT CO., INC.
BOTHELL, WA
STANDARD CONDITIONS OF SALE

These are Whitney Equipment Co., Inc., the Seller, Standard Terms and Conditions and the basis of our offer, unless specifically altered in writing herein, and changes may affect the price.

ACCEPTANCE: THIS QUOTATION OR PROPOSAL IS NOT AN OFFER. BUYER MAY, WITHIN 30 DAYS, MAKE THIS PROPOSAL THE BASIS OF AN ORDER WHICH IS SUBJECT TO ACCEPTANCE OF THE SELLER AND THE ACCEPTANCE OF OUR SUPPLIERS TO FURNISH ALL OR PARTS OF THE ORDER.

TAXES: We do not include any Federal, State, City, County, or other sales, custom duties, or taxes such as sales, use, excise, retailer's occupation or similar taxes and fees, in the price and we will add any taxes that are required to pay to the purchase price. In lieu of paying such taxes to the Seller, the Buyer may furnish the Seller with a Tax Exemption Certificate or other legal and appropriate taxing authorities at any time.

TERMS: The Seller's terms are net cash 30 days after the date of the invoice. The Seller reserves the right to require payment in advance or C.O.D. and otherwise modify credit terms should the Buyer's credit standing not meet the Seller's acceptance. A service charge of 1.5% per month on the unpaid balance will be charged on all overdue monies payable. Buyer shall not assign or transfer their contract or any interest in it, or monies payable under it, without the written consent of Seller and any assignment made without such consent shall be null and void. Buyer agrees to pay all collection costs and costs of suit, including reasonable attorney fees, in the event Seller institutes collection action for overdue account. Seller expressly reserves all available lien rights in connection with any transaction between the parties.

CREDIT: Required with each order is the necessary credit information including bank reference, bonding company, or other necessary information with complete names, addresses, phone numbers, personal references, account and/or bond numbers.

SHIPMENTS: Delivery and shipping times are our best estimate and do not include time to transfer the products on order, and to accept order. We are not liable for delay that is beyond our control or caused by: an accident; riots; insurrections; national emergency; labor disputes of every kind however caused; embargoes; non-delivery by suppliers; delays of carriers or postal authorities; or governmental restrictions, prohibitions, or requirements. Regardless of the cause, we will not accept any penalty for shipping beyond the date specified in the contract.

APPROVALS: Buyer is responsible for obtaining engineers or owners approval on products. The Seller in this proposal represents only that products are as described. The Seller does not warrant that the products described will meet engineers or owners approval, or that products meet specification.

OCCUPATIONAL SAFETY AND HEALTH ACT of 1970 - We do not warrant or represent that any of our products by themselves or in a system or with other equipment will conform to or comply with the provisions of the Occupational Safety and Health Act of 1970 and the standards and regulations issued thereunder, or any other federal, state, or local law or regulation of the same or similar nature.

LIABILITY: Notwithstanding any liabilities or responsibilities assumed by Seller hereunder, Seller shall in no event be liable for lost profit, downtime, operating or maintenance costs or for any other special, indirect or consequential damages.

CANCELLATION: The Buyer may cancel his order only upon written notice and payment to Seller of reasonable cancellation charges specified by Seller.

INSURANCE: Buyer shall provide and maintain for Seller's benefit, insurance on said equipment against loss from fire, wind, water or other causes with insurance companies legally authorized to do business where said equipment is located in an amount at least equal to the value of said equipment until the equipment is accepted and paid for in full. In no case does the purchase price, even if inclusive of freight, cover the cost of insurance beyond the point of delivery specified in this Proposal.

WARRANTY: Whitney Equipment Company, Inc. makes no warranties on any products sold, provided however that the buyer shall have whatever warranty, if any, made by the manufacturer of the products sold. Whitney Equipment Co., Inc. expressly excludes from any warranty any and all charges, labor or otherwise, for installation, removal, reinstallation, shipping, utilities, equipment rental, other required materials, or any other items. The parties agree that the buyer's sole and exclusive remedy, if any, against the Seller shall be against the manufacturer as provided herein. The buyer agrees that no other remedy (including, but not limited to, incidental or consequential damages for lost profits, lost sales, down time, operating or maintenance costs, injury to persons or property, or any other special, indirect, incidental or consequential loss) shall be available to buyer.

THE WARRANTY AND THE LIMITATION OF REMEDIES SET FORTH HEREIN ARE EXCLUSIVE AND IN LIEU OF ALL OTHER WARRANTIES AND REMEDIES. WHITNEY EQUIPMENT CO., INC. MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED WARRANTIES OF MERCHANTABILITY AND/OR FITNESS FOR A PARTICULAR PURPOSE.

MERGER CLAUSE: The Seller's salesman may have made oral statements about the merchandise described in this contract. Such statements do not constitute warranties, shall not be relied on by the buyer, and are not part of the contract for sale. The entire contract is embodied in this writing. This writing constitutes the final expression of the parties' agreement, and it is a complete and exclusive statement of the terms of that agreement.

PRICE: The prices specified are in U.S. currency, payable free of all expense to the Seller for collection charges. Prorated payment shall be made for partial shipments.

CHANGES: We reserve the right to make changes and to substitute other material as needed to make shipment and fulfill the contract.

ERRORS: Seller reserves the right to correct clerical or stenographic errors or omissions.

GOVERNING LAWS: The terms of this agreement and all rights and obligations hereunder shall be governed by the laws of the State of Seller's office to which this order has been submitted.

INSPECTION: Buyer shall inspect Seller's Products upon receipt, and if Buyer's inspection reveals any defects in the Products, Buyer shall notify the Seller within **five (5)** days after receipt of the Products of any claim Buyer might have concerning such defects in the Products discovered by Buyer. Buyer's failure to notify Seller within such a **five (5)** day period shall constitute a waiver by Buyer of all claims covering such defects in the Products. **14**

NOT INCLUDED: We do not include any item not specifically listed as included and specifically do not include freight, haulage, unloading, freight claims, installation, erection, concrete, grout, water, utilities, lubricating grease and oil, power, tools, labor, controls, conduit, wiring, meters, main disconnects, piping,

valves, fittings, gaskets, hardware, freight, taxes, covers, field paint, insurance, testing, royalties, maintenance, operation, erection supervision, transportation, anchor bolts, welding rod.

FREIGHT: Prices quoted are F.O.B. point of manufacture and do not include freight unless specifically listed as included. Title passed to the Buyer when the Products are transferred to the carrier and all freight claims are the responsibility of the Buyer. We will attempt to follow your shipping instructions, but are not responsible for actions and delays of the carrier or alter-carriers.

BACKCHARGES will not be accepted unless approved by Seller, in writing, before any work is done.

DELAYS: Price and terms and conditions are subject to revision if manufacture is not released at time of order placement or drawings for approval are not returned within 30 days from receipt by customer, or manufacture is released and subsequently held or delayed by the customer for more than 30 days, or customer requests longer than quoted shipment.

DECOMPOSITION AND WEAR: Decomposition by chemical action and wear caused by the presence of abrasive materials shall not constitute defects.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 18, 2017

Order ____ Ordinance ____ Resolution XX Motion ____ Information ____
No. No. No. 2017-3424

SUBJECT: A resolution authorizing the City Manager to waive the competitive solicitation requirement and authorizing the request of a proposal for installation of an onsite hypochlorite generation system at the Water Treatment Facility from Whitney Equipment Company Inc., the supplier of the MicroClor system referenced in Resolution 2017-3403.

Contact Person (Preparer) for this Motion: Brett Musick, Senior Engineer

Dept.: Public Works Department - Engineering

RECOMMENDATION:

Adopt Resolution No. 2017-3424.

EXECUTIVE SUMMARY:

As noted in the Request for Council Action for Resolution 2017-3403 approved in September 2017, it is necessary to replace the hypochlorite generation system at the Water Treatment Plant (WTP) and the funds for replacement were included in the adopted 2017-2018 Capital Improvement budget. The existing hypochlorite generator cells, which are the major component of the treatment systems at the WTP, are well past the end of their 5-8 year life expectancy. Through extensive maintenance, the life of the cells have been extended to 12 years. The two additional major components of the existing hypochlorite generation system are the rectifier and the Programmable Logic Controller (PLC), both of which will reach the end of their life expectancy within the next five years. The City Council authorized the City Manager to waive the competitive purchasing requirement for procurement of the equipment for the hypochlorite generation system, produced by PSI MicroClor, and authorized the purchase of the PSI MicroClor hypochlorite generation system provided by the vendor Whitney Equipment, Inc. Having Whitney Equipment, Inc. also act as the general contractor for the installation will provide cost and time savings through simplification of the solicitation process. Savings of time and costs will also be achieved through efficiency of coordination between the equipment vendor and the installation contractor by having the vendor be the general contractor for the installation. Installation of the new hypochlorite generation system at the Water Treatment Plant is time critical as the installation should occur prior to higher summertime usage to minimize the need to purchase hypochlorite during the new generator installation process. The Newberg Municipal Code addresses purchasing and contracting requirements including the use of special solicitation method and exemptions for public improvement projects. The code reference is as follows:

3.25.070 Process for approval of special solicitation methods and exemptions.

A. Authority of City Council. In its capacity as contract review board for the city, the city council, upon its own initiative, or upon request of the purchasing manager, may create special selection, evaluation and award procedures for, or may exempt from competition, the award of a specific contract or class of contracts as provided in this section.

B. Basis for Approval. The approval of a special solicitation method or exemption from competition must be based upon a record before the city council that contains the following:

1. The nature of the contract or class of contracts for which the special solicitation or exemption is requested;

2. The estimated contract price or cost of the project, if relevant;

3.25.070(B) 1 & 2

Installation of the hypochlorite generator at the Water Treatment Plant is a nontransportation public improvement with an estimated installation cost of approximately \$70,000. This estimated installation cost is approximately 25% of the equipment cost authorized by Resolution 2017-3403.

3. Findings to support the substantial cost savings, enhancement in quality or performance or other public benefit anticipated by the proposed selection method or exemption from competitive solicitation;

3.25.070(B) 3

In identifying that Whitney Equipment Company Inc. has the ability to act as the general installation contractor, it was learned that, if awarded the installation contract, Whitney, would utilize the same installation subcontractor used for the Wastewater Treatment Plant hypochlorite generator system. With exemption from competitive solicitation, awarding the installation contract to Whitney would allow Whitney to build on the experience of having worked on the installation of the WWTP system to enhance performance of the work operation and to enhance the quality of the final installation product.

4. Findings to support the reason that approval of the request would be unlikely to encourage favoritism or diminish competition for the public contract or class of public contracts, or would otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the solicitation requirements that would otherwise be applicable under these regulations;

3.25.070(B) 4

Approval of the exemption from competitive solicitation for this specific project is unlikely to encourage favoritism or diminish competition for this class of public contract in that the equipment to be installed and the vendor have already been selected and the purchase authorized by the City Council. The savings of cost and time by having the equipment vendor be the general contractor, utilizing the same installation team that worked together on the hypochlorite generator installation at the Wastewater Treatment Plant, are unlikely to be realized by the informal solicitation for quotes allowed by Newberg Municipal Code section 3.25.080(B)2 for this class of public contract.

5. A description of the proposed alternative contracting methods to be employed; and

6. The estimated date by which it would be necessary to sign the contract(s).

3.25.070(B) 5 & 6

The proposed contracting method to be employed by approval of the exemption from competitive solicitation is to be a direct award, following a request for an equipment installation proposal from Whitney Equipment Inc. The proposal for the Water Treatment Plant hypochlorite generator will be requested to include items 6, 9 to 16, and 19 within the scope of work by others identified in the attached equipment purchase contract dated 11/17/17, along with other items needed for a complete installation of the new hypochlorite generator. The proposal will be reviewed to confirm that a complete installation is indicated. The contract will be reviewed by the City prior to award. For completion of the installation

prior to the onset of summer water usage, it is estimated that the contract will need to be awarded and signed by February 1, 2018.

In making a determination regarding a special selection method, the city council may consider the type, cost, amount of the contract or class of contracts, number of persons available to make offers, and such other factors as it may deem appropriate.

C. Hearing.

- 1. The city shall approve the special solicitation or exemption after a public hearing before the city council following notice by publication in at least one newspaper of general circulation in the city area.*
- 2. At the public hearing, the city shall offer an opportunity for any interested party to appear and present comment.*
- 3. The city council will consider the findings and may approve the exemption as proposed or as modified by the city council after providing an opportunity for public comment.*

D. Special Requirements for Public Improvement Contracts.

- 1. Notification of the public hearing for exemption of a public improvement contract, or class of public improvement contracts, shall be published in a trade newspaper of general statewide circulation at least 14 days prior to the hearing.*
- 2. The notice shall state that the public hearing is for the purpose of taking comments on the city's draft findings for an exemption from the standard solicitation method. At the time of the notice, copies of the draft findings shall be made available to the public.*

E. Commencement of Solicitation Prior to Approval. A solicitation may be issued prior to the approval of a special exemption under this section; provided, that the closing of the solicitation may not be earlier than five days after the date of the hearing at which the city council approves the exemption. If the city council fails to approve a requested exemption, or requires the use of a solicitation procedure other than the procedures described in the issued solicitation documents, the issued solicitation may either be modified by addendum, or cancelled. [Ord. [2618](#), 3-7-05. Code 2001 § 34.07.]

The installation of the new hypochlorite generator is a replacement of an existing system that includes incorporation of existing water treatment elements within an existing building. Work will be mostly comprised of plumbing and electrical to be coordinated with the equipment vendor and the water treatment plant operations staff.

Based on the above findings, staff requests that the competitive solicitation requirement be waived for the installation of the Water Treatment Plant hypochlorite generation system allowing for the request for the equipment installation proposal from Whitney Equipment Company, Inc.

FISCAL IMPACT:

Approval of this resolution will provide a cost savings to the city resulting from more efficiency in the solicitation for, and installation of, the new Water Treatment Plant hypochlorite generator authorized for purchase by Resolution 2017-3403. The adopted 2017/2018 budget for this project including equipment and installation is \$500,000.

STRATEGIC ASSESSMENT:

This project will allow for installation of necessary upgrades to aging equipment to increase capacity to the chlorine treatment and disinfection processes at the Water Treatment Plant. This ensures that Newberg is prepared to meet the water capacity demands of the City and meet the Oregon Health Authority drinking water program regulatory requirements.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO WAIVE THE COMPETITIVE SOLICITATION REQUIREMENT AND AUTHORIZING THE REQUEST OF A PROPOSAL FROM WHITNEY EQUIPMENT COMPANY, INC. FOR THE INSTALLATION OF THE NEW HYPOCHLORITE GENERATION SYSTEM COMPONENTS NECESSARY FOR DISINFECTION IMPROVEMENTS OF THE WATER TREATMENT FACILITY.

RECITALS:

1. The 2017-18 capital improvement project for the installation of the replacement hypochlorite generation system at the Water Treatment Plant, provided by the vendor, Whitney Equipment, Inc.
2. City Municipal Code 3.25.070 provides for the approval of special solicitation methods and exemptions based on certain criteria specifically outlined in sections 3.25.070.B.1, 3.25.070.B.2, 3.25.070.B.3, 3.25.070.B.4, 3.25.070.B.5 and 3.25.070.B.6:
 - This exemption is requested for a specific contract for the installation of equipment authorized for purchase by the City Council in Resolution 2017-3403.
 - The estimated installation contract cost is in the range of approximately \$70,000, approximately 25% of the purchase price of the equipment authorized by the City Council. An equipment installation proposal will be requested from Whitney Equipment Inc. The proposal will be reviewed for appropriate City approval prior to award.
 - The requested exemption would allow Whitney to use their experience with installation of the Wastewater Treatment Plant hypochlorite system to enhance the performance and quality of the installation of the replacement hypochlorite generation system at the Water Treatment Plant.
 - Approval of the request for exemption from competitive solicitation for this specific project is unlikely to encourage favoritism or diminish competition for this class of public contract in that the equipment to be installed and the vendor have already been selected and the purchase authorized by the City Council. Any savings of cost and time are unlikely to be realized by the informal solicitation for quotes allowed by Newberg Municipal Code for this class of public contract.
 - The contracting method to be employed is a direct award following a request for an equipment installation proposal from Whitney Equipment Inc., the vendor for the equipment authorized for purchase by the City Council.
 - For completion of the installation prior to the onset of higher summer water use, it is estimated that the installation contract will need to be awarded and signed by February 1, 2018.
3. The waiver from competitive solicitation for the installation of this major piece of equipment will

allow for more efficient installation design development, based on internal vendor/contractor coordination of specific equipment submittals and will provide more accurate construction costing.

4. Notice of the Public Hearing was published in the Daily Journal of Commerce on December 4, 2017. A Public Hearing was held on December 18, 2017 with the opportunity for interested parties to comment.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

- 1) The Council makes and adopts the findings set forth in the above recitals.
- 2) City Council hereby authorizes the city manager to waive the competitive solicitation requirement for procurement of the installation contract for the water treatment plant hypochlorite generation system and the city council also authorizes the request of a proposal from Whitney Equipment Company, Inc. for the installation of the new hypochlorite generation system components necessary for disinfection improvements of the water treatment facility.
- 3) The City Attorney will review and approve all contract documents as to form and content.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: December 19th 2017

ADOPTED by the City Council of the City of Newberg, Oregon, and this 18th day of December 2017.

Sue Ryan, City Recorder

ATTEST by the Mayor this 18th day of December 2017.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 18, 2017

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

SUBJECT: 1999 Springbrook Oaks Specific Plan Review

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

RECOMMENDATION:

Information only.

EXECUTIVE SUMMARY:

The Springbrook Oaks Specific Plan was approved by the Newberg City Council on August 2, 1999 by ORD No. 99-2517. The Specific Plan covered approximately 284 acres of land which was within the city limits. The 284 acres was represented by one property owner. There has been one amendment to the Specific Plan by ORD 2006-2657 on October 16, 2006. The Specific Plan includes the following:

The Specific Plan was developed under several important principals:

- Land use and zoning district locations should respond to existing surrounding uses.
- Land uses should be mixed to encourage a balanced development.
- A variety of residential densities and housing types should be developed to provide greater housing opportunities.
- Densities should be laid out so as to allow a low impact transition between use zones, ranging from most dense in the north to least dense in the south.
- Brutscher Street should be used as a buffer between zoning districts.
- The site should contain a connected street pattern that is integrated into the Newberg Transportation Plan.
- Secondary collector streets should be used as an alternative to Highway 99W.
- A strong pedestrian circulation system should be developed to provide connectivity and to reduce vehicular traffic.
- Sensitive stream corridors should be protected as much as is practical.
- Wooded areas of the property should be retained as much as is practical.
- Recreational opportunities should be provided in residential areas through neighborhood parks.
- Implementation policies should provide developers with some flexibility to respond to future design and market forces.

Development that has occurred under the Specific Plan includes single family, multi-family, retirement-care facilities (Astor House, Brookdale, Marquis, and Arbor Oaks Memory Care), educational (PCC) and the Chehalem Glen golf course. Two parks are located within the Specific Plan area.

There remains undeveloped land within the Specific Plan area. This includes the commercial property along Springbrook Road north and south of E Hays Street, a 6.3 acre area west of Providence Drive, land approximately 8.36 acres east of Providence Drive and Werth Boulevard outside of the Newberg-

Dundee Bypass Corridor and land under Portland Community College ownership for future expansion outside of the Newberg-Dundee Bypass Corridor of approximately 7.33 acres. The Specific Plan continues to be implemented.

Staff has reviewed other master plans in relation to the Northwest Newberg Specific Plan. The 2017 Water Master Plan re-evaluated the water system and in the Specific Plan area and no capital improvement projects were identified.

Review of the Transportation System Plan identifies three projects within the Specific Plan area. The first is a likely funded project to construct the fourth leg of the traffic signal at N Springbrook Road and E Hays Street. The fourth leg of the traffic signal is under construction as part of the Phase 1 Newberg-Dundee Bypass. The second project is a likely funded project for sidewalks along E Hays Street from N Springbrook Road to Burl Street. The third project is Phase 2 of the Newberg-Dundee Bypass which has \$10.5 M in funds for strategic property acquisitions and \$22 M for design.

Staff is currently working on updating the Wastewater Master Plan. During this update process we will look to see if there are potentially any impacts to the Springbrook Oaks Specific Plan.

The 2007 Newberg ADA/Pedestrian/Bike Route Improvement Plan has several identified projects which include:

- Brutscher Street (Highway 99W to Fernwood Road)

Provides a vital north-south connection in eastern Newberg, particularly to the commercial properties along Highway 99W and the nearby senior housing complexes.

Pedestrian network: Brutscher Street has a completed five-foot-wide sidewalk in good condition along both sides of the road between OR 99W and Oak Meadows. Just south of Oak Meadows the sidewalk along the east side of the road disappears, waiting for development of the open parcel at Fernwood and Brutscher. Curb ramps are fairly new and located at all intersections. *(2017 Note: the sidewalk on the east side of Brutscher was constructed as part of the PCC campus development.)*

Bicycle network: Bicycle lanes from OR 99W to Fernwood Road.

- Fernwood Road / 2nd Street

This route provides east-west connections to the residential area east of Hwy 219, the golf course, and the newer residential properties east of the golf course.

Pedestrian Network: There are no dedicated pedestrian facilities along 2nd Street between Hwy 219 and Springbrook Road. There is an existing drainage ditch along the north side of 2nd Street in this location. Between Springbrook Road and Brutscher Road there are no pedestrian facilities on the south side, while a sidewalk begins about 870 feet from Brutscher Road on the north side of Fernwood. The sidewalk on the north side continues along Fernwood past the golf course and ends just past the entrance to The Greens residential neighborhood. No pedestrian facilities are currently provided on the south side of the road. *(2017 Note: A sidewalk on the north side of Fernwood Road between Springbrook Road.)*

Bicycle Network: Bike lanes exist on Fernwood Road. There are no dedicated bicycle facilities on 2nd Street between Hwy 219 and Springbrook Road.

- Hayes Street / Providence Drive

Provides a safe connection in the eastern part of the city while connecting to Fred Meyer, the hospital, and senior housing. When Hayes Street is completed, it will be a good alternative to using OR99W.

Pedestrian network: Currently two separate, unconnected routes, the streets will eventually be connected with additional development. Both streets have excellent sidewalk networks with five foot-wide sidewalks in good condition. Hayes Street has minor gaps just east of Springbrook Road, but those will be completed as the adjacent parcels are developed. Curb ramps are fairly new and located at nearly all intersections. *(2017 Note: Hays and Providence are connected streets. A sidewalk on the Southside of Hays Street has completed that gap. The gap on the Northside remains.)*

Bicycle network: Hayes Street has bicycle lanes along the entire length of the existing road. There are no bicycle lanes on Providence Drive. *(2017 Note: Bike lanes exist on Providence Drive.)*

Staff reviewed the 2014 Stormwater Master Plan and did not identify any capital improvement projects that relate to or impact the Springbrook Oaks Specific Plan area other than streambank protection projects.

FISCAL IMPACT:

Not applicable.

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

Not applicable to the September 2017 Council Priorities.

Review of the various master plans which is now a standard work product of the Community Development Department is tied to the City Council March 21, 2016 City Council Strategic Objectives. One of the adopted priorities was Project Planning. The priority states:

PROJECT PLANNING

In 3 years the council will have a schedule for reviewing of existing Master and Long Range plans. These will include acknowledgement of inter-departmental dependencies and demonstrate a mitigation of redundancy. The intent of this is to have a strategic approach for the Council to review existing plans in a scheduled manner to ensure that the original intentions and targets are being achieved. It is not intended that the council reviews the details of all the documents.

A schedule was prepared and shared with the City Council on March 4, 2017 outlining when various Master and Long Range plans would be brought before the City Council for review. This is the first year report on the 1992 Northwest Newberg Specific Plan.

Attachment: 1. Springbrook Oaks Specific Plan

ORDINANCE NO. 99-2517

AN ORDINANCE ADOPTING THE SPRINGBROOK OAKS SPECIFIC PLAN AMENDING THE COMPREHENSIVE PLAN TEXT, THE NEWBERG DEVELOPMENT CODE, THE COMPREHENSIVE PLAN MAP FROM IND/COM/LDR/MDR TO IND/COM/LDR/MDR/HDR/MIX, AND AMENDING THE ZONING MAP FROM M-1/C-2/R-1/R-2 TO M-1/C-2/R-1/R-2/R-3/R-P FOR THE PROPERTY LOCATED SOUTH OF HIGHWAY 99W, EAST OF SPRINGBROOK ROAD, NORTH OF FERNWOOD ROAD, AND WEST OF THE UGB: YAMHILL COUNTY TAX LOT 3216-2001 AND 3216-2010.

RECITALS:

1. On August 3, 1998, Newberg City Council initiated the specific plan process for the subject property at the land owner's request. The City Council appointed 13 members to the Springbrook Oaks Specific Plan Steering Committee. By April 15, 1999, the steering committee, in conjunction with the land owner and city staff, had developed and accepted the draft Springbrook Oaks Specific Plan to be forwarded to the Newberg Planning Commission and Newberg City Council for their review and consideration of adoption.
2. On May 4, 1999, notice of this proposed comprehensive plan amendment/zone change was mailed to the owner of record as identified in Yamhill County Assessor's Office, and all adjoining property owners within a distance of 300 feet, prior to the Planning Commission meeting on May 13, 1999.
3. Notice was published in the Graphic Newspaper on April 28, 1999, which is at least ten days prior to the public hearing before the Planning Commission on May 13, 1999; and on April 21, 1999, notice of the Planning Commission was posted on the site and at four public places to comply with Oregon Revised Statute requirements for comprehensive plan amendments.
2. On May 13, June 10, and July 8, 1999, the Newberg Planning Commission held a public hearing on the draft Springbrook Oaks Specific Plan. On July 8, 1999, the Newberg Planning Commission deliberated the Specific Plan, in consideration of public testimony and staff recommendations. At this meeting, the Planning Commission voted to recommend that the City Council grant the comprehensive plan amendment/zone change request and adopt the draft Springbrook Oaks Specific Plan with amendments.
6. On July 23, 1999, notice of this proposed comprehensive plan amendment/zone change was mailed to the owner of record as identified in Yamhill County Assessor's Office, and all adjoining property owners within a distance of 300 feet, prior to the City Council meeting on August 2, 1999.
7. Notice was published in the Graphic Newspaper, July 21, 1999, which was at least 10 days prior to the City Council hearing on August 2, 1999; and on July 15, 1999, notice of the City Council hearing was posted at four public places.
8. After proper notice, on August 2, 1999, at the hour of 7:00 PM in the Newberg Public Safety Building, 401 E. Third, the City Council held a Public Hearing on the item: accurately stated objections to jurisdiction, bias, and ex-parte contact; considered public testimony; examined the record; heard the presentation from staff and the applicant; examined and discussed the appropriate criteria to judge the project (as listed in the staff report); considered all relevant information regarding the item; and deliberated.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWBERG AS FOLLOWS:

1. The City Council finds that the comprehensive plan amendment and zone change request are governed by Section 10.20.030 of the Newberg Development Code.
2. Requirements of the City of Newberg Comprehensive Plan and Newberg Development Code regarding comprehensive plan amendments and zone changes have been met; and
3. The City Council adopts the findings which are attached hereto as Exhibit A and incorporated herein by reference.
4. The territory shown in Exhibit B and described in Exhibit C, is hereby changed from an IND/COM/LDR/MDR comprehensive plan designation to an IND/COM/LDR/MDR/HDR/MIX comprehensive plan designation and changed from an M-1/C-2/R-1/R-2 zoning designation to an M-1/C-2/R-1/R-2/R-3/R-P zoning designation. The Newberg, Oregon Comprehensive Plan Map, the Newberg Zoning Map, and the Supply and Demand Analysis table in the Comprehensive Plan shall be amended to reflect the change.
5. The City Council adopts the Springbrook Oaks Specific Plan in Exhibit C with amendments described in Planning Commission Resolution No. 99-117 in Exhibit D .
6. The Newberg Comprehensive Plan text is amended by deletion of section IV.G.12 - **Commercial/Industrial/Residential Area South of Highway 99W/East of Springbrook Road**. The subject property will now be governed by section IV.G.14 - **Specific Plan (SP)** of the Newberg Comprehensive Plan.
7. The Newberg Development Code is amended with a section 10.44..318 - The Springbrook Oaks Specific Plan. Content of this section will include Appendix B of the Springbrook Oaks Specific Plan.

ADOPTED by the Newberg City Council this 2nd day of August, 1999, by the following votes:

AYES: 5

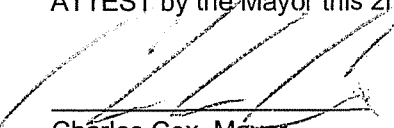
NAYS: 1 (Currier)

ABSTAIN: 0

ABSENT: 0


Duane Cole - City Recorder

ATTEST by the Mayor this 2nd day of August 1999.


Charles Cox, Mayor

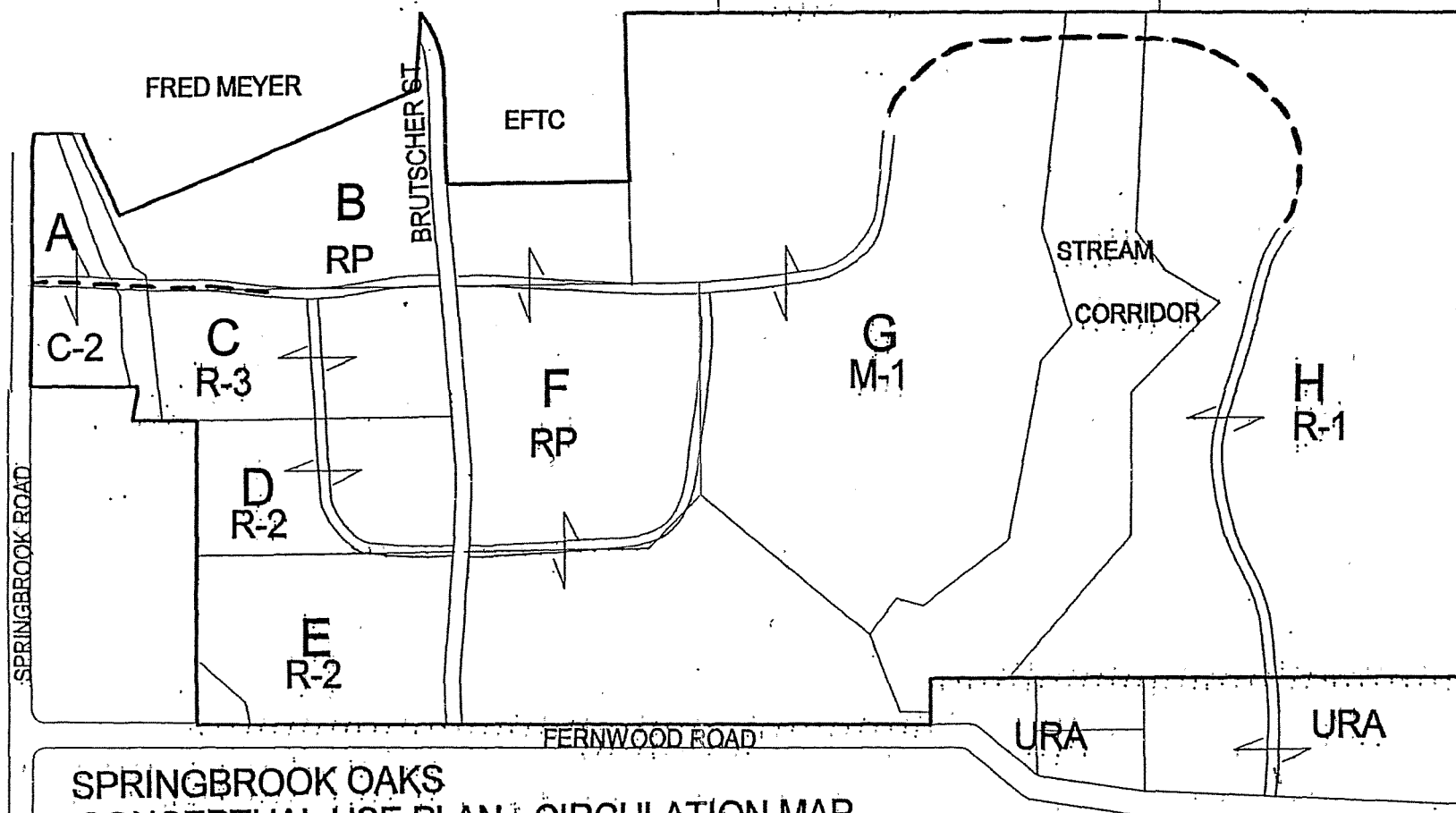
Attachments:

Exhibit A.	Findings
Exhibit B.	Map
Exhibit C.	Springbrook Oaks Specific Plan (see Attachment B - May 13, 1999 Staff Report)
Exhibit D.	Planning Commission Resolution No. 99-117

AREA	ZONE	GROSS	CORRIDOR	NET	NOTES
		ACRES	ACRES	ACRES	
A	C-2	6.8	1.2	5.6	FOR ZONES WHICH ABUT A STREAM CORRIDOR, THE BOUNDARY IS THE CENTER OF THE STREAM CORRIDOR
B	RP	15.3	0.7	14.6	
C	R-3	13.0	0.6	12.4	ROADS AREAS INCLUDED IN THE CONTAINING ZONE, EXCEPT BRUTSCHER
D	R-2	11.3		11.3	
E	R-2	14.1	0.7	13.4	
F	RP	50.8	0.5	50.3	
G	M-1	85.0	13	72.0	
H	R-1	87.0	12	75.0	
BRUTSCHER		4.1		4.1	
TOTALS		287.5	28.7	258.8	

ROAD ALIGNMENT SHOWN
WITH — — SYMBOL ARE TO
INDICATE POTENTIAL ROUTING
ONLY. EXACT LOCATION WILL
BE DETERMINED AT TIME OF
DEVELOPMENT.

N
↑



SPRINGBROOK OAKS CONCEPTUAL USE PLAN - CIRCULATION MAP

SPECIFIC PLAN FILE CPA-14/Z-14-99

Tax Lots 3216-2001 and 3216-2010

JUNE 10, 1999

SCALE 1" = 667 FT

Exhibit B

PLANNING COMMISSION RESOLUTION NO. 99-117

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWBERG RECOMMENDING THAT THE CITY COUNCIL APPROVE FILE CPA-14/Z-14-99 (SPRINGBROOK OAKS SPECIFIC PLAN), A COMPREHENSIVE PLAN AMENDMENT AND REZONING FOR PROPERTY LOCATED SOUTH OF HIGHWAY 99W, EAST OF SPRINGBROOK ROAD, NORTH OF FERNWOOD ROAD, AND WEST OF THE UGB, YAMHILL COUNTY TAX LOTS 3216-2001 AND 3216-2010.

WHEREAS, On August 3, 1999, the City of Newberg City Council, by unanimous vote, initiated an application requesting a comprehensive plan amendment and zone change for property located at South of Highway 99W, east of Springbrook Road, north of Fernwood Road, and west of the UGB. This action was taken at the request of the property owner.

WHEREAS, On April 15, 1999, the Newberg City Council appointed Springbrook Oaks Specific Plan Steering Committee voted unanimously to accept the Draft Springbrook Oaks Specific Plan and forward it to the Newberg Planning Commission for their consideration.

WHEREAS, On May 4, 1999 notice of this proposed comprehensive plan amendment/zone change was mailed to the owner of record as identified in Yamhill County Assessor's Office, and all adjoining property owners within a distance of 300 feet.

WHEREAS, Notice was published in the Graphic Newspaper on April 28, 1999, which is at least ten days prior to the public hearing before the Planning Commission on May 13, 1999; and on April 21, 1999 notice of the Planning Commission was posted on the site and at four public places to comply with Oregon Revised Statute requirements for comprehensive plan amendments.

WHEREAS, On May 13, 1999 a hearing was held by the Newberg Planning Commission. The hearing was continued to the next Newberg Planning Commission on June 10, 1999.

WHEREAS, On June 10, 1999 a hearing was held by the Newberg Planning Commission. The hearing was continued to the next Newberg Planning Commission on July 8, 1999.

WHEREAS, On July 8, 1999, the Newberg Planning Commission deliberated the Draft Springbrook Oaks Specific Plan, in consideration of public testimony and staff recommendations. The hearing was closed during this meeting.

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Newberg that it recommends to the City Council approve the Springbrook Oaks Specific Plan draft dated April 15, 1999 with the following amendments:

1. Amend the seventh policy under Open Space and Parks (pages 17-18 of the plan) as follows:
 - A minimum of two neighborhood parks shall be established within Springbrook Oaks. One park will be located within the residential area west of Brutscher Street and one will be located within the residential area east of the eastern fork of Springbrook Creek. The parks shall be in a location that is convenient to the area residents. Total acreage of the parks shall be a minimum of five acres, with each park no less than ~~one two~~ two acres in size. ~~Some of the~~ None of the park

requirements may be fulfilled through future school facilities.

2. Add the following policy in the **Utilities** section (pages 21 and 22 of the plan):
 - Each development application shall show that its water requirements can be met adequately by municipal water supply and storage that are in place or will be at time of occupancy.
3. Amend the 10th policy in the **Transportation: Motorized Vehicles** section of the specific plans policies (Page 15 of the Specific Plan).
 - ~~The Springbrook Oaks Specific Plan shall include a traffic impact analysis as a basis for transportation improvements with the area of influence of Springbrook Oaks.~~
 - Development shall follow the recommendations provided within the *Transportation Impact Analysis for Springbrook Oaks*. The analysis shall be updated as changes in circumstances require.
4. Add the following under the subsection **Springbrook Road** of the **Transportation** section (Page 17 of the Specific Plan):
 - A traffic signal shall be installed at the intersection of the east/west road and Springbrook Road at or before the period recommended by the *Transportation Impact Analysis for Springbrook Oaks* document.
 - A separate southbound left turn lane shall be constructed at the intersection of the east/west road and Springbrook Road at or before the period recommended by the *Transportation Impact Analysis for Springbrook Oaks* document.
 - Each development that occurs within Springbrook Oaks prior to the need for the necessary improvements (including signalization) of the intersection of the east/west road and Springbrook Road shall provide a bond or other alternative finance mechanism towards the intersection improvements. The value of the bond will be a percentage of the cost of the intersection improvements. The percentage will be the ratio of the impacts of the development to the traffic at the intersection. Adjacent developments outside the Springbrook Oaks Specific Plan area will also be required to participate in the signalization using the same formula.
5. Add the following policies could be placed under the subsection **Brutscher Road** of the **Transportation** section:
 - A traffic signal shall be installed at the intersection of the east/west road and Brutscher Road at or before the period recommended by the *Transportation Impact Analysis for Springbrook Oaks* document. An interconnected roadway system dispersing the traffic from this intersection may eliminate the need for this signal.
6. Amend the circulation plan map as shown in Attachment B. This shows the conceptual location of the roadway serving Area H to be within the boundaries of Springbrook Oaks. Previous versions showed this roadway on adjoining properties to the north. Plan policies still allow the roadway to be on the adjoining properties, but this would depend on neighboring property owners willingness to participate in the project.

Approval of this resolution is also based upon the expectation that city staff will provide findings to the Newberg City Council that address points **2.d** and **2.f** under section **H. THE**

30

ECONOMY of the City of Newberg Comprehensive Plan Text.

This recommendation is based on the staff report, findings and testimony.

DATED this 8th day of July, 1999.

AYES: 6

NAYS: 0

ABSTAIN: 1

ABSENT: 0

ATTEST:

Barton Brierley
FOR Planning Commission Secretary

Steve E. Hansen
Planning Commission Chair

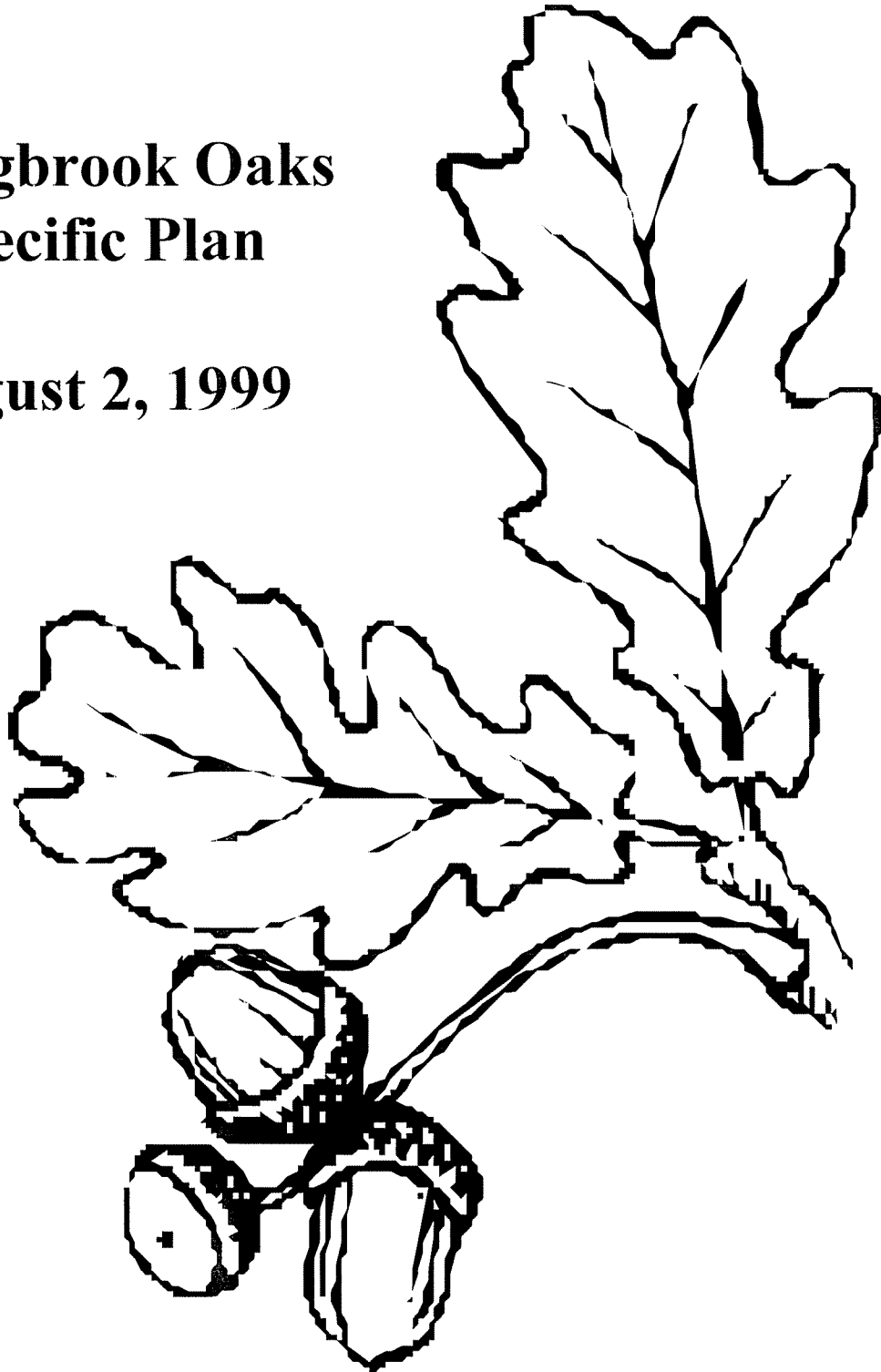
Exhibits to be forwarded to Council as part of adoption ordinance:

Exhibit A - Staff Report, May 13, 1999

Exhibit B - Springbrook Oaks Specific Plan - Staff Update, June 10, 1999

Springbrook Oaks Specific Plan

August 2, 1999



**City of Newberg
P.O. Box 970
Newberg, OR 97132
(503) 537-1240 32**

THE SPRINGBROOK OAKS SPECIFIC PLAN

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THE SPRINGBROOK OAKS SPECIFIC PLAN

SUMMARY

The Springbrook Oaks Specific Plan is intended to provide a coordinated framework for development of one of the largest undeveloped areas in Newberg. Springbrook Oaks will be a mixed use development, containing multi-family and single family residential, office, and industrial uses. The Specific Plan establishes a framework plan for land use, streets, and utilities for the approximately 284-acre parcel located southeast of the Springbrook Road / Highway 99W intersection.

Land uses for the property will be mixed. A range of housing opportunities will be provided. Residential facilities may include apartments, single family attached housing, duplexes, and single family detached homes. Light industrial and office development will provide a convenient work location for community residents as well as support the economy of the greater Newberg area. The plan also takes into consideration the significant natural features of the property. It protects the stream corridors, preserves an existing oak grove for open space, and ensures the integrity of a wooded area in the eastern portion of the project area through low-density residential development. The plan accommodates the recreational needs of the community through the designation of neighborhood parks within residential areas. Infrastructure needs for water, sewer, storm drainage and energy have been addressed. The plan also provides for the circulation requirements of a variety of transportation modes. The transportation plan will serve the intra-connectivity needs of the Springbrook Oaks development as well as ensure a quality addition to the overall transportation network of the City.

A set of development policies have been established to ensure the proper implementation of the Specific Plan. These policies can be found in Appendix A.

The needs of the property owner, the developer, neighbors, and the community have been incorporated into this Plan. The draft plan was developed by a broad-based steering committee of 14 members appointed by City Council in Autumn 1998. The steering committee built consensus for the plan by balancing community needs with development realities and the wishes of the property owner. The draft plan was reviewed and modified by the Newberg Planning Commission and the Newberg City Council. The Springbrook Oaks Specific Plan was adopted by the City of Newberg on August 2, 1999.

In summary, the Springbrook Oaks Specific Plan includes:

- Residential developments of various densities and housing types;
- Significant natural resources protection;
- Recreational opportunities;
- Economic development and employment opportunities; and
- Adequate infrastructure.

PLAN PURPOSE AND OBJECTIVES

The primary purpose of the Springbrook Oaks Specific Plan is to establish a vision for the project area that helps meet the current and future needs of the local community. Proper implementation of the development guidelines within this plan will ensure the creation of an attractive, balanced, coordinated, high quality development that will be a positive addition to the City of Newberg.

The specific plan development process was initiated by the Newberg City Council at the land owner's request. The intent of the property owner and the City of Newberg was to prepare a specific plan that would establish specific development guidelines which would support the goals and objectives of Newberg's Comprehensive Plan.

The Specific Plan was developed under several important principals:

- Land use and zoning district locations should respond to existing surrounding uses.
- Land uses should be mixed to encourage a balanced development.
- A variety of residential densities and housing types should be developed to provide greater housing opportunities.
- Densities should be laid out so as to allow a low impact transition between use zones, ranging from most dense in the north to least dense in the south.
- Brutscher Street should be used as a buffer between zoning districts.
- The site should contain a connected street pattern that is integrated into the Newberg Transportation Plan.
- Secondary collector streets should be used as an alternative to Highway 99W.
- A strong pedestrian circulation system should be developed to provide connectivity and to reduce vehicular traffic.
- Sensitive stream corridors should be protected as much as is practical.
- Wooded areas of the property should be retained as much as is practical.
- Recreational opportunities should be provided in residential areas through neighborhood parks.
- Implementation policies should provide developers with some flexibility to respond to future design and market forces.

THE SITE AND ITS CONTEXT

Location and Size

The Springbrook Oaks Specific Plan site is approximately 284 acres in size. It is located southeast of the Springbrook Road / Highway 99W intersection, and is within the city limits. The site adjoins unincorporated County land. Some of these adjoining County lands are located within the City of Newberg's Urban Growth Boundary and identified Urban Reserve lands (see Graphic I).

Natural Features

The site is located along the western edge of the Chehalem Mountains, within the upper Springbrook drainage (see Graphic II). The western two-thirds of the site slopes to the south, with slopes varying from 1% to 7%. Most of this area is a broad, gently sloping terrace bounded by the western fork of Springbrook Creek and eastern fork of Springbrook Creek, with an average slope of 2%. The eastern third of the site is moderately sloping hills. Outside of the stream corridor, the slopes vary from 3% to 20%.

Two stream corridors cross the site. The stream corridor for the western fork of Springbrook Creek averages approximately 120' in width. The stream corridor for the eastern fork of Springbrook Creek averages approximately 400' in width. Both streams generally run in a southerly direction. To the east of the eastern fork of Springbrook Creek is a wooded area containing mixed brush and hardwood and softwood trees. South of the Fred Meyer store, there is a small grove of mature oaks. This grove, encompassing approximately 2.5 acres, is located on a flat piece of ground.

Current Uses

The Springbrook Oaks area is currently a mixture of farmland and forest uses. Surrounding uses to the north and west of the property include commercial development: retail (including Fred Meyer), auto sales, banks, restaurants, auto service, a movie theater, and an animal hospital. Additional commercial uses are present along the Highway 99W strip.

Rural residential development borders the property to the east and south. The majority of these properties are located within unincorporated Yamhill County. Light industry, a manufactured home park and medium density residential uses are located to the west and southwest across Springbrook Road. The remaining county land adjoining the site to the north, east, and south is zoned for agricultural and forest uses.

Comprehensive Plan - Land Uses

Prior to this plan, the land within Springbrook Oaks area was designated for Industrial, Low Density Residential, and Medium Density Residential uses by the Newberg Comprehensive Plan. The Newberg Zoning Map shows land uses of Light Industrial, Medium Density Residential and Low Density Residential. The Springbrook Oaks Specific Plan amends the Comprehensive Plan text and map for the project area.

While the designated uses shown on the comprehensive plan and zoning maps were not intended to be

tied to specific locations within the property, the map does establish the approximate percentages of the designations. The approximate land use percentages described in the Newberg Comprehensive Plan are as follows:

Industrial	52%
Commercial	8%
Medium Density Residential	14%
Single Family Residential	26%

It should be noted that these figures included property to the north of the project area that was in possession of the property owners at the time of the Comprehensive Plan’s adoption. These northern properties have since been sold by the land owner and have been developed for commercial and light industrial uses. Business developments include the Fred Meyer complex, US Bank, Davis Lock and Safe, Wendy’s, Taco Bell, Jiffy Lube, West Coast Bank, and EFTC.

Circulation

Vehicular Circulation

The Springbrook Oaks property is currently accessible by three (3) existing roads: Brutscher Street, Springbrook Road, and Fernwood Road. North of the site, both Brutscher Street and Springbrook Road have signalized intersections with Highway 99W, a major arterial (see Graphic III).

Springbrook Road is classified as a major arterial south of Hancock, and as a major collector north of Hancock. This street is not currently improved to its classification, and currently contains two lanes with no curbs and an asphalt sidewalk on the west side separated by a planting strip.

Brutscher Street is classified as minor collector. The street currently extends 900 feet south from its intersection with Highway 99W, where it dead ends at the Springbrook Oaks’ northern boundary line.

Fernwood Road is classified as a major collector, but is not improved to its classification. This two lane road currently has no curbs, sidewalks or bike lanes.

Public Transportation

Bus service is available along Springbrook Road and Highway 99W. Local service is provided by the Chehalem Valley Senior Citizen Council (CVS). Inter-city connections are provided by the Yamhill Community Action Agency (YCAP). This transit system connects Newberg to areas between McMinnville and the Tri-Metropolitan Transit District (Tri-Met).

Pedestrian Circulation

Sidewalks currently exist along the south side of Highway 99W. Brutscher Street has sidewalks on the east side and on the west side from Highway 99W to Fred Meyer.

Bicycle Circulation

Bicycle lanes are on Springbrook Road and Brutscher Street.

Transportation System Plan (TSP)

The TSP calls for improvements to Fernwood Road as a major collector. Springbrook Road is identified as a major collector north of Hancock Street and a minor arterial south of Hancock Street. The TSP also shows Brutscher Street being extended south to Fernwood Road as a minor collector street. All of these roads will ultimately be 46 feet in width curb to curb. Finally, a future limited access highway is identified to be located within the study area. Typical cross sections of these streets are shown in Graphic IV.

Development of Springbrook Oaks will have an impact upon transportation facilities beyond those within its immediate vicinity. Improvements to these facilities as specified in the TSP will need to be made as development occurs in Springbrook Oaks.

Utilities (see Graphic V)

Sewer

- Springbrook Road is served by a 15 inch line.
- Highway 99W is served by an 8 inch line in the Fred Meyer access drive. This line terminates at Brutscher.
- Fernwood Road does not have sewer service east of Springbrook.

System improvements for Fernwood Road have been designed and are expected to go out to bid in Spring 1999. The improvements will include a 10 inch gravity line, a 6 inch force main, a 12 inch force main, and a new pump station.

Water

- Springbrook Road contains a 12 inch water main.
- Highway 99W contains a 10 inch water main.
- Fernwood Road lacks water service east of Springbrook.

System improvements scheduled for the area include a new 4 million gallon reservoir east of the property with a 24 inch main along Fernwood Road and a 16 inch main from Highway 99W at Fernwood Road.

Electricity

A new substation has been installed along Springbrook Road. The substation has the capacity to serve all the intended uses of the property. High voltage power is available from Highway 99W and Springbrook Road for industrial uses.

Gas

- Springbrook Road and 99W west of Newall Road are served by 8 inch high pressure lines.
- A 2 inch line runs from Springbrook around the south side of the Fred Meyer store at the edge of the paved area, terminating at Brutscher.
- Fernwood Road lacks gas service east of Springbrook.

Site Drainage

The site drains generally to the two stream corridors, with the tributary area split roughly 50/50 between the two. The western and eastern forks of Springbrook Creek are the natural drainage channels contained in the stream corridors. Drainage tiles run in the existing agricultural field into the eastern fork of Springbrook Creek in the northeast corner of the site and through the culvert under Fernwood Road.

The western fork of Springbrook Creek crosses under Fernwood Road in a 36 inch round culvert. The eastern fork of Springbrook Creek crosses under Fernwood Road in a 70 inch round culvert. Both culverts are considered undersized by 1999 Newberg Storm Water Master Plan Update. The plan states that these culverts will be upgraded as improvements are made along Fernwood Road. The plan also identifies detention requirements for the Springbrook Oaks property.

FUTURE LAND USE PLAN

The Springbrook Oaks Specific Plan provides a framework for development beyond the Comprehensive Plan designations. Without the Specific Plan, the Springbrook Oaks site would probably be developed in a less coordinated, piecemeal manner. With the Specific Plan, a quality development will be created that will be a positive addition to the Newberg community.

A mix of land uses are planned that will ensure the creation of a well-balanced development. Included within the plan is a range of housing densities that makes use of the site's location, surrounding uses and natural features. Office and light industrial uses are planned for the central portion of the site. This location will provide good access to Highway 99W via Brutscher Street and utilize Brutscher Street as a buffer to the residential areas west of this road. This location will also allow the eastern stream corridor to act as a natural buffer to the residential area planned for the eastern portion of the site.

The eastern portion of the site, which is adjacent to unincorporated Yamhill County, will be used for the low density, single family housing, taking advantage of the stream corridor to buffer the housing from the commercial and industrial uses. This type of development will also lessen the impact upon the wooded nature of this portion of the site and the adjacent stream corridor. The plan anticipates the development of higher density residential uses west of Brutscher Street, such as detached homes, attached homes, townhouses, apartments, and senior housing. Density will vary in this area, with higher density expected to the north and then decreasing to the south.

Commercial development has been planned for the land east of Springbrook Road and west of the western fork of Springbrook Creek. This land use designation is contiguous to commercial activities along Highway 99W. Businesses developed at this location will be easily accessible for Springbrook Oaks residents and the greater Newberg community from Springbrook Road and the east/west collector road designated to be built within the Specific Plan.

Implementation of design policies within this plan will bring about a more attractive, livable community. Design policies address such issues as staggered setbacks, non-repetitive home designs, varied building types, aesthetically attractive exterior building materials, and pedestrian-friendly building orientation.

Infrastructure needs for water, sewer, and transportation have been defined. Adequate utilities for water and sewer will be provided for the Springbrook Oaks development while making provisions to service adjacent properties within the Urban Growth Boundary and Urban Reserve areas. Routes and standards for both motorized and non-motorized modes of transportation have been designed to provide good circulation within the development as well to the greater Newberg community.

The plan provides recreational opportunities through the establishment of neighborhood parks in residential areas and a central plaza. The plan has also been configured to allow later development of a golf course that is tentatively planned for the area. If developed, the golf course is anticipated to be located on both sides of the stream corridor of the eastern fork of Springbrook Creek.

Environmentally sensitive areas will be protected. Buffer zones for stream corridors have been established. A grove of oak trees behind Fred Meyer will be preserved as open space. Residential development within the forested area in the eastern portion of the site will be guided by a tree

management plan and a geotechnical report. Storm water mitigation measures have been identified.

The Springbrook Oaks Specific Plan provides some flexibility in how actual development occurs. Tools exist for minor density transfers and boundary changes through minor review processes. This will allow developers to better respond to design and market forces while still protecting the integrity of the plan.

The establishment of schools are permitted, if necessary, within appropriate zones. This will provide for the educational needs for the residents of Springbrook Oaks as well as those of surrounding areas. Site location policies for schools have been established to ensure that these educational facilities will be safe, convenient, and pedestrian-friendly.

Eight (8) development areas have been established within Springbrook Oaks (see Graphic VI). A brief description of these development areas is as follows:

Areas A	This area is zoned Community Commercial (C-2). The purpose of this land use is to create, preserve, and enhance areas with a wide range of retail sales and service establishments. The land use will serve both long and short term needs in compact locations typically appropriate to commercial clusters near intersections of major thoroughfares. Examples of permitted uses include banks, book stores, service stations, dry cleaners, gift shops, restaurants, and grocery stores.
Areas B and F	These areas are zoned Residential-Professional (R-P). The purpose of this land use designation is to create a desirable mixing of residential land uses with professional offices in possible close proximity to adjacent low density residential areas. Examples of permitted uses include group care facilities, medical labs, clinics, professional offices, and single-family dwellings.
Area C	These areas are zoned High Density Residential (R-3). The purpose of this land use designation is to provide for multi-family dwellings of different types and styles. Examples of permitted uses include apartments, townhouses, condominiums, and cluster developments.
Areas D and E	These areas are zoned Medium Density Residential (R-2). The purpose of this land use designation is to provide a wide range of housing types and styles. Examples of permitted uses include single-family dwellings on small lots, attached and detached single family, duplex or multi-family housing, cluster developments and townhouses.
Area G	This area is zoned Limited Industrial (M-1). The purpose of this land use designation is to create, preserve and enhance areas containing manufacturing and related establishments with limited external impact, and with an open and attractive setting. Examples of permitted uses include manufacturing and assembly of electronic equipment, storage facilities, wholesale businesses, and professional offices.

Area H This area is zoned Low Density Residential (R-1). The purpose of this land use designation is to provide for low density, urban single family residential and planned unit development uses. This area is expected to be developed primarily as single family residential.

A series of policies have been established to guide development of Springbrook Oaks. These development policies can be found in Appendix A of this document. Appendix B describes the codification of this plan in the Newberg Development Code, Section 10.44.318. Appendix C establishes building design and development standards for proposed attached residential dwelling unit developments within Development Areas B through F. Such development proposals meeting these standards will be reviewed under a Type I process.

Springbrook Oaks Specific Plan

Development Policies

General Policies

- Homeowner associations shall be formed to maintain a high quality of life for the community's residents. Responsibilities of the associations may include the long-term ownership, financing, and maintenance of community areas such as landscaped areas, storm water detention areas, open space, and pedestrian paths. The associations may also establish an architectural/site plan review committee to ensure that the Building Design and Development Standards established within these policies are adhered to. Decisions of the architectural/site plan review committee shall be subject to an appeal process to the City of Newberg.
- Changes to the adopted specific plan shall follow the procedure described in the Newberg Development Code, Section 10.44.312, unless otherwise specified in this policy document.
- Development permit approval process for subdivisions shall follow the Type II application procedure described in the Newberg Development Code, Section 10.10.060.
- Proposed developments for attached residential dwelling units within Development Areas B through F (Graphic VI) that meet the standards established in APPENDIX D of this specific plan shall be reviewed under a Type I process.
- Proposed boundary modifications for Development Areas B through E that increase any individual area no more than five percent (5%) of its original total acreage will be reviewed under a Type I process. Proposed boundary modifications that change the total acreage of any of the aforementioned Development Areas more than five percent (5%) will be reviewed under a Type III process.
- Proposed boundary modifications for Development Areas F through G that increases any individual area no more than ten percent (10 %) of its original total acreage will be reviewed under a Type I process. Proposed boundary modifications that change the total acreage of any of the aforementioned Development Areas more than ten percent (10 %) will be reviewed under a Type III process.
- Proposed boundary changes for Development Areas A and H will be reviewed under a Type III process.
- A proposed shifting of alignment of any road from what is described in the circulation/transportation plan of the Springbrook Oaks Specific Plan will follow the procedure

described in the Newberg Development Code, Section 10.44.312.

- Proposed changes to the policies listed in the **Transportation** section will be review under a Type I process.
- Development activity not covered in this policy document shall be governed by the Newberg Development Code. In the case of a conflict between the Springbrook Oaks Specific Plan and the Newberg Development Code, the Springbrook Oaks Specific Plan shall govern.

Transportation

Bicycle and Pedestrians

- Pedestrian and bicycle paths/sidewalks (on or off-street) shall be provided:
 1. Over the east and west forks of Springbrook Creek (subject to approval by applicable local, state, and federal agencies);
 2. Along Brutscher Road to Fernwood Road;
 3. To Fred Meyer (subject to Fred Meyer approval);
 4. As interconnections between developments within the Springbrook Oaks area; and
 5. To local parks and schools.

Motorized Vehicles

- An interconnected street system shall be provided between residential areas.
- Local streets shall have two separate access points, except for cul-de-sacs. At a minimum, street access plans shall meet Newberg Fire Department Fire Safety Design Standards. All street access plans must be approved by the Newberg Fire Department.
- Access to and from the residential area east of the eastern fork of Springbrook Creek (Development Area H) shall be provided as follows: (1) to Fernwood Road, and (2) across the eastern fork of Springbrook Creek at the northern vicinity of the development (subject to approval by applicable local, state, and federal agencies). This crossing may be inside or outside of the boundaries of Springbrook Oaks. Regardless of which access develops first, the second access to and from Development Area H shall be provided as traffic and/or public safety needs warrant it.
- Access to Fernwood Road from the residential area east of the eastern fork of Springbrook Creek should be granted only when the Urban Reserve Area between the development and Fernwood Road has been brought into Newberg's Urban Growth Boundary.

- Access shall be provided for the future development of the property north of the Springbrook Oaks area located within the Urban Reserve Area.
- A minor collector road shall be built as an east/west connection between Springbrook Road and Brutscher Street, crossing the western fork of Springbrook Creek (subject to approval by applicable local, state, and federal agencies).
- Brutscher Street shall be built as a minor collector road.
- Brutscher Street shall be of a curvilinear or similar design to discourage excessive speeds.
- Fernwood Road shall be improved to major collector road standards.
- Development shall follow the recommendations provided within the Transportation Impact Analysis for Springbrook Oaks. The analysis shall be updated as changes in circumstances require.
- A traffic light shall be installed at Springbrook Road and Fernwood Road at the time recommended by the traffic impact analysis report for Springbrook Oaks.
- All streets shall be built to City public street standards.
- All street access points shall be spaced to City public street standards.
- Public roads shall meet Newberg Fire Department Fire Safety Design Standards.
- The Newberg Transportation System Plan includes a limited access highway through the Springbrook Oaks property. Property owners and developers should be made aware that this project area is included within the Newberg Transportation System Plan.
- Continuous address numbering shall be used for all streets.
- Street trees shall be installed and maintained to at least the minimum city standards.
- No private streets shall be allowed in Springbrook Oaks.

Fernwood Road

Fernwood Road shall be improved to City of Newberg Major Collector standards from Springbrook Road to the access road to development Area H as development proceeds. The improvements shall provide, at a minimum, a three-quarter street improvement along the Springbrook Oaks frontage, and safe pedestrian and bicycle access to Springbrook Road. An engineer shall design the stream crossings on Fernwood Road. This design shall balance needs for vehicle, pedestrian, and bicyclist safety, stream corridor protection, and economic efficiency. The

crossings shall meet all local, state, and federal requirements.

These Fernwood Road improvements shall be made as vehicle, bicycle, and pedestrian volumes, and safety warrant. In no case shall the improvements be made later than the following schedule:

- 1) From Springbrook Road to Brutscher Street: when Brutscher Street connects to Fernwood Road and twenty-five percent (25%) of Areas B through E, F and G, or both have been developed.
- 2) From Brutscher Street to the eastern fork of Springbrook Creek: When sixty percent (60%) of the development Areas F through G have been developed.
- 3) From the eastern fork of Springbrook Creek to the access road in Development Area H: When residential development occurs in Area H.

The developer of Springbrook Oaks is generally obligated for the costs of improving Fernwood Road along the frontage of the property, including an equitable share of the stream crossings. The developer may need to install improvements beyond this basic obligation to provide safe access for the development. In these cases the City should assist the developer in recovering costs beyond this basic obligation through methods that may include system development charges, advanced financing agreements, or a local improvement district (LID).

Each development that occurs prior to the Fernwood Road improvements shall provide a bond towards the required street improvements. The value of the bond will be a percentage of the cost of the road improvement. The percentage will be the ratio of the area of the property to be developed to the area of the entire Springbrook Oaks development.

Improvements to Fernwood Road will be performed in a contiguous, sequential manner, from Springbrook Road to the access road serving Development Area H.

Brutscher Street

Brutscher Street and associated utilities will be extended to accommodate development as it occurs.

In addition to the Brutscher Street/Highway 99W access, a second access from Development Areas B through G to Fernwood Road or Springbrook Road shall be provided as traffic and/or public safety needs warrant it. In no case shall the second access be provided later than when:

- 1) Twenty-five percent (25%) of the land included within Development Areas B through E have been developed; or
- 2) Twenty-five percent (25%) of the land included within Development Areas F through G have been developed; or

- 3) Twenty-five percent (25%) of the land included within Development Areas B through G have been developed.

Brutscher Street shall be completed to Fernwood Road under the following conditions:

- 1) Sixty- percent (60%) of the land included within Development Areas B through E have been developed; or
 - 2) Sixty- percent (60%) of the land included within Development Areas F through G have been developed; or
 - 3) Sixty- percent (60%) of the land included within Development Areas B through G have been developed.
- A traffic signal shall be installed at the intersection of the east/west road and Brutscher Road at or before the period recommended by the *Transportation Impact Analysis for Springbrook Oaks* document. An interconnected roadway system dispersing the traffic from this intersection may eliminate the need for this signal.

Springbrook Road

- Street improvements for Springbrook Road shall be constructed prior to or at the time of development of the lands within Development Area A.
- A traffic signal shall be installed at the intersection of the east/west road and Springbrook Road at or before the period recommended by the *Transportation Impact Analysis for Springbrook Oaks* document.
- A separate southbound left turn lane shall be constructed at the intersection of the east/west road and Springbrook Road at or before the period recommended by the *Transportation Impact Analysis for Springbrook Oaks* document.
- Each development that occurs within Springbrook Oaks prior to the need for the necessary improvements (including signalization) of the intersection of the east/west road and Springbrook Road shall provide a bond or other alternative finance mechanism towards the intersection improvements. The value of the bond will be a percentage of the cost of the intersection improvements. The percentage will be the ratio of the impacts of the development to the traffic at the intersection. Adjacent developments outside the Springbrook Oaks Specific Plan area will also be required to participate in the signalization using the same formula.

Open Space and Parks

- Where possible, open space shall be conveyed to the Chehalis Parks and Recreation District.

- Proposed development of stream corridor sub-districts shall be subject to the review and approval process provided within the Newberg Development Code, Sections 10.44.115 through 10.44.240.
- A plan shall be developed for the oak grove area behind Fred Meyer that adequately addresses the unique issues it presents, especially concerns regarding public safety.
- A central plaza park shall be located near the center of the Springbrook Oaks to provide a focal point for community activities and a common identity for the community.
- Major pedestrian pathways should be located along public streets rather than along stream corridors.
- The plan allows for development of a golf course next to the stream corridor of the eastern fork of Springbrook Creek.
- A minimum of two neighborhood parks shall be established within Springbrook Oaks. One park will be located within the residential area west of Brutscher Street and one will be located within the residential area east of the eastern fork of Springbrook Creek. The parks shall be in a location that is convenient to the area residents. Total acreage of the parks shall be a minimum of five acres, with each park no less than two acres in size. None of the park requirements may be fulfilled through future school facilities.

Building Design and Development Standards

Residential

- Setback standards shall be as set forth in the Newberg Development Code, Section 10.44.317(D). The referenced (g) subsection shall read as follows for purposes of the Springbrook Oaks Specific Plan:

Building Orientation. All development shall be oriented to a local or collector street when possible. Orientation shall be achieved by the provision of an entry door fronting upon the street with a direct sidewalk connection from the door to the public sidewalk.

- Multiple, non-repetitive home designs (detached dwelling units) shall be used in the development. No two identical designs shall be located closer than every three residences on any street frontage.
- A mixture of different building types shall be encouraged within the residential areas (e.g. single family residential, duplex, attached single family residential, multiple family).
- Porches shall be encouraged in the design of residential units.
- A visual and sound buffer shall be installed between the Fred Meyer property and Springbrook Oaks. The buffer will be specifically designed to mitigate conflicts between the adjacent uses.

- Prior to development of the residential lands east of the eastern fork of Springbrook Creek, the developer shall produce a geotechnical report.
- Prior approval of any proposed development within Development Area H, a tree management plan must be approved through a Type II process. The tree management plan should provide a program that will ensure the creation of an appropriate urban level tree canopy for the development. The plan will describe; (1) what types and size of existing trees should remain and their location; (2) what types and size of existing trees should be removed and their location; (3) what types and size of trees should be planted and their location; and (4) who will install and/or maintain the trees and how they will be maintained. The tree management plan shall specify methods for amending the plan.

Industrial

- Prior to the development of any industrial zoned land within Springbrook Oaks, the developer will establish codes, covenants and restrictions (CCRs) that will ensure high quality development. The CCRs will be subject to approval by the City of Newberg. The document will, at minimum, address the following issues:
 - Street frontage building design;
 - Parking lot location;
 - Exterior building materials; and
 - Street design and development standards.

Schools

- Schools shall be allowed within Development Areas B through E or Area H.
- School sites shall meet the intent of the City's Comprehensive Plan concerning the siting of schools.
- Schools should be sited with the main entrance onto a local or minor collector street.
- School sites shall be located, to the extent reasonably possible, at the center of that portion of the residential development most likely to house children of the appropriate ages considering the type of development intended and related socioeconomic factors.
- School sites shall be located so as to minimize student foot traffic along and/or across major collector and arterial streets.
- Park and recreation facilities should be linked closely with schools.

Density

- The following development standards shall be applied to Springbrook Oaks (please refer to Graphic VI for map of development areas A through H). These standards shall supersede any density or density transfer standards established in the Newberg Development Code.

Area	Zone	Minimum Lot Size (square feet)	Minimum Lot Area Per Dwelling Unit (square feet)	Maximum Density (dwelling units per acre)
A	C-2	5,000	NA	NA
B	R-P	1,500*	1,500*	21.8* ¹
C	R-3	2,500*	2,500*	13.1*
D	R-2	3,750*	3,750	8.8
E	R-2	5,000	5,000*	6.6*
F	R-P	1,500*	1,500*	21.8* ²
G	M-1	20,000	NA	NA
H	R-1	5,000*	10,000* ³	3.3*

* Different than the standards established in the Newberg Development Code.

- A density shift of up to twenty percent (20%) is permitted between any two lots or portions of lots of equal acreage within the same or different residential areas (Areas B, C, D and E). The shift may be up to twenty percent (20%) of total units permitted within the lower density zone regardless of which direction the shifting is occurring. Any such shift shall be approved through a Type I process. An agreement must be drafted and signed by parties involved. An example is as follows:

Present maximum density
permitted by zone:

A 5 acre lot in Area B = 109 units
A 5 acre lot in Area C = 65.5 units
(20% = 13.1 units)

¹ Up to one-hundred percent (100%) of the land zoned R-P within Area B may be developed for residential use.

² Up to twenty percent (20%) of the land zoned R-P within Area F may be developed for residential use.

³ Average lot area per dwelling in any one subdivision.

Proposed 20% shift:

Lot in Area B = 122 units*

Lot in Area C = 52 units*

OR

Lot in Area B = 95 units*

Lot in Area C = 78 units*

- Increases in density of residential Areas B, C, D and E may be permitted in consideration for land designated for public purposes such as schools, neighborhood parks, plazas, etc.. For any given acreage designated for the aforementioned purposes, the density of an equal amount of acreage may be increased twenty percent (20%) in another area of Springbrook Oaks which has the same zone type as that where the public area is located. The density shift may also be directed to a different zone, in a similar manner to the above. For example:

Present maximum density of public land:

A 5 acre lot in Area D zoned R-2 = 44 units
(20% = 8.8 units)

Proposed 20% density shift to another
5 acres in Area D zoned R-2

44 units + 8.8 units = 52 units*.

OR

Proposed 20% density shift to another
5 acres in Area B zoned R-3

109 units + 8.8 units = 117 units*.

- Any area of land whose allowed density has increased due to a density shift may include a corresponding decrease in the area's minimum lot size and minimum lot area per dwelling unit.
- No lot within any given zone may increase density due to a density shift more than once.
- Larger size lots shall be encouraged within Area H where natural features present greater development challenges.

Utilities

- Development shall accommodate and address issues related to:
 - water storage
 - irrigation
 - storm water
 - fire flow

*Rounded down to a whole unit number.

- Each development application shall show that its water requirements can be met adequately by municipal water supply and storage that are in place or will be at time of occupancy.
- All waste water infrastructure shall be connect to the Fernwood Road pump station. No other public pump stations shall be allowed.
- Public water systems ultimately shall be of a loop design.
- Storm water access points to the stream corridor shall be designed to minimize erosion.
- Smaller, multiple retention ponds shall be preferred over the creation of large retention facilities.
- The development shall have a plan for storm water collection and detention to mitigate storm water runoff.

Springbrook Oaks Specific Plan

**Newberg Development Code
Section 10.44.318**

10.44.318 The Springbrook Oaks Specific Plan.

- (1) Report Adopted. The Springbrook Oaks Specific Plan dated August 2, 1999 is hereby adopted by reference. The development standards listed in this section are intended to implement the policies of the Springbrook Oaks Specific Plan. Development of Springbrook Oaks shall follow the standards of this code section as well as the policies of the plan. If a conflict exists between the Springbrook Oaks Specific Plan Policies and the Newberg Development Code, the Springbrook Oaks Specific Plan shall govern.
- (2) Permitted Uses and Conditional Uses. Eight (8) development areas have been established with corresponding zones within the Springbrook Oaks Specific Plan (see Figure 20). The permitted and conditional uses allowed under the "SP" subdistrict shall be the same as those uses permitted in the base zoning districts. Exceptions to this standard include the following:
 - (A) A golf course shall be permitted within the M-1 area, adjacent to the stream corridor; and
 - (B) Densities and lot sizes shall be in accordance to the standards established in Section 10.44.318 (8) (A) of this code.
- (3) Street and Pedestrian Pathway Standards. Street and pedestrian pathway development standards are established in the Newberg Development Code under Sections 10.60.112 through 10.60.137 and Section 10.80.
- (4) Residential Design. Multiple, non-repetitive home designs (detached dwelling units) shall be used in the development. No two identical designs shall be located closer than every three residences on any street frontage.
- (5) Setbacks. Figures 1 and 2 of the Springbrook Oaks Specific Plan identify special setback standards that apply to the property.

Residential

- (A) Development Areas A through F Setbacks - Figure 1. Minimum and maximum front setbacks for structures shall be met in Development Areas A through F of the Springbrook Oaks Specific Plan. Residential structures shall be no closer nor further from the front property line than as follows:

	Minimum	Maximum
Porch	10'	25'
Dwelling	15'	25' (without porch)
Garage or Carport	20'	None

The front of a garage may not be closer to the property line than the front of the house unless each front on different streets.

- (B) Development Area H Setback - Figure 2. Special minimum front setbacks for residential structures shall be met in Development Area H of the Springbrook Oaks Specific Plan. No maximum setback is required. Front setbacks are as follow:

	Minimum	Maximum
Porch	10'	None
Dwelling	15'	None
Garage or Carport	20'	None

- (C) Interior Setbacks. Interior yard setbacks shall be the same as the base zone. An exception to this standard is made for single family attached housing, where no interior setback is required for the "zero" lot line.

- (D) Staggered front setbacks of at least two (2) feet shall be established for attached homes. No two attached dwelling units with the same setback shall be located closer than every two residences on any street frontage.

Professional and Industrial Setbacks

- (E) Except as set forth in subsection (D) above, setbacks for professional and industrial developments within Development Areas A, F, and G shall be set by the base zone or as otherwise required in this Code.

- (7) Street Trees. Street trees shall be provided adjacent to all public rights-of-way abutting or within a subdivision or partition. Street trees shall be installed in accordance with the provisions of the Newberg Development Code, Section 10.50.160 (2) (D). Trees shall be selected from the street tree species list authorized by City Council. Preference should be

given towards the selection of oak species to maintain the character of the development's namesake: Springbrook Oaks.

(8) Residential Density. Residential density is governed by the "SP" overlay subdistrict.

(A) The following development standards shall be applied to Springbrook Oaks (please refer to Graphic VI for map of development areas A through H). *See NDC Figure 20*. These standards shall supersede any density or density transfer standards established in the Newberg Development Code.

Area	Zone	Minimum Lot Size (square feet)	Minimum Lot Area Per Dwelling Unit (square feet)	Maximum Density (dwelling units per acre)
A	C-2	5,000	NA	NA
B	R-P	1,500*	1,500*	21.8* ⁴
C	R-3	2,500*	2,500*	13.1*
D	R-2	3,750*	3,750	8.8
E	R-2	5,000	5,000*	6.6*
F	R-P	1,500*	1,500*	21.8* ⁵
G	M-1	20,000	NA	NA
H	R-1	5,000*	10,000* ⁶	3.3*

* Different than the standards established elsewhere in the Newberg Development Code.

(B) A density shift of up to twenty percent (20%) is permitted between any two lots or portions of lots of equal acreage within the same or different residential areas (Areas B, C, D and E). The shift may be up to twenty percent (20%) of total units permitted within the lower density zone regardless of which direction the shifting is occurring. Any such shift shall be approved through a Type I process. An agreement must be drafted and signed by all parties involved.

⁴ Up to one-hundred percent (100%) of the land zoned R-P within Area B may be developed for residential use

⁵ Up to twenty percent (20%) of the land zoned R-P within Area F may be developed for residential use.

⁶ Average lot area per dwelling in any one subdivision.

An example of density shifting is as follows:

Present maximum density permitted by zone	A 5 acre lot in Area B = 109 units A 5 acre lot in Area C = 65.5 units (20% = 13.1 units)

Proposed 20% shift:	Lot in Area B = 122* units Lot in Area C = 52* units

OR

Lot in Area B = 95* units Lot in Area C = 78* units

- (C) Increases in density of residential Areas B, C, D and E may be permitted in consideration for land designated for public purposes such as schools, neighborhood parks, plazas, etc. (excluding stream corridors). For any given acreage designated for the aforementioned purposes, the density of an equal amount of acreage may be increased twenty percent (20%) in another area of Springbrook Oaks which has the same zone type as that of where the public area is located. The density shift may also be directed to a different zone, in a similar manner to the above. For example:

Present maximum density of public land:	A 5 acre lot in Area D zoned R-2 = 44 units (20% = 8.8 units)

Proposed 20% density shift to another 5 acres in Area D zoned R-2	44 units + 8.8 units = 52 units*.

OR

Proposed 20% density shift to another 5 acres in Area B zoned R-3	109 units + 8.8 units = 117 units*.

- (D) Any area of land whose allowed density has increased due to a density shift may include a corresponding decrease in the area's minimum lot size and minimum lot area per dwelling unit.
- (E) No lot within any given zone may increase density due to a density shift more than once.

*Rounded down to a whole unit number.

- (F) Maximum lot coverage is described in the Newberg Development Code, Section 10.50.147.
- (9) Commercial and Industrial Standards. In addition to site review standards, all commercial and industrial development will conform to the Code, Covenant, and Restrictions (CCRs) approved for the Springbrook Oaks development. A Certificate of Compliance with these CCRs shall be submitted with a design review application for any commercial or industrial development.
- (10) Sign Standards. Signs must comply with the Newberg Development Code, Sections 10.50.180 through 10.50.191.
- (11) Tree Management Plan. Any proposed development within Development Area H must follow the approved tree management plan for Development Area H. The plan shall be developed by a third-party licensed arborist.
- (12) Permitting Process. Any proposed development shall follow the permit approval process described in the Newberg Development Code, Section 10.08 through 10.10. Exceptions to this standard are as follows:
- (A) Proposed subdivisions will be reviewed under the Type II process, and;
- (B) Any proposed development within Development Areas A through F that meet the Building Design and Development Standards in Appendix C (see Springbrook Oaks Specific Plan) will be reviewed under the Type I process. The applicant shall provide written documentation showing that each development standard has been met.
- (13) Plan Amendments. Proposed amendments and adjustments to the specific plan will follow the procedure described in the Newberg Development Code, Section 10.44.312. Exceptions to this amendment and adjustment procedure are as follows:
- (A) Proposed boundary modifications for Development Areas B through E (Figure 20) that increases any individual area no more than five percent (5%) of its original total acreage will be reviewed under a Type I process. Proposed boundary modifications that change the total acreage of any of the aforementioned Development Areas more than five percent (5%) will be reviewed under a Type III process.
- (B) Proposed boundary modifications for Development Areas F through G that increases any individual area no more than ten percent (10 %) of its original total acreage will be reviewed under a Type I process. Proposed boundary modifications that change the total acreage of any of the aforementioned Development Areas more than ten percent (10 %) will be reviewed under a Type III process.

- (C) Proposed boundary changes for Areas A and H will be reviewed under a Type III process.

Springbrook Oaks Specific Plan

Building Design and Development Standards Attached Residential Dwelling Units in Development Areas B through F

The following standards have been established for attached residential dwelling units within Development Areas B through F of Springbrook Oaks. The purpose of these standards are:

- To protect the character and the social and economic stability of Springbrook Oaks.
- To ensure the orderly and beneficial development of each component of Springbrook Oaks.
- To expedite the design review process for proposed development.

Proposed developments for attached residential dwelling units within Development Areas B through F of Springbrook Oaks will be examined for compliance to these standards under a Type I process. Any such development not in compliance with these standards will be reviewed under the appropriate process specified within the Newberg Development Code.

Design Standards

- A. Primary individual unit entries shall be oriented towards a road. Entries shall be covered and architecturally differentiated from other building elements, in order to clearly express their location and function (see Figure 3).
- B. Buildings shall be articulated in such a manner that no more than 25' of horizontal, flat building facade will be permitted. In the case of rowhouse or townhouse units, no more than two units may be paired together in the same facade or without a minimum of 2'-0" difference between adjacent facades (see Figures 4 and 5).
- C. When possible, garages and carports should not be adjacent to primary streets or roads. They should be located internally within each development or complex where their designated dwelling units are located. Attached garages shall not extend beyond any primary entry facade.
- D. All buildings shall utilize materials that meet or exceed current industry standards (American Institute of Architects or American Society of Testing Materials) for a medium to high level range of quality. The proposed building materials will be recommended by a licensed architect and will be compatible with the Springbrook Oaks development.

The following are some examples of unacceptable building products:

1. T1-11 siding panels.
2. Three tab composition roofing.
3. Single-ply vinyl siding

In addition, all exterior walls shall utilize a "double-wall" system. This incorporates the use of an air infiltration barrier and secondary water resistive membrane, exterior sheathing beneath, and a covering with an acceptable siding product. Buildings will meet all applicable building codes and current construction requirements.

- E. Each dwelling unit shall incorporate individual areas of exterior space no less than 50 square feet per unit. Each space shall have a minimum dimension of 5', in any direction. This can be achieved through the use of porches, decks, patios, balconies etc. or designated yards other than those adjacent to primary streets or roads.
- F. On buildings with sloped roofs, no slope shall be less than a 4:12 pitch. These roofs shall utilize eaves, rakes, and overhangs of no less than 12".
- G. The minimum landscape percentage or "pervious" surface area shall not be less than 30% of the overall site area.
- H. No building shall be greater than 35', or three stories, in overall height. This shall include garages in rowhouse or townhouse type buildings.
- I. Where trash enclosures are required; they are to be located internally within the complex or development. They shall not be adjacent to any primary road or street. They shall be enclosed on all sides by walls, gates or fences and provided with a secondary buffer of landscape screening on at least three sides. Access to the enclosure shall be limited to one side only (see Figure 6).
- J. Each complex or development shall provide an internal pedestrian circulation system. Each system shall be interconnected with adjacent circulation systems to form a master pedestrian circulation system. All internal systems shall be appropriately illuminated to meet current City standards.
- K. All parking ratios shall meet current City standards.
- L. All buildings shall be colored in earth tones of medium range value. No building or buildings shall be brightly colored or colored in such a manner as to emphasize its overall mass. Subtle contrasts between adjacent buildings and individual building elements (i.e. trims, facades etc.) shall be provided.
- M. Exterior trim will be provided around all windows and at building corners. Window trim pieces shall be painted a contrasting color to the building body.

- N. All primary collector streets and neighborhood secondary streets, shall comply with Figures 7, 8, and 9.
- O. All setbacks shall comply with Figures 10 and 11.

Springbrook Oaks Specific Plan

Project Participants

Steering Committee Members:

Robert Andrews, City Traffic Safety Committee Member (Chair)
Deborah Sumner, Former City Councilor (Vice Chair)
Don Clements, Chehalem Park and Recreation District
Frank Dittman, Neighboring Property Owner
Sam Farmer, George Fox University
Rob Molzahn, Cornerstone Group Realtors
Andrew Poole, Citizen
Paul Frankenburger, Newberg School District
Michael Wallace, Citizen
Jim Henderson, EFTC
Mike Livingstone, Portland General Electric
Johann May, Citizen
Bob Youngman, Citizen

City of Newberg Staff:

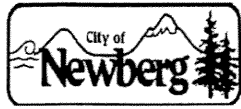
Duane Cole, City Manager
Mike Soderquist, Community Development Department Director
Barton Brierley, City Planner
Larry Anderson, City Engineer
David Beam, Economic Development Coordinator, Planner

Property Owner:

Dean Werth, Property Owners Representative
Mike Gougler, Development Representative

Consultants:

Ankrom Moisan Architects (Concept Plan and sketches)
Kittelson and Associates, Inc. (Traffic Analysis)



ORDINANCE No. 2006-2657

**AN ORDINANCE AMENDING THE SPRINGBROOK OAKS
SPECIFIC PLAN, CHANGING THE ZONING DESIGNATION OF
PART OF AREAS F AND G TO R-P (RESIDENTIAL-
PROFESSIONAL), AND AMENDING THE NEWBERG
DEVELOPMENT CODE, COMPREHENSIVE PLAN,
COMPREHENSIVE PLAN MAP, AND ZONING MAP**

RECITALS:

1. On May 5, 2006, MJG Development submitted a request for an amendment to the Springbrook Oaks Specific Plan.
2. On July 27, 2006, after proper notice, the Newberg Planning Commission held a hearing to consider the request.
3. On August 10, 2006, the Planning Commission recommended approval of a change to the Springbrook Oaks Specific Plan as noted in their resolution.
4. On September 5, 2006, the Newberg City Council held a hearing to consider the proposed change.
5. On October 16, 2006, the Newberg City Council held another hearing to reconsider certain aspects of the proposal.
6. The Council finds that changes to the specific plan are necessary for the reasons stated in the findings.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The Newberg Zoning Map and Springbrook Oaks Specific Plan Map shall be amended as shown in Exhibit "A."
2. The Newberg Development Code and Springbrook Oaks Specific Plan text shall be amended as shown in Exhibit "B."
3. The Limited Use Bypass Corridor Overlay is hereby adopted as shown in Exhibit A and Exhibit "C."
4. The Newberg Comprehensive Plan supply and demand tables shall be amended to reflect

these changes.

5. The findings shown in Exhibit "D" are hereby adopted.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: November 15, 2006.

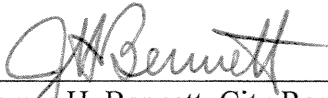
ADOPTED by the City Council of the City of Newberg, Oregon, this 16th day of October, 2006, by the following votes:

AYE: 6

NAY: 0

ABSENT: 0

ABSTAIN: 1



James H. Bennett, City Recorder

ATTEST by the Mayor this 19th day of October, 2006.



Bob Stewart, Mayor

LEGISLATIVE HISTORY

By and through Newberg Planning Commission 08/10/2006 meeting. Or, None.
(committee name) (date) (check if applicable)

Exhibits

- Exhibit "A": Comprehensive Plan Map Changes
- Exhibit "B": Specific Plan text amendment
- Exhibit "C": Limited Use Bypass Corridor Overlay
- Exhibit "D": Findings

**EXHIBIT "A" TO ORD. 2006-2657:
SPECIFIC PLAN MAP AMENDMENT**

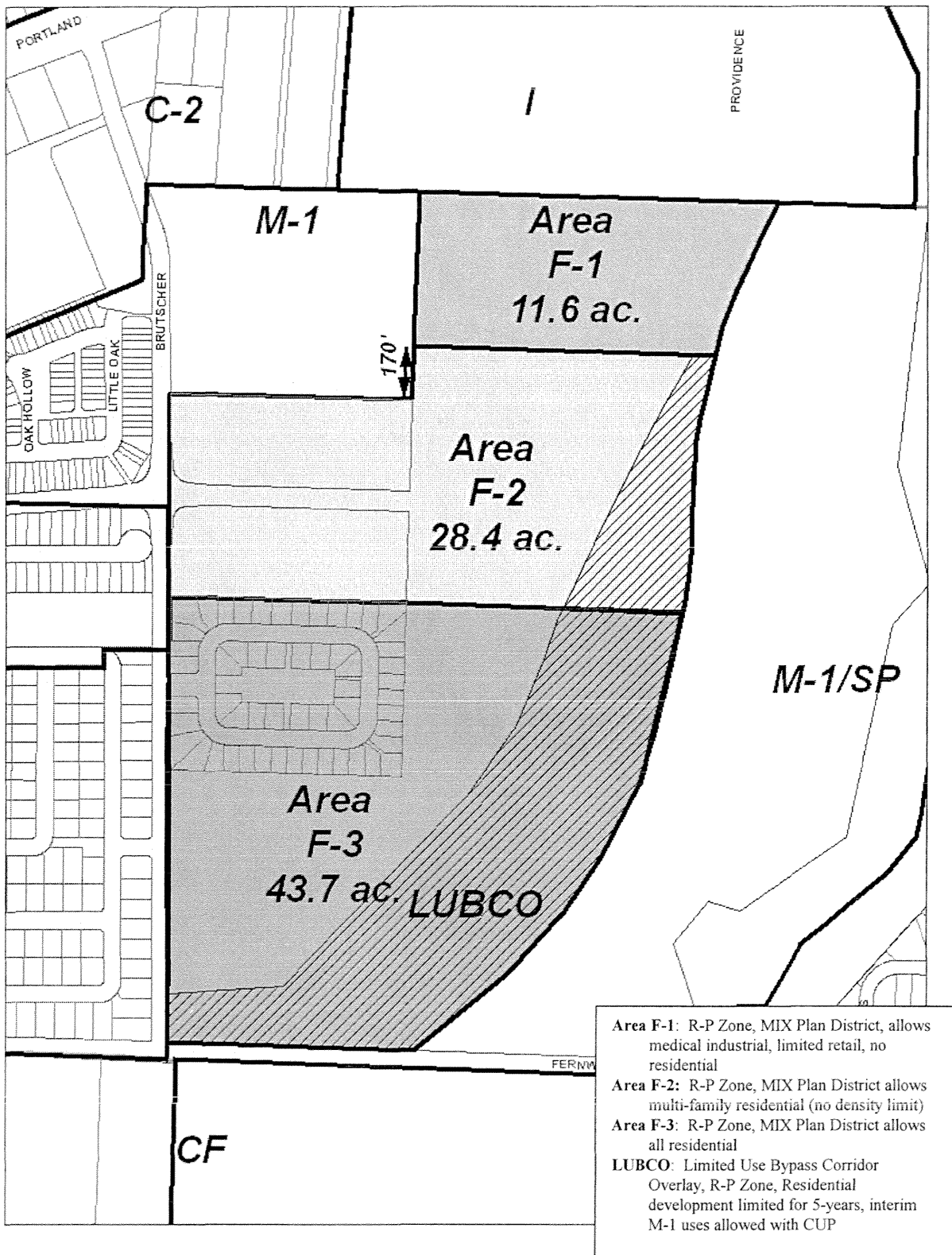


**EXHIBIT "B" TO ORD. 2006-2657:
NEWBERG DEVELOPMENT CODE AMENDMENTS**

Section 1: Newberg Development Code § 151.511 (B) shall be amended as shown below:

Note: Deleted text is ~~struckout~~
Added text is double underlined

151.511 (B) *Springbrook Oaks specific plan.*

(2) *Permitted uses and conditional uses.* Eight development areas have been established with corresponding zones within the Springbrook Oaks specific plan. The permitted and conditional uses allowed under the "SP" subdistrict shall be the same as those uses permitted in the base zoning districts. Exceptions to this standard include the following:

(a) A golf course shall be permitted within the M-1 area, adjacent to the stream corridor; and

(b) Densities and lot sizes shall be in accordance to the standards established in division (B)(8)(a).

(c) In addition to the permitted uses in the R-P zone, Area F-1 permits

(i) Medically related industrial uses, such as medical laboratories, manufacture and wholesale distribution of medical equipment, medical research facilities, and laundries and similar services for medical facilities.

(ii) Medically related retail uses, such as a pharmacy, gift shop or café (limited to 3,000 square feet), or medical appliance sale and rental store.

(iii) Barber and beauty shops.

Area F-1 does not permit residential uses.

(d) Area F-2 does not permit single family dwellings.

(e) Areas shown in the Bypass Corridor Overlay (LUBCO) District are subject to the standards of that overlay.

(6) (a) *Residential.*

3. *Interior setbacks.* Interior yard setbacks shall be the same as the base zone. An exception to this standard is made for single family attached housing, where no interior setback is required for the "zero" lot line. Another exception is development within the R-P zones of Area F which may have a 5-foot interior setback.

(c) *Building heights.* Building height limits shall be the same as those in the base zone. An exception is for Areas F-1 and F-2, which shall have a maximum building height of 50 feet.

(8) [Residential Density Table]

Area	Zone	Minimum Lot Size (square	Minimum Lot Area Per	Maximum Density (dwelling
A	C-2	5000	NA	NA
B	R-P	1,500*	1,500*	21.8* ¹
C	R-3	2,500*	2,500*	13.1*
D	R-2	3,750*	3750	8.8
E	R-2	5000	5,000*	6.6*
F	R-P	1,500*	1,500*	21.8* ²
<u>F-1</u>	<u>R-P</u>	<u>1,500*</u>	<u>NA*</u>	<u>NA*</u>
<u>F-2</u>	<u>R-P</u>	<u>1,500*</u>	<u>None²*</u>	<u>None²*</u>
<u>F-3</u>	<u>R-P</u>	<u>1,500*</u>	<u>1,500*</u>	<u>21.8*</u>
G	M-1	20000	NA	NA
H	R-1	5,000*	10,000* ³	3.3*
* Different than the standards established elsewhere in the Development Code 1 Up to 100% of the land zoned R-P within Areas B may be developed for residential use 2 Up to 20% of the land zoned R-P within Area F may be developed for residential use 2 <u>There is no limit on the number of dwelling units allowed in Area F-2.</u> 3 Average lot area per dwelling in any one subdivision				

(13) *Plan amendments.* Proposed amendments and adjustments to the specific plan will follow the procedure described in § 151.509. Exceptions to this amendment and adjustment procedure are as follows:

(b) Proposed boundary modifications for Development Areas F and G that ~~increases any individual area no more than 10% of its original total acreage~~ move a boundary less than 50 feet and do not change the total acreage in a development area by more than 0.1 acre will be reviewed under a Type I process. ~~Proposed Other proposed boundary modifications that change the total acreage of any of the aforementioned development areas more than 10% will be reviewed under a Type III process.~~

14. Residential development near the bypass. In order to minimize conflicts between the proposed bypass and proposed residential development in Area F, the Director shall approve a management plan prior to residential subdivision or development approval in Area F. The management plan shall be developed in coordination with the Director, ODOT, and the developer. The management plan may require any of the following or other conditions

necessary to minimize conflicts:

1. Separation between the bypass and residential development, either within or outside the eventual right-of-way.
2. Specific orientation of buildings.
3. Specific layout of streets, walkways, pedestrian paths, alleys, driveways, open spaces, and sound walls.

**EXHIBIT "C" TO ORD. 2006-2657:
LIMITED USE BYPASS CORRIDOR OVERLAY DISTRICT**

The following Limited Use Bypass Corridor Overlay District (LUBCO) creates an overlay zone (in this case over the requested R-P zone within the Bypass corridor) that:

- (a) Defers the development of residential uses and parks for five years or until the property is either purchased by or the bypass effort is terminated by the State of Oregon; whichever comes first; and
- (b) Allows a "conditional use" within the overlay zone that will allow uses consistent with that which is permitted in an M- 1 zone.

1. **Purpose.** The purpose of the Limited Use Bypass Corridor Overlay District (LUBCO District) is to limit permitted uses and activities in the area of the planned Bypass to only those uses and activities which are interim in nature in an effort to avoid construction of permanent structures for a period of five years from the date this ordinance becomes final or until the property is acquired by the State of Oregon for the Bypass or the Bypass effort is terminated by the State of Oregon, whichever first occurs.
2. **Area of Application.** The LUBCO District shall apply to that specific area for which an amendment of the Specific Plan has been approved within the Bypass corridor shown on Exhibit A and shall be delineated on a parcel specific basis on the City's official zoning map. Once ODOT develops a design for the bypass, the LUBCO District shall be modified to correspond to the adopted design.
3. The interim uses of property which is the subject of an amendment of the Specific Plan within the Bypass corridor shall be processed as conditional uses and limited to outright and conditional uses which were allowed before the Specific Plan amendment. Such interim uses shall be allowed for a period of time not to exceed five (5) years from the date the Specific Plan amendment becomes final or until the property is acquired by the State of Oregon for the Bypass, or the Bypass effort is terminated by the State of Oregon, whichever first occurs:
4. If the property has not been acquired by the State of Oregon, or the Bypass effort is terminated by the State of Oregon, within five years from the date that the Specific Plan amendment becomes final, then the LUBCO District shall be removed from the property and the City's official zoning map and the property may thereafter be used for the uses allowed outright or conditionally under the Specific Plan amendment and the zoning thereunder.

**EXHIBIT "D" TO ORD. 2006-2657:
FINDINGS:**

NDC § 151.509 AMENDMENTS AND ADJUSTMENTS TO THE SPECIFIC PLAN

(B) Major amendment Type III procedure. A major amendment to a specific plan shall be processed as a Type III comprehensive plan amendment. The amendment shall meet the criteria of §151.507. In addition findings must demonstrate that the change will not adversely affect the purpose, objectives or functioning of the specific plan.

NDC §151.507 APPROVAL CRITERIA

Adoption of the specific plan and its related subdistrict shall be based on compliance with the zone change criteria of 151.120 et seq.

NDC § 151.122 (3) COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENT CRITERIA.

A. The proposed change is consistent with and promotes the objectives of the Newberg Comprehensive Plan and this Code.

Response: The following goals and objectives relate to this proposal:

SPRINGBROOK OAKS SPECIFIC PLAN SUMMARY:

Land uses for the property will be mixed. A range of housing opportunities will be provided. Residential facilities may include apartments, single family attached housing, duplexes, and single family detached homes. Light industrial and office development will provide a convenient work location for community residents as well as support the economy of the greater Newberg area.

The Specific Plan was developed under several important principals:

- Land use and zoning district locations should respond to existing surrounding uses.
- Land uses should be mixed to encourage a balanced development.
- A variety of residential densities and housing types should be developed to provide greater housing opportunities.
- Densities should be laid out so as to allow a low impact transition between use zones, ranging from most dense in the north to least dense in the south.
- Brutscher Street should be used as a buffer between zoning districts.
- The site should contain a connected street pattern that is integrated into the Newberg Transportation Plan.
- Secondary collector streets should be used as an alternative to Highway 99W.
- A strong pedestrian circulation system should be developed to provide connectivity and to reduce vehicular traffic.
- Sensitive stream corridors should be protected as much as is practical.
- Wooded areas of the property should be retained as much as is practical.
- Recreational opportunities should be provided in residential areas through neighborhood parks.
- Implementation policies should provide developers with some flexibility to respond to future design and market forces.

FINDING: The proposed zone change will address the overall goals of the Springbrook Oaks Specific Plan. As noted, the plan should provide some flexibility to respond to future design and market forces. Several changes have occurred since the original adoption of the Springbrook Oaks Specific Plan.

First, a corridor has been adopted for the Newberg-Dundee bypass. The corridor limits the amount of true buildable land within the Springbrook Oaks area. This plan amendment leaves the area within the bypass corridor as originally planned, and does not change the area as requested by the applicant. The plan amendment does allow development outside the corridor that is compatible with surrounding land uses.

Second, attempts to locate industrial uses within the plan area have not been successful, largely due to land use conflicts with the adjoining residential uses. This plan amendment would respond by rezoning the area to allow other types of employment uses, such as medical offices and skilled nursing facilities.

Third, the Providence Hospital has located to the north of this property. The proposed zone change would respond to this by allowing medical offices, medical industrial uses, and medical commercial uses in the area adjacent to the hospital.

Fourth, the City has noted a lack of multi-family residential land. This amendment would change the zoning to allow more higher density and multi-family uses.

The proposed change would help meet the plan's goals of having a mix housing and employment in close proximity to other employment uses in the area.

Areas B and F These areas are zoned Residential-Professional (R-P). The purpose of this land use designation is to create a desirable mixing of residential land uses with professional offices in possible close proximity to adjacent low density residential areas. Examples of permitted uses include group care facilities, medical labs, clinics, professional offices, and single-family dwellings.

Area G This area is zoned Limited Industrial (M-1). The purpose of this land use designation is to create, preserve and enhance areas containing manufacturing and related establishments with limited external impact, and with an open and attractive setting. Examples of permitted uses include manufacturing and assembly of electronic equipment, storage facilities, wholesale businesses, and professional offices.

FINDING: The amendment would retain both areas F and G, but it would redefine their boundaries. Area F would allow a mix of residential uses, group care facilities, and professional office uses, with office and medical uses closer to Providence Hospital. Lower density uses would be on the southern end toward Fernwood Road.

Table IV-14. Future Land Needs and Supply, Newberg Urban Area

Plan Designation	Buildable Acres Needed 2005-2025	Buildable Acres in UGB (2004)	Surplus (Deficit) for 2005-2025	Buildable Acres Needed 2026-2040	Buildable Acres In URA11 (2004)	Surplus (Deficit) 2026-2040
LDR	612	359	(253)	735		
MDR	173	142	(31)	191		
HDR	89	13	(76)	83		
COM	111	105	(6)	109		
IND	50	99	49	37		
IND (Large Site)	100	60	(40)	120		
P	85	0	(85)	115		
I, PQ, or other Inst.	164	0	(164)	233		
Total	1,384	778	(606)	1,623	467	(1,156)

FINDING: The proposed amendment fulfills many of the needs noted above. It would provide a location for high density residential uses, institutional uses, and commercial uses. The above table shows a deficit in the need for all of these uses. The amendment would limit the supply of industrial land, however, the site has not been shown as suitable for industrial uses due to proximity to other uses.

TRANSPORTATION GOAL 4: Minimize the impact of regional traffic on the local transportation system

POLICIES:

- b.. The City will continue to work with the State of Oregon, Yamhill County, and the City of Dundee to Provide an alternative route for regional traffic by constructing the Newberg-Dundee Regional Bypass in the southern alignment corridor consistent with the Location Environmental Impact Statement.
- c. The City supports a design approach for the Newberg-Dundee Bypass that limits the number of access points to freeway spacing, grade separates interchanges and crossing points, and provides for highway travel speeds while providing access to important regional roads. The facility needs to be designed to maintain connectivity to important community assets near the Willamette River, including industrial lands and Willamette Greenway recreation and open space areas. Care should be taken in the design process to minimize adverse environmental impacts associated with constructing the highway and ancillary facilities.
- o. The City of Newberg will coordinate with ODOT on any development proposal within the Bypass location corridor and interchange management areas through the City's established Site Design Review process. Development planning should consider and

complement the intended function of the bypass. Land use decisions should consider the planned corridor location and avoid conflicts where feasible.

SPRINGBROOK OAKS POLICIES C The Newberg Transportation System Plan includes a limited access highway through the Springbrook Oaks property. Property owners and developers should be made aware that this project area is included within the Newberg Transportation System Plan.

OAR 660-012-0045 (2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements, to protect transportation facilities, corridors and sites for their identified functions. Such regulations shall include:

- (a) Access control measures, for example, driveway and public road spacing, median control and signal spacing standards, which are consistent with the functional classification of roads and consistent with limiting development on rural lands to rural uses and densities;
- (b) Standards to protect future operation of roads, transitways and major transit corridors;
- (c) Measures to protect public use airports by controlling land uses within airport noise corridors and imaginary surfaces, and by limiting physical hazards to air navigation;
- (d) A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;
- (e) A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;
- (f) Regulations to provide notice to public agencies providing transportation facilities and services, MPOs, and ODOT of:
 - (A) Land use applications that require public hearings;
 - (B) Subdivision and partition applications;
 - (C) Other applications which affect private access to roads; and
 - (D) Other applications within airport noise corridors and imaginary surfaces which affect airport operations.
- (g) Regulations assuring that amendments to land use designations, densities, and design standards are consistent with the functions, capacities and levels of service of facilities identified in the TSP.

FINDING: The study corridor for the Newberg-Dundee bypass crosses a large portion of the site. ODOT is currently developing plans for a specific location for the bypass. The final location will depend on many factors and cannot be determined yet. ODOT has recently presented maps of where the corridor may be located.

It would not be possible to put no zoning or allow no uses within the bypass corridor, as doing such may result in an inverse condemnation of the property. ODOT could purchase the property. Such purchase would be consistent with ODOT's land acquisition policies.

The applicant would like to rezone the area R-P to allow future residential development of the area should the area not be purchased for the bypass. The applicant is willing to place a limited use overlay within this area that would limit residential development for five years. This would allow ODOT time to identify the exact location of the right-of-way needed, and to purchase the needed right-of-way. In the interim, the overlay could allow some uses of the property, such as

agriculture and equipment storage, that would be compatible with future bypass right of way acquisition.

The abutting area is currently zoned a combination of R-P (with no residential uses allowed) and M-1. The proposed change would rezone the area entirely to R-P, and allow residential uses. Some uses allowed in R-P would have little conflicts next to the bypass, such as offices, parking lots, open space, streets, some institutions, and laboratories. The use that would have the most conflicts would be residential uses, due to noise, dust, and similar impacts. The ordinance requires a management plan prior to residential construction in Area F to manage these impacts.

I. HOUSING

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

2. Location Policies

- a. Medium and high density areas should be located for immediate access to collector streets or minor arterials and should not cause traffic to move through low density areas. High density areas should be easily accessible to arterial streets. They should also be located near commercial services and public open spaces.

3. Mix Policies

- a. The City will encourage innovative approaches to solving the problem of meeting low income housing needs. Such approaches may include, but are not limited to the following: rent subsidies, federally funded development under HUD programs, state and regional housing programs.
- c. Where industrial uses abut residential zones or uses, special development standards relating to setbacks, screening, signs, building height and architectural review should be established.

GOAL 10: HOUSING

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

Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

OAR 660-008-0010 Allocation of Buildable Land The mix and density of needed housing is determined in the housing needs projection. Sufficient buildable land shall be designated on the comprehensive plan map to satisfy housing needs by type and density range as determined in the housing needs projection. The local buildable lands inventory must

document the amount of buildable land in each residential plan designation.

FINDING: As shown earlier, the Newberg Urban Area has a definite need for land for housing, particularly high density housing. The amendment would change the area to a MIX comprehensive plan district, which would allow a mixed use professional office, institutional, and residential area. The applicant indicates the housing in the area could include a skilled nursing facility, a HUD senior housing project, and retirement housing. This would help meet some of the City's housing needs.

2. Industrial Areas Policies

a. Industrial expansion shall be located and designed to minimize impacts on surrounding land uses.

Land Use Planning Goal B.4.

Industrial land use needs shall be periodically evaluated.

Statewide Planning Goal 9: Comprehensive plans for urban areas shall:

3. Provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies;

4. Limit uses on or near sites zoned for specific industrial and commercial uses to those which are compatible with proposed uses.

660-009-0020

Industrial and Commercial Development Policies

(b) Commitment to Provide Adequate Sites and Facilities. Consistent with policies adopted to meet subsection (a) of this section, the plan shall include policies committing the city or county to designate an adequate number of sites of suitable sizes, types and locations and ensure necessary public facilities through the public facilities plan for the planning area.

designations of lands in excess of two acres to or from commercial or industrial use, pursuant to OAR 660-Division 18 (a post acknowledgment plan amendment), must address all applicable planning requirements; and:

(a) Demonstrate that the proposed amendment is consistent with the parts of its acknowledged comprehensive plan which address the requirements of this division; or

(b) Amend its comprehensive plan to explain the proposed amendment, pursuant 41 to OAR 660-009-0015 through 660-009-0025; or

(c) Adopt a combination of the above, consistent with the requirements of this division.

(5) The effort necessary to comply with OAR 660-009-0015 through 660-009-45 0025 will vary depending upon the size of the jurisdiction, the detail of previous economic development planning efforts, and the extent of new information on local, state and national trends. A jurisdiction's planning effort is adequate if it uses the best or readily collectable information to respond to the requirements of this division.

Finding: The Newberg Comprehensive Plan shows a definite need for industrial land of the suitable

sites, types, and locations. The area to be changed, however, is not a suitable site for industrial uses for several reasons. First, the area is in close proximity to residential uses. Second, the site is constrained by location near the planned bypass right-of-way, making it difficult to set forth the exact location of available industrial land. Third, the site has limited transportation infrastructure. As documented in the application, many efforts to locate industrial businesses on the property have failed. The site therefore could be better used by zoning the area to allow other economically viable uses, such as medical offices, and needed housing, particularly multiple family housing.

B. Public facilities and services are or can be reasonably made available to support the uses allowed by the proposed change.

Finding: Sewer, water, storm, and transportation facilities are all available in close proximity to serve the proposed uses. The trip generation from the proposed uses would be similar to the trip rates planned for in the original Springbrook Oaks Specific Plan.

CONCLUSION:

The amendment as proposed meets the goals of the Comprehensive Plan. The area within the future bypass right-of-way would be protected with the Limited Use Bypass Corridor Overlay. Other areas can be rezoned to allow a combination of office and residential uses, consistent with the comprehensive plan.

Springbrook Oaks Specific Plan

Graphics and Figures

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REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 18, 2017

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

SUBJECT: 1993 Northwest Newberg Specific Plan Review

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

RECOMMENDATION:

Information only.

EXECUTIVE SUMMARY:

The Northwest Newberg Specific Plan was approved by the Newberg City Council on April 19, 1994 1993 by ORD No. 1994-2379. The Plan was amended by ORD No. 1999-250 on April 5, 1999. The Plan covers 150 acres of land which was within the Urban Growth Boundary but outside of the city limits at the time. The 150 acres was represented by 12 property owners. The Specific Plan includes the following:

- A predominantly single family residential neighborhood of up to 514 dwellings.
- Opportunities for up to 176 units of medium density attached housing at 8.8 dwelling units per acre.
- A 1.5 acres neighborhood commercial parcel.
- Two parks: a 3.8 acre multi-use neighborhood park and a 0.3 acre “tot-lot” park.
- A plan for implementation that allows administrative approval of developments that conform to the Specific Plan.

It was originally estimated that the Specific Plan area would develop out within 10 – 20 years. Subsequent to the Specific Plan development Comprehensive Plan and Zoning designations were applied to the area and development commenced. The Specific Plan has predominantly followed the 1993 Specific Plan. There have been a few modifications over the past 27 years. The commercial area north of E Foothills Drive and N College Street was moved to the south side of E Foothills Drive. The area south of E Henry Road to E Mountainview Drive became part of the Springbrook Mater Plan area.

There remains undeveloped land within the Specific Plan area. This includes the area in the northeast quadrant up to Aspen Drive of approximately 15.94 acres, the 2.83 acre Wardin property off of E College Street, the 1.13 acre Veritas property north of the Wardin property, a .57 acre site off of N College Street north of E Hilltop Drive, a 1.83 acre parcel at N College Street and E Quail Drive and a .29 acre parcel at N College Street and E Edgewood Drive.

Both parks have been developed and the commercial area has been fully developed. Currently under construction is the Hazelwood Farms subdivision on the Gail property consisting of 19 lots.

There are 419 residential homes within the Specific Plan area along with a retirement care facility

(Avamer). Of the 419 homes 128 are in the SP/R-2 zone.

Staff has reviewed other master plans in relation to the Northwest Newberg Specific Plan. As previously noted the area south of E Henry Road is now part of the Springbrook Master Plan approved on September 4, 2007. The 2017 Water Master Plan re-evaluated the water system and in the Specific Plan area and two projects were identified. The first project is the replacement of a water line that is under 6-inches in size west of N Burlington Drive and north of E Foothills Drive. The second project titled P-2 Proposed West Bell Pump Station to be constructed along N College Street in the Wardin/Veritas property ownership area. The potential timing for this project is in the 2017-2022 timeline horizon. Construction of this new facility will lead to the abandonment of the Oak Knoll Pump Station on N Ivy Drive.

Review of the Transportation System Plan identifies three projects within the Specific Plan area. The first is an aspirational project to reconstruct E Foothills Drive to a major collector standard which will include sidewalks and bike lanes. The second project is a likely funded project for a traffic signal at N College Street and E Foothills Drive. The third project is a likely funded project of extension of N Villa Road north of E Mountainview Drive which includes the northeast quadrant of the Northwest Newberg Specific Plan.

Staff is currently working on updating the Wastewater Master Plan. During this update process we will look to see if there are potentially any impacts to the Northwest Newberg Specific Plan.

The 2007 Newberg ADA/Pedestrian/Bike Route Improvement Plan has several identified projects which include:

- Foothills Drive (Chehalem Drive to Aldersgate Drive)

Provides an east-west connection in the northern section of the city between five identified critical routes. Also provides a safe connection to Chehalem Valley Middle School, Crater Elementary School, Chehalem Valley Senior Center, and the existing park from those critical routes and the surrounding neighborhood.

Pedestrian network: Foothills Drive has a completed five-foot-wide sidewalk in good condition along both sides of the road between Chehalem Drive and Jones Road. From Jones to College, the sidewalk is four feet wide, and the conditions vary from poor to good, as a few segments of sidewalk have been uprooted by nearby trees. After crossing College, the sidewalk is five feet wide in good condition until the end of the road. Curb ramps are fairly new and located at nearly all intersections.

Bicycle network: Bicycle lanes present between Chehalem Drive and Jones, and again from College Street until Burlington. The remaining portions of Foothills Drive have no existing bicycle network provisions, but traffic speeds and volumes are such that riding in the roadway and taking the lane should not be too difficult or uncomfortable for most bicyclists. On-street parking is allowed along portions of Foothills Drive.

Staff reviewed the 2014 Stormwater Master Plan and did not identify any capital improvement projects that relate or impact to the Northwest Newberg Specific Plan area.

FISCAL IMPACT:

Not applicable.

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

Not applicable to the September 2017 Council Priorities.

Review of the various master plans which is now a standard work product of the Community Development Department is tied to the City Council March 21, 2016 City Council Strategic Objectives. One of the adopted priorities was Project Planning. The priority states:

PROJECT PLANNING

In 3 years the council will have a schedule for reviewing of existing Master and Long Range plans. These will include acknowledgement of inter-departmental dependencies and demonstrate a mitigation of redundancy. The intent of this is to have a strategic approach for the Council to review existing plans in a scheduled manner to ensure that the original intentions and targets are being achieved. It is not intended that the council reviews the details of all the documents.

A schedule was prepared and shared with the City Council on March 4, 2017 outlining when various Master and Long Range plans would be brought before the City Council for review. This is the first year report on the 1992 Northwest Newberg Specific Plan.

Attachment: 1. Northwest Newberg Specific Plan

ORDINANCE NO. 94-2379

28

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN (ORDINANCE NO. 1967) AND THE ZONING ORDINANCE (ORDINANCE NO. 1968) TO PERMIT THE ESTABLISHMENT OF SPECIFIC PLANS AND FURTHER ADOPTING THE NORTHWEST NEWBERG SPECIFIC PLAN.

WHEREAS, The Newberg Comprehensive Plan and Zoning Ordinance do not provide procedural requirements for the approval of specific plans; and

WHEREAS, A need has been determined to provide for the establishment of specific plans; and

WHEREAS, A steering committee has developed a specific plan process with the primary purpose of allowing for development which has coordinated land uses, transportation and utilities between multiple land owners; and

WHEREAS, The Newberg Planning Commission and the Newberg Urban Area Management Commission have both recommended adoption of the proposed amendments.

NOW, THEREFORE, The Council of the City of Newberg ordains as follows:

Section 1. Section II.J (Urban Design) of the Newberg Comprehensive Plan (Ord. 1967 as amended) shall be amended to include the following:

6. *Specific Plans*

- a. *The City shall encourage the use of specific plans to coordinate development and create neighborhood identity. Specific plans are intended to serve as master plans for land development or redevelopment and may be applied to one parcel or multiple parcels. Specific Plans will be used to promote coordinated planning concepts and pedestrian oriented mixed use development.*
- b. *The Zoning Ordinance shall set forth the process and procedure for adoption of and amendments to specific plans. Approval of new specific plans will require Comprehensive Plan Map amendments to apply the SP (Specific Plan) plan district overlay to the affected property.*

Section 2. Section IV. F (Plan Classifications) of the Newberg Comprehensive Plan (Ord. 1967 as amended) shall be amended to include the following:

14. *Specific Plan (SP)*

The Specific Plan district identifies those areas where a specific plan has been approved and will apply upon annexation. Inside the City limits, approved specific plans are also identified by the SP Specific Plan zoning subdistrict.

Specific plans provide a coordinated master plan for the development or redevelopment of an area. Specific plans are intended to promote coordinated planning concepts and pedestrian oriented mixed use development. The adopted specific plan for an area will set forth permitted uses and development standards for that area. Procedures are to be set forth in the Specific Plan subdistrict section in the Zoning Ordinance.

Section 3. Section 270 of the Newberg Zoning Ordinance (Ordinance No. 1968 as amended) shall be amended to include the following:

10. *SP Specific Plan Subdistrict. The SP Subdistrict identifies the area in which a specific plan has been approved. The subdistrict overlay may be applied within any zoning district. The subdistrict shall be designated by the suffix "SP" added to the symbol of the parent district. Uses allowed in the parent district may be limited or expanded under the approved specific plan. Sections 425-431 of the Zoning Ordinance set forth applicable procedures and standards for the subdistrict.*

Section 4. Sections 425 through 431 are hereby added to the Newberg Zoning Ordinance (Ordinance No. 1968 as amended) as follows:

£8

SP SPECIFIC PLAN SUBDISTRICT

- 425 *Purpose. The purpose of the SP subdistrict is to allow the development and approval of specific plans in the City. A specific plan is a master plan applied to one or more parcels in order to coordinate and direct development in terms of transportation, utilities, open space, and land use. The purpose is also to streamline the development process and encourage development according to the specific plan. Specific plans are intended to promote coordinated planning concepts and pedestrian oriented mixed use development.*
- 426 *Plan Development and Approval Process.*
- A. *Initiation. The process to establish a specific plan shall be initiated by the City Council. The Planning Commission or interested property owners may submit requests to the Council to initiate the specific plan process. If owners request initiation of a specific plan process, the council may require an application fee to be paid to cover the cost of creating the plan.*
 - B. *Steering Committee. The City Council shall appoint a steering committee to guide development of the plan. The steering committee shall include persons representing affected property owners, neighbors, and the community at large.*
 - C. *Draft Plan. The Steering Committee shall develop a draft plan which shall be submitted to the Planning Commission and Council for review, modification, and approval.*
 - D. *A specific plan shall include text and a diagram or diagrams which specify all of the following in detail:*
 - 1. *Plan Objectives. A narrative shall set forth the goals and objectives of the plan.*
 - 2. *Site and Context. A map of the site and context shall indicate existing land use, slope, and natural features.*
 - 3. *The distribution, location, and extent of the uses of land, including open space and parks, within the area covered by the plan (Land Use Plan).*
 - 4. *The proposed distribution, location, and extent of major components of public and private transportation, sewage, water, drainage and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.*
 - 5. *Standards and criteria by which development will proceed and standards for conservation, development and utilization of natural resources, where applicable.*
 - 6. *The plan shall identify the existing property ownership.*
 - 7. *Circulation/Transportation plan shall be included which identifies the proposed street pattern including pedestrian pathways and bikeways. Design standards and street cross sections shall be included.*
 - E. *Hearings and Decisions. The Planning Commission shall hold a public hearing on the plan and shall make a recommendation to the City Council. The City Council shall have final approval authority. The hearing process to be followed shall be the same as that set forth for zone changes pursuant to Sections 598-608. If the specific plan affects land outside the City limits, provisions and procedures required under the urban growth management agreement with Yamhill County shall also be met.*
- 427 *Approval Criteria. Adoption of the specific plan and its related subdistrict shall be based on compliance with the zone change criteria of Section 600 and Section 606 of the Zoning Ordinance.*
- 428 *Plan Implementation.*
- A. *Overlay Subdistrict. The specific plan shall be implemented as a zoning overlay subdistrict. If the plan applies to land outside the City limits, the SP - Specific Plan - Plan Classification District shall indicate where the SP overlay zone will be applied upon annexation. The specific plan shall be adopted as an exhibit to the SP overlay zone subdistrict and the SP overlay plan district.*

- B. *New Construction.* New construction under site review or building permit review shall meet the special development and design standards of the specific plan.
- C. *Priority of Standards and Procedures.* Unless otherwise noted, the standards and procedures of the specific plan overlay subdistrict shall supplement and supersede standards and procedures of the Zoning Ordinance.

429 *Amendments and Adjustments to the Specific Plan.* Amendments to the specific plan may be either major or minor amendments.

A. *Definitions - Minor and Major Amendments.*

- 1. *Major amendments are those which result in any of the following:*
 - a. *A change in land use.*
 - b. *A change in the circulation/transportation plan that requires a major street (collector or arterial) to be eliminated or to be located in such a manner as to not be consistent with the specific plan.*
 - c. *A change in the development standards.*
 - d. *A change in the planned residential density.*
 - e. *A change not specifically listed under the major and minor amendment definitions.*
- 2. *Minor amendments are those which result in any of the following:*
 - a. *Changes related to street trees, street furniture, fencing, or signage that were approved as part of the specific plan.*
 - b. *A change in the circulation/transportation plan that requires a local street, easement, or pathway to be shifted more than 50 feet in any direction.*
 - c. *A change in the utility plan other than what would be necessary for authorized adjustment of lot lines.*

B. *Major Amendments.* A major amendment to a specific plan shall be processed as a comprehensive plan amendment. The amendment shall meet the criteria of Section 427, above. In addition, findings must demonstrate that the change will not adversely affect the purpose, objectives, or functioning of the specific plan.

C. *Minor Amendments.*

- 1. *Community Development Director Decision.* A minor amendment to a specific plan may be approved by the Community Development Director. The Director's decision shall include findings that demonstrate that the change will not adversely affect the purpose, objectives, or functioning of the specific plan. Notice of the Director's decision, and an opportunity to appeal the decision to the City Council shall be provided to all owners of land within or abutting the SP plan overlay district in question.
- 2. *Appeals.* Any person aggrieved by the Decision of the Director may appeal the decision within ten (10) days of the mailing of the decision and shall file the appeal on a form provided by the Director. An appeal fee shall be charged. Upon filing the appeal, the Community Development Director, shall set a hearing before the City Council. The hearing shall be at the next available meeting provided proper notice is made consistent with Section 766 of the Zoning Ordinance.

D. *Authorized Adjustment of Lot Lines.* As part of the final platting process, the Community Development Director is authorized to grant adjustments to proposed lot lines consistent with flexible density standards (if included) as part of the specific plan subdistrict. Notice of the adjustment is not required.

430 *Interim Development.* To encourage platting in conformance with the specific plan, the following modifications to street, subdivision, and development standards may be granted outright without notice by the Community Development Director.

- A. *Temporary Dead-ends.* Temporary cul-de-sacs or vehicle turn-a-rounds where a through street will eventually be provided. Due to their temporary nature, the dimensions and improvement requirements for these cul-de-sacs and turnarounds may vary from standards set forth in the subdivision ordinance.
- B. *Temporary Street Improvements.* Half or three-quarter width streets may be provided temporarily to access lots where a full street will eventually be provided when all abutting lots are developed.
- C. *Tracts.* Tracts of land which do not meet specific plan density requirements may be created and developed when it is demonstrated that the tracts can be developed in accordance with the specific plan in the future. If construction occurs on the tract, it shall be done in a manner that will meet specific plan development standards when full improvements are provided.

431 *Specific Plan Development Standards.* Development standards for specific plans are listed below. The standards shall be utilized in conjunction with the specific plan adopted as an exhibit to the SP overlay subdistrict. This section is intended to be amended as new specific plans are adopted.

A. *The Northwest Newberg Specific Plan.*

- 1. *The Northwest Newberg Specific Plan Final Report* dated August 1994 is hereby adopted by reference. The development standards listed in this section shall take precedence over those listed in the report. If ambiguity exists, the Zoning Ordinance shall govern.
- 2. *Permitted Uses and Conditional Uses.* The permitted and conditional uses allowed under the SP subdistrict shall be the same as those uses permitted in the base zoning districts. An exception to this is the commercial zone which may be located on either side (north or south) of the extension of Foothills Drive. Such commercial area must be located in one node of not more than 5 acres in size and not split by a public street. This alternative is indicated as Appendix B of the NW Newberg Specific Plan.
- 3. *Street and Pedestrian Pathway Standards.* Street and pedestrian pathway standards are as follows:

	ROW	Paved Surface
Local Street	60'	32'
Collector Street	74'	36'
Pedestrian Connection	16'	6'

Five foot bike lanes shall be provided along collector streets. Five foot sidewalks shall be provided along local and collector streets. A six foot wide planter strip shall separate the sidewalk and the local street. A twelve foot wide planter strip shall separate the sidewalk and the collector street. Local streets shall be designed as through streets. Cul-de-sacs shall be used only if a through street can not be developed.

- 4. *Setbacks.* Figures 9 and 10 of the specific plan identify special setback standards that apply to the property.
 - a. *Area 1 Setbacks - Figure 10.* Minimum and maximum front setbacks for structures shall be met in Area 1 of the Specific Plan. Residential structures shall be no closer nor further from the front property line than as follows:

	Minimum	Maximum
Porch	10'	25'
Dwelling	15'	25'(without porch)
Garage or Carport	20'	None

The front of a garage may not be closer to the property line than the front of the house unless each front on different streets.

- b. *Area 2 Setbacks - Figure 10. Special minimum front setbacks for residential structures shall be met in Area 2 of the Specific Plan. No maximum setback is required. Front setbacks are as follow:*

	<i>Minimum</i>	<i>Maximum</i>
<i>Porch</i>	<i>10'</i>	<i>None</i>
<i>Dwelling</i>	<i>15'</i>	<i>None</i>
<i>Garage or Carport</i>	<i>20'</i>	<i>None</i>

- c. *Interior Setbacks. Interior yard setbacks shall be the same as the base zone.*
- d. *Commercial and Institutional Setbacks. Except as set forth in subsection 7 below, setbacks for commercial and institutional use shall be set by the base zone or as otherwise required in the Zoning Ordinance.*
5. *Street Trees. Street trees shall be required along all streets. One tree shall be required for every 40 feet of street frontage or fraction thereof, e.g. a lot with 50 feet of frontage will provide two street trees; a lot with 100 feet of frontage will provide three street trees. Trees shall be provided in accordance with the list of trees included in the specific plan. Trees shall have a minimum of a 1 1/2 or 1 3/4 inch caliper tree trunk and shall be balled and burlapped or boxed.*
6. *Residential Density. Residential density is governed by the SP overlay subdistrict. The maximum allowed density is set by the number of lots depicted on the Land Use Plan, Figure 6 of the Specific Plan. Additional standards follow:*
- a. *Minimum Lot Size.*
- | | |
|---------------------------------|-------------------------|
| <i>Single Family Dwellings:</i> | <i>5000 square feet</i> |
| <i>Attached Dwellings:</i> | <i>3750 square feet</i> |
- b. *Maximum Density.*
- | | |
|-----------------------|---|
| <i>LDR districts:</i> | <i>Set by the specific plan (averages 4.4 dwellings per acre)</i> |
| <i>MDR districts:</i> | <i>8.8 dwellings per acre</i> |
- c. *Flexible Minimum Density Requirements. The following standards may be applied at the time of platting.*
- i. *Lots may be increased to 7500 square feet.*
- ii. *Lot size may be increased above 7500 square feet provided the overall density of the original parent parcel at the time of specific plan approval remains at or above 80% of the original planned density. If other parcels have built out at densities exceeding 80% of the original planned density, the overall density of the combined parcels may be used for the calculation. For these calculations, the planned density for LDR areas shall be assumed to be 6.5 dwelling units per acre (5,000 square foot single family lots) and MDR at 8.8 dwelling units per acre.*
7. *Building Orientation. All development shall be oriented to a local or collector street. Orientation shall be achieved by the provision of an entry door fronting upon the street with a direct sidewalk connection from the door to the public sidewalk.*
8. *Commercial Standards. In addition to site review standards, the following standards shall apply to commercial development.*

- a. *Commercial structures shall be setback no further than twenty feet from the Foothills Drive right-of-way. This setback area shall not be used for any type of vehicular access or parking.*
 - b. *A minimum of a 300 square foot plaza or pedestrian seating area at the intersection of Foothills Drive and the adjacent north-south local street shall be provided.*
 - c. *All walls adjacent to and visible from the public right-of-way shall include windows. An exception to this standard may be granted by the Community Development Director if the wall is screened.*
9. *Sign Standards. Free standing signs shall not exceed five feet in height, 30 sq. ft. in area, and one per street frontage. Wall and window signs shall not exceed one square foot per lineal foot of wall. Roof signs are prohibited. Projecting fin signs shall not exceed 20 square feet in size.*

B. *(Reserved for future specific plans)*

Section 5. The Newberg City Council adopts the findings of fact which shall be made a part of this ordinance and are attached as Exhibit A.

Section 6. The Newberg Comprehensive Plan Map is hereby amended as indicated in attached Exhibit B.

Section 7. Severability Clause. If any article, section, subsection, subdivision, phrase, clause, sentence, or word in this ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, it shall not nullify the remainder of the ordinance, but shall be confined to the article, section, subsection, subdivision, clause, phrase, sentence or word so held invalid or unconstitutional.

PASSED by the City Council of the City of Newberg this 19th day of April, 1994 by the following votes:

AYES: 4

NAYS: 2 - Adams, Courier

ABSENT: 1 - Wright

VACANT - 1


City Recorder

APPROVED by the Mayor this 19th day of April, 1994.


Donna Proctor - Mayor

**EXHIBIT A
FINDINGS OF FACT**

88

The proposed amendments are consistent with and promote the objectives of the Comprehensive plan and Zoning Ordinance of the City by:

- A. Providing for the preservation of open space areas;
- B. Providing adequate recreational opportunities within the project site.;
- C. Designating park land on the land use plan map in areas which are suitable for active recreational uses;
- D. Locating recreational facilities throughout the project site so as to minimize distances between residential areas and recreational opportunities;
- E. Providing a neighborhood commercial area within the project site to minimize vehicular trips;
- F. Requiring special development standards for the location of convenience commercial areas within the project site;
- G. Promoting a broad range of residential uses and encouraging innovative development techniques;
- H. Ensuring that the innovative design considers site characteristics and the impact on surrounding areas;
- I. Providing for transportation improvements which are an asset to an area rather than a disruptive feature placed on it. All transportation facilities will be landscaped and designed to be aesthetically pleasing; and
- J. Identifying the location of future rights-of-way in order to facilitate acquisition and coordination of the local roadway system.

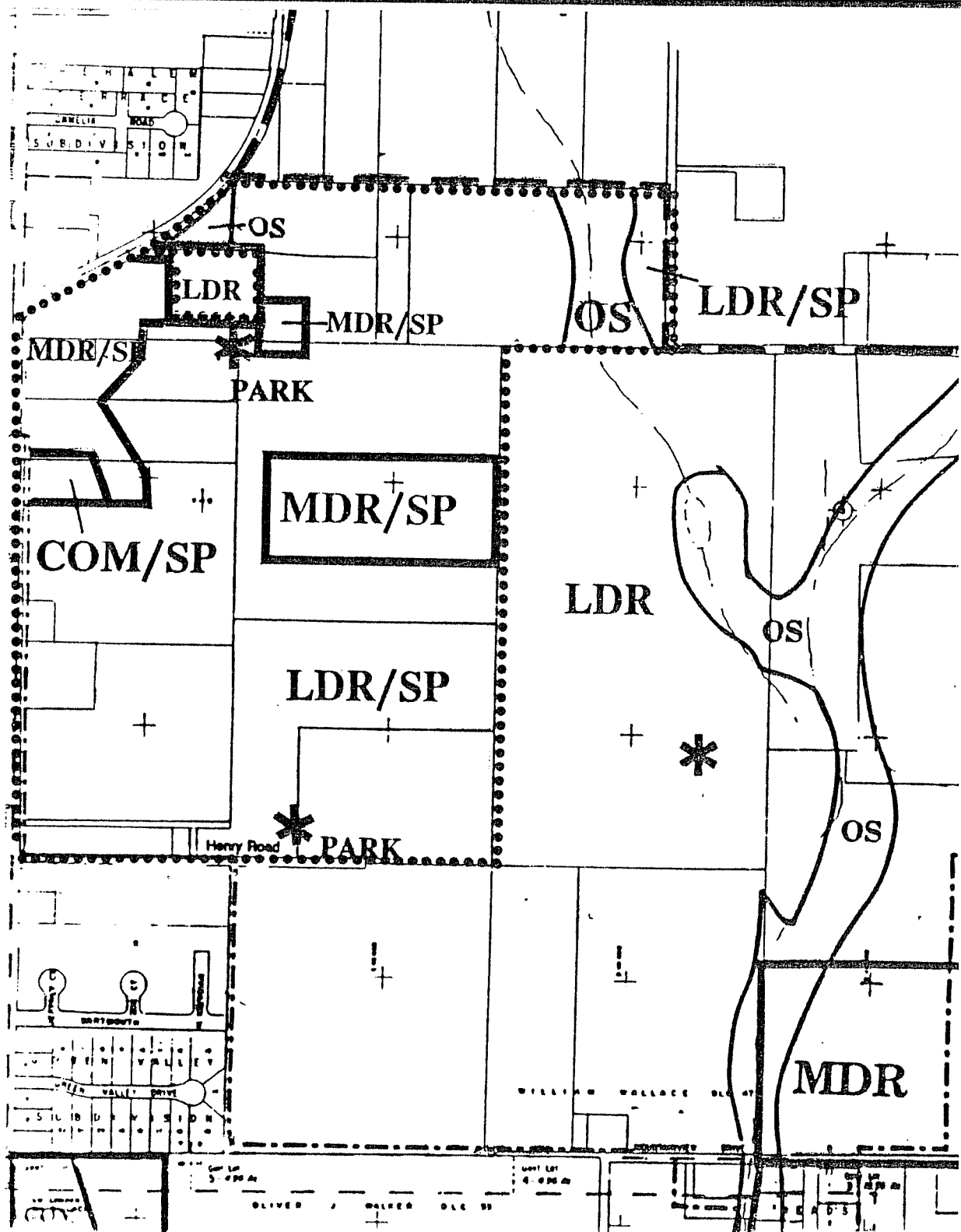
The proposed amendments are needed by the public to promote the public health, safety, and general welfare of the community by:

- A. Ensuring that adequate transportation systems and recreational facilities are developed in this area;
- B. Providing for a coordinated development pattern as this area develops in phases;
- C. Requiring that good access for fire, medical and police vehicles is developed; and
- D. Providing for a variety of housing types.

The Statewide planning goals are complied with as follows:

- A. Goal 1 Citizen Involvement
 - The plan was developed at the direction of a steering committee which included property owners, City Council and Planning Commission members, neighborhood representatives and local real estate professionals.
- B. Goal 2 Land Use Planning
 - Changes in the Comprehensive Plan and related ordinances were considered at noticed public hearings where citizens in the area and affected governmental agencies were given an opportunity to comment on the plan.
- C. Goal 5 Open Spaces, Scenic & Historical Areas, and Natural Resources
 - The plan identifies areas suitable for preservation as open space areas based on their scenic and water shed character.
- D. Goal 8 Recreational Needs

- The plan indicates areas suitable for the development of public park facilities which would provide for local recreational needs of the residences of the specific plan area.
- E. Goal 10 Housing
- The plan allows for a variety of housing styles, types and densities;
 - The plan promotes the convenient phasing of public facilities and services to support the housing development
- F. Goal 11 Public Facilities & Services
- The plan encourages the various property owners to develop a timely, orderly and efficient arrangement of public facilities to support the various land uses.
- G. Goal 12 Transportation
- The plan provides for a safe, convenient transportation system for vehicles, pedestrians and bicycles.
 - The plan is designed to promote alternative means of travel by locating a neighborhood shopping center in the project site and providing for pedestrian and bicycle linkages.
- H. Goal 14 Urbanization
- The project area has been identified as urbanizable and is located inside the City of Newberg's Urban Growth Boundary.
 - Development of this site is needed to accommodate the long range urban population growth requirements consistent with the LCDC goals.


Legend:

..... Boundary

File: GR-3-92

Date: April 1994

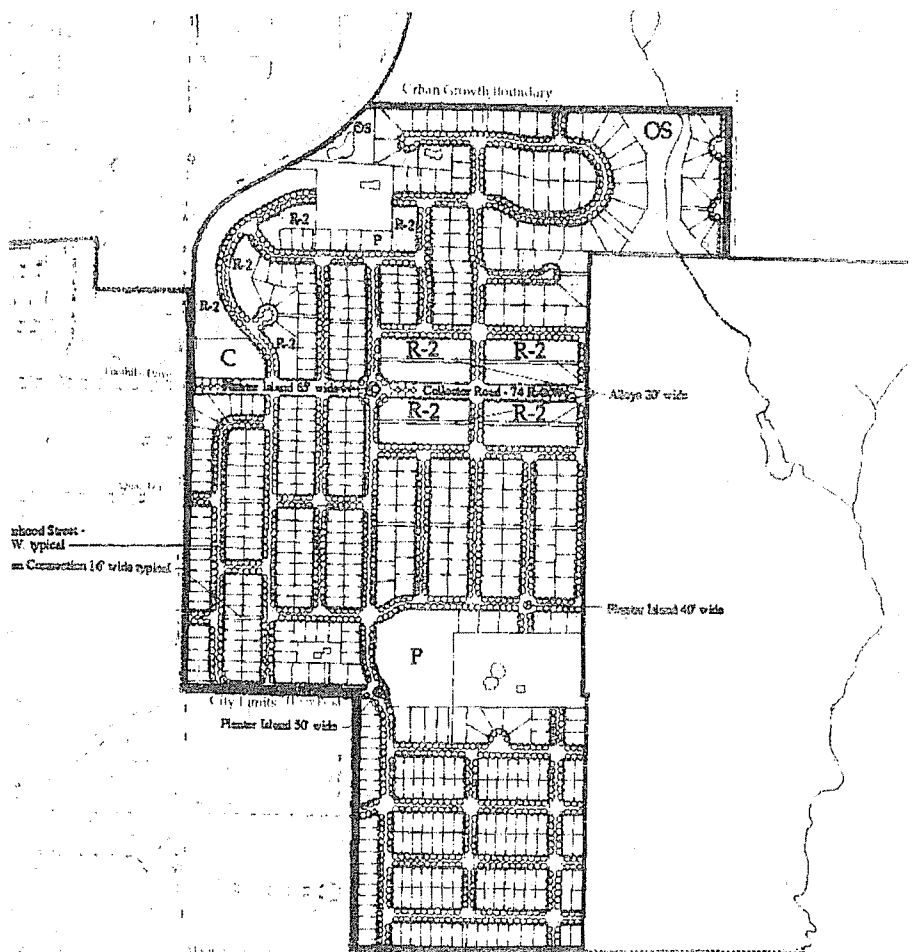
EXHIBIT B

**NW NEWBERG
SPECIFIC
DEVELOPMENT
PLAN**

Location: East of College (Hwy. 219), South of Bell Road, North of Henry Road

NORTHWEST NEWBERG SPECIFIC PLAN

Final Report



otak

Prepared by OTAK in cooperation with the Leland
Consulting Group and Kittelson and Associates
AUGUST 1993

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THE NORTHWEST NEWBERG SPECIFIC PLAN

INTRODUCTION

The Northwest Newberg Specific Plan is a blueprint for a new mixed-use neighborhood in Newberg. The Specific Plan establishes a detailed master plan for land use, streets and utilities for a 150-acre area adjacent to the city within the Newberg Urban Growth Boundary.

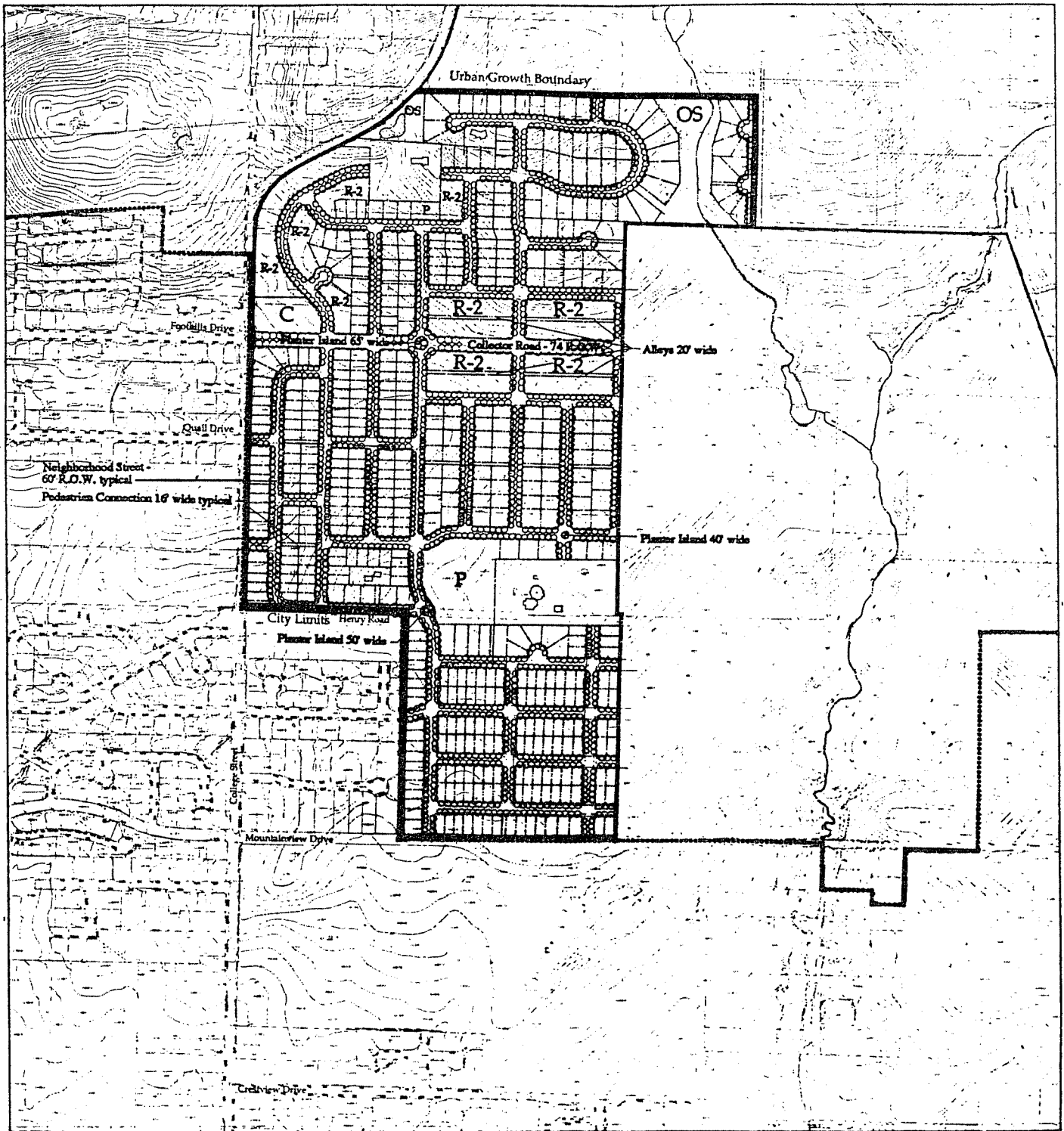
The Plan is intended to coordinate ten to twenty years of growth. Smaller lots and land for medium density attached housing are included to provide for the housing demands of today and the next twenty years. The Plan also provides key street connections, parks and a neighborhood commercial center so that incremental growth leads to a cohesive, mixed use neighborhood.

The Northwest Newberg Specific Plan is a blueprint for a new mixed-use neighborhood in Newberg.

The needs of the property owners, developers and the community have been woven into the Plan. It was developed by a broad-based Steering Committee consisting of the twelve property owners, City Council and Planning Commission members, neighborhood representatives and local real estate professionals. The Steering Committee built consensus for the Plan by constantly balancing community needs with development realities and the wishes of the owners.

In summary, the Specific Plan includes:

- A predominantly single-family residential neighborhood of up to 514 dwellings.
- Opportunities for up to 176 units of medium density attached housing at 8.8 units per gross acre.
- A 1.5-acre neighborhood commercial parcel.
- Two parks: a 3.8 acre multi-use neighborhood park and a 0.3 acre "tot-lot" park.
- A plan for implementation that allows administrative approval of developments that conform to the Specific Plan.



MASTER PLAN

Northwest Newberg Specific Plan

7/93 LA383.L00



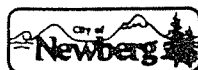
LEGEND



City Limits	Project Boundary	C	Commercial
Urban Growth Boundary	R-2	P	Neighborhood Park
OS			

R-2 Medium-Density Residential

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Leland Consulting Group

FIGURE 1

PLAN PURPOSE AND OBJECTIVES

The Specific Plan's primary purpose is to create a coordinated network of land uses, transportation and utilities. The Steering Committee developed nine planning objectives to guide the planning process.

The Specific Plan objectives are to create:

- A unique pedestrian-oriented neighborhood that is compatible with the larger Newberg community.
- A cohesive neighborhood that can be developed in phases.
- An equitable plan for all property owners.
- A connected street pattern that is integrated into the Newberg Transportation Plan.
- A mix of land uses, including parks.
- A variety of housing.
- Safe and convenient routes for walking and bicycling.
- A coordinated utility plan.
- Good access for fire, medical and police vehicles.

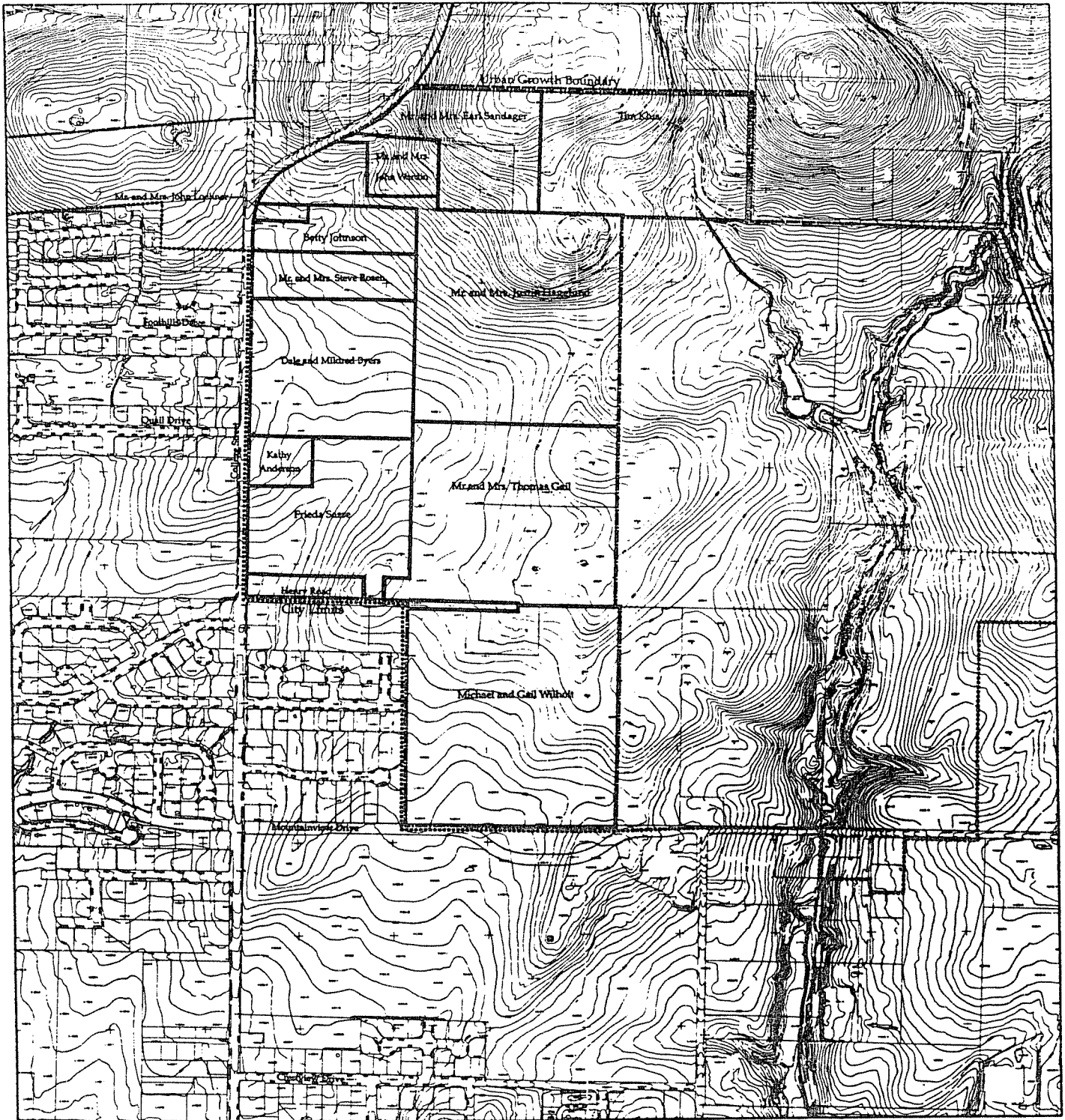
The Specific Plan's primary purpose is to create a coordinated network of land uses, transportation and utilities.

There were two recurrent themes throughout the meetings of the Steering Committee: (1) creation of a quality, lasting neighborhood; and (2) feasibility of implementing phases of the plan in the Newberg land development market.

THE SITE AND ITS CONTEXT

Specific Plan Area and Ownerships

The Specific Plan site is 150 acres. It is located at the northern edge of the city, within the Newberg Urban Growth Boundary. The twelve property ownerships are illustrated in Figure 2.



PROPERTY OWNERSHIP

Northwest Newberg Specific Plan

3/93 L4383 L00



0 100 200 400 600
SCALE IN FEET

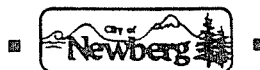
LEGEND

----- City Limits
----- Urban Growth Boundary

----- Project Boundary

----- Property ownership boundaries

otak



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Land Consulting Group

The higher portions of the site offer spectacular views of the Willamette River, Oregon Coast Range and Cascade Mountains.

Natural Features

The southern two-thirds of the site are gently rolling filbert orchards. See Figure 3, On-Site Analysis. The northern portion of the site includes slopes which range from 10 to 20%. The high point of the site is at elevation 352', approximately 127 feet above the lowest elevation near Henry Road. The higher portions of the site offer spectacular views of the Willamette River, Oregon Coast Range and Cascade Mountains.

Hess Creek runs through the Klus property in the northeast corner of the site. A wetland of approximately one-third acre is located adjacent to the "S"-curve in College Avenue. The wetland is fed by the adjacent highway drainage and groundwater seepage on site. This wetland drains south through the Wardin Property and back to the College Avenue ditches.

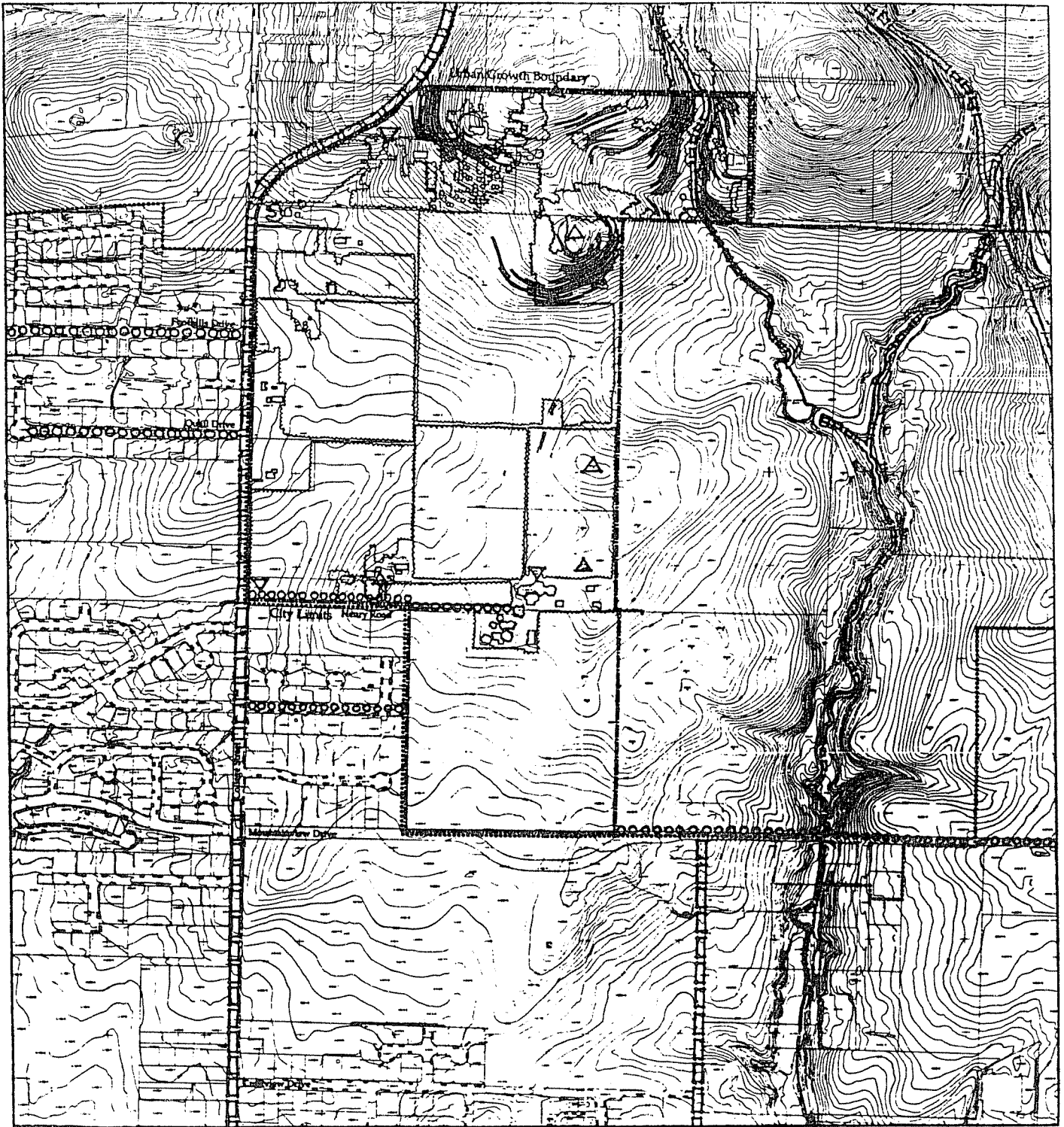
Approximately 80% of the site is covered by a mature filbert orchard. A grove of Oregon white oak covers a portion of the high knoll on the Hagglund property. Clusters of mature fir and cedar are located along the Wardin property lines and the Mountainview Road right-of-way.

Circulation

Figure 4 illustrates Newberg's Transportation System Plan. The Specific Plan site is surrounded by arterial streets (College Avenue and Mountainview Drive) and collector streets (Villa Road and Aspen Way). These streets form a grid that creates excellent connections from the site to much of the city.

The Transportation System plan includes a new collector street shown conceptually to extend west from Aspen Way through the Specific Plan site. The two other key street extensions adjacent to the site are the northern extension of Villa Road and the westward connection of Mountainview Drive.

The existing street pattern shown on Figure 4 reveals a marked contrast between older and newer parts of Newberg. The downtown area and close-in neighborhoods were platted in the late 1800's and early part of this century. They generally follow a grid pattern of 300' by 300' and larger blocks. In this area, there are many alternative routes for cars, pedestrians and bicyclists to follow.



ON-SITE ANALYSIS

Northwest Newberg Specific Plan

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LEGEND



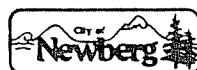
- City Limits
- Urban Growth Boundary
- Project Boundary
- □ □ Primary Circulation

- Secondary Circulation
- Existing Structure
- ~~~~~ Orchard
- ~~~~~ Tree Canopy

- ▲ Steep Slopes-20% or greater
- △ High Point
- ▽ Low Point

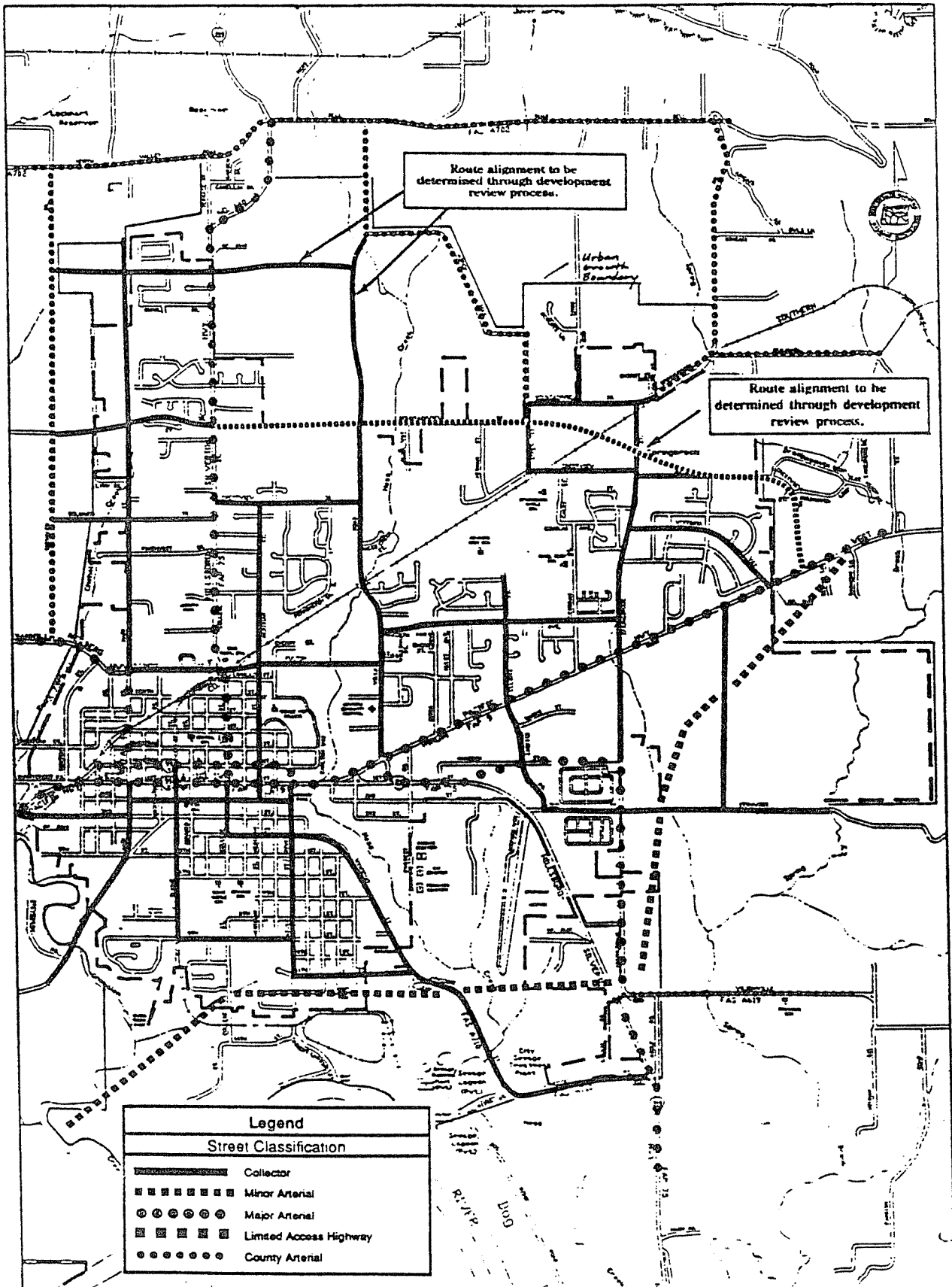
- Creek/Swale
- Pond/Lake
- View

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KITTELSON & ASSOCIATES, INC.

Reigel Consulting Group



DRAFT RECOMMENDED TRANSPORTATION PLAN

7/19/93

FIGURE 4

The newer sections of Newberg display a discontinuous street pattern with many cul-de-sacs. There are relatively fewer circulation choices. Cars, pedestrians and bicyclists must all funnel to collector or arterial streets, even for short trips.

Comprehensive Plan Designations

The adjacent Comprehensive Plan and zoning designations are illustrated in Figure 5. The Specific Plan site is designated as Low Density Residential, a single-family residential district with a maximum density of 4.4 units per acre. The area north of the site is currently in rural designations under Yamhill County jurisdiction. If designated as an Urban Reserve, the area will urbanize in 20-40 years.

LAND USE PLAN

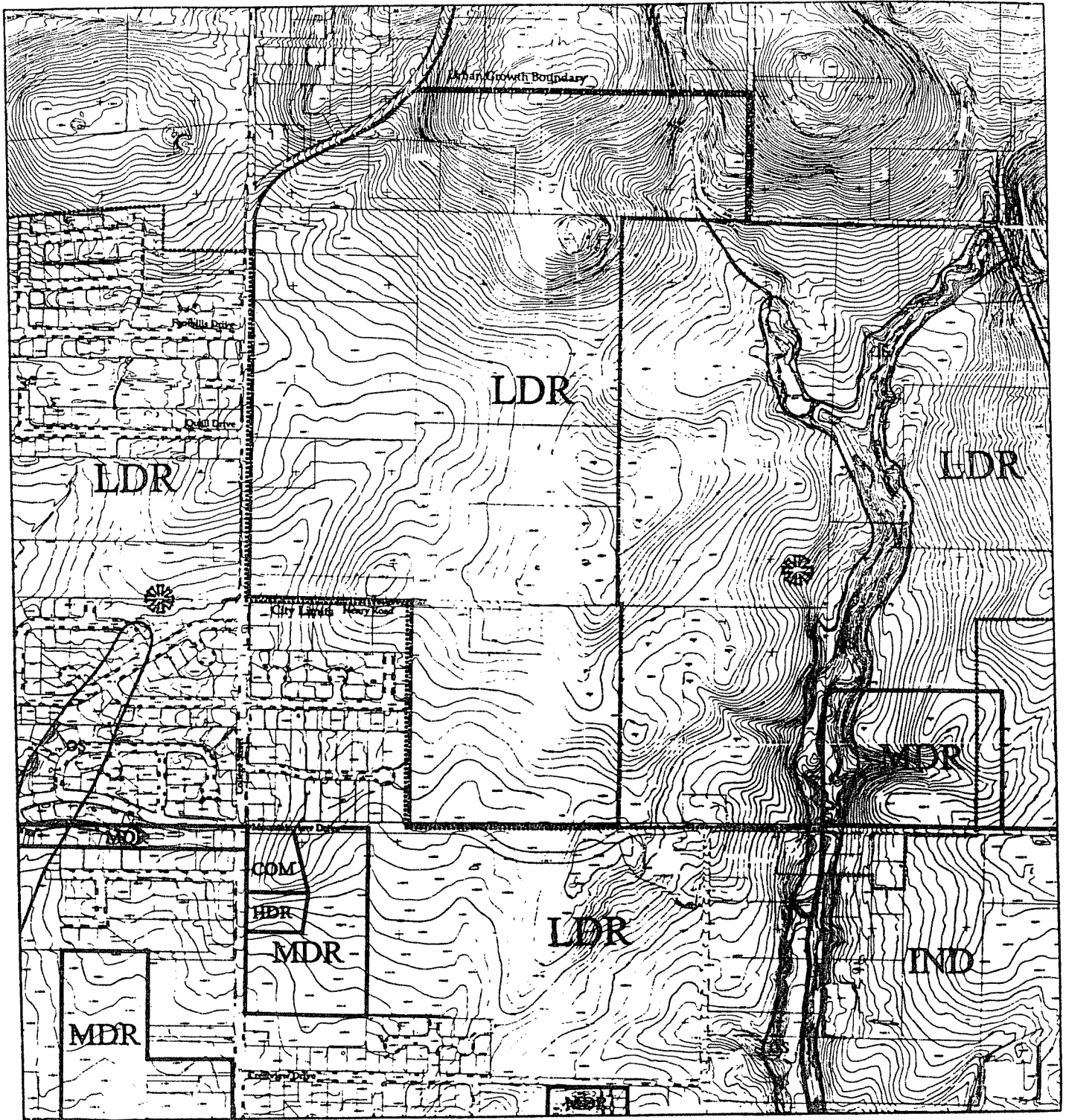
Without the Specific Plan, the site would probably develop in exclusively single family residential use. The pattern of development would likely be a collection of individual subdivisions with lot sizes ranging from 7500 square feet to 15,000 square feet. At the maximum permitted density of 4.4 units per acre, the 150 acre site could support 660 dwellings.

The Specific Plan allows for a mix of uses: detached homes, townhomes, a neighborhood commercial center and parks.

The Specific Plan allows for a mix of uses. The Plan anticipates detached homes (minimum lot size of 5000 square feet), townhomes or duplexes (maximum density of 8.8 units per gross acre), a neighborhood commercial center and parks. Figure 6 illustrates the Land Use Plan and areas of each use.

The maximum density of the Specific Plan is 690 dwellings on 142 acres, or 4.9 units per acre. This density does not include the Wardin property (2.9 acres) and Gail out-parcel (5 acres).

The use of smaller lots and medium density residential (R-2) acres results in the Specific Plan having greater overall density than the existing Comprehensive Plan. This is achieved while providing 4.1 acres of parkland and 1.5 acres of commercial land. The maximum density for R-2 land noted in Figure 6 is based on 1 dwelling unit plus 3750 net square feet, as allowed by the Newberg zoning ordinance. The amount and type of each use is illustrated in Figure 6. The following sections describe the key points about the uses.



COMPREHENSIVE PLAN

Northwest Newberg Specific Plan

3/93 L4383.L00



LEGEND

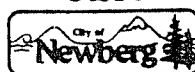


----- City Limits
 ——— Urban Growth Boundary
 ——— Project Boundary
 LDR Low Density Residential

MDR Medium Density Residential
 HDR High Density Residential
 COM Commercial

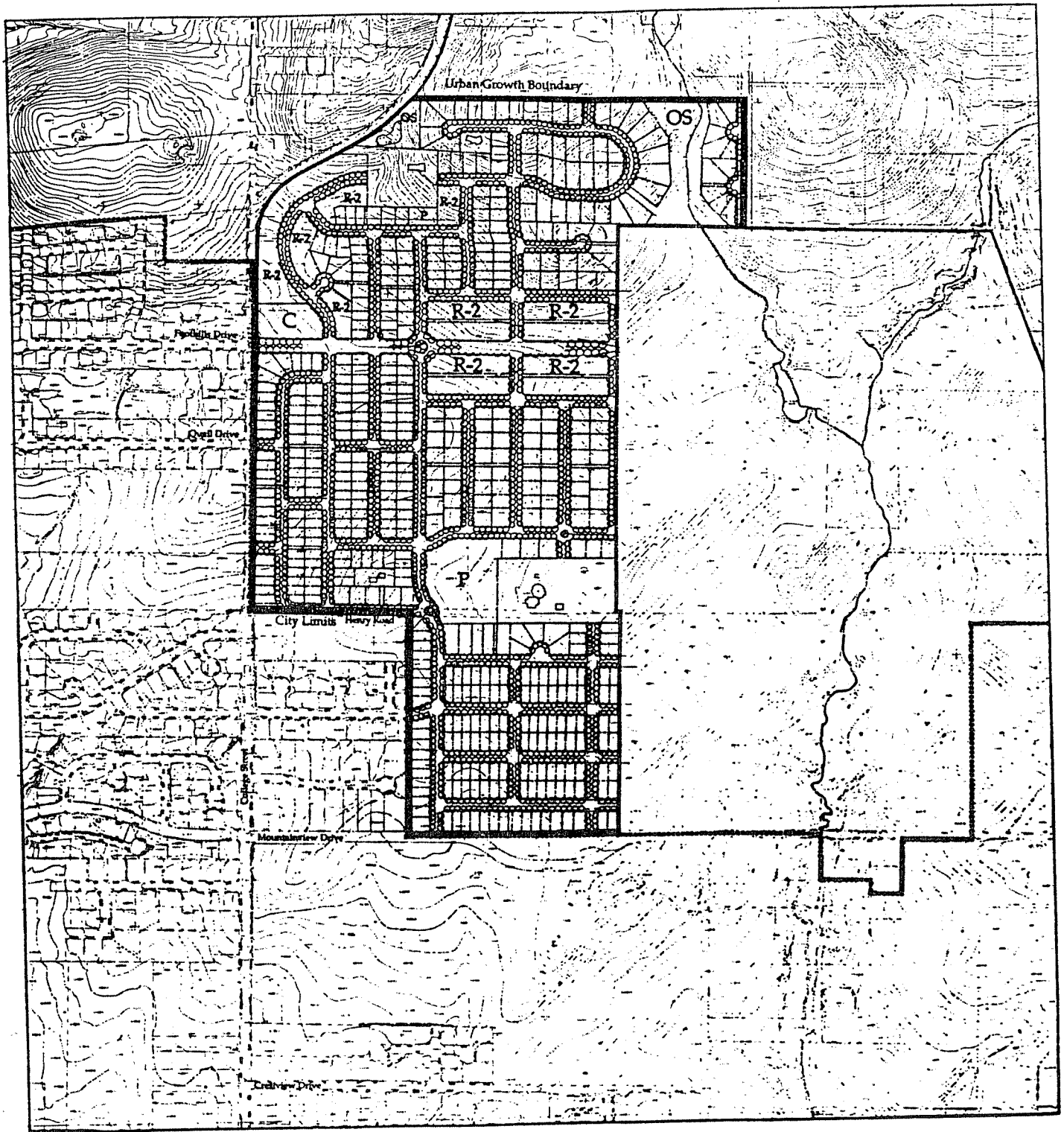
IND Industrial
 OS Future Park Site
 Open Space

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Jeland Consulting Group



LAND-USE PLAN

Northwest Newberg Specific Plan

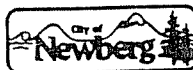
Development Summary

USE	AREA	% OF SITE	MAX. DWELLING UNITS
Low-Density Residential (R-1)	118 Acres	78.6	514*
Medium-Density Residential (R-2)	20 Acres	13.3	176
Commercial (C)	2 Acres	1.3	
Parks (P)	5 Acres	3.3	
Open Space (OS)	5 Acres	3.3	
Total	150		690

Note: Acreages include adjacent right-of-way.

*This number includes the Wardin and Gail parcels each counted as 1 dwelling unit.

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Detached single family homes will define the primary character of the neighborhood.

Low-Density Residential

Detached single family homes will define the primary character of the neighborhood. The smallest lots are approximately 5000 square feet, located mainly in the flatter portions of the site and near College Avenue and Mountainview Drive.

These smaller lots provide for affordable housing and a choice for the growing segment of the market that doesn't want a large lot to care for. Portions of the plan include lots in the 10,000 square foot range in response to slope conditions and view potential. In a few locations, larger lots than initially recommended by the consultant team were included at the request of individual property owners.

Medium Density Residential

Four blocks and a linear area adjacent to College Avenue are planned for duplexes, townhomes and other attached housing types. The maximum density is 8.8 units per gross acre (1 unit per 3750 net square feet), corresponding to the City's R-2 zone. These areas are intended to provide an affordable housing choice. The maximum density is relatively low to attract owner-occupied housing or low density rental housing.

The location of the Medium Density parcels were specifically selected in internal areas of the site. The intent is to provide time for the attached housing market in Newberg to grow, as it is currently in Portland and adjacent cities. The R-2 zoning that will be applied to the Medium Density areas provides flexibility for either attached or detached housing. Therefore, if the market is suitable for attached housing, the plan allows it. If the market favors single family detached housing, the plan also allows it.

Parks

Two parks are planned: a neighborhood park and a "tot-lot" park. The neighborhood park is 3.8-acres and intended as a multi-use park. It will have a soft-surface playground, basketball court, and large grass field. No ballfields or parking are planned because organized sports will occur at a new park to be developed adjacent to Crater Elementary School. This park provides an opportunity to preserve some remnant of the existing orchards if the City wishes.

The small tot-lot park will have a small soft-surface play area, benches and landscaping. It is intended as an open space and view point for the northern portion of the Specific Plan area.

Commercial

This parcel is intended for a neighborhood commercial uses such as a convenience store or day care center. The commercial parcel is 1.5 acres in area. This size will accommodate up to 19,000 square feet of building area. The Steering Committee was very interested in seeing a public plaza or small open space included with the commercial use.

CIRCULATION PLAN

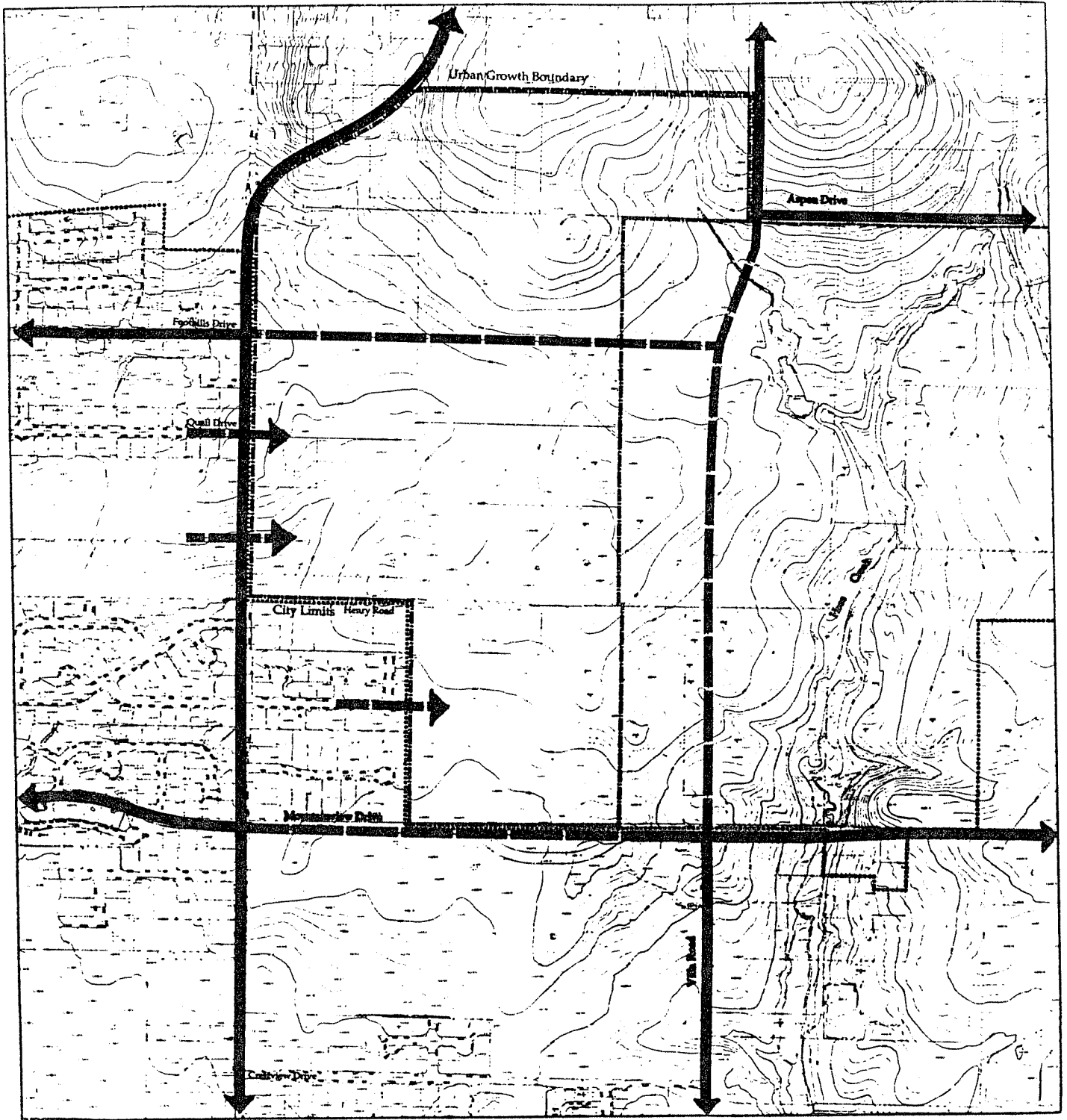
College Avenue, the Villa Road extension, the Mountainview Road extension, and Aspen Drive provide excellent connections from the site to the remainder of the city. The circulation plan in Figure 7 illustrates the connections from the site to these streets.

The extension of Foothills Road through the site is a key component of the circulation plan.

The extension of Foothills Road as a collector street through the site is a key component of the circulation plan. The Newberg Transportation Plan requires a new east-west collector street to connect Aspen Way to the area of Crater Elementary School and the new district park that will be north of the school.

Foothills Drive was selected as the route for the east-west connection because it is the most feasible location to cross College Avenue. Foothills Drive is a logical connection to the Specific Plan area because it will be the most direct route to the new Elementary School. For pedestrian safety, a signal will be placed at the Foothills Drive/College Avenue intersection.

The local street network is highly connected in order to promote direct and convenient routes for pedestrians and bicyclists. See Figure 1. Several mid-block pedestrian paths are provided to reduce walking and biking distances. The mid-block pedestrian paths will be public right-of-way maintained by either the City or the Parks District.



CIRCULATION PLAN

Northwest Newberg Specific Plan

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LEGEND



Existing Road

Proposed Road

Proposed Access

Traffic circles will slow traffic and provide focal points in the neighborhood.

The four blocks planned for Medium Density (R-2) development include alleys. The alleys provide access without an excessive number of curb cuts that would not comply with the city's driveway spacing standard of 100' on collector streets. Three traffic circles are included to slow traffic through the neighborhood. The circles also provide visual focal points within the neighborhood.

The proposed street cross-sections are illustrated in Figure 8. The Foothills Drive cross-section does not include a center turn lane because the volumes of traffic expected do not warrant it. The proposed 36' section for Foothills Drive is wide enough for two travel lanes and two bike lanes, yet narrow enough to retain the character of a local neighborhood street. A 75-foot left-turn storage lane is recommended on Foothills Drive at the intersection of College Avenue.

UTILITIES

A preliminary utility plan was prepared by the Newberg engineering department. The plan identifies preliminary routing for water, sanitary sewer and storm drainage. Water and sewer lines are available and of adequate capacity to serve the site. The preliminary utility plan will be kept on file at the City. It will be available to property owners and developers to use in preparing subdivision plans.

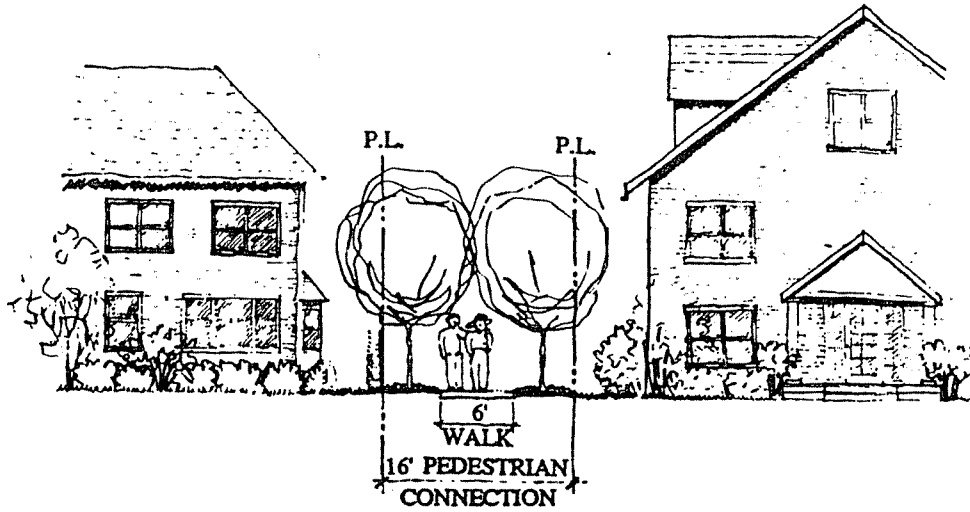
All sanitary sewers can be gravity lines - an option exists for a pump station and force main in the northern portion of the site. A storm water retention pond may be required in the southwest corner of the site. All final decision regarding utility improvements will be made by the City Engineer, as authorized by the Newberg Subdivision Ordinance.

DEVELOPMENT STANDARDS

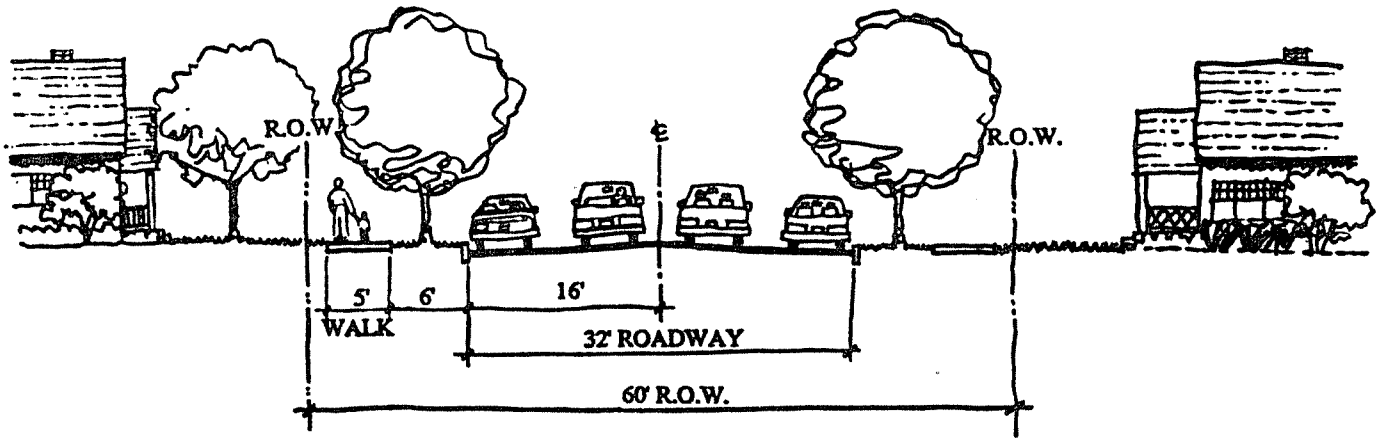
This Specific Plan recommends development standards for structure setbacks and street trees.

Setbacks

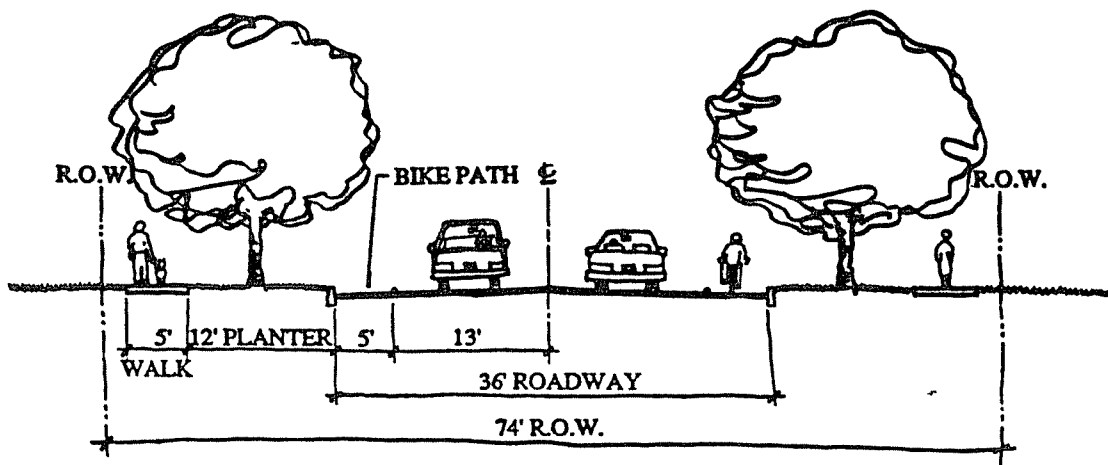
Two types of setback standards apply to the Specific Plan, as described below and illustrated in Figures 9 & 10.



PEDESTRIAN CONNECTIONS



NEIGHBORHOOD STREET

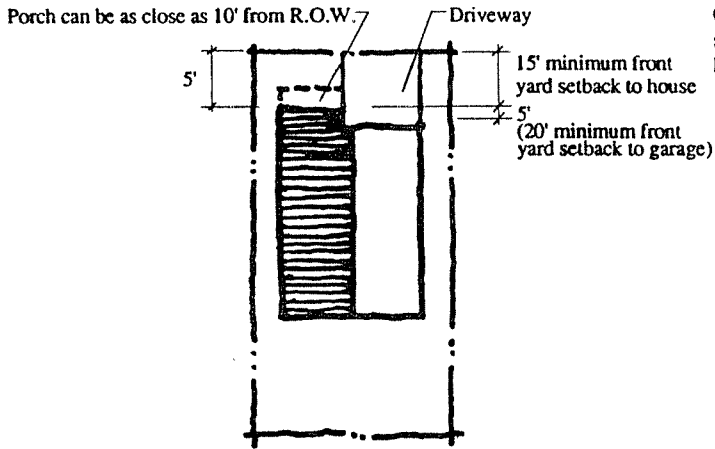


COLLECTOR STREET

CROSS-SECTIONS

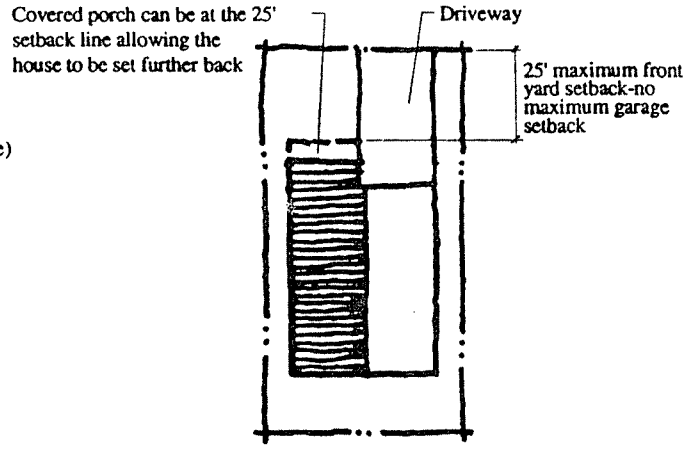
Northwest Newberg Specific Plan

FIGURE 8



Minimum Front Setbacks

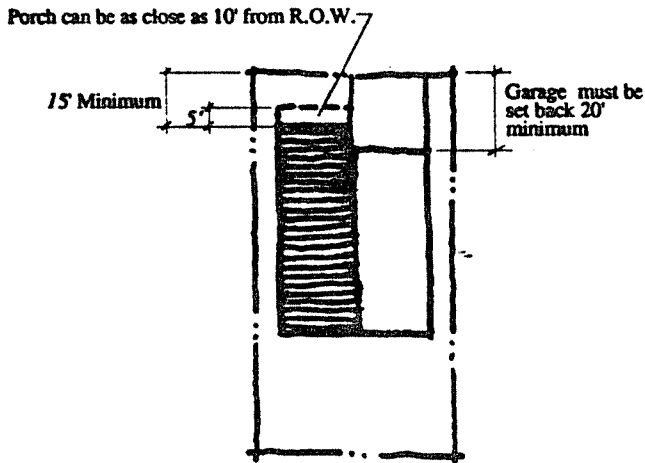
10'-Porch
15'-House
20"-Garage
Garage may not be closer to the front property line than the front of the house.



Maximum Front Setbacks

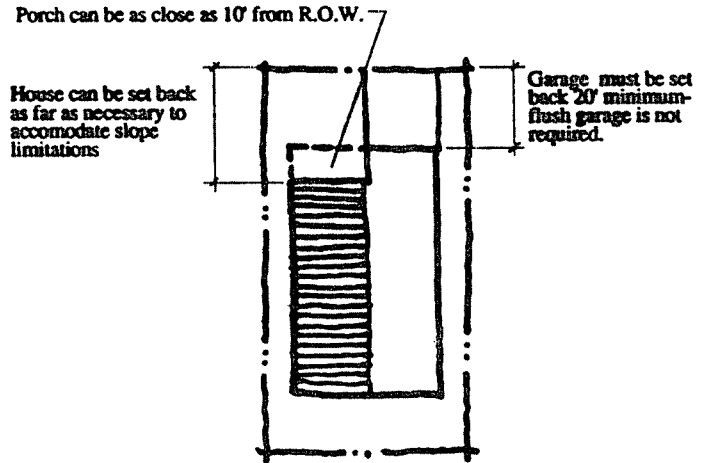
25'-Porch
25'-House (without porch)
None-Garage
Garage may not be closer to the front property line than the front of the house.

Standard #2



Minimum Front Setbacks

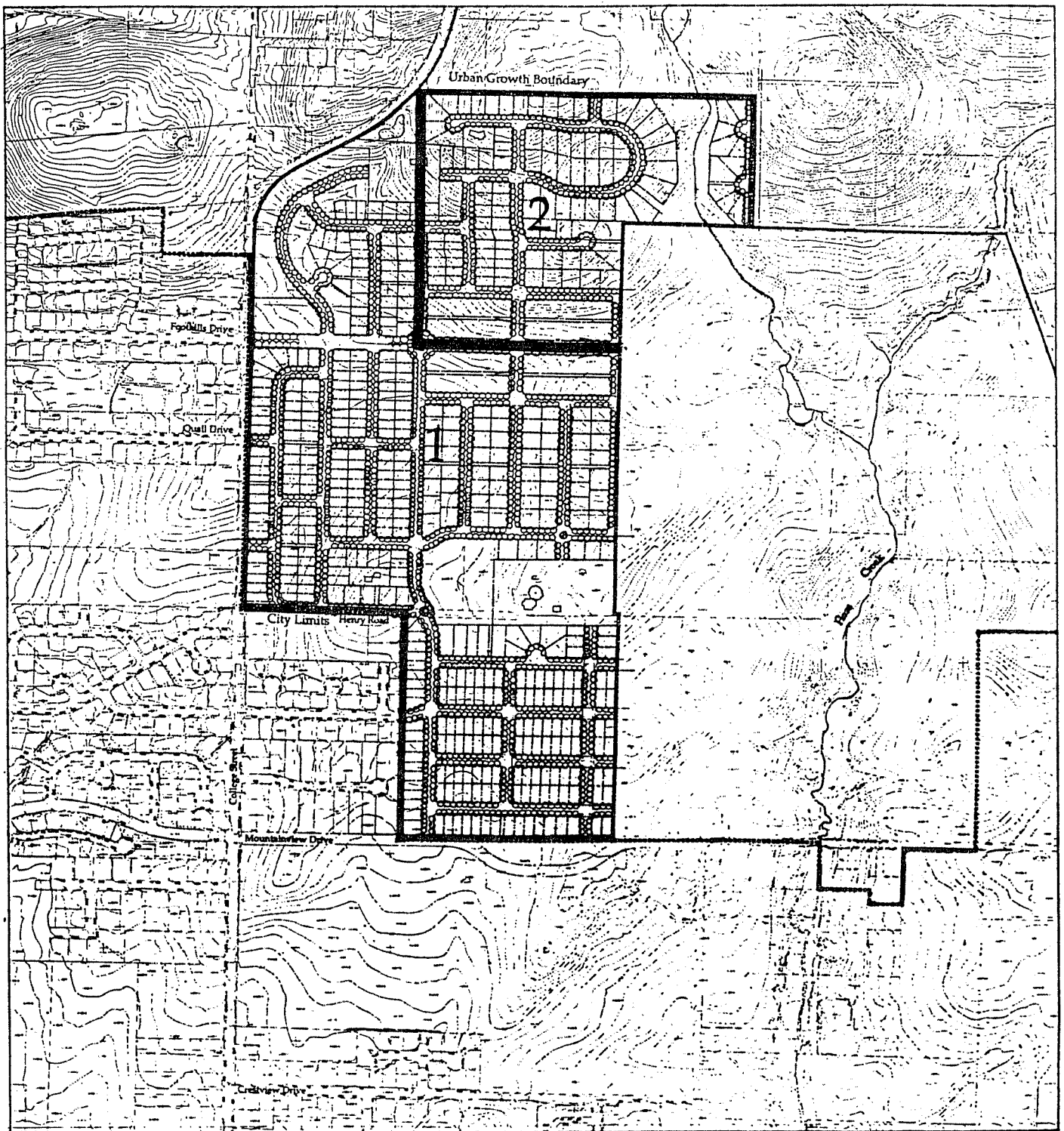
10'-Porch
15'-House
20"-Garage



Maximum Front Setbacks

None

SETBACK STANDARDS
Northwest Newberg Specific Plan



WHERE SETBACK STANDARDS APPLY

Northwest Newberg Specific Plan

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1 Area where Setback Standard #1 applies

2 Area where Setback Standard #2 applies

Standard #1 establishes "build-to" lines and a requirement for flush or recessed garages. This standard requires the home (or front porch) to be sited no further than 25' from the front property line. The 25' distance is a maximum setback or "build-to" line. The purpose of this standard is to create a character like that of the older neighborhoods in Newberg, where the proximity of the front of the house to the sidewalk encourages interaction between neighbors.

Standard #1 also requires the garage to be no closer than the front of the house and a minimum of 20 feet from the front property line. The purpose of this standard is to avoid the "row-of-garages" look that results from many homes on a street having garages which extend beyond the front of the home. Standard #1 applies to the area illustrated in Figure 10.

Standard #2 is Newberg's normal R-1 setbacks with additional flexibility to build a front porch within 10' of the front property line. The "build-to" and flush garage standards described above are not applied because they are not practical on steeper lots. Standard #2 applies to the area shown on Figure 9.

Street Trees

Street trees are an essential part of livable neighborhoods. They are recommended for all development within the site.

Street trees are an essential part of livable neighborhoods. They provide greenery, shade, habitat for birds, limbs for hanging swings and many other small contributions to life in a neighborhood. They are an integral part of the traditional American town. This Specific Plan recommends that street trees be required in all subdivisions and development within the site.

The following street tree list designates Homestead Elm for Foothills Drive and Yellowwood for the main north-south street that connects to Foothills at the traffic circle. The intent is to create an identity for each of these important streets. The local streets have a list of street trees to choose from in order to encourage a variety of trees. The recommended trees are common yet do not include certain trees which homeowners are likely to plant (e.g. Sunset maple). The traffic circles have native trees to evoke the regional character of the Pacific Northwest.

Specific Plan Street Trees

Foothills Drive:

Ulmus 'Homestead'/Homestead Elm*

Main north-south local street:

Cladrastis lutea/Yellowwood*

Large island in Foothills Drive:

Acer macrophyllum/Oregon Maple

Pseudotsuga menziesii/Douglas Fir

Tsuga heterophylla/Western Hemlock

Other islands:

Amelanchier alnifolia/Western Serviceberry

Thuja plicata/Western Red Cedar

Alnus rubra/Red Alder

Local street tree options:

Fraxinus oxycarpa/Ash (excluding 'Golden Desert')

Fraxinus pennsylvanica/Green Ash

Gleditsia triacanthos/Honey Locust (Use seedless, thornless variety and not 'Sunburst' or other gold varieties.)

Prunus avium 'Plena'/Double-Flowering Mazzard Cherry

Sophora japonica/Japanese Pagodatree

Tilia cordata/Little-Leaf Linden

Tilia tomentosa/Silver Linden

Zelkova serrata/Japanese Zelkova

Administrative review is recommended for processing land development applications that comply with the Specific Plan.

*Note - It will be wise for developers/contractors to place orders in advance for Homestead Elm and Yellowwood. They are commercially available, but may not be in the quantity and size necessary at the time unless some effort is made in advance. The City planning department may wish to be proponents of this advance tree-shopping in order to ensure that the important streets have the character desired.

IMPLEMENTATION

One of the advantages of Specific Plans is that they provide predictability of future development. Land owners and developers benefit from knowing the development potential of their land. Neighbors and the community benefit from the assurance that needed streets and parks will be provided. The "risk" associated with land development and community change is reduced for all parties.

To capitalize on the level of specificity built into this Plan, administrative review is the recommended method for processing land development applications that comply with the plan. The approach is straightforward: If the proposal complies with the Specific Plan and the city's development standards, it must be approved by the staff. No hearings are required.

The following concepts are proposed to implement the Specific Plan. The Comprehensive Plan and Zoning Ordinance text amendments required to execute these concepts will be developed by the City.

The Comprehensive Plan

New Plan policies should be adopted to authorize the Specific Plan and describe its purpose. General enabling policies may also be adopted to allow development of future Specific Plans.

Two options exist for the Plan Map. The first is to show each designation included on the Specific Plan (Low Density Residential, Medium Density Residential, Parks, Commercial). The second option is to map a Northwest Newberg Specific Plan overlay designation for the site and adopt the applicable zoning designations as each parcel is annexed. The second option is recommended so that amendment of the Specific Plan does not require re-examination of compliance with the Statewide Planning Goals.

The number of lots shown on the plan is the maximum allowed density.

The Zoning Map

The Zoning Map should include each use (R-1, R-2, Parks, Commercial). A Specific Plan Overlay District should be created as the mechanism to implement the special standards and procedures of the Specific Plan. The overlay district should be illustrated on the Zoning Map.

Allowed Density

The number of lots shown on the Specific Plan is the maximum allowed density. The R-2 areas allow 8.8 units per acre.

Less density than is illustrated on the plan is allowed under two circumstances:

- Lots on the plan which are smaller than 7500 square feet may be increased to 7500 square feet, at the choice of the property owner.
- Lots may be increased above 7500 square feet as long as the overall density of the Specific Plan area remains at or above 80% of the original planned density. In other words, each owner is allowed to build to 80% of the planned density. For a given property, less than 80% build-out is allowed if other built or platted parcels have developed at greater than 80% of their density. For this calculation, the maximum density for R-2 areas is calculated at 4.4 units per acre to recognize that single-family development is allowed in R-2.

Permitted and Conditional Uses

These uses will be the same as those listed in the Zoning Ordinance for the respective zone district.

Approval of Subdivisions

No Planning Commission hearing is required if the proposed subdivision complies with the Specific Plan. Approval criteria adopted for administrative reviews must be clear and objective. The City may attach conditions as currently authorized by the Subdivision Ordinance.

How to Amend the Specific Plan

A change of use or major change of the street pattern should require an amendment to the Specific Plan. The definition of a "major change" of the street pattern will need to be clear and objective.

Applications for amendments must meet the approval criteria for a Comprehensive Plan Amendment and/or Zone Map Amendment, depending on which map is used during initial adoption of the Specific Plan. Regardless, applicants should be required to show that the area of the Specific Plan not being amended still "works", i.e. that the purpose, objectives, and functioning of the Specific Plan are not significantly and adversely changed.

In reviewing Specific Plan amendments, the City should assure that the land use and transportation network remain consistent with the original purpose and objectives.

SUMMARY

The Northwest Newberg Specific Plan represents a new planning process and regulatory framework for coordinating land use, transportation and utilities. The City of Newberg has shown both initiative and vision in getting twelve property owners together to agree on a master plan for their properties.

Some refinements will be needed to the Specific Plan. In reviewing those refinements, the City should guard the original purpose and objectives of the Specific Plan. In particular, the City should adhere to the concepts of mixed use and a pedestrian-oriented neighborhood that has a highly coordinated and connected street pattern. These elements of the plan will result in a neighborhood that is highly desired by home buyers and cited as a model in the community.

APPENDIX A

PROJECT PARTICIPANTS

Steering Committee Members:

Kathy Anderson, Property Owner
 Dale and Mildred Byers, Property Owners
 Mart Storm, representing Dale & Mildred Byers
 Ann and Tom Gail, Property Owners
 Justin and Marianne Hagglund, Property Owner
 Betty Johnson, Property Owner
 Tim Klus, Property Owner
 Mr. and Mrs. John Loehner, Property Owner
 Steve Rosen, Property Owner
 Earl Sandager, Property Owner
 Frieda Sasse, Property Owner
 Mike Herring, representing Frieda Sasse
 Mr. and Mrs. John Wardin, Property Owners
 Mike and Gail Wilhoit, Property Owners

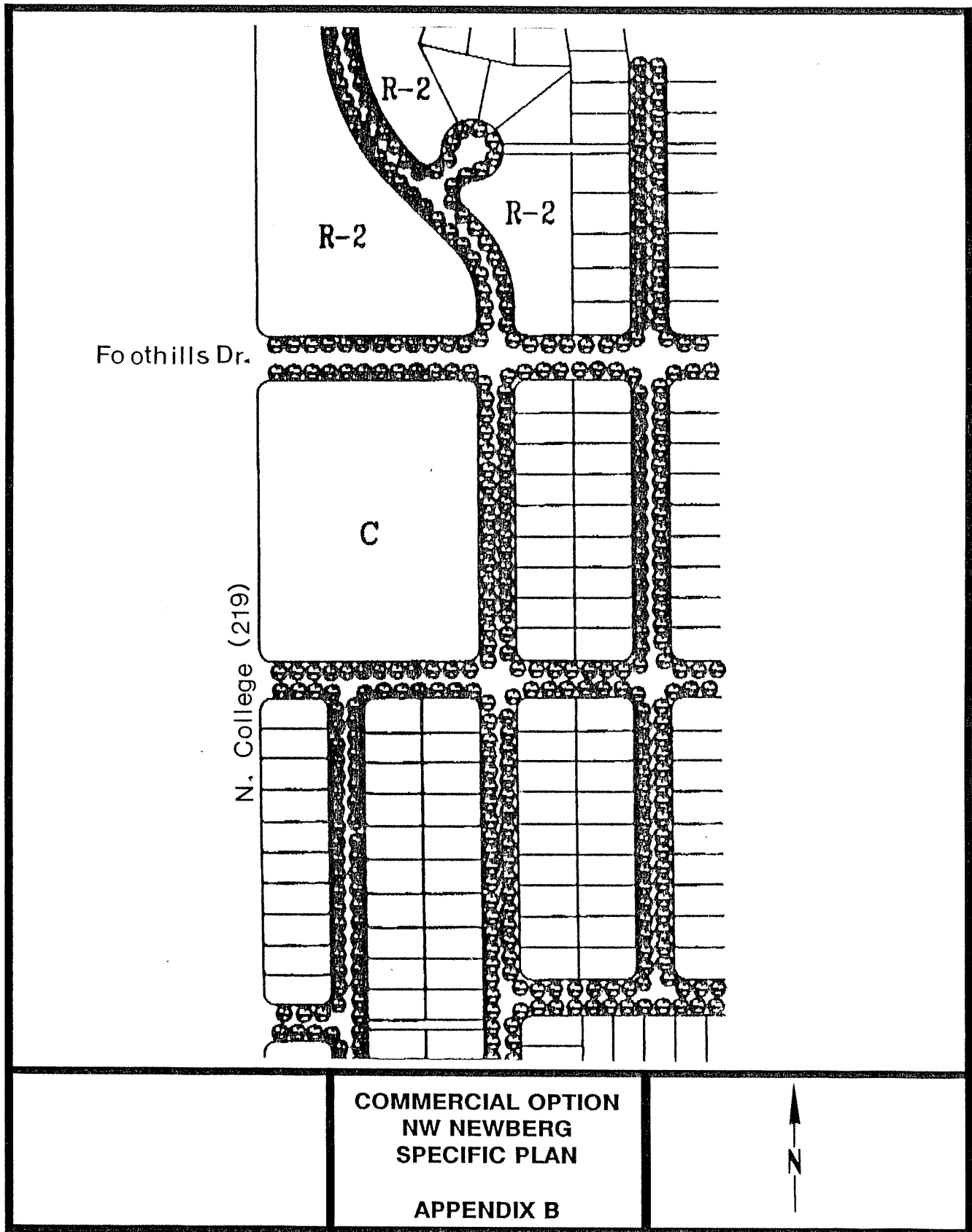
Dan Findley, Neighboring Property Owner
 Sonja Haugen, Austin Industries
 George Howard, Neighboring Property Owner
 Donna McCain, City Council Member
 Rob Molzahn, At-Large
 Steve Roberts, Planning Commission Member

Consultants:

Joe Dills, Project Manager, OTAK
 Patty Freeman, Site Planner, OTAK
 David Leland, Real Estate Economist, Leland Consulting Group
 Andy Mortensen, Transportation Planner, Kittelson & Associates

Technical Advisors:

Dennis Egner, Project Manager, Planning Director
 Duane Cole, City Manager
 Larry Anderson, Engineering Manager
 Sara King, Associate Planner
 Barb Mingay, Planning Secretary
 Michael Shurman, Fire Chief
 Bert Teitzel, Public Works Director
 Don Clements, Chehalem Park and Recreation District
 Lainie Smith, Oregon Department of Land Conservation and Development



ORDINANCE NO. 99-2510

AN ORDINANCE AMENDING THE NORTHWEST NEWBERG SPECIFIC PLAN TO ALLOW DENSITY SHIFTING BETWEEN THE R-1/SP AND R-2/SP PORTIONS OF THE SITE TO ALLOW FORTY (40) TOTAL UNITS SPREAD THROUGHOUT THE PROPERTY. THE "SANDAGER" PARCEL IS LOCATED AT THE NORTHERN EXTENSION OF KNOLL DRIVE, NORTH OF OAK KNOLL SUBDIVISION, YAMHILL COUNTY TAX LOT 3208-3000, -3100.

RECITALS:

1. On February 19, 1999, an application was submitted by AMT Resources, Inc. on behalf of Earl Sandager requesting a comprehensive plan amendment and zone change for the "Sandager" parcel located at the northern extension of Knoll Drive, north of Oak Knoll Subdivision within the NW Newberg Specific Plan area.
2. Notice was published in the Graphic Newspaper on February 19, 1999, which is at least ten days prior to the public hearing before the Planning Commission on March 11, 1999; and on February 19, 1999 notice of the Planning Commission was posted on the site and at four public places to comply with Oregon Revised Statute requirements for comprehensive plan amendments.
3. On March 11, 1999, the Planning Commission held a hearing on the item, considered public testimony from various individuals, and moved to recommend that the City Council approve the project.
4. On March 10, 1999 notice of this proposed comprehensive plan amendment/zone change was mailed to the owner of record as identified in Yamhill County Assessor's Office, and on March 19, 1999 notice of this proposed comprehensive plan amendment/zone change was mailed to all adjoining property owners within a distance of 300 feet, prior to the City Council meeting on April 5, 1999.
5. On March 24, 1999 and March 31, 1999 notice was published in the Graphic Newspaper for two consecutive weeks prior to the City Council hearing on April 5, 1999; and on March 24, 1999 notice of the City Council hearing was posted at four public places.
6. After proper notice, on April 5, 1999 at the hour of 7:00 PM in the Newberg Public Safety Building, 401 E. Third Street, the City Council held a Public Hearing on the item: accurately stated objections to jurisdiction, bias, and ex-parte contact; considered public testimony; examined the record; heard the presentation from staff and the applicant; examined and discussed the appropriate criteria to judge the project (as listed in the staff report); considered all relevant information regarding the item; and deliberated.
7. Requirements of the City of Newberg Comprehensive Plan and Newberg Development Code regarding comprehensive plan amendments and zone changes have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWBERG AS FOLLOWS:

1. The City Council finds that the comprehensive plan amendment and zone change request are governed by Section 10.20.030 of the Newberg Development Code.
2. The City Council adopts the findings which are attached hereto as Exhibit A and incorporated herein by reference.
3. The Northwest Newberg Specific Plan is hereby amended to reallocate four of the dwelling units allowed in the R-2/SP area to the R-1/SP area on territory described in Exhibit B and shown in Exhibit C.

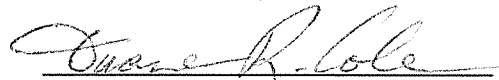
ADOPTED by the Newberg City Council this 5th day of April, 1999, by the following votes:

AYES: 4

NAYS: 1
(Currier)

ABSTAIN: 0

ABSENT: 1
(McCain)


Duane Cole - City Recorder

ATTEST by the Mayor this 7 day of April, 1999.


Charles Cox, Mayor

Attachments:

Exhibit A.	Findings
Exhibit B.	Legal Description
Exhibit C.	Map

EXHIBIT A - FINDINGS

A. *The proposed change is consistent with and promotes the objectives of the Newberg Comprehensive Plan and this Code.*

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

FINDING: Both statewide and locally, the emphasis is upon providing quality, affordable housing at urban densities within the urban growth boundary. The proposal reallocates the existing density of the R-2 portion of the site to the R-1 portion of the site, while maintaining the overall density of the Northwest Newberg Specific Plan.

HOUSING GOAL: To provide the housing needs of the community commensurate with regional income levels.

HOUSING DENSITY POLICY (a): Density rather than housing type shall be the most important development criteria and shall be used to classify different types of residential areas on the plan.

HOUSING LOCATION POLICY (a): Medium and high density areas should be located for immediate access to collector streets or minor arterials and should not cause traffic to move through low density areas. High density areas should be easily accessible to arterial streets. They should also be located near commercial services and public open space.

HOUSING MIX POLICY (b): Low and moderate income housing should not be concentrated within particular areas of the City.

HOUSING MIX POLICY (j): The City shall encourage innovation in housing types and design as a means of offering a greater variety of housing and reducing housing costs.

HOUSING MIX POLICY (m): Within the urban area, land use policies will attempt to provide a broad range of residential uses and encourage innovative development techniques.

FINDING: This project will provide additional housing opportunities to meet the needs of the growing population in the City of Newberg. It will also provide the opportunity for greater innovation in housing types and design through a variety of housing options and a range of residential uses. The proposed density will not exceed the Northwest Newberg Specific Plan overall density of 4.9 dwelling units per acre. The requested change provides opportunities for single family home ownership on a range of parcel sizes.

NW NEWBERG SPECIFIC PLAN MEDIUM DENSITY RESIDENTIAL EXCERPT: Four blocks and a linear area adjacent to College Avenue are planned for duplexes, townhomes and other attached housing types. The maximum density is 8.8 units per gross acre (1 unit per 3750 net square feet), corresponding to the City's R-2 zone. These areas are intended to provide an affordable housing choice. The maximum density is relatively low to attract owner-occupied housing or low density rental housing.

FINDING: The proposed project is intended to provide affordable housing opportunities.

B. *Public facilities and services are or can be reasonably made available to support the uses allowed by the proposed change.*

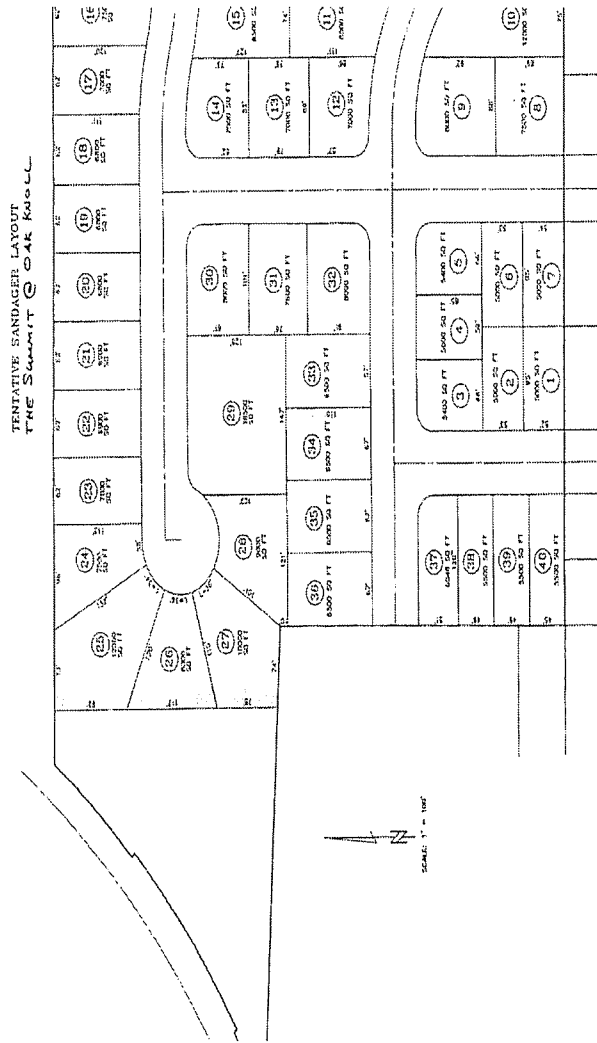
FINDING: The development of property within the remapped area would allow for the "infill" of vacant buildable land. The request maximizes the efficiency of existing urban services. The City has included this parcel within its UGB in recognition that it is appropriate for development at urban densities. Approval of the proposed request will not allow any more units than the plan currently allows. The proposed use will be required to comply with Newberg Development Code requirements at the time of development.

In summary, the proposed zone change and comprehensive plan amendment promotes the objectives of the Development Code and Comprehensive Plan.

EXHIBIT B - LEGAL DESCRIPTION

Part of the William T. Wallace Donation Land Claim No. 47 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, and described as follows:

Beginning on the East margin of State Highway No. 219 (Newberg-Hillsboro Highway) at a point being 10 chains North of the Southwest corner of that tract of land conveyed to Bernhard Sasse and Emma Sasse, by deed recorded in Book 171, Page 266, Yamhill County Deed Records and South 89°39' East 867.17 feet (South 89°55' East 878 feet) from the West boundary of said Donation Land Claim; thence South 89°39' East 716.83 feet (South 89°55' East 706 feet) to an iron pipe at the Northeast corner of that tract of land conveyed to Earl E. Sandager et ux, on October 1, 1968 in Film Volume 72, Page 986, Deed Records; thence South 660 feet to an iron pipe at the Southeast corner of the above conveyance to Earl E. Sandager; thence North 89°39' West 594.5 feet to an iron pipe at the Southwest corner of the tract deeded to Earl E. Sandager et ux, on July 16, 1973 in Film Volume 95, Page 609, Deed Records; thence North 00°22' East 368.64 feet (North 00°22' West 368.84 feet) to an iron pipe; thence North 87°28'27" West 445.68 feet to an iron rod on the Easterly margin of said highway; thence Northeasterly on a 985 foot radius curve left, with a chord bearing North 49°38'08" East 420.72 feet, a distance of 423.98 feet to the place of beginning.



File: CPA-13-99
Date: March 11, 1999

EXHIBIT C SITE MAP

Tax Lot: 3208-3000, -3100
Location: NW Newberg Specific Plan -
"Sandager" parcel located at the northern
extension of Knoll Drive, north of Oak Knoll
Subdivision
Application By: AMT Resources, Inc.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 18, 2017

Order ____	Ordinance ____	Resolution ____	Motion <u>XX</u>	Information ____
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:

Staff recommends City Council provide direction by a motion on which of the nine proposals they desire staff to work on.

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 and 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.

On November 6, 2017 Rick Rogers presented the final proposals to the City Council for consideration. On December 18, 2017 the City Council held a Work Session to further discuss the 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 8: Encourage Affordable Housing.

The Housing Newberg proposal addresses Goal 8 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

DECEMBER 18, 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 housing 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 housing 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 NOTHING THE FOLLOWING IS LIKELY:

- Gentrification devours neighborhoods
- Schools atrophy
- Workers become scarcer
- Traffic worsens
- Volunteers disappear
- Community is lost
- And Newberg 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

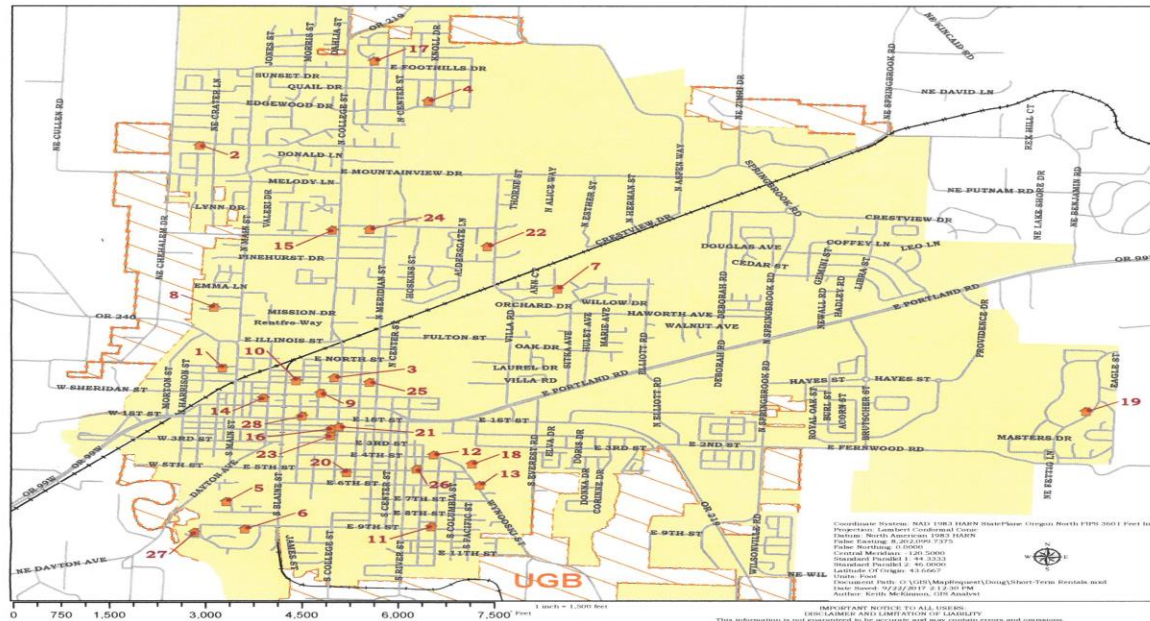
Source: Portland Metro Home Builders Association as of February 2017

2000 sq ft/500 sq ft garage/set value \$369,000

Cities Outside Metro

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: December 18, 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*

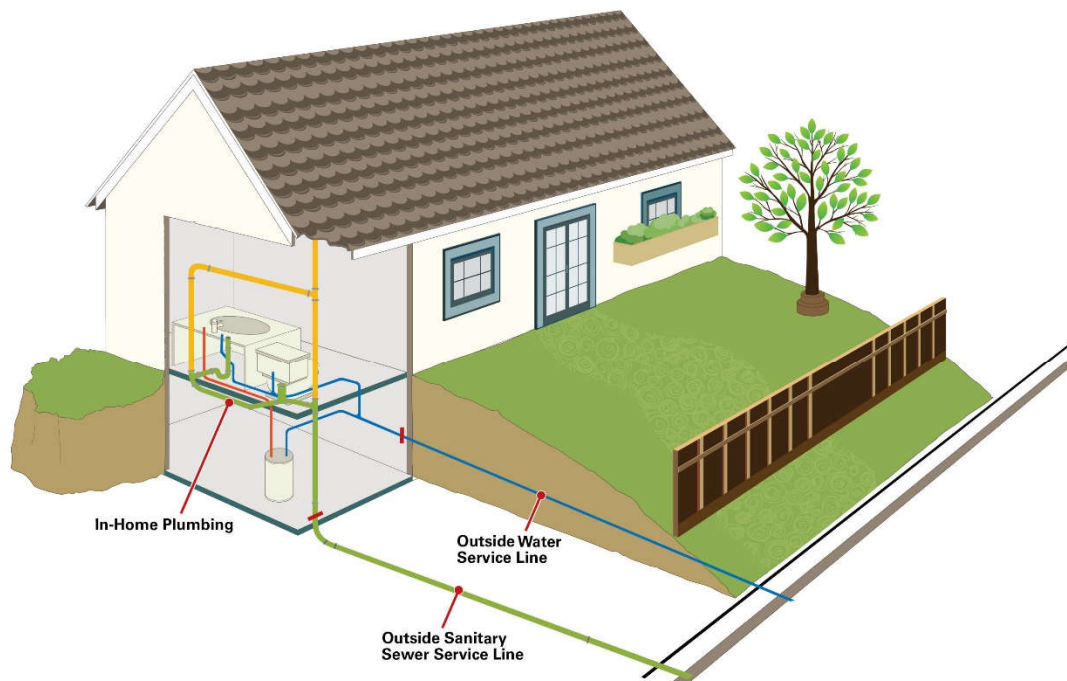
that more than 50% of individuals surveyed could not afford a hypothetical emergency expense of \$400 without selling belongings or borrowing money. Homeowners work hard for their money and it's no secret that the expense of owning a home adds up over time. Bankrate's study revealed that while more than 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 19, 2017.

ADOPTED by the City Council of the City of Newberg, Oregon, this 18th day of December 2017.

Sue Ryan, City Recorder

ATTEST by the Mayor this 21st day of December 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, "**Indemnatee**") 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 Indemnatee may suffer or which may be sought against or are recovered or obtainable from an Indemnatee, 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 Indemnatee notifies Company of any such Claim within a time that does not prejudice the ability of Company to defend against such Claim. Any Indemnatee 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.



Service Line Warranty Program Overview

Dennis Lyon

Manager, Regional Water Team

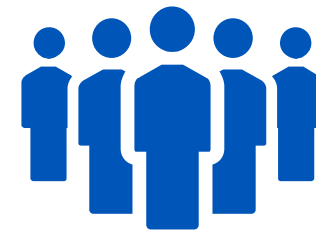
WHY CHOOSE UTILITY SERVICE PARTNERS?



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

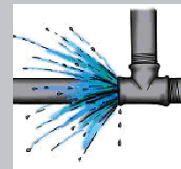
- Limited mailings to residents



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

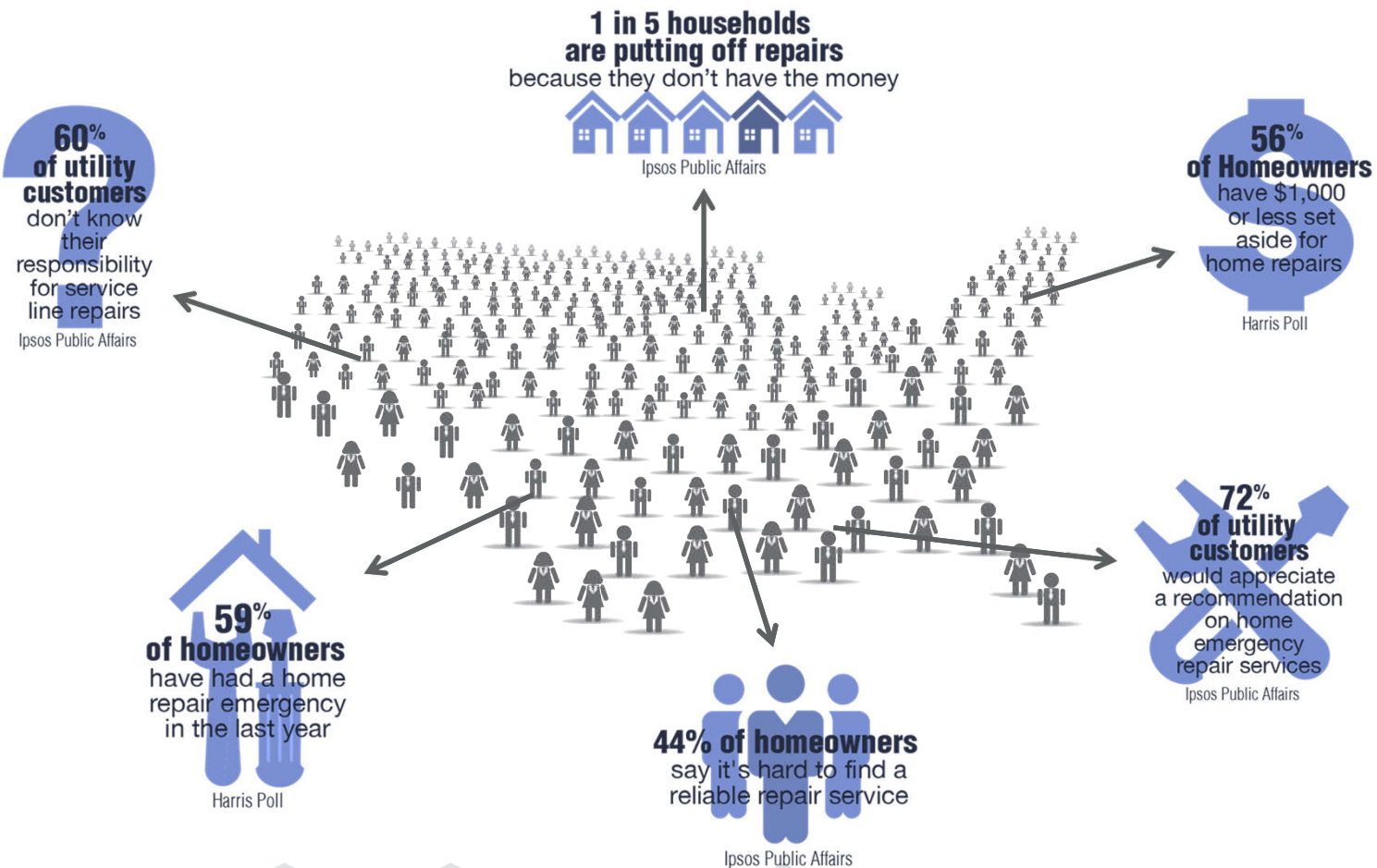
- and present an environmental hazard

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

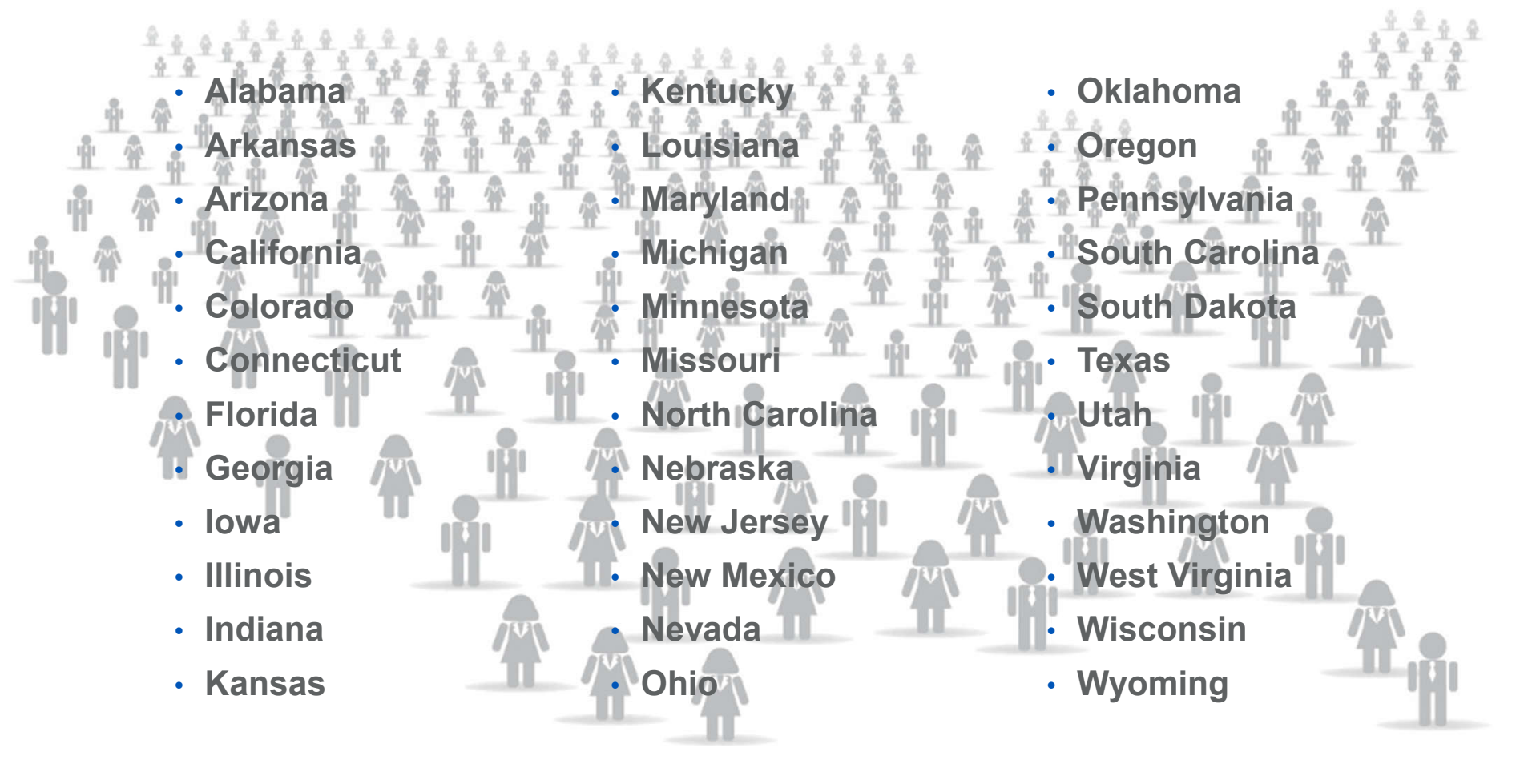
Homeowner repair protection for in-home water supply lines and in-home sewer lines and all drain lines connected to the main sewer stack that are broken or leaking inside the home after the point of entry.

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



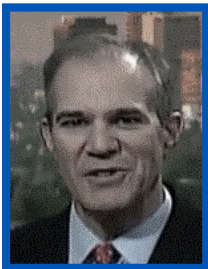
Felicia Moore
City Councilwoman
Atlanta, GA

"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,

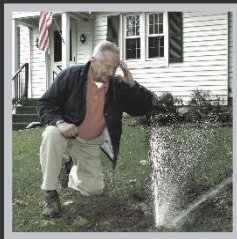
On Christmas Day my sewer line backed up into my house and into my tub! I could not flush toilets or take a shower or wash dishes or clothes or even my hands. It turned out to be due to a clogged sewer line in my front yard. Thanks to you, I had the warranty and did not have to pay for the \$2000 plus 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.



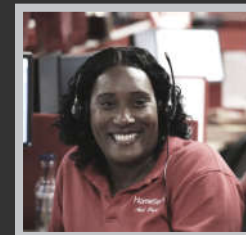
BECAUSE without a referral, your citizens may use inferior contractors.



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



BECAUSE your homeowners deserve the very best customer experience.



REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: Month Day, Year

Order ____ Ordinance ____ Resolution XX Motion ____ Information ____
No. No. No. 2017-3416

SUBJECT: A Resolution Granting an Exemption to Competitive Bidding and Authorizing the City Manager to execute a three (3) year contract in the amount of \$221,894.50 for the upgrade and implementation of Cartegraph's Operations Management System (OMS) software, as well as delegating authority to the City Manager to make minor amendments and interpret the agreement on behalf of the City.

Contact Person (Preparer) for this
Motion: Russ Thomas
Dept.: Public Works
File No.:

HEARING TYPE: ADMINISTRATIVE

RECOMMENDATION:

Adopt Resolution No. 2017-3416, granting the exemption to competitive bidding and authorizing the City Manager to execute the three (3) year agreement for the upgrade of the Cartegraph asset management software, as well as delegating authority to make minor amendments and interpret the agreement on behalf of the City, allowing the upgrade from Cartegraph Navigator to Cartegraph's Operations Management System (OMS) software.

EXECUTIVE SUMMARY:

The City of Newberg's Public Works Department operates, maintains, and manages the city's water, wastewater, street, and storm utilities. In addition to the utilities, they also take care of the city's vehicle fleet, buildings, facilities, and grounds. Each of these are comprised of many different parts and components that are called "assets". The city "assets" included everything from a new street sign, wastewater manhole, storm catch basin, police patrol car, library elevator, to a 60 year old fire hydrant. Each "asset" has its own unique detail and historical information about them. This includes initial costs, work orders with installation or repair history, location, and other specific details. Over time, management of these records under a paper record filing system became an unmanageable task. A computerized "asset" management system was chosen to manage the "asset" historical data records and the workflow system.

Since 2005, the City has used Cartegraph asset management systems to manage its workflow and asset management operations. In 2011 the Cartegraph system was upgraded from CARTElite to the current Cartegraph Navigator system. The 2011 upgrade included the addition of additional modules and capabilities including Work Order Management, Material Inventory, Fleet Repairs, GIS connection to ESRI, and additional modules to include all utility system assets within the city. The Cartegraph Navigator asset management system is over 20 years old, and is currently in a "support only mode", with no further research or development of the system. Due to the age of the software program, Cartegraph will 'sunset and retire' the Navigator version in the near future.

The Cartegraph Operations Management System (OMS) is the most current software upgrade to the city's Cartegraph asset management and work order system. To insure continued access and use of historical work

order and asset database, including photos and inspection videos that are linked to specific assets, the Cartegraph Navigator asset management system must be upgraded prior to the retirement of the “Navigator” program.

Due to the need to upgrade the Cartegraph asset management software system, an evaluation of the current Cartegraph system, and capabilities of upgrading to the next generation OMS and was done to access whether it should be upgraded or replaced. Consideration was given to retention of all current data, prior staff training and familiarity, established procedures, system expansion capabilities, and investment in the current system. Other local and regional agencies using Cartegraph that had completed the upgrade to OMS were also contacted to evaluate the success of the upgrading, retention of prior data, problems encountered, and realized increases in capabilities and efficiencies.

An additional evaluation of deployment method of the upgraded Cartegraph system using either a Cloud based or On-Premise application of the asset management system was done. After evaluation, it is clear that upgrading Cartegraph to OMS, in an On-Premise deployment, is the right direction to help the City become much more effective, efficient, and ultimately productive. OMS will help the City achieve objectives that we were not able to complete with Navigator including:

- **Mobile Field Use.** This will help to eliminate paper, duplicate data entry, and provide for the reduction of manual entry errors by automated data collection and entry through controlled fields, allowing field personnel to view, add, edit, and closeout work orders in the field.
- **Reporting.** This is much more seamless within OMS. It’s much easier to data mine information directly out of the software than it ever was within Navigator.
- **Automation.** Between the preventative maintenance piece, notification triggers, GIS integration, and the Automation Manager, the software does much more of the work than what Navigator was doing.
- **Location Centric.** You can see a map on every page of the software. Data can be much easier to consume when it can be viewed. We will also have the ability to see our data on a map anywhere we are within the system. We will also have the ability to create custom basemaps and webmaps through Cartegraph’s Platinum Partnership with Esri and ability to integrate with ArcGIS Online.
- **Ease of Use.** This being the biggest component. User adoption will increase as OMS is much easier to use than Navigator. Access to Navigator is limited to 10 users. Upgrading to OMS with an increased user subscription will allow all Public Works Department staff members access
- **Technology.** Cartegraph was built on the latest technology to make sure that we can continue to stay up to date with modern and future technology as time goes on.
- **Data and System Security.** While data on a Cloud based deployment of the upgrade would be secure, on-premise deployment guarantees security of the data and system components, and reduces the required band-width required for data transfer between the Cartegraph, the city GIS mapping system, and in field devices.

The Newberg Municipal Code Newberg (NMC) does not outline a specific process for the bidding and purchasing requirements for the upgrade of existing software installations. Council will need to approve

an exemption from the competitive bidding requirements per NMC Section 3.25.070, for approval of special solicitation methods and exemptions.

NMC 3.25.070: Process for Approval of Special Solicitation Methods and Exemptions.

A. Authority of City Council. In its capacity as contract review board for the city, the city council, upon its own initiative, or upon request of the purchasing manager, may create special selection, evaluation and award procedures for, or may exempt from competition, the award of a specific contract or class of contracts as provided in this section.

Comment: The City Manager (purchasing manager) is requesting that Council consider the exemption from competitive bidding for the award of the Cartegraph OMS software upgrade.

B. Basis for Approval. The approval of a special solicitation method or exemption from competition must be based upon a record before the city council that contains the following:

1. The nature of the contract or class of contracts for which the special solicitation or exemption is requested;

Comment: An exemption from competitive bidding is requested for the upgrade of existing software contract.

2. The estimated contract price or cost of the project, if relevant;

Comment: The estimated contract price is \$221,894.50 for a three (3) year contract through July 24, 2021.

3. Findings to support the substantial cost savings, enhancement in quality or performance or other public benefit anticipated by the proposed selection method or exemption from competitive solicitation;

Comment: As discussed in the Request for Council Action sections above, anticipated cost savings, enhancements, and public benefits will be realized by;

- a) Reduced cost and time for staff training,
- b) Reduction in manual entry errors through increased system automation,
- c) Mobile field application not requiring desktop use only,
- d) Increased staff efficiencies through predictive maintenance forecasting,
- e) Inclusion of citizen problem reporting through public mobile application,
- f) Increased data tracking for budgetary review and planning,
- g) Direct connection to GIS including system mapping on all asset records,
- h) Upgrading the existing software installation retains all historical asset data.

4. Findings to support the reason that approval of the request would be unlikely to encourage favoritism or diminish competition for the public contract or class of public contracts, or would otherwise substantially promote the public interest in a manner that could not practicably be

realized by complying with the solicitation requirements that would otherwise be applicable under these regulations;

Comment: The Cartegraph asset management software system was selected as the preferred vender for the City of Newberg in 2005 following extensive review and evaluation of other asset management systems. If approved, this will be the 2nd upgrade of the Cartegraph software system. Approval of the request to upgrade the Cartegraph software is unlikely to encourage favoritism or diminish competition as Cartegraph Systems is the sole vendor of their software, and no other vendor is capable of upgrading their software. Public interest is best served by awarding the software upgrade contract to the existing vender for the multiple finding described in #3 above.

5. A description of the proposed alternative contracting methods to be employed;

Comment: An exemption from competitive bidding is requested for the upgrade of the existing software contract. A quote to upgrade the existing software installation by the vendor, Cartegraph Systems LLC is attached as Exhibit A to this Resolution.

6. The estimated date by which it would be necessary to sign the contract(s);

Comment: The estimated date to sign the contract is December 31, 2017, to realize the discounted saving of \$11,016.00, which is already included in the proposed contract price of \$221,894.50.

FISCAL IMPACT:

The draft purchase agreement proposal, attached as exhibit A, is to upgrade the city's current Cartegraph Navigator asset management software to the new Operations Management System (OMS) software. Pricing includes the transition fee from Navigator to OMS, an extension of the support subscription renewal date, and implementations services by Cartegraph staff. The proposal also includes three (3) years of OMS subscription and support services, an increase in access users from ten (10) to fifty (50), and provides locked in annual subscription and support services pricing, payable in annual fees, through July 24, 2021.

Current annual subscription and support fees for the Cartegraph Navigator System is \$13,480.95.

Upgrading to OMS will include additional annual subscription upgrade costs for increased user access, mobile applications, and system support costs.

Costs for each FY is as follows;

FY 2017-2018	Transition, Deployment, Implementation, and Support	\$112,241.50
FY 2018-2019	OMS Annual Subscription and Support:	\$36,551.00
FY 2019-2020	OMS Annual Subscription and Support:	\$36,551.00
FY 2020-2021	OMS Annual Subscription and Support:	\$36,551.00
Total Cost thorough July 24, 2021:		\$221,894.50

Cartegraph is offering an end of year incentive. If the City is able to complete the contract signing prior to December 31, 2017, the Transition, Deployment, Implementation, and Support costs will be \$112,241.50, which is a reduction of \$11,000.00 from the purchase and implementations costs after December 31, 2017.

Funding for the purchase is included in the approved FY2017-2018 Budget.

STRATEGIC ASSESSMENT:

The current Cartegraph software has become obsolete and will be “retired” in the near future, with no further system support, which would impact department efficiencies. Upgrading to the new OMS program, which offers a robust operational asset management system linked with the city GIS mapping will assist city staff work becoming more productive and accomplishing components of the city council priorities.

- The Pavement Condition Index (PCI), as well as an inventory of sidewalk and ADA ramp conditions can be maintained, including work order and asset history, accurate cost tracking, development of short and long term maintenance and repair projects, and projected project budgetary requirements. (Goal 2)
- Advanced OMS technology will allow for accurate direct field data entry, reducing errors caused by transfer of data from paper worksheets, improve efficiencies through predictive and planned maintenance forecasting, and reduction of duplication in software programs, data entry, and manual recordkeeping. (Goal 5)
- The Cartegraph’s OMS license will also allow the water and wastewater treatment plants to utilize the same software installation. Having all of Public Works utilize the same software will increase departmental productivity and reduce training costs. (Goal 5)
- The linked GIS and OMS system can provide accurate critical asset and condition geographical location, assist in the efficient and accurate dispatch during emergency response, maintain records of actions taken in the emergency response, and develop additional work orders for repair and restoration of critical city assets. (Goal 10)
- Cartegraph OMS will engage community members through direct community reporting concerning city system issues, including water, sewer, storm, or transportation problems via web based and mobile applications (Your Gov), increasing city response, efficiencies, and effectiveness, providing a positive response system to community members. (Goal 12)

A RESOLUTION GRANTING AN EXEMPTION TO COMPETITIVE BIDDING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A THREE (3) YEAR CONTRACT IN THE AMOUNT OF \$221,894.50 FOR THE UPGRADE AND IMPLEMENTATION OF CARTEGRAPH'S OPERATIONS MANAGEMENT SYSTEM (OMS) SOFTWARE, AS WELL AS DELEGATING AUTHORITY TO THE CITY MANAGER TO MAKE MINOR AMENDMENTS AND INTERPRET THE AGREEMENT ON BEHALF OF THE CITY.

RECITALS:

1. The city's current Cartegraph Navigator asset management software has become outdated and in the near future will no longer be supported by the vendor.
2. Following an evaluation of the Cartegraph software, upgrading of the Cartegraph software, instead of replacing it, has been determined to be the best solution to bring the city's asset management software up to date.
3. Upgrading Cartegraph software to the Operations Management System (OMS) will bring the software up to date with current technology, will be user friendly, save staff time and expenses due to established use, procedures, training, and ease of asset data history transfer by upgrading the Cartegraph software.
4. Upgrading to the Cartegraph OMS will include mobile applications allowing for use in the field, citizen input, reduce potential of manual data entry errors, increase city staff accessibility to asset data and history for project planning, provide budgetary tracking and forecasting, and increase productivity of field and treatment plant personnel.
5. Upgrading the Cartegraph software to the Operations Management System (OMS), will cost \$221,894.50, including transition fee, deployment services, and annual support and subscription fees, through July 24, 2012
6. The upgrade of the Cartegraph software from Navigator to OMS can only be obtained from the vendor, Cartegraph Systems LLC, which requires an exemption to the competitive bid process, and Cartegraph Systems LLC is the sole source vendor for the upgrade as per the City of Newberg Municipal Code sections 3.25.070.
7. Upgrading the Cartegraph Software will assist the city staff in meeting several of the current city council priority goals updated on November 20, 2017.
8. Findings to the exemption to public contracting, as per NMC 3.25.070, is attached as Exhibit B, and hereby incorporated as part of Resolution 2017-3416 by reference.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council, acting as the Contract Review Board for the City, as per Newberg Municipal Code Section 3.25.070, makes and adopts the findings set forth in the above recitals, and as per attached Exhibit B, which is hereby as part of Resolution 2017-3416 by reference.
2. The City Council, acting as the Contract Review Board for the City, as per Newberg Municipal Code Section 3.25.070, Process for Approval of Special Solicitation Methods and Exemptions, does hereby grant an exemption from a competitive bidding process for the purchase of the Cartegraph OMS software upgrade.
3. The City Council, acting as the Contract Review Board for the City, as per Newberg Municipal Code Section 3.25, does hereby authorize the City Manager to amend and execute a three (3) year contract in the amount of \$221,894.50, for the purchase to upgrade the existing Cartegraph software installation to the current Cartegraph OMS version.
4. The City Manager is authorized to amend the Cartegraph OMS contract up to ten (10) percent of the contract amount
5. The City Attorney will review/modify all contract documents as to content and form.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: December 19, 2017.

ADOPTED by the City Council of the City of Newberg, Oregon, this 18th day of December, 2017.

Sue Ryan, City Recorder

ATTEST by the Mayor this 21st day of December, 2017.

Bob Andrews, Mayor

Purchase Agreement

Cartegraph is pleased to present this Purchase Agreement for the implementation of world class technology solutions. This Purchase Agreement is made and entered into between **City of Newberg** (hereinafter referred to as “**Customer**” and **Cartegraph Systems LLC** (hereinafter referred to as “**Cartegraph**”). In the case that any terms or conditions provided in the Cartegraph Hosted Solutions Agreement differ from, are provided in more detail by, or are made irrelevant by the terms and conditions provided in this Purchase Agreement, the terms in this Purchase Agreement shall control. For all terms and conditions not addressed by this Purchase Agreement, the Cartegraph Hosted Solutions Agreement shall control.

Customer Bill To:	Customer Ship To:
City of Newberg 414 East First Street Newberg, OR 97132 503-537-1233	Same

Investment Summary

The Addendums attached hereto, include:

Addendum A – Support Services

Addendum B – Field Services

Cartegraph's proposed fees for this project are included in the summary below.

Today's Date: November 14, 2017

Signature December 29, 2017
Expiration Date:

Purchase #PA683
Agreement No.:

	Purchase Type	Qty.	Unit Price	Total Price
CURRENT YEAR				
SOLUTIONS				
Cartegraph OMS – Platform - Enterprise	Transition Fee, On-Premise Deployment thru, 7/24/18	1	\$13,457.50	\$13,457.50
FIELD SERVICES				
Implementation Services	Fixed Fee Service	1	\$91,800.00	\$91,800.00
Discount				(\$11,016.00)
ESTIMATED EXPENSES				\$18,000.00
CURRENT SUB-TOTAL				\$112,241.50
YEAR 1				
SOLUTIONS				
Cartegraph OMS – Platform - Enterprise	Subscription, On-Premise Deployment, 7/25/18 – 7/24/19	22,068	\$0.50	\$11,034.00
Cartegraph OMS Extension	Advanced Asset Management Subscription	22,068	\$0.15	\$3,310.20
Cartegraph OMS Extension	Advanced Requests Subscription	22,068	\$0.10	\$2,206.80
Cartegraph OMS Users	User Pack Subscription – 50 Named Users	1	\$10,000.00	\$10,000.00
Cartegraph Technical Support	Cartegraph On-Premise Support	1	\$10,000.00	\$10,000.00
YEAR 1 SUB-TOTAL				\$36,551.00

YEAR 2				
SOLUTIONS				
Cartegraph OMS – Platform - Enterprise	Subscription, On-Premise Deployment, 7/25/19 – 7/24/20	22,068	\$0.50	\$11,034.00
Cartegraph OMS Extension	Advanced Asset Management Subscription	22,068	\$0.15	\$3,310.20
Cartegraph OMS Extension	Advanced Requests Subscription	22,068	\$0.10	\$2,206.80
Cartegraph OMS Users	User Pack Subscription – 50 Named Users	1	\$10,000.00	\$10,000.00
Cartegraph Technical Support	Cartegraph On-Premise Support	1	\$10,000.00	\$10,000.00
YEAR 2 SUB-TOTAL				\$36,551.00
YEAR 3				
SOLUTIONS				
Cartegraph OMS – Platform - Enterprise	Subscription, On-Premise Deployment, 7/25/20 – 7/24/21	22,068	\$0.50	\$11,034.00
Cartegraph OMS Extension	Advanced Asset Management Subscription	22,068	\$0.15	\$3,310.20
Cartegraph OMS Extension	Advanced Requests Subscription	22,068	\$0.10	\$2,206.80
Cartegraph OMS Users	User Pack Subscription – 50 Named Users	1	\$10,000.00	\$10,000.00
Cartegraph Technical Support	Cartegraph On-Premise Support	1	\$10,000.00	\$10,000.00
YEAR 3 SUB-TOTAL				\$36,551.00
TOTAL COST				\$221,894.50

NOTES:

The pricing listed above does not include applicable sales tax.

The Cartegraph OMS pricing listed above does not include Esri ArcGIS licenses.

Payment Terms and Conditions

In consideration for the Solutions and Services provided by **Cartegraph** to **Customer**, **Customer** agrees to pay **Cartegraph** the Fees in U.S. Dollars as described below:

1. **Delivery:** Customer shall be provided with the ability to access and use the Solutions upon execution of this Purchase Agreement. If applicable, Services will be scheduled and delivered upon your acceptance of this Purchase Agreement, which will be considered as your notification to proceed.
2. **Services Scheduling:** Customer agrees to work with Cartegraph to schedule Services in a timely manner. All undelivered Services shall expire 365 days from the signing of this Purchase Agreement.
3. **Solutions Invoicing:** The Fee for Solutions will be due in annual installments 15 days prior to the anniversary of the initial term as follows:
 - a. \$13,457.50 due upon execution of the Purchase Agreement.
 - b. \$36,551.00 due 15 days prior to 1st year anniversary of term start date.
 - c. \$36,551.00 due 15 days prior to 2nd year anniversary of term start date.
 - d. \$36,551.00 due 15 days prior to 3rd year anniversary of term start date.
4. **Field Services Invoicing:** Invoicing for the Field Services fee shall occur upon the acceptance of this Purchase Agreement and shall be invoiced as follows:
 - a. Invoicing for the Field Services will be due in four (4) equal consecutive monthly payments beginning at the date of the execution of the Purchase Agreement. If the service is completed prior to the installments being paid then the entire remaining balance will become due.
7. **Expenses:** In providing the services included in this Purchase Agreement, Cartegraph shall be reimbursed for any reasonable out-of-pocket costs, including, but not limited to, travel, lodging, and meals. Out-of-pocket expenses are billed based on actual costs incurred and are due separately.
8. **Payment Terms:** All payments are due Net 30 days from start date of invoice.

BY SIGNING BELOW, THE PARTIES AGREE THAT ALL USE AND ACCESS TO THE SOLUTIONS DESCRIBED IN THIS PURCHASE AGREEMENT SHALL BE GOVERNED BY THE CARTEGRAPH HOSTED SOLUTIONS AGREEMENT, WHICH CAN BE REVIEWED AT: <https://www.cartegraph.com/hosted-solutions-agreement/>. THE PARTIES AGREE TO BE BOUND BY THE TERMS AND CONDITIONS OF THE CARTEGRAPH HOSTED SOLUTIONS AGREEMENT AND THIS PURCHASE AGREEMENT REFERENCED HEREIN.

CARTEGRAPH: Cartegraph Systems LLC

By _____
(Signature)

Tim McCool
(Type or print name)

Title Director of Sales

Date _____

CUSTOMER: City of Newberg

By _____
(Signature)

(Type or print name)

Title _____

Date _____

Cartegraph Systems LLC
Addendum A - Support Services
Cartegraph Support and Training Services – Scope of Work

The Support Services listed in the Investment Summary of the Purchase Agreement are specific Cartegraph Services which will be delivered to the Customer based on the descriptions below and on the terms and conditions and subject to the limitations set forth in this Addendum A, the applicable Purchase Agreement, and the Cartegraph Hosted Solutions Agreement. Cartegraph will coordinate with the Customer on service delivery expectations and timeframes.

As part of Customer's subscription to access to and use of the Cartegraph Solutions, Customer will receive:

1. Support Services

a. Campus – www.cartegraph.com/campus

Our User Assistance area is a convenient and easily-shareable resource designed to help you and your co-workers better understand the functions and capabilities of your Cartegraph Solutions. Instantly access user tips, step-by-step guides, videos, and more.

b. Dedicated, Unlimited, Toll-free Phone Support - 877.647.3050

When questions need answers and difficulties arise, count on our industry-leading Support team to provide the guidance and assistance you need. Reach us as often as you need Monday-Friday, 7:00 am-7:00 pm CT.

c. Secure, Live Remote Support

If your challenge requires a more hands-on approach, we have the remote support tools to fix it. Let one of our Support Team members directly interact with your system to find a fast, effective solution.

2. Training & Education Services

a. Convenient Online Resources

All the information you need, one click away. Take advantage of online training opportunities, tutorial videos, upcoming event information, and more.

b. Regional User Groups

Meet and network with similar Cartegraph users in your region. Our smaller, more personalized User Groups allow you to find out what other organizations are doing to get more from their Cartegraph solutions and services.

3. Releases & Upgrades

a. New Releases

Be the first to know about all new Cartegraph releases, enhancements, and upgrades.

i. Your cloud-hosted site will be automatically upgraded by our System Consultants after the release is available. This way, you'll experience increased system performance while gaining timely access to the latest features and functionality.

ii. For your on-Premises Installation, our Technical Consultants will work with your organization's IT staff to receive the latest software release in a timely manner. This way, you'll experience increased system performance while gaining prompt access to the latest features and functionality

b. Hot Fixes

If an issue is determined to be a defect and falls outside the standard release cycle, Cartegraph will issue a hot fix and provide application specialists with detailed levels of product knowledge to work with you in achieving a timely and effective resolution

Cartegraph will provide the Support Services only to Customer, provided that Cartegraph reserves the right to contact any third party as necessary to facilitate the delivery of Support Services or other services relating to the Solutions.

All Support Services are dependent upon the use by Customer of the Solutions in accordance with Cartegraph's documentation and specifications. Cartegraph is under no obligation to modify the Solutions so that the modified Solutions would depart from Cartegraph's published documentation and specifications for such Solutions.

Cartegraph Systems LLC

Addendum B - Field Services (Fee for Service)

Cartegraph Field Services – Scope of Work

The Field Services listed in the Investment Summary of the Purchase Agreement are specific Cartegraph Services which will be delivered to the Customer based on the descriptions below and on the terms and conditions and subject to the limitations set forth in this Addendum B, the applicable Purchase Agreement, and the Cartegraph Hosted Solutions Agreement. Cartegraph will coordinate with the Customer on service delivery expectations and timeframes.

Cartegraph OMS – Implementation Scope of Work

Implementation of the Operations Management System (OMS) includes the following professional services:

Setup

- Cartegraph will provide a review, typically up to two (2) hours, of our technical specifications with your technical staff to answer any questions and verify your environment is ready for the software's installation.
- Cartegraph will guide your technical staff through the installation and setup of Cartegraph software in your test and/or production environment.
- Cartegraph will provide an overview, up to two (2) hours, of Cartegraph and ArcGIS Online user-based logins and User/Role functionality.
- Cartegraph will provide a template file to be utilized by your staff to populate Roles and Users to be utilized for OMS.
- Cartegraph will utilize the template to create users and roles in OMS. (Note: Subsequent User and/or Role changes will be your administrator's responsibility.)
- Cartegraph will provide documentation and guidance, up to four (4) hours, for your technical GIS staff to configure Esri Basemap Services for OMS integration. Guidance will be geared towards OMS/Esri integration functionality and requirements.
- Cartegraph will setup the OMS Platform, including the Request, Work, Resource, and Asset Management areas of the software. *Asset Management solutions will be setup for all solutions referenced in the Assets section of the scope unless otherwise noted.*

Consulting

- Cartegraph will provide a three-day (3-day) onsite requirement gathering workshop to increase our understanding of your business and functional goals. Through workshops and interviews, Cartegraph will identify best fit scenarios for OMS and provide a brief including any challenges as well as recommendations for OMS best practices relevant to your implementation.

Training

- Cartegraph will provide remote train-the-trainer training, up to four (4) hours, on overall system navigation and functionality to help familiarize your staff with the software environment and its common functions. Training topics include:
 - Home Screen
 - Logins/Permission
 - Layers
 - Filters
 - Maps
 - Grids
 - System Navigation

- Views (List & Detail)
 - Standard Reports
 - Attachments
 - Requests, Work, Assets, Resources, Reports, and Administrator Tabs
- Cartegraph will provide remote train-the-trainer training, up to two (2) hours, on OMS Esri integration functionality. Training topics include:
 - OMS Esri integration configuration options
 - Integration functionality (basemap and feature)
 - Overall Esri integration requirements, considerations, and Cartegraph recommended best practices
 - Cartegraph will provide a three-day (3-day) onsite "train-the-trainer" training event. The training agenda will be defined and agreed upon by both Cartegraph and your project manager. Topics may include any of the following:

- Request Management:
 - Requests
 - Requesters
 - Task Creation from Requests
 - Issue library (including settings such as Applies to Asset and Non-Location)
 - Cartegraph recommended best practices for Request and Requester Management
- Work Management:
 - Create Task(s) (Asset/Non-Asset)
 - Assignments (Add, Edit, Remove)
 - Task Menu Actions
 - Related Work Items
 - Create Work Order
 - Associate Task to WO
 - Repeat Work Orders
 - Work Order Menu Actions
 - Enter Resources
 - Timesheets
 - Activity library (including settings such as Applies to Asset, Inspection, Key Dates, Cost, and Productivity)
 - Cartegraph recommended best practices for Work Management
- Asset Management:
 - Asset Details
 - Inspections
 - Linked assets (if applicable)
 - Container/Component Relationships (if applicable)
 - Cartegraph recommended best practices for Asset Management

To avoid redundancy, and to utilize service time efficiently, training may cover a subset of the assets listed in the Asset section of the scope.

- Fleet Management:
 - Preventative Maintenance
 - Task Management
 - Vehicle Replacement Ratings (VRR) Equipment Detail information
 - Fleet Reports
 - Cartegraph recommended best practices for Fleet Management
- Resource Management:
 - Resource Details
 - Labor/Equipment Rates
 - Material Management (Stock, Usage, Adjustments)
 - Vendor Price Quotes

- Cartegraph recommended best practices for Resource Management
- Cartegraph for iPad and Cartegraph One:
 - Overall system functionality (Navigation, Interface, Maps, Attachments, Sorting)
 - Work Management
 - Create and Update Tasks (Asset/Non-Asset)
 - Assign Tasks
 - Enter Resources
 - Inspections
 - Asset Management
 - Create and Update Assets
 - Request Management
 - View and Update Requests
 - View Requester information
 - Create Task from Request
 - Cartegraph recommended best practices for mobile device use
- Administrator:
 - Administrator:
 - User Administration, Role Administration, Import/Export, Error Log
 - Settings:
 - System Settings, Base Map Administration, Geocode Settings, GIS Integration Settings, Background Task Scheduler, Asset Color Manager
 - Manager:
 - Layout Manager, Library Manager, Preventative Maintenance, Asset Condition Manager, Notification Manager, Structure Manager
- Cartegraph will provide remote train-the-trainer training, up to six (6) hours, on OMS Reporting functionality. Training topics include:
 - Security/Roles
 - Report Designer
 - Report Types, Report Styling, Filtering\Parameters, Basic Formulas, Grouping/Sorting
 - Report Viewer
 - Reporting best practices and solution tips/tricks.

Extensions

- Cartegraph will provide remote train-the-trainer training, up to four (4) hours, on Advanced Request functionality. Training topics include:
 - Internal Requests
 - YourGOV
 - Requester Notifications
 - Issue Library settings and management
 - YourGOV web and smartphone functionality, including Create Request, View Request, and View Status
 - Cartegraph recommended best practices for advanced request management
- Cartegraph will provide remote train-the-trainer training, up to eight (8) hours, on Advanced Asset functionality. Training topics include:
 - Preventative Maintenance
 - Performance Management
 - Prediction Groups
 - Minimum Condition Groups
 - Activities and Impacts
 - Criticality Factor
 - Install/Replaced Dates

- Cartegraph recommended best practices for advanced asset management

To avoid redundancy, and to utilize service time efficiently, training may cover a subset of the assets listed in the Asset section of the scope.

Go-Live Support

- Cartegraph will provide a three-day (3-day) onsite event for Go-Live Support. The agenda will be defined, and agreed upon, by both your and Cartegraph's project managers. Topics may include any of the following:
 - Refresher training for items listed in the scope of work
 - Software and process support for staff during production roll out
 - Field, Layout, and Report configuration guidance, if applicable

Data Services

- Cartegraph will provide one test and one production data load service through standard import/export functionality. Cartegraph will provide template documents for data population. Once populated by your staff, Cartegraph will load the data into your test or production OMS environment. Data loads may include data such as:
 - Parent level asset records
 - Asset location (spatial x/y) attributes
 - Parent level resource (Labor, Equipment Material, Vendor) records
 - Resource Rate (Labor, Equipment, Material) records
 - Standard system libraries
- Cartegraph will provide one test and one production Standard Data Conversion service to assist with your migration from the latest version of Cartegraph Navigator to Cartegraph OMS. The Standard Data Conversion service includes the following:
 - Assets
 - Parent records and associated parent-level attributes
 - Child records and associated child-level attributes
 - Current Inspection record, including:
 - Date
 - OCI
 - Condition Category and Index records
 - Note: Cartegraph OMS does not support Bridge NBI or Storm/Sewer NASSCO inspection methodology. This data is not included in the Standard Data Conversion service.
 - Open work events in Navigator's Asset Event table
 - Events with Key Date and/or Impact settings in Navigator, if applicable
 - Resources (Labor, Equipment, Material)
 - Parent record and associated parent-level attributes
 - Current Default Rate record
 - Note: Customer is responsible for creating additional rate records to account for overtime, overhead, and/or FEMA rates, if applicable
 - Equipment
 - Fleet Events, if applicable
 - Material
 - Current Quantity-on-Hand
 - Vendor Price Quotes
 - Vendor
 - Parent record and associated parent-level attributes
 - Contacts

- Libraries
 - Standard and custom library data – not specifically excluded below
- Attachment Paths
 - The file paths for Attachments will be updated to refer to the OMS project home. Your internal staff will be responsible for physically relocating files to the project home folder structure required for OMS. Cartegraph will transfer attachment files to the project home folder structure for hosted customers. However, files must be provided in the previously mentioned OMS project home folder structure.
- **Standard Conversion Exclusions**
 - Work Orders
 - Labor, Equipment, Material Logs
 - Worksheets
 - Requests
 - Citizen data
 - Assets:
 - Bridge: NBI inspection data
 - Storm/Sewer: NASSCO inspection data
 - Pavement: Detailed Distress inspection data
 - PAVEMENTview Plus: Budgets, Scenarios, Models, and associated settings
 - Libraries:
 - Overall Ratings
 - Condition Category Ratings
 - Attachment Files
 - Custom attachment fields or tables

Extended Support

- Cartegraph will provide the following services on a quarterly basis for one year:
 - A remote requirement gathering workshop, up to two (2) hours, to increase our understanding of your business and functional goals. Through workshops and/or interviews, we will identify needs and/or goals to address for the quarterly event.
 - A two-day (2-day) onsite event for post-production system development. The agenda will be defined, and agreed upon, by both your and Cartegraph's project managers. Topics may include any of the following:
 - Project or implementation consulting
 - System configuration for your current products
 - Training

Assets

Asset implementation includes the following professional services:

- Cartegraph will provide installation and training on the following thirty-nine (39) asset types:
 - Transportation (7)
 - Light Fixture; Marking; Pavement; Sign; Support; ADA Ramps; Pull Boxes
 - Sewer (5)
 - Sewer Cleanout; Sewer Lateral; Sewer Main; Sewer Manhole; Sewer Pump
 - Storm (6)
 - Storm Basin; Storm Channel; Storm Culvert; Storm Inlet; Storm Manhole; Storm Pipe

- Water (9)
 - Water Backflow; Water Hydrant; Water Lateral; Water Main; Water Meter; Water Valve; Air Vent; Blow Off; Drain
- Other (2)
 - Signal Controller; Tree

- Cartegraph will provide up to five (5) field configurations for each asset type listed above.

Cartegraph will provide all services remotely via audio, video, and web conferences unless otherwise noted.

Customer Responsibility

For the project, you will be responsible for appointing a dedicated project manager that will be responsible for:

- Reviewing the implementation scope of work
- All internal aspects of the project including, but not limited to, internal change management, internal documentation, staff coordination, task completion, and schedule commitment
- Ensuring all scheduled meetings are attended by invited staff
- Partnering with the Cartegraph Project Manager to ensure project success
- Providing leadership and insight on all relevant internal issues such as policy/procedure, organizational structure, project stakeholders, technical architecture, data, and current systems

Exclusions

The following service items are not included in the scope of this project:

- Implementation of any custom modification or integration developed by Cartegraph, your internal staff, or any third-party is not included in the scope of this project unless specifically listed above.
- Data conversion services from other software system(s) or sources (including Cartegraph Navigator databases) are not included in the scope of this project unless specifically listed above.
- Any service items discussed during demonstrations, conference calls, or other events are not included in the scope of this project unless specifically listed above.

Customer/Cartegraph Responsibilities

Project representatives from Customer and Cartegraph accepts responsibility for all aspects of project planning, management, and execution not specifically identified as the responsibility of Cartegraph in the Agreement or in the Purchase Agreement. Ongoing management of the day-to-day allocation of Customer and Cartegraph resources and management of project tasks is the responsibility of the Customer and Cartegraph project representatives. Customer and Cartegraph project representatives will provide overall guidance and direction for the project and will direct the project accordingly. Further, and with regard to the Cartegraph obligations listed in this Purchase Agreement, Customer understands that it is vital to the success of the project that Customer provides assistance in the following matters:

1. For those services listed under Field Services, Cartegraph personnel will conduct information gathering and evaluation sessions with various Customer Users and management. While Cartegraph respects the time and workload of Customer staff, dedicated time on the part of the appropriate Customer resources is necessary to complete these exercises.
2. The installation process requires the assistance of Customer personnel and suitable access to hardware and systems (e.g., security clearance). Customer is required to supervise the installation process while systems are accessible to Cartegraph. All hardware and software, for both personal computers and servers, is expected to be available, installed, and operating as specified in Cartegraph's system requirements documentation such that delivery and execution of Cartegraph Field Services will not be impeded.
3. Customer and Cartegraph understand that the successful performance of Field Services depends upon Customer fulfilling its responsibilities. The Project assumes that Customer will provide all personnel required to achieve a successful implementation.
4. Customer will provide Internet access and IT staff support as required. For those services that are web-based, Cartegraph utilizes WebEx Meeting (or similar) technology.
5. Customer shall ensure that their workstation platform and database meet Cartegraph system requirements as specified in the Cartegraph System Requirements documentation. Solutions will be supported within new versions of these workstation platforms and databases within a reasonable period of time from their release from their manufacturer. Cartegraph will discontinue support of its Solutions within older versions of these workstation platforms and databases as their support is discontinued by their manufacturers.
6. Customer agrees to work with Cartegraph to schedule Field Services in a timely manner. All undelivered Field Services shall expire 365 days from the execution of this Purchase Agreement, unless noted differently in Services Scope listed above. Upon expiration of services, the project may be cancelled at Cartegraph's discretion.

Limitation of Liability

Customer acknowledges and agrees that Customer's use or nonuse and any reliance upon the data provided as part of the Field Services is at Customer's own risk, and that no representations or warranties are provided by Cartegraph with respect to the Field Services except as expressly set forth herein and in the Agreement. Each party agrees to be responsible for its own liability incurred as a result of its participation in this Agreement.

Not-to-Exceed Purchase Agreement

Cartegraph will not exceed the total included in this Purchase Agreement without written approval from Customer. In the event it becomes apparent to Cartegraph that additional Service will be needed due to any changes in the scope of this Purchase Agreement, Cartegraph will notify Customer prior to exceeding the approved efforts and obtain written approval if additional Services are required.



RESOLUTION No. 2017-3416

Exhibit “B”

Findings as per Newberg Municipal Code (NMC) Section 3. 25.070;

NMC 3.25.070: Process for Approval of Special Solicitation Methods and Exemptions.

A. Authority of City Council. In its capacity as contract review board for the city, the city council, upon its own initiative, or upon request of the purchasing manager, may create special selection, evaluation and award procedures for, or may exempt from competition, the award of a specific contract or class of contracts as provided in this section.

Comment: The City Manager (purchasing manager) is requesting that Council consider the exemption from competitive bidding for the award of the Cartegraph OMS software upgrade.

B. Basis for Approval. The approval of a special solicitation method or exemption from competition must be based upon a record before the city council that contains the following:

1. The nature of the contract or class of contracts for which the special solicitation or exemption is requested;

Comment: An exemption from competitive bidding is requested for the upgrade of existing software contract.

2. The estimated contract price or cost of the project, if relevant;

Comment: The estimated contract price is \$221,894.50 for a three (3) year contract through July 24, 2021.

3. Findings to support the substantial cost savings, enhancement in quality or performance or other public benefit anticipated by the proposed selection method or exemption from competitive solicitation;

Comment: As discussed in the Request for Council Action sections above, anticipated cost savings, enhancements, and public benefits will be realized by;

- a) Reduced cost and time for staff training,
- b) Reduction in manual entry errors through increased system automation,
- c) Mobile field application not requiring desktop use only,
- d) Increased staff efficiencies through predictive maintenance forecasting,
- e) Inclusion of citizen problem reporting through public mobile application,
- f) Increased data tracking for budgetary review and planning,
- g) Direct connection to GIS including system mapping on all asset records,
- h) Upgrading the existing software installation retains all historical asset data.

4. Findings to support the reason that approval of the request would be unlikely to encourage favoritism or diminish competition for the public contract or class of public contracts, or would otherwise substantially promote the public interest in a manner that could not practicably be realized by complying with the solicitation requirements that would otherwise be applicable under these regulations;

Comment: The Cartegraph asset management software system was selected as the preferred vender for the City of Newberg in 2005 following extensive review and evaluation of other asset management systems. If approved, this will be the 2nd upgrade of the Cartegraph software system. Approval of the request to upgrade the Cartegraph software is unlikely to encourage favoritism or diminish competition as Cartegraph Systems is the sole vendor of their software, and no other vendor is capable of upgrading their software. Public interest is best served by awarding the software upgrade contract to the existing vender for the multiple finding described in #3 above.

5. A description of the proposed alternative contracting methods to be employed;

Comment: An exemption from competitive bidding is requested for the upgrade of the existing software contract. A quote to upgrade the existing software installation by the vendor, Cartegraph Systems LLC is attached as Exhibit A to this Resolution.

6. The estimated date by which it would be necessary to sign the contract(s);

Comment: The estimated date to sign the contract is December 31, 2017, to realize the discounted saving of \$11,016.00, which is already included in the proposed contract price of \$221,894.50.

NEWBERG CITY COUNCIL MEETING INFORMATION

Meeting Date: December 18, 2017

Prepared by: Sue Ryan

Councilors	Roll Call	Consent 11/20 Minutes Business Oregon grant application	Res 3424 Whitney Equipment Contract WWTP	Res 3416 Cartegraph Software Contract PWS	Housing NB proposals	Res 3419 Service Line Warranty contract	
ANDREWS, Bob, Mayor	X	Yes	Yes	Yes	Yes	Yes	
BACON, Denise	X	Yes	Yes	Yes	Yes	Yes	
COREY, Mike	X	Yes	Yes	Yes	Yes	Yes	
ESSIN, Scott	X	Yes	Yes	Yes	Yes	Yes	
JOHNSON, Patrick	X	Yes	Yes	Yes	Yes	No	
McKINNEY, Stephen	X	Yes	Yes	Yes	Yes	Yes	
MURRAY, Matt	X	Yes	Yes	Yes	Yes	No	
ROLL CALL VOTES		YES: 7 NO: 0	YES: 7 NO: 0	YES: 7 NO: 0	YES: 7 NO: 0	YES: 5 NO: 2	
MOTION (1 st /2 nd):		Bacon/Murray	Bacon/Johnson	Essin/Murray	Johnson/Murray	Corey/McKinney	

Meeting adjourned at 9:35 p.m.

Executive Session ORS 192.660 (2) h Legal Counsel pending litigation

Start: 5:08 p.m. Stop: 6:00 p.m.

Council Present: Mayor Andrews, Councilors Bacon, Corey, McKinney and Murray

Staff present: City Manager Hannan, CIS Special Legal Counsel Andrew Campbell, Hannan Warner of Heltzel Williams PC



**City Council Business Session
December 18, 2017 - 7:00 PM
Public Safety Building 401 East Third Street**

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. MAYORS MEMORIAL

V. CITY MANAGER'S REPORT

VI. PUBLIC COMMENTS

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

VII. CONSENT CALENDAR

VII.a A motion to apply for a Business Oregon Rural Opportunity Initiative Grant
[RCA Motion ROI Grant.doc](#)

VII.b Council Minutes for November 20, 2017
[Council Minutes November 20, 2017](#)

VIII. PUBLIC HEARINGS

VIII.a Resolution 2017-3424, A resolution authorizing the City Manager to waive the competitive solicitation requirement and authorizing the request of a proposal for installation of an onsite hypochlorite generation system at the Water Treatment Facility from Whitney Equipment Company Inc., the supplier of the MicroClor system referenced in Resolution 2017-3403.

[11-17-17 Newberg WTP - OSHG Generation Replacement.pdf](#)

[Res_2017-3424_WTP_Hypochlorite Generation Sole Source Installation.docx](#)

VIII.b Cartegraph Operations Management System

[Res 17-3416 - Cartegraph.pdf](#)

[Res 17-3416 - Exhibit A, Cartegraph Software Upgrade Purchase Agreement.pdf](#)

[Res 17-3416 - Exhibit B, Cartegraph Bidding Exemption Findings.pdf](#)

IX. NEW BUSINESS

- IX.a 1999 Springbrook Oaks Specific Plan Review
[RCA Information Springbrook Oaks Specific Plan.doc](#)
[Attachment 1 - Springbrook Oaks Specific Plan and Amendments.pdf](#)
- IX.b 1993 Northwest Newberg Specific Plan Review
[RCA Information NW Newberg Specific Plan.doc](#)
[Attachment 1 - Northwest Newberg Specific Plan and Amendments.pdf](#)
- IX.c Housing Newberg Proposals
[RCA Motion Housing Newberg.doc](#)
[Attachment 1 - Housing Newberg PPT 12-18-17.pdf](#)
- IX.d Resolution 2017-3419
Service Line Warranty Program
[Res 2017-3419 Service Line Warranty RCA.pdf](#)
[Attachment A, Marketing Agreement.pdf](#)
[Service Line Warranty PowerPoint Presentation.pdf](#)

X. COUNCIL BUSINESS

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.

Upgrade of Newberg's Asset and Workflow Management System

CARTEGRAPH Operations Management System (OMS)

December 18, 2017

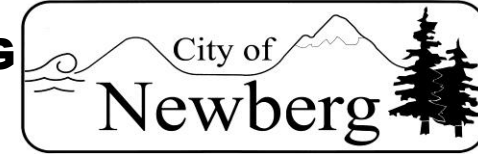
The logo for Cartegraph, featuring the word "Cartegraph" in a dark grey sans-serif font with a small orange triangle above the "e". A trademark symbol (TM) is located to the upper right of the word.

*Cartegraph*TM

Previous Asset and Workflow Management System

- 1920's to 2004
- Paper Worksheets and Records
- File Cabinets
- Chalkboard Project List and Tracking

DAILY WORK ORDER LOG



DATE:

PUBLIC WORKS

PRIORITY: _____

ASSIGNED TO:

SECTION:

W.O.#

JOB LOCATION/NAME:

QUANTITY

MATERIALS USED

DESCRIPTION OF WORK TO BE DONE

EQUIPMENT

HOURS

LABOR

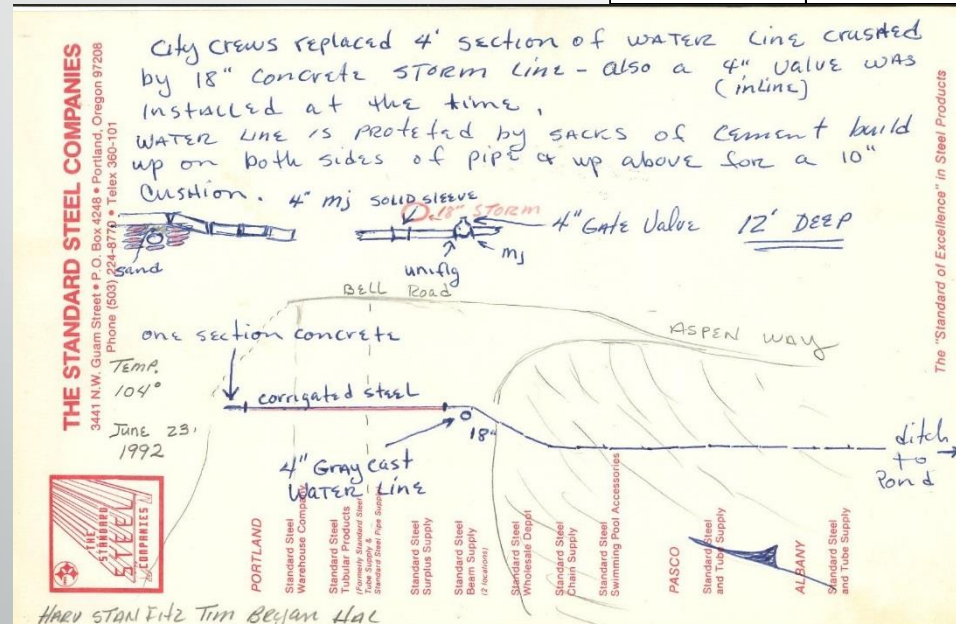
HOURS

Completed By: _____

JOB STATUS:

Finished

Continue



Cartegraph Asset Management System

- City began using Cartegraph in 2004
 - Primary use was tracking of street signs
 - Upgraded from CarteLite to Navigator in 2011
 - Additional utility modules
 - Fleet Maintenance record tracking
 - Continued manual transfer of information data from paper worksheets

The screenshot displays the Cartegraph Navigator - WORKdirector application window. The interface includes a menu bar (File, Edit, View, Forms, Filters, Records, Actions, GIS, Reports, Tools, Window, Help) and a toolbar. A left sidebar contains a tree view with categories like Equipment, Labor, Materials, Requests, Vendors, Work Orders, Worksheets, Home, and Administrator. The main workspace is divided into several panels:

- Work Order Information:** Shows the work order number 15571. It includes fields for Activity (Repair), Issue (Water Meter), Address Number, Street, Cross Street, and a Details section describing the work: "inspected 11 zero cons meters replaced 1 meter (xtapa), 1 register, 1 chamber (salvage)".
- Assigned To:** Shows the work order is assigned to Scott Canfield, with fields for Requesting Division and Entered By (canfies).
- Administration:** Includes fields for To Be Billed, Billing Information, Sent Date, Bill Sent By, and Work Order Reviewed By (10006).
- Status:** Shows the work order status as Completed, with fields for Priority (ASAP), Start Date (10/17/2017), Stop Date (10/20/2017), Request Entry Date (10/17/2017 1:14:37 PM), Work Completed (partial list completed), and Work Completed By (Scott Canfield). Buttons for Close Work Order, Planned Work Orders, and Completed Work Orders are present.
- Details:** A tabbed section showing a table of labor costs. The table has columns for ID, Entered By, Start Date, Stop Date, Standard Hours, Standard Rate, and Cost. It lists two entries for ID 10006, both entered by canfies on 10/17/2017. The total cost is calculated as 1101.55.

At the bottom, there are buttons for New Work Order, Save Work Order, E-mail Work Order, and Preview Work Order. The status bar at the very bottom indicates the current view is for Work Order Number 15571, showing 25 of 147 records, with a total of 27235 records.

ID	Entered By	Start Date	Stop Date	Standard Hours	Standard Rate	Cost
10006	canfies	10/17/2017	10/20/2017	2.5	51.97 \$/hr	129.93
10006	canfies	10/17/2017	10/17/2017	5	51.97 \$/hr	259.85

Total Cost: 1101.55

Cartegraph Navigator

- Navigator is over 20 years old
- Limited Access - Work Station use only
 - Limited to 9 user seats
 - Limited mobility
 - No direct connection to GIS mapping
 - Manual transfer of information data from paper worksheets
- Currently in "Support Mode" and approaching "sunset" of Navigator system

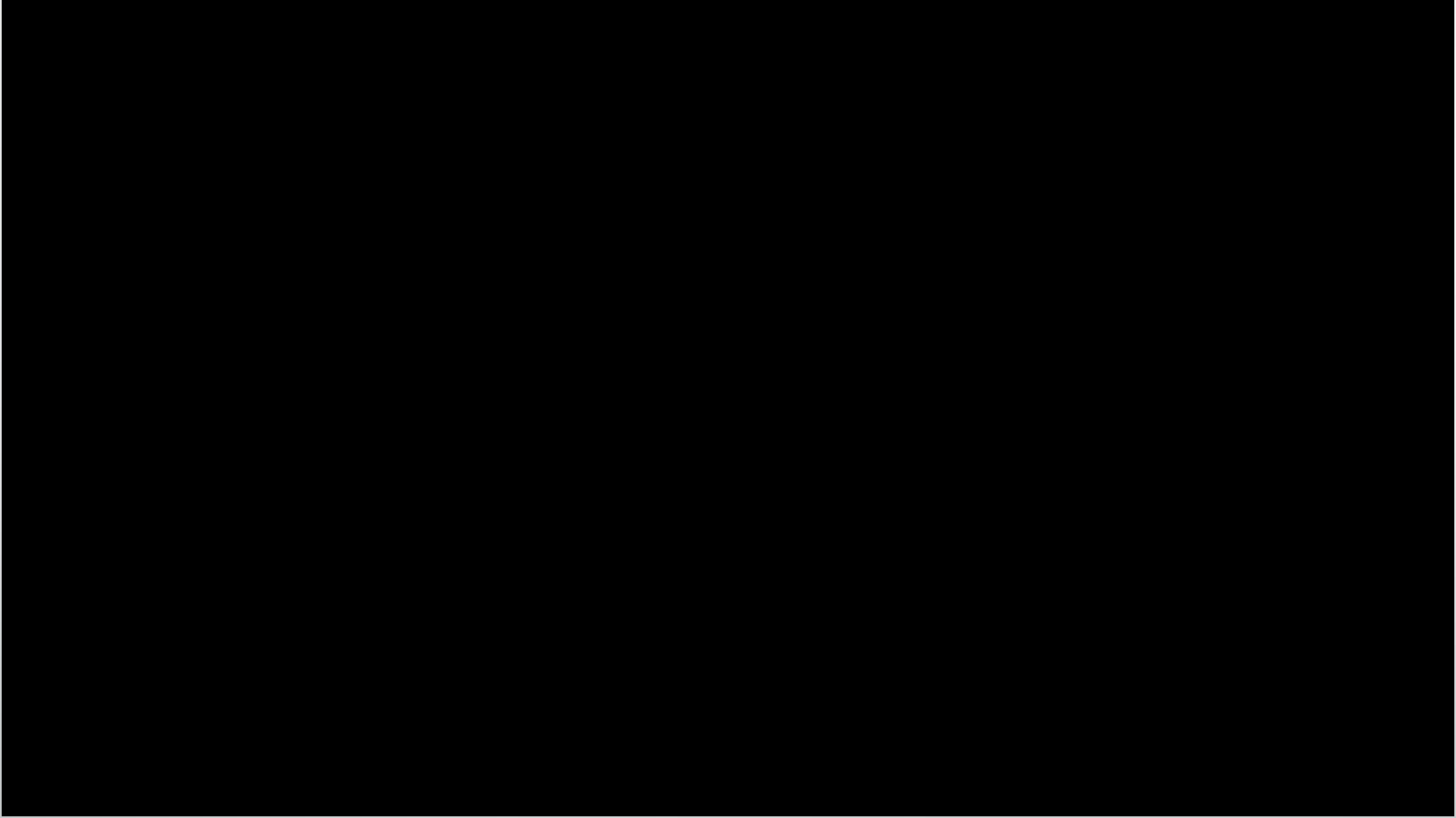
The screenshot displays the Cartegraph Navigator - WORKdirector application window. The interface is divided into several sections:

- Material Information:** ID: 70381. Features include Type: Water Material, Account: (blank), Manufacturer: Sensus, Price Verified: 05/24/2017, Current Cost: 112.42, and Description: 5/8" AccuStream meter.
- Orders:** Maximum Amount: (blank), Minimum Amount: (blank), Reorder Point: (blank), Reorder Amount: (blank), Inventory Method: FIFO, and Is Stock Item: ☒.
- Attachments:** A photo of a black and white AccuStream meter with blue and green components is shown. The path is <Project Home>\attachments\Mate...
- Details:** A table showing a transaction log with columns: Start Date, Work Order, Activity, Transaction, Quantity, Price Per Unit, Cost, and N. The Quantity On Hand is 31 ea.

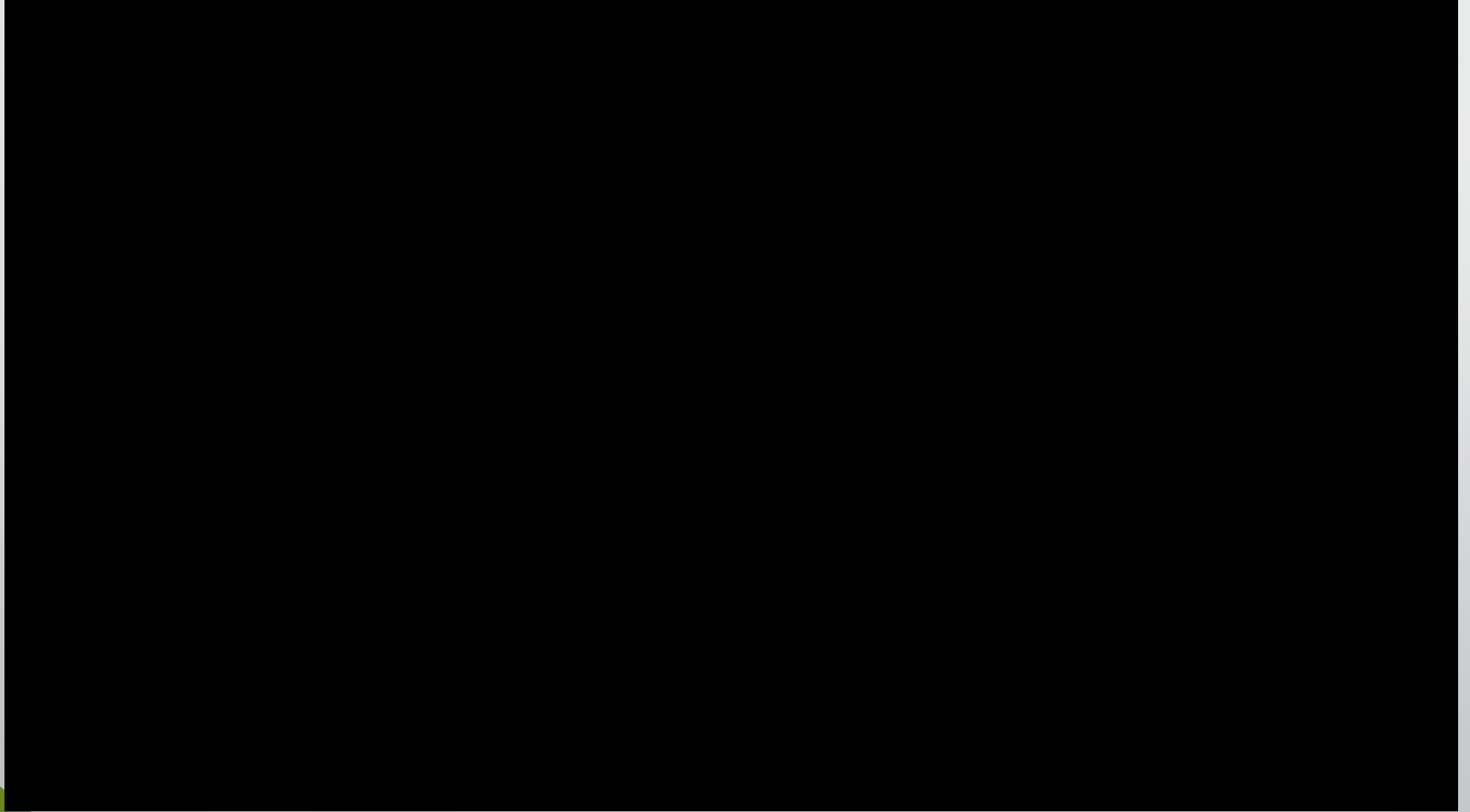
The transaction log table contains the following data:

Start Date	Work Order	Activity	Transaction	Quantity	Price Per Unit	Cost	N
10/01/2014		Purchase	Stock Item	60 ea	119	7140	actual pri
10/20/2014	11533	Install	Used	1 ea	119	119	
10/24/2014	11552	Replace	Used	1 ea	119	119	
11/05/2014	11597	Replace	Used	1 ea	119	119	
11/05/2014	11600	Replace	Used	1 ea	119	119	
11/05/2014	11598	Replace	Used	1 ea	119	119	
11/05/2014	11603	Replace	Used	1 ea	119	119	

At the bottom, there is a status bar showing: Materials ID: 70381, Viewing Record: 986 of 1367, Total: 1369, Filter, Sort. On the right side, there are buttons for New Material, Save Material, E-mail Material, and View Materials Report.



Cartegraph Operation Management System (OMS)



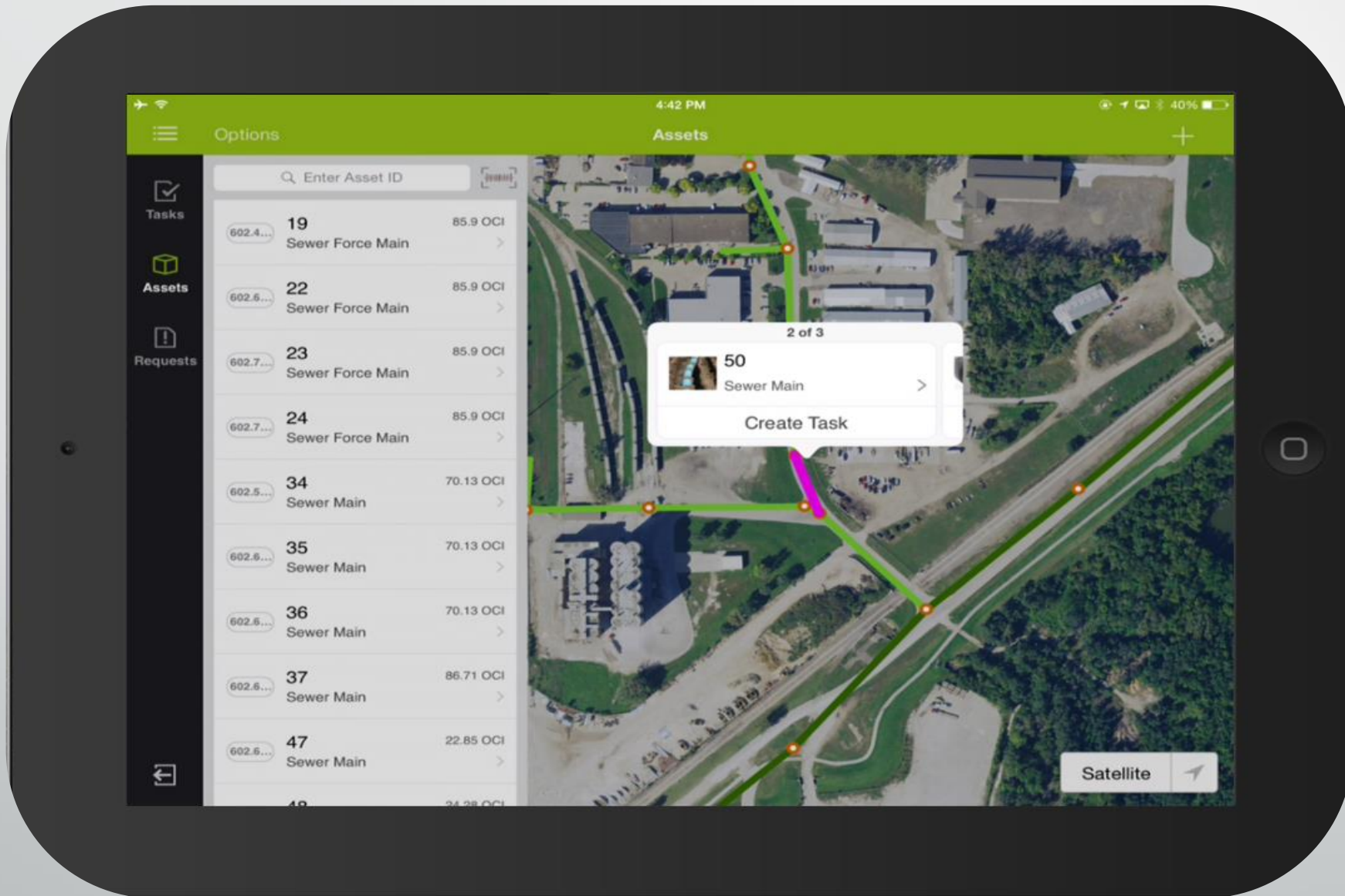
Cartegraph OMS for Desktop/Notepad

The screenshot displays the Cartegraph OMS interface on a desktop. The top navigation bar includes 'Cartegraph', 'Requests', 'Work' (active), 'Assets', 'Resources', and 'Reports'. A user profile 'Luke' and an 'ID' field are visible. Below the navigation bar, there's a 'Work' section with a 'Task' tab selected. The main area shows a map with numerous blue location pins. To the right of the map is a table of tasks.

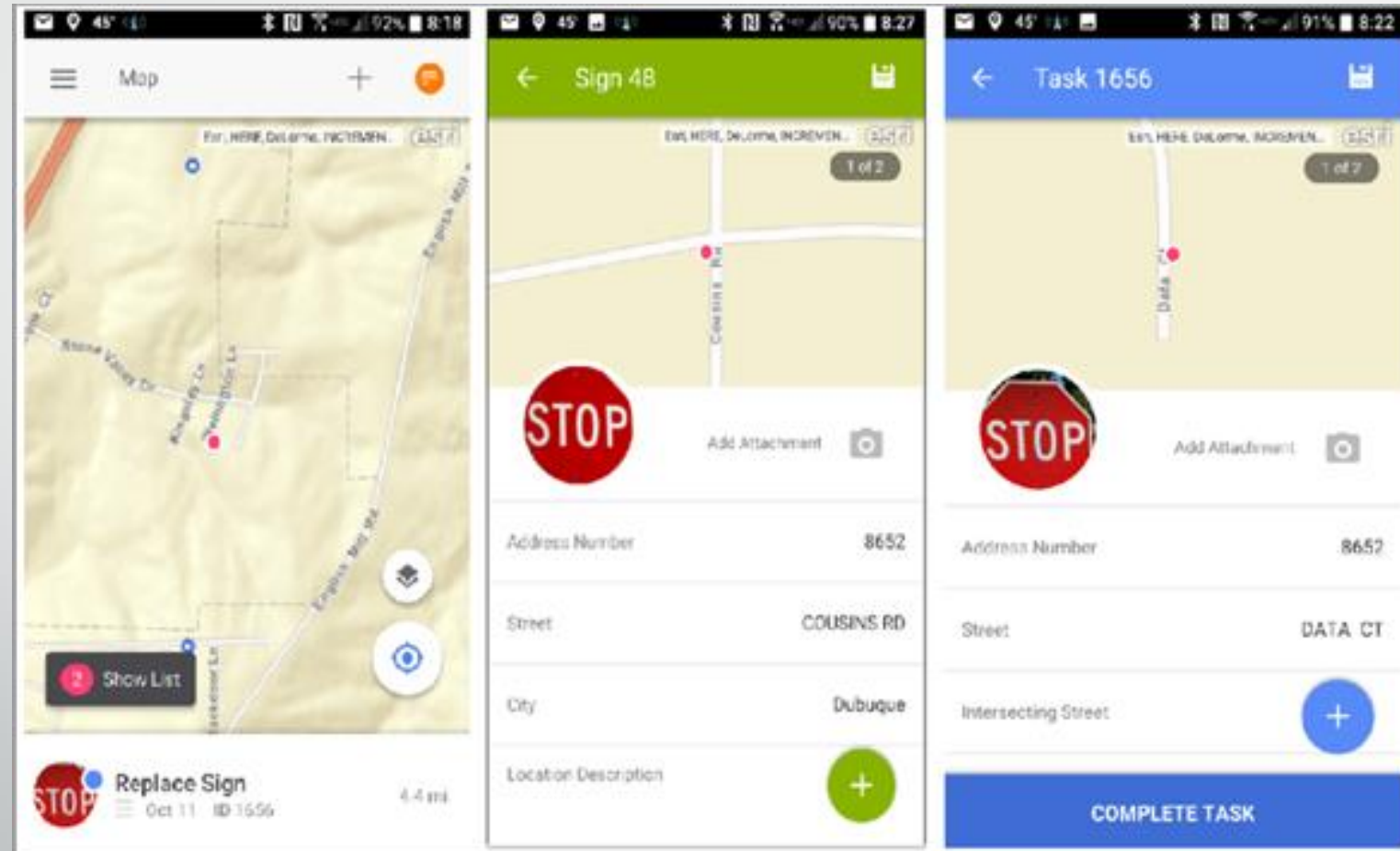
	Task ID	Activity	Asset	Priority	Status	Due Date	Estimated Start Date	Estimated Stop Date
☐	1518	Mill	Pavement 185	Medium	Planned	7/20/2016	7/11/2016	7/20/2016
☐	RS_IMPACT...	Clean	Facility Lighting 26	High	Completed	6/26/2014	6/26/2014	6/26/2014
☐	SIGN_IMPA...	Polish	Sign 37	High	Completed	6/26/2014	6/26/2014	6/26/2014
☐	FAC_IMPAC...	Paint	Facility 26	High	Completed	6/26/2014	6/26/2014	6/26/2014
☐	PAVE_IMPA...	Grind	Pavement 37	High	Completed	6/26/2014	6/26/2014	6/26/2014
☐	GR_IMPACT...	Maintain	Guard Rail 26	High	Completed	6/26/2014	6/26/2014	6/26/2014
☐	LIGHT_IMPA...	Clean	Roofing System 26	High	Completed	6/26/2014	6/26/2014	6/26/2014
☐	PAVEAREA_...	Grind	Pavement Area 37	High	Completed	6/26/2014	6/26/2014	6/26/2014

At the bottom of the table, there are radio buttons for 'Assigned Labor' and a 'Selected 0' indicator. The bottom right corner shows '1 - 9 of 3666'.

Cartegraph OMS for iPad



Cartegraph OMS ONE (smartphone application)



Notification Manager.

Cartegraph

Home > Administration > Notification Manager

Notification Manager

Reset Save

▶ GIS Integration Synchronization Failure		Notifications: ☐ On ☒ Off
▶ Integration Results		Notifications: ☐ On ☒ Off
▶ Material Reorder		Notifications: ☒ On ☐ Off
▼ New Assigned Task		Notifications: ☒ On ☐ Off
Select Role/User Add +		
Heather	Filter ⚡	Email ☒
Quint	Filter ⚡	☒
Todd	Filter ⚡	☐
▶ Received New Request		Notifications: ☒ On ☐ Off
Requester - Closed Request		Notifications: ☐ On ☒ Off
Requester - Received Request		Notifications: ☐ On ☒ Off

Assets

Cartēgraph

RequestsWorkAssetsResourcesReports

Quint

ID:

BackHome > Assets

Map FilterSearch by address

MeasureSelect

Assets

Select Asset Type

Signs41

Tree

Marking

Storm Inlet45

Storm Manhole0

Storm Outlet6

Storm Pipe72

Bridge

Guardrail

Signalized Intersection

Sewer Main

Park

Water Meter

Traffic Camera

Asphalt Roads

Sewer Facility Poly

Center St

Parcel Polygons: 782503302006

Parcel Number: 782503302006

Full Name: Baird, Misty

Phone Number: (515) 857-3564

ACREAGE: 1.41

Full Address: 1241 19TH ST

City, State, and ZIP: WEST DES MOINES, IA 50265

Address Number: 1241

Street Name: 19TH ST

Zoom to

Asset Type	ID	Street	Estimated OCI	Inspected OCI	Criticality Factor
Storm Pipe	SP-49	Private	85.06	86.8	1
Storm Pipe	SP-48	Office Park Rd	72.04	73	1
Storm Pipe	SP-55	Office Park Rd	86.84	87.8	1
Storm Pipe	SP-1000	Office Park Rd	70.70	70.0	1

Selected 0

1 of 164

Asset Detail

Cartegraph

Home

Requests

Work

Assets

Resources

Reports

Quint

ID:

Back

Home > Assets > Water Hydrant: HYD-797

Create +

Reports

Actions

Water Hydrant **HYD-797**



Model: **SUPER CENTURION**

Bonnet Color: **Blue**

Street: **20TH St**

Installed: **10/25/2014**

Replaced: **10/25/2014**

7 Years and 4 Months Left

Estimated OCI

89.05

Excellent

Total Cost To Date

\$647

☒ Map

☐ Location

☒ Details

☒ Inspections

☒ Tasks

☒ Linked Assets

☒ Attached Files

Details

Edit

Hydrant Information

ID: HYD-797

Model: SUPER CENTURION

Manufacturer: Mueller Company

Body Color: Red

Bonnet Color: Blue

Operating Nut Size: 5

Direction to Turn: Counterclockwise

Number Of Turns To Open: 16

Serial Number: 301169405

Pressure Zone: Northern Zone

Fire District: River District

Depth: 4.5 ft

Work Order Tracking

Cartegraph

HomeRequestsWorkAssetsResourcesReports

Quint

ID:

BackHome > Work > Task: 193282

Create +ReportsActions

Task ID: 193282

Activity: Repair

Asset: Water Hydrant HYD-797

View

Priority: High

Start Date: 1/17/2017

Complete Task

Status: Completed

Stop Date: 1/17/2017

Enter Resources

Total Cost	Productivity	Labor	Equipment	Material	Other	
\$578	Cost per Unit \$577.75	Labor Hours 2	Labor Cost \$87	Equipment Cost \$56	Material Cost \$185	Other Cost \$250

☒ Map

☐ Location

☒ Task Setup

☒ Task Details

☒ Labor

☒ Equipment

☒ Material

☒ Other

☒ Attached Files

Status: Completed

Estimated Start Date: 1/17/2017

Estimated Stop Date: 1/17/2017

Actual Start Date: 1/17/2017

Actual Stop Date: 1/17/2017

Department: Water

Units Completed: 1 ea

FEMA: ☐

Work Order:

Plan:

Request: 153

Entered By: Quint

Entry Date: 1/17/2017 11:30:15 AM

Capital Budget: ☐

Capital Project:

Instructions

Add +Actions

Instructions	Priority	Entry Date	Last Modified
☐ After new bonnet repair, paint cap pressure zone color.	Low	1/17/2017 12:11:48 PM	1/17/2017 12:11:48 PM

Preventative Maintenance

Cartegraph  [Requests](#) [Work](#) [Assets](#) [Resources](#) [Reports](#)  Paul   ID:

[Back](#) [Home](#) > [Administration](#) > Preventative Maintenance

Preventative Maintenance Plans

All [Create Plan +](#)

▶ **10th St Chip Seal**
6 Pavement

Activate Plan  Filter  Delete Plan 

▼ **8th Street Inlet Clean Out Program**
33 Storm Inlets

Add Activity 

Clean Out / Vacuum when:

Repeat  Add Trigger  Edit Assignments 

★ **Condition**

Estimated OCI falls below 50

 **Time**

Every 6 Months after the previous Clean Out / Vacuum was completed, starting 11/1/2016

▶ **Annual Inspections**
6 HVAC Equipment

Activate Plan  Filter  Delete Plan 

▶ **Annual Water Plant Grounds Ins...**
All Water Plants – No filter applied

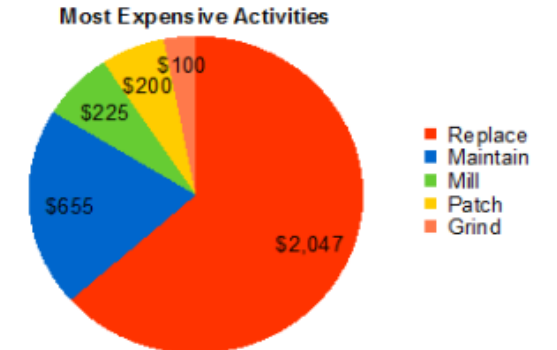
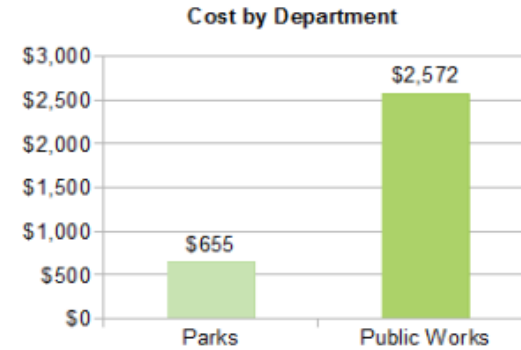
Activate Plan  Filter  Delete Plan 

Report Engine

Task Performance Measures

9/26/2016 - 10/27/2016

Total Tasks	Average Time to Complete	Estimate Accuracy	Late Tasks
5	10 Hours,	5	0



Tasks					
Task ID	Activity	Asset	Actual Stop Date	Status	Department
1900	Replace	Pavement 156	9/27/2016	Completed	Public Works
1901	Grind	Pavement 156	9/27/2016	Completed	Public Works
1902	Mill	Pavement 156	9/27/2016	Completed	Public Works
1903	Patch	Pavement 156	9/27/2016	Completed	Public Works
1910	Maintain	Non-Asset	10/7/2016	Completed	Parks
Total Tasks					5

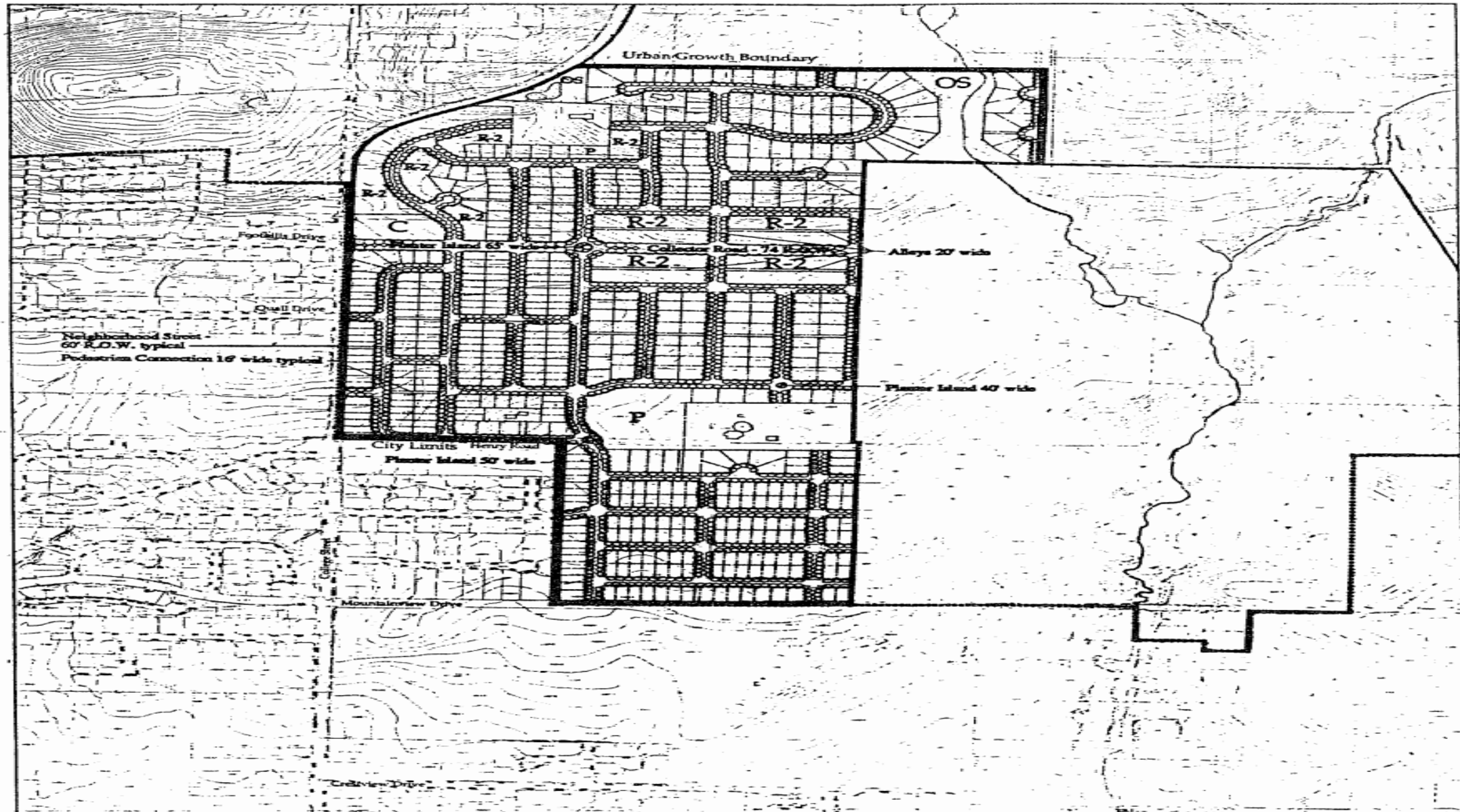
Cost by Department			
	Parks	Public Works	Total
	0	100.00	100.00
	0	200.00	200.00
	0	225.00	225.00
	655.15	0	655.15
	0	2047.31	2047.31
Total	655.15	2572.31	3227.46

City Application of CARTEGRAPH Operations Management System (OMS)

- Administrative
 - Budget
 - Capital Improvement Projects
 - Finance
 - Inspection
 - Inventory
 - Planning
- Citizen Reporting
- Emergency Management
- Engineering
- Facilities
- Fleet
- Grounds
- Stormwater
- Streets
- Wastewater Collection
- Wastewater Treatment
- Water Distribution
- Water Treatment

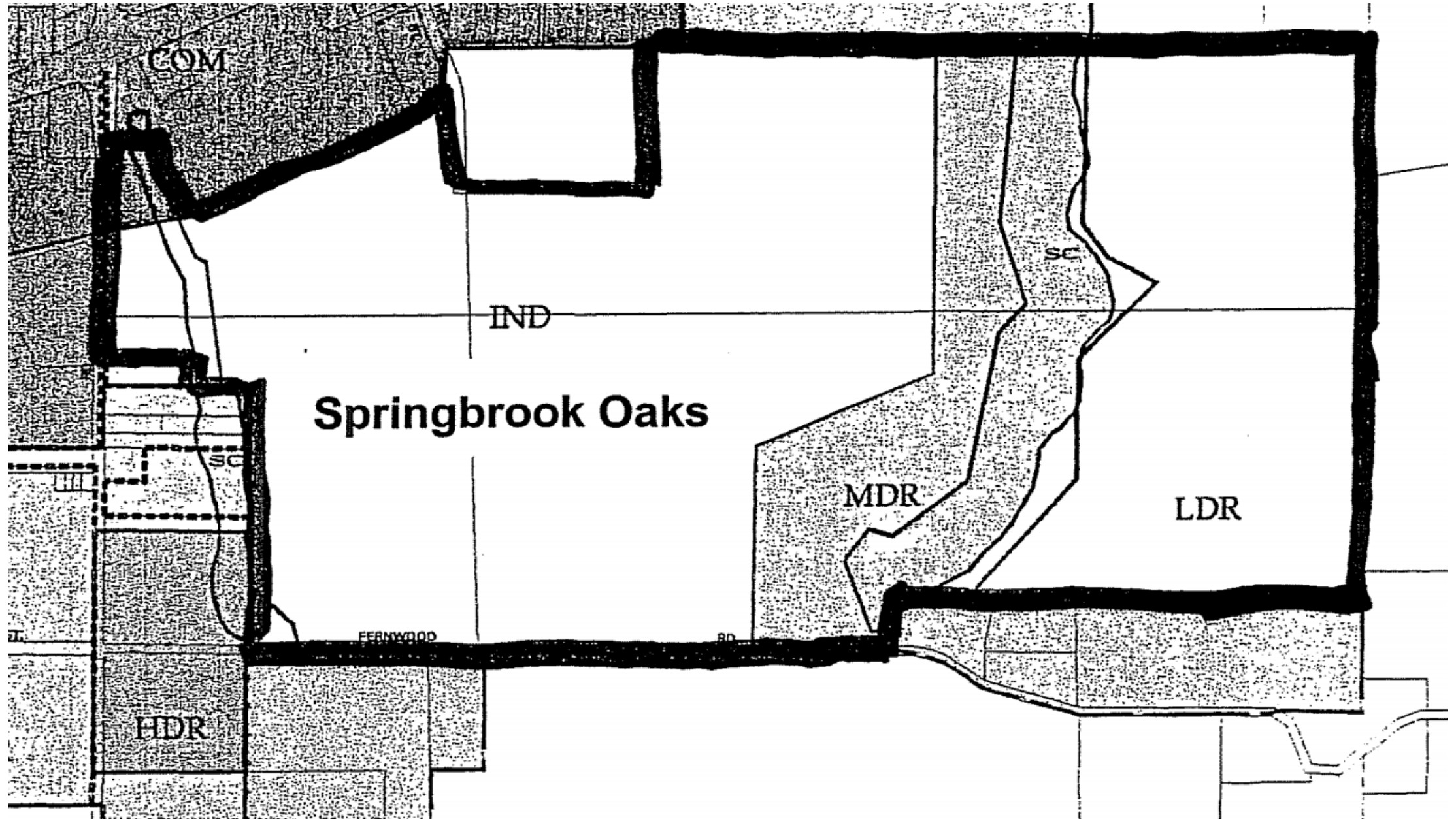


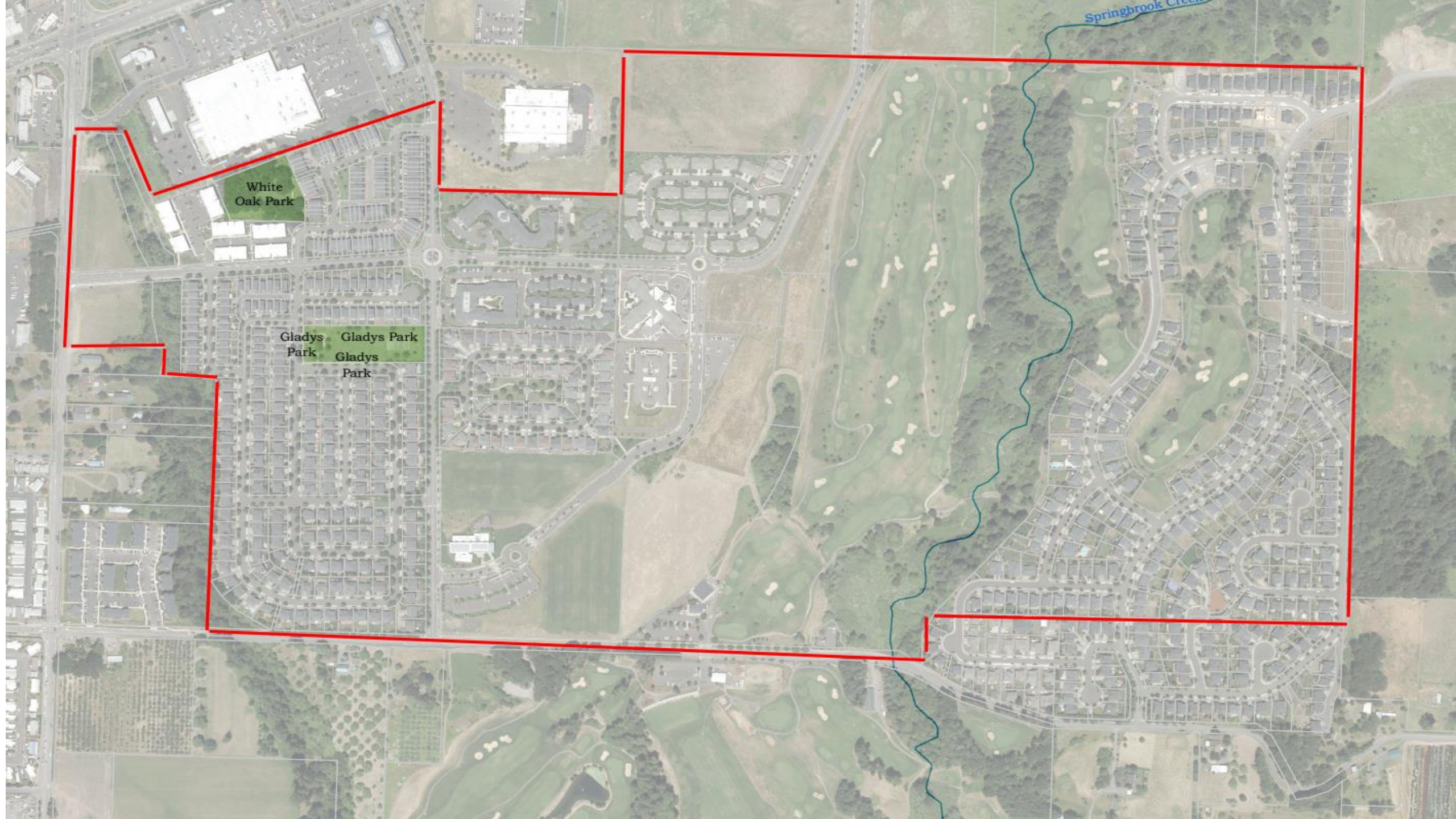
1993 Northwest Newberg Specific Plan





1999 Springbrook Oaks Specific Plan





White
Oak Park

Gladys Park Gladys Park
Gladys Park Gladys Park

Springbrook Creek