



**City Council Work Session
April 3, 2017 - 6:00 PM
Public Safety Building 401 East Third Street**

- I. CALL MEETING TO ORDER**
- II. ROLL CALL**
- III. REVIEW OF THE COUNCIL AGENDA AND MEETING**
- IV. COUNCIL BUSINESS ITEMS**
- V. DEPARTMENT HEAD REPORTS**
- VI. ADJOURNMENT**



**City Council Business Session
April 3, 2017 - 7:00 PM
Public Safety Building 401 East Third Street**

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. CITY MANAGER'S REPORT

V. PROCLAMATIONS

V.a. Rotary Peace Pole Proclamation

[Peace Pole Proclamation 4-3-17 RCA.docx](#)

[Peace Pole Proclamation 4-3-17.docx](#)

V.b. National Library Week Proclamation

[Library Week Proclamation 4-3-17 RCA.docx](#)

[Library Week Proclamation 4-3-17.docx](#)

V.c. Approve a proclamation declaring April 9-15, 2017, as National Public Safety Telecommunicators Week.

[RCA Motion Proclamation.doc](#)

[PROCLAMATION Telecommunicators Week 2017.docx](#)

V.d. Arbor Week Proclamation

[2017 Arbor Week Proclamation.pdf](#)

VI. PRESENTATIONS

VI.a. City of All Ages presentation

[City of All Age presentation](#)

VI.b. Council Priorities 2017-2018

[RCA Council Priorities 2017-18.docx](#)

VII. PUBLIC COMMENTS

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

VIII. CONSENT CALENDAR

- VIII.a. Res No. 2017-3364 Kittelson & Assoc. Pavement Services Contract Award
[Res 2017-3364 Kittelson Associates Pavement Services Contract Award revised.pdf](#)
- VIII.b. Motion to Appoint Robert F Blackmore, and Innova Legal Advisors PC, as Special Legal Counsel to the City of Newberg and to Authorize the Same to Pursue the City's Legal Remedies and Damages against Metro West Ambulance Service, Inc. for Violation of the Newberg Ambulance Service Area Provisions
[RCA Motion to Appoint Bob Blackmore.pdf](#)
- VIII.c. Motion to Approve Mediated Settlement in Case of City of Newberg v. Newman Living Trust (15CV34508)
[RCA Motion to Approve Settlement.pdf](#)
- VIII.d. Council Minutes for February 21, March 4 and March 6, 2017
[RCA Council Minutes](#)

IX. NEW BUSINESS

- IX.a. A Resolution reducing or waiving, or denying a reduction in permit fees for Building Division plan review, structural, state surcharge and technology fees; Community Development fee; and City Hall facility fee for a foundation permit for the Hoover-Minthorn House Museum at 115 S. River Street
[RCA Resolution No. 2017-3365 Hoover Minthor House Building Fees Reduction.doc](#)
[Attachment 1 - Hoover-Minthorn House Request.pdf](#)
[Attachment 2 - Hoover-Minthorn Fee Matrix.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: April 3, 2017				
Order ____	Ordinance ____	Resolution ____	Motion <u>X</u> ____	Information ____
No.	No.	No.		
SUBJECT: Approve a proclamation recognizing and supporting the Peace Pole project of the Rotary Clubs of Newberg			Contact Person (Preparer) for this Motion: Leah Griffith, Library Director & Newberg Noon Rotary President Dept.: Library File No.:	

RECOMMENDATION:

Approve a proclamation recognizing and supporting the placing of Peace Poles throughout the community.

EXECUTIVE SUMMARY:

The Rotary Clubs of Newberg (Noon and Early Birds) are part of world-wide project to encourage communities to embrace the concept of peace in personal, community, national and international relations. The placing of Peace Poles in public areas such as City Hall, Newberg Public Library, Chehalem Cultural Center, schools, churches and businesses reminds people of the power and positivity of peace.

Peace Pole dedications will be held on Friday, April 14, 2017 at 11 am at Peace Poles located in the following areas; Newberg City Hall (at back entrance garden), Newberg Public Library, Newberg Downtown Fire Station, Newberg Public Safety Building, Chehalem Cultural Center (Sherman St), Chehalem Glenn Golf Course, Mountain View Middle School, Newberg High School, Chehalem Valley Middle School, George Fox University, and PCC Campus.

FISCAL IMPACT:

None

STRATEGIC ASSESSMENT (RELATE TO COUNCIL GOALS):

This supports the Council's desire support Newberg as a great place live, work and grow.



PROCLAMATION

A PROCLAMATION RECOGNIZING AND SUPPORTING THE PLACING OF PEACE POLES THROUGHOUT THE NEWBERG COMMUNITY AS A WAY TO BRING TOGETHER PEOPLE OF ALL FAITHS, BACKGROUNDS AND CULTURES TO EMBRACE THE ONENESS OF OUR PLANETARY FAMILY

WHEREAS, in 2012 the City of Newberg adopted a proclamation declaring Newberg as a Rotary Peace Community to promote peace, understanding and goodwill between our residents and in communities around the world and installed Peace Poles at Memorial Park and Francis Square; and

WHEREAS, in 2017 the City of Newberg adopted a proclamation declaring support for the I'm Glad You're My Neighbor Inclusion Campaign and a resolution declaring the City of Newberg as an Inclusive City; and

WHEREAS, these previous actions of the City of Newberg promote peace and understanding among our residents and the world; and

WHEREAS, the Newberg Noon and Early Birds Rotary clubs are participating in a project to demonstrate this dedication to peace by the placing of over 50 Peace Poles throughout the community in 2017; and

WHEREAS, on January 17, 2017, the City Council authorized the placing of six Peace Poles at various city facilities; and

WHEREAS, these Peace Poles are each a monument that displays the message "May Peace Prevail on Earth" in English on one side and in a number of world languages on the remaining three sides such as Spanish, Japanese, German, Arabic, Hebrew, Somali, and others to share the message with all; and

WHEREAS, Peace Poles are intended to inspire unity among people of all cultures, ethnicities and backgrounds; and

NOW, THEREFORE, IT IS PROCLAIMED, by the Mayor and City Council, and on behalf of the citizens of the City of Newberg, Oregon, that **we continue to support the Rotary Peace Pole project and encourage the citizens of Newberg to attend the simultaneous dedication of the poles throughout the community on Friday, April 14, 2017 at 11 am and as they see the poles to remember the message "May Peace Prevail on Earth" in all its meanings from personal interactions to community relations to a world without war.**

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Newberg to be affixed on the 3rd day of April, 2017.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 3, 2017				
Order ____	Ordinance ____	Resolution ____	Motion <u>X</u> ____	Information ____
No.	No.	No.		
SUBJECT: Approve a proclamation recognizing April 9-15, 2017 as National Library Week in Newberg.			Contact Person (Preparer) for this Motion: Leah Griffith, Library Director Dept.: Library File No.:	

RECOMMENDATION:

Approve a proclamation recognizing April 9-15, 2017 as National Library Week in Newberg

EXECUTIVE SUMMARY:

The Newberg Public Library has served the community since 1908 and continues to meet and address current needs of its' residents. The library joins with libraries and communities nationwide in an annual celebration of Library Week to recognize the contributions libraries and library staff make to their community.

FISCAL IMPACT:

None

STRATEGIC ASSESSMENT (RELATE TO COUNCIL GOALS):

This supports the Council's desire support Newberg as a great place live, work and grow.



PROCLAMATION

A PROCLAMATION RECOGNIZING APRIL 9-15, 2017 NATIONAL LIBRARY WEEK

WHEREAS, libraries are not just about what we have for people, but what we do for and with people; and

WHEREAS, libraries have long served as trusted and treasured institutions, and library workers and librarians fuel efforts to better their communities; and

WHEREAS, libraries are evolving in order to serve their communities and to continue to provide access to all who seek information, particularly in view of the changing information landscape and the skills needed to thrive in our digital world; and

WHEREAS, libraries and librarians open up a world of possibilities through innovative STEAM/STEM programming, job-seeking resources and the power of reading; and

WHEREAS, libraries and librarians are looking beyond their traditional roles and providing more opportunity for community engagement and delivering new services that connect closely with patrons' needs; and

WHEREAS, libraries support democracy and effect social change; through their commitment to provide equitable access to information for all library users regardless of race, color, national origin, immigration or refugee status, religion, sex, mental, emotional, and physical ability, age or economic status; and

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week

NOW, THEREFORE, IT IS PROCLAIMED, by the Mayor and City Council, and on behalf of the citizens of the City of Newberg, Oregon, **that April 9-15, 2017 is National Library Week and we encourage the citizens of Newberg to visit and explore the Newberg Public Library and find out what's new at your Library. Because of you and our experts at the library, Libraries Transform.**

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Newberg to be affixed on the 3rd day of April, 2017.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 3, 2017

Order ____ No.	Ordinance ____ No.	Resolution ____ No.	Motion <u>XX</u>	Information ____
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SUBJECT: Approve a proclamation declaring April 9-15, 2017, as National Public Safety Telecommunicators Week.

**Contact Person (Preparer) for this Motion: Brian Casey, Chief of Police; Mary Newell, Support Services Manager
Dept.: Police Department
File No.:**

RECOMMENDATION: Adopt request to approve a proclamation declaring April 9-15, 2017, as National Public Safety Telecommunicators Week.

EXECUTIVE SUMMARY: The Telecommunicators in the Newberg-Dundee Communication's Center (ND911) are always there to answer the 9-1-1 call, providing an important public safety service 24 hours a day, 7 days a week, 365 days a year. For this reason, we join other 9-1-1 communications centers across the nation in celebrating the week of April 9-15, 2017, as National Public Safety Telecommunicators Week. Sponsored by the Association of Public Safety Communications Officials (APCO) International, this week is set aside to honor the men and women who answer emergency calls, dispatching emergency police, fire and EMS emergency responders, providing lifesaving assistance to the citizens of the United States.

The City Council at their Goal Setting Session on March 3, 2017, reaffirmed their commitment to maintain the Newberg-Dundee 9-1-1 Communications Center in Newberg. A primary public safety answering point (PSAP), ND911 answers 9-1-1 calls for assistance for east Yamhill County, approximately 34% of the population of Yamhill County.

2016 was a busy year for ND911. During this period, the dispatch center:

- Handled 65,545 telephone calls (Magic)
 - o 48,887 inbound (all calls)
 - o 16,668 outbound
 - o 11,340 9-1-1 and emergency calls
 - o 1930 9-1-1 call transfers to other 9-1-1 dispatch centers (ECATS)
- 93.36% of out 9-1-1 calls were answered within 10 seconds; 98.52% answered within 15 seconds
- Entered 34,066 CAD (Computer Aided Dispatch) activities (compared to 28,413 in 2006)

ND911 worked with Newberg Fire Department, TVF&R, Dundee Fire, and Washington County Consolidated Communications (WCCCA) to modify protocols to efficiently transfer all 9-1-1 fire and EMS related calls to WCCCA for dispatching:

- 1310 call transfers to WCCCA July 1-December 31, 2016 (CAD)
 - o 1190 were Newberg fire/EMS (CAD)
 - o 120 were Dundee Fire (CAD)

Dispatch staffing increased, with one vacancy left to fill at this time: 5 work solo with 4 trainees. The staffing shortage was addressed with overtime, contract employees, and one Records FTE reassigned part-time to dispatch:

- 2126 hours of overtime

- 1959.5 contract hours
- 1290.5 hours by records personnel

Also in 2016, ND911 began the process for selecting and installing a new Airbus IP-based 9-1-1 telephone system. After some delay, this project was completed in February 2017. The cost was borne by the State of Oregon Emergency Management Office and paid for with State 9-1-1 funds. The system is working well, providing new enhancements and improved mapping capability. The system brings ND911 closer to meeting the requirements for NextGEN 9-1-1.

Based on the Newberg City Council's desire to continue operating a dispatch center in Newberg, ND911 is moving forward on the following projects:

- Implementation of Text to 9-1-1
- Tri-Tech CAD and Mobile software upgrade
- WCCCA 800 MHz radio system upgrade from analog to a digital system
- Computer hardware replacement.

FISCAL IMPACT: None.

STRATEGIC ASSESSMENT (RELATE TO COUNCIL PRIORITIES FROM MARCH 2016):

With great appreciation and gratitude, we recognize and celebrate the hard work of these largely unseen professionals who work in tandem with police, fire and EMS to ensure the safety and security of our citizens.



PROCLAMATION

A PROCLAMATION DECLARING APRIL 9-15, 2017, AS NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK.

WHEREAS, emergencies can occur at any time that require police, fire or emergency medical services; and

WHEREAS, when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Newberg-Dundee Communications Center; and

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and insuring their safety; and

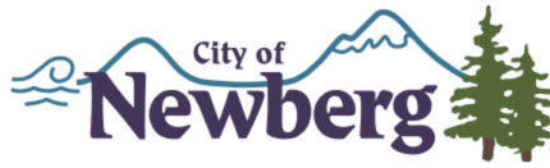
WHEREAS, Public Safety Telecommunicators of the Newberg-Dundee Communications Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

NOW, THEREFORE, we proclaim the week of April 9 through 15, 2017 to be National Public Safety Telecommunicators Week in Newberg in honor of the men and women whose diligence and professionalism keep our city and citizens safe.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Newberg to be affixed on this 3rd day of April 2017.

Bob Andrews, Mayor



PROCLAMATION

A PROCLAMATION DECLARING THE WEEK OF APRIL 2ST – APRIL 8TH, 2017 AS ARBOR WEEK

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, but heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, IT IS PROCLAIMED by the Mayor and City Council of the City of Newberg, Oregon, the week of April 2nd – April 8th, as

ARBOR WEEK

in the City of Newberg, and I urge all citizens to celebrate Arbor Week and to support efforts to protect our trees and woodlands.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Newberg to be affixed on this 3rd day of April, 2017.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 3, 2017

Order ____ No.	Ordinance ____ No.	Resolution ____ No.	Motion ____	Information <u>XX</u>
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SUBJECT: City for All Ages

**Contact Person (Preparer) for this
Item: Doug Rux
Dept.: Community Development**

The group for the City of All Ages will be attending the meeting on April 3, 2017 to give a brief presentation and certificate to the Newberg City Council

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 3, 2017

Order ____ No.	Ordinance ____ No.	Resolution ____ No.	Motion ____	Information <u>XX</u>
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SUBJECT: Council Priorities 2017-2018

Contact Person (Preparer) for this
Item: Joe Hannan
Dept.: City Manager

EXECUTIVE SUMMARY:

On October 3, 2015 the Council and Department Heads met in a Strategic Objectives Planning Session to develop mid-range strategic priorities for the City. The time frame for the priorities is considered to be 1-3 years. In March, 2017, the Council received an update on priorities progress and discussed additional or revisions for 2017-2018. The Council requested additional information about priority ideas before finalizing priorities for 2017-2018

BACKGROUND

Staff requests and recommends work to continue on existing priorities in addition to considering new priorities. Based on Council discussion and direction staff will return with a final list for approval and will use Council direction in preparing the 2017-18 Budget.

Additional Council Priorities March, 2017

1. Implement Plans for Road Repair and Maintenance

- a. **Priority Statement:** To secure an adequate funding source to maintain or improve the pavement condition index for the next 10 years.
- b. **Background** (define the problem):
The city maintains 65.5 miles of paved streets and 4.0 miles of gravel roadways. The city-wide pavement condition index was 73 of 100 in 2014, with a backlog of \$14.3 million in projects. The pavement condition index scale runs from zero for a gravel road, to 100 for a new pavement surface.

Without additional funding towards pavement maintenance, by 2022 there will be a \$21 million dollar backlog and the city-wide pavement condition index will decrease to 62 of 100.

- c. **Actionable Steps:**

Kittelson and Associates was contracted in the spring of 2016 to develop a pavement management implementation plan. The pavement condition model was updated and it was determined that \$2.5 million per year is needed to maintain the pavement condition index

city-wide. Council determined that several funding mechanisms would be needed implemented to fully fund the pavement maintenance program.

An Ad-Hoc committee was formed to discuss the first phase of funding to be considered, a transportation utility fee. The Ad-Hoc committee represented a large cross-section of the community consisting of residents, business owners, churches, public schools, and the park district. The committee met 6 times and gave recommendations for Council on items such as the total revenue to be collected by the fee, the proportion of the fee between the residential and non-residential users, fee hardship waivers, and potential maximum fee caps.

The proposed transportation utility fee ordinance was presented to Council on December 5, 2016, and January 3, 2017. Questions were raised by Council at both hearings, and were sent back to the Ad-Hoc committee for refinement. The Ad-Hoc committee met twice in the last month and have provided their recommendations to Council for consideration at the April 17 Council business meeting.

d. Fiscal impacts/alternative to complete goal:

Need \$2.5 million/year, \$600,000 available, \$1.9 million funding gap per year, multiple funding sources are needed to close the funding gap.

- Funding Source #1, Transportation Utility Fee: Council to consider adoption of ordinance at the April 17 business meeting, revenue generated, approximately \$1.2 million per year.
- Funding Source #2, TBD: Local gas tax, bond measure, local option levy, etc., need approximately \$700,000 per year.

e. Timeline:

- City Council to consider the third reading of the transportation utility fee ordinance on April 17, 2017.
- Phase 2 funding discussions will begin in the summer 2017.

f. Other considerations:

The implementation of the transportation utility fee by the finance department is expected to begin this summer. It will take approximately a full year to collect \$1.2 million of additional revenue. Staff is researching the feasibility of borrowing against 5 years of future revenues to finance a major street project in 2018. Major street preservation projects will begin in the spring and summer of 2018.

2. Repair and replace sidewalks:

- a. Priority Statement:** To improve and maintain the quality and safety of all sidewalks for all our citizens.

The Transportation System Plan addresses existing deficiencies, needs and capital projects for sidewalks. This plan was updated and adopted by the City Council in December 2016.

The ADA/Pedestrian/Bike Route Improvement Plan was adopted by the City Council in June 2007. The ADA/Pedestrian/Bike Route Improvement Plan (referred to as “the Plan”) identifies the primary critical routes between residential, commercial, and industrial areas that have service gaps and deficiencies for ADA accessibility, sidewalks, and bicycling infrastructure.

b. Background:

In 2013, the total length of missing sidewalks on collector and arterial roadways in the City was approximately 104,000 lineal feet. A significant percentage of the missing sidewalks will be constructed as properties develop and complete half street roadway improvements in the future. Additional right of way may be needed in order to complete some of the needed sidewalk improvements.

In 2017-18-19 it is anticipated that over 4.5 miles of new sidewalks will be constructed through public and private projects;

Crestview Drive in 2018, Villa Road – George Fox and settlement of condemnation - 486', 50', 5th street - 2000', College - 4500', Fifth Street, City maintenance facility 2017 and 2018 - 460', Apartment complex on 2nd across from Circle k Other private development anticipated in 2017 or 2018

The Municipal Code states:

12.05.040 Construction and maintenance of sidewalks.

It shall be the duty of the owners of land adjoining any street or highway within the city to construct a Portland cement sidewalk when directed by the city engineer. It shall be the duty of the city engineer to serve written notice to the property owner in accordance with NMC 12.05.050. It shall be the duty of the owners of land adjoining any sidewalk or curb, if the two are integral, to maintain both the sidewalk or curb in good repair to provide safe public access. [Ord. 2089, 7-7-82; Ord. 929, 7-2-40. Code 2001 § 96.04.]. Currently Code Enforcement requires sidewalks on existing developed properties to be repaired or installed on a complaint driven basis.

c. Actionable Steps and timeline (low, medium, high):

The critical pedestrian routes were noted in the 2007 ADA/Pedestrian/Bike Plan. Some of the projects from the 2007 Plan are underway or are in the project planning phase. The 2007 Project list is:

<u>Project Name</u>	<u>2007 Estimated Cost:</u>
9th Street (Blaine St to River St)	\$242,000
Blaine St (Sherman to Skate Park)	\$351,000
College St (Foothills Dr. to 6th St)	\$9.3 million (Next phase Aldercrest – Foothills)
Dayton Avenue (5th St to UGB)	\$304,000 (w/o bridge work)
Elliott Road (Newberg High to 99W)	\$1.1 million (full widening)
Illinois St/College St/Vermillion St/Meridian St/ Fulton St/Villa Rd and Haworth Ave (Main to Springbrook)	\$1.7 million
Main St (Mountainview to 5th St)	\$2.3 million
Meridian St/Crestview Dr and Center St (Mountainview to 1st St)	\$335,000

Mountainview (Chehalem to Aspen)	\$2.5 million
River St (Sheridan St to 14th St)	\$2.7 million
Springbrook Rd (Wilsonville Rd to Crestview)	\$4 million
(Bypass will complete 12' path on Springbrook from 219 to 99W)	
Villa Rd (1st St to Mountainview)	\$5.1 million (working on piece to Park)
4th Street & Wyooski St (College St to 219)	\$310,000 (short-term work) and \$3.1 million

Table III-5. Medium Term Projects

Project (Street/Trail)	Planning-Level Cost Estimate for Full Route Improvements	Planning-Level Cost Estimate for Single-side Improvements (route side)
2 nd Street	\$25,000	\$9,900 (north)
6 th Street	\$28,000	\$9,900 (north)
11 th Street	\$240,000	\$78,000 (north)
Chehalem Dr	\$2,000,000	\$650,000 (east)
Columbia Dr / Crestview Dr	\$2,100,000	\$322,000 (north side of route crossing to south side at Hoskins)
Crater Ln / Lynn Dr	\$310,000	\$99,000 (west side between Foothills and Mountainview, cross to east side)
Foothills Dr	\$20,000	\$0 (south side is accessible)
Highway 219	\$25,000	\$25,000 (bicycle route signage)
Howard Street	\$70,000	\$40,000 (west side of route)

d. Fiscal impact/cost estimate to complete goal (describe what we have budgeted, how we plan and next steps):

Today, the City budgets approximately \$35,000 per year for pedestrian and bike lane projects. Generally most of this money is spent on sidewalk and curb ramp projects adjacent to City properties. This is the Option 1 that was noted in the Plan. Additional improvements would occur as a normal course of development and as a part of larger capital projects.

Option 2: Medium funding scenario

In a medium funding scenario, it is assumed that along with the current funding sources, the City receives a small amount additional revenue from a new funding source, such as a tax or a fee. If Newberg created a \$1/month sidewalk fee, this would raise approximately \$100,000/year that could be dedicated towards ADA and sidewalk improvements, in addition to the existing \$35,000/year. In addition, the City could do a direct assessment of properties along critical routes and charge the property owner the cost of installing the necessary improvements, although this may not be politically feasible.

Option 3: High Funding scenario of approximately \$1 million per year:

In a high funding scenario, it is assumed that along with the current funding sources, the City receives a moderate amount of grant funding as well as additional revenue from a new funding source, such as a tax or a fee. A \$10/month street maintenance fee would raise approximately \$1 million/year annually. In addition, the City could do a direct assessment of properties along critical routes and charge the property owner the cost of installing the necessary improvements.

3. UGB Expansion

Background/ Define the problem

The City of Newberg attempted an Urban Growth Boundary (UGB) expansion in the past and was not successful in that endeavor due to a variety of appeals to LUBA and remands by the Land Conservation and Development Commission (LCDC). The State Legislature directed LCDC and the Department of Land Conservation and Development (DLCD) to develop a new streamlined method for UGB expansion. A new Administrative Rule was adopted in 2015 called Division 38. The City applied to DLCD and was awarded a Technical Assistance Grant in the amount of \$30,000 to conduct preliminary UGB analysis work under the new Division 38 Administrative Rule. The local program is called Newberg 2030. The Newberg 2030 program has been underway since June of 2016 to evaluate the need to expand Newberg's Urban Growth Boundary (UGB) for residential and employment land.

Actionable Steps

July 2017 determine if the City proceeds with the Streamlined Division 38 method or the Traditional Division 24 method.

If the choice is to continue with the Division 38 method then prepare a Request for Proposal and distribute for consultant services.

Division 38 will require a variety of policy choices by the City Council based on mathematical ranges contained within the rule as the analysis is developed.

If the choice is to go with the Tradition Division 24 method then prepare a request for Proposal for consultant services to prepare a Housing Needs Assessment and Economic Opportunities Analysis.

Fiscal impact/alternatives

\$150,000 for consultant services to proceed with the Streamlined Division 38 process.

May need additional consultant funds for infrastructure serviceability analysis as part of Division 38.

City will attempt to obtain a DLCD Technical Assistance Grant of \$50,000 to reduce the \$150,000 consultant services expense.

If the choice is for the Tradition Division 24 method then \$100,000 to prepare a Housing Needs Assessment and an Economic Opportunities Analysis.

Timeline

The first phase of the UGB evaluation will be completed by the end of May 2017 and include possible comprehensive plan policy changes, a Buildable Lands Inventory, establish a study area boundary, and an action plan and implementation strategy.

In June 2017 Portland State University will provide a new 50 year population projection.

July 2017 the City Council will then have to make some policy choices on whether to continue with the streamlined process or revert back to the Traditional UGB expansion process.

Other considerations

The Newberg 2030 program is critical to the livability and economic success of the community for the next 14-20 years. The timeline to go through a UGB expansion will several years and City financial resources to conduct evaluations and assessments.

4. Create affordable housing while not diluting industrial and commercial development

Background/ Define the problem

Housing affordability is becoming more problematic in Newberg as well as the State of Oregon as housing prices and rental rates are exceeding family income capabilities. The City of Newberg prepared an Affordable Housing Action Plan in 2009 which lead to modifications to the Newberg Comprehensive Plan and Development Code. More recently a citizen's affordable housing task force called Housing Newberg has been meeting to discuss the housing affordability issue and is developing possible policy considerations that can be brought forward for the City Council.

Actionable Steps

The Housing Newberg Citizens Affordable Housing Task Force brings forward policy considerations for City Council Review.

Fiscal impact/alternatives

The fiscal impact is not known at this time.

Timeline

The timeline will be developed as information is prepared.

Other considerations

Items that may be considered include workforce housing, minimum/maximum housing densities, accessory dwelling unit regulations, implementation of a construction excise tax, building community awareness, inclusionary zoning, design standards, vacation rental regulations, incentives, employer and employee surveys, art spaces.

5. Develop a Riverfront Plan

Background/ Define the problem

The Willamette River provides a unique amenity to the community and in 2002 the City Council adopted the initial Riverfront Master Plan. This was prior to the final alignment of the Newberg-Dundee Bypass. Subsequently the Newberg-Dundee Bypass alignment was finalized, funding obtained for Phase 1 and construction of Phase 1 is to be completed in December 2017. Through a grant from the Transportation Growth Management program a new master plan will be developed that encompasses approximately 450 acres and will include the closed WestRock Mill site along the riverfront.

Actionable Steps

Enter into an Intergovernmental Agreement with the Transportation Growth Management Program.

Hire a consultant to assist with preparation of the master plan.

Appoint a Citizens Advisory Committee to provide guidance and input to the consultant.

Task 1 – Initiate Project

Task 2 – Establish Vision for Newberg Riverfront

Task 3 – Public Event #1

Task 4 – Plan Development

Task 5 – Public Event #2

Task 6 – Plan Implementation

Task 7 – Public Event #3

Task 8 – Plan Adoption

Fiscal impact/alternatives

Funding for the Riverfront Master Plan Update is from the Transportation Growth Management program in the amount of approximately \$200,000.

Timeline

The study is anticipated to start in June 2017 and run for 1 – 1/12 years and is likely to lead to modifications to the Comprehensive Plan, Development Code, Transportation System Plan, Water Master Plan and Wastewater Master Plan.

Other considerations

The study will look at opportunities for parks, greenway trails, mixed use development, industrial development, linkages to the downtown area, multi-modal transportation, sewer, water, storm and private utility infrastructure.

6. Implement Emergency Preparedness Program:

- a. **Priority Statement:** To ensure the city as a whole (facilities, personnel, equipment), as well as our citizens, are adequately informed and prepared in the event of an major city-wide emergency.
- b. **Background:**
 - Goal 1: To lead and facilitate the community response to survive and recover from a major disaster such as the Cascadia Subduction Zone Earthquake.
 - Goal 2: To prepare community for response to lesser but extended, manmade or natural disaster, such as a major ice storm, flooding, or hazardous material spill.
 - Goal 3: To prepare staff (and their families) for major disaster response and recovery.
- c. **Actionable Steps:**
 - Update the emergency operations plan and conduct full scale exercises of plan elements.
 - Continue and enhance National Incident Management System (NIMS) for staff.
 - Complete FEMA training for management staff.
 - Continue to coordination with Yamhill County, State, Federal government.
 - Coordinate with non-profit entities and the faith based community to help prepare their congregation for response and recovery.
 - Organize and sponsor Community Emergency Response Training,
 - Contract or hire Part-time Emergency Manager
 - Preposition food, water, clothing, and shelter.
 - Conduct City Council Emergency Operations training.
 - Purchase: Water filtration systems; Meals Ready to Eat (MREs); Fuel storage and generators; tents; cots; sanitation; Communication improvements; and Employee grab and go kits
 - Complete City Facilities Seismic Analysis:
(Study is underway with WRE Engineers. Completion date in May, 2017.)
 - Budget for identified structural improvements, especially for the immediately occupiable facilities: Public safety building; Water treatment plant; Maintenance yard administration and fleet buildings.
 - Prioritize and budget long term upgrades to City secondary non-critical facilities: Library; City Hall; Wastewater Treatment

- Complete a seismic resiliency study of the potable water system.

d. Fiscal impact (estimates only):

- City facility structural Study \$ 35,000.
- City facility upgrades \$ TBD
- City staff and community response equipment and supplies \$ 262,000.
Tents; HVAC; generators, cots, sleeping bags and bedding; extra pop-up tents; porta-potty and accessories, portable shower and personal hygiene accessories; temporary community kitchen and supplies (cooking, refrigerating, cleaning, serving, assorted storage containers, eating) and paper products (towels, cups, plates, utensils); disinfectant/cleaning supplies; cell phones, satellite phones, walkie talkies and batteries for all; personal emergency response kits; MRE's; Hurricane water systems/filters/containers; First Aid kits; misc items: electrical lines, power cords, water lines, flashlights, batteries, zip ties, fasteners; propane; Diesel fuel tanks; unleaded fuel tanks; transport fuel bladders; generators for wells, booster pump stations, PW maintenance yard (and other facilities as they are deemed safe); shipping container with hookups for storage of above.
- Outside agency contract or Part-time Emergency Manager \$ 20,000.
- Part-time Emergency Manager budget (materials/supplies) \$ 10,000.

e. Timeline

Once approved, purchases will be made over multiple budget years. \$20,000 has tentatively been included in the proposed 2017-18 budget.

f. Other considerations

- Training of additional resources
- Cert Team
 - Faith Based Community Training
 - Hold regular/planned community exercises

7. Implement Downtown Improvement Plan

- Background/ Define the problem

The Newberg Downtown Improvement Plan (NDIP) was adopted by the City Council on December 5, 2016 by Resolution No. 2016-3345. This plan is the guide for revitalization of the downtown area with the pending opening of the Newberg-Dundee Bypass in December 2017 and advances the Newberg Economic Development Strategy. The NDIP established 10 Big Ideas within its framework which include Gateways, First Street Improvements, Hancock Street Improvements, East End Gateway District, West End Mill District, Second Street Mixed Use District, Civic/Cultural Corridor, Core Catalyst Development, North/South Connections and Celebrate Art.

- Actionable Steps

The NDIP is set up as an actionable plan with activities to occur each year. Over the next two years key actions include working with property owners in the West End Mill District to establish a new zoning designation, developing a streetscape/wayfinding/gateway plan, developing a road diet design agreement with ODOT for First Street and Hancock Street and pursue Oregon Transportation Commission approval, preparing a development opportunity study for the East End Gateway District, establishing an infill housing demonstration project in the Second Street Mixed Use District, establishing a Civic/Cultural Corridor Task Force, developing a program for the Butler property and recruit a hotel developer under the Core Catalyst Development category, preparing a trolley feasibility study under the North/South Connections category, establishing a public art program, preparing an urban renewal feasibility study/plan/report, evaluating the feasibility of a vertical housing program, and implementing a parking management program.

- Fiscal impact/alternatives

West End Mill District comprehensive plan and zone change - \$60,000
 Streetscape, Wayfinding and Gateway Plan - \$100,000 - \$120,000
 East Gateway Development Opportunity Study - \$60,000
 Trolley Feasibility Study - \$60,000 - \$75,000
 Urban Renewal feasibility, plan and report - \$100,000

Other activities over the next two years are staff time. Overall implementation of the Newberg Downtown Improvement Plan is estimated at \$25M.

* Timeline

The timeline is based on initiating activities in July 2017.

Year 1 - West End Mill District comprehensive plan and zone change - \$60,000
 Year 1 - Urban Renewal feasibility, plan and report - \$100,000
 Year 2 - Streetscape, Wayfinding and Gateway Plan - \$100,000 - \$120,000
 Year 2 - East Gateway Development Opportunity Study - \$60,000
 Year 2 - Trolley Feasibility Study - \$60,000 - \$75,000

- Other considerations

8. Downtown 99 Issues

- Background/ Define the problem

As part of the development of the Newberg Downtown Improvement Plan one of the big ideas that was developed was modification to the number of travel lanes for First Street and Hancock Street. The concept is to reduce the current three travel lanes in each direction down to two travel lanes in each direction. Turn lanes will still be provided at intersections where the traffic volumes warrant. On First Street the intent is to widen the sidewalks and on Hancock street to provide additional on-street parking on the north side of the roadway. The challenge with this modification is that First Street and Hancock Street are under control of the Oregon Department of Transportation (ODOT) which as a variety of designations for freight movement over the roadway. To achieve the City's vision it will require significant dialogue with ODOT, various ODOT committees and will need approval from the Oregon Transportation Commission.

- Actionable Steps

Resolve policy and analysis issues with ODOT including alternative mobility standards for application of a Special Transportation Area designation for downtown Newberg.

Enter into a road diet/design agreement with ODOT.

Pursue Oregon Freight Advisory Committee and Oregon Transportation Commission approvals.

Design and Programing through coordination of other big ideas from the Newberg. Downtown Improvement Plan.

Determine project limits and phasing including temporary improvements and permanent improvements.

Final design.

- Fiscal impact/alternatives

The cost of removing a travel lane the entire length of First Street on a permanent basis is estimated at \$9.3M. Cost for a temporary lane removal is estimated at \$2.1M. Values are based on 2016 dollars.

The cost of removing a travel lane the entire length of Hancock Street on a permanent basis is estimated at \$2.7M. Cost for a temporary lane removal is estimated at \$1M. Values are based on 2016 dollars.

Funding for the improvements will be a critical component. The Newberg Downtown Improvement Plan identifies an urban renewal program as a possible funding source. Other funding sources could include ODOT funding programs

- Timeline

The timeline is based on initiating activities in July 2017.

Year 1 - Resolve policy and analysis issues with ODOT including alternative mobility standards for application of a Special Transportation Area designation for downtown Newberg.

Year 1 - Enter into a road diet/design agreement with ODOT.

Year 2 - Pursue Oregon Freight Advisory Committee and Oregon Transportation Commission approvals.

Year 3 - Design and Programing through coordination of other big ideas from the Newberg. Downtown Improvement Plan.

Years 4-6 - Determine project limits and phasing including temporary improvements and permanent improvements.

Years 7+ - Final design.

- Other considerations

The temporary lane removal concept for First Street includes a possible pilot project using portable planters to test the receptiveness of reducing the street from three lanes to two lanes. The location of a possible pilot project is between Howard Street and College Street. Another option is that ODOT may have to do some street overlay work on First Street that may provide the opportunity to implement some of the permanent improvements envisioned by the Newberg Downtown Improvement Plan.

9. Implement SharePoint

SharePoint is a software/hardware solution that provides a centralized communication portal including:

- Records Management
- Eliminates duplicate and inefficient workflows
- Enables collaboration between teams and departments
- File management
- Custom applications
- Custom workflows
- Information delivered at the team, department, and citywide levels.
- Reduce or eliminate paper based workflows.
- Content management

10. Implement a City-wide Trails Systems:

In 2007, the City adopted the Newberg ADA/Pedestrian/Bike Route Improvement Plan to guide future city investments in its alternative transportation infrastructure.

The purpose of the plan was to provide a guide to the City to create an improved alternative transportation infrastructure that will provide for more direct, convenient, and safe bicycle, wheelchair, and pedestrian travel between key community destinations.

The plan provides:

- * An evaluation of current planning documents pertaining to pedestrian/bike/ ADA accessible routes within the city.
- * An overview of federal, state and local standards and regulations applicable to subject facilities.
- * Identification of critical pedestrian/bike/ADA accessible routes throughout the city, including a prioritization of primary critical routes.
 - A field inventory of critical route conditions and improvement needs
 - A planning-level cost estimates for route improvements.
 - Identification and matching of specific funding sources for primary critical route improvements, both existing internal city resources and outside funding sources.
 - Development of ADA spot improvement program.
 - Description of design guidelines for route facility improvements.

Fiscal Impact: (2017 planning estimate):

Project (Street / Trail) Planning-Level Cost Estimate for Full Route Improvements
Planning-Level Cost Estimate for Single-Side Improvements (route side)

2nd Street	\$25,000
	\$9,900 (north)
6th Street	\$28,000
	\$9,900 (north)
11th Street	\$240,000
\$78,000 (north)	
Chehalem Drive	\$2,000,000
	\$650,000 (east)
Columbia Drive	
/ Crestview Drive	\$2,100,000
	\$322,000 (north side of route, crossing to south side at Hoskins)
Crater Lane	
/ Lynn Drive	\$310,000
	\$99,000 (west side between Foothills and Mountainview, cross to east side)
Foothills Drive	\$20,000
	\$0 (south side is accessible)

Highway 219	\$25,000
	\$25,000 (bicycle route signage)
Howard Street	\$70,000
	\$40,000 (west side of route)

Long-Term Projects

Project (Street / Trail) Planning-Level Cost Estimate for Full Route Improvements
Planning-Level Cost Estimate for Single-Side Improvements (route side)

14th Street /	
Waterfront Street	\$500,000
	\$215,000 (south)
Aspen Way	\$2,100,000
	\$1,005,000 (east)
Brutscher Street	\$90,000 \$0 (west side is accessible)
Crestview Drive	\$850,000
	\$277,000 (south)
Fernwood Road	\$700,000
	\$315,000 (north)
Emery Drive /	
Douglas Avenue /	
Vittoria Way	\$35,000
	\$15,000 (west/south)
Hayes Street /	
Providence Drive	\$105,000
	\$45,000 (north/west)
Hoskins Street	\$115,000
	\$23,000 (east)
Rogers Landing Road	\$850,000
	\$600,000 (east)
Sitka Avenue	
/ Hancock Street	\$160,000 \$62,000 (north)
Morton Street	\$325,000
	\$122,000 (east)
Zimri Drive	\$630,000 \$322,000 (east)
Hess Creek Trail	
(off-street)	\$375,000 N/A
Chehalem Creek Trail	
(off-street)	\$2,100,000 N/A

11. Improve the Transit System:

The Yamhill County Transit Area District (YCTA) is responsible for coordinating public transportation services in Yamhill County. YCTA contracts with two (2) primary public transit service providers: Chehalem Valley Transit [Chehalem Valley Senior Citizens Council]; and YCAP [Community Action Agency of Yamhill County, Inc.)

Chehalem Valley Transit provides fixed route and demand/response ("dial-a-ride") services within the City of Newberg. The service has thirty-one scheduled stops. CVT also operates LINKS a commuter orientated fixed route service that operates between McMinnville and Sherwood with stops in Lafayette, Dundee, Dayton, and Newberg (99W Corridor LINK).

In Sherwood it connects with Tri-Met Route 12. Hours of Service - The Town Flyer operates on one-hour fifteen minute headway Monday through Saturday starting at 8:00 am with the last ride terminating at 4:57 pm. LINKS 99W Corridor LINK service is provided Monday through Friday with ten (10) round trips. The earliest trip leaves Newberg for McMinnville at 5:30am and ending at Nap's at 8:14. A LINK Saturday service is also available starting at 8:14 a.m. at Newberg Nap's for Sherwood making three (3) complete trips ending at Newberg Nap's at 4:13. Demand/Response Service - CVT provides dial-a-ride service primarily for seniors and disabled within Dundee, Newberg, Dayton, Carlton, Yamhill and St. Paul. Trips can be for any purpose such as medical, shopping or social. Particular emphasis is given to service to the Newberg senior meal site.

Councilmember Essin is the City's representative to the Transit Authority.

The City has been asked to become more engaged in planning enhanced transit services throughout the County.

Current budget appropriation for transit: \$18,000

12. Options for tackling NERPS

- a. Priority Statement – Develop a strategic plan for reducing the unfunded liability of the Newberg Employee Retirement Plan
- b. Background (the problem) – The City's retirement plan, like many defined-benefit governmental plans, has a greater liability for benefits than assets, creating an unfunded liability. As of the July 1, 2016 actuarial valuation report, the City's plan is 61% funded with an unfunded liability of \$11.7 million. There are multiple factors in the equation that make this a complex problem to solve. Variables in the equation include investment earnings on plan assets, the benefit structure of the plan for future participants, and other various assumptions.
- c. Actionable steps and timeline
 - i. Education – Provide a basic understanding in common language as to the plan and the financial status. Target audience is City Council, Budget Committee, and the general public. 2017.
 - ii. Investment Management – Establish a routine (twice a year) review of investment performance and make strategic changes to maximize return. The City Council will receive a report and opportunity to make investment changes within the next month. In process and ongoing.
 - iii. Plan Structure Changes – Continue to make changes to the plan benefits where possible to reduce the liability. One step taken in the last 9 months was the

agreement with Oregon PERS to accept new hires after August 1, 2016 into the PERS plan rather than NERPS. There is one remaining employee group (Public Works Union) where new employees would continue to join the NERPS plan. This will be an action items for 2017.

- d. Fiscal impact/cost estimate to complete goal – The current unfunded liability is \$11.7 million. This number is measured every year and will need to remain a top priority in the competition for limited resources.
- e. Other consideration – The City will design the strategy and plan with its retirement consulting firm, Impact Benefits, as well as the actuaries from the Principal Financial Group (who manages the plan administration, investments, and benefit payments).

13. Proceed with TVF&R Annexation

The City and Tualatin Valley Fire & Rescue have entered into a two-year agreement starting July 1, 2016 and terminating on June 30, 2018.

The parties shall decide on or before 5 June 30, 2017 whether it is in the interest of the parties respectively to pursue annexation 6 of the territory within the City to the District for purposes of fire and emergency services.

In the event the parties determine that annexation is in their best interests, they shall work together in the second year to effect such result. In the event, however, that either party determines it is not in their best interest, the parties shall work together to effectively disassemble the contractual relationship and restore the fire and emergency services under the auspices of the City. If termination is the result, such termination will occur upon expiration of this Agreement.

14. Improve Communication with the Public

In 3 years the City will have a consistent feedback mechanism to ensure that City communications are meeting community and staff needs. Within 12 months develop a communications plan, including staffing and training that establishes an outreach process to the community and a method to obtain feedback.

- A Community Engagement position was created in the 2016-17 budget and Rosa Olivares assumed full time duties of the position in December, 2016.
- Rosa has interviewed Council members and department Directors as part of her research to complete a communications plan by June, 2017.

EXISTING PRIORITIES (2016-2017)

I. VISIONING

In 3 years, complete a community visioning process.

- Defining the Council's ideas of a community visioning process will occur at a Council meeting or workshop in the 1st quarter of 2017.
- In related visioning activities Community Development has undertaken a Newberg 2030 program with a web survey to address topics related to growth, housing, and jobs as we look to the future.
- The Newberg 2030 project looked at future growth, how the community can best accommodate a growing population while also maintaining a certain quality of life, and while also balancing the competing demands of growth and density. The project explored questions of balance – land & density, parking & infill – as well as discussed, flexibility in housing types, Newberg “look and feel”, areas for more dense residential neighborhoods.
- A poster and Facebook ten week survey was organized and conducted by Jessica Pelz, AICP, associate planner collected information about community values. Posters were displayed at Social Goods Market, Friendsview, Library, Chehalem Cultural Center, and City Hall. A Facebook page survey reached 3,920 people.
- A Focus 2030 committee of (Chehalem Park and Recreation District, City, Newberg School and Portland Community College, Newberg Center are also working on a Community survey of values that is designed to contribute to a revised vision for the community.
- The City of Newberg is preparing to address its long-range land needs by doing preliminary Newberg 2030 program for the new streamlined urban growth boundary (UGB) amendment method. The analysis is using existing city documents and a collaborative public process to help establish a vision for the community related to future growth in both the residential and employment sectors. The City received a Technical Assistance Grant from the Department of Land Conservation and Development in the amount of \$30,000.00 to work on this project.

Work on this project is expected to go through May 2017.

II. TECHNOLOGY

Within 3 years obtain functional software/hardware that reduces redundancies and duplications through the integration of departmental systems. Within one year the City will develop a technology plan that addresses the long-term equipment and software needs of all departments. The plan focus should be on the judicious use of funds to meet long-term needs rather than applying short-term “Band-Aid” fixes.

Attached is the strategic plan. On the last page it gives an explanation of how the sum of these projects accomplish the council goal.

SharePoint being one of the biggest pieces of it (The new building permit software is another big piece). SharePoint is a software/hardware solution that provides a centralized communication portal including:

- Records Management
- Eliminates duplicate and inefficient workflows
- Enables collaboration between teams and departments
- File management
- Custom applications
- Custom workflows
- Information delivered at the team, department, and citywide levels.
- Reduce or eliminate paper based workflows.
- Content management

Research for long-term equipment and software needs is in process with projected draft plan due by April, 2017.

III. FUNDING/FISCAL

Within 18-24 months develop a 5-year financial plan to guide long term fiscal health for the City. Within one year create a fiscal policy that addresses use of debt, preservation of contingencies and reserves and insures that fee structures are consistent with service levels. These policies will be used to help develop the financial plan.

- A Long Range Financial Committee of private and public financial experts, residents and staff was commissioned by the City has met 4 times, with 3 of the meetings spent on reviewing financial policies, and the 4th meeting spent looking at other cities' long range financial planning documents.
- A template for the Five Year Newberg plan document (without real numbers) for the Committee to provide input has been developed. Plan includes financial policies (debt, reserves, preservation of contingencies, facility and equipment replacement). Excel models for payroll and the City-wide budget have been prepared.
- A Master fee schedule has been completed in 2016 and will be revised, based on service level requirements, and presented for Council discussion and approval in February, 2017. Plan is to return to Council on the Jan 3 work session.

IV. 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.

- Thirty-four master plans initiated or approved by the City have been catalogued and categorized (list attached).
- Throughout 2016, staff have been reviewing approved and proposed plans to resolve any conflicting goals or actions. A draft copy of the current statuses of the master plans is attached.

V. COMMUNICATIONS

In 3 years the City will have a consistent feedback mechanism to ensure that City communications are meeting community and staff needs. Within 12 months develop a communications plan, including staffing and training that establishes an outreach process to the community and a method to obtain feedback.

- A Community Engagement position was created in the 2016-17 budget and Rosa Olivares assumed full time duties of the position in December, 2016.
- Rosa has interviewed Council members and department Directors as part of her research to complete a communications plan by June, 2017.

VI STAFFING

In 18 months, we will create a fully functional and operational HR function to meet citywide staffing goals as defined in a staffing plan.

- Anna Lee, Human resources professional with over 15 years of public (City of Sherwood) and private experience started work on June 28, 2016.

Since her hire, Anna has organized the department and moved to create a fully functional department. A temporary Human Resources Assistant was hired to update employee job descriptions and an employee manual update. Recruitment for a permanent hire is in process.

- There have been 16 total new hires since 7-6-16
- Updating all job descriptions is scheduled for completion by July, 2017
- Supervisor / Employee Training has been initiated including

2. All staff meetings and seminars have been held or scheduled through the end of the calendar year and first quarter of 2017 including: Resilience in the Workplace Sept 15th ; - 75 employee attendees; December 15, 2016 – Communication – How to say it at work, December 15; Preventing Harassment in the workplace training – 12-13-16 Public Works; Supervisor Training – work plans and evaluations 12-2016 Creating Supervisor Training - will coordinate with CIS to present – target date of 2017 to coordinate with Employee Manual update.
- Employee/Association Meetings have been organized and convened.

COST ESTIMATE SUMMARY

	Priority	Component	Cost Range	Note
1	Road Repair and Maintenance		\$2.5 million	Transportation Utility fee; gas tax, bond, property tax
2	Repair and replace sidewalks	9 th St	242,000	Consideration of sidewalk fee; street maintenance fee
		Blaine St	351,000	
		College	9,300,000	
		Dayton	304,000	
		Elliot	1,100,000	
		Illinois/College/Vermillion, Fulton, Villa, Haworth	1,700,000	
		Main St	2,300,000	
		Meridian, Crestview	335,000	
		Mountainview	2,500,000	
		River	2,700,000	
		Springbrook Rd	4,000,000	
		Villa	5,100,000	
		4 th St	310,000	
			3,100,000	
3	UGB Expansion	Division 38 consultant	150,000	Possible State LCDC grant \$50,000
		Infrastructure consultant	TBD	
		Traditional Division24 process	100,000	Housing Need and Economic Opportunities Analysis
4	Affordable Housing	To be determined		
5	Riverfront Plan	Master Plan Study	200,000	State Grant
6	Emergency Preparedness	Emergency Prep Contract	20,000	
		Materials and Supplies	10,000	
		City facility structural study	35,000	
		City facility upgrades	TBD	
		City equipment and employee supplies	262,000	
7	Downtown Plan	West End Comp Plan change	60,000	
		Streetscape, wayfinding plan	100-200,000	
		East Gateway Development Study	60,000	

		Trolley Line Implementation	5-50,000	
		Urban Renewal Feasibility Study	100,000	
8	Downtown 99	Remove travel lane - First	9,300,000	
		Remove travel lane- Hancock	2,700,000	
9	SharePoint		49,000	
10	City Wide Trails			
11	Improve Transit		12,000 – 50,000	
12	Newberg Retirement System	To be determined		
13	TVFR Annexation	To be determined		
14	Improve Communications with Public	To be determined		

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 3, 2017

Order ____ Ordinance ____ Resolution XX Motion ____ Information ____
No. No. No. 2017-3364

SUBJECT: A resolution to authorize the City Manager to enter into a professional services agreement with Kittelson & Associates Inc. to provide engineering, financial, and community outreach services for Integration of the City's Pavement System Management and Funding Master Plan in the amount of \$53,228.81.

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

RECOMMENDATION:

Adopt Resolution No. 2017-3364.

EXECUTIVE SUMMARY:

The citizens of Newberg rely and expect a safe dependable transportation network. The current system is getting older and more expensive to maintain, preserve and expand. The roads are showing significant signs of distress and transportation funding is not keeping up with the need. Cities all over the state are facing a funding gap of more than \$300 million for street maintenance and preservation per a survey conducted by the League of Oregon Cities in 2014. In order to close the funding gap, the City needs to evaluate other revenue options.

Staff has been actively working with the citizens and businesses of Newberg, the City Council and Kittelson & Associates over the last year to create a Pavement System Funding Plan. The Council will be evaluating the proposed Ordinance again on April 17, 2017.

If the funding plan is adopted, there will be a need for additional public outreach, and integration of the fees, etc., into the utility billing system. Additionally, there were additional Ad-Hoc Committee meetings that were not a part of the original scope of work. Staff has negotiated with Kittelson to provide this scope of work as they were the lead consultant on the existing project. The negotiated scope of work and cost breakdown for Council consideration is included as Attachment "A."

FISCAL IMPACT:

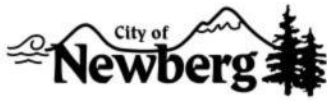
Kittelson and their consultant team will complete the integration of the pavement system maintenance and funding master plan for \$53,228.81, which has not been appropriated in this year's budget. The original contract for Kittelson was \$75,000. Approximately \$18,000 is required to cover costs incurred to date for the additional meetings and analysis beyond the original contract. An additional \$35,228 would cover the costs as described above for public outreach and implementation of the TUF. A future supplemental budget will be necessary to expend these funds from the Street Fund Contingency, which is currently at \$430,155. At this time, no other draws on Contingency are anticipated through the end of the fiscal year.

STRATEGIC ASSESSMENT:

Council Goal 5 - Maintain and modernize the City's transportation and utilities infrastructure. Objective 5.2 – Create a stable road maintenance funding source by looking at alternative funding mechanisms.

Objective 5.3 – Develop street maintenance plan and secure adequate and stable funding with citizen input and community outreach. Objective 5.9 – Consider the safety and accessibility of pedestrians and all roadway users in the improvement of transportation infrastructure.

The preparation of the pavement system maintenance and funding master plan and the subsequent City Council adoption of supplemental funding measures will provide the capital improvement project plan and the additional funding needed to properly maintain the roadways throughout the City. Regular planned maintenance to the street pavement systems will decrease the long term pavement and vehicle maintenance costs, and will increase the mobility, comfort, safety, and livability for everyone that works, lives, and visits the City of Newberg.



RESOLUTION No. 2017-3364

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH KITTELSON & ASSOCIATES INC. TO PROVIDE ENGINEERING, FINANCIAL, AND COMMUNITY OUTREACH SERVICES FOR THE INTEGRATION OF THE CITY'S PAVEMENT SYSTEM MAINTENANCE AND FUNDING MASTER PLAN IN THE AMOUNT OF \$53,228.81.

RECITALS:

1. The citizens of Newberg rely and expect a safe dependable transportation network. The current system is getting older and more expensive to maintain, preserve and expand. The roads are showing significant signs of distress. Transportation funding is not keeping up with the need.
2. Staff has been actively working with the citizens and businesses of Newberg, the City Council and Kittelson & Associates over the last year to create a Pavement System Funding Plan.
3. The Council will be evaluating the proposed Transportation Utility Fee Ordinance again on April 3, 2017.
4. If the funding plan is adopted, there will be a need for additional public outreach, and integration of the fees, etc., into the utility billing system. Additionally, there were additional Ad-Hoc Committee meetings that were not a part of the original scope of work.
5. Kittelson & Associates, Inc. was selected as the most qualified consultant per ORS. 279C.110.
6. Kittelson & Associates Inc. submitted a detailed proposal outlining the scope of work with a reasonable cost breakdown included in Attachment "A" and by this reference incorporated.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council, acting as Contract Review Board for the City, does hereby authorize the City Manager to enter into a Professional Services Agreement Amendment with Kittelson & Associates Inc. to complete the integration of the City's Pavement System Maintenance and Funding Master Plan that includes engineering, financial, and public outreach services in the amount of \$53,228.81.
2. The City Attorney will modify and approve all contracts and agreements as to form and content.
3. The City Manager is authorized to amend the Professional Services Agreement up to ten (10) percent of the contract amount.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: April 4, 2017.

ADOPTED by the City Council of the City of Newberg, Oregon, this 3rd day of April, 2017.

Sue Ryan, City Recorder

ATTEST by the Mayor this 6th day of April, 2017.

Bob Andrews, Mayor

ATTACHMENT “A”

Scope of Services

Pavement System Maintenance & Funding Master Plan - Implementation

March 16, 2017

PROJECT BACKGROUND

The City of Newberg, similar to other agencies in the region, has witnessed the maintenance costs rise with minimal increases to the available funding. This has reduced the amount of pavement maintenance being performed leading to deterioration of the streets.

The City originally retained Kittelson & Associates, Inc. (KAI) to prepare and conduct a public outreach program leading to the identification and approval three deliverables: 1) Maintenance Plan for the rehabilitation of streets, 2) Priority policy, and 3) a funding plan. This phase has been completed.

The City now intends to amend the contract with KAI for the implementation phase of the Transportation Utility Fee (TUF). This work includes additional public outreach, continued detailing of the non-residential parcel square footage and other assessment metrics, and coordinating the utility fee calculations with the City’s Springbrook system.

PROJECT UNDERSTANDING

We are proposing to accomplish this in three phases:

Education – Public Involvement to explain the TUF to businesses, non-profits, and residents of Newberg.

Model Refinement – Recognizing that the building size and other assessment metrics (number of beds for assisted living, number of fuel pumps, or number of students) used to calculate the TUF rates was based on data provided by the County and other sources, the model will require refinement for the individual businesses. This information will be gathered during the Education phase of this contract.

Springbrook Integration – With the Model refined, the rates and fees matrix will be coordinated with the City’s Springbrook Software.

SPECIFIC SCOPE OF SERVICES

Summary of Work

Public Involvement, engineering reports and financial analysis for this project based on the scope of services described herein.

Task 1.0 Project Management and Project Coordination

Task 2.0 Community Involvement Plan

Task 3.0 Model Refinement and Integration

The duration of this phase of the project is assumed to be four (4) months (April 2017) through July 2017)

Consultant RESPONSIBILITIES

Task 1.0 Project Management, Project Coordination, and Project Scheduling

1.1 Project Management

- Provide the management, coordination, and direction to the project team, City of Newberg, and sub-consultants to complete the project on time and on budget.
- Prepare monthly progress reports.

1.2 Project Coordination

The proposed approach to project coordination during this phase is to hold project meetings with key project team members and representatives from the City of Newberg and others as needed. The Project Management Team (PMT) will direct all meetings and provide direction to the rest of the team as the project progresses. These meetings will have a specific agenda addressing and resolving project issues as they are encountered. It is assumed that eight (8) coordination meetings (one hour each) will be held during this phase of the project (four-month time frame).

Task 1.0 Deliverables:

- *Preparation, attendance, and participation in up to 8 meetings, three at KAI office, five at City*
- *Email Meeting Summaries (8 meetings)*
- *Monthly Invoices (four month duration)*

Task 2.0 Community Involvement Plan

2.1 Strategy Session

Consultant will prepare a draft Community Involvement Plan (CIP). Consultant will coordinate a Community Involvement Strategy session with the key stakeholders to layout and discuss the Draft CIP program and timeline. Consultant will prepare a final CIP following receipt of comments from the key stakeholders, advisory committee, and PMT.

2.2 Public Information Campaign

Consultant will develop public information materials for the purpose of explaining the transportation utility fee to businesses and residents. Tasks include:

- A draft media release for the City to distribute to the Newberg Graphic upon adoption, as well as before roll-out of the TUF.
- A public information flyer/brochure for residential/non-residential describing the problem, the TUF, the methodology, and the outcomes/benefits to be expected.
- Review and advising on content for web (information needed for post adoption).
- Developing up to two municipal services bill inserts to share information about the bill, the adopted TUF and benefits, and the roll-out of the TUF and benefits.
- Provide some general guidance/timing on City's use of social media posts after adoption.

2.3 Ad-Hoc Committee

Consultant prepared for and led two additional Ad-Hoc committee meetings to refine the Ordinance and Fee model per Council recommendations and questions.

2.4 Small Group Outreach

Consultant will attend up to eight (8) meetings with small groups or individual businesses including: the Downtown Association, Rotary, Chamber of Commerce, home owners associations, or university/school district to explain the utility fee.

2.5 Community Events

Consultant will provide part-time attendance at community events. Participation will be limited to the budget included with this task. Events include, but are not limited to:

- Old Fashion Festival, Tunes on Tuesday, Farmers Market

Task 2.0 Deliverables:

- *Strategy/Community Involvement Plan (3 to 8 pages, Word and PDF)*
- *Small Group Outreach Meeting (up to 8 meetings, 1-hour in duration)*
- *Draft media release for the Newberg Graphic, to be finalized and distributed by City (2)*
- *8.5x11 flyer or foldable brochures, one for residential and one for non-residential (2)*
- *Web content review memo with direction*
- *Up to three municipal services bill inserts – print ready*

Task 3.0 Model Refinement & Integration

3.1 Fee Structure Model Refinement

The model developed in the original phase of the project was based on data provided by the County and from limited field work / research performed by the consultant. As the Public Information campaign is conducted, the size metric used to calculate the fee for parcels will be verified and updated in the model.

3.2 Integration with Springbrook

Given the variability of water meters (the unique identifier for Municipal Service Statements) and which

parcels they service, the TUF Model will be refined to match the Springbrook system inputs. This includes combining parcels on joint meters and identifying TUF eligible parcels that otherwise do not receive a Municipal Services Statement.

Task 3.0 Deliverables:

- *Updated user fees utilizing the approved rates*
- *Refined fees ready for integration to Springbrook*

Reimbursable Expenses:

The following reimbursable budget estimate is based on our experience with this project type and the governing agencies. It is an estimate only. Additional budget may be necessary to complete the project.

Customary reimbursable expenses mean the actual expense incurred in direct connection with the project. Vehicle mileage is reimbursed at the current IRS rate for project related travel.

The following project related expenses are reimbursed at cost:

- Copy and Reproduction Services
- Travel Expenses, other than private vehicle mileage
- Express Postage

ASSUMPTIONS

CITY'S RESPONSIBILITIES

The City will:

1. Provide mailing lists
2. Provide meeting site and host community events
3. Make reproductions of electronically submitted memorandums

Pavement Maintenance & Funding Master Plan - Integration
City of Newberg
Professional Services - Hourly Breakdown
March 17, 2017
Kittelson & Associates, Inc

				GRG	JLA				
Billing Rate		\$ 190.00	\$ 140.00	\$ 165.00	\$ 144.43	\$ 120.09	\$ 90.52	\$ 70.11	
Task	Associate Engineer	GIS Specialist	Principal	PI 6	PI 5	PI 3	Admin 3	TOTALS	
	AMR	JKS	DG	KK	KS	JH	LY		
Task 1.0 Project management, Project Coordination									
1.1	Project Management	8.00			3.00			4.00	\$2,233.73
1.2	Project Coordination	12.00							\$2,280.00
Total Hours		20.00	0.00	0.00	3.00	0.00	0.00	4.00	27.00
Labor Cost		\$3,800.00	\$0.00	\$0.00	\$433.29	\$0.00	\$0.00	\$280.44	\$4,513.73
Total Cost This Task									\$4,513.73
Task 2.0 Community Involvement Plan									
2.1	Strategy Session	3.00			4.00				\$1,147.72
2.2	Public Information Campaign	8.00	2.00		18.00	36.00	40.00		\$12,343.78
2.3	Ad-Hoc Committee	54.00	8.00	6.00	30.00	12.00			\$18,143.98
2.4	Small Group Outreach	32.00	8.00						\$7,200.00
2.5	Community Events	12.00			8.00		8.00		\$4,159.60
Total Hours		109.00	18.00	6.00	60.00	48.00	48.00	0.00	289.00
Labor Cost		\$ 20,710.00	\$ 2,520.00	\$990.00	\$ 8,665.80	\$ 5,764.32	\$ 4,344.96	\$ -	\$ 42,995.08
Total Cost This Task									\$42,995.08
Task 3.0 Model Refinement & Integration									
3.1	Fee Structure Model Refinement	8.00							\$1,520.00
3.2	Integration with Springbrook	20.00							\$3,800.00
Total Hours		28.00	0.00	0.00	0.00	0.00	0.00	0.00	28.00
Labor Cost		\$5,320.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,320.00
Total Cost This Task									\$ 5,320.00
PROJECT SUMMARY									
Total Project Hours		157.00	18.00	6.00	63.00	48.00	48.00	4.00	344.00
Total Salary Cost		\$29,830.00	\$2,520.00	\$990.00	\$9,099.09	\$5,764.32	\$4,344.96	\$280.44	\$52,828.81
Reimbursables		\$250.00		\$30.00	\$120.00				\$400.00
Total Fee		\$30,080.00	\$2,520.00	\$1,020.00	\$9,219.09	\$5,764.32	\$4,344.96	\$280.44	\$53,228.81
PROJECT TOTAL									\$53,228.81

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 3, 2017

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

SUBJECT: Motion to Appoint Robert F Blackmore, and Innova Legal Advisors PC, as Special Legal Counsel to the City of Newberg and to Authorize the Same to Pursue the City's Legal Remedies and Damages against Metro West Ambulance Service, Inc. for Violation of the Newberg Ambulance Service Area Provisions

**Contact Person (Preparer) for this Motion: Truman Stone
Dept.: City Attorney
File No.:**

RECOMMEND MOTION:

I move that the City Appoint Robert F. Blackmore and Innova Legal Advisors PC, as Special Legal Counsel to the City of Newberg and to authorize the same to pursue the City's legal remedies and damages against Metro West Ambulance Service, Inc. for violation of the Newberg Ambulance Service Area provisions, and authorize the City Attorney to execute the documents necessary to accomplish the same.

EXECUTIVE SUMMARY: The City of Newberg, and by contract Tualatin Valley Fire & Rescue, hold an exclusive franchise to provide ambulance service within the area designated as the Newberg Ambulance Service Area. This exclusive franchise was granted by Yamhill County through county ordinance. For several years, Metro West Ambulance Service, Inc., has been unlawfully operating ambulances within the City's exclusive territory. The City of Newberg, Tualatin Valley Fire & Rescue, and Yamhill County are joining together to enforce the Yamhill County ordinances, enjoin future violation of the same, and to seek redress against Metro West. The parties have determined that appointing Robert Blackmore and his law firm to jointly represent all plaintiffs is the most efficient and cost effective way to proceed. By passing this motion, the Council will authorize the City Attorney to engage Mr. Blackmore, who will then bring legal action to enforce the City's rights and seek damages on behalf of the City.

FISCAL IMPACT: Tualatin Valley Fire & Rescue is paying the upfront costs of the litigation. The City expects to recover damages for interference with the City's ability to transport patients in an amount which at this time can not be determined.

STRATEGIC ASSESSMENT (RELATE TO COUNCIL PRIORITIES FROM MARCH 2016): Not applicable.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 3, 2017

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

SUBJECT: Motion to Approve Mediated Settlement in Case of City of Newberg v. Newman Living Trust (15CV34508)

**Contact Person (Preparer) for this Motion: Truman Stone
Dept.: City Attorney
File No.:**

RECOMMEND MOTION:

I move to approve the mediated settlement agreement reached between the City and the Newman Living Trust for payment in the amount of \$35,000.

EXECUTIVE SUMMARY:

On December 23, 2015 the City filed a condemnation action for property on Villa Road owned by the Newman Living Trust. The purpose of the action is to acquire public right of way to complete the sidewalk system on the west side of Villa Road. The Oregon Constitution requires that just compensation be paid to any property owner whose property is taken for a public purpose. There was a dispute as to the amount of just compensation due, specifically related to two large trees that will need to be removed to build the sidewalk. The parties agreed to mediate the dispute, which occurred on March 20, 2017. At mediation, a settlement in the total amount of \$35,000 was reached. This amount includes cost of acquisition, severance damages, a temporary construction easement, and defendant's costs and attorney fees.

In executive session held March 20, 2017, the City Attorney fully briefed the Council as to the confidential discussions and aspects of the mediation, and described how the mediated amount was reached. The Council had opportunity to ask questions of the City Attorney to its satisfaction.

FISCAL IMPACT: Approval of this motion will result in \$35,000 being paid to the Newman Living Trust.

STRATEGIC ASSESSMENT (RELATE TO COUNCIL PRIORITIES FROM MARCH 2016): This condemnation action was authorized by council resolution.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 3, 2017

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

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

RECOMMENDATION:

Approve City Council minutes from February 21, March 4 and March 6, 2017.

**NEWBERG CITY COUNCIL MINUTES
REGULAR SESSION
FEBRUARY 21, 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 Bob Andrews, Councilors Hayley Delle, Scott Essin, Mike Corey, Patrick Johnson and Stephen McKinney. Councilor Denise Bacon was absent. Also present were Acting City Manager Jay Harris, City Attorney Truman Stone, City Recorder Sue Ryan, Finance Director Matt Zook, Community Development Director Doug Rux, Planner Steve Olson, Tualatin Valley Fire & Rescue Chief Mike Duyck, TVF&R Division Chief Les Hallman and TVF&R Communications Director Cassandra Uhlven.

Mayor Andrews called the meeting to order. For the January 17, 2017, minutes, on the Consent Calendar, Councilor Corey was not in the attendance for the regular Council meeting. Items added to Council Business included: Town Hall announcement, Employee Recognition Breakfast, and City Attorney item.

PRESENTATIONS:

TVF&R Division Chief Hallman asked if the City Attorney could explain the Council's authority on the decision to annex into the Fire District. City Attorney Stone said there was a question about whether or not the City had to refer the matter to the voters. The State statute was not a model of clarity, and he discussed it with the attorney from TVF&R. He thought the Council had the authority to start the process by passing a resolution to annex into the district. The TVF&R district board had the option to accept the request and set it to a vote or not depending on the parameters. In Newberg's case, the parameters were met as they had to do with population, and there did not need to be a vote. The TVF&R board could accept the request to annex and no vote was required or refer to the electorate.

Councilor McKinney asked if it would be an advisory vote or a yes or no vote. CA Stone said it would be yes or no vote to annex by the TVF&R District. TVF&R Division Chief Hallman said things were going well with the agreement with the Fire District. One of the problems before the City contracted with TVF&R was staffing and service delivery. Resources had been stretched thin and they had to rely on volunteer fire fighters. Those volunteers were having a hard time committing the amount of hours needed. It left Fire and Emergency Services operating below national safety standards. The timing was right to contract with TVF&R, especially since it increased staffing and equipment. At the same time, TVF&R wanted to fit in with the community and carry on the traditions of the Newberg Fire Department.

Cassandra Uhlven of TVF&R said at the Intergovernmental Council meetings, there had been conversations about the importance of communicating with Newberg residents about this issue. She referred to the handout on the Community Outreach Schedule for Fire Protection and EMS in Newberg 2017 (Exhibit A). This schedule would engage the public and garner a lot of citizen input. It would also allow the outreach to happen before the deadline for the decision.

John Campbell and Martha Delong from Campbell Delong Resources, Inc. explained their background and experience with public engagement. How they did a focus group was through a scientific polling where a real cross section of the community was engaged. Through that research and quantitative work, they could measure what was exact opinion and what types of information was most relevant to the public. This would be a two-phase project, starting with focus groups of 12 people for 90-minute discussions and a quantitative survey where a large sample of community members would be asked questions. There was discussion on what the outreach would consist of and what parts of the community would be involved as well as the consultants' previous experiences with TVF&R.

Councilor Johnson asked Division Chief Les Hallman and TVF&R Chief Mike Duyck about the arrangement between the City of Newberg and the rural areas. Chief Duyck said there was a Newberg rural fire protection district that was a separate governing entity and had their own tax rate. They contracted with the City of Newberg for fire service. They had discussed the annexation with the rural district. Their contract with the City was still in place and TVF&R was currently providing their fire service. Councilor Johnson wanted to know how the service from TVF&R compared to what the City of Newberg had provided. Chief Hallman said TVF&R was providing all that the City did before, but with a much higher amount of resources.

Newberg Downtown Coalition Chair Mike Ragsdale and Tom Lasounde presented information on interim uses for the City's downtown Butler property. When the Newberg Downtown Plan was completed, there was a request that the Coalition take a look at interim uses for the Butler property. The property was on First and Howard Streets and is currently used for occasional events. Some interim use ideas include: a creative co-working and micro-business space, two-story structure with small retail below and office above, food carts, micro-restaurants, plaza, and downtown student housing structure. Further evaluation was needed to determine a permanent use for the property. The interim recommendation was to further analyze three options: leasing of modular units, market the space as an active rental space, or rent pads to various vendors. They were seeking the Council's direction on a preferred interim use, creation of a task force to conduct a detailed analysis on the preferred solution, and to implement the solution. There was discussion regarding the future uses and concerns of Councilors regarding the use of the site. The Council would get back to the NDC with their direction on a preferred option.

CALL MEETING TO ORDER

The Mayor called the business session to order at 7:15 p.m.

ROLL CALL

Members Present:	Mayor Bob Andrews	Scott Essin	Stephen McKinney
	Hayley Delle	Mike Corey	Patrick Johnson

Member Absent: Denise Bacon

Staff Present:	Jay Harris, Acting City Manager	Truman Stone, City Attorney
	Sue Ryan, City Recorder	Doug Rux, Community Development Department
	Leah Griffith, Library Director	Kaaren Hofmann, City Engineer
	Sonja Johnson, Environmental Engineer	

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was performed.

PRESENTATIONS:

Rea Andrew Proclamation:

Mayor Andrews proclaimed the City's thanks and appreciation to Rea Andrew for her long employment with the City of Newberg.

MOTION: McKinney/Johnson moved to adopt the proclamation. Motion carried (6 Yes/0 No/1 Absent [Bacon]).

Newberg Cultural District Annual Report:

Leah Griffith, Cultural District representative, gave the annual report. She explained the boundaries of the cultural district, Intergovernmental Agreement that created the district, Executive Board members and duties, Cultural Center staff duties, and events in 2016. She reported on Tunes on Tuesday, Parking Management Plan, Wayfinding Plan, City Festival street designation, and media outreach. Future projects include: funding for permanent signage, bringing more public art to the Center, and working with CPRD on a ballroom patio. Their goal was to develop a special place for people to enjoy cultural and arts experiences and enhancing Newberg as a destination for tourists.

CITY MANAGER'S REPORT: Acting City Manager Jay Harris discussed the recent significant rainfall events and issues on Springbrook due to street construction. There were no pump station overflows. The Inflow and Infiltration Program was working. Many potholes were occurring because of the rain and staff could not adequately patch them until the weather was dry and warmer.

PUBLIC COMMENTS: None.

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CONSENT CALENDAR:

MOTION: Corey/Johnson moved to approve the Consent Calendar including Council Minutes for January 17, 2017 as amended and directing an administrative change to collection of the City's Marijuana Sales by having the Finance Director modify the city's marijuana tax forms to reflect a tax rate of 3% for recreational sales and 0% for medical sales from March 1, 2017 until further action by the Council. Motion carried (6 Yes/0 No/1 Absent [Bacon]).

PUBLIC HEARING:

Resolution 2017-3354:

Mayor Andrews opened the public hearing and called for any abstentions or conflicts of interest on the part of the Council or objections to the Council's jurisdiction on this matter. There were none.

City Engineer Hofmann presented the staff report (Exhibit B). The City owned two parcels north of Bell Road, and access to both were through an existing gravel driveway shared with the Specter family. In 2014 it was determined that improvements constructed by the neighboring property owners encroached on City property. In discussions, Ms. Specter asked if the public utility and access easement was intended for municipal or residential use. Negotiations were entered into and the solution was to make a property line adjustment to include the encroachments on the parcel owned by Ms. Specter and the easement would be used by both the City and Chehalem Springs Association to maintain Oliver Springs and to access any future reservoir. The cost difference was \$568.20 and Ms. Specter was willing to pay that amount. Notice was provided for the proposed sale. This would be the sale of about half an acre. Staff recommended approval of the resolution.

Proponents: None

Opponents: None

Undecided: None

Mayor Andrews closed the hearing.

MOTION: Corey/Essin moved to adopt Resolution 2017-3354, A Resolution authorizing the City to purchase an easement located on Bell Road from Sara Specter; to sell property located on Bell Road to Sara Specter and Authorizing the City Manager to execute documents to complete the purchase and sale. Motion carried (6 Yes/0 No/1 Absent [Bacon]).

Ordinance 2017-2814:

Mayor Andrews opened the public hearing and called for any abstentions or conflicts of interest on the part of the Council or objections to the Council's jurisdiction on this matter. Councilor Johnson said due to his position at the Oregon Lottery, he would be recusing himself from discussing and voting on this matter. Councilor Johnson left the dais to sit in the audience.

CA Stone presented the staff report. The Oregon Revised Statutes stated that OLCC might require every applicant for issuance or renewal of a liquor license to acquire a written recommendation from the City Council if the place of business was in an incorporated city. When he came to the City, the Police Department was processing liquor licenses. He looked at what other cities did and put together a process that would work for Newberg. The Council passed a resolution in 2001 delegating to the City Manager the ability to make these decisions, but it was not in the Code. The changes he proposed would become a new section of Code. The process was to authorize the Police Chief to have his department make an investigation and forward a recommendation with specific criteria to OLCC. If someone received a recommendation for denial, they could appeal it to the Council. Staff recommended adoption of the ordinance.

Proponents: None

Opponents: None

Undecided: None

Mayor Andrews closed the hearing.

MOTION: McKinney/Corey moved to waive the second reading of Ordinance 2017-2814. Motion carried (5 Yes/0 No/1 Absent [Bacon]/1 Abstain [Johnson]).

MOTION: Corey/Essin moved to adopt Ordinance 2017-2814, An Ordinance establishing criteria for review of liquor license applications, making recommendations to the Oregon Liquor Control Commission (OLCC), delegating review authority to the Chief of Police, and creating an appeal process. Motion carried (5 Yes/0 No/1 Absent [Bacon]/1 Abstain [Johnson]).

Councilor Johnson returned to the dais.

Resolution 2017-3357:

Council President McKinney opened the public hearing and called for any abstentions or conflicts of interest on the part of the Council or objections to the Council's jurisdiction on this matter. Councilor Johnson met with several people who were Veritas families as his kids went there four years ago and he had donated to the school in the past. Council President McKinney said he had talked about this item with staff to prepare for the hearing and received a phone call from Bill Rourke.

Environmental Engineer Johnson presented the staff report. This was an Advanced Financing District request from Veritas School for a public water and wastewater line that was put in in 2015. An Advanced Financing Agreement could be used per the Municipal Code to allow developers to recoup costs associated with constructing public improvements that could also benefit other properties. It was a ten-year agreement that could be extended for an additional ten years. In the Veritas agreement it could only be extended for another eight years as it was constructed in 2015 and this was now 2017. She explained the Advanced Financing District process and how costs would be apportioned among the benefitting properties. The City signed a Development Agreement with North Valley Friends. Veritas purchased property from the Friends group. They constructed a water and wastewater public main line in 2015. The benefitting properties were not in the City in 2015, and in April 2016 an intervening property was annexed. There were 10 properties that would benefit from the water line, and 15 properties that would benefit from the wastewater line. She explained the two possible methods of apportionment, and how the acreage method was chosen. The costs that could be reimbursed to Veritas would be \$282,000. But of that amount \$230,000 was either exempted from a future AFD or was part of the Veritas properties. That left about \$51,000 that could potentially be reimbursed.

Councilor Essin asked about the letter submitted by Bill Rourke stating he had a verbal agreement on the intended use of some of the property (Exhibit C). City Attorney Stone said some of the issues raised were beyond the scope of the Municipal Code. The verbal agreement was not criteria included in the Municipal Code and could not be a consideration. However, this was a discretionary decision. The City was not in the position to enforce contracts between two private parties.

Proponents: None

Opponents:

Jerry Brown, Newberg resident, said his property already had City water and he had a septic tank. He did not think he should have to pay for the water and wastewater lines. He questioned how the City determined the cost and did not think it would benefit him.

City Engineer Hofmann said Mr. Brown was on the Water District water, not the City water. If he were to develop his property in the future, he would not be able to continue to utilize the Water District water. It was the same with the septic system, or if the septic system failed. He would be required to pay only if the property was developed or his system failed. If the property was already connected, it would not be listed as one of the benefitting properties.

Joey Rourke, Newberg resident, read a letter from his father, Bill Rourke, into the record (Exhibit C). Mr. Bill Rourke was in opposition of the resolution. He gave an easement to Veritas at no cost based on a long-standing cooperative relationship. He and Veritas had a verbal agreement which had not been honored. The inclusion of labor and equipment that were donated should not be included in the recoup costs. He offered to make a donation at the time so he would not have to pay if he developed his property and later volunteered to pay for the upgrade to the pump station. There was also

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an agreement for Veritas to return his property to its intended use as pasture. That agreement had not been met and his pasture could not be used. Rocks and trees had been put on the property from the construction and three manholes had not been graded. The donated labor and equipment were services that Veritas did not pay for and should not have been included in the amount that was the basis of this application. He asked the Council to postpone the decision until these issues were addressed.

Undecided:

Mike Stice of Veritas School said the school was established in 1997 and their mission was to provide classical, Christ-centered education. They were not experts in developing property. He gave a background on the Development Agreement for the five acres they purchased. Veritas made the investment to bring the City water and sewer line up 2,100 linear feet to the property. They became aware of an AFD that would help reimburse some of that investment. They had not agreed that the acreage method was the most equitable method for assessment of the AFD, however after discussions with staff about the best method to use, staff thought the acreage method was still the preferred method due to the shape of the some of the parcels. He asked that the Council evaluate both the acreage method and frontage method for assessment. He referred to a handout (Exhibit D). Veritas did invest \$282,000. The current reimbursement of about \$51,000 was 18% of the cost. The frontage method would be a possible reimbursement of \$126,000 or 45% of the cost, which was a more equitable portion.

Councilor Johnson asked why Veritas had not contacted their neighbors when they applied for the District. Mr. Stice said they were not required to. Council President McKinney asked about the issues raised by Mr. Rourke in his letter. Mr. Stice responded Mr. Rourke and Veritas had a good relationship over many years, and he did provide an easement. Mr. Rourke had suggested making a donation to Veritas as opposed to paying an AFD fee. Since that time, there had not been verbal or written suggestions of a donation to Veritas.

City Attorney Stone asked why he thought the frontage method was more equitable. Mr. Stice said the pipes were put in by linear feet to go across the frontage of the properties and the reimbursement by acreage did not take that into account.

Environmental Engineer Johnson explained that staff thought the acreage method was more equitable as it had to do with the ability of the larger properties to potentially use the capacity of the public main lines more than the other smaller properties. Larger properties had a greater impact on the lines.

Council President McKinney closed the hearing.

Environmental Engineer Johnson said staff recommended adoption of the resolution.

Councilor Johnson asked if it was appropriate to take out the cost of the easement in the assessment. City Attorney Stone thought it would not be appropriate and suggested not getting involved in a private dispute. The Council had to look at what was fair, and not any verbal agreements. He explained how AFDs could be assessed. Staff thought the acreage method was the most equitable based on the fact that most of the lots did not have much frontage and the ones that did were relatively small. City Attorney Stone explained the Friends Church would not be involved in the AFD because of a separate agreement with Veritas School where they were paying a different amount.

Deliberations:

Council President McKinney was not in favor of the resolution. He thought a better method could have been used for the assessment. Councilor Corey was in favor as he agreed with staff's determination that acreage was the best method. Mr. Rourke's issues were civil matters that needed to be dealt with privately. Councilor Johnson was also not in favor. He thought Veritas needed to talk to the property owners and get an agreement that everyone could support. Mayor Andrews asked if the AFD would affect the construction of the school. CDD Rux said no, they could proceed with the school. There was discussion regarding the agreement being binding for 10 years and what issues were and were not in the Council's purview.

MOTION: Essin/Andrews moved to approve Resolution 2017-3357, A Resolution authorizing an Advanced Financing Agreement between the City and Veritas School for the construction of a 10-inch public wastewater line and an 8-inch public water line on North College Street. Motion failed (2 Yes/4 No [Johnson, Delle, McKinney, Andrews]/1 Absent [Bacon]).

NEW BUSINESS:

Wastewater Inflow and Infiltration Private Lateral Program:

City Engineer Hofmann explained what inflow and infiltration was and how they made a difference in the wastewater flow. They prioritized the collection system rehabilitation to reduce peak water flows to the Wastewater Treatment Plant and to delay capacity related improvements. Since their last presentation to Council in 2015, staff had been rehabilitating public lines through the Capital Improvement Program with some dramatic improvements. The I & I program for this year included replacing additional public laterals in the Aquarius area and lining several hundred linear feet of main line pipe. Rehabilitation of private laterals needed to be done in combination with improvements to the public system. In September 2015, Council gave direction to staff to require property owners to pay for these improvements and for staff to come up with guidelines for how to notify property owners about the issue, loan program if there was a hardship, contracting out with general contractors for the work, and an education campaign on the importance of reducing I & I.

When there was a City project, private lines would also be inspected. There were guidelines in the Municipal Code for when lines were considered failing and when they were not. If there were complaints received, they would be inspected. Private lines might also be inspected through smoke testing or dye testing. If a need for repair was determined, a letter would be sent to the property owner. The property owner had 90 days to repair the lateral. If it was done within 30 days, the City could offer an incentive of \$100 off their Municipal Services Statement. Staff suggested instead that a qualified list of contractors be provided to property owners. If there was a hardship, a portion could be funded through a loan program. Up to 75% of the cost could be financed. They could start with \$50,000 per year in the budget and it would be on a first come, first serve basis. She then explained the hardship criteria. An educational brochure was created for public outreach.

There was discussion about whether \$50,000 was enough, what other jurisdictions did, and how many laterals would need to be repaired. City Engineer Hofmann said generally the cost to replace laterals was \$3,500 to \$5,000. ACM Harris explained the benefits to the property owner for replacing the laterals were that the lines would not need to be cleaned out as often and it would improve property values. Councilor Johnson was concerned about annual income and the program not being affordable. Councilor McKinney asked about the terms. CE Hofmann said a five-year term on the loan had been discussed and the interest rate would be tied to a common lending factor. There could be a sliding scale depending on how much was loaned. If everyone paid for the repairs, it would make the rates increase. This would be a maintenance requirement for property owners. There was discussion regarding whether or not to require property owners to pay for the private laterals as opposed to the City.

MOTION: Johnson/McKinney moved to implement the Wastewater Private Lateral Program as outlined. Motion carried (6 Yes/0 No/1 Absent [Bacon]).

MOTION: Corey/Essin moved to have the City Attorney create the financing instrument with review and approval of the Finance Director and the City Manager. Council also delegated the authority to the City Manager to approve loan applications for this program. Motion carried (6 Yes/0 No/1 Absent [Bacon]).

COUNCIL BUSINESS:

Mayor Andrews announced a Town Hall in McMinnville March 3. The Employee Recognition Breakfast would be held February 22 and Local Government Dinner February 23. There was Council consensus to discuss the future uses of the Butler property in a future work session. Councilor Johnson moved to direct staff to come back with some suggestions at a future date for use of the Butler property. Motion died for lack of a second.

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ADJOURNMENT: The meeting was adjourned at 10:05 p.m.

ADOPTED by the Newberg City Council this 3rd day of April, 2017.

Sue Ryan, City Recorder

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

Bob Andrews, Mayor

DRAFT

NEWBERG CITY COUNCIL MINUTES
GOAL SETTING SESSION
March 4, 2017, 8:30 AM
George Fox University, Canyon Commons

The Goal Setting Session began at 8:30 a.m. Present were Mayor Bob Andrews, City Councilors Denise Bacon, Mike Corey, Hayley Delle, Patrick Johnson, and Stephen McKinney. Also present were City Manager Joe Hannan, City Attorney Truman Stone, City Recorder Sue Ryan, Community Engagement Specialist Rosa Olivares, Human Resources Director Anna Lee, Finance Director Matt Zook, Public Works Director Jay Harris, Community Development Director Doug Rux, Police Chief Brian Casey, Information Technology Director Dave Brooks, and Library Director Leah Griffith.

Facilitator Joseph Bailey led the group through a Council Building exercise. The Council introduced themselves, their backgrounds and their overall concerns. Department Heads presented on their priorities.

Human Resources Director Lee said her department's priorities include Recruitment and Hiring, Orientation – Integration, Training and Support, a Volunteer and Intern program, an updated Employee Manual and Policies, Employee Recognition and Retention, and Succession planning. She said since she had arrived there had been 21 new hires, consolidation of hiring practices in the HR Department, development of a consistent orientation process, multiple trainings that had been held covering a variety of topics and development of an internship program to benefit both the city and interns. She said in addition HR had been updated manuals and was planning supervisor training on the new manuals.

There were questions for the Human Resources Department on exit interviews for departing employees, roles and responsibilities including workplace boundaries throughout the organization, and consistent training for employees. She said her three highest priorities for the City included a 5-year financial plan, the technology plan, and a fully functional HR department. The Council said what stood out to them about HR included a Safety program, diversity and inclusion practices, collaboration across departments, not wanting to turnover in the organization because that would be an indicator of problems in management and support from the bottom up from new employee getting orientation up to the Department Head level to ensure they are receiving the support they need.

There was a short break.

City Attorney Stone said the Legal department's priorities include review and updating of the Municipal Code, updating and standardizing City model contract language and terms. He announced they had filled the Ordinance Enforcement Officer position with Bryan Corn who would be starting soon. He said his 3 highest priorities for the City included completing an Urban Growth Boundary expansion, street maintenance, and focusing on the core functions of the City and doing those well.

There were questions for the Legal Department on the interface between the Legal Department and the Municipal Court, and changing the Charter of the City. Councilor McKinney wanted to know his number one concern. CA Stone said the number of issues the Legal Department needed to handle with one attorney.

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Community Development Director Rux said his department's priorities include the Newberg Economic Development Strategy, an Urban Growth Boundary expansion, the Downtown Improvement Plan, Strategic Tourism Plan, and Riverfront Master Plan. He said his 3 highest priorities for the City included the Tualatin Valley Fire & Rescue annexation, the Urban Growth Boundary expansion and Housing Affordability. There were questions for the Community Development Department on the Riverfront Master Plan, the viability of the existing 22 plans, whether the department had enough staff. Land use impacts from expanding the Urban Growth Boundary, impacts from the current Legislative Session on CDD, and the redevelopment of the former paper mill site. CDD Rux announced their new planner was Sheryl Cain who would be starting soon as an Associate Planner. He said in 2018 they may need additional staff because the City's Development Code needs to be rewritten.

Police Chief Casey said his department's priorities include Staffing, Patrol Vehicles, the 9-1-1 Center and Emergency Operations. He reported on some statistics for his department. He said his 3 highest priorities for the City included increase sources of funding, an Economic Development Strategy and balanced growth. He was also concerned that the rate of residential growth versus commercial and industrial growth would not provide as much tax revenue to support city services. There were questions for the Police Department on motor officers, recruitment of new personnel to the Police Department, the 9-1-1 Dispatch Center and red light cameras.

There was a short break.

Finance Director Zook said his department's priorities include Long Range Financial Planning including, Software – improvement and replacement and Enhanced Utility Billing Services including a System Review, Equal Pay and offering incentives for electronic business. He said his three highest priorities for the City included Street funding, Retirement funding, and the Urban Growth Boundary expansion.

There were questions for the Finance Department on the cost of electronic payments and going to a new financial software. Councilor McKinney wanted to know his number one concern. FD Zook said staffing and the learning curve to do their work.

Library Director Griffith said her department's priorities include to expand the library collection of books to meet needs, expand resources as the Library is a place for learning, have a highly qualified workforce and maintain their historic building that is a Carnegie Library. She said her three highest priorities for the City included improving communications with the residents and business community, City & Library technology, and the Long Range Financial Plan.

There were questions for the Library on whether or not the facility would physically expand in the future, the remodel or repurpose of the house behind the Library.

Information Technology Director Brooks said his department's priorities include a Disaster Recovery Site, Intranet and Sharepoint, and Operational Intelligence- the Splunk product. He said his 3 highest priorities for the City included funding, economic growth, and sustaining the City's core services. There were questions for the Information Technology Department on the software updates.

Public Works Director Harris said his priorities included Inflow & Infiltration, Street Maintenance funding, Public Works technology and Emergency Preparedness. He said his 3 highest priorities for the City included pavement maintenance, technology, and emergency management.

There were questions for the Public Works Department on who is responsible for repairs within the public right-of-way, the status of Inflow and Infiltration work and communication with the community about issues. The overall summary of the highest overall priorities included Street Maintenance (3), a 5-Year Financial Plan (2), Street Maintenance Fund (2) and the Urban Growth Boundary (2). Others included a Long Term Technology Plan, a fully functional Human Resources Department, Retirement Funding, focusing on Core City functions, Tualatin Valley Fire & Rescue annexation, housing affordability, economic growth strategy, balanced growth, increase sources of funding, City and Library Technology efficiencies and improving communications with the community.

There was a short break. The Department Heads left the meeting.

Council reviewed the existing Council Priorities of Visioning- creating a Community Visioning process within 3 years; Technology – including a strategic plan, functional software and hardware; Funding/Fiscal – 5 year financial plan, fiscal policies addressing debt, preservation of contingencies and reserve and having fee structures consistent with service levels; Project Planning for review of existing Master and Long Range plans; Communications – developing a feedback mechanism and communications plan; and Staffing – fully functional and operation Human Resources function.

Council discussed their priorities for 2017-2019. There was discussion on what new priorities to add to the existing priorities.

1st ranking exercise

- 1- Implementation of plans for Road Repair and funding (Transportation Utility Fee by July 1, 2017)
- 2- Communication with public
- 3- Add Emergency Operations to Priorities

There was a discussion on primary questions that included: Dispatch, Tualatin Valley Fire & Rescue and Emergency Preparedness.

The next steps were for City Manager Hannan to take the priorities and comments from the Council back to the Department Heads for review and to attach a cost estimate. The questions were to be scheduled on the Council Calendar for further discussion as needed.

ADJOURNMENT: The meeting was adjourned at 3:24 p.m.

ADOPTED by the Newberg City Council this 3rd day of April, 2017.

Sue Ryan, City Recorder

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

Bob Andrews, Mayor

NEWBERG CITY COUNCIL MINUTES
REGULAR SESSION
March 6, 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 Bob Andrews, Councilors Hayley Delle, Scott Essin, Mike Corey, Patrick Johnson, Denise Bacon, and Stephen McKinney. Also present were City Manager Joe Hannan, City Attorney Truman Stone, City Recorder Sue Ryan and Assistant to the City Manager DawnKaren Bevill.

Mayor Andrews called the meeting to order. He requested the minutes to be amended to reflect that Councilor Mike Corey was present during the business session of February 6, 2017. Items added to Council Business included: Veritas Advance Financing District, Charter, and Council Rules.

EXECUTIVE SESSION pursuant to ORS 192.660 (2) I

The Council entered Executive Session at 6:05 p.m.

Staff present included Municipal Judge Larry Blake. The Council discussed the annual evaluation for the Municipal Judge. The Council exited Executive Session at 6:45 p.m.

CALL MEETING TO ORDER

The Mayor called the business session to order at 7:04 p.m.

ROLL CALL

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

Staff Present:	Joe Hannan, City Manager	Truman Stone, City Attorney
	Sue Ryan, City Recorder	Doug Rux, Community Development Director
	Rosa Olivares, Community Engagement Specialist	
	DawnKaren Bevill, Assistant to the City Manager	

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was performed.

PRESENTATIONS:

I'm glad you're my neighbor proclamation:

MOTION: Bacon/Johnson moved to approve the proclamation. Motion carried (7 Yes/ 0 No).

Bill Rourke, Newberg resident, expressed his appreciation for this proclamation recognizing Newberg's diverse community. Mayor Andrews read the proclamation declaring the City of Newberg's support for the "I'm glad you're my neighbor" inclusion campaign of 2017 and presented it to Tricia Hornbeck and Mike Caruso from the community.

CITY MANAGER'S REPORT: City Manager Hannan reported on current activities across the City including meeting with the Veterans Administration Portland staff to explore initiating a new VA Portland satellite clinic in Newberg, attending Travel Oregon training/update on new tourism grant opportunities, attending the first meeting of Trolley volunteers, attending a Future Focus meeting with the School District and CPRD, preparing a video message for the Employee Recognition Breakfast, meeting with representative of Mobilite regarding wifi, tower, and fiber opportunities, presenting a community update at Astor House, going to Israel for vacation, attending the Mayor's Cabinet, attending the Economic Development Plan Progress Report meeting, meeting with the Chamber regarding downtown office opportunities, attending the Pavement Ad Hoc

Committee, attending the Historical Society presentation by Russ Thomas on railroads and underground Newberg, meeting with Yamhill County Solid Waste to talk about new recycling requirements, meeting with US Army staff on emergency preparedness coordination and federal surplus, meeting with the School District staff and Comcast to discuss opportunities for wifi and fiber throughout City, coordinating introduction and meetings between Online Northwest and City and School District officials, meeting with the County Assessor and Deputy to discuss ways of working together, UGB expansion, and having a presence in Newberg.

NEW BUSINESS:

Resolution 2017-3358: Inclusive City

CM Hannan said several weeks ago some citizens came to Council in response to what was happening in the nation and McMinnville to request a resolution that identified Newberg as an inclusive city. Staff looked at draft resolutions for examples, and had prepared one for Newberg. They wanted to make sure people were comfortable going to law enforcement when needed. The City was not in the business of enforcing immigration. Oregon was a sanctuary state and whatever consequences would happen with federal funding would affect the entire state. Currently there was no consequence for cities declaring themselves inclusionary. Mayor Andrews said there was unanimous adoption of an inclusionary resolution by the City of Salem.

Proponents:

Mike Caruso, Dundee resident, was in favor of the resolution because it was in accordance with the tenets of Rotary International. Having an inclusive community was in line with the beliefs of Rotary and the City Council since they declared Newberg a Peace City in 2012 and approved the Peace Pole project. This would be in line with promoting goodwill in the community.

Jared Jones, Newberg resident, said immigrants enriched the community. He cited statistics from the 2010 Census which counted 2,985 Hispanic or Latino people in Newberg or 13.5% of the City's population, 2.2% of the population was Asian, and .2% was Pacific Islander. The Census also said 91% of the population in Newberg was native residents of the United States, 48% of these residents were living in the state in which they were born, and 3.3% entered the United States in 2000 or later. The Non-Partisan Partnership for a New Community Economy put out a report in August 2016 that showed 388,000 plus Oregon residents were born in other countries, which was 10% of the State's population. Some claimed that unauthorized immigrants were often criminals, but the Migration Policy Institute estimated about 300,000 or less than 3% of the 11 million undocumented immigrants had committed felonies. The proportion of felons in the overall population in the United States was estimated at 6% in 2010. Unauthorized immigrants were only half as likely to be felons as Americans in general. There was a demographic crisis in Asia and Europe as baby boomers were retiring. One in six residents in Oregon was older than age 65. This ranked the state in the top 10 in elderly populations. By adding to the tax base and workforce, immigrants helped ensure the economy could support the many retirees and helped ensure employers had workers available. Immigration bolstered the economy. According to the Immigration Council's report in 2015, if all unauthorized immigrants were deported, Oregon would lose \$3.4 billion in economic activity, \$1.5 billion in gross state product, and 19,000 jobs. Immigrants helped boost home values and enriched the community for everyone. The local economy would suffer if they were not here.

Cherice Bock, Newberg resident, introduced people from the community group Unidos Bridging Community organization whom would be sharing testimonies in favor of the resolution. She valued the diversity in the community. It was one of the reasons she chose Newberg to raise her family. She read some testimonies collected from Newberg residents which explained people's fears and uncertainties and how the inclusive resolution would help alleviate these concerns. She did not want people's children to be in fear and thought they needed to make everyone feel welcome in the City.

Ian McDonough, Newberg resident, had served in the military and was a proponent of the law. He was in favor of immigrants coming to the United States by lawful means and was in favor of fair and speedy investigations for trials for all who committed felonies and other serious crimes and deportation of those who committed the

crimes. He had also been a missionary and had been a foreigner in a Muslim country. Illegal/undocumented immigration was not a simple matrix of following the law or breaking the law. For generations, the United States had fostered, enabled, and positively sanctioned a system of undocumented workers entering the country. The United States needed immigration reform including a functioning guest worker program. Until the reforms came to pass, it was unconscionable that the most vulnerable became the targets and victims of enforcement actions based on emotion and prejudice instead of facts. There was no societal good to be achieved in harassing, detaining, and deporting individuals who in every other respect were functioning members in society. It is even more unconscionable to separate families. He thought the City should promote fairness, justice, and protection of the most vulnerable from the heavy hand of prejudicial power.

Nahm S., Newberg resident, translated Mr. McDonough's statement into Spanish.

Leslie Murray, Pastor at North Valley Friends Church, said they were a church that expressed their faith locally and globally and wanted to bring peace to Newberg and beyond. Newberg becoming an inclusionary city was a way of expressing the greatest commandments, to love God and to love our neighbors as ourselves. They had collected 90 signatures from her congregation in support of Newberg becoming an inclusive city. She gave scriptures about welcoming strangers, immigrants, and foreigners. Most who were in fear of being deported were not foreigners anymore except on paper. They had been a part of the United States and Newberg for quite some time. They were our friends, colleagues, neighbors, and children's playmates. She was in favor of keeping families intact and children in school. She hoped that by stating they were an inclusionary city that the police and local officials would live out the law only to the extent that it required. Making Newberg an inclusive City showed love to our neighbors.

Beth Muthiah, Newberg resident, read a statement from Angel Diaz, pastor of Hispanic Iglesia Amigos. He wanted to declare Newberg as an inclusive city for the immigrants who were in Newberg. An inclusive city was synonymous with a city of God. There was a spirit of fear and collective anguish that was unhealthy for the whole city. Inclusive policies would keep the city safer and more prosperous by not forcing immigrants into hiding and keeping them from leading full lives. It would respect Hispanic immigrants and support their aspirations for jobs, which was an essential part of the prosperity and stability of the City. Local police should not ask about immigration status when citing someone for a traffic violation, however in many cases the police had to work with immigration officials to hand over suspects with criminal records. An inclusive city would prohibit the use of taxpayer funds to reinforce federal laws that were not to the liking of the majority of its inhabitants. These funds should be used to strengthen and support a number of programs that helped undocumented immigrants to live a safer and prosperous life that would also benefit the City.

Marisol Garcia translated Pastor Diaz's testimony into Spanish.

Bill Sweat, winery owner, added an economic context to this issue. Oregon wineries sold \$1 billion worth of wine per year and generated over \$3 billion of economic activity. Wineries were primarily small, family-run businesses that relied on hard-working and skilled agricultural labor. Oregon had become one of the top wine regions in the world in just over 50 years. Oregon competed globally with countries that had been doing this for almost a millennium. Wine was made in the vineyard, and they could not afford to lose these dedicated workers. Thriving wine industries attracted tourism and people who wanted to live in proximity to vineyards helped create demand for restaurants, hotels, inns, shops, galleries, and other small businesses. Dedicated, hard-working immigrants also worked in these businesses. Newberg's economy was more dependent on immigrant labor than they imagined. Our economy would be devastated by their loss and our community would be culturally devastated as well. He encouraged the Council to pass the resolution. Councilor McKinney asked what he thought about the I-9 issue of an undocumented worker. Mr. Sweat used a vineyard management company who was responsible for that documentation.

Mardo Nunez, Newberg resident, read a statement for an undocumented immigrant in English and Spanish. The immigrant had come from Mexico to the United States when he was 15 years old. He wanted to work hard and earn money to send to his family. He walked four days to cross the border, and started working on a ranch. He worked several jobs after that in order to take care of his own children and wife and his family in Mexico. The last few months had been difficult where not a day went by when there was not news that immigrants were considered criminals and people wanted them to leave the country, that they were stealing jobs and they should have no rights. He was worried about his children's futures and their options for succeeding in life. He asked that Newberg be an inclusive City, a City where he was welcome and his children were safe.

Erinn Baker read the statement of a 16-year-old student in English and Spanish. The student stated these past few months had been rocky, especially with the protests and events going on recently. She was a Mexican American, but sometimes felt scared to show it due to racism. A lot of people had been deported, even in Oregon. Her parents meant the world to her and without them her life would be very different as she and her siblings would be put in foster care. The situation made her nervous about the future. She was grateful the Newberg community was caring and once the resolution was passed, it would take some weight off her shoulders. It would be assurance that the City cared about them no matter what. We were all in this together and being united was what would make the difference.

Isaura Pena from the Unidos Bridging Community organization said the organization was the only Latino advocacy organization in Yamhill County. Their mission was to promote integration, participation, representation, and success of Latino individuals and families and build bridges of understanding and support among Latinos and non-Latinos. She had lived in Newberg for 17 years and had seen the City grow economically, in population, and in diversity. She was the proud daughter of two hard-working immigrants who had contributed to Newberg in more ways than she could count. She was eager to see the City stand up for their neighbors and community members. Several people had come to the meeting who were part of their citizenship classes who would soon be citizens of our nation. This resolution legally complied with State laws that indicated State and local funding would not be used to enforce federal immigration laws. The resolution was a symbolic gesture and a sign of solidarity, acceptance, and hope. She urged the Council to support the resolution. She read her statement again in Spanish.

Councilor McKinney asked the citizenship class to raise their hands. Councilor Essin asked if the citizenship classes included help in learning English. Ms. Pena explained what was offered in their classes. She said some students were exempt from the language requirement depending on the length of their residency. She liked to translate so everyone knew what was being said.

Bill Rourke, Newberg resident, said the previous speakers had reflected his views as well. Oregon was a sanctuary state and by default that made Newberg a sanctuary city. The use of the term inclusive was slightly different than sanctuary. Many people perceived the decisions that were made in Salem to be largely driven by liberals in large metropolitan areas. Because of that, it was especially important that cities like Newberg who were outside the large metropolitan area took these strong symbolic positions.

Opponents and Neutral Testimony: None.

Councilor Essin asked if Newberg was a sanctuary city because they were in the state of Oregon. City Attorney Stone said there was no clear understanding what a sanctuary city or state meant. The State had a statute that prohibited public resources being expended or public employees being engaged in enforcement of federal immigration law. That State statute would apply to the City of Newberg. The City had not been deputized to take federal enforcement action nor did he think that would occur. Councilor Essin asked if the concern was the City's police acting as Immigration Control Enforcement (ICE) officers. City Manager Hannan said the resolution discussed inclusivity as a community. It was a statement that the City embraced diversity. The City

was responsible for policing powers and following state and federal laws, but police powers would not be used to enforce federal immigration.

Councilor McKinney said there was a difference between deputation and mutual aid. He asked about the language change regarding the prohibition of using public funds and personnel between what the Unidos Bridging Community organization had submitted and what was in the proposed resolution.

City Manager Hannan said the City had not been asked to serve as deputies to the federal immigration system and he did anticipate they would be asked. The resolution stated what the City was responsible for. It did not challenge or negate mutual aid with other police agencies. Councilor McKinney clarified the last statement in the resolution took care of the mutual aid agreement. He asked if the Unidos Bridging Community organization representatives perceived a substantive change in what they suggested and what was being considered that night.

Ms. Bock said they were not asking the City to violate the law but to uphold the law as it stood in not using local monies to support federal laws. They were asking for the law to be upheld in ways that were empathetic and loving and kept families together and allowed services to be extended to immigrants. Councilor McKinney thought the City was already inclusionary. The Council had sworn an oath to the Constitution of the United States and the State of Oregon as well as the City Charter. He thought the City sought to serve everyone and did not exclude anyone. This statement had to speak for all. Ms. Bock said they were trying to address the breakdown in communication between what the law was and how people were feeling right now. They were not asking the Council to break any law but make sure people knew they were welcome here and that the services the community provided were extended to everyone.

The Council took a brief recess.

MOTION: Bacon/Johnson moved to approve Resolution 2017-3359, A Resolution to declare the City of Newberg as an inclusive City for all persons, regardless if race, color, national origin, immigration or refugee status, religion, sex, mental emotional and physical ability, age, or economic status.

Deliberations – Councilor McKinney thought the resolution came to Council too late to consider tonight for passage.

Councilor Essin clarified this resolution was saying that people were afraid and wanted to hear from the City that they would go along with the State as a sanctuary. He would be voting in favor of it to help alleviate these fears.

Councilor Corey said the differences between sanctuary city and inclusive city were not defined, but he believed there existed already in the City inclusion for all citizens. He said what the Council was doing was basically symbolic of what the community had and wanted to continue to have. He did not want to separate families or see people be deported just for being illegal. He was in favor of the resolution but was concerned about Section 2 under the Resolves paragraph. His first thought was that it would harbor everyone even those who had committed crimes, but that was not what it should be. He wanted to make sure that it allowed our police officers to cooperate with federal immigration law in regard to deporting criminals. The potential of losing federal funds had been addressed and they did not know what the federal government would or would not do.

Councilor Johnson knew they got the resolution late, but everyone on the Council knew it was going to be on the agenda tonight. He had put in a lot of time researching this issue plus responding to community concerns on the issue. He said overall, if they passed this, ICE could still come into the community. This resolution said we were going to uphold State law. How was this any different than the oath that they took as City Councilors? The

public was in support of this resolution and upholding the law. One of the reasons he wanted to serve on the Council was to improve public trust and he thought if they did not pass the resolution, they would erode public trust. They should follow the State law and make a statement that they would follow it.

Councilor Delle said Councilor Johnson summed up her thoughts. They would be following State law. It was a symbolic gesture and they wanted the public's trust. She was in support of the resolution. She loved the outpouring of support and interest from the community.

Councilor Bacon said it was symbolic and they were following the law. All of the community mattered to her and that was why she would support it.

Mayor Andrews said Unidos Bridging Community organization had a meeting on Thursday night and it was well articulated that the position of law enforcement that the Police Chief was taking on behalf of the City of Newberg was that the City would not be out enforcing the immigration law as that was the responsibility of the federal government. He said they could continue to wordsmith the resolution, but they could do that endlessly. His position was that it was symbolic and Oregon was a sanctuary state. We still had a government at the state and federal level based on a system of checks and balances. The threats might be hollow depending upon where the legislative branch and judicial branch lay. He was willing to make a statement, but the Council already made the statement earlier that they were a neighborly community. He said we were saying our arms and hearts were open.

Councilor McKinney took exception to the process and how Council didn't receive the resolution until 3:02 p.m. the day of the meeting. He thought words mattered. He didn't like what they were given and this was not the best possible statement. He would be abstaining from the vote.

Motion carried (6 Yes/0 No/1 Abstain [McKinney]).

PUBLIC COMMENTS: None.

CONSENT CALENDAR:

MOTION: Bacon/Johnson moved to approve the Consent Calendar including Council Minutes as amended for February 6, 2017 and Resolution 2017-3358, A Resolution supporting legislation to restore recreational immunity in Oregon. Motion carried (7 Yes/0 No).

COUNCIL BUSINESS:

Councilor Johnson said during the past two weeks he met with officials from Veritas School about doing outreach to neighbors regarding the Veritas Advanced Financing Agreement. A neighborhood meeting had been scheduled and each property owner had been personally contacted. None of the neighbors came to the meeting.

MOTION: Johnson/Corey moved to reconsider the vote on Resolution 2017-3357. Motion carried (7 Yes/ 0 No).

Councilor McKinney asked what had been reconciled that would move the issue forward. Councilor Johnson said there was a meeting held to discuss the issue. His concern was that there had been no outreach to the neighbors. He thought Veritas had done their due diligence. He thought some agreement on the calculations had been reached as well. Mayor Andrews gave a background on the issue and how at the last meeting the resolution failed with two Councilors in support, and four opposed. If the same thing was coming back to Council, he had some concerns. If there were some modifications, he thought it would be of interest.

MOTION: Johnson/Essin moved to reconsider the vote on Resolution 2017-3357 at the April 17, 2017 City Council meeting. Motion carried (7 Yes/0 No).

Councilor McKinney asked if there would be reconciliation for the issues raised before. Councilor Johnson said his concerns were met and he was in support of the resolution as written.

City Recorder Sue Ryan stated she would be on vacation March 10-23. She encouraged Council to fill out their Statement of Economic Interest forms.

Councilor Essin said he would postpone his discussion regarding the Charter and Council Rules.

EXECUTIVE SESSION pursuant to ORS 192.660 (2) H Legal Consul Consultation with Counsel concerning Legal Rights and Duties regarding current litigation or litigation likely to be filed.

The Council entered Executive Session at 9:25 p.m.

Staff present included City Attorney Truman Stone. The Council discussed pending litigation regarding ambulance services. The Council exited Executive Session at 10:08 p.m.

ADJOURNMENT: The meeting was adjourned at 10:08 p.m.

ADOPTED by the Newberg City Council this 3rd day of April, 2017.

Sue Ryan, City Recorder

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

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 3, 2017

Order ____ No.	Ordinance ____ No.	Resolution <u>XX</u> No. 2017-3365	Motion ____	Information ____
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SUBJECT: A Resolution reducing or waiving, or denying a reduction in permit fees for Building Division plan review, structural, state surcharge and technology fees; Community Development fee; and City Hall facility fee for a foundation permit for the Hoover-Minthorn House Museum at 115 S. River Street

Contact Person (Preparer) for this
Motion: Doug Rux, Director
Dept.: Community Development
File No.: G-17-001

RECOMMENDATION:

Staff recommends City Council consider the applicant's request and information in the Request for Council Action and either:

1. Adopt Resolution No. 2017-3365 (Version 1, pages 1-2) approving a waiver in permit fees for Building Division plan review, structural and technology fees; Community Development fee; and City Hall facility fee for a foundation permit for the Hoover-Minthorn House Museum at 115 S. River Street; or
2. Adopt Resolution No. 2017-3365 (Version 2, pages 3-4) denying a reduction or waiver in permit fees for Building Division plan review, structural and technology fees; Community Development fee; and City Hall facility fee for a foundation permit for the Hoover-Minthorn House Museum at 115 S. River Street; or
3. Adopt Resolution No. 2017-3365 (Version 3, pages 5-6) approving a reduction in permit fees for Building Division plan review, structural and technology fees; Community Development fee; and City Hall facility fee for a foundation permit for the Hoover-Minthorn House Museum at 115 S. River Street.

EXECUTIVE SUMMARY:

The Hoover-Minthorn House Museum owned and operated by The National Society of the Colonial Dames of America in the State of Oregon is requesting a reduction or waiver of permit fees for the Hoover-Minthorn House foundation project. Funding for the building's structural foundation project has been obtained from the Oregon Cultural Trust, Newberg Rotary and The National Society of the Colonial Dames of America in the State of Oregon at approximately \$80,000.

Attachment 1 is the Hoover-Minthorn House Museum request. Attachment 2 is a matrix of fees that have been paid by the Hoover-Minthorn House Museum for the structural foundation permit. The permit for the foundation work was issued on March 14, 2017 and the fees paid in order for the contractor to commence construction as weather permits. The current fee schedule per Resolution No. 2016-2638 includes Executive Order 2016-46 for Building Permit fees.

Newberg Municipal Code (NMC) 14.05.280 Fee Refund and Waivers, subsection E. requires that “Requests for waiver of all other permit fees shall be forwarded to the city council.” Beyond the requirement that waivers go before the City Council there are no criteria associated with the Hoover-Minthorn House Museum. The impact of a reduction or waiver is on the Building Fund (plan review, structural and technology fees), General Fund for the Community Development Fee and City Hall Fund for the City Hall facility Fee.

In review of past City of Newberg actions on a reduction of development fees staff was able to identify two cases where Building fees were reduced. In 2008 the City Council adopted Resolution No. 2008-2815 which authorized the City Manager to expend \$45,000 from the Economic Development Revolving Loan Fund as a grant to the Chehalem Cultural Center to pay for Planning and Building Fees associated with Phase 1 development permits. On December 19, 2016 the City Council reduced Building Permit fees for the Chehalem Park and Recreation District by approval of Resolution No. 2016-3340 back to the 2015 permit fee schedule values but did not reduce or waive the technology fee.

There are several options for the City Council to consider. The City Council could waive the fees, reduce the fees or deny the request. A reduction of fees can occur in a variety of ways based on a percentage. As examples the fees could be reduced by 10%, 25%, 50% or 75%. Other percentage reductions could also be considered by the City Council with some percentage reduction for the building fees, a separate percentage for the Community Development fee and yet another percentage for the City Hall facility fee.

The City Manager spoke with Ms. Munro and expressed the City’s support for the work of the National Society of the Colonial Dames of America as well as the value of the Hoover-Minthorn House Museum. He offered suggestions of other sources of funding to assist with fees such as Yamhill Cultural Coalition and other local Foundations, but also reported his opinion if asked would be to not grant a waiver.

FISCAL IMPACT:

The Hoover-Minthorn House Museum has paid fees for their structural foundation project in the amount of \$1,754.89 as depicted in Attachment 2.

Not all of the fees can be reduced as one is a State Surcharge fee. The amount of the State Surcharge fee is \$61.65.

The details of the fee totals are broken out below.

- FY 2016-2017 budgeted Building Permit revenue in Fund 8 – Building Inspection Fund is \$270,000. The Building Permit fee paid by the Hoover-Minthorn House Museum is \$950.38 (this includes the plan review and structural fees). This is .35% of the amount budgeted.
- FY 2016-2017 budgeted Community Development Fee revenue in the Fund 1 - General Fund is \$265,000. The Community Development Fee paid by the Hoover-Minthorn House Museum is \$537.88. This is 0.2% of the amount budgeted. The Community Development Fee is based on the project costs.
- FY 2016-2017 budgeted City Fee in the Fund 10 - City Hall Fund is \$85,000. The City Hall Fee paid by the Hoover-Minthorn House Museum is \$179.29. This is 0.21% of the amount budgeted. The City Hall Fee is based on the project costs.

- FY 2016-2017 budgeted Technology Fee in Fund 8 – Building Inspection Fund is \$18,550. The Technology Fee paid by the Hoover-Minthorn House Museum is \$25.69 which is 0.14% of the budgeted revenue. A reduction or waiver would mean a reduction or no fee paid for Technology. The City has a contract for the new permit software which totals \$294,860 of which the fees collected to implement the software upgrade are in part to be paid by the Building Division for their portion of the software upgrade.

STRATEGIC ASSESSMENT (RELATE TO COUNCIL PRIORITIES FROM MARCH 2016):

Not applicable.

Attachment 1. Hoover-Minthorn House Museum Permit Fees Reduction or Waiver Request
 2. Permit Fee Matrix

**A RESOLUTION WAIVING PERMIT FEES FOR BUILDING DIVISION
PLAN REVIEW, STRUCTURAL, AND TECHNOLOGY FEES; COMMUNITY
DEVELOPMENT FEE; AND CITY HALL FACILITY FEE FOR A
FOUNDATION PERMIT FOR THE HOOVER-MINTHORN HOUSE
MUSEUM AT 115 S. RIVER STREET**

RECITALS:

1. The Newberg City Council adopted Resolution No. 2016-3268 on April 18, 2016 establishing fees for the City of Newberg.
2. The Hoover-Minthorn House Museum requested a reduction or waiver of permit fees for Building Division plan review, structural, state surcharge and technology fees; Community Development fee; and City Hall facility fee for a foundation permit at the Hoover-Minthorn House Museum at 115 S. River Street.
3. Newberg Municipal Code (NMC) 14.05 Building Code, 14.05.280 Fee Refund and Waivers, subsection E. requires that "Requests for waiver of all other permit fees shall be forwarded to the city council." There are no applicable criteria to reducing or waiving the requested fees for the City Council to consider other than the financial impact on the respective funds.
4. The City Council considered the request and the impact on various funds which collect fees to provide City services. The requested waiver in Building Division fees is \$1,037.72, Community Development of \$537.88 and City Hall facility fee of \$179.29.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The Building Division plan review, structural, and technology fees totaling \$1,037.72 are waived.
2. The Newberg City Council denies a waiver of the State Surcharge fee as the City of Newberg does not have the authority to waive a State fee.
3. The Community Development fee of \$537.88 is waived.
4. The City Hall facility fee of \$179.29 is waived.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: April 4, 2017.

ADOPTED by the City Council of the City of Newberg, Oregon, this 3rd day of April, 2017.

Sue Ryan, City Recorder

ATTEST by the Mayor this 6th day of April, 2017.

Bob Andrews, Mayor



RESOLUTION No. 2017-3365

A RESOLUTION DENYING A REDUCTION OR WAIVER FOR BUILDING DIVISION PLAN REVIEW, STRUCTURAL, AND TECHNOLOGY FEES; COMMUNITY DEVELOPMENT FEE; AND CITY HALL FACILITY FEE FOR A FOUNDATION PERMIT FOR THE HOOVER-MINTHORN HOUSE MUSEUM AT 115 S. RIVER STREET

RECITALS:

1. The Newberg City Council adopted Resolution No. 2016-3268 on April 18, 2016 establishing fees for the City of Newberg.
2. The Hoover-Minthorn House Museum requested a reduction or waiver of permit fees for Building Division plan review, structural, state surcharge and technology fees; Community Development fee; and City Hall facility fee for a foundation permit at the Hoover-Minthorn House Museum at 115 S. River Street.
3. Newberg Municipal Code (NMC) 14.05 Building Code, 14.05.280 Fee Refund and Waivers, subsection E. requires that "Requests for waiver of all other permit fees shall be forwarded to the city council." There are no applicable criteria to reducing the requested fees for the City Council to consider other than the financial impact on the respected funds.
4. The City Council considered the request and the impact on various funds which collect fees to provide City services. The requested waiver in Building Division fees is \$1,037.72, Community Development of \$537.88 and City Hall facility fee of \$179.29.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The Newberg City Council denies the reduction or waiver of plan review, structural, and technology fees.
2. The Newberg City Council denies a reduction or waiver of the State Surcharge fee as the City of Newberg does not have the authority to reduce or waive a State fee.
3. The Newberg City Council denies a reduction or waiver of the Community Development fee.
4. The Newberg City Council denies a reduction or waiver of the City Hall facility fee.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: April 4, 2017.

ADOPTED by the City Council of the City of Newberg, Oregon, this 3rd day of April, 2017.

Sue Ryan, City Recorder

ATTEST by the Mayor this 6th day of April, 2017.

Bob Andrews, Mayor



RESOLUTION NO. 2017-3365

A RESOLUTION REDUCING BUILDING DIVISION PLAN REVIEW, STRUCTURAL, AND TECHNOLOGY FEES; COMMUNITY DEVELOPMENT FEE; AND CITY HALL FACILITY FEE FOR A FOUNDATION PERMIT FOR THE HOOVER-MINTHORN HOUSE MUSEUM AT 115 S. RIVER STREET

RECITALS:

1. The Newberg City Council adopted Resolution No. 2016-3268 on April 18, 2016 establishing fees for the City of Newberg.
2. The Hoover-Minthorn House Museum requested a reduction or waiver of permit fees for Building Division plan review, structural, state surcharge and technology fees; Community Development fee; and City Hall facility fee for a foundation permit at the Hoover-Minthorn House Museum at 115 S. River Street.
3. Newberg Municipal Code (NMC) 14.05 Building Code, 14.05.280 Fee Refund and Waivers, subsection E. requires that "Requests for waiver of all other permit fees shall be forwarded to the city council." There are no applicable criteria to reducing the requested fees for the City Council to consider other than the financial impact on the respected funds.
4. The City Council considered the request and the impact on various funds which collect fees to provide City services. The requested waiver in Building Division fees is \$1,037.72, Community Development of \$537.88 and City Hall facility fee of \$179.29.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The Newberg City Council reduces the plan review, structural, and technology fees to a total of _____.
2. The Newberg City Council denies a reduction or waiver of the State Surcharge fee as the City of Newberg does not have the authority to reduce or waive a State fee.
3. The Newberg City Council reduces the Community Development fee to _____.
4. The Newberg City Council reduces the City Hall facility fee to _____..

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: April 4, 2017.

ADOPTED by the City Council of the City of Newberg, Oregon, this 3rd day of April, 2017.

Sue Ryan, City Recorder

ATTEST by the Mayor this 6th day of April, 2017.

Bob Andrews, Mayor



HOOVER-MINTHORN HOUSE MUSEUM
115 South River Street
P.O. Box 1212
Newberg, OR 97132

March 14, 2017

Mr. Doug Rux
 Community Development Director
 City of Newberg – City Hall
 414 First Street
 Newberg, OR 97132

Dear Mr. Rux:

This is a request for mitigation or waiver of permit fees for a building stabilization project for the Hoover-Minthorn House Museum (HMHM). The HMHM is currently owned and operated as a museum by The National Society of The Colonial Dames of America in the State of Oregon (NSCDA-OR), a 501(c)(3) organization. The project, as proposed, will remove the existing skirt board from the exterior base of the building. New concrete footings are to be added to the existing piers. The skirt board will be returned, so that the exterior appearance should be the same after the project as before. The project is being undertaken to provide some stability in the event of earthquake or severe windstorm.

The request for mitigation or waiver is based upon the following reasons. The work is essentially for the public good, to ensure the preservation of the HMHM and the community investment in this property. Mitigation or waiver of fees will increase the amount that can be put into the HMHM preservation. The proposed project will not impact any city systems since the repairs are foundation-related and will not increase traffic or utility use. In addition, the contractor costs included various repairs that normally do not require a city permit. Funding available for the work is fixed and is provided through a grant from the Oregon Cultural Trust, the Newberg Rotary, and the NSCDA-OR.

The HMHM, boyhood home of Herbert Hoover, 31st President of the United States, is listed in the National Register of Historic Places. The house was built in 1881 and is among the oldest houses still standing in Newberg. The HMHM is the only museum in the city and, together with the Herbert Hoover Park, forms an important community resource. The proposed project will ensure that the HMHM can continue to serve its important role in the community.

Thank you so much for your assistance in considering permit fee mitigation or waiver for this proposed project. Please let me know if I can provide additional information for your use.

Very truly yours,


 Sarah B. Munro
 Director

Hoover-Minthorn House Museum Fee Waiver or Reduction Request

Fee Type		Fee Amount
Plan Review Fee		\$ 436.66
Structural Buiding Permit Fee		\$ 513.72
State Surcharge Fee		\$ 61.65
Technology Fee		\$ 25.69
Community Development Fee		\$ 537.88
City Hall facility Fee		\$ 179.29
Total Fees		\$ 1,754.89

I come before you tonight with a matter that potentially has both legal and technical consequences to the City. I'll apologize in advance for the quantity of technical information that I'll be presenting. Unfortunately, that is necessary to make the situation clear.

The issues I am raising have to do with the Sewerage Master Plans as published in 2007 and in 2009. I think that these issues are highly relevant not at least because of the upcoming Crestview Crossing development as well as the issue of the sewage overflow on Springbrook.

I have had concerns about the sewer capacity on Springbrook since the overflow occurred a while back. I was recently looking at what the Master Plan had modeled for that line and found some significant differences between the 2007 and 2009 Plans. More specifically, if one looks at the pipe on Springbrook downstream from where the Fernwood Pump Station connects, the 2007 Plan has it operating at 93% of capacity during peak flows. This is what the Plan showed for conditions that existed in 2007. The interesting part is that in the 2009 Plan, the capacity utilization is reduced to 67% with no obvious technical reason. The difference appears to be entirely due to the later plan modeling a reduction by over 50% in the flow from the Pump Station. I did not find data for the details of the Pump Station flow, so it is difficult to see why that was changed.

I tried to decipher why the peak flow was so dramatically reduced in the 2009 Plan. The primary reason for the 2009 revision was to accommodate the impact of the Highway 240 Pump Station. It was my understanding, which was confirmed in a conversation with the City Engineer last week, that the new Pump Station should have no effect on the Springbrook line to which I have been referring.

I then thought I should be able to get the answers from the Council agenda and minutes for the meeting at which the 2009 revision was submitted and approved. I looked through the agendas for all of 2009 and the first half of 2010 and didn't find any mention of the Plan. When I spoke with the City Engineer about this last week, she indicated that she had been unable to find any Resolutions regarding the 2009 Plan. While neither of us did an absolutely comprehensive search, it appears that the 2009 Plan on which significant decisions have been made is not, in fact, an adopted document. I don't think that I need to point out to the Council just how serious this could be.

The data in both Plans are listed as having come from the engineering firm Brown and Caldwell. It seems to me that it should be a fairly straightforward process to locate the documentation from that firm from when they generated the new data for the 2009 update. I would expect that this documentation would make it very clear why the data changed so significantly between the 2007 and

2009 modeling. While this doesn't resolve the problem with the 2009 Plan possibly not having been adopted, it may at least clarify the technical issues.

I believe that these technical issues are very important at the moment, especially when one considers the Crestview Crossing development. It is my understanding that this development is expected to use the part of the Springbrook sewer to which I'm referring tonight. If, as appears to be the case, the current adopted Master Plan shows that the sewer was at 93% capacity ten years ago, I'd think that it would be highly problematic to add this new development to it.

I strongly urge the Council to take this matter seriously. I would like to suggest three tasks that should be undertaken:

- 1) Find out what the technical reasons were for the significant modeling changes on the Fernwood Pump Station line between the 2007 and 2009 Plans.
- 2) Positively identify whether or not the 2009 Plan was ever adopted.
- 3) If the 2009 Plan was not, in fact, actually adopted, identify and resolve the legal and technical issues.

I request feedback on these three items as they are pursued.

Thank you for your consideration of this issue.

Robert Soppe

rs@CompProbSolv.com

Roger P. Grahm
7131 Highway 240
Yamhill, OR 97148
503-314-7682

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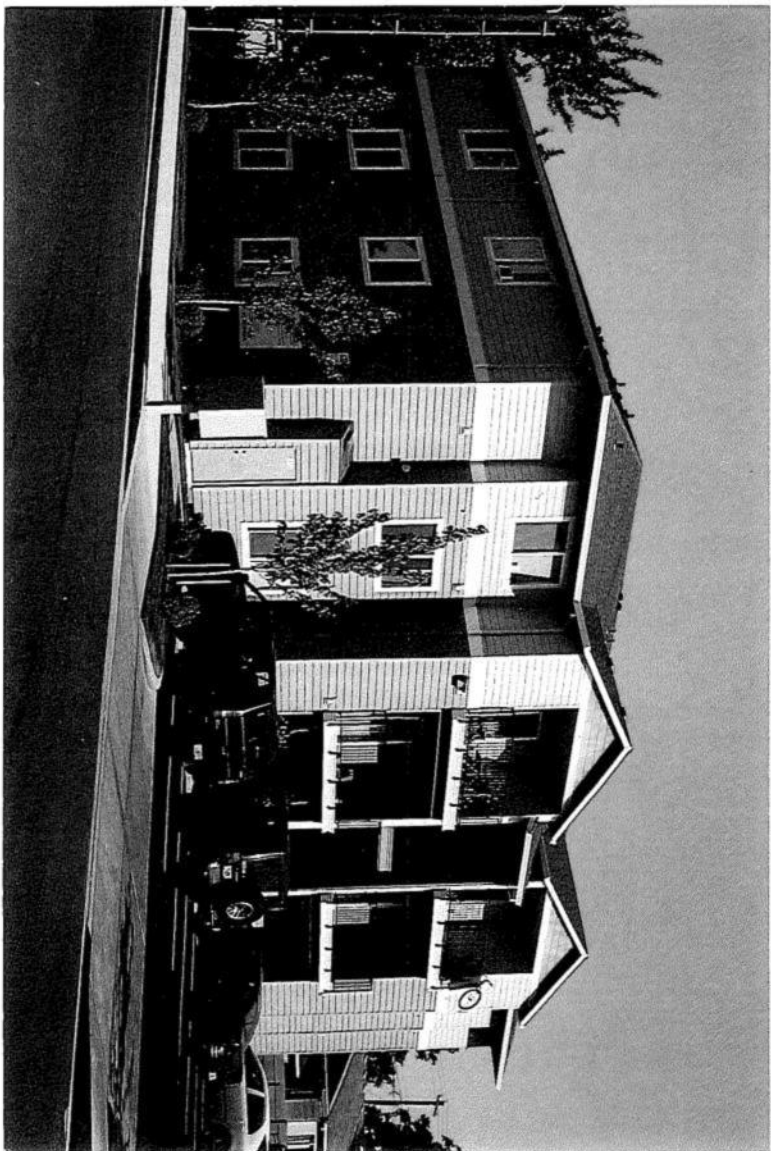
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NEWBERG CITY COUNCIL MEETING INFORMATION

Meeting Date: April 3, 2017

Prepared by: Sue Ryan

Councilors	Roll Call	Consent Res 3364 Kittleson contract Appointment of special legal counsel Robert F. Blackmore & Innova Legal Advisors PC Mediated settlement with Newberg Living Trust 2/21,3/4 and 3/6 Minutes	Res 3365 Hoover Minthorn House Museum waiver Denial of waiver Grant of \$1,000 from Econ Dev. – Fund 14		
ANDREWS, Bob, Mayor	X	Yes	Yes		
BACON, Denise	Absent	Absent	Absent		
COREY, Mike	X	Yes	Yes		
DELLE, Hayley	X	Yes	Yes		
ESSIN, Scott	X	Yes	Yes		
JOHNSON, Patrick	X	Yes	Yes		
McKINNEY, Stephen	X	Yes	Yes		
ROLL CALL VOTES		YES: 6 NO: 0 ABSENT: 1	YES: 6 NO: 0 ABSENT: 1		
MOTION (1 st /2 nd):		Corey/Johnson	Andrews/Essin		

Meeting adjourned at 8:20 p.m.