

**CITY COUNCIL WORK SESSION
APRIL 18, 2011
6:00 P.M.
NEWBERG PUBLIC SAFETY BUILDING
401 EAST THIRD STREET**

THE CITY COUNCIL OF THE CITY OF NEWBERG WILL HOLD A WORK SESSION TO REVIEW THE COUNCIL AGENDA ITEMS. NO ACTION WILL BE TAKEN ON THE AGENDA ITEMS AND NO DECISIONS WILL BE MADE. THE COUNCIL MAY HEAR REPORTS FROM BOARDS, COMMISSIONS, AND COMMITTEES. THE BELOW WILL BE HEARD:

- PRESENTATION FROM THE CITY MANAGER AND RETIREMENT CONSULTANT ON NEWBERG'S RETIREMENT SYSTEM.

DANIEL DANICIC
CITY MANAGER

ACCOMMODATION OF PHYSICAL IMPAIRMENTS:

In order to accommodate persons with physical impairments, please notify the City Recorder's Office of any special physical accommodations you may need as far in advance of the meeting soon as possible and no later than 48 hours prior to the meeting. To request these arrangements, please contact the city recorder, at (503) 537-1283. For TTY service please call (503) 554-7793.

● City Manager's Office: e-mail: dan.danicic@newbergoregon.gov Fax: 537-5013 ●
Admin: 537-1261 ● Building: 537-1240 ● Public Works: 537-1273 ● Finance: 538-9421 ● Fire: 537-1230
Library: 538-7323 ● Municipal Court: 537-1203 ● Police: 538-8321 ● Maintenance: 537-1234 ● Utilities: 537-1205
Municipal Court Fax: 538-5393 ● Public Works Fax: 537-1277 ● Library Fax: 538-9720

THIS PAGE INTENTIONALLY LEFT BLANK

MEMORANDUM

TO: Newberg City Council
FROM: Everett Moreland
DATE: April 18, 2011
RE: City of Newberg Employees Retirement Plan

This memo is intended to inform the City Council about the City of Newberg Employees Retirement Plan. As requested by the City's Finance Director, this memo covers the following matters about the Plan:

- Brief general description of the Plan.
- Relationship of defined benefit to defined contribution.
- Flexibility in the amount of employee contributions.
- Fiduciary responsibility of the City Council.

This memo does not describe the Plan benefits of public safety employees, because all the City's current public safety employees are eligible for membership in the Oregon Public Employees Retirement System (PERS) and so are not covered by the Plan. The Plan's benefits for former public safety employees are generally the same as the benefits described in this memo for the City Attorney.

Brief general description of the Plan

Year Plan established. The City established the Plan in 1964.

Persons primarily involved with the Plan and their roles. The persons primarily involved with the Plan as it stands today are the City, Principal Financial Group, some current and former City employees and their beneficiaries, and the Internal Revenue Service.

- The City. The City maintains the Plan, administers the Plan except as to benefit payments, is the primary source of funding for the Plan, and invests the Plan's assets through a third party (currently Principal).

- Principal. Principal holds and invests the Plan's assets and administers the Plan as to benefit payments.
- Current and former employees and their beneficiaries. Some current City employees earn retirement benefits in the Plan. (The Plan refers to these current City employees as Active Participants. See below under City employees covered by the Plan for a description of which City employees are Active Participants.) Some former City employees and their beneficiaries receive, or in the future will receive, retirement benefits from the Plan.
- The IRS. The Internal Revenue Service requires the Plan to comply with federal laws regulating government retirement plans. Periodically the Plan is amended or restated to comply with changes in these federal laws. The Plan was last restated in 2003 and will be restated again in 2011. In 2003 the IRS approved the Plan's 2003 Restatement. The Plan's proposed 2011 Restatement was submitted to the IRS on January 31, 2011, for approval, which I anticipate the City will receive in about two years.

City employees covered by the Plan. The Plan covers full-time regular City employees who are not eligible for membership in PERS.

- "Active Participants." The Plan refers to these employees as Active Participants.
- Employees eligible for membership in PERS. Currently all the City's public safety and ambulance service employees, and most of the City's management employees, are eligible for membership in PERS and so are not covered by the Plan. Management employees who were promoted to management through the ranks after June 20, 1993, and were Active Participants in the Plan on June 20, 1993, are not eligible for membership in PERS and so are covered by the Plan.
- Former public safety employees. In the past the Plan covered the City's public safety employees, and so the Plan now pays benefits to several of them.
- Number of current and former employees covered by the Plan. Currently the Plan covers about 70 City employees and about 70 former City employees or their beneficiaries.

Monthly retirement benefit. The Plan provides a participant a monthly retirement benefit starting at her or his Normal Retirement Date.

- Benefit formula. The monthly retirement benefit is 1.67% (2% for the City Attorney) of average compensation times years as an Active Participant.
- "Average compensation." "Average compensation" means the participant's average base pay during the 36 consecutive months during the last 10 years of employment with the City that produce the highest average, plus 1/72 of the value of the participant's unused sick leave.

- Additional monthly retirement benefit for participants hired before July 1, 1993, and the City Attorney. A participant hired before July 1, 1993, and the City Attorney earn an additional monthly retirement benefit funded by the part of her or his account (see below) that is derived from contributions made after June 30, 1979.
- COLA. Monthly retirement benefits in pay status are adjusted each year for changes in the cost of living, but may not be increased in any one year by more than 2%.

When monthly retirement benefit vests. A participant's monthly retirement benefit vests after five years as an Active Participant or, if earlier, when the participant attains age 50 (age 45 for the City Attorney) while an Active Participant.

When monthly retirement benefit is payable. Payment of a participant's monthly retirement benefit starts at the participant's Normal Retirement Date or, if later, termination of the participant's employment with the City, but a participant may elect to start payment at the participant's Early Retirement Date.

- Normal Retirement Date. The Normal Retirement Date is the first of the month on or after the date the participant attains age 60 (age 58 for the City Attorney).
- Early Retirement Date. The Early Retirement Date is the first day of a month selected by the participant to start payment of monthly retirement benefits before the Normal Retirement Date that is on or after the date the participant has attained age 55 (age 50 for the City Attorney) and terminated employment with the City.
- Reduction for starting at the Early Retirement Date. Monthly retirement benefits are reduced by 8% for each year payment starts before the Normal Retirement Date (or for the City Attorney, by 8% for each year payment starts before age 55). However, benefits are not reduced after 30 years (25 years for the City Attorney) as an Active Participant.

Options for payment of monthly retirement benefit. A participant may elect to receive monthly retirement benefits in the form of a life annuity, a life annuity with 5 or 10 years certain, a 50% or 100% joint and survivor annuity, or a cash refund annuity (in which the participant's beneficiary receives a payment equal to any excess of the participant's account (see below) over the total monthly payments to the participant). A participant may also elect to receive a lump sum payment of the participant's account (see below) and a reduced monthly annuity. Each option has the same present value. For example, a 50% joint and survivor annuity pays a lower monthly retirement benefit than does a life annuity.

City contributions to the Plan, and City and participant contributions to participant accounts. The Plan is funded by City contributions and by "participant" contributions of 6% of compensation (excluding overtime, longevity pay, and pager pay).

- Accounts. Participant contributions are credited to an account for the participant, which earns 8% interest annually. A participant's account is always vested.
- Funding of accounts. Participant contributions are funded by participants, except that the City funds the participant contributions for participants represented by The Newberg-Dundee Public Safety Association or International Association of Firefighters, Local 1660, and for participants employed in the following positions: City Attorney, Building Official, HR Manager, and Maintenance Supervisor.

Monthly disability benefit. The Plan's monthly disability benefit is payable to an employee who becomes totally and permanently disabled while an Active Participant and after 10 years of Active Participation or in the performance of duties. The Plan's monthly disability benefit is the same as the monthly retirement benefit, except that (1) it is not reduced for starting before the Normal Retirement Date, (2) it is not adjusted for changes in the cost of living, and (3) for the City Attorney, it is computed by crediting years as an Active Participant to age 55, if the City Attorney becomes eligible for monthly disability benefits before age 55.

Death benefit. The beneficiary of a participant who dies before payment of her or his monthly retirement benefit starts will receive a lump sum death benefit equal to 2.2 times the participant's account, but may convert part or all of the lump sum to an annuity.

Lump sum termination benefit before the Early Retirement Date. A participant who has terminated employment may elect to forgo an annuity and receive instead a lump sum payment of her or his account before the Early Retirement Date.

Voluntary contributions. Active Participants may make voluntary contributions to the Plan. A participant may elect to receive the voluntary contributions, adjusted for investment gains and losses, in a lump sum or may convert them to an additional monthly retirement benefit.

Relationship of defined benefit to defined contribution

The Plan is a defined benefit plan but has a defined contribution feature (the Plan's accounts for voluntary contributions).

A defined benefit plan provides a defined benefit, for example a monthly retirement benefit of 1.67% of average compensation times years as an Active Participant.

A defined contribution plan provides an account balance, for example an account balance equal to voluntary contributions adjusted for investment gains and losses.

The Plan's accounts for 6% participant contributions are a defined benefit feature, not a defined contribution feature, because the accounts are credited with 8% interest, not with investment gains and losses.

A defined benefit plan places all investment risk and benefit on the employer. A defined contribution plan places all investment risk and benefit on the employee.

The reasons the Plan is a defined benefit plan are (1) defined benefit plans are the predominate and traditional retirement plan for public employees and (2) in 1979 the City revised the Plan to make it similar to PERS (which was then entirely a defined benefit plan), to help the City satisfy the requirement that the City provide retirement benefits for public safety employees that are equal to or better than PERS benefits for public safety employees.

In recent years some governments have placed new employees in defined contribution plans, to shift investment risk to the employees.

Flexibility in the amount of employee contributions

Why participant contributions are 6%. The reason the Plan requires 6% (of compensation) contributions to participant accounts is that the Plan was designed to be similar to PERS, which requires 6% contributions to member accounts. Except as discussed in the second following paragraph, nothing requires that any amount or percentage be contributed to participant accounts or that the Plan have participant accounts.

Changing the contribution rate for new hires. For new hires, the City could change the Plan to require that a lower or higher percentage of compensation, or that no amount, be contributed to accounts. This change for bargaining unit employees would need to be made consistent with collective bargaining law.

Changing the contribution rate for current employees. For current employees, the Oregon constitution might restrict the City's power to increase the amount of contributions made by the employee, unless the employee or, for a bargaining unit employee, the union consents. The Oregon Supreme Court decisions on the constitutional restriction on a government's power to require employees to make additional contributions are such that it is not possible to predict the outcome of litigation with any reasonable certainty. The conservative approach is to assume that the City could not require a current employee to make additional contributions unless the employee or (for a bargaining unit employee) the union consents.

Role in funding Plan benefits. These 6% contributions fund a substantial part of the Plan's benefits. They represented \$198,218, or 25%, of the \$789,625 contributed to the Plan in the year ended June 30, 2009, and \$181,983, or 21%, of the \$864,188 contributed to the Plan in the year ended June 30, 2010. The part of benefits funded by these 6% contributions will go up as the City's contribution rate to the Plan (as a percentage of compensation) goes down, and will go down if the City's contribution rate goes up. The City's contribution rate declined from 16.7% of Active Participants' compensation for the year ended June 30, 2010, to 15.9% of Active Participants' compensation for the year ending June 30, 2011. Principal's Actuarial Valuation Report for the Plan for the year ending June 30, 2011, projects that these 6% contributions will represent 24% of the contributions made to the Plan after June 30, 2010.

Fiduciary responsibility of the City Council

The City has the following responsibilities and power relative to the Plan:

- Maintain the plan document in compliance with legal requirements. The implied contractual responsibility to maintain the Plan's plan document in compliance with legal requirements (primarily these are IRS legal requirements). The City contracts with the law firm of Hershner Hunter to timely provide the City with Plan amendments as needed to comply with changes in legal requirements.
- Administer the Plan. The fiduciary responsibility to administer the Plan in accordance with the Plan's plan document and legal requirements.
- Fund the Plan. The contractual responsibility to make contributions to the Plan as needed to fund benefits.
- Invest the Plan's assets. The fiduciary responsibility to invest the Plan's assets.
- Amend the Plan. The power to amend the Plan.

All the above City responsibilities and power rest primarily with the City Council.

- The City Manager's power to amend the Plan. The City Manager has a limited power to amend the plan (to clarify the Plan, to facilitate the administration of the Plan, or to make changes adapting the Plan to the requirements of law, changes in law, or the terms of a collective bargaining agreement).
- The City Council's responsibilities and power. Except for the City Manager's limited power to amend the Plan, the Plan places all the above City responsibilities and power with the City Council, except those that the City's governing documents or City Council actions vest in other City officials. For responsibilities vested in other City officials, the City Council may have a duty to monitor the officials' performance.
- Hiring advisors. The City has hired the following independent contractors to advise the City about the Plan:

Plan document. Hershner Hunter advises the City about maintaining the plan document.

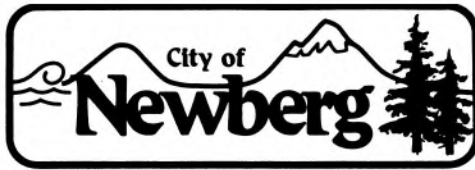
Administration. Principal performs the Plan administration relating to paying benefits (giving participants the paperwork needed to elect a payment option, paying the elected option, and tax withholding and reporting). The City performs the rest of the Plan administration and occasionally asks the advice of Principal or Hershner Hunter about Plan administration.

Funding. Principal advises the City about funding the Plan.

Investments. Principal recommends the Plan's asset allocation, such as the percentage of the Plan's assets to invest in stocks and the percentage to invest in bonds. The City decides the Plan's asset allocation, after considering Principal's advice. Principal decides how to invest the Plan's assets invested in each asset class (such as in stocks and in bonds).

The City (meaning the City Council except where the City's governing documents or City Council actions vest responsibility in other City officials) has the duty to monitor these advisers.

- Delegating administration and investment responsibilities. The City can delegate to a retirement committee the City's responsibility to administer the Plan and can delegate the responsibility to invest the Plan's assets, but the City (meaning the City Council except where the City's governing documents or City Council actions vest responsibility in other City officials) has the duty to monitor these persons.



**CITY OF NEWBERG COUNCIL AGENDA
APRIL 18, 2011
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)**

I. CALL MEETING TO ORDER*

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. CITY MANAGER'S REPORT

V. PUBLIC COMMENTS

(30 minutes maximum, which may be extended at the Mayor's discretion, with an opportunity to speak for no more than 5 minutes per speaker allowed)

VI. CONSENT CALENDAR

1. Consider a motion approving **Resolution No. 2011-2943** approving the annual evaluation of the city manager. (Pgs. 3-5)
2. Consider a motion to approve March 7, 2011, City Council minutes. (Pgs. 7-10)

VII. PUBLIC HEARING

Consider a motion approving **Ordinance No. 2011-2738** allowing an extension for expiring subdivisions and planned developments. (Pgs. 11-12)

VIII. NEW BUSINESS

Consider a motion approving **Resolution No. 2011-2933** adopting new Council Rules and Guidelines. (Pgs. 13-43)

IX. COUNCIL BUSINESS

Consider a motion approving a City of Newberg Vision Statement. (Pg. 45)

X. ADJOURNMENT

*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.

INDEX OF ORDERS, ORDINANCES, AND/OR RESOLUTIONS:

ORDINANCE(S):

Ordinance No. 2011-2738 allowing additional extensions for expiring subdivisions and planned developments during the current recession.

RESOLUTION(S):

Resolution No. 2011-2933 adopting the amended city council guidelines, the revised city council rules, and repealing Resolution No. 2008-2807.

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 48 hours prior to the meeting. To request these arrangements, please contact the City Recorder at (503) 537-1283. For TTY services please call (503) 554-7793

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. The exception is land use hearings, which requires a specific public hearing process. The City Council asks written testimony be submitted to the City Recorder before 5:00 p.m. on the preceding Thursday. Written testimony submitted after that will be brought before the Council on the night of the meeting for consideration and a vote to accept or not accept it into the record.

City of Newberg Mission Statement:

The City of Newberg serves its citizens, promotes safety, and maintains a healthy community.

*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.

DATE ACTION REQUESTED: April 18, 2011

Order ___	Ordinance ___	Resolution <u>XX</u>	Motion ___	Information ___
No.	No.	No. 2011-2943		

SUBJECT: Resolution Approving the Annual Evaluation of the City Manager.

Contact Person (Preparer) for this Motion: Bob Andrews, Mayor
Dept.: Administration
File No.:

RECOMMENDATION:

Adopt **Resolution No. 2011-2943** approving the annual evaluation of the city manager.

EXECUTIVE SUMMARY:

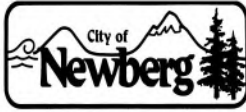
The City Council performed an annual evaluation of the city manager. That evaluation was held during executive session in which no decisions were made. This resolution is to solidify that evaluation and to provide a formal guidance of his performance.

FISCAL IMPACT:

None.

STRATEGIC ASSESSMENT:

The evaluation of the city manager is necessary in order to increase communication between the City Council and the city manager concerning the performance of the city manager in accomplishing his assigned duties and responsibilities.



RESOLUTION No. 2011-2943

A RESOLUTION APPROVING THE 2011 ANNUAL EVALUATION OF THE CITY MANAGER

RECITALS:

1. In accordance with the Newberg City Charter, the city manager is the chief executive office of the City of Newberg, which reports directly to the mayor and city council and is supervised by the governing body.
2. The city has a contract with the city manager and pursuant to that contract; the City Council will evaluate the city manager in executive session.
3. The Open Meetings Law of the State of Oregon allows the evaluation of the job performance of the chief executive officer to be conducted in executive session by the City Council and pursuant to such standards, criteria, and policy directives adopted by Resolution No. 1999-2191 on July 19, 1999.
4. The mayor, city councilors, and the city manager met in executive session on April 4, 2011, to discuss the city manager's annual evaluation.
5. The mayor has submitted the written evaluation which will be placed in the city manager's personnel file after being adopted by the City Council.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The written evaluation of the city manager, which is attached as Exhibit "A", which is attached and by this reference is hereby adopted.
2. The city manager shall be given a copy of the evaluation to sign and may make any written comments after which the written evaluation shall be placed in the city manager's personnel file.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: April 19, 2011.

ADOPTED by the City Council of the City of Newberg, Oregon, this ___ day of _____, 2011.

Norma I. Alley, City Recorder

ATTEST by the Mayor this _____ day of _____, 2011.

Bob Andrews, Mayor

**City Manager (Daniel Danicic)
Annual Written Evaluation – 2011
By Newberg City Council**

The City Council has received a written report from the city manager concerning his performance during his evaluation period. The respective mayor and councilors have met with the city manager in executive session on April 4, 2011, to discuss their evaluation of his performance from April, 2010, to April, 2011.

The City Council has evaluated the performance of Daniel Danicic as the city manager of the City of Newberg. As part of the evaluation council reviewed the report given them by the city manager indicating his self-evaluation during the evaluation period. The City Council assessed the manager's performance in seven major categories:

1. Management
2. Planning Goals
3. Communications
4. Fiscal Agent/Budget Officer
5. Community Relations
6. Intergovernmental/Interagency Relations
7. Personal Traits

Overall the City Council found the manager's performance fell between excellent and exceeds expectations. The City Council felt the working relationship with the city manager was excellent and improving as time went on. The Council expressed satisfaction with the initial goal setting and looks forward to further long-range strategic planning in partnership with the city manager.

DATED this ____ day of _____, 2011.

Bob Andrews, Mayor

Denise Bacon, Councilor

Ryan Howard, Councilor

Stephen McKinney, Councilor

Bart Rierson, Councilor

Marc Shelton, Councilor

Wade Witherspoon, Councilor

THIS PAGE INTENTIONALLY LEFT BLANK

DATE ACTION REQUESTED: April 18, 2011

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

SUBJECT: Approve the March 7, 2011, City Council Meeting minutes.

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

RECOMMENDATION:

Approve the March 7, 2011, City Council minutes for preservation and permanent retention in the City's historical records.

EXECUTIVE SUMMARY:

The City of Newberg City Council held a public meeting and minutes were recorded in text. In accordance to Oregon State Records Management law, the City of Newberg must preserve these minutes in hard copy form for permanent retention.

FISCAL IMPACT:

None.

STRATEGIC ASSESSMENT:

None.

**CITY OF NEWBERG CITY COUNCIL MINUTES
MARCH 7, 2011
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)**

A Work Session was held prior to the meeting. A general discussion was held about the proposal for the City Council Guidelines and Rules. No decisions were made.

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:07 PM.

II. ROLL CALL

Members

Present:	Mayor Bob Andrews	Denise Bacon	Ryan Howard	Stephen McKinney
	Bart Rierson	Marc Shelton	Wade Witherspoon	

Staff

Present:	Daniel Danicic, City Manager	Terrence Mahr, City Attorney
	Barton Brierley, Planning and Building Director	Norma Alley, City Recorder
		Jennifer Nelson, Minutes Recorder

Others

Present: Roger Wiltshire, Denise Bellon, Sally Dallas, and Kris Horn

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

Mr. Daniel Danicic, City Manager, followed up on previous questions about locksmith services being provided through the fire department for the general public; in the two recent cases where this happened both involved toddlers locked inside a vehicle or a home. Panicked parents called 9-1-1 for assistance. It is the job of public safety to respond and always will. He also spoke of the new security measures at City Hall and the need for proximity cards or guest passes to access certain common staff areas and the elevator.

V. PUBLIC COMMENTS

Mr. Roger Wiltshire spoke of being a free American, and how this country was founded on capitalism, not socialism, communism, or anything else. He spoke of The Holy Bible, The Declaration of Independence, The Constitution, and The Pledge of Allegiance giving quotes about the foundation of this country and the inalienable rights of life, liberty, and the pursuit of happiness. He said a common theme through these documents was "liberty" and "tranquility" and offered several definitions of both words. He felt that wearing hats, coats, or dark glasses were of no danger to public safety or welfare and the Council guidelines 8.3 and 8.4 were a violation of his rights to freedom and tranquility.

Ms. Denise Bellon spoke with the council about the use of the trolley for the Newberg ARTwalk and how free rides were being provided to encourage attendance at this downtown event. She asked for tourism funds to be granted to support continuing the use of the trolley during the Newberg ARTwalk activities. Sponsorship for one evening costs \$400.00 and has been collected from downtown businesses up until this point, but businesses are having difficulty funding it now. She spoke of the benefits to businesses outside of the core downtown

along with plans to create full maps with destination points. The Chamber of Commerce granted them \$1,200.00 and the remaining balance is \$3,600.00. Councilor Marc Shelton said he understands the intent and asked if anyone had talked with Chehalem Valley Transit and if they compete with what you are doing. Ms. Bellon said they have not been asked.

Ms. Kris Horn, Co-Founder of ARTwalk, spoke of the growth in participation and the trolley helping to get people to the far ends of the event. The cost for the participating businesses is already great and they have been unable to absorb the additional cost of the trolley.

Mayor Andrews asked if the trolley route goes by the normal parking areas on 2nd Street and Blaine Street and behind the Cultural Center. Ms. Horn did not believe it did, but passengers do go through the walkway on 1st Street.

VI. CONSENT CALENDAR

Consider a motion approving **Resolution No. 2011-2935** authorizing the city manager to dedicate a portion of the property at 921 S. Blaine Street as public right-of-way.

MOTION: Rierson/Shelton approving the Consent Calendar including **Resolution No. 2011-2935** authorizing the city manager to dedicate a portion of the property at 921 S. Blaine Street as public right-of-way. (7 Yes/0 No) Motion carried.

VII. PUBLIC HEARINGS

Consider a motion approving **Ordinance No. 2011-2734** amending the Newberg Comprehensive Plan and Development Code to reflect the Newberg-Dundee Bypass Tier 2 alignment.

Mr. Barton Brierley, Planning and Building Director, presented the staff report including a PowerPoint summary and recommended adoption (see official meeting packet for full report).

Councilor Ryan Howard asked for more detail on the interchange overlay and what it implies for that area. Staff said there are two reasons for interchange overlay; to coordinate with the Oregon Department of Transportation (ODOT) for future development and for notification purposes. The concern was for this area to not be a destination creation, but to get traffic around the City, so commercial uses such as convenience stores, gas stations, or drive-ins would not be allowed by the bypass interchange.

Mayor Andrews opened for public testimony; none appeared. Staff recommended approval. The public hearing was closed.

MOTION: Shelton/Witherspoon approving **Ordinance No. 2011-2734** amending the Newberg Comprehensive Plan and Development Code to reflect the Newberg-Dundee Bypass Tier 2 alignment, read by title only.

Mayor Andrews spoke of the ongoing evolution of the transportation planning rules and what significant impacts are anticipated from what is being done in state legislature. Staff said there are some things being pondered by legislators that would better address circumstances like this. There is a plan for a bypass, which can only move forward when funding is available and the planning rules are not clear. They are hoping the rules will be clarified and other concerns are coming up, but these amendments will help this City to get down the road a little way while waiting for the different parts to come together. This will allow the bypass to become more official.

Councilor Denise Bacon asked about special planning to replace the affordable housing being lost because people are already being moved out of town due to no comparable housing here in town. She has a big issue with moving Newberg residents elsewhere. Staff said she has a right to be concerned and there are ways to address this issue so ODOT needs to keep their end of the bargain and efforts need to continue to replace that housing in Newberg.

Councilor Bart Rierson asked about the ways Newberg can work with ODOT since this is a high priority and Council does not like displacing city residents. He felt the need to support what is right by the citizens and he was concerned that moves are already starting when any ground-breaking is so far off. Staff suggested inviting ODOT representatives to give a report on their process and to see how they are planning to help be proactive to replace some of the lost housing.

Councilor Wade Witherspoon spoke of his experiences sitting on the parkway committee and hearing detailed reports on ODOT's process of relocating. The process is fair and they try to find housing in a certain radius; he was comfortable with their presentation that they are doing everything they can and sometimes people are getting a better deal than where they were. It is uncomfortable, but ODOT is doing all they can.

Councilor Shelton felt a report of ODOT's process would be unnecessary since the Mayor and Councilor Witherspoon can report this to the rest of the Council, but he did think the language should be changed on page 39, the first page of Exhibit "B", to say these things "must" be done rather than "shall". He also said he is hearing things a little differently on the street than what has been heard in ODOT's presentation about their process.

VOTE: To approve **Ordinance No. 2011-2734** amending the Newberg Comprehensive Plan and Development Code to reflect the Newberg-Dundee Bypass Tier 2 alignment, read by title only. (7 Yes/0 No) Motion carried.

VIII. COUNCIL BUSINESS

TIME – 7:57 PM

Council discussed how to proceed with the request made this evening to use Transient Lodging Tax dollars to fund the trolley for the Newberg ARTwalk. There were concerns about committing portions of this funding source when this could potentially go against what may be generated for the General Fund. There was a request for more information and to follow-up with this during the budget process.

X. ADJOURNMENT

The meeting adjourned at 8:09 PM.

ADOPTED by the Newberg City Council this 18th day of April, 2011.

Norma I. Alley, City Recorder

ATTEST by the Mayor this 21st day of April, 2011.

Bob Andrews, Mayor

DATE ACTION REQUESTED: April 18, 2011

Order ___ Ordinance XX Resolution ___ Motion ___ Information ___
No. No. 2011-2738 No.

SUBJECT: Ordinance allowing additional extensions for expiring subdivisions and planned developments

Contact Person (Preparer) for this Motion: Barton Brierley, AICP
Dept.: Planning and Building
File No.: DCA-11-003
(if applicable)

HEARING TYPE: LEGISLATIVE QUASI-JUDICIAL

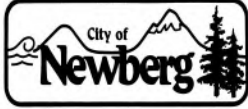
RECOMMENDATION:

Adopt **Ordinance No. 2011-2738**, allowing an additional extension of up to one year for expiring subdivisions and planned unit developments.

EXECUTIVE SUMMARY: In May, 2009, the City Council authorized an additional extension of one year for subdivisions and partitions that were due to expire. Several projects had not progressed due to the current recession. There are still two subdivisions and two planned unit developments that have yet to be platted. These include the Springbrook plat (north of Mountainview Drive), and the Crestview Crossing plat (north of Providence Hospital). The attached ordinance would allow the Planning and Building Director (or Planning Commission where specified) to grant an additional extension of up to one year for expiring developments.

FISCAL IMPACT: The City would lose new application fees if these were to reapply. The review fees are estimated to cover the costs of processing the applications, so the change would essentially be revenue neutral. There is a cost to review each extension application. The fee to consider an extension is \$135.

STRATEGIC ASSESSMENT: Development approvals should have expiration dates in cases of changes in circumstances, for example major code changes, changing public utility availabilities, or the effect of other changes in proximity to the development. In the past two years there have been few major changes that would affect development, therefore in most cases development approvals could be extended without significant consequences.



ORDINANCE No. 2011-2738

**AN ORDINANCE ALLOWING ADDITIONAL EXTENSIONS FOR EXPIRING
SUBDIVISIONS AND PLANNED DEVELOPMENTS DURING THE CURRENT
RECESSION**

RECITALS:

1. The Newberg Development Code provides for expirations of approved subdivisions, partitions, planned developments, site design reviews, and other applications. These expirations are necessary to insure that developments continue to be appropriate in cases of changing conditions, and that the community continues to be aware of proposed developments.
2. During the current year, the country is experiencing a significant recession, causing many developments to be delayed.
3. The Council wishes to allow these developments additional time to be completed where appropriate.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The Planning and Building Director or other hearings authority set forth in the Newberg Development Code is hereby authorized to consider and grant, if appropriate, an extension of up to one year to an approved subdivision or planned unit development plat. This is in addition to extensions allowed under the applicable Development Code standards, and extensions approved through Ordinance 2009-2716.
2. The application for extension shall be processed in accordance with the procedures and criteria set forth in the applicable sections listed above, and may be subject additional conditions as set forth in the applicable section.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: May 18, 2011.

ADOPTED by the City Council of the City of Newberg, Oregon, this 18th day of April, 2011, by the following votes: **AYE:** **NAY:** **ABSENT:** **ABSTAIN:**

Norma I. Alley, City Recorder

ATTEST by the Mayor this 21st day of April, 2011.

Bob Andrews, Mayor

LEGISLATIVE HISTORY

By and through _____ Committee at ___ / ___ / ___ meeting. Or, None.

DATE ACTION REQUESTED: April 18, 2011

Order ___ Ordinance ___ Resolution X Motion ___ Information XX
No. No. No. 2011-2933

SUBJECT: Resolution adopting amended City Council Guidelines, revised City Council Rules, and repealing Resolution No. 2008-2807.

**Contact Person (Preparer) for this Motion: Dawn Wilson
Dept.: City Attorney's Office
File No.:**

EXECUTIVE SUMMARY:

The council has reviewed the draft of these guidelines and rules a number of times in work session, as well as in open council meetings. During these reviews, there were suggested changes and amendments. Many of those have been incorporated into this final draft.

The guidelines have been amended, but not extensively revised. They address the relationship between the councilors, as well as between the council and the public. They would ordinarily be reviewed during a goal setting process.

The rules are a major revision of the previous council rules, which did not attempt to address many issues and procedures the council used. It is hoped that these rules will become guidance to future councils. These rules will be fluid and must be reviewed periodically. The council has the full authority to alter the rules or not abide by the rules when in the judgment of the council the best interest of the city and/or the public would be served.

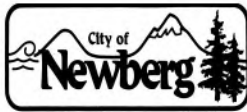
There are a number of sections in the rules that leave room for expansion. This office will be addressing those sections in the future as time permits and as needed. The revised rules are in a form which will be useful to the council and should be adopted at this stage.

FISCAL IMPACT:

The rules largely adopt present practice. It is anticipated that there will be no financial impact.

STRATEGIC ASSESSMENT:

Provides a document that will serve to guide future councils and give proper authority for conducting meetings. The council rules maintain and implement the council's authority pursuant to the city charter.



RESOLUTION No. 2011-2933

**A RESOLUTION ADOPTING THE AMENDED CITY COUNCIL
GUIDELINES, THE REVISED CITY COUNCIL RULES, AND
REPEALING RESOLUTION No. 2008-2807**

RECITALS:

1. The city charter of the City of Newberg specifies that the council must adopt council rules to govern its meetings and provide for the keeping of records of those meetings.
2. The city adopted the present Council Guidelines and Rules (G&R's) in January of 2007 by Resolution No. 2007-2692. The G&R's were amended in September of 2008 by Resolution No. 2008-2807, dealing with compensation and attendance. This is an expanded revision of those G&R's.
3. The guidelines and rules of the council are further governed by the Oregon Public Records and Meetings Laws.
4. In this revision, the guidelines have been set out in a separate document. The rules are far more extensive and cover many more situations.
5. It is the intention of the council that these guidelines and rules not be static documents but be reviewed periodically, expanded and modified as needed.
6. The council has reviewed the draft of these guidelines and rules in work session, as well as regular council meetings. During these discussions, additions, revisions, and amendments to the rules were suggested and many of those have been incorporated into this final document.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. Adoption of Council Guidelines – The city council adopts the City of Newberg Council Guidelines as set out in Exhibit “A,” which is attached and by this reference incorporated. These guidelines may be referred to as “council guidelines.”
2. Adoption of Council Rules – The city council adopts the City of Newberg Council Rules as set out in Exhibit “B,” which is attached and by this reference incorporated. These rules may be referred to as “council rules.”
3. Interpretation of the Rules – The city council is the final authority in interpretation of its rules. The mayor, in conducting meetings, must apply the council rules. Any interpretation by the mayor or presiding officer of the council rules, as applied, are deemed to be correct unless challenged by any council member at the appropriate time. If there is a challenge, the council will make a ruling as to the correctness of the interpretation, and that ruling will be final.

4. Duty of City Manager and City Attorney – It is the duty of the city manager and the city attorney to call to the council’s attention the procedure and application of the rules on the matters before the council at their meetings. This advice on the council rules will be given by addressing the mayor or presiding officer during the council meeting.
5. Assistance to Mayor or Presiding Officer – In accordance with the city charter, the mayor or presiding officer has the duty to facilitate the council meetings, preserve order, and determine the order of business pursuant to the council rules. The mayor or presiding officer has the authority to designate a person as parliamentarian for council meetings and/or seek assistance in facilitating and carrying out their duties at those meetings. The duration of such appointments will be determined by the mayor or presiding officer and may be changed at any time. However, in the absence of such designation or the absence of the parliamentarian, the city attorney will serve as parliamentarian.
6. Decisions of the Council – No decision of the council will be invalidated or held null and void because the council failed to follow the rules of the council, nor will that failure be used later as grounds to invalidate any action taken by the council.
7. Repeal of Resolution No. 2008-2807 – The city council hereby repeals Resolution No. 2008-2807, which is attached as Exhibit “C,” and by this reference incorporated.
8. Effect of Adoption – Upon adoption on the effective date of adoption as stated below, the revised council guidelines and council rules will take the place of and supersede all other G&R’s of the city council.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: April 19, 2011.

ADOPTED by the City Council of the City of Newberg, Oregon, this 18th day of April, 2011.

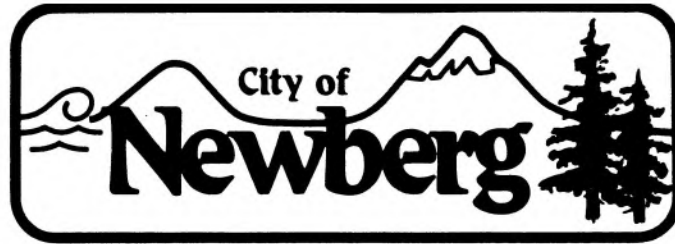
Norma I. Alley, City Recorder

ATTEST by the Mayor this 21st day of April, 2011.

Bob Andrews, Mayor

LEGISLATIVE HISTORY

By and through City Council Committee at 10/04/2010 & 02/22/2011 meeting.



CITY OF NEWBERG COUNCIL GUIDELINES

April 18, 2011

CITY OF NEWBERG COUNCIL GUIDELINES

As a member of the Newberg City Council, council members will strive to do the following:

- 1). Trust and respect the opinions of fellow council members and participate in the decisions of the council.
- 2) Accept responsibility to attend all council meetings and council sub-committees assigned.
- 3) Fulfill obligations to share with other council members the membership on the committees as required.
- 4) Provide appropriate notification to the mayor, council president or city manager of an absence as soon as practical prior to the meeting time.
- 5) Not disclose information which is confidential and, when asked by the public for information that is confidential, will state that the information is confidential.
- 6) Make every attempt to resolve any conflict with a fellow council member prior to bringing the conflict to the attention of the council.
- 7) Make an effort to study material presented in a timely manner and be informed on all issues.

NEWBERG CITY COUNCIL MEETING EXPECTATIONS

As a Newberg City Council member, council members will strive to do the following:

- 1) Make the citizens and visitors feel welcomed at the meetings by involving them in the process, being courteous to them, and respecting their opinions.
- 2) Do their best to communicate in clear, concise and audible language and written communications.
- 3) Make sure that their tone of voice is friendly and sincere.
- 4) Honor and act on all requests for action and/or information in a timely and courteous manner.
- 5) Discuss issues, but not personalities with non-council members.
- 6) After an issue has been voted on, council members will speak for themselves carefully, in a manner that does not undermine the integrity or motives of the council, even if their personal opinion differs from the council's decision.
- 7) In quasi-judicial matters, members will explain at the meeting the reasons why they cast a negative vote when it is in the minority.

Exhibit “B”
To Resolution No. 2011-2933
(Total of 25 pages)

CITY OF NEWBERG COUNCIL RULES

April 18, 2011

Table of Contents

SECTION 1 – AUTHORITY	11
Rule 1.1 Authority of Rules	11
Rule 1.2 Council Authority	11
Rule 1.3 Limited Public Forum	11
Rule 1.4 Presentation to Council Members	11
SECTION 2 – GENERAL RULES	11
Rule 2.1 Open Meetings	11
Rule 2.2 Quorum	11
Rule 2.3 Compelling Attendance	11
Rule 2.4 Vacant Positions as Relates to Quorum	12
Rule 2.5 Vote Required	12
Rule 2.6 Entire Membership	12
Rule 2.7 Rules of Order	12
Rule 2.8 Suspension of Rules	12
Rule 2.9 Records of Proceedings	12
SECTION 3 – CITY COUNCIL MEMBERS	13
Rule 3.1 Council Defined	13
Rule 3.2 Qualifications to Hold Office	13
Rule 3.3 Attendance	13
Rule 3.4 Excused Absence	13
Rule 3.5 Explanation of Unexcused	13
Rule 3.6 Filling Vacancies	13
Rule 3.7 Compensation for Attendance at Meetings	14
SECTION 4 – COUNCIL MEETINGS	15
Rule 4.2 Notice of Meeting	15
Rule 4.3 Meeting Times and Places	15
Rule 4.4 Special Meetings	15
Rule 4.5 Special Meetings Limited Purpose	15
Rule 4.6 Emergency Meetings	16
Rule 4.7 Executive Session Meetings	16
Rule 4.8 Adjourned and Recessed Meeting	16
Rule 4.9 Cancellation of Meeting	16
SECTION 5 – AGENDAS AND ADDITIONAL ITEMS FOR CONSIDERATION	16
Rule 5.1 Preparation of Agenda	16
Rule 5.2 Non-Agendized Items	16
Rule 5.3 Time for Submission of Items	16
Rule 5.4 Reports by the Staff	17
Rule 5.5 Additional Items	17
Rule 5.6 Communications from the Floor	17
Rule 5.7 Consent Calendar	17
Rule 5.8 Agenda Availability	17

Rule 5.9	Work Session Meeting Agenda	17
Rule 5.10	Business Meeting Agenda	18
Rule 5.11	Study Session Meeting Agenda	18
Rule 5.12	Joint Meeting or Community Forum Meeting Agendas	19
SECTION 6 – PRESIDING OFFICER		19
Rule 6.1	Mayor	19
Rule 6.2	Council President	19
Rule 6.3	Presiding Officer Pro Tem	20
Rule 6.4	Presiding Officer Pro Tem for Specific Items	20
SECTION 7 – PROCEDURES AT MEETINGS		20
Rule 7.1	Mayor’s Duty	20
Rule 7.2	Mayor’s Role	20
Rule 7.3	Address the Mayor	20
Rule 7.4	Voting Required	20
Rule 7.5	Discussion on Agenda Items	20
Rule 7.6	Seconds on Motion	20
Rule 7.7	Reconsideration	21
Rule 7.8	Failure to Follow Rules	21
Rule 7.9	First Reading of Ordinances	21
Rule 7.10	Public Legislative Hearing	21
Rule 7.11	Public Administrative Hearing	21
Rule 7.12	Public Quasi-judicial Hearing	21
Rule 7.13	Ex-parte’ Contact	22
Rule 7.14	Public Comment Registration	22
Rule 7.15	How Interested Person Should Testify	22
SECTION 8 – ENFORCEMENT OF COUNCIL RULES		22
Rule 8.1	Presiding Officer	22
Rule 8.2	Councilors	22
Rule 8.3	Attire at Council Meetings	23
Rule 8.4	Removal of Any Person	23
SECTION 9 – AD-HOC COMMITTEES		23
Rule 9.1	Structure of Ad-hoc Committees	23
Rule 9.2	Duty of Ad-hoc Committees	23
Rule 9.3	Appointment of Ad-hoc Members	23
Rule 9.4	Functions of Ad-hoc Committees	23
Rule 9.5	Removal of Members of Ad-hoc Committee	24
Rule 9.6	Meetings of the Ad-hoc Committees	24
Rule 9.7	Staff Support of Ad-hoc Committee	24
Rule 9.8	Ex-officio Members of Ad-hoc Committees	24
SECTION 10 – ELECTRONIC MAIL		24
Rule 10.1	Electronic Mail	24
SECTION 11 – PROCLAMATIONS		24
Rule 11. 1	Request for Proclamations	25

Rule 11.2 Reading of Proclamations 25

SECTIONS 12-19 – *[RESERVED FOR EXPANSION]* 25

SECTION 20 – MISCELLANEOUS 25

 Rule 20.1 Amendments to Council Rules 25

Newberg City Council Rules

SECTION 1 – AUTHORITY

Rule 1.1 Authority of Rules

Section 11 of city charter provides that the council will adopt council rules by resolution to govern its meetings and proceedings. These rules will decide questions and give direction on debating, voting, membership, attendance, agendas, and other matters. The rules are intended to serve as a guide for the council. One of the goals of the council is to work with the residents of Newberg and provide a positive atmosphere at council meetings. These rules provide the basic outline required to work together. The council may need to vary from these rules from time to time to best serve the public interest.

Rule 1.2 Council Authority

All questions regarding these rules will be resolved by majority vote of the council.

Rule 1.3 Limited Public Forum

The meetings of the council, including regular meetings, special meetings, work sessions and emergency meetings are open to the public in accordance with the Oregon Public Meetings Law. The meetings are considered a limited public forum at which council business is conducted in accordance with the agenda and rules of the council. The mayor, as the presiding officer, along with the council has the authority to require discussion at the meetings be addressed to the matters that are appropriate to be considered, to limit the time for discussion, and to restrict input concerning the matters to be discussed. The council has the right to require persons attending the meeting, addressing the council or participating in the meeting to conform to the rules of the council and directions of the mayor or the presiding officer.

Rule 1.4 Presentation to Council Members

These council rules will be presented to all council members at or before the time they take the oath of office. Each appointed or elected council member will acknowledge in writing that the member has received and reviewed a copy of these council rules within 30 days of receiving the rules. The city recorder will furnish a form of acknowledgement to the member and retain the signed copy.

SECTION 2 – GENERAL RULES

Rule 2.1 Open Meetings

All council meetings will be held in accordance with the Oregon Public Meetings Law (“OPML”). All final action by the council will take place at council meetings that are open to the public.

Rule 2.2 Quorum

Section 13 of city charter provides that a majority of the council members is a quorum to conduct business, but a smaller number may meet and compel attendance of the absent members.

Rule 2.3 Compelling Attendance

When a quorum is not present at the time set for a meeting or when a quorum has been present and a meeting has commenced, but a quorum is no longer present, any council member may move for a call of the house. The motion will be put in the following form: "I move for a call of the house." That motion will take precedence over all other business. The motion need not be seconded, but it is subject to discussion. At least two council members present must concur for the call of the house motion to

pass. If the motion is passed, then all unexcused absent council members will be requested to attend or return to the meeting. The city manager will provide the administrative staff assistance necessary to compel the attendance of the unexcused absent council members at the meeting. The mayor is authorized to recess the meeting to a time certain while attendance is being compelled.

Rule 2.4 Vacant Positions as Relates to Quorum

If a council position is vacant, that vacant office will not be counted in determining the majority of the council members that is necessary for a quorum to conduct business.

Rule 2.5 Vote Required

Section 14 of the city charter provides that expressed approval of a majority of the quorum of the council is necessary for any council decision except when the charter or council rules requires approval by a concurrence of a majority of the entire membership of the council.

Rule 2.6 Entire Membership

Section 17 of city charter provides that a concurrence of the entire membership of the council is required for the passage of an ordinance. The entire membership of the council is comprised of six (6) councilors and the mayor who is elected at large. The concurrence of the entire membership of the council requires the concurrence of four (4) councilors. The absence from a particular meeting does not affect the required number of councilors to constitute the majority of the entire membership. However, if an office of position of councilor is vacant, that office will not be considered when determining the entire membership of the council. This interpretation is applicable to any time the concurrence of the majority of the entire membership of the council is required for any council decision.

Rule 2.7 Rules of Order

"Robert's Rules of Order, Newly Revised, Tenth Edition" or the latest editions published thereafter hereafter referred to as "Robert's Rules of Order" will govern all council proceedings unless they conflict with these rules. The mayor will have the authority to appoint a parliamentarian for the council. If there is no person appointed as parliamentarian or that person is absent, the city attorney will advise the mayor concerning parliamentarian matters.

Rule 2.8 Suspension of Rules

The vote to suspend council rules including Robert's Rules of Order, requires a majority vote of those members of the council who are present. If the motion is carried, the rules will be suspended for that item only.

Rule 2.9 Records of Proceedings

The city recorder will be the ex-officio clerk of the council, attend all the meetings unless excused and keep an accurate record of the proceedings of the council meetings. The city manager will appoint and supervise the city recorder. The city manager may appoint such deputy city recorders as needed. The records of the proceedings are to be known as "minutes." The minutes will be kept in accordance with the Oregon Public Records and Meetings Law and in a manner prescribed by these rules pursuant to Section 15 of the city charter.

SECTION 3 – CITY COUNCIL MEMBERS

Rule 3.1 Council Defined

Section 8 of city charter states that the council consists of a mayor nominated and elected from the city at large and six (6) councilors nominated from districts and elected from the city at large.

Rule 3.2 Qualifications to Hold Office

Section 28 of the city charter provides for complete qualifications for eligibility of elective office of mayor and city council members of the city. The city charter provides that no person will be eligible to fill the elective office of mayor or city council member unless at the time of the election that person is a qualified voter and has resided in the city for at least one year immediately preceding the election. In addition, in order for a person to be eligible for a council position, that person must live in the district from which the person is nominated to run for the council position. Furthermore, it is a requirement that the person once elected to the office of mayor or council member must continue to meet the qualifications for that office throughout their term. The council is the final judge of the qualifications in election of its members.

Rule 3.3 Attendance

It is the duty of each councilor and the mayor to attend all meetings of the council. Section 32 of the city charter provides that an office will be deemed vacant upon the absence from meetings of the council for sixty (60) days or the absence from the city for thirty (30) days without council consent. The consent of the council for such absence must be in writing and obtained prior to such absence, if possible. Consent will be given for good cause. The council has the authority to make the final decision concerning good cause.

Rule 3.4 Excused Absence

When a councilor cannot attend a meeting, the member will notify the mayor, presiding officer, or city manager prior to the meeting. The mayor or presiding officer will determine if the absence is considered “excused” or “unexcused.” If the absence is for good cause and there are no objections from other councilors who are present, the city recorder will record the absence in the minutes as excused. If the councilors, upon an affirmative vote of the majority of the councilors present, determine the absence is not for good cause, the city recorder will record the absence in the minutes as unexcused. There will be a presumption that the absence is unexcused if there is no notification of the absence prior to the meeting. The council will make the final decision on whether or not an absence is excused or unexcused.

Rule 3.5 Explanation of Unexcused

If any member has two (2) consecutive unexcused absences from meetings or subcommittee meetings of the council, the council may request an explanation at a regular meeting of the council.

Rule 3.6 Filling Vacancies

Section 33 of city charter provides that vacancies of elected offices of the city will be filled by appointment by a majority of the remaining councilors. The appointee's term of office runs from appointment until expiration of the term of office of the last person elected to that office. When such vacancies occur, the council will follow the procedure set out for filling that specific vacancy as adopted by the council or as set out in these rules. In the event that all elected offices become vacant, the city manager requests the Secretary of State to call a special election to fill the vacancies of the council.

Rule 3.7 Compensation for Attendance at Meetings

Section 2.05.010 of the city code provides that council members will receive compensation at the rate of ten dollars (\$10) per meeting for attendance at “meetings of the city council and city council committees.” The mayor, as a member of the council, is entitled to the meeting compensation.

A. Compensated Meetings

The meetings for which council members are compensated for attendance are as follows:

1. Regular or Special Meetings of the Council

Any regular or special meetings of the council, including any work sessions, goal settings, or informal meetings that are officially called whether or not a quorum is present and regardless if the member attends in person or by electronic means.

2. Subcommittees of the Council

Any subcommittee of the council to which the member is appointed or attends in their official capacity or is an ex-officio, voting or non-voting member.

3. Boards, Commissions, and Committees of the City

City boards, commissions, and committees for which the council member is appointed by the mayor with approval of the council or the member is an ex-officio, voting or non-voting member.

4. Boards, Commissions, and Committees of Other Entities

Boards, commissions, and committees of governmental or non-governmental or private organization in which the council member is appointed by the mayor with approval of the council or appointed by the council or is an ex-officio, voting or non-voting member.

B. Non-Compensated Meetings

The meetings for which council members do not receive compensation for attendance are as follows:

1. Social Meetings

Social meetings in which the main purpose of the meeting is social. Social meetings will include meetings such as city/county dinners, annual banquet awards, and other types of celebration meetings.

2. Budget Meetings

Per ORS 294.336 compensation applies to city budget committee meetings that are held in accordance with the local budget law, which are held annually to review and approve the budget.

C. Waiver of Compensation

A council member may waive the meeting compensation that the council member is entitled to receive. The waiver must be in writing. The waiver will be for at least a six (6) month period corresponding to the payment periods the city has established. The waiver is subject to other administrative regulations that may be applicable. The city

recorder will furnish a form of waiver to the member and retain the signed copy.

D. Voluntary Attendance

The attendance by the council member may be on a voluntary basis by the council member. The member is still entitled to compensation for this meeting attendance.

E. Policy

In considering which meetings will be compensated, the purpose of the meeting compensation is to encourage council members and to recognize the sacrifices they make in personal time.

F. Questions

Any questions which arise over which meetings should be compensated will be decided by the city council.

SECTION 4 – COUNCIL MEETINGS

Rule 4.1 Regular Meetings

Section 12 of the city charter provides that the council must meet at least once a month at a time and place designated by the council. It further provides that the council may designate other regular council meetings besides the once a month meeting mandated by the city charter. The council designates through these rules two regular meetings of the council, which will be held on the first and third Monday of each month, except on holidays in which event the council will meet on the next ensuing business day as provided by city code Section 2.05.140.

Rule 4.2 Notice of Meeting

The notice of the regular meeting of the council, including the agenda which lists items to be considered by the council, will be given in accordance with the OPML. However, the notice does not limit the matters that can be considered by the council nor prevent the council from taking up any matter brought before the council in accordance with the OPML.

Rule 4.3 Meeting Times and Places

The regular meetings of the council will begin with a work session at 6:00 p.m. followed by a regular business session at 7:00 p.m. Regular council meetings will take place in the Public Safety Building in the training room, unless specifically designated to occur at another location. Any other such location will be noted in the notice of the meeting.

Rule 4.4 Special Meetings

Special meetings may be called at any time upon the mayor's request or the request of three (3) members of the council. All meetings of the council will be called, noticed, and held in accordance with the city charter, city code, rules of the council, and the OPML.

Rule 4.5 Special Meetings Limited Purpose

Notice of a special meeting will designate the time and place, as well as the business to be considered in accordance with Section 2.05.150 of the city code. Only business as set forth in the notice will be considered by the council, unless an actual emergency occurs in which case notice will be given in accordance with the OPML. In accordance with Section 2.05.160 of the city code, the rules of procedure for special meetings will be the same as those provided for general meetings of the council insofar as such rules are applicable. The agenda to be followed at the special meeting will generally be

the agenda format for the study session set out in Rule 5.11.

Rule 4.6 Emergency Meetings

The mayor upon the mayor’s own motion, may, by giving notice to all members of the council, call an emergency meeting. An emergency meeting of the council may be called on less than 24 hours’ notice provided an actual emergency exists. The meeting will be called and notice will be given pursuant to OPML. Attempts will be made to contact the media to provide notice of the emergency meeting.

Rule 4.7 Executive Session Meetings

Council may meet in executive session in accordance with the OPML. Matters discussed in executive session will be exempt from public disclosure pursuant to OPML. Council members will not disclose matters discussed in executive session. The city manager and city attorney will attend all executive sessions, unless they are excluded by the council or have requested to be excused. City staff persons, as allowed by the council, may attend. Other persons authorized by OPML may attend. The council by rule may define “news media representatives” within the meaning of the OPML statute, which are allowed to attend executive sessions. All final action or decisions must be made in public session.

Rule 4.8 Adjourned and Recessed Meeting

The council may adjourn or recess any meeting to a later date and time by a majority vote of the council members present. At least 24 hours’ notice will be given announcing the date and time of the adjourned or recessed meeting if possible.

Rule 4.9 Cancellation of Meeting

Upon a majority vote of the council members present, a meeting may be canceled when deemed appropriate. If there is no business to transact or a quorum of the council cannot attend and there is no urgent necessity to have the meeting, the mayor with advice and consent of the city manager may cancel the meeting. Council members will be notified of the cancellation prior to notice being given to the public. Notice of cancellation will be given as soon as possible to the public in a manner aimed at giving adequate notice.

**SECTION 5 – AGENDAS AND ADDITIONAL ITEMS FOR
CONSIDERATION**

Rule 5.1 Preparation of Agenda

The city manager with the advice and consent of the mayor will prepare the agenda along with appropriate documentation for council meetings. Any member of the council may request, through the city manager, for a matter to be placed upon the agenda. Such request is subject to the advice and consent of the mayor. Each meeting agendas format will be prepared as prescribed in the rules. If there is no item to be considered under a section of the agenda, that section will be omitted from the agenda and the agenda will be renumbered accordingly. The final authority on the agenda matters is the city council.

Rule 5.2 Non-Agendized Items

Prior to the meeting, the city manager may send out additions to the agenda with the appropriate documentation. The council may consider the items which are not listed on the published agenda. The council must, by a majority, place the item on the agenda. Action may then be taken on the item.

Rule 5.3 Time for Submission of Items

Items for the council agenda will be submitted in time to allow for sufficient research by staff and

recommendations from council boards, commissions, or committees.

Rule 5.4 Reports by the Staff

Normally the councilors will receive a report from the staff on each council item to be considered by the council at least one (1) week prior to the council meeting.

Rule 5.5 Additional Items

After consulting with the mayor, the city manager may, not later than forty-eight (48) hours prior to the meeting, send out additions to the agenda with appropriate documentation and information. With prior notice to the council and under circumstances that cannot be avoided, the city manager may submit additional documentation at the council meeting. Any councilor may request and will be granted adequate time to review the documentation or delay deliberation concerning the matter.

Rule 5.6 Communications from the Floor

Persons speaking to the council from the floor will be given the opportunity to speak no more than five (5) minutes. Speakers may share their time at the discretion of the mayor. The maximum time allowed for communications from the floor, including all speakers is thirty (30) minutes. The mayor has the discretion to extend these time limits. Speakers may address the council for less than their allotted time. Speakers who wish the council to consider written material are encouraged to submit information in writing at least ten (10) days prior to the council meeting. In the case of public hearings or items on the council agenda for action, the submission of written material for consideration or inclusion in the record may be subject to stricter time limits established by council and publicized by the city. Speakers may also submit information at the meeting. However, it will not be considered by the council unless there is time for the council to read and consider the material.

Rule 5.7 Consent Calendar

The city manager will place items which have been previously reviewed by the council or items which are routine in nature on the consent calendar. Items may be removed from the consent calendar by the mayor or by request of a council member. Ordinances and orders will not be placed on the consent calendar. Communications from the floor will be held prior to the approval of the consent calendar to allow the public to address items under consent calendar. Their collective comments under communications from the floor will be limited to five (5) minutes.

Rule 5.8 Agenda Availability

Council agendas and the accompanying documents are available at the city recorder's office and are posted on the city website normally one (1) week prior to the council meeting. Interested persons are encouraged to read the agenda along with supporting material, and address questions to the mayor, council or city staff prior to the meeting. The mayor and council value public input. In order to efficiently conduct city business, those who have concerns are encouraged to address these issues prior to the council meeting.

Rule 5.9 Work Session Meeting Agenda

The council may hold a work session prior to the council business meeting and as needed. The work session will be attended by the city manager, the city attorney, the mayor and the council. Other department heads will be expected to attend work sessions if requested by the city manager. The work session is intended for discussion and no decisions or actions will be taken on the items. The work session agenda will be as follows:

- I. Call Meeting to Order

- II. Roll call
- III. Review of the council agenda and meeting
- IV. Council housekeeping items (schedules, requests, announcements, limited to items of clarification, organization, calendar and questions of a general nature.)
- V. Executive session
- VI. Adjournment

These work sessions are open to the public and the public is welcome to attend. Public input will not be taken except with specific permission of the council. Minutes of the work session will be kept by the city recorder. The agenda may be altered at the convenience of the council.

Rule 5.10 Business Meeting Agenda

The council may hold its regular business meetings at the time and place as specified in these rules. The business meeting agenda will be is as follows:

- I. Call Meeting to Order
- II. Administration of Oath of Office
- III. Roll Call
- IV. Pledge of Allegiance
- V. Reports, Special Presentations, or Recognitions from City Boards, Commissions, Committees, Organizations Invited by the Council
- VI. City Manager’s Report
- VII. Council Appointments
- VIII. Communications from the Floor (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)
- IX. Consent Calendar
- X. Public Hearings
- XI. Continued Business
- XII. New Business
- XIII. Council Business
- XIV. Executive Session
- XV. Adjournment

At the mayor’s discretion, the mayor may change the order of the agenda and allow communications concerning items on the agenda or other council business. Minutes of the business meeting will be kept by the city recorder.

Rule 5.11 Study Session Meeting Agenda

The council, from time to time, may hold a study session at a location to be determined based on facility availability. The purpose of the study session is to explore and analyze issues, as well as to confer with staff or other experts. The study session is intended for discussion and no decisions or actions will be taken on the items. The study session agenda will be as follows:

- I. Call Meeting to Order
- II. Roll Call
- III. Presentation of Information
- IV. Discussion and Questions
- V. Executive Session
- VI. Specific Items for Presentations
- VII. Reports or Presentations from Boards, Commission, Committees, or Groups Invited by the Council
- VIII. Adjourn

These study sessions are open to the public and the public is welcome to attend. Public input will not be taken except with specific permission of the council. Minutes of the study session will be kept by the city recorder.

Rule 5.12 Joint Meeting or Community Forum Meeting Agendas

The council may hold joint meetings or community forums with other governmental entities or with the city’s boards, commissions, or committees or other governmental entities or an open forum to conduct business and to discuss issues, relationships, strategic plans, or controversial issues. The agenda for these meetings or forums will be as follows:

- I. Call Meeting to Order
- II. Roll Call
- III. Purpose of Joint Meeting or Community Forum
- IV. Discussion or Deliberation
- V. Summary and Closing Comments
- VI. Adjourn

The purpose of the community forum would be to listen and communicate. These meetings are open to the public and the public is welcome to attend. Public input will not be taken except with specific permission of the council. Minutes of the joint meeting or community forum meeting will be kept by the city recorder.

SECTION 6 – PRESIDING OFFICER

Rule 6.1 Mayor

Section 9 of city charter provides that the mayor will preside over and facilitate all council meetings, preserve order, enforce council rules, and determine the order of business pursuant to council rules. The mayor is a voting member of the council and has no veto authority. The mayor, with the consent of the council, will appoint members of boards, commissions, and committees established by ordinance or resolution. The mayor will sign all records of council decisions. The mayor serves as the political head of the city.

Rule 6.2 Council President

In the absence of the mayor, the council president will act as mayor and serve as the presiding officer. Pursuant to section 10 of city charter at the first meeting each year, the council will elect a council president from its membership. Whenever in these rules, the mayor is mentioned and the mayor is absent, the council president can exercise the authority as the mayor. The council president presides in the absence of the mayor and acts as mayor when the mayor is unable to perform the mayor’s duties.

Rule 6.3 Presiding Officer Pro Tem

In the absence of the mayor and council president at any meeting of the council where a quorum is present, the council members present may appoint a presiding officer pro tem who will preside at the meeting. The presiding officer pro tem will exercise all the authority of the mayor.

Rule 6.4 Presiding Officer Pro Tem for Specific Items

The mayor, with the consent of the appointed council member and the concurrence of the members present, may appoint a council member to serve as the presiding officer pro tem for specific items to come before the council meeting for consideration. If any councilor objects to the appointment, the consent of the quorum will be obtained. The rulings and decisions of the presiding officer pro tem will have the same force and effect as those of the mayor. The mayor will be allowed to participate as any other council member.

SECTION 7 – PROCEDURES AT MEETINGS

Rule 7.1 Mayor’s Duty

The mayor will call the council members to order at the hour designated for the meeting. The mayor may compel attendance in accordance with council rule 2.3. Should there not be a quorum within fifteen (15) minutes the members present will adjourn until a quorum can be gathered or until the next scheduled meeting time established by the council or to the next regular meeting time.

Rule 7.2 Mayor’s Role

The mayor will preserve order and decorum, may speak to the points of order in preference to other members and will decide all questions of order subject to an appeal to the council by a majority of the members. No member may speak more than once on an item concerning an appeal of the mayor's decision without permission of the council. If two or more members request the floor at once, the mayor will name who is to speak first.

Rule 7.3 Address the Mayor

When any councilor is about to speak in debate or deliver any matter to the council, that councilor should respectfully address the mayor or presiding officer. The councilor should confine the remarks to the question under consideration and avoid addressing personalities.

Rule 7.4 Voting Required

Every councilor who is present will vote for or against the question before the council unless the council excuses that councilor from voting. Every councilor may refrain for just legal cause without being excused by the council. Councilor will announce the legal reason or justification for abstaining from voting.

Rule 7.5 Discussion on Agenda Items

Discussion may occur at any time on an item. The mayor will control and determine what item will be discussed.

Rule 7.6 Seconds on Motion

Generally, no motion will be considered unless it has been seconded. When a motion is seconded, the mover may withdraw the motion with the consent of the second at any time before discussion and before any amendment is proposed. Routine motions that have the general consent of the council do not require a second, unless requested by any member of the council. Other motions not requiring a second

include division, point of order, parliamentary inquiry, permission to withdraw or modify a motion and other such procedural inquiries.

Rule 7.7 Reconsideration

When a question has been decided, it will be in order for a member who voted on the prevailing side to move for reconsideration at the same meeting or next following meeting only.

Rule 7.8 Failure to Follow Rules

Failure to follow the rules of the council in conducting business or to abide by the rules of procedure does not invalidate the decisions of the council nor will it be grounds to later challenge the validity of the decision.

Rule 7.9 First Reading of Ordinances

Section 17 of city charter provides that the council exercises its legislative authority by adoption of ordinances. Ordinances require the concurrence of a majority of the entire membership of the council. This section of the charter provides that an ordinance may be read by title only without having to read the ordinance fully in open council meeting if no council member present requests such reading and the ordinance is available in writing at least one (1) week before the meeting. By this rule, the council establishes the council preference that an ordinance will be presented to the council for consideration and discussion at one (1) meeting prior to the passage of the ordinance. The ordinance may be finally acted upon at the first meeting that the ordinance is presented if a majority of the entire membership concurs. In that case the ordinance can be read by title only as provided in the city charter. In order to comply with the requirement that an ordinance be read in full, the exhibits or attachments to the ordinance will not have to be read as long as they are available in writing to the public at least one (1) week before the meeting.

Rule 7.10 Public Legislative Hearing

The council exercises legislative authority pursuant to Chapter IV of the city charter. The legislative authority is usually exercised by adoption of an ordinance. When the council conducts a public hearing concerning the exercise of its legislative authority, the council will follow the legislative hearing format. That format is hereby attached as Exhibit “1” to these rules and by this reference incorporated.

Rule 7.11 Public Administrative Hearing

The council exercises administrative authority pursuant to Chapter V of the city charter. That administrative authority is usually exercised by adoption of a resolution. When the council conducts a public hearing concerning the exercise of its administrative authority, council will follow the administrative hearing format. That format is hereby attached as Exhibit “2” to these rules and by this reference incorporated.

Rule 7.12 Public Quasi-judicial Hearing

The council exercises its quasi-judicial authority. The quasi-judicial authority is usually exercised by adoption of an order pursuant to Chapter VI of the city charter. When the council conducts a public hearing concerning the exercise of its quasi-judicial authority, the council will follow the quasi-judicial hearing format. There are two (2) separate and distinct types of quasi-judicial public hearing procedures that will be used by the council, and they are as follows.

A. Quasi-judicial Land Use Public Hearing Procedure

Whenever the council is considering a land use matter, which requires a quasi-judicial land use public hearing procedure, the council will use the procedure that is hereby

attached as Exhibit “3” and by this reference is incorporated.

B. Quasi-judicial Non-Land Use Public Hearing Procedure

Whenever the council is considering a non-land use matter, which requires a quasi-judicial land use public hearing procedure, the council will use the procedure that is hereby attached as Exhibit “4” and by this reference is incorporated.

Rule 7.13 Ex-parte’ Contact

Whenever the council conducts a quasi-judicial public hearing, the council should declare any ex-parte’ contact. When the hearing conducted is a quasi-judicial land use public hearing, the ex-parte’ contact is governed by the appropriate state law concerning ex-parte’ contacts in quasi-judicial land use matters. Whenever the ex-parte’ contact concerns quasi-judicial non-land use public hearings, the councilor should attempt to clearly state any ex-parte’ contact. However, failure to state ex-parte’ contact will not be grounds to question, appeal, or overturn the decision of the council unless it can be shown that failure to declare the ex-parte’ contact constituted substantial prejudice to a party raising the objection.

Rule 7.14 Public Comment Registration

In order to properly notify citizens who participate in the hearing and to be able to send them information, it is necessary for the interested person to register at the council meeting before making oral comments and/or providing input at the meeting. The interested person shall register for each subject under which they wish to provide comment. The public comment registration forms will be made part of the meeting records in accordance with OPML. The registration forms will contain a provision by which a person may indicate that they do not wish for their address, phone number, and email address to be released in any public records request. When the interested person addresses the council or gives oral comments, that person should state their name, but does not need to state their mailing address, phone number, or email address. A form complying with this rule will be available at all meetings of the council. The city manager is delegated the authority to draft, revise, and produce the necessary form that complies with this rule.

Rule 7.15 How Interested Person Should Testify

Each interested person addressing the council should do so in a courteous and considerate manner. The person needs to register and follow other rules as provided in the council rules. The public will be furnished guidelines and should comply with these guidelines for testifying before the council. The document setting out the guidelines and helpful information to assist the public in testifying will be entitled, “How to Testify.” The city manager is delegated the authority to draft, revise, and produce the necessary form that complies with this rule.

SECTION 8 – ENFORCEMENT OF COUNCIL RULES

Rule 8.1 Presiding Officer

The mayor or presiding officer will enforce the council rules. In addition, the mayor or presiding officer has the authority to preserve decorum and will determine all points of order, subject to the right of any councilor to appeal to the council. The mayor or presiding officer will enforce order, prevent attacks on personalities or the impugning of members’ motives, and keep those in debate to the question under discussion.

Rule 8.2 Councilors

Councilors will preserve order and decorum during council meetings, and will not by conversation or other action delay or interrupt the proceedings or refuse to obey the orders of the mayor or presiding

officer and council rules. Councilors will when addressing staff or councilors confine themselves to questions or issues that are under discussion; will not engage in personal attacks; will not impugn the motives of any speaker; and will at all times, while in session or otherwise, conduct themselves in a manner appropriate to the dignity of office. Councilors will not attack the knowledge, skills, abilities and personalities or impugn city staff members' motives in council or at any city meetings. In council meetings, councilors may discuss or suggest anything with the city manager related to city business.

Rule 8.3 Attire at Council Meetings

All persons at Council meetings will be properly attired in order to maintain the atmosphere of respect for the Council proceedings. Proper attire will include shirt and shoes that are appropriate for the public meetings similar to judicial proceedings. Attire may vary depending upon custom and tradition. This rule will not be used to infringe upon anyone's freedom of religion or necessary attire for accommodation purposes. For example, men should remove their hats in council meetings; women may cover their heads as traditionally allowed; all "outside" headgear should be removed; dark glasses, unless medically-necessary should be removed; a shirt or blouse should be worn; muddy shoes or boots should be removed; and shoes should be worn.

Rule 8.4 Removal of Any Person

Any persons making disruptive or threatening remarks or actions during a meeting will forthwith be barred from further audience at that meeting, unless permission to continue is granted by a majority vote of the councilors present. The mayor or presiding officer may summon the assistance of the police or other administrative staff to prevent further interruption by such person by any action necessary, including the removal of that individual. In case the mayor or presiding officer should fail to act, any councilor may obtain the floor and move to require enforcement of this rule; upon an affirmative vote of the majority of the councilors present, the police or administrative staff will be authorized to remove the person(s) as the mayor or presiding officer so directs.

SECTION 9 – AD-HOC COMMITTEES

Rule 9.1 Structure of Ad-hoc Committees

The mayor will have the authority to form ad-hoc committees and may refer matters to the appropriate committee.

Rule 9.2 Duty of Ad-hoc Committees

The mayor may form ad-hoc committees to deal with specific tasks within specific timeframes and make recommendations to the council. The mayor will establish the membership criteria for the ad-hoc committees. Residency may be a required criteria but does not have to be a required criteria.

Rule 9.3 Appointment of Ad-hoc Members

The mayor will appoint members of the ad hoc committees. The mayor will designate the chair person and the vice chair. Membership on the committees will be appointed as needed to advise the council on specific programs or projects. Members will continue to serve until their mission is accomplished, replacement or reappointment.

Rule 9.4 Functions of Ad-hoc Committees

Each member of the ad-hoc committee will have an equal vote on the committee. The reports of the ad hoc committee will have only the authority of recommendations to the council. The council has the authority to follow the recommendations, change the recommendations, refer the matter back to the committee or take any other action the Council deems appropriate.

Rule 9.5 Removal of Members of Ad-hoc Committee

The mayor may remove any member of the ad hoc committee at any time. Members of the committee will be removed if the member fails to attend two (2) consecutive meetings of the committee without being excused prior to the meeting. The mayor has the authority to grant an excused absence and in the mayor's absence, the committee chair has the authority.

Rule 9.6 Meetings of the Ad-hoc Committees

The meeting time and place of the committees will be decided by the chair with the consent of the committee. The meeting time and place may be changed provided there is adequate notice. The chair will have the authority to cancel any meeting of the committee for lack of business or necessity to meet. However, a majority of the committee, as determined by telephone poll, may request a meeting of the committee. Meetings are public meetings and will be conducted in accordance with the OPML.

Rule 9.7 Staff Support of Ad-hoc Committee

The city manager will have the responsibility to furnish the necessary staff support for each ad-hoc committee. The city manager will assign the specific duties to the staff supporting and working with the membership of the ad-hoc committees. The committee will not have the authority to assign specific tasks to any staff person of the city but will work through the city manager.

Rule 9.8 Ex-officio Members of Ad-hoc Committees

The mayor, city manager, and the city attorney will be ex-officio, non-voting members of all ad-hoc committees. The ex-officio members may attend any committee meeting. If they attend, they may participate in the discussion as is appropriate. However, they are not required to attend committee meetings.

SECTION 10 – ELECTRONIC MAIL

Rule 10.1 Electronic Mail

All councilors will observe the following guidelines when using an electronic method for correspondence in their elected roles:

A. Subject to Disclosure

All council e-mail correspondence is subject to the Oregon Public Records and Meetings Laws and is subject to disclosure.

B. Purpose of Email

E-mail may be used for correspondence, to schedule meetings, send informative messages, or request information from other members of the council, the city manager, or city department directors.

C. Not Appropriate for Policy Issues with a Quorum

E-mail may not be used to discuss policy issues with a quorum of the council at one time or a quorum of a standing advisory body in any manner which would be in violation of the OPML.

SECTION 11 – PROCLAMATIONS

Rule 11.1 Request for Proclamations

Organizations, citizens, or councilors may request proclamations that proclaim a specified date or dates to recognize the efforts of various community groups and individuals. Upon receipt, the city recorder will notify the mayor of the request. Upon the approval of the mayor, the city recorder will prepare the proclamation for the mayor's signature.

Rule 11.2 Reading of Proclamations

At the discretion of the mayor, a proclamation will be read at the council meeting and presented or mailed to the requesting organization or group.

SECTIONS 12-19 – *[RESERVED FOR EXPANSION]*

SECTION 20 – MISCELLANEOUS

Rule 20.1 Amendments to Council Rules

Amendments to these council rules will be by made by resolution.

OUTLINE FOR PUBLIC HEARING

Newberg City Council

► LEGISLATIVE HEARING ◀

1. CALL TO ORDER

OPEN THE PUBLIC HEARING, ANNOUNCE THE PURPOSE, DISCUSS TESTIMONY PROCEDURE, AND TIME ALLOTMENTS

2. DECLARATION OF CONFLICTS OF INTEREST OR ABSTENTIONS

3. STAFF REPORTS

4. PUBLIC TESTIMONY

A. Mayor Announces Time Limits

B. Citizen Testimony

1. Invites citizen to the table to speak into the microphone.
2. Inform citizen to state name at beginning of testimony.
3. Remind citizen to briefly state input.
4. Order of Citizens' Testimony.
 1. Proponent
 2. Opponent
 3. Undecided

C. Close of Public Testimony

5. RECOMMENDATIONS FROM STAFF

6. COUNCIL DELIBERATION

7. DECISION

A. Ordinance – Action usually requires passage of ordinance

B. Roll Call Vote – Vote is done by roll call

1. By title only
2. Reading in full
3. “First Reading” council rule

C. Majority of Entire Membership – Ordinances require majority of entire membership for passage

D. Combination – Can be combined with other council action

OUTLINE FOR PUBLIC HEARING
Newberg City Council

▶ ADMINISTRATIVE HEARING ◀

1. CALL TO ORDER

OPEN THE PUBLIC HEARING, ANNOUNCE THE PURPOSE, DISCUSS TESTIMONY PROCEDURE, AND TIME ALLOTMENTS

2. DECLARATION OF CONFLICTS OF INTEREST OR ABSTENTIONS

3. STAFF REPORTS

4. PUBLIC TESTIMONY

A. Mayor Announces Time Limits

B. Citizen Testimony

1. Invites citizen to the table to speak into the microphone.
2. Inform citizen to state name at beginning of testimony.
3. Remind citizen to briefly state input.
4. Order of Citizens’ Testimony.
 1. Proponent
 2. Opponent
 3. Undecided

C. Close of Public Testimony

5. RECOMMENDATIONS FROM STAFF

6. COUNCIL DELIBERATION

7. DECISION

A. Resolution – Action usually requires passage of resolution

B. Vote – Voice vote is permitted

C. Majority of the Quorum is required for passage

D. Combination – Can be combined with other council action

Newberg City Council

***QUASI-JUDICIAL LAND-USE
PUBLIC HEARING PROCEDURE
(Land Use)***

1. OPEN THE PUBLIC HEARING, ANNOUNCE THE PURPOSE, DISCUSS TESTIMONY PROCEDURE, AND TIME ALLOTMENTS
2. CALL FOR ABSTENTIONS, BIAS, EX-PARTE CONTACT, AND OBJECTIONS TO JURISDICTION

**CITY ATTORNEY LEGAL ANNOUNCEMENTS:
READ “[Quasi-Judicial Announcements](#)” Sheet**

3. STAFF REPORT
4. PUBLIC TESTIMONY
 - Time Limits: A. Mayor sets time limits
 - B. Citizen goes to witness table, states name & presents testimony
 - A. PROPONENTS (Principle Proponent/s first, then others or undecided)
 - B. OPPONENTS AND UNDECIDED
 - C. PRINCIPAL PROPONENT REBUTTAL

5. QUESTIONS OF PROPONENTS AND OPPONENTS FROM THE FLOOR OR THE CITY COUNCIL DIRECTED THROUGH THE CHAIR
6. PUBLIC AGENCY LETTERS OR COMMENTS
7. CLOSE OF PUBLIC TESTIMONY PORTION OF HEARING

CITY ATTORNEY LEGAL ANNOUNCEMENTS

8. FINAL COMMENTS FROM STAFF AND RECOMMENDATION
9. DELIBERATION OF COMMISSION INCLUDING DISCUSSION OF CRITERIA WITH FINDINGS OF FACT
10. ACTION BY THE CITY COUNCIL
 - A. ORDER – Usually requires passage of order.
 - B. VOTE – Voice vote is permitted.
 - C. MAJORITY OF A QUORUM – Requires majority of the quorum for passage.
 - D. COMBINATION – Can be combined with other council action; separate vote on each action is required.

Newberg City Council

***QUASI-JUDICIAL NON-LAND-USE
PUBLIC HEARING PROCEDURE
(Non-Land Use)***

1. **OPEN THE PUBLIC HEARING, ANNOUNCE THE PURPOSE, DISCUSS TESTIMONY, PROCEDURE, AND TIME ALLOTMENTS**
2. **CALL FOR ABSTENTIONS, BIAS, EX-PARTE CONTACT, AND OBJECTIONS TO JURISDICTION**

**CITY ATTORNEY LEGAL ANNOUNCEMENTS:
READ “[Quasi-Judicial Announcements](#)” Sheet**

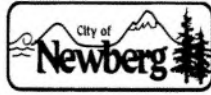
3. **STAFF REPORT**
4. **PUBLIC TESTIMONY**
 - Time Limits: A. Mayor sets time limits**
 - B. Citizen goes to witness table, states name & presents testimony**
 - A. **PROPONENTS** (Principle Proponent/s first, then others or undecided)
 - B. **OPPONENTS AND UNDECIDED**
 - C. **PRINCIPAL PROPONENT REBUTTAL**

5. **QUESTIONS OF PROPONENTS AND OPPONENTS FROM THE FLOOR OR THE CITY COUNCIL DIRECTED THROUGH THE CHAIR**
6. **PUBLIC AGENCY LETTERS OR COMMENTS**
7. **CLOSE OF PUBLIC TESTIMONY PORTION OF HEARING**

CITY ATTORNEY LEGAL ANNOUNCEMENTS

8. **FINAL COMMENTS FROM STAFF AND RECOMMENDATION**
9. **DELIBERATION OF COMMISSION INCLUDING DISCUSSION OF CRITERIA WITH FINDINGS OF FACT**
10. **ACTION BY THE CITY COUNCIL**
 - A. **ORDER** – Usually requires passage of order.
 - B. **VOTE** – Voice vote is permitted.
 - C. **MAJORITY OF A QUORUM** – Requires majority of the quorum for passage.
 - D. **COMBINATION** – Can be combined with other council action; separate vote on each action is required.

Exhibit "C"
To Resolution No. 2011-2933
(Total of 2 pages)



RESOLUTION No. 2008-2807

**A RESOLUTION AMENDING THE CITY COUNCIL GUIDELINES
AND RULES ADOPTED JANUARY OF 2007 BY ADDING A
PROVISION DEALING WITH MEETING COMPENSATION**

RECITALS:

1. The City Council, from time to time, has revised its Guidelines and Rules.
2. The last full revision was completed and adopted by Resolution No. 2007-2692 on January 2, 2007.
3. The Council has discussed meeting compensation and after amendment, Code Section 30.01 provides that Council Members shall receive \$10 per "meeting of the City Council and City Council Committees."
4. The City Council wishes to clarify which meetings the members will be compensated for attending and to encourage Council Members to participate fully in necessary committees and representation of the City at those committees.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council Guidelines and Rules of January 2007 will be amended to add the following paragraphs under ATTENDANCE after the paragraph entitled **Filling Vacancies**:
 1. **Compensation for Attendance at Meetings:** The Newberg City Code provides that Council Members (the Mayor is a voting member of the Council and entitled to meeting compensation) will receive compensation of \$10 per meeting for attendance at "meeting[s] of the City Council and City Council Committees." This amount was set in 2008 and can be changed by the City Council. See City Code § 30.01 COMPENSATION OF COUNCIL AND MAYOR.
 2. **City Council Meetings:** The meetings of the City Council for which meeting compensation shall be paid are any regular or special meetings of the City Council, including any work sessions, goal settings, or informational meetings that are officially called and notified whether or not a quorum is present and regardless of whether or not the Member attends in person or by other electronic means.
 3. **City Council Committees:** Meetings of the City Council Committees are any committee, board or other entity which the Council Member attends in their official capacity representing the City or the City Council. The Committee shall include any committee on which the Members are appointed by the Mayor with approval of the City

Exhibit "C"
To Resolution No. 2011-2933
(Total of 2 pages)

Council and shall also include any other committee in which the City Council or Mayor appoints the Member to represent the City.

4. **Voluntary Attendance:** The attendance by the Council Member may be on a volunteer basis by the Council Member.

5. **Social Meetings:** Meetings in which the main purpose of the meeting is social in nature are not subject to payment of the meeting compensation. Social meetings shall include meetings, such as City County dinners, annual banquets, award banquets, and other social events.


6. **Policy:** In considering what meetings shall be compensated, the purpose of the meeting compensation is to encourage Council Members to attend meetings and to recognize the sacrifice they make in time and expense in attending those meetings.

7. **Questions:** Any question as to whether a meeting should be compensated will be decided by the City Council.


2. This amendment (paragraph entitled "**Compensation for Attendance at Meetings**") to the Guidelines and Rules will be placed in the Guidelines and Rules under ATTENDANCE as the last paragraph.
3. The rules shall then reflect the rules as of January 2007 when the major revision occurred and amended on September 2, 2008 (the date this resolution is passed).

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: September 3, 2008.

ADOPTED by the City Council of the City of Newberg, Oregon, this 2nd day of September 2008.


Daniel Danicic, City Recorder

ATTEST by the Mayor this 4th day of September 2008.


Bob Andrews, Mayor

LEGISLATIVE HISTORY

By and through _____ Committee at ____/____/200x meeting. Or, ___ None.
(committee name) (date) (check if applicable)

THIS PAGE INTENTIONALLY LEFT BLANK

DATE ACTION REQUESTED: April 18, 2011

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

SUBJECT: Approve a Vision Statement for the City of Newberg.

Contact Person (Preparer) for this Motion: Daniel Danicic, City Manager
Dept.: Administration
File No.:

RECOMMENDATION:

Adopt one of the two Vision Statements for the City of Newberg:

1. Newberg will cultivate a healthy, safe environment where citizens can work, play and grow in a friendly, vibrant community valuing diversity, partnerships and opportunity.
2. Newberg will cultivate a healthy, safe environment where citizens can work, play and grow in a friendly, dynamic community valuing diversity, partnerships and opportunity.

EXECUTIVE SUMMARY:

On March 21, 2011, the Newberg City Council held a work session to brainstorm and discuss different options for a Vision Statement. After discussion, the City Council reached consensus on presenting the two Vision Statements above for the entire City Council to continue discussions and make a formal motion to approve one of them.

FISCAL IMPACT:

None

STRATEGIC ASSESSMENT:

A vision statement is a valuable instrument for the vitality of the City of Newberg. Approving a vision statement provides guidance and leadership in the every day workings of city staff.

NEWBERG CITY COUNCIL MEETING INFORMATION

Meeting Date: April 18, 2011

Prepared by: Norma Alley

Councilors	Roll Call	MOTION Topic: Consent Calendar – Res. 2943 & Council Minutes for 3/7/2011	ORDINANCE NO. 2011-2738 Topic: Expiring Developments	RESOLUTION NO. 2011-2933 Topic: Council Rules & Guidelines	MOTION Topic: Vision Statement	Res/Ord/Order # _____ Topic:	Res/Ord/Order # _____ Topic:	Res/Ord/Order # _____ Topic:
ANDREWS, Bob, Mayor	X	YES	YES	YES	YES			
BACON, Denise	X	YES	YES	YES	YES			
HOWARD, Ryan	X	YES	YES	YES	YES			
McKINNEY, Stephen	X	YES	YES	YES	YES			
RIERSON, Bart	X	YES	YES	YES	YES			
SHELTON, Marc	X	YES	YES	YES	YES			
WITHERSPOON, Wade	X	YES	YES	YES	YES			
ROLL CALL VOTES		YES: 7 NO: 0 Absent: 0 Abstain: 0	YES: 7 NO: 0 Absent: 0 Abstain: 0	YES: 7 NO: 0 Absent: 0 Abstain: 0	YES: 7 NO: 0 Absent: 0 Abstain: 0	YES: NO: Absent: Abstain:	YES: NO: Absent: Abstain:	YES: NO: Absent: Abstain:
Department Prepared Action Item:		Administration	Planning	Legal	Administration			
MOTION (1st/2nd):		Shelton/ Bacon	Shelton/ Rierson	Shelton/ McKinney	Shelton/ McKinney			

Presented April 18, 2011

City Council Meeting

Date: April 18, 2011

Re: Actuarial Valuations - Power Point (part 1)

No.: Work Session – Retirement System

City of Newberg Retirement Plan

Actuarial Valuation Results
as of July 1, 2010



Key Assumptions and Methods

- Key Assumptions
 - 7.5% investment return – used to discount future benefit payments
 - Salary increases 5% annually – used project benefits and allocate costs
- Key methods
 - Cost allocation – level % of compensation (Entry Age Normal)
 - Asset smoothing – 5-years limited to 80% or 120% of market value → Called “actuarial value of assets (AVA)”
 - Amortization of unfunded liability – 20 years as level % compensation
- GASB is proposing changes

Basic Funding Equation

(Are we really in Balance?)

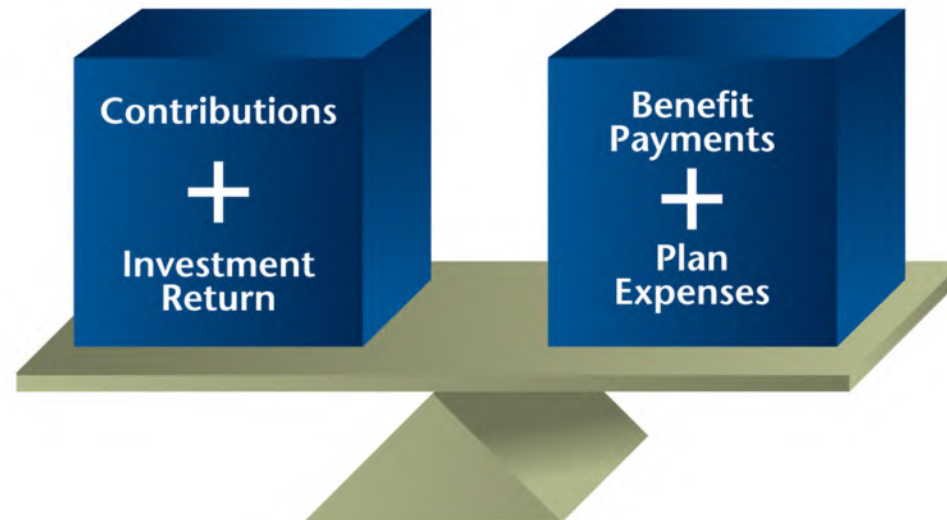
Actuarial Value of Assets	\$15.2
PV of Future ER Contributions	\$6.9
PV of Future Member Cont.	<u>\$2.2</u>
Total	\$24.3

Present Value of Projected Benefits

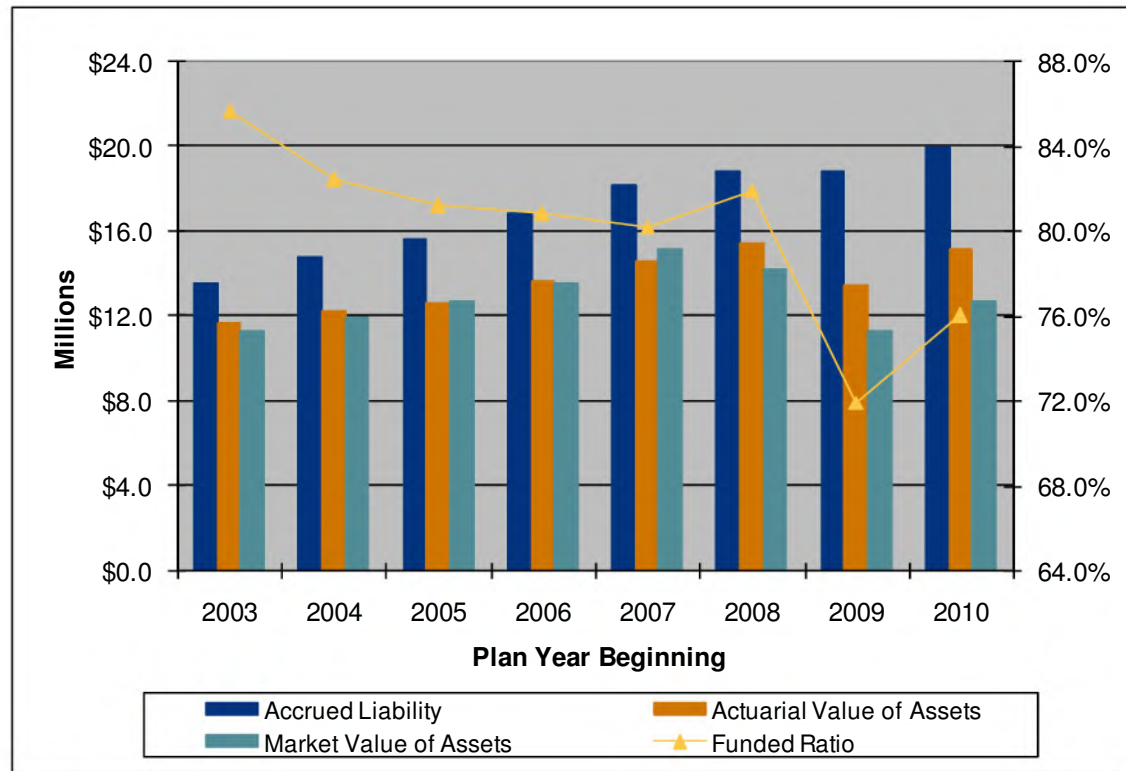
Active Members	\$13.2
Inactive Members	\$0.8
Retired Members	<u>\$10.3</u>
Total	\$24.3

* Market value of assets is \$12.7

* Accrued liability is \$20.0



Trends In Funded Ratio



- Historical Funded Ratio greater than 80% until 2009 due to substantial market losses
- Funded ratio is based on Actuarial Value of Assets

Executive Comparison Summary

July 1	2010	2009
Accrued Liability	\$19,978,083	\$18,757,264
Market Value of Assets (MVA)	12,716,894	11,233,084
Actuarial Value of Assets (AVA)	15,176,384	13,479,701
Funded Ratio (using AVA)	76.0%**	71.9%
Recommended Contribution	824,491	839,149
Considered Pay	3,762,126	3,699,044
Contribution Rate	21.9%	22.7%
Employee Contribution Rate	6.0%	6.0%
Annual Required Contribution (ARC)	15.9%	16.7%

**** The Funded Ratio using MVA is 63.7%**

Impact of Asset Return on Annual Required Contribution %

Year Ending	Return on Assets	Smoothed return	Next Year's ARC %
2005	8.3%	5.9%	15.9%
2006	6.4%	7.5%	16.4%
2007	13.3%	8.5%	16.2%
2008	-5.8%	6.1%	15.9%
2009	-20.9%	-12.3%	16.7%
2010	14.2%	13.4%	15.9%

- Expected return 7.5% for all years
- Return on assets based on market value
- Smoothed return estimated from Actuarial Value of Assets
- ARC % is City's portion over the 6% collected from employees
- Annual Required Contribution is based on Actuarial Value of Assets
 - ➔ dampens impact of returns that are more or less than expected
 - ➔ if market value was used, ARC would increase 4.1% in 2010

Summary of Valuation Results

- Return on Assets of 14.2% in 2010 decreased the ARC for 2011
 - \$2.5M of asset losses not yet realized
 - 19.4% return YTD 3/31/2011
- Funded Ratio increased to 76.0% from 71.9%
- ARC is likely to rise over the next several years as deferred losses are “smoothed” into AVA
 - If deferred losses were not excluded, ARC would be 20.0%
 - Future experience will impact results

Projections of ARC can help anticipate timing and magnitude of future increases

City Council Meeting
Date: April 18, 2011
Re: Asset Allocation - Power Point (part 2)
No.: Work Session – Retirement System

Principal Financial Advisors

Your Asset Allocation Solution

Prepared for
City of Newberg



WE'LL GIVE YOU AN EDGE®

Principal Financial Advisors

Experience That Gives You an Edge

Who We Are

- 20 skilled financial professionals averaging more than 16 years of financial services industry experience
- Nearly \$6 billion in assets under management for nearly 400 clients*

What We Do

- Create customized asset allocation strategies
- Provide ongoing monitoring and consultative support
- Share fiduciary responsibility**

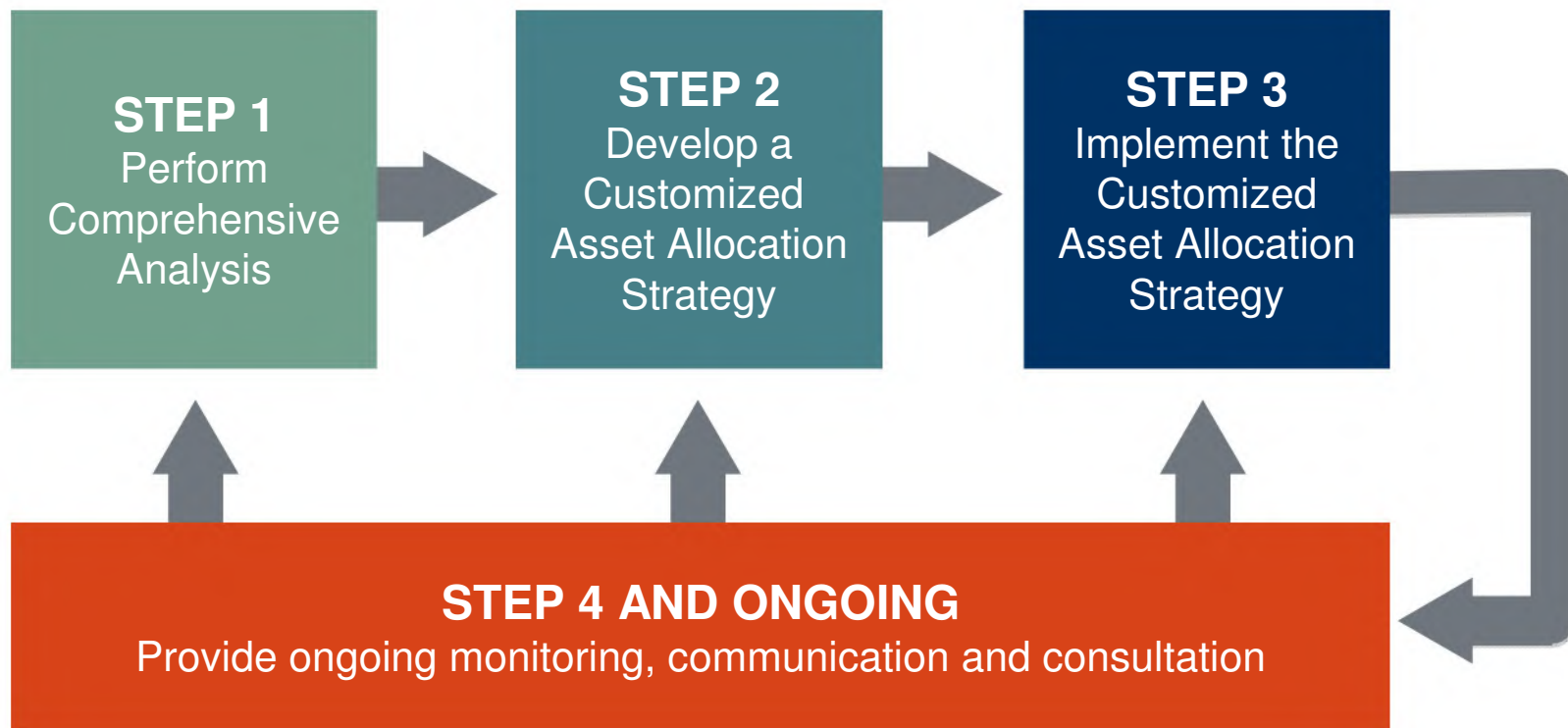
In its capacity as a registered investment adviser, Principal Financial Advisors has assumed the role of a fiduciary as defined in Section 3(21) of ERISA for the asset allocation services provided to its clients.**

* As of December 31, 2010.

** The plan sponsor remains the "named fiduciary" of the plan, but Principal Financial Advisors, Inc. is selected as the plan's investment adviser. No investment strategy, such as diversification or asset allocation, can guarantee a profit or protect against loss in periods of declining value.

Principal Financial Advisors

Customized Asset Allocation Solutions



No investment strategy, such as diversification or asset allocation, can guarantee a profit or protect against loss in periods of declining value.

Principal Financial Advisors

Manager Selection Is Key

Step 3: Implement the customized asset allocation strategy

Asset Class	Investment Manager
U.S. Equity	             
International Equity	    
U.S. Fixed Income	   
Real Assets	 

Investment managers subject to change.

Principal Financial Advisors

Monitor and Rebalance to Stay on Course

Step 4 and Ongoing: Provide ongoing monitoring, communication and consultation

Multi-Level Monitoring

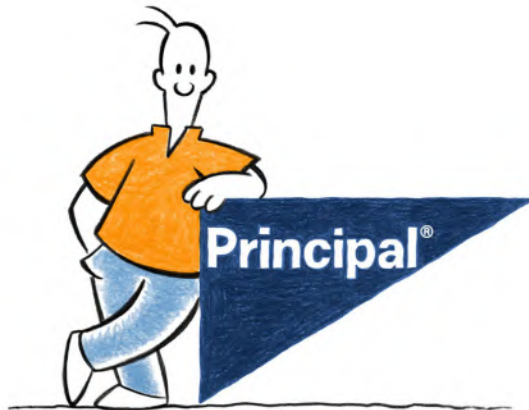
Principal
Financial Advisors
Asset Allocation
Committee

Due Diligence Process
of Principal Life
Insurance Company

Advisory
Associate

Principal Financial Advisors

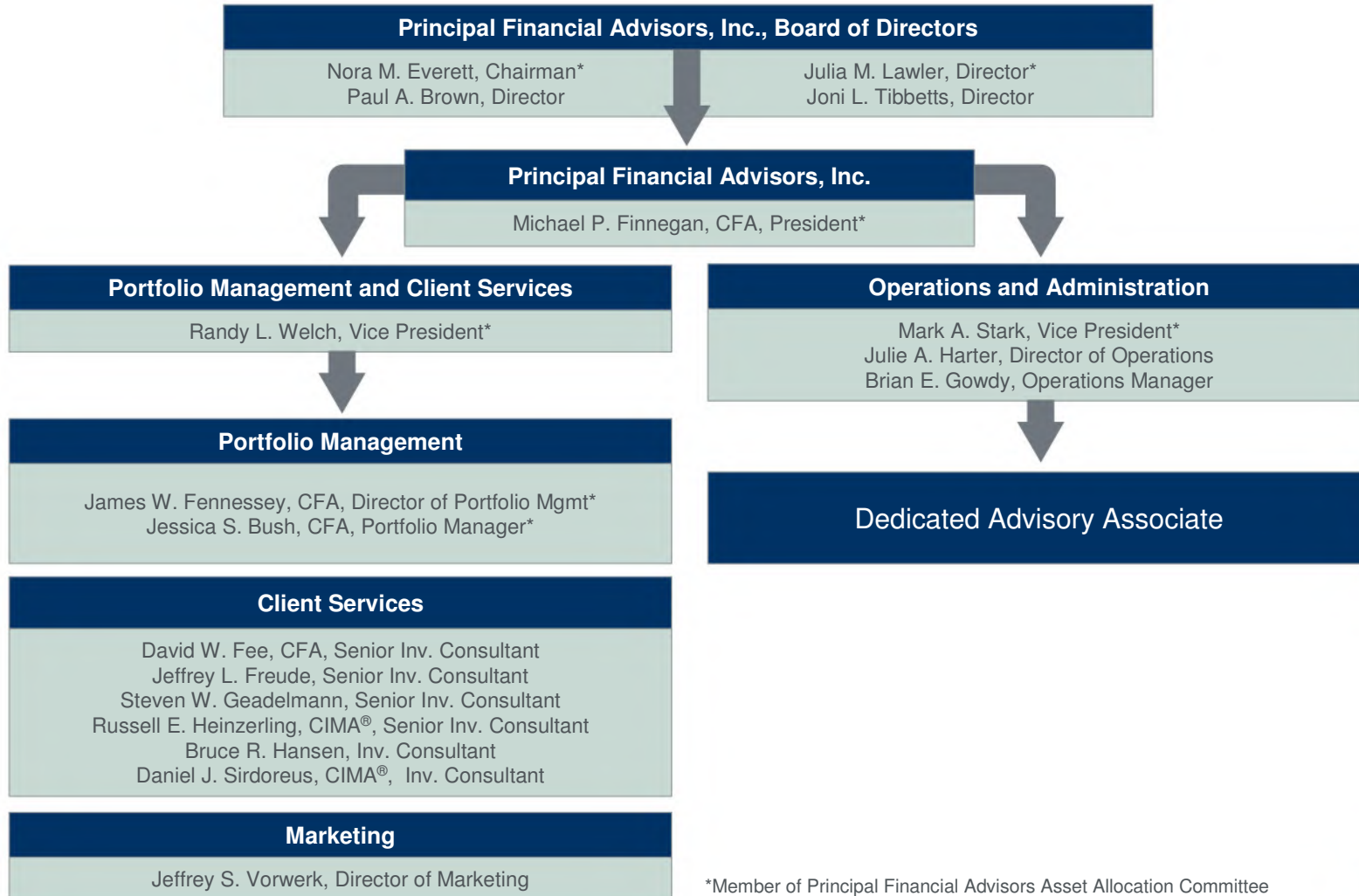
Appendix



WE'LL GIVE YOU AN EDGE®

Principal Financial Advisors

Your Management Team



*Member of Principal Financial Advisors Asset Allocation Committee

Principal Financial Advisors

Evaluating Your Needs, Goals and Objectives

Step 1: Perform Comprehensive Analysis

INVESTMENT POLICY STATEMENT

ACTUARIAL
VALUATION

CLIENT GOAL
ASSESSMENT

CASH FLOW ANALYSIS




Principal Financial Advisors

Asset Allocation Decisions Are Critical to Your Success

Step 2: Develop a customized asset allocation strategy

Guiding Principles



Category	Percentage
Asset Allocation	91.5%
Market Timing	4.6%
Stock Selection	2.2%
Other	1.7%

Asset allocation decisions are a key determinant in whether investors or institutions achieve their objectives.

Importance of asset allocation:
Studies show that asset allocation decisions comprise over 90% of the variability of a portfolio's investment performance over time.

No investment strategy, such as asset allocation or diversification, can guarantee a profit or protect against loss in periods of declining values.

Source: Financial Analysts Journal, May/June 1991; study results confirmed, April 1999.

Principal Financial Advisors

Disclosures

Principal Financial Advisors, Inc. is a registered investment adviser and member company of the Principal Financial Group®.

No investment strategy, such as diversification or asset allocation, can guarantee a profit or protect against loss in periods of declining value.

Insurance products, plan administrative services, and separate accounts which are available through a group annuity contract, are provided by Principal Life Insurance Company. Principal Management Corporation is an investment manager for the core-satellite investment options. Principal Life Insurance Company and Principal Management Corporation are members of the Principal Financial Group® (The Principal®), Des Moines, IA 50392. Certain Separate Accounts may not be available in all states or U.S. Commonwealths.

Before directing retirement funds to a separate account, investors should carefully consider the investment objectives, risks, charges and expenses of the separate account as well as their individual risk tolerance, time horizon and goals. For additional information contact us at 1-800-547-7754.

Index Descriptions

- Barclays Capital Aggregate Bond Index represents securities that are domestic, taxable, and dollar denominated. The index covers the U. S. investment grade fixed rate bond market, with index components for government and corporate securities, mortgage pass-through securities, and asset-backed securities. These major sectors are subdivided into more specific indices that are calculated and reported on a regular basis.
- FTSE NAREIT EQUITY REIT INDEX is an unmanaged index of certain companies that own and operate income-producing real estate that have 75% or more of their respective gross invested assets in the equity or mortgage debt, respectively, of commercial properties
- MSCI - EAFE Index NDTR D is listed for foreign stock funds (EAFE refers to Europe, Australia, and Far East). Widely accepted as a benchmark for international stock performance, the EAFE Index is an aggregate of 21 individual country indexes.
- NCREIF Open End Benchmark is the open-end fund component of the NCREIF Property Index that consists of U.S. commercial real estate properties that have been acquired, at least in part, on behalf of tax-exempt institutions and are held in a fiduciary environment. The universe of properties includes wholly owned and joint venture investments, operating properties only (no development projects) and investment grade (non-agricultural) income-producing properties in the Multi-family, Industrial, Office and Retail sectors.
- Russell 3000 Index is constructed to provide a comprehensive barometer of the broad market and accounts for nearly 98% of the total value of all equity traded on the U.S. exchanges. It measures the stocks that are also members of either the Russell 1000 or the Russell 2000 indexes.
- Blended Real Estate Index is composed of 75% NFI-ODCE Equal-Weight and 25% MSCI US REIT Index. The NFI-ODCE Equal-Weight is the NCREIF Fund Index-Open End Diversified Core Equity. It is a fund-level equal-weighted, time-weighted return index and includes property investments at ownership share, cash balances and Leverage. The return series is net of the average fee charged by accounts that make up the index. The MSCI US Index is a capitalization-weighted benchmark index of most actively traded Real Estate Investment Trusts (REITs), designed to measure real estate performance.

Principal Financial Advisors

Disclosures *(continued)*

Forecasted Nominal Returns — One Year Outlook Chart

- This chart shows the potential range of one-year returns for a variety of asset allocation strategies by illustrating returns for each strategy on a probable, best-case and worst-case scenario. Best-case and worst-case scenarios are represented by 10% probabilities.
- Using the assumed rate of return, standard deviations and correlation factors provided by Wilshire Consulting, the range of possible outcomes was plotted for each asset allocation portfolio to create a probability chart.
- To begin determining the statistical probability of how a given portfolio of asset classes might perform the software runs a series of 1,000 scenarios. The assumed rate of return, standard deviations and correlation factors of each asset class are used to generate the range of possible outcomes. Results are plotted to show the value of the indicated measure at the indicated levels of probability.
- The future cannot be forecast with any certainty as the financial goals and objectives of a retirement plan and various laws and market conditions will likely change over time. As a result, the actual results your plan experiences may vary from the hypothetical illustrations contained in this analysis. All investment options involve risk and may potentially lose value, including initial investment. Investment options that may offer potentially higher rates of return are associated with higher levels of risk, while lower-risk investment options generally offer lower potential returns. The higher the risk level of the portfolio, the higher the volatility that can be expected from month to month regarding the value of the investment options.
- **IMPORTANT:** The projections or other information generated by Wilshire Consulting regarding the likelihood of various investment outcomes are hypothetical in nature, do not reflect actual investment results and are not guarantees of future results. The results shown may vary over time. Other asset classes not considered might have characteristics similar or superior to those included in this analysis.

Principal Financial Advisors

Disclosures *(continued)*

Composite Performance of Principal Financial Advisors

Annualized total returns of the investment options which comprise each portfolio measure net investment income and capital gain or loss as an annualized average assuming the reinvestment of dividends. Past performance is not a guarantee of future results. Principal values and investment returns will fluctuate so that values upon redemption may be worth more or less than original costs. Total returns illustrated are net of investment expenses and management fees of the underlying investment options.

The gross performance presented does not reflect the deduction of Principal Financial Advisors investment advisory fees. The client's return will be reduced by the Principal Financial Advisors advisory fees and other expenses it may incur in the management of its account. The investment advisory fees are described in Part II of the adviser's Form ADV. The following table illustrates the hypothetical investment advisory fees that a client would incur assuming a return of 8% a year. This example should not be considered to represent actual investment advisory fees or performance from the past or for the future, which may be higher or lower than those shown. In addition, the actual investment advisory fees incurred by the client will vary according to the size of the client and cash flows.

Client Size	Fee	1-Year	3-Year	5-Year
\$1,000,000	0.500%	\$5,400.00	\$17,439	\$31,340
\$5,000,000	0.100%	\$5,400.00	\$17,512	\$31,611
\$25,000,000	0.058%	\$15,660.00	\$50,808	\$91,756
\$100,000,000	0.036%	\$38,664.00	\$125,472	\$226,651

Principal Financial Advisors

Disclosures *(continued)*

Composite Performance of Principal Financial Advisors *continued*

Returns shown for periods of less than one year are not annualized.

Principal Financial Advisors composites represent the performance of the underlying investment options and the weights that Principal Financial Advisors has used historically. The composites assume that there were no cash flows and rebalancing was conducted on a quarterly basis. Clients with cash flows and clients with investment restrictions to limit exposure to particular asset classes, investment options, etc. would have had materially different allocations than the composites displayed above.

PFA 20/80 Index is composed of underlying indexes that represent the target asset allocation weights of the PFA 20/80 Composite. The index weightings adjust over time as the portfolio adjusts. The weightings as of December 31, 2010 are 15.0% Russell 3000 Index, 5.0% MSCI EAFE Index, and 80.0% Barclays Capital Aggregate Bond Index.

PFA 30/70 Index is composed of underlying indexes that represent the target asset allocation weights of the PFA 30/70 Composite. The index weightings adjust over time as the portfolio adjusts. The weightings as of December 31, 2010 are 22.5% Russell 3000 Index, 7.5% MSCI EAFE Index, and 70.0% Barclays Capital Aggregate Bond Index.

PFA 40/60 Index is composed of underlying indexes that represent the target asset allocation weights of the PFA 40/60 Composite. The index weightings adjust over time as the portfolio adjusts. The weightings as of December 31, 2010 are 30.2% Russell 3000 Index, 9.8% MSCI EAFE Index, and 60.0% Barclays Capital Aggregate Bond Index.

PFA 50/50 Index is composed of underlying indexes that represent the target asset allocation weights of the PFA 50/50 Composite. The index weightings adjust over time as the portfolio adjusts. The weightings as of December 31, 2010 are 37.9% Russell 3000 Index, 12.1% MSCI EAFE Index, and 50.0% Barclays Capital Aggregate Bond Index.

PFA 60/40 Index is composed of underlying indexes that represent the target asset allocation weights of the PFA 60/40 Composite. The index weightings adjust over time as the portfolio adjusts. The weightings as of December 31, 2010 are 45.5% Russell 3000 Index, 14.5% MSCI EAFE Index, and 40.0% Barclays Capital Aggregate Bond Index.

PFA 70/30 Index is composed of underlying indexes that represent the target asset allocation weights of the PFA 70/30 Composite. The index weightings adjust over time as the portfolio adjusts. The weightings as of December 31, 2010 are 53.1% Russell 3000 Index, 16.9% MSCI EAFE Index, and 30.0% Barclays Capital Aggregate Bond Index.

PFA 80/20 Index is composed of underlying indexes that represent the target asset allocation weights of the PFA 80/20 Composite. The index weightings adjust over time as the portfolio adjusts. The weightings as of December 31, 2010 are 60.7% Russell 3000 Index, 19.3% MSCI EAFE Index, and 20.0% Barclays Capital Aggregate Bond Index.

Principal Financial Advisors

Disclosures *(continued)*

Composite Performance of Principal Financial Advisors *continued*

Standard deviation is a statistical measure of how much an investment's returns are likely to fluctuate. These ranges assume that an investment's returns fall in a typical bell-shaped distribution. In any case, the greater the standard deviation, the greater the volatility. When an investment has a high standard deviation, its range of performance has been very wide, indicating that there is a greater potential for volatility.

© 2011 Morningstar, Inc. All Rights Reserved. Part of the mutual fund data contained herein: (1) is proprietary to Morningstar and/or its content providers; (2) may not be copied or distributed; and (3) is not warranted to be accurate, complete, or timely. Neither Morningstar nor its content providers are responsible for any damages or losses arising from any use of this information.



WE'LL GIVE YOU AN EDGE®

No part of this presentation may be reproduced or used in any form or by any means, electronic or mechanical, including photocopying or recording, or by any information storage and retrieval system, without prior written permission from the Principal Financial Group®.

©2011 Principal Financial Services, Inc.

PD 483-8 | 01/2011 | #10102501mn

Jennifer Nelson

City Council Meeting
Date: April 18, 2011
Re: Everett Moreland Response to Mayor's Questions
No.: Work Session – Retirement System

From: Janelle Nordyke
Sent: Tuesday, April 19, 2011 5:29 PM
To: Norma Alley
Cc: Janelle Nordyke
Subject: FW: Mayor Andrews' question about rehired retirees

Below is Everett Moreland's info for the public comment form. He was the first person to talk.

Thanks,

Janelle
Janelle Nordyke, CPA
Finance Director
City of Newberg
(Ph) 503-537-1216
(Fx) 503-537-5013

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

From: Everett Moreland [mailto:emoreland@hershnerhunter.com]
Sent: Tuesday, April 19, 2011 10:57 AM
To: Janelle Nordyke
Subject: Mayor Andrews' question about rehired retirees

Janelle:

This answers Mayor Andrews' question about how the City's Retirement Plan treats rehired retirees.

1. MUST PERMANENTLY TERMINATE EMPLOYMENT WITH THE CITY BEFORE STARTING BENEFIT PAYMENTS. A Plan participant who attains a retirement age may start benefit payments only after permanently terminating employment with the City. "Permanently terminating" is not well defined but usually means that when the participant starts benefit payments the City and the participant do not expect that the employee will return to any kind of employment with the City in the near future.
2. BENEFIT PAYMENTS CONTINUE DURING REEMPLOYMENT. If the City rehires a Plan participant who is receiving benefit payments, the benefit payments continue during and after the participant's period of reemployment.
3. ELIGIBLE TO EARN MORE BENEFITS AND IS TREATED AS A NEW EMPLOYEE. Upon rehire in a position eligible to participant in the Plan, the rehired retiree again becomes an active participant in the Plan, eligible to earn more benefits. For the purpose of determining the amount of any benefits the rehired retiree earns during reemployment, the rehired retiree is treated as a new employee--the rehired retiree's earlier employment with the City is ignored. After again terminating employment, any additional benefits the rehired retiree earned during reemployment would be paid as if the rehired retiree were not receiving the benefits that are in pay status. Thus the rehired retiree could defer payment until the Normal Retirement Date (if not yet attained) and could elect the payment option for the additional benefit.

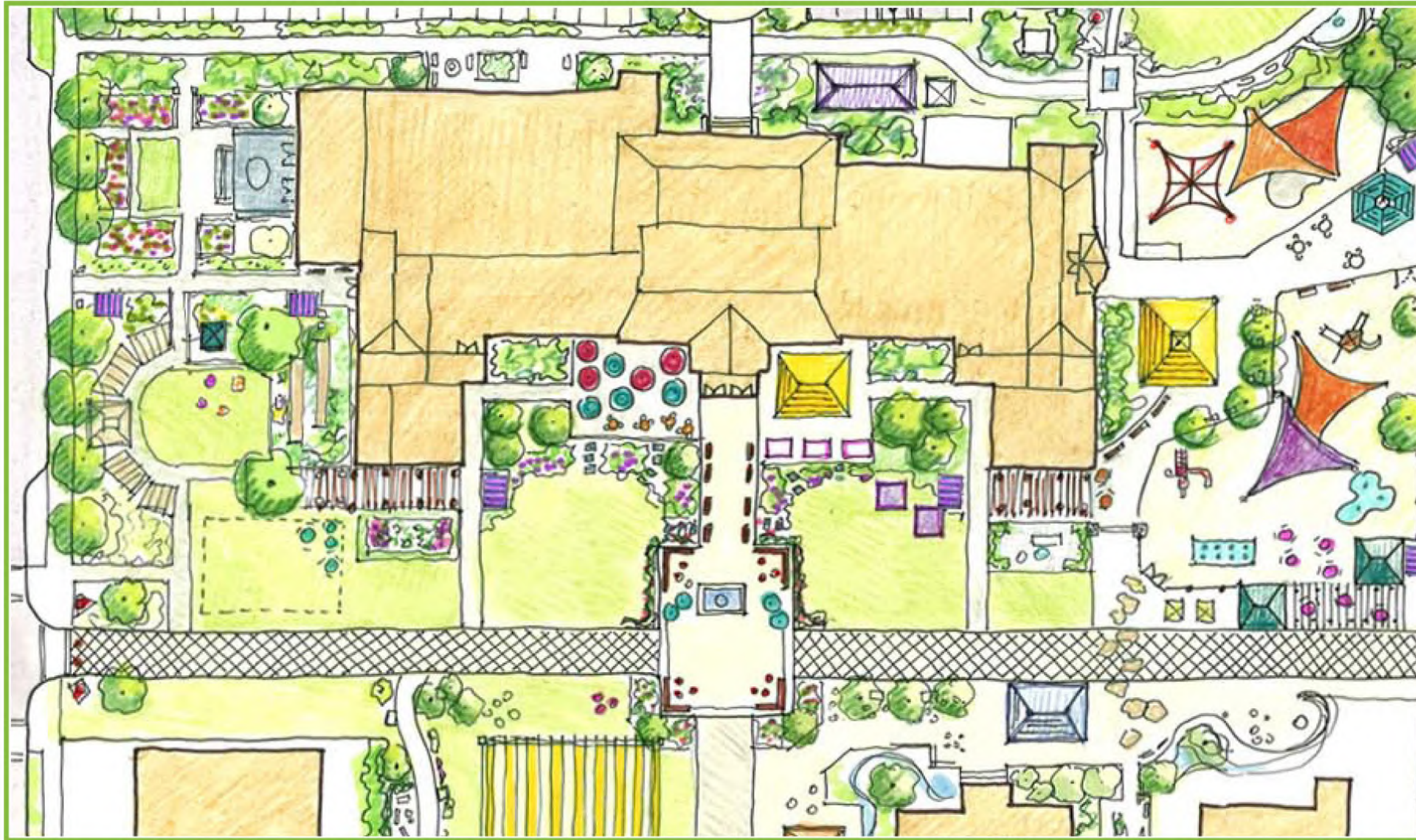
If the Mayor has any more questions about this, please let me know.

Everett

Everett R. Moreland | Partner
Hershner Hunter, LLP | Attorneys
180 East 11th Avenue | Eugene, Oregon 97401 P.O. Box 1475 | Eugene, Oregon 97440
Direct: 541.302.5248 | Reception: 541.686.8511
Fax: 541.344.2025
www.hershnerhunter.com

emoreland@hershnerhunter.com

NOTICE: This e-mail message is for the sole use of the intended recipient(s) and may contain confidential or privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you received this message in error, please contact the sender by reply e-mail and destroy all copies of the original message. Thank you.



Newberg

Cultural District

City Council Meeting
Date: April 18, 2011
Re: Cultural District Report
No.: City Manager's Report



Table of Contents

Introduction	1
The Process	5
Community Vision For The Cultural District	6
Proposed Design Program	8
The Ten Destinations of The Cultural District	10
Next Steps	23
Designing And Managing Public Spaces Successfully	25
Appendices	31

Introduction

Newberg's new Cultural District will be an active, dynamic, lively public space that is a physical and programmatic center of the Newberg community, reflecting its values, culture, interests, and diversity. It will be place that features all that the Newberg's civic institutions have to offer – education, art, culture, fun, community, variety, and economic opportunity.

GOALS

PPS is assisting the Newberg community in building a program for the use of the public spaces in the area. Our role is to help ensure that new and existing public spaces – specifically the proposed plaza, streets, and adjacent spaces -- are well-used, attractive and comfortable, and are integrated into the fabric of downtown, bringing life to its civic institutions. From PPS's 35 years of experience, we believe that in order to be successful, the public spaces around the Chehalem Cultural Center and within the Cultural District must:

- Create a sense of place and identity for both the Cultural Center and for downtown.
- Connect the existing area civic uses and services together.
- Provide active green space
- Help the Cultural Center and the library reach-out like an octopus building thematic, programmatic and physical links amongst themselves and with their neighbors.
- Link important business services and resources (for example on 1st Street) to the square and expand economic opportunities.
- Celebrate the cultures and traditions the Cultural Center is dedicated to support.

THE CONTEXT

The new cultural district will be created between the newly opened Chehalem Cultural Center, the Newberg Public Library, Carnegie Court, and Rotary Park. The area including a block of Howard Street and another of Sheridan Street is already being used for a variety of outdoor programming and events organized by the library, the cultural center, the Newberg Downtown Coalition and other groups during the summer months, such as a farmer's markets, Tunes on Tuesday, movies in the park, and much more. As the Cultural Center renovations are completed and the center becomes fully functioning, even more events related to art and culture, as well as theater and music performances, could be taken outside in the public spaces. The new cultural district will have an important role to play as the northern anchor of downtown Newberg's civic corridor connecting to Newberg's main street, nearby George Fox University, and other area destinations.



WHAT MAKES A GREAT PLACE?

In evaluating thousands of public spaces around the world, PPS has found that successful ones have four key qualities: they are accessible; people are engaged in activities there; the space is comfortable and has a good image; and finally, it is a sociable place: one where people meet each other and take people when they come to visit. The Cultural District Plan focuses on creating a series of new public spaces that will achieve success based on these four key attributes. The Place Diagram below was used as a tool to help people in evaluating the public spaces around the Cultural Center and library site.

Imagining that the center circle on the diagram was a specific place within the Cultural District, including street corners, parking lots, plazas, and buildings on the surrounding blocks, teams of stakeholders evaluated a specific place according to four criteria in the red ring. In the ring outside these main criteria are a number of intuitive or qualitative aspects by which to consider how well a place is functioning currently; the next outer ring shows the quantitative aspects that can be measured by statistics or research.

Access and Linkages

The accessibility of each place was rated in terms of its connections to its surroundings, both visual and physical. A successful public space is easy to get to and get through; it is visible both from a distance and up close. The edges of a space are important as well: for instance, a row of shops along a street is more interesting and generally safer to walk by than a blank wall or empty lot. Accessible spaces have a high parking turnover and, ideally, are convenient to public transit.

Comfort and Image

Whether a space is comfortable and presents itself well – has a good image – is key to its success. Comfort includes perceptions about safety, cleanliness, and the availability of places to sit – the importance of giving people the choice to sit where they want is generally underestimated. Creating a positive image requires keeping a place clean and well maintained, as well as fostering a sense of identity.

Uses and Activities

Activities are the basic building blocks of a place. Having something to do gives people a reason to come to a place – and return. When there is nothing to do, a space will be empty and that generally means that something is wrong. In planning for uses and activities, it is important to consider a wide range of activities for: men, women, families, people of different ages, use at various times of the day, week, and year and for people alone as well as for group activity.

Sociability

This is a difficult quality for a place to achieve, but once attained it becomes an unmistakable feature. When people see friends, meet and greet their neighbors, and feel comfortable interacting with strangers, they tend to feel a stronger sense of place or attachment to their community – and to the place that fosters these types of social activities. Therefore, planning for people and thinking about sociability first helps to reinforce the goal of creating a place that will attract people; everything should be designed to support this goal.



What Makes a Great Place?

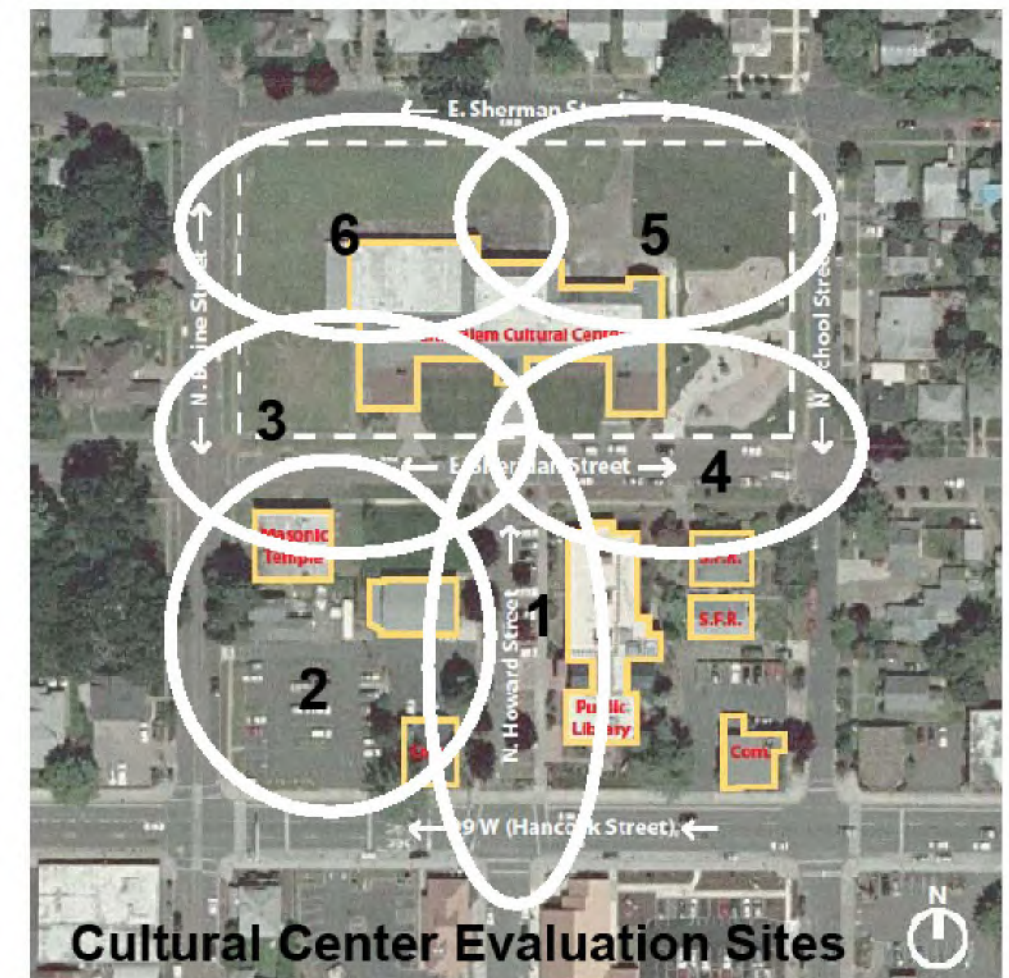


The Process

Project for Public Spaces, Inc. (PPS) collaborated with the City of Newberg, the Chehalem Parks and Recreation District, and Newberg Downtown Coalition on the development of a placemaking vision and program - not just for the public plaza - but for an expanded network of public spaces in the civic corridor and downtown Newberg that will create a synergistic whole that is larger than the sum of its parts. We created a conceptual design that supports this program, based on the involvement and ideas of Newberg's active and committed citizens and stakeholders who ultimately will use these spaces.

The process of actively engaging stakeholders in creating a placemaking plan for the Cultural District in downtown Newberg, with the Chehalem Cultural Center as its northern anchor, began with a visioning workshop facilitated by PPS in September 2010 and attended by over 40 Newberg residents who brainstormed ideas for uses and activities in the new Cultural District. In addition, PPS conducted stakeholder interviews and focus group discussions with representatives of the library, the Chehalem Cultural Center, George Fox University, City of Newberg staff, the Newberg Downtown Coalition, the Newberg Chamber of Commerce, and the Chehalem Parks and Recreation Department. In order to reach to a greater number of residents and stakeholders, we also conducted an online survey which generated over 220 responses.

PPS then generated a draft concept plan and a programmatic layout of amenities and activities identified during the public sessions. In October 2010, PPS returned to Newberg and facilitated a technical workshop which engaged participants in the site design process. Participants were given copies of the draft plan, divided into groups and asked to review and improve upon the ideas presented in the concept plan. The plan was revised by the PPS team on site, and then presented to local officials, city staff, and the public during an open house workshop session where additional comments and recommendations were collected.



Community Vision For The Cultural District

Several important themes emerged from the process that could inform discussions about creating the new cultural district as a major destination in Newberg. In conjunction with the specific management and design ideas that resulted from the workshops, focus group meetings, and individual interviews, they will also serve as the basis for the design program outlined in this report.

Newberg Cultural District should be a multi-use destination for residents,

visitors to wine country, GFU students and faculty, and people from neighboring towns.

In today's competitive global economy, great cities are defined more and more by great multi-use destinations – lively, user-friendly squares, waterfronts, commercial streets, markets, or a network of these. The design of multi-use destinations should be aimed to create a "setting" or a stage for the uses that occur and that emphasize the products and authentic qualities of the place. This approach goes beyond the simple concept of "mixed use" toward a way of design and development that builds authentic places by sustaining uses and activities that related, interconnected and interdependent. When successful, such place have their own "organic" life and a true sustainability that stems from the relationships between activities, and the people who make them happen either by participating or running them – users, tenants, and community organizations. Ongoing and innovative management is key to creating such places.

Environment and Sustainability

Incorporating environmentally, ecologically, and economically sustainable practices, materials, resources and processes will help ensure the viability of the area over time, and can enhance and showcase ongoing efforts at land, air, and water management and preservation. It will also make it easier and less costly to manage and maintain the spaces over time, while doing the right thing for the environment. Several suggestions for achieving this include rain harvesting, (Aquascape is a rain harvest company that could be engaged to do more work on the site), eco roofs, living walls, putting a green roof on top of the gym where vegetables and edible plants can be grown by a future cooking school and adding curb cuts on all islands for storm water management.

Develop a well defined management strategy for the Square as a whole.

A complete management program needs to be developed for the square that includes activities such as security, maintenance, programming, and opportunities for commercial development (e.g. cafes, bike rentals, and markets, etc. in key locations). In addition, the environmental resources or the region and the history of the site provide many opportunities to develop tours, classes and events in conjunction with area partners.

Address access, circulation and park issues throughout the Square and downtown

Downtown Newberg should be redesigned for people, not for cars. As it stands now, the streets are friendlier to vehicles than to pedestrians. Our goal should be to maximize the use of existing parking, minimize the need for creating more, and encourage people to park once and continue their errands and explorations of downtown on foot. This could be achieved by creating a more pedestrian friendly and safe environment, generating more foot traffic for businesses along Hancock and First Streets, and possibly exploring some transit options like a downtown shuttle or circulator service to take people where they need to go. In addition, to provide a higher better use of parking areas available on site, we suggest adding primarily back in angle parking to both sides of Sherman, Blaine, and School. Removing the grass edge between the curb and the sidewalk will provide the right of way to support this parking configuration.

The new bypass will go a long way in reducing the volume and impact of truck traffic in particular through this key segment of downtown Newberg. The design of the new byway should however not simply relocate negative impacts to the city's riverfront area. Gary Toth, our transportation engineer, has strongly suggested that the byway be built according to the tenants of Context Sensitive Design, whereby the natural environment is preserved and enhanced, the roadway designed to have minimal impact, and to reflect and support its context. Specifically, the roadway should not be elevated; it should be designed for a design

speed of no more than 45 mph; there should be significant landscape buffering; and it should in fact have more of the feel of a boulevard than that of a super highway. These design considerations also will bring down the costs of building the roadway over the more traditional roadway design that has been proposed. Cities all over America are tearing down their elevated highways along their riverfronts as a means of reconnecting to the river, providing access to very desirable land for mixed use development and recreation. It would be unwise for Newberg to build something now that they will want to tear down within a generation.

Extend the influence of the Square beyond its borders

By making improvements to the streets around the Square, developing better signage, building safe pedestrian and bicycle connections to 1st Street, as well as establishing a bread-crumbs trail of interesting destinations and small places that make walking more enticing and interesting throughout downtown, the new square can begin to “reach out like an octopus” to downtown. Its influence in the future would not only be as a place to be and as an excellent green destination, but also as an economic engine that attracts and connects visitors to businesses on 1st Street. There was a suggestion to rezone the area to Commercial/Residential to allow residents to open businesses in their home or to purchase existing homes for commercial use.

The Cultural District area should function as a gateway to both regional and local destinations

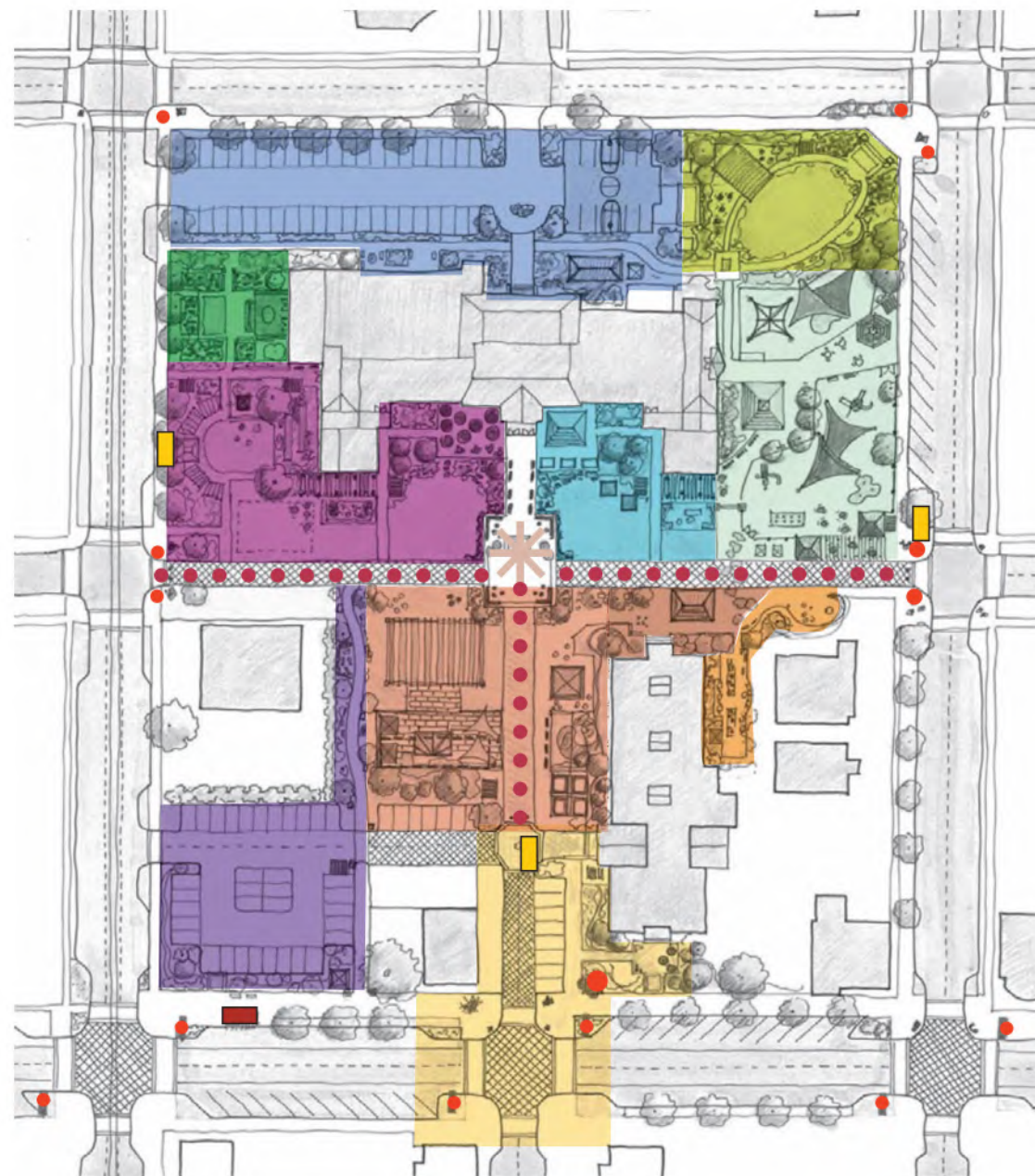
This includes George Fox University, the downtown and Civic Corridor, wine trails and wineries in the region, as well as local and regional recreational trails. The Cultural District could become the starting and orientation point for those wishing to explore Newberg and the region. An information kiosk (possibly staffed) should carry travel information, travel and tourism brochures, listings of area cultural, university and library events, as well as information about local shops, restaurants, galleries, and wine tasting rooms. The gateway function for the immediate area should help establish the presence of the Library, Cultural Center and Cultural District on the main streets of downtown. This can be achieved through decorative signage, lighting, art, planting material, and a possibly a gateway structure (maybe similar to the trellis in the rain garden on Hancock). In addition, reconfiguring the intersection of Hancock and East First at River, and Hancock at West First and N. Harrison as roundabouts would smooth the flow of traffic while slowing cars as they moved through this key area of Newberg.

Proposed Design Program

A potential framework for implementing a placemaking plan around the Cultural District can be structured through what Project for Public Spaces calls “the Power of 10.” PPS’s translation of this idea is that all great places have a variety of “sub places” within them (at least 10). Each of these sub places needs at least 10

simple things for people to do in them – an opportunity to sit, touch or contemplate art, touch and play with water, purchase food, learn about the history of the place, read library books and periodicals in a public setting, etc. When a downtown has 10 such places, they become the reason why people are attracted to

that town and the reason they keep coming back to its public spaces. These places then begin to form a district filled with multiple activities. Finally, a great town or region needs at least 10 such great destinations, each with 10 places and 10 things to do.



- POWER OF TEN DESTINATIONS**
- Civic Corridor Gateway
 - Library Plaza
 - Cultural Plaza West
 - Cultural Plaza East
 - Library Demonstration Garden
 - Rotary Park
 - Neighborhood and Family Park
 - Flex Activities Area / Permeable Parking
 - Garden and Garden Annex
 - Art Passage / Alley to public parking
-
- Wayfinding and Directional Signage/Informational Kiosks
 - Bus Stop
 - Trolley and Tour stops: Wine country tours, connections to Downtown and Parks
 - Focal and meeting point
 - Pedestrian road with vehicular traffic only

Newberg Cultural District
POWER OF TEN



LEGEND

- UMBRELLAS AND CAFE' SEATING
- TENT-(RETRACTABLE)
- KIOSK
- PERGOLA WITH RAIN PROTECTION AND VINES
- FOOD VENDOR
- WAYFIND SIGNAGE
- ART DISPLAY
- CROSSWALK
- BIKE RACKS

Possible Parking Summary:
 53 Parking Spaces on Blaine Street
 56 Parking Spaces on School Street
 28 Parking Spaces on Sherman Street
 32 Parking Spaces on Hancock Street
 50 Parking Spaces in the North Parking lot
 42 Parking Spaces in the south parking lot and Howards St.
317 Total Parking



Newberg Cultural District
 January 24, 2010

The Ten Destinations of the Cultural District



1. Gateway to the Cultural District (Howard Street) view corridor from Hancock to Square

- Gateway to the Cultural District with signage, lighting, plantings, hanging flower baskets, landscaping, and other elements located along Hancock Street and at the intersection with Howard to clearly indicate the entry to the cultural district
- ADA Parking along Howard facing the library entrance
- Diagonal parking facing the library will preserve the view to the Cultural Center from Hancock
- Remove the trees that currently block visibility to the Cultural Center
- Outdoor art, art elements as bread-crumbs throughout the Hancock Street and Howard Street corridors. These could be decorative banners, hanging flower baskets, etc. that make the area read as a cohesive whole
- Artistic lighting of library, trees, and the Chehalem Cultural Center to increase its visibility and presence at night and to make the area feel safe and welcoming
- Linear garden / rain garden with possible bio-swale water play feature

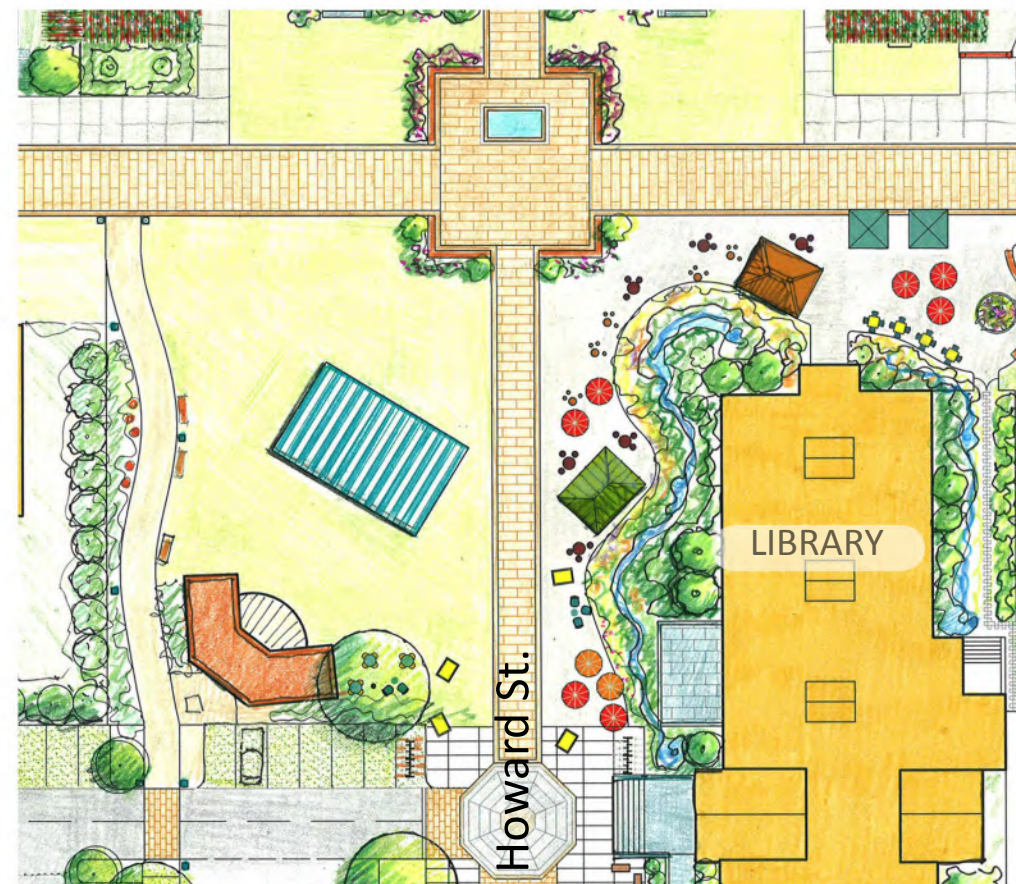


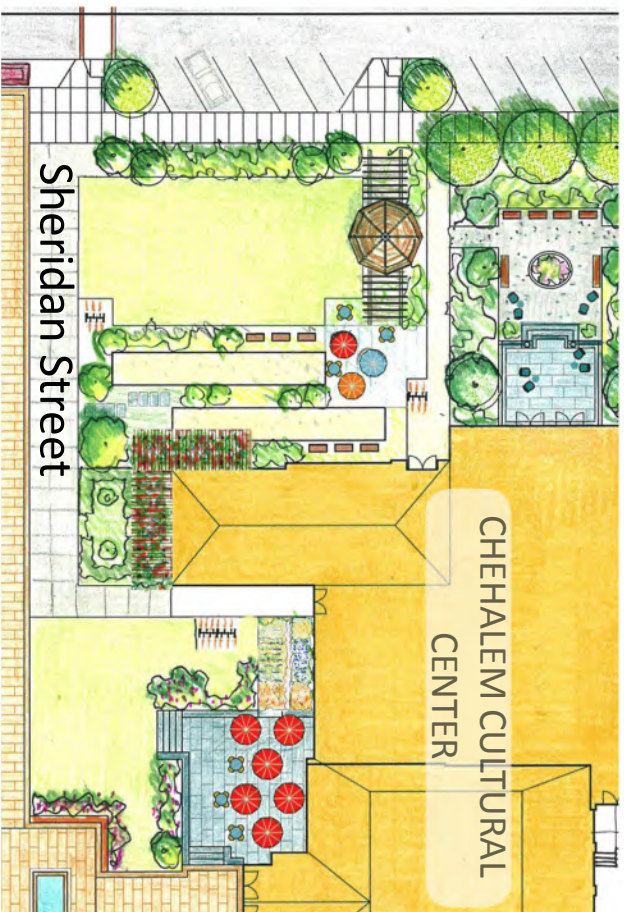
- Special event spill-over area on Howard Street. The street could be closed to allow for larger events to take place
- Remove the wall at the library on Hancock; create a patio and a place for a Staffed Information Kiosk
- Traffic calm Hancock starting at College Street to slow the traffic
- Food vendors, coffee carts, satellite carts for existing restaurants on Howard (during lunch-time and midday)
- Spill over markets and fairs that outgrow their current site or for concurrent markets and activities to take place during the Tuesday Farmers Market (art, antiques, teens etc.)
- Brand the downtown as a series of districts: Historic, Commercial, University, Cultural, River, Mill
- Relocate the Visitor Center to Hancock Street
- Continue intersection treatment to Howard and First Street.



2. Library Plaza / Annex Area (upper Howard Street, Annex, Annex green)

- Adult reading area (i.e. Bryant park periodical reading room) with a shelter or tent structure that could include moveable tables and chairs, heat lamps and other weather protection behind the library (along Sheridan) with wifi
- Children's reading room along Howard Street
- Wayfinding signage, kiosk, banners, archway here across Howard Street
- Obtain parking connected to future library storage facility (blue house)
- Annex lawn and stage area would be used for a wide variety of events and therefore needs to remain flexible in terms of infrastructure, stages, and backstage/storage facilities
- Performances: professional, open mike, programmed by youth, students, cultural groups, etc.
- Yoga, tai-chi, jazz aerobics, Hoola hoop, Spinning classes, yoga for kids during the morning hours weekday and weekends
- Annex re-configured as multi-purpose structure including storage, restrooms and dressing rooms, meeting rooms with covered outdoor spill-out areas)
- Large stage pad with electric, access, and rain protection
- Possible retractable rain protection for audience area
- Movable tables and chairs under rain protection





3. Cultural Plaza West (performance plaza)

- Audiences at large performances that spill-out from the Annex lawn could be seated here and Sheridan Street would be closed
- Stage to be moveable, temporary, portable. Rotate the stage.
- Incorporate storage and restroom facilities here
- Quinceneras, birthday parties, prom receptions and more formal activities that would benefit from easy access to the Cultural Center's kitchen and garden
- Larger outdoor art classes accommodated in the front of the Cultural Center. The infrastructure for classes (tents, electrical, desks, etc.) still needs to be determined





4. Cultural Plaza East (library & arts classes convergence)

- Summer kids reading room facilitated by the children's and youth librarians
- Reptile man and other special library organized events
- Main market/fair space
- Pergola/sheltered seating area with game tables on a deck over the concrete pad
- Outdoor art exhibitions
- Outdoor author readings and other library related events
- Outdoor art classes
- Coffee shop and café seating/terrace. This area is envisioned as being the place where the Coffee Cat could set up an outdoor seating area
- ATM
- Concession for renting chess/checker/backgammon games





5. Library Demonstration Garden

- Building on existing garden design and plan with a sheltered structure (perhaps a canopy or awning) to provide weather protection
- Space for library staff to eat lunch, socialize, hold meeting
- Quiet space for small groups, classes, meeting space
- Game tables (chess, checkers, backgammon, etc.)





6. Rotary Park

- Gazebo with sheltered seating for parents so they can relax while they supervise their children located mid block between Sheridan and Sherman
- Restrooms (2 unisex) combined with the gazebo
- Covered bicycle parking and artist designed bike racks
- Area for outdoor art activities and demonstration projects on the north east side of the Cultural Center (i.e. glass blowing, gas kilns outdoors, pottery wheel, kilns, etc.) with a canopy extending out from the building
- Neighborhood events, block parties, children's birthday parties, picnics – movable furniture (artful tables, chairs, umbrellas, bread ovens)
- Water / Sand Park and splash pad in the middle of the park
- Sidewalk along east side of the Cultural Center building
- Rock climbing wall





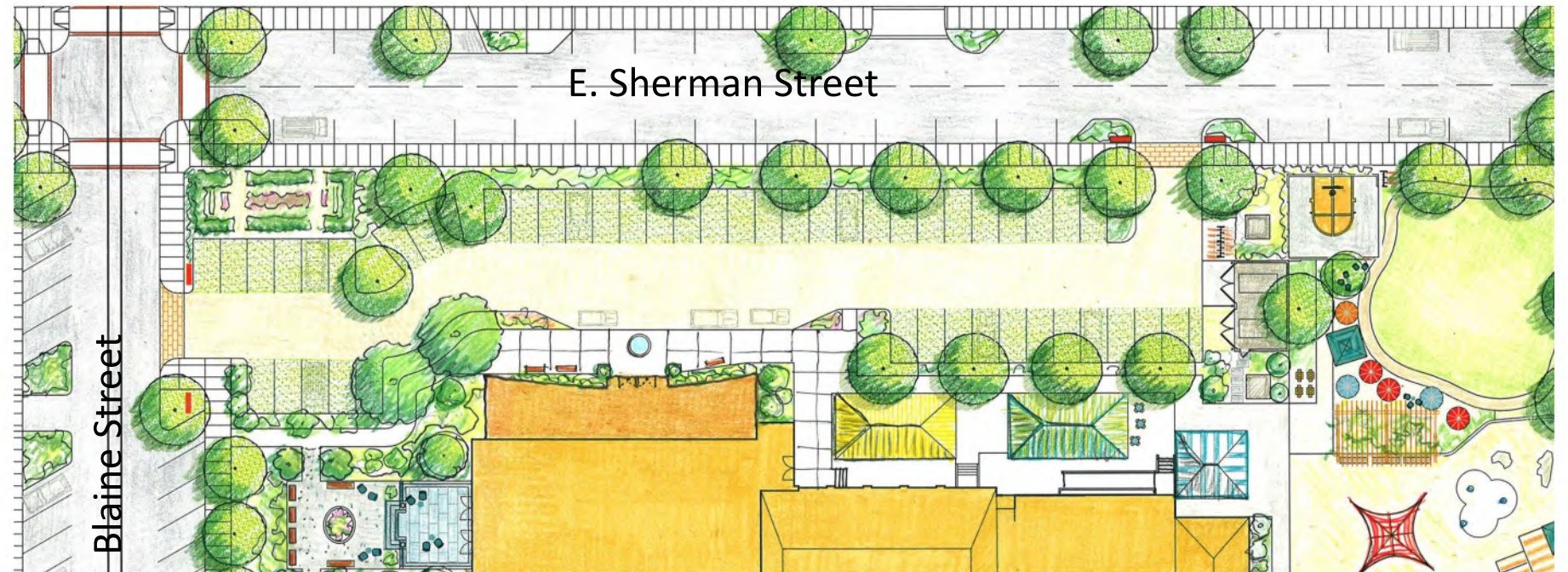
7. Neighborhood and Family Park

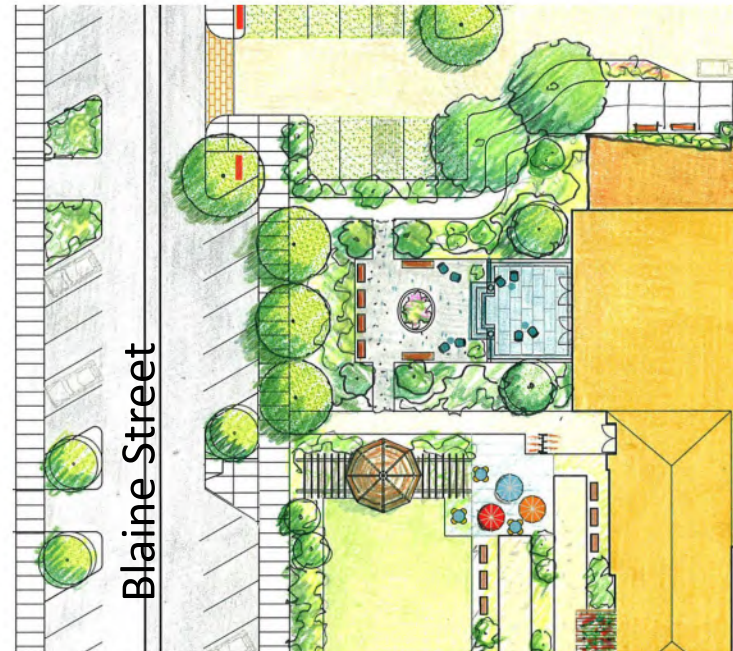
- Pergola/sheltered picnic area backed up against the recycling/trash area
- Large lawn for pick up soccer games, kickball, basketball courts, etc.
- Community bread oven; Pizza oven on Sherman Street
- Learn to cycle track



8. Flex Area / Permeable Parking

- Miniature/toy train for special events
- Tents and activities for special events
- Pick up/drop off for the ballroom and special events
- Premium priced parking during special events
- Make the existing back door of the cultural center a real entrance and eliminate the one proposed by the architects because it will destroy the gallery inside (in its current configuration)
- Move the parking lot exit further south away from the intersection at Blaine and School





9. Garden and Garden Annex

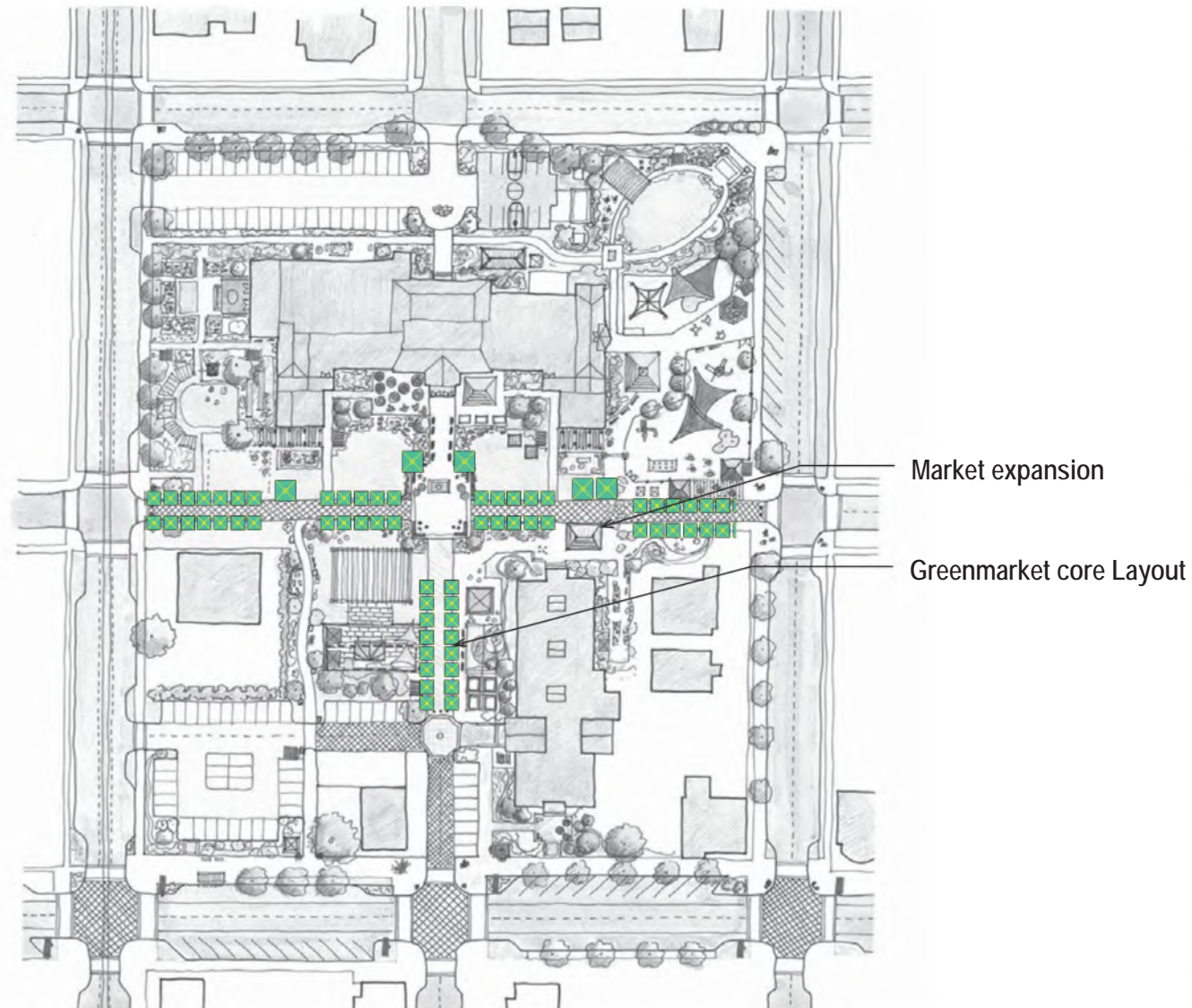
- Toy train track extends southward during special events
- Bocce, chess, horseshoes and other lawn games
- Sculpture garden and more formal garden parties
- Wine bar/connection to wineries like wine tastings or wine dinners
- Starting point (information, orientation, gathering) for wine country tours
- Glass wall partition/retractable glass garage type doors so the area can be enclosed for private events
- Use the top of the gym for events and programs as well



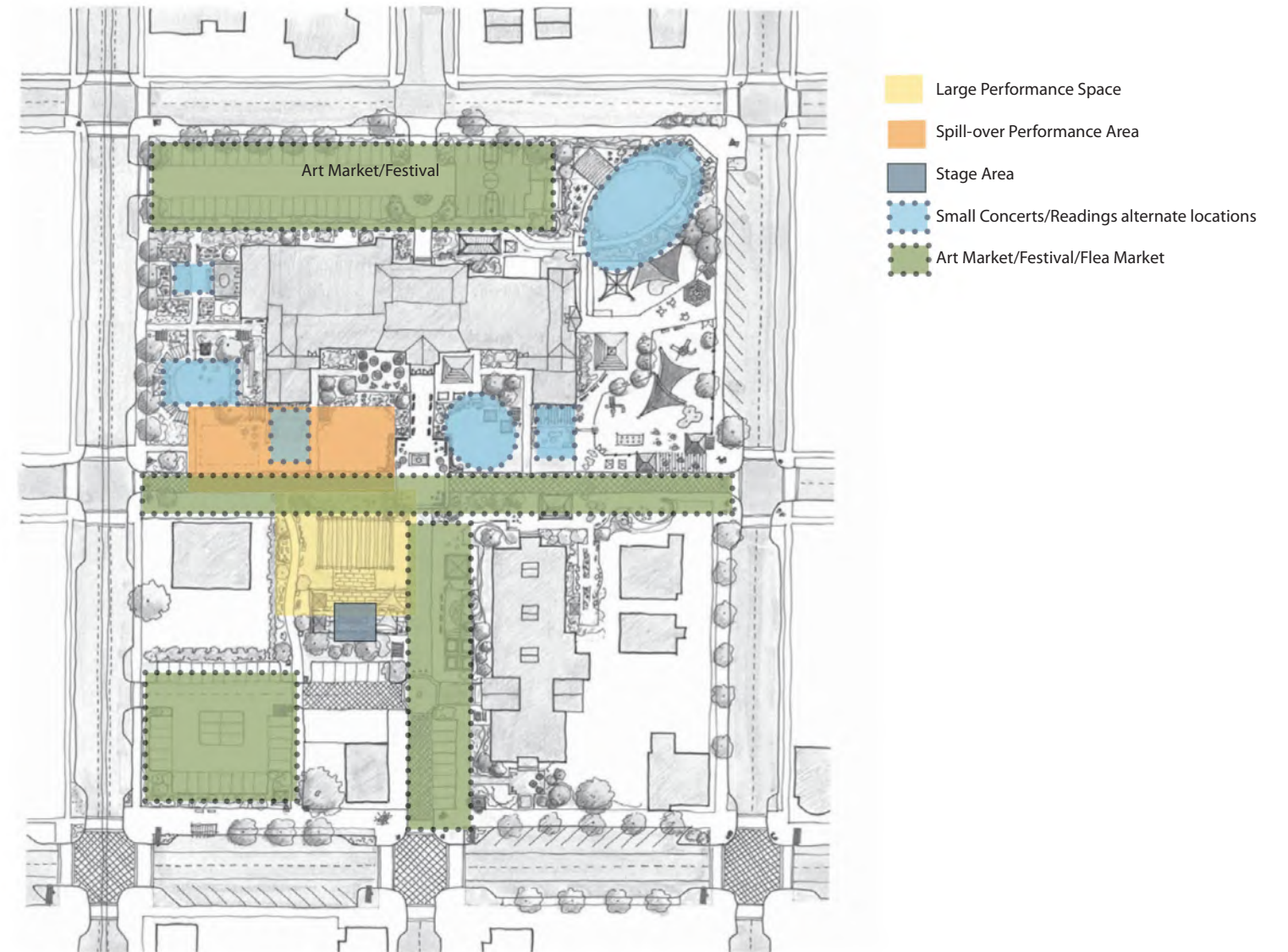
10. Art Passage / Alley to public parking

- Murals on the walls leading from the parking lot to Sheridan Street
- Environmental art features (continue rain garden theme, people friendly bio-swales, local art and gardening displays)
- Special lighting and hanging decorations across the alley way to make it visible and an inviting walk between parking and enjoying!
- Move curb back along Blaine, remove the grass strip, add back in angled parking between Sherman and Sheridan
- Noise buffer here to mute traffic sounds from Hancock
- Name the bus stop on Hancock the Cultural District bus stop
- Add charging stations for electric cars and priority parking for car share and Zip Car members





Proposed Market Layout for Large Market



Flexible Space Available for Events and Gatherings

Next Steps

A number of immediate action steps presented themselves, which could both serve to demonstrate “short term wins” and generate the necessary energy and enthusiasm required to implement the longer term changes described above. These actions could take place this fall/winter 2010-2011:

- Name and begin to market the site as the “Cultural District”
- Close Sheridan between Blaine and School except for delivery traffic
- Make Howard two way between Hancock and the library entrance, and then to the west through the parking lot to Blaine
- Take down the walls around the library including those at Pioneer Courtyard; install outdoor seating, tables and umbrellas
- Build the outdoor adult reading room area behind the library with moveable seating and tables
- Work with a sponsor to Install wifi throughout the entire district
- Hold horticultural competitions for the planting beds
- Restripe the north side of Hancock with back in angle parking for the block between School and Howard (as an experiment)
- Share the concept plan, this report, and the community’s enthusiasm for this project with as many people as possible!

Designing And Managing Public Spaces Successfully

A successful public space can be an enormous asset to the building owner, tenants, and employees or residents. It can improve their image, lift their spirits, enhance cultural connections, and help create a sense of community. But none of this comes automatically. To realize its potential, even a well-designed public space must be well-managed and well-programmed, an art that bears some – but only some – resemblance to the art of managing a building.

The principal public space management tasks are described below:

MAINTENANCE. The more used and loved a public space is, the more maintenance it requires. But regular cleaning and repair of the facility to high standards more than repays the cost. Prompt attention to items that could be easily deferred, such as a broken drinking fountain or removal of graffiti, says that someone is in charge, that the facility is respected, and that the public is protected. Landscape and horticultural requirements may require special attention if gardens are extensive, or if rare plants are present. This work falls well within the usual property management tasks, and would be done in any case.

SECURITY AND HOSPITALITY. If a space is well-designed, security can be visible and comforting without being intrusive. The more that people feel secure in a space, the more users the space attracts, and the more secure the space will be. Security and maintenance personnel should be ambassadors,

too: if people feel “hosted” and “welcomed,” they don’t feel the need to be “protected,” because to a very large extent the space becomes self-policing. Obviously this is a delicate balance. Public spaces should never be the domain of one group or constituency, or be viewed as a place, for example, where youth are just hanging out and getting into trouble. At the same time, however, a public space cannot be successful if it feels like an armed camp.

PROGRAMMING. Once the basic “clean, safe and friendly” needs are met, programming the space becomes not only possible, but much easier, and the economic potential of the space can be realized. “Programming” refers to the wide variety of planned activities and to all the facilities and equipment related to them: furnishing the space appropriately, for example, with chairs that can be moved from sun to shade and back; operating a retail program, with vending carts or a seasonal cafe; producing a regular concert series or a one-time festival; hosting a community gathering, operating a regular farmers market. Programming a public space successfully is an entrepreneurial art. However, “programming” does not necessarily imply intensive staffing -- although this is possible if events and festivals become an important component. Community groups can be encouraged to use a space for their own activities. Some programming can actually generate income, like a café or vendor. Promoting the events and activities that take place in the public space is an important adjunct to programming, particularly for a space being built or programmed for the first time.

COORDINATION WITH ADJACENT USES. The public spaces and the surrounding ground floor uses – whether they are retail or community facilities – should be seamlessly integrated. The public should flow from outside to inside and vice versa with as few barriers as possible. The activities of the adjacent uses should spill right into the plaza and streets, and the outdoor activities and circulation should move smoothly through the adjacent buildings. Management needs to be concerned, therefore, not just about the space itself, but the design, connections, and uses in adjacent buildings.

Flexible Design Elements

The public spaces within the Cultural District should be viewed as a stage for programs and activities that the community has already identified or will identify in the future. While permanent design elements are obviously needed, both the park and the plaza area will require flexible elements as well. Examples of these elements include:

- Outdoor tables and seating provided in several forms, including café tables and chairs; game tables, and picnic tables that can be scattered (and moved when needed) throughout the park and plaza as needed.
- Outdoor movie set up - indoor/outdoor DVD player/projector, place for a movie screen;
- Folding chairs for events
- Stage for music, dancing with a sound system;
- Flower pots to provide color, with maintenance of them to be given to youth or seniors;

- Banners and flags; and
- Pop-up tents for festivals, community meals, and vendor stalls.

Some of these elements could be the same that are needed for indoor facilities, like folding tables and chairs. Where possible, opportunities for residents to participate in the design should be considered: for example, banners for specific events could be done collaboratively by youth from different cultural backgrounds.

Establishing and Enforcing a Code of Behavior

Another key management activity is to establish a code of behavior for the public spaces. We recommend rules that emphasize what you can do in the District's public spaces, rather than what is prohibited. However, a decision should be made about where smoking can and cannot take place, as well as where skate-boarding or soccer games will be permitted.

This code of behavior should foster self-regulating behavior, for example, people habitually cleaning up after themselves. The code needs to be developed collaboratively with residents, especially with youth who will be using the Cultural Center and who are likely to be viewed by some as undesirable users just hanging out.

Bryant Park in New York City has a set of rules and regulations that the Cultural District could use as a model for their code. Bryant Park is a well-used and much-loved public space in New York City that promotes positive use without too many restrictions.

YOU ARE WELCOME...

- to visit the park during the hours posted
- to use open areas, including the lawn
- to enjoy the gardens without entering flowerbeds or picking flowers
- to use a park chair or one seat on a bench designed for sharing
- to deposit waste in green trash receptacles and place recyclable cans and bottles in white containers
- to bring your dog, providing you leash it, keep it from watering trees and plants, and clean up after it

PARK GUIDELINES PROHIBIT...

- entering the park after the hours posted
- drug use
- alcohol use outside the Grill and Cafe
- organized ballgames
- panhandling
- sitting or standing on balustrades
- entering the fountain
- feeding pigeons
- rummaging in trash receptacles
- amplified music that disturbs others
- performances, except by permit
- commercial activity, except by permit
- obstructing park entrances
- walking dogs on the lawn
- use of plastic tarps on the lawn

Process for complaints and enforcement: When the code of behavior is developed, a process for handling complaints and for enforcement should also be developed. Remembering that the public spaces are a community resource, handling complaints and enforcing the code of behavior should have a bottom-up and top-down approach – the community can report any misbehavior and the management can enforce behavior. This responsibility would need to be publicized along with corresponding contact information. For example, a sign posted on the community bulletin boards to inform the public to “call Miguel, the Facility Manager, at (phone number), if you have any complaints”. With this public knowledge, any person of the community, whether resident, tenant, or organization, would be able to call in a behavior that is not condoned within the plaza. The facility manager would then be able to respond in the necessary manner.

Another avenue to take when enforcing behavior is through youth. It is general understanding that teenagers are a tough group to reach, but through various methods of engaging youth, the gap between pre-teen and adulthood can be bridged. Youth mentoring, paired-youth mentoring, and Junior Friends Groups are realistic methods of nurturing appropriate behavior and personal investment of youth in the plaza.

- Youth mentoring usually consists of recreation, tutoring, and one-on-one mentoring programs. The one-on-one mentoring programs pair an adult and youth with the intent of learning from the relationship that they build between each other.
- Paired-youth mentoring is a program that is based on positive peer pressure – a youth is paired with another (typically younger) youth. This type of mentoring gives younger youth a more tangible frame of reference, while giving the older youth a sense of duty and responsibility and giving them the role of a role model.
- The Junior Friends Group is much like a Friends Group, but strictly for youth with adult advisors. This type of group is usually formed as a way to proactively involve youth in the management and programming of a community place. In the case of Balboa Park, the Junior Friends Group is a way to educate youth about Balboa Park and to promote the many different experiences available in the park. At the KLM Library in Peoria, Illinois, the Junior Friends Group serves as a type of teen board that helps plan and present teen-oriented programs, such as author visits, summer reading programs, coffee houses, and musical programs.

Evolving a Management Structure for Public Spaces

The management structure for the park and plaza spaces should evolve along with the events and activities themselves. In the beginning, as organizations are settling in and public spaces are developing, management will have to take more of a lead in organizing the events, but taking the initial steps to create a “friends of the Cultural District” group of residents who can help by organizing events and activities that engage and encourage community investment in the District. As interest in events builds, a more established management system will evolve from the framework provided below. This system will be, by necessity, a hybrid of management models, but is similar to typical friends groups that work with city parks departments

OVERALL RESPONSIBILITIES OF THE MANAGEMENT FRAMEWORK

The management of the cultural district will have to develop a collaborative relationship with the community and outside programmers, to foster a sense of ownership around the district, the cultural center, and the library and market. The following activities will need to be performed:

- Maintenance of the park and plaza will require the usual tasks for which most property management groups are responsible. Management should diligently keep after landscaping, cleanliness, repair, and other maintenance routines. Diligent upkeep will not only show to the public that the facility is protected and cared for, but also reinforce the

mentality that plaza users can protect and care for the facility by keeping after themselves.

- Security and Hospitality should be established as a visual permanent presence on the plaza. Through community self-regulation, Cultural Center organization support, and youth being part of the solution as well, the plaza can be a safe, clean, and welcoming public space.
- Coordination with Adjacent Uses will assist in creating an all-inclusive and more self-sustaining community. Retail uses should be partners as well.
- Programming will come from many sources:
 - > Programs from the cultural center, library, catering kitchen (future), and other internal uses that will spill into the adjacent spaces;
 - > Special activities that are programmed on a regular basis, such as the market, outdoor movies, and cultural events;
 - > Use of spaces by residents on a first-come, first-serve basis, such as birthday parties in the pavilion;
 - > Special events and activities sponsored by other community organizations; and
 - > Specific spaces that may be the responsibility of a group, such as the community gardens.
- Marketing and Promotion are extremely important to the programming of any public space. Events and activities are not automatic successes by simply advertising with posters a few days prior. Interest in them needs to be built and reinforced at certain intervals. We recommend supplementing the indoor information boards with outdoor

community boards, both offering information and calendar of events in Spanish and English.

- Scheduling of events can be a complicated matter, but when it is clear amongst the organizations and people who might use the plaza and park, it is much easier. With posting an up-to-date community calendar on the community bulletin boards both within the community center and on the external side of the building, there will be less confusion. In addition to this calendar, a contact number should be posted for those who would like to schedule a special event. The person in charge of scheduling can then work with the special event person to coordinate timing and resources and to review the use of space guidelines.
- Insurance and liability are a concern, but excessive requirements would prevent activity on the plaza. The Cultural Center and Parks District should review its insurance coverage and facilitate use of the plaza to outreach groups. For example, an umbrella policy could be obtained to cover outside organizations.

Management Roles

Who will have primary responsibility for management of the cultural district needs to be finalized between the CPRD, Cultural Center and Newberg Downtown Coalition. However, residents and other partners (George Fox University) could become engaged in District management activities through a “friend’s group.”

Role of the Community

Community residents should play a key role as well. As we have noted, we recommend setting up an informal friend’s group for the plaza, an approach similar to how many parks departments augment the management of their spaces and encourage more community usage. Typically, friends groups eventually develop into more formal, non-profit structures to facilitate fundraising, a logical evolution from an informal system.

Friends Groups typically perform the following activities, which can be a starting point for how one could be established for the Cultural District:

- Providing additional maintenance (i.e., flower planting)
- Sponsoring annual clean-ups
- Organizing and hosting specific events and activities
- Promoting the park through flyers, a web site, and a newsletter
- Coordinating with other organizations and sponsors

- Helping management trouble shoot problems when they occur
- Fundraising for improvements
- Being an advocate for the park to policy makers

Budget

There will need to be an operational budget established for the public spaces, that covers salary and general maintenance expenses. Additional funding may be required for initiating and sustaining special programs and events, although some of these activities may be undertaken by community volunteers. The potential sources of funding include:

- Foundations;
- Fundraising events;
- Contributions, i.e. entry free of 25 cents for community movies;
- Donations, such as food donations from local grocery stores.

Appendices

Appendix A: Workshop Summaries

PLACEMAKING AT CHEHALEM CULTURAL CENTER

COMMUNITY WORKSHOP – PLACE PERFORMANCE EVALUATION GAME

Hosted by the Newberg Downtown Coalition
Facilitated by Project for Public Spaces
Wednesday, September 15, 2010

6:00 – 6:15 PM

INTRODUCTIONS

BY THE NEWBERG DOWNTOWN COALITION

A quick overview of the context for this meeting, and the expected outcomes.

6:15 – 7:00 PM

WHAT MAKES A GREAT PLACE

by Project for Public Spaces, Inc.

Power Point presentation on great public destinations (and some less so) and what it takes to create them by Cynthia Nikitin and Elena Madison of PPS.

7:00 – 7:45 PM

PLACE PERFORMANCE EVALUATION GAME

BY ALL

SMALL GROUP WALKING TOUR AND EVALUATION OF SELECTED SITES AT CHEHALEM CULTURAL CENTER. EACH TEAM WILL BE ASSIGNED A SPECIFIC SITE TO EVALUATE AND GIVE IDEAS FOR.

7:45 – 8:15 PM

DISCUSSION OF ISSUES AND OPPORTUNITIES BY GROUPS

Each group compiles its findings and recommendations, brainstorms ideas and prepares to present.

8:15 – 8:45 PM

REPORT-BACKS FROM EACH TEAM BY GROUPS

Break-out groups report their observations, issues, ideas and short and long-term recommendations to the forum.

8:45 – 9:00 PM

NEXT STEPS AND CONCLUDING REMARKS BY PPS & NEWBERG DOWNTOWN COALITION

Discuss next steps.

Chehalem Cultural Center Workshop September 15, 2010

Group 1

Opportunities

View corridor from Hancock up to Cultural center
Outside Art
Light up the front of CAC
Limb up the trees
Slopes down – a linear garden feature along Howard Street – with origami boats
Take out the northern lane of traffic
More seating and reading room for the library
Lower the retaining walls and pull people out there
Aquatic center at the annex; lower level aquatic, upper level fitness, lots of glass and visible
Holiday themed decorations
Move library egress to library to site 2 to Blaine and then they make a T and turn right into Howard –close Sheridan but keep Howard open
Howard left turn only onto Sheridan only

Activities

Activities for tweeners
Outdoor reading room
Coffee shop/seating

Partnerships

Partner with GFU and develop an incubators program on the top floor
Tie business into this area

Group 2

Opportunities

Make Civic Corridor cohesive – anchors are Memorial Park and Chehalem Art Center
Masonic temple/grass area
Library annex building blocks view of CAC from Hancock Street
Parking lot is dark; doesn't feel safe walking up from Hancock Street; yellow brick road winding through lot to cultural center
History of Newberg mural like Silverton
Raised stage in front of concrete block building
Red brick/cream brick façade requirement for Newberg.

Activities

Paint a mural of the history of Newberg on the annex building
Wine and art events
Wine harvest festival
"Quirky" events
Lectures
Book fairs
Waterpark – parents take their kids out of town to water parks all summer
Events to bring here

A candy or Fairy Festival to promote ADEC
Golden cap award

Cinco de Mayo parade to cultural festival
Art student exhibits at CAC
High school students exhibit at CAC
PCC students to exhibit
Middle school performing arts program
Harvest festival
White building – coffee shop or restaurant
Old Fashion Days – games on the green, croquet, bocce, ladder golf – siphon people away – they are walking that way anyway

Partnerships

Survey the neighbors and make them partners in this project
Right of refusal on purchasing properties that are for sale
Library? City? Laney?

Group 3

Opportunities

Wrap around the market to site 3
Plant trees along Blaine Street
Make lot available temporarily
Close Sheridan Street – to make it safe for little kids
Water feature and sand parks
Covered area – for parents and kids – permanent
Night lighting – subtle and beautiful
Colorful – elements to pull people up to Sherman – art students at Fox to create art to brighten up the area
Pocket parks along the sidewalks

Mini parks or smaller play lots on that side – need space for littler kids
Places for parents to relax

Activities

Farmers market
Kid crafts – at the market; Friday night art walk
Library children’s activities
Movie night
Safety fair
Wine tasting during Friday night art walk in front of the CAC
Game space
Performance space
Rails – Rail car tourist stop
Putt golf – artist designed mini golf?
Chess
Reading room
Basketball court
Waterpark
Amphitheater
Outdoor dancing
Knitting

Amenities

Water channels like Freiburg, Germany running back of Cultural Center to Hancock using runoff from Cultural Center roof
Covered area, heat lamps
Tree benches
More street lights
Natural history map

Partnerships

Art
-GFU
-Art Biz
Wineries
Kids Crafts
Non profit organizations/activities

Group 4

Opportunities

Make this the entrance to the library
Publicize Rotary Park’s existence
Parking – make it one level, surface level change –bollard/pavers
Remove replace metal features with wooden ones
Paint the animals or create mosaics on the animals
Make Sheridan pedestrian only/priority
Motion detector lighting
Useable at night
Library inspired works of art outside in the courtyard and in cultural center on the lawn
Programming in the spaces
Direct access from Library to Park
Indicated (brick with cobblestone) path between Library and Cultural Center
Needs to be better draw with signage to area
Redesign parking (possible eliminations) on Sheridan
Increase pedestrian only access
Replace level transitions with surface transitions

Activities

Community potlucks/dinners
Star gazing
Outdoor reading area
Community/Kid art projects
-partnering with local artists
Additional programming for grassy area in front of Cultural Center
-kids projects
-exercise
-book club reviews

Concerts
Talent shows
Plays (Theater)
Rehearsal space
Vendors
Weddings
Quinceaneras
Piñata parties
Murals to get the youth involved in the process

Amenities

Water features/splash pads
Shade: trees, public art
Public restrooms
Interesting pathways
Lighting (evening)
Outdoor reading area
Wi-Fi (entire area)
Coffee/Refreshment stand
Furniture for lawn of the CAC; rent a blanket for a picnic

Partnerships

Newburg Library
Shakespeare Traveling Theater
Promoters of Latino music
Charritos Promotion
Cultural Center
Garden Club

Group 5

Opportunities

Parking lot – to right of back of cultural center
Where Toons takes place
Future flexibility
Calmness/green/peaceful

Activities

Clubs - knitting
Music throughout the year
Lawn activities
Outdoor classes
Parks and rec classes – yoga
School activities – picnics/ parent teacher events
Small seasonal performances
Acting, performing arts
Festivals
Special events:
Fox performing arts
CDPR classes
Expand the farmers market back there
Leave it open green and flexible space
Canopy in the summer; retractable

Picnic benches
Memorial or monument for soldiers and heroes – local art; contemporarily rendered
Done by local artists
Small semi circular performance area
Tons of soccer teams practice there
Baseball and soccer teams

Relocated activities

College performances
Seasonal Parks Program
Farmer’s market

Amenities:

Seasonal coverings, canopies (retractable)
Picnic tables
Statuary
Available utilities: lighting, water, electricity
Needs more lighting

Partnerships

Civic groups
City (municipal)
College
Local businesses
Local artists and musicians

Group 6 – to left of the back of CAC

Opportunities

Integrate both visually and physically to George Fox-running trail
Connect to downtown

Garden off of the back of the ballroom
Train station – red electric
Privacy shrubs so car headlights do not affect naves – make it fun
Get people around and in
Ballroom entrance
Mini train – run it to George Fox and bring the students over
Topiary arborvitae
Running path
Sculpture garden – private and public use space
Parking lot – extend farm market’ harvest festival, sidewalk drawing, bocce – bring back sports – 3 on 3 basketball

Activities

Temporary sporting events
Farmers market
Harvest
Temporary bocce
Dance
Yoga hoola hoops

Amenities

Train station as a historical kiosk
Lighting
Arching lights/banners over the street
Waiting rooms
Benches in front

Appendix B: Newberg Cultural District Survey

Hello, the Newberg Downtown Coalition is conducting this survey to obtain your ideas and recommendations for transforming the public spaces and streets around the Newberg Library and Chehalem Cultural Center into a great civic destination.

1. Which of these destinations in the area of the library/cultural center do you use?

Please check all that apply.

The Library	84%
The Cultural Center	58%
The Farmers' Market	66%
Library Annex	20%
Other (please specify)	

2. On average how often do you use any of these places?

once a year	7%
once a month	29%
several times a month	37%
at least once a week	23%
everyday (when facilities are open)	4%
Other (please specify)	

3. What days do you usually visit the area?

holidays only	0%
weekdays only	18%
no particular days	41%
weekends only	7%
weekdays and weekends	35%
Other (please specify)	

4. When you come here, how long do you usually stay?

Less than 15 minutes	3%
15 to 30 minutes	19%
30 minutes to 1 hour	45%
1 to 3 hours	29%
3 to 6 hours	1%
6 hours or more	3%

5. When you visit, how many people do you usually bring with you?

0	
1	
2	
3 -5	
6 or more	
Other (please specify)	

6. Please describe who comes here with you.

I come alone	24%
children	28%
family/spouse	38%
friends	9%
organized group	1%
Other (please specify)	

7. Please indicate whether you feel there are "too many," "the right amount," or "not enough" of each of the following things currently in the area.

	too many	the right amount	not enough	don't know
Things to do outside			X	
Benches/places to sit outside			X	
Signs and Information	X			
Play areas for children	X			
Bike paths/bike access			X	
Shelter / Weather protection			X	
Landscaping	X			
Places to buy food			X	
Drinking Fountains			X	
Restrooms			X	
Parking	X		X	
Waste Receptacles	X			

8. What activities and events would attract you to the new square being created here?
Please select all that apply.

Activities for kids (arts and crafts, readings, games, etc.)	47%
Performances for (and by) kids	41%
Water park or splash pad	55%
Parent/child/teacher events: school activities	23%
Exercise classes (yoga, tai chi)	50%
Adult classes (art, cooking, dancing)	62%
Author readings, book signings	43%
Performance (music, dance, theater, poetry)	76%
Outdoor movies	54%
Meetings of Clubs and committees (knitting, quilting, chess, politics)	35%
Expanded markets (farmers, antiques, book fairs, kids crafts, etc.)	73%
Active recreation (basketball, soccer, softball)	25%

Youth and adult games (bocce, mini-golf, putting green)	35%
Food and wine events (celebrity chef demos, wine tasting, community pot luck/ethnic food / dinners)	61%
Festivals	71%
Other (please specify)	

9. What amenities do you think are most important to include in the design of the new public space? Please check all that apply.

Those items in BOLD were ranked highly by more than 1/2 of all respondents (at least 100 people)

Weather protection (sheltered seating/shade)

Lighting

- Moveable seating with café tables
- Picnic tables
- Signage/information

Landscaping (trees, flowers)

- Rain gardens

Performance area/stage area

- Public art/ outdoor sculpture
- Outdoor reading area

WiFi

Coffee cart/ refreshment stand

- Vendors (permanent)

Vending carts (temporary)

Splash Pad/Water and sand park

- Game tables (chess, checkers, backgammon)
- Picnic tables
- Tot lot

Play area for tweens
Bicycle parking
Other (please specify)

10. What is the most important improvement that should be made to this area?

11. Do you have any other comments or ideas you would like to share?

Past research has shown that people of different ages and sexes view things differently. Please tell us a little bit about yourself. This information is, of course, anonymous and confidential.

12. What is your gender?

Female	66%
Male	34%

13. What is your age?

0 -14	4%
15 - 18	1.3%
19 - 29	11%
30 - 50	47%
51 - 65	31%
65+	9%

14. What is your race/ethnicity? You may select more than one.

American Indian or Alaskan Native	1%
Asian	2%
Black or African American	.5%
Hispanic or Latino	4.5%
Native Hawaiian/Other Pacific Islander	.5%
White	92%
Other (please specify)	

15. What is the zip-code of your residence?

16. Do you know of any groups, organizations or individuals that could help with programming, events and activities in the new square? Please tell us who they are.

Thank you for your input. If you have any questions about this survey or the square project please contact the Newberg Downtown Coalition.

Notes for 4/18/2011 Council Meeting:

Public Comments

Last year, sign ordinance was revised

Issue was raised about Council understanding the specifics, such as sign scrolling speed

Numerous signs violate the adopted regulations

Rivermark, sign immediately to the West of them, Newberg Inn, A Storage Place

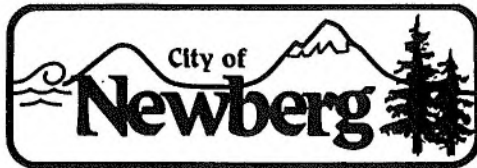
Other signs have violated the flashing regulation (Lanphere), but not consistently

My question is what action the Council intends to take to enforce the regulations that they passed

Council Rules and Guidelines

6 issues to raise

- 1) Page 29, Rule 5.6, Communication from the Floor: “.. encouraged to submit information in writing at least 10 days..”. Unless the speaker is requesting immediate action, why is there any restriction on written information being provided at the meeting?
- 2) Same rule: why is there any mention of public hearings or items on the council agenda (is “or” a typo for “on”?) when that should not be discussed during Communications from the Floor?
- 3) Rule 5.7, Consent Calendar: “... collective comments .. will be limited to five minutes”. “Collective” refers to “the public”. Are you really limiting the collection of citizens to five minutes total? If not, reword it appropriately, such as: “Collective comments by an individual under...”.
- 4) In numerous places, there is a 5-minute limit placed on public input by an individual. I have never been in favor of such a limit. 5 minutes is often not enough time to provide adequate input. I think it is in violation of Expectation 1 on several grounds.
- 5) Page 18, item 7, quasi-judicial matters: The original motivation for this included the concept that the applicant was due some sort of specificity about why the application was being denied. Though this language addresses it, I think it explanation should be more specific. For example, “In quasi-judicial matters, members who cast a negative vote in the minority will state at the meeting the specific criterion that was not met.
- 6) Page 18, item 4: “.. requests for action and/or information in a timely and courteous manner”. Cannot speak for others, but I have made numerous requests for information in the past year at Council meetings and it has been very rare that the information has been provided. The requests have been made as direct questions sometimes verbally, sometimes in writing, sometimes both. I think that this is a very important expectation and that the Council should make a more serious effort to meet it.



✓

PUBLIC COMMENT REGISTRATION FORM

***PLEASE COMPLETE AND PRESENT THIS FORM
TO THE RECORDER***

**WHEN ADDRESSING THE COUNCIL
PLEASE STATE YOUR NAME PRIOR TO SPEAKING**

In order to make ORAL COMMENTS and/or provide input at the meeting, you must provide the following requested information. It would be appreciated if you would provide a copy of any documentation or exhibits you would like to submit on the subject. You will be limited to speak only to the subject you indicate. If you wish to speak on another matter on the agenda, please fill out a separate Public Comment Registration Form for each item you wish to speak on.

(If you are attending the meeting to observe and do not intend to speak, you do not need to fill out a Public Comment Registration Form.)

DATE OF MEETING: 4-18-2011

SUBJECT: ODOT OFFER

Public Hearings Only:

Proponent: _____ Opponent: _____ Undecided: _____ (Quasi-Judicial Hearing Only)

Name: Kathy Callahan
Please print legibly

Mailing Address: 1219 S MERIDIAN

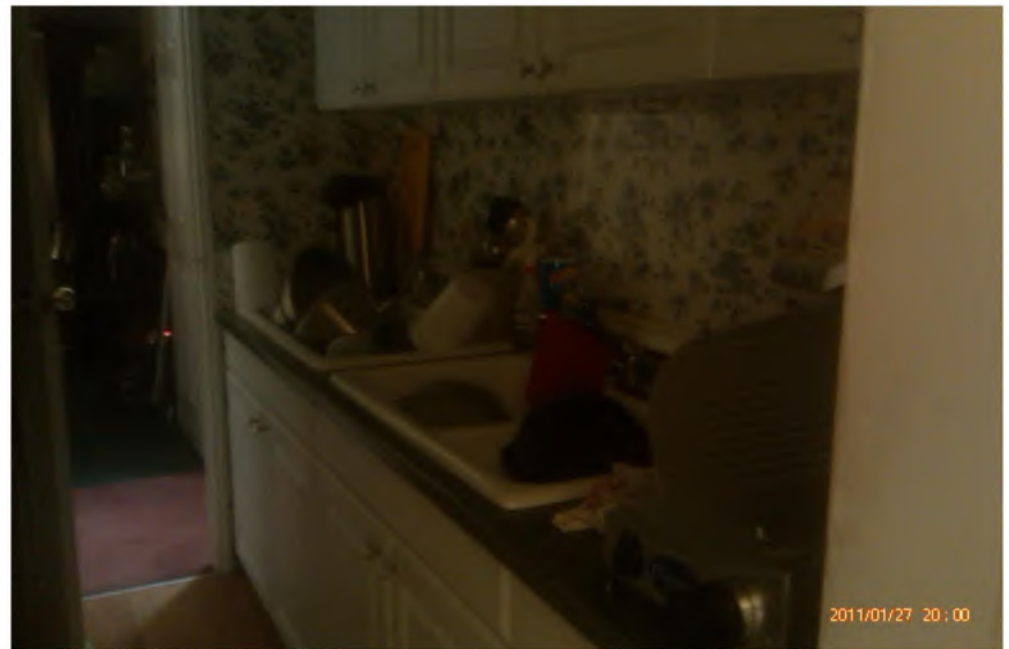
Phone No.: 603-740-1017

Email: _____

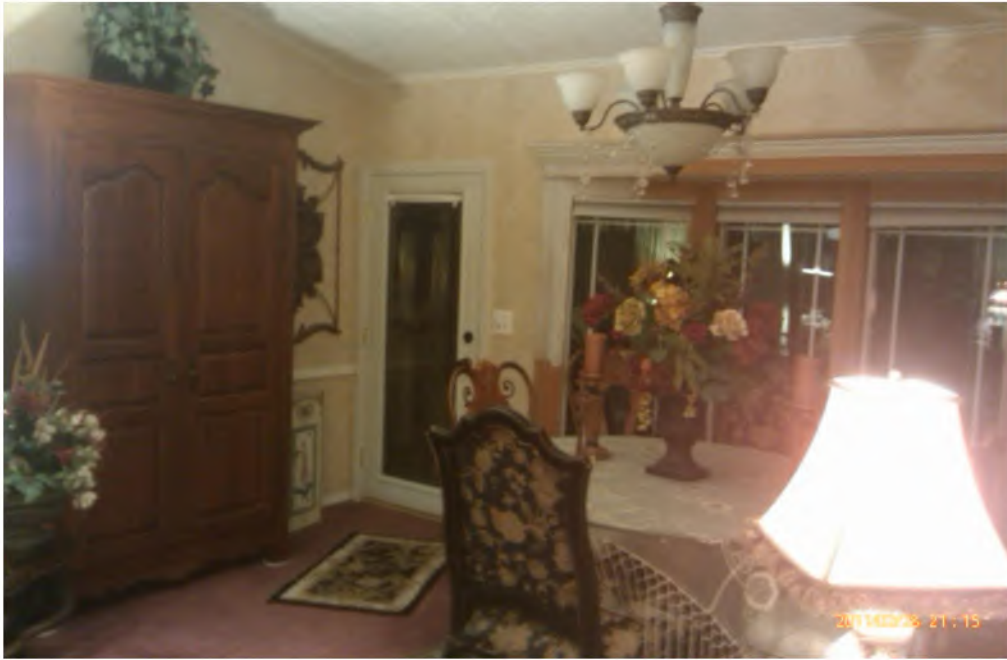
THANKS! This form helps us spell your name correctly for the permanent record and helps the Mayor determine time limits.

Please do not release my address, phone number or email in a public records request.

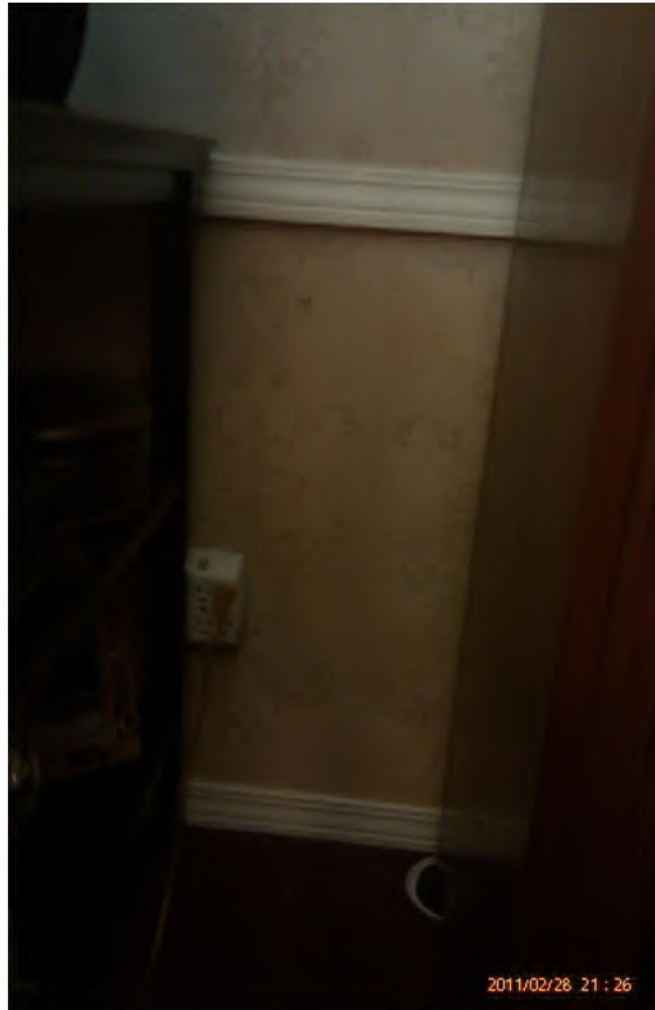
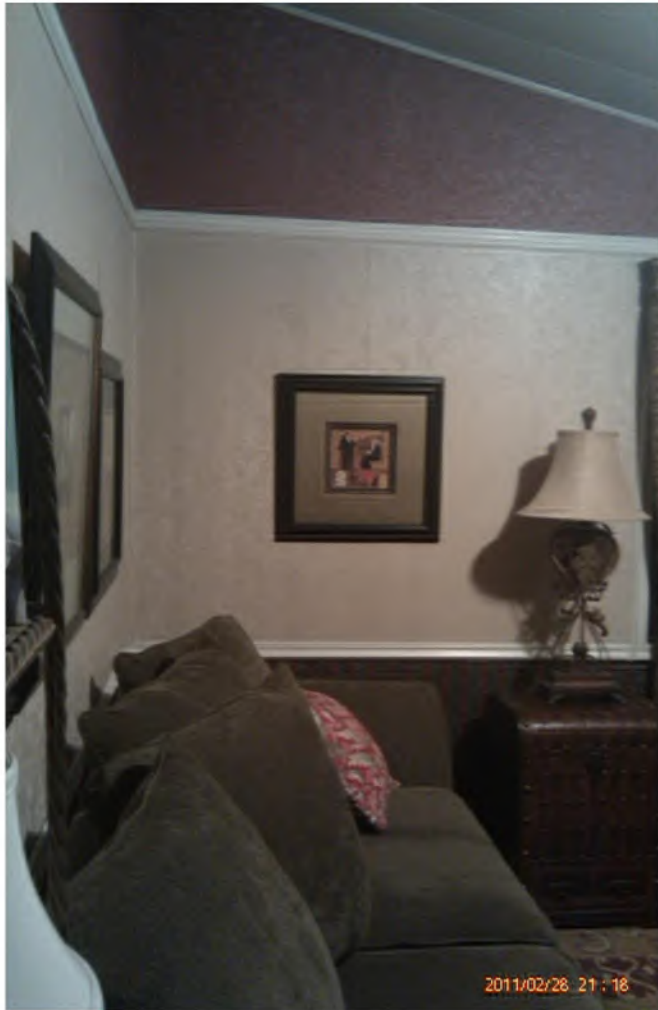
City Council Meeting
Date: April 18, 2011
Re: Pictures received from Councilor Bacon
No.: Public Comments - Kathy Callahan Home/ODOT offer











City Council Meeting

Date: April 18, 2011

Re: Photos from Julie Codiga

No.: Public Comments – Callahen Neighbor's Home/ODOT







Notes for 4/18/2011 Council Meeting:

Public Comments

Last year, sign ordinance was revised

Issue was raised about Council understanding the specifics, such as sign scrolling speed

Numerous signs violate the adopted regulations

Rivermark, sign immediately to the West of them, Newberg Inn, A Storage Place

Other signs have violated the flashing regulation (Lanphere), but not consistently

My question is what action the Council intends to take to enforce the regulations that they passed

Council Rules and Guidelines

6 issues to raise

- 1) Page 29, Rule 5.6, Communication from the Floor: “.. encouraged to submit information in writing at least 10 days..”. Unless the speaker is requesting immediate action, why is there any restriction on written information being provided at the meeting?
- 2) Same rule: why is there any mention of public hearings or items on the council agenda (is “or” a typo for “on”?) when that should not be discussed during Communications from the Floor?
- 3) Rule 5.7, Consent Calendar: “... collective comments .. will be limited to five minutes”. “Collective” refers to “the public”. Are you really limiting the collection of citizens to five minutes total? If not, reword it appropriately, such as: “Collective comments by an individual under...”.
- 4) In numerous places, there is a 5-minute limit placed on public input by an individual. I have never been in favor of such a limit. 5 minutes is often not enough time to provide adequate input. I think it is in violation of Expectation 1 on several grounds.
- 5) Page 18, item 7, quasi-judicial matters: The original motivation for this included the concept that the applicant was due some sort of specificity about why the application was being denied. Though this language addresses it, I think it explanation should be more specific. For example, “In quasi-judicial matters, members who cast a negative vote in the minority will state at the meeting the specific criterion that was not met.
- 6) Page 18, item 4: “.. requests for action and/or information in a timely and courteous manner”. Cannot speak for others, but I have made numerous requests for information in the past year at Council meetings and it has been very rare that the information has been provided. The requests have been made as direct questions sometimes verbally, sometimes in writing, sometimes both. I think that this is a very important expectation and that the Council should make a more serious effort to meet it.