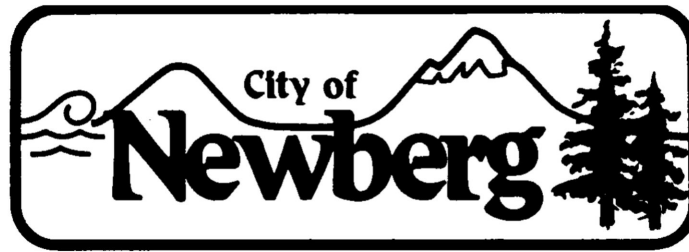


City Manager  
(503) 538-9421

City Attorney  
(503) 537-1206



414 East First St.  
PO Box 970  
Newberg, OR 97132

**CITY OF NEWBERG  
CITY COUNCIL WORK SESSION  
MAY 1, 2006  
6:00 P.M.**

**NEWBERG PUBLIC SAFETY BUILDING**

THE CITY COUNCIL OF THE CITY OF NEWBERG WILL HOLD A WORK SESSION TO HEAR REPORTS FROM CITY BOARDS, COMMISSIONS, AND COMMITTEES AND TO REVIEW THE MAY 1ST COUNCIL AGENDA ITEMS. NO ACTION WILL BE TAKEN ON THE AGENDA ITEMS.

- CITY FINANCE COMMITTEE
- CITY PLANNING COMMISSION
- CITY TRAFFIC SAFETY COMMISSION
- CITY LIBRARY BOARD
- AD HOC COMMITTEES
- OTHER REPORTS
- REVIEW OF AGENDA ITEMS

EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(e) RELATING TO A REAL PROPERTY TRANSACTION – MCKILLIP PROPERTY.

THE EXECUTIVE SESSION, WHICH IS LISTED ON THE AGENDA, MAY BE HELD AT THE WORK SESSION IF TIME PERMITS UNDER THE AUTHORITY AND COVERING THE SUBJECT MATTER LISTED ON THE AGENDA. NO DECISIONS WILL BE MADE.

THE WORK SESSION WILL BE FOLLOWED BY THE CITY COUNCIL MEETING TO BE HELD IN THE NEWBERG PUBLIC SAFETY BUILDING BEGINNING AT 7:00 P.M.

DATED THIS 19TH DAY OF APRIL, 2006.

JAMES H. BENNETT  
CITY MANAGER

**ACCOMMODATION OF PHYSICAL IMPAIRMENTS:**

*In order to accommodate persons with physical impairments, please notify the City Manager'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 Norma Alley, Deputy City Recorder, at (503) 537-1283. For TTY service please call (503) 554-7793.*

● CITY MANAGER'S OFFICE: e-mail: [nctymgr@ci.newberg.or.us](mailto:nctymgr@ci.newberg.or.us) Fax: 537-5013 ●  
Building: 537-1240 ● Public Works: 537-1273 ● Finance: 537-1201 ● Fire: 537-1230  
Library: 538-7323 ● Municipal Court: 537-1203 ● Police: 538-8321 ● Maintenance: 537-1233 ● Utilities: 537-1205  
Municipal Court Fax: 538-5393 ● Public Works Fax: 537-1277 ● Library Fax: 538-9720

“Working Together For A Better Community-Serious About Service”

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Council accepts comments on agenda items during the meeting. Please fill out a form and identify the items you wish to speak on and hand this to the Recording Secretary prior to the meeting, if possible. Otherwise, please fill out the form prior to the agenda item you wish to speak on and turn it in to the Recording Secretary. (The exception is formal land use hearings, which requires a specific public hearing process. The agenda items will be identified at the meeting.)

**CITY OF NEWBERG  
COUNCIL AGENDA  
MAY 1, 2006  
7:00 P.M. MEETING  
PUBLIC SAFETY BUILDING - TRAINING ROOM**

**I. CALL MEETING TO ORDER\***

**II. ROLL CALL**

**III. PLEDGE OF ALLEGIANCE**

**IV. CITY MANAGER'S REPORT**

**PUBLIC MEETING SECTION**

**V. PUBLIC COMMENTS**

(30 minutes maximum which may be extended at the Mayor or President's discretion; an opportunity to speak for 3 minutes but no more than 5 minutes per speaker allowed)

**VI. CONSENT CALENDAR**

1. Consider a motion approving City Council Regular Session Minutes for April 3, 2006.

**VII. PUBLIC HEARING**

1. Consider adopting **Ordinance No. 2006-2643** amending Title IX, Chapter 97 of the Newberg City Code relating to brush, weed and grass control.  
**Legislative Hearing**

**BUSINESS MEETING SECTION**

**VIII. NEW BUSINESS**

1. Consider approving **Resolution No. 2006-2639** accepting Councilor Mike McBride's resignation, expressing the City's appreciation for his service, declaring a vacancy, and ordering the staff to advertise for appointment to fill the vacancy.

\*The Mayor reserves the right to change the order of items to be considered by the Council at their meeting.

2. Consider approving **Resolution No. 2006-2640** authorizing the City to purchase property located at 8015 NE Hash Road from Scott T. McKillip.
3. Consider approving a motion to acquire right-of-way property from Portland General Electric to facilitate the extension of Hayes Street between Springbrook Road and Deborah Street.

**IX. CONTINUED BUSINESS**

**X. EXECUTIVE SESSION**

1. Executive Session pursuant to ORS 192.660(2)(e) relating to a real property transaction – McKillip Property.

**XI. ADJOURNMENT**

**INDEX OF RESOLUTIONS AND ORDINANCES:**

**RESOLUTIONS:**

1. **Resolution No. 2006-2639** accepting the resignation of Council Member Mike McBride, expressing the City's appreciation for his service, declaring a vacancy, and ordering the staff to advertise for qualified persons for appointment to fill the vacancy (District No. 4 with a term ending December 31, 2006).
2. **Resolution No. 2006-2640** authorizing the City to purchase property located at 8015 NE Hash Road (Approximately 93 acres) from current property owner Scott T. McKillip and authorizing the City Manager to sign documents to complete the purchase.

**ORDINANCES:**

1. **Ordinance No. 2006-2643** amending Title IX, Chapter 97 of the City Code relating to brush, grass and weed control.

*ACCOMMODATION OF PHYSICAL IMPAIRMENTS: In order to accommodate persons with physical impairments, please notify the City Manager'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 Norma Alley, Deputy City Recorder, at (503) 537-1283.*

\*The Mayor reserves the right to change the order of items to be considered by the Council at their meeting.

# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: 2006, May 1

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

Date Submitted: April 14, 2006

**SUBJECT: Approve the Minutes from the  
April 3, 2006, City Council Meeting.**

Contact Person (Preparer) for this Motion:  
**Norma Alley, Deputy City Recorder**

Dept.: **Administration**

File No.: \_\_\_\_\_  
*(if applicable)*

## RECOMMENDATION:

Review and approve the April 3, 2006, City Council Minutes for preservation and permanent retention in the City's official records.

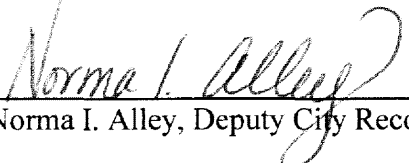
## BACKGROUND:

On April 3, 2006, City Council held a Council meeting. At that meeting minutes were recorded in text.

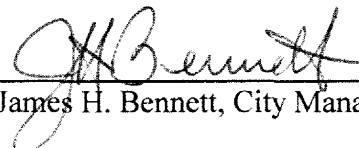
**FISCAL IMPACT:** None.

**STRATEGIC ASSESSMENT:** None.

SUBMITTED BY:

  
\_\_\_\_\_  
Norma I. Alley, Deputy City Recorder

APPROVED BY:

  
\_\_\_\_\_  
James H. Bennett, City Manager

**NEWBERG CITY COUNCIL MINUTES**  
**APRIL 3, 2006**  
**7:00 P.M. MEETING**  
**PUBLIC SAFETY BUILDING - TRAINING ROOM**

**I. CALL MEETING TO ORDER**

Mayor Stewart called the meeting to order

**II. ROLL CALL**

**Members**

**Present:** Mayor Bob Stewart                      Bob Andrews                      Mike Boyes  
Roger Currier                                      Dawn Nelson                      Mike McBride  
Robert Soppe

**Staff**

**Present:** James Bennett, City Manager  
Terrence Mahr, City Attorney  
Michael Sherman, Fire Chief  
Dan Danicic, Public Works Director  
Barton Brierley, Planning and Building Director  
Kathy Tri, Finance Director  
Brian Casey, Police  
Leah Griffith, Library Director  
Kathleen Bochart, Recording Secretary

**III. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was performed.

**IV. CITY MANAGER'S REPORT**

James Bennett, City Manager, presented his report.

**PUBLIC MEETING SECTION**

**V. PUBLIC COMMENTS**

None.

**VI. CONSENT CALENDAR**

Mayor Stewart moved the resolutions to consent calendar.

1. Motion to consider approving City Council Regular Session Minutes for February 21, 2006, & March 6, 2006.

2. Motion to approve a proclamation declaring April 16-22, 2006 as River Awareness Week.
3. Consider adopting **Resolution No. 2006-2635** for the sale of a water tender, firefighting equipment, and fire pagers.
4. Consider adopting **Resolution No. 2006-2636** setting terms of office for members of Newberg Urban Area Management Commission appointed by Newberg City Council.

**MOTION: Soppe/Andrews** to approve Consent Calendar, approving City Council Regular Session Minutes for February 21, 2006 & March 6, 2006, approving a proclamation declaring April 16-22, 2006 as River Awareness Week, adopting Resolution No. 2006-2636 setting terms of office for members of Newberg Urban Area Management Commission appointed by Newberg City Council and adopting **Resolution No. 2006-2636** setting terms of office for members of Newberg Urban Area Management Commission appointed by Newberg City Council. (Unanimous) Motion Carried.

## VII. PUBLIC HEARING

None.

## BUSINESS MEETING SECTION

## VIII. NEW BUSINESS

1. Consider adopting **Resolution No. 2006-2635** for the sale of a water tender, firefighting equipment, and fire pagers.

*Item was moved to Consent Calendar.*

2. Consider adopting **Resolution No. 2006-2636** setting terms of office for members of Newberg Urban Area Management Commission appointed by Newberg City Council.

*Item was moved to Consent Calendar.*

## IX. CONTINUED BUSINESS

None.

## X. EXECUTIVE SESSION

None.

## XI. ADJOURNMENT

**MOTION: Currier/McBride** to adjourn. (Unanimous) Motion Carried.

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# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: 2006, May 1

Ordinance XX Resolution \_\_\_ Motion \_\_\_ Information  
No. 2006-2643 No.

Date Submitted: April 13, 2006

SUBJECT: Ordinance No. 2006-2643, an Ordinance amending Title IX, Chapter 97 of the Newberg City Code relating to brush, weed and grass control.

Contact Person (Preparer) for this Ordinance: James H. Bennett, City Manager

Dept.: Administration

File No.:  
*(if applicable)*

HEARING TYPE: *(if applicable)* \_\_\_ Quasi-Judicial XX Legislative

## RECOMMENDATION:

Adopt Ordinance No. 2006-2643, amending Title IX, Chapter 97 of the Newberg City code relating to brush, grass and weed control.

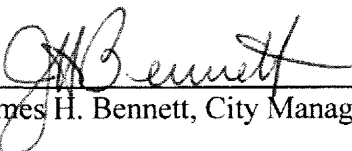
## BACKGROUND:

1. The City Council adopted Ordinance No. 88-2232 on June 8, 1988 requiring property owners or occupants of all lots and parcels of land in the city to cut all brush, grass and weeds on their properties to a height of ten inches or less at specified times of the year. This ordinance was codified in Title IX, Chapter 97 of the City Code.
2. The proposed ordinance amendment would give the Fire Chief greater flexibility in requiring that obnoxious brush, grass and weeds be cut as needed during the fire season, clarify the responsibilities of property owners or occupants who receive a notice to cut such brush, grass and weeds, and establish parameters for cutting brush, grass and weeds on large parcels.

**FISCAL IMPACT:** The ordinance amendment will not have any direct or indirect fiscal impact to the City.

**STRATEGIC ASSESSMENT:** The ordinance amendment will allow the Fire Department to more efficiently address brush, grass and weed control issues and ensure that potential fire hazards are promptly eliminated.

SUBMITTED BY:

  
James H. Bennett, City Manager



## CHAPTER 97: WEEDS AND TREES

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### *GENERAL PROVISIONS*

- 97.01 Brush, grass, and weed control
  - 97.02 Notice to cut and service
  - 97.03 Noncompliance and authority for work to be done
  - 97.04 Cost of work and assessment
  - 97.05 Notice of intent to lien
  - 97.06 Declaration of correctness of lien
- 

### *GENERAL PROVISIONS*

#### **§ 97.01 BRUSH, GRASS, AND WEED CONTROL:**

The owner or occupant of all lots and parcels of land within the city shall cut close to the ground and ~~remove or destroy~~ all brush, grass, thistles, weeds or other rank or obnoxious vegetable growth growing to the height of ten inches or more on said lots or parcels at least ~~twice~~ once per year; ~~once~~ between May 15 and June July 15, and ~~once~~ between July 15 and September 15. These two times are a minimum of times and additional times may be required if the Fire Chief of the city deems or as it necessary in order to control such growth that may be deemed a fire hazard. Owners of large parcels of fallow land within the City will be required to cut or till a fire break of at least 30' along property lines as approved by the Fire Chief.

(Ord. 88-2232, passed 6-6-88) Penalty, see § 10.99.

#### **§ 97.02 NOTICE TO CUT AND SERVICE.**

If any person, firm or corporation owning, possessing, or having the care or custody of any lot or parcel of land within the city shall fail to cut ~~or neglect to remove~~ the said brush, grass or weeds as hereinabove required, the Fire Chief, or his representative shall have cause to give notice to said person, firm or corporation to remove such brush, grass or weeds within five days or the city will cause the same to be done and charge the cost thereof as a lien against the property. Such notice shall be served upon such owner or occupant by mailing such notice by certified mail to the last known address of such owner or occupant as shown by the records of the Yamhill County Tax Assessor's Office. In lieu of mailing notice to said owner or occupant, the city may serve such notice upon said owner or occupant. In the event the said owner or occupant or person having the custody and care of any lot or parcel of land within the city cannot be located or refuses service of said certified mail, such notice shall be posted in a conspicuous place upon said premises and a copy thereof mailed to the last known address of the owner or occupant. (Ord. 88-2232, passed 6-6-88)

#### **§ 97.03 NONCOMPLIANCE AND AUTHORITY FOR WORK TO BE DONE.**

If any person, firm or corporation owning, possessing or having care and custody of a lot or parcel of land within the city shall fail or neglect to cut ~~destroy~~ said brush, grass or weeds within five days of said notice, the Fire Chief may go upon such lots or parcels of land, with such assistance as he may deem necessary

and destroy and eradicate said brush, grass or weeds in such manner as shall be most effective in the Fire Chief's judgement.

(Ord. 88-2232, passed 6-6-88)

**§ 97.04 COST OF WORK AND ASSESSMENT.**

Upon completion of said work, the Fire Chief shall file with the City Manager's Office an itemized statement of the cost thereof, plus 25% to cover the expense of the inspection, overhead and enforcement of this subchapter, and the posting or service of said notice hereinabove required; but the minimum charge for any lot or parcel of land shall be \$25.

(Ord. 88-2232, passed 6-6-88)

**§ 97.05 NOTICE OF INTENT TO LIEN.**

The City Council, after receiving an itemized statement, shall notify the property owner by certified mail of its intent to declare the correctness of said statement and create a lien upon the property involved to be enforceable against said property in the same manner as provided for the enforcement of liens for street improvements. Said notice to property owner shall be sent not later than ten days prior to the matter appearing on the agenda for the regularly scheduled council meeting.

(Ord. 88-2232, passed 6-6-88)

**§ 97.06 DECLARATION OF CORRECTNESS OF LIEN.**

After the matter has been before the Council at a regularly scheduled Council meeting, the Council may declare the correctness of the statement and order the amount to be placed in the lien docket of the city against the property and for it to be enforced in the same manner as enforcement of liens for street improvements.

(Ord. 88-2232, passed 6-6-88)

# REQUEST FOR COUNCIL ACTION

<b>DATE ACTION REQUESTED: 2006, May 1</b>	
Ordinance _____ No.	Resolution <u>XX</u> No. 2006-2639
Motion _____	Information
Date Submitted: April 18, 2006	
<b>SUBJECT: A Resolution accepting the resignation of Council Member Mike McBride, expressing the City's appreciation for his service, declaring a vacancy, and ordering the staff to advertise for qualified persons for appointment to fill the vacancy (District # 4 with a term ending December 31, 2006)</b>	Contact Person (Preparer) for this Resolution: <b><u>James H. Bennett, City Manager</u></b>  Dept.: <u>Administration</u>  File No.: _____ <i>(if applicable)</i>

**RECOMMENDATION:**

Adopt **Resolution No. 2006-2639** accepting Council Member Mike McBride's resignation and declaring the vacancy of the District No. 4 City Council position.


**BACKGROUND:**

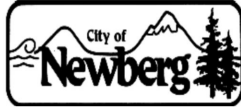
1. Council Member Mike McBride was first elected to the Newberg City Council on November 5, 2002 and took office on January 1, 2003.
2. For personal reasons, Council Member Mike McBride has submitted his resignation.
3. This resignation creates a vacancy on the City Council for the District No. 4 position. The term for this position expires December 31, 2006.
4. The City Charter states that vacancies on the Council are to be filled by appointment of the City Council.

**FISCAL IMPACT:** There is no fiscal impact to the City other than the cost of publishing the notice of vacancy.

**STRATEGIC ASSESSMENT:** The Council Member is one of the most important positions in the City. The Council sets policy and direction for the City. It is critical for the City Council to have a full complement of its membership in order to carry on the business of the City.

**SUBMITTED BY:**

  
 \_\_\_\_\_  
 James H. Bennett, City Manager



## **RESOLUTION No. 2006-2639**

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**A RESOLUTION ACCEPTING THE RESIGNATION OF COUNCIL MEMBER MIKE MCBRIDE, EXPRESSING THE CITY'S APPRECIATION FOR HIS SERVICE, DECLARING A VACANCY, AND ORDERING THE STAFF TO ADVERTISE FOR QUALIFIED PERSONS FOR APPOINTMENT TO FILL THE VACANCY (DISTRICT NO. 4 WITH A TERM ENDING DECEMBER 31, 2006)**

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### **RECITALS:**

1. Council Member Mike McBride was first elected to the Newberg City Council on November 5, 2002 and took office on January 1, 2003.
2. For personal reasons, Council Member Mike McBride has submitted his resignation.
3. This resignation creates a vacancy on the City Council for the District No. 4 position. The term for this position expires December 31, 2006.
4. The City Charter states that vacancies on the Council are to be filled by appointment of the City Council.

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

1. The Council hereby expresses its regrets that Council Member Mike McBride is leaving the Council and acceptance his resignation effective April 30, 2006. Attached is a resignation letter from Council Member McBride, which is hereby attached to this resolution as Exhibit "A."
2. The Mayor and Council express their deep appreciation on behalf of the citizens of the City of Newberg for Council Member McBride's service to the City by the giving of his personal time and effort in attending meetings, participating in projects, and working on behalf of the citizens of Newberg on the Newberg City Council.
3. The City Council hereby declares that the position occupied by Council Member McBride representing District No. 4 is hereby vacant.
4. The Council orders the City staff to advertise, solicit, and otherwise make known to the citizens of the city of Newberg that the vacancy has occurred and that application for this position is being received from qualified persons to fill this position.
5. This matter of appointing a new Council Member to fill the District No. 4 vacancy shall be

placed upon the Council Agenda along with all applications of qualified persons at the earliest opportunity and with invitations for those persons to attend the Council meeting where such appointment is scheduled to be considered.

6. Attached is a map of the Newberg City Council districts showing the location of District No. 4. Such map is attached as Exhibit "B."

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: May 2, 2006.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 1<sup>st</sup> day of May, 2006.

\_\_\_\_\_  
James H. Bennett, City Recorder

**ATTEST** by the Mayor this \_\_\_\_\_ day of May, 2006.

\_\_\_\_\_  
Bob Stewart, Mayor

### LEGISLATIVE HISTORY

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

**Letter of Resignation**

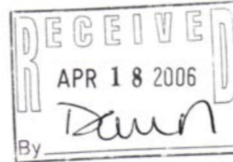
APR-18-2006 02:29P FROM:MCBRIDE INSURANCE 5035381612 TO:5035375013 P.1



**FARMERS**

McBride Insurance Agency  
1548 East First St.  
Newberg, OR 97132  
Bus: 503-538-8898  
Toll Free: 1-800-733-8798  
Fax: 503-538-1612

City of Newberg  
Attn: Mayor Bob Stewart  
414 E. First St.  
Newberg, OR 97132  
Fax: 503-537-5013



April 18, 2006

Dear Mayor Bob Stewart and City Council Members:

I am resigning as a member of the Newberg City Council effective today due to moving out of my elected district.

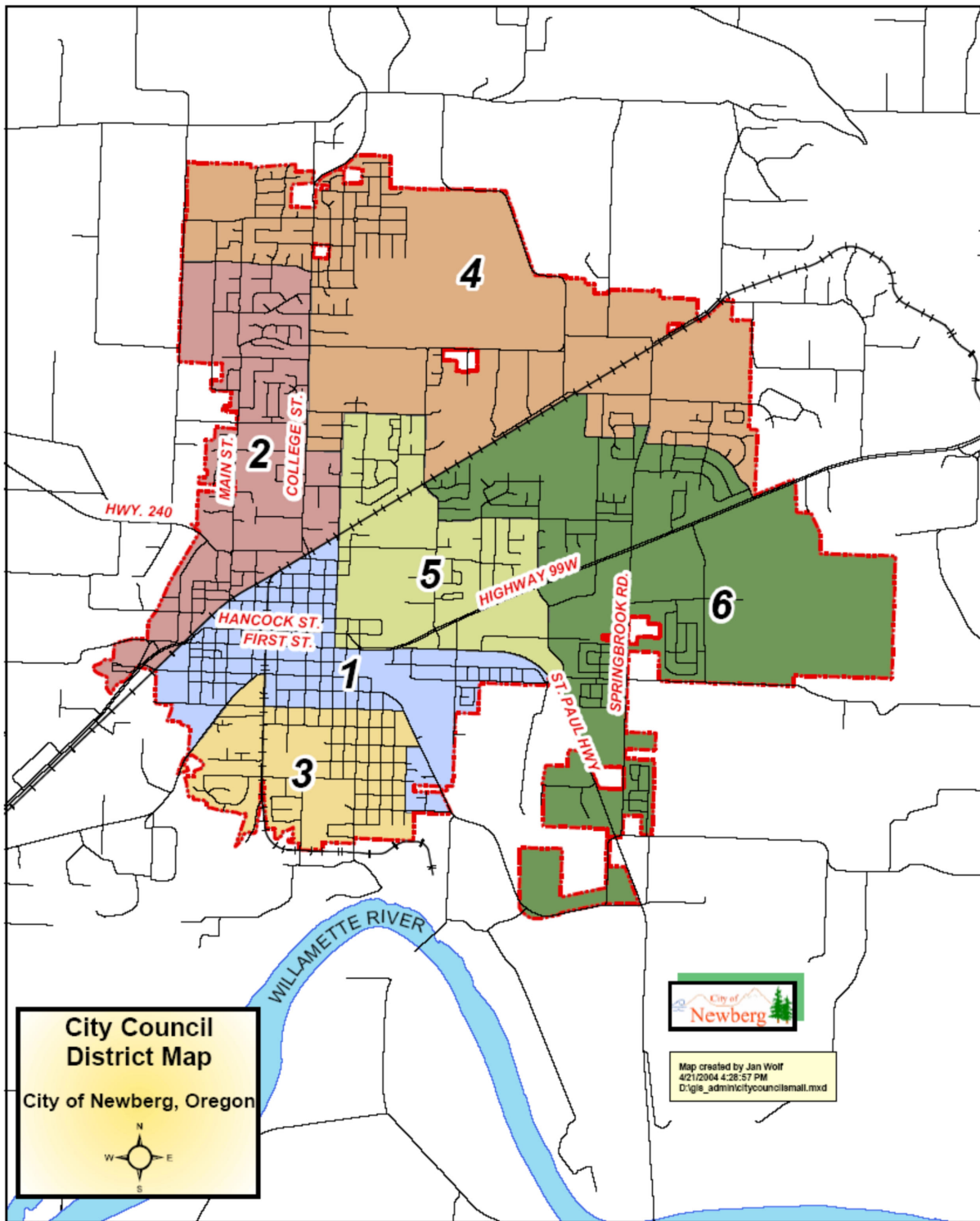
I have enjoyed serving with my fellow council members and working with the City Administration. Everyone has been a pleasure to work with and I am grateful for the opportunities allotted me to serve.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike McBride".

Mike McBride

Council District Map



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➔ **PLACEHOLDER** ➔

## REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: 2006, May 1

Ordinance _____ No.	Resolution <u>XX</u> No. 2006-2640	Motion ____	Information
------------------------	---------------------------------------	-------------	-------------

Date Submitted: April 18, 2006

**SUBJECT:** A Resolution Authorizing the City to purchase property located at 8015 NE Hash Road (Approximately 93 acres) from current property owner Scott T. McKillip and authorizing the City Manager to sign documents to complete the purchase.

Contact Person (Preparer) for this Resolution: Dawn Wilson

Dept.: Legal

File No.: DF 30  
*(if applicable)*

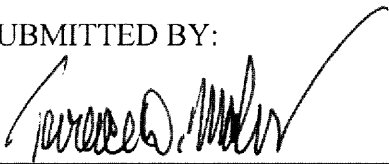
**RECOMMENDATION:**

*Placeholder* to adopt **Resolution No. 2006-2640** to purchase the “McKillip Property.”

**Status:**

- The documents should be ready to publish on April 28, 2006.
- We are communicating with the seller’s attorney.

SUBMITTED BY:



Terence D. Mahr, City Attorney

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# REQUEST FOR COUNCIL ACTION

**DATE ACTION REQUESTED: 2006, May 1**

<b>Ordinance</b> ___ <b>No.</b>	<b>Resolution</b> ___ <b>No.</b>	<b>Motion</b> <u><b>XX</b></u>	<b>Information</b>
<p style="text-align: center;">Date Submitted: April 14, 2006</p> <p><b>SUBJECT: Acquire right-of-way from Portland General Electric (PGE) to facilitate the extension of Hayes Street between Springbrook Road and Deborah Street.</b></p>		<p><b>Contact Person (Preparer) for this Motion: Daniel Danicic, PE Public Works Director</b></p>	
		<p><b>Dept.:</b></p> <p><b>File No.:</b></p>	

**RECOMMENDATION:**

Direct staff to proceed with acquiring right-of-way from Portland General Electric (PGE) to facilitate the extension of Hayes Street between Springbrook Road and Deborah Street as shown in Exhibit A.

**BACKGROUND:**

1. The 2005 Transportation Plan includes the construction of this segment of Hayes Street as a capacity increasing project.
2. Before the road project can move forward, the right-of-way must be acquired from PGE.
3. If Council approves this motion and directs staff to proceed, staff will present the following offer to PGE:
  - (a) Vacate existing right-of-way along the north property line;
  - (b) Change zoning designation to M-1 (Limited Industrial) to C-2 (Community Commercial) for property north of Hayes Street; and
  - (c) Compensate PGE \$172,000 to modify their storage facility to accommodate the new road alignment.
4. Once the final proposal has been negotiated with PGE, Council will be presented with a resolution authorizing the purchase of the right-of-way.


**FISCAL IMPACT:**

The City will compensate PGE \$172,000 to modify the storage facility to accommodate the new road realignment. Funding is available in the 2006-07 Budget line item 18-5150-702103.


**STRATEGIC ASSESSMENT:**

The City has an opportunity to partner with Coyote Homes, Inc. on this project. Coyote Homes has offered to design and construct Hayes Street between Deborah and Springbrook in conjunction with their commercial development at the northeast corner of Deborah and Hayes Street. Since this is a capacity enhancing project, they will be compensated with Transportation System Development Funds.

SUBMITTED BY:

  
\_\_\_\_\_  
Daniel Danicic, PE, Public Works Director

APPROVED BY:

  
\_\_\_\_\_  
Jim Bennett, City Manager

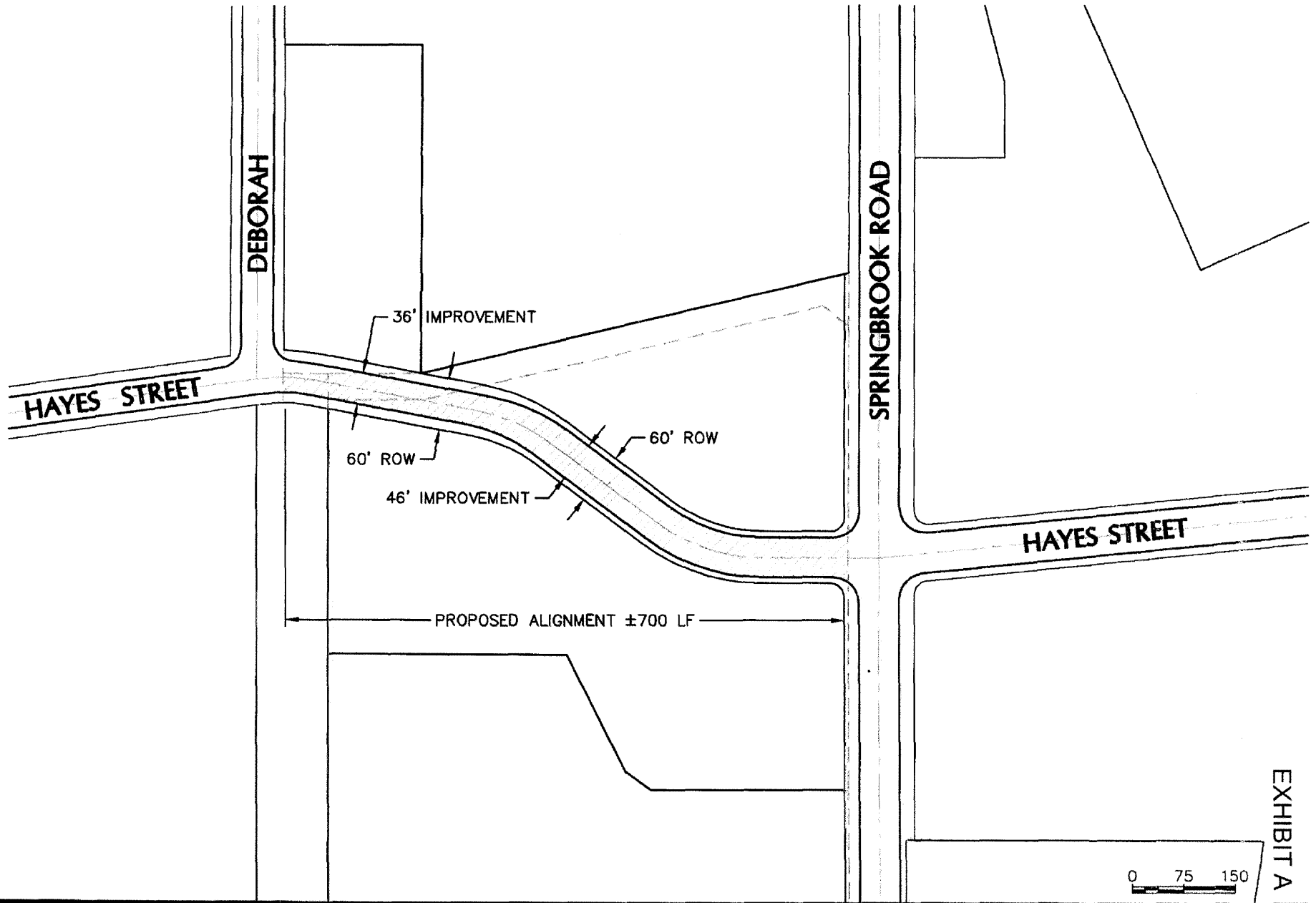
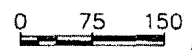



EXHIBIT A



<p><b>The Saunders Company Inc.</b></p>	<p><b>COYOTE HOMES, INC.</b> NEWBERG, OREGON 503-538-0984</p>	<p><b>HAYES STREET EXTENSION</b> NEWBERG, OREGON</p>	<p>Date: APR 2006 Scale: 1"=150' Rev. Job: 06-33 Sheet: 1 Of 1 Sheets</p>
<p>ENGINEERING DIVISION P.O. Box 536 Dundee, Oregon 97115-0536 503-537-9950 Fax: 503-537-9952</p>	<p><b>PROPOSED ALIGNMENT</b> <b>FROM DEBORAH TO SPRINGBROOK</b></p>		

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**ATTACHED IS ADDITIONAL  
INFORMATION  
FOR MAY 1, 2006  
CITY COUNCIL MEETING.**

**PLEASE INCLUDE THIS IN  
YOUR PACKETS:**

**ITEM VIII-2  
Resolution No. 2006-2640  
Include in Packet**

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# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: 2006, May 1

Ordinance \_\_\_\_\_ Resolution XX Motion \_\_\_ Information  
No. No. 2006-2640

Date Submitted: April 28, 2006

**SUBJECT:** A Resolution Authorizing the City to purchase property located at 8015 NE Hash Road (Approximately 93 acres) from current property owner Scott T. McKillip and authorizing the City Manager to sign documents to complete the purchase.

Contact Person (Preparer) for this Resolution: **Dawn Wilson**

Dept.: Legal

File No.: DF 30  
(if applicable)

## RECOMMENDATION:

Adopt **Resolution No. 2006-2640** to purchase the "McKillip Property."

## BACKGROUND:

1. Scott McKillip owns an unimproved agriculturally-zoned parcel that is situated approximately 2.5 miles south of Newberg adjoining the north bank of the Willamette River immediately east and west of Highway 219. The parcel is approximately 93 acres.
2. Mr. McKillip, through his attorney (Michael Gunn), had approached the City to inquire as to whether the City was interested in the purchase of the property for a possible well-field.
3. After some discussion and staff investigation, the City did contract for an appraisal from R.P. Herman & Associates concerning the value of the property.
4. After discussion in executive session, the City staff conferred with the owner and his attorney to reach a proposal to place before the City Council that would be acceptable both to the City Council and the owner.
5. The following proposal is before the City Council for their discussion and approval.

**FISCAL IMPACT:** The due diligence study will not exceed \$50,000.00, purchase price of \$1,625,000.00, and revenue for City from farm lease of property.

**STRATEGIC ASSESSMENT:** The City may use the property as a well field for additional water supply.

SUBMITTED BY:

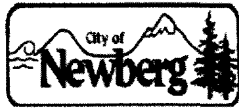


Dan Danicic, PE, Public Works Director

APPROVED BY:



Terrence D. Mahr, Acting City Manager



## **RESOLUTION NO. 2006-2640**

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**A RESOLUTION AUTHORIZING THE CITY TO PURCHASE PROPERTY LOCATED AT 8015 NE HASH ROAD (APPROXIMATELY 93 ACRES) FROM CURRENT PROPERTY OWNER SCOTT T. MCKILLIP AND AUTHORIZING THE CITY MANAGER TO SIGN DOCUMENTS TO COMPLETE THE PURCHASE.**

---

### **RECITALS:**

1. Scott McKillip owns an unimproved agriculturally-zoned parcel that is situated approximately 2.5 miles south of Newberg adjoining the north bank of the Willamette River immediately east and west of Highway 219. The parcel is approximately 93 acres.
2. Mr. McKillip, through his attorney (Michael Gunn), had approached the City to inquire as to whether the City was interested in the purchase of the property for a possible well-field.
3. After some discussion and staff investigation, the City did contract for an appraisal from R.P. Herman & Associates concerning the value of the property.
4. After discussion in executive session, the City staff conferred with the owner and his attorney to reach a proposal to place before the City Council that would be acceptable both to the City Council and the owner.
5. The following proposal is before the City Council for their discussion and approval.

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

1. **City's Interest** - The City Council expresses its interest in purchasing the property from the owner, Mr. McKillip, under the conditions and pursuant to the agreement hereinafter entered into by the City.
2. **Council's Discretion** - The Council reserves the right to review the engineering study and findings presented to them after the City staff has investigated the concerns pursuant to due diligence effort. The City also retains the absolute discretion to proceed with the purchase or not proceed with the purchase after review of the findings.
3. **Purchasing Conditions** - The City shall proceed with its investigation of the purchase subject to the following conditions:
  - a) **Purchase Price**: One Million Six-hundred Twenty-five Thousand Dollars (\$1,625,000.00).

- b) Investigate: to investigate water rights beginning May 2, 2006, and ending September 19, 2006. This gives the City 120 days to prepare and review the study. It also gives the City the opportunity to place the matter before the Council at one of the September meetings. The City retains the right and discretion based on the findings of this due diligence to investigate and move forward with the purchase or to decline to purchase said property. There City shall pay the full cost of the due diligence investigation.
  - c) Earnest Money Release: If the City decides to proceed with the purchase after the due diligence investigation, the City would release Fifty-thousand Dollars (\$50,000.00) earnest money to the seller. If the transaction does not close for reasons attributable to the City, the Fifty-thousand Dollars (\$50,000.00) would be forfeited.
  - d) Closing: The closing would occur on or before October 6, 2006, unless mutually agreed extensions were granted.
  - e) Deferred Tax Exchange: The transaction could be a deferred tax exchange.
  - f) Lease of Property: The City proposes to lease the property to the seller for five (5) years at the rate of One Hundred Fifty Dollars (\$150.00) per irrigatable, farmable acre per year and Eighty Dollars (\$80.00) per non-irrigatable, farmable per year. The City retains the right to cancel the lease on any of the property if it is necessary to sell the property or allow the property to be used for park purposes.
  - g) Building Rights on the Property: The County has indicated that the property has a vested interest in building a residence. The letter from the county states, "as long as the onsite septic system is still functioning, it vests your right to build on the property." The seller shall furnish to the City verification that the onsite septic system is functioning and that the right is actually vested. If this cannot be done, it drastically affects the property of the property, and the sale cannot go forward.
4. **City Manager Authority** - The Council delegates to the city manager the authority to enter into the necessary sale agreement to proceed with the purchase, to negotiate any provisions of that sale agreement, and sign all necessary documents to perfect the agreement. All documents and agreements shall be approved as to form and content by the City Attorney.
5. **Contract Review Board** - The City Council, acting as the Contract Review Board, authorizes the City to enter into a contract for consulting work to perform the due diligence study necessary to determine the questions concerning the property from the water use and ability to obtain the rights to access such water. This contract is subject to the Public Contracting Rules. The contract amount is less than Fifty-thousand Dollars (\$50,000.00).
6. **Findings** - The City Council makes the following specific findings concerning this contract:

- a) It is necessary for the City to immediately proceed with the contractual services in order to provide a reasonable and timely answer to the seller concerning the purchase of the property.
- b) Because time is important to the seller, it is in the best interest of the City to proceed with the contract as quickly as possible, and it will not undermine the purposes of the Public Contracting Law to waive the necessity of obtaining the quotes.
- c) The amount of the contract is under Fifty-thousand (\$50,000.00), and the manager has full authority to execute the contract.
- d) An emergency is now declared, and the City Council authorizes the contract to proceed without the necessity of obtaining three competitive quotes.
- e) The Request for Proposal process is not required.

7. **Attachments** - Exhibit "A" contains three maps, which is attached and by this reference incorporated.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: May 2, 2006.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 1<sup>st</sup> day of May, 2006.

---

James H. Bennett, City Recorder

**ATTEST** by the Mayor this 4th day of May, 2006.

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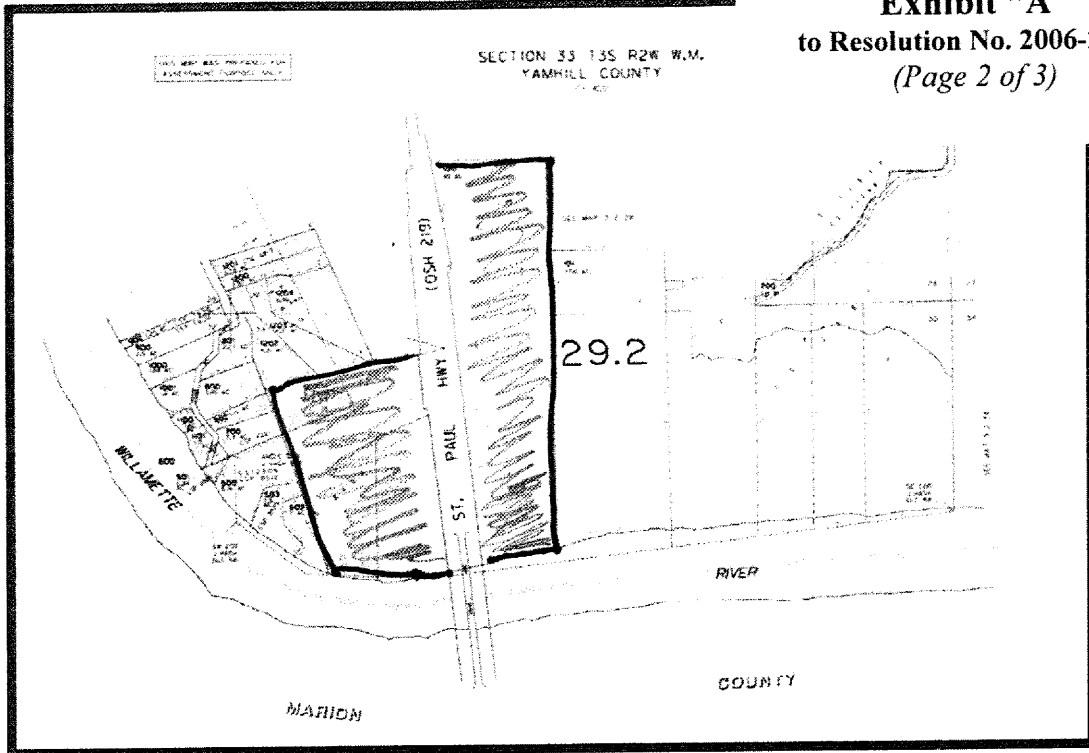
Bob Stewart, Mayor

Exhibit "A"  
to Resolution No. 2006-2640  
(Page 1 of 3)



Location Map

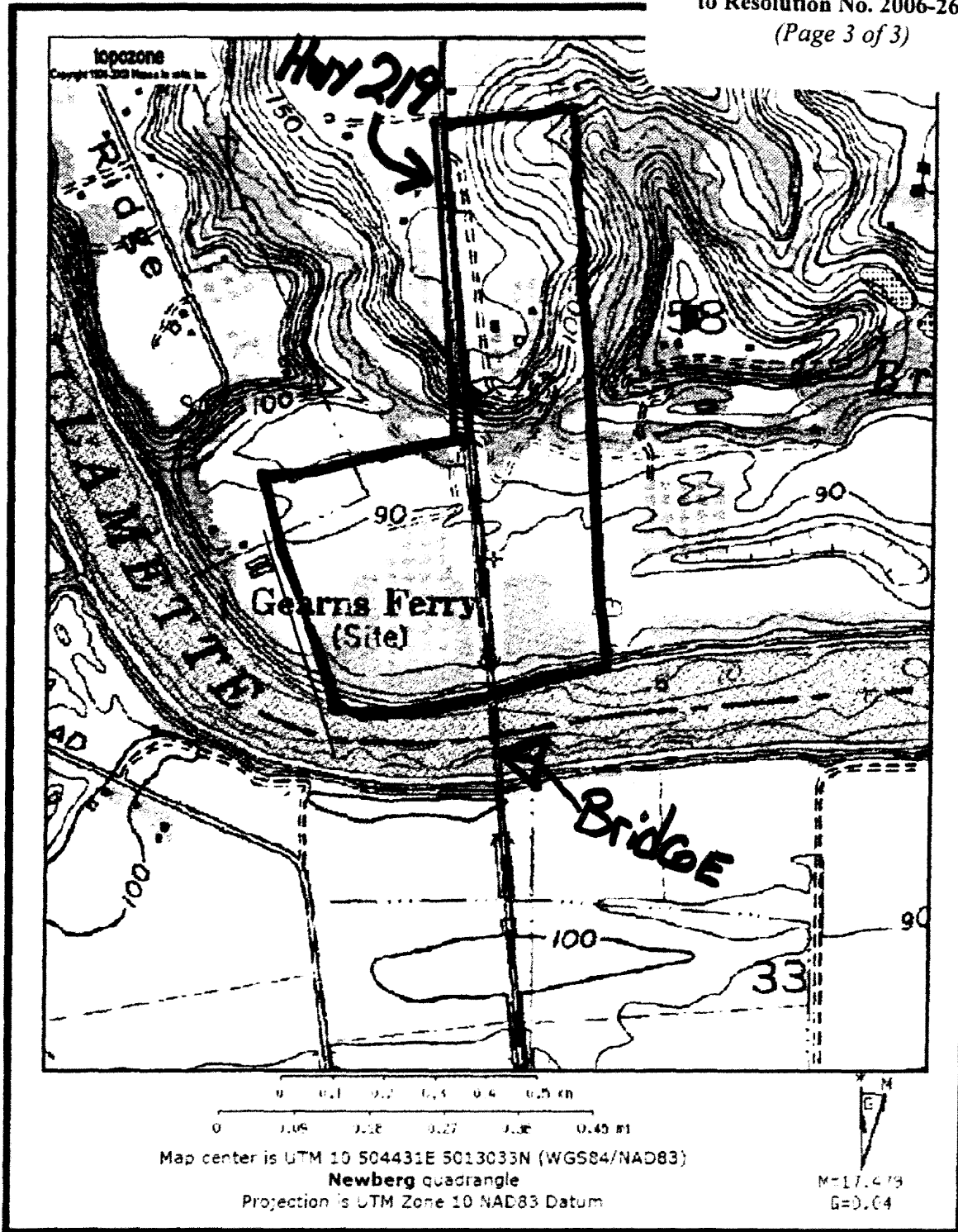
**Exhibit "A"**  
**to Resolution No. 2006-2640**  
*(Page 2 of 3)*



**Plat Map**



**Aerial Photograph**



Topography Map

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# NEWBERG CITY COUNCIL MEETING INFORMATION

Kathleen  
Prepared by: Bochart

DATE of Meeting: 5-5-1-06

Councillors	Roll Call	Res/Ord #consent Topic: calendar	Res/Ord #6-2643 Topic: brush/woods	Res/Ord #amend#1 Topic: 6-2643	Res/Ord #amend#2 Topic: 6-2643	Res/Ord #amend#3 Topic: 6-2643	Res/Ord #2-2639 Topic: vacancy	Res/Ord #amend Topic: 6-2639	Res/Ord #6-2640 Topic: McMillip	Res/Ord #to table Topic: RGE to 5/5
STEWART, Bob, Mayor	excused	—	—	—	—	—	—	—	—	motion
ANDREWS, Bob	✓	yes	yes	NO	yes	yes	yes	yes	yes	failed
BOYES, Mike	✓	yes	yes	NO	yes	yes 2	yes	yes	yes 2	due to
CURRIER, Roger	✓	yes 1	yes 1	NO	yes 2	yes 1	yes	yes	yes	lack 1
NELSON, Dawn	✓	yes	yes 2	NO	yes	yes	yes	yes 2	yes	of
McBRIDE, Mike	—	—	—	—	—	—	—	—	—	Second
SOPPE, Robert	✓	yes 2	yes	NO	yes 1	yes	yes	yes 1	yes 1	
ROLL CALL VOTES		YES: 5 NO: 0 Absent: 0 Abstain: 0	YES: 5 NO: 0 Absent: 1 Abstain: 0	YES: 0 NO: 5 Absent: 1 Abstain: 0	YES: 5 NO: 0 Absent: 1 Abstain: 0	YES: 5 NO: 0 Absent: 1 Abstain: 0	YES: 5 NO: 0 Absent: 1 Abstain: 0	YES: 5 NO: 0 Absent: 1 Abstain: 0	YES: 5 NO: 0 Absent: 1 Abstain: 0	YES: 5 NO: 0 Absent: 1 Abstain: 0
Department:		Admin	Admin	Admin	Admin	Admin	Admin	Admin	Admin	Legal
CHANGES: (Yes/No)		Yes	Yes	NO	NO	NO	yes	NO	NO	NO

**RECORDING SECRETARY:**

- Route COPY of this completed sheet to applicable departments for processing of Res. & Ord. and to Accounting Clerk.
- Route COPIES of Public Comment Registration Sheets to respective Departments for noticing/their file.
- Route materials/overheads received at meeting: (1) Original(s) to Deputy City Recorder for packet; (2) Copy of applicable materials to Dept. for their file.
- Route labeled Audio tape(s) to Library (ATTN: Sandi Schmidt) except Executive Session tapes gets routed to the Deputy City Recorder.

**CITY DEPARTMENTS:** WITHIN 48 HOURS - Route to City Mgr. for Signature (verify changes, if any):

- IF ANY CHANGES, CORRECTIONS ARE TO BE MADE BY DEPARTMENT ORIGINATING DOCUMENT.
- Regardless of prior path/file name from your Department, **Rename Document:** (Sample: Ord2471.doc) or (Res2039.doc).
- E-mail FINAL Res. & Ord. (including RCA and Attachments) to the Deputy City Recorder as an attachment.
- Print final Resolutions/Ordinances and attachments on bond paper (excluding RCA).
- IF NOT ADOPTED, route hard copy and e-mail to Deputy City Recorder w/ following notation PRINTED ON TOP - "FAILED TO PASS (DATE)".
- Route to Deputy City Recorder for collection of signatures.

**DEPUTY CITY RECORDER:** \* Route signed copies of documents to respective departments; \* Place originals of Res. & Ord. in City Vault & Index appropriately; \* Transfer FINAL Res./Ord. into appropriate City Recorder Computer Directory.

# NEWBERG CITY COUNCIL MEETING INFORMATION

Kathleen  
Prepared by: Boehart

DATE of Meeting: 5-1-06

Councilors	Roll Call	Res/Ord # <u>Resume</u> Topic: <u>discussion to 5/1/5</u>	Res/Ord. # Topic:	Res/Ord # Topic:	Res/Ord # Topic:	Res/Ord # Topic:	Res/Ord # Topic:	Res/Ord # Topic:	Res/Ord # Topic:
STEWART, Bob, Mayor	<u>Excused</u>	—							
ANDREWS, Bob	✓	<u>yes</u>							
BOYES, Mike	✓	<u>yes</u>							
CURRIER, Roger	✓	<u>yes 1</u>							
NELSON, Dawn	✓	<u>yes</u>							
McBRIDE, Mike	—	—							
SOPPE, Robert	✓	<u>yes 2</u>							
ROLL CALL VOTES		YES: <u>5</u> NO: <u>0</u> Absent: <u>1</u> Abstain: <u>0</u>	YES: ___ NO: ___ Absent: ___ Abstain: ___	YES: ___ NO: ___ Absent: ___ Abstain: ___	YES: ___ NO: ___ Absent: ___ Abstain: ___	YES: ___ NO: ___ Absent: ___ Abstain: ___	YES: ___ NO: ___ Absent: ___ Abstain: ___	YES: ___ NO: ___ Absent: ___ Abstain: ___	YES: ___ NO: ___ Absent: ___ Abstain: ___
Department:		<u>Public works</u>							
CHANGES: (Yes/No)		<u>NO</u>							

**RECORDING SECRETARY:**

- Route COPY of this completed sheet to applicable departments for processing of Res. & Ord. and to Accounting Clerk.
- Route COPIES of Public Comment Registration Sheets to respective Departments for noticing/their file.
- Route materials/overheads received at meeting: (1) Original(s) to Deputy City Recorder for packet; (2) Copy of applicable materials to Dept. for their file.
- Route labeled Audio tape(s) to Library (ATTN: Sandi Schmidt) except Executive Session tapes gets routed to the Deputy City Recorder.

**CITY DEPARTMENTS:** WITHIN 48 HOURS - Route to City Mgr. for Signature (verify changes, if any):

- IF ANY CHANGES, CORRECTIONS ARE TO BE MADE BY DEPARTMENT ORIGINATING DOCUMENT.
- Regardless of prior path/file name from your Department, **Rename Document:** (Sample: Ord2471.doc) or (Res2039.doc).
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- Print final Resolutions/Ordinances and attachments on bond paper (excluding RCA).
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- Route to Deputy City Recorder for collection of signatures.

**DEPUTY CITY RECORDER:** \* Route signed copies of documents to respective departments; \* Place originals of Res. & Ord. in City Vault & Index appropriately; \* Transfer FINAL Res./Ord. into appropriate City Recorder Computer Directory.

City Council Meeting

Date: 5.1.06

Re: Work Session

No: \_\_\_\_\_

City of Newberg

"City"

Yamhill County

"County"

535 NE Fifth St.

McMinnville, OR 97128

Oxberg Lake Homeowners Association.

"Association"

Ken Austin

Joan Austin

"Austin"

JT Smith Companies

(T3S R2W Tax Lot 13800)

"JT Smith"

MeadowWood Development, LLC

(T3S R2W Tax Lots 900, 1000 and 1100)

"MeadowWood"

Dated: April 10, 2006

### RECITALS

A. City's Transportation System Plan ("TSP") calls for a northerly arterial via Crestview Drive connecting to Hwy. 99W (the "TSP Northern Arterial").

B. Association has expressed its concern about a northerly arterial Crestview Drive terminating at Hwy. 99W.

C. Austin intends to submit for master plan approval for the development of an approximately 400-acre site (the "Austin Master Plan") located in the City. Austin desires a transportation system that will have adequate capacity to serve the development on the Austin Master Plan parcel.

4/10/2006 02:49PM

B.O. 06-265

D. County has contracted with JRH Transportation Engineering ("JRH") to determine the transportation impacts of an alternative to the TSP Northern Arterial (the "Springbrook Northern Arterial Plan"). The Springbrook Northern Arterial designates Springbrook Road between HWY 99W and Crestview as the northern arterial and amends the designation of Crestview from Springbrook to Hwy 99W as a major collector.

E. Association has requested certain stipulations on the Crestview Drive to Hwy. 99W link which are also under study by JRH.

F. The Springbrook Northern Arterial Plan is diagrammatically depicted on Exhibit "A" attached hereto.

G. The JRH study has demonstrated the feasibility and transportation system adequacy of the Springbrook Northern Arterial Plan, assuming year 2025 projections and buildout of the Austin Master Plan.

H. The purpose of this Agreement is to finalize the agreement of the parties and to begin the process of amending City's TSP to implement the Springbrook Northern Arterial Plan.

#### **AGREEMENT**

1. The parties hereto agree to accept the Springbrook Northern Arterial Plan attached hereto as Exhibit "A" and specifically accept and rely upon the JRH study attached hereto as Exhibit "B".

2. City will initiate a process to amend its TSP to designate Springbrook Road as the Northern Arterial for the City. The City Manager and City Engineer will support this effort through the Planning Commission and City Council with the intended modification to the TSP as described. All parties to this Agreement will support this designation. If the City considers amending the Northern Arterial designation of Springbrook Road in the future it will be by public process.

3. City will initiate a process to amend its TSP to designate Crestview Drive as a Major Collector, with the general design and alignment of the road as depicted in Exhibit A. The City Manager and City Engineer will support this effort through the Planning Commission and City Council with the intended modification to the TSP as described. All parties to this Agreement will support this designation. If the City considers amending the Major Collector designation of Crestview Drive in the future it will be by public process.

4. The proposed design of the Crestview Drive Major Collector will be posted as "no through trucks" and be designed to encourage a 25mph speed limit. Truck size limitation language for posted signs will be determined by JRH. City will maintain Crestview Drive as two-lane road between the roundabout immediately to the south of Robin Court extending to the western edge of the Oxberg Lake Estates property. Turn lane features, if required, will be determined at a later date.

5. Improvements on the proposed Crestview Drive Major Collector will be paid for as a capital improvement subject to City's transportation SDC program.

6. The parties agree to support an amendment to County Board Order 06-070 to delete the condition requiring a study and County approval before the City can construct a roundabout on Springbrook Road.

7. County will expeditiously initiate a process to surrender jurisdiction of that portion of Crestview Drive as originally requested by City.

8. The parties agree with the findings of the initial study that the capacity in the transportation system achieved through the Springbrook Northern Arterial Plan will have virtually no effect on Springbrook Road operations and will maintain the capacity and functionality of the City of Newberg's Transportation System Plan.

9. This agreement has no bearing on the City's consideration to annex or not annex Oxberg Lake Estates.

10. Each party hereto represents to the other parties that the party has all necessary power and authority to perform under and be bound by the terms and conditions of this Agreement.

11. All of the terms and provisions contained herein shall inure to the benefit of and shall be binding upon the parties hereto and their respective heirs, successors, and assigns.

12. Counterparts and facsimile signatures. The parties may execute this agreement in counterparts, each of which shall be deemed to be an original thereof. The parties agree that facsimile signatures shall be accepted as original signatures with respect to this agreement.

CITY OF NEWBERG

By: *JM Bennett*  
Its: CITY MANAGER

OXBERG LAKE HOMEOWNERS ASSOCIATION

By: *Jack Ketrone*  
Its: President

JT SMITH COMPANIES

By: *[Signature]*  
Its: President

YAMHILL COUNTY

By: *Debbie A. Olsen*  
Its: Chair, Yamhill County Commissioners

KEN AUSTIN  
JOAN AUSTIN

By: *George K. Austin*  
Its: *Joan Austin*

MEADOWWOOD DEVELOPMENT LLC

By: *[Signature]* TIMOTHY SPEAKMAN  
Its: MEMBER / MANAGER

Accepted by Yamhill County Board of Commissioners on

4/19/06 by Board Order

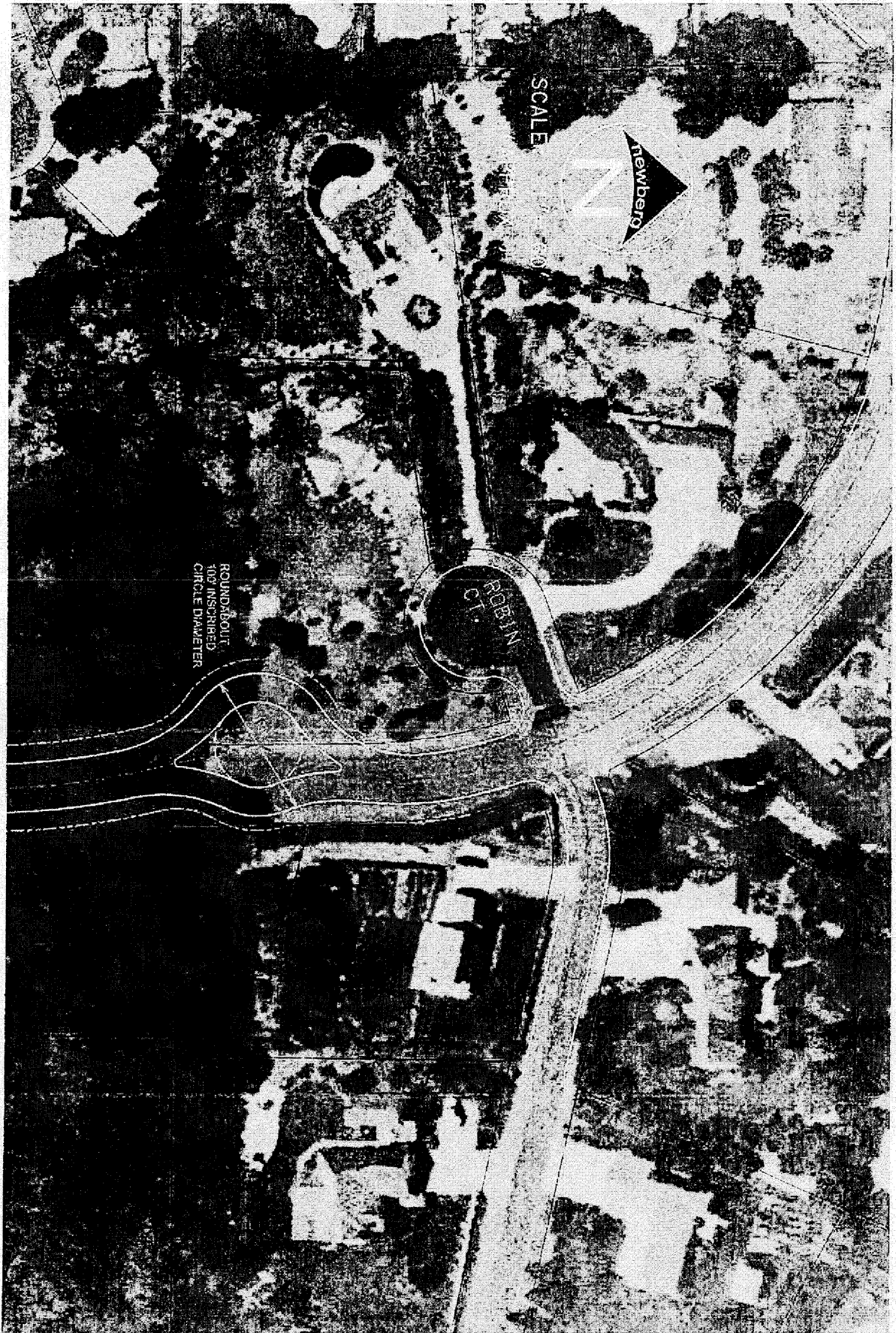
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# 06-265

# EXHIBIT A

B.O.06-265





SCALE



ROUNDBOUT  
100' INScribed  
CIRCLE DIAMETER

ROBERT C. I.

NO.	DESCRIPTION	DATE
1	PRELIMINARY PLAN	10/15/00
2	FINAL PLAN	11/15/00
3	AS BUILT	12/15/00

**CREST DRIVE IMPROVEMENT PROJECT**  
 FROM WASHINGTON COLLECT TO HIGHWAY 99W  
 © 2001 WELSH ENGINEERING & EXPLORATION

# EXHIBIT B

JRH Engineering Study  
March 27, 2006

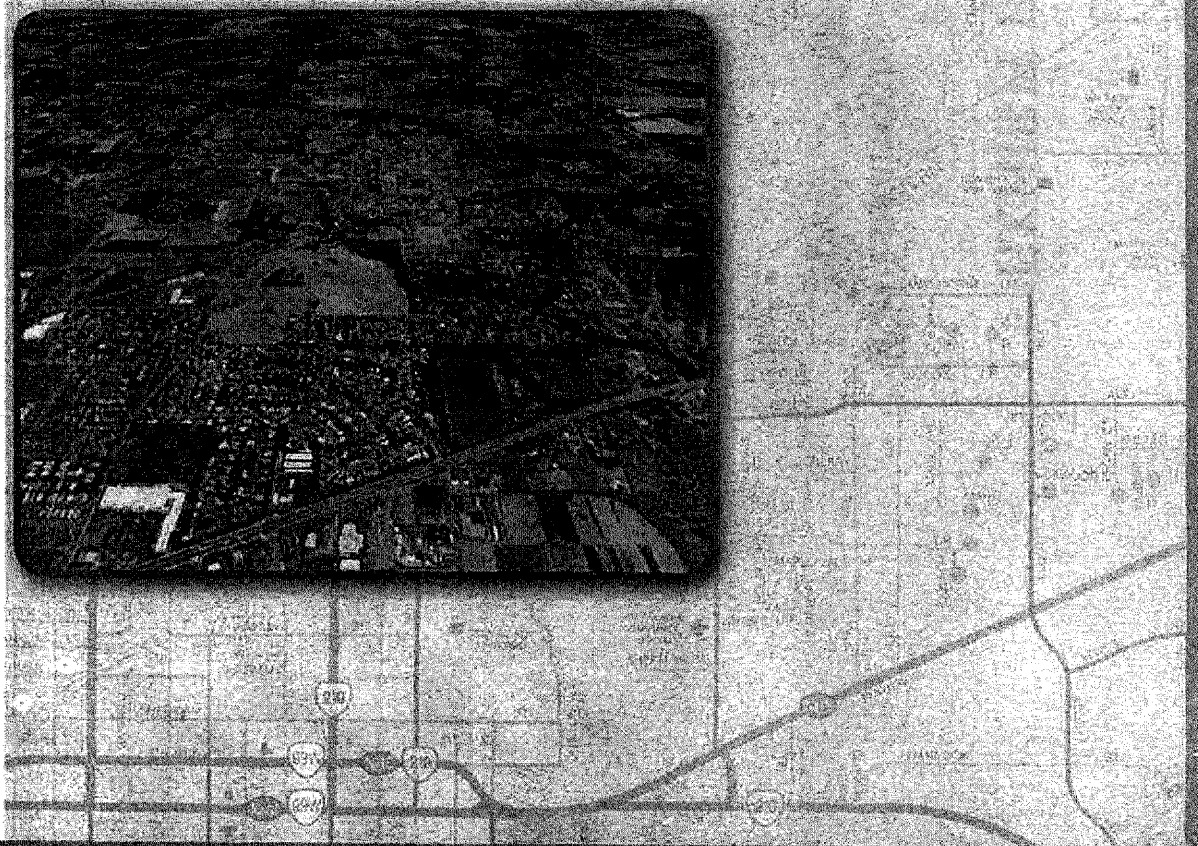
B.0.06-265

JRH

THE EFFECT ON SPRINGBROOK STREET  
OF CONVERTING THE NEWBERG NORTHERN ARTERIAL  
(CRESTVIEW DRIVE) TO A MAJOR COLLECTOR



March 27, 2006





## THE EFFECT ON SPRINGBROOK STREET OF CONVERTING THE NEWBERG NORTHERN ARTERIAL (CRESTVIEW DRIVE) TO A MAJOR COLLECTOR

This memo outlines JRH Transportation Engineering's findings relating to the effect on Springbrook Street resulting from changing the Newberg Northern Arterial (Crestview Drive) from an arterial classification to a traffic-calmed major collector.

Briefly stated, the conclusions of the report are:

- 1) The physical capacity of Crestview Drive will not be materially reduced. Therefore, capacity restrictions will not divert traffic from Crestview Drive to Springbrook Street.
- 2) A ten mile per hour operating speed reduction on Crestview Drive (as might be expected from the reclassification of the street and the addition of traffic calming measures) would have virtually no effect on Springbrook Street operations.

The following contains the analysis used to develop these conclusions.

### BACKGROUND

The City of Newberg Transportation System Plan envisions a northern arterial connecting Mountain View Drive at the north, crossing the railroad tracks and continuing east from Springbrook Street along the alignment of Crestview Drive to the Oxburg neighborhood, and then south to an intersection with ORE 99W. Residents along the proposed arterial are concerned that this facility would have a negative effect on the livability of their neighborhood. They have proposed that this arterial be changed to a major collector with traffic calming to reduce operating speeds to 25 miles per hour to help mitigate traffic impacts.

There is concern by others that this downgrading of classification on Crestview Drive will produce traffic spill over onto Springbrook Street. This, in turn, would require additional transportation mitigation should vacant property be developed. Our challenge is to evaluate the relative traffic demand on Springbrook, resulting from the conversion of Crestview from an arterial to a major collector.

There are two ways that this conversion might impact Springbrook. The first would be the reduction in capacity on Crestview Drive to the extent that traffic would be forced to divert from Crestview to Springbrook. The second question is, would reducing speeds on Crestview Drive make Springbrook become relatively more attractive and, thus, increase traffic volumes? This memo analyzes both effects.

## EFFECT ON CRESTVIEW CAPACITY

A review of the projected traffic volumes along this collector shows that there will be adequate capacity along Crestview to meet the traffic demand. Under roadway design standards contained in the Newberg Transportation System Plan (TSP), the primary difference between a major collector and a minor arterial is that the arterial has a continuous two way left-turn lane, while the major collector has turn lanes, where appropriate, at intersections. Given the traffic volumes projected, both of these would have sufficient capacity to handle future traffic demands.

The two capacity constraints on both the original Northern Arterial as proposed in the Newberg TSP and the neighborhood proposed Crestview Drive major collector are at the intersections with Springbrook Street and at OR 99W. The geometry and thus the capacity at both intersections are not anticipated to change under either scenario. At the north end, the design of the roundabout between Springbrook and Crestview does not change with the proposed change in Crestview classification. At the south end, the design will be dictated by the needs of the commercial development along Crestview and will have more lanes than commonly associated with a major collector.

Future development may dictate that new intersections be constructed on Crestview between Springbrook and OR 99W. The design of these intersections will be subject to a traffic impact analysis to ensure the capacity is adequate to meet demands. Intersection turn lanes may be required; however, the low traffic volumes projected midway between Springbrook and OR 99W make it unlikely that even these minimal improvements will be required.

Traffic calming measures may also influence capacity; however, these impacts are more closely evaluated by examining speed reductions. This is the subject of the next portion of this report.

Because intersection geometry does not change, intersection capacity is not affected and, because capacity does not change, capacity constraints will not divert traffic from the Northern Arterial (Crestview Drive) to Springbrook Street.

## EFFECT OF SPEED REDUCTION

The second way the change of classification could impact Springbrook is the result of the change in travel speed between two classifications. If the relative speed on Springbrook between Crestview diminishes, then there may be additional trips induced onto Springbrook. This report is primarily focused on determining the impacts of these induced trips. In conducting this analysis, we looked effect on the traffic volumes using two separate methodologies.

For the first methodology, we reviewed the year 2025 projections for both Crestview and Springbrook as shown in Figure 2 of the Newberg Transportation System Plan. Appendix 1 contains this figure. The amount of through traffic on Crestview was determined by subtracting existing traffic and traffic from future development along Crestview from the projected 2025 turning movement volumes on Crestview, as shown in the Transportation System Plan.

After calculating southbound traffic, similar methodology was used to develop the northbound traffic on Crestview. The number of driveways, intersections, etc., along Springbrook, makes it difficult to determine the thru traffic on Springbrook. As a result, we developed



the thru traffic volumes on Springbrook using California Department of Transportation “Freeway Diversion” curves.<sup>1</sup> These calculations determine relative traffic volumes along parallel routes based on differentials in time and distance. We calculated the arterial travel times along Crestview assuming a 35 MPH speed for traffic driven on that route as well as a 35 MPH speed for Springbrook. To these travel times, we placed a delay factor on Springbrook for delay at signalized intersections along OR 99W, between Springbrook and the proposed intersection between Crestview and OR 99W.

Table 1 provides the Year 2025 projected through traffic volumes for Crestview and Springbrook with Crestview as an arterial and as a collector assuming a ten MPH reduction in speed.

A ten mile per hour speed differential was selected using information contained in Appendix A “Traffic Calming, State of the Proactive”, by ITE/ FHWA. This is available on the web at <http://ite.org/traffic/tcstate.htm#tcsop>

A review of the data indicates that a ten MPH speed is a reasonable best case for effective traffic calming measures, and conservative for use in determining the impacts on Springbrook. If the speed reduction is less, then fewer cars will transfer from Crestview to Springbrook and the impacts will be less.

<sup>1</sup> Freeway Diversion curves, more properly, should be called parallel route diversion curves. They are using relative time and distance as variable. Appendix 4 provides the Freeway Diversion Curves.

Merely knowing the difference in numbers is not sufficient to determine the impact on Springbrook. To do this difference, we adjusted 2025 turning movements shown in the Transportation System Plan to reflect the increase in traffic on Springbrook. We then ran these adjusted traffic volumes using the SYNCHRO traffic evaluation model to determine the effect on level of service at both the Crestview intersection with ORE 99W, and the Springbrook intersection with ORE 99W. These volumes were compared with the traffic volumes in a SYNCHRO run using the unadjusted volumes representing the current classification. Both of these runs were for the year 2025. The results of this analysis are shown in Table 2. As can be seen, the traffic volumes change is so small that there is no effect in level of service or volume-to-capacity ratio at Springbrook and Highway 99 West. There is a 0.1 second increase in delay at Crestview and OR 99W due to a diversion of vehicles turning right onto Crestview changing to through traffic on OR 99W. Appendix 2 contains the outputs from the SYNCHRO runs.

**TABLE 1:** Year 2025 Through Traffic Volumes Crestview/Springbrook Intersection to Crestview/OR 99W Intersection

	CRESTVIEW SPEED			
	35 MPH		25 MPH	
	Northbound	Southbound	Northbound	Southbound
Crestview Drive	473	317	426	291
Springbrook Street	214	117	261	143



Analysis is based on 2025 traffic volumes in Newberg Transportation System Plan (Figure 2).

As a check to this methodology, we obtained a model run for the two alternatives for the year 2030 from ODOT's Transportation Planning Analysis Unit (TPAU). These analysis numbers allow us to directly calculate the difference in traffic volumes along the two, and furthermore, allow calculation of the volume to capacity ratios in levels of service at critical intersections potentially impacted by the reclassification. The TPAU model is based on a change in classification and roadway geometry, as well as a speed reduction. Appendix 3 contains the ODOT TPAU 2030 model runs.

Table 3 compares the entering and exiting volumes on Springbrook and Crestview at Highway 99 using the ODOT numbers with the volumes generated earlier in this report.

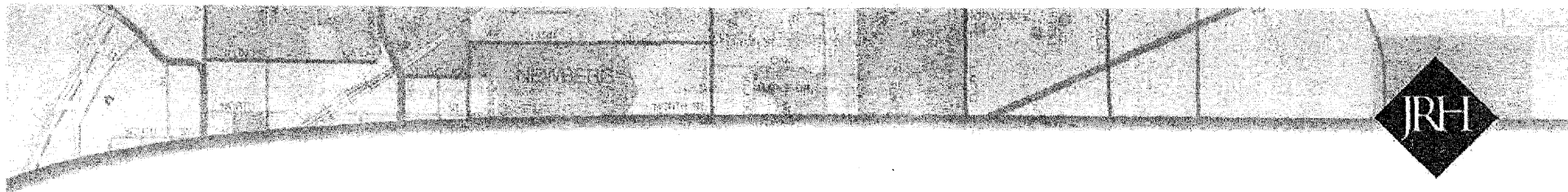
This table indicates that the regional model methodology used by ODOT and the "Freeway Diversion" curve methodology track very closely. The traffic volumes generated by JRH indicate a diversion in traffic volumes of 73 trips from Crestview to Springbrook. The TPAU Model indicates a diversion of 63 trips from Crestview and an increase in traffic to 16 trips to Springbrook. Both indicate that the traffic volumes diverted from Crestview to Springbrook as a result of the reclassification and reduction in speed is expected to not exceed more than a total of 75 trips for both the northbound and southbound movements. The methodology following the Freeway Diversion

**TABLE 2: Traffic Operational Effect of Changing Crestview From Minor Arterial to Major Collector.**

Functional Classification	Additional Trips To Springbrook At Highway 99		Springbrook at Highway 99		Crestview at Highway 99	
	SB Left	WB Right	Delay (seconds) (LOS)	Volume to Capacity	Delay (seconds) (LOS)	Volume to Capacity
Minor Arterial	N/A	N/A	34.4 (C)	0.83	46.4 (D)	0.85
Major Collector	26	47	34.4 (C)	0.83	46.3 (D)	0.85

**TABLE 3: Comparison of Entering and Exiting Volumes On Springbrook and Crestview at Highway 99.**

	Crestview as a Minor Arterial				Crestview as a Major Arterial			
	Springbrook at Highway 99		Crestview at Highway 99		Springbrook at Highway 99		Crestview at Highway 99	
	Entering	Exiting	Entering	Exiting	Entering	Exiting	Entering	Exiting
TPAU Model	719	702	396	445	719	718	370	402
TPAU Volumes	730	630	770	680				
Adjustment to TSP Volumes for Diverted Traffic					777	656	723	654
<b>Total Diverted Traffic</b>								
TPAU Model		N/A		N/A		16*		69**
TPAU Volumes		N/A		N/A		73*		73**

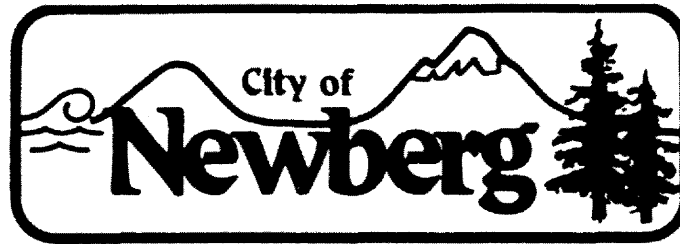


Curve indicates a higher traffic volume estimated to be diverted and, therefore, represents a more conservative analysis.

All of the analysis in this study assumes land development in accordance with the adopted Comprehensive Plan. In discussions with ODOT staff, they indicated that this development includes full development of the Austin Industries property. It should be noted, however, that property may develop with more or less intensity than anticipated in the Plan. This should not impact the conclusions of this study, as this study is focused on the relative impact on Springbrook due to changes in the functional classification of Crestview. It is not focused on the absolute impacts on Springbrook due to any specific land use.

City Manager  
(503) 538-9421

Mayor  
(503) 538-9421



414 East First St.  
PO Box 970  
Newberg, OR 97132

May 1, 2006

Ruth Stockoff  
Friendsview Manor  
1301 E. Fulton St.  
Newberg, OR 97132

City Council Meeting  
Date: 5.1.06  
Re: \_\_\_\_\_  
No: \_\_\_\_\_

SUBJECT: Your 105<sup>th</sup> Birthday

Dear Ruth:

Another year has passed and we are all very blessed to be able to celebrate your 105<sup>th</sup> birthday. I enjoyed meeting you last year and have the great pleasure of being a part of your birthday again this year. I know that everyday is special to your family and friends.

As Mayor of the City of Newberg, I want to send you wishes for the very best birthday and for many more years of health and happiness. The City is honored to have a citizen like you as a member of this community.

Best Wishes,

A handwritten signature in black ink that reads "Bob Stewart". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Bob Stewart  
Mayor

● Mayor's Office e-mail: [bob.stewart@ci.newberg.or.us](mailto:bob.stewart@ci.newberg.or.us) Fax: 537-5013 ●  
Building: 537-1240 ● Public Works: 537-1240 ● Finance: 537-1201 ● Fire: 537-1230  
Library: 538-7323 ● Municipal Court: 537-1203 ● Police: 538-8321 ● Maintenance: 537-1233 ● Utilities: 537-1205  
Municipal Court Fax: 538-5393 ● Public Works Fax: 537-1272 ● Library Fax: 538-9720

"Working Together For A Better Community-Serious About Service"