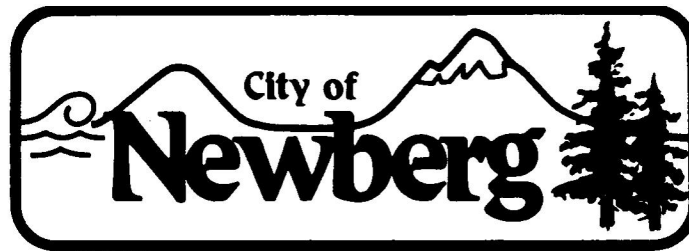


City Manager  
(503) 538-9421

City Attorney  
(503) 537-1206



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

**CITY OF NEWBERG  
CITY COUNCIL WORK SESSION  
DECEMBER 5, 2005  
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 DECEMBER 5TH 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 – DOWNTOWN GATEWAY ACQUISITION.

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 29TH DAY OF NOVEMBER, 2005.

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 TDY service please call (503) 554-7793.*

G:\City Council\Work Session Notes\2005\WSNote12052005.doc

● 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: 537-1240 ● 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"**

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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  
DECEMBER 5, 2005  
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 appointments for two open positions on the Planning Commission with the most qualified candidate.  
Philip Smith                      Cathy Stuhr  
Jon Holt                              Barry Horn
2. Consider appointments to the Newberg Downtown Revitalization Committee.  
Lon Wall                      John Bridges                      Kris Horn
3. Consider appointments to the Budget Committee.  
Lon Wall                      Jack Reardon

**VII. PUBLIC HEARING**

1. Public Hearing to consider approving **Ordinance No. 2005-2624** amending the Northwest Natural Gas Franchise.  
**Legislative Hearing**

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

2. Public Hearing to consider approving **Ordinance No. 2005-2627** amending City Code Section 32.72 reducing the size of the Citizen Rate Review Committee's membership from eight to six members.  
**Legislative Hearing**
3. Public Hearing to consider approving **Ordinance No. 2005-2628** adopting rules relating to parking in and maintenance of planter strips.  
**Legislative Hearing**

## **BUSINESS MEETING SECTION**

### **VIII. NEW BUSINESS**

1. Consider approving **Resolution No. 2005-2605** authorizing a decrease in the Transportation System Development charge.
2. Consider approving **Resolution No. 2005-2606** adopting the design guidelines for streetscape amenities within Newberg's historic downtown.
3. Consider approving **Resolution No. 2005-2607** adopting a downtown winter decorative banner design.
4. Consider a motion to approve an increase in the System Development Charges for Water, Wastewater and Storm.

### **IX. CONTINUED BUSINESS**

### **X. EXECUTIVE SESSION**

1. Executive Session pursuant to ORS 192.660(2)(e) relating to a real property transaction – Downtown Gateway Acquisition.

### **XI. ADJOURNMENT**

## **INDEX OF RESOLUTIONS AND ORDINANCES:**

### **RESOLUTIONS:**

1. **Resolution No. 2005-2605** authorizing a decrease in the Transportation System Development Charge for the year 2006.
2. **Resolution No. 2005-2606** adopting the design guidelines for streetscape amenities within Newberg's historic downtown.
3. **Resolution No. 2005-2607** adopting a downtown winter decorative banner design.

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

**ORDINANCES:**

1. **Ordinance No. 2005-2624** amending Ordinance No. 1996-2432, granting a non-exclusive Gas Utility Franchise to Northwest Natural gas Company and fixing terms, conditions, and compensation f such franchise.
2. **Ordinance No. 2005-2627** amending City Code Section 32.72, membership of the Citizens Rate Review Committee.
3. **Ordinance No. 2005-2628** relating to parking in and maintenance of planter strips.

*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.

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# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: 2005, December 5

Ordinance \_\_\_  
No.

Resolution \_\_\_  
No.

Motion XX

Information

Date Submitted: November 18, 2005

SUBJECT: Planning Commission  
Appointments

Contact Person (Preparer) for this  
Motion: Barton Brierley, AICP

Dept.: Planning and Building

File No.:  
(if applicable)

## RECOMMENDATION:

Motion to fill two expiring Planning Commission positions with the most qualified candidates.


## BACKGROUND:

1. The Planning Commission is a seven member commission (Attachment A). Two terms are expiring at the end of this year. Those seats are currently filled by Philip Smith and Cathy Sthur.
2. The City has received four applications from the community for these positions, including applications for reappointment by the two sitting commissioners. The applications received are attached.
3. City rules allow (but do not require) one Planning Commissioner to live outside City limits, but within one-mile of the UGB. All other Planning Commissioners must live within the Newberg City limits. Commissioner Stuhr currently fills the position of a resident outside the City. Thus, the City Council may appoint one person living outside the City and within one-mile of the UGB to the Commission.
4. The selected commissioners' terms will run through December 31, 2008.
5. Prospective applicants have been advised that they need to attend the meeting to be appointed as a Planning Commissioner.

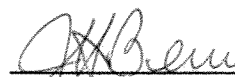
**FISCAL IMPACT:** None

**STRATEGIC ASSESSMENT:** The Planning Commission serves a very important role in the community. The City Council should carefully consider which candidates can best advance the community's interests.

SUBMITTED BY:

  
Barton Brierley, AICP  
Planning and Building Director

APPROVED BY:

  
James H. Bennett  
City Manager

**ATTACHMENT A: PLANNING COMMISSION - CITY OF NEWBERG  
APPROVED: July 5, 2005\***

**Newberg  
City Limits**

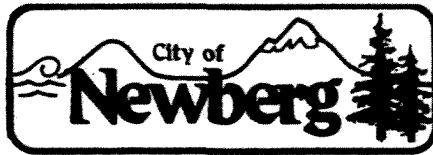
**Occupation**

Yes	Daniel H. Foster	Term: Appointed: Term Expires:	3 years 12/6/04 12/31/07	Principal Broker
Yes	Matson Haug, Vice Chair	Term: Appointed: Re-appointed: Term Expires:	3 years 01/18/94 1/94&1/95&12/97&12/00&12/03 12/31/06	Engineer
Yes	Louis Larson	Term: Appointed: Re-Appointed: Term Expires:	3 years 5/15/00 12/00&12/03 12/31/06	Retired
Yes	Devorah Overbay	Term: Appointed: Term Expires:	3 years 12/6/04 12/31/07	Nurse
Yes	Philip Smith, Chair	Term: Appointed: Term Expires:	3 years 12/2/02 12/31/05	GFU Professor
No	Cathy Stuhr	Term: Appointed: Term Expires:	fill remainder of term 7/5/05 12/31/05	Business Owner
Yes	Nick Tri	Term: Appointed: Re-Appointed: Term Expires:	3 years 10/15/01 12/6/04 12/31/07	Semi-Retired Antique Dealer

\*approved by City Council on 7/5/05

Attachment B: Planning Commission Applicants  
December 2005

<b>Applicant Name</b>	<b>Occupation</b>	<b>Lives in City?</b>
Jon Holt	Retired Business Person	Yes
Barry Horn	Self-employed	Yes
Philip Smith	University Professor	Yes
Cathy A. Stuhr	Small Business Manager/Owner	No



NOV 10 2005  
By \_\_\_\_\_

**APPLICATION FOR CITY COMMISSION OR COMMITTEE**

**COMMISSION OR COMMITTEE:** Planning Commission

**NAME:** Jon Holt **HOME PHONE:** <sup>(503)</sup> 538-4426

**ADDRESS:** 3723 Jones St. **WORK PHONE:** <sup>cell (503)</sup> 504-4406

Newberg OR 97132 **E-MAIL ADDRESS:** jonholt@verizon.net

Are you eligible to be a registered voter? yes

Do you live within the City limits? yes How long? 23 months

How long have you lived at the above address? 23 months

Previous Address: 13345 N.E. Fox Hollow Ln, Newberg How long? 12 years

Occupation: Retired business person Employer: \_\_\_\_\_

11-10-05 (Date) [Signature] Signature

Why do you want this position? (Continue on back or separate sheet, if necessary)  
I would like to contribute any skills I have to helping in the management of growth in Newberg. I enjoy helping others in my retirement as I do through my church and other volunteer work in the community. Please see resume' attached.

**RETURN THIS FORM TO THE OFFICE OF THE CITY RECORDER  
P.O. BOX 970  
NEWBERG, OREGON 97132  
(503) 538-9421**

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# **Jon A. Holt**

3723 Jones Street  
Newberg, OR 97132-9231

(503) 538-4426  
email: jonholt@verizon.net

## ***Business Experience***

### **HOLT BUSINESS SERVICES**

*Consultant*

NEWBERG, OR  
*January 1993 to 1998*

General management consulting practice with emphasis on sales, new ventures and strategic planning.

- Advised clients on sales and development of new products and new markets.
- Assisted in assessment of new ventures and diversification endeavors.
- Wrote marketing plan for nationwide data/telecommunications company start-up enterprise.
- Developed strategic planning goals and assisted with identification of growth funding alternatives.
- Improved cost controls through M.I.S. redesign and Organizational Development projects.
- Assisted with reverse merger activities and preparation of secondary public offering (NASDAQ).

### **DAT SERVICES (DIVISION OF JUBITZ CORP.)**

*Director of Marketing*

BEAVERTON, OR  
*April 1992 to January 1993*

Responsible for strategic planning, business development, partnership alliances and reselling arrangements with other companies providing information services. Also managed the Marketing Communications Department including the advertising agency and trade show activities.

- Established initial strategic alliance contacts with four major international companies.
- Directed repositioning of company through selection of a new advertising agency and new collateral.
- Initiated and directed company-wide prioritization process leading to new strategic planning methodology.

### **A-DEC, INC.**

*Manager, Commercial Products Department*

NEWBERG, OR  
*December 1982 to April 1992*

Managed the "New Venture Team" and held responsibility for market research, development, marketing and sales of products to non-dental markets world wide for the largest dental equipment manufacturer in the U.S. Developed business plans, sales strategies, budgets and held management responsibilities for a profit center with annual sales of approximately \$4 Million. Sales were made directly on an O.E.M. basis as well as through distributors and manufacturers' representatives.

- Increased commercial sales by more than 350% and added more than 120 new customers.
- Identified more than 20 new markets and introduced 13 new products within a three year period.
- Conceived and implemented new trademark with multiple product lines for sales worldwide.
- Established North American, Asian and European distribution channels and customer service support.
- Created sales training aids, directed advertising agency activities and trade show exhibitions.

### **EATON CORPORATION**

*Marketing Manager*

BEAVERTON, OR  
*August 1979 to December 1982*

Responsible for the overall management, performance and activity of the plant marketing department for the electrical and electronic heating controls factory in the Temperature Controls Division. This included sales management, customer service, pricing, profit and plant forecasting functions. Formulated five-year plant strategic marketing plan.

- Increased annual sales by 29% in two years and moved from an operating loss to profitability.
- Directed development and sales of more than 15 new products for new markets.
- Eliminated marginal and mature products, thereby reducing product lines by 40%.

## ***Education***

### **PEPPERDINE UNIVERSITY**

*Executive MBA II Program*

SAN JOSE (BRANCH), CA  
*1977 to 1978*

### **UNIVERSITY OF NORTH DAKOTA**

*Business Administration*

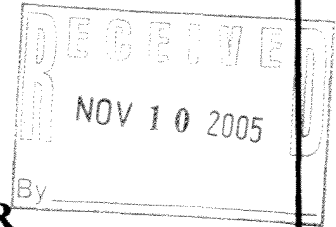
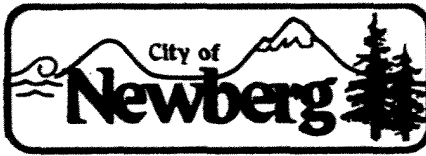
GRAND FORKS, ND  
*1961 to 1964*

### **JOHNS HOPKINS UNIVERSITY**

*Pre-medicine*

BALTIMORE, MD  
*1960 to 1961*

***References available upon request***



APPLICATION FOR CITY COMMISSION OR COMMITTEE

COMMISSION OR COMMITTEE: PLANNING COMMITTEE

NAME: BARRY NORN HOME PHONE: 503 538 5516

ADDRESS: 610 E SNERIDAN, NEWBERG WORK PHONE: 503 538 3828

E-MAIL ADDRESS: BEAR 503 @ VERIZON.NET

Are you eligible to be a registered voter? YES

Do you live within the City limits? YES How long? 16 YR

How long have you lived at the above address? 16 YRS

Previous Address: ? How long? \_\_\_\_\_

Occupation: SELF-EMPLOYED Employer: \_\_\_\_\_

11-8-05  
(Date)

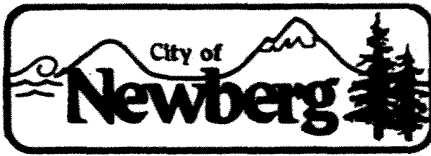
[Signature]  
Signature

Why do you want this position? (Continue on back or separate sheet, if necessary)

I BELIEVE CHANGE IS INEVITABLE, AND I BELIEVE WE SHOULD CONTROL IT RATHER THAN LET IT CONTROL US.

RETURN THIS FORM TO THE OFFICE OF THE CITY RECORDER  
P.O. BOX 970  
NEWBERG, OREGON 97132  
(503) 538-9421

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RECEIVED  
OCT 31 2005  
BY

**APPLICATION FOR CITY COMMISSION OR COMMITTEE**

COMMISSION OR COMMITTEE: Planning Commission

NAME: Philip Smith HOME PHONE: 503.538.2759

ADDRESS: 2016 Valeri Dr WORK PHONE: 503.554.2657

Newberg 97132 E-MAIL ADDRESS psmith@georgefox.edu

Are you eligible to be a registered voter? yes

Do you live within the City limits? yes How long? 16 year

How long have you lived at the above address? 12 years

Previous Address: N. Springbrook How long? 4 years

Occupation: University Professor Employer: GFU

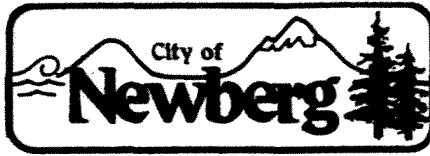
Oct 29, 2005 (Date) Philip D Smith Signature

Why do you want this position? (Continue on back or separate sheet, if necessary)

I believe the next few years will be crucial for planning in Newberg.  
(1) We have to work affirmatively with ODOT to make sure the Bypass engineering makes for a livable city (i.e. ensure connectivity to waterfront).  
(2) We need to implement proposals from long range planning to secure large lot industrial development and affordable housing, two goals that reinforce each other.

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NOV 10 2005  
By

**APPLICATION FOR CITY COMMISSION OR COMMITTEE**

COMMISSION OR COMMITTEE: Newberg Planning Com.

NAME: Cathy A. Stuhr HOME PHONE: 503-538-8703

ADDRESS: 3100 NE Fernwood Rd WORK PHONE: 503-702-4974

Newberg OR 97132 E-MAIL ADDRESS mestuhr@verizon.net

Are you eligible to be a registered voter? yes

Do you live within the City limits? No How long? \_\_\_\_\_

How long have you lived at the above address? 3 yrs

Previous Address: 8140 Lakeland Drive Granite Bay CA How long? 1.5 yrs

Occupation: Small Bus. Manager/Owner Employer: Self

11/2/05  
(Date)

Cathy A. Stuhr  
Signature

Why do you want this position? (Continue on back or separate sheet, if necessary)

See attached.

**RETURN THIS FORM TO THE OFFICE OF THE CITY RECORDER  
P.O. BOX 970  
NEWBERG, OREGON 97132  
(503) 538-9421**

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Why do you want this position?

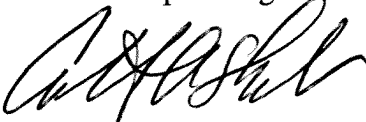
I was appointed to the Planning Commission in July 2005 and would like to continue my involvement and service to the Newberg Community.

In 2004 - 2005 I served as the Vice-Chair of the Ad Hoc Committee on Newberg's Future. I also participated in the 2004- 2005 Chamber of Commerce Leadership Newberg program and am currently the Chair of the steering committee for this year's program. The Chamber's Economic Development Committee has recruited me as a member. I believe my recent service to the community combined with my background and education will enable me to make a significant contribution as a Planning Commission member.

I have a B.S. in Environmental Policy Analysis and Planning and a Masters in Business Administration. My professional background includes more than 17 years as a consultant and manager in the environmental restoration and program management field. My skills include evaluating complex and conflicting issues and working towards win/win solutions. I am a big picture thinker and employ a logical and rational approach to evaluating issues.

My husband and I own three properties in Newberg: two in town (investment properties), and one, our primary residence and business (horse stable and riding center), located within 1 mile of the UGB. As an in-town and out-of-town property owner I have a unique and comprehensive perspective of the issues facing Newberg.

I believe I will add value to the Planning Commission and would appreciate the opportunity to continue to serve the community of Newberg. Thank you for your consideration. I look forward to helping the City develop innovative and multifaceted solutions to planning issues and achieve its' vision for the future.



Cathy A. Stuhr

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# ***REQUEST FOR COUNCIL ACTION***

**DATE ACTION REQUESTED: 2005, December 5**

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

Date Submitted: November 18, 2005  
**SUBJECT: Motion to re-appoint current members of the Newberg Downtown Revitalization Committee.**

**Contact Person (Preparer) for this Motion: David A. Beam, AICP**

**Dept.: Planning and Building**

**File No.: NA**  
*(if applicable)*

**RECOMMENDATION:**

Appoint the most qualified applicants to the NDRC.

**BACKGROUND:**

1. The Newberg Downtown Revitalization Committee (NDRC) is a nine (9) member committee. The appointment terms of the following members of the NDRC will expire on December 31, 2005: Lon Wall, John Bridges, and Kris Horn. They have all applied for re-appointment to the Committee (please see Exhibits A, B, and C.)
2. On October 25, 2005, City staff announced that it was accepting applications for committee membership. The announcement was posted in four public places and appeared in the *Newberg Graphic* and was forwarded to the Newberg Downtown Association and the Chehalem Valley Chamber of Commerce for distribution. Applications were due on November 16, 2005. No applications were received outside those of the current NDRC members.
3. If the applicants are re-appointed to the NDRC, the applicants would serve terms that would expire on December 31, 2008.

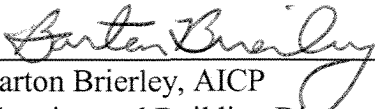
**FISCAL IMPACT:**

None

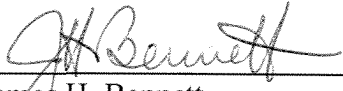
**STRATEGIC ASSESSMENT:**

None

SUBMITTED BY:

  
\_\_\_\_\_  
Barton Brierley, AICP  
Planning and Building Director

APPROVED BY:

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

# Exhibit

A



## APPLICATION FOR CITY COMMISSION OR COMMITTEE

COMMISSION OR COMMITTEE: DOWNTOWN

NAME: LOU WALL HOME PHONE: 538 7684

ADDRESS: 625 N MORTON WORK PHONE: 434 1648

NEWBERG, OR 97132 E-MAIL ADDRESS \_\_\_\_\_

Are you eligible to be a registered voter? YES

Do you live within the City limits? YES How long? 15 YRS

How long have you lived at the above address? 15 YRS

Previous Address: 652 5th ST HILLSBORO How long? 8 YRS

Occupation: BUSINESS OWNER Employer: CORVAIR UNDERGROUND INC

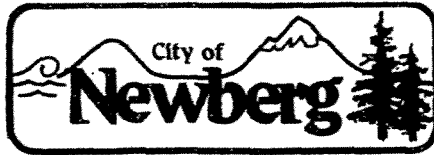
11-14-05  
(Date)

[Signature]  
Signature

Why do you want this position? (Continue on back or separate sheet, if necessary)  
TO CONTINUE SERVICE TO COMMUNITY

RETURN THIS FORM TO THE OFFICE OF THE CITY RECORDER  
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NEWBERG, OREGON 97132  
(503) 538-9421

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**APPLICATION FOR CITY COMMISSION OR COMMITTEE**

**COMMISSION OR COMMITTEE:** Newberg Downtown Revitalization Committee

NAME: John Bridges HOME PHONE: 503-538-2128

ADDRESS: 515 East First Street WORK PHONE: 503-538-3138

Newberg, OR 97132 E-MAIL ADDRESS john@newberglaw.com

Are you eligible to be a registered voter? Yes

Do you live within the City limits? No How long? NA

How long have you lived at the above address? Work address

Previous Address: \_\_\_\_\_ How long? \_\_\_\_\_

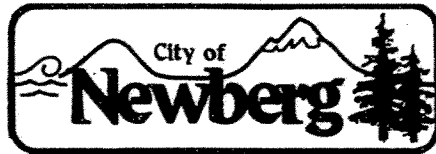
Occupation: Attorney Employer: Brown, Tarlow,

October 28, 2005 [Signature]  
(Date) Signature

Why do you want this position? (Continue on back or separate sheet, if necessary)

To continue the work that we have previously been pursuing on  
behalf of the revitalization of historic downtown Newberg.

**RETURN THIS FORM TO THE OFFICE OF THE CITY RECORDER  
P.O. BOX 970  
NEWBERG, OREGON 97132  
(503) 538-9421**



APPLICATION FOR CITY COMMISSION OR COMMITTEE

COMMISSION OR COMMITTEE: NDRC

NAME: Kristen Home HOME PHONE: 503 538 5516

ADDRESS: 610 E. Sheridan WORK PHONE: 503 537-7190 \*

Newberg, OR 97132 E-MAIL ADDRESS newdte@effectney.co.

Are you eligible to be a registered voter? yes

Do you live within the City limits? yes How long? 14 yrs

How long have you lived at the above address? 16 yrs

Previous Address: \_\_\_\_\_ How long? \_\_\_\_\_

Occupation: Real Estate Broker & Downtown Retailer Employer: \_\_\_\_\_

11-15-05 (Date) Kristen A. Home Signature

Why do you want this position? (Continue on back or separate sheet, if necessary)  
I want to continue to support all efforts to revitalization to downtown -

RETURN THIS FORM TO THE OFFICE OF THE CITY RECORDER  
P.O. BOX 970  
NEWBERG, OREGON 97132  
(503) 538-9421

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# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: 2005, December 5

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

Date Submitted: November 18, 2005  
SUBJECT: Budget Committee Appointment

Contact Person (Preparer) for this  
Resolution: Kathy Tri, Finance  
Director

Dept.:

File No.:  
(if applicable)

## RECOMMENDATION:

Appoint Jack Reardon and Lon Wall to the Budget Committee for three year terms, expiring December 31, 2008.

## BACKGROUND:


1. The Budget Committee consists of the Mayor , City Council and an equal number of citizens (7).
2. There is currently one vacancy and one position up for re-appointment.
3. Lon Wall has asked to be re-appointed to another three year term.
4. Jack Reardon has applied for the vacancy. His application is attached.

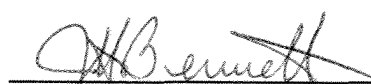
FISCAL IMPACT: none

STRATEGIC ASSESSMENT: It is very important to have a full complement of committee members when we start the budget process.

SUBMITTED BY:

APPROVED BY:

  
Katherine L. Tri, Finance Director

  
James H. Bennett, City Manager

**BUDGET COMMITTEE  
MEMBERSHIP LIST  
May 2005**

Sally Dallas 115 N. College St. Newberg OR 97132 sally@newbergallery.com	(503) 537-4981 (H) (503) 538-0888 (W)	Term: 3 years Appointed: 1/16/01, 1/21/03, 1/5/04 Expires: 12/31/06 (Replaced Holland)
Bob Larson 2902 E. Second, #27 Newberg, OR 97132 boblars@verizon.net	(503) 537-5577 (H)	Term: 3 years Appointed: 5/02/05 Expires: 12/31/06 (Replaced Rierson & Boyes)
Darlyn Adams 131 Johanna Court Newberg OR 97132	(503) 554-0153 (H)	Term: 3 years Appointed: 1/22/02, 3/21/05 Expires: 12/31/07
Ernie Amundson, Jr. 2901 E. 2 <sup>nd</sup> Street, #70 Newberg, OR 97132 ernie.amundson@a-dec.com	(503) 538-6320 (H) (503) 538-7478 (W)	Term: 3 years Appointed: 3/21/05 Expires: 12/31/07
Lon Wall 625 N Morton St. Newberg, OR 97132 lonwall@corvairunderground.com	(503) 538-7684 (H) (503) 434-1648 (W)	Term: 3 years Appointed: 1/21/03 Expires: 12/31/05 (Replaced Soppe)
VACANT  Newberg, OR 97132	(503) 538- (H)	Term: 3 years Appointed: Expires: 12/31/08 (Replaced McCain)
Bart Rierson 110 Hazelnut Dr. Newberg OR 97132 brierson@cpmt.com	(503) 538-0494 (H) (503) 537-5260 (W)	Term: 3 years Appointed: 5/3/04 Expires: 1/07



**CITY OF NEWBERG**

**APPLICATION FOR POSITION ON  
BUDGET COMMITTEE**

NAME: John (Jack) Reardon

HOME PHONE: 503 554 1535

ADDRESS: 1901 Carol Ave (rental)

<sup>cell</sup>  
~~WORK~~ PHONE: 503 789 5056

3896 Oak Meadows Loop (New home move in Dec 27)

E-mail address: J.reardon8@comcast.net

Are you eligible to be a registered voter? yes

Do you live within the City limits? yes How long? 3 mos.

How long have you lived at the above address? 3 mos

Previous Address: 8125 SW Connermore Terr Beaverton How long? 20 yrs

Occupation: Retired Employer: Formerly - Washington Square  
<sup>OR</sup>

11/17/05  
(Date)

[Signature]  
Signature

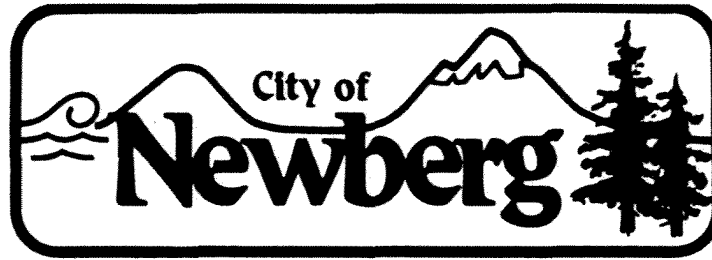
Why do you want this position? (Continue on back or separate sheet, if necessary)

I have many years of major budgeting experience  
as general manager of Washington Square Shopping  
Center in Tigard OR for over 20 years -  
I would like to participate in my new community

**RETURN THIS FORM TO THE OFFICE OF THE FINANCE DEPARTMENT  
401 E THIRD ST, OR MAIL TO PO BOX 970, NEWBERG OR 97132**

City Manager  
(503) 538-9421

City Attorney  
(503) 537-1206



PO Box 970  
Newberg, Oregon 97132

## **NEWS RELEASE**

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401 East Third Street  
Newberg, OR 97132

November 8, 2004

Contact: Kathy Tri  
Finance Director

For Immediate Release

### **SUBJECT: Budget Committee Openings**

The City of Newberg is seeking applications for the Budget Committee to serve a three-year term. The Budget Committee is responsible for reviewing the proposed City budget presented by the City Manager and making recommendations to the City Council. Generally, 4-5 meetings are held in April and May and occasionally, there are other meetings in January or February.

If you wish to participate on the Budget Committee, please contact Kathy Tri at 503-537-1216 or Becky Green at 503-537-1261 for an application or go on line to the City's web site: [www.ci.newberg.or.us](http://www.ci.newberg.or.us). A completed application must be submitted by 5:00 p.m., Thursday, November 17, 2005. The City Council will be filling this position as its December 5, 2005 meeting. Applicants should plan on attending the Council meeting.

● CITY MANAGER'S OFFICE: e-mail: [nctymgr@ci.newberg.or.us](mailto:nctymgr@ci.newberg.or.us)  
● FINANCE: 537-1201; Fax: 538-5393; e-mail: [nfin@ci.newberg.or.us](mailto:nfin@ci.newberg.or.us)  
Building: 537-1240 ● Community Development: 537-1240 ● Fire: 537-1230 ● Police: 538-8321  
Library: 538-7323 ● Municipal Court: 537-1203 ● Public Works: 537-1233 ● Utility Billing: 537-1205  
● Community Development Fax: 537-1272 ● Library Fax: 538-9720

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

# REQUEST FOR COUNCIL ACTION

**DATE ACTION REQUESTED: 2005, December 5**

Ordinance XX      Resolution          Motion          Information  
 No. 2005-2624

<p style="text-align: center;">Date Submitted: November 9, 2005</p> <p><b>SUBJECT: Northwest Natural Franchise Amendment</b></p>	<p>Contact Person (Preparer) for this Ordinance: <b>Kathy Tri, Finance Director</b></p> <p>Dept.:</p> <p>File No.: <small>(if applicable)</small></p>
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**HEARING TYPE:** *(if applicable)*          Quasi-Judicial      X Legislative

**RECOMMENDATION:**

Adopt **Ordinance No. 2005-2624** amending Ordinance No. 96-2432, an ordinance granting a non-exclusive gas utility franchise to Northwest Natural Gas (NWNG), increasing the franchise fee.

**BACKGROUND:**

1. In February 1996, the City passed Ordinance No. 96-2432 granting Northwest Natural Gas a twenty-year franchise. Section 12 (1) of the franchise agreement requires a franchise fee payment of 3% of gross revenues earned, as defined in the ordinance. The franchise states “upon **30 days prior written notice** by either party to the other, the amount of such annual compensation shall be subject to renegotiation and re-determination at or before the expiration of the first, second and third successive five-year period.” The next deadline for making a change to the franchise fee is January 5, 2006 (to be effective February 5, 2006).
  
2. The City conducted a franchise compliance review to examine the NWNG franchise fee payment process in order to determine if their payments were accurate. We tested addresses and payment computations. The audit found few discrepancies. NWNG has agreed with the findings. The summary of the report was provided to the City Council at its October 17, 2005 meeting.
  
3. One of the report recommendations was to increase the franchise fee to be equal to the highest such fee negotiated by other Oregon cities, which is presently 5.94%. It is not unusual to renegotiate the franchise fee during the term of the agreement. A number of Portland area cities have negotiated a franchise fee with NWNG of 5.94%. The Council discussed this recommendation at its October 17<sup>th</sup> meeting. A number of ideas were discussed.

There are two questions for the City Council to consider:

**Question #1: Does the City wish to diversify and increase General Fund revenues?**

This is the key question in this staff proposal. If the City Council wishes to maintain the current franchise fee structure, then there is no need to change the Northwest Natural franchise fee.

However if the City Council is interested in diversifying the General Fund's revenue base to better address service issues in a growing community, then at this time they have an opportunity to increase the franchise fee for Northwest Natural. This franchise fee increase would indirectly increase costs for all Newberg Northwest Natural customers. The increase would vary by the amount of gas each customer uses. For the City, it would equal approximately **\$370** annually. This cost is spread among all the City operating funds.

Currently, property taxes, franchise fees and room taxes account for 63% of General Fund current revenues and property taxes account for 50% of General Fund current revenues. Franchise revenue accounts for 12% of current revenues with 7% of that coming from PGE and 1% from Northwest Natural.

**Question #2: How much should the Northwest Natural franchise fee be increased?**

Staff proposed increasing the Northwest Natural franchise fee from 3% to 5.94% in the February 2006 opener or by approximately \$100,000 (based on their March 2005 payment). In 2005 the City received \$169,330 from the PGE 1.5% privilege tax. In researching the PGE privilege tax, the percentage is set forth in the franchise (Ordinance No. 92-2348 (10)(i)). The next opener in the PGE franchise is in 2007. The City can either invoke or revoke the 1.5% privilege tax but it cannot change the percentage at this time.

If the City Council wishes to equalize the franchise fee between PGE and Northwest Natural, it could add a 1.5% franchise fee on to the existing 3%. The increased revenue would be approximately \$56,000. A League of Oregon Cities franchise fee survey is attached, showing that many cities in the state have gas franchises above the 3% allowed by the PUC without billing the additional amount back to the customer.

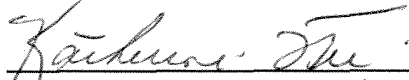
The staff recommends that, if the City Council accepts the staff recommendation to increase the franchise fee, the additional revenue be dedicated to public safety. As the Council will recall, in January 2006 the City is "opening" Fire Station 21 on a full time basis. Having this additional revenue for 2006-07 and beyond will help the budget absorb the additional full time costs of opening the station.

**FISCAL IMPACT:** It is estimated that an increase in the franchise fee from 3% to 5.94% could raise about \$111,000 annually in additional revenue. An increase of the franchise fee from 3% to 4.5% would raise about \$56,000. These amounts will be affected by the growth in customers and utility rate increases.


The direct impact to the City's budget would be approximately \$370.00.

**STRATEGIC ASSESSMENT:** It is critical to maintain sufficient funding to provide public safety on a long term, stable basis.

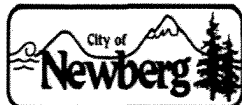
SUBMITTED BY:

  
\_\_\_\_\_  
Katherine L. Tri, Finance Director

APPROVED BY:

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

Attachments: Ordinance No. 96-2432  
LOC Survey of Gas Franchise Fees



## ORDINANCE NO. 2005-2624

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**AN ORDINANCE AMENDING ORDINANCE NO. 1996-2432,  
GRANTING A NON-EXCLUSIVE GAS UTILITY FRANCHISE TO  
NORTHWEST NATURAL GAS COMPANY AND FIXING TERMS,  
CONDITIONS, AND COMPENSATION OF SUCH FRANCHISE**

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### RECITALS:

1. The City of Newberg and Northwest Natural Gas Company agreed to a twenty-year franchise in February 1996.
2. In 2005 the City performed an audit of the franchisee with regard to addressing and payment process to ensure that the franchisee fairly and reasonably complied with the franchise for the calendar year 2003.
3. The current franchise fee is set out in Section 12 of Ordinance No. 96-2432 and is 3% of gross revenues. The City received over \$105,000 in fiscal year 2004-05.
4. The franchise allows for renegotiation and re-determination at or before the expiration of the first, second and third successive five-year period. The franchise is nearing the expiration of the second successive five-year period.

### THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. Section 12 (1) (Compensation) shall be amended as follows:

“As compensation for the franchise granted by this ordinance, the Grantee shall pay to the City an amount equal to 5.94% of gross revenues collected by the Grantee from its customers for natural gas consumed within the City.”

2. The franchisee shall change the compensation rate effective February 1, 2006.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: December 7, 2005.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this December 7, 2005, by the following votes:

**AYE:**            **NAY:**                    **ABSENT:**                    **ABSTAIN:**

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

**ATTEST** by the Mayor this \_\_\_\_\_ day of December, 2005.

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

## NATURAL GAS FRANCHISE/LICENSE FEE RATES & REVENUE

City	Natural Gas Provider	Fee/Tax Type	Fee/Tax Rate (%)	Fee/Tax Revenue (\$)		
				2003-04	2002-03	2001-02
Albany	Northwest Natural Gas	Privilege Tax	5	564,468	492,363	591,204
	Wasatch Energy	Privilege Tax	5	11,568	10,926	N/A
Ashland	Avista Corporation	Franchise Fee	5	303,940	205,318	237,154
Astoria	Northwest Natural Gas	Franchise Fee	3	94,117	90,178	84,061
Aumsville	Northwest Natural Gas	Franchise Fee	7**	18,878*	8,489	7,271
Beaverton	Northwest Natural Gas	Franchise Fee	3	586,364	538,602	604,575
Bend	Cascade Natural Gas	Franchise Fee	4.5	828,713	790,838	767,231
Boardman	Cascade Natural Gas	Franchise Fee	3	5,744	5,501	6,710
Brownsville	Northwest Natural Gas	Franchise Fee	3	7,283	8,072	7,828
Canby	Northwest Natural Gas	Franchise Fee	5	95,668	102,904	86,709
Cannon Beach	Northwest Natural Gas	Franchise Fee	Not Available	28,997	31,144	28,959
Clatskanie	Northwest Natural Gas	Franchise Fee	3	4,248	4,383	4,293
Columbia City	Northwest Natural Gas	Franchise Fee	5	4,005*	9,458	10,678
Corvallis	Northwest Natural Gas	Franchise Fee	5	555,899	513,349	620,328
Cottage Grove	Northwest Natural Gas	Franchise Fee	3	56,089	53,408	58,523
Depoe Bay	Northwest Natural Gas	Franchise Fee	3	13,937	14,414	13,006
Dundee	Northwest Natural Gas	Franchise Fee	3	15,242	15,331	13,966
Durham	Northwest Natural Gas	Franchise Fee	5.94	19,680	22,182	21,492
Elgin	Avista Corporation	Franchise Fee	5	21,800	42,800	26,100
Eugene	IGI (gas marketer)	Franchise Fee	5	Under Litigation		
	Northwest Natural Gas	Franchise Fee	5	1,244,372	1,152,359	1,292,099
Fairview	Northwest Natural Gas	Franchise Fee	5.94	71,637	79,287	71,669
Gladstone	Northwest Natural Gas	Franchise Fee	3	58,953	65,056	63,708

\* Fee increased from previous year

\*\* 5% Franchise Fee plus a 2% Administrative Fee

City	Natural Gas Provider	Fee/Tax Type	Fee/Tax Rate (%)	Fee/Tax Revenue (\$)		
				2003-04	2002-03	2001-02
Glendale	Avista Corporation	Franchise Fee	3	3,117	4,022	5,823
Grants Pass	Avista Corporation	Franchise Fee	5	323,949	195,074	380,640
Gresham	Northwest Natural Gas	Utility License	5	559,638	620,266	697,231
Halsey	Northwest Natural Gas	Franchise Fee	5	5,599*	5,979	6,358
Hermiston	Cascade Natural Gas	Franchise Fee	3	0	189,500	86,900
Island City	Avista Corporation	Franchise Fee	5	14,760	15,302	18,449
Jacksonville	WP Natural Gas	Franchise Fee	5	25,307	Not Available	Not Available
Jefferson	Northwest Natural Gas	Franchise Fee	3	6,972	7,431	7,290
La Grande	Avista Corporation	Franchise Fee	5	207,000	188,044	239,126
Lafayette	Northwest Natural Gas	Franchise Fee	3	7,735	7,707	6,723
Lincoln City	Northwest Natural Gas	Privilege Tax	3	76,783	73,993	80,646
Lyons	Northwest Natural Gas	Franchise Fee	3	5,427	4,933	5,068
Madras	Cascade Natural Gas	Franchise Fee	4.5	67,333	41,685	32,997
Malin	WA Water Power Co.	Franchise Fee	3	2,586	3,783	Not Available
Medford	Avista Corporation	Franchise Fee	5	870,000	835,000	860,000
Mill City	Northwest Natural Gas	Franchise Fee	3	7,792	8,786	8,116
Millersburg	Northwest Natural Gas	Franchise Fee	5	12,672	34,766	63,385
Milwaukie	Northwest Natural Gas	Franchise Fee	5	220,767*	151,407	167,034
Mt. Angel	Northwest Natural Gas	Franchise Fee	5	34,359	37,436	34,121
Myrtle Point	Northwest Natural Gas	Franchise Fee	5	No revenue to date; lines just installed.		
Pendleton	Cascade Natural Gas	Franchise Fee	5	264,299	252,991	240,666
Philomath	Northwest Natural Gas	Franchise Fee	5	18,844*	20,201	25,751
Pilot Rock	Cascade Natural Gas	Franchise Fee	3.5	60,035	46,079	27,253
Portland	Northwest Natural Gas	Franchise Fee	5	7,742,777	6,728,562	8,034,193
Prineville	Cascade Natural Gas	Franchise Fee	5	93,330	96,300	90,922

\* Fee increased from previous year

City	Natural Gas Provider	Fee/Tax Type	Fee/Tax Rate (%)	Fee/Tax Revenue (\$)		
				2003-04	2002-03	2001-02
Redmond	Cascade Natural Gas	Franchise Fee	5	223,526	207,800	187,234
Riddle	Avista Corporation	Franchise Fee	3	5,468	5,459	7,165
Rogue River	Avista Corporation	Franchise Fee	5	9,831*	16,293	8,166
Roseburg	Avista Corporation	Franchise Fee	5	212,745	207,100	269,090
Salem	Northwest Natural Gas	Franchise Fee	5	1,694,255	1,707,459	Not Available
Sandy	Northwest Natural Gas	Franchise Fee	3	47,494	48,267	41,619
Scio	Northwest Natural Gas	Franchise Fee	3	4,146	4,624	4,815
Silverton	Northwest Natural Gas	Franchise Fee	5	79,565	63,575	68,167
Springfield	Northwest Natural Gas	Franchise Fee	5	317,832	272,072	329,315
St. Helens	Northwest Natural Gas	Franchise Fee	5	157,456	158,662	129,738
Stayton	Northwest Natural Gas	Franchise Fee	5	90,536*	51,770	67,336
Sweet Home	Northwest Natural Gas	Franchise Fee	5	73,781	70,115	71,901
Talent	Avista Corporation	Franchise Fee	5	27,137	24,885	32,125
The Dalles	Northwest Natural Gas	Franchise Fee	3.25	70,533	67,469	73,531
Tigard	Northwest Natural Gas	Franchise Fee	3	345,213	386,921	374,676
Troutdale	Northwest Natural Gas	Franchise Fee	5.94	210,895*	191,583	328,995
Umatilla	Cascade Natural Gas	Franchise Fee	3	33,306	39,628	22,095
Union	Avista Corporation	Franchise Fee	4	20,770	20,807	29,689
Warrenton	Northwest Natural Gas	Franchise Fee	3	32,038	38,912	41,652
Weston	Cascade Natural Gas	Franchise Fee	3	3,353	4,798	4,469
Wilsonville	Northwest Natural Gas	Franchise Fee	5	225,658	251,016	232,649
Wood Village	Northwest Natural Gas	Franchise Fee Privilege Tax	3 2.94	24,467 (combined)	26,168 (combined)	23,903 (combined)
Woodburn	Northwest Natural Gas	Franchise Fee Privilege Tax	3 2	118,552 Not Available	128,798 Not Available	112,220 74,813

\* Fee increased from previous year

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# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: 2005, December 5

Ordinance XX Resolution \_\_\_ Motion \_\_\_ Information  
No. 2005-2627

Date Submitted: November 9, 2005	Contact Person (Preparer) for this Ordinance: Kathy Tri, Finance Director
<b>SUBJECT: Citizen Rate Review Committee Membership</b>	Dept.:
	File No.: <small>(if applicable)</small>

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

## RECOMMENDATION:

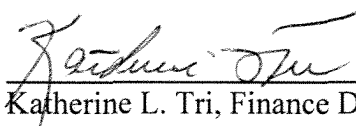
Adopt **Ordinance No. 2005-2627** amending City Code Section 32.72, Membership of the Citizens Rate Review Committee.

## BACKGROUND:

1. The Citizens Rate Review Committee was established in 1992 and consists of 8 citizens plus the Mayor who is ex officio.
2. It has been a struggle to get a full complement of eight committee members. For example, staff has been advertising in the Graphic for over a year to fill vacancies.
3. There are currently two members who have asked to discontinue membership on the committee (Lon Wall and Blane Hansen).
4. It is a good time to evaluate the size of the committee. Staff discussed this with the current Citizens Rate Review Committee. They recommend reducing the size of the Citizens Rate Review Committee from eight citizens to seven. They also promised to find some applicants.

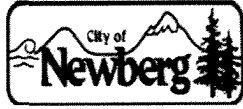
**FISCAL IMPACT:** none

SUBMITTED BY:

  
Katherine L. Tri, Finance Director

APPROVED BY:

  
James H. Bennett, City Manager



**ORDINANCE No. 2005-2627**

**AN ORDINANCE AMENDING CITY CODE SECTION 32.72,  
MEMBERSHIP OF THE CITIZENS RATE REVIEW COMMITTEE**

**RECITALS:**

1. A Citizens Rate Review Committee was established in 1992 and is to consist of nine members, eight of which are to be residents of the city and the mayor who serves ex officio.
2. Since 2003 an insufficient number of citizens have applied to fill vacancies on the committee

**THE CITY OF NEWBERG ORDAINS AS FOLLOWS:**

1. Section 32.72 of the Newberg City Code shall be amended to reduce the size of the Citizens Rate Review Committee from eight citizens to six citizens:

“The Committee shall consist of seven members. Six members shall be residents of the city and the seventh member shall be the Mayor who shall serve as an ex-officio non-voting member.”

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: January 5, 2006.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 5<sup>th</sup> day of December, 2005, by the following votes:

**AYE:**                      **NAY:**                      **ABSENT:**                      **ABSTAIN:**

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

**ATTEST** by the Mayor this \_\_\_\_\_ day of December, 2005.

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

**LEGISLATIVE HISTORY**

By and through \_\_\_\_\_ Committee at \_\_\_ / \_\_\_ /200x meeting. Or,  X  None.

obligation to return such material to the library. Person must be notified by certified mail ten days prior to citation being issued.  
(Ord. 97-2481, passed 7-7-97)

### ***CITIZENS RATE REVIEW COMMITTEE***

#### **§ 32.70 ESTABLISHED.**

There is established a Citizens Rate Review Committee ("Committee") for the City of Newberg, Oregon.  
(Ord. 95-2418, passed 10-2-95; Am. Ord. 2003-2585, passed 7-21-03)

#### **§ 32.71 POWERS AND DUTIES.**

The Committee shall consider the rates for the city sewer and water systems, the amount of the storm water maintenance fee, and other rates and/or fees, at the request of and as assigned by the City of Newberg City Council. The Committee shall hold public hearings, make recommendations to the City Council regarding the establishment of the rates and fees, reconsider rates and fees that are proposed to be established by the City Council, when referred to them for reconsideration, and make other recommendations concerning the operation, maintenance and construction of the sewer and water systems, storm water system, and other systems of the city. Such recommendations shall be accompanied by statements of facts as a basis for such recommendation. The Committee, once assigned the responsibility for reviewing the rates and fees, may structure the review process as necessary to offer a recommendation to the City Council. The Committee shall further have the powers and duties which may hereinafter be assigned to it by the City Council.  
(Ord. 95-2418, passed 10-2-95; Am. Ord. 2003-2585, passed 7-21-03)

#### **§ 32.72 MEMBERSHIP.**

The Committee shall consist of nine members. Eight members shall be residents of the city and the ninth member shall be the Mayor who shall serve as an ex-officio non-voting member.  
(Ord. 95-2418, passed 10-2-95; Am. Ord. 2003-2585, passed 7-21-03)

#### **§ 32.73 TERMS OF OFFICE AND APPOINTMENT.**

(A) Members of the Committee shall be appointed by the City Council for a term of three years from the first calendar day of the year. The appointment of some members shall be, other than specified terms, in order to establish an approximately equal expiration of terms each year. Members of the Committee shall continue after expiration of their term until such time as their successors are appointed. The term of each member shall continue until such time as their successors are appointed.

(B) At the first meeting after the adoption of this subchapter by the City Council, the Committee shall determine by vote the terms of the Committee members. Three members shall serve for one year, two members for two years, and three members for three years. All terms will expire as of December 31 of each year except for the first December 31 date following the original appointment of the Committee. Committee members may be reappointed to serve a full three-year term or additional three-year terms without limit.  
(Ord. 95-2418, passed 10-2-95; Am. Ord. 2003-2585, passed 7-21-03)

#### **§ 32.74 APPLICATION AND QUALIFICATIONS.**

(A) The city shall give public notice of any vacancy of the Committee and accept such applications for vacancies.

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# REQUEST FOR COUNCIL ACTION

**DATE ACTION REQUESTED: 2005, December 5**

<b>Ordinance <u>XX</u></b>	<b>Resolution <u>   </u></b>	<b>Motion <u>   </u></b>	<b>Information</b>
<b>No. 2005-2628</b>	<b>No.</b>		

<p style="text-align: center;">Date Submitted: November 19, 2005</p> <p><b>SUBJECT: Ordinance relating to parking in and maintenance of planter strips</b></p>	<p>Contact Person (Preparer) for this Resolution: <u>Barton Brierley, AICP</u></p> <hr/> <p>Dept.: <u>Planning and Building</u></p> <hr/> <p>File No.: <u>DCA-05-02</u> <small>(if applicable)</small></p>
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**HEARING TYPE:** *(if applicable)*        **Quasi-Judicial**      x   **Legislative**

**RECOMMENDATION:**

Adopt **Ordinance No. 2005-2628**, adopting rules relating to parking in and maintenance of planter strips.

**BACKGROUND:**

1. The strip of land between the sidewalk and the curb (the “planter strip”) is public right-of-way generally used for plantings, including street trees. These areas serve to beautify the City. They also serve practical functions of separating pedestrians from the roadway and providing an area for certain objects such as fire hydrants, mail boxes, and utility vaults.
  
2. In some areas of the City, people have parked vehicles in the planter strip. Some, including the Planning Commission, have raised concerns that this detracts from the aesthetics of the street.
  
3. While current ordinances generally prohibit using the planter strip as a parking area, they are not worded clearly enough to make them easy to enforce. The attached ordinance would make it explicit that parking in the planter strip is not allowed.
  
4. While it is generally understood that the abutting property owner is responsible for maintenance of the planter strip, the code is not explicit in this regard. In some cases, the planter strips have become overrun with weeds and otherwise unsightly. The proposed ordinance would make the code explicit that the abutting property owner is required to maintain the planter strip area. It would allow the City to bill or lien the adjoining property if the City has to maintain the area.
  
5. The City Code generally requires a permit to perform any work in the public right-of-way, and the City does require such a permit prior to removal of trees. However, the Code could be more specific that removal of trees requires a permit. The attached ordinance

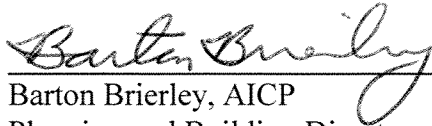
would make this specific.

**FISCAL IMPACT:** No direct impact. Enforcement of the ordinance will depend on resources dedicated. Some costs could be recovered by through the lien provisions.

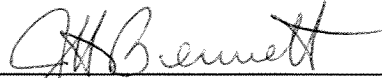
**STRATEGIC ASSESSMENT:** This ordinance will help maintain the attractiveness of the city.

SUBMITTED BY:

APPROVED BY:



Barton Brierley, AICP  
Planning and Building Director



James H. Bennett  
City Manager

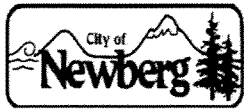
Attachments:

Ordinance 2005-2628

Report to Planning Commission with attachments:

- A. Newberg Code § 72.02: Prohibited Parking and Standing
- B. ORS 811.550: Places where stopping, standing, and parking prohibited
- C. Newberg Development Code § 151.615: Parking Area and Service Drive Improvements
- D. Newberg Code § 96.5: Merchandise on Sidewalks or Parking Strips
- E. Photos

Planning Commission minutes August 11, 2005



## ORDINANCE NO. 2005-2628

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### AN ORDINANCE RELATING TO PARKING IN AND MAINTENANCE OF PLANTER STRIPS

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#### RECITALS:

1. Planter strips contribute to the beauty and character of the city.
2. Planter strips have been inappropriately used as parking areas.
3. Planter strips should be maintained by the adjoining property owners.
4. This ordinance is needed to insure proper maintenance of planter strips.

#### THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

##### **Section 1: Newberg Code § 72.02 *PROHIBITED PARKING AND STANDING* shall be amended as follows:**

*(A) Certain sections of the Oregon Vehicle Code, O.R.S. 811.550 - 811.585, and 811.615 are hereby adopted by the city, and any violation of these provisions of the Oregon Revised Statutes shall be an offense enforceable pursuant to Uniform Civil Infraction Procedures for violations of ordinances. In addition to these provisions of the Oregon Vehicle Code dealing with parking, stopping and standing, no person shall park or stand:*

[no change in (1) through (6)]

*(7) in the area between the curb and sidewalk, or if there is no sidewalk, in the public right-of-way between the curb and the property line, except in areas authorized by the Traffic Safety Commission.*

##### **Section 2: Newberg Development Code § 151.615 *PARKING AREA AND SERVICE DRIVE IMPROVEMENTS*, shall be amended as follows:**

*All public or private parking areas, outdoor vehicle sales areas, and service drives shall be improved according to the following:*

[no change in (A)]

*(B) All parking areas shall be designed not to encroach on public streets, alleys, and other right-of-ways. Parking areas shall not be placed in the area between the curb and sidewalk.*

or if there is no sidewalk, in the public right-of-way between the curb and the property line. The Director may issue a permit for exceptions for unusual circumstances where the design maintains safety and aesthetics.

[reletter remainder as needed]

Section 3: **Add the following all Section 96.60 to 96.61 of the Newberg Code:**

**MAINTENANCE OF PLANTER STRIPS, LANDSCAPING, AND TREES IN THE RIGHT-OF-WAY**

§ 96.60 Required Maintenance of Planter Strips

(A) Planter strips are defined as the area between the curb and sidewalk, between the sidewalk and property line, or between the edge of the street and property line that contain or are designed to contain landscaping or plant materials. Roadside ditches are generally not considered planter strips.

(B) It shall be the duty of the owners of land adjoining any street or highway within the city to maintain planter strips adjoining their properties. Maintenance shall include, but not be limited to, removing or cutting weeds so the area is not overgrown, mowing grasses to a height of no more than nine inches, irrigating as necessary to establish new plantings, removing dead plants, pruning trees and shrubs to keep them healthy and to keep sidewalks and streets clear from obstruction, and removing litter.

(C) If the owner of such land adjoining any street or highway in the city shall fail to adequately maintain the planter strip, a designated City employee shall notify the adjoining property owner of the need to maintain the area. Notice may be mailed or personally delivered and shall describe the required time frame to complete the maintenance. If the owner fails to maintain the area within the time frame noted, the City may perform the required maintenance, bill the owner for the maintenance costs and assess a lien on the property for any unpaid maintenance costs.

§96.61 Tree Removal and Pruning

(A) All street trees that were required to be installed under a street tree plan or similar requirement shall be maintained in a healthy condition by the adjoining property owner, or replaced with a tree consistent with any approved street tree plan for the area or, if none, with another tree from the city's approved street tree list.

(B) No person shall remove any tree greater than two inches diameter from the public right-of-way without first obtaining a permit from the City to do so, except as noted below.

(C) Because mature, healthy trees contribute significantly to the beauty and character of the community, city staff generally will not issue a permit to remove a street tree greater than eight-inches diameter unless the tree is a diseased, rotten, dead or dying, significantly misshapen, an obstruction, or otherwise a hazard. The designated staff person may require a report from a

certified arborist to verify the tree's condition before removal.

(D) No person shall top or severely prune a tree greater than two inches diameter in the right-of-way without first obtaining a permit from the City to do so, except where such pruning is required by city ordinances or requested by the city, such as to maintain clearances from sidewalks, street signs, streets, or alleys. Severe pruning is defined as severing the trunk, or cutting back the trunk or a limb larger than four inches in diameter to a stub. The designated staff person may issue a permit to prune a tree to remove trees, limbs or roots which are dead, to remove trees, limbs or roots which have been severely damaged by storms or other causes or which otherwise pose a danger to the public health, safety or general welfare, to alter the shape of trees located under utility wires or other obstructions where other pruning practices are impractical, or to maintain the health and overall attractive shape of the tree. The designated staff person may require that the pruning be done by or under supervision of a certified arborist.

(E) The designated staff person may require that the tree removed be replaced with a tree in accordance with an approved street tree plan or from the city's approved street tree list.

(F) The above requirements do not apply to tree pruning or removal by city staff or agents. They also do not apply public utility agencies or their agents pruning or removing trees as necessary to comply with applicable utility clearance standards. They do not apply in emergency circumstances.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: January 4, 2006.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 5th day of December, 2005, by the following votes:

**AYE:**            **NAY:**            **ABSENT:**            **ABSTAIN:**

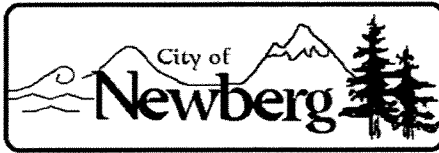
\_\_\_\_\_  
James H. Bennett, City Recorder

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

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

**LEGISLATIVE HISTORY**

By and through Planning Commission at 8 /11 /2005 meeting. Or, None.  
(committee name) (date) (check if applicable)



## PLANNING COMMISSION MINUTES

August 11, 2005

7:00 p.m. Regular Meeting  
Newberg Public Safety Building  
401 E. Third Street

*EXCERPT*

### I. ROLL CALL:

Present:	Louis Larson	Devorah Overbay	Chair Smith
	Cathy Stuhr	Nick Tri	
Absent:	Daniel Foster Matson Haug		
Staff Present:	Barton Brierley, Planning and Building Director Harper Kalin, Assistant Planner David King, Recording Secretary		

### VIII. WORKSHOP: Planter Strips: Parking and Maintenance (see pages P145ff of packet)

**Barton Brierley** mentioned that since the commission asked for an investigation on the planter strips, the discussion is being held with City Council as well. The pros of planter strips include: People walk further from the street, and there is room for trees, mailboxes, and street signs, and they are aesthetically pleasing. The cons: Some people use them for parking spots, and there is additional maintenance involved. Furthermore, the difference between planter strips and street shoulder is not always clear. Mr. Brierley illustrated all of his points with a PowerPoint presentation of pictures taken from around Newberg (see pages P157 - 161). Key findings are that current city ordinance is not clear on who maintains planter strips (especially with those where the resident has not access to the strip), where a shoulder ends and planter strip begins, and where can people park who live on a street with no curb side parking. Mr. Brierley did add that 90 - 95% of planter strips are well maintained by citizens.

The planning commission is being asked to consider the draft listed on P146.

**Commissioner Overbay** wondered who would maintain the landscaping with the proposed roundabout. Barton Brierley was not sure but would investigate the issue.

She also thought that the requirement of a gate might be intrusive. It was then suggested that it only apply to new construction. Barton Brierley wasn't planning to retroactively make homeowners comply.

Discussion pursued on how to balance the city getting involved with planter strip maintenance versus getting

End of Side A, Tape 2

homeowners to comply to an acceptable agreed-upon standard.

**Barton Brierley** summarized that the commissioners accept the draft, with exception of the requirement of the backyard fence gate to gain access to the planter strips, and that some further investigation should be pursued in getting landowners to comply or pay a service fee (as opposed to a fine) for others to do it for them.

**Commissioner Stuhr** asked how a developer initiates a homeowners association with dues. **Commissioner Overbay** answered how it worked in her neighborhood. Then **Commissioner Larson** asked how the City of Newberg will be able to maintain a worthy standard when it barely maintains its own property.

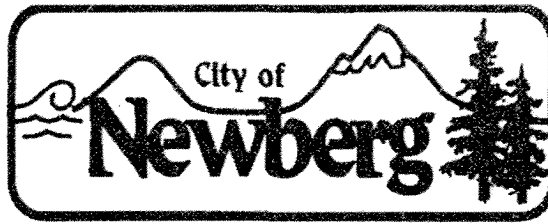
**Barton Brierley** pointed out that the draft has a maintenance standard level built in. It is basically to control nuisances, not to make sure it is highly maintained. (see P147).

**Stuhr** motioned the draft proposal with the exclusion of gates, and Larson seconded the motion.

**Vote on planter strips draft changes to Development Code: (5 Yes/0 No, Foster, Haug absent)**

**Chair Smith** asked for further staff investigation on service fees for planter strip maintenance.

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



City Manager  
(503) 538-9421  
(503) 538-5013 FAX

## Planning and Building Department

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P.O. Box 970 • 414 E. First Street • Newberg, Oregon 97132 • (503) 537-1240 • Fax (503) 537-1272

**TO:** Newberg Planning Commission  
**FROM:** Barton Brierley, AICP  
Planning and Building Director  
**RE:** Workshop on Parking in and maintenance of Planter Strips  
**DATE:** July 28, 2005

At your August 11, 2005 meeting, you will hold a workshop on parking in and maintenance of planter strips. The Planning Commission should review this item, and forward its report to the City Council for its consideration.

### **BACKGROUND:**

1. The strip of land between the sidewalk and the curb (the "planter strip") is public right-of-way generally used for plantings, including street trees. These areas serve to beautify the City. They also serve practical functions of separating pedestrians from the roadway and providing an area for certain objects such as fire hydrants, mail boxes, and utility vaults.
2. In some areas of the City, people have parked vehicles in the planter strip. Some, including the Planning Commission, have raised concerns that this detracts from the aesthetics of the street.
3. While current ordinances generally prohibit using the planter strip as a parking area, they are not worded clearly enough to make them easy to enforce. Below is a summary of existing laws:

*Newberg Code § 72.02: Prohibited Parking and Standing (Attachment A)*

This section indicates areas where parking is prohibited. It does not address parking in the planter strip. It does reference ORS 811.550.

*ORS 811.550: Places where stopping, standing, and parking prohibited (Attachment B)*

This prohibits parking on a sidewalk, and on a shoulder "unless a clear and unobstructed width of the roadway . . . is left . . ." It does not specifically address parking in planter strips.

*Newberg Development Code § 151.615 Parking Area and Service Drive Improvements(Attachment C)*

This requires parking areas to be paved. It also indicates that parking is not allowed in a "front yard" except as noted. Planter strips, however, are not technically "front yards."

*Newberg Code § 96.5, Merchandise on Sidewalks or Parking Strips (Attachment D)*

This prohibits placing merchandise on the sidewalk or planting strip.

4. To address this issue, the Planning Commission could recommend that the City Council do any or all of the following:

a. Amend Newberg Code § 72.02: *Prohibited Parking and Standing* to prohibit parking in the planter strip. This may include some exception provision. Possible language is as follows:

**§ 72.02 PROHIBITED PARKING AND STANDING.**

*(A) Certain sections of the Oregon Vehicle Code, O.R.S. 811.550 - 811.585, and 811.615 are hereby adopted by the city, and any violation of these provisions of the Oregon Revised Statutes shall be an offense enforceable pursuant to Uniform Civil Infraction Procedures for violations of ordinances. In addition to these provisions of the Oregon Vehicle Code dealing with parking, stopping and standing, no person shall park or stand:*

[no change in (1) through (6)]

**(7) in the area between the curb and sidewalk, or if there is no sidewalk, in the public right-of-way between the curb and the property line, except in areas authorized by the Traffic Safety Commission.**

b. Amend Newberg Development Code § 151.615 *Parking Area and Service Drive Improvement*, to more clearly prohibit parking in the planter strip. Possible language is as follows:

**§ 151.615 PARKING AREA AND SERVICE DRIVE IMPROVEMENTS.**

*All public or private parking areas, outdoor vehicle sales areas, and service drives shall be improved according to the following:*

[no change in (A)]

**(B) All parking areas shall be designed not to encroach on public streets, alleys, and other right-of-ways. Parking areas shall not be placed in the area between the curb and sidewalk, or if there is no sidewalk, in the public right-of-way between the curb and the property line. The Director may issue a permit for exceptions for unusual circumstances where the design maintains safety and aesthetics.**

[reletter remainder as needed]

5. In addition, the Planning Commission may want to address other issues associated with planter strips.

a. Maintenance: While it is generally understood that the abutting property owner is responsible for maintenance of the planter strip, the code is not explicit in this regard. Maintenance particularly has become an issue in areas where lots back up to a street, and the only access to the

property is over a large fence. Some possible measures could be:

i. Make the code explicit that the abutting property owner is required to maintain the planter strip area. Allow for the City to bill or lien the adjoining property if the City has to maintain the area.

ii. Require that a gate be placed in the fence for all through lots or double frontage lots. This would at least allow the abutting property owner to get through the fence to maintain the planter strip. This requirement might be waived if an adequate homeowner's association is formed to maintain the planter strip.

b. Tree removal. The City Code generally requires a permit to perform any work in the public right-of-way, and the City does require such a permit prior to removal of trees. However, the Code could be more specific that removal of trees requires a permit.

Possible language for the above items is as follows:

**Add the following Section to the Newberg Code:**

**MAINTENANCE OF PLANTER STRIPS, LANDSCAPING, AND TREES IN THE RIGHT-OF-WAY**

§ 96.60 Required Maintenance of Planter Strips

(A) Planter strips are defined as the area between the curb and sidewalk, between the sidewalk and property line, or between the edge of the street and property line that contain or are designed to contain landscaping or plant materials. Roadside ditches are generally not considered planter strips.

(A) It shall be the duty of the owners of land adjoining any street or highway within the city to maintain planter strips adjoining their properties. Maintenance shall include, but not be limited to, removing or cutting weeds so the area is not overgrown, mowing grasses to a height of no more than nine inches, irrigating as necessary to establish new plantings, removing dead plants, pruning trees and shrubs to keep them healthy and to keep sidewalks and streets clear from obstruction, and removing litter.

(B) If the owner of such land adjoining any street or highway in the city shall fail to adequately maintain the planter strip, a designated City employee shall notify the adjoining property owner of the need to maintain the area. Notice may be mailed or personally delivered and shall describe the required time frame to complete the maintenance. If the owner fails to maintain the area within the time frame noted, the City may perform the required maintenance, bill the owner for the maintenance costs and assess a lien on the property for any unpaid maintenance costs.

§96.61 Tree Removal and Pruning

(A) All street trees that were required to be installed under a street tree plan or similar requirement shall be maintained in a healthy condition by the adjoining property owner, or replaced with a tree consistent with any approved street tree plan for the area or, if none, with another tree

from the city's approved street tree list.

(B) No person shall remove any tree greater than two inches diameter from the public right-of-way without first obtaining a permit from the City to do so.

(C) Because mature, healthy trees contribute significantly to the beauty and character of the community, city staff generally will not issue a permit to remove a street tree greater than eight-inches diameter unless the tree is a diseased, rotten, dead or dying, significantly misshapen, an obstruction, or otherwise a hazard. The designated staff person may require a report from a certified arborist to verify the tree's condition before removal.

(D) No person shall top or severely prune a tree greater than two inches diameter in the right-of-way without first obtaining a permit from the City to do so, except where such pruning is required by city ordinances or requested by the city, such as to maintain clearances from sidewalks, street signs, streets, or alleys. Severe pruning is defined as severing the trunk, or cutting back the trunk or a limb larger than three inches in diameter to a stub. The designated staff person may issue a permit to prune a tree to remove trees, limbs or roots which are dead, to remove trees, limbs or roots which have been severely damaged by storms or other causes or which otherwise pose a danger to the public health, safety or general welfare, to alter the shape of trees located under utility wires or other obstructions where other pruning practices are impractical, or to maintain the health and overall attractive shape of the tree. The designated staff person may require that the pruning be done by or under supervision of a certified arborist.

(E) The designated staff person may require that the tree removed be replaced with a tree in accordance with an approved street tree plan or from the city's approved street tree list.

(F) The above requirements do not apply to tree pruning or removal by city staff or agents. They also do not apply public utility agencies or their agents pruning or removing trees as necessary to comply with applicable utility clearance standards. They do not apply in emergency circumstances.

**Add the following Newberg Development Code § 151.556 (D): Fences and walls:**

(D) Fences and walls.  
[(1) through (4) to remain unchanged]

(5) On a through lot, any fence over three feet high abutting a street shall include a gate or opening to allow maintenance of the area between the fence and the edge of the street. Such gate or opening is not required if a homeowner's association or other entity is responsible for and capable of maintaining that area.

[Note that the Development Code defines a "through lot" as: "A lot or development site other than a corner lot with frontage on more than one street. Through lots with frontage on two streets may be referred to as "double frontage" lots."]

Attachments:

A. Newberg Code § 72.02: Prohibited Parking and Standing

- B. ORS 811.550: Places where stopping, standing, and parking prohibited
- C. Newberg Development Code § 151.615: Parking Area and Service Drive Improvements
- D. Newberg Code § 96.5: Merchandise on Sidewalks or Parking Strips
- E. Photos

(C) The operator who first begins maneuvering his motor vehicle into a vacant parking space on a street shall have priority to park in that space, and no other vehicle operator shall attempt to deprive him of his priority or block his access.

(D) Whenever the operator of a vehicle discovers that his vehicle is parked close to a building to which the Fire Department has been summoned, he shall immediately remove the vehicle from the area, unless otherwise directed by police or fire officers. (Ord. 1593, passed 1-4-71) Penalty, see § 72.99

## § 72.02 PROHIBITED PARKING AND STANDING.

(A) Certain sections of the Oregon Vehicle Code, O.R.S. 811.550 - 811.585, and 811.615 are hereby adopted by the city, and any violation of these provisions of the Oregon Revised Statutes shall be an offense enforceable pursuant to Uniform Civil Infraction Procedures for violations of ordinances. In addition to these provisions of the Oregon Vehicle Code dealing with parking, stopping and standing, no person shall park or stand:

(1) A vehicle upon a bridge, viaduct or other elevated structure used as street or within a street tunnel unless authorized.

(2) A vehicle in an alley other than for the expeditious loading or unloading of persons or materials, but in no case for a period in excess of 30 consecutive minutes.

(3) A motor truck, as defined by O.R.S. 801.355, or a truck tractor, as defined by O.R.S. 801.575, or a truck trailer as defined by O.R.S. 801.580, on a street between the hours of 9:00 p.m. and 7:00 a.m. of the following day in front of or adjacent to a residence, motel, apartment house, hotel or other sleeping accommodation unless a revocable permit for a motor truck or a truck tractor (not a truck

trailer) is obtained from the City Police Department. The permit is only applicable to a motor truck or a truck tractor. A truck trailer is not eligible for a permit. The permit application shall be approved by the City Manager. The permit shall be for a 12-month period and may be renewed. In the event any complaint(s) is received from a resident or residents in the area of the parked truck or tractor, the city shall notify the permit holder of such complaints, give the permit holder a chance to respond to such complaints and after taking into consideration the complaints and response, the City Manager may revoke said permit. Such decision to revoke permit by the City Manager may be appealed within ten days to the City Council. During such appeal the permit shall remain revoked. (Am. Ord. 95-2407, passed 9-5-95)

(4) A vehicle in front of the entrance of any post office or other place where mail is received unless marked; or within ten feet of a mailbox, during the hours of 8:00 a.m. to 4:30 p.m. in any residential area.

(5) A vehicle in any clearly designated fire access lane or emergency access lane upon any property open to public travel. (Am. Ord. 89-2256, passed 1-3-89)

(6) A vehicle upon a parkway or freeway, except as authorized. (Am. Ord. 95-2417, passed 9-5-95)

(B) No operator shall park and no owner shall allow a vehicle to be parked upon a street for the principal purpose of:

(1) Displaying the vehicle for sale.

(2) Repairing or servicing the vehicle, except repairs necessitated by an emergency.

(3) Selling merchandise from the vehicle, except where authorized. (Ord. 1593, passed 1-4-71) Penalty, see § 72.99

# Attachment B

## PARKING, STOPPING AND STANDING (Generally)

**811.550 Places where stopping, standing and parking prohibited.** This section establishes places where stopping, standing and parking a vehicle are prohibited for purposes of the penalties under ORS 811.555. Except as provided under an exemption in ORS 811.560, a person is in violation of ORS 811.555 if a person parks, stops or leaves standing a vehicle in any of the following places:

(1) Upon a roadway outside a business district or residence district, whether attended or unattended, when it is practicable to stop, park or leave the vehicle standing off the roadway. Exemptions under ORS 811.560 (1), (7) and (9) are applicable to this subsection.

(2) On a shoulder, whether attended or unattended, unless a clear and unobstructed width of the roadway opposite the standing vehicle is left for the passage of other vehicles and the standing vehicle is visible from a distance of 200 feet in each direction upon the roadway or the person, at least 200 feet in each direction upon the roadway, warns approaching motorists of the standing vehicle by use of flaggers, flags, signs or other signals. Exemptions under ORS 811.560 (9) are applicable to this subsection.

(3) On the roadway side of a vehicle stopped or parked at the edge or curb of a highway. Exemptions under ORS 811.560 (7) are applicable to this subsection.

(4) On a sidewalk. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(5) Within an intersection. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(6) On a crosswalk. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(7) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs and markings. For purposes of this subsection the safety zone must be an area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(8) Alongside or opposite a street excavation or obstruction when stopping, standing or parking would obstruct traffic. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(9) Upon a bridge or other elevated structure upon a highway. Exemptions under ORS 811.560 (4) to (8) are applicable to this subsection.

(10) Within a highway tunnel. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(11) On any railroad or rail fixed guideway system tracks or within seven and one-half feet of the nearest rail at a time when the parking of vehicles would conflict with operations or repair of the tracks. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(12) On a throughway. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(13) In the area between roadways of a divided highway, including crossovers. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(14) At any place where traffic control devices prohibit stopping. Exemptions under ORS 811.560 (4) to (7) are applicable to this subsection.

(15) In front of a public or private driveway. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.

(16) Within 10 feet of a fire hydrant. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.

(17) Within 20 feet of a crosswalk at an intersection. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.

(18) Within 50 feet upon the approach to an official flashing signal, stop sign, yield sign or traffic control device located at the side of the roadway if the standing or parking of a vehicle will obstruct the view of any traffic control device located at the side of the roadway. Exemptions under ORS 811.560 (2)

and (4) to (7) are applicable to this subsection.

(19) Within 15 feet of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station, within 75 feet of the entrance. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.

(20) At any place where traffic control devices prohibit standing. Exemptions under ORS 811.560 (2) and (4) to (7) are applicable to this subsection.

(21) Within 50 feet of the nearest rail of a railroad or rail fixed guideway system crossing. Exemptions under ORS 811.560 (3) to (7) are applicable to this subsection.

(22) At any place where traffic control devices prohibit parking. Exemptions under ORS 811.560 (3) to (7) are applicable to this subsection.

(23) On a bicycle lane. Exemptions under ORS 811.560 are applicable to this subsection.

(24) On a bicycle path. Exemptions under ORS 811.560 are applicable to this subsection. [1983 c.338 §669; 1985 c.21 §1; 1985 c.334 §1; 1989 c.433 §2; 1997 c.249 §234; 2001 c.522 §9]

**811.555 Illegal stopping, standing or parking; affirmative defense; penalty.** (1) A person commits the offense of illegal stopping, standing or parking if:

(a) The person stops, parks or leaves standing a vehicle in a place where such stopping, parking or standing is prohibited under ORS 811.550; or

(b) The person is the owner of an unattended vehicle parked in a place where such parking is prohibited under ORS 811.550.

(2) Exemptions from this section are established under ORS 811.560.

(3) A police officer, under authority granted by ORS 810.430, may move or require to be moved a vehicle that is stopped, parked or left standing in violation of this section.

(4) It is an affirmative defense to a prosecution of the owner of a vehicle under subsection (1)(b) of this section that the use of the vehicle was not authorized by the owner, either expressly or by implication.

(5) The offense described by this section, illegal stopping, standing or parking, is a Class D traffic violation. [1983 c.338 §668; 1987 c.687 §4]

**811.560 Exemptions from prohibitions on stopping, standing and parking.** This section provides exemptions from ORS 811.550 and 811.555. The following exemptions are applicable as provided under ORS 811.550:

(1) When applicable, this subsection exempts school buses or worker transport buses stopped on a roadway to load or unload workers or children, providing that the flashing school bus safety lights on the bus are operating.

(2) When applicable, this subsection exempts vehicles stopped, standing or parked momentarily to pick up or discharge a passenger.

(3) When applicable, this subsection exempts vehicles stopped, standing or parked momentarily for the purpose of and while actually engaged in loading or unloading property or passengers.

(4) When applicable, this subsection exempts vehicles owned or operated by the state, a county or city when stopping, standing or parking is necessary to perform maintenance or repair work on the roadway.

(5) When applicable, this subsection exempts vehicles from the prohibitions and penalties when the driver's disregard of the prohibitions is necessary to avoid conflict with other traffic.

(6) When applicable, this subsection exempts vehicles acting in compliance with law or at the direction of a police officer or a traffic control device.

(7) When applicable, this subsection exempts the driver of a vehicle that is disabled in such manner and to such extent that the driver cannot avoid stopping or temporarily leaving the disabled vehicle in a prohibited position.

(8) When applicable, this subsection exempts vehicles owned or operated by the State Department of Fish and Wildlife when stopping, standing or parking is necessary to enable employees to release fish.

(9) When applicable, this subsection exempts vehicles momentarily stopped to allow oncoming traffic to pass before making a right-hand or left-hand turn or momentarily stopped in preparation for or while negotiating an exit from the road. [1983 c.338 §670; 1985 c.334 §2; 1989 c.433 §3]

**811.565 Dangerous movement of stopped, standing or parked vehicle; penalty.** (1) A person commits the offense of dangerous movement of a stopped, standing or parked vehicle if the person moves a vehicle so stopped, standing or parked when the movement cannot be made with reasonable safety.

(2) The offense described in this section, dangerous movement of a stopped, standing or parked vehicle, is a Class B traffic violation. [1983 c.338 §675; 1995 c.383 §80]

**811.570 Improperly positioning parallel parked vehicle; exception; affirmative defense; penalty.** (1) A person commits the offense of improperly positioning a parallel parked vehicle if:

(a) The person stops or parks a vehicle on a highway where parallel parking is permitted and the vehicle is not parked in accordance with the following:

(A) Upon a two-way highway, the vehicle shall be positioned so that the right-hand wheels are parallel to and within 12 inches of the right curb or, if none, as close as possible to the right edge of the right shoulder.

(B) On a one-way highway where parallel parking is permitted on either side, a vehicle parked or stopped on the right side shall be positioned in accordance with the requirements of subparagraph (A) of this paragraph and a vehicle parked or stopped on the left side shall be positioned so that the left-hand wheels are parallel to and within 12 inches of the left curb or, if none, as close as possible to the left edge of the left shoulder.

(C) Where marked parking spaces are provided, a vehicle shall be positioned so that it faces in the direction in which vehicles in the adjacent lane of the roadway are required to travel and so that the wheels are within the parking space markings which are parallel to the curb or, if none, to the edge of the shoulder; or

(b) The person is the owner of an unattended vehicle parked on a highway in violation of paragraph (a) of this subsection.

(2) The provisions of this section do not apply to the driver of a vehicle that is disabled in such manner and to such extent that the driver cannot avoid stopping or temporarily leaving the disabled vehicle in a position prohibited by this section.

(3) A police officer, under authority granted by ORS 810.430, may move or require to be moved a vehicle that is parked in violation of this section.

(4) It is an affirmative defense to a prosecution of the owner of a vehicle under subsection (1)(b) of this section that the use of the vehicle was not authorized by the owner, either expressly or by implication.

(5) The offense described in this section, improperly positioning a parallel parked vehicle, is a Class D traffic violation. [1983 c.338 §671; 1987 c.687 §5]

**811.575 Violation of posted parking restrictions on state highways; affirmative defense; penalty.** (1) A person commits the offense of violation of posted parking restrictions on state highways if appropriate signs or markings are posted giving notice of any regulations, restrictions or prohibitions on the parking, stopping or standing of vehicles on a state highway and:

(a) The person parks, stops or stands a vehicle on a state highway in violation of any such regulations, restrictions or prohibitions; or

(b) The person is the owner of an unattended vehicle parked on a state highway in violation of any such regulations, restrictions or prohibitions.

(2) Authority to impose restrictions, regulations and prohibitions on parking, stopping or standing of vehicles on state highways is established under ORS 810.160.

(3) It is an affirmative defense to a prosecution of the owner of a vehicle under subsection (1)(b) of

this section that the use of the vehicle was not authorized by the owner, either expressly or by implication.

(4) The offense described in this section, violation of posted parking restrictions on state highways, is a Class D traffic violation. [1983 c.338 §672; 1987 c.687 §6]

**811.580 Parking vehicle on state highway for vending purposes; penalty.** (1) A driver commits the offense of unlawful parking for vending purposes if the person parks or leaves standing a vehicle on a right of way of a state highway for the purpose of advertising, selling or offering merchandise for sale except pursuant to written agreement with the Department of Transportation.

(2) The offense described in this section, unlawful parking for vending purposes is a Class D traffic violation. [1983 c.338 §674]

**811.585 Failure to secure motor vehicle; affirmative defense; penalty.** (1) A person commits the offense of failure to secure a motor vehicle if the person is driving or is in charge of a motor vehicle and:

(a) The person permits the vehicle to stand unattended on a highway without first doing all of the following:

(A) Stopping the engine.

(B) Turning the front wheels to the curb or side of the highway when standing upon any grade.

(C) Locking the ignition.

(D) Removing the key from the ignition.

(E) Effectively setting the brake on the vehicle; or

(b) The person is the owner of an unattended motor vehicle parked on a highway in violation of paragraph (a) of this subsection.

(2) It is an affirmative defense to a prosecution of the owner of a vehicle under subsection (1)(b) of this section that the use of the vehicle was not authorized by the owner, either expressly or by implication.

(3) The offense described in this section, failure to secure a motor vehicle, is a Class D traffic violation. [1983 c.338 §676; 1985 c.16 §326; 1987 c.687 §7; 1995 c.383 §81]

## § 151.615 PARKING AREA AND SERVICE DRIVE IMPROVEMENTS.

All public or private parking areas, outdoor vehicle sales areas, and service drives shall be improved according to the following:

(A) All parking areas and service drives shall have surfacing of asphaltic concrete or portland cement concrete or other hard surfacing such as brick or concrete pavers. Other durable and dust-free surfacing materials may be approved by the Director for infrequently used parking areas. All parking areas and service drives shall be graded so as not to drain storm water over the public sidewalk or onto any abutting public or private property.

(B) All parking areas, except those required in conjunction with a single family or two family dwelling, shall provide a substantial bumper which will prevent cars from encroachment on abutting private and public property.

(C) All parking areas, including service drives, except those required in conjunction with single family or two family dwellings shall be screened in accordance with § 151.580(B).

(D) Any lights provided to illuminate any public or private parking area or vehicle sales area shall be so arranged as to reflect the light away from any abutting or adjacent residential district.

(E) All service drives and parking spaces shall be substantially marked and comply with § 151.616.

(F) Parking areas for residential uses shall not be located in a required front yard, except as follows:

(1) Attached or detached single family or two family - parking is authorized in a front yard on a service drive which provides access to an improved parking area outside the front yard.

(2) Three or four family - parking is authorized in a front yard on a service drive which is

adjacent to a door at least seven feet wide intended and used for entrance of a vehicle (Fig. 12).

(G) A reduction in size of the parking stall may be allowed for up to a maximum of 30% of the total number of spaces to allow for compact cars. For high turn-over uses, such as convenience stores or fast-food restaurants, at the discretion of the Director, all stalls will be required to be full-sized.

(Ord. 96-2451, passed 12-2-96; Am. Ord. 99-2505, passed 2-1-99) Penalty, see § 151.999

## § 151.616 PARKING TABLES AND DIAGRAMS.

The following tables provides the minimum dimensions of public or private parking areas:

[Tables on following pages]

**§ 96.56 CONSTRUCTION.**

Whenever during the course of the construction of any building or otherwise it shall become necessary for construction purposes or otherwise to use all or a part of said public street or alley adjoining said real property for said purposes, the contractor, owner, or person causing said public street or alley, or both to be so used shall obtain a permit authorizing him to do so. (Ord. 91-2310, passed 11-4-91) Penalty, see § 96.99

**§ 96.57 MERCHANDISE ON SIDEWALKS OR PARKING STRIPS.**

It shall be unlawful for any person, firm, or corporation to use either the sidewalks, or the land lying between the sidewalk line and the curb line known as a parking strip, for the purpose of displaying or storing wears, goods, or merchandise, or for any other commercial or other purposes without first obtaining a permit to do so. (Ord. 91-2310, passed 11-4-91) Penalty, see § 96.99

**§ 96.58 PERMITS.**

The City Manager or designee is authorized to issue a permit for the use of public right-of-way to place and maintain structures, for construction activities required to construct structures on private property, and for allowing merchandise on the sidewalk or parking strip with certain conditions as listed below:

(A) That the permit maybe revoked at any time by the City Manager or designee;

(B) That any structure, construction activity or other activity will not interfere with the public health and safety of the public;

(C) That the area will be maintained in a safe manner at all times;

(D) That the owner will hold the city harmless for any damage or injuries caused by the permitted use (proof of insurance may be required);

(E) That the permitted use will be for a specific time period as stated in the permit;

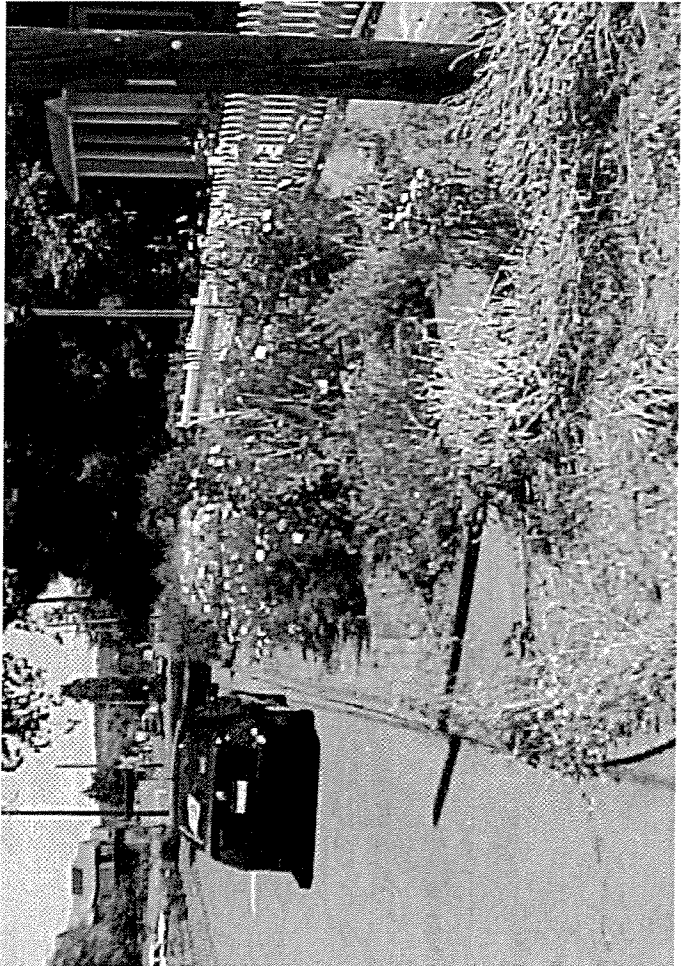
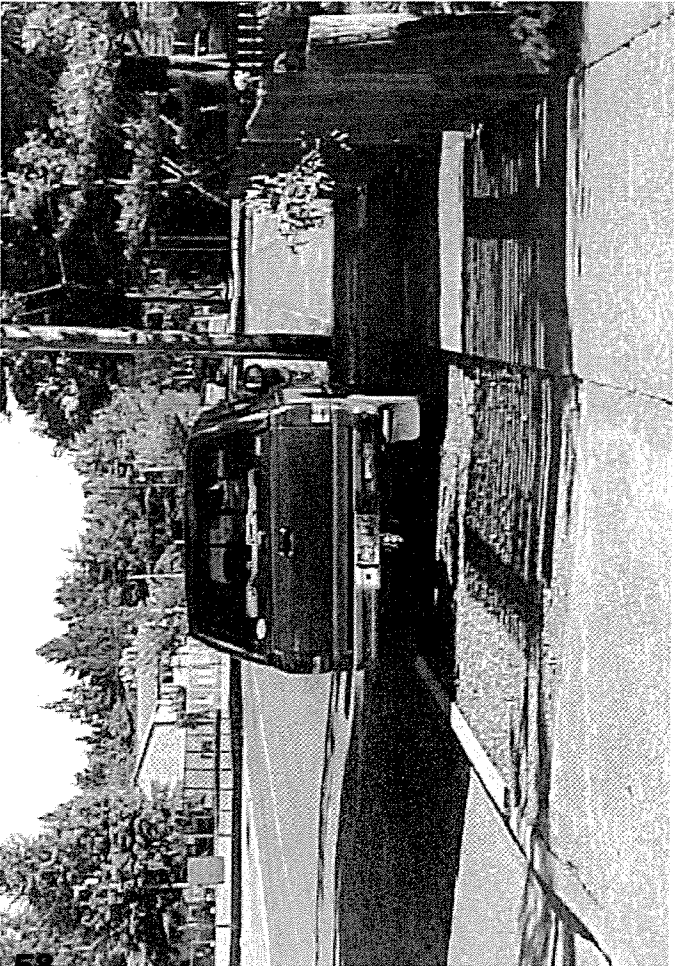
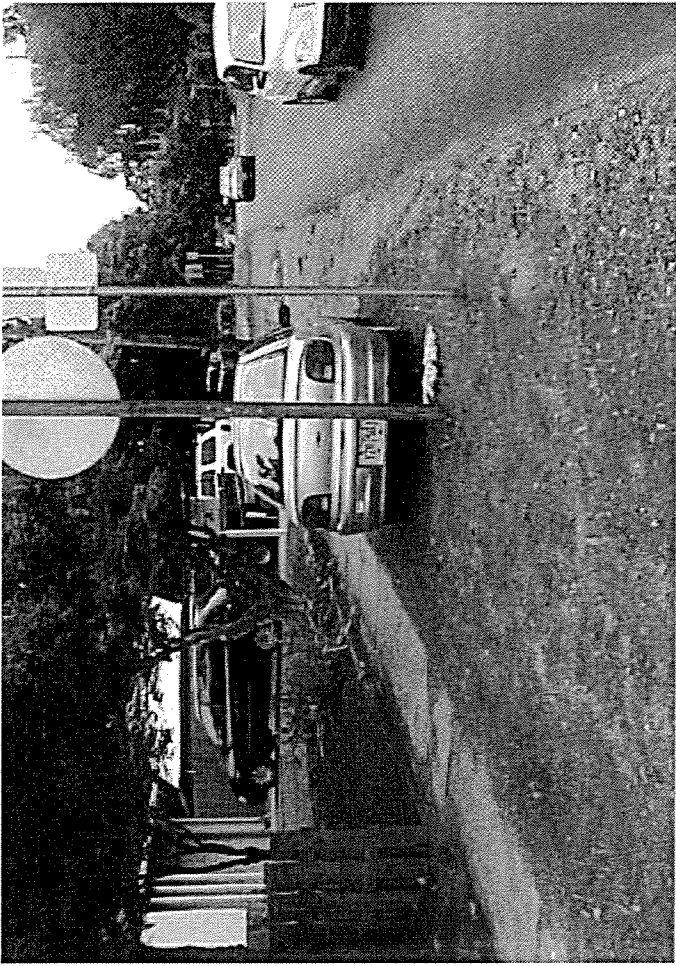
(F) Plans shall be submitted with any application to demonstrate that the above conditions can be met;

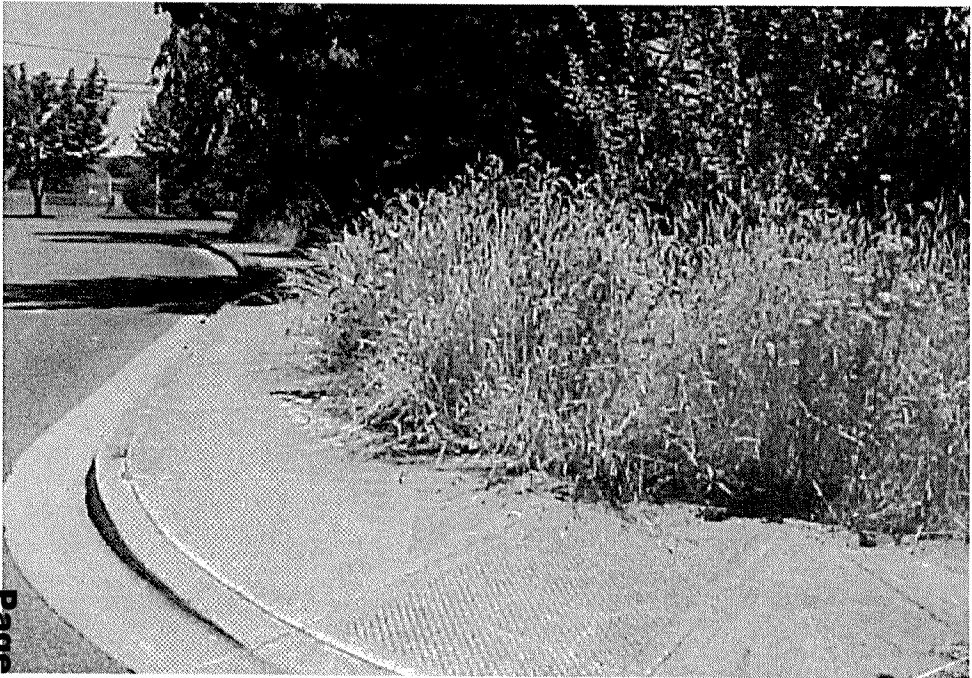
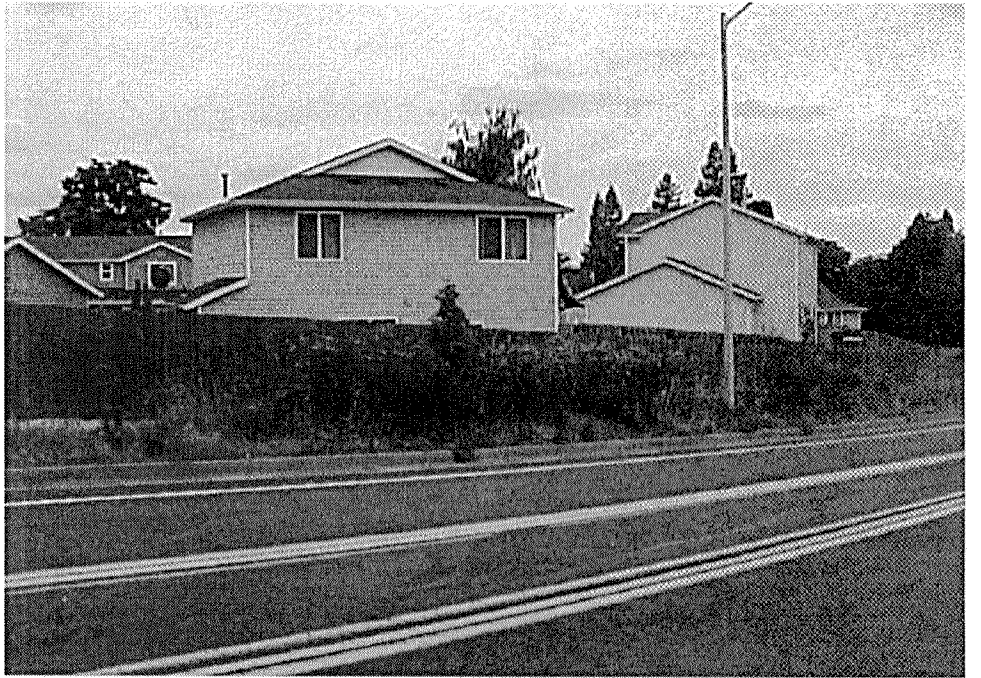
(G) Use of the sidewalk or parking strip for merchandise will be limited to special events. (Ord. 91-2310, passed 11-4-91)

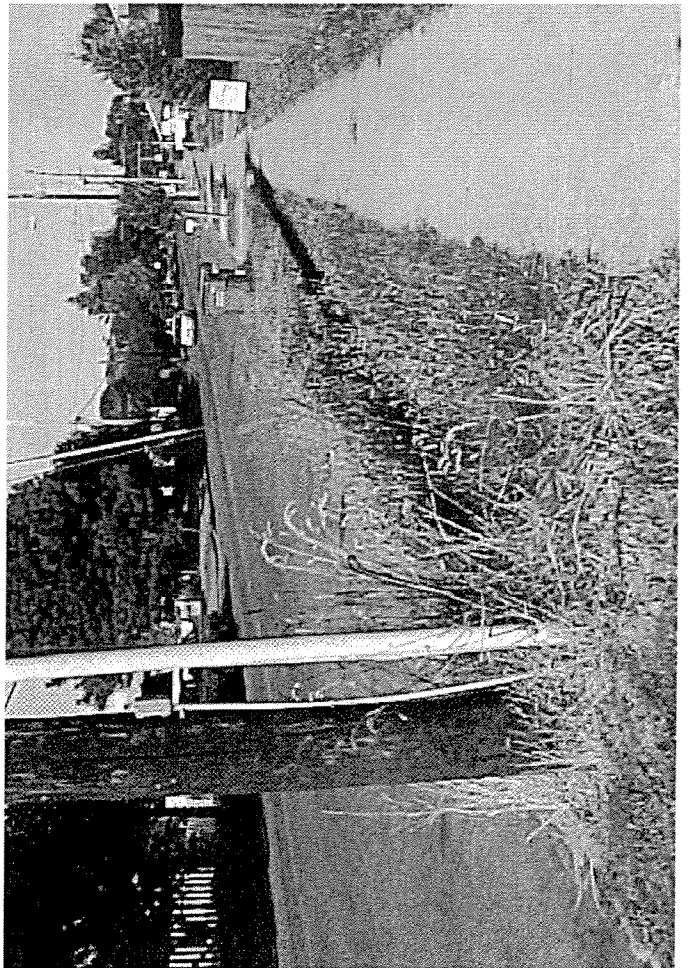
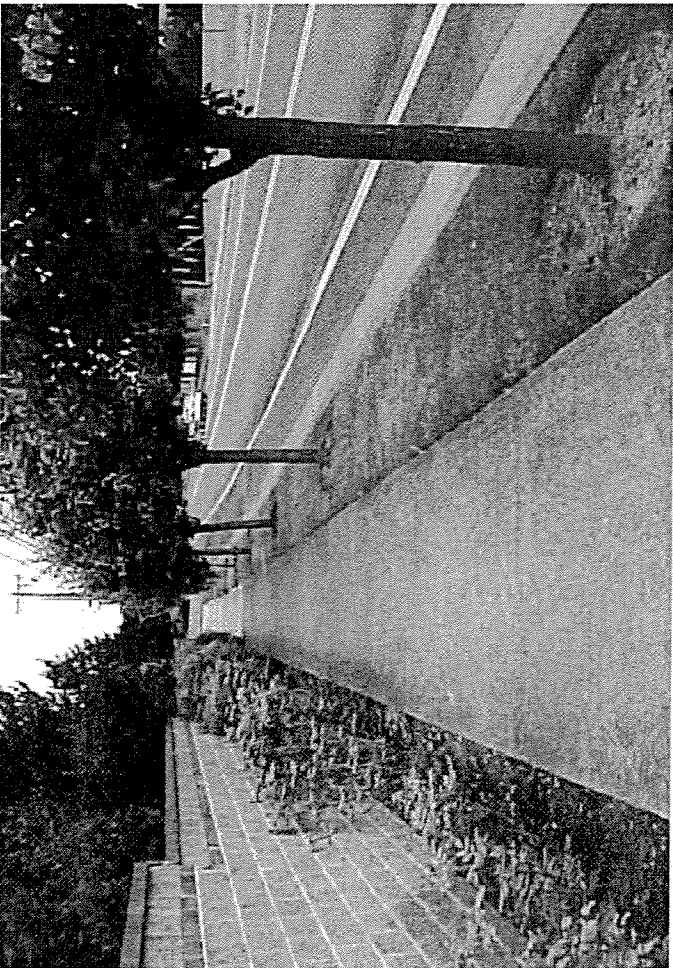
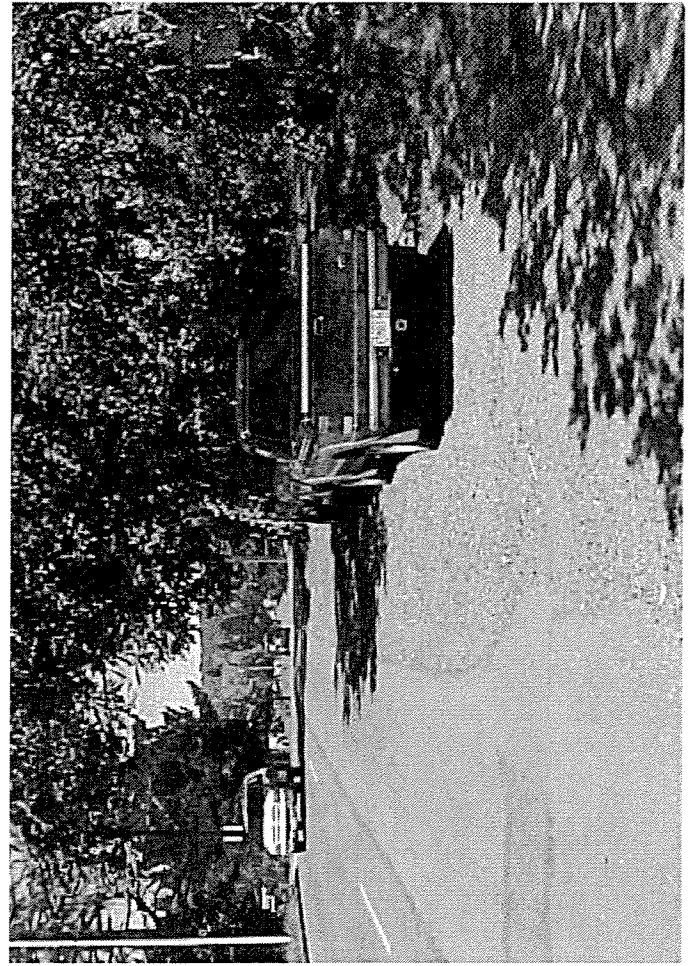
**§ 96.99 PENALTY.**

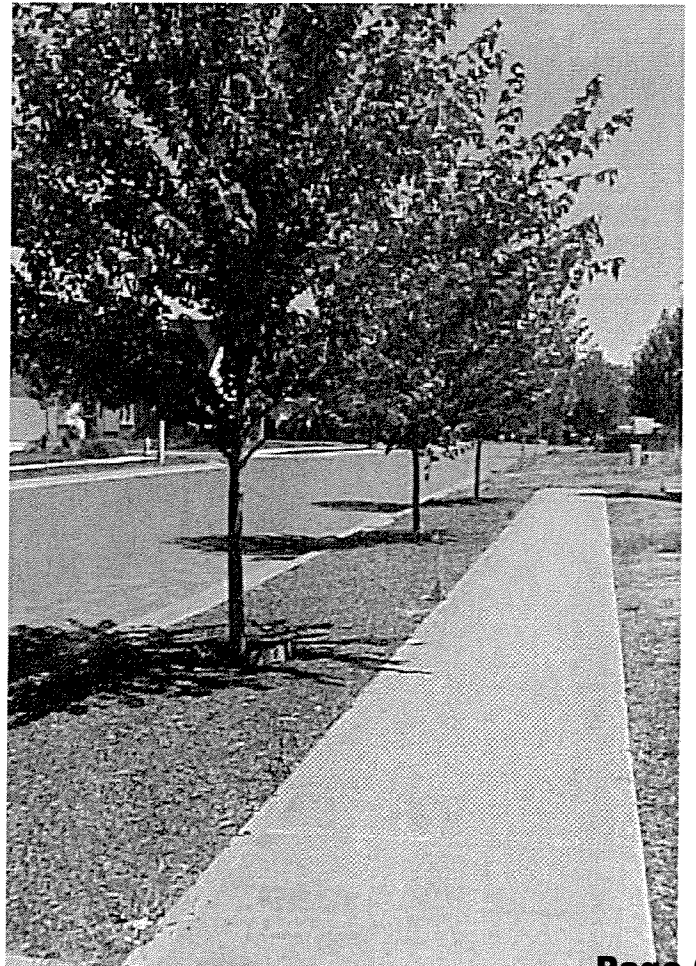
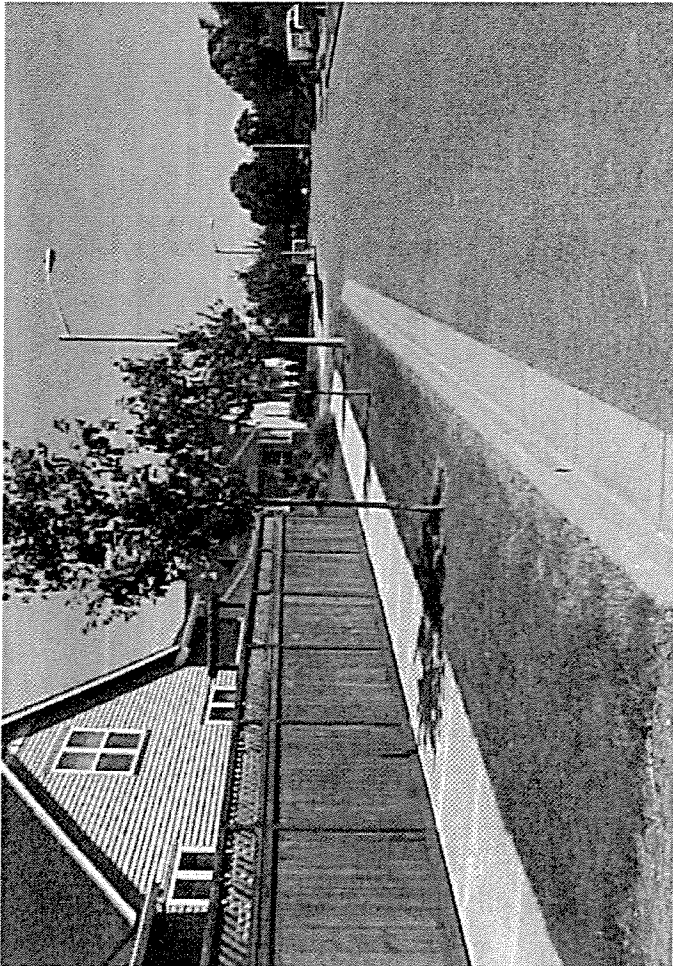
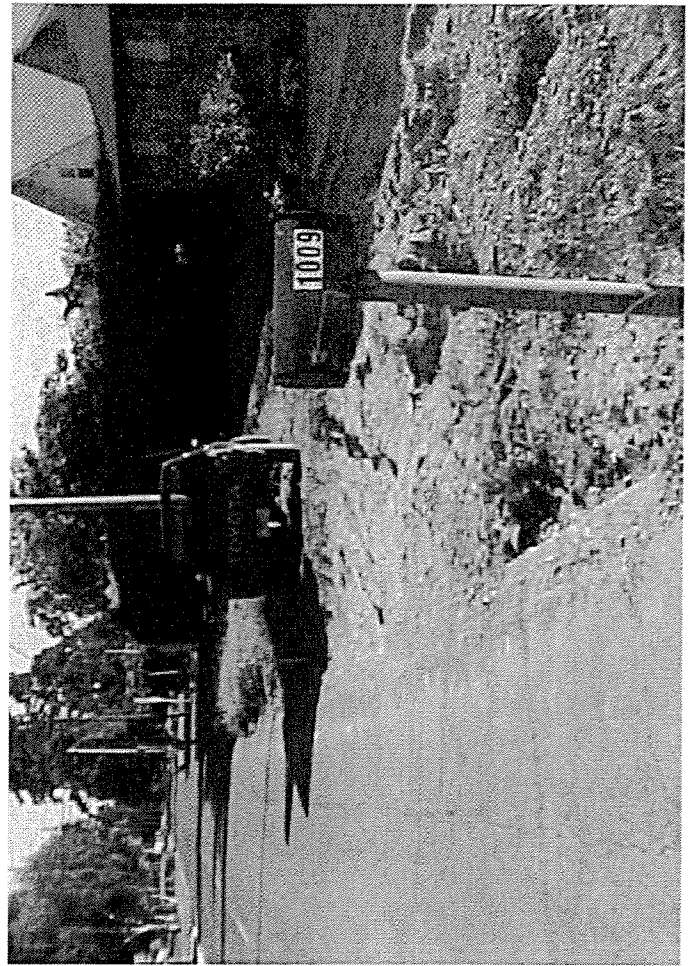
(A) Any person violating any of the provisions of this chapter for which no penalty is otherwise provided shall have committed a city Class 4 civil infraction and shall be processed in accordance with the procedure set forth in the "Uniform Civil Infraction Procedure Ordinance," Chapter 37 of this code. Each day that a violation of this chapter shall continue shall be considered a separate violation. (Ord. 929, passed 3-25-40; Am. Ord. 1765, passed 3-3-75; Am. Ord. 1772, passed 4-7-75; Am. Ord. 2163, passed 4-1-85)

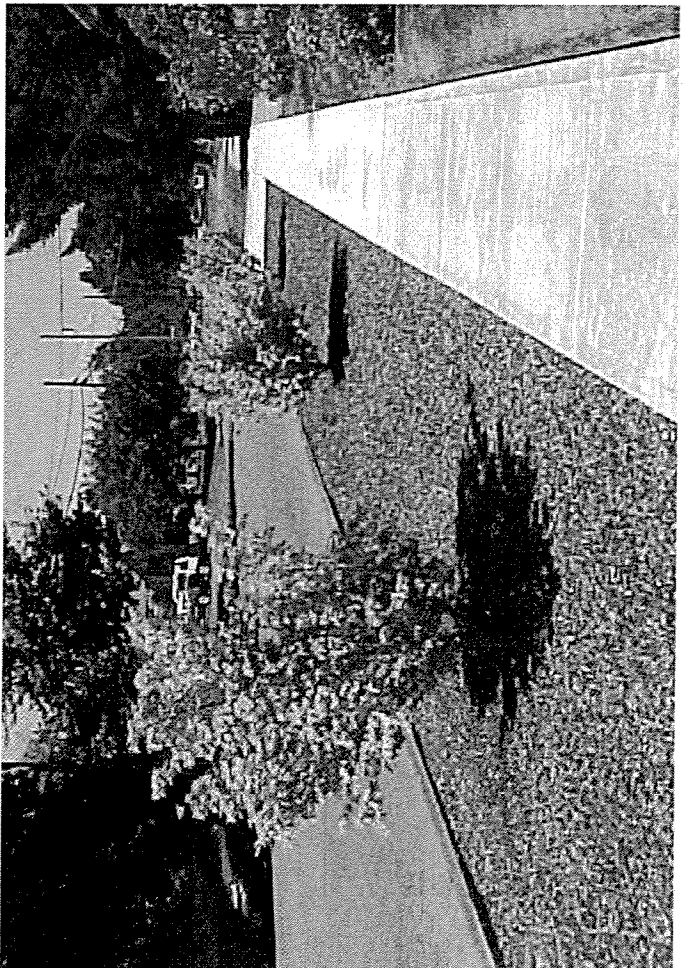
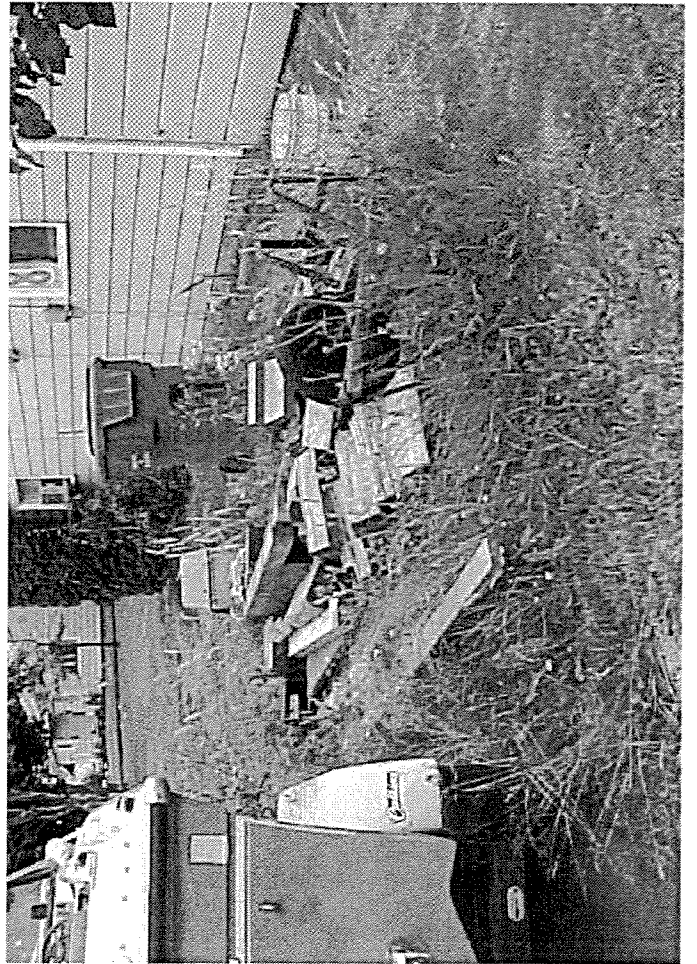
(B) Any person violating any of the provisions of §§ 96.55 through 96.58 of this chapter shall have committed a city Class 5 civil infraction and shall be processed in accordance with the procedures set forth in the "Uniform Civil Infractions Procedural Ordinance," Chapter 37 of this code. (Ord. 91-2310, passed 11-4-91)











# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: 2005, December 5

Ordinance \_\_\_\_\_ Resolution XX Motion \_\_\_ Information  
No. No. 2005-2605

Date Submitted: November 18, 2005

**SUBJECT:** A Resolution authorizing a decrease in the Transportation System Development Charge for the year 2006.

Contact Person (Preparer) for this

Resolution: Daniel Danicic, PE  
Public Works Director

Dept.: Public Works Department

File No.:

## RECOMMENDATION:

Adopt **Resolution No. 2005-2605** authorizing a decrease in the Transportation System Development Charge for the year 2006.

## BACKGROUND:


1. Each year the Transportation Systems Development Charge (SDC) is adjusted based on the Engineering News Record (ENR) inflation rate.
2. On May 16, 2005, the City Council adopted a revised Transportation System Plan. This plan included a capacity increasing projects list in Table 7-2 (Exhibit A). Figure 6-3 from the plan is a map identifying the location of these projects (Exhibit B).
3. Using the currently adopted methodology, the SDC has been recalculated by updating the new projects list and the buildable acreages. These calculations are attached as Exhibit C.
4. The result of the recalculation is that the cost per Equivalent Length New Daily Trip (ELNDT) is reduced from the current value of \$178.99 to \$160 (rounded).
5. Annually from this date the Transportation SDC shall be adjusted by the ENR inflation rate.
6. Notice of Public Hearing was published in the Newberg Graphics on the November 5, 2005.

## FISCAL IMPACT:

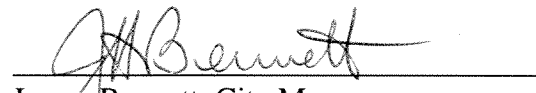
This proposal will decrease the Transportation SDC by \$18.99 per ELNDT. The SDC charge for a single-family home will then decrease by \$181.35 (\$1,528 vs. \$1,709.35).

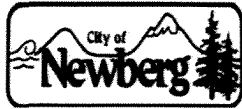
**STRATEGIC ASSESSMENT:** The City of Newberg has a commitment to its residents of requiring new development to pay for services for which it creates the need. Decreasing the Transportation System Development Charges is consistent with this general City policy.

SUBMITTED BY:

  
Daniel Danicic, PE, Public Works Director

APPROVED BY:

  
James Bennett, City Manager



## *RESOLUTION No. 2005-2605*

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**A RESOLUTION AUTHORIZING A DECREASE IN THE  
TRANSPORTATION SYSTEM DEVELOPMENT CHARGE FOR THE  
YEAR 2006.**

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### **RECITALS:**

1. Each year the Transportation Systems Development Charge (SDC) is adjusted based on the Engineering News Record (ENR) inflation rate.
2. On May 16, 2005, the City Council adopted a revised Transportation System Plan. This plan included a capacity increasing projects list in Table 7-2 (Exhibit A). Figure 6-3 from the Plan is a map identifying the location of these projects (Exhibit B).
3. Using the currently adopted methodology, the SDC has been recalculated by updating the new projects list and the buildable acreages. These calculations are attached as Exhibit C.
4. The result of the recalculation is that the cost per Equivalent Length New Daily Trip (ELNDT) is reduced from the current value of \$178.99 to \$160 (rounded).
5. Annually from this date the Transportation SDC shall be adjusted by the ENR inflation rate.
6. Notice of Public Hearing was published in the Newberg Graphic on the November 5, 2005.

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

1. The cost per trip as revised for the calculations of the Systems Development Charge for any development shall be \$160 per Equivalent Length New Daily Trip (ELNDT).

2. These revised charges shall be effective for any permit issued after 5:00 p.m. on December 31, 2005. In addition, any permit application that has not been submitted or is not completed by December 16, 2005 at 5:00 p.m. will be subject to the new charges.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: December 6, 2005.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 5<sup>th</sup> day of December, 2005.

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

**ATTEST** by the Mayor this 8<sup>th</sup> day of December, 2005.

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

**LEGISLATIVE HISTORY**

By and through \_\_\_\_\_ Committee at \_\_\_ / \_\_\_ / \_\_\_ meeting. Or, X None.

**EXHIBIT A**

**TABLE 7-2  
NEWBERG TRANSPORTATION SYSTEM COST BREAKDOWN: CAPACITY PROJECTS  
(\$ MILLIONS)**

Project	Improvement	Cost	Jurisdiction						Anticipated Timing
			City of Newberg				Yamhill County	ODOT	
			Abutting Properties	New Development	SDC	City			
1	Main Street (Mountainview to Ore 240)	1.2	0.2	-	1.0	-	-	-	M
	Main Street (Ore 240 to 1 <sup>st</sup> )	1.0	0.1	-	-	-	-	0.9	M
	Main Street (1 <sup>st</sup> to 5 <sup>th</sup> )	0.02	-	-	-	.02	-	-	M
	Main Street/Ore 240	0.5	-	-	0.25	-	-	0.25	S
2	Springbrook Street (Bell to Mountainview)	3.0	-	2.0	0.8	-	0.2	-	M
	Springbrook Street Ore 99W to 8 <sup>th</sup> )	2.7	-	0.7	2.0	-	-	-	M
	Springbrook Street/ Mountainview Drive	0.2	-	0.7	0.2	-	-	-	M
3	Chehalem Drive (North Valley to Ore 240)	4.0	-	0.7	1.4	-	0.1	-	M
4	Villa Road (Aspen to Mountainview)	2.1	-	1.4	0.7	-	-	-	L
	Villa Road (Mountainview to Fulton)	2.2	0.2	0.1	1.9	-	-	-	L
5	Ore 219 (1 <sup>st</sup> to URA)	5.9	-	-	-	-	-	5.9	M
	Ore 219/2nd Street	0.01	-	-	-	-	-	0.01	S
6	Wilsonville Road (Ore 219 to URA)	2.0	-	-	-	-	-	2.0	S
7	2nd Street (Ore 219 to Springbrook)	0.8	0.1	-	0.7	-	-	-	M

**EXHIBIT A**

Project	Improvement	Cost	Jurisdiction						Anticipated Timing
			City of Newberg				Yamhill County	ODOT	
			Abutting Properties	New Development	SDC	City			
	2nd Street-Fernwood/Springbrook	0.2	-	-	0.2	-	-	-	M
8	Fernwood Road (Springbrook to Greens Dr)	2.4	-	1.6	0.8	-	-	-	S
9	Ore 240 (URA to Main)	1.4	0.2	-	-	-	-	1.2	M
10	Illinois Street (Main to College)	0.7	-	-	0.7	-	-	-	L
11	Vermillion Street (College to Meridian)	0.3	-	-	0.3	-	-	-	L
12	Hayes Street (Deborah to Springbrook)	0.4	-	-	0.4	-	-	-	L
13	Fulton Street (Meridian to Villa)	0.01	-	-	0.01	-	-	-	L
14	Columbia Drive (Chehalem to College)	1.4	0.1	0.7	0.3	-	0.1	-	L
15	Mountainview Drive (Chehalem to Crater)	0.4	-	0.7	0.1	-	-	-	L
	Mountainview Drive (Crater to Main)	0.3	0.2	-	0.1	-	-	-	S
	Mountainview Drive (Villa to Aspen)	1.8	0.2	0.6	0.9	-	0.1	-	S
	Mountainview Drive (Aspen to Springbrook)	3.4	-	-	2.0	0.9	-	0.5	S
	Mountainview Drive (Springbrook to Robin Court)	1.9	-	1.1	0.8	-	-	-	M

**EXHIBIT A**

Project	Improvement	Cost	Jurisdiction						Anticipated Timing
			City of Newberg				Yamhill County	ODOT	
			Abutting Properties	New Development	SDC	City			
	Mountainview Drive (Robin Court to Ore 99W)	0.9	-	0.6	0.3	-	-	-	M
15	Zimri Drive (Old Mountainview to Mountainview)	0.4	-	-	0.4	-	-	-	S
	Wareham Lane (Crestview to Mountainview)	0.2	-	-	0.2	-	-	-	S
	Mountainview Drive/Villa Road	0.2	-	-	0.2	-	-	-	L
16	College Street (Bell to 1 <sup>st</sup> )	7.7	1.1	-	-	-	-	6.6	S
17	Villa Road/Haworth Street	0.1	-	-	0.1	-	-	-	S
18	Springbrook Street/Haworth Street	0.3	-	-	0.3	-	-	-	S
19	Foothills Drive/College Road	0.2	-	-	0.2	-	-	-	M
20	Vittoria/Ore 99W	0.02	-	-	-	-	-	0.02	L
<b>TOTAL</b>		<b>50.26</b>	<b>2.4</b>	<b>11.6</b>	<b>17.46</b>	<b>0.92</b>	<b>0.5</b>	<b>17.38</b>	

S = Short Term (0 - 6 years), M = Medium Term (7 - 13 years), L = Long Term (14 - 20 years)

# EXHIBIT-B

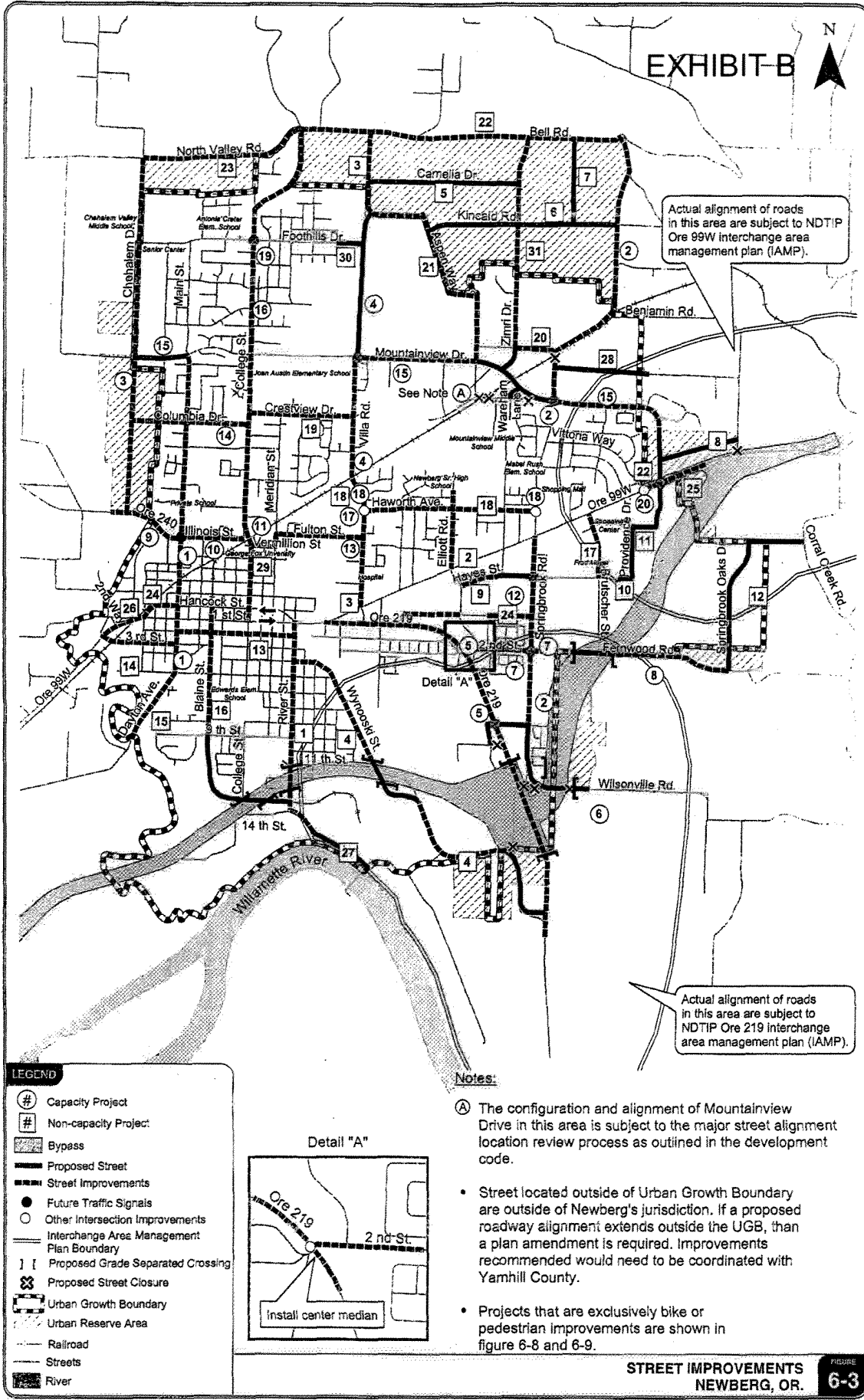


TABLE 1

## Newberg Urban Area Land Supply

(As of August 16, 2005 -- Provided by Planning and Building Department Office.)

Comprehensive Plan Designation	Built Acres	Buildable Acres	Non-Buildable Acres	Total Acres
<i>IND (Industrial)</i> <sup>1</sup>	380	210	44	634
<i>PQ* (Public/ Quasi-Public)</i> <sup>2</sup>	108	14	24	146
<i>LDR (Low Density Resid.)</i>	281	480	62	823
<i>MDR (Medium Density Resid.)</i>	194	244	59	497
<i>HDR (High Density Resid.)</i>	54	20	8	82
<i>P (Parks)</i> <sup>3</sup>	103	46	48	497
<i>MIX (Mixed Use)</i> <sup>4</sup>	157	85	8	247
<i>COM (Commercial)</i> **	110	67	40	497
<b>Total</b>	<b>1387</b>	<b>1166</b>	<b>270</b>	<b>2823</b>
** C-3 Land is as follows:	35	3	0	38

Table 2

**Land Use Assumptions -Residential**

	<b>Acres</b>	<b>D.U./Acre</b>	<b>Dwelling</b>
<b>Residential</b>			
<i>Single Family</i>	480	4.4	2,112
<i>Multi-family</i>	244	6.5	1,586
<i>High-density</i>	20	15.3	306
<b>Total</b>	<b>744</b>		<b>4,004</b>

Table 3

## Land Use Assumptions - Commercial, Industrial, Public

	Acres	Lot Coverage	Development Rate	Square Footage
<b>Commercial</b>				
<i>Retail</i>	67	0.25	1.0	729,630
<i>Mix</i>	85	0.35	0.5	647,955
<b>Total</b>	152			1,377,585
<b>Industrial</b>				
<i>Light/Heavy (IND)</i>	210	0.25	1.0	2,286,900
<i>Mix</i>	85	0.35	0.5	647,955
<b>Total</b>	295			2,934,855
<b>Public</b>				
<i>Parks (P)</i>	46	n/a	n/a	2,003,760
<i>Schools (PQ - school)</i>	14	n/a	n/a	609,840
<b>Total</b>	60	n/a	n/a	2,613,600

Table 4

**Equivalent Length New Daily Trips**

Land Use	Average Daily Trips/Unit	Trip Length Factor	Linked Trip Factor	Equivalent Length New Daily Trips
<i>Single-Family Res. (LDR)</i>	9.55	1	1	9.55
<i>Multi-family Res. (MDR)</i>	8.00	1	1	8.00
<i>Multi-family Res. (HDR)</i>	6.47	1	1	6.47
<i>Commercial</i>	100.00 /1000 gsf	0.49	0.75	36.75 /1000 gsf
<i>"Mix" (Commer./Indust.)</i>	25.00 /1000 gsf	0.96	1	24.00 /1000 gsf
<i>Industrial</i>	7.00 /1000 gsf	1	1	7.00 /1000 gsf
<i>Public parks</i>	2.23 per acre	1	1	2.23 per acre
<i>Public schools</i>	1.09 per student	0.39	1	0.43 per student

NOTE: 1.) Gross Square Feet equals G.S.F.

Table 5

### Developable Land Use and Trip Rate Assumptions

Land Use	E.L.N.D.T. Trips per Unit	Total Devel. Units	E.L.N.D.T. Trips
<i>Single-Family Res. (LDR)</i>	9.55	2,112	20,170
<i>Multi-family Res. (MDR)</i>	8.00	1,586	12,688
<i>Multi-family Res. (HDR)</i>	6.47	306	1,980
<i>Commercial</i>	36.75	730	26,814
<i>"Mix" (Commer./Indust.)</i>	24.00	1,296	31,102
<i>Industrial</i>	7.00	2,287	16,008
<i>Public parks</i>	2.23	46	103
<i>Public schools</i>	0.43	700	298
<b>TOTAL FUTURE E.L. TRIPS:</b>			<b>109,162</b>

- NOTES: (1) One Unit = One dwelling unit for Low Density Residential (LDR), Medium Density Residential (MDR), and High Density Residential (HDR), or, 1000 Gross Square Feet (GSF) for Commercial, "Mix", and Industrial; or, One unit = One student for Public Schools, or, One acre for Public Parks.
- (2) The future middle school is expected to have 600 students initially and may go up to 700 eventually. That translates to about 50 students per acre of buildable area.

Table 6

**Transportation SDC Unit Cost**

<b>SDC Related Transportation Improvement Costs</b>	<b>ELNDT</b>	<b>Cost per ELNDT</b>
<b>\$17,460,000</b>	<b>109,162</b>	<b>\$160</b>

# REQUEST FOR COUNCIL ACTION

**DATE ACTION REQUESTED: 2005, December 5**

<b>Ordinance _____ No.</b>	<b>Resolution <u>XX</u> No. 2005-2606</b>	<b>Motion ____</b>	<b>Information</b>
--------------------------------	---	--------------------	--------------------

Date Submitted: November 18, 2005

**SUBJECT: Adoption of recommended downtown streetscape amenity designs by the Newberg Downtown Revitalization Committee.**

**Contact Person (Preparer) for this Resolution: David Beam, AICP Economic Development Coordinator/Planner.**

**Dept.: Planning and Building**

**File No.: G-110-05  
(if applicable)**

**RECOMMENDATION:**

Adopt **Resolution No. 2005-2606**, which identifies the style of streetscape amenities for Newberg’s historic downtown. Amenities will be installed in the future as resources become available.

**BACKGROUND:**

1. In recognition of the unique physical and use characteristics of Howard Street in the downtown area, the Newberg City Council adopted the Civic Corridor in 2002. Through this action, the Council approved a new zoning overlay that sets out specific, thematic development standards for future construction within the overlay. The new standards (e.g., red brick facades for new developments, building accent trim, pedestrian-friendly signage, etc.) will help maintain and enhance stately, historic character and architectural styles of the existing buildings of the area.
  
2. The zoning overlay for the Civic Corridor provided design standards for properties for the overlay area. However, to fully reach the potential of the Civic Corridor, improvements to the streetscape would also be needed. Therefore, in the Fall of 2002, the City of Newberg initiated discussions with the University of Oregon’s Landscape Architecture program regarding the Newberg Civic Corridor. These discussions resulted in a collaborative effort to create a broad, conceptual streetscape design for the Corridor. In the spring of 2003, the Newberg Downtown Revitalization Committee (NDRC), Newberg city staff and local citizens worked together with a design studio of undergraduate students to develop alternative design ideas. The final conceptual design is a composite of a variety of design aspects that were most favored by the citizens of Newberg. On February 2, 2004, the NDRC presented the final conceptual design to the City Council.

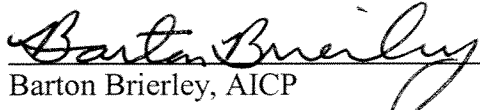
At that meeting, the NDRC informed the Council that it was planning to develop a set of recommended streetscape amenities for the Civic Corridor and the historic downtown that would be presented to Council at a later date for consideration of adoption.

3. For about six months in 2004-2005, the NDRC implemented an extensive a community-wide survey regarding preferred future streetscape amenities for the Civic Corridor and downtown. The goal of this project was to help identify specific amenity designs desired by the public for the following: benches, trash receptacles, bike racks, intersection curb extensions, and street trees. The survey was distributed through three forum types: presentations to various community groups, static displays in public areas, and on the City's website. The following community groups received the survey: City Club, Kiwanis Club, Newberg Rotary (noon club), Newberg Rotary (morning club), Newberg Chamber Forum, Yamhill County Assoc. of Realtors, Newberg City Council, and Newberg Planning Commission. The following static displays were held (usually about one week at each place): City Hall, Newberg Public Safety Building, Chehalem Park and Recreation District Administration Office, Newberg Senior Center, Newberg Public School - Administration Office, and the Newberg Public Library.
4. In addition, the NDRC solicited the input from the following city staff regarding any problematic practical issues that may be related to the survey options, e.g. safety, maintenance, etc.: Jim Bennett, Barton Brierley, Russ Thomas, Michael Sherman, and Bob Tardiff. No concerns were raised regarding the recommended bench and trash can. Concerns regarding the old fashioned bike rack style include the need for custom manufacturing, design hazards, and relative risk to damage. Concerns regarding the recommended intersection curb extension include plant irrigation, injury risks, cleaning maintenance, and ADA issues. Concerns regarding the recommended street trees include shade tolerance and multiple tree trunks of the Vine Maple and fruit bearing of mature trees with the Flowering Cherry. These practical issues will all need to be addressed on final implementation.
5. The NDRC has reviewed all the results of the survey and deliberated. Exhibit A includes the downtown streetscape amenity recommendations. The bench and trash can recommendation are specific, as the City already uses these design models downtown. The bike racks and intersection curb extension designs are guidelines. Exact designs of these amenities will be determined at a later date, using the recommended designs as models.
6. The exact location of where these amenities will be placed downtown will be determined at a later date.

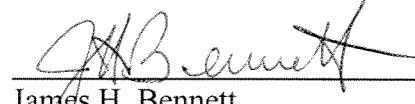
**FISCAL IMPACT:** None at this time. Existing downtown amenities that need to be replaced in the future (using budgeted maintenance funds) would be done so with the recommended amenity designs.

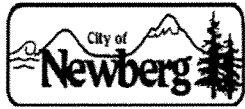
**STRATEGIC ASSESSMENT:** Adoption of the recommended streetscape amenity designs will, over time, create a downtown streetscape that is attractive and uniform in appearance. In addition, having an adopted downtown streetscape plan in place could assist the city in securing grant funds to purchase some of the amenities.

SUBMITTED BY:

  
\_\_\_\_\_  
Barton Brierley, AICP  
Planning and Building Director

APPROVED BY:

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



## **RESOLUTION No. 2005-2606**

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**A RESOLUTION ADOPTING THE DESIGN GUIDELINES FOR STREETScape AMENITIES  
WITHIN NEWBERG'S HISTORIC DOWNTOWN.**

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### **RECITALS:**

1. In recognition of the unique physical and use characteristics of Howard Street in the downtown area, the Newberg City Council adopted the Civic Corridor in 2002. Through this action, the Council approved a new zoning overlay that sets out specific, thematic development standards for future construction within the overlay. The new standards (e.g., red brick facades for new developments, building accent trim, pedestrian-friendly signage, etc.) will help maintain and enhance stately, historic character and architectural styles of the existing buildings of the area.
2. The zoning overlay for the Civic Corridor provided design standards for properties for the overlay area. However, to fully reach the potential of the Civic Corridor, improvements to the streetscape would also be needed. Therefore, in the Fall of 2002, the City of Newberg initiated discussions with the University of Oregon's Landscape Architecture program regarding the Newberg Civic Corridor. These discussions resulted in a collaborative effort to create a broad, conceptual streetscape design for the Corridor. In the spring of 2003, the Newberg Downtown Revitalization Committee (NDRC), Newberg city staff and local citizens worked together with a design studio of undergraduate students to develop alternative design ideas. The final conceptual design is a composite of a variety of design aspects that were most favored by the citizens of Newberg. On February 2, 2004, the NDRC presented the final conceptual design to the City Council. At that meeting, the NDRC informed the Council that it was planning to develop a set of recommended streetscape amenities for the Civic Corridor and the historic downtown that would be presented to Council at a later date for consideration of adoption.
3. For about six months in 2004-2005, the NDRC implemented an extensive a community-wide survey regarding preferred future streetscape amenities for the Civic Corridor and downtown. The goal of this project was to help identify specific amenity designs desired by the public for the following: benches, trash receptacles, bike racks, intersection curb extensions, and street trees. The survey was distributed through three forum types: presentations to various community groups, static displays in public areas, and on the City's website. The following community groups received the survey: City Club, Kiwanis Club, Newberg Rotary (noon club), Newberg Rotary (morning club), Newberg Chamber Forum, Yamhill County Assoc. of Realtors, Newberg City Council, and Newberg Planning Commission. The following static displays were held (usually about one week at each place): City Hall, Newberg Public Safety Building, Chehalem Park and Recreation District Administration Office, Newberg Senior Center, Newberg Public

School - Administration Office, and the Newberg Public Library.

4. In addition, the NDRC solicited the input from the following city staff regarding any problematic practical issues that may be related to the survey options, e.g. safety, maintenance, etc.: Jim Bennett, Barton Brierley, Russ Thomas, Michael Sherman, and Bob Tardiff. No concerns were raised regarding the recommended bench and trash can. Concerns regarding the old fashioned bike rack style include the need for custom manufacturing, design hazards, and relative risk to damage. Concerns regarding the recommended intersection curb extension include plant irrigation, injury risks, cleaning maintenance, and ADA issues. Concerns regarding the recommended street trees include shade tolerance and multiple tree trunks of the Vine Maple and fruit bearing of mature trees with the Flowering Cherry. These practical issues will all need to be addressed on final implementation.
5. The NDRC has reviewed all the results of the survey and deliberated. Exhibit A includes the downtown streetscape amenity recommendations. The bench and trash can recommendation are specific, as the City already uses these design models downtown. The bike racks and intersection curb extension designs are guidelines. Exact designs of these amenities will be determined at a later date, using the recommended designs as models.
6. The exact location of where these amenities will be placed downtown will be determined at a later date.

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

1. Future downtown streetscape amenity improvements shall follow the design guidelines as describes in Exhibit A.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: December 6, 2005.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 5<sup>th</sup> day of December, 2005.

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

**ATTEST** by the Mayor this \_\_\_\_\_ day of December, 2005.

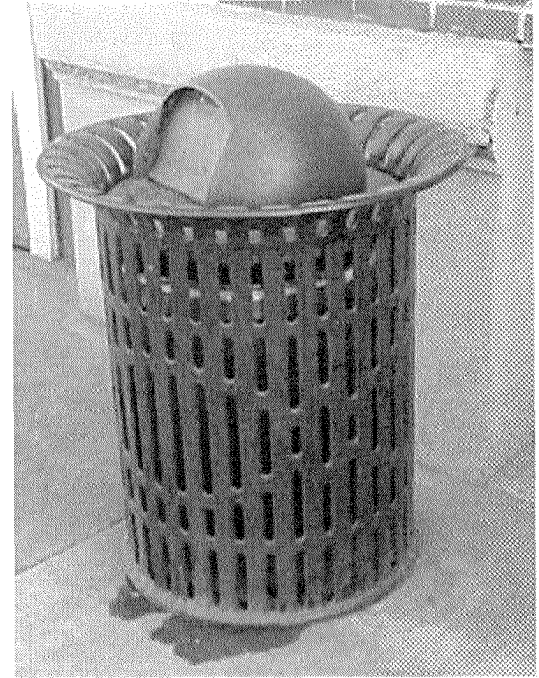
\_\_\_\_\_  
Bob Stewart, Mayor

**LEGISLATIVE HISTORY**

By and through \_\_\_\_\_ Committee at \_\_\_\_ / \_\_\_\_ /2005 meeting. Or, X None.  
(committee name) (date) (check if applicable)

# Newberg Civic Corridor Recommended Streetscape Amenities

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**Bench and Trash Receptacle**

# Newberg Civic Corridor Recommended Streetscape Amenities

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**Bike Racks**

# Newberg Civic Corridor Recommended Streetscape Amenities

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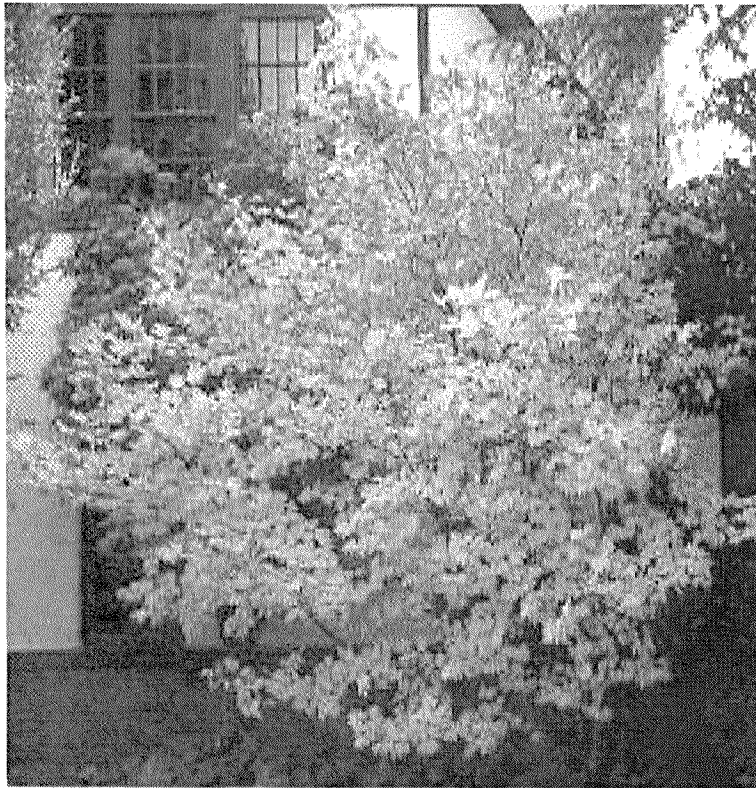
**Intersection Curb Extensions**

# Newberg Civic Corridor

## Recommended Streetscape Amenities

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### Vine Maple



### Street Tree

**Botanical name:** *Acer circinatum*

**Mature Height:** 25 feet

**Spread:** 10 feet

**Shape:** Upright, spreading

**Foliage:** Medium green

**Fruit:** Winged fruit resembling bow ties

**Fall color:** Orange to bright red

**Features:** An airy and delicate Pacific Northwest native, the Vine Maple thrives in shaded areas

# Newberg Civic Corridor

## Recommended Streetscape Amenities

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### Flowering Cherry



**Street Tree**

**Botanical name:** Prunus  
**Mature Height:** 20-25 feet  
**Spread:** 20-25 feet  
**Shape:** Vase-shaped to rounded  
**Foliage:** Bronze; green in summer  
**Flower** Fragrant pink or white, singles or doubles  
**Fall color:** Yellows, reds  
**Features:** Generally valued for their flower, texture of foliage and fall color. Some have unusual bark, and most of the ornamental varieties are fruitless. The cherries perform well in landscapes and are moderately drought-resistant.

# REQUEST FOR COUNCIL ACTION

**DATE ACTION REQUESTED: 2005, December 5**

<b>Ordinance _____ No.</b>	<b>Resolution <u>XX</u> No. 2005-2607</b>	<b>Motion ____</b>	<b>Information</b>
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<p style="text-align: center;">Date Submitted: November 18, 2005</p> <p><b>SUBJECT: Adoption of a downtown winter decorative banner design recommended by the Newberg Downtown Revitalization Committee (NDRC).</b></p>	<p>Contact Person (Preparer) for this Resolution: <b>David Beam, AICP</b></p> <hr/> <p>Dept.: <b>Planning and Building</b></p> <hr/> <p>File No.: <b>GR-49-04</b> <i>(if applicable)</i></p>
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**RECOMMENDATION:**

Adopt **Resolution No. 2005-2607** approving the recommended winter decorative banner design for downtown, as illustrated in Exhibit A.

**BACKGROUND:**

1. In the spring of 2004, the Yamhill County Board of Commissioners solicited grant applications for proposed economic development projects. On May 17, 2004, the Newberg City Council authorized the submission of a grant application to the Yamhill County Economic Development Opportunity Grant program. The grant request was for the installation of 40 decorative banners and directional signage in the downtown area. The Yamhill County Board of Commissioners awarded \$10,500 in grant funds to the City of Newberg to assist with the banner/bracket portion of the proposed project. As stated the grant application, the University also dedicated \$4,500 towards this project to help pay for the banners and brackets.
2. On January 3, 2005, the Newberg City Council adopted a banner design for the project through Resolution No. 2005-2553. The banner brackets and banners were installed on the downtown street lights in the spring of 2005.
3. The banner project came in under budget. Approximately \$2,300 remained from the original \$10,500 grant from Yamhill County for the project. The City requested from the County that the remaining funds be used towards the purchase of a set of decorative winter banners. The County approved this request. The NDRC committed to raising the approximately \$500 additionally needed to purchase the banner set. The NDRC has already raised the additional required funds through various fundraisers (block party and Community night food sales as well as donation buckets in downtown stores).

4. The NDRC requested from George Fox University (GFU) graphic arts staff/students to create some proposed banner designs. Four of the proposed designs were displayed at the Community Night event on October 18, 2005 to solicit public input on the designs. The NDRC subsequently evaluated the four proposed designs and decided to request additional potential designs from GFU and a local artist. Nine additional designs were submitted to the NDRC for consideration.
5. At the October 16, 2005 NDRC meeting, the Committee evaluated all the proposed designs and decided to recommend the design in Exhibit A as a base design. GFU staff are currently creating a revised version of this design based upon recommended modification by the NDRC. One of the modifications will be the addition of the word "Newberg". A final version of the recommended design will be presented at the December 8, 2005 City Council meeting for consideration of adoption.
6. The NDRC would like to have the winter banners up for display in the downtown area in January 2005. Any adopted winter banner design will need to receive approval by ODOT and PGE prior to production.

**FISCAL IMPACT:** Funding for the production of the banners is available through the Yamhill County grant and donated funds raised by the NDRC. Future city budgets will need to include funds to cover the on-going maintenance costs associated with the banners (staff and materials).


**STRATEGIC ASSESSMENT:** The decorative banner project has been well received. It has been a very successful, collaborative project, creating positive impacts that has far exceeded its financial investment. It has created a more beautiful, pedestrian-friendly downtown area. We expect that the banners will help retain and attract new customers for downtown businesses as well as strengthen local pride in this historic area.

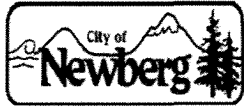
SUBMITTED BY:



\_\_\_\_\_  
Barton Brierley, AICP  
Planning and Building Director

APPROVED BY:

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



## **RESOLUTION No. 2005-2607**

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**A RESOLUTION ADOPTING A DOWNTOWN WINTER DECORATIVE  
BANNER DESIGN.**

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### **RECITALS:**

1. In the spring of 2004, the Yamhill County Board of Commissioners solicited grant applications for proposed economic development projects. On May 17, 2004, the Newberg City Council authorized the submission of a grant application to the Yamhill County Economic Development Opportunity Grant program. The grant request was for the installation of 40 decorative banners and directional signage in the downtown area. The Yamhill County Board of Commissioners awarded \$10,500 in grant funds to the City of Newberg to assist with the banner/bracket portion of the proposed project. As stated the grant application, the University also dedicated \$4,500 towards this project to help pay for the banners and brackets.
2. On January 3, 2005, the Newberg City Council adopted a banner design for the project through Resolution No. 2005-2553. The banner brackets and banners were installed on the downtown street lights in the spring of 2005.
3. The banner project came in under budget. Approximately \$2,300 remained from the original \$10,500 grant from Yamhill County for the project. The City requested from the County that the remaining funds be used towards the purchase of a set of decorative winter banners. The County approved this request. The NDRC committed to raising the approximately \$500 additionally needed to purchase the banner set. The NDRC has already raised the additional required funds through various fundraisers (block party and Community night food sales as well as donation buckets in downtown stores).
4. The NDRC requested from George Fox University (GFU) graphic arts staff/students to create some proposed banner designs. Four of the proposed designs were displayed at the Community Night event on October 18, 2005 to solicit public input on the designs. The NDRC subsequently evaluated the four proposed designs and decided to request additional potential designs from GFU and a local artist. Nine additional designs were submitted to the NDRC for consideration.
5. At the October 16, 2005 NDRC meeting, the Committee evaluated all the proposed designs and decided to recommend the design in Exhibit A as a base design. GFU staff revised a version of this design based upon recommended modification by the NDRC. A final version of the recommended design was presented at the December 8, 2005 City Council meeting for consideration of adoption.

6. The NDRC plans to have the winter banners up for display in the downtown area in January 2005. Any adopted winter banner design will need to receive approval by ODOT and PGE prior to production.

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

1. The winter decorative banners, as illustrated in Exhibit A, shall be allowed for use within the downtown area.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: December 6, 2005.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 5<sup>th</sup> day of December, 2005.

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James H. Bennett, City Recorder

**ATTEST** by the Mayor this \_\_\_\_ day of December, 2005.

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Bob Stewart, Mayor

**LEGISLATIVE HISTORY**

By and through \_\_\_\_\_ Committee at \_\_\_\_ / \_\_\_\_ /2005 meeting. Or,  None.  
*(committee name)* *(date)* *(check if applicable)*



Umbrella Child Designed by **Janelle Townsend** George Fox University

# REQUEST FOR COUNCIL ACTION

**DATE ACTION REQUESTED: 2005, December 5**

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

<p style="text-align: center;">Date Submitted: November 18, 2005</p> <p><b>SUBJECT: Motion to approve an increase in the Systems Development Charges for Water, Wastewater, and Storm, by 3.4% based on the Engineering News Record (ENR) Construction Cost Index (CCI) as of October 2005.</b></p>	<p>Contact Person (Preparer) for this Motion: <b>Daniel Danicic, PE</b>  <b>Public Works Director</b></p> <hr/> <p>Dept.:</p> <p>File No.:  <i>(if applicable)</i></p>
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**RECOMMENDATION:**

Motion to approve an increase in the systems development charges (SDCs) for water, wastewater, and storm based on the methodology established by the City Council when each system development charge was originally set.

**BACKGROUND:**

1. This request is to approve this year's inflation rate adjustment of 3.4% to the systems development charges (rounded to the nearest dollar) as follows:

SDC	Current Charge	Proposed Charge	Summary of Change
Water	\$3,597.34//EDU	\$3,720.00	Increase of \$122.66.
Wastewater	\$1,370.26	\$1,417.00	Increase of \$46.74. Charge is for first 18 fixture units. Over 18 units, fee is increased from \$76.13 to \$79 per unit.
Storm	\$241.15	\$249.00	Increase of \$7.85.

2. The enabling ordinance for each SDC directs staff to adjust that SDC annually by the ENR CCI.
3. Since this is not a change in the methodology, it does not require notice and hearing. Notice and hearing were completed with the adoption of the report and methodology for each SDC.

4. Effective Date: These revised charges shall be effective for any permit issued after 5:00 p.m. on December 31, 2005. In addition, any permit application that has not been submitted or is not completed by December 16, 2005 at 5:00 p.m. will be subject to the new charges.

**FISCAL IMPACT:**

Under this proposal, the difference in water, sewer and storm systems development charges for a typical single-family dwelling unit would be \$177.25 from \$5,208.75 to \$5,386.00.


**STRATEGIC ASSESSMENT:**

Newberg has a commitment to its residents to require new development to pay for the services for which it creates the need. Changing these systems development charges is consistent with this general City policy.

SUBMITTED BY:

  
Daniel Danicic, PE  
Public Works Director

APPROVED BY:

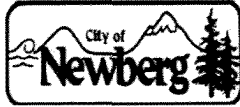
  
James H. Bennett  
City Manager

**ATTACHED IS ADDITIONAL  
INFORMATION  
FOR **DECEMBER 5, 2005**  
CITY COUNCIL MEETING.**

**PLEASE INCLUDE THIS IN  
YOUR PACKETS:**

**ITEM VII-2  
Ordinance No. 2005-2627  
Replace Ordinance**

**ITEM VIII-3  
Resolution No. 2005-2607  
Add**



## ORDINANCE NO. 2005-2627

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### AN ORDINANCE AMENDING CITY CODE SECTION 32.72, MEMBERSHIP OF THE CITIZENS RATE REVIEW COMMITTEE

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#### RECITALS:

1. A Citizens Rate Review Committee was established in 1992 and is to consist of nine members, eight of which are to be residents of the city and the mayor who serves ex officio.
2. Since 2003 an insufficient number of citizens have applied to fill vacancies on the committee.

#### THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. Section 32.72 of the Newberg City Code shall be amended to reduce the size of the Citizens Rate Review Committee from nine citizens to eight citizens:

“The Committee shall consist of eight members. Seven members shall be residents of the city and the eighth member shall be the Mayor who shall serve as an ex-officio non-voting member.”

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: January 5, 2006.

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 5<sup>th</sup> day of December, 2005, by the following votes:

**AYE:**

**NAY:**

**ABSENT:**

**ABSTAIN:**

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

**ATTEST** by the Mayor this \_\_\_\_\_ day of December, 2005.

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

#### LEGISLATIVE HISTORY

By and through Rate Review Committee at 11/16/2005 meeting.

# i n t e r o f f i c e

## M E M O R A N D U M

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**to:** Newberg City Council

**from:** David Beam, Economic Development Coordinator/Planner

**re:** Proposed Downtown Winter Banner

**date:** December 2, 2005

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At the City Council's December 5, 2005, you will be considering the adoption of a downtown winter banner. The meeting packet's staff report regarding this issue states that the Newberg Downtown Revitalization Committee (NDRC) had solicited revisions for some of the proposed designs. The NDRC has reviewed those revisions and is now recommending the design attached to this memo for the winter banners. This design replaces the girl with the umbrella design in the meeting packet.

NEWBERG



# NEWBERG CITY COUNCIL MEETING INFORMATION

Kathleen Bochart  
Prepared by:

DATE of Meeting: 12-5-05

Councilors	Roll Call	Res/Ord # #2624 Topic: calendar	Res/Ord. # #2625 Topic: Smith Comms.	Res/Ord # #2626 Topic: shuk	Res/Ord # #2627 Topic: 5% NUNCI	Res/Ord # #2628 Topic: 2020 Rate Review	Res/Ord # #2629 Topic: planters	Res/Ord # #2630 Topic: TSD Change	Res/Ord # #2631 Topic: Streetscape	Res/Ord # #2632 Topic: Banners
STEWART, Bob, Mayor	✓						(tabled)			
ANDREWS, Bob	✓	Yes	Yes	Yes	Yes 2	Yes 1	Yes 1	Yes	Yes 2	Yes 1
BOYES, Mike	✓	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
CURRIER, Roger	✓	Yes 1	Yes	Yes	Yes	Yes 2	Yes 2	Yes 2	Yes	Yes
NELSON, Dawn	✓	Yes 2	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes 2
McBRIDE, Mike	✓	Yes	Yes	Yes	Yes	Yes	Yes	Yes 1	Yes 1	Yes
SOPPE, Robert	✓	Yes	Yes	Yes	Yes 1	Yes	Yes	Yes	Yes	Yes
<b>ROLL CALL VOTES</b>		YES: 6 NO: 0 Absent: - Abstain: -	YES: 6 NO: 0 Absent: - Abstain: -	YES: 6 NO: 0 Absent: - Abstain: -	YES: 6 NO: 0 Absent: - Abstain: -	YES: 6 NO: 0 Absent: - Abstain: -	YES: 6 NO: 0 Absent: - Abstain: -	YES: 6 NO: 0 Absent: - Abstain: -	YES: 6 NO: 0 Absent: - Abstain: -	YES: 6 NO: 0 Absent: - Abstain: -
<b>Department:</b>		Admin	Planning	planning	Finance	Finance	Planning	Public works	Planning	Planning
<b>CHANGES: (Yes/No)</b>		NO	NO	NO	Yes	NO	NO	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

DATE of Meeting: \_\_\_\_\_

Prepared by: \_\_\_\_\_

Councilors	Roll Call	Res/Ord # Topic: <u>charges</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	✓								
ANDREWS, Bob	✓	Yes							
BOYES, Mike	✓	Yes							
CURRIER, Roger	✓	Yes 1							
NELSON, Dawn	✓	Yes 2							
McBRIDE, Mike	✓	Yes							
SOPPE, Robert	✓	Yes							
<b>ROLL CALL VOTES</b>		YES: <u>6</u> NO: <u>0</u> Absent: <u>-</u> Abstain: <u>-</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: _____
<b>Department:</b>		Public Works							
<b>CHANGES: (Yes/No)</b>		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 City Recorder for packet; (2) Copy of applicable materials to Dept. for their file.
- Route labeled Audio tape(s) to Library (ATTN: Sandi Schmidt).

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

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

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