

CITY OF NEWBERG
CITY COUNCIL AGENDA
TUESDAY, OCTOBER 16, 1990
7:30 P.M.
NEWBERG PUBLIC LIBRARY

I. CALL MEETING TO ORDER

II. ROLL CALL

III. CONSENT CALENDAR:

1. Approve minutes from an adjourned Council meeting on September 18, 1990, minutes from a Joint Council/Hospital Commission meeting on October 1, 1990 and minutes from a Regular Council meeting on October 1, 1990.
2. Authorization of Mayor to sign an agreement with County to modify the Newberg Urban Area Growth Management Agreement.

IV. REQUESTS AND COMMUNICATIONS FROM THE FLOOR.

V. PUBLIC HEARING:

1. Information regarding Zoning Ordinance revisions for a Manufactured Housing Overlay Zone.
2. Revisions to Comprehensive Plan for periodic review (Copies of the revised document will be provided at the meeting. Council will want to open the hearing, accept the staff report and continue the hearings to the November 5, 1990 Council meeting.)

VI. REPORT FROM CITY MANAGER.

VII. CONTINUED BUSINESS.

VIII. NEW BUSINESS:

1. Ordinance No. 90-2284 placing a lien on properties owing the City of Newberg money for grass cutting and declaring an emergency.

City Council Agenda
October 16, 1990

2. Information on Ballot Measure #5. Resolution 90-1581 supporting Ballot Measure #5. Resolution No. 90-1582 opposing Ballot Measure #5.
3. Appointment of a Council member to the School District Task Force for Facilities Needs.

IX. EXECUTIVE SESSION:

1. Pursuant to ORS 192.660(h)(i) relating to the composter.

X. ADJOURNMENT.

INDEX OF RESOLUTIONS AND ORDINANCES ON THIS AGENDA FOR ACTION:

RESOLUTIONS:

1. Resolution 90-1581 supporting Ballot Measure #5.
2. Resolution No. 90-1582 opposing Ballot Measure #5.

ORDINANCE:

1. Ordinance No. 90-2284 placing a lien on properties owing the City of Newberg money for grass cutting and declaring an emergency.

CITY OF NEWBERG
CITY COUNCIL WORK SESSION
EXECUTIVE SESSION PURSUANT TO
ORS 192.660(h)(i)
TUESDAY, OCTOBER 16, 1990
6:00 P.M.
NEWBERG COMMUNITY HOSPITAL

THE CITY COUNCIL OF THE CITY OF NEWBERG WILL HOLD A WORK SESSION TO REVIEW THE OCTOBER 16, 1990 COUNCIL AGENDA ITEMS AND HOLD AN EXECUTIVE SESSION PURSUANT TO ORS 192.660(h)(i). THE COUNCIL WILL NOT MAKE ANY DECISIONS ON THE AGENDA ITEMS AT THE WORK SESSION. THE WORK SESSION WILL BE HELD AT THE NEWBERG COMMUNITY HOSPITAL, CONFERENCE ROOM "C".

THE WORK SESSION WILL BE FOLLOWED BY THE CITY COUNCIL MEETING WHICH WILL BE HELD AT NEWBERG PUBLIC LIBRARY BEGINNING AT 7:30 P.M.

DATED THIS 11TH DAY OF OCTOBER, 1990.



DUANE R. COLE
CITY MANAGER

\WSNOTE

Tuesday, 7:30 p.m.

October 16, 1990

MINUTES OF AN ADJOURNED MEETING
OF THE NEWBERG CITY COUNCIL

Newberg Public Library

Newberg, Oregon

The meeting was called to order by Mayor Elvern Hall.

ROLL CALL:

Present: Roger Gano
Alan Halstead
Donna McCain
C. Eldon McIntosh
Donna Proctor

Absent: Jack Nulsen
Joe Young
Rick Rementeria

Staff
Present: Duane R. Cole, City Manger
Terrence D. Mahr, City Attorney
Dennis Egner, Director of Planning
Katherine Tri, Director of Finance

Others
Present: Mark McDevitt, TCI Cablevision
Cheryl Hampton, Recording Secretary
John Wenos, Newberg Graphic

CONSENT CALENDAR:

Motion: Halstead/Proctor to approve the Consent Calendar.
(Disposition - Unanimous)

REQUESTS AND COMMUNICATIONS FROM THE FLOOR: None

PUBLIC HEARING:

Councilor Roger Gano asked if the Public Hearing on the revision of the manufactured housing overlay zone and the Public Hearing on the zoning ordinance could be opened at the same time.

Mayor Hall opened both hearings simultaneously.

Duane Cole continued with the hearing stating he would like to provide an opportunity for the public to become aware of the issue. Mr. Cole stated that he wanted the difference between the

*Final
10/16/90
P. Hall*

Comprehensive Plans to be known. Mr. Cole stated that tonight's presentation was basically to provide an informative basis for the Council with regard to manufactured housing.

Dennis Egner addressed the manufactured housing overlay zone and made reference to several overlays he had brought to the meeting for assistance in his presentation. Mr. Egner and the Council discussed how much land was required for the overlay zone. Mr. Egner stated that 70 acres were required for a designation, however, that much land was not available. Mr. Egner then suggested making approximately 280 acres available for the Mixed In-fill Overlay Zone (Individually Sighted Manufactured Homes). Mr. Egner stated that 20% of the projected housing needs to be available for mobile homes/manufactured homes. Mr. Egner stated the minimum placement standards for manufactured housing. Mr. Egner stated that they do not necessarily appear as your basic, single-wide mobile home. Mr. Egner stated standards would include square footage not less than 1,000 square feet, requirement of excavated back-filled foundations, a pitched roof with a 3:12 pitch, siding and roofing that are similar to that of non-manufactured houses and garages/carports. Mr. Egner stated that these are provisions of the state law that are intended to make the manufactured home more compatible with single-family homes. Mr. Egner explained the creation of a sub-district to the zoning ordinance stating that up to that stated need, until the City has 70 acres, the only criteria that could be applied are those criteria that are listed in the Council packet. Mr. Egner stated that the process that would be used to affirm this would be to identify certain areas in the community or make a certain amount of land available for this overlay zone. Mr. Egner said that based on those standards what the City would end up with would be about 280 acres of land in which the in-fill overlay zone could be applied when someone asked for it. Mr. Egner said that in essence what would be done would be to make 280 acres available to use 70 acres for the overlay zone.

Councilor Alan Halstead asked if the land near North St., where the homes are of a more historic design that are inappropriate for remodeling, could be used for manufactured housing?

Dennis Egner replied that it could.

Councilor Donna McCain asked about the land south of 1st Street and whether any of that area would include the overlay.

Dennis Egner responded that if you take that potential historic district away, you are taking six blocks out of a 30-block area, so the need the overlay zone supplies, would not be met through the use of that area.

Councilor C. Eldon McIntosh asked for the difference to be explained to him between a mobile home and a manufactured home.

Dennis Egner replied by saying that in 1976 structures were labelled as manufactured houses. Mr. Egner said that 90% of manufactured structures are never moved. Mr. Egner stated that a new definition for manufactured homes needs to be supplied in the zoning ordinance.

At this point of the meeting, Dennis Egner provided the City Council with new copies of the Comprehensive Plan with revisions and stated that the hearing would be continued on November 5, 1990, during the next City Council Meeting.

Mayor Hall asked if the Planning Commission was finished with the Comprehensive Plan revisions.

Dennis Egner stated that they were except for the historic preservation listing.

Don Clements, Newberg, Oregon, stated that the Senior Center and the Community Center needed to be included in the Public Building category.

Motion: Gano/Halstead to continue the Public Hearing until the November 5, 1990 meeting. (Disposition - Unanimous).

Motion: Gano/Proctor to read ordinance by title only and an ordinance placing liens on property owing the City of Newberg money for grass cutting. (Disposition - unanimous).

Mr. Cole reads Ordinance No. 90-2284 reads ordinance by title only.

Motion: Halstead/McCain to adopt a resolution opposing property tax limitation. (Disposition - unanimous).

Councilor Roger Gano asked Katherine Tri if she had any comment.

Ms. Tri stated that the City had the new tax rates from the county. Ms. Tri explained that the new assessments showed a 6.8% increase of assessed value. Ms. Tri then explained the property tax limitation measure. Ms. Tri stated that one of the problems is that the State of Oregon could consider its basic school support already as part of its support to the schools, which would really hurt the schools. Ms. Tri said that either state programs would have to be cut substantially or have to increase income tax to make up for that loss.

Motion: Gano/Halstead to appoint Donna Proctor to the School District Task Force for Facilities Needs. (Disposition - four ayes; motion carried).

Duane Cole highlighted items from the Manager's Report.

Councilor Donna Proctor announced Red/White Day, Friday, October 19, 1990, at 11:30 a.m. This is in regard to a drug-free celebration at Renne Middle School.

Motion: Gano/Proctor to adopt resolution pertaining to the retirement benefits of the City Manager and the City Attorney. (Disposition - unanimous).

The City Council moved to adjourn to Executive Session.

Duane R. Cole, City Recorder

ATTEST:

Mayor, Elvern Hall

CC10-16

Tuesday, 7:30 p.m.

September 18, 1990

MINUTES OF AN ADJOURNED MEETING
OF THE NEWBERG CITY COUNCIL

Newberg Public Library

Newberg, Oregon

The meeting was called to order by Mayor Elvern Hall.

ROLL CALL:

PRESENT: Roger Gano
Alan Halstead
Donna McCain
C. Eldon McIntosh
Jack Nulsen
Donna Proctor
Joe Young
Rick Rementeria

STAFF PRESENT: Duane R. Cole, City Manager
Terrence D. Mahr, City Attorney
Bert Teitzel, Public Works Director
Dennis Egner, Planning Director
Katherine Tri, Finance Director

OTHERS PRESENT: Cheryl Hampton, Recording Secretary

CONSENT CALENDAR:

Motion: Halstead/Gano to adopt the consent calendar. (Disposition - unanimous)

Motion: Halstead/Nulsen to adopt resolution concerning the lawsuit against Ashbrook-Simon-Hartley with regard to the composter, authorizing the City Manager to proceed. (Disposition - Unanimous)

Motion: Gano/McIntosh to consider adjournment of the meeting at 9:00 p.m. (Disposition - Nulsen opposed)

REQUESTS AND COMMUNICATIONS FROM THE FLOOR:

None

PUBLIC HEARING:

Public hearing on Hadley Water Local Improvement District servicing lots in the Newall Addition Subdivision.

Bert Teitzel explained that the hearing was for an assessment on the Newall Addition for water service. Mr. Teitzel referred to a

diagram in the agenda. Mr. Teitzel stated that the assessment was inclusive of everything in the subdivision with the exception of two lots that are adjacent to the highway. Mr. Teitzel stated that those two lots are presently served by the water system on the highway. Mr. Teitzel stated that the City proposes equal lot assessment based on equivalent lots. Mr. Teitzel stated that some of the property is undeveloped at this point.

David Abbott, 32550 Parrett Mountain Road, Newberg, Oregon, stated that he is being assessed for five unimproved lots. Dr. Abbott stated that he is the only property owner in the subdivision that pays five times the amount of other property owners. Dr. Abbott stated he is not gaining any benefit from the unimproved lots he owns, therefore feels it is unfair to be required to pay a service assessment amount on it. Dr. Abbott asked for clarification of what was meant by a "vacant" lot.

Bert Teitzel explained to David Abbott that he will be paying less because the City will not be putting the service line across the unimproved lots, thus not rendering him responsible for the service line fee.

Dr. Abbott inquired as to whether he would be responsible to pay an additional cost when the sewer service line was installed in the future?

Mayor Hall explained that if you were the property owner of a vacant lot on Meridian, for example, if a line was put in that had been already paid for you would also be required to pay that system development charge.

Dr. Abbott reiterated that he would be paying for something that he will receive absolutely no benefit from.

Mayor Hall stated that the benefit is that the service line is in existence when the property owner wishes to build.

Dr. Abbott asked if the next step would be a new sewer LID for the subdivision?

Mr. Teitzel stated the City anticipated that step to be done during the summer of 1991. Mr. Teitzel said that he did not bring that information with him to the meeting but from memory he stated that the cost would be slightly higher than the water service fee.

Dr. Abbott stated that for water and sewer service he was being assessed at a cost that was higher than what he paid for the property. Dr. Abbott asked if there was any way he could delay payment until his property was more useful.

Duane Cole stated that is the reason why a Bancroft or special systems procedures is provided, so it can be paid for over time.

Mr. Cole stated that a likely timetable for the assessment would be February - April, 1991.

Dr. Abbott stated that he had been unaware of that information.

Scott Bernard, Newberg, Oregon, asked Mr. Teitzel if the sewer improvement would be handled under a separate project and if so was there a time frame involved?

Mr. Teitzel explained that the City had planned it for the summer of 1991 so both of the lines can be in the ground right away.

Bill Bradley, 1309 Hadley, Newberg, Oregon, asked if the \$3,067.00 was a firm estimate.

Bert Teitzel stated that figure is an engineer's estimate. Mr. Teitzel said that if the bids come in 10% higher than that amount there will be another public hearing where current information will be available.

Mayor Hall closes the Public Hearing.

Councilor Jack Nulsen asked why David Abbott's land is being charged for five lots when it is two tax lots.

Bert Teitzel responded by saying that the staff-determined assessment was made for the number of lots rather than the area.

Joe Young said the City has pre-determined that property will be divided in five lots.

Terry Mahr, in agreement with Bert Teitzel, stated that the LID assessment could be made by area rather than by number of lots.

Councilor Rick Rementeria inquired as to whether this should be referred to the Public Works Committee for determination.

Bert Teitzel stated that the project could be held off for one more month if that were the case.

Motion: Rementeria/Gano to postpone installation and refer the matter to the Public Works Committee. (Disposition - Unanimous)

Ann Fine, 1009 Newall, Newberg, Oregon, stated that the residents of the Newall Addition desperately need to have their water line improved now.

At this time there was discussion among the City Council and the City Staff to determine how to resolve when to begin the project and redetermination of the assessment of Abbott's property.

Motion: Gano/Rementeria to reconsider the Hadley Water District

Local Improvement District matter. (Disposition - Unanimous)

Motion: Halstead/McIntosh to accept the engineer's report, call for bids and instruct the engineer to look at the feasibility of whether this really is five lots, can they get five lots there, and what would the assessment be if it were done on an area basis. (Disposition - Unanimous)

Leona Reed, Newall Road, Newberg, Oregon, asked the Council if there is a federal grant that might be applicable to the sewer district?

Mayor Hall stated that there was not.

CITY MANAGER'S REPORT:

None

CONTINUED BUSINESS:

Motion: Gano/Proctor to reopen Public Hearing on the Northeast Area Transportation Plan-Crestview/Mountainview Alignment.

Duane Cole stated that this is a very important issue and although it may appear to be a lengthy process, roads are critical issues and must be carefully considered. Mr. Cole provided the Council with an explanation of the staff report, included in the agenda, giving attention to each option involved. Mr. Cole displayed a drawing, produced by Adec, of the proposed Crestview Alignment.

Dennis Egner displayed a slide presentation concerning the subject.

Melinda Newland, 3006 Crestview Dr., Newberg, Oregon, asked how the future road improvement is going to affect the road, as presented in Option 4.

Duane Cole responded that it would depend on the standards the Council would want to put into place. Mr. Cole stated that he felt the Council's option would be to put in standards that the berm is not disturbed or if additional lanes are required then the building would be destroyed. Mr. Cole stated that another option might be a divided highway.

Melinda Newland stated that she felt perhaps it was time for the City to address problems now, rather than wait for them to be a major problem in the future.

Jack Miller, 3200 Crestview Dr., Newberg, Oregon, stated that he was concerned that utility vehicles would have to turn around in the property owners' driveways.

Denneyce Wheeler, 3112 Crestview Dr., Newberg, Oregon, stated that she believes tourist traffic will force additional improvements to Crestview.

Scott Rheinhardt, 300 W. First, Newberg, Oregon, stated that the City Council must not shortcut the future.

Joan Austin, Parrett Mountain Road, Newberg, Oregon, stated if the road needs to be expanded in 20 years, an ADI building can be removed for that purpose at that time.

Rachel Kennedy, Newberg, Oregon, stated that she observed in ten minutes time during the meeting 75 cars contributing to the traffic flow outside of the library.

Mayor Hall closed the Public Hearing.

Councilor Roger Gano questioned the City Staff with regard to traffic control signals for the proposed new street.

Duane Cole stated that the City did have in place the "per parking space assessment" that was previously set forth by the City for the raising of funds for traffic signals.

Councilor Donna Proctor, referred to Option 4. Councilor Proctor suggested if the road was required to be more than two lanes there should be a restriction set forth on Crestview to two lanes.

Councilor C. Eldon McIntosh suggested that Option 4 be implemented with Option 5 for future needs.

The Council discussed this option and Adec's willingness to remove a building if and when the road needs to be widened.

Councilor Joe Young stated that when the Council came up with the Northeast Area Transportation Plan they were looking for another roadway besides Springbrook Road to access the area from. Mr. Young stated that by that it gets back to an east/west type of roadway rather than a Springbrook Road to the intersection that is currently being discussed. Mr. Young stated that he felt if the Council would back up for a moment and remember that they are looking for an avenue to serve as a collector street rather than a "freeway". Mr. Young suggested that the road be expanded north into the area of the Adec building should the future traffic flow thus predicate.

Duane Cole verified that in Option 4 reference is made to a two lane road, not a three lane road.

Donna McCain asked if it is possible, 20 years from now, that the new alignment could become a one-way road coming out of Newberg and another one-way going north at what is now the existing ADI

Building.

Denneyce Wheeler said that the Crestview neighbors wanted to know how it can be written into the proposed ordinance that Adec will move their building 20 years hence if the traffic situation predicates such an action.

Joe Young said that for instance, the formula could be used that is being used with the road there is in existence now and if the road traffic increased 20% then the road would be increased 20%.

Denneyce Wheeler stated that she would like specific wording to be included in the ordinance that states exactly how and when the road will be widened.

Terry Mahr stated that when the Springbrook development comes through, at that time could a stipulation be attached to future expansion.

Melinda Newland expressed a concern for the street north of ADI with regard to a connection to one railroad crossing or two.

Rick Rementeria said it would state in the ordinance if at such time it came to condemn the ADI building, the developer would have the option of saying instead of abolishing this building, lets dedicate land to the north and bring the other two lanes around.

Jack Nulsen stated that his belief was that he had previously made a motion to approve Option 4 and that was to table it to this current meeting. Councilor Nulsen stated that at this present time he would like to reinstate his motion.

Motion: Nulsen/Proctor to instruct the City Attorney to draft a resolution adopting Option 4, the realignment of Crestview Dr., with a provision stating that from the intersection of Springbrook Road going west; then north across the railroad tracks; that road being in conformity to the topic section the Council has received with the exception of the removal of a planter on the north side that shows seven feet wide, the planter on the south side to be extended to 16 feet wide, the bicycle lane being illustrated on the north side to be eliminated and that portion be added to the two traffic lanes. Also a requirement of an explanation of any future expansion of this section of Crestview Dr. to be made strictly on the north side of this present location. On the east end of Crestview Dr. there is to be installed a cul-de-sac with the maximum width possible.

Duane Cole stated that the City staff had not anticipated what the Council might do on this matter, however, the City has some draft development standards which address a lot of the issue that is being discussed.

Councilor Nulsen stated that he did not want to leave it up to City staff any longer to prevent them from being put into any argumentative situations involving citizens. Councilor Nulsen stated that he feels that a large part of the problem that is occurring at this present time is because there has never been a staff-developed plan as to what actually was there. Also the fact that the Crestview alignment sketch had been created so far along in the issue.

Motion: Young/Proctor to amend Councilor Nulsen's motion to say that any traffic increase would be a cause to increase the berm/buffer area to preserve livability.

Terry Mahr provides a clarification of Councilor Nulsen's proposed motion.

Motion: Nulsen/Proctor to prepare and bring back to the Council a resolution ordering the alignment of the road to be on Crestview Dr. as shown in Option 4 with the amenities as shown in the drawing which includes the intersection at Springbrook Road, west across the railroad tracks conforming to the drawing. A planter on the north side should be taken out and put in on the south side, extending that 16 feet. The bicycle lane on the north side would be eliminated and in stipulation of future expansions be placed strictly on the north side. The east end, the establishing cul-de-sac, maximum width possible. (Disposition: 1 Nay; remaining in favor - motion carried).

Motion: Nulsen/McCain to adopt an ordinance to delete the ordinance with regard to Mountainview Dr. (Disposition: 1 Nay; remaining in favor - motion carried).

Motion: Gano/McCain to adjourn the meeting. (Disposition: Unanimous; Halstead abstained).

Duane R. Cole, City Recorder

ATTEST:

Mayor Elvern Hall

CC9-18

7
III-1

71

Monday, 7:30 p.m.

October 1, 1990

MINUTES OF A REGULAR MEETING
OF THE NEWBERG CITY COUNCIL

Newberg Public Library

Newberg, Oregon

The meeting was called to order by Mayor Elvern Hall.

ROLL CALL:

Present: Roger Gano
Alan Halstead
Donna McCain
C. Eldon McIntosh
Jack Nulsen
Donna Proctor
Rick Rementeria
Joe Young

Staff
Present: Duane R. Cole, City Manager
Terrence D. Mahr, City Attorney
Bert Teitzel, Director of Public Works
Katherine Tri, Director of Finance
Dennis Egner, Director of Planning

CONSENT CALENDAR:

Motion: Gano/Halstead to adopt consent calendar.
(Disposition - unanimous).

REQUESTS AND COMMUNICATIONS FROM THE FLOOR:

Nadine Windsor, 2902 E. 2nd, No. 28, Newberg, Oregon, stated that there is a need for available copies of the City Council Meeting Agenda for the public.

Duane Cole stated that the City staff would make certain that that was done in the future.

Nadine Windsor asked if the City of Newberg belonged to the National League of Cities/Oregon League of Cities.

Mayor Hall responded to Ms. Windsor that the City does belong to both organizations.

Nadine Windsor asked if that decision to belong to such an

organization is an item that the Council votes on.

Mayor Hall responded that it was the Budget Committee's responsibility to approve such a decision.

Nadine Windsor asked what the membership cost of belonging to these organizations is.

Kathy Tri stated that the National League's dues were \$886.00 and the League of Oregon Cities dues were \$4,172.00.

PUBLIC HEARING: None

CITY MANAGER'S REPORT:

1. The League of Oregon Cities Conference will be held November 10 - 12, 1990, at Jantzen Beach, Portland, Oregon.
2. A display of new shirts/jackets for the City's public works employees.
3. The meeting with the Hospital Commission has been changed from October 17, 1990, to November 6, 1990.

NEW BUSINESS:

Dennis Egner explained the Newberg Urban Area Management Commission. Mr. Egner stated that this is a commission that was set forth in the property management agreement with the County. Mr. Egner stated that a few months ago there was discussion with regard to rewriting that agreement. Mr. Egner stated there might be a different approach in doing so. Mr. Egner stated that presently there is a need to convene this commission because of the Newberg/Dundee bypass. Mr. Egner said that the State of Oregon wants the City to make sure that their policies are consistent with Yamhill County's policies. Mr. Egner stated that the best way to insure that happens is through the commission. Mr. Egner stated that there was a need for a Council member to be willing to be on the Commission.

MOTION: Halstead/Gano to approve Rob Molzahn, Jack Kriz, C. Eldon McIntosh, Leonard Rydell and Bill Jackson to serve on the Newberg Urban Area Management Commission. (Disposition - Unanimous).

CONTINUED BUSINESS: Northeast Area Transportation Plan.

Councilor Alan Halstead abstained from voting on any issue with regard to the subject at hand.

Terry Mahr proceeded to explain three documents to the Council, a proposed resolution initiating a plan amendment, an ordinance initiating a plan amendment and an ordinance adopting a plan amendment. Mr. Mahr stressed that if a Master Plan is not submitted, the collector street would remain as it is presently.

Councilor Jack Nulsen asked if the documents under discussion had been made available to the interested parties involved. Terry Mahr responded that they had.

Councilor Roger Gano stated that he had an opportunity to speak with proponents of the Crestview issue and one of the things that he attempted to point out is if an ordinance is adopted it is then tied down to a specific time, a method of determining at what point Mountainview or Crestview as a collector street would be widened and utilize the offer that Mrs. Austin made with regard to the removal of an ADI building. Councilor Gano stated that he wanted the wording in an ordinance to specifically state that any future widening of Crestview Dr. would go north, and not south into currently established neighborhoods.

Steve Pfeiffer, legal counsel representing ADI, stated to Councilor Gano in reference to the new "F" of documents, was that his concern about level of service is that when you have a problem in an intersection, widening a lane is not always the best way to solve it. Mr. Pfeiffer stated that what ADI proposes is basically that through these ordinances/resolution that the Master Plan be further conditioned to direct the past Crestview revisions. Mr. Pfeiffer said that any alignment should be assessed as part of a Master Plan and that there be provisions set forth in the Master Plan to accommodate any necessary improvements. Mr. Pfeiffer stated that typically that is done, in his experience, then if development occurs prior to the actual development, the developers approval is conditional upon the provisions of improvement in the Master Plan.

Councilor Gano reminded Mr. Pfeiffer that he was in attendance at a prior City Council meeting where Mrs. Austin offered to consider taking down an ADI building for the purposes of accommodating an overburdened traffic flow on Crestview Dr. Councilor Gano asked Mr. Pfeiffer if there should be a way that that offer be tied into some type of language, acknowledging that offer and saying further that the development of the Master Plan that is forthcoming will further clarify and tie or bind both parties to that offer.

Mr. Pfeiffer responded to Councilor Gano's remark by saying that he thought that without having specific conditions that are typically attached to a Master Plan, his concern is that with this language that Councilor Gano suggested, any improvements that are brought about stemming from development of the property, that is part of the Master Plan, then you have a fair demand from the City that if that need comes from the development, that developer should pay for the improvements. Mr. Pfeiffer stated he was concerned that if by simply holding the Austins to a blanket requirement, should Crestview need to be widened, without nominal development of that property, the burden of that development would go to Austin Industries.

Councilor Joe Young stated that Councilor Gano's question will be answered more fully when the Master Plan comes forth from the Planning Commission. Councilor Young stated that the issues like Councilor Gano was referring to are going to get triggered based on what is there.

Councilor Gano stated that he is uncomfortable with the offer of removing an ADI building, if necessary, being only a general statement, with nothing else to back it up.

Terry Mahr stated that the Springbrook Inn has an approved zone and it awaits a PUD proposal. Mr. Mahr said it is possible for the Springbrook Inn to go forward independently with the Springbrook Master Plan. Mr. Mahr stated that he did not envision that actually taking place, however, it would be possible for that to happen.

Councilor Nulsen stated that he feels the discussion has been nothing but a contribution toward delaying the passage of a planned unit development during this three year period of time. Councilor Nulsen stated that he does not interpret Mrs. Austin's statement as saying "I will give you the building". Councilor Nulsen stated that in essence what she is saying is that ADI will not object to the building being condemned for purposes of widening Crestview Dr., rather than offering the building to the City for "free".

Councilor Donna Proctor asked how the Council would answer the public and justify the expense of condemning a building when the public voted down this proposal in the first place.

Councilor Jack Nulsen stated that it is not an absolute that you have to ask the citizen's permission to condemn property.

Denneyce Wheeler stated that she does not understand how, on September 4, 1990, the Council instructed City staff to bring back the actual footage in a road sketch situation to be considered by the Council. Ms. Wheeler stated that the

sketch that was brought back to the Council does not meet the standards the Council had asked for.

Councilor Roger Gano stated that he felt the 70 foot right-of-way did not necessarily mean all of the new Crestview Road. Councilor Gano stated that he thought Councilor Young's specific request was "tell us in feet and inches if you can get it to those specifications or at least an exact foot measurement from the edge of the ADI building to your north property line." Councilor Gano said that the staff did that by reporting to the Council that it was 91 feet.

Councilor Joe Young stated that he did not exactly recall what he had said at the earlier meeting but his comment was that he wanted to know exactly how many feet were there so the Council could figure out if there was to be an adequate street through there.

Councilor Roger Gano inquired of Bert Teitzel as to what the City standard is for a collector street like the one under discussion.

Bert Teitzel responded by saying the City standard for the total right-of-way would be 70 - 80 feet.

Councilor Gano asked, if in Mr. Teitzel's interpretation, would that include frontage road, would that include the berm or would that be just from the north side of the wall to the face of the ADI building - where is that 70 - 80 feet?

Mr. Teitzel responded by stating that that is a standard which is optimal for a collector street. Mr. Teitzel said you do not have a standard situation here. Mr. Teitzel stated that it is a policy decision as to how the City wants to use the right-of-way space that it has. Mr. Teitzel said that with 70 - 80 feet, if the City had bare ground going out through there with no restrictions for a roadway, the type the City would propose in this situation, the City would ask for an 80 foot right-of-way, so there would be some amenities in the right-of-way for the utilities. Mr. Teitzel stated that in a restricted area it is up to the Council to determine how much space and landscaping they want to provide.

Councilor Proctor asked if the property owner's property will be used for City landscaping purposes.

Councilor Nulsen responded that would not be the case.

Councilor Rick Rementeria expressed concern with the City having to possibly purchase the ADI building in the future.

Duane Cole responded by stating that there might be alternative options, for example, a land trade.

Denneyce Wheeler stated that she would like to ask the Council to stand outside of the whole issue and take a look at the City of Newberg to determine if it needs a collector street between College Street and the bottom of Rex Hill, then ask what is best for the City of Newberg with regard to a traffic pattern and realize the standard collector requirements would be without any frontage road. Ms. Wheeler stated that also, the City of Newberg, desperately needs that kind of a collector and to be forced into a 51 foot section, 750 feet long, would be substandard, and since when does the City want to do substandard things? Ms. Wheeler stated that she would also like to point out that on August 15, 1990, during a public hearing, Ken Austin went before the aerial view map and drew an "S" curve that went behind the ADI building. Ms. Wheeler stated that she feels that is not an unreasonable request, it would give 70 - 80 feet of right-of-way and would save the ADI building.

Councilor Gano inquired of Bert Teitzel as to what the width of two traffic lanes are on First Street. Mr. Teitzel responded that the traffic lanes are 12 feet wide.

Councilor Gano inquired of Sonja Riimake, Austin Industries, as to any further enlightenment with regard to the Austin family's thoughts on removal of the building and the cost of raising the building.

Sonja Riimaki stated that Adec is willing to do their fair share, however, does not want to commit to some unknown item.

At this time Steve Pfeiffer discussed Adec's vision of the proposed collector street.

Carol Ring, Newberg, Oregon, asked if property owners will be required to pay for improvements to the proposed street?

Bert Teitzel stated that as to where that funding will be derived from has not yet been determined.

Terry Mahr said the Master Plan will address that issue.

MOTION: Nulsen/Young to read Special Ordinance No. 90-2284 by title only, amending Section 3 and adopting all findings and facts as attached. (Disposition - Unanimous)

Terry Mahr read the amendment to Section 3 in the Special Ordinance.

Councilor Roger Gano stated that he agrees with Councilor Nulsen's feelings about the Council's rights and needs to govern the City's own streets. Councilor Gano stated that he wanted to again go on the record with an explanation of his "no" vote as being reflective of the prior vote of the people. Councilor Gano stated that should the alignment go through he believed that the safeguards that are now in place will be much better for the community than were stated before.

Councilor Donna Proctor stated that she agreed with Councilor Gano and will vote no because of the voters prior response to this issue.

Terry Mahr reads Ordinance No. 90-2284 by title only and the revision of Section 3.

Roll Call vote on Ordinance No. 90-2284

Aye - McCain, McIntosh, Nulsen and Young.
Nay - Gano, Proctor and Rementeria
(Disposition - Motion failed).

MOTION: Gano/Rementeria to adopt Resolution 90-1580.

ROLL CALL VOTE ON THE ORDINANCE:

Aye - Gano, McCain, and McIntosh
Nay - Nulsen, Proctor and Rementeria (Disposition - Motion carried).

MOTION: Halstead/Rementeria to adjourn. (Disposition - Unanimous).

Duane R. Cole, City Recorder

ATTEST:

Mayor Elvern Hall

CC10-1

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is between the City of Newberg, a municipality, and Yamhill County, a political subdivision of the State of Oregon. The purpose of this memorandum is to allow participation by the City of Dundee in the Newberg Urban Area Growth Management Commission for a limited purpose and duration, to facilitate review and coordination of comprehensive plan policies and other matters relevant to the proposed Newberg/Dundee Bypass.

1. Existing Agreements: The following agreements are in effect at the time of this memorandum of understanding:

a. Dundee Urban Area Growth Management Agreement (DUAGMA). Approved by Yamhill County on June 17, 1981, Board Order 81-287, and the City of Dundee on June 1, 1981 by Ordinance 226.

b. Newberg Urban Area Growth Management Agreement (NUAGMA). Approved by Yamhill County on June 20, 1979, Ordinance 214, and the City of Newberg on July 2, 1979, by Ordinance 1967.

c. Rules to Govern the Conduct of Business of the Newberg Urban Area Growth Management Commission. (NUAGMC Bylaws) Approved by Yamhill County on May 7, 1980, Resolution 5-7-80-2, and the City of Newberg on May 5, 1980, (~~instrument 2~~) (Attached).

2. Amendment of the Rules to Govern the Conduct of Business of the Newberg Urban Area Growth Management Commission: The parties agree that for the limited purpose and duration of this agreement, the NUAGMC Bylaws shall be amended to allow participation by three representatives selected by the City of Dundee. The three Dundee appointed members shall be allowed to participate in the proceedings of the NUAGMC to the same extent as all other members, including the right to participation in the selection of an additional "at large" NUAGMC member for the proceedings specified herein. Otherwise, the NUAGMC Bylaws, and the NUAGMA, shall remain in full force and effect until modified or rescinded by the City of Newberg and Yamhill County.

3. Effect of Dundee Urban Area Growth Management Agreement: This agreement is contingent on approval by Yamhill County and the City of Dundee of a Memorandum of Understanding to allow participation by the City of Dundee in the review and coordination process described in this memorandum, notwithstanding the provisions of the DUAGMA.

4. Procedures Established:

a. The parties agree that the review and coordination process described herein will be conducted within the framework of the NUAGMA and NUAGMC bylaws as those bylaws are modified herein to allow participation by the city of Dundee.

b. The parties agree to participate in a coordinated public information meeting and joint public hearing process to review existing comprehensive plan policies applicable in the jurisdictions of the parties, and to identify any additional plan policies to be recommended to the governing bodies of the respective parties.

c. The review panel, operating under modified NUAGMC bylaws and this agreement, will consist of the NUAGMC and three representatives appointed by the City of Dundee. Dundee will appoint one member from its governing body, and two members from its planning commission.

d. Representatives of all three jurisdictions involved in this process will review potential topics for inclusion in an agenda or discussion paper, with coordination for this task provided by Yamhill County Planning staff.

e. It is anticipated that all hearings and other matters relative to this agreement will be completed prior to January 1, 1990, including completion of a public information meeting and at least one public hearing. The City of Dundee will assist in providing notice for all meetings and hearings held under this agreement. It is anticipated that general support will be provided by the planning staffs of the City of Newberg and Yamhill County.

f. Members of the review committee appointed by the City of Dundee under this agreement may participate in all aspects of the review process, may participate in all votes taken by the committee and in the formulation of any recommendations proposed.

The parties have entered into this agreement by appropriate action on the part of their respective governing bodies on the date or dates specified below.

CITY OF NEWBERG

YAMHILL COUNTY BOARD OF COMMISSIONERS

Chariman DAVID E. BISHOP

Commissioner DENNIS GOECKS

Commissioner TED LOPUSZYNSKI

Date

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20.

RESOLUTION NO. 80-831

WHEREAS, the City of Newberg and Yamhill County entered into a Newberg Urban Area Growth Management Agreement; and

WHEREAS, the agreement calls for the establishment of the Newberg Urban Area Growth Management Commission; and

WHEREAS, that Commission has recommended to the City Council and the County Commissioners, rules and regulations to govern the procedures and methods for carrying out business before the Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council as follows, to-wit:

1. That the "Rules to Govern the Conduct of Business of the Newberg Urban Area Growth Management Commission" as recommended by that Commission are hereby approved by the City Council and a copy of those rules are hereby attached to this Resolution and marked as Exhibit A. The Mayor is hereby authorized and directed to sign the appropriate document to indicate the City's approval of the rules.

ADOPTED by the Council of the City of Newberg this 5th day of May, 1980.



M.C. Gilbert - Recorder

IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON

80 - 271

FOR THE COUNTY OF YAMHILL

Newberg Urban Area Growth Management Commission
FILED
YAMHILL COUNTY, ORE

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

MAY 20 10 16 AM

In the Matter of a Resolution)
Approving Bi-Laws for the
Newberg Urban Area Growth
Management Commission.)

RESOLUTION NO. 5-7-80-2

WANDA CATT
COUNTY CLERK
DEF

THE BOARD OF COMMISSIONERS of Yamhill County, Oregon, (the Board) on the 7th day of May, 1980, sat for the transaction of County business, Commissioners Ted Lopuszynski, John P. Macaulay and Colin Armstrong being present.

WHEREAS, Maggie Collins, Planning Coordinator, has presented Rules to Govern the Conduct of Business of the Newberg Urban Area Growth Management Commission for approval, and

WHEREAS, the Newberg City Council has approved the said rules on the 5th day of May, 1980, and that it would be in the best interest of Yamhill County to approve these rules.

IT IS, THEREFORE, HEREBY RESOLVED BY THE BOARD that the RULES TO GOVERN THE CONDUCT OF BUSINESS OF THE NEWBERG URBAN AREA GROWTH MANAGEMENT COMMISSION, copy of which is attached hereto, be and hereby is approved by the Yamhill County Board of Commissioners.

DONE this 7th day of May, 1980, at McMinnville, Oregon.

RECEIVED

MAY 20 1980

YAMHILL COUNTY
DEPT. OF PLANNING AND DEVELOPMENT

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

WANDA CATT
County Clerk

Ted Lopuszynski
Chairman Ted Lopuszynski

Patricia A. Mullen
Patricia A. Mullen

John P. Macaulay
Commissioner John P. Macaulay

Deputy
APPROVED AS TO FORM:

BY: *Daryl S. Carrelton*
Daryl S. Carrelton, County Counsel

Colin Armstrong
Commissioner Colin Armstrong

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L
→ Jim
CP

RULES TO GOVERN THE CONDUCT OF
BUSINESS OF THE NEWBERG URBAN AREA
GROWTH MANAGEMENT COMMISSION

The following rules were adopted by the Board of Commissioners on _____, 1980 and by the Newberg City Council on _____, 1980.

Article I. AUTHORITY

The Newberg Urban Area Management Commission was established by Newberg City Ordinance #1967, July 2, 1979 and Yamhill County Ordinance #214, June 26, 1979, which set forth the approval of the Newberg Urban Area Growth Management Agreement.

Article II. PURPOSE

To establish the Commission as a Hearings Officer in accordance with ORS 215.406 for Newberg Urban Growth Boundary Amendments and County Comprehensive Plan amendments in the area inside the Newberg Urban Growth Boundary but outside the city limits.

Article III. MEMBERSHIP

- A. The Newberg Urban Area Management Commission (NUAMC) shall be composed of the following members:
- (1) Commissioner of the Yamhill County Board of Commissioners designated by the Board.
 - (2) Mayor or councilperson of the City of Newberg designated by the Council.
 - (3) Member of Newberg Planning Commission designated by the City Council.
 - (4) Member of the Yamhill County Planning Commission designated by the Board of County Commissioners.
 - (5) Member of the Newberg-Dundee PAC designated by the Board of County Commissioners.
 - (6) Member of the Newberg Citizen Involvement Advisory Committee designated by the City Council.
 - (7) Member-at-large chosen by the above NUAMC members and ratified by the City Council and County Board. This member shall reside either within the City of Newberg Urban Growth Boundary or the City's Area of Influence.

- B. The Board and the City Council shall designate alternate members to the Commission. Alternate members shall attend and be considered voting members when the appointed member is unable to attend the meeting or must declare a conflict of interest as specified in Article VII D and E.
- C. Members of the Commission shall notify their Alternate when they are unable to attend a meeting. They shall also notify their respective Planning Departments.
- D. If neither the member nor the alternate is able to attend the meeting, then the position will be declared vacant for that meeting.
- E. The member-at-large position shall not have an alternate.
- F. A member who has two (2) consecutive unexcused absences shall be removed from the Commission. An excused absence may be obtained by informing the Commission Chairperson of the reason for the absence.
- G. The length of the terms of the members shall be at the discretion of their respective appointing bodies, except that the length of the term of the member-at-large shall be three years.
- H. Any vacancy shall be filled in the same manner as the original appointment.
- I. Members of the Commission shall serve without compensation.

Article IV. DUTIES AND RESPONSIBILITIES

- A. NUAMC shall hold hearings, make findings, and present its recommendation to the Board of Commissioners and the Newberg City Council. The recommendations made for governing bodies shall consist of the NUAMC decision, the findings made to document the decision, and the minutes of the meeting.
- B. To justify an Urban Growth Boundary change, the City and County shall follow the procedures and requirements for goal exceptions. Change of the boundary shall be based upon consideration of the following factors:
 - (1) LCDC Criteria
 - (a) Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;
 - (b) Need for housing, employment opportunities, and livability;
 - (c) Orderly and economic provision for public facilities and services;
 - (d) Maximum efficiency of land uses within and on the fringe of the existing urban area;

- (e) The long-term environmental, energy, economic and social consequences to the locality, the region and the state as the result of allowing urbanization and not preserving and maintaining the land for agricultural or forest uses, whichever is applicable.
 - (f) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and
 - (g) Compatibility of the proposed urban uses with other adjacent uses;
 - (h) Demonstration that there are no alternative locations within the area which could better be used for the proposed use(s).
- (2) Newberg Comprehensive Land Use Plan.
 - (3) Yamhill County Comprehensive Land Use Plan.

Article V. ORGANIZATION

- A. The Commission shall elect a chairperson and vice-chairperson at the first commission meeting held each year.
- B. The chairperson shall be the presiding officer at all Commission meetings and shall be authorized to sign all documents for the Commission.
- C. The Vice-Chairperson shall be the presiding officer in the absence of the Chairperson.
- D. The Newberg Planning Director shall serve as Secretary to the Commission and shall be responsible for keeping accurate, permanent and complete records of all proceedings of the Commission. Accurate minutes shall be distributed to Commission members and alternates within fifteen (15) days after a meeting.
- E. Staff members from the Newberg Planning Department and Yamhill County Department of Planning and Development shall act jointly as Staff of the Commission. Staff reports may be prepared either jointly or separately by the two departments.
- F. Applications for UGB amendments shall be filed with the Newberg Planning Department which shall collect the joint fee and forward the Yamhill County fee along with notice to the Yamhill County Department of Planning and Development.
- G. Applications for County Comprehensive Plan Amendments inside the UGB but outside the city limits shall be filed with the Yamhill County Department of Planning and Development, which shall collect the joint fee and forward the City of Newberg fee and the application to the City of Newberg.

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- H. The City of Newberg shall give public notice at least 10 days prior to the date of the public hearing in a newspaper of general circulation in the City. In addition, the City shall give individual notice of the request by mail to the record owners of property within 250 feet of the property for which a Plan amendment has been requested.
- I. A copy of the Public Notice will be sent to the County Planning Department which shall publish the notice according to County notice procedures except that notice will not be published in the Newberg newspaper of general circulation.

Article VI. MEETINGS

- A. All Commission meetings shall be held in accordance with the Open Meetings Law.
- B. The Commission meetings shall be held the fourth Tuesday of January, April, July and October at 7:30 P.M. at Newberg City Hall, except that the Organizational Meeting shall be held February 26, 1980 and the first regular meeting shall be held May 27, 1980. The next 1980 meeting shall be held the fourth Tuesday of October, after which a regular rotation shall ensue.
- C. If there are no applications filed 45 days before a scheduled quarterly meeting, then the meeting will be cancelled and Commission members will be so advised.
- D. A quorum shall consist of five (5) members or alternates.
- E. The presiding officer of the Commission may limit any testimony over three minutes to information not given earlier in the hearing, provided that the limitation be announced prior to opening the hearing.
- F. The order of business at all meetings shall be as follows:
 - (1) Roll Call.
 - (2) Approval of minutes of previous meeting.
 - (3) Report of final disposition of agenda items from previous meeting.
 - (4) Public Hearings on Docket items.
 - (5) Adjournment.

G. The Order of Procedure for each docket item shall be the following:

- (1) Commence the Hearing.
- (2) Call for Abstentions.
- (3) Objections to jurisdiction.
- (4) Staff report.
- (5) Proponent's case.
- (6) Cross-examination of Proponents.
- (7) Opponent's case.
- (8) Cross-examination of opponents.
- (9) Public agencies.
- (10) Rebuttal evidence.
- (11) Staff recommendation.
- (12) Close of hearing.
- (13) Deliberation and vote on Recommendation.

Article VII. VOTING.

- A. Voting on all docket items shall be by roll call. Votes on all procedural items may be by voice vote.
- B. Each member of the Commission shall be entitled to one vote.
- C. If the regular member of the Commission is unable to attend, the alternate member for that position shall be entitled to one vote.
- D. If a member has a direct or substantial financial interest in a docket item, the member shall not participate in the proceeding of that docket item. The member shall notify the alternate and request that the alternate be the voting member for that docket item. A direct or substantial financial interest is defined as follows: the member or spouse, brother, sister, child, parent, father-in-law, mother-in-law, partner, any business in which the member is serving or has served within the previous two years, or any business with which the member is negotiating for or has an arrangement or understanding concerning prospective partnership or employment.

- E. If a member wishes to abstain in a situation where there is no direct pecuniary conflict of interest but a conflict deriving from his relationship with the person involved, the member shall notify the alternate and request that the alternate be the voting member for that docket item. This provision is intended to relate to close relatives and to professional relationships as well as to friendships.
- F. The Presiding Officer of the Commission shall vote with the other Commissioners in the transaction of any business and all matters coming before the Commissions.
- G. When a matter is called for a vote, the presiding officer shall, before a vote is taken, state the question before the Commission in exact terms and shall announce the decision of the Commission after each vote.

Article VIII. PARLIAMENTARY AUTHORITY.

In cases not provided for by these rules, the Commission shall be governed by the law and practices specified in the latest edition of Robert's Rules of Order Revised.

Article IX. AMENDMENTS TO BYLAWS.

Amendments shall be made by mutual consent of the Board of Commissioners and the Newberg City Council. Commission members shall be notified of a proposed amendment not less than ten (10) days before the amendment is to be considered.

NEWBERG URBAN AREA
GROWTH MANAGEMENT AGREEMENT

Preface

"Seen from above, the modern city edges imperceptibly out of its setting. There are no clear boundaries. Just now the white trace of the super-highway passed through cultivated fields; now it is an asphalt image of streets and buildings. As one drives in from the airport or looks out from the train window, clumps of suburban housing, industrial complexes, and occasional green spaces flash by; it is hard to tell where city begins or country ends." (Oscar Handlin, "The Modern City as a Field of Historical Study" in The Historian and the City (Cambridge, Mass. 1963, p.1).

I. Introduction

The City of Newberg and Yamhill County recognize the need for coordination and cooperation in the management of growth in and around the Newberg Urban Area. This agreement is formulated in accordance with this principle.

This agreement establishes a process for maintaining ongoing planning efforts, designed to keep pace with growth and change. It is essential that intergovernmental coordination be maintained to assure the citizens of the City of Newberg and Yamhill County that growth occurs in an orderly and efficient manner.

To that end, this agreement sets forth the means by which a plan for management of the unincorporated area within the urban growth boundary will be implemented and by which the urban growth boundary may be modified.

II. Definitions

Area of Influence - An area of land designated by the City of Newberg and Yamhill County that extends one mile outside Newberg's Urban Growth Boundary wherein the County will give the City an opportunity to participate in land use actions to be taken by the County.

Urban Growth Boundary - A line jointly adopted by the City of Newberg and Yamhill County that encircles the city and separates rural and urbanizable land. Newberg's urban growth boundary is shown on the attached map.

III. General

1. Plan Map Conflicts. The 1979 Comprehensive Plan Land Use Map adopted by the City of Newberg on July 2, 1979 shall be the plan map for the area within the Urban Growth Boundary, and shall replace conflicting portions of the Yamhill County Comprehensive Plan Map (1974) pertinent to this area. Where said maps conflict, Yamhill County shall initiate the process necessary for consideration of a map amendment.

2. Urban Growth Boundary. In accordance with the Comprehensive Plan of the City of Newberg, the jointly adopted Urban Growth Boundary shall define the geographical limits of urbanization. The City of Newberg shall prepare for the orderly extension of public facilities and services within the boundary. Lands outside the boundary shall be maintained in accordance with the Yamhill County Comprehensive Plan.
3. Urbanization. The City of Newberg and Yamhill County shall encourage urbanization within the boundary to occur in an orderly and efficient manner, resulting in a compact, balanced urban center meeting long-term economic and social needs of the residents of the area regardless of political boundaries.
4. Implementation and Coordination. The very nature of planning requires continual refinement of various elements of the Comprehensive Plan. This includes the preparation of implementing ordinances, refinement plans and functional plans. As the Newberg Comprehensive Plan is implemented, the City and County will work together in a coordinated effort to achieve the goals of the Yamhill County and Newberg Comprehensive Plans.
5. Concurrence and Recommendation. The legitimate interests of the City and County overlap within the City's Urban Growth Boundary and Area of Influence. This agreement attempts to resolve these overlapping interests by providing for concurrence of City and County governing bodies for certain decisions and by providing for recommendations of one governing body to the other for other decisions.
 - a. Concurrence - Where concurrence is required, the City and County shall agree upon a decision. If agreement cannot be reached, procedures outlined in ORS 197.300 may be invoked.
 - b. Recommendation - Where a recommendation is required, the City and County need not agree upon a decision. The procedures are these: The right to object to any item referred to a jurisdiction for a recommendation shall be deemed to have been waived unless the referring jurisdiction is notified otherwise within thirty days; the time limit for consideration of items referred for recommendation shall begin to run from the time the item is received by the jurisdiction whose recommendation is being solicited; each jurisdiction shall have standing to appeal the decision of the other governing body.

IV. Term of this Agreement; Amendment

1. The term of this agreement runs from July 2, 1979, to July 2, 1980, and may be extended thereafter by increments of one year. During the term of the agreement or extension, the agreement may be changed by mutual consent of the parties hereto. This agreement is automatically renewed at the end of such term or extension unless either party hereto requests revision of the agreement by so notifying the other party at least ninety days before the end of the current term or extension.

V. Urban Services

1. The City of Newberg is recognized as the ultimate provider of urban services within the Urban Growth Boundary. To this end:
 - a. Special Districts. Before Yamhill County shall create any special district for the provision of utilities, transportation, or other public facilities or services, the matter shall be referred to the City of Newberg for a recommendation. The County shall not act contrary to such recommendation without a unanimous decision of the Board.
 - b. Service Capacity. Development within the Urban Growth Boundary shall not exceed the capacity of existing services.
 - c. Annexation. Annexation shall occur in accordance with the Newberg Comprehensive Plan. Before final action by the City Council on an annexation proposal, the proposal shall be forwarded to the Board of County Commissioners for its recommendation. In order to provide the board with advance notice of reasoning for a proposed annexation, the findings adopted by the city planning commission shall be referred to the board following the commission action.
 - d. Service Expansion Plans. As the ultimate provider of urban services, the City shall prepare and from time to time update utility expansion plans. These plans shall provide a basis for the extension of services within the Urban Growth Boundary, and as such shall be referred to Yamhill County for information and comment.
 - e. Roads. The County and City shall cooperatively develop an implementation policy regarding streets and roads within the Urban Growth Boundary which is consistent with the City Comprehensive Plan. Such policy shall include, but not be limited to, the following:
 - (1) The circumstances under which the City will assume ownership of and maintenance responsibility for County roads within the corporate limits.
 - (2) The conditions under which new public streets and roads will be developed within the Urban Growth Boundary.
 - (3) The conditions under which existing roads designated as future arterials in the City Comprehensive Plan will be improved.

(4) The conditions under which County and other roads should meet City standards within the Urban Growth Boundary. Roads should be compatible with City street alignments and extensions. Upon annexation of property, roads adjacent to (and which serve) such property should also be annexed.

f. The County and the City through its departments shall coordinate their planning efforts and actions that affect land use with those of special districts.

VI. Establishment of the Newberg Urban Area Management Commission

The City of Newberg and Yamhill County do hereby establish the Newberg Urban Area Management Commission (NUAMC) as a hearings officer in accordance with ORS 215.406. The NUAMC shall be composed of the following members:

- Commissioner of the Yamhill County Board of Commissioners designated by the Board.
- Mayor or councilperson of the City of Newberg designated by the Council.
- Member of Newberg Planning Commission designated by the City Council.
- Member of the Yamhill County Planning Commission designated by the Board of County Commissioners.
- Member of the Newberg-Dundee P.A.C. designated by the Board of County Commissioners.
- Member of the Newberg Citizen Involvement Advisory Committee designated by the City Council.
- Member-at-large chosen by the above NUAMC members and ratified by the City Council and County Board.

Duties and Responsibilities - The NUAMC shall function in accordance with by-laws to be adopted by the Newberg City Council and the Yamhill County Board of Commissioners.

It shall be the responsibility of the Newberg Urban Area Management Commission to hold hearings, make findings and present its decision to City and County governing bodies as outlined in this agreement and the by-laws.

VII. Establishment of Land Use Review Procedures

1. Urban Growth Boundary Amendment

Amendment of the Urban Growth Boundary may be initiated by the Yamhill County Board of Commissioners, the Newberg City Council, or by an individual owner(s) of property who request(s) inclusion in or exclusion from the Urban Growth Boundary.

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Amendment of the Urban Growth Boundary shall be treated as a map amendment to both City and County Comprehensive Plan maps.

The joint fee for individual amendments shall be the sum of fees established from time to time by each governing body.

Each application shall include a map and sufficient information to make a decision based on the following factors:

- a. Demonstrated need to accommodate long-range urban population growth requirements consistent with LCDC goals;
- b. Need for housing, employment opportunities, and livability;
- c. Orderly and economic provision for public facilities and services;
- d. Maximum efficiency of land uses within and on the fringe of the existing urban area;
- e. Environmental, energy, economic and social consequences;
- f. Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,
- g. Compatibility of the proposed urban uses with nearby agricultural activities.

Applications shall be filed with the Newberg Planning Department which shall collect the joint fee and forward the Yamhill County fee along with notice to the Yamhill County Department of Planning and Development. Applications must be complete prior to consideration by the Newberg Urban Area Management Commission.

Applications shall be accumulated and referred quarterly to the Newberg Urban Area Management Commission for a Public Hearing for which at least ten days advance public notice shall be given by publication in a newspaper of general circulation in the County (or published in the territory so concerned--ORS 215.060).

Following the Public Hearing, the NUAMC shall make and forward its findings and decision directly to the governing body of each jurisdiction which shall then make a determination based upon the facts and record presented at the NUAMC hearing and shall not be required to hold a public hearing thereon.

Nothing included in this process requires or prohibits the City or County from referring the application to its respective Planning Commissions for information.

If the governing bodies do not concur in their final decision within sixty days of referral of the matter to them by the NUAMC, a joint meeting shall be held to resolve differences. If agreement cannot be reached, procedures for resolution of conflict provided within ORS 197.300 may be invoked.

2. Comprehensive Plan Amendment

- a. Inside U.G.B., but outside city limits. This amendment shall be filed with Yamhill County, and shall otherwise be treated as an amendment to the Urban Growth Boundary.
- b. Inside city limits. This amendment shall be processed by the City of Newberg and shall be referred to Yamhill County for a recommendation.
- c. Outside the Urban Growth Boundary, but within the "Area of Influence". This amendment shall be processed by Yamhill County and shall be referred to the City of Newberg for a recommendation.

3. Zone Changes

The City of Newberg and Yamhill County recognize that each jurisdiction has authority to zone within its legal boundaries. However, the Urban Growth Boundary recognizes the eventual assumption of authority by the City of Newberg. Therefore, the following procedures are established:

- a. Zone change outside city limits but within the Urban Growth Boundary. The application shall be processed by Yamhill County and shall be forwarded to the City Council for its recommendation.
- b. Inside city limits. The application shall be processed by the City of Newberg and shall be referred to Yamhill County for information and/or comment.
- c. Outside the Urban Growth Boundary, but within the "Area of Influence". The application shall be processed by Yamhill County and shall be referred to the City of Newberg for information and/or comment.

4. Other Items Affecting Land Use

- a. Items having a substantial impact upon land use under the jurisdiction of Yamhill County within Newberg's U.G.B. and Area of Influence shall be referred to the City of Newberg for information and comment. Items not having a substantial impact may be so referred. Items affecting land use shall include but are not limited to:

- (1) Conditional Use Permits
- (2) Planned Unit Developments

- (3) Subdivisions and Partitions
- (4) Public Improvement Projects
- (5) Health Hazards
- (6) Special Exceptions
- (7) Capital Improvement Programs
- (8) Major Transportation Improvements

b. Items having a substantial impact upon land use under the jurisdiction of the City of Newberg shall be referred to Yamhill County for information and/or comment. Items not having a substantial impact may be so referred. Items affecting land use shall include, but are not limited to:

- (1) Conditional Use Permits
- (2) Planned Unit Developments
- (3) Subdivisions and Partitions
- (4) Public Improvement Projects
- (5) Extensions of the Public Sewer, Water or Storm Drainage systems
- (6) Capital Improvement Programs
- (7) Major Transportation Improvements

5. Any of the above applications which may affect an agency identified in the City of Newberg or Yamhill County agency coordination list shall be referred to said agency for information and/or comment.

Approvals

Approved by the Yamhill County Board of Commissioners on this 20th day of June, 1979.

Ordinance # 214


 Colin Armstrong, Chairman
 Yamhill County Board of Commissioners

Approved by the City of Newberg City Council on this 2nd day of July, 1979.

Ordinance # 1967


 Elvern Hall, Mayor
 City of Newberg

ORDINANCE NO. 1967

AN ORDINANCE ADOPTING THE NEWBERG COMPREHENSIVE PLAN WITH THE NEWBERG COMPREHENSIVE PLAN DESIGNATION MAP AND THE URBAN GROWTH BOUNDARY; APPROVING THE URBAN GROWTH BOUNDARY MANAGEMENT AGREEMENT; ADOPTING THE INVENTORY OF NATURAL AND CULTURAL RESOURCES; AND PROVIDING FOR AMENDMENTS THERETO.

WHEREAS, the Comprehensive Plan has been found to be consistent with the statewide goals and guidelines; and

WHEREAS, the goals and policies included within the Plan reflect primarily local concerns; and

WHEREAS, an inventory and a general analysis of needs was completed, entitled Inventory of Natural and Cultural Resources, January 1978; and

WHEREAS, the Inventory was used as a basis for preparing the goals and policies and Urban Growth Boundary found within the Comprehensive Plan; and

WHEREAS, the Urban Growth Boundary is intended to provide adequate space for land use needs to the year 2000 and defines an area within which urban services can be provided; and

WHEREAS, the purpose of the Urban Growth Boundary is to contain urban growth within a reasonable area while providing adequate choices for new development locations; and

WHEREAS, the purpose of the Urban Growth Management Agreement is to promote coordinated administration between the City of Newberg and Yamhill County for those areas located outside the city limits and within the Urban Growth Boundary consistent with the Newberg Comprehensive Plan; and

WHEREAS, the City Council has held numerous public hearings on these matters.

NOW, THEREFORE, THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

Section 1. The Inventory of Natural and Cultural Resources, January, 1978, is hereby approved and adopted as the reference source for the Newberg Comprehensive Plan.

Section 2. The Newberg Comprehensive Plan with the Newberg Comprehensive Plan Designation Map and the Urban Growth Boundary are hereby adopted and made a part of this Ordinance by reference hereto.

Section 3. The Urban Growth Boundary Management Agreement between the City of Newberg and Yamhill County is hereby adopted and made a part of this Ordinance by reference hereto. The Mayor is authorized to execute the Agreement on behalf of the City of Newberg.

Section 4. Changes in boundaries of the Comprehensive Plan Designation Map for areas inside the city limits of the City of Newberg shall be made by

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ordinance amending the provisions of this Ordinance and thus amending the Comprehensive Plan Designation Map. The amended Map, when so adopted, shall become part of this Ordinance. The procedures for amending the Comprehensive Plan Designation Map for area inside the city limits of the City of Newberg shall be the same as used for zoning district boundary changes.

Section 5. Amendments to the Comprehensive Plan Designation Map for areas outside the city limits of Newberg shall be made in accordance with the Urban Growth Boundary Management Agreement.

PASSED by the Council of the City of Newberg this 2nd day of July, 1979, by the following votes:

AYES: 7

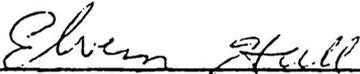
NAYS: 1

ABSENT: 0



M.C. Gilbert - City Recorder

APPROVED by the Mayor this 2nd day of July, 1979.



Elvern Hall - Mayor

IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON, JUL 26 9 13 PM '79

FOR THE COUNTY OF YAMHILL

WANDA GATT
COUNTY CLERK

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS DEPUTY

In the Matter of an Ordinance)
Adopting a UGB, Approving an)
Urban Growth Management Agree-)
ment, Approving the Provisions)
of the Comprehensive Plan and)
Inventory of the City of)
Newberg, Oregon, and Adopting)
the City's Comprehensive Plan)
Provisions within the UGB)

ORDINANCE NO. 214

THE BOARD OF COMMISSIONERS of Yamhill County, Oregon (the Board), on the 20th day of June, 1979, sat for the transaction of County business, in Board session, Commissioners Colin Armstrong, Ted Lopuszynski and John P. Macaulay being present.

WHEREAS, Yamhill County has responsibility for coordinating and reviewing all planning activities affecting land uses within the County pursuant to ORS 197.190 and 197.255; NOW, THEREFORE,

THE YAMHILL COUNTY BOARD OF COMMISSIONERS ORDAINS AS FOLLOWS:

SECTION 1. The Board and the City Council of the City of Newberg (the City) have agreed upon and adopted an Urban Growth Boundary (UGB) for the City which was adopted by the Board on August 3, 1977, by Ordinance No. 142. Said Ordinance 142 and Urban Growth Boundary are hereby amended to conform to the Urban Growth Boundary adopted by the City on June 4, 1979 and which is attached hereto as "Exhibit A," based upon the findings adopted by the City.

SECTION 2. The Board and the City Council of the City have agreed upon and adopted an Urban Growth Management Agreement which establishes a procedure to amend the UGB and to manage growth within the UGB and which was adopted by the Board on April 25, 1979.

SECTION 3. The Board has reviewed the City's Comprehensive Plan, Inventory and implementing ordinances and finds that they are coordinated, integrated and in conformity with LCDC's statewide planning goals and hereby recommends them to LCDC for acknowledgment of compliance.

SECTION 4. The Board has reviewed the City's Comprehensive Plan, a copy of which is attached and by this reference is made a part hereof, and hereby adopts the City Plan Map designations for that area of Yamhill County which is within the City's UGB and is

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outside of the corporate limits of the City. The Planning Director is hereby authorized and directed to amend the Yamhill County Comprehensive Plan Map accordingly.

In amending the Yamhill County Comprehensive Plan Map, where the County Plan does not have a designation which corresponds to the City Plan Map designation, the Director may designate such property as "Future Urbanizable Lands."

SECTION 5. This Ordinance being necessary for the health, safety and welfare of the people of Yamhill County, and the Board having declared an emergency to exist, it shall be effective upon the approval hereof.

APPROVED this 20th day of June, 1979, at McMinnville, Oregon.

ATTEST:
WANDA CATT, County Clerk
by: Patricia A. Mullen
Patricia A. Mullen, Deputy

YAMHILL COUNTY BOARD OF COMMISSIONERS:

Colin Armstrong
Chairman Colin Armstrong

Ted Lopuszynski
Commissioner Ted Lopuszynski

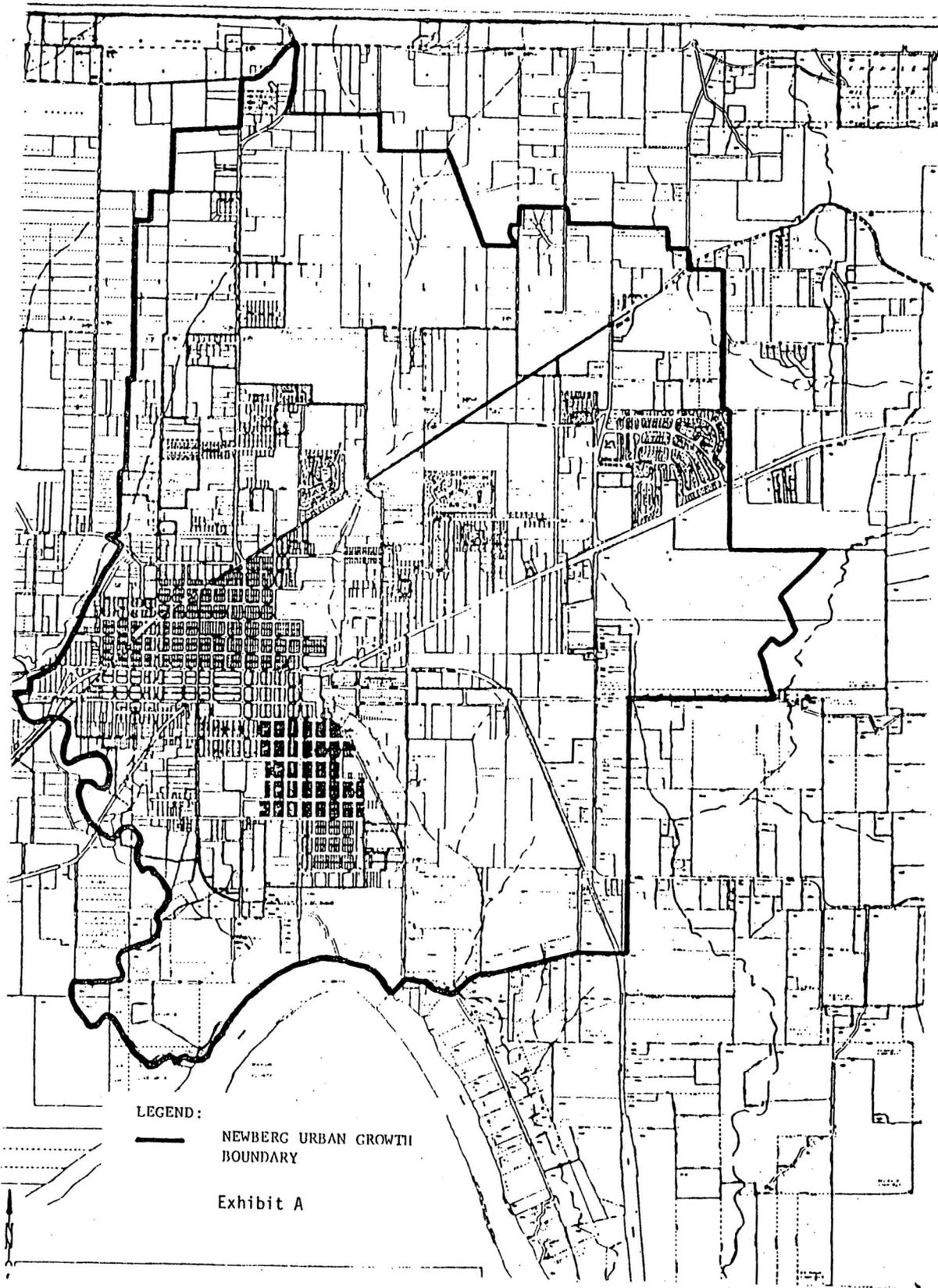
APPROVED AS TO FORM:

Robert S. Willoughby
Robert S. Willoughby
Yamhill County Counsel

John P. Macaulay
Commissioner John P. Macaulay

CERTIFIED TO BE A TRUE COPY OF THE ORIGINAL.
BY WANDA CATT, CO. CLERK
Wanda Catt DEPUTY





LEGEND:
— NEWBERG URBAN GROWTH
BOUNDARY

Exhibit A

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existing housing. They suggested broadening the application of the subdistrict to R-2 zones with the elimination of the conditions which address location and size of the districts.

INDUSTRY REVIEW:

The draft has yet to be formally reviewed by the mobile home industry. We intend to have mobile home industry comments back for your consideration prior to Council consideration in November.

COMMUNITY DEVELOPMENT COMMITTEE:

In a brief discussion with the Community Development Committee relating to broadening the application of the subdistrict to R-2 zones, it was the opinion of the committee to allow the broadening to R-2 zones.

COUNCIL QUESTIONS TO RESOLVE:

1. Accept the Planning Commission recommendation to encourage new manufactured housing development only in areas of largely undeveloped property.
2. As suggested by the Community Development Committee, revise the proposal to allow manufactured housing infill on R-2 properties. Based on discussions with DLCD representatives, permitting infill within R-2 areas is more consistent with the purpose of HB 2963.

Staff believes that broadening the application of the proposed infill zone to the R-2 zone will meet an apparent need for available manufactured housing lots and make the proposed overlay more palatable to the mobile home industry. Without mobile home industry support, it is likely this issue will delay final Periodic Review approval by the State.

COST: None



Dennis Egner, Planning Director



Duane Cole, City Manager

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A-Engrossed House Bill 2863

Ordered by the House April 4
Including House Amendments dated April 4

Sponsored by Representatives DWYER, D. JONES, YOUNG, BAUMAN, BUNN, BURTON, CALHOON, DOMINY, EDMUNSON, FORD, HOSTICKA, HUGO, KOTULSKI, McTEAGUE, MINNIS, NORRIS, PETERSON, ROBERTS, SAYLER, SOWA, WEHAGE, Senators BRADBURY, BROCKMAN, BUNN, J. HILL, L. HILL, HOUCK, KENNER, KERANS, KINTIGH, OTTO, ROBERTS (at the request of Oregon Manufactured Housing Association, Oregon State Tenants Association, League of Oregon Cities, United Seniors of Oregon)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs that needed housing within urban growth boundary be permitted in one or more zoning districts or in overlay zones. Allows, as "needed housing," mobile home parks and manufactured housing meeting design and placement standards specified by local government. Provides that provisions regarding manufactured homes apply January 1, [] 1991, or next periodic review, whichever comes first.

A BILL FOR AN ACT

1
2 Relating to manufactured housing, creating new provisions; and amending ORS 197.303 and 197.307.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 197.303 is amended to read:

5 197.303. (1) As used in ORS 197.307, until the beginning of the first periodic review of a local
6 government's acknowledged comprehensive plan, "needed housing" means housing types determined
7 to meet the need shown for housing within an urban growth boundary at particular price ranges and
8 rent levels. On and after the beginning of the first periodic review of a local government's ac-
9 knowledged comprehensive plan, "needed housing" also means:

10 (a) Housing that includes, but is not limited to, attached and detached single-family housing and
11 multiple family housing for both owner and renter occupancy; [*and manufactured homes; and*]

12 (b) Government assisted housing; [.]

13 (c) **Mobile home parks as provided in ORS 197.475 to 197.490; and**

14 (d) **Manufactured homes on individual lots planned and zoned for single-family residential**
15 **use that are in addition to lots within designated manufactured home subdivisions.**

16 (2) [*Paragraph*] Paragraphs (a) and (d) of subsection (1) of this section shall not apply to:

17 (a) A city with a population of less than 2,500.

18 (b) A county with a population of less than 15,000.

19 (3) A local government may take an exception to subsection (1) of this section in the same
20 manner that an exception may be taken under the goals.

21 **SECTION 2.** ORS 197.307 is amended to read:

22 197.307. (1) The availability of affordable, decent, safe and sanitary housing opportunities for
23 persons of lower, middle and fixed income is a matter of state-wide concern.

24 (2) Many persons of lower, middle and fixed income depend on government assisted housing as
25 a source of affordable decent, safe and sanitary housing.

NOTE: Matter in bold face in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.

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1 (3) When a need has been shown for housing within an urban growth boundary at particular
2 price ranges and rent levels, needed housing shall be permitted in [a zone or zones] one or more
3 zoning districts or in zones described by some comprehensive plans as overlay zones with
4 sufficient buildable land to satisfy that need.

5 (4) Subsection (3) of this section shall not be construed as an infringement on a local govern-
6 ment's prerogative to:

7 (a) Set approval standards under which a particular housing type is permitted outright;

8 (b) Impose special conditions upon approval of a specific development proposal; or

9 (c) Establish approval procedures.

10 (5) In the areas identified by the needs analysis conducted under subsection (3) of this
11 section, a jurisdiction may adopt any or all of the following placement standards, or any less
12 restrictive standard, for the approval of manufactured homes located outside mobile home
13 parks:

14 (a) The manufactured home shall be multisectional and inclose a space of not less than
15 1,000 square feet.

16 (b) The manufactured home shall be placed on an excavated and back-filled foundation
17 and inclosed at the perimeter such that the manufactured home is located not more than
18 12 inches above grade.

19 (c) The manufactured home shall have a pitched roof, except that no standard shall re-
20 quire a slope of greater than a nominal three feet in height for each 12 feet in width.

21 (d) The manufactured home shall have exterior siding and roofing which in color, mate-
22 rial and appearance is similar to the exterior siding and roofing material commonly used on
23 residential dwellings within the community or which is comparable to the predominant ma-
24 terials used on surrounding dwellings as determined by the local permit approval authority.

25 (e) The manufactured home shall be certified by the manufacturer to have an exterior
26 thermal envelope meeting performance standards which reduce levels equivalent to the per-
27 formance standards required of single-family dwellings constructed under the state building
28 code as defined in ORS 455.010.

29 (f) The manufactured home shall have a garage or carport constructed of like materials.
30 A jurisdiction may require an attached or detached garage in lieu of a carport where such
31 is consistent with the predominant construction of immediately surrounding dwellings.

32 (g) In addition to the provisions in paragraphs (a) to (f) of this subsection, a city or
33 county may subject a manufactured home and the lot upon which it is sited to any develop-
34 ment standard, architectural requirement and minimum size requirement to which a con-
35 ventional single-family residential dwelling on the same lot would be subject.

36 [(5)] (6) Any approval standards, special conditions and the procedures for approval adopted by
37 a local government shall be clear and objective and shall not have the effect, either in themselves
38 or cumulatively, of discouraging needed housing through unreasonable cost or delay.

39 SECTION 3. Notwithstanding the provisions of ORS 197.303 (1) relating to periodic review, the
40 requirements of ORS 197.303 (1)(d) apply on January 1, 1991, or a jurisdiction's next periodic review,
41 whichever comes first.

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ZONING ORDINANCE AMENDMENTS TO CREATE A MI MIXED INFILL HOUSING SUBDISTRICT

270 (7) MI Mixed Infill Housing Subdistrict. Pursuant to the provisions of Sections 464-488, a MI subdistrict may be created within any residential zoning district. The subdistrict shall be designated by the suffix "MI" added to the symbol of the parent district. All uses permitted in the parent zone shall be allowable in the MI subdistrict.

MI MIXED INFILL SUBDISTRICT

464 Purpose. The purpose of the MI subdistrict is to allow manufactured housing on individual single family residential lots consistent with the City's identified need for individually sited manufactured homes. The MI subdistrict will allow manufactured homes to be intermixed with traditional "stick built" housing.

465 Uses. In addition to the buildings and uses permitted in the underlying zoning district, a MI subdistrict allows manufactured homes on individual lots as a permitted use.

466 Establishment of a MI Subdistrict.

The establishment of a MI subdistrict shall be according to the process set forth for a zone change in Section 592-608 except that satisfaction of the conditions listed below shall be the sole criteria applied to the decision. If the request does not satisfy all of the conditions, a MI subdistrict may be established if it is demonstrated that the zone change criteria of Section 600 are met and that the request is compatible with surrounding land uses. In all cases, findings must be prepared demonstrating whether the property meets the following conditions:

- A. The establishment of the subdistrict will not result in land being zoned in excess of the stated need for individually sited manufactured homes as identified in the Comprehensive Plan.
- B. The property was annexed and located within the corporate limits of the City of Newberg after January 1, 1990.
- C. The subdistrict shall be no less than 5 acres in size.
- D. The subdistrict shall be located no less than 160 feet from any existing platted single family subdivision of more than 10 lots.
- E. The subdistrict shall be no less than 160 feet from an existing collector street.

468 Development Standards. Residential development in the overlay district shall meet the following minimum standards:

- A. Each dwelling unit shall enclose a space of not less than 1,000 sq. ft. If the unit is a manufactured home, it shall be multi-

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sectional. No external horizontal dimension shall be less than 20 feet in width.

- B. Each dwelling unit shall be enclosed at the perimeter with either a foundation that has been backfilled or skirting. The enclosure shall have an appearance similar to that of a stick built home. If the unit is a manufactured home, the chassis shall be located not more than 12 inches above grade and any axels or other transportation mechanisms shall be removed.
- C. All dwelling units shall have a pitched roof no less than 3 feet in height for every 12 feet in width.
- D. Dwelling units shall have exterior siding and roofing which in color, material, and appearance is similar to the exterior siding and roofing material commonly used on "stick built" residential dwellings within the community or which is comparable to the predominate materials used on surrounding dwellings as determined by the Building Official.
- E. All manufactured homes shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce levels equivalent to the performance standards required of single-family homes dwellings constructed under the state building codes defined in ORS 455.010.
- F. All dwelling units shall have an attached garage constructed of like materials.

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MEMORANDUM
October 5, 1990

TO: City Council
FROM: Planning Department
SUBJECT: Comprehensive Plan Revisions

Section II. Goals and Policies

B. Land Use Planning

Criteria for balancing conflicting Plan statements is given.

E. Air, Water and Land Resource Quality

More specific policies regarding pollution, soil conservation and aesthetic enhancement are given.

F. Areas Subject to Natural Disasters and Hazards

There is a new policy which states that the City will coordinate with the Federal Emergency Management Administration to assure compliance with Federal Flood Plain Regulations.

G. Open Space and Natural Resource Policies

1. Open Space and Natural Resources

There is a new policy which states that the City shall coordinate with State and Federal agencies to protect wetland areas.

2. Scenic Resources

There is a new policy which states that the City will encourage identification of scenic drives, sites and viewpoints.

3. Historic Resources

There are new specific policies which state that the City shall encourage the establishment of a historic museum and that the City will encourage the identification, reuse and protection of historic structures.

4. Recreation

Several new specific policies are given, stating that the City shall encourage public and private recreational development.

5. Willamette River Greenway Policies

The section has been enlarged to give specific resource protection and recreational development policies relating to the Willamette River Greenway.

H. The Economy

1. General Policies

There are new policies related to the promotion of Yamhill County products and activities and the encouragement of tourist-related activities and services in Newberg, including a regional destination resort near the Willamette River.

2. Industrial Area Policies

There are several new specific industrial-related policies including concerted community efforts to expand industrial development, the reserving of land for industrial development prior to demand and attracting new industries in accordance with future community needs. In addition, there is a policy which states that the City prefers industrial firms that:

- meet or exceed state and local environmental standards;
- utilize the existing labor force and help to reduce seasonal unemployment fluctuations;
- are low producers of industrial wastewater; and
- are efficient consumers of energy.

3. Commercial Area Policies

There is a new policy which states that commercial development will be encouraged to be clustered and develop off-street parking facilities in conjunction with nearby developments.

I. Housing

3. Mixed Policies

There are several policies related to the new mixed infill overlay zone for manufactured home development. In addition, there are new policies related to the fair distribution of assisted housing for low-income people, the encouragement of innovative housing types and availability of rental housing throughout the City.

J. General Policies

1. Urban Design

There are several new specific policies related to aesthetic enhancement throughout the City. In addition, there are policies related to the need for Newberg to develop and adopt a Design Review Manual.

2. Industrial Area Policies

There are new policies related to landscaping for industrial developments and special setbacks related to industrial development near residential zones.

3. Commercial Area Policies

There are several new policies related to the need for Newberg to develop new sign regulations and to provide neighborhood commercial facilities.

5. Downtown Policies

This is a new policy section for the Comprehensive Plan which relates to the encouragement of a central downtown business district as the economic, cultural, business and governmental center for the Newberg area. In addition, there are several policies related to the improvement of the downtown area.

K. Transportation

1. Overall Transportation Policies

There are new policies relating to the need to minimize conflict between transportation types and the need to bring up streets adjoining new commercial and industrial development to City standards.

2. Automobile Policies

There are several new policies related to the City's need to coordinate with the Oregon Department of Transportation to implement new highway programs. In addition, there is a policy stating that the City will continue to work with the State on alternatives for routing Hwy. 99 traffic through or around Newberg-Dundee.

3. Bicycle and Pedestrian Policies

There is a policy stating that the City shall maintain the Bikeway Plan. A policy related to separate bike paths and trails has been rewritten to state that bike paths and trails which are separate from City streets and automobile traffic represent a desirable form of bikeway on parks and open

spaces. But, as a general policy, bike lanes on existing streets marked to allocate exclusive for bike traffic, will be the most favored type of facility. There is also a new policy stating that the City shall encourage better pedestrian access across First Street.

5. Air Transportation Policies

There are new policies regarding the need for Newberg to consider alternatives for expanding airport facilities. There is also a policy stating that adequate open space and landscaping shall be provided by all new development around the airport to reduce the noise impact of airport operations on surrounding residential areas. A third new policy has been included, which states that the City shall encourage the use of properties adjacent to the airport for industrial parks.

L. Public Facilities and Services

1. All Facilities and Service Policies

There are new policies stating that residential areas shall have paved streets, curbs, pedestrian ways, water, sewer, storm drainage, street lights, underground utilities and, in addition, there is a new policy regarding the need to plan for the needs of industrial developments.

5. School Policies

There is a new policy stating that the City should encourage and support George Fox College as a community asset.

M. Energy

2. Public Energy Conservation Policies

Several more specific energy conservation policies are given.

N. Urbanization

1. UGB Policies

There is a new policy stating that development in areas outside the City limits, but within the Newberg Urban Growth Boundary, should be based on certain standards and that the City should coordinate with the County in partitioning and subdividing land within the Urban Growth Boundary.

3. General Policies

Several new policies are given including a policy which states that utility lines in new development shall be placed underground, the City will coordinate with the county to ensure sufficient industrial lands, and the transfer of

development rights may be used as an incentive to preserve historic sites and natural resources.

IV. Plan Description

D. Housing.

This section describes the land use needs analysis and the assumptions used to derive the housing figures. The section also describes the Springbrook District and Riverfront District.

F. Public Facilities Plans

To comply with the new Public Facilities Planning Rule, water, sewer, and drainage improvement plans are given.

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Memo to Mayor and City Council
RE: City Manager's Report - 10/16/90

September 18:

Chamber Board meeting.

Chief Bishop and Bonnie Dodson regarding communications and the 9-1-1 dispatch center.

Community Relations Committee meeting.

Wellness Committee meeting.

Sonja Riihimaki, Dennis Egner, and Bert Teitzel regarding Crestview issue. This was an intense meeting prior to the evening public hearing. I felt good about the outcome of the meeting since information regarding the final design of the Crestview alignment was discussed at the meeting. Dealing with the information was extremely important since it involved the addition of a left turn pocket lane and receptor lane onto Crestview. It was handled by addressing the growth issues and projections over time. It also became apparent that in order to allow expansion of the street, the ADI building would need to be moved. What could have been potentially damaging information to the developers case was not put forth as damaging at all and I felt we resolved the issues that appeared to be real stumbling blocks at the start of the meeting.

City Council meeting. Council will recall at this meeting that we received the drawing and set our direction for resolving this issue at the October 4th Council meeting.

September 19:

Doreen Turpen regarding library business.

City Department Head staff meeting.

Ed Stevens and Dennis Egner regarding remodeling of the house next to the college. Denny and I briefed Ed on the process the City requires and the willingness we have to work with the college to assure that their development can occur as easily as possible.

Chamber Economic Development Committee meeting.

September 20:

Legislative Committee meeting at J's.

Mike Hailey, annual evaluation.

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Memo to Mayor and City Council
RE: City Manager's Report - 10/16/90

Terrence Mahr and John Safstrom regarding economic development revolving loan fund.

Ned's Place open house.

Elmer regarding staffing and customer relations issues.

September 21:

City Manager meeting in the City of Independence. We discussed regional issues and especially Ballot Measure 5.

September 22-26:

ICMA Conference in Fort Worth, please see the attached memo regarding the conference.

September 27:

Customer Relations Workshop with John Garofalo. John Garofalo provided an excellent two day customer relations conference for the employees. The department heads will also use him for their retreat on October 12th. The key to success is measurement of our activities and communication of those measurements. We are also striving for total quality in everything we do and being able to communicate effectively across and outside of our organization. John is helping us to realize these goals.

September 28:

Customer Relations Workshop.

Melinda Newland regarding the Crestview issue.

Becky Manning briefing regarding the City during my absence.

Kathy Tri and Bert Teitzel regarding letter to editor from Leonard Rydell.

October 1:

Fred Casey regarding water and sewer hook-on issue on his property.

Ray Rotolo from George Fox College regarding United Way.

City Council workshop and City Council meeting.

October 2:

Chamber Board meeting.

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Memo to Mayor and City Council

RE: City Manager's Report - 10/16/90

Mike Unger regarding the City survey.

Wes Smith, School Superintendent regarding City/School/CPRD and City of Dundee meeting.

John Barkley, Oregon Economic Development Department regarding the Werth property.

Planning meeting - Historic Preservation. Council will receive a summary of this meeting when we start considering the Historic Preservation issues.

October 3:

Shari's Restaurant regarding Gene Bowman and a radio program interview.

Regular staff meeting.

Mary Puskus of the Chamber of Commerce regarding Ballot Measure 5.

Surveying people in the community.

October 4:

Dave Bishop regarding City and Police Department business.

Cindy Wood regarding City corporate health and wellness assessment. This was an interesting meeting with Cindy Wood as we found out many things about the 51 employees that went through our health assessment program. Apparently, we eat too well, exercise too little which creates high blood pressure and cholesterol concerns. It is good to know that the City employees are typically American. Now the challenge will be for the Wellness Committee to take this data and work on programs that will provide meaningful changes in the way we eat and exercise.

Surveying, doing the community attitude survey.

October 5:

Bert Teitzel regarding City business. We focused this meeting on the composter issue.

Dick Alexander, Bert Teitzel, Terry Mahr and myself met in Portland to discuss the tactics for the composter repair.

Economic Development Committee meeting at the Chamber of Commerce.

Alan Halstead and Terry Mahr regarding City issues.

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Memo to Mayor and City Council
RE: City Manager's Report - 10/16/90

Larry Anderson regarding a personnel action.

October 8:

Mike Hailey regarding City bonds and Building Department issues.

Mike Unger regarding City survey tallying.

Chamber Forum at Marcella's. We heard a presentation on that oxymoronic topic, Business Ethics.

Elmer and Kathy regarding purchase of the fire engine and other fire equipment. The upshot of this was a memo from me outlining the process that would culminate with a bid award on February 19, 1991. This process may be shortened up if the analysis and bid award do not take quite so much time.

October 9:

Council of Governments in Salem.

Chuck Huggins and Mary Manes delivery of the City's insurance policies.

Mike, Denny and Kathy regarding occupancy licenses and other licenses in the City.

Dick Townsend, League Director, called me and said that he heard the Mayor Cole was making comments that Ballot Measure 5 would not have an effect on Newberg. I advised him that I was not the Mayor and he knew that, and he also knew that I was probably not making favorable comments about Ballot Measure 5 but just had to check.

Bert Teitzel regarding personnel issue and a visit with Vince McDonald at the Shell Station about Church Street. Vince was very helpful and said that, in general, he supported the closure of Church Street but he was going to help us count cars that cross his parking lot so that we can get an idea of the impact.

Phil Picard and Elmer Christensen regarding personnel issue.

Business After Hours at Edward D. Jones office.

MEETINGS PLANNED:

October 10:

NHRC at the Horseless Carriage a breakfast meeting.
Regular staff meeting.

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Memo to Mayor and City Council
RE: City Manager's Report - 10/16/90

Government structure presentation to the Leadership Group from the Chamber.
Wellness Committee meeting.

October 11:

Wesley Mecham, Time Oil regarding the Rocket Station.
Council of Governments Risk Management Group meeting.
Roger Pyles and Bert Teitzel regarding a personnel action.
Sunnycrest Water District regarding the Water District Agreements.

October 12:

Department Head retreat all day at the City Library.

October 15:

Civic complaint process meeting with Denny Egner, Mike Hailey, police department and Terry Mahr. The City receives numerous complaints during the year from property owners regarding neighbors, etc. The City, in the past, has always stepped in and provided a helping hand to those neighbors. It may be beneficial to try an education process with people so that they can bring their complaints against their neighbors directly to the court. Staff is discussing this initially to see if there are enough situations that would warrant us attempting this type of approach.

October 16:

Chamber Board - Ballot Measure 5 workshop at the League in Salem.
Community Relations meeting.
City Council workshop and City Council meeting.

October 17:

United Way presentation at Fire Hall.
Regular staff meeting.
Lunch with City Manager of Wilsonville, Pete Wall, Terrence Mahr and myself will meet to discuss a bill owed to the City of Newberg by the City of Wilsonville.

October 18:

Legislative Committee meeting.
Ed Stevens and Wes Smith regarding the School District/City of Dundee/City of Newberg/CPRD joint meeting.
Forum 90 at Kershner Hall.

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Memo to Mayor and City Council
RE: City Manager's Report - 10/16/90

October 19:

Littlefield House Chamber Greeters meeting.
Economic Development Committee meeting.

October 22:

PERS Board meeting.

October 23:

Seminar at Stoel, Rives. This is an employment law seminar that Terry found, and for \$25.00 you can attend a full morning of employment law presentations on various topics. This is an area of the profession that I need to keep abreast of since I am currently the Personnel Manager for the City. This particular seminar appeared to be short and intense which I will benefit from, plus the cost is only \$25.00.

October 24:

Staff meeting.
Tentative Brown Bag Lunch on stress at the Library for the employees.

October 25:

Council retreat.


Duane R. Cole
City Manager

DRC/bjm

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MEMO

TO: Mayor and City Council

DATE: October 1, 1990

FROM: Duane R. Cole, City Manager

SUBJECT: ICMA Conference - September 22-26 - Fort Worth, Texas

5-K Run:

I was able to retain my tenth place finish with a time of 19 minutes, 40 seconds for a 3.1 mile run. The course was in a beautiful area of Fort Worth along the Trinity River. Fort Worth has done much to develop the river area into a long park with running paths, picnic areas and the City zoo.

Bus Tour:

After the run, I went on a bus tour of the City. Downtown Fort Worth is in the process of being redeveloped. With so much land available in Texas, much of the community has sprawled out over the surrounding landscape. This has meant that a great deal of the community needs to be redeveloped and efforts are underway. I was impressed by the intense community pride I found in the City from both the people that made presentations and those that I ran into during the conference.

Special Address - Mary Francis Berry:

Ms. Berry is the Professor of American Thought and a member of the U.S. Civil Rights Commission. Her address involved the valuing of minorities in our society. She gave an excellent presentation on the importance of minority populations and in many respects, how little America has changed in terms of offering opportunities. It was a thought provoking presentation.

Keynote Speaker Regarding Valuing Diversity:

Lewis Griggs is a management consultant and co-founder of Copeland Griggs Production, Incorporated. He gave a presentation on valuing the diversity of our culture and our need to change behavior and change systems to nurture the richness of differences. I thought his presentation was little elementary and that he needed to gear his speech more toward being complimentary of the efforts that have been undertaken in communities.

The Move to Community Oriented Policing:

The Police Chief of Houston, Texas, Betsy Watson, Reuben Greenberg, Police Chief of Charleston, South Carolina and Dr. Camille Cates Barnett, City Manager of Austin, Texas all spoke on community policing in their communities. It is interesting that even though these are larger cities, the concepts that we use here in Newberg are consistent

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with their approach. I enjoyed their presentations very much and learned a great deal about community policing. For example, Chief Greenberg of Charleston, South Carolina made the point that none of this community policing is new. America needs to return to the concept of raising a posse to deal with community issues. He also emphasized turning negative situations into positive situations and that criminals can hide from the police but not from everybody. The key is to enlist everybody in the effort.

Chief Watson of Houston also gave an excellent presentation. She said that traditional policing is a continuous battle of answering the same calls over and over without settling the problem that exists. She said that community policing is an effort for the officers to be taught to think analytically and attack the underlying cause of the problems. She said that police culture develops as a reaction to a catastrophic event and that we need to change the thinking into dealing with the long term problems. The new message in policing is to be creative and imaginative in the face of the rules and regulations and to spend time on the infrastructure of the community so that crime is everybody's problem and not just the police.

The message of these two chiefs is very consistent with what Chief Bishop, here in Newberg, has been telling the community for the past year or two. I had no doubt that the message would be any different and I was impressed by the ability of these speakers to provide a concise upbeat presentation of these issues. I was also pleased that Newberg has a community policing program and possibly we need to work on getting more recognition and funding for our efforts.

Assistants Luncheon:

Don Borut, Former Assistant Director of the ICMA and now Executive Director of the National League of Cities gave an excellent presentation on being an assistant.

Seven Symptoms of Managers in Trouble:

This was a very interesting session and gave Dr. William Mathis, Phd. Industrial Psychologist, Mathis and Associates an opportunity to express his results of research he has done regarding managers in the public and private sector who are in trouble. Dr. Mathis came up with seven symptoms of managers in trouble:

1. Unwilling to fire or change a poor department head;
2. Change in personal effectiveness such as an illness, tough divorce, or internalization of community problems which would lead to a negative attitude;

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3. Unwillingness to readapt to a change in the political environment;
4. Becoming a target for what is wrong in the community, the quote he used was that people grow old if they stop playing and managers are asked to leave if they begin to withdraw and not deal with the issues;
5. Power conflict, who is in charge;
6. Distancing where the City Manager becomes less involved, this is a little different than the one above since it involves simply being tired of living in a fish bowl and developing an immobility and anger due to the situations and feeling of powerlessness;
7. History of environmental dishonesty, this is where the manager has values that are inconsistent with the Council or community and there is a leadership vacuum.

By attending this conference I got a perspective on what to look for in my department heads and in myself to make sure that we stay on track, providing the services and direction that the community needs.

Cultivating Leadership:

This session provided me the opportunity to consider ways to cultivate leadership in our organization and community. The emphasis was on life long professional training and cross department experience within the organization. This also cultivates creativity, encourages risk taking, making sure that we maintain a perspective on the issues we confront and offer opportunities for confidence building. Things like the leadership training being offered by the Chamber of Commerce and efforts within the organization to encourage "plowing and fertilizing the fields together" are positive evidence that we are cultivating leadership in our organization and community.

Prayer Breakfast Meeting on Tuesday:

This was an opportunity to hear the very inspirational Charles Colson discuss the linkage between Christian values and government. Mr. Colson made a persuasive argument that the current society in America is weak on values which is reflected in the leadership of today. He suggested that only by strengthening our value base, will we be able to end the cycle of abuses by our national and state elected officials. He was speaking in a general sense about things like the budget deficit and reported lack of leadership at the federal and state levels of government. Mr. Colson was complimentary of local governments since he feels that it is "where the rubber meets the road". But, we need to be mindful that our system of government in our society is based on

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Christian values and that we clearly need to reflect the basic tenants of this philosophy as we deal with the concerns in our community.

One example he provided was the recent effort of the USSR to define a value base for their society. After much research by the philosophers and social economists, the tenants that they came up with for guiding the value base of the Soviet society was the Ten Commandments. He also suggested that in a meeting with the Prison Chief of the USSR, he was asked to provide volunteers to go to the Soviet prisons to explain the Gospel. The Soviet Prison Chief felt that much of the reason for people being in prison in the Soviet Union was that they did not have clear guidance and Mr. Colson was able to persuade them that clear guidance on issues comes from the Bible.

Mr. Colson's presentation crossed the line between church and state quite a few times, but it was done in a manner that was both informative and inspirational. Sometimes I think it is good to look at our real basic values so that we can continue on with our business.

Regional Business Meeting:

The ICMA now stands for International City/County and COG Management Association. This was decided in the regional meetings and voted on by the full membership at the annual business meeting.

Annual Business Meeting:

This was kind of a fun meeting as the Executive Director asked us to write our comments on a postcard to be posted outside whether we thought the ICMA should have an academy for education. Steve Bryant, City Manager of Albany and I decided that if ICMA was going to have a university that it should have a football team. This would mean that it would also need a mascot and we chose the mascot to be the "Lame Ducks".

Keynote Speaker:

Dr. Bailius Walker, Dean of the School of Public Health and Sciences, University of Oklahoma. Dr. Walker talked about the increasing problems we have in our communities with public health issues. This applied more to the County folks that deal with the public health issues. It is also wise for communities to keep these in mind since it could result in a major change in our funding should public health issues become a major issue.

Sandwich Swaps:

During these round table discussions I spent some time with a person

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from Pennsylvania discussing common issues we share between our two communities.

Keynote Speaker - The Forces Shaping Local Government in the 90's:

This presentation by Dr. James Crupi regarding future trends was spellbinding and excellent. Dr. Crupi was able to synthesize and weave many different ideas and concepts that face us today such as demographic concerns, labor shortages, changes in the economy and many other items into a very excellent presentation. I have purchased the video tape of his presentation, since I believe it will be worth showing to department heads and the City Council at a later meeting.

Developing Managers for the 21st Century:

This was a followup of Dr. Crupi's presentation and it was also very good since it gave more academic type of background to his original presentation.

Featured Speaker:

Roger Rosenblatt has been the editor-at-large for Life Magazine and a essayist for the McNeil-Lehrer News Hour. He gave a very informative and humorous talk about the future of local government and past analysis of politics that have occurred. It was very delightful and most enjoyable.

Community Visioning Process:

A former Oregonian, Linda Barton, former Assistant City Manager of Corvallis and now City Manager of Burnsville, Minnesota and Joseph Lanford, City Manager of Rock Hill, South Carolina gave a presentation on the community visioning process in their communities. The Burnsville, Minnesota model involved the very traditional establishment of a large committee with community goal setting surrounding the committee. The Rock Hill, South Carolina approach was a little different as they used a more of an executive committee report process. The executive committee identified several different types of cities that exist in Rock Hill. These cities include a cultural city, an education city, a shopping city, an industrial city and a residential city. By identifying these various cities that exist within their city they were able to specifically identify ways to enhance and develop each of those cities within their city. This gave them the model that they needed for identifying specific improvements in each area. An intriguing idea which I personally liked.

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Parting Shots:

ICMA conventions provide me with invaluable input and I appreciate the opportunity to attend them. This convention, which I failed to mention above, was kicked off by Art Buchwald's presentation which was very humorous and set the tone for fun and business at the convention. Something not listed is the numerous hours I spent with my fellow managers from Oregon, California, Pennsylvania and across the nation and world. It is comforting and interesting to share comments with people from England and Australia regarding how they work with their councils and find that it is very similar no matter where you go. The problems and successes are the same no matter the country or the environment. Next year the convention is in Boston and I had indicated that I may not go, but after attending the convention in Fort Worth, it may be worth making the long trip to the east coast.



Duane R. Cole
City Manager

DRC/bjm

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MINUTES OF THE PLANNING COMMISSION
Newberg Public Library
Newberg, Oregon

Thursday, 7:30 PM

August 16, 1990

Subject to P.C. Approval at 9/20/90 P.C. Meeting

Present:

Martin McIntosh
Rob Molzahn
Mary Post
Wally Russell

Staff Present:

Dennis Egner, Planning Director
Mike Unger, Associate Planner
Barb Mingay, Recording Secretary

Citizens: 2

There being no quorum, the meeting was not called to order; however, a consensus of those Commissioners present was taken relating to agenda item IV. CUP-1-90, Assisted Living Facility and CUP-2-90, Homeless Shelter. The Commissioners present unananimously indicated their support for an extension of CUP-1-90 and CUP-2-90. A formal approval of extension will be recommended at the September Planning Commission meeting.

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AGENDA
PLANNING COMMISSION
REGULAR MEETING
NEWBERG PUBLIC LIBRARY
503 EAST HANCOCK - NEWBERG OR 97132

THURSDAY - SEPTEMBER 20, 1990

7:30PM

- I. Roll Call
- II. Open Meeting
- III. Approval of July 18 and August 16, 1990 Planning Commission Minutes
- IV. Request for Extension:
 - A. CUP-1-90, Assisted Living Facility
 - B. CUP-2-90, Homeless Shelter
- V. PR-90 Public Hearing:
 - APPLICANT: City of Newberg
 - REQUEST: Review Periodic Review Order
- VI. Old Business
 - A. Council update
- VII. New Business
- VIII. Adjourn

NEWBERG COMMUNITY HOSPITAL
FINANCIAL SUMMARY - AUGUST 1990

UTILIZATION:

Inpatient hospital utilization was 22.8% of occupancy with 10 average patients per day. While inpatient activity on the Med/Surg floor was down, the Birthing Place activity was up with 30 deliveries for the month. Observation care days also exceeded budget by 45% at 58. A good number of those Observation days were from the ICU, which generate additional revenue. The Surgery Department again exceeded budget significantly with 9,180 minutes. Year to date, Surgery minutes are 64% higher than they were last year at the same time. The Emergency Department also had another busy month. Home Health visits at 336 exceeded budget by 49% and Cat Scans at 71 exceeded budget by 31%.

REVENUE:

Gross revenue of \$1,007,421 was 92% of budget. Inpatient revenue at \$436,810 was 72 % of budget, while outpatient revenue at \$515,384 was 115% of budget. Other revenue at \$55,227 was 35% above budget and additional Occupational Health revenues contributed to that variance. Total deductions from revenue at \$197,588 were 81% of budget. Alternative Delivery Systems discounts at \$43,887 were 59% of budget. Both bad debt and Medicare/Medicaid allowances paralleled the gross revenue for the month. Again in August, outpatient revenue exceeded budget at 54% of total patient revenue. Medicare/Medicare revenue was 41.7% of total revenue and Alternative Delivery Systems revenue was 27.7% of total. Inpatient revenue per patient day at \$1,405 exceeded budget by 21%, while outpatient revenue per outpatient revenue visit at \$73 exceeded budget by 31%.

EXPENSE:

Total expense at \$775,931 was 96% of budget. Excellent expense controls reflected in the Med/Surg department during the month. We are also seeing less usage of contract agency nurses throughout the hospital. In the ancillary services other expense area, the variance was created by costs for CRNA contractual fees, Laboratory purchased services, CT Scan medical supplies, Emergency Room maintenance and repair costs, Home Health purchased services and training costs. In the Administration and House services salary and wage area, the variance was created by salaries in the Nursing Administration Department, Accounting, Admitting, Patient Accounts, Personnel and Occupational Health Departments. Paid hours per adjusted admission at 170 exceeded budget by 17% while productive hours per adjusted admission at 145 exceeded budget by 10%.

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MISCELLANEOUS:

In comparing the departments contribution margins actual to budget, those departments that had significantly higher contributions to the hospital were: The Birthing Place, ICU, Surgery, Anesthesia, Recovery Room, Emergency Room, Ambulance and Home Health. Cash collections of \$819,977 exceeded projection by 2%. Days of gross revenue in gross accounts receivable again decreased to 73.6 for the month. Regularly scheduled transfers were made to both the Capital Improvement and Bond Funds during the month. The Hospital had an income from operations of \$33,902 and a contribution to growth and development of \$37,345 for the month.

Respectfully submitted,



Jack R. "Spike" Sumner
Director of Finance

JRS:jp

NEWBERG COMMUNITY HOSPITAL

MINUTES: BOARD OF COMMISSIONERS, AUGUST 28, 1990, 7:00 P. M.

PRESENT: Ed Stevens, Fonda Schmidt, Dr. Isaacson, Dr. Holman, Hal Grobey, Jack Nulsen.

ABSENT: Rolland Carlson, Phil Edin, Tobi Young

EX-OFFICIO: Dr. Lyles, Mayor Hall, Mark Meinert

GUESTS: Terry Mahr, Dr. Kern, Dr. Manka, Spike Sumner, Jan Gorsline, Nancy Chowning.

The meeting was called to order at 7:05 P. M.

The minutes of 7/24/90 were unanimously approved as submitted.

PRESENTATION - CREDENTIALING/NATIONAL DATA BANK

Jan Gorsline discussed the credentialing process for the Medical Staff in depth and Terry Mahr discussed the National Data Bank process which was effective in September of 1990.

DR. MARY FOSTER, PEDIATRICIAN

The Hospital Board then discussed the independent placement of Dr. Mary Foster in Newberg with financial support from Newberg Community Hospital. Initially Dr. Holman asked that Dr. Maya Manka present her observations concerning the aforementioned subject. Attached are those comments as edited by Dr. Manka. Following Dr. Manka's presentation, Dr. Ed Stevens tactfully and very professionally addressed the issue of where, from his perspective, difficulties lie in negotiating a relationship with Dr. Manka. Specifically Dr. Stevens indicated tremendous respect for Dr. Manka's professional ability and support for Newberg and Newberg Community Hospital over the past 12 years. However, Dr. Stevens clearly indicated his frustration with having been confronted concerning this issue at a difficult moment in his life by Fedor Manka and his perception that difficulties in negotiation lie not necessarily with Dr. Maya Manka but with Fedor Manka. Hal Grobey questioned the need for a restrictive covenant and for putting the Hospital at risk in a relationship concerning placement of an additional pediatrician in Newberg. Then both Fonda Schmidt and Hal Grobey raised the obvious issue that Dr. Mary Foster makes the decision as to where she practices, not Newberg Community Hospital, and reconfirmed Dr. Stevens' comments concerning great professional respect for Dr. Manka. Jack Nulsen also commented that the problem was not with Dr. Manka but with Fedor Manka. Dr. Manka indicated a frustration that Dr. Mary Foster wasn't more direct in her conversations so that Maya could have known that Fedor was pushing. Both Ed Stevens and Hal Grobey indicated how difficult that would have been for anyone, let alone a new

physician trying to join the community.

EXECUTIVE SESSION:

The Hospital Board then convened into Executive Session in accordance with ORS 192.660 (1) (c) at 8:42 P. M.

The meeting was called back into open session at 9:15 P. M.

COMMITTEE REPORTS:

There was no extensive discussion of any of the submitted committee reports.

OLD BUSINESS:

Mark briefly addressed the subject of Estes Park indicating that the Hospital would be sending three participants to that educational session. Those participants are Ann Oakley, Director of Nursing Service. David Krier, M. D., a Family Practice physician who is Chief of Staff elect. Jack Nulsen, a Board member.

NEW BUSINESS:

There was no new business.

ADMINISTRATOR'S REPORT:

Mark mentioned the upcoming Board/Medical Staff event, September 9, 1990, scheduled for Rex Hill Winery.

A brief discussion ensued regarding the Vintage Festival and the identification of Newberg Community Hospital as a non-profit organization that stands to gain from a successful event.

The Oregon Association of Hospitals legislative priorities were distributed. During this discussion, Dr. Holman indicated that Phil Edin had been selected as a commissioner from Newberg Community Hospital to sit on the newly formed Oregon Association of Hospitals Trustee Committee.

EXECUTIVE SESSION:

The meeting was called into Executive Session in accordance with ORS 192.660 (1) (c) at approximately 9:35 P. M.

After reconvening to open session at approximately 10:00 P. M., the following actions were taken:

(a) Hal Grobey moved and Jack Nulsen seconded a motion to reaffirm the direction given last month to Administration to place Dr. Mary Foster independently, with an income guarantee, into a pediatric practice in Newberg, in light of the failure of

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the negotiations to place Dr. Foster with Dr. Maya Manka. In addition, Administration was directed to facilitate cross coverage and call and to attempt to moderate the negative feelings between the two pediatricians. The motion was unanimously supported.

Dr. Lyles briefly discussed Medical Staff activities and there being no further discussion, absent a QA Report or QA minutes, the Executive Session adjourned at around 10:00 P. M.

ADJOURN:

There being no further business to come before the Board of Commissioners, the meeting was adjourned at approximately 10:05 P. M.

Respectfully submitted,



Mark W. Meinert
Administrator

MWM:jp

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REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: October 4, 1990

XXX ORDINANCE
 RESOLUTION

 MOTION

 INFORMATION

DATE ACTION REQUESTED: October 16, 1990

SUBJECT: Grass Cutting Liens

RECOMMENDATION: The Finance Committee recommends that the City Council adopt a resolution placing a lien on properties owing the City money for grass cutting.

BACKGROUND: Ordinance No. 88-2232, which is attached, pertains to the cutting of certain brush and grass in the City. Each summer the Fire Department surveys properties in the City and notifies property owners that noxious grass and brush must be cleared. If the property owner fails to comply, the City goes in, cuts the grass and brush, and bills the property owner for the cost. If the property owner fails to pay the bill, the City can place a lien on the property.

Most property owners comply with the initial request of the Fire Department. However, occasionally we have a few that do not. We have attached a list of those properties which have outstanding grass bills. On September 25 the Finance Committee met and recommended placing a lien on these properties in the hopes of recovering the City's costs when the properties sell.



Duane R. Cole, City Manager

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Attachments

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CITY OF NEWBERG

Grass Cutting Liens

September, 1990

<u>Name</u>	<u>Address</u>	<u>Tax Lot No.</u>	<u>Amount</u>
Robin Crecelius 4505 Ray Bell Rd. St. Paul, OR 97137	604 E. Sherman	3218 DD 14901	28.75 25.00
Carol Jacobs 149 W. Hilliard Eugene, OR 97401	1112 E. Third	3220 BC 3300	95.45
Ruby Moore 16005 35th Place, W Alderwood Manor, WA 98036	609 E. Sheridan	3218 Dd 15400	25.00 285.00
Cheryl Probst P.O. Box 160 Connell, WA 99326	1000 Block-S. River between 1000-1010	3222 CC 1600 3220 CC 1700	25.00 40.25
Nora Gossen c/o Maylie & Grayson 621 S. Morrison Suite 1410 Portland, OR 97205	720 S. River	3220 CB 4100	112.50
James Courselle P.O. box 1531 Watsonville, CA 97077	501 N. Harrison	3218 DC 5300	40.25

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ORDINANCE NO. _____

AN ORDINANCE PLACING A LIEN ON PROPERTIES OWING THE CITY OF NEWBERG MONEY FOR GRASS CUTTING AND DECLARING AN EMERGENCY

WHEREAS, Ordinance No. 88-2232 sets forth regulations for the cutting of certain brush and grasses; and

WHEREAS, the Fire Department has found it necessary to cut the grass and brush on certain properties; and

WHEREAS, these properties were notified and billed for the cost of cutting the grass; and

WHEREAS, certain properties have not paid the outstanding bills for grass cutting; and

WHEREAS, the following property owners have been notified by certified mail of the pending lien;

NOW, THEREFORE, THE CITY OF NEWBERG ORDAINS AS FOLLOW:

Section 1. In accordance with Ordinance No. 88-2232, a lien shall be placed on the following properties for outstanding bills for grass and brush cutting:

<u>Name</u>	<u>Address</u>	<u>Tax Lot No.</u>	<u>Amount</u>
Robin Crecelius 4505 Ray Bell Rd. St. Paul, OR 97137	604 E. Sherman	3218 DD 14901	28.75 25.00
Carol Jacobs 149 W. Hilliard Eugene, OR 97401	1112 E. Third	3220 BC 3300	95.45
Ruby Moore 16005 35th Place, W Alderwood Manor, WA 98036	609 E. Sheridan	3218 Dd 15400	25.00 285.00
Cheryl Probst P.O. Box 160 Connell, WA 99326	1000 Block-S. River between 1000-1010	3222 CC 1600 3220 CC 1700	25.00
Nora Gossen c/o Maylie & Grayson 621 S. Morrison Suite 1410 Portland, OR 97205	720 S. River	3220 CB 4100	112.50
James Courselle P.O. Box 1531 Watsonville, CA 97077	501 N. Harrison	3218 DC 5300	40.25

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Section 2. A lien on the above listed properties shall be placed in the City lien docket against these properties and shall be in force in the same manner as enforcement of liens for street improvements.

PASSED by the City Council of the City of Newberg, Oregon this _____ day of October, 1990 by the following votes.

Ayes:

Nays:

Absent:

Duane R. Cole, City Manager

Approved by the Mayor this _____ day of October, 1990.

Elvern Hall, Mayor

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REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: October 5, 1990

_____ MOTION

_____ RESOLUTION

DATE ACTION REQUESTED: October 16, 1990

_____ ORDINANCE

_____ X INFORMATION

SUBJECT: Ballot Measure No. 5, Property Tax Limitation

RECOMMENDATION: The attached memo is presented as information.

BACKGROUND: On November 6, voters will vote on a state constitutional amendment which imposes limits on property taxes, restricts user charges or "incurred charges" and restricts the ability of communities to issue certain types of debt.

The measure affects schools taxes differently than it affects other local government taxes but it affects everyone's ability to impose charges against property and issue debt. The measure also pits local governments against each other for their portion of available property tax dollars.

The Legislature is mandated to "replace" revenues lost to schools due to their reduced property taxes. However, the measure does not specify how that is to be done. There is no mandate to replace other local property taxes.

The measure also affects the administration of the current property tax system and may require the Legislature to make major changes to the current system. These changes are unpredictable and would affect the City.


DUANE COLE, CITY MANAGER

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Attachment

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M E M O R A N D U M C I T Y O F N E W B E R G

DATE: September 20, 1990

TO: City Council

FROM: Kathy Tri, Finance Director

SUBJECT: Ballot Measure No. 5, Property Tax Limitation Measure

In November and for the sixth time in twelve years the voters will decide whether or not to limit property taxes. This measure will limit property taxes, possibly other local taxes and other local charges and will affect the issuance of certain types of debt by governments throughout the state.

This memo is intended to briefly describe the critical points of the ballot measure and its possible impact on the City of Newberg.

The Measure

The measure divides property taxes into two categories: (1) taxes levied for the public school system, i.e., pre-kindergarten through post-graduate training, including support services and (2) taxes levied by other government operations other than the public school system. The measure then sets out the maximum tax rate for each category. The maximum rate for other government operations is \$10.00 beginning in fiscal year 1991-92 and a sliding tax rate for schools beginning at \$15.00 in fiscal year 1991-92 and decreasing to \$5.00 in 1995-96.

The measure limits property tax rates on a property's "market value," not assessed value. This imposes a different property tax appraisal system than what is currently in place. There is no limit in the measure on value increases. This is one feature that makes this measure different from previous measures. Furthermore, the measure does not affect the ability of all taxing jurisdictions from seeking additional levy authority.

A unique feature of this measure is that it mandates the Legislature to make up the difference lost in property tax revenue for schools through the 1995-96 fiscal year. However, the measure does not provide any guidelines on how the Legislature should do this, i.e., should the Legislature adopt a new statewide tax or use existing resources and how that revenue should be distributed among schools, nor does the measure address what happens after 1995-96. The state predicts that it will need \$790 million in 1991-93 and \$3,199 million in 1995-96. This equates to 15% of the State's General Fund in the first biennium and increases to 46% in 1995-97. The measure does not mandate the Legislature to make up the lost revenue for other jurisdictions.

Other taxes are also included in the limitation because all government charges against specific property, not just real property, that are measured by value are taxes within the scope of the measure. For example, the Attorney General concluded that the Washington County traffic impact tax and Ashland transportation utility fee are special purpose charges or assessments which are subject to the limits of the measure. He also reviewed a number of other taxes and fees--some of which are excluded from the

measure's limitations. For example, utility franchise taxes and real estate transfer taxes are not included.

The Attorney General was unclear how systems development charges are affected by the measure. He expressed that these charges are affected but the effect must be determined after careful examination of each jurisdiction's ordinance. After some discussion with BJ Smith at LOC, most city attorneys with whom she has talked are sure at this time that their local systems development charge ordinances are affected by the measure. It will be up to the courts to decide.

The net statewide impact on SDC is approximately \$15 million.

A major impact of the measure is on debt issuance. After November 6 if the measure passes, the measure will require voter approval in order to issue Bancroft Bonds which are considered general obligation debt under the statutes and are backed by the full faith and credit of the City. Bond counsel predicts a major slowdown in economic development in the state because local governments will not have a viable, low cost financing mechanism available to them to finance local improvements.

The measure excludes existing debt from the limitation but will affect all future debt. For example, only general obligation debt approved for capital construction may be outside the rate limitation. Future debt for equipment, such as a fire truck, will be included in the \$10.00 limitation. These limitations apply to schools as well.

All serial levies are included in the measure's limitations.

The measure also defines "incurred charges." An incurred charge includes state and local charges and is defined as

"those charges by government which can be controlled or avoided by the property owner

(i) because the charges are based on the quantity of the goods or services used and the owner has direct control over the quantity; or

(ii) because the goods or services are provided only on specific request of the property owner; or

(iii) because the goods or services are provided by the government unit only after the individual property owners has failed to meet routine obligations of ownership and such action is deemed necessary to enforce regulations pertaining to health or safety."

Further, incurred charges may not exceed the actual cost of providing the goods or services.

One last comment about the measure is that it will have a major impact on urban renewal districts. Basically, the portion of the rate that pays for debt service will be outside the limitation. However, the increment which pays for additional improvements within the district are included in the limitation.

Affect on Newberg

Newberg's total 1989-90 tax rate was \$30.99. There are eight taxing districts within

the City of which three will be included in the school portion of the limitation.

Assuming a six percent increase in assessed value (\$295,604,053), we project the following 1990-91 operating tax rates for the remaining five taxing districts (debt is excluded since existing debt is excluded from the rate limit):

CITY OF NEWBERG	\$5.79
Yamhill County	2.07
Chehalem P & R Dist.	.90
Extension Service	.06*
Soil & Water	<u>.05*</u>
Total Tax Rate	\$8.87

* used 1989-90 tax rate

As you will note, in 1991-92 the City should be within the \$10.00 limitation. According to the County and depending on assessed value growth, the County Assessor predicts that the City may reach the \$10.00 limit within two to three years. Once the \$10.00 limit is reached, each jurisdiction will have the tax rate reduced evenly by the percentage necessary to meet the limitation (section 11b(4)). It should be noted that the percentages could change yearly depending upon the various levy requests.

While it can be assumed that in the first year of the measure City property taxes will not be affected, it can also be assumed that the mandate on the Legislature to replace lost school taxes from the state General Fund will affect the City. All revenues received from the state except gas taxes are "up for grabs." The City currently receives approximately \$157,000 in state shared revenues and library, traffic and planning grants. If the City were to replace this revenue with property taxes, it would equate to \$0.60/1,000 assessed value. This would still leaves us within the \$10.00 limitation for 1991-92.

In the 1991-92 financial projections we will assume the City will not receive any state shared funds. Other state funds, such as state forfeiture funds, may also be sequestered.

All of Newberg's charges, fees, and taxes will need to be reviewed if the measure passes. These include fire fee, systems development charges, public land fees, parking assessments, building fees, engineering fees and so forth.

This fiscal year the City planned to sell its first Bancroft bond in 10 years. This sale will no longer be possible. While there are other debt instruments available, their issuance costs and interest rates are higher. The state might enact a remedy or alternative; however, there is no way to know at this time if a remedy will be enacted during the 1991 session. This will have a major impact on financing improvements, especially related to economic development along Portland Road.

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VIII-2

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RESOLUTION NO. 90-1581

A RESOLUTION OF THE CITY OF NEWBERG, OREGON SUPPORTING BALLOT MEASURE #5.

WHEREAS, Ballot Measure #5, a property tax limitation measure appearing on the November, 1990 general election ballot, proposes to limit the amount of ad valorem taxes that may be imposed on property, whether real or personal, in the State of Oregon; and

WHEREAS, prior efforts to address the ever-increasing tax burden placed on property owners in this state have been unsuccessful; and

WHEREAS, the property tax burden has reached a critical level in this state; and

WHEREAS, Ballot Measure #5 will require that local taxing units either limit their collective expenditures or develop sources of funding that do not increase the burden on the property tax owner; and

WHEREAS, the governing body finds and determines that it is in the best interest of the citizens of this municipality that the property tax burden be brought under control, even if the mechanism for doing so results in some disruption in the delivery of services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Newberg that this municipality actively supports the property tax limitation measure contained in Ballot Measure #5.

APPROVED this 16th day of October, 1990.

Duane R. Cole - City Recorder

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VIII-2

74

RESOLUTION NO. 90-1582

A RESOLUTION OF THE CITY OF NEWBERG, OREGON OPPOSING BALLOT MEASURE #5.

WHEREAS, Ballot Measure #5, a property tax limitation measure appearing on the November 1990, general election ballot, creates sweeping changes to the current property tax system in the State of Oregon; and

WHEREAS, the property tax limitation measure contained in Ballot Measure #5 contains an arbitrary formula for determining each local taxing unit's share of the limited property tax dollars and does not permit the citizens of this community to apportion their tax dollars on the basis of their priorities; and

WHEREAS, Ballot Measure #5, if passed, would require that cities, counties and school districts compete directly for the available property tax dollars, rather than encouraging cooperation and development of viable priorities among them; and

WHEREAS, the complexity of the revisions sought to be imposed by Ballot Measure #5 will make it extremely difficult, if not impossible, to predict the actual effect on the property tax limitation on this City's ability to provide essential services on a continuing basis; and

WHEREAS, this City will be forced by the property tax limitation to eliminate or reduce services already provided in this community because of a decrease in available funding; and

WHEREAS, the governing body of this municipality finds and determines that the interests of the citizens of this community are not well served by the inability to make accurate financial predictions, by the inability to make accurate financial predictions, by the inability to allocate funding on the basis of their priorities, and by the increased competition among local taxing units expected to result from Ballot Measure #5.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Newberg that this municipality actively opposes the property tax limitation measure contained in Ballot Measure #5.

APPROVED this 16th day of October, 1990

Duane R. Cole - City Recorder

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VIII-2

75

REQUEST FOR COUNCIL ACTION

DATE SUBMITTED: October 2, 1990

X MOTION

DATE ACTION REQUESTED: October 16, 1990

SUBJECT: School District Task Force for Facilities Needs

RECOMMENDATION: The Council may want to appoint a Council member to serve as the Liaison from the City to the School District's Task Force. This position would be advisory and would serve as an ex-officio non-voting member of the Task Force.

BACKGROUND:

1. The School District will be involved in an intensive evaluation of their facilities. The School Board has appointed a Task Force comprised of broad representation from the community at large. The Superintendent has requested that the City participate in the Task Force in an ex-officio capacity. Most of the items that will be dealt with involve the Public Works Department and Bert Teitzel has volunteered to serve as the representative from the City staff. This should not exclude participation by the City Council, since that would be valuable input for the schools to have in addition to the staff input.
2. The City may want to mirror the School District process in the future to develop our own facilities plan. At the current time, Mr. Teitzel is developing the capital improvements plan for the City which includes improvements to facilities. This year, we have tentatively planned that this will be a staff document which will be presented to the Council and Budget Committee through the budget process. This will give us an opportunity to collect initial data and possibly use it next year to focus the community's needs with the district and other agencies.
3. The Facilities Task Force also points to the need for periodic meetings with the School Board, City Council, City of Dundee and the Chehalem Park and Recreation District to jointly hear and discuss issues which will effect each entity equally. Certainly the construction of the schools has an impact on our debt position as well as the potential for development of the community. Likewise, the City's need for a water treatment facility may impact the abilities of the Schools or CPRD to fund future improvements. Each entity is chasing the scarce tax dollar in the community and we need to be mindful that working together will be the only way to address these problems.

A tentative meeting of these various agencies is being planned by the administrators of the School District, CPRD and City in cooperation

Page 2

Request for Council Action
RE: School District Task Force

with the Mayor of the City of Dundee. Tentative time schedule may be next winter or early spring.

FISCAL IMPACT:

Participation on the committee will cost the City time which are opportunity costs for other programs and projects that will be set aside to participate. I would anticipate the City's participation to be very limited in this regard. The role we will play will be one of review and comment regarding the various plans put forth by the School District. Mr. Teitzel's role will also be to involve Planning Director Egner or City Manager Cole as necessary.

SUBMITTED BY:



Duane R. Cole
City Manager

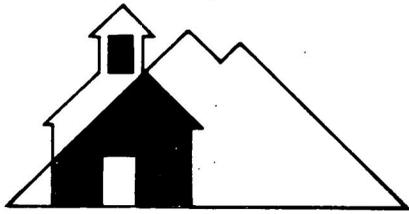
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To: Council



Newberg School District 29Jt

1421 Deborah Road, Newberg, OR 97132
(503) 538-8361

H. Wesley Smith
Superintendent

September 19, 1990

Mayor Elvern Hall
City of Newberg
City Hall
414 East 1st Street
Newberg, Oregon 97115

Dear Elvern:

The school district is establishing a task force to study district facilities needs. By December 1991 the group is asked to make recommendations for the maintenance, renovation, acquisition or disposition of district facilities, and a financing plan to implement its recommendations. Since the City of Newberg is so integrally involved with the school district and financial matters are of mutual concern, I ask that you appoint a liaison ex officio member to our task force. It is your choice whether your appointee be from the city council or staff.

Among the matters the task force is to consider is cooperation and joint facilities use with the cities and park district, so the importance of communications with other entities is great. I have enclosed a copy of the charge the Board gave to the task force, which may be of use to you when considering your appointment to the task force.

Please call if you have questions.

Sincerely,

Wes Smith
Superintendent

WS:ir

NEWBERG SCHOOL DISTRICT 29JT

MEMORANDUM

TO: Paul Frankenburger, Director of Physical Plant Services
Sherry Averett, Director of Business Services
Frank Loitz, Citizen
Barry Post, Budget Committee Member
LeRoy Benham, Board Member
Dave Schlactus, Citizen
Hawkin Au, Board Member
Fred Casey, Citizen
Jerry Kerns, High School Assistant Principal
Ken Clock, Citizen
Kevin Engelen, Middle School Assistant Principal
Mike Olberding, Citizen
Glen Post, Board Member
Larry Derry, Elementary Principal

FROM: Wes Smith, Superintendent *WS*

DATE: September 19, 1990

SUBJECT: Long-Range Facilities Development Plan Task Force

Thank you for agreeing to serve on the Long-Range Facilities Development Plan Task Force. Paul Frankenburger will be in touch with you soon to establish the first meeting. At that first meeting it is expected that a chairperson will be selected from the citizen membership of the Task Force.

Charge to the Task Force as Adopted by the Board on September 10, 1990

The Newberg School District anticipates continued growth through the 1990s. Present facilities are barely adequate to meet student and curricular needs at this time. The conditions of buildings in use range from excellent to poor. Among the poorer buildings, structural and mechanical conditions are not well studied nor well documented. Obviously there is much cause for Board concern and it, therefore, has constituted this Task Force to study present and future district needs and to develop a ten-year facilities plan.

In assessing the needs of the district, the Task Force should:

1. Conduct demographic studies to determine how much student population growth can be expected in the next ten years, where it will impact the district geographically, and at what grade levels.
2. Commission a districtwide engineering study to determine the structural and mechanical condition of facilities and catalog maintenance needs of the district.
3. Consider district asbestos abatement schedules and energy management plans.

4. Consult with the Superintendent, the Director of Instruction, and principals about anticipated curricular needs, e.g., computer labs, school organization, and writing labs.
5. Seek input from community groups about their needs and cooperative use of facilities.
6. Consider general site planning in relation to community-wide planning and determine long-term land needs of the district.

After gaining an understanding of present and future district needs and analyzing conditions and effectiveness of present facilities, the Task Force should recommend solutions in the form of a plan to maintain, renovate, and build facilities over the next decade to meet the needs identified. This plan should consider:

1. Maximization of usage through community cooperation involving other government entities, including the cities of Newberg and Dundee, the Chehalem Park and Recreation District, and the Yamhill Education Service District.
2. Increased efficiency of facilities usage gained by varied daily scheduling of school and/or year-round school calendars.
3. Recommend the disposition and/or acquisition of property and buildings.

Once a plan is developed, costs for implementing the plan based on 1991 dollars should be estimated and a financial plan and schedule developed to raise those funds. Options for financing include bond issuance, issuance of certificates of participation, general fund budgeting, serial levies, private donations, and joint financing with other governments.

This sizable charge given the Task Force will take time and resources. Much of the time of the Director of the Physical Plant is to be given this project. He is authorized to act as the executive director of the Task Force, which will select its own chair from among the membership appointed by the Board. The chair, in consultation with the Director of Physical Plant Services, will determine how to organize the Task Force to complete the plan. Additional members may be added to the group by the Board upon the recommendation of the Superintendent. The chair is expected to consult with the Superintendent when additional members are needed.

The Director of Physical Plant is authorized to spend from the district maintenance budget to support activities of the Task Force, including contracting for consulting services.

It is expected that the report of the Task Force, including its final plan, will be presented to the Board in December 1991. This allows for the Budget Committee to use the findings in considering the 1991-92 budget. Interim

reports on the progress should be made quarterly. Such information as the demographic and engineering study are valuable in and of themselves, and the Board should have the benefit of knowing the results of the studies as soon as is practical. The chair may change the schedule of the Task Force to fit members' schedules. However, opportunities for regular Board reports, public input, and the December 1991 completion date must be preserved. Please see attached calendar.

The following people are recommended by the Superintendent for appointment to serve on the Task Force:

- Paul Frankenburger, Director of Physical Plant Services
- Sherry Averett, Director of Business Services
- Frank Loitz, Citizen
- Barry Post, Budget Committee Member
- LeRoy Benham, Board Member
- Dave Schlactus, Citizen
- Hawkin Au, Board Member
- Fred Casey, Citizen
- Jerry Kerns, High School Assistant Principal
- Ken Clock, Citizen
- Kevin Engelen, Middle School Assistant Principal
- Mike Olberding, Citizen
- Glen Post, Board Member
- Larry Derry, Elementary Principal
- Ex-Officio:
 - Liaisons Representing the Cities Appointed by the Respective Mayors
 - Liaison Representing Chehalem Park and Recreation District Appointed by Park Board Chairperson

Again, thank you for your willingness to serve.

WS:ir
Attachment
Copy to Neil Cohen
Elvern Hall
Don Waddell

NEWBERG SCHOOL DISTRICT 29JT

Long-Range Facilities Development Task Force Calendar

September 1990: Formation of Task Force and Appointment of Members
First Meeting - Elect Chair

October 1990 - February 1991:

Conduct Demographic Study
Conduct Engineering Study
Review Facilities Development Plans of Other Districts
and Agencies
Contact and Visit Other Districts for Ideas and
Direction

January 1991: Report Progress to the Board

March 1991: Assemble Needs Assessment Data
Initiate Search for Solutions to Identified Needs

April 1991: Report Findings of Studies to the Board

August 1991: Present Findings and Tentative Plans to Board
and Public

September - October 1991:

Invite Public Input Prior to Finalization of Report

November 1991: Finalize Recommendations and Prepare Final Draft

December 1991: Present Report of Findings to the Board

January 1992: Board Consideration of Adopting Task Force Report