

PROFESSIONAL SERVICES CONTRACT

THIS CONTRACT is entered into on the 16th day of January, 1993, by and between:

Dorman and Company
6131 NE Alameda
Portland, Oregon 97213

"Dorman"

City of Newberg
414 East First Street
Newberg, Oregon 97132

"City"

RECITALS

1. The City has received a \$20,000 grant from DLCD to assist in preparation of an urban reserve area for the City of Newberg.
2. LCDC has adopted the Urban Reserve Area Administrative Rule which mandates that Newberg and Yamhill County adopt an Urban Reserve Area.
3. The City Planning Director and the County Planning Director have reviewed eight proposals and have selected Dorman and Company to complete the project.
4. Dorman and Company is an experienced planning consulting firm and Mary Dorman is professionally qualified to conduct such a project.

NOW, THEREFORE, the Parties agree as follows:

1. **Scope of Work.** The City employs Dorman to accomplish the scope of work set out in Exhibit A and by this reference Exhibit A is hereby incorporated. The time for completing the work shall be approximately June 30, 1993.
2. **Compensation.** Dorman agrees to complete the work outlined in the proposal for a fixed fee of \$20,000. Dorman will submit billings to the City on a monthly basis.
3. **Termination of Agreement.** Either party may terminate the agreement by giving written notice at the above-stated addresses to the other party. Dorman shall upon termination submit all work accomplished to the City and such work product shall be the property of the City.
4. **Subconsultants.** The subconsultants, identified in the proposal for the project, shall be utilized as necessary. Any change in subconsultants must be approved by the City. Subconsultants are subject to the terms of Section 5 below.

5. **Miscellaneous.** Dorman waives any right to Workers' Compensation, Unemployment Benefits, and understands any employee tax or other income tax withholding shall be the responsibility of Dorman. Dorman shall indemnify and hold harmless the City of Newberg against any claim by its employees for Workers' Compensation, Unemployment Benefits, employee tax withholding, and income tax withholding. Further, Dorman shall defend and indemnify the City against any liability or claim arising from the use of private automobiles in traveling to and from job or during project.

IN WITNESS HEREOF, the parties have affixed their signatures below.

For DORMAN AND COMPANY

By: Mary Dorman
Mary Dorman

Dated: 1-26-93

For the CITY OF NEWBERG

By: Duane R. Cole
Duane Cole
City Manager

Dated: 2/10/1993

SCOPE OF WORK URBAN RESERVE AREA PROJECT

The urban reserve area project has six basic components. Those components include the following:

- County partnership
- Citizen participation
- Technical report
- URA Boundary delineation
- Revised urban growth management agreement
- Hearings and adoption

A timeline for the project is attached.

The tasks involved for each of these six items are described below:

A. County Partnership

1. Staff Coordination

Establishing a partnership with Yamhill County is a key element of the urban reserve area project. City staff and the consultant shall include the County planning staff in all meetings between the City and the consultant. Dennis Egner shall be project manager for the City of Newberg. Mike Brandt shall be project manager for Yamhill County.

2. Progress Reports

Monthly reports shall be prepared by the consultant and provided to the County Commissioners, the County Planning Commission and the Dundee City Council. The reports shall be 2-4 pages in length and describe current activities regarding the project. These reports shall double as progress reports to the Newberg City Council and Planning Commission. It is intended that these reports shall also be use to update DLCDD staff regarding progress on the urban reserve area project. The City will be responsible for copying and distributing the progress reports.

3. Meetings with County Commissioners

The County Planning Director shall provide monthly presentations to the County Commissioners to update the Commissioners on progress of the project.

4. NUAMC Participation

The City staff shall invite NUAMC members to any public meeting or workshop on the project. NUAMC is the final hearing body for the project.

B. Citizen Participation

1. Project Scoping Meetings

The consultant shall conduct three project scoping meetings to introduce the urban reserve area project to area residents and decision makers. The purpose of the meetings will be to investigate issues and concerns of residents and owners in the study areas. One meeting will be targeted to elected/appointed officials, the second will be targeted to property owners north of town, and the third will be targeted to property owners east of town. City and County staff will be responsible for organizing meetings and notifying residents. Invitations should be sent on County letterhead. Residents will be notified based on ownership of property within study areas identified by the Newberg Planning Commission.

2. Informational Newsletters

The consultant shall prepare two informational newsletters during the course of the project. The first newsletter will provide a brief introduction to the project (what it is and why we are doing it). The second newsletter (2-3 pages) will be mailed following the completion of the technical report and study area analysis. The consultant will provide one camera ready copy of newsletter text. A third newsletter will be prepared by the City and will outline the hearings process for NUAMC, the City Council and the County Commissioners, and will describe any changes proposed to the Newberg Urban Area Growth Management Agreement. The City will assume responsibility for copying and mailing all newsletters.

3. Open House Public Workshop

One open house/workshop will be conducted following the preparation of the draft report on interim development techniques. The open house may include a three hour workshop which breaks the presentation into two blocks to target the interests of the two distinct urban reserve areas. The consultant will assume the lead role in the presentation, with city staff taking the lead role on all open house logistics (schedule, location, notices, etc.).

C. Technical Report

1. Interim Development Research

The consultant shall conduct research to determine what interim development techniques are being used at other places in the west. Telephone interviews shall be conducted with planners and/or developers in the Seattle area and in California. The feasibility of shadow platting shall be researched.

2. Interim Development Techniques

The consultant shall prepare a technical report which will describe recommended interim development techniques that allow rural development to occur while preserving options for urbanization. Depending on the research of Task C-1, the report shall focus on shadow platting. Examples shall be provided. The consultant will provide a draft report to the City. Following revision, one camera ready copy will be provided. The City will be responsible for all copying and distribution.

3. Financing

The consultant's technical report shall describe financing techniques to finance the extension of utilities to areas that have been developed with a rural lot pattern. The report shall examine techniques such as local improvement districts, systems development charges and urban renewal for installation of these improvements to allow urban development.

D. URA Boundary Delineation

1. Base Data

Base data including aerial maps and assessors maps shall be reviewed by the consultant for adequacy. City and County staff shall update land use information as needed.

2. Criteria Matrix

The consultant shall develop a matrix to evaluate study areas based on urban reserve area criteria.

3. Growth Assumptions

The City Planning Department shall prepare a report on growth assumptions. This report shall be reviewed and critiqued by the consultant team. Any re-write or supplement will be conducted by the City.

4. Study Area Delineation

Based on direction from the consultant, City staff will prepare maps delineating study areas.

5. Boundary Analysis

Utilizing the study area maps and the matrix, the consultant will review study areas and prepare a report describing how study areas satisfy the criteria.

6. Alternatives

Prior to the public workshop, the consultant will develop alternative study areas or boundaries for consideration. The alternatives will be analyzed based on the criteria.

7. Recommendation

The consultant will prepare a recommended boundary based on the criteria and the alternatives.

E. Urban Growth Management Agreement

1. Agreement Review

The existing urban growth management agreement shall be reviewed by the consultant.

2. Urban Growth Management Concepts

The consultant will outline concepts for inclusion in a new revised urban growth management agreement. The City Planning Department shall prepare the draft revised urban growth management agreement. The agreement shall be reviewed by the Newberg Urban Area Management Commission, the City Council and the Board of Commissioners.

F. Hearings and Adoption

1. Planning Commission Review

The proposed urban reserve area and urban growth management agreement shall be presented to the City and County Planning Commissions for review and comment. City and County staff will be responsible for the presentations.

2. NUAMC - Hearings

The Newberg Urban Area Management Commission shall be the public hearing body for the urban reserve area and the urban growth management agreement revision. The consultant shall attend the initial NUAMC hearing. Final public hearings will be held before the County Board of Commissioners and the City Council.

The first hearing will focus on the boundaries and overall interim development strategies/techniques. Additional hearings may address the urban growth management agreement. City/county staff will be responsible for any additional

NUAMC hearings, hearings before the City Council/County Commissioners and coordination with DLCD.

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