



City Council
October 20, 2025
6pm

Newberg Public Safety Building 401 E. Third Street
Denise Bacon Community Room

Online: <https://us06web.zoom.us/j/89536547180>

[Public Comment Registration](#)

[View Slides](#)

-
- 1. Call to Order**
 - 2. Roll Call**
 - 3. Pledge of Allegiance**
 - 4. [City Manager Report](#)**
 - 4.1. [August Statistics \(updated\)*](#)**
 - 5. Public Comments**
 - 6. Presentations**
 - 6.1. PGE Presentation- Cancelled***
 - 7. Consent**
 - 7.1. [Northwest Natural Franchise Agreement](#)**
 - a. [Exhibit A: Franchise Draft](#)
 - 7.2. [Master Fee Schedule Edit](#)**
 - a. [Exhibit A: Amended Language](#)
 - 7.3. [Grant Policy](#)- Moved to consent***
 - a. [Exhibit A: Policy and Procedure](#)
 - b. [Exhibit B: 2017 Policy and Procedure](#)
 - 8. Continued Business**
 - 8.1. [Adoption of new Council Rules](#)**
 - a. [Exhibit A: Council Rules 2025](#)
 - 9. New Business**
 - 9.1. [Student Commissioner Discussion](#)**
 - 10. Adjournment**

ADA Statement: Contact the City Recorder's Office for physical or language accommodation at least 2 business days before the meeting. Call (503) 537-1283 or email cityrecorder@newbergoregon.gov. For TTY services please dial 711.

*Indicates supplementary item

REQUEST FOR COUNCIL ACTION



Date Action Requested: (October 20, 2025)

Order ☐	Ordinance ☐	Resolution ☐	Motion ☐	Information ☒	Proclamation ☐
Subject: CM statistics for August 2025, with additional data on an update to the city typical road cross sections				Staff: Will Worthey CM Department: Administration	
Work Session ☐ Business Session ☒				Order On Agenda: CM report	

Is this item state mandated? Yes ☐ No ☒

If yes, please cite the state house bill or order that necessitated this action: NA

Recommendation: NA

Executive Summary: The summary of events conducted by city departments in August of 2025. A short additional amount of data is being presented on an update to our typical cross sections for the Transportation System Plan (road designs). A fuller treatment of this will occur later in the year.

Fiscal Impact: All were conventionally budgeted items to include the TSP update. Having more cross sections opens the door to more road building economy.

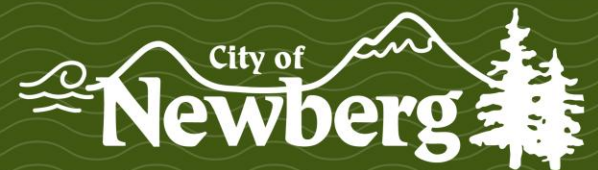
Council Goals:

Goal 4: Create and maintain a high level of transparency with our residents in order to build trust.

O1: Expand communication outreach in regard to regular city events and additional involvement with city businesses by the end of 2026.

Newberg CM report

Monthly Statistics to the end of August 2025
with a sneak peak at our new road cross sections

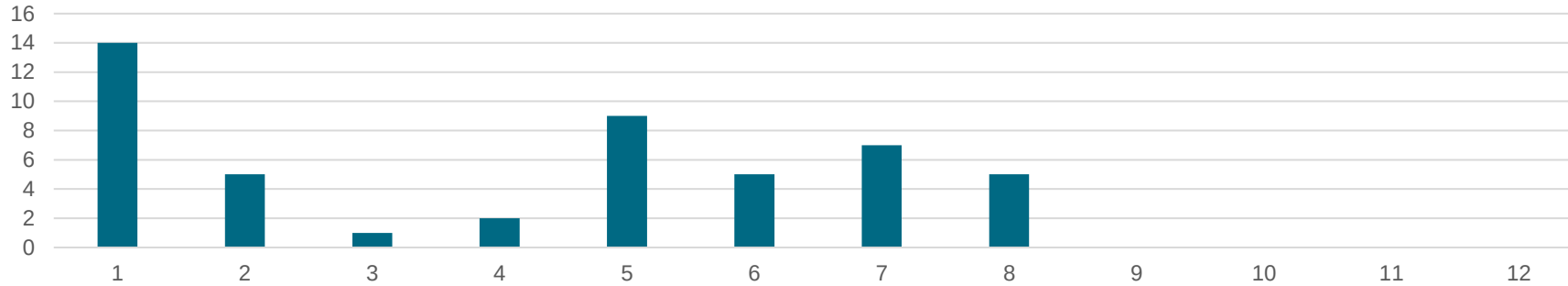


Planning: combined planning decisions of all sorts*: 5

**Average
2022**

11.67

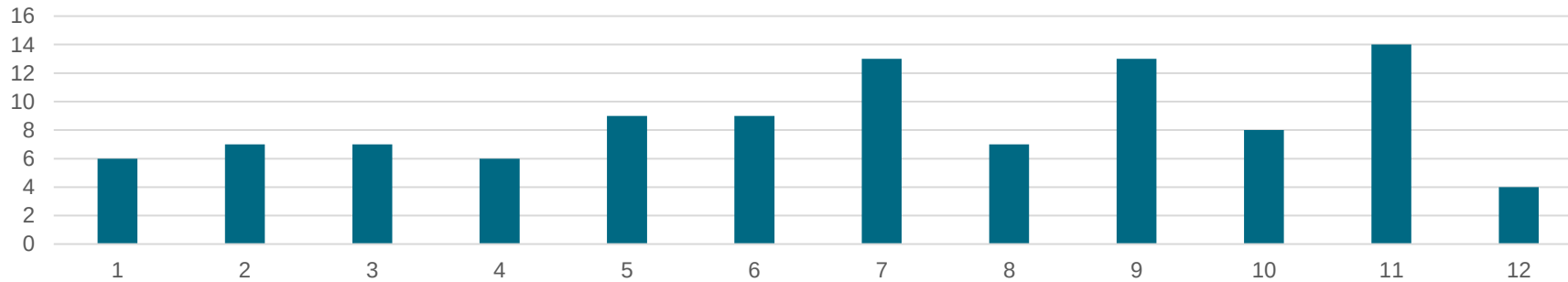
Planning Decisions



**Average
2023**

11.75

2024 - Planning Decisions – 8.58



* Combined from the Director, Planning Commission and Council

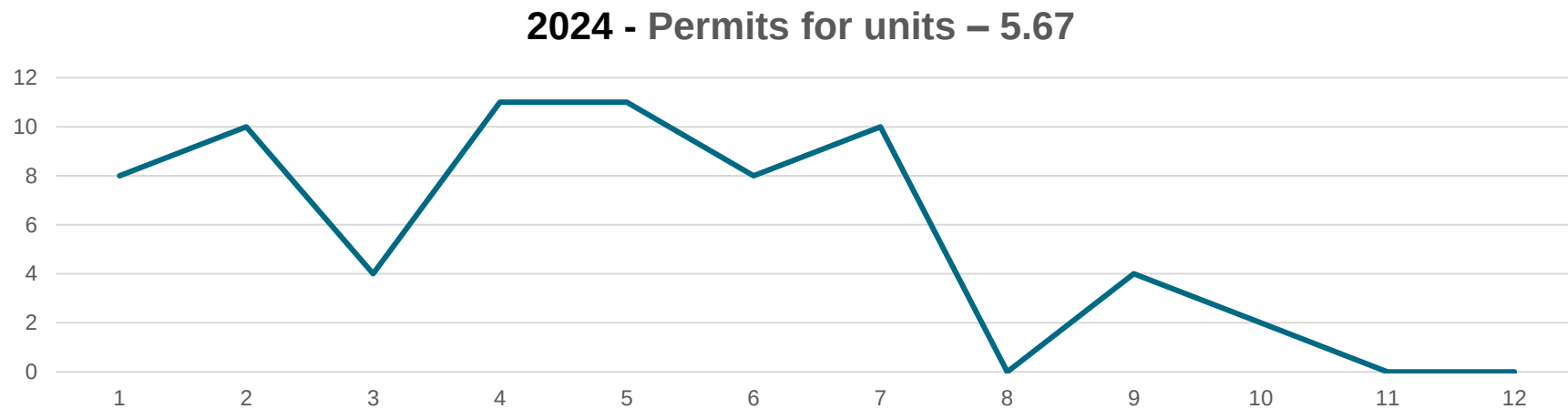
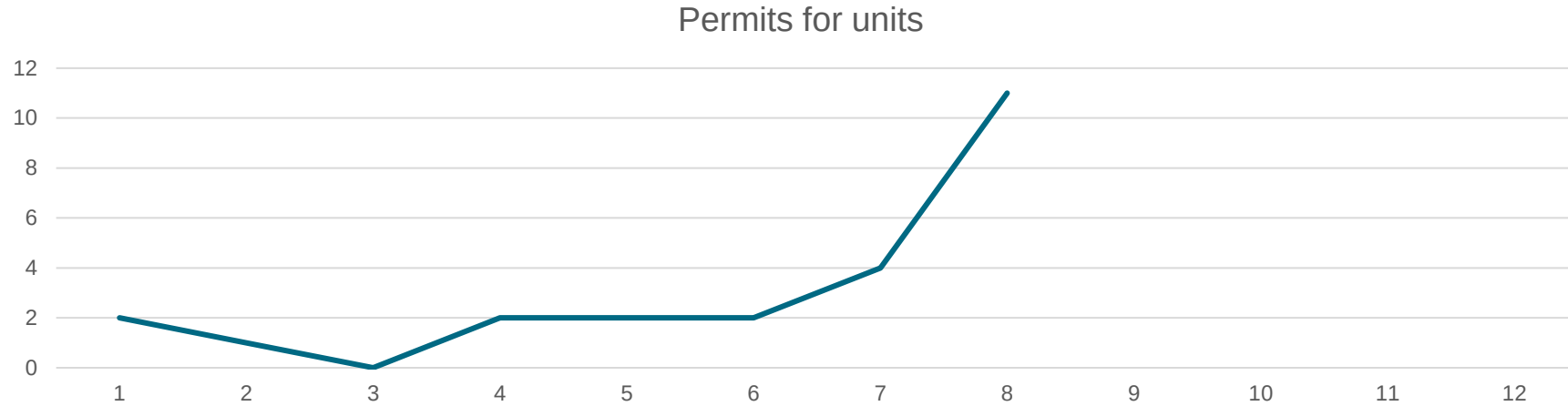
Planning: building permits for housing units: 11

**Average
2022**

15

**Average
2023**

7.75

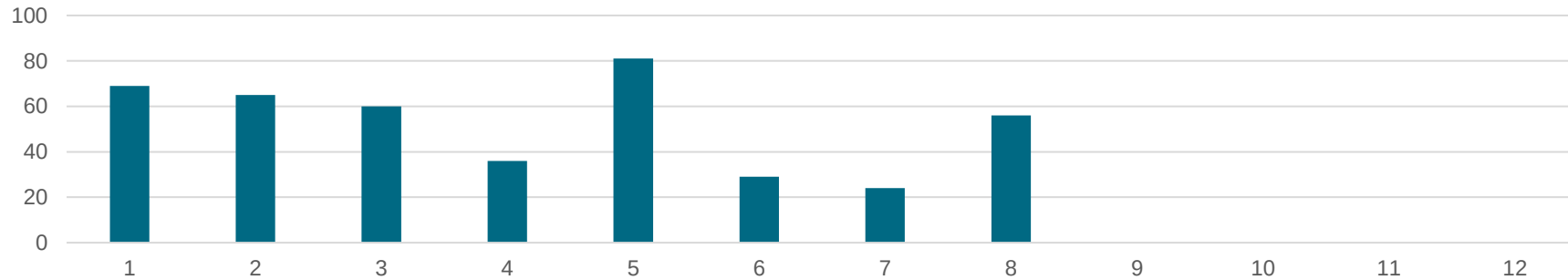


Planning: building permits other types: 56

**Average
2022**

122

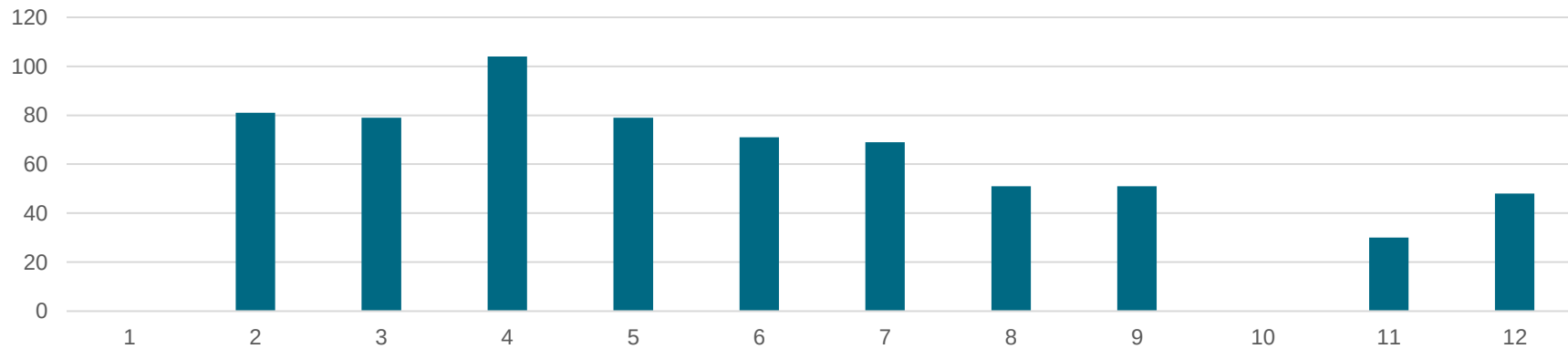
Other Building Permits



**Average
2023**

101

2024 - Other Building Permits – 55.25



Planning: building inspections: 489

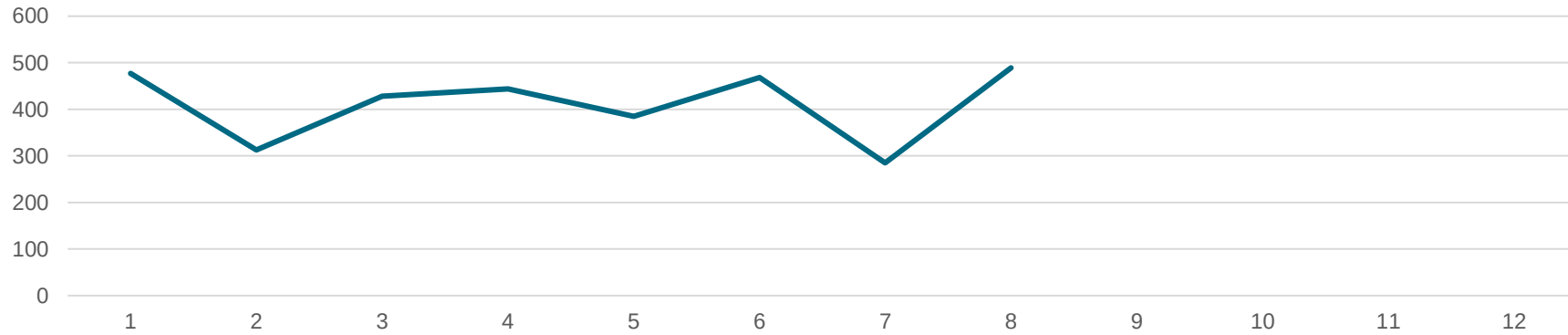
**Average
2022**

691

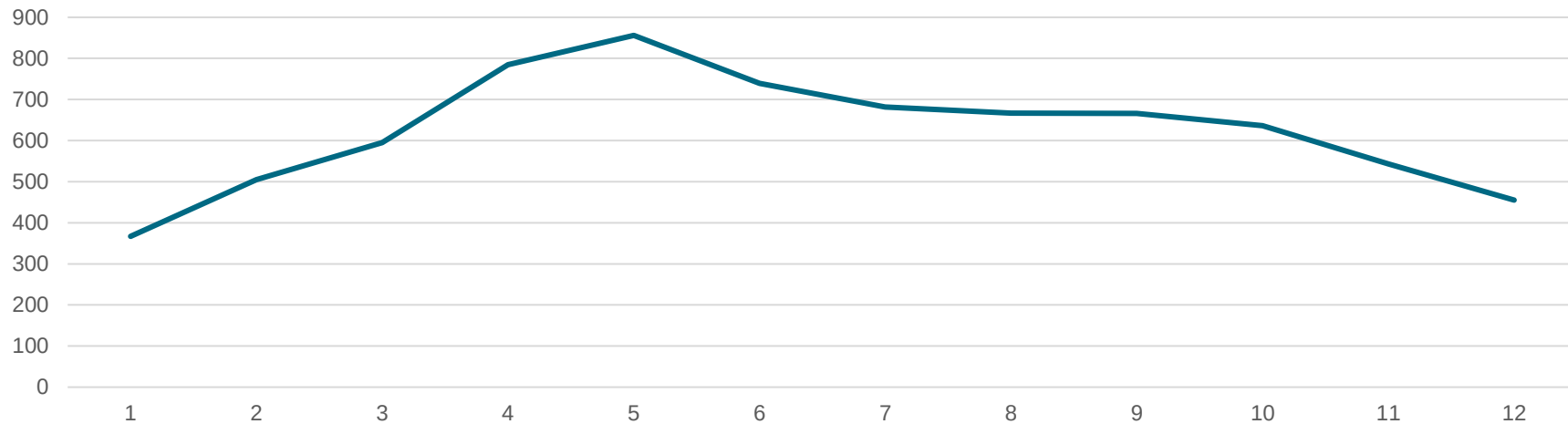
**Average
2023**

728

Building Inspections



2024 - Building Inspections – 624.67



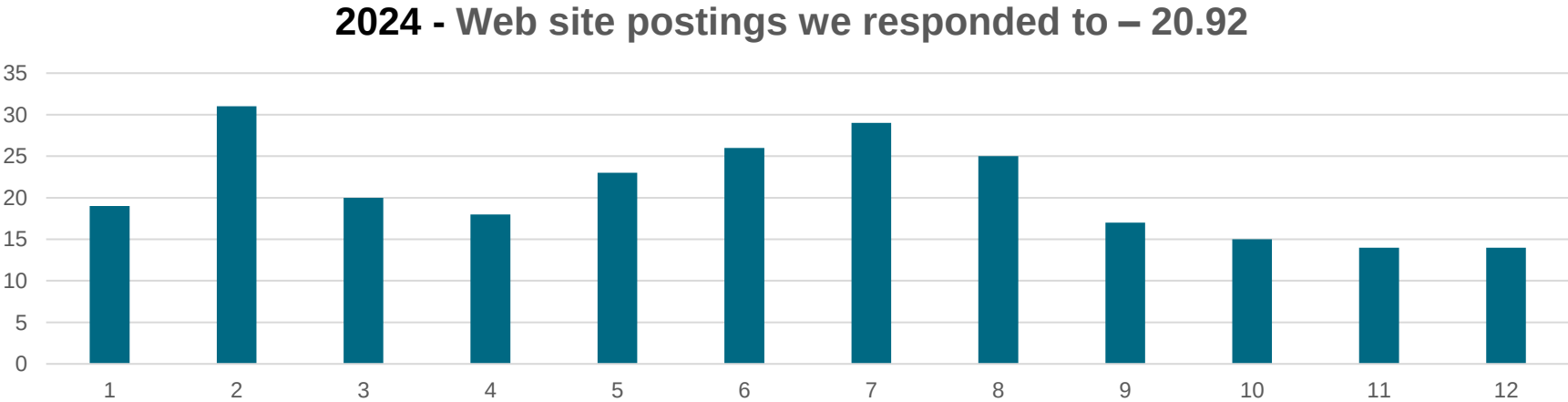
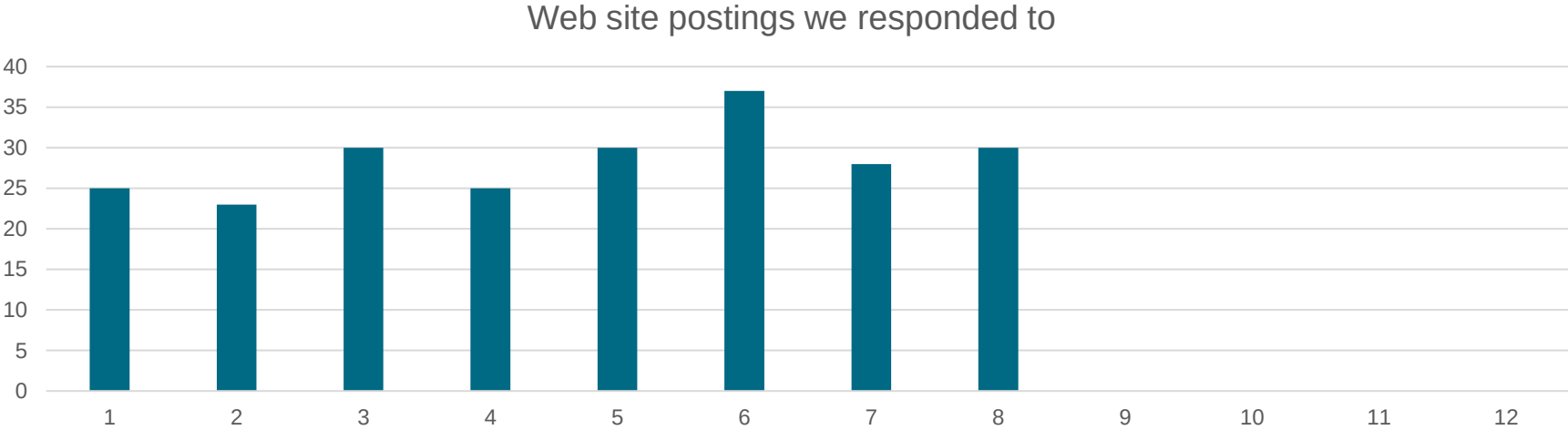
Community Engagement: submission forms through website: 30

Average
2022

23

Average
2023

24.58

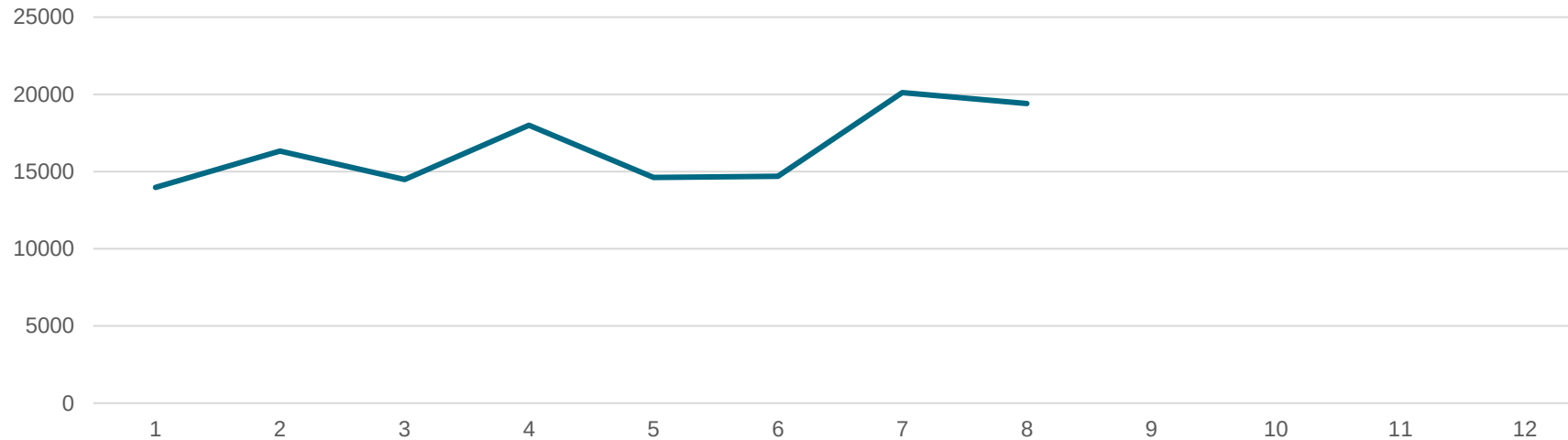


Community Engagement: social media engagement: 19,406

Social Media Engagement

**Average
2022**

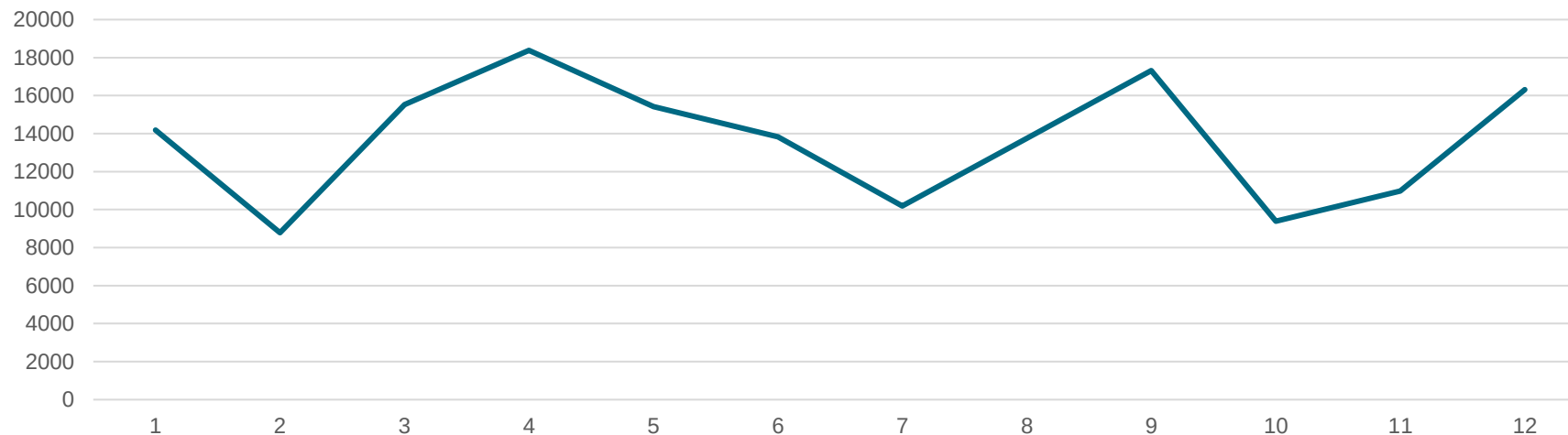
7942.5



**Average
2023**

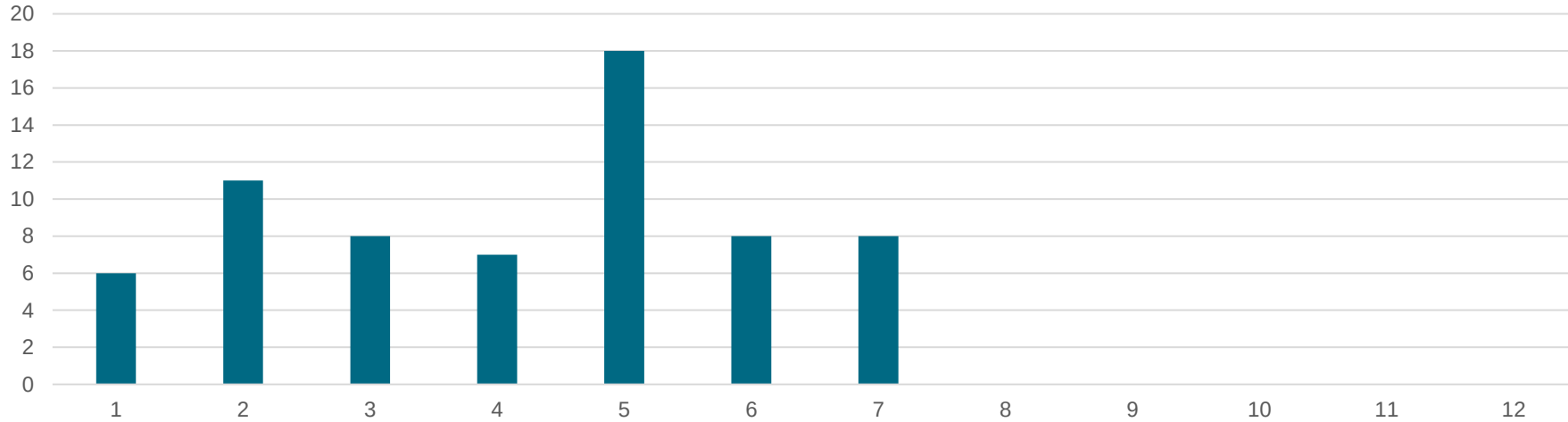
7560.8

2024 - Social Media Engagement – 13672.92



City Recorder: Public Records Requests: 8

Public Information Requests



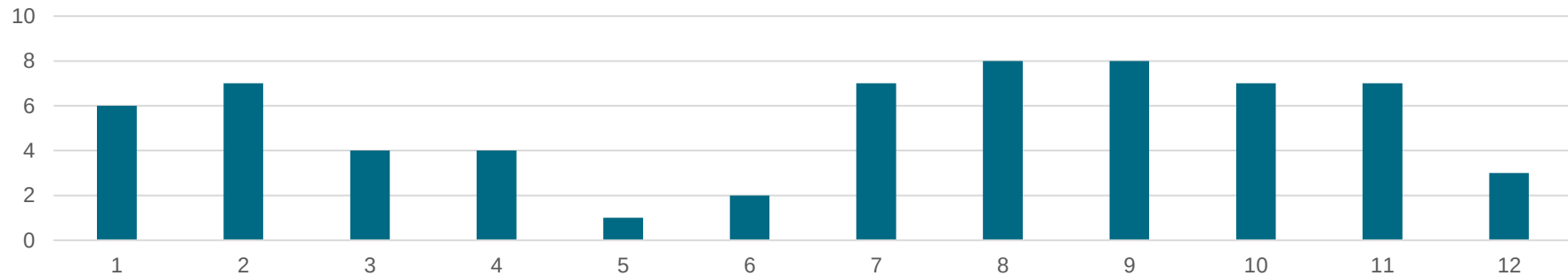
**Average
2022**

4.5

**Average
2023**

5.5

2024 - Public Information Requests – 5.33



Finance: \$2.3 M of payments to accounts payable & \$1.09 M of payroll

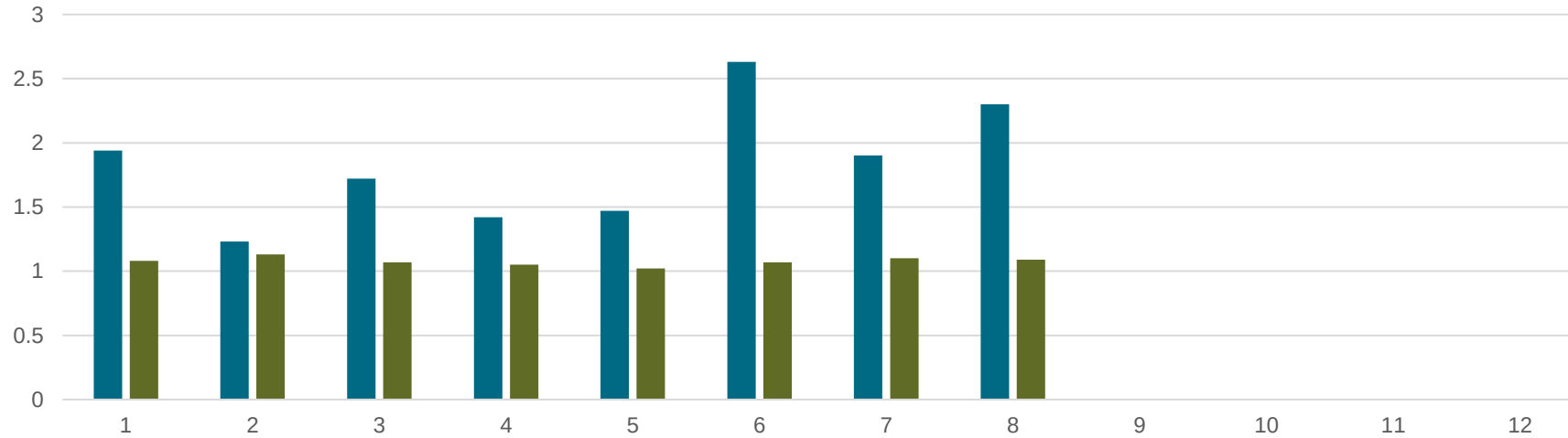
**Average
2022**

AP
\$1.75 M
Payroll
\$0.93 M

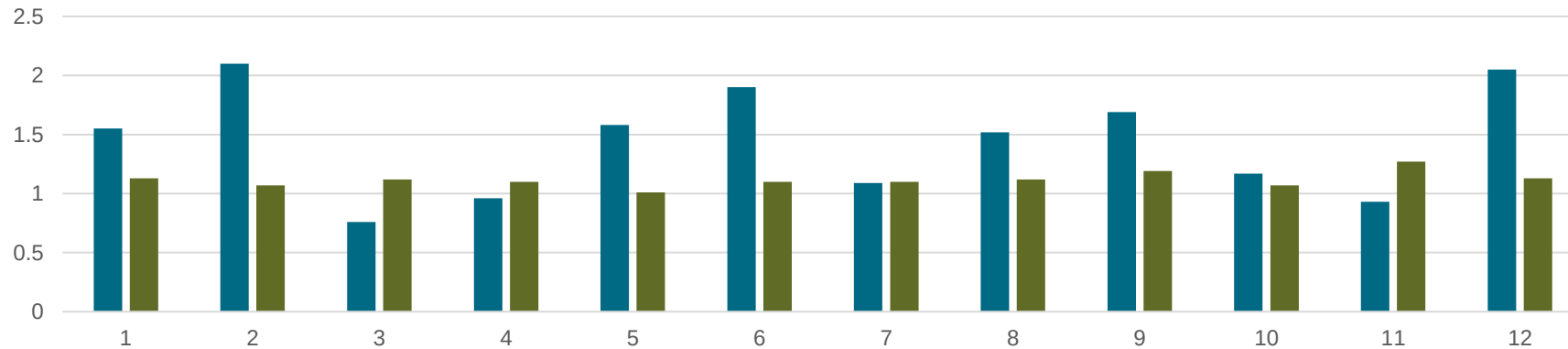
**Average
2023**

AP
\$2.56 M
Payroll
\$1.01 M

Accounts Payable \$ and Payroll \$



2024 - Accounts Payable \$1.44 and Payroll \$1.12

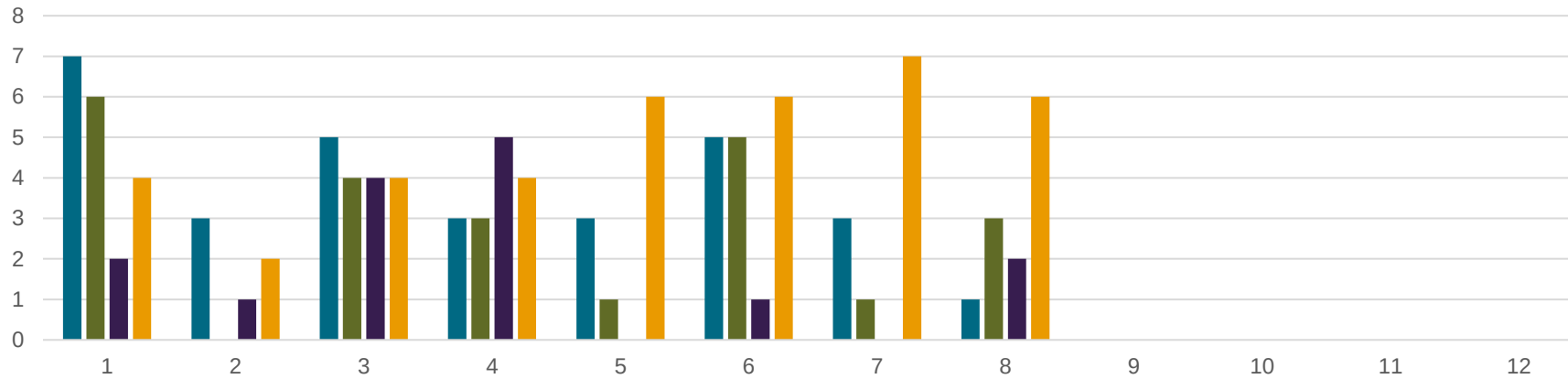


**Average
2022**

Recruitments
5.6
Hires
1.9
Separations
1.6
Claims
2.6

HR: Recruitments advertised - 1 Hires: 3 Separations: 2,
FMLA / ADA / OFLA / workers comp claims: 6

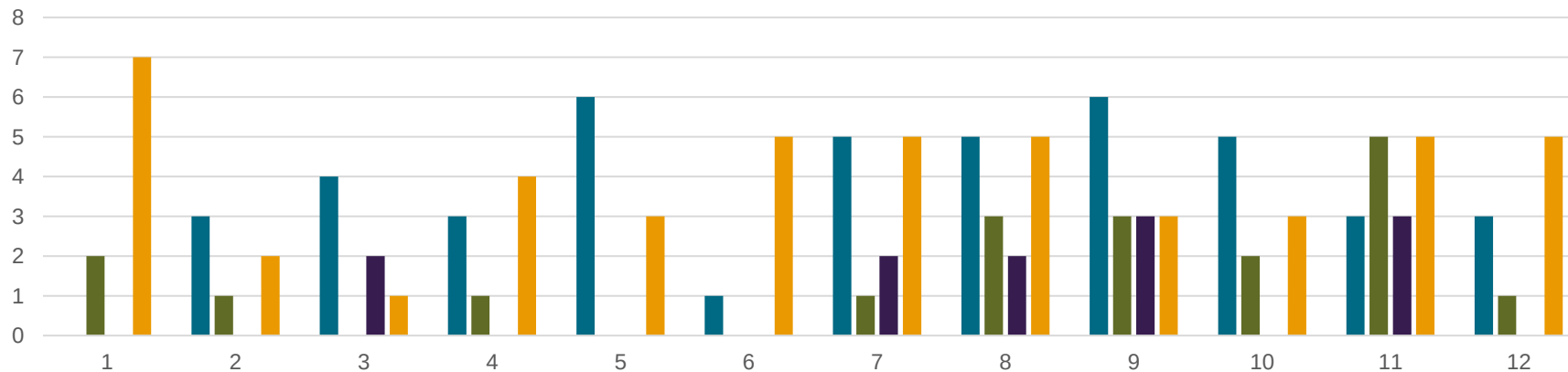
Recruitments, Hires, Separations, Claims



**Average
2023**

Recruitments
4.17
Hires
1.92
Separations
1.08
Claims
3.33

2024 – Recruitments 3.67, Hires 1.58, Separations 1.00, Claims 4.00

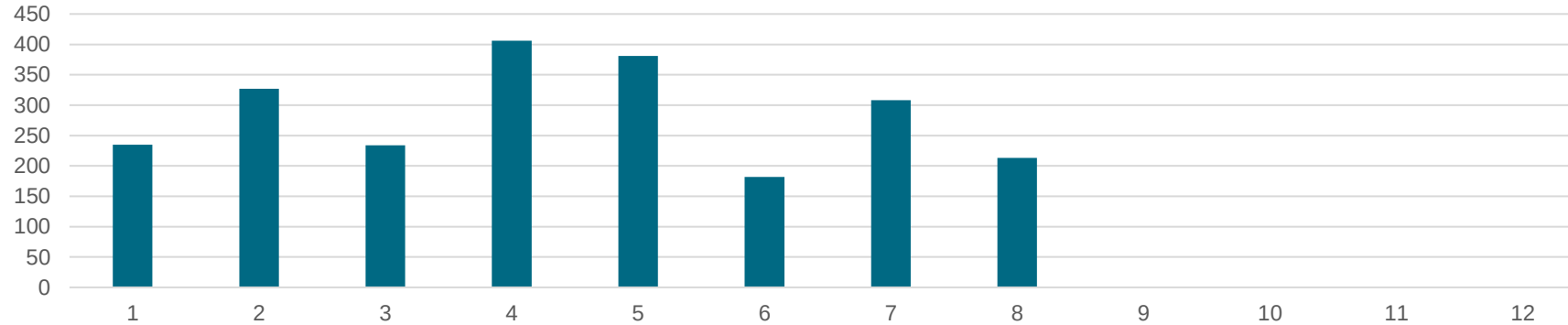


IT resolved 213 service tickets for the city.

**Average
2022**

203.4

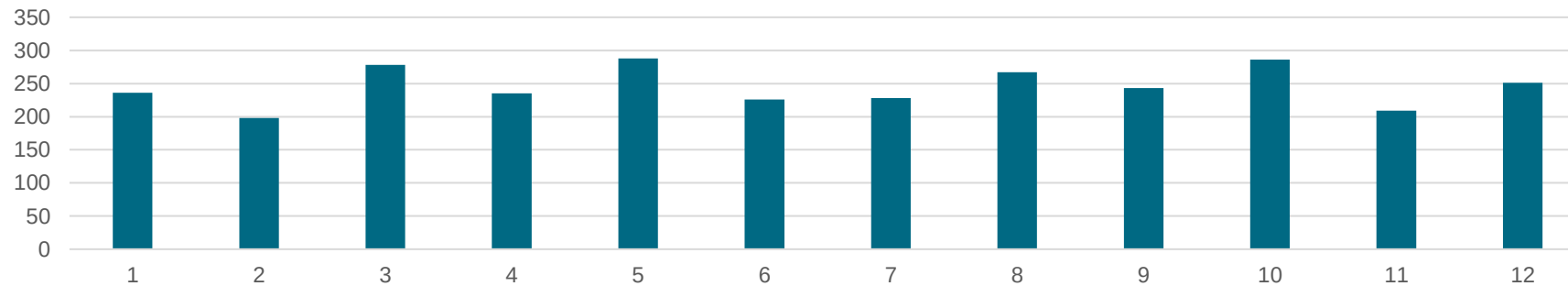
Service Tickets



**Average
2023**

232.3

2024 - Service Tickets – 245.42

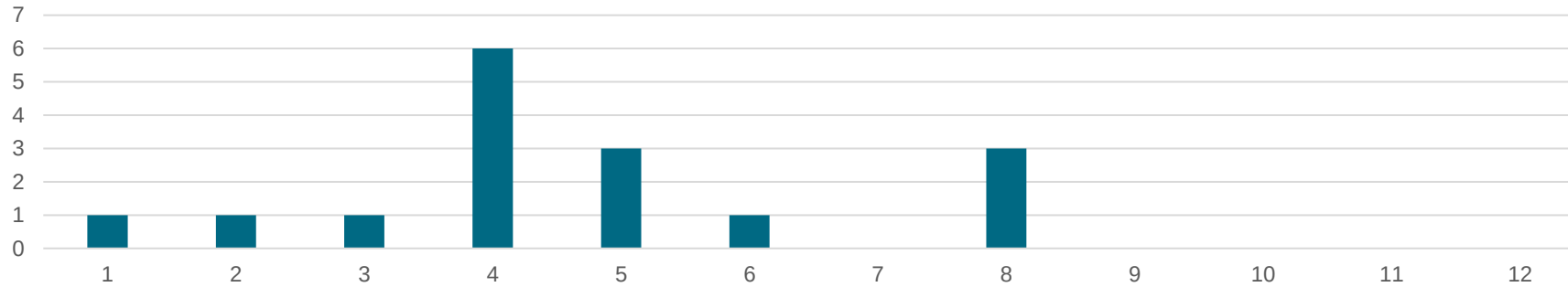


IT responded to 3 after hours on-call events.

**Average
2022**

3.6

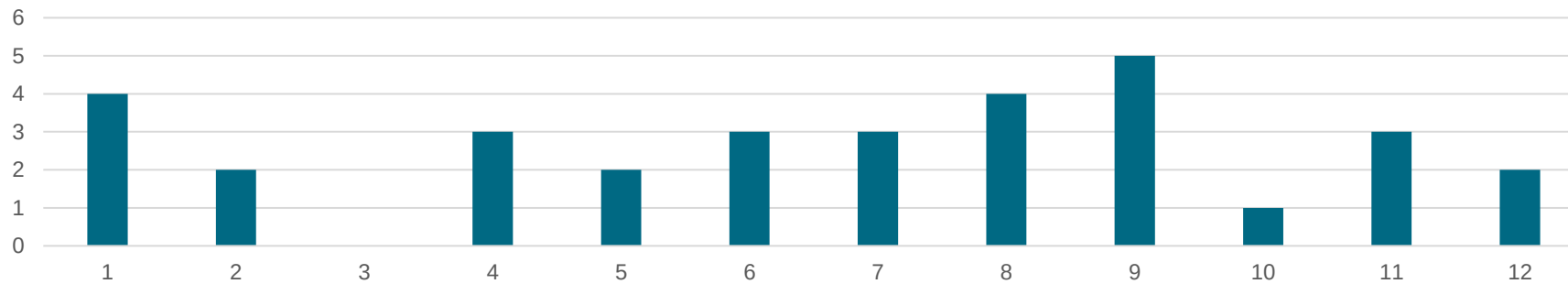
After hours events



**Average
2023**

2.58

2024 - After hours events – 2.67



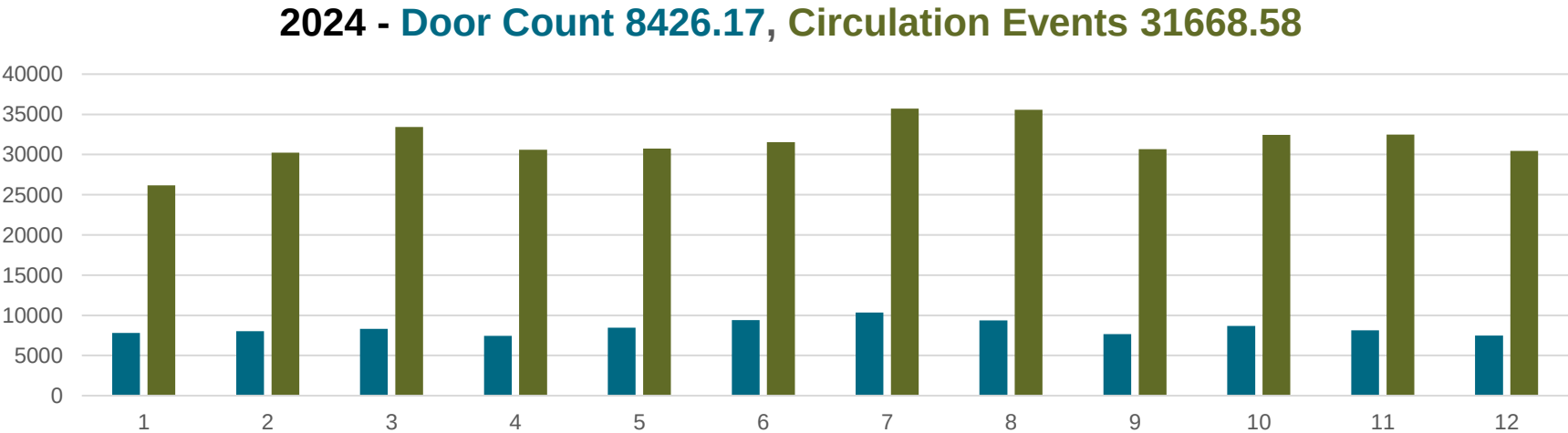
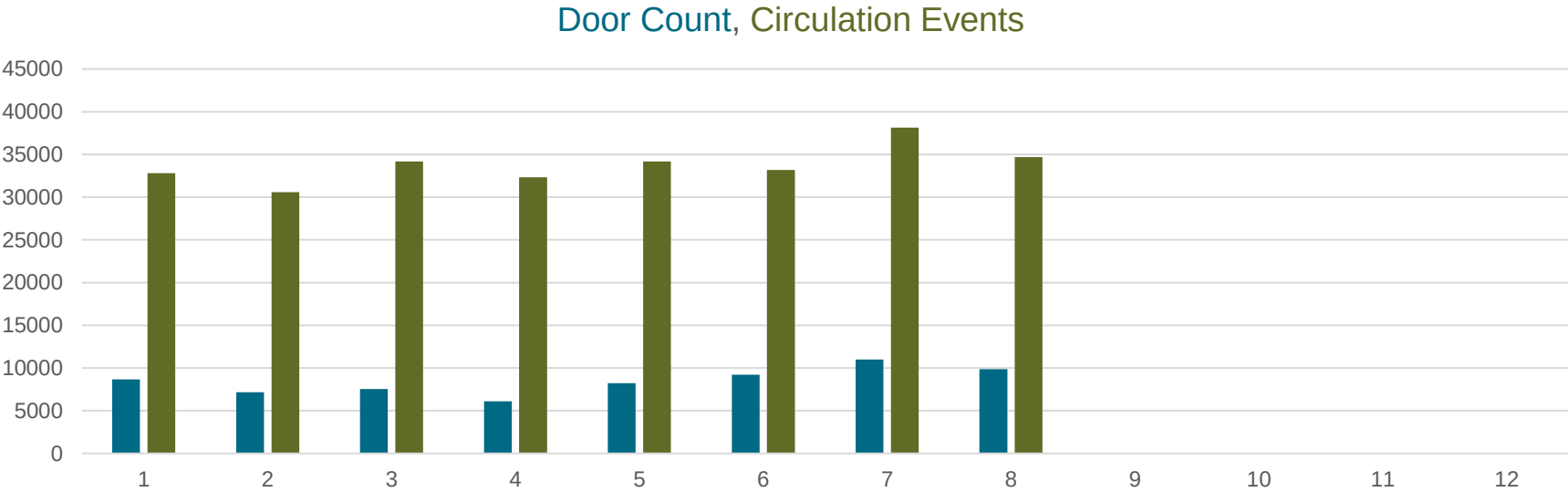
Library Activity: Door count 9,878, Circulation events 34,679

**Average
2022**

Door Count
7108
Circulation Events
23,418

**Average
2023**

Door Count
8372
Circulation Events
25,889

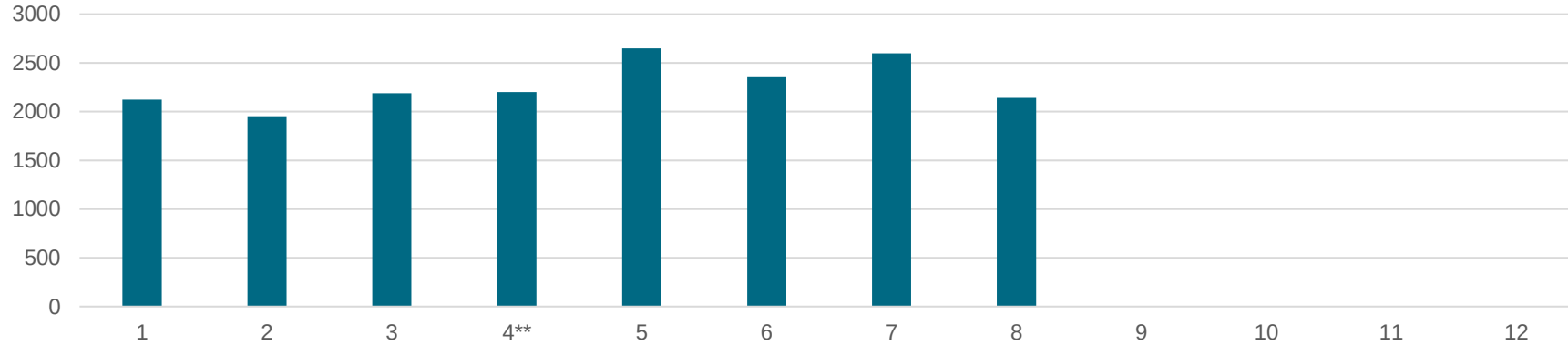


Public Safety: 2141 – calls for service

**Average
2022**

2065

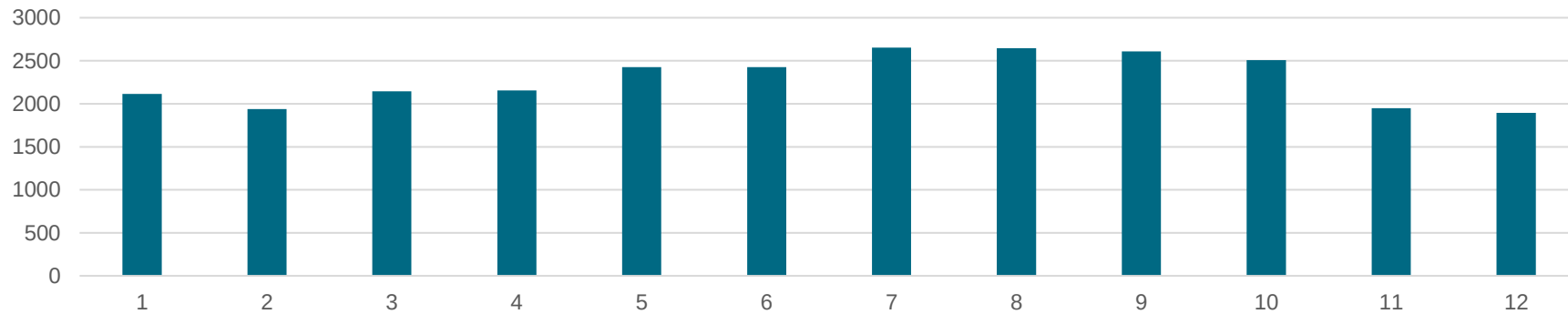
Calls for service



**Average
2023**

2206

2024 - Calls for service – 2288.58

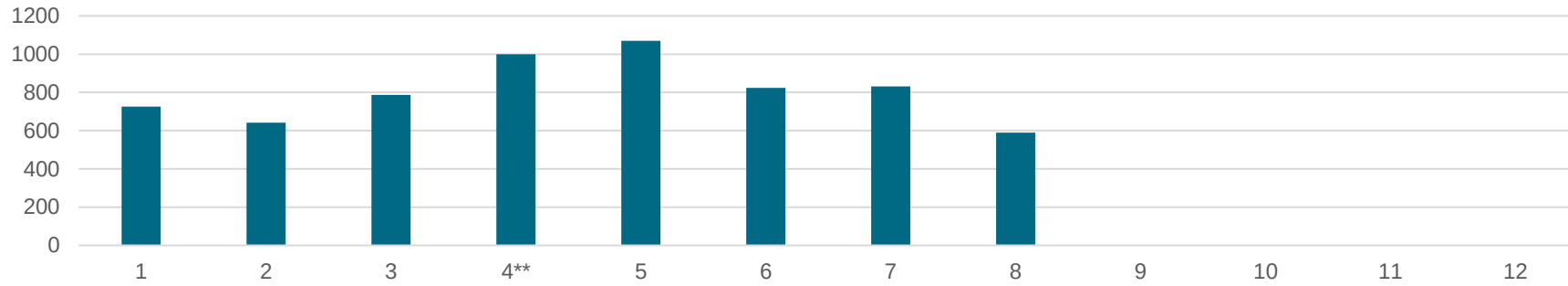


Public Safety: 589 – traffic stops

**Average
2022**

561

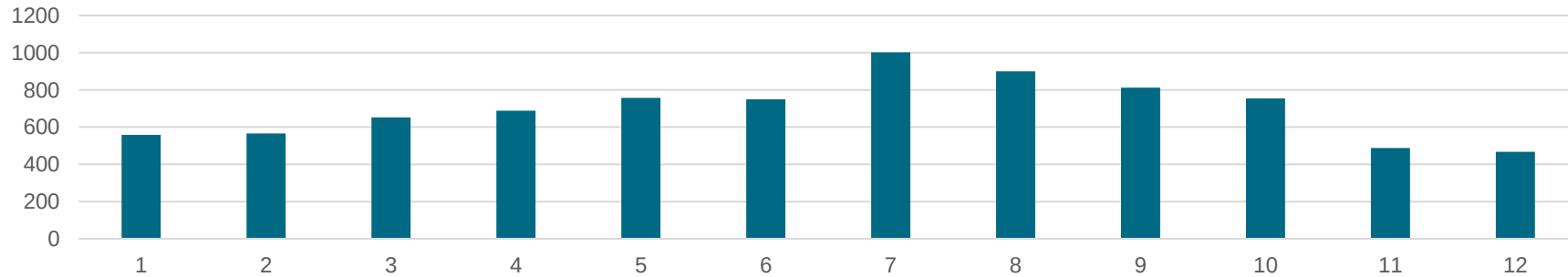
Traffic Stops



**Average
2023**

557

2024 - Traffic Stops – 699.42

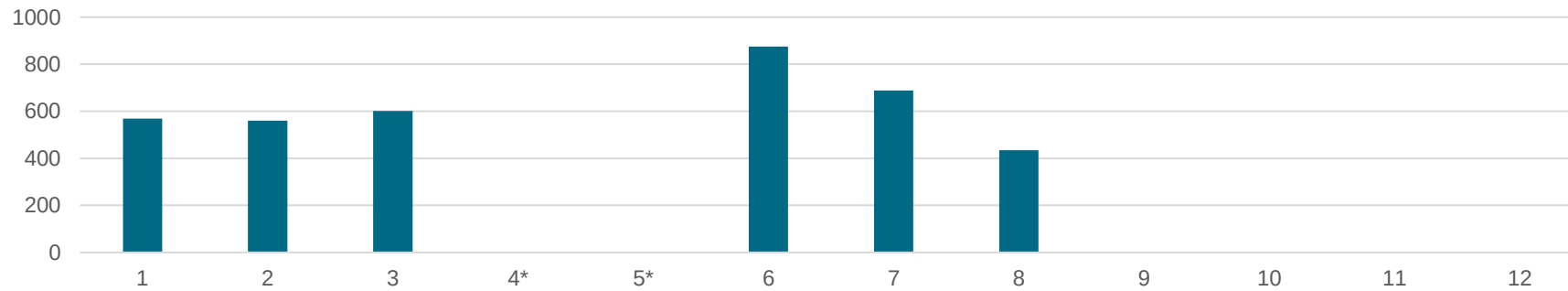


Public Safety: 435 – citations & warnings

**Average
2022**

428

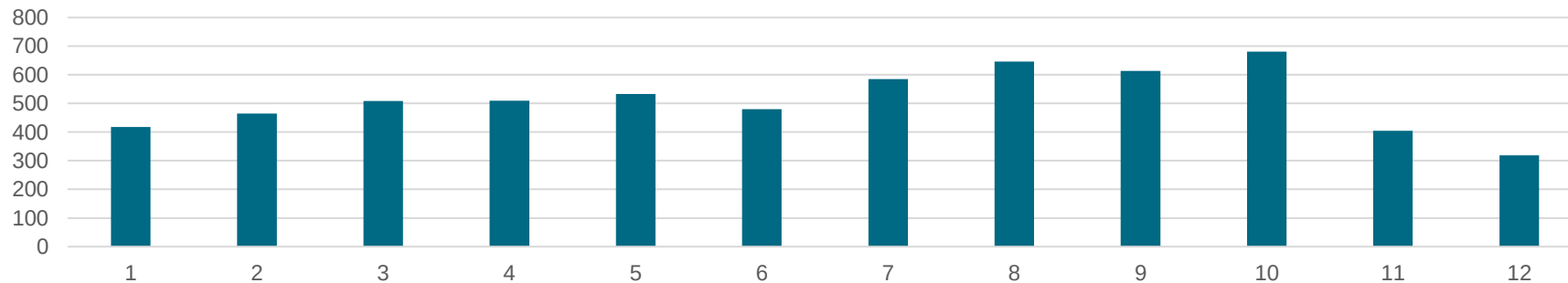
Citations and Warnings



**Average
2023**

433

2024 - Citations and Warnings – 513.67



Public Safety: 6 – DUI's

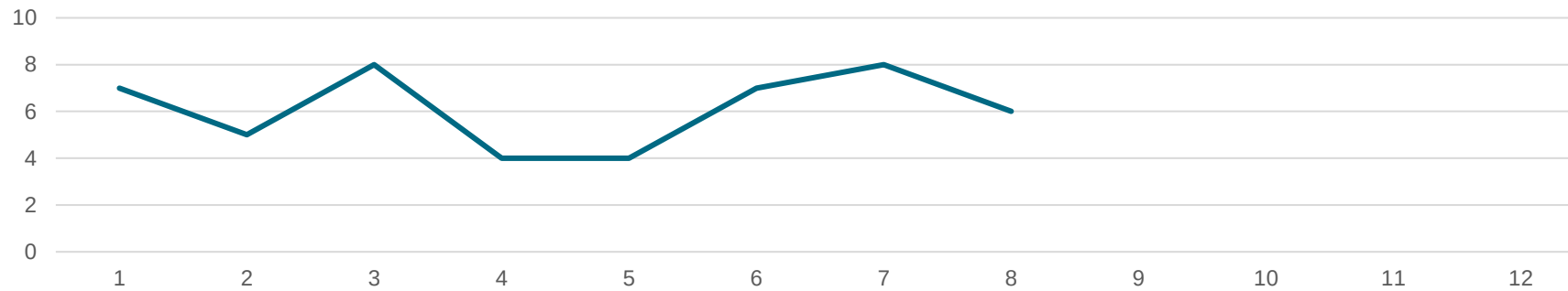
**Average
2022**

12.1

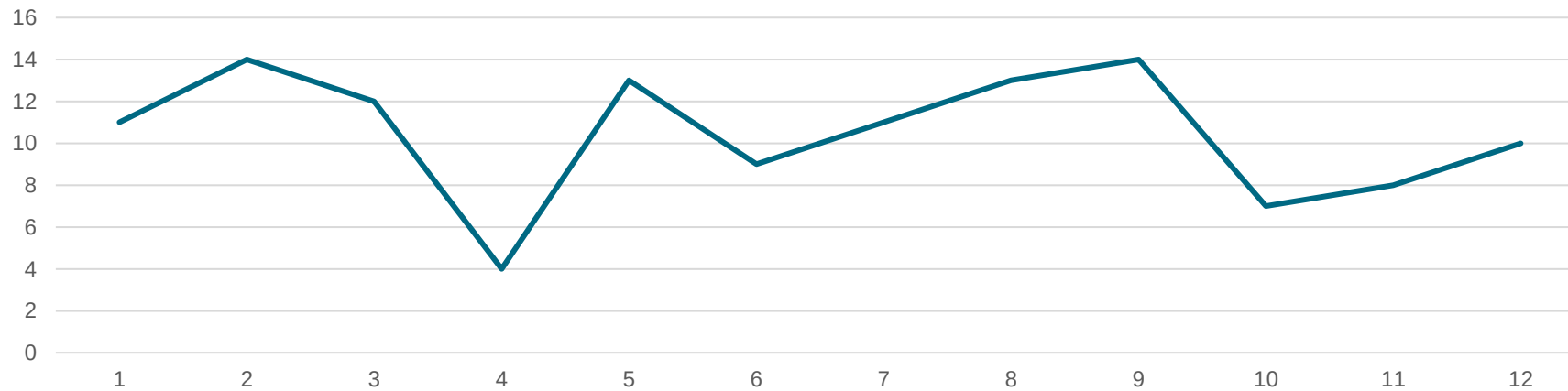
**Average
2023**

9.83

DUIs



2024 – DUIs – 10.50



Dispatch: 870 “911” calls & 3,349 non-emergency calls

Average
2022

911 Calls

817

Non-Emergency Calls

3436

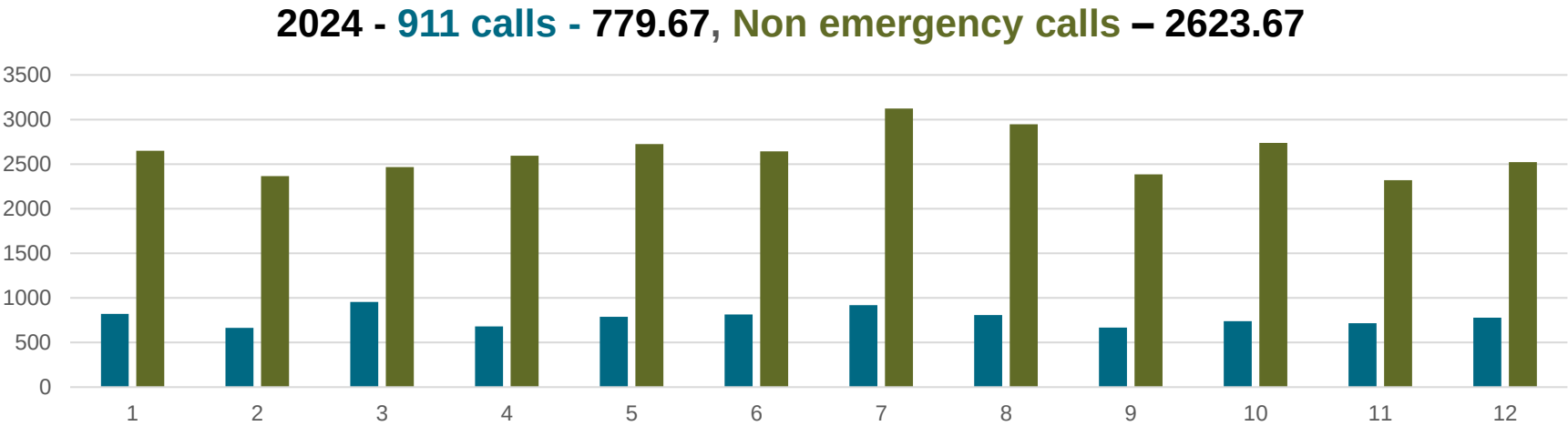
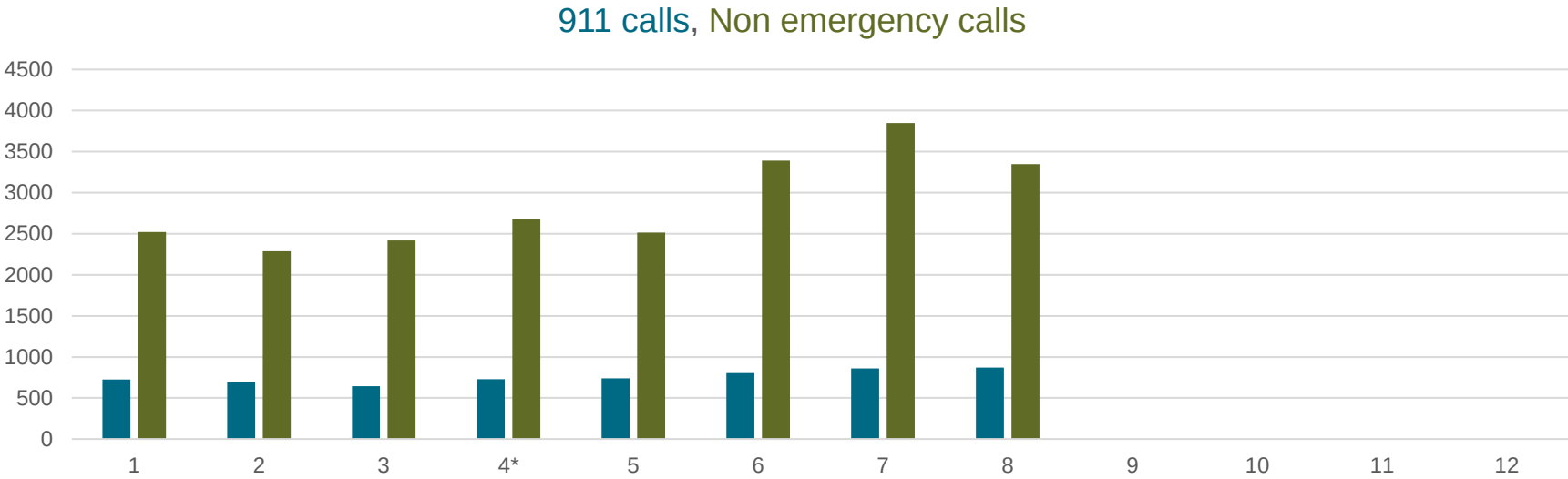
Average
2023

911 Calls

892

Non-Emergency Calls

3214



Public Works: water production was 122.8 million gallons, & 60.05 million gallons (MG) were treated

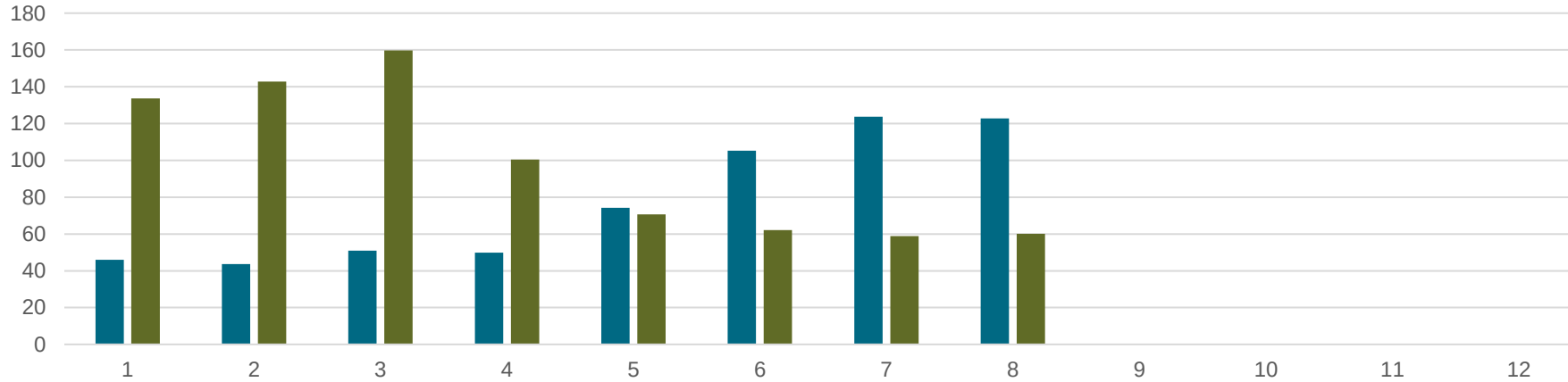
**Average
2022**

**Clean Water
69.45 MG
Waste Water
105.46 MG**

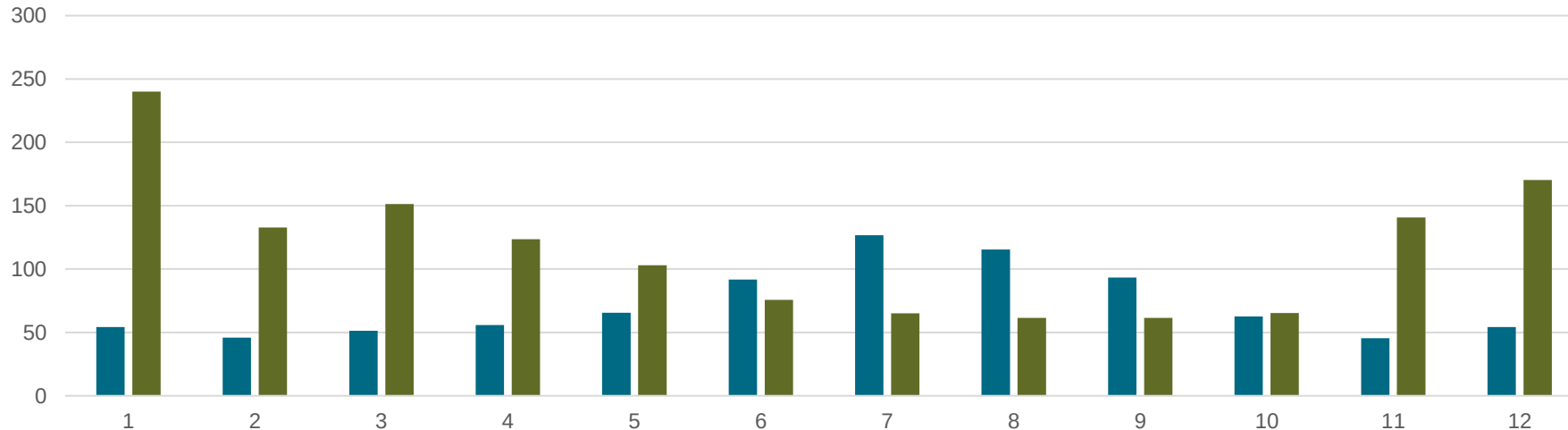
**Average
2023**

**Clean Water
73.33 MG
Waste Water
108.20 MG**

Clean water, Waste Water



2024 - Clean water – 71.89, Waste Water – 115.92

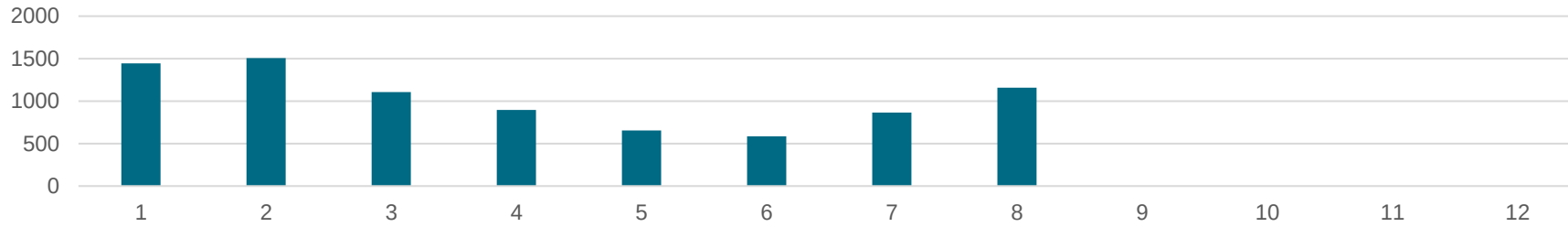


Public Works: 1158 work orders completed

**Average
2022**

1452.6

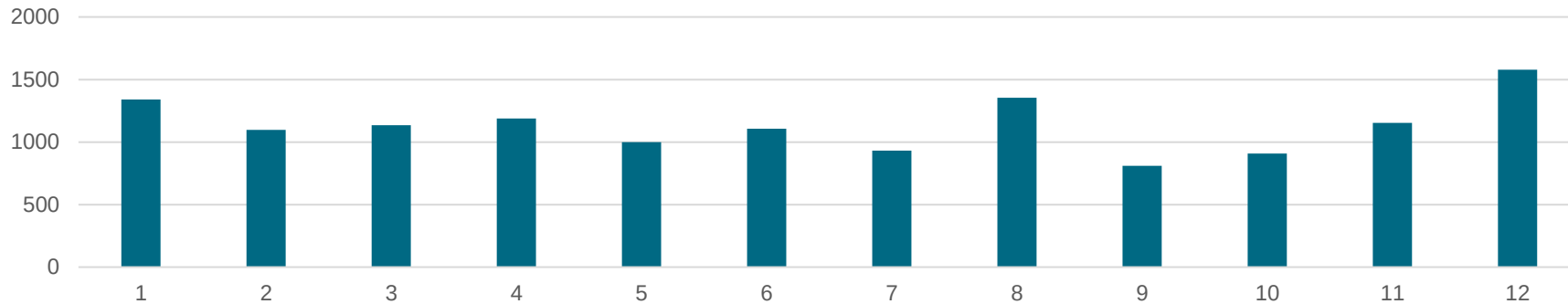
Work orders completed



**Average
2023**

1677

2024 - Work orders completed – 1133.42



Typical Cross Sections Update

As indicated in an earlier email to council an update to typical cross sections is coming soon.

- This is a sneak peak
- An intro to what typical street sections are
- An examination about why I desired more options
- A review of the existing sections
- This will be presented more completely with technical input after planning commission review
- Its worth noting the design exceptions can often be made to any cross section by an engineer to take account of special circumstances in the field

Typical Cross Sections Update

Typical Cross sections are found in the Transportation System Plan (TSP) one of the major planning documents used by cities in Oregon.

A TSP is a long-range planning document that describes a transportation system and outlines projects, programs, and policies to meet transportation needs now and out to 20 years in the future.

A TSP is required for most Oregon jurisdictions per Oregon Administrative Rule (OAR) 660-012

Typical Cross Sections Update

Typical Cross sections have a few primary uses:

- They lay out the rules that developers would need to follow when constructing our streets.
- They provide engineers with a good starting point in designing a new street.
- They ensure compliance with states rules and regulations.

Typical Cross Sections Update

Why have Newberg City staff sought to add more cross section templates to our TSP?

- May staff including the CM have felt that there were too few options for many street design use cases.
- Elliott Road showed that our current suite of options was not very flexible. The public agreed!!
- Having the right cross section can keep costs down and make a street safer (both things happen when a street is narrower) = right-sizing the street for the location.

By adopting more cross sections we have more ways to build streets = more choice.

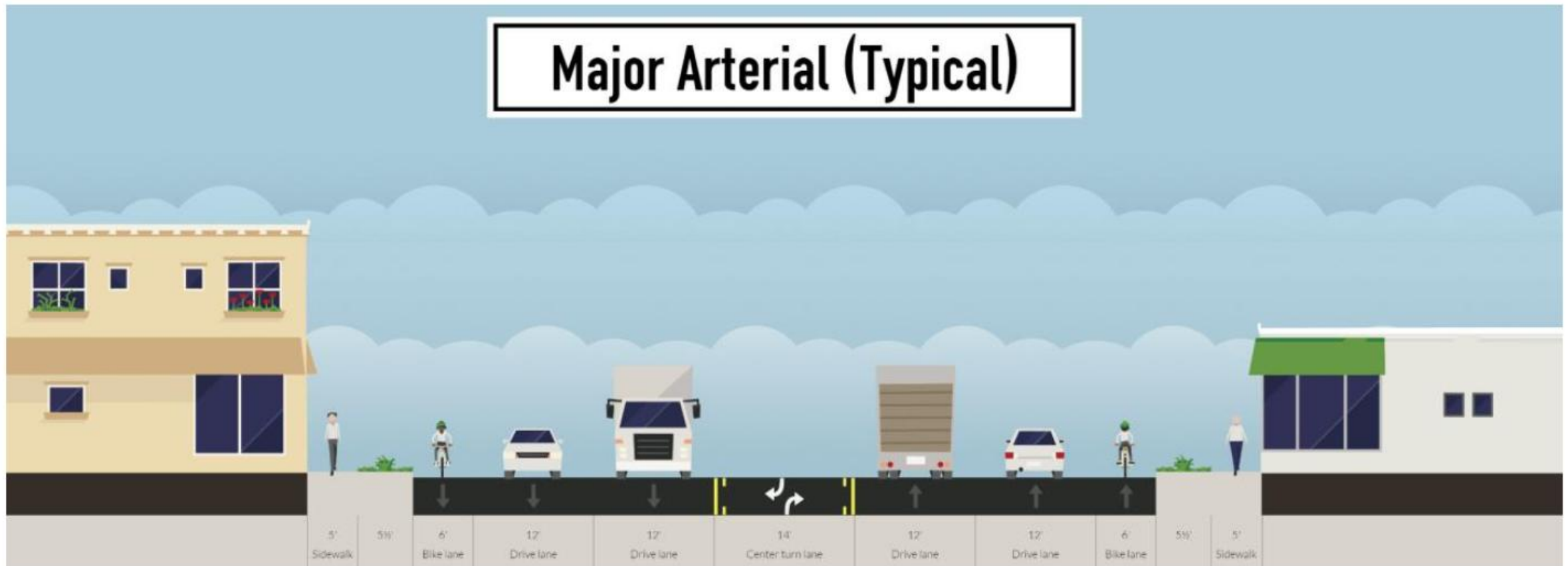


Typical Cross Sections Update

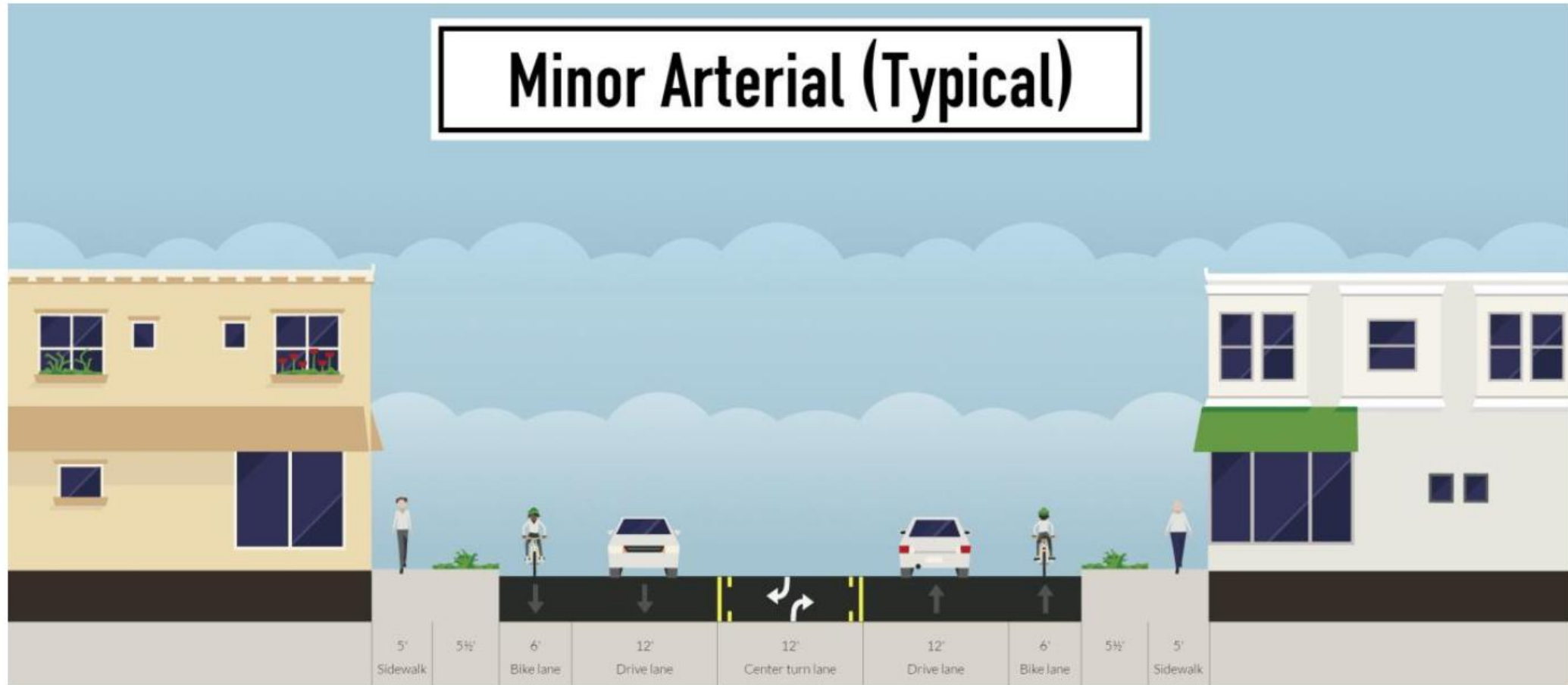
There are common types of street in the TSP - each type would have some typical cross sections to choose from:

Major Arterial	A high-capacity road intended to move significant volumes of local and regional traffic over longer distances
Minor Arterial	A roadway that connects neighborhoods and activity centers to the major arterial road network
Major Collector	A road that gathers considerable amounts of traffic from local streets and channels it to larger arterial roads
Minor Collector	A road designed to gather traffic from local streets and direct it toward larger roads
Local Residential	A street whose primary purpose is to provide access to properties and circulate traffic within local neighborhoods
Local Commercial / Industrial	Primarily for use in Commercial or Industrial settings

Major Arterial – Current (no new sections were required)



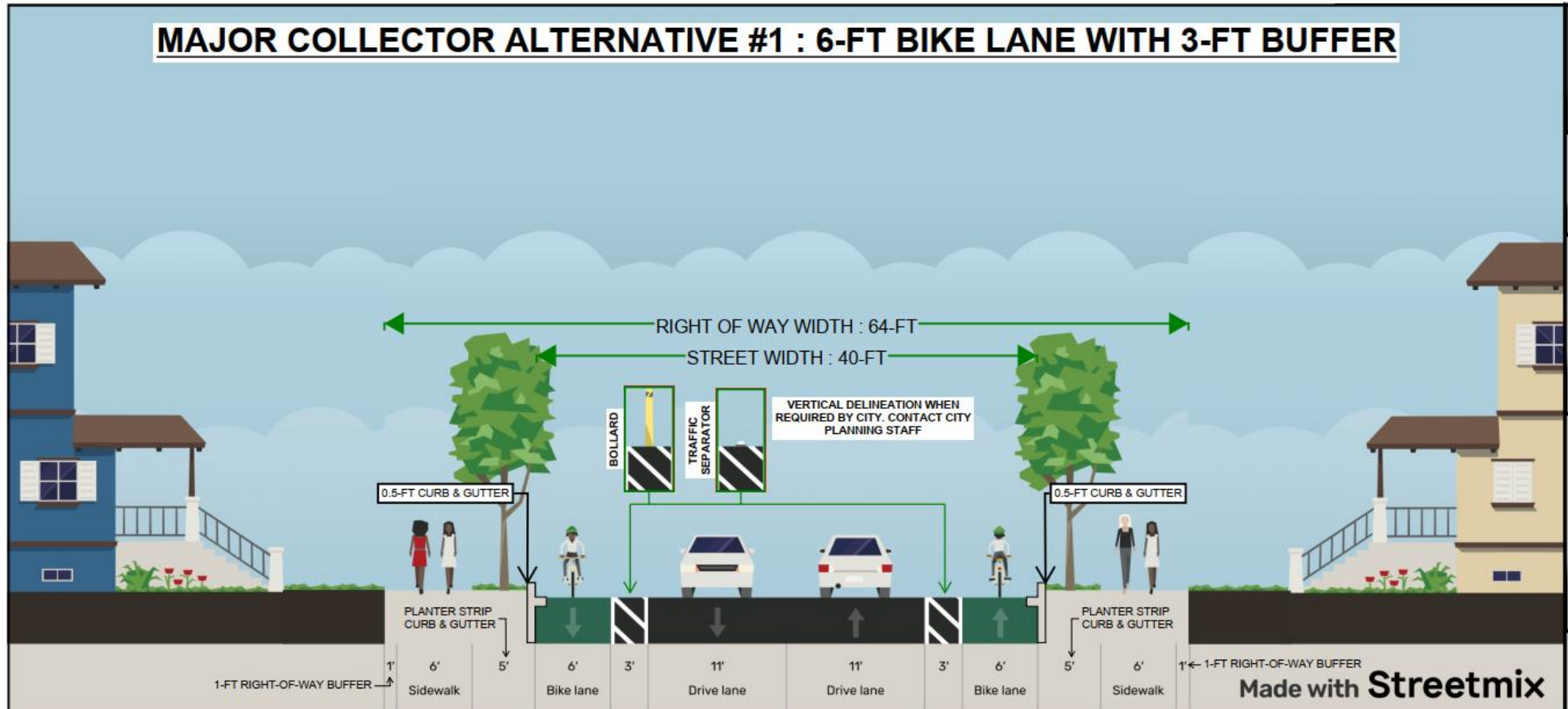
Minor Arterial – Current (no new sections were required)



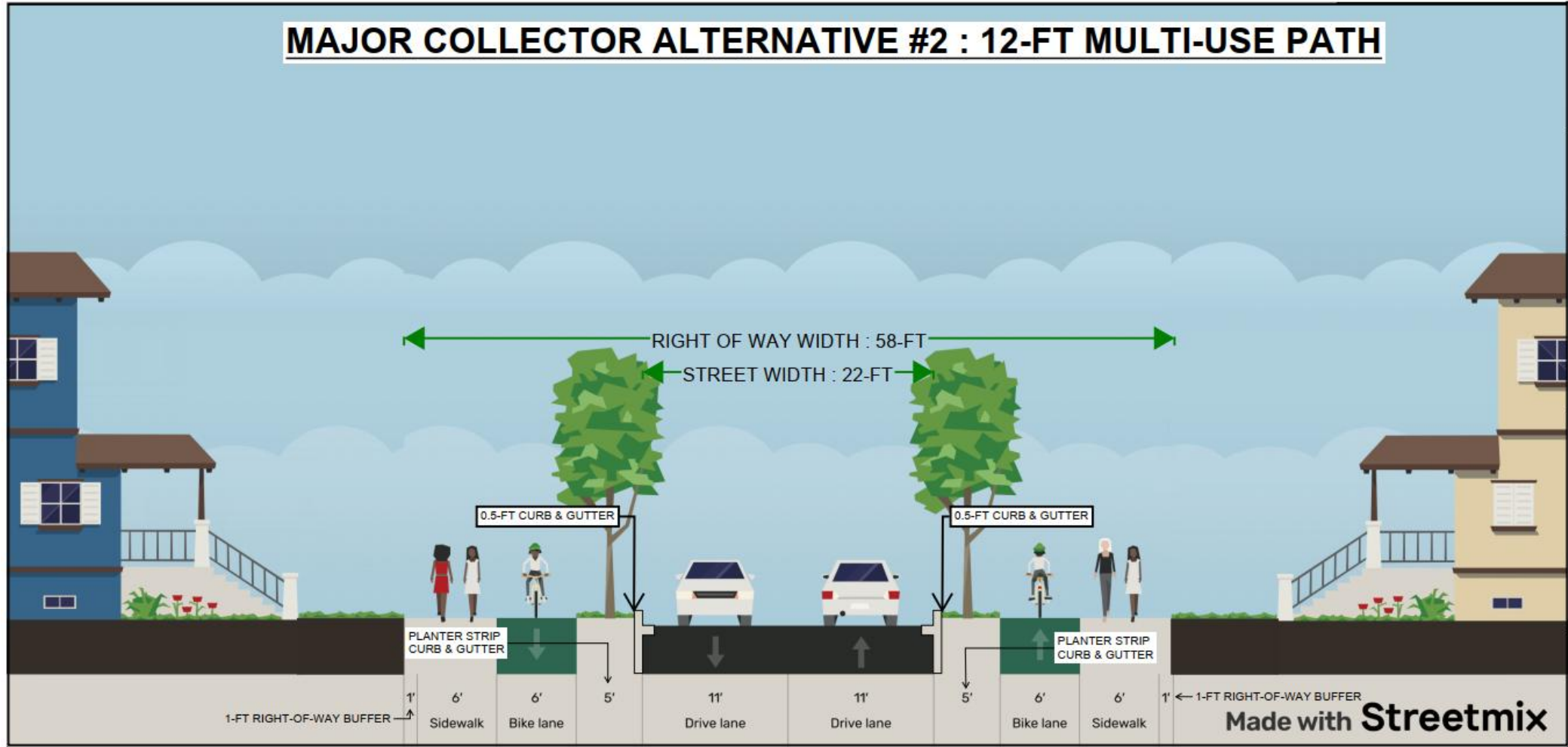
Major Collector - Current



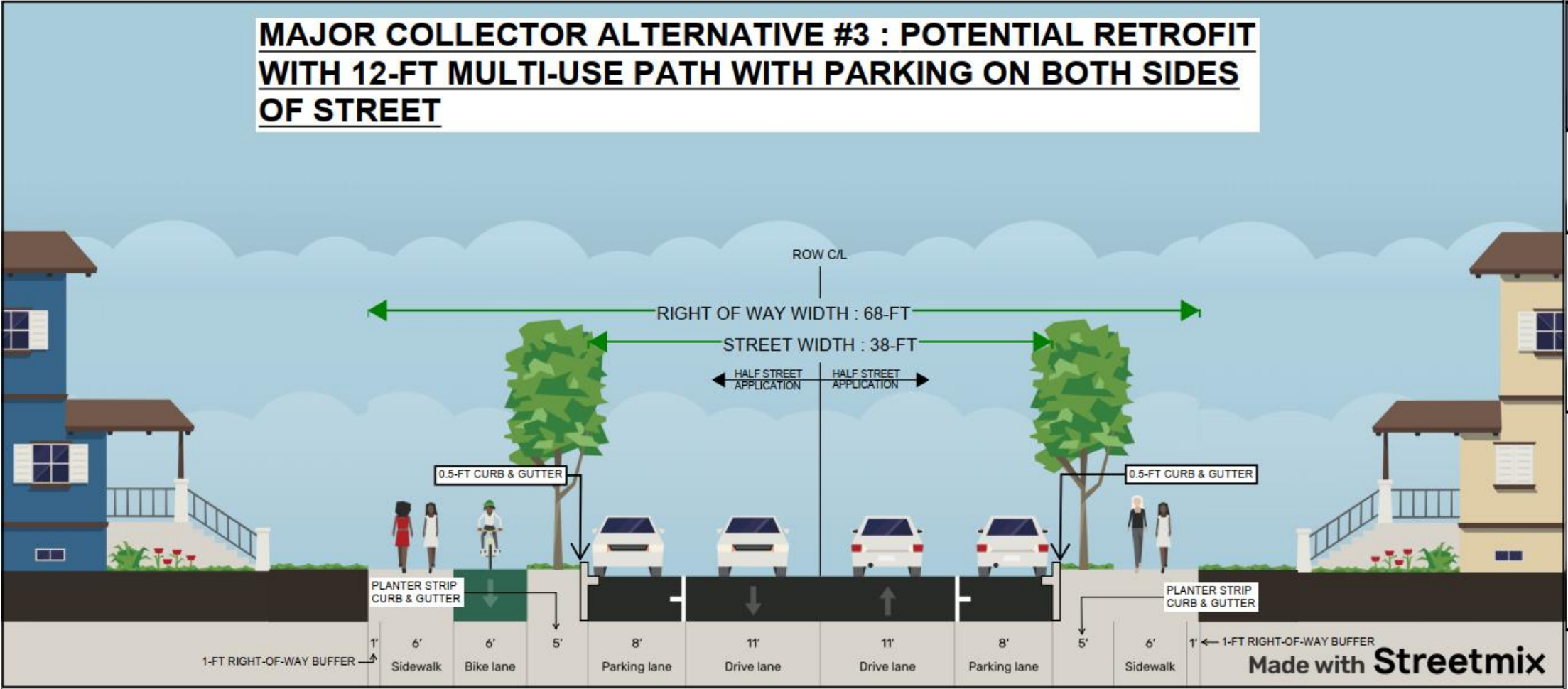
Major Collector New Alternative #1



Major Collector New Alternative #2



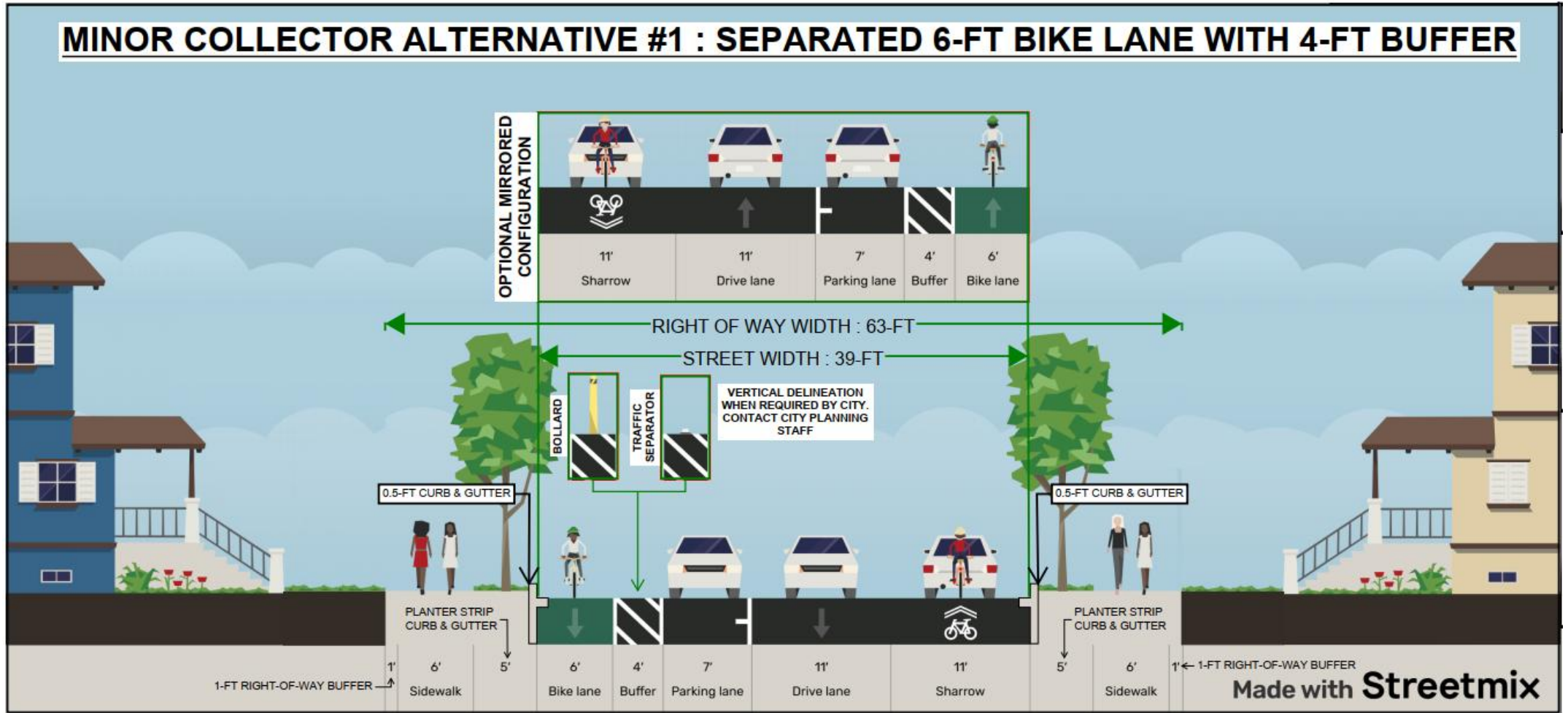
Major Collector New Alternative #3



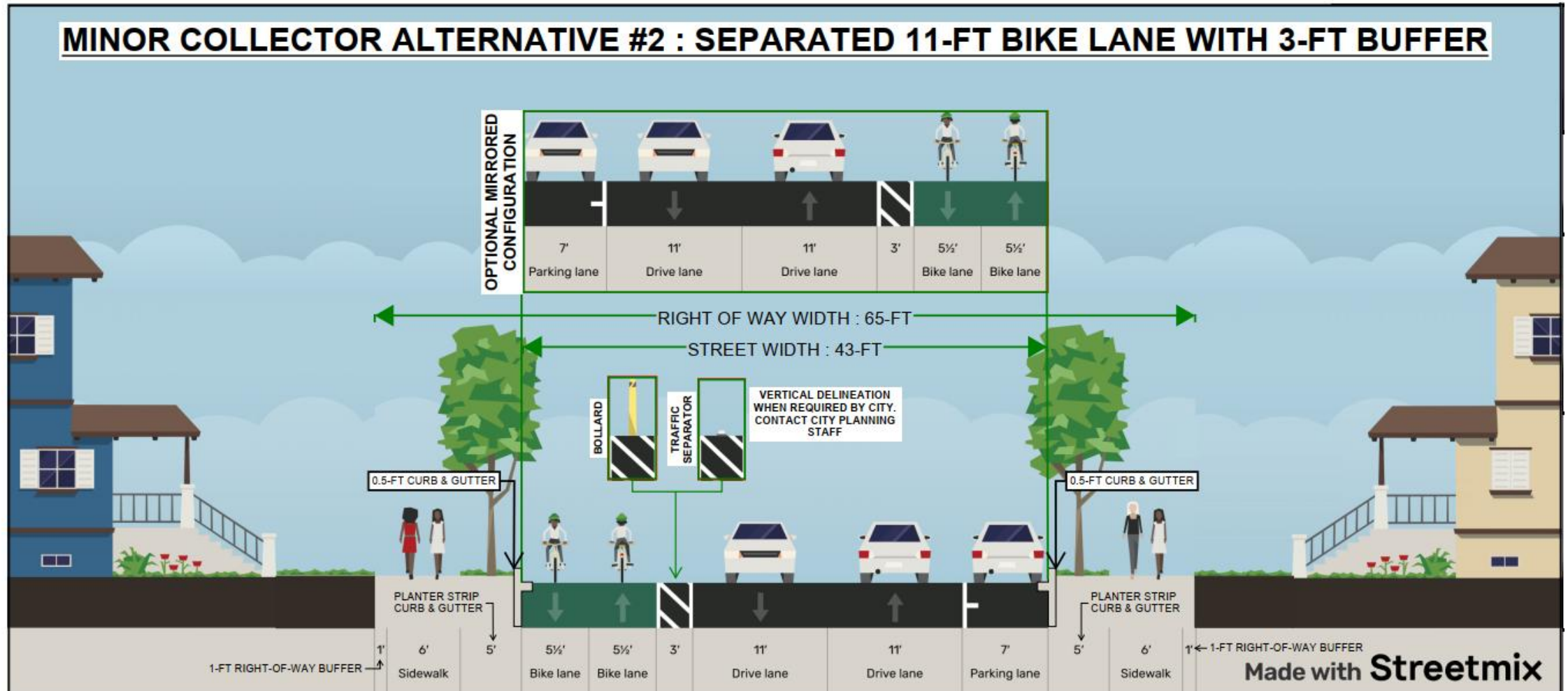
Minor Collector - Current



Minor Collector – New Alternative #1



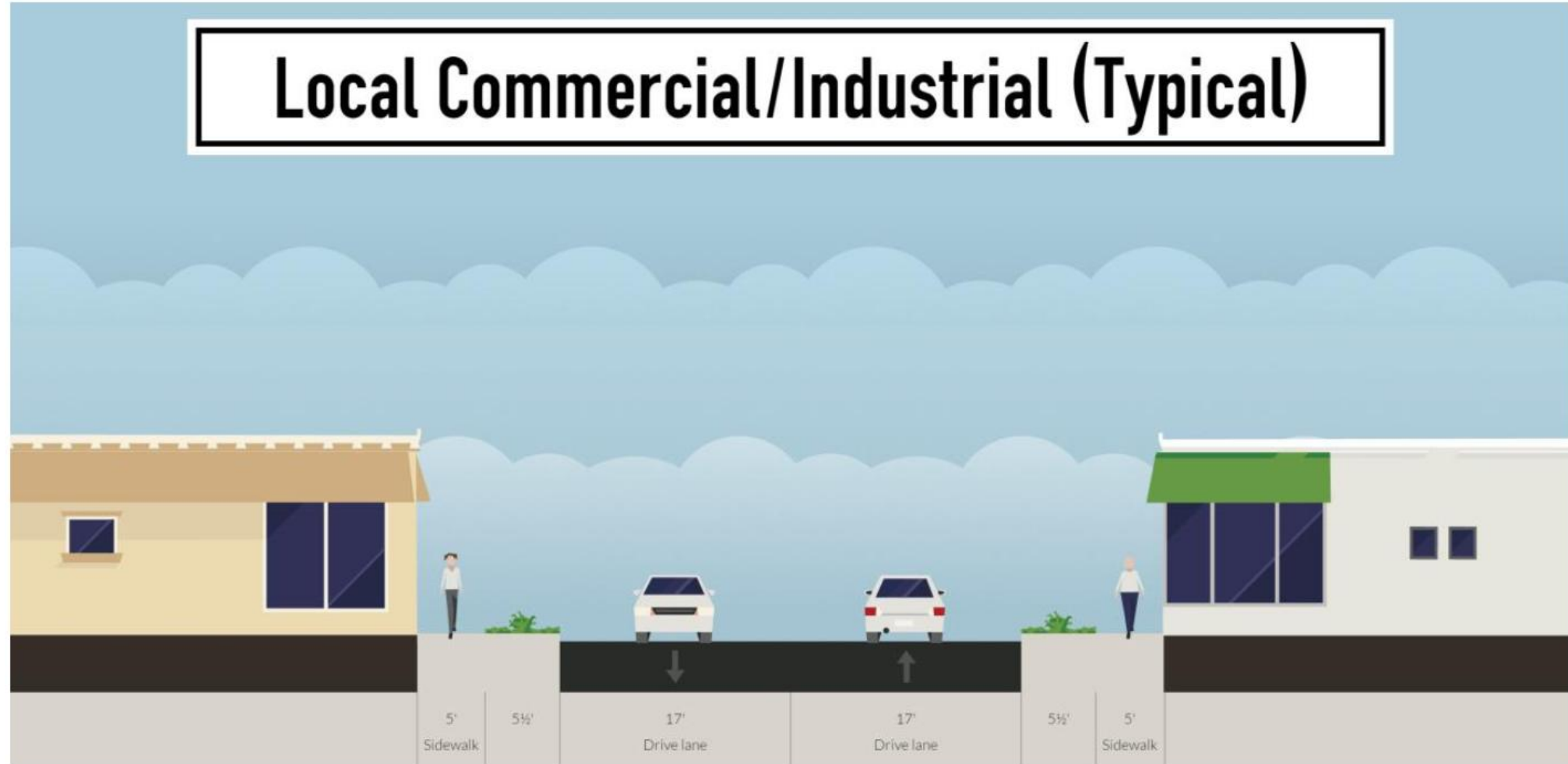
Minor Collector – New Alternative #2



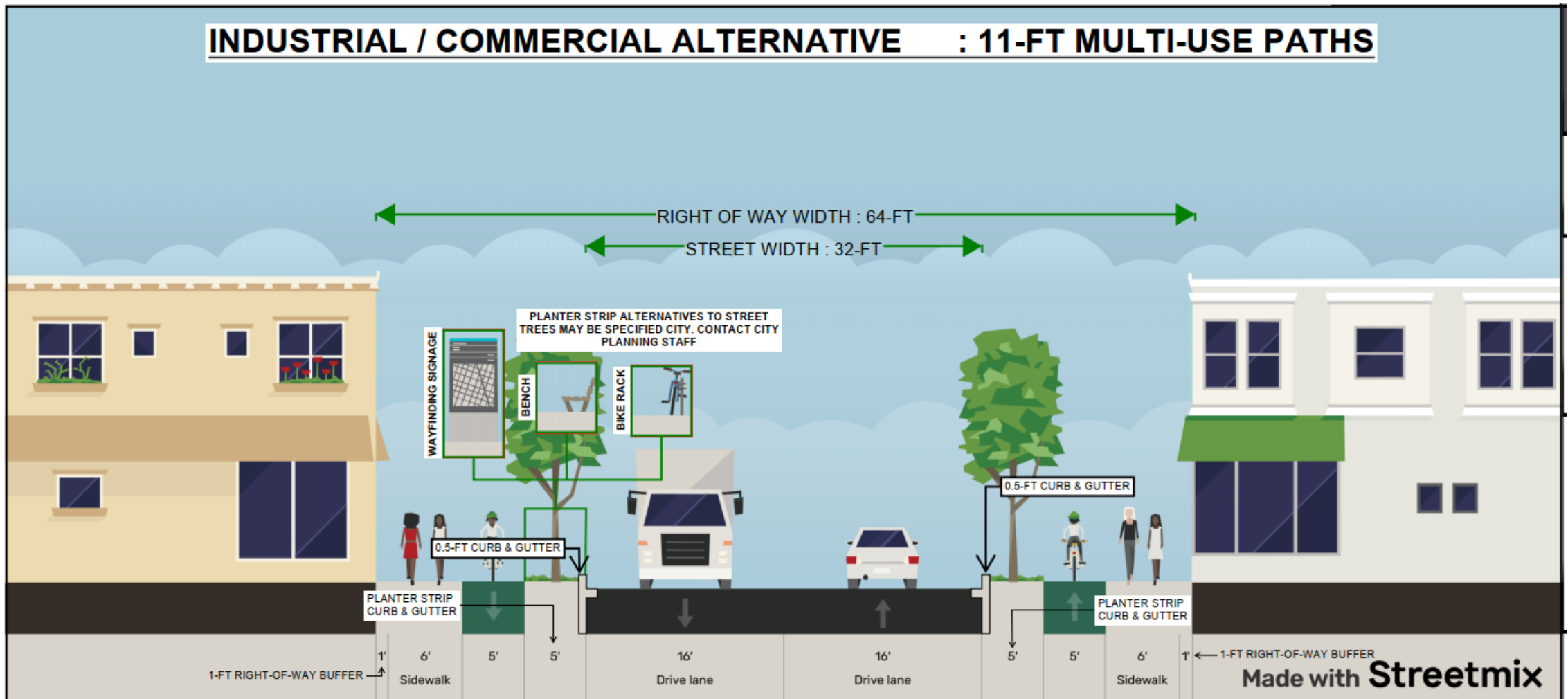
Local Residential – No Changes Required



Commercial / Industrial Original Design



Commercial / Industrial New Alternative



So that's the end of the CM report including statistics for August, with a sneak peak at the new TSP typical cross sections and their intended use.

Questions?

REQUEST FOR COUNCIL ACTION



Date Action Requested: (October 20, 2025)

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐

No. 2025-3999

Subject:

Resolution 2025-3999 Authorizing the Renewal of the North West natural Franchise for a Period of Six Years

Staff: Will Worthey & James Walker
Department: Administration & Legal

Business Session

Order On Agenda: Consent

Hearing Type: Administrative

Is this item state mandated? Yes ☐ No ☒

If yes, please cite the state house bill or order that necessitated this action:

Recommendation:

Staff suggests the following motion:

“I move that the CM be authorized to renew the Northwest Natural Franchise for six years”

Executive Summary:

The existing Franchise agreement with North West natural has expired and ever since August of 2022 the city has ben trying to obtain a renewed Franchise agreement. While NW natural continued to pay the franchise fee allowed by Oregon rules the agreement still had to be updated. After several rounds of calls and emails in 2022 and 2023 the City Manager brought in assistance from Miller Nash to attempt to reach an agreement. The Franchise agreement before you today is the result of these protracted and delayed negotiations.

Fiscal Impact:

The Franchise currently brings the city approximately \$750,000 each biennium.

Council Goals:

Continuous goal A:

Ensure Newberg infrastructure (roads, water, city employees) is in good repair and supply.

RESOLUTION No. 2025-3999



A Resolution Authorizing the Renewal of the NW Natural Franchise for Six Years

Recitals:

1. The original NW Natural Franchise dates back to 2016.
2. This Franchise agreement will ensure smooth cooperation and the development sound natural gas infrastructure in Newberg.
3. This Franchise agreement will ensure that right of way issues especially those around future capital improvements will be handled smoothly and without dispute.
4. On March 22nd 2024 the city's legal team engaged with Northwest Natural seeking a renewed franchise agreement.
5. On October 10th 2025 the city's legal team delivered the attached agreement for council consideration (see Exhibit A).

The City of Newberg Resolves as Follows:

A possible motion could be made in this way:

"I move to renew the franchise agreement with NW Natural for a period of six years".

Effective Date of this resolution is the day after the adoption date, which is: October 21st, 2025.

Adopted by the City Council of Newberg, Oregon, this 20th day of April, 2025.

Rachel Thomas, City Recorder

Attest by the Mayor this 20th day of October, 2025.

Bill Rosacker, Mayor

CITY OF NEWBERG FRANCHISE AGREEMENT

A FRANCHISE AGREEMENT BETWEEN NORTHWEST NATURAL GAS COMPANY AND THE CITY OF NEWBERG GRANTING A NON-EXCLUSIVE GAS UTILITY FRANCHISE TO NORTHWEST NATURAL GAS COMPANY, AND FIXING TERMS, CONDITIONS, AND COMPENSATION OF SUCH FRANCHISE

Northwest Natural Gas Company and the City of Newberg (jointly referred to as the Parties) agree as follows:

Section 1 Definitions and Explanations.

1. As used in this Agreement:
 - a. “City” means the City of Newberg and the area within its boundaries, including its boundaries as extended in the future.
 - b. “Council” means the legislative body of the City.
 - c. “Grantee” means Northwest Natural Gas Company.
 - d. “Gross Revenue” means revenue received from the use of the gas utility system within the City limits less related net uncollectibles. Gross Revenue shall be computed by deducting from the total billings of the Grantee the total net writeoff of uncollectible accounts, revenues derived from the sale or transportation of gas supplied under an interruptible tariff schedule, revenues paid directly by the United States of America or any of its agencies, and sales of gas at wholesale by the Grantee to any public utility or public agency where the public utility or public agency purchasing such gas is not the ultimate consumer. Gross Revenue also shall not include public purpose charges, provided that such charges or surcharges are required or authorized by federal or State statute, administrative rule, or by tariff approved by the Oregon Public Utility Commission and the revenue raised from such charges is used solely for the public purpose. Public purpose activities include, but are not limited to, energy efficiency programs, market transformation programs, low-income energy efficiency programs, and carbon offset programs designed to benefit residential and commercial customers within the Grantee’s service territory in Oregon.
2. As used in this Agreement, the singular number may include the plural and the plural number may include the singular.
3. Unless otherwise specified in this Agreement, any action authorized or required to be taken by the City may be taken by the Council or by an official or agent designated by the Council.

Section 2 Newberg Municipal Code Applicable. This Agreement incorporates all terms and provisions of Newberg Municipal Code (“NMC”) Chapter 12.05, Article VI, subject to any

clarification, enhancement, expansion, or waiver or variance as set forth in this Agreement. Terms not defined in this Agreement are as defined in NMC Chapter 12.05, Article VI.

Section 3 Rights Granted. Subject to the conditions and reservations contained in this Agreement, the City hereby grants to NORTHWEST NATURAL GAS COMPANY, an Oregon corporation, the rights set forth under NMC 12.05.310.F and the right, privilege, and franchise to transmit, distribute, and sell gas and to construct, install, place, maintain and repair a gas utility system.

Section 4 Duration. This Franchise is granted for a period of six years from and after the Effective Date of this Agreement.

Section 5 Continuous Service. The Grantee shall maintain and operate an adequate system for the distribution of gas in the City. The Grantee shall use due diligence to maintain continuous and uninterrupted 24-hour a day service which shall at all times conform at least to the standards common in the business and to the applicable standards adopted by federal and State authorities and to standards of the City which are not in conflict with those adopted by the federal and State authorities. Under no circumstances shall the Grantee be liable for an interruption or failure of service caused by act of God, unavoidable accident, or other circumstances beyond the control of the Grantee through no fault of its own.

Section 6 Safety Standards and Work Specifications.

1. The facilities of the Grantee shall at all times be maintained in a safe, substantial, and workmanlike manner.
2. For the purpose of carrying out the provisions of this Section, the City may provide such specifications relating thereto as may be necessary or convenient for public safety or the orderly development of the City. The City may amend and add to such specifications from time to time with reasonable notice to Grantee.

Section 7 Maps. Upon request, the Grantee shall file with or otherwise provide reasonable access to the City maps showing the location of any construction, extension, or relocation of its Utility Facilities in the Right-of-Way.

Section 8 Compensation.

1. The Parties agree that the privilege tax to be paid to the City pursuant to NMC 12.05.370 shall be calculated using the definition of Gross Revenue set out above in Section 1.d. The Grantee shall furnish to the City with each payment of compensation required by NMC 12.05.370 a written statement, , showing the amount of Gross Revenue of the Grantee within the City for the period covered by the payment. If the Grantee fails to pay the entire amount of the compensation due pursuant to this Agreement to the City through error or otherwise, the difference due the City shall be paid by the Grantee within 30 days from discovery of the error or determination of the correct amount. Any overpayment to the City through error or otherwise, shall be offset against the next payment due from the Grantee.

2. Acceptance by the City of any payment due under this Agreement and NMC 12.05.370 shall not be deemed to be a waiver by the City of any breach of this Agreement occurring prior thereto, nor shall the acceptance by the City of any such payments preclude the City from later establishing that a larger amount was actually due, or from collecting any balance due to the City.

Section 9 Book of Account and Reports. The Grantee shall keep accurate books of account at an office in Oregon for the purpose of determining the amounts due to the City under NMC 12.05.370 -380 and as modified by this section. Upon reasonable notice, the City may inspect the books of account at any time during business hours and may audit the books from time to time, provided that only payments that occurred or should have occurred during a period of 36 months prior to the date the City notifies the Grantee of its intent to perform an audit or financial review will be included. The Council may require periodic reports from the Grantee relating to its operations and revenues within the City. The City shall take reasonable steps to protect the confidential or proprietary nature of the books, records, or information, to the extent permitted by law, including but not limited to the Oregon Public Records Law. Confidential Information shall include customer information that identifies or can be attributed to a specific customer. All other confidential or proprietary information must be clearly designated as such by the Utility Operator at the time of disclosure to the City.

Section 10 Assignment of Franchise. This Franchise shall be binding upon and inure to the benefit of the successors, legal representatives, and assigns of the Grantee, provided that any sale, lease, mortgage, assignment, merger, transfer or change in control of Grantee's Gas Facilities located within the City is subject to review and approval by the Oregon Public Utility Commission ("OPUC"). The City shall accept final approval by the OPUC of such sale, lease, mortgage, assignment, merger, transfer or change of control and not otherwise require any approval or consent for assignment to Grantee's successors, legal representative and assigns. Nothing in this Agreement requires the City's consent for any sale, lease, mortgage, assignment, merger or other transfer to entities that control, are controlled by, or are under common control with Grantee, so long as the entity is subject to substantially the same regulations of the OPUC as Grantee in relation to the Gas Facilities within the City. Additionally, Grantee may mortgage its Gas Utility system and property within the City, in order to secure any legal bond issue or other indebtedness of Grantee, with no requirement the trustees accept this Agreement.

Section 11 Termination of Franchise for Cause. The City may terminate or revoke this Franchise in accordance with NMC 12.05.310.M in accordance with the notice and cure provisions set forth therein for any violation of this Agreement and for any reason set forth in NMC 12.05.310.M. Notice to the Grantee required by NMC 12.05.310.M.3 shall be sent by U.S. mail via registered or certified postage prepaid or by express mail or overnight courier as follows: Northwest Natural Gas Company, Legal Department – Franchises, 250 SW Taylor Street, Portland, Oregon 97204.

Section 12 Remedies Not Exclusive, When Requirement Waived. All remedies and penalties under this Agreement, including termination of the Franchise, are cumulative, and the recovery or enforcement of one is not a bar to the recovery or enforcement of any other such remedy or penalty. The remedies and penalties contained in this Agreement, including termination of the Franchise, are not exclusive and the City reserves the right to enforce the penal provisions of any ordinance or resolution and to avail itself of any and all remedies available at law or in equity. Failure to enforce shall not be construed as a waiver of a breach of any term, condition, or

obligation imposed upon the Grantee by or pursuant to this Agreement. A specific waiver of a particular breach of any term, condition, or obligation imposed upon the Grantee by or pursuant to this Agreement shall not be a waiver of any other or subsequent or future breach of the same or any other term, condition, or obligation, or a waiver of the term, condition, or obligation itself.

Section 13 Acceptance and Effective Date. This Agreement shall be effective thirty (30) days after adoption by the City (“Effective Date”), provided that Grantee, within thirty (30) days after adoption by the City, files its written unconditional acceptance of this Agreement. If Grantee fails to file its written unconditional acceptance of this Agreement within such time, this Agreement shall be void.

Section 14 Performance Bond. The Parties agree that no performance bonds or other form of surety as set out in NCM 12.05.320(C) shall be required of Grantee.

Section 15 Expiration. At the end of the term of this Agreement, provided that the City and the Grantee are negotiating another franchise agreement and have not concluded their negotiations, Grantee’s rights and responsibilities shall be controlled by this Agreement for a period of six (6) additional months, which may be extended upon joint agreement of the Parties .

**NORTHWEST NATURAL GAS
COMPANY**, a domestic Oregon corporation

CITY OF NEWBERG, an Oregon municipal
corporation

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

REQUEST FOR COUNCIL ACTION



Date Action Requested: October 20, 2025

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐
No. 2025-3997

Subject: Master Fee Schedule wording edits to Finance General Fees related to NSF Returned Checks.

Staff: Kady Strode
Department: Finance

Business Session

Order On Agenda:

Hearing Type: Administrative

Is this item state mandated? Yes ☐ No ☒

If yes, please cite the state house bill or order that necessitated this action: N/A

Recommendation: Adopt Resolution 2025-3997.

Executive Summary: A minor edit to the wording in the Master Fee Schedule is required related to the Finance General Fees for NSF Returned Checks. The Master Fee Schedule states that this NSF fee is for “returned check” however because the city does business through other banking methods such as credit card and automatic banking, the city will also be charged an NSF fee by our bank if those funds are returned and found to be not sufficient. Therefore, this section, as shown in Exhibit A, needs to be amended from “NSF Returned Check” to “Bank Returned Item” in order to include such items as (but not limited to) NSF, Closed Account, Stop Payment, Account Frozen, Voided Transaction, etc.

Fiscal Impact: N/A.

Council Goals: This aligns with Council Goal 4 – to create and maintain a high level of transparency with our residents in order to build trust. Updating the wording in the Master Fee Schedule to the proper wording helps residents understand when they may incur a fee with the city.



RESOLUTION No. 2025-3997

A Resolution updating the wording in the Master Fee Schedule to Finance General Fees related to NSF Returned Checks.

Recitals:

1. WHEREAS, the Master Fee Schedule currently has outdated wording related to NSF fees assessed by the city.
2. WHEREAS, this resolution will update the wording around NSF fees to better describe its proper use – “NSF Returned Check” changed to “Bank Returned Item”.

The City of Newberg Resolves as Follows:

1. The wording in Finance General Fees for “NSF Returned Check” will be updated to “Bank Returned Item”.

Effective Date of this resolution is the day after the adoption date, which is: October 21, 2025.

Adopted by the City Council of Newberg, Oregon, this 20th day of October 2025.

Rachel Thomas, City Recorder

Attest by the Mayor this _____ day of _____, 2025.

Bill Rosacker, Mayor

City of Newberg
RES 2025-3997
Exhibit A

ORIGINAL MASTER FEE SCHEDULE WORDING

FINANCE		
	Lien Search	\$27.00
	NSF returned checks	\$25.00
	Municipal Services Statement Late Fee	\$20.00 per meter
	Municipal Services Statement Water Connection Fee	\$20.00 per meter
	Municipal Services Statement Water Re-connection Fee	\$50.00 per meter

UPDATED MASTER FEE SCHEDULE WORDING

FINANCE		
	Lien Search	\$27.00
	BANK RETURNED ITEMS	\$25.00
	Municipal Services Statement Late Fee	\$20.00 per meter
	Municipal Services Statement Water Connection Fee	\$20.00 per meter
	Municipal Services Statement Water Re-connection Fee	\$50.00 per meter

REQUEST FOR COUNCIL ACTION



Date Action Requested: June 2nd, 2025

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐

No. 2025-3991

Subject: Resolution to enact Newberg Grant Policy

Staff: Dillon Peck

Department: Administration

Business Session

Order On Agenda: Consent

Hearing Type: Administrative

Is this item state mandated? Yes ☐ No ☒

If yes, please cite the state house bill or order that necessitated this action:

Recommendation: Motion to approve Resolution 2025-3991 to enact an updated Newberg Grant Policy (Exhibit A).

Executive Summary: The City of Newberg has a current Grant Policy (Exhibit B) that meets the legal minimums required by the Federal Government but does not adequately describe or account for Newberg’s current grant administration practices. In particular, the current policy was made before the City had a Grant Writer on staff to coordinate grant administration city-wide and is therefore missing key information. The proposed update to this policy will both incorporate this new staff position and reorient the Grant policy to match current best practices in grant administration.

Fiscal Impact: This resolution will have no direct fiscal impact.

Council Goals: Though this has not been a problem in the past, if the City were to mishandle grant funds or grant-funded equipment, then we could be barred from future grant opportunities at best and may face cancelled projects or funding clawbacks at worst. Preventing these bad outcomes by ensuring our Grants Policy is up to date and in accordance with current law and best practices will enable us to advance many of City Council’s 2025 goals, including the Council’s Goal 5: “Implement a careful and prudent fiscal policy”, and Council’s continuous goals to “A: Ensure Newberg Infrastructure (roads, water, city employees) is in good repair and supply,” and “C: Look for funding sources to save and prepare for the new water treatment plant“. The City is working to utilize available grant funding to help make progress toward these goals.



RESOLUTION No. 2025-3991

A Resolution to Enact a Newly Updated City of Newberg Grant Policy

Recitals:

1. In order to accept Federal grant funding, the City of Newberg must have an active Grant Policy that demonstrates our commitment to and understanding of required Federal grant reporting standards and regulations.
2. The City of Newberg's current Grant Policy (Exhibit B) has not been updated since 2018.
3. Since the Grant Policy was originally enacted, the City has added a Digital Archivist and Grant Writer position that is not incorporated into the current Grant Policy.

The City of Newberg Resolves as Follows:

1. City Council approves the updated City of Newberg Grant Policy (Exhibit A) as presented.

Effective Date of this resolution is the day after the adoption date, which is: ____, 2025.

Adopted by the City Council of Newberg, Oregon, this ____ day of ____, 2025.

Rachel Thomas, City Recorder

Attest by the Mayor this ____ day of ____, 2025.

Bill Rosacker, Mayor

EXHIBIT A

City of Newberg Grant Policy and Procedure

Background:

The Federal Office of Management and Budget (OMB) requires non-Federal entities to have certain written policies and procedures surrounding the management of all grants that contain federal award funds, including state pass-throughs. For the purposes of proper adherence to all relevant guidelines as well as consistency throughout City procedures, this policy and procedure is to be used for all grants received by the city. During the grant documentation and review process, the grant manager will consider the applicability of OMB uniform guidance.

Purpose

This document establishes an organizational structure and set of best practices which mandates the proper, accurate, and responsible management of grant activity for all grants awarded to the City.

Glossary

City Grant Writer: This term refers to the person in the Digital Archivist and Grant Writer position, which falls under the Administration department.

Grant Manager: Whomever is assigned primary responsibility for grant application, administration, and closeout duties. This role is usually held by the City Grant Writer but may be assigned to other staff as needed.

Local Match: Many grants require that a certain percentage of grant-funded projects be paid for by funds that are sourced outside of the Grantor. Federal grants, for example, often require 20% of the cost of projects come from non-Federal sources. It is essential that these costs be accounted for in the City budget in advance of any application.

CFDA Number: CFDA (Catalog of Federal Domestic Assistance) numbers are the unique identifiers for Federal funding programs. This number is an essential component of any Federal grants or grants that contain Federal dollars.

Grant Policies

Grant Activity

When managing grant activity, the City meets the following Grant management standards:

- The Grant Manager for individual grants will be the City Grant Writer or another City staff member that can be responsible for grant activity and documentation.
- The City Grant Writer should be notified of any grant efforts so that they can be assigned a grant number using this template: [year]-101, [year]-102, etc.
- If the Grant Manager is not the City Grant Writer, the City Grant Writer should be included in significant communications between the Grant Manager and Grantors. This is not necessary for day-to-day project coordination.
- All financial records will be maintained in keeping with the Generally Accepted Accounting Principles (GAAP) and Governmental Accounting Standard Practices.
- All records retention regulations will be followed; Federal grants should adhere to the Federal retention schedule or the State retention schedule, whichever is longer.
- Accurate, current, and complete disclosure of grant assisted activities in accordance with financial reporting requirements will be maintained.
- The City maintains comparisons of actual expenditures to budgeted expenditures by grant via requisition requests to purchase equipment.

Cash Management

The City minimizes the timing between completion of grant-funded deliverables and reimbursement requests to Grantors, and between the transfer of funds from the Grantor and the disbursement of funds, with proper cash management procedures.

- The Finance Department reviews draw requests to ensure that the City maintains the minimum amount of cash on hand needed for expenditures. Draw requests are coordinated with Grant Managers and Finance.
- Per Federal regulations, no excess grant funds are maintained for investment. If federal funds are invested, interest earnings in excess of \$500 per year are refunded to the federal government.
- Unless the contract award defines another method, the City requests reimbursement after expenditures have been incurred and according to the award contract defined in the billing cycle.

Asset Safeguarding and Accountability

The City maintains effective control and accountability for all grant cash, property, and other assets. The City safeguards property and ensures it is used solely for authorized purposes. The Accounting Manager will assist Grant Managers in tracking fixed assets purchased with federal grants by ensuring that property purchased with federal dollars are

physically labeled as such and separately tagged within the City's Capital Asset Tracking System. Additionally, the Accounting Manager will coordinate, with the City Grant Writer, bi-annual inventories of property purchased with Federal Awards.

Budget

The City identifies a general ledger account budget for projects funded with federal assistance. Each expenditure account is allocated an estimate of the amount of the grant to be spent for that purpose. Planned indirect cost recoveries or equipment purchases are also budgeted. Per federal regulations, the Finance Department maintains its accounting records and prepares reports, in a manner that allows comparison of actual expenditures to budgeted amounts for each grant.

Matching Requirements

The City complies with all applicable grant matching requirements.

- Grants may require the City to provide a local match for Grant funding, which must be verified and approved by Finance, the City Manager, and/or City Council before proceeding with any grant. Grant regulations specify the type and amount of required match.
- When a match is required, the City spends the required amount of local dollars or in-kind contributions, if allowed, in order to be eligible to spend grant funds. All monetary matches must be accounted for in the City's budget before submitting application for grants with match requirements.
- Additionally, the general ledger accounting structure is utilized to accommodate the effective recording, tracking and matching of the grant expenditures, as well as the matched local expenditures.

Financial, Performance and other Reporting

The Grant Manager coordinates with the Finance Department as appropriate before submitting financial and performance reports to the Grantor, as specified by the reporting clause of each grant or contract award document. Preparation of these reports is the responsibility of the Grant Manager. Financial and performance reports should be submitted to the Finance Department and shared with the City Grant Writer before being forwarded to the Grantor.

If the grant agreement calls for the Grantor to manage the grant activity on behalf of the City, the Grant Manager is responsible for oversight and approval of all Grantor completed activity or reports. Once reviewed by the responsible individual(s), a copy should be forwarded to the Finance Department.

Procurements

City Procurements will adhere to relevant City policy, local laws, state laws, and federal laws and regulations.

Standards of Conduct

No employee, officer, or agent may participate in the application for any grant or the selection, award, or administration of any contract supported by a Federal or Non-federal award if he or she has a real or apparent conflict of interest, as outlined in law and City policy.

Monitoring and Reporting

All grants passed through to sub recipients or expended in contracts are monitored by Grant Managers to ensure that federal dollars being expended or passed through meet all relevant grant agreement rules as well as all Federal or State imposed laws or standards.

This policy is periodically reviewed and revised if necessary, by the City Manager or their designee, to ensure adequate and appropriate policy controls and adherence.

Annual renewal of the City's registration in the Federal government's System for Award Management, SAM.gov, will be completed by the City Grant Writer.

Procedures

Application process

- Individual Departments have the primary responsibility for identifying potential grant opportunities for new or continuing projects that the department intends to pursue. The Grant Manager will ensure all materials necessary for grant applications are gathered by staff from the relevant department.
- The relevant Department Head gives permission to proceed for non-Federal grants, based on previously approved work plans and staff capacity, that are under \$50,000, mirroring the purchasing thresholds in the Purchasing Policy.
- The City Manager gives permission to proceed for any non-Federal grants, based on previously approved work plans and staff capacity, that are over \$50,000 but under \$100,000, mirroring the purchasing thresholds in the Purchasing Policy.
- City Council gives permission to proceed for grants containing Federal dollars, as well as any non-Federal grants of more than \$100,000. This permission often takes the form of a Council Resolution, which should be created using the standard Request for Council Action process. Council approval may also be required in a format specified by the Grantor.

- Once permission to proceed has been received, the City Grant Writer will assign a Grant Number to the project and communicate it to the Grant Manager. This internal number will enable organized recordkeeping across the city.
- Before submission to the Grantor, the Grant Manager should share a copy of all application paperwork with the relevant Department Head or designee for review and approval.
- The Grant Manager will take any necessary steps to identify requirements of the grant that might have implications for another department such as IT, HR or Communications, for example E-Verify or any additional insurance requirements. If requirements of this kind are identified, the relevant department should be included in the application process before submission.

Grant Activity Framework and Structure

- Grant Agreement Review – Upon receipt of the grant award/contract, Grant Managers will meet with the Accounting Manager to verify the specifications of the grant, review the terms, time periods, award amounts and expected expenditures associated with the award, and complete a summary sheet detailing the grant agreement. The Accounting Manager and Grant Manager will sign off on the summary sheet. (See Appendix A)
- ALN (Assistance Listing Number) number is determined by the Grant Manager, if applicable, and verified by the Accounting Manager.
- General Ledger Accounts are set up by the Finance Department to properly segregate the federal grant revenues and expenditures. The Finance Department, through its purchasing procedure as well as through cooperation with Grant Managers, monitors the approved Grant expenditures and draws.
- Contract Documentation – The Department will retain records and forward an electronic copy of all contract/grant related documentation to the Grant Manager, relevant Department Head, and the City Grant Writer.
- The OMB circular 2 CFR Part 200 Compliance Supplement is reviewed annually for compliance requirements (Accounting Manager). Changes to compliance requirements are updated in the policy and forwarded to all Departments.
- The applicable section of the Catalog of Federal Domestic Assistance (CFDA) is reviewed semi-annually by the Grant Manager as well as by the Accounting Manager.
- Grant and contract renewals are reviewed by the responsible department annually.

- Any changes in policies and procedures necessitated by the federal award and resulting from reviews mentioned above are identified and implemented.
- The Finance Department is informed of any awarded grants and the results of the above reviews regarding applicable laws, regulations and provisions, as well as the City of Newberg's compliance. The Finance Department also independently checks with the State for grants awarded but not communicated to Finance as a secondary measure for ensuring all grants are tracked.

Procurement

- The Grant Manager and City Grant Writer determine necessary expenditures/procurements and review the grant agreement for requirements and limitations.
- The Grant Manager performs an analysis of costs, with consideration that it is reasonable, allocable to the grant program, and is an allowable cost per any relevant restrictions noted in the Grant Agreement.
- The Grant Manager will follow the purchasing policies and procedures as outlined in the Newberg Municipal Code Chapter 3.25 and City Purchasing Manual. Prior to selection of vendors used for federal grants, Grant Manager will coordinate with the City Grant Writer to check the vendor against SAM.gov to confirm that the vendor is not on the federal suspension/debarment list. Proof of this check should be included in the grant files to show potential auditors.
- When contracting for Federal Grants, the Grant Manager must take affirmative steps to follow all applicable policies, laws, and regulations.
- If a grant is structured such that it is necessary to track individual employees' time for reimbursement, Finance staff should be notified as early as possible to establish a project accounting structure and train relevant staff to use it.
- Non-federal grant expenditures, as prepared by the Grant Manager, are reviewed by the Accounting Manager and City Grant Writer to verify compliance with relevant laws and regulations as outlined in the Grant agreement and Uniform Guidance.
- Federal grant expenditures, as prepared by the Grant Manager, are reviewed by the Accounting Manager and compared against allowable and unallowable costs as detailed in the grant agreement as well as federal regulations.

Approval and Authority

Approved by Council Resolution 2025-_____

Approval Date –

Implementation Date –

EXHIBIT B

City of Newberg Policy and Procedure – Grants

Background:

The City of Newberg receives various Grant Awards containing federal and non-federal dollars each year to use for funding of City projects. The Office of Management and Budget (OMB) requires non-Federal entities to have certain written policies and procedures surrounding the management of all federal award funds. These policies and procedures are known as the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, the uniform guidance is codified under Title 2, Subtitle A, Chapter 2 of the Code of Federal Regulations (2 CFR 200). In Subpart D 200.303, it states that a non-Federal entity must establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. For the purposes of proper adherence to all relevant grant related guidelines as well as consistency throughout City procedures, this policy and procedure is to be used for all grants received by the city, whether federal or otherwise. During the grant documentation and review process, the grant manager will consider the applicability of OMB uniform guidance.

Purpose

This policy and procedure provides guidance and direction in developing and utilizing a recording and reporting system which effectively assists the proper, accurate and responsible management of grant activity for both federal and non-federal grant awards.

Grant Policies

Grant Activity

When managing grant activity, the City meets the following financial management standards:

- Ensure, for each individual grant, the identification of a Grant Manager, who will be responsible for the general grant activity and documentation.
- Maintain all financial records in keeping with the Generally Accepted Accounting Principles (GAAP) and Governmental Accounting Standard Practices. Maintain records to adequately identify the source and application of funds for federally assisted programs.

- Maintain effective control and accountability of grant awards, real and personal property and other assets. The City of Newberg adequately safeguards property and ensures it is used solely for authorized purposes.
- Provide accurate, current and complete disclosure of federally assisted activities in accordance with financial reporting requirements.
- Maintain comparisons of actual expenditures to budgeted expenditures by grant via requisition request to purchase equipment.

Cash Management

The City minimizes the timing between the transfer of funds from the U.S. Treasury and the disbursement of funds with proper cash management procedures.

- The Finance Department reviews draw requests to ensure that the City maintains the minimum amount of federal cash on hand needed for expenditures.
- No excess funds are maintained for investment. If federal funds are invested, interest earnings in excess of \$500 per year are refunded to the federal government.
- Unless the contract award defines another method, the City requests reimbursement after expenditures have been incurred and according to the award contract defined in the billing cycle.

Asset Safeguarding and Accountability

The City maintains effective control and accountability for all grant cash, real and personal property and other assets. The City safeguards property and ensures it is used solely for authorized purposes. The Senior Accountant will assist grant managers in tracking fixed assets purchased with federal grants by ensuring that property purchased with federal dollars are physically labeled as such, and separately tagged within the City's Capital Asset Tracking System. Additionally, Senior Accountant will coordinate, with Grant Managers, bi-annual inventories of property purchased with Federal Awards.

Budget

The City identifies a general ledger account budget for projects funded with federal assistance. Each expenditure account is allocated an estimate of the amount of the grant to be spent for that purpose. Planned indirect cost recoveries or equipment purchases are also budgeted. Per federal regulations, the Finance Department maintains its accounting records and prepares reports, in a manner that allows comparison of actual expenditures to budgeted amounts for each grant.

Matching Requirements

The City complies with all applicable grant matching requirements.

- Several federal grants require grant funds be matched with local dollars. Grant regulations specify the type and amount of required match.
- When a match is required, the City spends the required amount of local dollars in order to be eligible to spend grant funds.
- Additionally, the general ledger accounting structure is utilized to accommodate the effective recording, tracking and matching of the grant expenditures, as well as the matched local expenditures.

Financial, Performance and other Reporting

The City (Department with copies sent to the Finance Department) submits financial and performance reports as specified by the reporting clause of each grant or contract award document. Preparation of these reports is the responsibility of each department receiving the grant award and is required to be reviewed and approved by the Finance Department before submission. For reports completed electronically, a copy should be submitted to the Finance Department after submission for subsequent review.

If the grant agreement calls for the Grantor to manage the grant activity on behalf of the City, the department that completed the application is responsible for oversight and careful review of all Grantor completed activity or reports. Once reviewed by this responsible individual(s), a copy should be forwarded to the Finance Department.

Procurements

When procuring goods and/or services under Federal awards, the City must follow the following procurement standards:

- Meet all relevant rules and regulations as specified in the respective grant agreement as well as all state or federal regulations, as applicable.
- Avoid any unnecessary or duplicative goods or services
- Utilize the most effective financing options
- Must award contracts only to responsible contractors, possessing the ability to perform successfully under terms specified in the award agreements.
- Must maintain sufficient records of each procurement including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for contract price.
- Procurements are conducted in a manner providing full and open competition.

Standards of Conduct

No employee, officer, or agent may participate in the selection, award, or administration of any contract supported by a Federal or Non-federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the individual,

or any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. Additionally, all officers and employees must adhere to ethics policies as stated in the City's personnel manual. The City may take appropriate disciplinary actions for violations of such standards by officers, employees, or agents of the recipient.

Monitoring and Reporting

All grants passed through to sub recipients or expended in contracts are monitored by Grant Managers to ensure that federal dollars being expended or passed through meet all relevant grant agreement rules as well as all Federal or State imposed laws or standards.

This policy is periodically reviewed and revised if necessary by the Finance Department, or designee, to ensure adequate and appropriate policy controls and adherence.

Annual renewal of the City's registration in the System for Award Management, SAM.gov, will be completed by the Assistant Finance Director.

Procedures

Application process

- The individual Departments have the primary responsibility for preparing federal grant proposals/applications for new or continuing projects that the department intends to pursue.
- The Department Head or designee, reviews all grant proposals prior to submission to government agencies or other funding sources. They fill out applicable application paperwork and submit a copy to the Finance Department. Final proposals are reviewed by the Finance Director and City Manager.
- All applications for grants containing federal dollars, as well as any non-federal grants of more than \$50,000 are presented to the City Council for review.

Grant Activity Framework and Structure

- Grant Agreement Review – Upon receipt of the grant award/contract, Grant Managers will meet with the Senior Accountant to verify the specifications of the grant, review the terms, time periods, award amounts and expected expenditures associated with the award, and complete a summary sheet detailing the grant agreement. The Senior Accountant and Grant Manager will sign off on the summary sheet. (See Appendix A)

- CFDA (Catalog of Federal Domestic Assistance) number is determined by the Grant Manager, if applicable, and verified by the Senior Accountant.
- General Ledger Accounts are set up by the Finance Department to properly segregate the federal grant revenues and expenditures. The Finance Department, through its purchase order procedure as well as through cooperation with grant managers, monitors the approved Grant expenditures and draws. All expenditures under grants are turned into Finance to be paid. Each request is reviewed and initialed by the Senior Accountant before completing the general authorization process as outlined in the Purchasing Manual (see Appendix A). The Senior Accountant will maintain a Grant Tracking sheet for the purpose of monitoring grants awarded and their financial status at any point in time. This report will track the relevant department involved, the date awarded, the name of the Grantor, the name of the Pass-through Entity, if applicable, the title and description of the program/grant, the award amount, the Grant award number and CFDA as applicable, the closing dates, and the accounts used.
- Contract Documentation – The Department will retain records and forward an electronic copy to the Finance Department all contract/grant related documentation. Following are the basic records maintained for each approved contract, as applicable:
 - i. Proposal and Grant application
 - ii. Subsequent correspondence
 - iii. Final signed Grant Award/Agreement
 - iv. Grant/Agreement renewals
 - v. Approved budgets
 - vi. History of Procurement Contracts as applicable including:
 - 1. Rationale for method of procurement
 - 2. Selection of Contract type
 - 3. Contractor selection or rejection
 - 4. Basis for contract price
 - vii. Record of cash requests and cash receipts/disbursements
 - viii. Record of all grant related expenditures
 - ix. All subsequently submitted financial and performance reports
- The OMB circular 2 CFR Part 200 Compliance Supplement is reviewed annually for compliance requirements (Senior Accountant). Changes to compliance requirements are updated in the policy and forwarded to all Departments.
- The applicable section of the Catalog of Federal Domestic Assistance is reviewed semi-annually by the Grant Manager as well as by the Senior Accountant.
- Grant and contract renewals are reviewed by the responsible department annually.

- Any changes in policies and procedures necessitated by the federal award and resulting from reviews mentioned above are identified and implemented.
- The Finance Department is informed of any awarded grants and the results of the above reviews regarding applicable laws, regulations and provisions, as well as the City of Newberg's compliance. The Finance Department also independently checks with the State for grants awarded but not communicated to Finance as a secondary measure for ensuring all grants are tracked.

Procurement

- Grant Manager (GM) determines necessary expenditures/procurements and reviews the grant agreement for requirements and limitations.
- GM performs an analysis of costs, with consideration of the following:
 - Evaluation to determine that it is reasonable, allocable to the grant program, and is an allowable cost per any relevant restrictions noted in the Grant Agreement.
 - Perform a comparison of prices in applicable marketplaces, comparing to previous expenditures or other cost references available.
 - Consideration of alternative funding options to determine the most economical option of procurement.
 - Evaluation to determine the reasonableness of prices.
- The GM will follow the purchasing policies and procedures as outlined in the Newberg Municipal Code Chapter 3.25 and City Purchasing Manual. Prior to selection of vendors used for federal grants, GM will check vendor against SAM.gov to confirm vendor is not on the federal suspension/debarment list. A copy (computer screenshot) of the search will be included within the grant files. Additionally, the GM will maintain oversight over the projects to ensure that contractors and vendors perform in accordance with terms and conditions of their contracts and Purchase Orders.
- When contracting for Federal Grants, the GM must take affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used whenever possible. Affirmative steps include:
 - Placing qualified businesses on solicitation lists
 - Assuring qualified businesses are solicited whenever they are potential sources
 - Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small businesses
 - Establish delivery schedules, where requirement permits, which encourage participation of qualified businesses
 - Using the services and assistance, as appropriate, of such organizations.

- Requiring the prime contractor to take affirmative steps as well, if subcontractors are allowed
- Any employee time spent on a project that is to be submitted for reimbursement on any grant, must be detailed directly within the employee timesheet notes.
- Non-federal grant expenditures, as prepared by the grant manager, are reviewed by the Senior Accountant to verify compliance with relevant laws and regulations as outlined in the Grant agreement and Uniform Guidance.
- Federal grant expenditures, as prepared by the Grant Manager, are reviewed by the Senior Accountant and compared against allowable costs (Basic Guidelines) as detailed in the grant agreement as well as federal regulations noted within 2 C.F.R. part 200, Subpart E to determine each expenditure:
 - Is necessary and reasonable
 - Is allocated equitably
 - Conforms to any OMB or federal contract, if applicable
 - Authorized or not prohibited under federal, state, and local laws and regulations, as applicable
 - Is treated in a manner consistent with policies and procedures that apply
 - Recorded and reported in accordance to GAAP
 - Is adequately supported and documented according to the City purchasing policy
- Federal grant Expenditures, as prepared by the Grant Manager, are reviewed by the Senior Accountant to ensure they include no unallowable costs.
 - Alcoholic beverages
 - Bad debt
 - Donations and contributions
 - Entertainment costs
 - Fines and penalties
 - Personal use
 - Lobbying
 - Selling and marketing costs

Definitions

- *Allowable cost* – A cost which is appropriately charged to a federal program. To be allowable, a cost must be necessary and reasonable, be allocable (i.e. chargeable in relation to service given) under the federal award, be authorized or not prohibited by state or local law, conform to OMB, be consistently treated as are other costs of the entity, be treated in accordance with Generally Accepted Accounting Principles, not used for matching in another program, be net of applicable credits and be properly documented.

- *Application* - A written request for a grant. Completed by the Grant Manager in request for funds.
- *Catalog of Federal Domestic Assistance (CFDA) Number* - The number assigned to a federal program in the Catalog of Federal Domestic Assistance. Number is in this format: XX.XXX, and is required to be referenced in all reporting activity.
- *Generally Accepted Accounting Principles (GAAP)* - A widely accepted set of rules, conventions, standards and procedures for reporting financial information, as established by the Governmental Accounting Standards Board (GASB).
- *Grant* - A financial assistance award given to an organization to carry out its programmatic purpose.
- *Grant Manager* – The City employee identified as the individual primarily responsible for managing an individual grant’s activities.
- *Indirect Costs* - Costs incurred for a common or joint purpose benefiting more than one cost objective, but not readily assignable to the specific programs benefited. Indirect costs are accumulated and charged by allocation to various programs and activities. Indirect costs are recovered only to the extent of direct costs incurred. The indirect cost rate is applied to the direct cost amount expended, less capital outlay and transfers, not to the total grant award.
- *Matching* - The value of contributions by the entity to support a portion of the project. Many federal programs require a local match.
- *OMB* - The U.S. Office of Management and Budget
- *Single Audit* - Audit in accordance with OMB Uniform Guidance that covers both the entity's financial statements and the federal awards.
- *Terms of A Grant* - All requirements of a grant, whether in statute, regulations or the award document.
- *U.S.C. United States Code* - A consolidation and codification by subject matter of the general and permanent laws of the United States, prepared and published by the United States House of Representatives Office of the Law Revision Counsel generally referred to as Federal law.

References

- City of Newberg Municipal Code Chapter 3.25
- City of Newberg Purchasing Manual
- Clackamas River Water – Operations Manual Policies and Procedures – Policy 1-2-4.001 Federal Grants

- Commonwealth of Virginia, Office of the Comptroller, Policies and Procedures - Federal Grant Management
- OMB Uniform Guidance Code of Federal Regulations; 2 CFR 200

Point of Contact

Prepared for Matt Zook, Finance Director, City of Newberg
503 537-1216 Matt.Zook@newbergoregon.gov

Approval and Revision Dates

Approved by Matt Zook, Finance Director, City of Newberg

Matt Zook
Finance Director – City of Newberg

Approval Date – 6/16/17

Implementation Date – 6/16/17

Subsequent Revision and Approval Dates – 6/29/18

Next Scheduled Review Date – 6/1/19

REQUEST FOR COUNCIL ACTION



Date Action Requested: October 20, 2025

Order ☐	Ordinance ☐	Resolution ☐	Motion ☐	Information ☒	Proclamation ☐
Subject: Difficulty in recruiting Student Commissioners				Staff: Rachel Thomas Department: City Recorder/ Administration	
Work Session ☒ Business Session ☐				Order On Agenda: New Business	

Is this item state mandated? Yes ☐ No ☒

If yes, please cite the state house bill or order that necessitated this action:

Recommendation: Consider options for the student commissioner program, discuss and give the City Recorder direction for proceeding.

Executive Summary: Student Commissioner positions have been on all standing boards, committees, and commissions of the City since 2021. This program has seen successful student representatives who are dedicated to their duties as commissioner and valuable participants in the program. However, the program has also faced challenges in recruiting and filling positions and with absenteeism of appointed student commissioners. School year schedules also lead the challenges as students leave between terms.

Staff can see several avenues for approaching this challenge:

1. Maintain the program in its current form with no changes.
2. Change the current code to eliminate student commissioners.
3. Change the code language to give the option for a student commissioner to be appointed, but leave the option to appoint an adult commissioner should no students apply.

Fiscal Impact: Should changes be made there will be a minimal cost for updating city code, which is reflected in the budget.

Council Goals: This item is not directly related to Council Goals but may help streamline processes.

REQUEST FOR COUNCIL ACTION



Date Action Requested: October 20, 2025

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐

No. 2025-3998

Subject: Establishing rules and guidelines for City Council and City Boards, Committees, and Commissions.

Staff: Rachel Thomas
Department: Administration/ City Recorder

Business Session

Order On Agenda: Continued Business

Hearing Type: Administrative

Is this item state mandated? Yes ☐ No ☒

If yes, please cite the state house bill or order that necessitated this action:

Recommendation: Approve Resolution 2025-3998 Establishing rules and guidelines for City Council and City Boards, Committees, and Commissions.

Executive Summary:

In October 2024 Councilors noted that there was significant confusion caused by the current hearing scripts and council rules and asked staff to look into updates. Following this, the council decided to adopt Goal 4 Objective 2 of the 2025 Council Goals as seen below.

Staff prepared draft rules based on the model rules developed by the League of Oregon City adjusting them as needed to fit the specific needs of the City of Newberg. The Leadership team reviewed and gave feedback on the rules, council reviewed and made changes, and the rules were reviewed by the City's legal team. The proposed final rules incorporating all of this feedback are included in this packet as Exhibit A.

Fiscal Impact: No direct fiscal impact.

Council Goals: Goal 4: Create and maintain a high level of transparency with our residents in order to build trust, Objective 2: Develop new streamlined council rules to institutionalize our administrative enhancements. This will include the following enhancements from the last round of council goals:

- Work sessions prior to each decision item
- Seven-day publication schedule for council packets
- Executive summaries on all council packet items of 100 pages or more
- A more streamlined parliamentary procedure



RESOLUTION NO. 2025-3998

A Resolution Establishing rules and guidelines for City Council and City Boards, Committees, and Commissions.

Recitals:

1. The City Council desires to update and refresh current council and committee guidelines to ensure transparency and institutionalize practices.
2. Resolution 3485, 3625, and 3804 previously established Council Rules and Guidelines.

The City of Newberg Resolves as Follows:

1. Adopt the Newberg City Council, Board, Committee, and Commission Guidelines 2025 as seen in Exhibit A.
2. Repeal Resolutions 3485, 3625, and 3804.

Effective Date of this resolution is the day after the adoption date, which is: October 21, 2025.

Adopted by the City Council of Newberg, Oregon, this 20 day of October 2025.

Rachel Thomas, City Recorder

Attest by the Mayor this 20 day of October, 2025.

Bill Rosacker, Mayor

Newberg City Council, Board, Committee & Commission Guidelines 2025

Contents

CHAPTER 1 – General Governance	2
CHAPTER 2 – Meeting Time, Location and Frequency	7
CHAPTER 3 – Ordinances and Resolutions	10
CHAPTER 4 – Land Use Hearings	11
CHAPTER 5 – Motions, Debate, Public Comment and Voting	16
CHAPTER 6 – Minutes	21
CHAPTER 7 – Appointments	21
CHAPTER 8 – Ethics, Decorum, Outside Statements.....	23
CHAPTER 9 – Interactions with Staff & City Attorney	24
CHAPTER 10 – Censure	25
CHAPTER 11 – Amendment and Repeal.....	25
OUTLINES FOR PUBLIC HEARINGS.....	27

CHAPTER 1 – General Governance

I. Rules of Procedure

- A. These rules are intended to govern City Council and all boards, committees, and commissions (hereafter referred to as standing committees) of the city.
- B. Unless otherwise provided by charter or ordinance, Council meetings, and the meetings of any board, commission, or committee of city council, shall be guided by Robert's Rules of Order for Small Boards.¹ These rules are adopted according to NMC, Charter, Ch III, Section 11.
- C. Members of the council or governing body are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert's Rules of Order when such points will obscure the issues before the council and confuse members of the public.
- D. Whenever these rules and Robert's Rules of Order conflict, these rules shall govern.

II. Quorum

- A. A quorum is required to conduct official city business.²
- B. The members of the council are the city councilors and mayor. The members of a standing committee are as defined at their creation. Fifty percent plus one of the members of the council or a standing committee shall constitute a quorum. Vacancies in office do not count towards determining a quorum.
- C. In the event a quorum is not present, the members of the governing body present shall adjourn the meeting, or a smaller number may meet and compel attendance of absent members as outlined in Rule II D.
- D. When a quorum is not present at the time set for a meeting or when a quorum has been present and a meeting has commenced, but a quorum is no longer present, any member may move for a call of the house.
 - 1. The motion will be put in the following form: "I move for a call of the house." That motion will take precedence over all other business. The motion need not be seconded, but it is subject to discussion. At least two members present must concur for the call of the house motion to pass. If the motion is passed, then all unexcused absent members will be requested to attend or return to the meeting. The city manager will provide the administrative staff assistance necessary to compel the attendance of the unexcused absent members at the meeting. The presiding officer is authorized to recess the meeting to a

¹ Robert's Rules of Order Newly Revised, 12th edition, section 49:21.

² NMC Charter, CH 3, Section 13.

certain time while attendance is being compelled.

III. Presiding Officer

A. City Council:

1. The mayor shall preside over all meetings. The mayor shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity.³
2. If the mayor is absent or otherwise unable to preside, the president of the council shall preside over the meeting. The president of the council shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity.⁴
3. If both the mayor and the president of the council are absent from the meeting or otherwise unable to preside, the following procedure shall be utilized to determine who is the presiding officer:
 - a. The city recorder shall call the council to order and call the roll of the members.
 - b. Those members of council present shall elect, by majority vote, a temporary presiding officer for the meeting.
 - c. Should either the mayor or the president of the council arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.
 - d. The presiding officer shall retain all rights and privileges of a member of council when acting in this capacity.
 - e. This process may be used to elect a presiding officer for a portion of a meeting if the mayor or council president is unable to preside over a single item.

B. Standing and Ad-Hoc Committees:

1. The chair shall preside over all meetings.
2. In the chair's absence the vice chair shall preside over the meeting.
3. If both the chair and vice chair are absent from the meeting or otherwise unable to preside, the following procedure shall be utilized to determine who is the presiding officer:
 - a. The staff liaison shall call the meeting to order and call the roll of the

³ (NMC, Charter, Ch III, Section 9)

⁴ (NMC, Charter, Ch III, Section 10).

members.

- b. Those members present shall elect, by majority vote, a temporary presiding officer for the meeting.
- c. Should either the chair or vice chair arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.
- d. The presiding officer shall retain all rights and privileges of a member when acting in this capacity.
- e. This process may be used to elect a presiding officer for a portion of a meeting if the chair or vice chair is unable to preside over a single item.

IV. Other Elected and Appointed Officers

- A. City Manager. The city manager is required to attend all meetings of the council, unless excused by council, and is permitted to participate in any discussion; however, the city manager has no authority to cast a vote on any decision rendered by the council.⁵
- B. City Attorney. The city attorney may attend any meeting of the council, and will, upon request, give an opinion on legal questions, either written or oral.
- C. City Recorder. The city recorder or designee shall be the parliamentarian and shall advise the presiding officer on any questions of order. Additionally, the city recorder shall keep the official minutes of the council.

V. Agendas

- A. The city recorder or designee shall prepare an agenda for every regular meeting, and for every special meeting. Staff liaisons serve as the designee for all standing committee meetings.
- B. Agendas and informational material for meetings shall be distributed to the council at least 7 days preceding the meeting. Supplemental items will be distributed at least 2 days prior to the meeting. Agendas and informational materials for standing committees should be distributed at least 7 days prior to the meeting and are required to be distributed more than 48 hours in advance of the meeting.⁶
- C. The mayor's approval shall be required for the publication of an agenda of any council meeting.
- D. With the consent of the mayor, the city manager may remove any items on the council agenda at any time prior to a meeting convening. The presiding officer

⁵ (NMC, Charter, Ch VIII, Section 34, e, 1.)

⁶ Note: Some actions taken by council and or standing committees may require even more notice. All legal requirements for notice shall be followed.

shall announce such removal under announcements/proclamations.

- E. A member of the council who wishes to have an item placed on the agenda shall advise the city manager and get the approval of the mayor at least 10 days prior to the meeting. A member of a standing committee who wishes to have an item placed on the agenda shall advise their staff liaison and get the approval of the chair at least 10 days prior to the meeting.
- F. If a request to include an agenda item is denied, written explanation shall be provided by the presiding officer to the requesting council member at least seven days prior to the meeting. If denied, the requesting council member may request, during the meeting and in open session, that the item be placed on the agenda. If the requesting council member obtains the support of at least one other council member, the item will be included on the agenda.
- G. Notwithstanding anything to the contrary above, the council may consider items which are not listed on a published agenda.
- H. Written Communications to Council
 - 1. Unsolicited communications to the mayor and/or council concerning matters that are not on an agenda shall be forwarded to the mayor and/or council but shall not be included in the agenda packet.
 - 2. The city manager may, under their discretion, bring any matter raised by unsolicited communication to the attention of the council as an agenda item, provided that such communication is accompanied by a staff report which sets forth the reason the matter should be considered by the council, and making a recommendation for council action.
- I. All items submitted to the council packet will require an executive summary of the decision before the council, and items over 100 pages in length will require an index, or hyperlinks, to the specific sections and attachments.
- J. Items that are legislative in nature, or that are deemed complex, will have a work session before the hearing, resolution, or main decision point is brought before the council. This may be waived by a majority of council.

VI. Order of Business

The order of business for all regular meetings of City Council shall be as follows. However, when it appears to be in the best interest of the public, the order of business may be changed for any single meeting with the approval of the mayor. Agendas for special meetings may follow this order or be adjusted according to the purpose of the meeting. Committees may follow this order or set their own agenda order as desired.

- A. **Call to order**
- B. **Roll call**

- C. **Pledge of Allegiance**
 - D. **Announcements**
 - E. **Proclamations and Awards**
 - F. **City Manager's Report**
 - G. **Public comment on items not on the agenda**
 - H. **Consent Agenda**
 - I. **Continued Business**
 - J. **New Business**
 - K. **Council Business**
 - L. **Adjournment**
-
- A. **Call to Order.** The presiding officer shall call all meetings of the council to order.
 - B. **Roll Call.** The city recorder or staff liaison shall conduct a roll call to determine which members of the body are present and which are absent.
 - 1. The attendance shall be properly reflected in the minutes.
 - 2. If roll call determines that a quorum is not present, this shall be addressed by Rule II.
 - C. **Pledge of Allegiance** This will be led by the presiding officer.
 - D. **Announcements.** Announcements are intended to be procedural in nature, such as an item being removed from the agenda, motions to reorder, insert or change agenda items. This also includes motions to remove items from the consent calendar.
 - E. **Proclamations and Awards.** Proclamations are awards or recognition of individuals by the council.
 - F. **City Manager's Report.** The City Manager will give a report at each regular council meeting with updates from all departments of the city. The first report of each month will include narrative information, the second report of each month will include statistical information. The council may ask questions of the city manager upon conclusion of the report being given. The city manager may call upon his staff to assist in answering questions.
 - G. **Public Comment - See Chapter 5, Section III.**
 - H. **Consent Agenda.** To expedite the council's business, routine agenda items shall be placed on the consent agenda.
 - 1. All items on the consent agenda shall be approved by a single motion, unless an item is pulled for further consideration.

2. Any item on the consent agenda may be removed for separate consideration by any member.
 3. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the request for council action, a determination that debate on a proposed course of action is deemed desirable, any questions to staff on an item, and any item where a member must declare a conflict of interest.
- I. Continued Business. This section of the agenda will include items that are being returned to council after previous introduction, work session, or consideration at a recent meeting.
 - J. New Business. This section of the agenda will include items that are being considered for the first time. This may include topics freshly presented to council after a period of more than six months.
 - K. Council Business. To include appointments, reports from councilors on standing committees, nominations and similar council business.
 - L. Adjournment. Meetings will be adjourned by the presiding officer.

CHAPTER 2 – Meeting Time, Location and Frequency

I. City Council

- A. Regular meetings
 1. The council shall meet every first and third Monday evening of each month, except for meetings falling on designated holidays, which will be held on the next business day. Regular meetings shall begin at 6 p.m. Should there be a lack of business, lack of quorum, or other conflict, the meeting may be cancelled, with consent of the mayor, providing at least one meeting occurs in the given month.⁷ Regular meetings will limited to 4 hours and will be adjourned by 10pm except by majority vote of the body.
- B. Special meetings
 1. Special meetings may be called by the presiding officer or by request of three members.
 2. Notice of a special meeting of council shall be given to all members of the council and the city manager via email. Should the meeting occur within 72 hours of the notice, all attempts will be made to reach the council and city manager by telephone.
 3. Special meetings shall be noticed in accordance with Oregon's public

⁷ NMC, Charter, Chapter 3, Section 12

meetings law, and, at a minimum, shall be noticed at least 24 hours prior to the meeting taking place. Notice of the special meeting shall be given to each member, the city manager or staff liaison, and each local newspaper, radio, and television station which has requested notice of special meetings.

C. Emergency meetings

1. Emergency meetings are those meetings called with less than 24 hours' notice and the council shall identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.
2. Emergency meetings may be called by the mayor by the request of three members of council, or by the city manager.
3. Emergency meetings may only be held by City Council.
4. Notice of the emergency meeting shall be given to each member of the council, the city manager, and all reasonable attempts will be made to inform each local newspaper, radio, and television station which has requested notice of meetings.
5. Notice of the emergency meeting shall be given to all members of council and the city manager via telephone and email.
6. The minutes for any emergency meeting shall specifically identify why the meeting constituted an emergency and was necessary.

D. Executive Sessions.

1. Executive sessions may only be held by City Council. Executive sessions may be called by the presiding officer, at the request of three members of council, by the city manager, or by the city attorney.
2. Only members of the council, the city manager and persons specifically invited by the city manager or the council shall be allowed to attend executive sessions. Generally, the city recorder will be present to take minutes, if excused, another minute taker will be identified.
3. Representatives of recognized news media may attend executive sessions, other than those sessions during which the council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation, and the news media is a party to the litigation.
4. Cameras, tape recorders, and other recording devices may not be used in executive sessions, except for any official executive session recording made by city staff.
5. All executive sessions will be held in person only, without a virtual attendance option, unless a virtual option is approved by a majority vote in open session.

E. Work Sessions

1. Work sessions are permitted to present information in preparation for regular or special meetings.
2. All work sessions are subject to Oregon's public meetings law and must be noticed accordingly.
3. Work sessions are intended to allow for preliminary discussions, and the council or committee is not permitted to take formal or final action on any matter at a work session.
4. Work sessions may be called by the presiding officer, at the request of three members of Council, by the city manager, or by the city attorney.
5. The city manager is to invite any relevant staff to work sessions so that the sessions are as productive as possible.

II. Board, Commission, and Committee Meetings

- A. Shall meet according to the schedule produced by the city recorder's office each year. This will be developed in accordance with the code, resolution, law, and necessity. Committees may add additional meetings or reschedule meetings if necessary.
- B. Must be properly noticed in accordance with Oregon Public Meetings Law.
- C. Meetings may be canceled due to lack of quorum or lack of business by the presiding officer.

III. Location

- A. Council meetings shall be held in the Denise Bacon Room in the Public Safety Building and simultaneously through Zoom or other virtual meeting platforms. Board, commission, and committee meetings will be held in various locations as appropriate, as noticed on the meeting agenda, and simultaneously through Zoom or another virtual meeting platform.
- B. In the event the regular meeting room is not available for a meeting, the meeting shall occur at a venue open to the public which is located within the jurisdictional limits of the city. All meeting locations shall meet the requirements of Oregon's Public Meeting Law.
- C. At the direction of the presiding officer, the meeting may also move to a fully virtual format. (For example: In the case of inclement weather.)
- D. Training sessions may be held outside of the city's jurisdictional limits, provided no deliberations toward a decision are made.
- E. Interjurisdictional meetings may be held outside of the city's jurisdictional limits but

should be held as close as practical to the city, and such meetings shall be located within the jurisdictional boundaries of the other government entity.

IV. Notice

- A. The city recorder or designee shall provide notice of all meetings in accordance with Oregon's public meeting law.

V. Attendance

- A. Members of council or committees shall advise the presiding officer and city manager/city recorder/staff liaison if they will be unable to attend any meetings.
- B. Under Article VII, Section 32 of the charter, a council position becomes vacant upon declaration of the council if the member of council is absent from the city for 30 days or more without council consent, or from all meetings of the council within a 60-day period without council consent.
- C. Committee members may be excused from their position if they are not present for at least 75% of meetings in a year in accordance with Title II, Chapter 2.15.005 (D.) of the Newberg Municipal Code.
- D. Members may attend meetings in person or virtually by phone or video conferencing.

CHAPTER 3 – Ordinances and Resolutions

I. Ordinances

- A. All ordinances considered by and voted upon by the council shall adhere to the rules outlined herein. Sections 16 and 17 of city charter provide that the council exercises its legislative authority by adoption of ordinances.
- B. Except as authorized by subsection (C), adoption of an ordinance shall, before being put upon its final passage, be fully and distinctly read in open council meeting.
- C. The reading may be by title only if no council member present at the meeting requests to have the ordinance read in full, provided the proposed ordinance is available in writing to the public at least one week before the meeting.
- D. Any substantive amendment to a proposed ordinance must be read aloud or made available in writing to the public before the council adopts that ordinance.
- E. Upon the final vote on an ordinance, the ayes and nays of the members shall be taken and entered in the record of proceedings. The concurrence of a majority of the entire membership of the council shall be required for the passage of an ordinance.
- F. After adoption of an ordinance, the city recorder must endorse it with the date of adoption and the city recorder's name and title.

- G. A script for the adoption of an ordinance will be followed to ensure compliance with these rules. See attachments.
- H. Effective Date: An ordinance shall take effect 30 days after adoption or at a later date to be specified in the ordinance.
 - 1. The following shall take effect immediately upon its passage:
 - a. Ordinances making appropriations and the annual tax levy; and
 - b. Emergency ordinances.

II. Resolutions

- A. Resolutions considered by and voted upon by the council or committee shall adhere to the rules outlined here.
- B. An affirmative vote of a majority of the council or committee present shall be necessary to pass a resolution.
- C. When a resolution is rejected, and is not reconsidered as provided by these rules, neither the resolution, nor any other resolution which contains substantially the same provisions, shall be considered for a period of not less than three months, unless at least three members petition for early consideration. Resolutions containing substantial amendments may return for consideration within the 3 month window.
- D. Reconsideration
 - 1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
 - 2. No motion shall be made more than once.
 - 3. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the body.
- E. Effective date. A resolution shall become effective upon adoption unless otherwise stated in the resolution.

CHAPTER 4 – Land Use Hearings

I. General Conduct of Hearings

- A. Any party may speak in person or through their attorney.
- B. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the city recorder at the time the party makes his or her presentation. The party must also bring 10 copies of the written testimony for the council/commission and staff.

- C. If a party desires to make its testimony or evidence available as part of the meeting's agenda packet, it must be submitted to the city recorder or designated staff by noon the Friday before the meeting for council meetings, or 2 days ahead for all other meetings.⁸ If the testimony or evidence is not submitted to the city recorder or designated staff by this deadline, it still may be submitted to the city recorder or designated staff at the time of the hearing and included in the record, but it shall not be included in the meeting's agenda packet.
- D. No person may speak more than once without obtaining permission from the presiding officer.
- E. Upon being recognized by the presiding officer, any member may question any person who testifies.
- F. As directed by the presiding officer, staff may question any person who testifies.
- G. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the council.
- H. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the city recorder or staff liaison shall note the numbers of such persons for the record in the minutes. Persons testifying are asked to avoid repeating testimony already entered into the record and instead indicate support if they are in agreement with such testimony.
- I. The presiding officer may reduce time limits for testimony equally based on the number of people signed up to speak, respectively, "in favor" or "opposed", to ensure all parties have an opportunity to speak and to ensure compliance with statutory shot clocks for land use decision making.⁹

II. Quasi-Judicial Land Use Matters

A. Scope of Review

- 1. All appeals of quasi-judicial land use proceedings shall be conducted pursuant to NMC 15.100.160 through 5.100.190, Appeals.

B. Conflicts of Interest, Abstention, Recusal, Ex Parte Communications

- 1. A member of the council or commission shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:
 - a. The member has an actual conflict of interest, as defined by the Oregon Revised Statutes or the city charter/rules and must recuse from participation. The disclosure and recusal must be noted in the minutes.

⁸ (see Chapter 5, Section 3

⁹ (See also, Part II, Quasi-Judicial Land Use Matters - Hearing Procedures)

- b. The member was not present during the public hearing and must abstain from participation. However, the member may participate if they reviewed. The evidence, including recordings of the hearing, and declared such fact for the record.
 - c. The member has a bias, as determined by applicable law, that prevents them from considering evidence and applying applicable criteria in making an impartial decision on the application.
- 2. Members shall disclose all ex parte contacts regarding the proceeding at the commencement of any quasi-judicial land use proceeding. If the disclosed ex parte communication results in bias and/or a conflict of interest, the member shall recuse from participation as stated in (II)(B)(1)(a) and (c) above.
 - 1. “Ex parte contact” means contact from one side of an issue affecting a land use proceeding without the benefit of hearing the other point of view.

C. Burden of Proof

- 1. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.
- 2. The decision shall be based on the applicable standards and criteria as set forth in the city’s municipal code, including if applicable the city’s comprehensive plan and any other land use standards imposed by state law or administrative rule.
- 3. Proponents, any opponents, and those who are neutral on the proposal may submit written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.
- 4. City staff may submit supplemental written findings in response to testimony and as requested by the hearing body to address questions raised during the hearing.

D. Hearing Procedures

The order of hearings in quasi-judicial land use matters shall be:

1. *Land Use Hearing Disclosure Statement*

The city attorney, presiding officer, or their designee, shall read the land use hearing disclosure statement, which shall include:

- a. A list of the applicable criteria;
- b. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use

regulation which the person believes to apply to the decision;

- c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the council or other hearing body and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and
- d. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

2. *Call for ex-parte contacts*

- a. The presiding officer shall inquire whether any member has had ex-parte contacts. Any member announcing an ex parte contact shall state for the record the nature and content of the contact.
- b. “Ex parte contact” means contact from one side of an issue affecting a land use proceeding without the benefit of hearing the other point of view. Ex parte contact can also be access to evidence or information that is not available to the public or the hearing body, which may include visiting the site of a land use application.

2. *Call for recusals*

- a. The presiding officer shall inquire whether any member must recuse from participating in the hearing due to a conflict of interest.
- b. Actual Conflict of Interest: If a member announces an actual conflict of interest, as outlined by Oregon Revised Statutes or the city charter/rules, that member must recuse themselves and leave the hearing. The recusal is recorded in the minutes.
- c. Potential Conflict of Interest: If a member has a potential conflict of interest, they can declare the potential conflict and continue participation in the matter. The declared potential conflict is recorded in the minutes.
- d. Any member announcing a conflict of interest shall state the nature of the conflict, and if the conflict requires recusal, shall not participate in the proceeding unless the person’s vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member shall not participate in any discussion or debate on the issue of which the conflict arises.

3. *Staff summary*

- a. Planning staff shall present a summary and recommendation concerning the proposal.

4. *Presentation of the Case*

- a. Proponent’s case. Twenty minutes total.

- b. Persons in favor. Five minutes per person.
- c. Persons opposed. Five minutes per person.
- d. Other interested persons. Five minutes per person.
- e. Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.

5. *Close of hearing*

- a. No further information shall be received after the close of the hearing, except for specific questions directed to staff. If the response to any such questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.

6. *Deliberations*

- a. Deliberations shall immediately follow the hearing. The body may delay deliberations to a subsequent time to be specified.

7. *Findings and Order*

- a. The body may approve or reject the proposal.
- b. The body shall adopt findings to support its decision.
- c. The body may incorporate findings proposed by the proponent, the opponent or staff in its decision.

B. Continuances

- 1. A party can request either a hearing continuance or an open record period as provided by Oregon Revised Statutes. However, nothing in this section shall restrict the council, in its discretion, from granting additional continuances.
- d. There is a 120-day time limitation for the city to make a final land use decision, imposed by the Oregon Revised Statutes, and this 120-day period is not extended unless the applicant requested the continuance or if the applicant otherwise agrees to the extension of the time limitation.¹⁰

III. Legislative Land Use Matters

A. Hearings Procedures

- 1. The order of procedures for hearings on legislative land use matters shall be:
- 2. *Call for abstentions*
 - a. Inquire whether any member wishes to abstain from participation in the

¹⁰ See ORS 227.178.

hearing. Any member announcing an abstention shall identify the reason therefore and shall not participate in the proceedings. The City Recorder or designated staff shall record the abstention in the minutes.

3. *Staff summary*

- a. Staff shall present a summary of the proposal, statement of the applicable criteria, and recommendations concerning the proposal.

4. *Presentation of the Case*

- a. Staff Presentation or Proponent's case. As approved by the presiding officer.
- b. Persons in favor. Five minutes per person.
- c. Persons opposed. Five minutes per person.
- d. Other interested persons. Five minutes per person.

5. *Close of hearing*

- a. No further information shall be received after the close of the hearing, except for responses to specific questions directed to staff.

6. *Deliberations*

- a. Deliberations shall immediately follow the hearing. The body may delay deliberations to a subsequent time to be specified.

7. *Reopening Hearing*

- a. Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the body, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

CHAPTER 5 – Motions, Debate, Public Comment and Voting

I. Motions

A. The following rules shall apply to motions:

- 1. All motions shall be distinctly worded using plain language.
- 2. If a motion does not receive a second, it dies.
- 3. The body will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
- 4. Any motion shall be reduced to writing if requested by a member.
- 5. A motion to amend can be made to a motion that is on the floor and has been seconded.
- 6. Amendments are voted on first, then the main motion if voted on as amended.

7. No motion shall be received when a question is under debate except for the following:
 - a. To lay the matter on the table; (Put the issue on indefinite hold.)
 - b. To call for the previous question; (End debate and immediately vote.)
 - c. To postpone; (Delay until a specified time.)
 - d. To refer; or (Send the matter to another committee or person for more information or a recommendation.)
 - e. To amend. (To change the motion on the table.)
8. A motion may be withdrawn by the mover at any time without the consent of the body.
9. A member may have a motion which contains several elements divided, but the mover shall have the right to designate which element will be voted on first.
10. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
 - a. A call for the question fails without a majority vote.
 - b. Debate on the main subject resumes if the motion fails.
11. A motion that receives a tie vote fails.
12. The presiding officer shall cause the motion to be stated before the vote.
13. A motion to adjourn cannot be amended.

B. Motion to Reconsider

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
2. No motion shall be made more than once.
3. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the body.

II. Debate

- A.** The following rules shall govern the debate of any item being discussed by the council or committee:
1. Every member desiring to speak shall address the presiding officer, and, upon recognition by the presiding officer, shall confine him/herself to the question under debate, at all times acting and speaking in a respectful manner.
 2. A member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided.

III. Public Comment

A. Public Comment

1. Public comment may be received at regular council meetings, standing committee meetings, and certain ad hoc committee meetings. The public shall have the right to comment at City Council meetings on all items that require a vote by the City Council, and the City Council will accept public comment unrelated to agenda items. Because of the limited role, purpose, and authority of standing committees and ad hoc committees, and in order to promote efficiency and maintain order, standing committees will only receive public comment related to the subject of the committee or topics at that meeting, while ad hoc committees will receive public comment only to the extent it is specifically included in their directives. .
2. When an interested person addresses the council or gives oral comments, that person should state their name and indicate if they are a resident of the city.
3. Public comment is a time for comment; it is not a time for debate, nor is it a time for members of the public to ask questions of and receive answers from the council or city staff.

B. Public Comment Registration

1. Those giving public comment are required to register on the city website (by noon on the day of the meeting) or in person at the public meeting before making comments and/or providing input at the meeting.
2. Registration is due before the meeting is called to order, except in the case of public hearings. An interested person shall register separately for each subject under which they wish to provide comment.
 - a. For public hearings, public comment registration will close when the public testimony portion of the hearing is closed.
 - b. The public comment registration forms will be made part of the meeting records in accordance with OPML. The registration forms will contain a provision by which a person may indicate that they do not wish for their address, phone number, and email address to be released in any public records request.
 - c. A form complying with this rule will be available at all meetings. The city recorder is delegated the authority to draft, revise, and produce the necessary form that complies with this rule.
3. Those desiring to give public comment over the phone or through the virtual meeting option (Zoom or other virtual meeting platforms) are required to register by noon the day of the meeting.
 - a. Should the meeting take place before 3pm, registration will be required by noon the day before the meeting, should this registration deadline fall on a weekend, registration will be due the Friday prior to the meeting. No Zoom

or other virtual meeting platforms or phone comments will be received without prior registration.

C. Non-Agenda Items and Consent Calendar

1. Persons speaking to the council from the floor concerning items not on the agenda or items that are on the consent calendar will speak under general public comments. Those people will be given the opportunity to speak for no more than five 5 minutes. Speakers may share their time at the discretion of the mayor.
2. The maximum time allowed for public comments, including all speakers, is thirty 30 minutes. The mayor has the discretion to extend these time limits. Speakers may address the council for less than their allotted time.

D. Agenda Item other than Consent Calendar

1. Except as required by state statute, the following procedure will apply to comments on agenda items, other than those on the consent calendar. People will be given the opportunity to speak no more than five (5) minutes following the introduction of the item. Speakers may share their time at the discretion of the mayor. The mayor has the discretion to extend these time limits. Speakers may address the council for less than their allotted time.

E. Written Materials

1. Comments including any attachments (written comment, images, etc.), can be emailed to the City Recorder or dropped off at City Hall by 12:00 p.m. (noon) the Friday before the meeting. Materials more than 10 pages long should be submitted as early as possible to ensure sufficient time for council review. Written comment must be accompanied by a public comment registration form.
2. If written comment cannot be provided prior to the deadline, members of the public are to bring 10 printed copies of the item to the meeting and provide one copy to the City Recorder or staff member taking public comment registrations.
3. Written comments will not be read into the record unless specifically requested by the individual submitting the comment, those read into the record will be read through digital means. The reading of written comment will be limited to the 5 minute public comment period.

F. Electronic Materials

1. Speakers may submit electronic audio or visual material to be played during the time permitted for their comment.
2. Speakers must provide the materials in a format compatible with city software to the City Recorder on the Friday prior to the council meeting by 12:00 p.m. so that it may be installed on the city's equipment to avoid delays or disruption

of the meeting. All items will be virus screened and will not be used should a threat be detected.

G. Multiple Speakers

1. Should there be more speakers than can be heard during the 30 minutes allowed for public comment, the presiding officer may reduce the time allotted to each speaker or may extend the comment period.

H. Council or Member Inquiries

1. Councilors or committee members may, upon recognition by the presiding officer, ask questions of speakers during public comment. Members shall use restraint when exercising this option and shall attempt to limit questions to no more than three minutes. The presiding officer, may intervene if a member is violating the spirit of this guideline.

IV. Voting

The following rules shall apply to voting on matters before the council. The express approval of a majority of a quorum of the council is necessary for any council decision, except as otherwise set forth in these rules or when the charter requires approval by a majority of the council. For standing committees, the express approval of a majority of the quorum is necessary for any decision.

A. Consent Agenda

A majority of quorum present is required to approve the matters on a consent agenda.

B. Resolutions

A majority of quorum present shall be required to pass a resolution.

C. An Ordinance

A majority of all council members is required to pass an ordinance.

D. Emergency Ordinance

An emergency ordinance shall require the majority of quorum present.

E. Budget

The budget shall require majority of quorum present to pass.

F. Suspension of Rules

A majority of quorum present shall be required to suspend or rescind a rule contained in these rules of procedure, however, rules which also appear in the city's charter shall not be suspended or rescinded.

G. All votes shall be recorded in the minutes and may not be by secret ballot.

H. Ties

Tie votes shall indicate a denial of the proposal. If the tie is a matter that has been appealed from a lower city body or commission, a tie shall render the lower body's decision approved.

CHAPTER 6 – Minutes

I. Generally

- A. All minutes shall be in written form, in addition, an electronic copy of the meeting recording will be maintained by the city recorder in accordance with the appropriate record retention schedule.
- B. The minutes shall be action minutes and contain the following information:
 - 1. The date, time and place of the meeting;
 - 2. The members present and absent;
 - 3. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
 - 4. The results of all votes and the vote of each member by name; and
 - 5. The substance of any discussion.

CHAPTER 7 – Appointments

I. Appointments of City Staff

- A. The council appoints and can remove those positions identified in the city's charter. This includes City Attorney and Municipal Judge.
- B. Appointments and Removals

All appointments and removals require a majority vote of the entire council.
- C. Interference

If the council appoints a municipal judge, the council may meet with the judge, but in no instance shall the council be permitted to interfere with the judge's exercise of judicial authority or discretion.

II. Appointments of Members to Boards, Commissions and Committees

- A. Unless otherwise mandated by applicable law, the mayor shall appoint the members of any standing board, commission, or committee with the consent of the council in accordance with the code, resolution, or law that governs them.
 - 1. Standing boards, commissions or committees are those established by the

municipal code, resolution, or state law, intended to be permanent or long-term, to fulfill an ongoing need of the city. (ex. Budget Committee, Historic Preservation Commission, Planning Commission)

B. Ad-Hoc Committees

1. The mayor may form ad-hoc committees to deal with specific tasks within specific timeframes and make recommendations to the council. Ad-hoc committees are intended to be temporary.
2. The mayor will establish the membership criteria for the ad-hoc committees. Residency does not have to be a required criterion. The mayor will appoint members of the ad-hoc committees, subject to council ratification.
3. The mayor may remove any member of the ad-hoc committee at any time. Members of the committee will be removed if the member fails to attend two 2 consecutive meetings of the committee without being excused prior to the meeting.
4. The mayor has the authority to grant an excused absence, and in the mayor's absence, the committee chair has the authority.
5. The mayor will designate the chairperson and the vice chair. Members will continue to serve until their mission is accomplished, replacement or reappointment.
6. Each member of the ad-hoc committee will have an equal vote on the committee. The reports of the ad-hoc committee will have only the authority of recommendations to the council.
7. The meeting time and place of the committee will be decided by the chair with the consent of the committee. The meeting time and place may be changed provided there is adequate notice. The chair will have the authority to cancel any meeting of the committee for lack of business or necessity to meet.
8. A majority of the committee may request a meeting. All meetings are public meetings and will be conducted in accordance with the OPML.
9. The city manager will have the responsibility to furnish the necessary staff support for each ad-hoc committee.
10. The committee will not have the authority to assign specific tasks to any staff person of the city but will work through the city manager.

C. Removals

Except as otherwise required by applicable law, all appointed board, committee, or commission persons may be removed by the mayor with the consent of council.

CHAPTER 8 – Ethics, Decorum, Outside Statements

I. Ethics

- A. All members of the council and committees shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the council shall refrain from:
 - 1. Disclosing confidential information.
 - 2. Taking action which benefits special interest groups or persons at the expense of the city as a whole.
 - 3. Expressing an opinion contrary to the official position of the council or committee without so saying.
 - 4. Conducting themselves in a manner so as to bring discredit upon the government of the city.

II. Decorum

- A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the council or committee.
- B. Members shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.
- C. Members of the city staff and all other persons attending meetings shall observe the council's rules of proceedings and adhere to the same standards of decorum as members.

III. Statements to the Media and Other Organizations

A. Representing the City

If a member of the council or committee, including the mayor, appears as a representative of the city before another governmental agency, the media (including social media) or an organization to give a statement on an issue, the member may only state the official position of the city, as approved by a majority of the council or committee.

B. Personal Opinions

If a member of the council or committee, including the mayor, appears in their personal capacity before another governmental agency, the media (including social media) or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the city before giving their statement.

C. Suggested Language

Councilors and committee members are encouraged to use statements such as “This is my personal opinion and not the official opinion of the Newberg City Council (or relevant body).”

CHAPTER 9 – Interactions with Staff & City Attorney

I. Staff

- A. All members of the council and committees shall respect the separation between their role and the city’s manager’s responsibility by:
1. Not interfering with the day-to-day administration of city business, which is the responsibility of the city manager.
 2. Refraining from actions that would undermine the authority of the city manager or a department head.
 3. Refraining from contacting the City Manager or Department Heads from 6pm Friday- 6am Monday, except in the case of an emergency.
 4. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff’s day-to-day responsibilities. Questions of a more complex nature shall be directed to the city manager.
 - a. Questions from individual members of the council requiring significant time or resources (2 hours or more) shall require the approval of the council.
 - b. Members of the council shall share any information obtained from staff with the entire council.
 - c. This section is not intended to apply to questions by members of the council acting in their individual capacity. Inquiries of a personal nature (i.e. utility billing issues, personal permits) shall be handled through the avenues available to all citizens.
 - d. This section is not intended to apply to questions regarding conflict of interest or similar issues particular to a member of the council.

II. City Attorney

- A. Council members may make requests to the City Attorney for information and advice in relation to council business.
1. Council members should understand that the City Attorney must prioritize the city’s legal issues and may not be able to respond immediately to Council requests.
 2. Requests for legal advice that require greater than two hours of attorney time

will require the concurrence of the majority of the Council.

CHAPTER 10 – Censure

I. Rules Violations

- A. The council may enforce these rules and ensure compliance with city ordinances, charter, and state laws applicable to governing bodies.
- B. If a member of council violates these rules, city ordinances, the city charter, or state laws applicable to governing bodies, the council may take action to protect the integrity of the council and discipline the member via:
 - 1. Public reprimand;
 - 2. Removal from committee assignments; and/or
 - 3. The removal from the position of council president.

II. Investigating Violations

- A. The council may investigate the actions of any member of council and meet in executive session under ORS 192.660(2)(b) in order to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the city charter, or state laws applicable to governing bodies has occurred.
- B. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

CHAPTER 11 – Amendment and Repeal

I. Amendment

- A. These rules of procedure are subject to amendment by the council in accordance with the rules noted herein.
- B. Any proposed amendment to these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed and open for comment by the public.
- C. All amendments to these rules require a majority vote.
- D. Amended rules shall not go into effect until the meeting after the rule is approved.

II. Repeal

- A. These rules of procedure are subject to repeal and replacement by the council in accordance with the rules noted herein.
- B. Any proposed repeal of these rules shall be accompanied by a proposed replacement.
- C. Any proposed repeal and replacement of these rules shall be done by resolution, noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.
- D. Any repeal and replacement of these rules requires a majority of the full council vote.
- E. Any repeal and replacement of these rules shall not go into effect until 30 days after the replacement rule was approved unless otherwise noted in the resolution.

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► LEGISLATIVE HEARING ◄◄

1. CALL TO ORDER

Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	Script
	Presiding Officer: This hearing is to consider [topic of hearing]. At this time, I will open the public hearing. Citizens will be able to testify on this issue by first submitting a public comment registration at the back table should they wish to speak.

2. DECLARATION OF CONFLICTS OF INTEREST OR ABSTENTIONS

	Script
	Presiding Officer: Do any members of this [council, board, committee, or commission] need to declare a conflict of interest, abstention, or ex-parte contact? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

The presiding officer announces time limits Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.	Script
	Presiding Officer: I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close.

6. RECOMMENDATIONS FROM STAFF

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

7. COUNCIL DELIBERATION

Councilors should seek acknowledgement and then speak on the issue	Script
	Presiding Officer: Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

8. ORDINANCE DECISIONS

Ordinances - Action usually requires passage of an ordinance; the relevant motions are listed in the Ordinance Action Guide.

ORDINANCE ACTION GUIDE

First action: Waive the second reading.

If this is the first meeting in which this ordinance is considered, council should waive the second reading through the following motion.

Script

Presiding Officer: I move to waive the second reading of Ordinance [#####].

Second action can be one of 4 steps:

1. Motion for Approval

Script

Presiding Officer: I move to approve Ordinance [#####], [Title]

2. Motion to Read in Full

Script

Presiding Officer: I move to approve Ordinance [#####], [Title] and ask that it be read in full.

3. Motion to Approve Amended Ordinance

Amended ordinance must be read in full if approved in the same meeting as amendments are made.

Script

Presiding Officer: I move to approve Ordinance [#####], [Title] with amendments and ask that amendments be read in full.

4. Motion to Table the Ordinance Motion:

Script

Presiding Officer: I move to table this ordinance to be considered at our next meeting.

Third Action: Roll Call Vote

Script

Presiding Officer: A motion has been made to (repeat the motion).

Presiding Officer to the city recorder or meeting clerk: Please take a roll call vote. (The city recorder or meeting clerk calls the roll and announces the number of ayes and nos.)

Presiding officer: The motion [passes **or** passes unanimously **or** fails]

Majority of Entire Membership

Ordinances require majority of the entire membership for passage, this means a majority of all of the councilors, not of the quorum present.

7 members

4 votes required for passage

6 members

4 votes required for passage

5 members

3 votes required for passage

4 members

3 votes required for passage

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► ADMINISTRATIVE HEARING ◄

1. CALL TO ORDER

Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	Script
	Presiding Officer: This hearing is to consider [topic of hearing]. At this time, I will open the public hearing. Citizens will be able to testify on this issue by first submitting a public comment registration at the back table should they wish to speak.

2. DECLARATION OF CONFLICTS OF INTEREST OR ABSTENTIONS

	Script
	Presiding Officer: Do any members of this [council, board, committee, or commission] need to declare a conflict of interest, abstention, or ex-parte contact? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

The presiding officer announces time limits Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.	Script
	Presiding Officer: I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close.

6. RECOMMENDATIONS FROM STAFF

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

7. COUNCIL DELIBERATION

Councilors should seek acknowledgement and then speak on the issue.	Script
	Presiding Officer: Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

8. DECISIONS

Resolutions - Action usually requires passage of a resolution; the relevant motion should be:

	Script
Vote: voice vote is permitted	Motion: I make a motion to approve Resolution [####], [Title]. Presiding Officer: A motion has been made to (repeat motion). Is there any further discussion? (Pause for discussion.) I'll now take a vote on the motion to (repeat motion). All those in favor please say aye. (Pause) Those opposed please say no. (Pause) The motion [passes unanimously or passes or fails.]
Majority of Quorum	
Resolutions require majority of the quorum for passage.	
7 members present	4 votes required for passage
6 members present	4 votes required for passage
5 members present	3 votes required for passage
4 members present	3 votes required for passage

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► QUASI-JUDICIAL LAND-USE & NON-LAND-USE ◀

1. CALL TO ORDER

Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	Script
	Presiding Officer: This hearing is to consider (topic of hearing). At this time, I will open the public hearing. Citizens will be able to testify on this issue and should submit a public comment registration at the back table should they wish to speak.

2. CALL FOR ABSTENTIONS, BIAS, EX-PARTE CONTACT, AND OBJECTIONS TO JURISDICTION

City Attorney Legal Announcements: Read “quasi-judicial announcements” sheet	Script
	Presiding Officer: Do any members of this [council board, committee or commission] need to declare a conflict of interest, abstention, or ex-parte contact or an objection to the jurisdiction? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

The presiding officer announces time limits Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.	Script
	Presiding Officer: I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. At the end the principal proponent will have a chance to offer a rebuttal. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. QUESTIONS OF PROPONENTS AND OPPONENTS FROM THE FLOOR OR THE CITY COUNCIL DIRECTED THROUGH THE CHAIR

	Script
	Presiding Officer: Do any members of the council have questions for those who have given testimony?

6. PUBLIC AGENCY LETTERS OR COMMENTS

	Script
	Presiding Officer: Now we will receive testimony from any public agencies. Written testimony has been entered into the record and provided to members of the Council and staff.

7. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close. City Attorney Legal Announcements

8. FINAL COMMENTS FROM STAFF AND RECOMMENDATION

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

9. DELIBERATION OF COMMISSION INCLUDING DISCUSSION OF CRITERIA WITH FINDINGS OF FACT

Councilors should seek acknowledgement and then speak on the issue.	Script
	Presiding Officer: Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

10. ACTION BY THE COUNCIL

Orders - Action usually requires passage of an order; the relevant motion should be:

Vote: voice vote is permitted	Script
	Motion: I make a motion to approve Order [#####], [Title].
	Presiding officer: A motion has been made to (repeat motion). Is there any further discussion? (Pause for discussion.) I'll now take a vote on the motion to (repeat motion). All those in favor please say aye. (Pause) Those opposed please say no
	Presiding officer: The motions [passes or passes unanimously or fails]
Majority of Quorum	
Orders require majority of the quorum for passage.	
7 members present	4 votes required for passage
6 members present	4 votes required for passage
5 members present	3 votes required for passage
4 members present	3 votes required for passage