



**CITY COUNCIL AGENDA
DECEMBER 2, 2013
7:00 PM MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)**

Mission Statement

The City of Newberg serves its citizens, promotes safety, and maintains a healthy community.

Vision Statement

Newberg will cultivate a healthy, safe environment where citizens can work, play and grow in a friendly, dynamic and diverse community valuing partnerships and opportunity.

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. CITY MANAGER'S REPORT

V. PUBLIC COMMENTS

(30 minutes maximum, which may be extended at the Mayor's discretion, with an opportunity to speak for no more than 5 minutes per speaker allowed)

VI. COUNCIL APPOINTMENTS

1. Consider reappointing Allyn Edwards, Matthew Fortner, and Art Smith, to the Newberg Planning Commission serving terms expiring December 31, 2016. (Pgs. 3-4)
2. Consider reappointing Karl Birky and Dianna Cotter and appointing David Hostetler to the Traffic Safety Commission serving terms expiring December 31, 2016; and, appointing Chris Kelley to the Traffic Safety Commission serving a term expiring December 31, 2015. (Pgs. 5-6)

VII. CONSENT CALENDAR

1. Consider approving a Proclamation honoring fallen Police Reserve Officer Robert Libke and supporting the City of Oregon City as it heals from this terrible tragedy. (Pgs. 7-8)
2. Consider a motion approving the city council minutes from October 7, October 21, and November 4, 2013. (Pgs. 9-26)

The Mayor reserves the right to change the order of items to be considered by the Council at their meeting. No new items will be heard after 11:00 p.m., unless approved by the Council.

VIII. PUBLIC HEARINGS

Consider a motion adopting **Ordinance No. 2013-2766** amending the transportation system plan to reflect the Phase I alignment of the Newberg-Dundee Bypass. (Pgs. 27-80)
(Legislative Hearing – 2nd Reading)

IX. NEW BUSINESS

Consider a motion adopting **Ordinance No. 2013-2767** amending the code provisions for the Citizens' Rate Review Committee effective December 3, 2013. (Pgs. 81-84)
(Administrative – 1st Reading)

X. COUNCIL BUSINESS

Discussion on the Villa Road Sidewalk Improvements with Interim Public Works Director/City Engineer Jay Harris and City Attorney Truman Stone.

XI. EXECUTIVE SESSION

1. *Executive Session pursuant to [ORS 192.660\(2\)\(e\)](#) relating to a real property transaction.*
2. *Executive Session pursuant to [ORS 192.660\(2\)\(h\)](#) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.*

XII. ADJOURNMENT

ACCOMMODATION OF PHYSICAL IMPAIRMENTS: In order to accommodate persons with physical impairments, please notify the City Recorder's Office of any special physical or language accommodations you may need as far in advance of the meeting as possible and no later than 48 business hours prior to the meeting. To request these arrangements, please contact the City Recorder at (503) 537-1283. For TTY services please dial 711.

Council accepts comments on agenda items during the meeting. Fill out a form identifying the item you wish to speak on prior to the agenda item beginning and turn it into the City Recorder. The exception is land use hearings, which requires a specific public hearing process. The City Council asks written testimony be submitted to the City Recorder before 4:30 p.m. on the preceding Wednesday. Written testimony submitted after that will be brought before the Council on the night of the meeting for consideration and a vote to accept or not accept it into the record.

The Mayor reserves the right to change the order of items to be considered by the Council at their meeting. No new items will be heard after 11:00 p.m., unless approved by the Council.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 2, 2013

Order ___ Ordinance ___ Resolution ___ Motion XX Information ___
No. No. No.

SUBJECT: Reappoint Allyn Edwards, Matthew Fortner, and Art Smith to the City of Newberg Planning Commission.

Contact Person (Preparer) for this Motion: Mayor Bob Andrews
Dept.: Administration

RECOMMENDATION:

To consent to the reappointment, by the Mayor, of Allyn Edwards, Matthew Fortner, and Art Smith to the Planning Commission for three positions with terms expiring December 31, 2016.

EXECUTIVE SUMMARY:

The Newberg Planning Commission is a seven member committee that has three positions with terms expiring December 31, 2013. Public notice of this vacancy was posted in City buildings, advertised in the local paper, and posted on the City's website and Facebook page. Four applications were received prior to the final deadline of 4:30 p.m., Monday, November 4, 2013. All applications were considered and the Mayor has selected Allyn Edwards, Matthew Fortner, and Art Smith to continue to fill their current positions.

For privacy purposes, the original applications are retained in the City Recorder's Office. Please call (503) 537-1283 to request a copy.

FISCAL IMPACT:

None.

STRATEGIC ASSESSMENT:

The Newberg Planning Commission serves a very important role in the betterment of our community and downtown making our City government viable and a great place to grow.

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REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 2, 2013

Order ___ Ordinance ___ Resolution ___ Motion XX Information ___
No. No. No.

SUBJECT: Reappoint Karl Birky and Dianna Cotter and appoint David Hostetler and Chris Kelley to the Newberg Traffic Safety Commission.

Contact Person (Preparer) for this Motion: Mayor Bob Andrews
Dept.: Administration

RECOMMENDATION:

To consent to the Mayor's reappointment of Karl Birky and Dianna Cotter and appointment David Hostetler to the Newberg Traffic Safety Commission, with terms ending December 31, 2016; and, to the Mayor's appointment of Chris Kelley to fill a vacant position the Traffic Safety Commission with a term ending December 31, 2015.

EXECUTIVE SUMMARY:

The Newberg Traffic Safety Commission is a nine member committee with one student commissioner position. There are three current commissioners with terms expiring on December 31, 2013. Public notice of this vacancy was posted in City buildings, advertised in the local paper, and posted on the City's website and Facebook page. Five applications were received prior to the final deadline of 4:30 PM, Monday, November 4, 2013. One reapplication was received after the deadline. The Mayor has reappointed Karl Birky and Dianna Cotter to continue with two of those terms and selected David Hostetler to fill the third expiring term; the new terms end on December 31, 2016.

There is also one commissioner position open with the resignation of Traffic Safety Commissioner Greg Martin, effective October, 2013. The Mayor has selected Chris Kelley to fill the vacant position, with the term ending December 31, 2015.

For privacy purposes, the original applications are retained in the City Recorder's Office. Please call (503) 537-1283 to request a copy.

FISCAL IMPACT:

None.

STRATEGIC ASSESSMENT:

The Traffic Safety Commission provides a valuable service to the City of Newberg by promoting traffic safety through investigation, study and analysis of traffic safety programs; conducting educational efforts among the public in the matters of public safety; considering all traffic safety programs which are referred to them for recommendation by the City Council and making reports to the City Council on matters of traffic safety and traffic safety programs. The Traffic Safety Commission makes decisions regarding parking, crosswalks, safety zones, traffic lanes, truck routes and all manner of traffic control devices within the community.

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REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 2, 2013

Order ___ Ordinance ___ Resolution ___ Motion XX Information ___
No. No. No.

SUBJECT: Approve a proclamation honoring fallen Police Reserve Officer Robert Libke from Oregon City.

Contact Person (Preparer) for this Motion: Bob Andrews, Mayor
Dept.: Administration
File No.:

RECOMMENDATION:

Approve a proclamation honoring the fallen police reserve officer of Oregon City, Oregon, and supporting the City of Oregon City as it heals from this terrible tragedy.

EXECUTIVE SUMMARY:

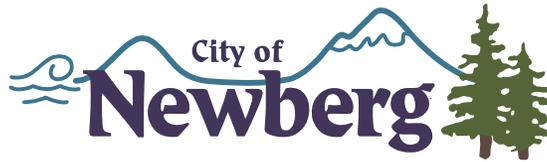
Public safety and law enforcement is an honorable, hard-working profession diligently seeking to make our communities more livable. Police officers swear to uphold certain freedoms and protect their citizens sometimes to the point of sacrificing their lives. Officer Robert Libke of Oregon City, Oregon, did that very thing and the tragedy of his murder has heavily impacted his family, friends, department and community. This proclamation is to honor Officer Libke's life of service and to show those affected the City of Newberg supports them in their grief and healing.

FISCAL IMPACT:

None.

STRATEGIC ASSESSMENT:

The City of Newberg recognizes public safety and law enforcement as a crucial service and understands the importance of and danger for the police officers providing that service in our own community and in others. This encourages solidarity within our own community and extends beyond our boundaries to support another city during a time of tragedy and healing.



PROCLAMATION

A PROCLAMATION HONORING THE FALLEN POLICE RESERVE OFFICER OF OREGON CITY, OREGON AND SUPPORTING THE CITY OF OREGON CITY AS IT HEALS FROM THIS TERRIBLE TRAGEDY

WHEREAS, the City of Oregon City, Oregon has suffered an unfathomable loss with the recent murder of its Reserve Police Officer, Robert Libke; and

WHEREAS, fallen Officer Robert Libke served the citizens of Oregon City as a most valuable public servant since 2009; and

WHEREAS, law enforcement is an honorable, hard-working profession that diligently seeks to make our communities more livable; and

WHEREAS, there is no greater sacrifice an Officer can make for their community than to give their life; and

WHEREAS, the murder of a Police Officer shocks the very soul of a community, our Government, and the very freedoms the Officers have sworn to protect; and

WHEREAS, the impact of this tragedy upon the Officer's family, friends, department and community is immeasurable.

NOW, THEREFORE, IT IS PROCLAIMED, by the Mayor and City Council, and on behalf of the citizens of the City of Newberg, Oregon, that we extend heartfelt condolences to Officer Libke's family and the City of Oregon City's staff and its citizens. We mourn the loss of Oregon City's valuable public servant and pray for healing and hope in this time of need.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Newberg to be affixed on this 2nd day of December, 2013.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 2, 2013

Order ___ Ordinance ___ Resolution ___ Motion XX Information ___
No. No. No.

SUBJECT: Approve the October 7, 2013, and
October 21, 2013, City Council Meeting minutes.

Contact Person (Preparer) for this
Motion: Jenn Nelson, Deputy City Recorder
Dept.: Administration

RECOMMENDATION:

Approve City Council minutes for preservation and permanent retention in the City's historical records.

EXECUTIVE SUMMARY:

The City of Newberg City Council held a public meeting and minutes were recorded in text. In accordance to Oregon State Records Management law, the City of Newberg must preserve these minutes in hard copy form for permanent retention.

FISCAL IMPACT:

None.

STRATEGIC ASSESSMENT:

None.

**CITY COUNCIL MINUTES
OCTOBER 7, 2013
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)**

A work session was held prior to the meeting. A presentation on the Newberg Cultural District Parking Plan was given by Robert Soppe. No action was taken; no decisions were made. All Councilors and the Mayor were present with Councilor Bart Rierson arriving at 6:05 PM.

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:00 PM.

II. ROLL CALL

Members Present:	Mayor Bob Andrews	Denise Bacon	Ryan Howard
	Lesley Woodruff	Bart Rierson	Stephen McKinney
	Mike Corey		

Staff Present:	Lee Elliott, City Manager – Pro Tem	Truman Stone, City Attorney
	Janelle Nordyke, Finance Director	Barton Brierley, Planning & Building Director
	Dave Brooks, IT Director	Norma Alley, City Recorder
	Nicole Tannler, Minutes Recorder	

Others Present: Mike Ragsdale

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGERS REPORT

Mr. Lee Elliott, city manager pro tem, reported City Attorney Truman Stone was sworn in and staff is really happy to have him on board. There were a few low-lying areas affected by rain with flooding and there was some really good team work getting prepared for the storm by staff. The Mayor and Mr. Elliot put together a six month in-home plan and would love some comments from council members. Finance is extremely busy with a yearly external audit. Last Tuesday a town hall meeting was held about the stormwater control manual and good dialog with developers occurred.

V. PUBLIC COMMENTS

Mayor Andrews opened and closed public comments.

VI. CONSENT CALENDAR

1. Consider a motion adopting **Resolution No. 2013-3080** establishing a Temporary and Portable Sign Ad-hoc Committee.
2. Consider a motion adopting **Resolution No. 2013-3083** authorizing the city manager pro tem to enter into a professional services agreement with Parametrix, Inc. to complete the utility project on Springbrook Road.

3. Consider a motion adopting **Resolution No. 2013-3086** approving the appointment of Jason Dorrell as a part-time Help Desk Technician in the Information Technology Department.
4. Consider a motion adopting **Resolution No. 2013-3087** approving the appointment of Stacy Martin as a part-time Help Desk Technician in the Information Technology Department.
5. Consider a motion to approve a no-tolerance dishonesty statement and distribution of statement to media and employees, as well as inclusion of it in new Employee Handbook.

This item was pulled from the Consent Calendar and moved to New Business

6. Consider a motion approving the August 5 and August 19, 2013, City Council meeting minutes.

The August 19, 2013, minutes were pulled and moved to the October 21, 2013, City Council Meeting

MOTION: Bacon/Woodruff approving **Resolution No. 2013-3080** establishing a Temporary and Portable Sign Ad-hoc Committee, **Resolution No. 2013-3083** authorizing the city manager pro tem to enter into a professional services agreement with Parametrix, Inc. to complete the utility project on Springbrook Road, **Resolution No. 2013-3086** approving the appointment of Jason Dorrell as a part-time Help Desk Technician in the Information Technology Department, **Resolution No. 2013-3087** approving the appointment of Stacy Martin as a part-time Help Desk Technician in the Information Technology Department, August 5, 2013, City Council meeting minutes, and postponed August 19, 2013 minutes and moved them to the October 21, 2013 City Council Meeting. Motion carried (7 Yes/0 No).

VII. PUBLIC HEARING

1. Consider a motion adopting **Ordinance No. 2013-2764** amending the Newberg Municipal Code establishing a Historic Preservation Commission and assigning powers and duties of the Commission.

(Legislative Hearing – 1st Reading)

TIME – 7:15 PM

Mayor Andrews introduced the legislative hearing in its first reading and called for any conflicts of interest or abstentions; none appeared.

Mr. Barton Brierley, planning and building director, presented the staff report accompanied by a PowerPoint presentation (see official meeting packet for full report). Staff recommended adoption of Ordinance No. 2013-2764.

Councilor Corey asked if the city will have a representative and if the \$8.00-\$15.00 a year is for planning staff costs. Staff replied yea and that is for staff support costs.

Councilor Woodruff asked if there will be a plaque or notification of some sort or if this is more behind the scenes. Staff said having some kind of plaque is a possibility, but it is more behind the scenes now.

Mayor Andrews said we cannot take a unilateral stance on this property.

Mr. Mike Ragsdale, Newberg Downtown Coalition and Historical Society, asked the council to move forward with this ordinance. The state went out of their way and wrote a special grant for this building. The Historical Society appreciates you allowing us to bring this before you. The grants available have certain stipulations and this opens up a lot of grants now for our downtown properties, which is wonderful!

Newberg historical society is working on getting plaques to show where the sites are.

MOTION: Rierson/Bacon approving to waive the second reading on **Ordinance No. 2013-2764** amending the Newberg Municipal Code establishing a Historic Preservation Commission and assigning powers and duties of the Commission Motion carried (7 Yes/0 No).

MOTION: Rierson/Woodruff approving **Ordinance No. 2013-2764** amending the Newberg Municipal Code establishing a Historic Preservation Commission and assigning powers and duties of the Commission, read by title. (**Legislative Hearing**) Motion carried (7 Yes/0 No).

VIII. NEW BUSINESS

1. Consider a motion adopting **Resolution No. 2013-3088** authorizing the city manager pro tem to restructure staff positions in the Information Technology Department.

TIME – 7:19 PM

Mr. Dave Brooks, IT director, presented the staff report (see official meeting packet for full report).

Councilor Bacon asked if we offer any educational bonuses for classes taken by employees. Staff replied yes currently we are doing an upgrade process and as part of this upgrade project we will put them through a week long training course, the city does not offer payment for college courses.

Mr. Lee Elliott asked where we are at in the process with upgrades. Mr. Dave Brooks said essentially the upgrade is hardware that can be put into the new system and the virtualization part of this upgrade takes away the need for new computers. We have one engineer contracted for the phones; the rest in done by the other three IT guys.

Mayor Andrews asked if this is under the Newberg retirement plan, not PERS. Staff said yes, they are not union, and it will come out of the IT budget. Mayor Andrews asked if we are increasing the cost by only \$50,000.00 in raises. Staff said that is correct.

Councilor Bacon asked staff if he looked at the private sector for salaries. Mr. Dave Brooks said he did they are much higher in the private sector.

Mayor Andrews asked how this salary increase fits in with the other departments. Mr. Lee Elliott said they are going to have a meeting on Thursday for out-of-union salary raising. He said we have looked and IT is getting paid significantly more at other cities. Mayor Andrews stated he is assuming this is within the budget. Mr. Elliott replied yes. Ms. Janelle Nordyke said we have funds transferring that are in contingency.

Councilor Bacon asked what will happen if this is not approved and said she is assuming it will cost more if we do not approve this. Mr. Dave Brooks said he will not be able to employ someone in a timely manner and it will take more time to train someone. We are running thin with the current staff and the alternative would be to pay an outside vendor, which is not cost effective.

Mr. Lee Elliott said the challenge we are facing is we are starting to loose institutional knowledge. It scares me when our IT department is overstressed; we need to keep employees here and attract talent.

Mayor Andrews asked if the initial intent is to retain current staff, or for future hires. Staff replied yes staff said they will stay and will not be looking elsewhere; but, he cannot guarantee anything.

Councilor Bacon said some of us were at the LOC conference and this is not just a problem in Newberg. Talent is leaving and we know this is a problem. If we can't get the talent, it is going to affect us in the long run. I am going to vote for it.

Mayor Andrews said I am conflicted because we are dealing with this in other groups as well.

MOTION: Rierson/Bacon approving **Resolution No. 2013-3088** authorizing the city manager pro tem to restructure staff positions in the Information Technology Department. Motion carried (7 Yes/0 No).

2. Consider a motion adopting **Resolution No. 2013-3089** allowing US Bancorp Government Leasing and Finance, Inc. to reimburse the City of Newberg for a portion of Mountain States Networking expenditure.

Ms. Janelle Nordyke, Finance Director, presented the staff report (see official meeting packet for full report).

Councilor Bacon asked if this is something we planned on financing, but got paid in full. Staff replied yes.

Mayor Andrews asked if this is shifting the burden. Ms. Nordyke said instead of having a five year lease we paid the bill in full and we need a resolution to get reimbursed. It is shifting the burden with no penalty.

MOTION: Bacon/Howard approving **Resolution No. 2013-3089** allowing US Bancorp Government Leasing and Finance, Inc. to reimburse the City of Newberg for a portion of Mountain States Networking expenditure. Motion carried (7 Yes/0 No).

3. Consider a motion to not proceed with the outsourcing of the Utility Billing Department.

TIME – 8:20 PM

Ms. Janelle Nordyke, finance director, presented the staff report (see official meeting packet for full report).

Councilor Howard said there was a strong push to consider outsourcing to reduce cost and that was his main motivating factor at being supportive as it relates to this issue. Mr. Danicic conveyed to us there would be benefits to have this system, more advanced websites etc. I like the idea of having a more professional website and accessibility. Ms. Nordyke said we do have a variety of options to pay a utility bill as well as online. We cannot connect or disconnect service online, but they can view and pay a bill online. The biggest reason Mr. Danicic wanted to move forward with this is the cost reduction over time but there are ways to get around those differences.

Councilor Bacon said she is relieved this has come up again. She said it sounds good at first but these kinds of things tend to slip in the future.

Councilor Corey asked if there was anyway to put more details into the printed bill without increasing the water bill and said he is a little bit confused about billing. He asked if there is a way to add onto here a connection fee, or late fee because he wants to make the bills clearer for the citizens. Ms. Nordyke said if the templates are changed, it would cost a maintenance fee. Councilor Corey said with the technology we have now, it seems they should be able to handle those kinds of changes on a bill.

Mr. Lee Elliott said to address Councilor Howard's comments this is something we can look at internally and the direct costs are measurable; but, the indirect costs are not. We are serious about service and to have someone you can come talk to at the city is not measurable.

Councilor Howard asked what percentages of customers interact with the utility department. Ms. Nordyke said we get a lot of phone calls, sometimes over 100 per day.

Mayor Andrews said I will be supporting this. This is a customer service issue and I think it is a good investment to maintain that interaction.

Councilor Rierson would like to be serious about customer service and thinks that is important. He will be supporting this.

MOTION: Woodruff/Rierson approving to not proceed with the outsourcing of the Utility Billing Department . Motion carried (7 Yes/0 No).

4. Consider a motion to approve a no-tolerance dishonesty statement and distribution of statement to media and employees, as well as inclusion of it in new Employee Handbook.

This item was pulled from the Consent Calendar and moved to New Business

Councilor Bacon stated I know this statement is a reaction to what happened to Mr. Danicic, but I do not want to scare employees. Zero tolerance is hard to define and there is no good definition for this. This is hard to judge and there is no way I can support zero tolerance.

Councilor Rierson said he also agrees and thinks honesty is the best policy. If it is an investigation, then that is a different story. He likes the idea of having a statement about honesty, but sees a potential of this being used the wrong way.

Councilor Woodruff said her intent was not to place blame, but to see this idea of having an honesty statement as a tool the city can use when needed. She would like to see some kind of honesty statement.

Mr. Truman Stone stated some concerns he had relating to the police department. This may affect some of our union contracts as well. He cautioned the council about making such a broad statement.

Councilor Bacon said she could support this if the sentence was removed about zero tolerance.

Councilor McKinney said it needs to be more defined and he cannot support what he sees here.

Councilor Elliott stated we do believe in an honest corporate entity, but should possibly remove the zero tolerance and termination sentence.

Councilor Corey agreed

MOTION: Andrews/McKinney To return the no-tolerance, dishonesty statement to staff to be rewritten and brought back to council for further review. Motion carried (7 Yes/0 No).

IX. COUNCIL BUSINESS

TIME – 9:00 PM

Discussion on the City Manager Recruitment Subcommittee.

Mayor Andrews said they will have more than one panel on rotation. Councilor Woodruff, Councilor Rierson, and Councilor Corey are to be subcommittee. Council will be making the final decision.

X. ADJOURNMENT

The meeting adjourned at 8:47 PM.

ADOPTED by the Newberg City Council this 2nd day of December, 2013.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 5th day of December, 2013.

Bob Andrews, Mayor

**CITY OF NEWBERG COUNCIL MINUTES
OCTOBER 21, 2013
7:00 PM MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)**

A work session was held prior to the meeting. A presentation was given on the Wastewater Treatment Plant Project Overview by Jeremy L. Holland, Vice President HDR Engineering, Inc. & Mike Clifford, Construction Executive, Mortenson Construction Company, and a presentation on the Villa Road Sidewalk Improvements by Interim Public Works Director/City Engineer Jay Harris. No action was taken and no decisions were made. Councilors and the Mayor were present with Mike Corey being absent (excused).

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:10 PM.

II. ROLL CALL

Members Present:	Mayor Bob Andrews Stephen McKinney	Denise Bacon Bart Rierson	Ryan Howard Lesley Woodruff
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Members Absent: Mike Corey (excused)

Staff Present:	Lee Elliott, City Manager Pro Tem Janelle Nordyke, Finance Director Les Hallman, Fire Chief Brian Casey, Police Chief Leah Griffith, Library Director	Truman Stone, City Attorney Barton Brierley, Planning & Building Director Norma Alley, City Recorder DawnKaren Bevill, Minutes Recorder
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Others Present: Marilyn Godfrey and Robert Soppe

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

Mr. Lee Elliott, city manager pro tem, brought forth a new agenda item, adding the library assistant-reference position to council's new business. Community Trick or Treat will be held in Downtown Newberg on Wednesday, October 31, 2013, from 5:00 PM to 7:00 PM. The city public affairs officer has generated a new city Facebook page to promote more interaction with the community. Monday, October 28, 2013, the spring's divestiture work session will be held. Councilor Denise Bacon and Mr. Elliott had a discussion this week regarding the emergency operations management plan and reaching out to displaced citizens. Fiscal policy for 2014-2015 budget process will be brought before the council in the near future. Mr. Elliott recently met with Councilor Lesley Woodruff regarding dark skies concept and helping citizens understand light placement and how it affects the environment.

V. PUBLIC COMMENTS

Ms. Marilyn Godfrey invited everyone to attend the Newberg community band fall concert on Thursday, November 14, 2013, 7:30 PM. at George Fox University, Bauman Auditorium.

Mr. Robert Soppe addressed the recent citizen satisfaction survey whose results he read on the city web site. When looking at the responses to questions, the rating average should be a very informative number. It is unfortunate it was calculated and presented in such a way as to provide very little value. If one compares the results for code enforcement and street repair, it is clear code enforcement was given much higher marks. It has double the excellent votes, one-and-a-half times the good votes, one-third fewer fair votes, and two-thirds fewer poor votes; but, if one looks at the calculated average, the differences are insignificant. The results regarding government performance show the respondents are not very pleased with the government performance. The best averages were for value of services for taxes paid and for the overall direction Newberg is being led, rated as fair. The average for welcoming citizen involvement was slightly worse than fair. The average for Newberg government listening to citizens was midway between fair and poor. He urged the council to look carefully at who responded to the survey. The demographics do not represent a cross section of the population. This is not a criticism of the survey but a caution to interpret the data accurately. Mr. Soppe raised a second issue having to do with his last public testimony before this body. More than a month ago he spoke and asked three questions of the city council. The following morning he submitted a copy of his testimony that included those questions to the city recorder by email. As he understands the statement usually made by the Mayor at council meetings, this is the required format for submitting questions. As of this date, other than the verbal "Thank You" that he received after his testimony, he has received no acknowledgement of the questions or any responses.

VI. CONSENT CALENDAR

1. Consider a motion adopting **Resolution No. 2013-3090** authorizing the city manager pro tem to enter into a professional services agreement with Pavement Services, Inc., to complete a citywide street pavement condition evaluation and maintenance prioritization list.
2. Consider a motion adopting **Resolution No. 2013-3091** authorizing the city manager pro tem to enter into a construction contract with McClure and Sons, Inc., for the North Valley and Corral Creek Reservoirs Upgrades.
3. Consider a motion approving the city council minutes from August 19, 2013, and September 16, 2013.

TIME – 7:29 PM

MOTION: **Rierson/Bacon** moved to adopt **Resolution No. 2013-3090** authorizing the city manager pro tem to enter into a professional services agreement with Pavement Services, Inc. to complete a citywide street pavement condition evaluation and maintenance prioritization list, and approving the city council minutes from August 19, 2013, and September 16, 2013, with **Resolution No. 2013-3091** being pulled from the Consent Calendar. Motion carried (6 Yes/0 No/ 1 Absent [Corey]).

VII. NEW BUSINESS

1. Consider a motion adopting **Resolution No. 2013-3082** adopting utility billing policies.

Mrs. Janelle Nordyke, finance director, addressed the question raised at the September 16, 2013, city council meeting requiring social security information on the water, sewer, and storm water service application. Social security numbers can be requested if the application states it is voluntary for collection purposes, as it is more efficient for a collection agency to have the social security number. Suitable forms of identification were discussed, such as a passport and state identification. Staff is recommending modifications to the process by suggesting a new billing policy for three to five days after the meter is read in order to give customers the opportunity to make quick changes if there are any leaks and giving two months of credit for leaks where

appropriate. Fee increases for delinquencies should be increased from \$15.00 to \$20.00. A \$50.00 late fee will be given if they have not paid a day before the shut-off date. Delinquent bills will be sent out after one month of non-payment instead of the current two month policy. This will require many customers to pay two utility bills at once. This is where a payment plan arrangement would be advantageous. The Utility Billing Department would allow a payment plan to be made available during this transition period for no more than three months. Change the extended late night hours back to closing at 4:30 PM. Customers who are not eligible for extensions are those who failed to honor a previous extension within the past 12 months or their account is not in good standing. Grant water connection for cleaning and for real estate agents \$20/week for up to 100 cubic feet. If more is used in that week's time, then the additional consumption is billed. Have the chain for resolution end with the finance director. If the customer is still unsatisfied, there is still due process. This gives the finance director the authority needed to settle disputes. To allow up to three months payment plans for conversion to new grace period for utility bills and for hardship cases. The city council discussed customer deposit according to credit history and landlord/tenant issues. Councilor McKinney suggested a flat 30 days to pay the utility bill after the meter is read. If the bill is not paid within 30 days, a \$20.00 fee will be charged.

MOTION: **Rierson/McKinney** moved to table further deliberation on **Resolution No. 2013-3082** to the December 16, 2013, city council meeting, allowing the finance director to work with Mr. Lee Elliott, city manager pro tem, regarding staff recommendations. Motion carried (6 Yes/ 0 No/ 1 Absent [Corey])

Councilor President Rierson recessed until 9:05 PM.

2. Consider a motion adopting **Resolution No. 2013-3085** authorizing the city manager pro tem to implement an employee incentive program.

Mr. Lee Elliott reported the program is intended to encourage employee participation in improving the efficiency and effectiveness of their job and city operations in general. It is also intended to motivate employees toward problem identification and to stimulate creativity in problem-solving. The program provides a means to communicate to the employee the high value city management places on constructive ideas through recognition and reward. Those eligible to submit suggestions are non-management staff. To be eligible for an award, a suggestion must be adopted in whole or part and result in significant benefits such as saving of time, labor, space, materials or supplies and increase efficiency in the organization. The suggestion awards committee will estimate the cost of implementation and a recommendation on the amortization of the cost of adoption of the suggestion. The city council will make the final determination whether to approve an award. The award for measurable savings to the city for the first calendar year's projected net savings will be ten percent (10%) of the savings up to a maximum award of \$5,000.00, except that no award will be less than \$100.00.

MOTION: **Andrews/Bacon** moved to adopt **Resolution No. 2013-3085** authorizing the city manager pro tem to implement an employee incentive program. Motion carried (6 Yes/ 0 No/ 1 Absent [Corey])

3. Consider a motion adopting **Resolution 2013-3084** approving the appointment of Arwen Ungar as a limited part-time Library Assistant-Reference at the Newberg Public Library.

Leah Griffith, library director, reported this position is part time/substitute at five hours per week.

MOTION: **Rierson/Woodruff** moved to adopt **Resolution No. 2013-3084** approving the appointment of Arwen Ungar as a limited part-time Library Assistant-Reference at the Newberg Public Library. Motion carried (6 Yes/ 0 No/ 1 Absent [Corey])

VIII. COUNCIL BUSINESS

TIME – 9:30 PM

Mayor Andrews suggested allowing Mr. Terrance Mahr to take possession of a picture that was given to him and hung on the wall of his office while he served as city attorney. Councilor Mike Corey's signature is needed upon his return home. Mayor Andrews would like to present the picture to him at a later council meeting.

Councilor Woodruff spoke to the topic of dark skies, explaining how lighting can affect the environment. Mr. Stone, city attorney reported the City of Dundee adopted a city wide ordinance for dark skies several years ago.

Discussion commenced requesting there be further discussion at a council meeting regarding the Villa Road sidewalk. It was requested by multiple councilors to have the property owner notified and Mr. Elliott ensured Mr. Harris or himself would contact the property owner. Mayor Andrews directed the city recorder to have it for council business on December 2, 2013, to evolve a direction for staff to bring the RCA.

Councilor Rierson will be absent at the October 28, 2013, city council meeting.

IX. ADJOURNMENT

Meeting adjourned at 9:45 PM.

ADOPTED by the Newberg City Council this 2nd day of December, 2013

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 5th day of December, 2013.

Bob Andrews, Mayor

**CITY COUNCIL MINUTES
NOVEMBER 4, 2013
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)**

A work session was held prior to the meeting. A presentation on the Engineering Storm Water and Erosion Sedimentation Control Manuals was given by Interim Public Work Director/City Engineer Jay Harris and a presentation on the Mayor's visit to Sister City Poysdorf, Austria was given by Mayor Bob Andrews. No action was taken and no decisions were made. Councilors and the Mayor were present except for Lesley Woodruff who had an excused absence.

I. CALL MEETING TO ORDER

Mayor Bob Andrews called the meeting to order at 7:00 PM.

II. ROLL CALL

Members Present:	Mayor Bob Andrews	Denise Bacon	Ryan Howard
	Bart Rierson	Stephen McKinney	Mike Corey

Members Absent: Lesley Woodruff (excused absence)

Staff Present:	Lee Elliott, City Manager Pro Tem	Truman Stone, City Attorney
	Janelle Nordyke, Finance Director	Jay Harris, Civil Engineer
	Steve Olson, Associate Planner	Jessica Pelz, Assistant Planner
	Jason Wuertz, Civil Engineer	Norma Alley, City Recorder
	Nicole Tannler, Minutes Recorder	

Others Present: Jolana Sively, Andy Becker, William Ciz, Kelly Amador, John Freeman, and Stan Halle

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGERS REPORT

Mr. Lee Elliott, city manager pro tem, reported there are two items that have been added to agenda under new business. The trick or treat activity downtown was very positive and many city employees helped out. Unfortunately we have received our property tax information from County and have come in under 2%. Our growth is under inflation and I am going to get a document together to hand out to the council about this.

V. PUBLIC COMMENTS

Mayor Andrews opened and closed public comments. None appeared

VI. CONSENT CALENDAR

1. Consider a motion adopting **Resolution No. 2013-3092** authorizing the city manager pro tem to purchase a 2013 Cues Hi Cube Televised Inspection Truck and sell the current 1993 Cues Televised Inspection Truck to Chelan, Washington.

2. Consider a motion adopting **Resolution No. 2013-3093** authorizing the city manager pro tem to enter into a professional services agreement with Keller Associates, Inc., to complete an Inflow and Infiltration Study for the wastewater conveyance system.

TIME – 7.00 PM

MOTION: Rierson/Bacon approving **Resolution No. 2013-3092** authorizing the city manager pro tem to purchase a 2013 Cues Hi Cube Televised Inspection Truck and sell the current 1993 Cues Televised Inspection Truck to Chelan, Washington and **Resolution No. 2013-3093** authorizing the city manager pro tem to enter into a professional services agreement with Keller Associates, Inc., to complete an Inflow and Infiltration Study for the wastewater conveyance system. Motion carried (6 Yes/0 No/1 Absent [Woodruff]).

VII. PUBLIC HEARING

1. Consider a motion adopting **Resolution No. 2013-3096** approving a water hardship request for property located at 2709 NE Chehalem Drive.

TIME – 7:05 PM

Mayor Andrews introduced the administrative hearing and called for any conflicts of interest or abstentions; none appeared.

Mr. Jay Harris, City Engineer, presented the staff report (see official meeting packet for full report). Staff recommends approval

Ms. Jolana Sivley requested to be part of our city water because her water smells of sulfur and has gotten worse throughout the years. The failing septic system is a problem as well.

Mayor Andrews stated he had a problem with the wording of spring instead of city system. He said cannot adopt the findings as they are presented to us.

Mr. Jay Harris stated there are minor flaws in report and on page 19 the word springs is going to be removed from whole report and replaced with water system. Mayor Andrews asked if he and the resident could make those corrections and get back to the Council this evening.

MOTION: Howard table **Resolution No. 2013-3096** approving a water hardship request for property located at 2709 NE Chehalem Drive to allow the applicant the chance to revise the findings.. Motion failed for lack of second.

The motion was put on hold until paperwork was fixed with applicant, and moved motion after discussion public hearing #3.

Staff met with applicant and made some minor changes as handed out. (see meeting packet for full report)

MOTION: Bacon /Rierson approving **Resolution No. 2013-3096** approving a water hardship request for property located at 2709 NE Chehalem Drive as amended. Motion carried (6 Yes/0 No/1 Absent [Woodruff]).

2. Consider a motion adopting **Ordinance No. 2013-2765** amending the Newberg development code pertaining to murals.

Mayor Andrews called for any conflicts of interest or abstentions; Councilor Rierson works for Climax Machine Tools and declared a partial conflict.

Mr. Steve Olson, Associate Planner, presented the report including a PowerPoint slideshow (see official meeting packet for full report).

Councilor Bacon asked what the plan for upkeep is. Mr. Steve Olson said there is no requirement to maintain as of now.

Councilor Rierson asked about the community comment section that says the local residents can make comments but cannot change the content and wanted to know why the comments would be allowed with no consequence. Mr. Olson said it is not a set of criteria and the intent would help provide context from the neighbors and have them see what is going to be proposed. We are hoping to moderate impulses and given good feedback that may provide some helpful advice. It has to be advertised as not a public vote but just comments and suggestions.

Councilor McKinney asked about the condition and state of repairs. He said the neon signs have a provision that they have to be in good repair. He feels like there needs to be something in there about repair. Mr. Olson said it was brought up briefly and he thinks it is a valid point and something that can be discussed.

Councilor Corey asked what the costs are to permit a mural. Mr. Olson is not a commercial sign and could easily be a community group or school that is turning in the permit. We don't want the cost so high they are not able to do it. Councilor Rierson said an offensive or political sign may be higher a possibility if the permit cost is too low.

Mr. Andy Becker, Climax Tool Machine, said he appreciates the fact you have been working with us and the students at George Fox University. The mural we want to install on our building shows a long history of Newberg.

Staff recommends approval.

Mayor Andrews asked if permits are going to be part of the administrative rule. Mr. Olson said that will come before council on a regular basis.

Councilor Howard stated he likes the mural designed but is wary of opening up possibility of people displaying murals of whatever they like and could lead to a slippery slope. Mayor Andrews said as far as content is concerned we don't have any control. Mr. Olson replied we do have size control not content.

Councilor Rierson said he is inclined to look at history of Newberg with Murals which has not limited the content in the past. He wouldn't want us to make the assumption that it is more likely to be offensive and feels like there is more good that can come of it than bad. Councilor Bacon agreed with Councilor Rierson and said cost is quite large and people tend to use them for more good than evil. Councilor Corey said creativity is great and think we should promote murals. We haven't had a problem so far, I tend to like the idea of going ahead.

MOTION: Bacon/Rierson to waive the second reading on **Ordinance No. 2013-2765** amending the Newberg development code pertaining to murals read by title only. Motion carried (6 Yes/0 No/1 Absent [Woodruff]).

MOTION: Rierson/Bacon adopting **Ordinance No. 2013-2765** amending the Newberg development code pertaining to murals read by title only. Motion carried (6 Yes/0 No/1 Absent [Woodruff]).

Councilor McKinney said he is concerned about repair. Mayor Andrews asked if he needed staff to come back with an amendment. Mr. Olson said it could be added in right now.

Councilor Howard asked if amendment would cover graffiti and would be repaired immediately. Councilor McKinney stated it should be from any damage so that they do not fall into a state of disrepair and are a distraction. Councilor Rierson said there is a lot of investment of time and money that goes into these and I agree with adding the language McKinney advised.

MOTION: McKinney/Rierson adopting Ordinance No. 2013-2765 amending the language in Exhibit A adding E.5 stating permitted murals must be kept in good state of repair and good condition Motion carried (6 Yes/0 No/1Absent [Woodruff]).

MOTION: Rierson/Bacon adopting Ordinance No. 2013-2765 amending the Newberg development code pertaining to murals read by title only. Motion carried (6 Yes/0 No/1Absent [Woodruff]).

3. Consider a motion adopting **Ordinance No. 2013-2766** amending the transportation system plan to reflect the Phase I alignment of the Newberg-Dundee Bypass.

TIME – 8:20 PM

Ms. Jessica Pelz, Assistant Planner, Kelly Amador, ODOT and William Ciz, Parametrix presented the staff report including a PowerPoint slideshow (see official meeting packet for full report).

Mayor Andrews said it is pretty much going back to the way it was before.

Mr. John Freeman, Ladd Hill Neighborhood Association. The CPO (community planning organization) has seen the plan and are concerned about the traffic that will accumulate on Wilsonville Road. A good part of traffic will go onto Wilsonville Road with this design. We have requested to discuss the potential of aligning the west end of Wilsonville road with the current location of Wynoski Road. The City of Wilsonville is also concerned with traffic coming into an already congested area in Wilsonville. We are hoping for your support on this change.

MOTION: Bacon/Rierson accepting John Freemans written testimony as part of the record. Motion carried (6 Yes/0 No/1Absent [Woodruff]).

Mr. Stan Howley, Co-President with Ladd Hill Neighborhood Association (Yamhill). Wants to reinforce what John said and wanted to remind Council they would have to live with this interim solution for up to 25 years. The notion of modern technology leading people down that road could be a problem and add traffic.

Mayor Andrews asked if we have addressed anything with the full build out of the bypass. Staff replied No. Mayor Andrews asked what costs would we be looking at and would there be savings on North most traffic light on 219. Ms. Kelly Amador said yes there would be a cost associated with these changes.

Councilor Rierson asked if this is the first time you have heard this request by the neighborhood group. Ms. Amador said the proposal for changing roads was brought up tonight but we have known about problem since mid-summer. Councilor Rierson said it seems like a reasonable request at first glance. Councilor Howard said I know there has been a lot of design going into this and it does seem reasonable at first glance. Is there a reason this was overlooked.

Ms. Ciz stated there are business access issues, and neighborhood access problems but I am not saying it would be impossible to do. Councilor Bacon said the neighborhood concerns are valid.

Councilor McKinney acknowledged the concern is people will drive Wilsonville Road rather than 99W to I-5. The ODOT presentation seems to be more logical and the City of Wilsonville will have to come up with a correction for the Road traffic problems going on there.

Councilor Howard said I'm fond of the idea of having the intersection for the benefit of phase one of the Bypass. Ms. Amador said taking the time to look at a change would cause a delay and we are on a tight timeline.

Mayor Andrews asked what signage has been proposed. Ms. Amador said the sign to 99W and Saint Paul, and I-5 signage to McKay.

Council moves to have a second reading.

VIII. NEW BUSINESS

Consider a motion adopting **Resolution No. 2013-3094** authorizing the city manager pro tem to enter into a contract with Mortenson Construction for the wastewater treatment plant Dewatering, Headworks, and Influent Pump Station Improvements.

Mr. Jason Wuertz, Civil Engineer, presented the staff report. (see official meeting packet for full report).

Councilor McKinney asked if this is funded through a loan. Ms. Janelle Nordyke said it is a special public works revolving loan fund through the DEQ at 2.8%, plus ½% maintenance fee.

Councilor Howard asked if anything we spend this money on have a life span of more than 20 years. Mr. Lee Elliott said it will not outlast the useful life.

MOTION: **Howard/Bacon** adopting **Resolution No. 2013-3094** authorizing the city manager pro tem to enter into a contract with Mortenson Construction for the wastewater treatment plant Dewatering, Headworks, and Influent Pump Station Improvements. Motion carried (6 Yes/0 No/1 Absent [Woodruff]).

MOTION: **McKinney/Corey** adopting **Resolution No. 2013-3097** approving the appointment of Jason Wofford as an Operator 1 in the Public Works/Operations Department. Motion carried (6 Yes/0 No/1 Absent [Woodruff]).

MOTION: **Bacon/Rierson** adopting **Resolution No. 2013-3098** approving the appointment of Sean Surcamp as a Senior Mechanic in the Public Works/Operations Department Motion carried (6 Yes/0 No/1 Absent [Woodruff]).

IX. COUNCIL BUSINESS

TIME – 9:30 PM

Councilor Howard stated Ms. Jessica Pelz went to a program on bicycle design and while there are a lot of highway and roadway design standards there are not standards for bicycle and pedestrian. We would like to ask the council to direct staff to look at these designs for the city and bring it back to the council.

Councilor McKinney said I would that take into account fiscal impact to adopt these. Councilor Howard replied the design guide does not contemplate enforcement and with proper design it helps people to comply with the rules of the road. Mayor Andrews said he doesn't think it would do any harm to look into. Can staff add on another project. Mr. Elliott said it would be something we could definitely look into and he agrees it would enhance safety. Mayor Andrews stated it fits in with the safe street concept we are working on. Councilor Howard said it goes along with our goal to complete streets and it looks at both bicycle and pedestrian safety.

Consensus met directing staff to look into the feasibility to adopt an urban street design guide standard.

MOTION: Rierson/Bacon To state Lee Elliott successfully completed his probation period and is a full time employee, adjust his salary with a 5% increase, and continue the 5% out of class adjusted salary. Motion carried (6 Yes/0 No/1 Absent [Woodruff]).

X. EXECUTIVE SESSION

TIME – 9:45PM

Executive Session pursuant to [ORS 192.660\(2\)\(i\)](#) relating to the performance review of the city manager pro tem.

Exited executive session at 10:22PM

XI. ADJOURNMENT

The meeting adjourned at 10:33 PM.

ADOPTED by the Newberg City Council this 2nd day of December, 2013.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 5th day of December, 2013.

Bob Andrews, Mayor

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REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 2, 2013

Order ___ Ordinance XX Resolution ___ Motion ___ Information ___
No. No. 2013-2766 No.

SUBJECT: Amend the transportation system plan to reflect the bypass phase I alignment – 2nd reading

Contact Person (Preparer) for this
Motion: Jessica Nunley, AICP
Dept.: Planning & Building
File No.: CPTA4-13-001

HEARING TYPE: LEGISLATIVE QUASI-JUDICIAL NOT APPLICABLE

RECOMMENDATION:

Adopt Ordinance No. 2013-2766 amending the transportation system plan to reflect the phase I alignment of the Newberg Dundee Bypass.

EXECUTIVE SUMMARY:

The proposed amendment would add the phase 1 alignment of the Newberg Dundee Bypass (bypass) to Newberg's transportation system plan (TSP). The City Council held a first reading on Ordinance No. 2013-2766 on 11/4/13, and left the written record open for seven business days, to 4:30 p.m. on 11/14/13. Additional comments received during that time are included in Attachment "1".

FISCAL IMPACT:

In 2008, the city reimbursed residents and business owners at a rate of \$75.00 for residents and \$150.00 for businesses for costs associated with a required readdressing project. Staff recommends the city reimburse the residents affected by the future realignment and name change from Wilsonville Road to McKern Court. Staff anticipates including the readdressing effort as a potential Fund 02 line item in the fiscal year 2014-2015 budget, and it is anticipated to cost approximately \$12,000.00.

STRATEGIC ASSESSMENT:

The realignment of Wilsonville Road will improve connectivity between Wilsonville Road and Highway 219 and meet Oregon Department of Transportation (ODOT) operating standards in 2016, the opening year of the phase 1 bypass. If left unimproved, the current Wilsonville Road/Springbrook Road intersection would not meet the city's operating standard in 2016 and would operate at a lower level of service than the no build alternative due to increased traffic on Springbrook Road following the opening of the bypass.

ATTACHED

Attachments:

1. Public comments received from 11/5/13 – 11/14/13

Ordinance 2013-2766 with:

- Exhibit "A": TSP Text Amendment and Revised Figure 6-1, Functional Classification Plan
- Exhibit "B": Figure 2 Phase 1 Wilsonville Road Realignment
- Exhibit "C": Figure 1 Phase 1 Location and Segments
- Exhibit "D": Findings



Oregon

John A. Kitzhaber, MD, Governor

Attachment "1"
to RCA Ordinance No. 2013-2766
Department of Transportation

Region 2, Area 3
885 Airport Road SE, Building P
Salem, OR 97301-4788
(503) 986-2900
FAX (503) 986-2881

November 13, 2013

Newberg Planning Division
Barton Brierley/Jessica Nunley Pelz
414 E. First Street
Newberg, Oregon 97132

RE: Additional Information for Newberg TSP Amendment Hearing on Wilsonville Rd and Newberg Dundee Bypass

Thank you for the opportunity to provide additional information to the City Council regarding the Wilsonville Road TSP Amendment. ODOT was contacted by the Ladd Hill CPO, the City of Wilsonville, and Clackamas County about the Newberg Dundee Bypass Phase 1 realignment of Wilsonville Road in June of this year. They each inquired as to whether connecting Wilsonville Road to the new Oregon 219/Phase 1 Bypass intersection would increase through-traffic on that roadway.

ODOT met with the Ladd Hill CPO twice, in July and in mid-September. ODOT also provided to the Ladd Hill CPO a memo describing the project, the traffic modeling, and answered CPO questions. ODOT also met with City of Wilsonville and Clackamas County staff in July to discuss similar issues. Copies of memos and email exchanges are listed at the end of our testimony and are attached for your reference.

Based on a review of the questions received from the three groups, ODOT reviewed the technical analyses conducted to date on the Bypass project and determined that the concerns and opinions expressed by the Ladd Hill CPO, the City of Wilsonville, and Clackamas County about increased traffic volumes on Wilsonville Road cannot be substantiated by the technical data. For this reason, ODOT cannot validate nor agree with the issues raised by these three groups. Specifically, the analyses show that:

1. Adding the Bypass would not measurably change the traffic volumes on Oregon 99W, Wilsonville Road, or other roadways entering/exiting the Newberg Dundee project area in the future.
2. The majority of traffic (75%) from Wilsonville Road in the PM peak hour in the future with the Phase 1 Bypass in place, is coming from or going to the north, along Oregon 219, and is destined for Newberg or areas to the northeast or northwest of Newberg rather than more regional destinations toward the coast or further west to Lafayette or McMinnville. Of the remaining traffic (25%), about 20% is coming from or going to the south, along Oregon 219, and the remaining traffic about 5% is destined further west to Lafayette, McMinnville, or the Oregon Coast.

Please see the attachments for a more detailed discussion on transportation modeling.

At the September 18 Ladd Hill CPO meeting, ODOT was asked by the CPO to:

1. Coordinate with the CPO's traffic engineer.
2. Perform traffic counts on Wilsonville Road prior to and 6 months after opening the Phase 1 Bypass.
3. Provide eastbound signing at the Phase 1 Bypass/Oregon 219 intersection directing traffic destined to I-5 to use Oregon 219, Springbrook Road and Oregon 99W, or Oregon 219 and Mackay Road.
4. Provide cost estimates to relocate Wilsonville Road to the south.

ODOT met with and provided additional information to the CPO's traffic engineer. ODOT will perform traffic counts on Wilsonville Road before and 6 months after the Phase 1 Bypass opens and will provide eastbound signing at the Phase 1 Bypass/Oregon 219 intersection to I-5. ODOT completed a preliminary construction cost estimate for relocating Wilsonville Road to the south. Construction costs for two alignments were developed. The first realigned Wilsonville Road to connect with Oregon 219 opposite the current location of Wynooski Road. The second alignment connected Wilsonville Road to Oregon 219, further south, at the location shown in the Tier 2 Final Environmental Impact Statement. The construction costs are estimated to range from \$4.5 to 5.5 million depending on alignment. Right-of-way purchase is not included in the estimates, and based on the alignments there would be one to three residential/business relocations.

At the November 4 City Council meeting the CPO presented a design concept that would connect Springbrook Road directly to the Phase 1 Bypass/Oregon 219 intersection and relocate Wilsonville Road to the south. ODOT did not examine this design concept in 2011 as road improvements in east Newberg were developed because it would require additional relocation work on Springbrook Road for a future Oregon 219 to Oregon 99W Bypass phase or construction of the full Bypass. ODOT does not intend to provide a construction cost estimate at this time but has reviewed the concept and identified the following issues:

1. Widening Wilsonville Road to three lanes south of Springbrook Road could impact Springbrook Estates. All of the manufactured homes (up to 16) in Springbrook Estates along the east side of Wilsonville Road are very close to the right of way and may be impacted by widening Wilsonville Road to three lanes.
2. Widening Wilsonville Road to three lanes south of Springbrook Road could impact the PGE Substation located between Wilsonville Road and Oregon 219. Relocation of these types of facilities is very expensive.
3. Widening Wilsonville Road to three lanes south of Springbrook Road could impact new homes along Wilsonville Road in the subdivision south of Springbrook Estates.
4. The curve required to connect Wilsonville Road to the Phase 1 Bypass intersection to Wilsonville Road would not meet geometric and safety standards. It would require special treatments to ensure adequate sight distance to the intersection's traffic signal.
5. Finally it raises a question of "How would Springbrook Road, between Oregon 219 and Wilsonville Road, be connected to the Newberg transportation system?"

Both the relocation of Wilsonville Road to the south and/or the CPO design concept that would connect Springbrook Road directly to the Phase 1 Bypass/Oregon 219 intersection would impact additional properties inside and outside of the Newberg city limits and urban growth boundary, and they would delay the current Springbrook Road and Oregon 219 (Phase 1G) construction schedule. Our best estimate right now on how long either or both of these design changes would delay construction on Phase 1G is 12 to 18 months. Depending on the issues encountered the delay could be longer. A delay in construction of Phase 1G of 12 to 18 months would delay opening other completed segments of the

Phase 1 Bypass because of impacts to the Newberg transportation system. This would mean that the Phase 1 Bypass would not open until the end of 2017 or mid-2018.

Thank you for your consideration,



Kelly Amador, Sr. Project Leader
Oregon Department of Transportation

Attachments:

1. ODOT, August 16, 2013, email and memo with attachments to Nancy Kraushaar, City of Wilsonville; and Larry Conrad, Clackamas County.
2. ODOT, September 5, 2013, email to Mike Bezner, Clackamas County.
3. ODOT, October 14, 2013, email to Nancy Kraushaar, City of Wilsonville.
4. ODOT, September 18, 2013, memorandum to Ladd Hill CPO.

ATTACHMENT 1

ODOT, August 16, 2013, email and memo with attachments to Nancy Kraushaar, City of Wilsonville; and Larry Conrad, Clackamas County

From: AMADOR Kelly L <Kelly.L.AMADOR@odot.state.or.us>
Sent: Friday, August 16, 2013 10:58 AM
To: 'Kraushaar, Nancy (kraushaar@ci.wilsonville.or.us)'; 'Conrad, Larry (LarryC@co.clackamas.or.us) (LarryC@co.clackamas.or.us)'
Subject: Newberg Dundee Bypass - Wilsonville Rd Information
Attachments: WilsonvilleRdBypass Doc 081613.docx; News_Jun-2012.pdf; 130701_NDB_Amador.pdf.pdf

Hi:

It was a pleasure meeting both of you. I hope our discussion of the Newberg Dundee Bypass and Wilsonville Rd was helpful and provided you with the information you needed. An outcome of the meeting was ODOT agreed to provide you with an information document that outlines the decision to reconnect Wilsonville Rd with the Bypass. I have attached that document along with information on the traffic counts and a newsletter about the Bypass project.

Please let me know if you have any questions or need additional information.

Kelly

Kelly Amador, Sr. Project Leader

kelly.l.amador@odot.state.or.us

Mid-Willamette Valley Area

Marion, Polk, Yamhill Counties

Phone: 503-986-2874 Fax: 503-986-2881



Newberg-Dundee
BYPASS

MEMORANDUM

Date: August 16, 2013

To: Nancy Kraushaar, City of Wilsonville
Larry Conrad, Clackamas County

From: Kelly Amador, ODOT Project Manager

Subject: Newberg Dundee Bypass ESEE Analysis for OR 219 Interchange

cc: Tim Potter, Julia Kuhn, Bill Ciz

This memo summarizes our discussions at the July 16, 2013 meeting regarding potential traffic impacts to Wilsonville Road associated with the construction of Phase 1 of the Newberg Dundee Bypass. The memo is organized according to the topic areas we discussed at the meeting; additional details are also provided to help clarify the issues.

Newberg Dundee Project History

The Newberg Dundee Bypass project is intended to improve mobility and safety for travel within and through Newberg and Dundee. Safety and congestion on Oregon 99W is well documented since the early 1980s. The current planning effort to address Oregon 99W began in the late 1990s with an Alternatives Analysis planning study. This study examined a number of transportation alternatives and options; a bypass highway around Newberg and Dundee was selected as to advance into project design and environmental analysis.

In 2000, the project evaluated a number of alignments for the bypass around Newberg and Dundee. The study considered the benefits and impacts of alternative bypass corridors to the south and north of Newberg and Dundee. In 2005, the Tier 1 Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) identified a Bypass alignment to the south of Oregon 99W as the preferred alternative. In the identified alignment, the four-lane Bypass connects to Oregon 99W at an interchange near Rex Hill and at Oregon 18/Oregon 99W near McDougall's corner; intermediary interchanges will be located along the bypass at Oregon 219 and with Oregon 99W at East Dundee.

In conjunction with the Tier 1 FEIS, ODOT also pursued and was granted a Goal Exception to construct sections of the Bypass outside of the Newberg and Dundee Urban Growth Boundaries. The Goal Exception required significant analyses, coordination with the cities and Yamhill County, and extensive public outreach efforts. The Goal Exception was approved by Yamhill County and by the state agencies in 2005.

ODOT began detailed design and environmental analysis on the identified location of the bypass highway in 2006. This process concluded in June of 2012 with a Tier 2 FEIS and ROD on the preferred alternative for the Newberg Dundee Bypass. The first construction phase (Phase 1) of the Newberg Dundee Bypass was included in the Tier 2 FEIS and ROD. Funding for the Phase 1 was included in the 2009 Jobs and Transportation Act passed by the Oregon Legislature. Phase 1 will include the construction of the Bypass segment between Oregon 219 and at a location to the south of Dundee. The segments between Rex Hill and Oregon 219 as well as between south Dundee and McDougall's corner will be constructed as part of later phases. In addition, Phase 1 only includes a two-lane bypass; widening of the bypass to four lanes will occur as part of a later phase. Additional details of Phase 1 can be found in the enclosed newsletter (Attachment A, June 2012 newsletter).

Newberg Dundee Stakeholder Public Involvement

Since the 1990's, the Newberg-Dundee Bypass process has been informed through extensive stakeholder and public outreach at each stage of the project. Each of the planning and environmental phases included numerous opportunities for citizens and residents to participate in the process. A stakeholder committee with elected officials from Newberg, Dundee, Dayton, and Yamhill County guided the process. Marion County participated early in the process, but as alternatives were refined, there were no impacts within the county and their participation in the project diminished. Coordination with Washington County started in 2008 when improvements to Oregon 99W reached 1,000 feet into the county.

Based on the environmental review, no impacts (including transportation) were documented on roadways within Clackamas County or the Cities of St Paul, Sherwood and Wilsonville. Therefore, these jurisdictions were not asked specifically requested to participate in the study process.

Newberg Dundee Bypass Transportation Modeling

Extensive transportation analyses and environmental analyses have been completed to support the Tier 1 FEIS, Tier 2 FEIS, and Goal Exception. The travel demand forecasts upon which the traffic analyses are based were provided by ODOT's Transportation Planning and Analysis Unit (TPAU). TPAU maintains an emme2 model for Newberg and Dundee and the adjacent areas of Yamhill County. As part of the Tier 1 and 2 environmental analysis, the cities and county worked with TPAU to ensure that the emme2 model is based on the current population and employment forecasts. TPAU provided the Newberg Dundee Bypass project team with travel forecasts that were be used to analyze future year traffic conditions for the Tier 1 and 2 FEIS, Goal Exception, and detailed design efforts.

Kittelson & Associates, Inc. post-processed the travel forecasts, based on actual traffic counts conducted within the two cities and performed operational analyses needed to support the Bypass approvals.

In addition to the emme2 model, TPAU also provided an analysis of induced travel demand, based on the Oregon Statewide Model (Gen 1). The Gen1 model is an integrated economic, land use and transportation model that is used to evaluate "intercity" travel and regional economic and land use effects. During the Tier 1 FEIS and Goal Exception efforts, a number of questions were raised by the public related to the potential for the Bypass to "induce" additional population growth in Yamhill County with additional traffic using Oregon 99W as well as other routes from I-5 to Yamhill County. The Gen1 model results showed that the Bypass would not induce a measurable amount of travel growth onto these corridors.

Traffic Analysis of the Newberg Dundee Bypass Phase 1 at Wilsonville Road

To support the Phase 1 construction efforts, Kittelson & Associates, Inc. worked with TPAU to analyze both year 2016 (year of opening) and year 2035 conditions assuming construction of only Phase 1 of the Bypass. Like the FEIS processes, the analyses compare the "with bypass" conditions to the No Build.

In response to questions raised by the City of Wilsonville and residents in Clackamas County, some key findings of the Phase 1 analyses, specifically related to Wilsonville Road, are provided below.

Today, Wilsonville Road carries approximately 3,500 vehicles per day to the south of Springbrook Road. In 2016, traffic volumes could increase to approximately 4,000 vehicles per day; by 2035, Wilsonville Road could carry upwards of 6,000 vehicles per day. Of this traffic, approximately 75 percent in the PM peak hour is oriented to/from the north along Oregon 219.

Near the Wilsonville Road intersection, Springbrook Road carries approximately 7,000 vehicles per day now; without the Phase 1 Bypass, the traffic volumes could increase to 8,000 vehicles per day in 2016 and 13,000 vehicles per day in 2035. If Phase 1 of the Bypass is constructed, the volumes on Springbrook Road could increase to 14,000 vehicles per day in 2016 and more than 21,000 vehicles per day in 2035.

Also attached is a more detailed memo on specific peak hour traffic and v/c ratios on Wilsonville Road.

Responses to CPO Questions

We have addressed questions raised by the CPO below.

CPO Question #1 “What would happen if the Wilsonville Road was not relocated to Oregon 219 and remained connected to Springbrook Road?”

ODOT Response: Drivers will be advised through signage to use Springbrook Road as the primary connection between Oregon 99W and the Phase 1 Bypass. As noted above, this could double the amount of traffic that Springbrook Road carries. This doubling in traffic would result in a failure at the existing Wilsonville Road/Springbrook Road intersection (i.e., the v/c ratio would change from 0.73 to about 1.4). Based on the commitment in the Tier 2 FEIS and ROD, ODOT is required to implement “traffic improvement measures associated with Phase 1 based on forecast 2016 opening-year demand. These measures will bring non-project-impacted intersections up to or better than the level of operational performance expected with the No Build Alternative” or to the ODOT or local government operation performance standard. The performance standard for this intersection is a v/c ratio of 0.90. To achieve this level of operations, ODOT would need to install a traffic signal or a roundabout at this intersection. Operating a roundabout or a traffic signal so close to the Springbrook Road/Oregon 219 intersection would be extremely difficult. The two intersections are only 450 feet apart and the queues on Springbrook Road would extend from the Oregon 219 nearly to the Wilsonville Road intersection, rendering it virtually impossible for Wilsonville Road traffic to turn left onto Springbrook Road.

CPO Question #2 “Just thought I'd put in writing one of the suggestions raised in the meeting that seemed to have merit. The suggestion was to leave the Wilsonville Road/Springbrook Road situation as it currently exists except that, for west-bound traffic on Wilsonville Road coming to a stop sign at Springbrook, have all the Wilsonville Road traffic merge right onto Springbrook northbound. Eliminate the left lane stop sign. For drivers wanting to go towards St. Paul on 219, they would go to the next intersection north and make two left-hand turns at those stop-lighted intersections. This has the great advantage of not throwing east-bound bypass traffic onto the obvious straight ahead -Wilsonville Road.

ODOT Response: This would result in additional traffic using Springbrook Road at the Fernwood, Hayes and Oregon 99W intersection. This additional traffic would likely require improvements to all of these intersections beyond that identified in the Tier 2 FEIS. Additionally, as part of the Phase 1 project, the Oregon 219/2nd Street Intersection is converted to a right turn-in/right turn-out intersection. This would mean Wilsonville Road traffic bound for Oregon 219 southbound to St. Paul or the Phase 1 Bypass would have to travel north to Oregon 99W and then travel to Oregon 219, or use a local street to get to Oregon 219 and travel south to St. Paul or the Phase 1 Bypass. This results in a significant amount of out of direction travel for Wilsonville Road traffic headed southbound on Oregon 219 and increased pressure on the Oregon 99W intersection.



MEMORANDUM

Date: July 1, 2013
To: Kelly Amador
From: William Ciz
Subject: Wilsonville Road Traffic Counts
cc:
Project Number: 274-2395-058
Project Name: Newberg Dundee Bypass Project

Here is a quick summary of 2011 Traffic Counts, 2016 Traffic Projections (No Build and Build), and 2035 Traffic Projections (No Build and Build) on Wilsonville Road east of Oregon 219, Clackamas and Yamhill County functional classification for Wilsonville Road, a review of Phase 1 E Signing Plans and responses to COP comments. Also attached are the Figures from the Traffic Analysis Reports with the counts and projections referenced in case you would like to forward them.

2011 Peak Hour Traffic Counts (See 2011 Traffic Count pdf, Intersection #21) at the Wilsonville Road/Springbrook Road Intersection were 205 vehicles traveled westbound (70 turned right and 135 turned left onto Springbrook Road). 140 vehicles traveled eastbound (70 turned right and 70 turned left from Springbrook Road onto Wilsonville Road).

2016 No Build Peak Hour Traffic Projections (See Figure 2A, Intersection #21) at the Wilsonville Road/Springbrook Road Intersection were 230 vehicles traveled westbound (80 turned right and 150 turned left onto Springbrook Road). 170 vehicles traveled eastbound (85 turned right and 85 turned left from Springbrook Road onto Wilsonville Road).

2016 Build Peak Hour Traffic Projection (See Figure 7, Intersection #5) at the new Oregon 219/Wilsonville Road Intersection are 230 vehicles will travel westbound (165 will turn right onto Oregon 219 , 25 will enter the Phase 1 Bypass and 40 will turn left onto Oregon 219). 170 vehicles will travel eastbound (15 will turn right form Oregon 219, 25 will enter from the Phase 1 Bypass and 130 will turn left from Oregon 219).

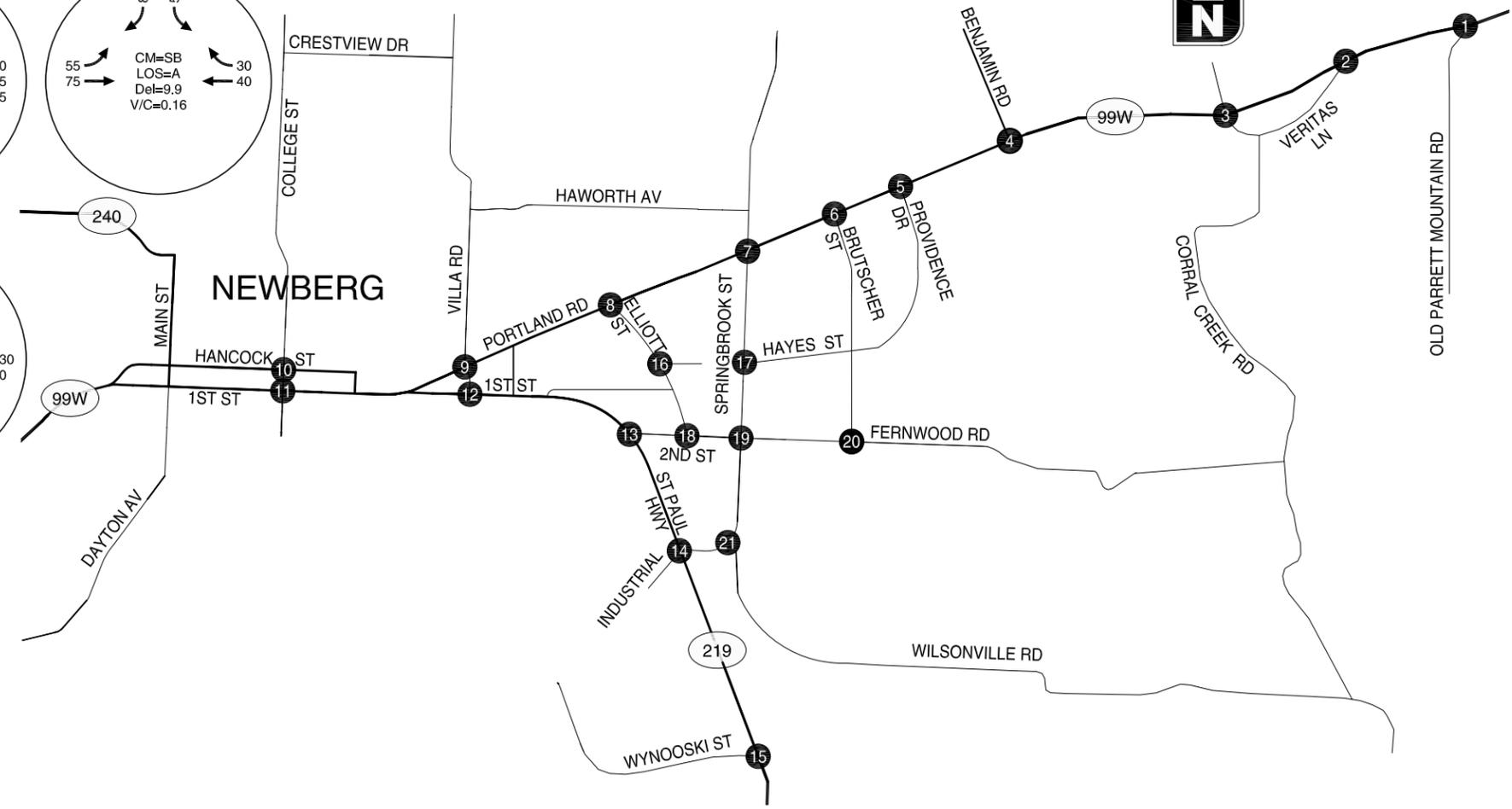
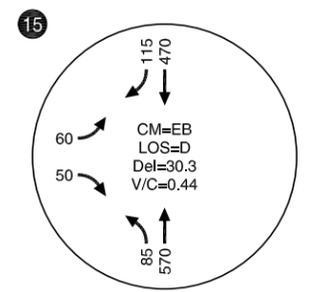
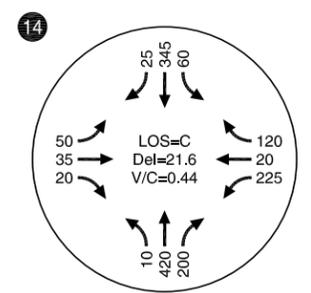
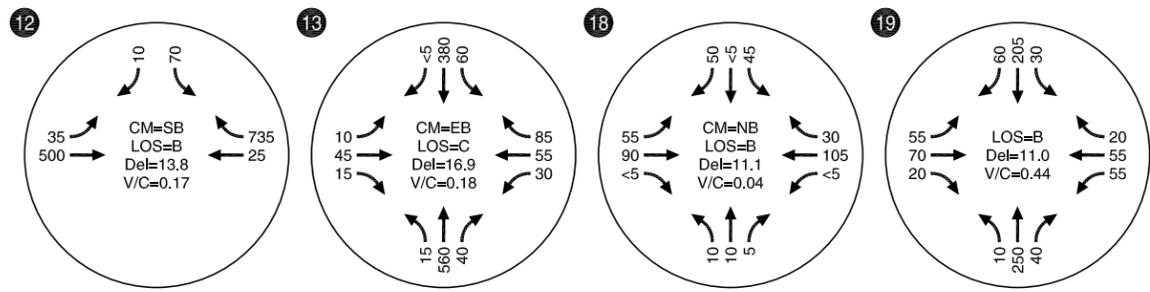
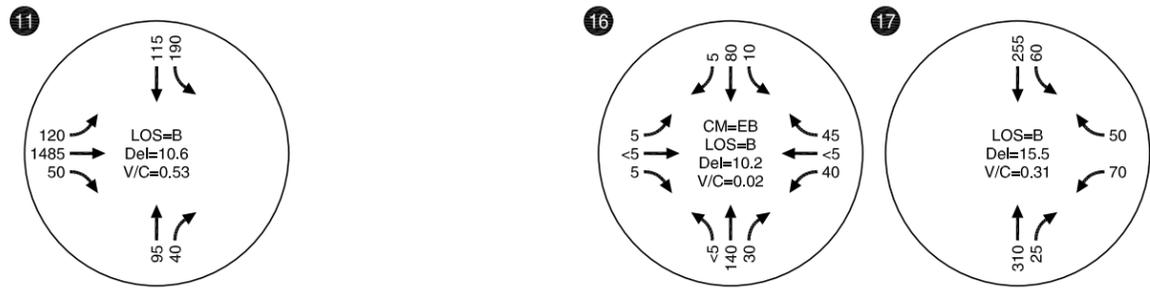
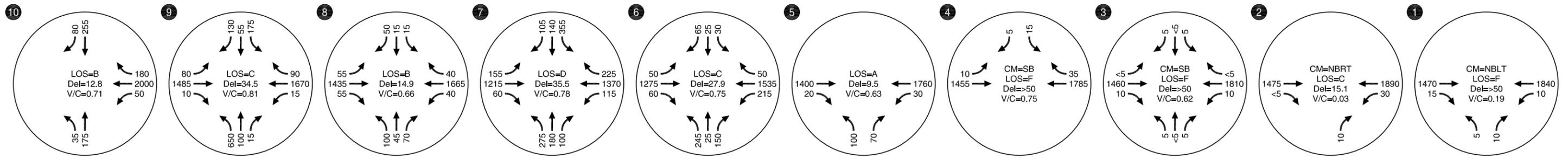
2035 No Build Peak Hour Traffic Projections (See Figure 4A, Intersection #21) at the Wilsonville Road/Springbrook Road Intersection were 310 vehicles traveled westbound (115 turned right and 195 turned left onto Springbrook Road). 280 vehicles traveled eastbound (140 turned right and 140 turned left from Springbrook Road onto Wilsonville Road).

2035 Peak Hour Traffic Projection (See Figure 8, Intersection #5) at the new Oregon 219/Wilsonville Road Intersection are 315 vehicles will travel westbound (230 will turn right onto Oregon 219 , 35 will entered the Phase 1 Bypass and 50 will turned left onto Oregon 219). 330 vehicles will travel eastbound (25 will turn right from Oregon 219, 40 will enter from the Phase 1 Bypass and 265 will turn left from Oregon 219).

Wilsonville Road is classified as a Major Collector by Yamhill County and as a Major Arterial in Clackamas County.

I also review the current signing plans for Phase 1E. There are no signs at the Oregon 219/Phase 1 Bypass/Wilsonville Road Intersection directing traffic to use Wilsonville Road.

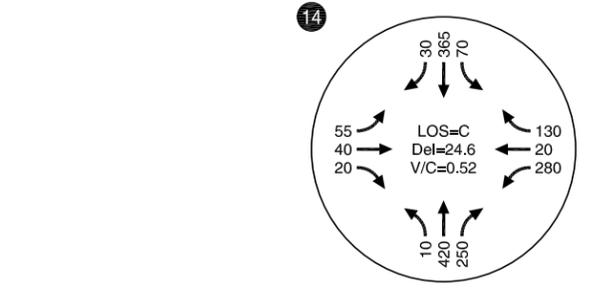
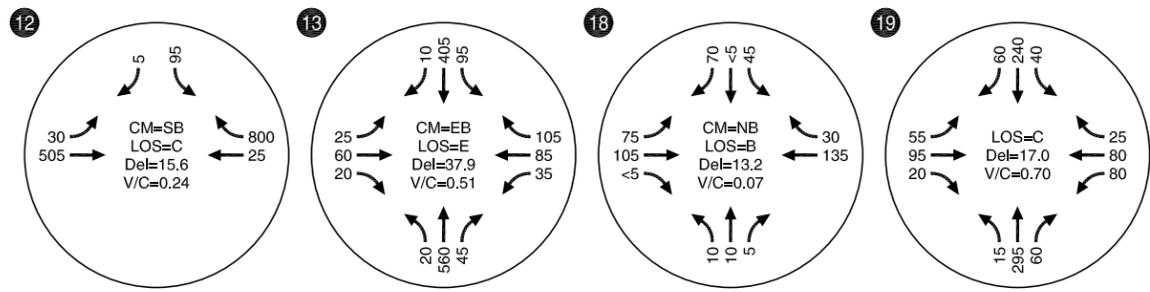
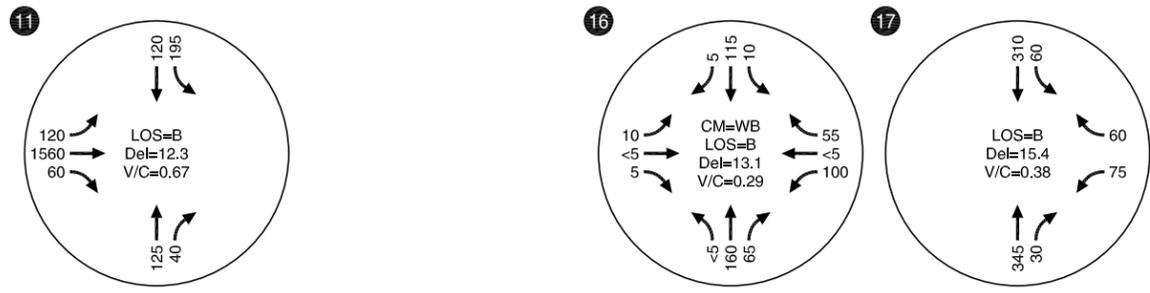
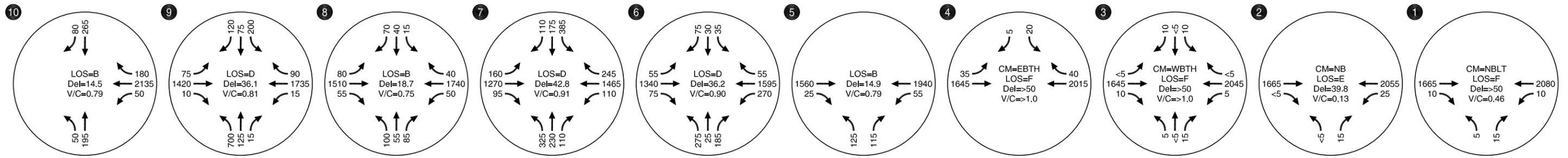
NDTIP



2011 EXISTING TRAFFIC CONDITIONS
NEWBERG, OREGON
FIGURE 3A

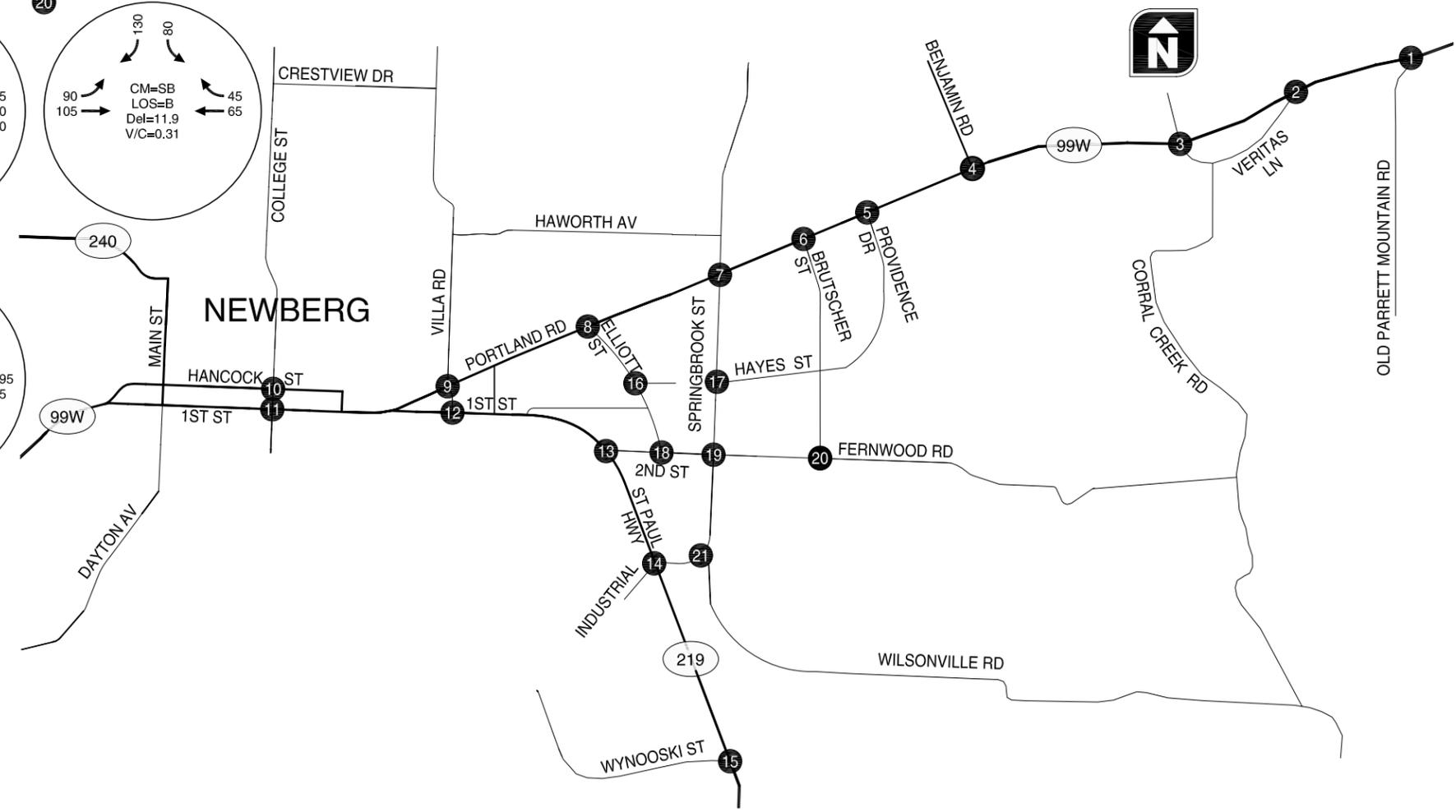
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NDTIP



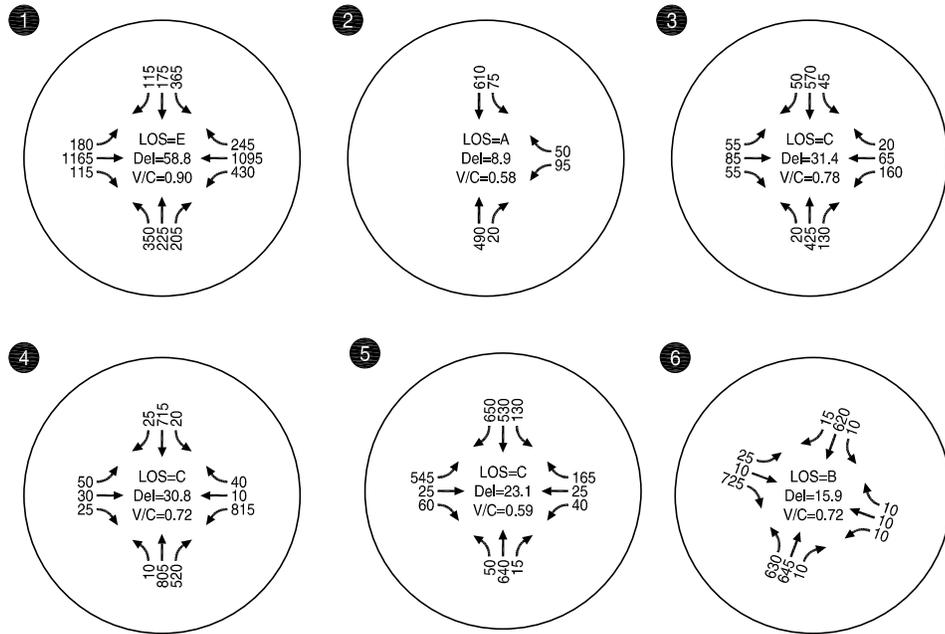
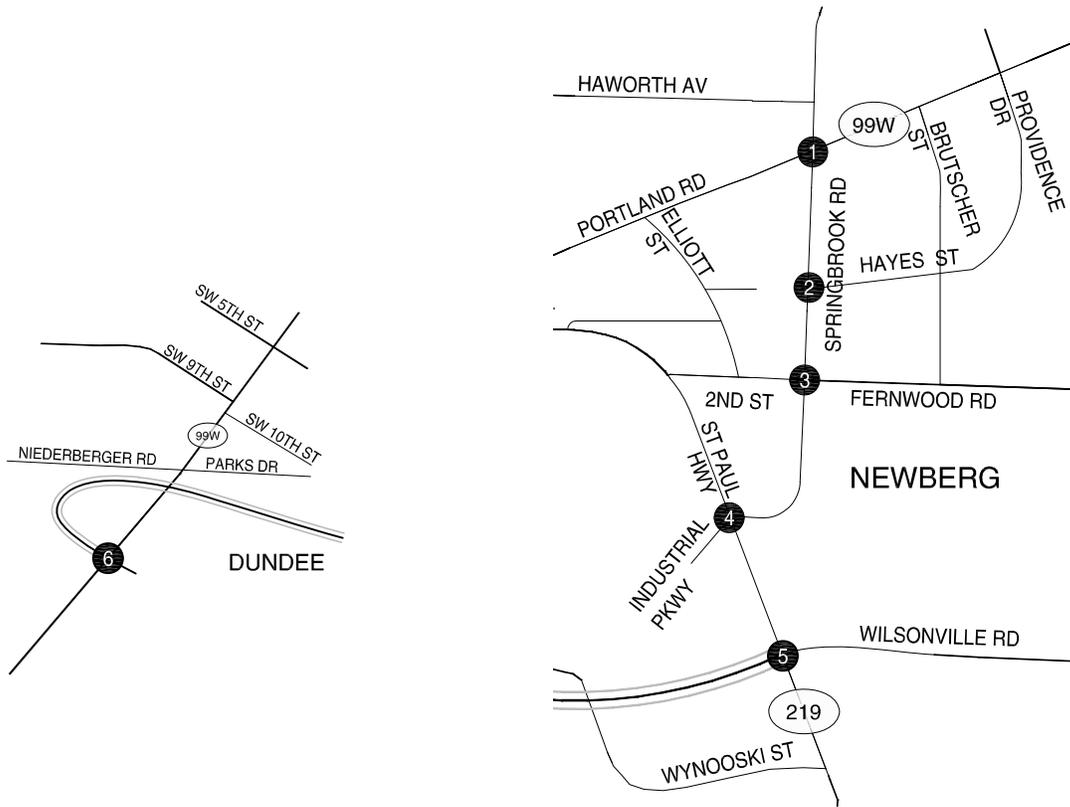
LEGEND

- CM = CRITICAL MOVEMENT (TWSC)
- LOS = INTERSECTION LEVEL OF SERVICE (SIGNALIZED/AWSC)/CRITICAL MOVEMENT LEVEL OF SERVICE (TWSC)
- Del = INTERSECTION AVERAGE CONTROL DELAY (SIGNALIZED/AWSC) / CRITICAL MOVEMENT CONTROL DELAY (TWSC)
- V/C = CRITICAL VOLUME-TO-CAPACITY RATIO
- TWSC = TWO-WAY STOP CONTROL
- AWSC = ALL-WAY STOP CONTROL



2016 NO BUILD
TRAFFIC CONDITIONS
NEWBERG, OREGON
FIGURE
2A

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LEGEND

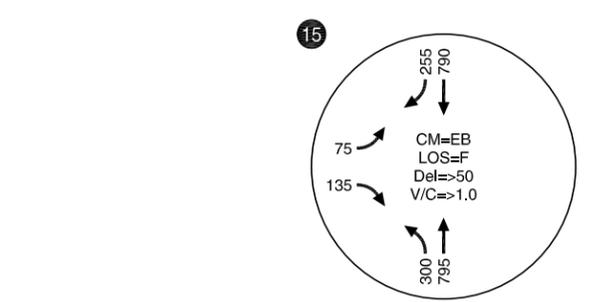
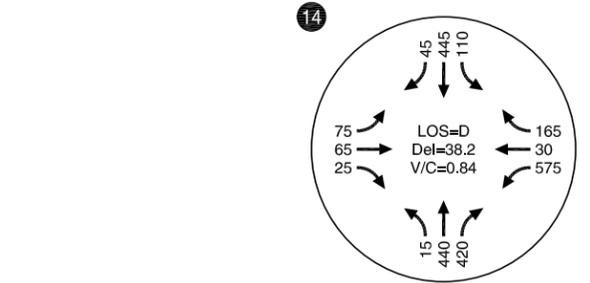
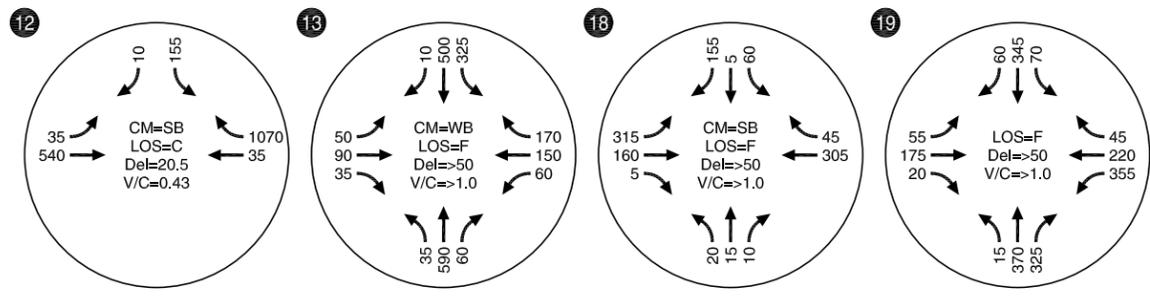
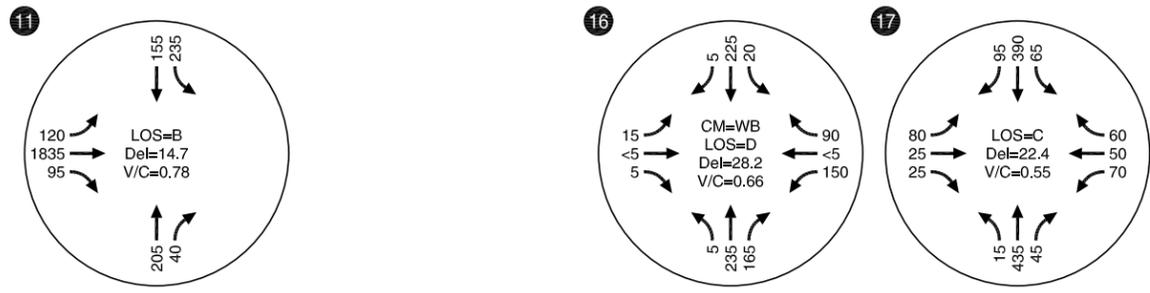
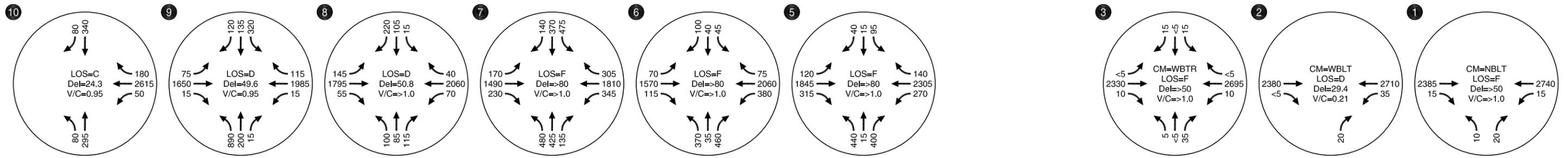
LOS = INTERSECTION LEVEL OF SERVICE
 Del = INTERSECTION AVERAGE CONTROL DELAY
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

**YEAR 2016 PHASE 1 SCENARIO
 DESIGN HOUR TRAFFIC CONDITIONS
 NEWBERG, OREGON**

FIGURE
7

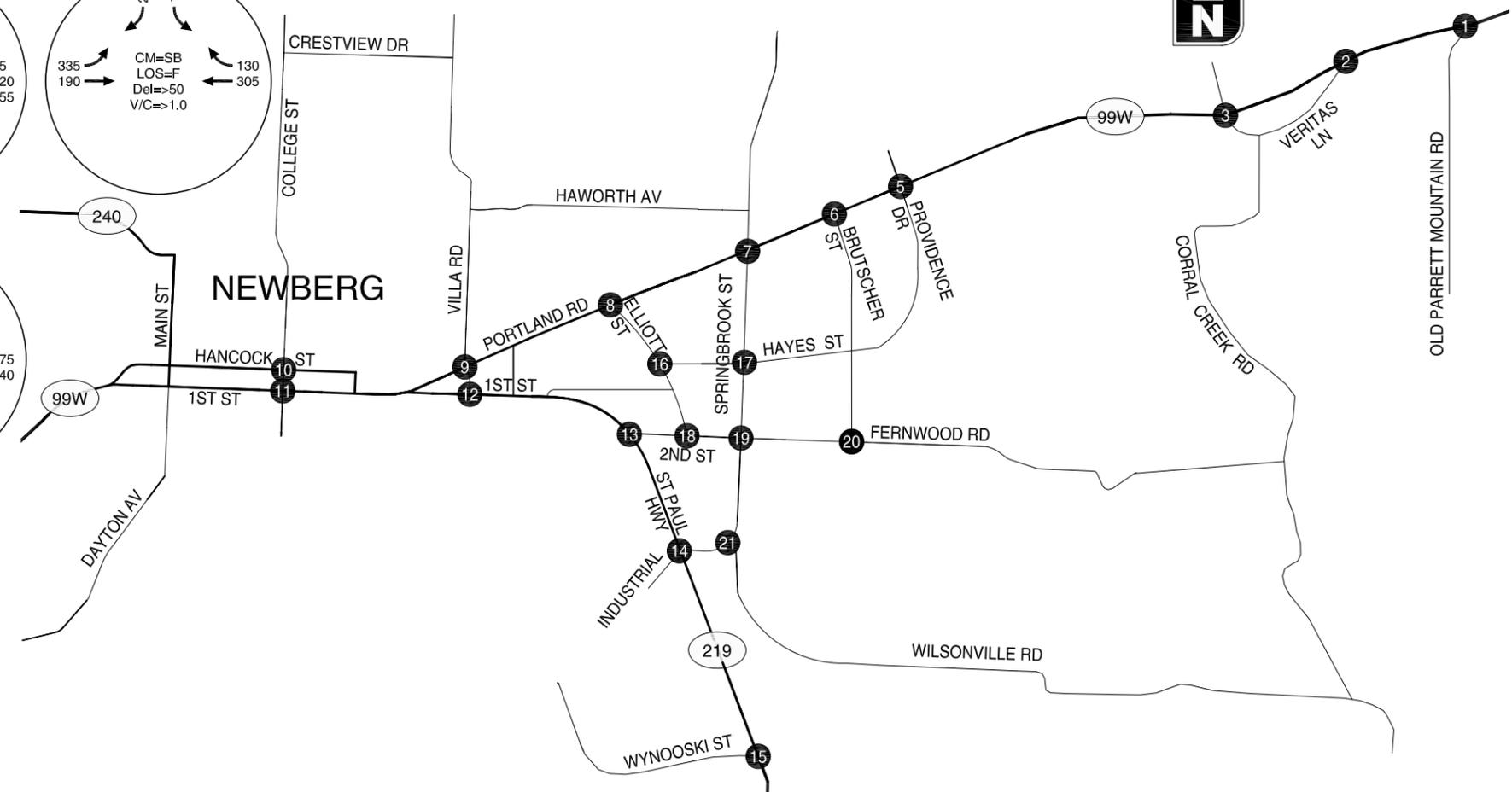
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NDTIP



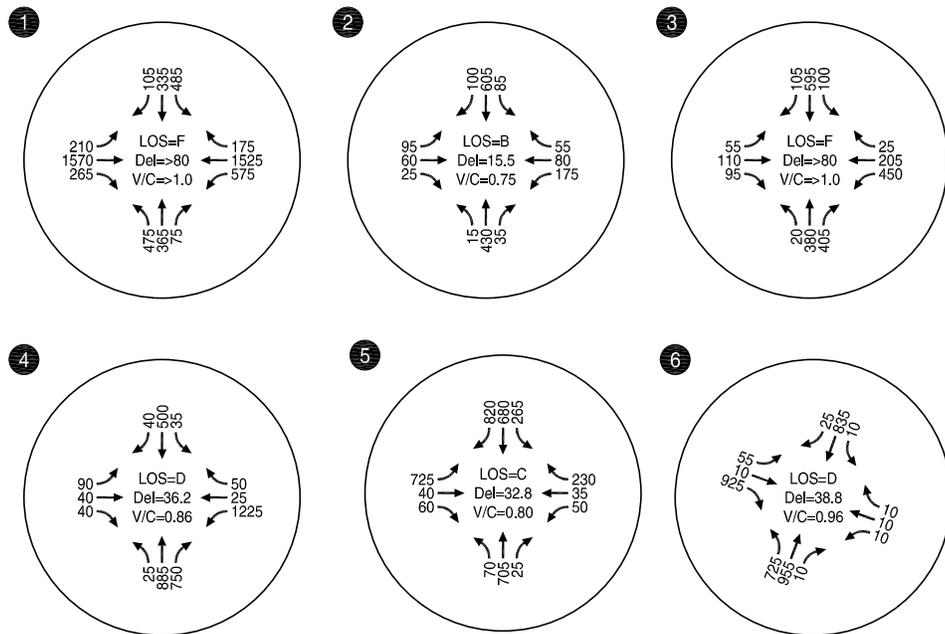
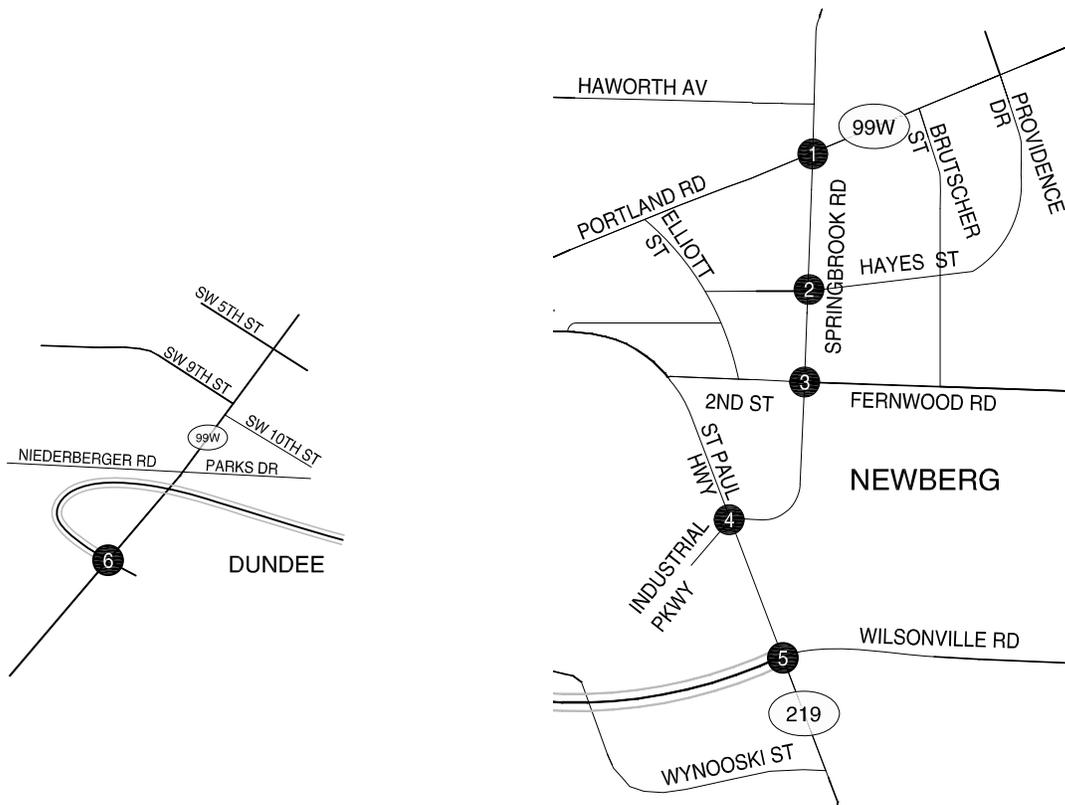
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- AWSC = ALL-WAY STOP CONTROL



2035 NO BUILD
TRAFFIC CONDITIONS
NEWBERG, OREGON
FIGURE
4A

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LEGEND

LOS = INTERSECTION LEVEL OF SERVICE
 Del = INTERSECTION AVERAGE CONTROL DELAY
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

**YEAR 2035 PHASE 1 SCENARIO
 DESIGN HOUR TRAFFIC CONDITIONS
 NEWBERG, OREGON**

FIGURE
8

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Neighbors to Vote on Noise Walls

When planning a noise wall to mitigate noise impacts, ODOT must consider the viewpoints of the residents and property owners that benefit from the proposed wall, the cost-effectiveness of the wall, and the noise reduction design goal for the wall. All three criteria must be met to satisfy a requirement that the wall is reasonable.

ODOT will send out noise survey letters to the affected residents and property owners to understand how the affected people feel about the noise walls. A majority of the residents

and property owners must be in favor of the noise wall for the wall to be built.

There are four noise walls proposed in Phase 1. ODOT will survey the residents and property owners in south Newberg in the vicinity of SP Newsprint, in the Mountain View Estates and Nut Tree Ranch along Springbrook Road, and the Avalon neighborhood along Oregon 219 before constructing that portion of Phase 1 in south Newberg.

IN THIS ISSUE

- Tier 2 FEIS Completed and Record of Decision Signed by FHWA
- Local Land Use Actions
- First Phase of Construction (Phase 1)
- Property Acquisition Continues
- Neighbors to Vote on Noise Walls

FOR MORE INFORMATION

PROJECT INQUIRIES

Kelly Amador,
Senior Project Leader
Kelly.L.Amador@odot.state.or.us
Oregon Department of
Transportation, Region 2
Mid-Willamette Valley Area
885 Airport Road SE, Bldg. P
Salem, OR 97301-4788

WEBSITE ADDRESS

www.NewbergDundee.org



455 Airport Road SE, Building A
Salem, Oregon 97301

RETURN SERVICE REQUESTED

PROPERTY ACQUISITION CONTINUES

By the end of May 2012, ODOT has acquired 44 properties to date needed for the project. Property acquisitions will continue through 2014. The current acquisitions are primarily in south Newberg. If you have questions regarding property acquisition or whether your property is inside the project area, please review the FEIS on the project website and/or contact David Thiessen, ODOT Senior Right of Way Agent, at 503-986-2618. Mr. Thiessen can provide information on the right-of-way acquisition process, including the rights and benefits provided to businesses, homeowners, and tenants impacted by property acquisition.



Newberg-Dundee

BYPASS

June 2012

The Oregon Department of Transportation (ODOT), has been working closely with the local communities for several years on the proposed Newberg Dundee Bypass, an 11-mile, four-lane, access-controlled expressway around the cities of Newberg and Dundee. The purpose of the Bypass is to:

- Reduce congestion on Oregon 99W through Newberg and Dundee by redirecting traffic to the Bypass.
- Improve downtown livability in Newberg and Dundee and the overall flow of traffic through this area.

The Newberg Dundee Bypass project is moving ahead into a new phase, and this newsletter concludes the project planning/environmental phase of the project. ODOT has started final design and will begin the first phase of project construction in 2013. As ODOT begins construction of Phase 1 of the Newberg Dundee Bypass, ODOT will continue to send out project updates.

Tier 2 FEIS Completed and Record of Decision Signed by FHWA

The Tier 2 Final Environmental Impact Statement (Tier 2 FEIS) for the Newberg Dundee Bypass was signed by the Federal Highway Administration on April 2, 2012, and published in the Federal Register on April 27, 2012. Publication marks a milestone in the project that has been many years coming and clears the way for the project to proceed to construction. The Federal Highway Administration (FHWA) issued the Record of Decision (ROD) on June 5, 2012. Issuing the ROD for the Tier 2 FEIS is the last step in the project's planning/environmental phase required by the National Environmental Policy Act.

The Tier 2 FEIS describes the Bypass project's selected alternative, also known as the Preferred Alternative, and includes an analysis of the impacts of the Preferred Alternative and Phase 1, the project's first construction phase.

The Tier 2 FEIS can be viewed at the project website www.NewbergDundee.org. A disc or hard copy may be requested by contacting Kelly Amador.

FEIS INQUIRIES

Kelly Amador
Senior Project Leader
Kelly.L.Amador@odot.state.or.us
Oregon Department of Transportation
Region 2
Mid-Willamette Valley Area
885 Airport Road SE, Bldg. P
Salem, OR 97301-4788

LOCAL LAND USE ACTIONS

This summer, ODOT will finish preparing two additional local land use amendment requests to support the Phase 1 interim Bypass connection to Oregon 99W, south of Dundee. ODOT will request a Yamhill County goal exception to allow this connection to be built on land zoned for exclusive farm use. ODOT also will request that the City of Newberg amend its transportation system plan for the connection of Wilsonville Road to Oregon 219. ODOT anticipates Yamhill

County and Newberg will hold a public hearing for these land use actions later this summer or early next fall.

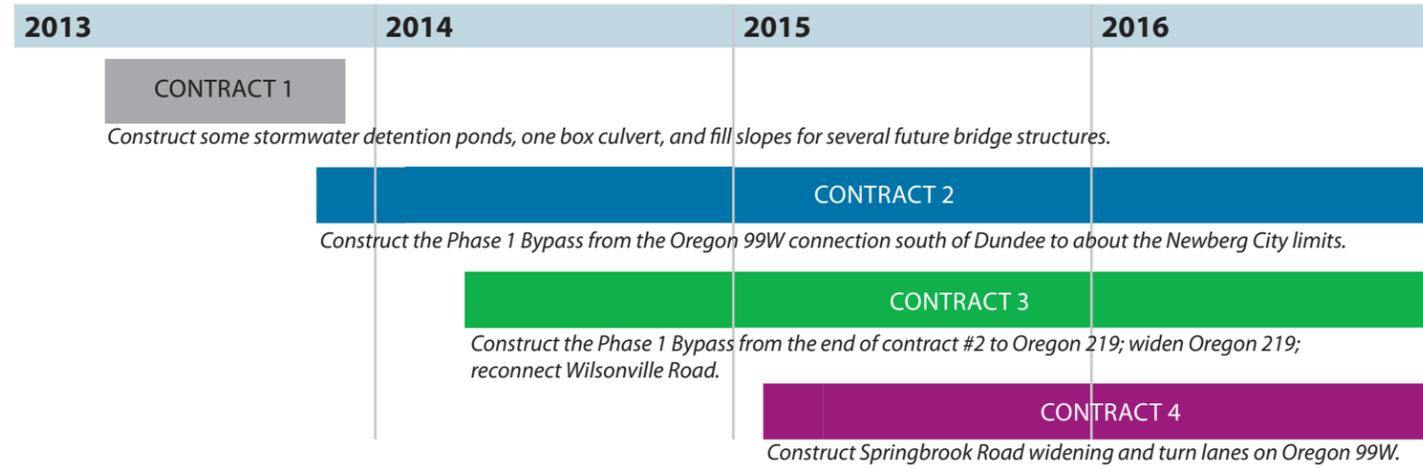
Although needed for Phase 1, these two connections are considered interim, because they will be removed when later phases of the project extend the Bypass to Oregon 18 in Dayton and to Oregon 99W in northeast Newberg.

First Phase of Construction (Phase 1)

Phase 1 is the first construction phase of the Preferred Alternative. It is about 4 miles in length and will include construction of one lane of the Bypass in each direction, between Oregon 219 and Oregon 99W south of Dundee. Phase 1 also will include required local circulation changes in East Newberg and south of Dundee needed to accommodate the construction. Phase 1 will have access points only at Oregon 219 in the north and Oregon 99W in the south. See map below.

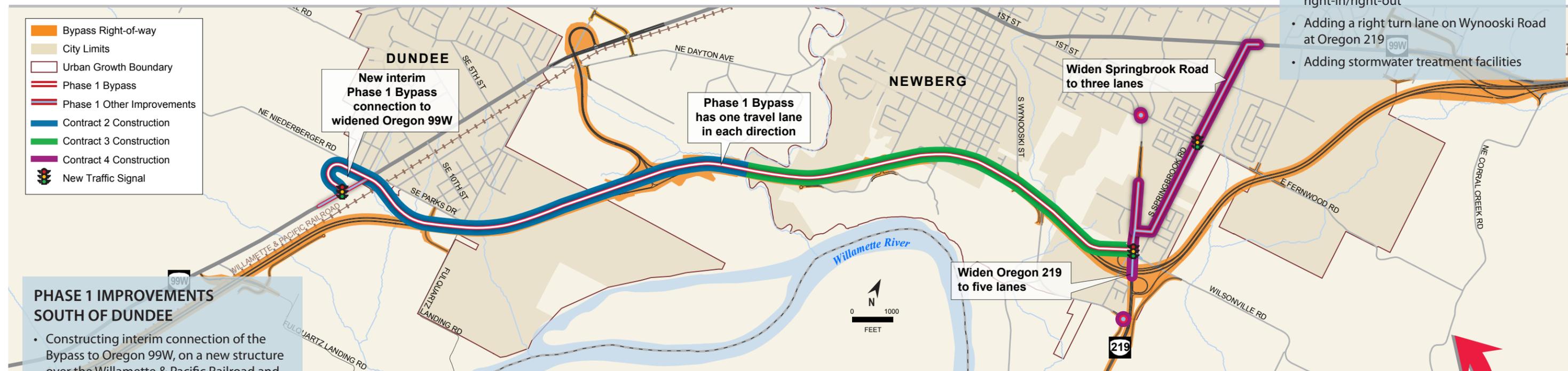
Phase 1 will be divided into four construction contracts with anticipated dates shown at right. A description of the contract and the estimated schedule is also listed. All construction for Phase 1 is anticipated to be complete by the end of 2016.

PHASE 1 CONSTRUCTION SCHEDULE



PHASE 1 IMPROVEMENTS IN EAST NEWBERG

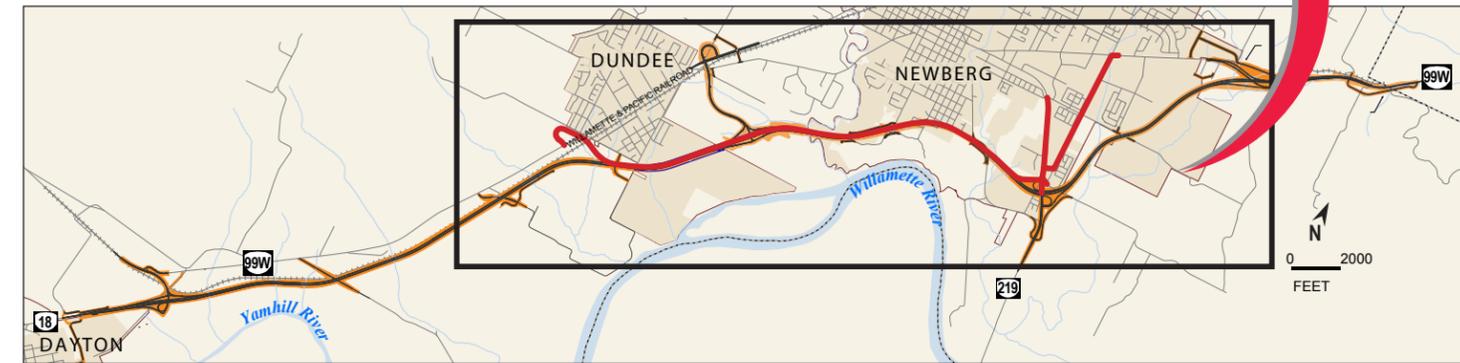
- Adding southbound left turn lane on Oregon 99W at Springbrook Road
- Widening Springbrook Road to three lanes generally between Oregon 99W and Oregon 219
- Constructing a traffic signal at the intersection of Springbrook and Fernwood Roads
- Adding a second southbound left turn lane on Springbrook Road at Oregon 219
- Widening Oregon 219 to five lanes between Springbrook Road and the new Bypass signalized intersection on Oregon 219
- Connecting Wilsonville Road to the new Bypass
- Restricting Oregon 219 at 2nd Street to right-in/right-out
- Adding a right turn lane on Wynooski Road at Oregon 219
- Adding stormwater treatment facilities



PHASE 1 IMPROVEMENTS SOUTH OF DUNDEE

- Constructing interim connection of the Bypass to Oregon 99W, on a new structure over the Willamette & Pacific Railroad and Oregon 99W and connecting to Oregon 99W at a signalized intersection
- Widening westbound Oregon 99W west of the new intersection to two travel lanes
- Widening eastbound Oregon 99W west of the new intersection to include two left turn lanes onto the Bypass
- Changing access for several properties fronting Oregon 99W south of Dundee
- Adding stormwater treatment facilities

ODOT's Preferred Alternative (in orange) with Phase 1 (in red)



ATTACHMENT 2

ODOT, September 5, 2013, email to Mike Bezner, Clackamas County

From: AMADOR Kelly L <Kelly.L.AMADOR@odot.state.or.us>
Sent: Thursday, September 05, 2013 11:10 AM
To: 'Bezner, Mike'
Cc: POTTER James T * Tim
Subject: RE: meeting

Julia Kuhn from Kittelson performed the traffic analysis and modeling for our environmental documents and the project. I forwarded your question/concern to her and this is her response:

“Both Clackamas County staff and members of the public have raised questions regarding the potential for the Bypass to change the traffic volumes (i.e., “induce demand”) on roadways that enter into the Newberg Dundee area. We worked with ODOT as part of the EIS to assess this possibility. Here’s a little background:
ODOT maintains a “statewide” model that can help to determine whether adding significant new roadways like the Bypass might change the traffic volumes on other roadways that span multiple jurisdictions, like ORE 99W. This statewide model is different but complementary to the model we and ODOT have used for the Bypass EIS calculations, which only includes the Newberg Dundee area. If we only used the model for the Newberg-Dundee area, we may not be able to ascertain whether traffic volumes on how the Bypass may or may not change the volumes on roadways entering and exiting the Newberg Dundee area. Use of the statewide model by ODOT allows for this possibility.
Based on the use of the statewide model, ODOT determined that adding the Bypass *would not* measurably change the traffic volumes on Highway 99W, Wilsonville Road, or other roadways entering/exiting the Newberg Dundee area. The statewide model was used for the year 2035 analyses but we can conclude the same result for 2016.
To specifically address Clackamas County’s most recent question, from our previous work with ODOT, we can conclude that traffic volumes on Wilsonville Road will not change as a result of the Bypass.
Please let me know if you need any additional information.”

Julia

Let me know if this addresses your question. We can arrange a time to discuss this further if you would like.

Kelly

Kelly Amador, Sr. Project Leader

kelly.l.amador@odot.state.or.us

Mid-Willamette Valley Area

Marion, Polk, Yamhill Counties

Phone: 503-986-2874 Fax: 503-986-2881

From: Bezner, Mike [mailto:MikeBez@co.clackamas.or.us]
Sent: Tuesday, August 27, 2013 3:07 PM
To: AMADOR Kelly L
Cc: POTTER James T * Tim
Subject: RE: meeting

Kelly-

I do still have questions. I read the document when Larry gave me a copy. It shows that the traffic volumes with and without the bypass on Wilsonville Road are exactly the same in 2016. This does not seem possible and I wonder what the traffic model looks like. Regardless, our Commissioners want me to discuss this with you.

Mike Bezner | **Manager**

Transportation Engineering | 150 Beaver Creek Road | Oregon City, OR 97045 | 📞 : 503-742-4651

Beginning July 8, 2013, my schedule will be Monday thru Thursday, 7AM-6PM.

DTD HOURS - BEGINNING JULY 8:

- 2nd and 3rd floor permit lobbies open Mon-Fri from 8a-3p.
- Office hours: Mon-Thr 7:30a-4:30p and Fri 8a-3p.

From: AMADOR Kelly L [<mailto:Kelly.L.AMADOR@odot.state.or.us>]

Sent: Tuesday, August 27, 2013 1:47 PM

To: Bezner, Mike

Cc: POTTER James T * Tim

Subject: RE: meeting

Hi:

In July we met with Larry Conrad, Principal Planner with Clackamas County and Nancy Kraushaar, Community Development Director with the City of Wilsonville to discuss the Bypass project. The meeting also included our consultants, Kittelson and Parametrix who worked on the traffic studies and the Environmental Impact Statement (EIS). Our traffic studies and EIS indicate that the Bypass will have little impact on Clackamas County roads.

I have attached a documents that we prepared for Nancy and Larry that discusses the project and the traffic impacts. After you review them, if you still have questions or concerns, we can arrange a meeting time.

Kelly

Kelly Amador, Sr. Project Leader

kelly.l.amador@odot.state.or.us

Mid-Willamette Valley Area

Marion, Polk, Yamhill Counties

Phone: 503-986-2874 Fax: 503-986-2881

From: Bezner, Mike [<mailto:MikeBez@co.clackamas.or.us>]
Sent: Tuesday, August 27, 2013 7:33 AM
To: AMADOR Kelly L
Cc: Cartmill, Barbara
Subject: meeting

Kelly-

Just following up on my meeting request to discuss impacts to County roads due to the Newberg Dundee bypass. Our Commissioners are expecting for this to be discussed ASAP.

Thanks,

Mike Bezner | Manager

Transportation Engineering | 150 Beaver Creek Road | Oregon City, OR 97045 | 📞 : 503-742-4651

Beginning July 8, 2013, my schedule will be Monday thru Thursday, 7AM-6PM.

DTD HOURS - BEGINNING JULY 8:

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- Office hours: Mon-Thr 7:30a-4:30p and Fri 8a-3p.

Recipient

'Bezner, Mike'

POTTER James T * Tim

ATTACHMENT 3

**ODOT, October 14, 2013, email to Nancy Kraushaar, City of
Wilsonville**

From: AMADOR Kelly L <Kelly.L.AMADOR@odot.state.or.us>
Sent: Monday, October 14, 2013 4:36 PM
To: 'Kraushaar, Nancy'
Subject: RE: Newberg/Dundee Bypass Question

Hi Nancy:

Sorry about the delay in responding to you. Here are the responses to your questions:

1. Do the traffic counts provided Wilsonville Road above represent the No-Build or with bypass?

The daily traffic volume estimates for Wilsonville Road are essentially the same for both the No-Build and with the Phase 1 Bypass. As part of our analysis, it has been important to understand whether adding the Bypass to the roadway system would change the destinations and/or routes chosen by regional travelers. Previously, we've received questions as to whether the bypass would "induce" demand on any of the roadways leading into and out of the Newberg-Dundee area. To help answer that question, we worked with ODOT as part of the EIS process to assess the potential for the Bypass to change the traffic volumes (i.e., "induce demand"). ODOT used their "statewide" model to determine whether adding the Bypass would change the traffic volumes on other roadways that span multiple jurisdictions, like Oregon 99W. The statewide model is different but complementary to the model we used for the Bypass EIS calculations, which only includes the Newberg Dundee project area. If we only used the model for the Newberg Dundee project area, we may not be able to ascertain whether the additional capacity provided with the Bypass would change the traffic volumes on roadways entering and exiting the Newberg Dundee project area. Using the statewide model allowed ODOT to assess the possibility of changes in traffic volumes on roadways that enter the Newberg Dundee project study area.

Based on the output's from ODOT's statewide model, we determined that adding the Bypass would not measurably change the traffic volumes on Oregon 99W, Wilsonville Road, or other roadways entering/exiting the Newberg Dundee project area. The statewide model was used for the year 2035 analyses but we can deduce the same findings for 2016. We can conclude that traffic volumes on Wilsonville Road would not change measurably as a result of the Phase 1 Bypass.

2. Could you please elaborate on the "approximately 75 percent in the PM peak is oriented to/from the north along Oregon 219"? What does that mean relative to the concerns that have been expressed about increased traffic on Wilsonville Road; safety; etc.

When we looked at where travelers from Wilsonville Road are headed in the PM peak hour in 2016 and 2035 with the Phase 1 Bypass in place, we noted that 75% are coming from or going to the north, along Oregon 219 when engineering into the Newberg area. This traffic pattern can be used to deduce that many of the 4,000 vehicles per day in 2016 on Wilsonville Road are destined for Newberg or areas to the northeast or northwest of Newberg rather than more regional destinations toward the coast or further west to Lafayette or McMinnville. Trips toward the coast or further west to Lafayette or McMinnville would use the Phase 1 Bypass.

As noted in the response to your first follow-up question above, the Bypass modeling determined that traffic volumes on Wilsonville Road would not measurably change as a result of the Phase 1 Bypass. The Bypass modeling does not show measurable changes in traffic volumes on Oregon 99W,

**Attachment "1"
to RCA Ordinance No. 2013-2766**

Wilsonville Road, or other roadways entering/exiting the Newberg Dundee project area therefore it does not support the concerns and opinions expressed by the Ladd Hill CPO, the City of Wilsonville, and Clackamas County about increased traffic volumes or safety problems on Wilsonville Rd.

I hope provides you with the information/clarification you are looking for.

Kelly

Kelly Amador, Sr. Project Leader

kelly.l.amador@odot.state.or.us

Mid-Willamette Valley Area

Marion, Polk, Yamhill Counties

Phone: 503-986-2874 Fax: 503-986-2881

From: Kraushaar, Nancy [mailto:kraushaar@ci.wilsonville.or.us]

Sent: Monday, October 14, 2013 11:35 AM

To: AMADOR Kelly L

Subject: RE: Newberg/Dundee Bypass Question

Hi, Kelly: Have you had a chance to reply to my questions below? Thank you. -nancy

From: Kraushaar, Nancy

Sent: Tuesday, September 24, 2013 9:53 AM

To: 'AMADOR Kelly L'

Subject: RE: Newberg/Dundee Bypass Question

Kelly: Here you go. -Nancy

From: AMADOR Kelly L [mailto:Kelly.L.AMADOR@odot.state.or.us]

Sent: Monday, September 23, 2013 3:09 PM

To: Kraushaar, Nancy

Subject: RE: Newberg/Dundee Bypass Question

Hi Nancy:

I am working on responses to your questions. You refer to an attached letter from John Ludlow but your email did not have an attachment. Can you forward that letter/email to me.

Thanks, Kelly

Kelly Amador, Sr. Project Leader

kelly.l.amador@odot.state.or.us

Mid-Willamette Valley Area

Marion, Polk, Yamhill Counties

Phone: 503-986-2874 Fax: 503-986-2881

From: Kraushaar, Nancy [<mailto:kraushaar@ci.wilsonville.or.us>]
Sent: Monday, September 23, 2013 10:47 AM
To: AMADOR Kelly L; WCiz@parametrix.com
Subject: Newberg/Dundee Bypass Question

Hi, Kelly: I received the attached letter from the Clackamas County Commission Chair John Ludlow today. Just a heads up for you.

I will be questioned about our meeting, correspondence, and the memo you sent in August (also attached). Upon rereading your memo, I have a couple of questions about the following section:

Traffic Analysis of the Newberg Dundee Bypass Phase 1 at Wilsonville Road

To support the Phase 1 construction efforts, Kittelson & Associates, Inc. worked with TPAU to analyze both year 2016 (year of opening) and year 2035 conditions assuming construction of only Phase 1 of the Bypass. Like the FEIS processes, the analyses compare the “with bypass” conditions to the No Build.

In response to questions raised by the City of Wilsonville and residents in Clackamas County, some key findings of the Phase 1 analyses, specifically related to Wilsonville Road, are provided below.

Today, Wilsonville Road carries approximately 3,500 vehicles per day to the south of Springbrook Road. In 2016, traffic volumes could increase to approximately 4,000 vehicles per day; by 2035, Wilsonville Road could carry upwards of 6,000 vehicles per day. Of this traffic, approximately 75 percent in the PM peak hour is oriented to/from the north along Oregon 219.

Near the Wilsonville Road intersection, Springbrook Road carries approximately 7,000 vehicles per day now; without the Phase 1 Bypass, the traffic volumes could increase to 8,000 vehicles per day in 2016 and 13,000 vehicles per day in 2035. If Phase 1 of the Bypass is constructed, the volumes on Springbrook Road could increase to 14,000 vehicles per day in 2016 and more than 21,000 vehicles per day in 2035.

1. Do the traffic counts provided for Wilsonville Road above represent the No-Build or “with bypass?”
2. Could you please elaborate on “approximately 75 percent in the PM peak is oriented to/from the north along Oregon 219”? What does that mean relative to the concerns that have been expressed about increased traffic on Wilsonville Road; safety; etc.

Thank you. -Nancy

Nancy Kraushaar, PE
Community Development Director
City of Wilsonville
29799 SW Town Center Loop E
Wilsonville, OR 97070
503.570.1562 (office)

ATTACHMENT 4

ODOT, September 18, 2013, memo to Ladd Hill CPO



Newberg-Dundee
BYPASS

MEMORANDUM

Date: September 18, 2013
To: Ladd Hill CPO
From: Kelly Amador, ODOT Project Manager
Subject: Newberg Dundee Bypass and CPO Questions
cc: Tim Potter, Julia Kuhn, Bill Ciz

The purpose of this memo is to provide information about the Newberg Dundee Bypass Project process, transportation modeling, and to answer two questions from the CPO.

Newberg Dundee Project History

The Newberg Dundee Bypass project is intended to improve mobility and safety for travel within and through Newberg and Dundee. Safety and congestion on Oregon 99W is well documented since the early 1980s. The current planning effort to address Oregon 99W began in the late 1990s with an Alternatives Analysis planning study. This study examined a number of transportation alternatives and options; a bypass highway around Newberg and Dundee was selected as to advance into project design and environmental analysis.

In 2000, the project evaluated a number of alignments for the bypass around Newberg and Dundee. The study considered the benefits and impacts of alternative bypass corridors to the south and north of Newberg and Dundee. In 2005, the Tier 1 Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) identified a Bypass alignment to the south of Oregon 99W as the preferred alternative. In the identified alignment, the four-lane Bypass connects to Oregon 99W at an interchange near Rex Hill and at Oregon 18/Oregon 99W near McDougall's corner; intermediary interchanges will be located along the bypass at Oregon 219 and with Oregon 99W at East Dundee.

In conjunction with the Tier 1 FEIS, ODOT also pursued and was granted a Goal Exception to construct sections of the Bypass outside of the Newberg and Dundee Urban Growth Boundaries. The Goal Exception required significant analyses, coordination with the cities and Yamhill County, and extensive public outreach efforts. The Goal Exception was approved by Yamhill County and by the state agencies in 2005.

ODOT began detailed design and environmental analysis on the identified location of the bypass highway in 2006. This process concluded in June of 2012 with a Tier 2 FEIS and ROD on the preferred alternative for the Newberg Dundee Bypass. The first construction phase (Phase 1) of the Newberg Dundee Bypass was included in the Tier 2 FEIS and ROD. Funding for the Phase 1 was included in the 2009 Jobs and Transportation Act passed by the Oregon Legislature. Phase 1 will include the construction of the Bypass segment between Oregon 219 and at a location to the south of Dundee. The segments between Rex Hill and Oregon 219 as well as between south Dundee and McDougall's corner will be constructed as part of later phases. In addition, Phase 1 only includes a two-lane bypass; widening of the bypass to four lanes will occur as part of a later phase. Additional details of Phase 1 can be found in the enclosed newsletter (Attachment A, June 2012 newsletter).

Newberg Dundee Bypass Transportation Modeling

Extensive transportation analyses and environmental analyses have been completed to support the Tier 1 FEIS, Tier 2 FEIS, and Goal Exception. The travel demand forecasts upon which the traffic analyses are based were provided by ODOT's Transportation Planning and Analysis Unit (TPAU). TPAU maintains an emme2 model for Newberg and Dundee and the adjacent areas of Yamhill County. As part of the Tier 1 and 2 environmental analysis, the cities and county worked with TPAU to ensure that the emme2 model is based on the current population and employment forecasts. TPAU provided the Newberg Dundee Bypass project team with travel forecasts that were be used to analyze future year traffic conditions for the Tier 1 and 2 FEIS, Goal Exception, and detailed design efforts.

Kittelson & Associates, Inc. post-processed the travel forecasts, based on actual traffic counts conducted within the two cities and performed operational analyses needed to support the Bypass approvals.

In addition, ODOT also maintains a "statewide" model that can help to determine whether adding significant new roadways like the Bypass might change the traffic volumes on other roadways that span multiple jurisdictions, like ORE 99W. This statewide model is different but complementary to the model we and ODOT have used for the Bypass EIS calculations, which only includes the Newberg Dundee area. If we only used the model for the Newberg-Dundee area, we may not be able to ascertain whether traffic volumes on the Bypass may or may not change the volumes on roadways entering and exiting the Newberg Dundee area. Use of the statewide model by ODOT allows for this possibility. Based on the use of the statewide model, ODOT determined that adding the Bypass would not measurably change the traffic volumes on Highway 99W, Wilsonville Road, or other roadways entering/exiting the Newberg Dundee area. The statewide model was used for the year 2035 analyses but we can conclude the same result for 2016.

Traffic Analysis of the Newberg Dundee Bypass Phase 1 at Wilsonville Road

To support the Phase 1 construction efforts, Kittelson & Associates, Inc. worked with TPAU to analyze both year 2016 (year of opening) and year 2035 conditions assuming construction of only Phase 1 of the Bypass. Like the FEIS processes, the analyses compare the "with bypass" conditions to the No Build.

In response to questions raised by the City of Wilsonville and residents in Clackamas County, some key findings of the Phase 1 analyses, specifically related to Wilsonville Road, are provided below.

Today, Wilsonville Road carries approximately 3,500 vehicles per day to the south of Springbrook Road. In 2016, traffic volumes could increase to approximately 4,000 vehicles per day; by 2035, Wilsonville Road could carry upwards of 6,000 vehicles per day. Of this traffic, approximately 75 percent in the PM peak hour is oriented to/from the north along Oregon 219.

Near the Wilsonville Road intersection, Springbrook Road carries approximately 7,000 vehicles per day now; without the Phase 1 Bypass, the traffic volumes could increase to 8,000 vehicles per day in 2016 and 13,000 vehicles per day in 2035. If Phase 1 of the Bypass is constructed, the volumes on Springbrook Road could increase to 14,000 vehicles per day in 2016 and more than 21,000 vehicles per day in 2035.

Responses to CPO Questions

We have addressed questions raised by the CPO below.

COP Question #1 "What would happen if the Wilsonville Road was not relocated to Oregon 219 and remained connected to Springbrook Road?"

ODOT Response: Drivers will be advised through signage to use Springbrook Road as the primary connection between Oregon 99W and the Phase 1 Bypass. As noted above, this could double the amount of traffic that Springbrook Road carries. This doubling in traffic would result in a failure at the existing Wilsonville Road/Springbrook Road intersection (i.e., the v/c ratio would change from 0.73 to about 1.4). Based on the commitment in the Tier 2 FEIS and ROD, ODOT is required to implement “traffic improvement measures associated with Phase 1 based on forecast 2016 opening-year demand. These measures will bring non-project-impacted intersections up to or better than the level of operational performance expected with the No Build Alternative” or to the ODOT or local government operation performance standard. The performance standard for this intersection is a v/c ratio of 0.90. To achieve this level of operations, ODOT would need to install a traffic signal or a roundabout at this intersection. Operating a roundabout or a traffic signal so close to the Springbrook Road/Oregon 219 intersection would be extremely difficult. The two intersections are only 450 feet apart and the queues on Springbrook Road would extend from the Oregon 219 nearly to the Wilsonville Road intersection, rendering it virtually impossible for Wilsonville Road traffic to turn left onto Springbrook Road.

COP Question #2 “Just thought I'd put in writing one of the suggestions raised in the meeting that seemed to have merit. The suggestion was to leave the Wilsonville Road/Springbrook Road situation as it currently exists except that, for west-bound traffic on Wilsonville Road coming to a stop sign at Springbrook, have all the Wilsonville Road traffic merge right onto Springbrook northbound. Eliminate the left lane stop sign. For drivers wanting to go towards St. Paul on 219, they would go to the next intersection north and make two left-hand turns at those stop-lighted intersections. This has the great advantage of not throwing east-bound bypass traffic onto the obvious straight ahead -Wilsonville Road.

ODOT Response: This would result in additional traffic using Springbrook Road at the Fernwood, Hayes and Oregon 99W intersection. This additional traffic would likely require improvements to all of these intersections beyond that identified in the Tier 2 FEIS. Additionally, as part of the Phase 1 project, the Oregon 219/2nd Street Intersection is converted to a right turn-in/right turn-out intersection. This would mean Wilsonville Road traffic bound for Oregon 219 southbound to St. Paul or the Phase 1 Bypass would have to travel north to Oregon 99W and then travel to Oregon 219, or use a local street to get to Oregon 219 and travel south to St. Paul or the Phase 1 Bypass. This results in a significant amount of out of direction travel for Wilsonville Road traffic headed southbound on Oregon 219 and increased pressure on the Oregon 99W intersection.

**John C. Freeman
29090 Heater Road
Sherwood, OR 97140
503-625-1732**

November 14, 2013

City of Newberg
Mayor Andrews
City Council Members

Re: Transportation System Plan for Phase 1 of the By-Pass

Dear Mayor and Council Members,

I am the President of a Clackamas County CPO, which goes by the name of Ladd Hill Neighborhood Association (LHNA). Our area is comprised of both Clackamas County residents and Yamhill County residents, and so we also have a Yamhill County President, Stan Halle. Our area encompasses more than 300 homes, from the Willamette River on the South, to Parrett Mtn Road on the North, Bell Road on the East and about 2-3 miles West of Ladd Hill Road on the West.

I offered public testimony at your November 4th meeting regarding the By-Pass project.

As I previously commented, we are in favor of the By-Pass project.....we do not object to the project.....we support the project.

We only object to the tremendous increase in traffic on Wilsonville Road, which will result should the planned alignment of the East end of the By-Pass connect directly to the West end of Wilsonville Road. There are no plans at ODOT to fund and construct Phase 2 of the By-Pass during the next 20 years, so any decision made will have a long-term impact.

The LHNA first met with ODOT in June of 2013, when we discovered that all of the input which we provided 10 years ago into the design of the project was forgotten and/or being ignored. As a result of the June Meeting, ODOT responded with a copy of the attached Memorandum dated July 1, 2013 wherein William Criz provides a Summary of a Traffic Study showing that traffic will not increase on Wilsonville Road.

We believed that the conclusion of no increase in traffic on Wilsonville Road was illogical and un-believable, so the LHNA hired a very respected engineering firm, MacKenzie Company, to meet with the consultants which ODOT hired to conduct their traffic analysis. We asked MacKenzie to review the analysis which was done on behalf of ODOT, and advise us if the assumptions and conclusions were reasonable. Brent Ahrend, a traffic engineer with MacKenzie met first with Bill Criz of Parametrix, and then had a meeting with the project representatives at Kittelson Associates. Kittelson did the actual traffic studies. Attached is the Review Report from MacKenzie, dated November 14, 2013.

MacKenzie found that the data and conclusions provided to the LHNA were based on data assuming that the Wilsonville Road western terminus would be un-changed from the actual configuration that exists today; ie, the study was based on Wilsonville Road terminating into Springbrook Road. ODOT did no traffic analysis based upon Wilsonville Road being a defacto extension of the By-Pass, as they have illustrated in the drawings as proposed to the City of Newberg. So, ODOT's contention that traffic would not increase on Wilsonville Road is bogus. They do not know there would be no increase, because they never commissioned a study to evaluate it!

Furthermore, at your November 4th Council Meeting which we attended, Kelly Amador of ODOT advised you that to make the following two changes, would delay the overall project:

1. Change the configuration of Wilsonville Road to meet up with Wynooski Road.
2. Change the By-Pass to cross Highway 219, and turn directly into the Southern end of Springbrook Road.

We believe that her comment that it would delay the overall project is mis-leading, just as she attempted to mis-lead the LHNA with respect to future Wilsonville Road traffic.

Kelly advised you at the November 4th Council Meeting that the Contract for the Improvements on Springbrook Road and the Improvements along Highway 219 would happen in 2015. If that contract is going to be bid and signed in 2015, ODOT has 12 to 18 months to make the two relatively minor changes that we are requesting. That certainly will not delay the overall project. And, the overall cost of the project should not be significantly impacted because they save the cost (\$500,000 or more?) of a second traffic signal and intersection.

Changing the Wilsonville Road connection to Highway 219 will alleviate all traffic considerations on Wilsonville Road, and the City of Wilsonville.

Changing the connection between the By-Pass and Springbrook Road will make the traffic flow on and off those two roads much easier, and Eastbound By-Pass traffic will be less inclined to be mis-directed North on Highway 219 back into Newberg.

So we ask please, in your final deliberations and approval of the Transportation System Plan for Phase 1 of the By-Pass, please make your approval contingent upon ODOT's agreement to implement these 2 changes to the plan.

Thank you for your time and consideration,

John Freeman
Co-President
Ladd Hill Neighborhood Associaton

Attachments:

1 page Schematic of Proposed Changes

7 page By-Pass Memorandum, dated July 1, 2013

3 page MacKenzie Report, dated November 14, 2013

cc: John Ludlow, Chairman, Clackamas County Commissioners
Tim Knapp, Mayor, City of Wilsonville

TWO PROPOSED CHANGES

1. Re-alignment of the West end of Wilsonville Road
2. Connecting the east end of the By-Pass directly to Springbrook Road





Newberg-Dundee
BYPASS PROJECT

MEMORANDUM

Date: July 1, 2013
To: Kelly Amador
From: William Ciz
Subject: Wilsonville Road Traffic Counts
cc:
Project Number: 274-2395-058
Project Name: Newberg Dundee Bypass Project

Here is a quick summary of 2011 Traffic Counts, 2016 Traffic Projections (No Build and Build), and 2035 Traffic Projections (No Build and Build) on Wilsonville Road east of Oregon 219, Clackamas and Yamhill County functional classification for Wilsonville Road, a review of Phase 1 E Signing Plans and responses to COP comments. Also attached are the Figures from the Traffic Analysis Reports with the counts and projections referenced in case you would like to forward them.

2011 Peak Hour Traffic Counts (See 2011 Traffic Count pdf, Intersection #21) at the Wilsonville Road/Springbrook Road Intersection were 205 vehicles traveled westbound (70 turned right and 135 turned left onto Springbrook Road). 140 vehicles traveled eastbound (70 turned right and 70 turned left from Springbrook Road onto Wilsonville Road).

2016 No Build Peak Hour Traffic Projections (See Figure 2A, Intersection #21) at the Wilsonville Road/Springbrook Road Intersection were 230 vehicles traveled westbound (80 turned right and 150 turned left onto Springbrook Road). 170 vehicles traveled eastbound (85 turned right and 85 turned left from Springbrook Road onto Wilsonville Road).

2016 Build Peak Hour Traffic Projection (See Figure 7, Intersection #5) at the new Oregon 219/Wilsonville Road Intersection are 230 vehicles will travel westbound (165 will turn right onto Oregon 219 , 25 will enter the Phase 1 Bypass and 40 will turn left onto Oregon 219). 170 vehicles will travel eastbound (15 will turn right form Oregon 219, 25 will enter from the Phase 1 Bypass and 130 will turn left from Oregon 219).

2035 No Build Peak Hour Traffic Projections (See Figure 4A, Intersection #21) at the Wilsonville Road/Springbrook Road Intersection were 310 vehicles traveled westbound (115 turned right and 195 turned left onto Springbrook Road). 280 vehicles traveled eastbound (140 turned right and 140 turned left from Springbrook Road onto Wilsonville Road).

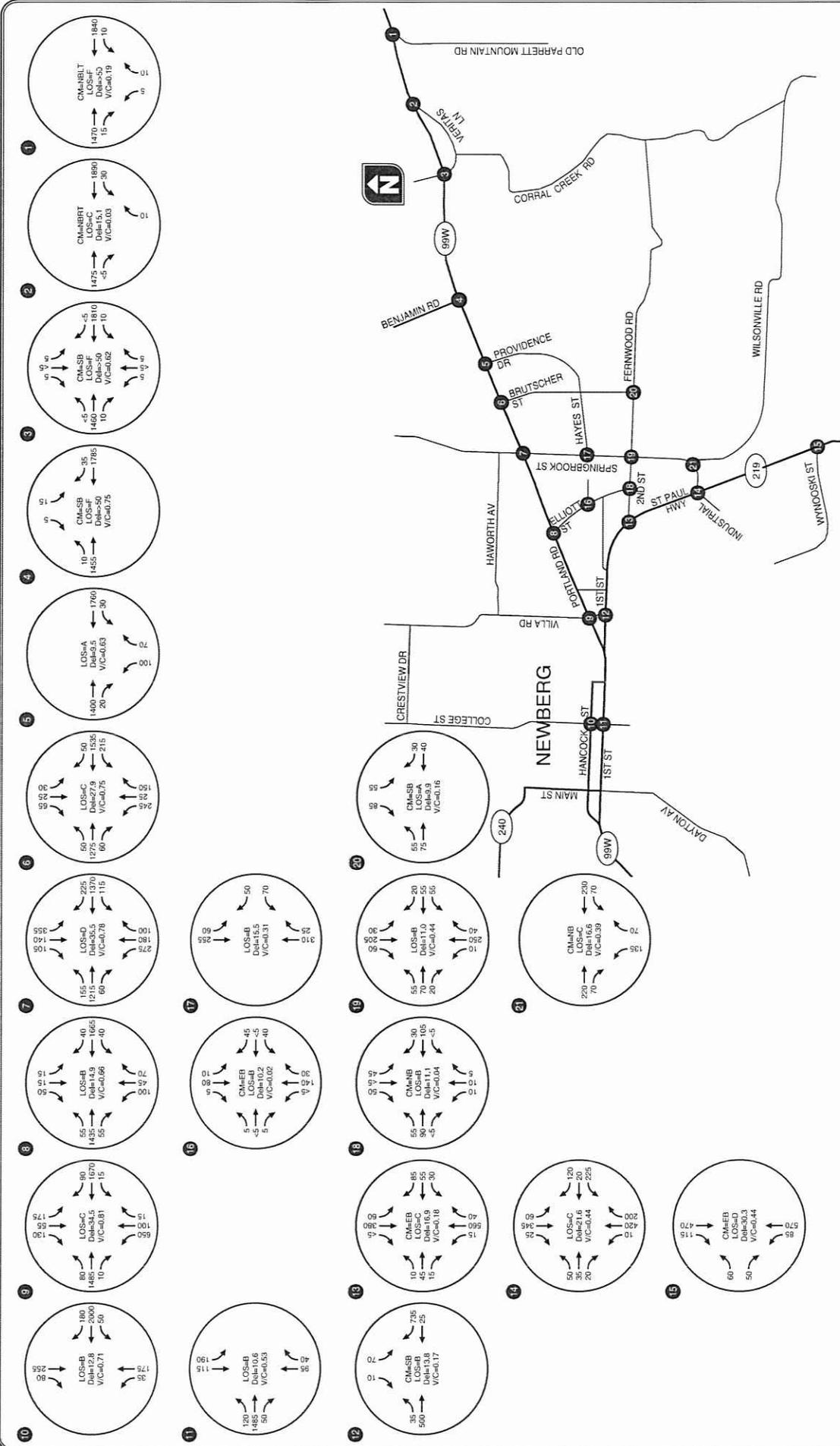
2035 Peak Hour Traffic Projection (See Figure 8, Intersection #5) at the new Oregon 219/Wilsonville Road Intersection are 315 vehicles will travel westbound (230 will turn right onto Oregon 219 , 35 will entered the Phase 1 Bypass and 50 will turned left onto Oregon 219). 330 vehicles will travel eastbound (25 will turn right from Oregon 219, 40 will enter from the Phase 1 Bypass and 265 will turn left from Oregon 219).

Wilsonville Road is classified as a Major Collector by Yamhill County and as a Major Arterial in Clackamas County.

I also review the current signing plans for Phase 1E. There are no signs at the Oregon 219/Phase 1 Bypass/Wilsonville Road Intersection directing traffic to use Wilsonville Road.

September 2011

NDTIP



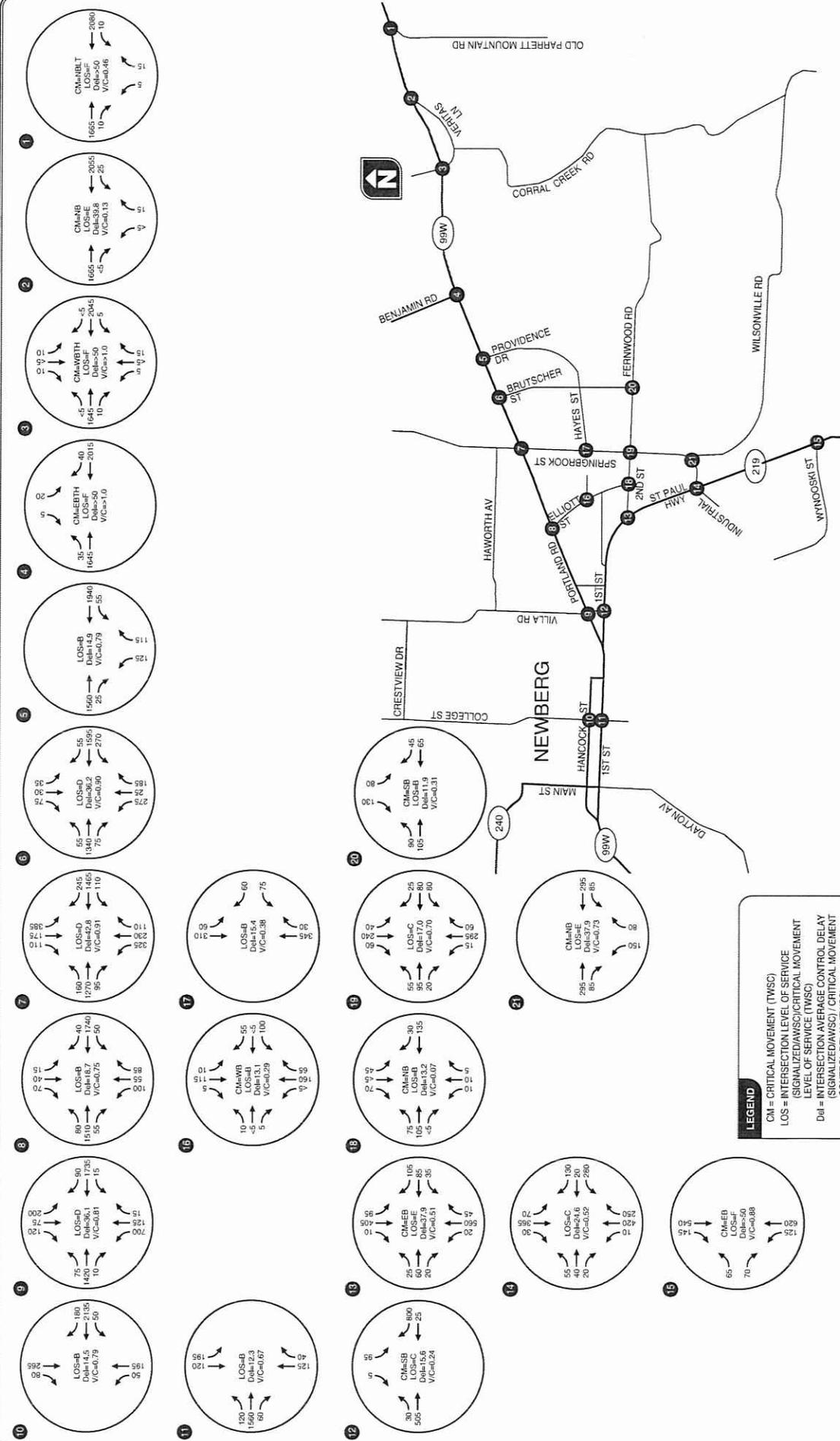
2011 EXISTING TRAFFIC CONDITIONS NEWBERG, OREGON
FIGURE 3A

KITTELSON & ASSOCIATES, INC.
TRANSPORTATION ENGINEERING / PLANNING

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September 2011

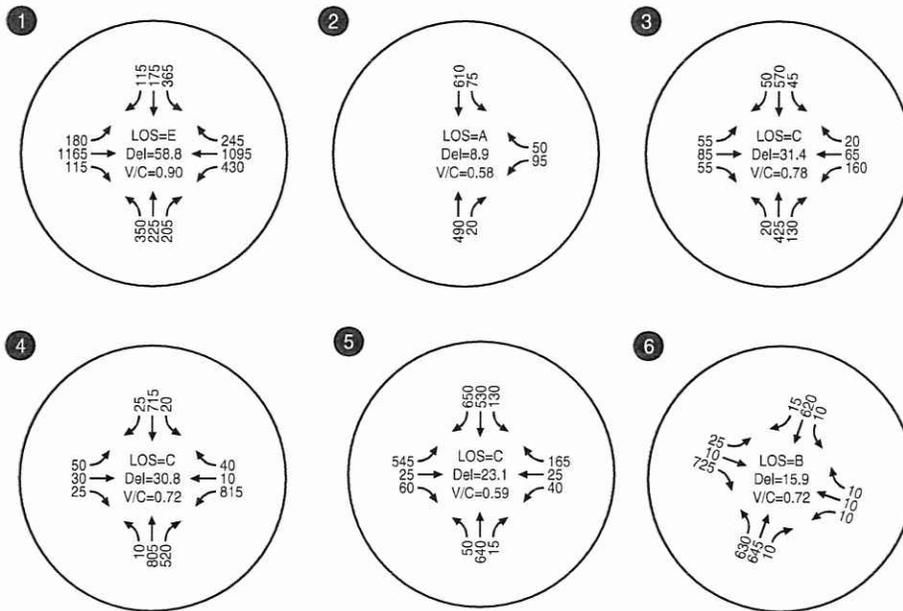
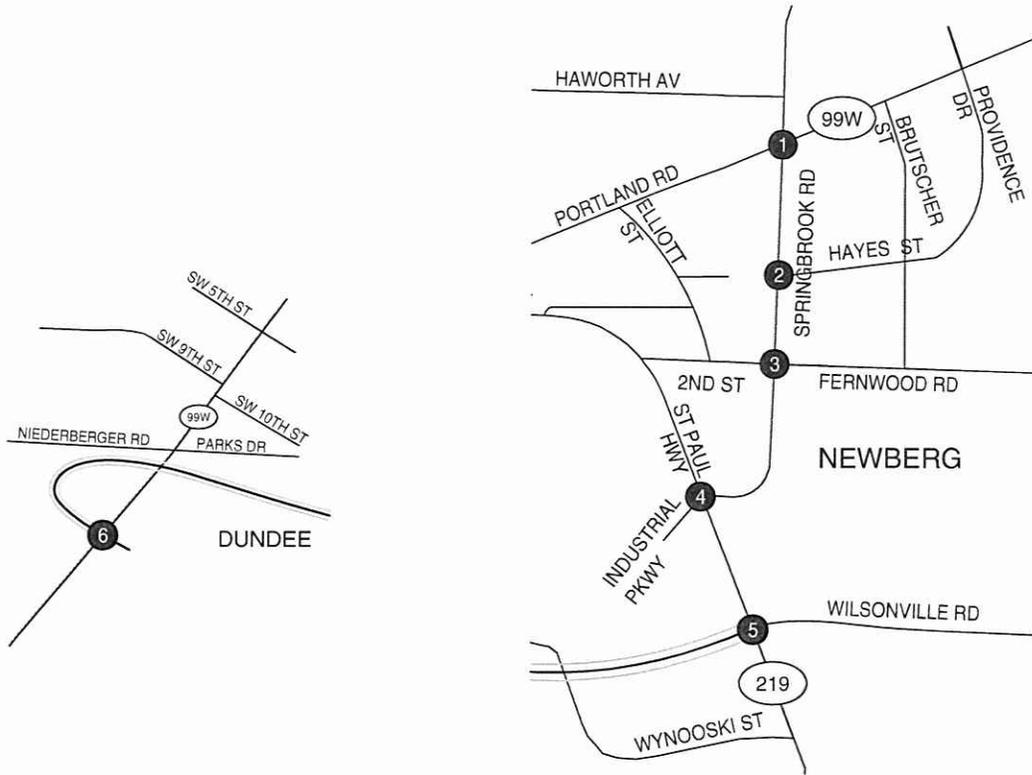
NDTIP



LEGEND
 CM = CRITICAL MOVEMENT (TWSC)
 LOS = INTERSECTION LEVEL OF SERVICE (SIGNALIZED/AVSC)/CRITICAL MOVEMENT LEVEL OF SERVICE (TWSC)
 Dd = INTERSECTION AVERAGE CONTROL DELAY (SIGNALIZED/AVSC) / CRITICAL MOVEMENT CONTROL DELAY (TWSC)
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO
 TWSC = TWO-WAY STOP CONTROL
 AWSC = ALL-WAY STOP CONTROL

2016 NO BUILD TRAFFIC CONDITIONS NEWBERG, OREGON
 FIGURE 2A

KITTELSON & ASSOCIATES, INC.
 TRANSPORTATION ENGINEERING / PLANNING



LEGEND

- LOS = INTERSECTION LEVEL OF SERVICE
- Del = INTERSECTION AVERAGE CONTROL DELAY
- V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

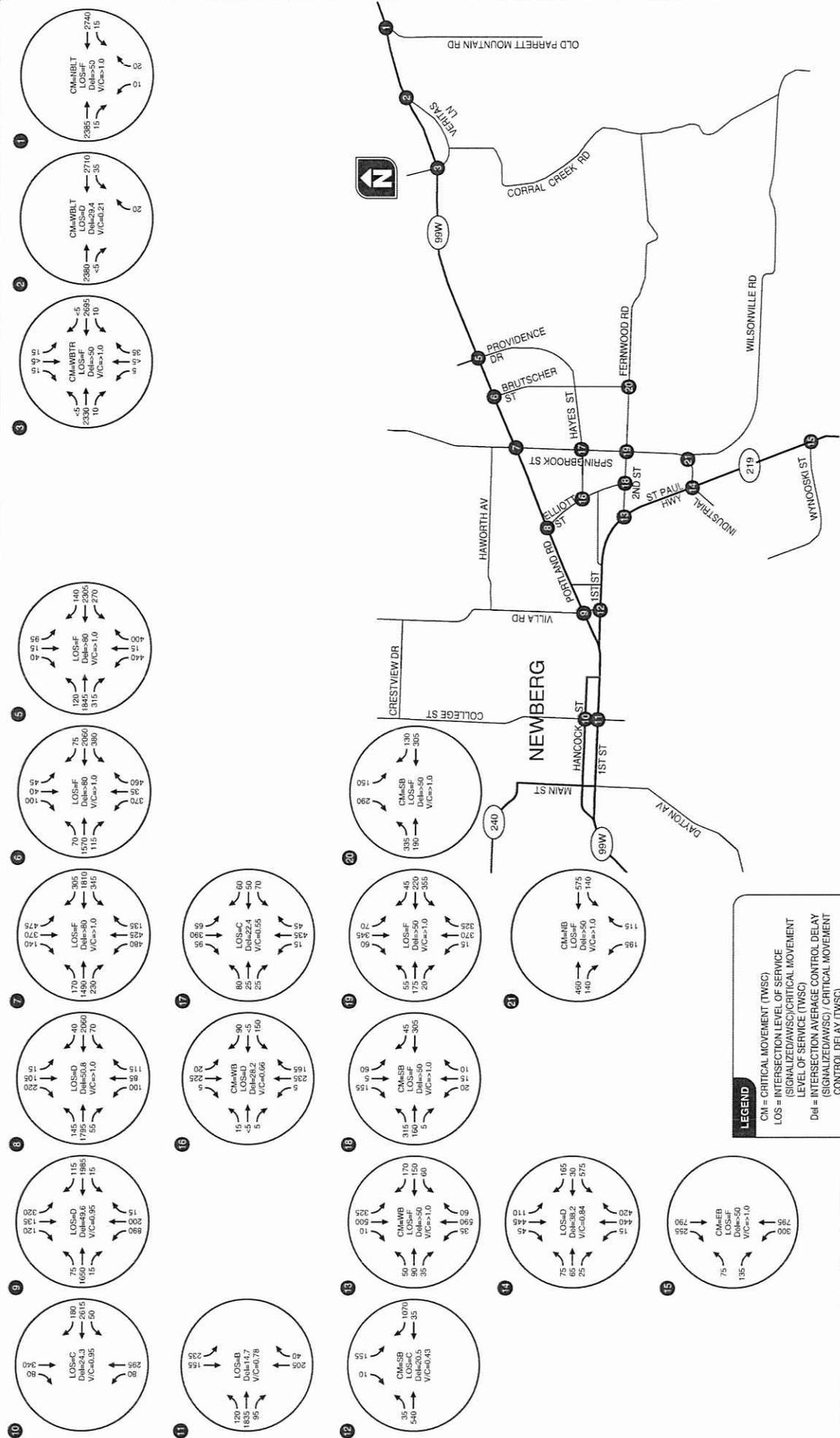
**YEAR 2016 PHASE 1 SCENARIO
 DESIGN HOUR TRAFFIC CONDITIONS
 NEWBERG, OREGON**

**FIGURE
 7**

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September 2011

NDTIP

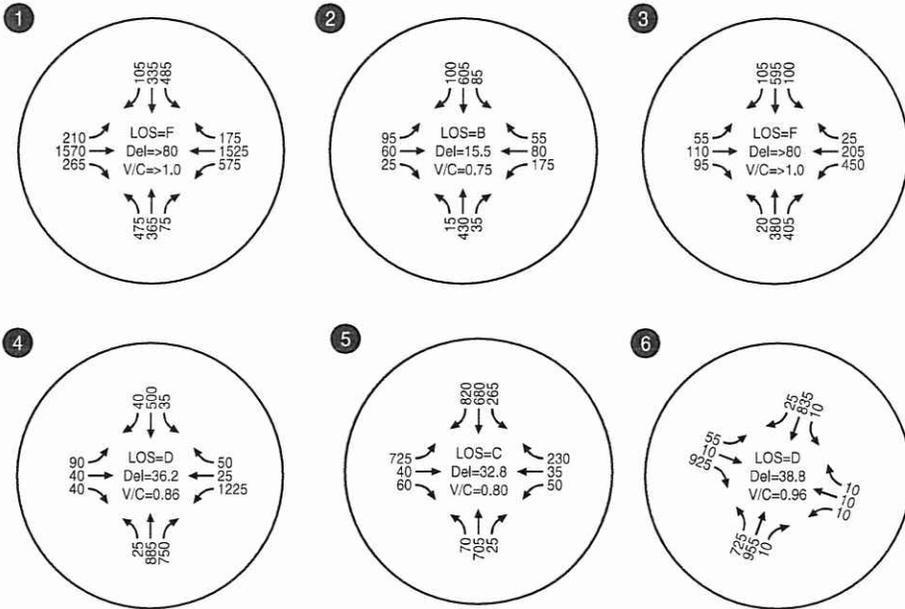
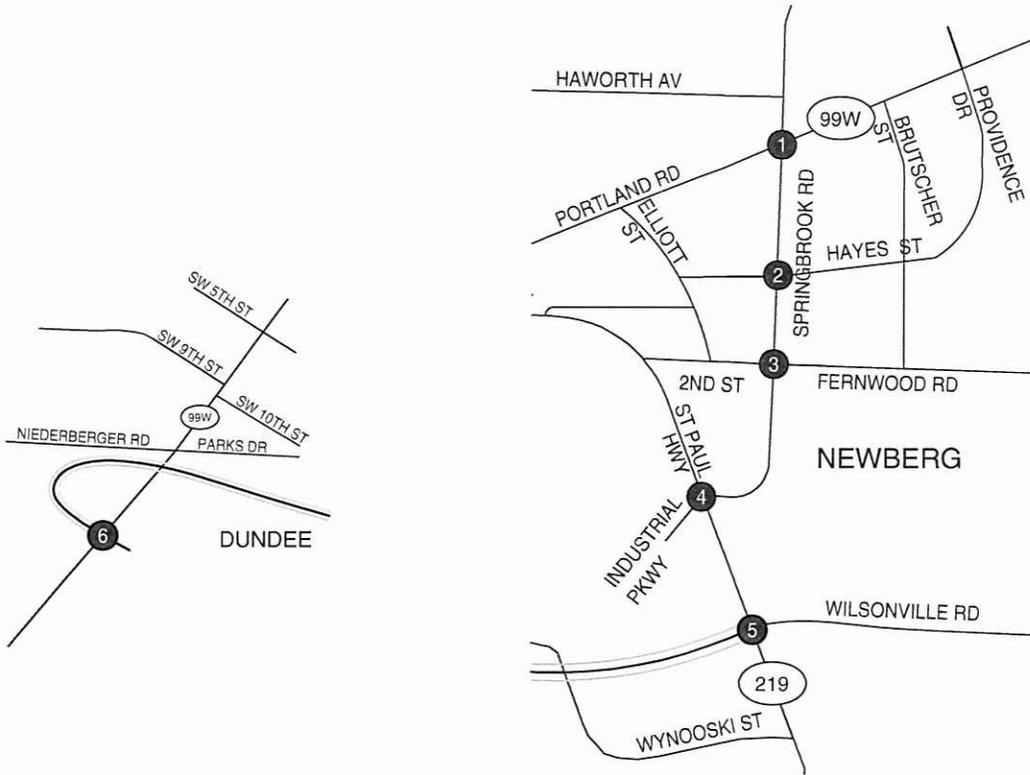


LEGEND
 CM = CRITICAL MOVEMENT (TWSC)
 LOS = INTERSECTION LEVEL OF SERVICE (SIGNALIZED/AVSC)/CRITICAL MOVEMENT LEVEL OF SERVICE (TWSC)
 Del = INTERSECTION AVERAGE CONTROL DELAY (SIGNALIZED/AVSC) / CRITICAL MOVEMENT CONTROL DELAY (TWSC)
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO
 TWSC = TWO-WAY STOP CONTROL
 AVSC = ALL-WAY STOP CONTROL

2035 NO BUILD TRAFFIC CONDITIONS NEWBERG, OREGON **FIGURE 4A**

KITTELSON & ASSOCIATES, INC.
 TRANSPORTATION ENGINEERING / PLANNING

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LEGEND

LOS = INTERSECTION LEVEL OF SERVICE
 Del = INTERSECTION AVERAGE CONTROL DELAY
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

**YEAR 2035 PHASE 1 SCENARIO
 DESIGN HOUR TRAFFIC CONDITIONS
 NEWBERG, OREGON**

FIGURE
8

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MACKENZIE.

DESIGN DRIVEN | CLIENT FOCUSED

November 14, 2013

Ladd Hill Neighborhood Association
Attention: John Freeman and Stan Halle, Co-Presidents
c/o: Cole Presthus
7045 NE Earlwood Road
Newberg, OR 97132

Re: **Newberg Bypass Review**
Wilsonville Road Impacts
Project Number 2130551.01

Dear Mr. Freeman & Mr. Halle:

At your request, Mackenzie has reviewed the proposed ODOT Newberg-Dundee Bypass Phase 1 project for potential traffic increases on Wilsonville Road. We have reviewed available information and met with ODOT project representatives from Parametrix and Kittelson & Associates.

The Phase 1 project includes a termination of the Bypass at Hwy 219 opposite a realigned Wilsonville Road. Wilsonville Road currently intersects Springbrook Road approximately 580 feet west of Hwy 219. This Hwy 219 area of the Phase 1 project is shown in the attached diagram.

Traffic projections prepared by Kittelson & Associates and presented in their September 2011 memorandum show no change in the volume on Wilsonville Road between the 2016 no-build option and the Phase 1 project condition. The 2035 volumes show a slight increase in volumes with the Phase 1 project condition, with total volumes on Wilsonville Road increasing from 590 to 645 vehicles in the PM peak hour. These projections were based on transportation models provided by the Oregon Department of Transportation's Transportation Planning and Analysis Unit (TPAU), with final intersection volume estimates processed in accordance with accepted practice based on National Cooperative Highway Research Program (NCHRP) Report 255.

Through our review and discussions with project representatives, it became apparent that the modeling prepared for the project assumed the terminus of Wilsonville Road would remain at Springbrook. No modeling was prepared for the proposed terminus of Wilsonville Road opposite Phase 1 of the Bypass at Hwy 219.

While the project representatives from Kittelson & Associates do not believe volumes would increase on Wilsonville Road, that assessment is based on a review of the traffic already using the roadway. We recommend modeling be prepared with the proposed alignment to identify any rerouting of trips from other roadways (McKay Road, Hwy 99W) to Wilsonville Road with the more direct connection to both Hwy 219 and Phase 1 of the Bypass. This modeling would need to extend to the City of Wilsonville and I-5.



Ladd Hill Neighborhood Association
Newberg Bypass Review
Project Number 2130551.01
November 14, 2013
Page 2

Because the modeling prepared for the Phase 1 Bypass analysis did not correctly model the proposed alignment of Wilsonville Road at Hwy 219, we cannot confirm that the volume projections provided by ODOT project representatives are reasonable.

We recommend the following.

- ODOT should provide an updated model of the proposed Wilsonville Road alignment, addressing the potential reroute of trips traveling to and from I-5 and the City of Wilsonville.
- If traffic volumes on Wilsonville Road are projected to be higher based on updated modeling of the correct road configuration, additional mitigation for Wilsonville Road should be considered, which may include the following.
 - Realign Wilsonville Road to intersection Hwy 219 opposite Wynooski Road, consistent with ODOT's Full Bypass alignment recommendation.
 - Keep current Wilsonville Road alignment, with a terminus at Springbrook Road.
 - Consider aligning Springbrook opposite the Phase 1 Bypass at Hwy 219, as this would provide a more direct connection for the by-pass to Hwy 99W than the proposed alignment.
- If the proposed alignment of Wilsonville Road opposite Phase 1 of the Bypass is constructed, the following should be provided.
 - Utilize signing and striping to direct through traffic to the south or north on Hwy 219.
 - Conduct traffic counts on Wilsonville Road before and after opening of Phase 1. These counts should include more than one day and different times of the year, as the Bypass will have seasonal variations in traffic flow. If the counts with the Bypass are found to be higher, the mitigation measures above should be considered to mitigate the impacts.

We understand the proposed Phase 1 alignment may be "temporary", but there is no funding for future phases of the Bypass. This configuration may be in place for many years or even decades, and it is important that the upcoming Phase 1 construction configuration work long term.

Sincerely,



Brent Ahrend, PE
Senior Associate | Traffic Engineer

Enclosure: Phase 1 alignment at Hwy 219



**AN ORDINANCE AMENDING THE TRANSPORTATION SYSTEM PLAN TO
REFLECT THE PHASE I ALIGNMENT OF THE NEWBERG DUNDEE
BYPASS**

RECITALS:

1. Oregon Department of Transportation submitted an application to amend Newberg's transportation system plan (TSP) to reflect the phase 1 alignment of the Newberg Dundee Bypass project (bypass).
2. The TSP includes the full bypass alignment, which will be an 11-mile, four-lane highway around the cities of Newberg and Dundee from Highway 99W northeast of Newberg to the Highway 18 interchange south of Dundee. However, the bypass will be a phased development due to funding constraints. Phase 1 of the bypass will include construction of one lane of the bypass in each direction between Highway 219 and Highway 99W south of Dundee, and will reestablish the intersection of Wilsonville Road and Highway 219. Phase 1 will add a traffic signal to the Wilsonville Road and Highway 219 intersection and remove the current connection between Wilsonville Road and Springbrook Road. The current north-south section of Wilsonville Road between the new Highway 219 intersection and Springbrook Road will end in a cul-de-sac at the southern end. The planning commission recommended renaming that section to McKern Court.
3. The Newberg planning commission adopted Resolution No. 2013-301 on September 12, 2013, recommending city council adopt the proposed TSP amendments as shown in Exhibit "A" and based on the findings in Exhibit "D". Exhibit "B" shows details of the new road configurations, and Exhibit "C" shows the full layout of the phase 1 bypass.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The Newberg transportation system plan is hereby amended as shown in Exhibit "A", based on the findings in Exhibit "D", and as shown on the maps in Exhibits "B" and "C". Exhibits "A", "B", "C", and "D" are hereby attached and by this reference incorporated.
2. The remaining portion of Wilsonville Road between the new cul-de-sac and Springbrook Road will be renamed to McKern Court.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: January 2, 2014.

ADOPTED by the City Council of the City of Newberg, Oregon, this 2nd day of December, 2013, by the following votes: **AYE:** **NAY:** **ABSENT:** **ABSTAIN:**

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 5th day of December, 2013.

Bob Andrews, Mayor

TSP Text Amendment

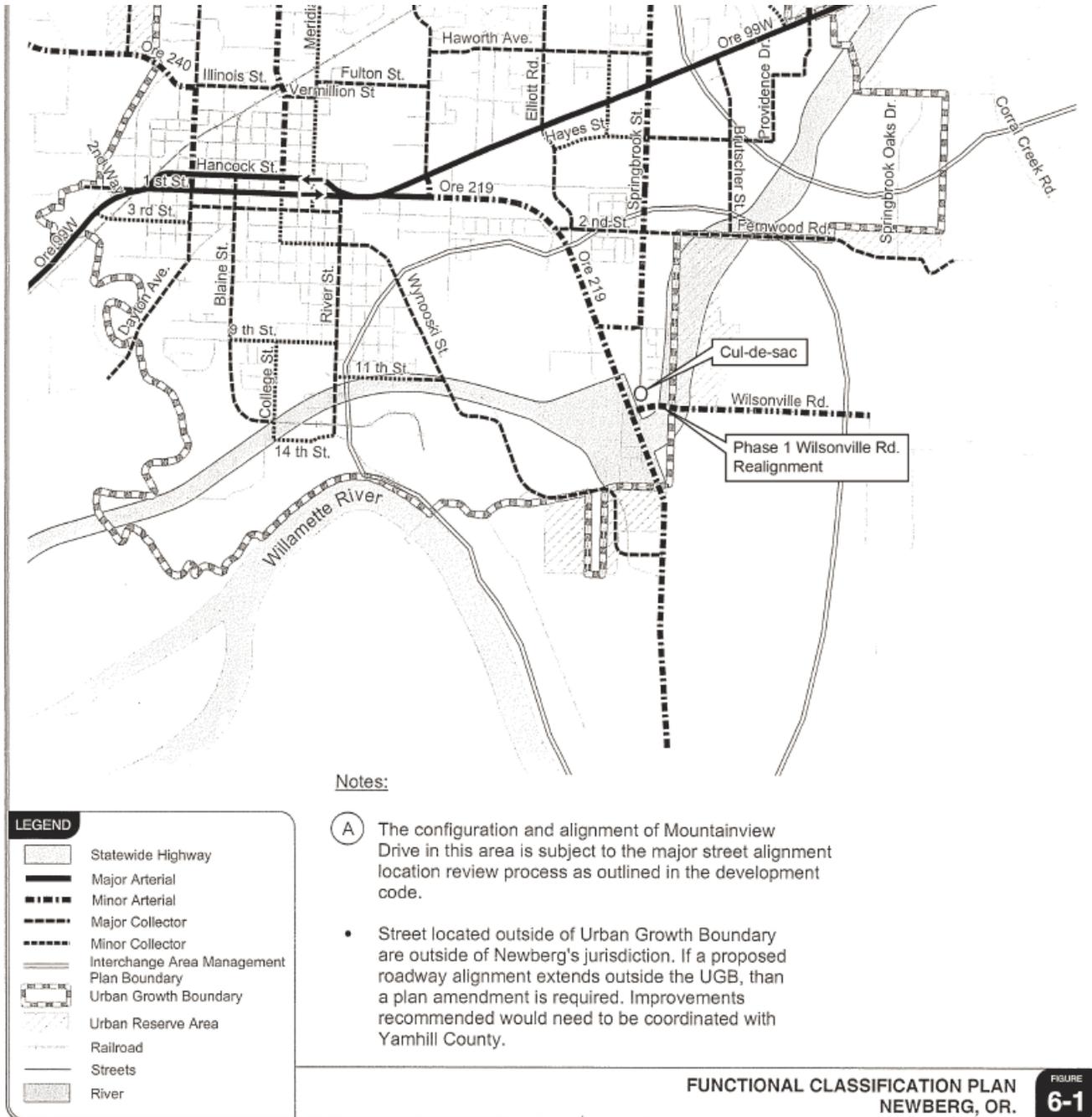
The following text amendment should be made to section 6.2.2(6) of the Newberg Transportation System Plan (2005). Deletions are shown as ~~strikethrough~~; additions are shown as double underline:

(From page 123 of 2005 TSP.)

6. *Wilsonville Road*: ~~Wilsonville Road is to be rerouted to the north to cross the Bypass (without an interchange) and to intersect with Springbrook Street. Wilsonville Road will then extend westward from its intersection with Springbrook Street to a new signalized intersection with Ore 219 at about 8th Street. The reroute and extension of Wilsonville Road will be constructed to minor arterial street standards. The purpose of this project is to provide adequate spacing of intersections on Ore 219 from the proposed interchange with the bypass. The cost of this project is estimated at about \$2.0 million, and will be funded by ODOT as a safety improvement project. The improvement will comply with spacing standards as defined in the NDTIP bypass project. Moreover, this project will be full considered and potentially modified under the context of the NDTIP Bypass/Ore 219 Interchange Area Management Plan. This project is included as a Safety Project in the Statewide Transportation Improvement Program, 2002-2005, Key#09274. See Appendix "N" for a conceptual plan of this project.~~ Wilsonville Road is to be extended to the west to connect to Oregon 219. A cul-de-sac will be placed on Wilsonville Road between the new extension to Oregon 219 and Springbrook Road. The rerouting and extension of Wilsonville Road will be constructed to minor arterial street standards. The purpose of this project is to provide access to Phase 1 of the Bypass at acceptable levels of service and improve safety. The improvement will comply with ODOT spacing standards for a District Highway. The future Phase 2 of the Bypass will disconnect the new intersection of Wilsonville Road and Oregon 219. During Phase 2 construction, Wilsonville Road will be rerouted further south to a new intersection with Oregon 219.

Revised Figure 6-1

Excerpt from Figure 6-1, Functional Classification Plan, Newberg TSP (2005)



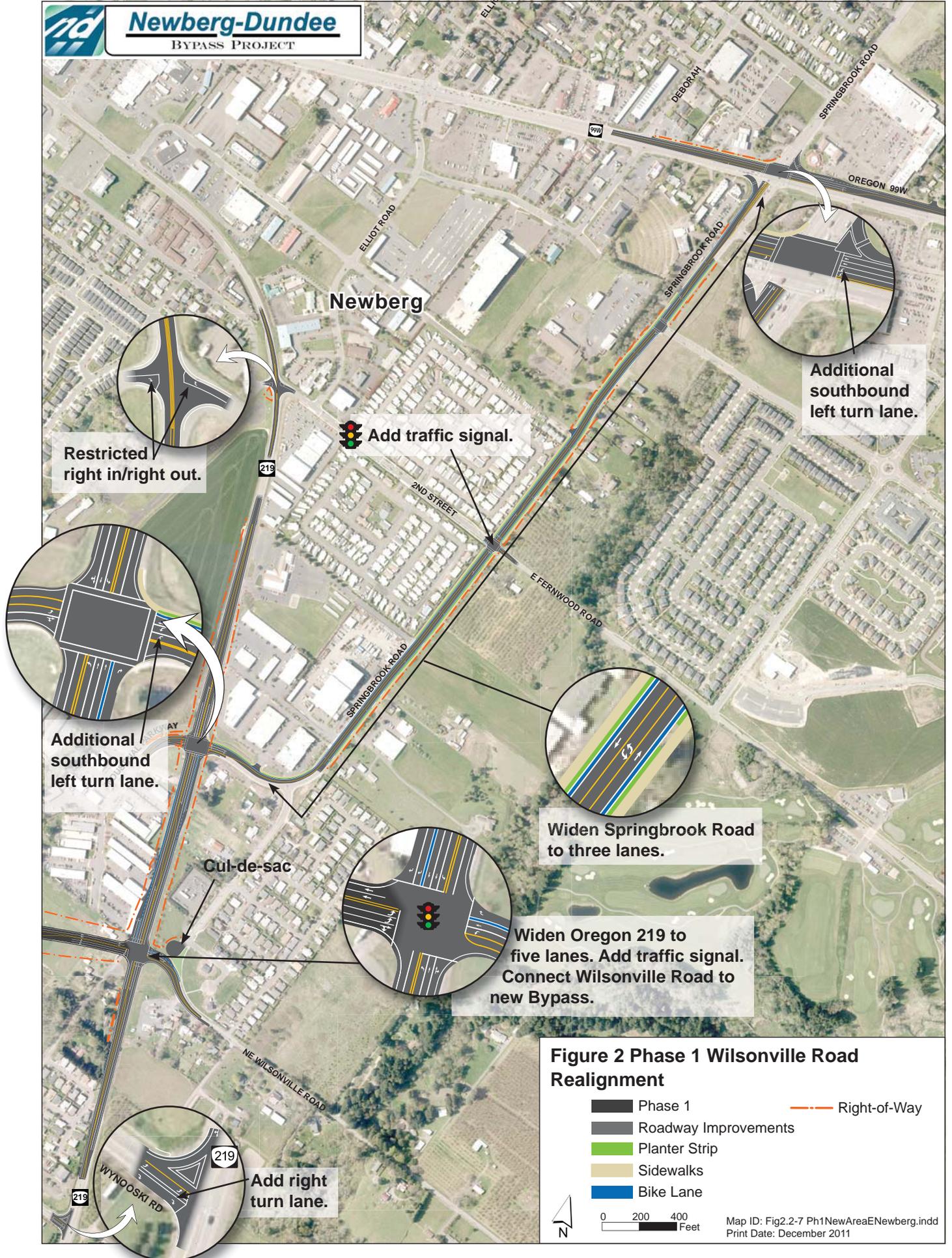


Figure 2 Phase 1 Wilsonville Road Realignment

- Phase 1
- Roadway Improvements
- Planter Strip
- Sidewalks
- Bike Lane
- Right-of-Way

0 200 400 Feet

Map ID: Fig2.2-7 Ph1NewAreaENewberg.indd
Print Date: December 2011

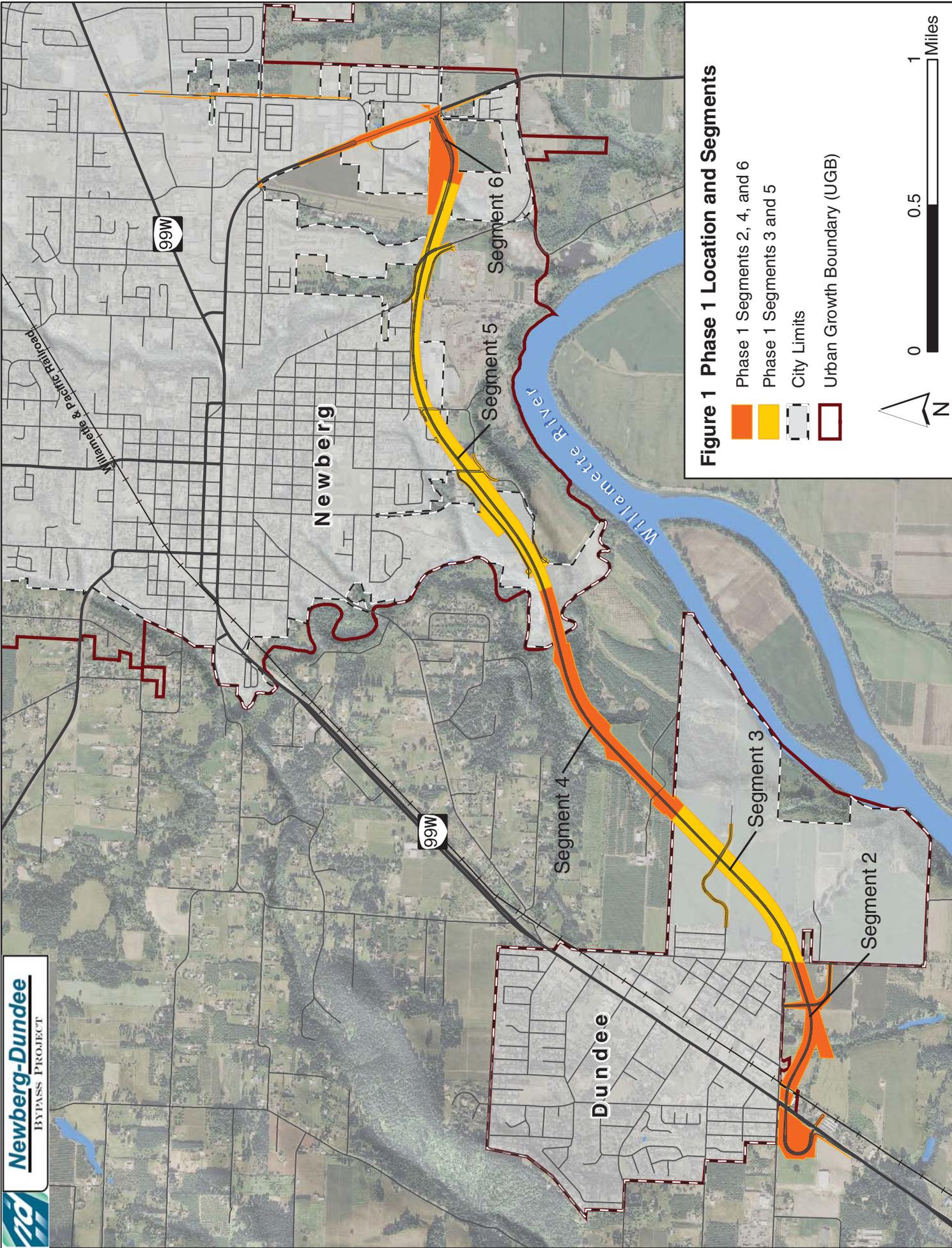


Figure 1 Phase 1 Location and Segments

- Phase 1 Segments 2, 4, and 6
- Phase 1 Segments 3 and 5
- City Limits
- Urban Growth Boundary (UGB)



Findings

Transportation System Plan (TSP) amendments must be consistent with the Newberg Comprehensive Plan and the applicable statewide planning goals.

Newberg Comprehensive Plan – applicable goals and policies

A. *Citizen Involvement*

GOAL: To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.

Section A, Citizen Involvement, notes that the city will continue to implement an ongoing citizen involvement program that provides residents opportunity to be involved in all phases of the planning process. For the Wilsonville Road realignment, the city will provide public notice to affected property owners, opportunities for testimony at public hearings, and opportunities for appeal of local decisions.

B. *Land Use Planning*

GOAL: To maintain an ongoing land use planning program to implement statewide and local goals. The program shall be consistent with natural and cultural resources and needs.

The proposed TSP amendments are consistent with the land use planning goal because they will help implement Phase 1 of the Bypass which is an approved project in the Newberg TSP and Comprehensive Plan.

H. *The Economy*

GOAL: To develop a diverse and stable economic base.

Policy 1.o. The City shall collaborate with other public and private entities and project developers to construct and maintain the best surface transportation infrastructure possible (e.g. roads, airport, railroad).

The Phase 1 Bypass Project, including the Wilsonville Road realignment, will improve mobility and accessibility in general, and freight movement in particular, throughout the Newberg Dundee urban area, thus resulting in substantially reduced congestion and hours of delay when compared to a No Build Alternative. This supports the goal of developing a diverse and stable economic base.

K. *Transportation*

Policy 1.f. The City shall coordinate with Yamhill County and the State on the development of the Newberg Dundee Bypass.

The city is directly coordinating with ODOT and Yamhill County on the development of the Bypass. The TSP currently contains the full Bypass alignment, which will be an 11-mile, four-lane highway around the

cities of Newberg and Dundee from Highway 99W northeast of Newberg to the Highway 18 interchange south of Dundee. However, funding constraints preclude full construction of the Bypass at this time, and the Bypass will be a phased development. The proposed TSP amendments are necessary to implement Phase 1 of the Bypass.

M. Energy

GOAL: To conserve energy through efficient land use patterns and energy-related policies and ordinances.

The Bypass project, including Phase 1 and the Wilsonville Road realignment, is intended to improve statewide and regional mobility through the area and to make existing Highway 99W more accessible for local and regional traffic. The project will help relieve much of the substantial traffic congestion that currently exists along Highway 99W. Facilitating the smooth flow of traffic at acceptable levels of service also helps conserve fuel by avoiding the wasteful burning of fuel at intersections already above capacity or expected to exceed capacity during the planning period.

Oregon Statewide Planning Goals – applicable goals

Goal 1 (Citizen Involvement)

Goal 1 requires the opportunity for citizens to be involved in all phases of the planning process. Generally, Goal 1 is satisfied when a local government follows the public involvement procedures set out in its acknowledged comprehensive plan and land use regulations. The City of Newberg Comprehensive Plan requires the city maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process. Compliance with these regulations results in compliance with Goal 1.

Goal 2 (Land Use Planning), Part I

Goal 2, Part I requires that actions related to land use be consistent with acknowledged comprehensive plans of cities and counties. It is specifically noted that the City of Newberg updated the Comprehensive Plan to include the Newberg Dundee Bypass.

Goal 2, Part I also requires coordination with affected governments and agencies, evaluation of alternatives, and an adequate factual base. In developing the Wilsonville Road realignment, ODOT engaged in coordination efforts with planners, officials, and other representatives of Newberg. The amendment also is consistent with the Phase 1 Bypass as authorized by the Oregon Legislature and approved by Yamhill County.

Goal 5 (Open Spaces, Scenic and Historic Areas, and Natural Resources)

Goal 5 requires local governments to adopt programs to protect natural resources and conserve scenic, historic, and open space resources for present and future generations as provided in the Oregon Department of Land Conservation and Development's Goal 5 administrative rule, OAR 660, Division 23. Under OAR 660-023-0250(3)(b), local governments are not required to apply Goal 5 in post-acknowledgment plan amendment proceedings unless the amendment affects a Goal 5 resource to allow new uses that could be conflicting uses with a particular significant Goal 5 resource site. The Wilsonville

Road realignment does not impact any resource sites inventoried and designated as significant under Goal 5. Therefore, Goal 5 does not apply.

Goal 6 (Air, Water and Land Resources Quality)

Goal 6 addresses the quality of air, water, and land resources. In the context of a comprehensive plan amendment, a local government complies with Goal 6 by explaining why it is reasonable to expect that the proposed uses authorized by the plan amendment will be able to satisfy applicable federal and state environmental standards, including air and water quality standards. Because the Wilsonville Road realignment is part of Phase 1, which provides the first step in implementing the Bypass project, and because the Bypass project is an approved project in the City of Newberg's acknowledged TSP and Comprehensive Plan, the Wilsonville Road realignment is consistent with the City's TSP and Comprehensive Plan findings of compliance with Goal 6.

By substantially relieving congestion in the region, the Bypass project will improve air quality. This 2013 amendment will help substantially relieve congestion in the region by facilitating implementation of Phase 1. Like the Bypass project in its entirety, the Wilsonville Road realignment will impact water resources by adding a small amount of impervious surface to the watershed area. Where areas are paved, water cannot penetrate the soils, so it rushes over the surface. This can increase erosion, increase the movement of fine sediments, and increase pollutant loads in watercourses. However, these impacts can adequately be mitigated through the use of effective land-based stormwater treatment systems that include measures to preserve and restore mature vegetation and maximize infiltration. The use of construction techniques that include temporary and permanent best management practices (BMPs) for erosion and sediment control and spill control and prevention also can achieve compliance with clean water standards. OHP 5A.1 directs ODOT to implement BMPs. These BMPs will apply to development of JTA Phase 1. Mitigation strategies have been identified and agreed to in the Newberg Dundee Tier 2 Final EIS.

Stormwater is also subject to statewide permits that are issued to ODOT. For construction activities, ODOT will comply with the terms and conditions of its statewide National Pollution Discharge Elimination System (NPDES) permit: 1200-CA. ODOT will also comply with the terms and conditions of its statewide MS4 permit for ongoing maintenance and operation of the highway. To comply with the terms of the permits, ODOT follows BMPs set out in the *Routine Road Maintenance Water Quality and Habitat Guide*, or Blue Book, which details the standard maintenance activities and describes how to perform them in the most environmentally sensitive way. The Blue Book, first published in 1999, is the basis for Endangered Species Act compliance with the National Marine Fisheries Service under the Clean Water Act's 4(d) exemption for maintenance activities. Goal 6 is met.

Goal 8 (Recreational Needs)

Goal 8 provides for local governments to meet the recreational needs of the citizens of Oregon. The Bypass project, including the Wilsonville Road realignment, will further Goal 8's objectives by improving access to recreational destination areas such as the Oregon coast, Yamhill County wineries, and the Spirit Mountain Casino. The proposed road realignment will not impact existing park or recreational lands.

Goal 9 (Economic Development)

Goal 9 requires local governments to adopt comprehensive plans and policies that "contribute to a stable and healthy economy in all regions of the state." The City of Newberg's Comprehensive Plan has been acknowledged to comply with Goal 9. The Bypass project, including the Wilsonville Road realignment to

implement Phase 1, will improve mobility and accessibility generally, and freight movement in particular, throughout the Newberg Dundee urban area, thus resulting in substantially reduced congestion and hours of delay when compared to a No Build Alternative.

Goal 10 (Housing)

Goal 10 applies inside urban growth boundaries. While the Wilsonville Road realignment is within land zoned as medium-density residential, there are no impacts to housing, because the road will be placed on land that was previously roadway. Wilsonville Road will be reconnected to Highway 219 in its previous location. Therefore, this action is consistent with Goal 10.

Goal 12 (Transportation)

Goal 12 requires local governments to "provide and encourage a safe, convenient, and economic transportation system." Goal 12 is implemented through the Transportation Planning Rule (TPR), OAR 660, Division 12. Because the Newberg Dundee Bypass Project is an approved project in the City of Newberg's acknowledged TSP, and the Wilsonville Road realignment is necessary to implement Phase 1 of the project, it is consistent with Goal 12 and with the TPR planning and coordination requirements. The Wilsonville Road realignment will improve connectivity between the Bypass, Highway 219 and Wilsonville Road and avoid violating roadway performance standards on Springbrook Road by severing the connection between the two roads. The new intersection of Wilsonville Road and Highway 219 will operate within ODOT's performance standards.

Goal 13 (Energy Conservation)

Goal 13 directs cities and counties to manage and control land and uses developed on the land to maximize the conservation of all forms of energy, based on sound economic principles. The Bypass project, including JTA Phase 1 and the Wilsonville Road realignment, is intended to improve statewide and regional mobility through the area and to make existing Highway 99W more accessible for local and regional traffic. The project will help relieve much of the substantial traffic congestion that already exists along Highway 99W and that will only deteriorate further in its absence. Providing safe and convenient travel through an area and facilitating the efficient movement of people, goods, and services in that area serves the growth needs and objectives of the region and the state, and follows sound economic principles. Facilitating the smooth flow of traffic at acceptable levels of service also helps conserve fuel by avoiding the wasteful burning of fuel at intersections already above capacity or expected to exceed capacity during the planning period.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 2, 2013

Order ___ Ordinance XX Resolution ___ Motion ___ Information ___
No. No. 2013-2767 No.

SUBJECT: Amending the Code Provisions for the Citizens' Rate Review Committee effective December 3, 2013.

Contact Person (Preparer) for this Motion: Truman A. Stone, City Attorney
Dept.: Legal

HEARING TYPE: LEGISLATIVE QUASI-JUDICIAL NOT APPLICABLE

RECOMMENDATION:

Adopt Ordinance No. 2013-2767 amending the code provisions for the citizens' rate review committee effective December 3, 2013.

EXECUTIVE SUMMARY:

Currently, the citizens' rate review committee term of office follows the calendar year. This results in new committee members beginning their terms January 1. The rate review process begins in the fall with a March deadline to present recommendations to the city council. Having membership of the committee change in the midst of this process is inefficient, particularly due to the technical nature of rate review. Starting the term of new members on July 1 will allow time to educate new members on the technical background prior to their beginning of the rate review process.

The ordinance contains an emergency clause to make this effective upon passage.

FISCAL IMPACT:

There would be no additional costs.

STRATEGIC ASSESSMENT:

This would allow for the committee membership terms to begin July 1, 2014, coincide with the City's fiscal year, and assist the budget process.

Article III. Citizens' Rate Review Committee

2.15.120 Established.

There is established a citizens' rate review committee ("**committee**") for the City of Newberg, Oregon. [Ord. [2585](#), 7-21-03; Ord. [2418](#), 10-2-95. Code 2001 § 32.70.]

2.15.140 Membership.

The committee shall consist of eight members. Seven members shall be residents of the city, one of whom may be a water customer outside of the city and who would be eligible to vote only on water rate issues. The eighth member shall be the mayor, who shall serve as an ex officio nonvoting member. [Ord. [2685](#), 1-7-08; Ord. [2627](#), 12-5-05; Ord. [2585](#), 7-21-03; Ord. [2418](#), 10-2-95. Code 2001 § 32.72.]

2.15.150 Terms of office and appointment.

Members of the committee shall be appointed by the mayor with the consent of the city council for a term of three years, **commencing July 1st to coincide with the City's fiscal year**. The appointment of some members shall be, other than specified terms, in order to establish an approximately equal expiration of terms each **fiscal** year. The term of each member shall continue **after expiration** until such time as their successors are appointed. Committee members may be reappointed to serve a full three-year term or additional three-year terms without limit. **To facilitate the transition from a calendar year term, to a fiscal year term, the member terms of office in existence on December 30, 2013, shall each be extended six additional months.** [Ord. [2690](#) § 2(C), 2-4-08; Ord. [2585](#), 7-21-03; Ord. [2418](#), 10-2-95. Code 2001 § 32.73.]

2.15.180 Presiding members.

At the committee's first meeting of the **new fiscal** year, the committee shall elect a chair, vice chair and secretary to serve one-year terms. The mayor may serve as chair of the committee. [Ord. [2585](#), 7-21-03; Ord. [2418](#), 10-2-95. Code 2001 § 32.76.]

AN ORDINANCE AMENDING NEWBERG MUNICIPAL CODE, ARTICLE III. CITIZENS' RATE REVIEW COMMITTEE, SECTION 2.15.150 TERM OF OFFICE, AND SECTION 2.15.180 PRESIDING MEMBERS, SETTING TERMS BEGINNING JULY 1ST AND CONTAINING AN EMERGENCY CLAUSE WITH AN EFFECTIVE DATE OF DECEMBER 3, 2013

RECITALS:

1. Changing the term of office for the citizens' rate review committee to coincide with the City's fiscal year will assist in and better facilitate the budget process.
2. The current members of the committee have consented to extension of their appointive terms an additional six months.
3. In order to ensure continuity of the terms, an emergency exists and this ordinance should be in effect immediately.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. **ADOPTION OF CODE PROVISION:** The Newberg Municipal Code is amended as follows with changes indicated as underlined and crossed out.

Article III. Citizens' Rate Review Committee, 2.15.150 Terms of office and Appointment.

- A. Members of the committee shall be appointed by the mayor with the consent of the city council for a term of three years, commencing July 1st to coincide with the City's fiscal year from the first calendar day of the year. The appointment of some members shall be, other than specified terms, in order to establish an approximately equal expiration of terms each fiscal year. ~~All terms will expire as of December 31st date of each year except for the first December 31st date following the original appointment of the committee.~~ The term of each member shall continue after expiration until such time as their successors are appointed. Committee members may be reappointed to serve a full three-year term or additional three-year terms without limit. To facilitate the transition from a calendar year term to a fiscal year term, the member terms of office in existence on December 30, 2013, shall each be extended six additional months.

2.15.180 Presiding members.

- B. At the committee's first meeting of the new fiscal year ~~year~~, the committee shall elect a chair, vice chair and secretary to serve one-year terms. The mayor may serve as chair of the committee.
2. Other Article III Provisions - Remain in full force and effect.

3. **EMERGENCY CLAUSE:** In order to facilitate the transition from a calendar year term to a fiscal year term and to ensure continuity during the transition, this ordinance shall take full force and effect immediately upon passage by the council and signature of the mayor.

➤ **EFFECTIVE DATE** of this ordinance is December 3, 2013.

ADOPTED by the City Council of the City of Newberg, Oregon, this 2nd day of December, 2013, by the following votes: **AYE:** **NAY:** **ABSENT:** **ABSTAIN:**

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 5th day of December, 2013.

Bob Andrews, Mayor