



**CITY COUNCIL AGENDA
FEBRUARY 3, 2014
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. SPECIAL PRESENTATIONS

Presentation from the Mountainview Middle School students with the Design Star program.

V. CITY MANAGER'S REPORT

VI. 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)

VII. CONSENT CALENDAR

1. Consider a motion adopting Resolution No. 2014-3107 approving the assistant city manager's annual performance evaluation for the period of 10/01/2012 to 10/01/2013. (Pgs. 3-4)
2. Consider a motion adopting Resolution No. 2014-3109 authorizing the city manager pro tem to enter into a contract with CivilWorks NW, Inc., for the waterline relocation project on North College Street. (Pgs. 5-6)

VIII. COUNCIL BUSINESS

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.

IX. EXECUTIVE SESSION

Executive session pursuant to [ORS 192.660\(2\)\(f\)](#) to consider information or records that are exempt by law from public inspection.

X. 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: January 21, 2014

Order ___ Ordinance ___ Resolution XX Motion ___ Information ___
No. No. No. 2014-3107

SUBJECT: Approving Lee Elliott's annual performance evaluation as assistant city manager.

Contact Person (Preparer) for this Motion: Dawn Wilson
Dept.: Administration (H/R)
File No.:

RECOMMENDATION:

Adopt Resolution No. 2014-3107 approving the assistant city manager's (Lee Elliott's) annual performance evaluation for the review period of 10/01/2012 – 10/01/2013.

EXECUTIVE SUMMARY:

Ordinarily, the city manager would review the assistant city manager. Unfortunately, the City of Newberg is without a regular city manager at this point in time, and the assistant city manager is currently the manager pro tem. As such, the Mayor and City Council are providing Lee Elliott with his annual performance evaluation for his first year with the City as the assistant city manager.

Lee has prepared a self-evaluation, which is attached. Additionally, each of the city councilors and the mayor have completed an evaluation for Lee as the assistant city manager. These completed evaluations are attached along with the assistant city manager job description.

All of the evaluations were "Meets or Exceeds Standards" for the Overall Evaluation.

On November 4, 2013, Lee's probation was lifted via the following motion: "Stating 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]).

In addition to the Motion that was passed in November, Lee's Offer of Employment Letter, which is attached, references this 5% compensation increase upon receiving a "satisfactory performance review" each year for two years.

FISCAL IMPACT:

The assistant city manager, who is currently serving as the manager pro tem earns \$95,928 annually. A 5% is an annual increase of \$4,767, bringing Lee's annual salary to \$100,695. (Lee is also currently receiving an additional 5% for the out of classification pay for serving in the capacity of manager pro tem.)

STRATEGIC ASSESSMENT:

In accordance with Lee Elliott's Offer of Employment Letter, the City wishes to maintain its employment relationship and continue to receive the great work product of Mr. Elliott as the assistant city manager, as well as during this time in which he serves in the capacity of manager pro tem.

A RESOLUTION APPROVING THE ANNUAL PERFORMANCE EVALUATION FOR LEE ELLIOTT AS THE ASSISTANT CITY MANAGER FOR THE REVIEW PERIOD OF 10/01/2012 THROUGH 10/01/2013

RECITALS:

1. Ordinarily, the city manager would review the assistant city manager. Unfortunately, the city of Newberg is without a regular city manager at this point in time, and the assistant city manager is currently the manager pro tem. As such, the mayor and city council are providing Lee Elliott with his annual performance evaluation for his first year with the city as the assistant city manager.
2. Lee has prepared a self-evaluation. Additionally, each of the city councilors and the mayor have completed an evaluation for Lee as the assistant city manager. These completed evaluations are attached along with the assistant city manager job description.
3. All of the evaluations were “Meets or Exceeds Standards” for the Overall Evaluation.
4. On November 4, 2013, Lee's probation was lifted and a 5% salary increase was granted via the following motion: “Stating 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]).
5. In addition to the Motion that was passed in November, Lee’s Offer of Employment Letter references this 5% compensation increase upon receiving a “satisfactory performance review” each year for two years.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The council hereby adopts Lee Elliott’s annual performance evaluation for the review period of 10/01/2012 through 10/01/2013 as “Meets or Exceeds Standards” as the Overall Evaluation.
2. The council reaffirms a five percent (5%) compensation increase for Lee Elliott, effective 10/01/2013 in addition to his five percent (5%) out-of-class pay as city manager pro tem.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: January 22, 2014.

ADOPTED by the City Council of the City of Newberg, Oregon, this 21st day of December 2014.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 23rd day of January, 2014.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: February 3, 2014

Order ___ No.	Ordinance ___ No.	Resolution <u>XX</u> No. 2014-3109	Motion ___	Information ___
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SUBJECT: Authorize the City Manager Pro Tem to enter into a construction contract with CivilWorks NW, Inc. for the Waterline Relocation Project in North College Street in the amount of \$393,125.00.

**Contact Person (Preparer) for this Motion: Paul Chiu, P.E., Senior Engineer
Dept.: Engineering Services Department
File No.:**

RECOMMENDATION: Adopt Resolution No. 2014-3109 authorizing the City Manager Pro Tem to enter into a construction contract with CivilWorks NW, Inc. to install a new ductile iron water main in North College Street, in the amount of \$393,125.00.

EXECUTIVE SUMMARY: The existing city’s 10-inch cast iron waterline is in conflict with a future Bike Lane and Sidewalk Improvement Project on North College Street (State Highway 219). The Bike Lane and Sidewalk Improvement Project is scheduled for construction in the summer of 2014. OTAK, Inc. completed the design for the waterline project on North College Street beginning at Deskins Street, north of the Illinois Street intersection, and ending west of the Aldercrest Drive intersection.

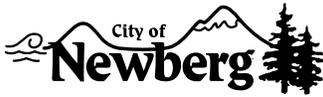
Seven bids were received on January 7, 2014, and two of them were rejected for failure to meet the prequalification requirements. The five qualified bid results are listed below in ascending values:

CivilWorks NW, Inc.	\$393,125.00
North Santiam Paving Company	\$415,532.00
C&M Excavation & Utilities, LLC.	\$426,715.00
The Saunders Company, Inc.	\$444,200.00
Varin Construction, Inc.	\$489,748.00

The lowest qualified bidder was CivilWorks NW, Inc. Construction of the waterline project is scheduled to commence in February, 2014.

FISCAL IMPACT: The proposed waterline project was estimated in the preliminary phase to cost \$310,000.00 for the fiscal year 2013/14 budget under account #04-5150-707612. The existing waterline and other utilities were vertically located during the final design phase of the project and it was determined that the limits of waterline relocation would need to be increased from the preliminary estimate. The revised cost for the project was increased to \$510,000.00, which includes the construction cost, a 10% construction contingency, engineering/surveying costs, and construction inspection.

STRATEGIC ASSESSMENT: This project is required due to inadequate vertical cover of the existing waterline. Once the waterline project is complete, the Oregon Department of Transportation (ODOT) will follow with the construction of the Bike Lane and Sidewalk Improvement Project on North College Street this summer.



RESOLUTION No. 2014-3109

A RESOLUTION AUTHORIZING THE CITY MANAGER PRO TEM TO ENTER INTO A CONSTRUCTION CONTRACT WITH CIVILWORKS NW, INC. FOR THE WATERLINE RELOCATION PROJECT IN NORTH COLLEGE STREET IN THE AMOUNT OF \$393,125.00

RECITALS:

1. The Oregon Department of Transportation (ODOT) is designing a Bike Lane and Sidewalk Improvement Project on North College Street, or State Highway 219, from Illinois Street to Aldercrest Drive. ODOT is using OTAK, Inc. as their consultant to complete the design.
2. An existing 10-inch cast iron waterline is in vertical conflict with the Bike Lane and Sidewalk Improvement Project which will be constructed in the summer of 2014. The city is required by ODOT to relocate the existing waterline to allow for the construction of the needed half street improvements on the west side of the highway.
3. Due to the age and material of the existing waterline, a new 8-inch ductile iron waterline is proposed to replace the existing waterline. A fire flow analysis by CH2M Hill verified that the city's water system will continue to provide adequate fire protection to the neighboring residential and church properties.
4. The waterline project was advertised for bids in the Daily Journal of Commerce on December 13, 2013. Five qualified bids were received and two unqualified bids were rejected on January 7, 2014.
5. The engineer's estimate for this project is the range of \$350,000.00 to \$450,000.00. The lowest responsive bidder was CivilWorks NW, Inc. with a bid in the amount of \$393,125.00.
6. Construction of approximately 2,700 linear feet of the waterline improvements on North College Street from Deskins Street to Aldercrest Drive will begin in February and end in May, 2014.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

The City Council, acting as contract review board for the city, does hereby authorize the city manager pro tem to enter into a contract with CivilWorks NW, Inc., in the amount of \$393,125.00.

- **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: February 4, 2014.

ADOPTED by the City Council of the City of Newberg, Oregon, this 3rd day of February, 2014.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 6th day of February, 2014.

Bob Andrews, Mayor