



**CITY COUNCIL AGENDA
APRIL 7, 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

1. Consider a motion approving a proclamation declaring the week of April 6-12, 2014, as National Volunteer Week in celebration of all the volunteers in our community that help keep our city and community thriving. (Pgs. 3-4)
2. Consider a motion approving a proclamation declaring April 14 –19, 2014 as National Public Safety Telecommunicators Week. (Pgs. 5-8)

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. 2014-3123** approving the appointment of Bryan Ortiz and Adam Claussen as full-time Maintenance Technician I positions. (Pgs. 9-10)
2. Consider a motion adopting **Resolution No. 2014-3122** authorizing staff to submit an application to the state of Oregon business development department for the designation of an enterprise zone with the urban growth boundary (UGB) of the city of Newberg. (Pgs. 11-28)

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.

3. Consider a motion approving the city council minutes from January 6, January 21, February 3, and February 18, 2014. (Pgs. 29-44)

VIII. PUBLIC HEARING

Consider a motion adopting **Ordinance No. 2014-2772** declaring a moratorium on medical marijuana facilities within Newberg and declaring an emergency. (Pgs. 45-48)
(Legislative Hearing)

IX. CONTINUED BUSINESS

Consider a motion adopting **Resolution No. 2014-3115** adopting a revised engineering fee schedule. (Pgs. 49-53)

X. COUNCIL BUSINESS

XI. EXECUTIVE SESSION

1. Executive session pursuant to [ORS 192.660\(2\)\(a\)](#) relating to employment of a public officer, employee, staff member or individual agent – City Manager Recruitment.
2. Executive session pursuant to [ORS 192.660\(2\)\(h\)](#) concerning legal right and duties regarding current litigation related to the south industrial urban growth boundary (UGB) appeal.
3. Executive session pursuant to [ORS 192.660\(2\)\(f\)](#) to consider information or records that are exempt by law from public inspection.

XIII. 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: April 7, 2014

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

SUBJECT: Approve a proclamation declaring the week of April 6-12, 2014, as National Volunteer Week.

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

RECOMMENDATION:

Approve a proclamation declaring the week of April 6-12, 2014, as National Volunteer Week in celebration of all the volunteers in our community that help keep our city and community thriving.

EXECUTIVE SUMMARY:

The City of Newberg City Council would like to show their appreciation and by a proclamation declare the week of April 6-12, 2014, as National Volunteer Week.

FISCAL IMPACT:

None.

STRATEGIC ASSESSMENT:

This supports the council's desire to recognize the importance of all the volunteers serving in various capacities for the city of Newberg community contributing to making Newberg a better place.



PROCLAMATION

A PROCLAMATION DECLARING THE WEEK OF APRIL 6-12, 2014, AS NATIONAL VOLUNTEER WEEK

WHEREAS, citizens who volunteer their time provide assistance which can not be measured in terms of dollars; volunteers provide a spirit of helping that multiplies in value when each citizen reaches out to assist another; and

WHEREAS, volunteers throughout the city of Newberg donate their time to a wide variety of human service programs such as alcohol and drug rehabilitation centers, senior centers, battered women's shelters, and programs for child abuse prevention, maternity and adoption, the developmentally disabled, literacy, housing for the low income citizen and the disabled, and the homeless; and

WHEREAS, these citizens also donate their time in helping the City of Newberg through their service on City Council, Boards, Commissions and Committees; and

WHEREAS, the City of Newberg has many volunteers providing services to the various City departments including the Library, Police, Fire, Administration, Planning and Building, and Public Works Departments.

NOW, THEREFORE, IT IS PROCLAIMED by the Mayor and City Council of the City of Newberg, Oregon, the week of April 6-12, 2014, as

NATIONAL VOLUNTEER WEEK

in the City of Newberg and we urge all residents of Newberg to recognize, support and commend these special volunteers.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Newberg to be affixed on this 7th day of April, 2014.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 7, 2014

Order ___ No.	Ordinance ___ No.	Resolution ___ No.	Motion <u>XX</u>	Information ___
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SUBJECT: Approve a proclamation declaring April 14 – 19, 2014, as National Public Safety Telecommunicator Week

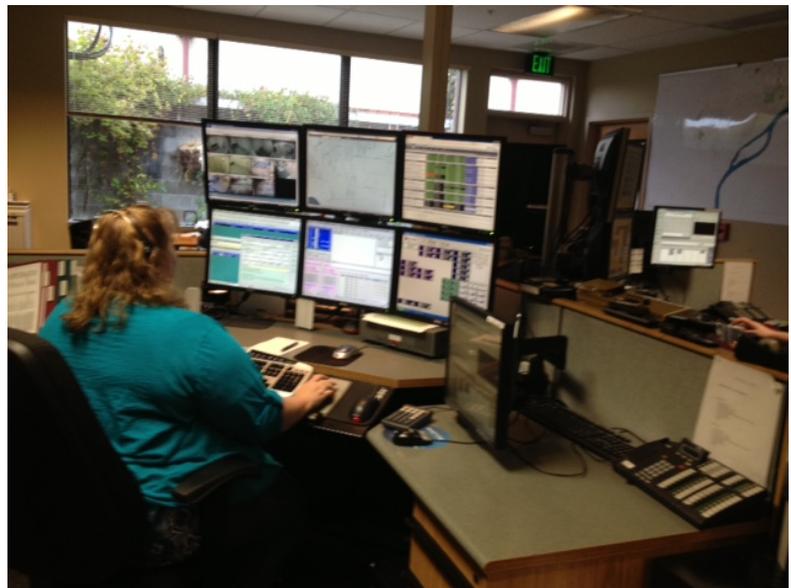
**Contact Person (Preparer) for this Motion: Mary Newell, Support Services Manager
Dept.: Police Department
File No.:**

RECOMMENDATION:

Approve a proclamation declaring April 14 – 19, 2014 as National Public Safety Telecommunicators Week.

EXECUTIVE SUMMARY:

The Newberg-Dundee Communications Center joins other 9-1-1 communications centers across the nation in celebrating the week of April 14–19, 2014, as National Public Safety Telecommunicators Week. During this week, the Association of Public Safety Communications Officials (APCO) International honors the thousands of men and women who respond to emergency calls, dispatch emergency police, fire and EMS responders, and provide life saving assistance to citizens throughout the United States.



Additionally, our Newberg-Dundee telecommunicators, commonly referred to as dispatchers, answer business lines for Newberg-Dundee Police, Newberg Animal Control, and after-hour emergency calls for Newberg and Dundee fire departments, and Newberg and Dundee public works departments. 11,414 emergency 9-1-1 calls were received into Newberg-Dundee Communications Center during 2013; and 96% of the calls were answered within 10 seconds.

Communication Center Telephone Statistics - 1/1/2013 through 12/31/2013

Incoming Calls	54,936
Outbound Calls	18,651
Total.....	73,587, of which 11,414 were 9-1-1 and emergency alarms

Newberg-Dundee 9-1-1 dispatchers were involved in several serious incidents involving multiple jurisdictions, agencies, and resources during 2013:

- Fatal tractor rollover, trapping driver. Dispatchers Christensen and Scott.
- Industrial accident, arm caught/crush injury of 59 YOM. Dispatcher Thomson
- Robbery, male with a gun. Dispatchers Scott, Thomson, and Kuhlman.

- Industrial Fire SP Newsprint. Dispatchers Kuhlman and Brown.
- Equestrian accident. Dispatcher Zweigart
- Road rage, reported driver with handgun. Dispatcher Tennant.
- Diving accident. Dispatchers Zweigart and Fitzpatrick
- Trauma call, box of mirrors fall on 3 YOF. Dispatchers Miller and Fitzpatrick
- Fatal motor vehicle crash. Dispatchers Cox and Thomson.

During 2013, there were 39,128 CAD (Computer Aided Dispatch) calls for service generated for police, fire, EMS, Animal Control, agency assists, 9-1-1, and other miscellaneous activities. When dealing with these calls for service, it is on a daily basis that dispatchers speak and interact with emotional, hysterical, or angry callers. It is a dispatcher's duty to respond to each caller and emergency responder in a professional manner. Dispatchers are the first point of contact in an emergency situation. Taking control of a call is vital to getting the call dispatched efficiently, but dispatchers must also exercise compassion and respect when handling high risk medical calls, such as:

Stroke	70	Seizures	71	Breathing Difficulty	216
Overdose/Poisoning	41	Unconscious	151	Chest Pain/Heart	215
Pregnancy/Childbirth	9	Trauma	94	Falls	475

Quickly and accurately acquiring, disseminating and recording call details in CAD is important in all call types, as well as providing ongoing up-to-the-minute information to public safety personnel in the field by radio or MCT (mobile computer terminal):

Burglary	113	DUII - Driving under the Influence	416
Pursuit	3	Assault/Rape/Shooting/Stabbing	104
		Suspicious	
Welfare Check	436	Person/Vehicle/Device/Activity	812
Death Investigation	17	Mental/Emotional/Psychological	93
Fight in Progress	37	Residential & Commercial Structure Fire	58
Domestic Disturbance	85	Suicide/Suicide Attempt	78
Speed Racing	75	Wildland Fire	12
Sex Crimes	75	Motor Vehicle Crash	517

Dispatch personnel work five 8-hour shifts per week, with frequent overtime shifts. This is a trend which continued through 2013.

2011	2012	2013	
1756.50	2114.00	2335.50	Staffing shortage in hours
219.56	264.25	291.94	Staffing shortage by 8-hour shift

FISCAL IMPACT: None

STRATEGIC ASSESSMENT: With great appreciation and gratitude, we recognize and celebrate the hard work of these largely unseen professionals who work in tandem with police, fire and EMS to ensure the safety and security of our citizens.



PROCLAMATION

A PROCLAMATION DECLARING APRIL 13-19, 2014, AS NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

WHEREAS, emergencies can occur at any time, requiring police, fire or emergency medical services; and

WHEREAS, when an emergency occurs the prompt response of police officers, firefighters, and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependant upon the quality and accuracy of information obtained from citizens who telephone the Newberg-Dundee Communications Center; and

WHEREAS, public safety dispatchers are the single vital link for our law enforcement and fire personnel by monitoring their activities by radio, providing them information and ensuring their safety; and

WHEREAS, public safety dispatchers are the first and most critical contact our citizens have with emergency services and their duties are seldom observed by the public; and

WHEREAS, recognizing the City of Newberg considers the services of the public safety dispatchers to be vital to the interest of the community.

NOW, THEREFORE, IT IS PROCLAIMED by the Mayor and City Council of the City of Newberg, Oregon, the week of April 13–19, 2014, to be National Public Safety Telecommunicators Week in Newberg, and all residents of the city of Newberg are invited to observe this event.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Newberg to be affixed on this ____ day of April, 2014.

Bob Andrews, Mayor

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REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 7, 2014

Order ___ Ordinance ___ Resolution XX Motion ___ Information ___
No. No. No. 2014-3123

SUBJECT: Approval of the appointment of Bryan Ortiz and Adam Claussen as Full-Time Maintenance Technician I in the Public Works Department

Contact Person (Preparer) for this Motion: Russ Thomas - Superintendent
Dept.: Public Works Maintenance
File No.:

RECOMMENDATION:

Adopt Resolution No. 2014-3123 approving the appointment of Bryan Ortiz and Adam Claussen as full-time Maintenance Technician I positions in the public works department.

EXECUTIVE SUMMARY:

Two Maintenance Utility Technician I positions became vacant by the resignation of Nathan Anderson and the transfer of Jonathon Hodgkins to the Operations Division. We advertised in house and locally and received 44 applications. Interviews were conducted by Russ Thomas, public works maintenance superintendent, and Vance Barton, public works maintenance supervisor. The interview panel selected Adam Claussen and Bryan Ortiz as the most qualified applicants and recommended they be hired to fill the two (2) current vacant Maintenance Technician I positions. The panel believes Mr. Claussen and Mr. Ortiz will be great fits and assets to the organization.

The City Charter, Chapter VIII, Section 34 (h) provides the Manager Pro Tem “has the authority and duties of manager, except that a Manager Pro Tem may appoint or remove employees only with council approval”.

The City Manager Pro Tem Lee Elliott and Public Works Maintenance Superintendent Russ Thomas have reviewed the material and approve the hire of Adam Claussen and Bryan Ortiz as Maintenance Technicians I in the public works maintenance department.

The appointment is submitted to the council for their approval pursuant to the City Charter as stated above.

FISCAL IMPACT:

The two (2) vacant Maintenance Technician 1 positions are approved in the 2013/2014 budget at an entry level pay rate of \$3,388.00 with full benefits.

STRATEGIC ASSESSMENT:

Currently public works maintenance is not able to adequately meet the maintenance and repair needs of the city of Newberg’s infrastructure. During the interim, public works maintenance staff duties have been reassigned to help address the staffing shortage, causing deferment of needed maintenance activities, and reducing our ability to respond to maintenance needs and previous service levels. Filling the two (2) vacant positions will allow the public works maintenance department to return to previously established maintenance and service levels prior to the vacancies.



RESOLUTION No. 2014-3123

**A RESOLUTION APPROVING THE APPOINTMENT OF BRYAN ORTIZ
AND ADAM CLAUSSEN FOR THE POSITIONS OF MAINTENANCE
TECHNICIAN I IN THE PUBLIC WORKS MAINTENANCE DEPARTMENT**

RECITALS:

1. Reason for Vacancy: These positions are vacant due to the resignation of Nathan Anderson and the transfer of Jonathon Hodgkins to the Operations Division.
2. Posting: A job advertisement was posted within the city on the City of Newberg website and advertised in the Newberg Graphic in print and online. It opened December 4, 2013, and closed December 17, 2013.
3. Number of Applications: 44
4. Recommendations: The Public Works Maintenance Superintendent Russ Thomas recommends hiring Bryan Ortiz and Adam Claussen for the positions.
5. Funding: Position funding is within the budget.
6. Manager Pro Tem Appointment: Assistant City Manager Lee Elliott was appointed Manager Pro Tem on August 26, 2013, by the City Council. He reviewed the material and appoints Adam Claussen and Bryan Ortiz, subject to Council approval. The City Charter, Chapter VIII, Section 34 (h) provides that the Manager Pro Tem “has the authority and duties of manager, except that a Manager Pro Tem may appoint or remove employees only with council approval”.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

The city council approves the appointment by the city manager pro tem of Bryan Ortiz and Adam Claussen as Maintenance Technicians I for the public works maintenance department.

- **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: April 8, 2014.

ADOPTED by the City Council of the City of Newberg, Oregon, 7th day of April, 2014.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of April, 2014.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 7, 2014

Order ___ No.	Ordinance ___ No.	Resolution <u>XX</u> No. 2014-3122	Motion ___	Information ___
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SUBJECT: Submission of application to Business Oregon for designation of enterprise zone within Newberg's urban growth boundary.

Contact Person (Preparer) for this Motion: David Beam, AICP
Dept.: Planning and Building
File No.: G-14-001

RECOMMENDATION:

Adopt Resolution No. 2014-3122, authorizing staff to submit an application to the State of Oregon Business Development Department for the designation of an enterprise zone with the urban growth boundary (UGB) of the City of Newberg.

EXECUTIVE SUMMARY:

At the February 3 and March 3, 2014, council meetings, city staff engaged the council in discussions regarding enterprise zones and the possibility of establishing such a zone in our community. Please see Attachment 1 for a brief description of an enterprise zone. Council felt this opportunity was worth exploring further.

The state of Oregon is currently accepting applications for designation of an enterprise zone within a community. Applications are due April 11, 2014. Please see Attachment 2 for a description of the process for the development of an application. Preliminary discussions with officials of the state's enterprise zone program indicate the city of Newberg would likely qualify for designation of an enterprise zone.

On March 6, 2014, city staff sent a notice to all taxing districts within Newberg's urban growth boundary (UGB) announcing the city's possible establishment of an enterprise zone and inviting them to participate in a special meeting where staff will make a presentation about the proposed enterprise zone, answer questions, and take input from meeting participants. The notice was prepared collaboratively between city staff and staff of the Mid-Willamette Valley Council of Governments (COG). Please see Attachment 3 for the affidavit of this notice mailing. Please see Exhibit A of the resolution showing a map of the proposed enterprise zone boundaries.

On the morning of March 27, 2014, city staff will meet with the Yamhill County Board of Commissioners to discuss the city's possible establishment of an enterprise zone and requesting approval of resolution of consent from the county in support of the proposed enterprise zone. Consent from the county is required for proposed zones located outside of a city limits, but inside of an urban growth boundary. City staff expects to have a copy of resolution available to council members by their April 27, 2014, meeting.

On the evening of March 27, 2014, city staff will hold a noticed meeting with taxing district representatives regarding the proposed enterprise zone. City staff expects to have a copy of meeting minutes available to council members by their April 27, 2014, meeting.

FISCAL IMPACT: Staff time will need to be dedicated to implement the process for development of the enterprise zone application. In addition, the city contracted with the COG to provide support services in the

preparation of an enterprise zone application if its submission is approved by council. The COG has already assisted city staff in the completing the necessary processes in preparation of such an application. The contract with the COG states costs shall not exceed \$2,500.00 without further authorization.

If council approves the submission of application for an enterprise zone and the application is successful, future tax revenues could be affected. Establishment of an enterprise zone will not affect existing tax revenues. However, as mentioned in previous discussion, companies within an enterprise may apply for a tax exemption for between three to five years (typically three years) on the value of the new eligible investments. If the request by the business is approved by the city, we will not receive the additional tax revenues on the new investment until after the stated exemption period is completed.

If the city establishes an enterprise zone, the city will be required to appoint a person to manage the zone. This person may be a staff person or the city can designate another entity, such as the COG.

STRATEGIC ASSESSMENT: The city of Newberg understands the importance of supporting local businesses. A healthy business sector is a key component to having a healthy community overall. Several businesses in Newberg have expressed interest in the enterprise zone program and how they might be able to use it to strengthen their companies.

Having an enterprise zone in Newberg may be a good tool to add to our community's economic development "toolbox". This is a tool of relatively low risk to the community and very little upfront costs (mostly staff time). It is a tool that demonstrates to industry the city is a strong partner willing to invest in the future health of our local business community.

Standard Enterprise Zone Program

Enterprise zones are designed to encourage business investment through property tax relief, in specific areas of the state. In exchange for locating or expanding into an enterprise zone, eligible (generally non-retail) businesses receive total exemption from the property taxes normally assessed on new plant and equipment, for a specified amount of time, which varies between the different zone programs.

The Incentives

The following are the standard incentives available to eligible (generally non-retail) businesses locating in any enterprise zone, subject to authorization, timely filings and criteria:

- Construction-in-Process Enterprise Zone Exemption—For up to two years before qualified property is placed in service, it can be exempt from local taxes. (For most authorized business this provides broader benefit than the regular exemption for commercial facilities under construction.)
- Three to five consecutive years of full relief from property taxes on qualified property, after it is in service.
- Depending on the zone, local incentives also may be available.

Business Eligibility

Before construction/installation activities begin on-site, the local zone manager must receive an application for authorization

 PDF , which contains helpful information.
PDF

Eligible business includes manufacturers, processors, shippers and a variety of operations that serve other organizations, as well as call centers and headquarter-type facilities. Hotel/resort businesses also are eligible in some of the enterprise zones. Otherwise, retail, construction, financial and certain other defined activities are ineligible.

Qualified Property

A new building/structure, structural modifications or additions, or newly installed machinery and equipment qualify for exemption, but not land, previously used property value and miscellaneous personal items.

Criteria for Qualifying Projects

For the basic, three-year enterprise zone exemption period, the business needs to:

- increase full-time, permanent employment of the firm inside the enterprise zone by the greater of one new job or 10% (or less with special-case local sponsor waivers);

- generally have no concurrent job losses outside the zone boundary inside Oregon;
- maintain minimum employment level during the exemption period;
- enter into a first-source agreement with local job training providers; and
- satisfy any additional local conditions, which vary for each zone.

Criteria for extended tax abatement (for a total of four or five years of exemption)

This includes the criteria for the three-year enterprise zone exemption as well as the following:

- Compensation of new workers must be at or above 150% of the county average wage.
- there must be local approval by written agreement with the local zone sponsor (city, port and county, or tribe); and
- the company must meet any additional requirements that the local zone sponsor may reasonably request.

Basic Steps for an Enterprise Zone Designation Application

- 1 **Getting started:** Identify (a) all cities, ports and counties that must/will participate in or consent to application, (b) sites and lands to go in the proposed zone and (c) the preparer, who studies these materials,* contacts Arthur Fish, Business Incentives Coordinator, arthur.fish@state.or.us, 503-986-0140, and attends workshops or webinars as available.
- 2 **Getting organized:** (a) Schedule and reserve dates to adopt resolutions by city/port/county governing bodies, (b) determine how to produce maps/legal description for proposed zone boundary, and (c) work with county assessor to identify all local taxing districts (other than sponsor-based districts) that levy taxes on property inside proposed enterprise zone area.
- 3 **Notice of public meeting:** (a) Develop complete list of contact names/addresses for local taxing districts (e.g., staff, key board members); (b) establish date, place and time for meeting, **seven or more days before adoption of first sponsoring resolution**; (c) prepare informative notice with preliminary agenda and (d) send it to list at least 21 days before meeting date.
- 4 **Further outreach:** (a) Elicit letters of interest from eligible business firms that might effectively expand or locate in proposed zone within 2½ years of designation (local business and development organizations may have leads; business is disqualified if diminishing in-state jobs and transferring them into zone from more than 30 miles away) and (b) initiate public information and involvement (as appropriate) with education & training organizations, community groups and the media.
- 5 **Interim tasks:** (a) Pursue additional interaction with local taxing districts, as warranted, and attendance at meeting; (b) send copy of contact list and notice to SDAO in Salem; (c) finalize meeting agenda; (d) assemble economic data/statistics and information about good industrial sites for application and (e) have draft of enterprise zone map produced.
- 6 **Public meeting & follow-up:** (a) Conduct meeting with (applicant reps/leaders in attendance), using map, etc.; (b) prepare minutes and distribute them to local taxing districts not in attendance; (c) undertake further consultative discussions or analyses, as warranted and (d) finalize any agreed-to arrangements to be put into practice if proposed zone is designated.
- 7 **Wrap-up:** (a) Print final map and legal description of proposed zone boundary; (b) see that resolutions are drafted, adopted (no sooner than seven days after public meeting) and copied for application; (c) assemble other documentation from consultations and about sites (zoning, real estate listings, due diligence summaries, etc.) and (d) fill out first four pages of application form.
- 8 **Complete application and submit at least mandatory elements (executed copies of resolutions, maps, etc. ...):** to Business Oregon on or before the deadline (continue to submit copies of local taxing district comments or other public responses, as they are received, as well as business letters, which may be kept confidential).
- 9 **Competition (potential):** (a) Standby for announcement and be prepared and (b) as necessary, submit responses to other competitive criteria and optional materials, such that they are received at Business Oregon in Salem by a subsequent date as announced.

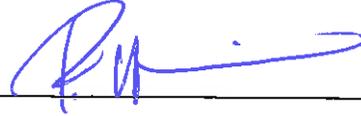
* Including administrative rules—OAR 123-650 ... http://arcweb.sos.state.or.us/pages/rules/oars_100/oar_123/123_650.html

AFFIDAVIT OF MAILING

I, Renata Wakeley, DEPOSE AND STATE AS FOLLOWS:

That the attached Exhibit "A" was mailed by myself to said agencies listed in Exhibit "B", attached hereto and incorporated herein by reference.

That the aforementioned copies were mailed by myself on MARCH 6, 2014, through the Salem Post Office in Salem, Oregon.



Planner

Mid-Willamette Valley Council of Governments

City of Newberg
414 E. First Street
P.O. Box 970
Newberg, OR 97132



City Manager
(503) 538-1207
(503) 537-5013 FAX

P.O. Box 970 • 414 E. First Street • Newberg, Oregon 97132 • (503) 537-1240 • Fax: (503) 537-1272

March 6, 2014

Derek Goodwin, Regional Administrator
West Central Region
Yam. Co. Ext. Serv. *TEMPERATE*
2050 NE Lafayette Ave
McMinnville, OR 97128

ATTN: Local Taxing District

This letter is to inform you that the City of Newberg is considering seeking designation of a Newberg Enterprise Zone. The City of Newberg is also considering seeking consent by Yamhill County for area outside its city limits but within its urban growth boundary.

The application deadline is April 11, 2014. Business Oregon will review the application for designation, and it may be subject to competitive consideration relative to other localities. More information is available below.

Notice and Invitation to Public Meeting

Your district is being notified of this application because the boundary of the proposed enterprise zone as proposed would include all or parts of one or more tax code areas in which your district may levy taxes on property. In an enterprise zone, certain types of business firms that create new jobs may get limited duration exemptions on certain new property that they invest in the zone.

In particular, we are asking yours and other local taxing districts to send one or more representatives to a special public meeting to discuss this application, to address issues about the enterprise zone and achieve better overall understanding. At the meeting, there will be a map of the proposed zone boundary and other information for presentation and review.

The meeting will be on March 27, 2014, at the Newberg Public Safety Training Room at 401 E. Third Street, from 7:00 p.m. to 8:30 p.m. A preliminary agenda is enclosed.

In addition to sending participants to this meeting, your district is welcome to submit written comments in person to the Newberg City Hall, 414 E. First Street or by postal mail at City of Newberg, ATTN: David Beam, Economic Development Planner, PO Box 970, Newberg, OR 97132. Questions about this proposal may be directed to David Beam, Economic Development Planner at 503.537.1213 or david.beam@newbergoregon.gov

Resolutions

At least *seven days* after this meeting, the City of Newberg would consider adoption of the requisite resolutions for seeking designation of the enterprise zone. The following are the anticipated times and dates for the consideration of these resolutions:

7 p.m., April 7, 2014, Newberg City Council at the Newberg Public Safety Training Room, 401 E. Third Street, Newberg, OR 97132

Background - Enterprise Zone

Enterprise zones are discrete areas up to 12 square miles in size that are sponsored by one or more local governments. Various types are found throughout the world. Oregon's version has been in existence since the mid-1980s. Each zone designation lasts up to 11 years. State law permits up to 68 to exist now. They are intended to offer tax and other incentives to induce additional investment and employment by nonretail businesses in areas meeting certain measures of economic hardship. They have proven to be Oregon's key offering in the pursuit of business growth and expansion. Their effectiveness is due to a typically short-term but immediate benefit for the business project's cash flow.

More information regarding the program is available on-line at www.oregon4biz.com

The city is reviewing potential enterprise zone boundaries, including but not limited to the entire city limits and/or the urban growth boundary.

Exemptions from Property Taxes

An Oregon enterprise zone exempts only new property that an eligible business might build or install in the enterprise zone at some future time. A qualifying investment entails the creation of new full-time employment in the zone greater than one new job or a 10 percent increase. These property tax exemptions are not available to just any business. Most commercial or retail type operations are ineligible. Rather, the primary beneficiaries of enterprise zone benefits are manufacturing and other more industrially oriented facilities serving other businesses.

An enterprise zone exemption is temporary, *usually lasting only three years*, after which time the property induced by these incentives is available for assessment, possibly for decades.

An extension of the exemption period to four or five years in total (or even longer under very special circumstances) is possible in some cases, subject to the agreement of the local governments sponsoring the zone, higher compensation for new employees and possibly additional local requirements.

Policy and Economic Reasons for Seeking Enterprise Zone

The City of Newberg is considering applying for enterprise zone designation as a way to strengthen the business sector of the community. Specifically, the city feels an enterprise zone would:

- Encourage business retention, expansion, and recruitment.
- Strengthen local business community; help businesses be more competitive in markets
- Grow city's and county's tax base
- Increase utility revenues
- Strengthen government/business relationships

If you have any questions, please feel free to contact me. I am also available to meet with you or your elected officials to go over the enterprise zone and its benefits to our local community.

Sincerely,



David Beam, Economic Development Planner

Phone: 503-537-1213

Email: david.beam@newbergoregon.gov

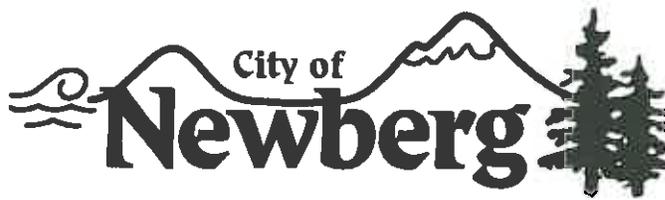
Encl.: Preliminary Agenda

General Information on Oregon Enterprise Zones

C: Special Districts Association of Oregon

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Exhibit *A2*



Planning and Building Department

P.O. Box 970 • 414 E. First Street • Newberg, Oregon 97132 • (503) 537-1240 • Fax: (503) 537-1272

**Proposed Newberg Enterprise Zone
Consultation Meeting
Thursday, March 27, 2014, 7 p.m.
Newberg Public Safety Training Room - 401 E. Third Street**

Tentative Agenda

Welcome & Introductions

Overview of State Enterprise Zone Program

Benefits of program

Newberg's Proposed Enterprise Zone Program

Why Newberg

Proposed Boundary

Local program & incentive options

District comments

Q&A and comments

Next steps

April 7, 2014	City Council meeting to consider resolution supporting submission of enterprise zone application
TBD	Yamhill County Board of Commissioners to consider consent to enterprise zone application
April 11, 2014	Application submission deadline



TO: Cities, Ports and Counties, and other interested parties
FROM: Karen Wilde Goddin, Deputy Director for Business, Innovation & Trade Development
RE: Call for Applicants, Oregon Enterprise Zone Designations

Business Oregon is pleased to announce the opening of an application rounds to designate Oregon Enterprise Zones four additional designations remaining under chapter 71, Oregon Laws 2012 (HB 4093).

Inside an enterprise zone, qualified businesses may be exempted from the local property tax liability on new capital investments for at least three years and up to five years. Longer-term tax abatement periods also are available in most rural designations. Experience has shown that businesses participating in this program are successful and valuable members of the community.

Please note: The standard, three-year tax exemption on new property is generally automatic and **not** discretionary—i.e., it is an as-of-right benefit for eligible businesses that increase employment. Cities, ports or counties that are averse to at least three years of property tax abatement to qualified businesses, should **not** apply for designation of an enterprise zone.

To obtain further information on applying for an enterprise zone designation, please contact Business Oregon at 503-986-0123 (or fax 503-581-5115) and ask for the business incentives coordinator (or visit our [Web site](#)).

You will need to complete at least four pages of an application form, adopt resolution(s), actively consult with local taxing districts, and provide a map and description of the proposed zone boundary and its industrial land base, and send those documents to this office by **April 11, 2014**, as evidenced by a postmark or commercial delivery receipt. Direct personal deliveries are due no later than 5:00 p.m. on that date (Address: 775 Summer Street NE Suite 200, Salem OR 97301-1280). Business Oregon will contact all qualified applicants shortly after this deadline about the level of competition (if any) for the available zone designations, so that additional responses to competitive criteria may be prepared and submitted, as specifically announced by Business Oregon.

We look forward to hearing from you.

January 6, 2014

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Business Oregon
Application For Enterprise Zone Designation

Thinking About An Enterprise Zone?

Introductory Points

Oregon's enterprise zones offer a unique resource to local communities, unmatched by any other business incentive. Besides tax abatement, an enterprise zone lends visibility and focus to local economic development efforts.

Many communities have successfully used enterprise zones since 1986. By forgiving the local property taxes on **new** plant & equipment for at least three years, enterprise zones have led to thousands of new jobs through investments by eligible business operations.

Local jurisdictions also may extend the property tax exemption up to five consecutive years for especially high-paying jobs, and if additional local requirements are met by the business.

This incentive for new private investment and employment may be critical for healthy employment growth and business diversification in many areas.

But an enterprise zone is neither a prerequisite nor a cure-all for development. Some areas have greater need or are better able to exploit an enterprise zone in comparison to other localities, and a commitment to promote the zone is crucial.

Finally, an enterprise zone does **not** alter land use zoning, although it might be recognized in local comprehensive land use plans. The enterprise zone's primary influence would be on long-term industrial and some forms of commercial development, in contrast to the general growth of urbanized areas.

A Broad, Versatile Resource

Oregon presently contains 64 enterprise zones throughout the state, in all types of communities, big and small, metropolitan and rural.

The 2011 Legislature extended the overall program to 2025 and continued to allow for the designation of enterprise zones to replace or renew those that "sunset." At the latest, each enterprise zone terminates 10–11 years after its original designation.

Since 1993, the director of Business Oregon (rather than the Governor) has been charged with designating enterprise zones, subject to a potentially competitive round of applications from cities, ports and/or counties, based on economic need, likelihood of success and other attributes of the proposed enterprise zone.

For a locality to qualify to have an enterprise zone it must meet minimum thresholds of economic need.

Most rural enterprise zones encompass entire incorporated/urban-growth areas of one or more cities, and possibly sites outside of urban growth boundaries. In Oregon's largest cities, the zone must remain entirely within the metropolitan urban growth boundary, and typically, the enterprise zone contains only a portion of such a city.

A local zone manager and the county tax assessor administer the property tax abatement programs, with some help in marketing from other entities. These local players largely handle such duties, by advising interested businesses; authorizing them and exempting qualified property.

Business Oregon and the Oregon Department of Revenue jointly coordinate the enterprise zone program and assist local players. The Oregon Department of Justice and the Oregon Employment Department have supporting functions.

Application For Enterprise Zone Designation

Roles of the Zone Sponsor

By resolution, the governing bodies of cities, ports and/or counties sponsor an enterprise zone.

Although enterprise zones are largely self-functioning units—and the property tax exemption that they offer is generally automatic—sponsorship of an enterprise zone still entails both responsibilities and opportunities for shaping local economic development. The sponsor does or may do the following (if there is more than one city/port/county sponsoring government, they must act jointly in all cases):

- Make policy and plans covering marketing, organization, etc
- Set authorization filing fees, as appropriate
- Help businesses to use zone and with verifying compliance by businesses
- Appoint the local zone manager
- Implement local incentives for authorized businesses (e.g., services, fee reductions, regulatory flexibility)
- Assist in making unused, publicly-owned real estate in the zone available to authorized businesses
- Fulfill arrangements worked out with local taxing districts during pre-designation consultations
- Enter into written agreements with and reasonably request additional local requirements of authorized businesses, in extending the exemption for four or five years in total or in allowing special long-term rural tax incentives
- Adopt resolutions to waive statutory requirement of a 10 percent employment increase (stipulating alternative employment minimum and potential, other local conditions), for existing businesses that invest \$25 million or more, or that measurably modernize operations and fund workforce training
- Change the boundary of the zone to remove areas or to add new areas or cosponsors, subject to statutory guidelines, by passing resolutions and sending request to Business Oregon
- Elect to terminate the enterprise zone.

In an **urban** enterprise zone, the sponsor also may establish a local policy and standards for additional, worker-related conditions that are consistently imposed with the standard three-year exemption.

Hotels, Motels & Destination Resorts

Typically, only non-retail operations are eligible for enterprise zone exemptions. Nevertheless, cities/counties seeking designation of an enterprise zone have a **one-time opportunity** to exercise the option to allow qualified property of hotels, motels and resorts to receive standard tax exemption.

To do so, the resolutions of application by each city/county government sponsor must expressly state that such businesses will be eligible for exemption in the enterprise zone, if designated.

This option may be taken selectively among the city and county jurisdictions that would co-sponsor the enterprise zone.

These inter-jurisdictional restrictions should be clarified in the application and associated resolutions, but they—and the basic hotel/resort option—may be revised and finalized by resolution up to six months following the zone's designation.

The zone sponsor may irreversibly rescind the overall hotel/resort option while the zone exists. In the case of a preexisting enterprise zone that previously exercised this option, it is **not** automatically retained as such with re-designation of the zone, so that each cosponsor would need to reelect to take option with the new application.

Business Oregon
Application For Enterprise Zone Designation

The Incentive & Impact of a Zone

In combination with efforts to upgrade local economic capacity (e.g., infrastructure, industrial sites), an Oregon enterprise zone is meant to induce **additional** private-sector investment and jobs by signaling a receptive business climate, as well as a significant, but short-term benefit to a project's cash flow, which in turn would ...

- Encourage homegrown entrepreneurs and firms to start-up and grow
- Prompt bigger re/investments than might otherwise occur
- Accelerate investment, expansion and hiring compared to an ordinary rate
- Expand employment—projects are required to add one new, full-time job or increase by 10 percent
- Bolster early success of business projects
- Help needier regions overcome dislocations and deficiencies afflicting the local economic structure
- Attract investment and facilities that would move or locate outside of Oregon/locality and
- Promote higher levels of employee compensation with 5-year abatement.

Enterprise zone exemptions do not necessarily affect available funds for local public services (depending on statewide equalization of school funding and on how relevant limitations for tax rates and levies affect new industrial property in the particular tax code).

Indeed, enterprise zone incentives can help to enlarge the future local tax base, which under the current property tax system would increase future local revenue.

In considering an enterprise zone, there are two key questions that local governments should ask:

1. What are the expected local investments that will happen anyway, but that might still receive an exemption? ... and
2. Would these exemptions be adequately offset by additional investments/jobs or other advantages of the zone?

Local Incentives

In creating their enterprise zones over the years, sponsoring governments have adopted various waivers or discounts of local fees and charges to offer extra inducement to business projects:

- The law has special provisions for making these incentives a binding part of the enterprise zone package
- As such, they might override statutory stipulations for building permits and system development charges
- An application for designation should involve serious consideration of such local incentives as a way to give added punch to marketing the enterprise zone
- Historically, this was much more strongly encouraged, and many of these original enterprise zones still successfully use their incentives for economic development
- Local incentives may vary among cosponsors, in terms of what they affect and how they function
- They are proposed in the application through the government's resolution seeking designation, to be implemented within six months afterwards
- They are in no way mandatory for any enterprise zone, but rather are a competitive criterion in the case of excess applications for available designations.

Laura Tschabold, County Administrator
Yamhill County
535 NE Fifth St.
McMinnville, OR 97128

Derek Goodwin, Regional Administrator
West Central Region
Yam. Co. Ext. Serv.
2050 NE Lafayette Ave
McMinnville, OR 97128

Larry Ojua
Yam. Co. Soil & Water
2200 SW 2nd Street
McMinnville, OR 97128

Barbara Boyer, Chair
Yamhill Co. Soil & Water
2200 SW 2nd Street
McMinnville, Or 97128

Nathan Roedel, Business Manager
S.D. 29J – Newberg
714 East Sixth St
Newberg, OR 97132

Paula Radich, Superintendent
S.D. 29J – Newberg
714 East Sixth St
Newberg, OR 97132

Mike Dunckel, Director of Business
Services
Willamette Regional ESD
2611 Pringle Rd SE
Salem, OR 97302

John Fawcett
Newberg RFPD
20180 NE Williamson Rd.
Newberg, OR 97132

Stan Gaibler, Chair
Newberg RFPD
20180 NE Williamson Rd.
Newberg, OR 97132

W. Don Clements, Superintendent
Chehalem Park & Recr.
125 Elliot Rd
Newberg, OR 97132

James Langstraat, Associate VP/Finance
Portland Comm. Coll.
PO BOX 19000
Portland, OR 97280

Scott Maytubby, Assessor
Yamhill County Assessor
535 NE Fifth St., Room 42
McMinnville, OR 97128

David Beam, Economic Dev. Planner
City of Newberg
414 E. First Street
PO BOX 970
Newberg, OR 97132

Government Affairs
Special Districts Association of Oregon
PO ABOX 12613
Salem, OR 97309

Exhibit B1



RESOLUTION No. 2014-3122

**A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION
TO THE STATE OF OREGON REQUESTING THE DESIGNATION OF AN
ENTERPRISE WITHIN THE CITY OF NEWBERG'S URBAN GROWTH
BOUNDARY**

RECITALS:

1. The city of Newberg is sponsoring an application for designation of an enterprise zone within the urban growth boundary of the city of Newberg.
2. The city is interested in an enterprise zone to encourage new business investment, job creation, higher incomes for local residents, and greater diversity of economic activity. The proposed enterprise zone has a total area of approximately 361 acres and it meets other statutory limitations on size and configuration; it is depicted on the drawn to scale map Exhibit A and described by tax lot in Exhibit B.
3. The proposed enterprise zone contains significant land reserved for industrial use, as indicated by land use zoning map(s) with the application, consistent with comprehensive plan acknowledged by the land conservation and development commission. These industrial sites are accessible, serviced or serviceable, and otherwise ready for use and further development and/or redevelopment.
4. The designation of an enterprise zone does not grant or imply permission to develop land within the zone without complying with prevailing zoning, regulatory and permitting processes and restrictions for applicable jurisdictions; nor does it indicate any intent to modify those processes or restrictions, except as otherwise in accordance with comprehensive plans.
5. The city appreciates the impacts a designated enterprise zone would have and the property tax exemptions eligible business firms might receive therein, as governed by Oregon Revised Statutes (ORS) Chapter 285C, and other provisions of Oregon Law. All of the other municipal corporations, school districts, special service districts, etc., other than the sponsoring governments that receive operating revenue through the levying of ad valorem taxes on real and personal property in any area of the proposed enterprise zone, were sent notice and invited to a public meeting regarding this proposal in order for these sponsoring governments to effectively consult with these other local taxing districts. Follow-up arrangements as agreed to with these consultations will be completed with affected districts within six months of the proposed enterprise zone's designation.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The city proposes and applies for an Oregon enterprise zone to be named: The Newberg Enterprise Zone, and requests the Director of Business Oregon order the designation of this enterprise zone. Mr. Lee Elliot, city manager pro tem, is authorized to submit the enterprise zone application for the city and to make any substantive or technical change to the application materials, as necessary, after adoption of this resolution.

2. The city will give priority to the use in the proposed enterprise zone, if designated, of any economic development or job training funds received from the federal government, consistent with ORS 285C.065(3)(d). The city commits, upon designation, to appoint a local enterprise zone manager within 90 days.

3. The city will comply with the requirements and provisions of ORS 285C.105 and otherwise fulfill its duties under ORS 285C.050 to 285C.250. The city commits, within six months of designation, to implement and to confirm for the department its fulfillment of such duties, as specified in OAR 123-668, including but not limited, to preparation of a list or map of local lands and buildings owned by the state or by municipal corporations within the enterprise zone not being used or designated for a public purpose and that have appropriate land use zoning, and to efforts for making such real property available for lease or purchase by authorized business firms under ORS 285C.110.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: April 8, 2014.

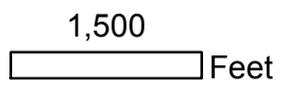
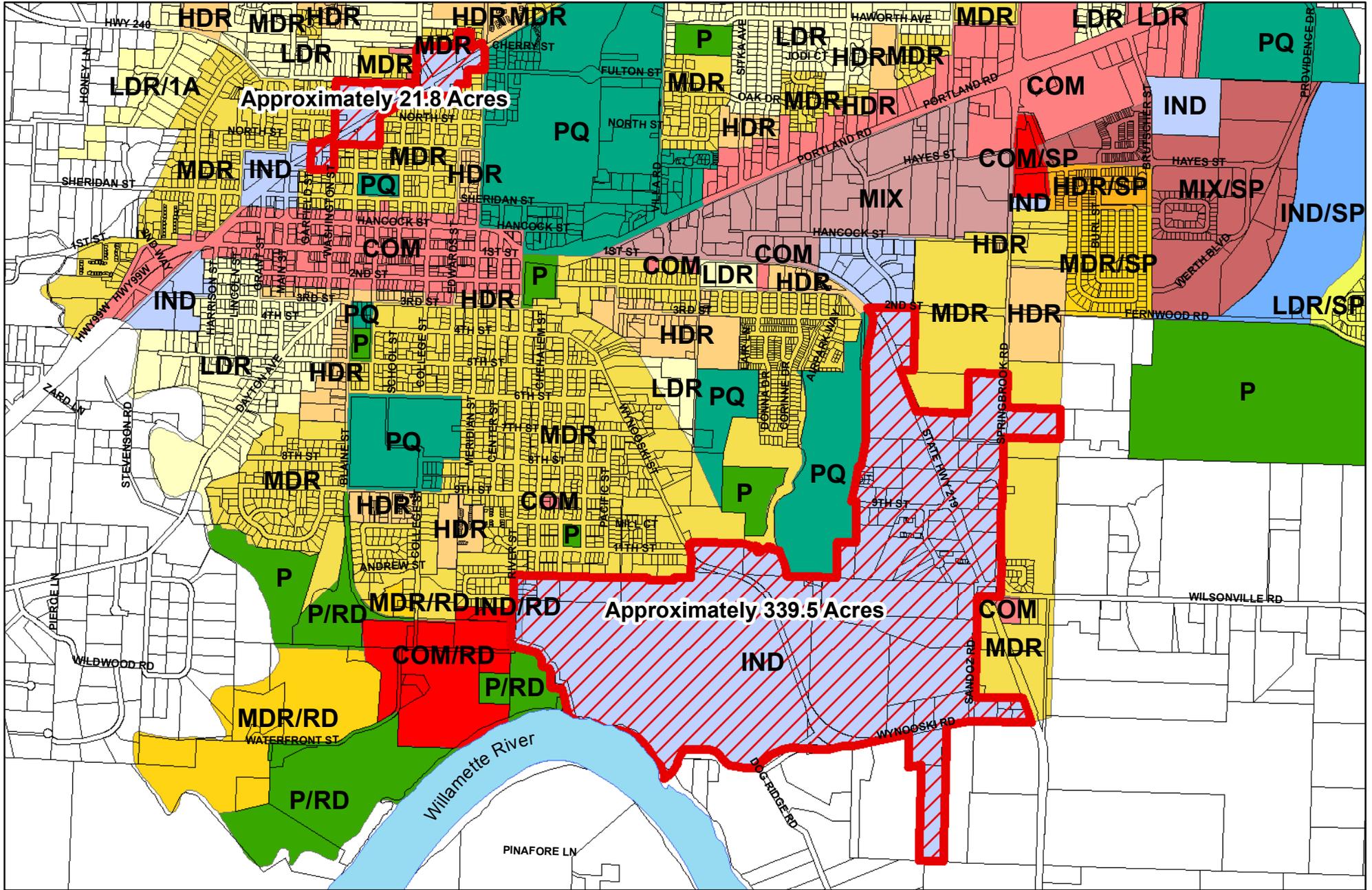
ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of April, 2014.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of April, 2014.

Bob Andrews, Mayor

Proposed Newberg Enterprise Zone Boundaries




 Proposed Newberg Enterprise Zone Boundaries

taxlot	owner	situs address	taxlot	owner	situs address
3220 00304	AIRPARK PROPERTIES LLC	02901 E 9TH ST	3220DD 01500	BRADY BRYCE C & BRENDA W	01095 INDUSTRIAL PARKWAY
3221 01602	RICK & TERRY BEAUDRY LLC	5 SPRINGBROOK RD	3220CC 04400	SP FIBER TECHNOLOGIES NORTHWEST LLC	01208 S RIVER ST
3220 90008	9TH STREET HANGARS LLC	02803 E 9TH ST	3220DD 00900	HARRIS FRANK E 1/2	01000 INDUSTRIAL PARKWAY
3220 90006	9TH STREET HANGARS LLC	02803 E 9TH ST	3220DD 00100	NORMAN FAMILY TRUST	00900 INDUSTRIAL PARKWAY
3220DD 90300	HOUSEHOLDER LORRAINE K		3220 00700	NEWBERG CITY OF	
3220 90001	PPI CONSULTING LLC	02803 E 9TH ST	3221 02200	OREGON STATE OF	
3220DD 91500	CONSENZ JACQUE J	01005 INDUSTRIAL PARKWAY	3220 90003	HOWE BRIAN	02803 E 9TH ST
3221 01700	FREEMAN STEVE & LORI	00705 S SPRINGBROOK RD	3220DD 91800	EDRF LLC	01005 INDUSTRIAL PARKWAY
3220 90100	9TH STREET HANGARS LLC		3221 02100	BROWN CECIL & CLARA LIVING TRUST	01001 WILSONVILLE RD
3220 90002	HAMILTON BARBARA	02803 E 9TH ST	3220DD 90500	MEISSINGER PAMELA S	
3220DD 90600	DOUTHIT TERESA M		3229 00100	NEWBERG CITY OF	01591 S SANDOZ RD
3220 90004	W F INCORPORATED	02803 E 9TH ST	3220DD 91300	NW LEASING & ACQUISITIONS LLC	01005 INDUSTRIAL PARKWAY
3220DD 01900	KROHN RICHARD & LESLIE J	00901 NE ST PAUL HWY	3220DD 91200	PC ELECTRIC LLC	01005 INDUSTRIAL PARKWAY
3220CC 04700	SP FIBER TECHNOLOGIES NORTHWEST LLC	01202 E 12TH ST	3220DD 91700	CONSENZ JACQUE J	01005 INDUSTRIAL PARKWAY
3229 00103	OREGON STATE OF DEPT OF TRANSPORTATION		3218DC 09900	ENGNELL RICHARD A & ROBERTA R	00409 N WASHINGTON ST
3228BB 00503	CHISHOLM JON B	03223 WYNOOSKI ST	3221 01701	FREEMAN STEVE & LORI	00705 S SPRINGBROOK RD
3218DD 08200	TEDFORD PROPERTIES LLC	00315 E FRANKLIN ST	3220DD 01300	INTEGRITY PROPERTIES LLC	01145 INDUSTRIAL PARKWAY
3218DC 09800	MYERS STEVEN G	00415 N WASHINGTON ST	3221 01601	SPRINGBROOK INDUSTRIAL PARK LLC	00675 S SPRINGBROOK RD
3220DD 01400	NEWBERG INDUSTRIAL INVESTMENT INC	01125 INDUSTRIAL PARKWAY	3220DD 00400	NIBLER JAMIE L TRUST	02800 E 9TH ST
3220 00600	DEPARTMENT OF TRANSPORTATION		3220 00307	NEWBERG BUSINESS CENTER LLC	02771 E 9TH ST
3218DC 10200	PETERSEN JEFFERY P	00207 E SHERMAN ST	3220 00200	CLIMAX PORTABLE MACHINE TOOLS INC	02712 E 2ND ST
3220 90007	MANAGEMENT GROUP LLC	02803 E 9TH ST	3229 00102	NEWBERG CITY OF	02301 WYNOOSKI ST
3221 01600	W F INCORPORATED	00615 S SPRINGBROOK RD	3218DD 00100	MILESTONE PROPERTIES LLC	00801 N MERIDIAN ST
3220DD 01600	SLATE PROPERTIES LLC	01045 INDUSTRIAL PARKWAY	3229 00205	WALKER MELISSA	02751 WYNOOSKI ST
3220DD 00600	INVESTMENT PROPERTIES LLC	02700 E 9TH ST	3220 00201	MACKEN GERALD & KATHLEEN 1/2 &	02800 E 2ND ST
3221 03700	ELBERT ALVIN R & JEANINE A	00518 S SPRINGBROOK RD	3220 90000	9TH STREET HANGARS LLC	02803 E 9TH ST
3220DD 91000	ROSE JARRETT		3221 01702	BARTHOLEMY ED	
3220 00601	CITY HALL		3221 01800	SWONGER DARLENE M TRUST 50%	00832 WILSONVILLE RD
3220DD 90200	HOUSEHOLDER LORRAINE K		3228BB 00502	BALD PEAK PROPERTIES LLC	03201 WYNOOSKI ST
3229 00203	HALSTEAD RONALD C & RUSSELL M	02801 WYNOOSKI ST	3218DA 02600	OREGON STATE OF	00730 N COLLEGE ST
3220 00602	DEPARTMENT OF TRANSPORTATION	01301 S SANDOZ RD	3220DD 90400	WINKLER DONALD L REVOCABLE LIVING TRUST	
3220DD 00200	THURMAN WILLIAM V & MARGARET J	00901 INDUSTRIAL PARKWAY	3220DD 91100	SHEPHERD LISA M	01005 INDUSTRIAL PARKWAY
3220DD 00300	OLSON RICHARD A JR & SHELLEY A	02900 E 9TH ST	3220DD 01000	STEINBORN ERHARDT F REVOCABLE TRUST	01040 INDUSTRIAL PARKWAY
3220DD 01700	GODSONG	01025 INDUSTRIAL PARKWAY	3220 90005	KRUEGER SUSAN	02803 E 9TH ST
3221 01703	THOM LLC	00705 S SPRINGBROOK RD	3221 02000	BROOKS DONALD	00905 WILSONVILLE RD
3218DD 01000	IEA INC	00500 E ILLINOIS ST	3218DD 00500	MILESTONE PROPERTIES LLC	00700 N COLLEGE ST
3220DD 90100	ROYAL GREASE RECYCLING LLC	01100 INDUSTRIAL PARKWAY	3220 00305	KDK PROPERTIES LLC	02751 E 9TH ST
3228BB 00501	3 TS NEWBERG LLC	03209 WYNOOSKI ST	3220DD 90000	ROSE JARRETT	INDUSTRIAL PARKWAY
3218DD 00600	CLAASSEN HOWARD & FAYE REVOC LIV TRUST	00713 VERMILLION ST	3220DD 91400	J JOSEPH AND SONS	01005 INDUSTRIAL PARKWAY
3220CC 04500	SP FIBER TECHNOLOGIES NORTHWEST LLC	01212 S RIVER ST	3220DD 00500	RENEE PROPERTIES LLC	02750 E 9TH ST
3221 02101	PORTLAND GENERAL ELECTRIC COMPANY	01101 WILSONVILLE RD	3221 01901	BOWLIN MONTE	00901 WILSONVILLE RD
3228BB 00400	SALMON STEVEN	01708 S SANDOZ RD	3229 00202	SP FIBER TECHNOLOGIES NORTHWEST LLC	
3218DD 00900	OREGON STATE OF		3220DD 91600	CONSENZ JACQUE J	01005 INDUSTRIAL PARKWAY
3220CC 04300	SP FIBER TECHNOLOGIES NORTHWEST LLC	01114 E 12TH ST	3229 00200	TWO BEARS CO	02601 WYNOOSKI ST
3218DC 10300	NELSON DANIEL R	00201 E SHERMAN ST	3218DD 08000	EDY MORTON & EDY LLC	00501 N HOWARD ST
3220 00800	SP FIBER TECHNOLOGIES NORTHWEST LLC	01100 NE WYNOOSKI RD	3220 00300	WHITNEY SAM FAMILY TRUST 1/2	00504 NE AIRPARK WY
3220 00306	W F INCORPORATED	02761 E 9TH ST	3218DA 02801	DORAN MICHAEL J & BARBARA G	00901 N MERIDIAN ST
3220CC 04200	SP FIBER TECHNOLOGIES NORTHWEST LLC	01200 S RIVER ST	3218DC 10100	BREWER MARIANELA M	00209 E SHERMAN ST
3220 00303	AIRPARK PROPERTIES LLC		3221 01900	DMR CONCRETE INC	5 SPRINGBROOK RD
3220DD 00700	AIRPARK BUSINESS COMPLEX INC	01000 COMMERCE PARKWAY	3220DD 01200	NEWBERG BUSINESS CENTER LLC	01150 INDUSTRIAL PARKWAY
3218DC 10000	CLARK TRISHA L	00215 E SHERMAN ST	3229 00300	NEWBERG CITY OF	02808 NE WYNOOSKI RD
3220 90200	9TH STREET HANGARS LLC		3228 01800	WASTE MANAGEMENT OF OREGON INC	
3228BB 00500	3 TS NEWBERG LLC	03215 WYNOOSKI ST	3220 00800	SP FIBER TECHNOLOGIES NORTHWEST LLC	01100 NE WYNOOSKI RD
3218DC 10500	JEFF & GEORGE LLC	E SHERMAN ST	3220CC 02700	SP FIBER TECHNOLOGIES NORTHWEST LLC	01201 S PACIFIC ST
			3220CC 04600	SP FIBER TECHNOLOGIES NORTHWEST LLC	01218 S RIVER ST
			3229 02200	SP FIBER TECHNOLOGIES NORTHWEST LLC	01301 NE WYNOOSKI RD

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 7, 2014

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

SUBJECT: Approve the January 6, January 21, February 3, and February 18, 2014, City Council Meeting minutes.

Contact Person (Preparer) for this Motion: Jennifer 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 public meetings 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 OF NEWBERG CITY COUNCIL MINUTES
JANUARY 6, 2014
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 was given on the fiscal policies by City Manager Pro Tem Lee Elliott and Finance Director Janelle Nordyke. No action was taken and no decisions were made. All councilors and the mayor were present.

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
	Lesley Woodruff		

Staff Present:	Lee Elliott, City Manager Pro Tem	Truman Stone, City Attorney
	Jay Harris, Civil Engineer	Norma Alley, City Recorder
	Nicole Tannler, Minutes Recorder	

Others Present: Melissa Swenson, PGE Project Manager

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGERS REPORT

Mr. Lee Elliott, city manager pro tem, reported hosting seminar for the budget, which is mandatory for department heads, this Saturday 9:00 AM-1:00 PM. Ms. Nancy Boyer from the Mid-Willamette Valley Council of Governments (MWVCOG) would like to go over results at an executive work session. The city will be outsourcing budgeting systems. The Citizens' Rate Review Committee (CRRC) will be discussing wastewater at their next meeting.

V. PUBLIC COMMENTS

Mayor Andrews opened and closed the public testimony; no citizens appeared.

VI. ELECTION OF COUNCIL PRESIDENT

Consider a motion electing a Council President from among the City Council.

Councilor Lesley Woodruff nominated Councilor Ryan Howard to serve as council president. Councilor Ryan Howard accepted the nomination.

MOTION: Rierson/Bacon approving and closing the nominations for Council President. Motion carried (7 Yes/0 No).

VII. CONSENT CALENDAR

Consider a motion adopting **Resolution No. 2013-3106** authorizing the city manager pro tem to issue a task order with HDR Engineering, Inc., to provide construction services for the wastewater treatment plant influent pump station, headworks, and dewatering construction project.

MOTION: Woodruff/Corey adopting **Resolution No. 2013-3106** authorizing the city manager pro tem to issue a task order with HDR Engineering, Inc., to provide construction services for the wastewater treatment plant influent pump station, headworks, and dewatering construction project. Motion carried (7 Yes/0 No).

VIII. NEW BUSINESS

Presentation from Jason Wuertz, Civil Engineer, on the PGE LED Street Lighting Conversion.

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

Mr. Wuertz pointed out option 1 is the second choice and option 2 is the first choice in the meeting packet; they were accidentally flipped.

Councilor Howard asked why the city would want to give up their poles. Ms. Melissa Swenson, Portland General Electric (PGE) project manager, replied you have about thirty poles needing replacement and a better option is to go to fiberglass poles once they reach end of life. Councilor Howard asked if a pole charge is being paid now. Ms. Swenson replied yes.

Councilor Stephen McKinney asked what kind of revenue is received from the poles annually. Mr. Wuertz said the city does not get any revenue from the poles.

Mayor Andrews said there are 1,649 public street lights; if the city owns 1,152 lights and transfers ownership of 909, he asked where the rest are. Mr. Wuertz said those are the more decorative lights and will not be transferred over until PGE has a replacement for those. Councilor Howard asked how much it would cost to retrofit. Ms. Swenson said no cost to you.

Mr. Wuertz asked what the savings would be if the city replaced the lights to light emitting diodes (LEDs). Ms. Swenson replied just the cost of the electricity.

Councilor McKinney asked when the acorn lights in the new neighborhoods will be LED. Mr. Wuertz said the acorn decorative fixtures have been approved and we are working on them.

Councilor Bart Rierson said this meeting appears to be informational only, but he does like the option of the city owning the poles. He asked staff to come back with a proposal.

Mayor Andrews asked what the fee will be if they do not sell the poles. Ms. Swenson said \$5.50-\$11.30 per pole.

Councilor McKinney asked if we could see if there is potential for charging businesses for signs etc on poles.

Mayor Andrews stated the bottom line needs to be seen with added details on both options, as well as long-range information forecasted.

Councilor Woodruff wants to know what the city's cost of maintenance now versus not having the cost and transferring it to PGE. Ms. Swenson said Energy Trust is going to have another LED incentive for 2014, and it usually needs to be done by June and installed by November to get it.

IX. COUNCIL BUSINESS

Mayor Andrews said on February 3, 2014, as resolution for consideration we want to have a roaming gavel with Councilor Mike Corey.

Councilor Rierson stated the city recently lost one of its citizens, former city councilor Mike Boyes, who was also a volunteer fire fighter and very involved in the old fashioned festival. He wished to recognize Mr. Boyes' contributions to the council and the city of Newberg as a whole.

Councilor Woodruff stated she has been accepted to the Ford Family leadership institute.

Mayor Andrews said he thinks tonight's work session was an outstanding example there is not enough time to understand a subject in a work session. He is asking for consideration to make a bit of a change and committing to two extra meetings a month on off Mondays for work sessions.

Councilor Howard said it seems like a lot more time for work sessions than we normally use. Mayor Andrews said if it is not needed they do not have to meet.

Mr. Elliot said from the public works perspective, staff does not get to be as detailed for these meetings and there are some things staff really needs to get more detailed about.

Councilor Woodruff said she likes the idea of having longer work sessions, not having the pressure of the agenda behind us, and getting more in depth.

Councilor Rierson said he likes to see the staff before every meeting. He asked if they could continue as they are now; but, when more detailed meetings are needed, schedule them on the off Monday. He does not think there should just be a mandatory meeting every Monday.

X. ADJOURNMENT

The meeting adjourned at 8:03 PM.

ADOPTED by the Newberg City Council this 7th day of April, 2014.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of April, 2014.

Bob Andrews, Mayor

CITY OF NEWBERG COUNCIL MINUTES
JANUARY 21, 2014
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 audit by finance director Janelle Nordyke and Brad Bingenheimer, auditor with Boldt, Carlisle & Smith. No action was taken and no decisions were made. All councilors and the mayor were present with Ryan Howard being absent (excused).

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	Mike Corey
	Stephen McKinney	Bart Rierson	Lesley Woodruff

Members Absent: Ryan Howard (excused)

Staff Present:	Lee Elliott, City Manager Pro Tem	Truman Stone, City Attorney
	Barton Brierley, Planning & Building Director	Janelle Nordyke, Finance Director
	Terrance Mahr, Former City Attorney	Dave Brooks, IT Director
	DawnKaren Bevill, Minutes Recorder	Norma Alley, City Recorder

Others Present: Brandi Dalton, Tim Smith and Warren Parrish

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

Mayor Andrews announced there will be an addition to the city council agenda after the city manager's report.

IV. CITY MANAGER'S REPORT

Mr. Lee Elliott, city manager pro tem, reported a ribbon cutting for Sheridan Street will take place at the end of the month. Mr. Elliott will be meeting with Ms. Janelle Nordyke, finance director on Friday regarding the forecast and initial assessment of the audit and actual numbers. He asked the councilors to finish their vision prioritization. SP Fiber Technologies laid off employees for the next few months during an upgrade of the factory.

MOTION: Rierson/Woodruff to approve the proclamation honoring Robert Griffith for originating and coordinating the "Chili Cook-Off Day" and for his efforts in raising funds for the local veterans of foreign wars (VFW) and the Cub Scout. Motion carried (6 Yes/0 No/1 Absent [Howard]).

V. PUBLIC COMMENTS

Mayor Andrews opened and closed public comments as no one appeared to testify.

VI. PUBLIC HEARINGS

1. Consider a motion adopting **Order No. 2014-0033** approving findings for a proposed annexation and approve that concurrent zone change meet the applicable development code criteria.

Mayor Andrews introduced the quasi-judicial hearing and asked for any conflicts of interest or abstentions. Mr. Truman Stone, city attorney stated he had a conflict of interest and excused himself from participating in the hearing.

Mr. Barton Brierley, planning and building director, read ORS 197.763 and presented the staff report accompanied by a PowerPoint presentation (see meeting packet for full details).

Mayor Andrews opened the public testimony at 7:25 PM beginning with proponents.

Ms. Brandi Dalton, Multi-Tech Engineering, made herself available to answer questions.

Mr. Warren Parrish said he is not in opposition to the application as apartments are needed in Newberg. He is very familiar with the property and asked the council to consider fencing to help with the artificial lighting and aid in privacy to the surrounding property owner. He also asked the council to consider a traffic study if the apartments have multiple applicants as he is concerned with a dramatic change in traffic. He also suggested a four-way stop at Fernwood Road and Springbrook Road.

Mayor Andrews closed the public testimony at 7:33 PM.

Mr. Brierley announced the applicant has seven days to submit a final written argument. The applicant waived the seven days. Regarding the lighting issue, there are code requirements for lighting across property; they do not require a particular occupancy, but does scale parking requirements. The staff recommendation is to adopt Order No. 2014-0033 approving the findings that the proposed annexation and concurrent zone change meet the applicable city of Newberg development code criteria.

MOTION: **Corey/McKinney** adopt Order No. 2014-0033 approve the findings for a proposed annexation and approve that concurrent zone change meet the applicable city of Newberg development code criteria. Motion carried (6 Yes/0 No/1 Absent [Howard]).

2. Consider a motion adopting **Ordinance No. 2014-2768** annexing property located at 108 S. Springbrook Road subject to a public vote at the May 20, 2014, general election.

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

Mr. Brierley said the staff recommendation is to adopt Ordinance No. 2014-2768 annexing property located at 108 S. Springbrook Road (Yamhill County tax lot 3221-900), subject to a public vote; and scheduling this item for the May 20, 2014, general election.

Mayor Andrews closed the public hearing at 7:45 PM.

MOTION: McKinney/Bacon moved to waive the second reading Ordinance No. 2014-2768. Motion carried (5 Yes/2 No [Rierson, Woodruff]/1 Absent [Howard]).

MOTION: Rierson/Bacon to adopt Ordinance No. 2014-2768, read by title only; annexing property located at 108 S. Springbrook Road (Yamhill County tax lot 3221-900) subject to a public vote, and scheduling this item for the May 20, 2014, general election. Motion carried (6 Yes/0 No/1 Absent [Howard]).

VII. EXECUTIVE SESSION

Mayor Andrews opened the executive session at 7:50 PM.

1. Executive session pursuant to ORS 192.660(2)(m) programs related to the security of telecommunications and data transmission systems

Executive session was held with councilors, the mayor, city manager, and city attorney present; Councilor Howard was absent (excused); no action was taken and no decisions were made.

Mayor Andrews closed the executive session and recessed at 9:25 PM.

2. Executive session pursuant to ORS 192.660(2)(i) relating to the performance review of the city manager pro tem/assistant city manager.

Mayor Andrews reconvened and opened the executive session at 9:35 PM.

Executive session was held with councilors, the mayor, city manager, and city attorney present; Councilor Howard was absent (excused); no action was taken and no decisions were made.

Mayor Andrews closed the executive session at 9:45 PM.

VIII. COUNCIL BUSINESS

MOTION: Rierson/Bacon directing the mayor to prepare a resolution noting Mr. Lee Elliott's performance exceeded the assistant city manager expectations. Motion carried (6 Yes/0 No/1 Absent [Howard]).

X. ADJOURNMENT

The meeting adjourned at 9:50 PM.

ADOPTED by the Newberg City Council this 7th day of April, 2014.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of April, 2014.

Bob Andrews, Mayor

**CITY OF NEWBERG COUNCIL MINUTES
FEBRUARY 3, 2014
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 was given by Mary Newell, support services manager, Jason Kirkpatrick, Kelly Dutra, Ron Polluconi, and Larry Hatch from Washington County Consolidated Communications Agency (WCCCA) on WCCCA/C800 communications system long range plan and the impact to Newberg. No action was taken and no decisions were made. All councilors and the mayor were present.

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
	Lesley Woodruff		

Staff Present:	Lee Elliott, City Manager Pro Tem	Truman Stone, City Attorney
	Norma Alley, City Recorder	Barton Brierley, Building & Planning Director
	Nicole Tannler, Minutes Recorder	

Others Present: Douglas Heuer, Francisco Stoller, Sheryl Kelsh, Tim Svenson, Dave Huber, and Jackie Lang

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. SPECIAL PRESENTATIONS

Presentations were given by the sixth grade class of Mountainview middle school's design star program.

V. CITY MANAGERS REPORT

Mr. Lee Elliott, city manager pro tem, reported there were fifty-eight applicants for the city manager position which is now closed. We are in the process of evaluating our finances and coming to council hopefully by the end of February.

VI. PUBLIC COMMENTS

Mayor Andrews opened public testimony.

Mr. Douglas Heuer, a local resident, would like to open up a marijuana depository here in Newberg. He wants to ensure medical marijuana card holders have a place to get it, there is quality assurance, discourage them from going to black market to fill needs, and provide consistent and uniform approach regarding law enforcement. He is hoping the council does not ban this and believes provides the best safety and health for the city.

Councilor Stephen McKinney asked where people currently go. Mr. Heuer said there are places in Portland and Salem you can get it. Councilor McKinney asked if they have been able to get what they need. Mr. Heuer

replied yes, but they have had to go out of the county to do so. Councilor Bart Rierson asked if he would be growing his own. Mr. Heuer said no, there are specific facilities for growing. Councilor Rierson asked why he would want to open a business and not create any profit. Mr. Heuer said with the new law, the facility would be able to recover some costs.

Councilor McKinney asked if there is a difference with herbs and oils then with recreational marijuana. Mr. Heuer said just card holders can use the facility and can only use it with a prescription and doctors visit. We photo copy all identifications coming in.

Councilor Ryan Howard asked what the laws are for opening a dispensary. Mr. Heuer stated there are required cameras and security systems. Councilor McKinney said in relationship to the law, it cannot be within 1000 square feet of a school and church. Mr. Truman Stone, city attorney, said churches are not included, but schools are. The rules there are temporary and there was a map drawn by the planning department. There are definitely qualified locations in Newberg.

Mr. Francisco Stoller, representing the Chamber of Commerce Board of Directors, requested the Butler lot for "Brews and BBQ" at the Old Fashion Festival this year. Councilor Mike Corey stated last year the event seemed to go off really well. Mr. Stoller stated they will need Friday, July 25, 2014, and Saturday, July 26, 2014, for the event and the July 24 and 27, 2014, for set up and tear down. Ms. Sheryl Kelsh said as part of the old fashioned festival, we were able to contribute \$1,200 to it. Councilor Denise Bacon stated she was there last year and it is extremely secure with identification being checked for everyone.

Mr. Tim Svenson said he is one of the three candidates running for Yamhill county sheriff and wished to introduce himself. He said he wants the council to know who he is and what he stands for. He has left informational packets for everyone to look at. He wants to continue working on fiscal responsibilities for the county and make proper adjustments. A big challenge we will see in future is with technology and we will want to keep up with that as best we can.

Mr. Dave Huber, district manager of Waste Management, stated he wants to keep the council informed. First, they reduced waste by 1,000 tons by diverting it and sending it to Hillsboro. This is mostly construction debris and is sent to Hillsboro to be recycled. We have purchased some "new" used trucks and this is going to change the way trucks pick up garbage. The split trucks can cause safety risks and we are possibly looking at a re-route this spring. We are currently improving our customer payment system because we have closed our door and have replaced it with a drop payment system.

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.
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.

MOTION: **Howard/McKinney** adopting the consent calendar including Resolution No. 2014-3107 approving the assistant city manager's annual performance evaluation for the period of 10/01/2012 to 10/01/2013 and 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. Motion carried (7 Yes/0 No).

VIII. COUNCIL BUSINESS

Councilor Bacon asked the Council if there is anything they can put Mr. Mike Boyes name on a memorial. Mayor Andrews suggested a flag pole in his name. Councilor McKinney said it could be something other names can be attached to in the future as well. Councilor Rierson liked the thought of adding multiple names to something because we have a great community with a lot of people putting in a lot of work. Councilor McKinney thought it should be taken under advisement as there might be other prominent people they will want add. Mayor Andrews thought they should charge planning to come up with an idea to look at.

Councilor McKinney spoke of the city manager taking on requests in the past for alcohol and use of property in regards to "Brews & BBQ" and thought it would be better for everyone's time. Councilor Rierson said he liked the council making a gesture, showing them we all support the Chamber.

MOTION: Rierson/Howard to offer council's approval to allow the city manager to authorize and accept applications from the chamber for the "Brews & BBQ" event at the Butler property during the Old Fashioned Festival, which would run July 24-28, 2014, with the actual activity happening on July 25 and 26, 2014. Motion carried (7 Yes/0 No).

Mr. Truman Stone, city attorney, reported the medical marijuana dispensary law will be taking applications in March, 2014. Most cities are trying to figure out how to best deal with it and the county is wrestling with this as well as other jurisdictions. One of the main concerns is zoning regulations and where they would be located. Currently, they would qualify under general retail zoning which may open up the downtown area to a dispensary. Clearly, Portland Road from Villa Road to downtown would be considered. They would not be allowed in an industrial zone. The city needs to get ahead of this and decide if it will be allowed and where an appropriate zone would be.

Councilor Howard asked about a moratorium. Mr. Stone replied a moratorium is unlikely to be successfully challenged. Councilor Rierson said he would hate to have Newberg fight the battles and felt they should perhaps wait and see what other municipalities will do. It seems like a reasonable expectation there will be more security and police involvement; but, he would like to see if there is a way to re-coup possible profits through a business tax. Councilor Mike Corey felt doing nothing would be dangerous. He thought when the law is clearer, it would be better to discuss. It appeared to him our zoning is already there and he did not think the city could exclude certain businesses. Mr. Barton Brierley, planning and building director, said in his review of the development code it will fall in the general retail zones or commercial zones, not in manufacturing zones. He personally thought the city might get into trouble by excluding businesses.

Councilor Bacon said the police have the ability to do nuisance abatement, like at bars, if they are having multiple problems. She thought it was dangerous to build an image in their minds and people with ailments should be able to get what is needed. Mr. Stone said the total budget is \$400,000.00 with only two inspectors to oversee these licensee's. There are really significant security provisions needing to be put into place. These two inspectors are not coming out to check the systems, which can cause a problem.

Councilor Howard said the state has put thought into this and he thinks this will take a lot of wind out of the sails of the black market. He doesn't see an increase of crime because it is a regulated system and he thinks the city should work with the state and be one of the innovators.

Mr. Stone said several cities are going to welcome dispensaries and others have passed through business licensing not being under city compliance, which seems impractical. The majority of cities are going the moratorium route and looking to update zoning, business permits, and fees.

Mayor Andrews said he heard not doing anything right now and he believed Mr. Stone has a draft of a six month moratorium. Councilor Corey said he was not in favor of a moratorium. Councilor Woodruff said she thought it was a good idea to see what happens at the state level. Mr. Stone said he does not see any significant problems with a moratorium when it comes to a lawsuit. Councilor Corey said they are not talking about law changes, just zoning when it comes to applications. Councilor Howard said his position is they should not impose a moratorium as this is a state program and people are interested. Mr. Stone said the question is if the state will step in and allow municipalities to make their own decisions. He is hearing not to do anything at this points, so he will keep the council updated on any developments.

Mayor Andrews recessed the meeting briefly at 9:14 PM.

IX. EXECUTIVE SESSION

Executive session convened at 9:19 PM.

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

X. ADJOURNMENT

The meeting adjourned at 10:09 PM.

ADOPTED by the Newberg City Council this 7th day of April, 2014.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of April, 2014.

Bob Andrews, Mayor

CITY OF NEWBERG COUNCIL MINUTES
FEBRUARY 18, 2014
7:00 P.M. MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)

A work session was held prior to the meeting. There was a discussion on council goals and priorities with MWV Mid-Willamette Valley Council of Governments executive director (MWVCOG) Nancy Boyer. No action was taken and no decisions were made. All councilors and the mayor were present.

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
	Lesley Woodruff		

Staff Present:	Lee Elliott, City Manager Pro Tem	Truman Stone, City Attorney
	Jay Harris, City Engineer	Janelle Nordyke, Finance Director
	Norma Alley, City Recorder	Nicole Tannler, Minutes Recorder

Others Present: Sandy Carter, John Duval, President and Lindsy Hammand, Engineering Associate - Pavement Services Inc.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGERS REPORT

Mr. Lee Elliott, city manager pro tem, thanked the public safety and public works staff who did an amazing job with the ice and snow. Financial consultants have spent a lot of time working on budget and will be presenting in March. Unfortunately, we lost a quite a few trees in Memorial Park because of the storm. A subcommittee will be meeting tomorrow to look over applicants for city manager position.

V. PUBLIC COMMENTS

Mayor Andrews opened the public testimony.

Ms. Sandy Carter, One Willamette River Coalition, said The Canby Ferry went to Portland twice last year and went through the two locks on the Willamette River. They are looking to move the locks out of federal ownership and must put together possibilities for fund-raising; so they are coming to council. They are hoping council will support the community and farms to be able to move things down the river. The city of Wilsonville chipped in \$2,500.00, which is what they are requesting from the city of Newberg. Use of the river has decreased; however, with pollution and road congestion the state needs new solutions and the river can carry very heavy cargo. The locks are functional, but not operational.

Councilor Bart Rierson said he has disappointed the locks have been closed, but it may be hard to support something like this with our budget. It seems like a funding mechanism, but they city does not have freight

docks to move anything. It will be difficult to find that kind of funding, but he was pleased they were here to share the information.

VI. CONSENT CALENDAR

1. Consider a motion adopting **Resolution No. 2014-3110** approving a grant award recommendation from the Affordable Housing Commission.
2. Consider a motion adopting **Resolution No. 2014-3111** authorizing the city manager pro tem to enter into a contract with Ferguson Enterprise, Inc., and another vendor to procure supplies for the Wyooski-Riverfront Utilities Project.
3. Consider a motion adopting **Resolution No. 2014-3112** authorizing the city manager pro tem to hire Jose Rivera as a temporary laborer in the public works operations department.
4. Consider a motion adopting **Resolution No. 2014-3113** authorizing the city manager pro tem to enter into a contract with Schneider Equipment, Inc. Water Services for the upsizing of Well No. 8 in the amount of \$70,600.00.
5. Consider a motion adopting a policy to be included in the employee handbook on honesty.

Item VI.5 was pulled from consent calendar and discussed under new business.

MOTION: **Rierson/Woodruff** adopting **Resolution No. 2014-3110** approving a grant award recommendation from the Affordable Housing Commission, **Resolution No. 2014-3111** authorizing the city manager pro tem to enter into a contract with Ferguson Enterprise, Inc., and another vendor to procure supplies for the Wyooski-Riverfront Utilities Project, **Resolution No. 2014-3112** authorizing the city manager pro tem to hire Jose Rivera as a temporary laborer in the public works operations department, and **Resolution No. 2014-3113** authorizing the city manager pro tem to enter into a contract with Schneider Equipment, Inc. Water Services for the upsizing of Well No. 8 in the amount of \$70,600.00. Motion carried (7 Yes/0 No).

VII. PUBLIC HEARING

Consider a motion adopting **Resolution No. 2014-3108** approving Supplemental Budget #2 for fiscal year 2013/2014.

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

Ms. Janelle Nordyke, finance director, presented the staff report (see official meeting packet for full report). Staff recommended adoption of Resolution No. 2014-3108.

Councilor Howard said this was the first supplemental budget he was scared by because there seems to be huge overruns in the projects. He asked what the reasons were.

Mr. Jay Harris reported the Sheridan Street improvement had one bidder on the project and the city decided to move ahead anyways. When the first rain came in the fall, it was necessary over-excavate and put in six inches of rock. The other larger cost overrun was the quantities of the street pavers which did not make the budget. They are just under the 10% threshold. On North College Street, grant funding was received from ODOT, but the project was estimated a long time ago and ODOT is using more stringent guidelines. The water line was too shallow and had to be relocated. The ditch has a potential as a food source for fish-bearing streams and the wet

lands had to be enhanced and a fee paid. Hard bids for the rest of the improvement will be given at market place value. When planning occurred six years ago, it was hard to know these problems would occur.

MOTION: Howard/Woodruff adopting Resolution No. 2014-3108 approving the Supplemental Budget #2 for fiscal year 2013/2014. Motion carried (7 Yes/0 No).

VIII. NEW BUSINESS

1. Presentation regarding the status of the citywide pavement evaluation project and the implementation of a pavement management system.

Mr. John Duval and Ms. Lindsy Hammond, Pavement Services Inc, presented the report including a PowerPoint slideshow (see official meeting packet for full report).

Councilor Rierson asked about the estimated time frame. Mr. Duval replied they just now completed the condition survey and are currently gathering data. The draft should be ready by mid-April.

Councilor Rierson asked if the traffic counting mechanism takes into account the nature of the vehicles. Mr. Duval said traffic is classified based on axel spacing as well as counts. The number of trucks that can create damage can be distinguished and the main purpose is to classify the streets.

Mr. Harris said a report in April-May is too late for the budget. Existing revenue is being used and crack sealing will occur this year. There is not a contract to do it, so city employees will do it instead. Complaints have been received and emergency repairs must be completed on Villa Road because of major potholes. The big question is how to stabilize funding and which is why the analysis will be very important. Updates need to be invested in every five years in order to use our dollars more effectively.

2. Discussion on fiscal policies.

Ms. Nordyke and Mr. Elliott presented the staff report (see official meeting packet for full report).

Councilor Woodruff asked where the document came from. Ms. Nordyke replied the finance committee put it together.

Mayor Andrews asked if they are looking to be updated. Mr. Elliott stated these are the council's fiscal policies, and they are solid; they also send signals to staff and communities on how to do the budget. The city manager will fall back on these, if needed.

Mayor Andrews asked if the debt policy addresses the current requirements they must maintain. Ms. Nordyke replied not specifically. Mayor Andrews suggested addressing the debt policy.

Councilor Woodruff said clarification was needed on self-supporting debt. Mr. Elliott said they will talk to a financial consultant and get an answer.

3. Review of General Government/City Council Budget.

Mr. Norma Alley, city recorder, presented the staff report (see official meeting packet for full report).

Councilor Rierson asked if more was spent than available in the budget and where was it coming from. Mr. Elliott replied when the budget was adopted it was said to be reviewed mid-year. Consultants have been brought in and the city will currently be dipping into reserve funds. Unfortunately, they have suggested

everyone reduce 5% to be proactive. Councilor Rierson said he was confused as where to cut \$10,000.00 out of this year's budget and would appreciate a recommendation. He said he is very frustrated with this and half of the council budget is in the transient lodge tax.

Councilor Howard asked where the balance is coming from if they do not cut. Mr. Elliott replied it will be coming from the reserve with initial projections of approximately \$700,000.00. The challenge is there are no easy cuts and the general fund is the problem being struggled with right now.

There was discussion with the councilors and \$10,000.00 was cut from their budget.

4. Consider community funding requests.

Ms. Alley presented the staff report (see official meeting packet for full report).

Mayor Andrews stated the council's funding was wiped to reduce 5%. The locks are something worth funding in the future because it ultimately has the potential for economic development. There are other organizations able to help fund this. Ms. Alley stated the funding is not available.

Councilor Rierson said he totally supports the locks project and believes there is economic development potential. He has great hopes the city will find ways to help this project.

Mr. Stone said he asked the finance director if there are any other funds that can be used for the Locks project and she said there may be some from other sources. Mayor Andrews said the consensus council wants to pursue other options.

MOTION: Howard/Rierson direct staff to consider other sources to fund the Willamette Falls Locks. Motion carried (7 Yes/0 No).

5. Consider a motion adopting a policy to be included in the employee handbook on honesty.

Councilor Rierson said he is concerned the discussion is because of problems with a previous city manager. He felt putting in a statement might make current employees feel uncomfortable. He asked how they argue against honesty, but said he will not be supporting this request for council action.

Mayor Andrews agreed with Councilor Rierson. It has been demonstrated what happens if that core value is not fulfilled and they same would be expected from staff.

Councilor Corey thought a re-wording was needed at first, but now he believed the whole paragraph should be removed and just the word "honesty" added.

Councilor Bacon agreed and said it sounds like the council thinks if one person lies, all personnel will do the same.

Councilor McKinney agreed honesty and integrity are unspoken expectations and it appears to be overkill in this situation.

Councilor Woodruff said this was her idea and she likes just putting in the word "honesty," rather than the paragraph.

MOTION: Rierson/McKinney direct staff to add honesty to core values and everything beneath not be acknowledged. Motion carried (7 Yes/0 No).

IX. COUNCIL BUSINESS

Councilor Howard recognized Newberg cheer came in first place. The Ford Family Cohort asked to request permission to keep those dollars and use for the new scope of project.

MOTION: Andrews/Bacon to allow the Ford Family Leadership Institute Cohort #3 Project retain the \$500 funding already provided by city. Motion carried (7 Yes/0 No).

Councilor Rierson reported as chair the Yamhill county advisory board and there is a bus stop currently stoping at the Newberg Fred Meyer. The plan is to more the bus stop to Brutscher Street and Mr. Gougler has poured a pad for the shelter there. It would impede traffic for ADA accessibility and a recommendation has been made to move the shelter to the back of the sidewalk, adding about eight inches of concrete which would not cost much to the city.

MOTION: Rierson/Bacon to authorize the city manager pro tem to direct staff to complete the pouring of concrete for a bus shelter on Bruetscher Street near Columbia River Bank. Motion carried (7 Yes/0 No).

Councilor Bacon reported her emergency night shelter was open eight days and served 231 meals for the winter storm. The emergency night shelter became a 24-hour shelter and there were two women, which is the first time women have been in the shelter; they were really thankful.

X. ADJOURNMENT

The meeting adjourned at 9:35 PM.

ADOPTED by the Newberg City Council this 7th day of April, 2014.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of April, 2014.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 7, 2014

Order ___ Ordinance XX Resolution ___ Motion ___ Information ___
No. No. 2014-2772 No.

SUBJECT: An Ordinance Declaring a Moratorium on Medical Marijuana Facilities within Newberg and Declaring an Emergency effective April 7, 2014.

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

HEARING TYPE: LEGISLATIVE QUASI-JUDICIAL NOT APPLICABLE

RECOMMENDATION:

Adopt Ordinance No. 2014-2772 declaring a moratorium on medical marijuana facilities within Newberg, and declaring an emergency effective April 7, 2014.

EXECUTIVE SUMMARY:

In March 2014, the Oregon legislature passed Senate Bill 1531, which purports to restrict local government regulation of medical marijuana facilities to only time place and manner restrictions, unless a city enacts an ordinance declaring a moratorium and notifies the Oregon Health Authority of such moratorium by May 1, 2014. SB 1531 limits the moratorium to May 1, 2015, after which it is replaced by the time, place, and manner restrictions.

The moratorium represents an exercise of Newberg's home rule authority and police powers to prohibit certain activities within the territorial limits of the city. Pursuant to SB 1531, the moratorium has the additional effect of removing the immunity provisions of the Oregon Medical Marijuana Act for anyone operating a medical marijuana facility in an area of a moratorium, notwithstanding that they may be a medical marijuana card holder or previously registered with the Oregon Health Authority under ORS 475.314.

The ordinance contains an emergency clause to make this effective upon passage. To put this ordinance into effect as dated, the council would need to waive a second reading. Alternatively, a second reading could be held with the effective date pushed back to adoption.

FISCAL IMPACT:

There would be no additional cost to implement.

STRATEGIC ASSESSMENT:

This would place a moratorium on medical marijuana facilities within city limits. The prohibition would take effect immediately and last for one year (approximately). During the moratorium period, the city will monitor developments and problems that arise with implementation of HB 3460, as experienced statewide, and craft appropriate policies or ordinances to address such problems.

AN ORDINANCE DECLARING A MORATORIUM ON MEDICAL MARIJUANA FACILITIES WITHIN NEWBERG, AND DECLARING AN EMERGENCY EFFECTIVE APRIL 7, 2014

RECITALS:

1. The Oregon legislature approved House Bill (HB) 3460, which requires the Oregon Health Authority to develop and implement a process to register medical marijuana facilities.
2. HB 3460 directed that persons who operate or are employed by a registered medical marijuana facility would enjoy immunity from state prosecution.
3. The issue of whether a local government believes a certain type of business should operate within its city limits is a local government decision. The enforcement is subject to the general and police power of Newberg.
4. The Oregon legislature approved Senate Bill 1531, which removes immunity from state prosecution for a person who is responsible for, or employed by, a registered medical marijuana facility located in an area that enacts a moratorium prohibiting the operation of a medical marijuana facility.
5. The council believes it is in the best interests of the health, safety and welfare of the citizens of Newberg to enact such a moratorium prohibiting the operation of medical marijuana facilities within the city limits of Newberg.
6. The moratorium period is necessary to orderly address issues pertaining to medical marijuana facilities, including but not limited to, zoning, business regulation, law enforcement, or other local government concerns.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. Newberg hereby prohibits the operation of any medical marijuana facility in any area subject to the city limits. As used in this section, "medical marijuana facility" includes any facility that dispenses marijuana pursuant to ORS 475.314 or any other provision of Oregon law.
2. The moratorium imposed by this ordinance shall remain in effect until May 1, 2015, unless rescinded sooner.
3. The police chief, planning director, building official, fire marshal, and code compliance officer are charged with enforcement of this moratorium.
4. The remedies available under Senate Bill 1531 for a violation of the moratorium imposed by this ordinance are not exclusive of any other remedies available under any applicable federal, state, or local law. It is within the discretion of Newberg to seek cumulative remedies for a violation of the moratorium imposed by this ordinance.

5. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.
6. The Oregon Health Authority shall be notified of the passage of this ordinance prior to May 1, 2014.
7. **EMERGENCY CLAUSE**: Under the provisions of Senate Bill 1531, a moratorium must be in place, and the Oregon Health Authority notified, prior to May 1, 2014. Therefore, the city declares an emergency for the safety and welfare of the citizens of the city, and thereby having this ordinance take full force and effect immediately upon passage by the council and signature of the mayor.

➤ **EFFECTIVE DATE** of this ordinance is: April 7, 2014.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of April, 2014, by the following votes: **AYE:** **NAY:** **ABSENT:** **ABSTAIN:**

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of April, 2014.

Bob Andrews, Mayor

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REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: April 7, 2014

Order ___ No.	Ordinance ___ No.	Resolution <u>XX</u> No. 2014-3115	Motion ___	Information ___
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SUBJECT: A resolution to adopt the revised Engineering Fee Schedule.

Contact Person (Preparer) for this Motion: Jay Harris, City Engineer
Dept.: Engineering Services Department
File No.:

RECOMMENDATION:

Adopt Resolution No. 2014-3115 adopting a revised engineering fee schedule.

EXECUTIVE SUMMARY:

With the review and revision of the Engineering Standard Design Manual and the creation of the city Erosion and Sedimentation Control Manual, it is necessary to update the Engineering Fee Schedule.

The revised fee schedule includes fees for private development related efforts which have previously not been accounted for. Currently, the time and costs incurred for these additional efforts have been funded by city rate payers instead of private development.

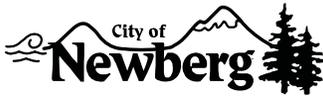
At the March 3, 2014, city council meeting, council requested staff to provide a building permit fee schedule at the April 7, 2014, meeting to serve as a comparison for the reformatting of the engineering fee schedule. The building permit fee schedule is included as Attachment 1 to this request for council action.

FISCAL IMPACT:

The revised engineering fee schedule will enable the engineering services department to recover the cost of staff time required to review and inspect public and private development projects. The update to the fee schedule minimizes the impact to city rate payers by providing additional compensation to the engineering department for resources allocated to private development projects.

STRATEGIC ASSESSMENT:

The fees collected for private development projects do not currently cover the costs incurred by the engineering services department, including staff time. City rate payers have subsidized the engineering department review and inspection tasks for private development projects. This revised fee schedule more accurately accounts for various services the engineering services department services provided for private development projects. The fee schedule also includes the additional fees needed for to the additional review and inspection tasks added in the adoption of storm water Ordinance No. 2012-2274.



RESOLUTION No. 2014-3115

A RESOLUTION ADOPTING THE REVISED ENGINEERING FEE SCHEDULE

RECITALS:

1. The Oregon department of environmental quality (DEQ) required the city of Newberg on October 17, 2006, to create a Willamette River Total Maximum Daily Load (TMDL) Implementation Plan, which was subsequently approved by the Oregon DEQ on October 17, 2008, and adopted by the city council on December 1, 2008, through Resolution No. 2008-2820.
2. On June 18, 2012 the Newberg city council adopted Ordinance No. 2012-2754, which included measures to control construction site runoff, illicit discharges into the stormwater system, and post-construction stormwater runoff. This ordinance was a requirement of the city's TMDL Implementation Plan.
3. As a result of the adopted stormwater ordinance, additional services are required to be provided by the engineering department for private development projects. This updated fee schedule accounts for those additional tasks, as well as updates and adds fees for engineering services currently being provided to private development projects.
4. Minor changes to the fee schedule may occur when deemed necessary by the city engineer and will be approved using the city's executive order process. Major changes, as identified by the city manager or designee, will be adopted by the city council.
5. Permit fees should be adjusted annually to reflect changes in the costs of services. Staff will return to the city council in March, 2015, to discuss the revenue generated from the proposed fee schedule and potential adjustments to the fee schedule, if needed.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The city council adopts the engineering fee schedule as attached in Exhibit A, which by this reference incorporated, and replaces all previous adopted versions of this schedule.
2. The city manager is authorized to amend the engineering fee schedule by executive order annually to reflect changes in the consumer price index.

➤ **EFFECTIVE DATE** of this resolution is the first day of fiscal year 2014/2015, which is: July 1, 2014.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of April, 2014.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 8th day of April, 2014.

Bob Andrews, Mayor

**SINGLE FAMILY HOME CONSTRUCTION
BUILDING PERMIT FEE COMPARISON**

March 2014

Building Permit Fees:											
	Newberg	Forest Grove	Happy Valley	Hillsboro	Lake Oswego	McMinnville	Milwaukie	Sherwood	Tigard	Washington Co.	Wilsonville
New Single-Family											
Value 2000 sq. ft. house											
w/ 500 sq. ft. garage											
\$234,470											
Building Permit	\$1,056.90	\$1,594.65	\$1,429.60	\$1,060.80	\$1,101.00	\$1,061.45	\$1,489.32	\$1,087.75	\$1,463.64	\$1,144.25	\$1,187.74
Plan Check	\$739.83	\$1,036.52	\$929.24	\$689.52	\$715.65	\$689.94	\$968.06	\$924.59	\$951.37	\$743.76	\$772.03
State Surcharge	\$126.83	\$191.36	\$171.55	\$127.30	\$132.12	\$127.37	\$178.72	\$130.53	\$175.64	\$137.31	\$142.53
Plumbing (3 bath)	\$304.43	\$386.25	\$790.00	\$472.00	\$402.50	\$325.00	\$462.00	\$375.00	\$500.32	\$577.75	\$348.80
Plan Check	\$106.55										
State Surcharge	\$36.53	\$46.35	\$94.80	\$56.64	\$48.30	\$39.00	\$55.44	\$45.00	\$60.04	\$69.33	\$41.86
Mechanical*	\$145.03	\$88.60	\$126.56	\$126.26	\$168.00	\$74.25	\$93.50	\$99.15	\$197.64	\$107.00	\$75.05
Plan Check	\$50.76										
State Surcharge	\$17.40	\$10.63	\$15.19	\$15.15	\$20.16	\$8.91	\$11.22	\$11.90	\$23.72	\$12.84	\$9.01
Electrical**	\$164.00	\$0.00	\$487.20	\$228.92	\$251.10	\$164.00	\$435.00	\$0.00	\$270.30	\$308.00	\$0.00
State Surcharge	\$19.68	\$0.00	\$58.46	\$27.47	\$30.13	\$19.68	\$52.20	\$0.00	\$32.44	\$36.96	\$0.00
Total Building Permit	\$2,767.94	\$3,354.36	\$4,102.60	\$2,804.06	\$2,868.96	\$2,509.60	\$3,745.46	\$2,673.92	\$3,675.09	\$3,137.20	\$2,577.01
*Kitchen Hood, 3 - Bath Fans, 100k Furnace, Clothes Dryer, Gas Piping											
** 200 Amp Service, 20 - Circuits											
Building Permit SDC/Taxes											
	Newberg	Forest Grove	Happy Valley	Hillsboro	Lake Oswego	McMinnville	Milwaukie	Sherwood	Tigard	Washington Co. THPR & TVWD	Wilsonville
New Single-Family											
Value 2000 sq ft house											
w/ 500 sq ft garage											
Valuation \$234,470											
Storm SDC Fee	\$311.00	\$275.00	\$216.00	\$500.00	\$139.00	\$0.00	\$765.00	\$621.44	\$500.00	\$500.00	\$1,068.00
Sanitary Sewer SDC	\$7,556.00	\$4,800.00	\$6,860.00	\$4,800.00	\$2,544.00	\$2,870.00	\$893.00	\$4,994.74	\$4,800.00	\$4,665.00	\$4,323.00
Park SDC	\$2,017.00	\$3,000.00	\$6,075.00	\$4,072.00	\$12,034.00	\$2,118.00	\$3,985.00	\$7,668.78	\$5,996.87	\$5,247.00	\$4,791.00
Traffic Impact Fee	\$2,909.28	\$6,665.00	\$7,682.00	\$6,665.00	\$4,195.00	\$1,425.93	\$1,741.00	\$9,676.94	\$6,665.00	\$6,665.00	\$6,860.00
Water SDC/Meter	\$6,242.00	\$4,707.00	\$8,522.00	\$8,208.00	\$6,986.00	\$0.00	\$2,700.00	\$412.00	\$7,394.00	\$6,052.00	\$4,618.00
School Excise Tax	\$2,000.00	\$2,000.00	\$2,280.00	\$2,000.00	\$2,850.00	\$2,166.00	\$2,280.00	\$2,080.00	\$2,280.00	\$2,000.00	\$2,220.00
METRO Excise Tax	\$0.00	\$281.36	\$281.36	\$281.36	\$281.36		\$281.36	\$281.36	\$281.36	\$281.36	\$281.36
City Facility Fee	\$586.18										
Community Development Fee	\$1,758.53										
Total SDC/Taxes	\$23,379.98	\$21,728.36	\$31,916.36	\$26,526.36	\$29,029.36	\$8,579.93	\$12,645.36	\$25,735.26	\$27,917.23	\$25,410.36	\$24,161.36
Engineering Review/Inspection Fees											
Engr/Planning Site Plan Review	\$150.00	\$320.00	\$105.00	\$150.00	\$0.00	\$20.00	\$200.00	\$105.00	\$100.00	\$422.00	\$160.00
Sidewalk/Driveway Appr. Permit	\$118.75	\$30.20	\$150.00	\$10.00	\$350.00	\$5.00	\$150.00			\$450.00	\$100.00
EC Permit	\$150.00	\$250.00	\$400.00	\$300.00	\$300.00	\$0.00	\$380.00	\$330.00	\$300.00	\$250.00	\$128.25
Total Engr/Inspection Fees	\$418.75	\$600.20	\$655.00	\$460.00	\$650.00	\$25.00	\$730.00	\$435.00	\$400.00	\$1,122.00	\$388.25
TOTAL FEES	\$26,566.67	\$25,682.92	\$36,673.97	\$29,790.42	\$32,548.33	\$11,114.53	\$17,120.82	\$28,844.18	\$31,992.32	\$29,669.56	\$27,126.62

**Exhibit A to
Resolution No. 2014-3115**

ENGINEERING SERVICES DEPARTMENT FEE SCHEDULE				
Keyword	Description	Base	Additional	Per
Land Use Review Fees				
	Planning Review, Partition & Subdivision (Type II/III applications)	\$250.00 (2-19 lots)	\$10.00	lot (after 20 lots)
	Final Plat Review, Partition & Subdivision	\$250.00	\$5.00	each lot or parcel
	Development Review for Public Improvements on Commercial, Industrial & Multifamily Developments	\$350.00 (first acre)	200.00	additional developed acre
Construction/Site Development Plan Review & Inspection Fees				
Erosion Control	Erosion Control Plan Review and Inspection (500 to 5000 sq. ft. disturbed)	\$150.00		each permit
	Erosion Control Plan Review and Inspection (5001 sq. ft. to less than 1 acre disturbed)	\$350.00		each permit
	Erosion Control Plan Review and Inspection for 1 acre and larger disturbed	BY DEQ (1200C Permit)		
Sidewalk/Driveway Approach (not part of a Public Site Dev. Permit)	Sidewalk or Driveway Approach Permit and Inspection (corner lot s/w @ \$0.125/sf)¹	\$25.00	\$0.25	square foot
ADA Ramp (not part of a Public Site Dev. Permit)	Public Street ADA Ramp Review and Inspection	\$30.00		each ramp
Site Development	Public Improvement Site Development Permit (refer to application form)¹	5%		public construction cost estimate
	Single Family Home Site Plan Review, Stormwater Review, and Engineering Building Permit Final	\$150.00		each permit
Stormwater	Commercial/Industrial/Multifamily Private Facility Storm Drainage Plan Review and Final Inspection for Water Quality/ Quantity facilities	\$300.00 (first acre)	\$75.00	additional developed acre

**Exhibit A to
Resolution No. 2014-3115**

ENGINEERING SERVICES DEPARTMENT FEE SCHEDULE				
Keyword	Description	Base	Additional	Per
Miscellaneous Fees				
Re-Inspection	Re-Inspection, After 2 Failed Inspections	\$50		each inspection
Franchise	Franchise Utility Agreement¹	\$1200.00		each agreement
GIS	As-Built Research, GIS Mapping, Data Transmission, Conversion to CAD, Custom Web Map Development and Printing¹	\$60.00 (1 hr. min.)	\$60.00	hour
Hardship	Water or Sanitary Sewer Service Hardship Application Requests	\$200.00		each request
Outside Consultant	Outside Consultant Review or Inspection Services as required for Structural, Traffic, Geotechnical, or Biological	Actual Cost of Services		
ROW/Easement	Right of Way, Easement Dedication Review, or Encroachment Permit (not associated with a final plat)	\$250.00		each document or permit
ROW Permit	Right of Way/ Subsurface Permit, Franchise and Non Franchise Utility Providers¹	\$150.00		each permit
Stormwater Fee In-lieu (Private)	Stormwater Fee in Lieu of Construction for Private Net New Impervious Surfaces	\$1.00		square foot
Stormwater Fee In-lieu (Public)	Stormwater Fee in Lieu of Construction for Public Street Net New Impervious Surfaces	\$1.50		square foot

¹**Bold font represent that the described is an existing fee.**

**FOR PUBLIC RECORDS RESEARCH FEES CONTACT THE CITY RECORDER'S
OFFICE AT (503) 537-1283 OR BY EMAIL AT
CITYRECORDER@NEWBERGOREGON.GOV.**