



**CITY COUNCIL AGENDA
JULY 21, 2014, 7:00 PM
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)**

Mission Statement

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

Vision Statement

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

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. CITY MANAGER'S REPORT

V. PUBLIC COMMENTS

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

VI. CONSENT CALENDAR

Consider a motion approving the June 2 and 16, 2014, city council meeting minutes. (Pgs. 3-11)

VII. PUBLIC HEARING

Consider a motion adopting **Resolution No. 2014-3160** approving an increase in the franchise fee with Waste Management. (Pgs. 13-20)
(Administrative Hearing)

VIII. NEW BUSINESS

1. Consider a motion adopting **Resolution No. 2014-3147** affirming bids received by the Oregon Department of Transportation for the N. College Street Sidewalk and Bike Lane Improvement Project and to provide an additional match of \$144,000.00 for the design and bid overages on the project. (Pgs. 21-24)

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.

2. Consider a motion adopting **Resolution No. 2014-3161** accepting the Temporary and Portable Sign Ad-hoc Committee's recommendations. (Pgs. 25-32)
3. Discussion on the League of Oregon Cities' legislative priorities survey. (Pgs. 33-42)

IX. COUNCIL BUSINESS

X. ADJOURNMENT

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

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

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

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: July 7, 2014

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

SUBJECT: Approve the June 2 and June 16, 2014,
City Council Meeting minutes.

Contact Person (Preparer) for this
Motion: Norma Alley, 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
JUNE 2, 2014, 7:00 PM
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)

A work session was held at 6:00 PM preceding the meeting. There was a review of the Council agenda and meeting. Mayor Andrews called the executive session to order at 6:14PM pursuant to ORS 192.660(2)(e) relating to a real property transaction – PWM Maintenance Expansion. Councilors, the mayor, city manager and city attorney were present. The executive session ended at 6:50PM. No action was taken and no decisions were made.

I. CALL MEETING TO ORDER

Mayor Andrews called the meeting to order at 7:05PM

II. ROLL CALL

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

Staff Present:	Lee Elliott, city manager pro tem	Truman Stone, city attorney
	Janelle Nordyke, finance director	Norma Alley, city recorder
	Jay Harris, city engineer	Nicole Tannler, minute recorder

Others Present: Sheryl Kelsh

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. SPECIAL PRESENTATIONS

Consider a motion approving a proclamation recognizing the Newberg high school varsity cheerleading team as state and national champions and declaring June 2, 2014, a day in their honor.

<p>MOTION: Bacon/McKinney approving a proclamation recognizing the Newberg high school varsity cheerleading team as state and national champions and declaring June 2, 2014, a day in their honor. Motion carried (7 Yes/0 No).</p>
--

V. CITY MANAGER'S REPORT

Mr. Lee Elliott, city manager pro tem, reported staff has begun outreach to organizations that will be affected by the transient lodging tax (TLT) increase. He announced public works day will be celebrated at the library on June 25 from 11AM-1PM.

VI. PUBLIC COMMENTS

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

VII. CONSENT CALENDAR

1. Consider a motion adopting **Resolution No. 2014-3139** appointing Jacque Betz as city manager effective June 16, 2014.
2. Consider a motion adopting **Resolution No. 2014-3141** stating the city of Newberg's support for the submission of a grant application to the state of Oregon's Transportation Growth Management Program for the development of a Newberg downtown revitalization plan.
3. Consider a motion adopting **Resolution No. 2014-3144** approving the purchase of a replacement 2014 Caterpillar 930K front end wheel loader from Peterson cat, in the amount of \$171,249.00, minus a trade-in allowance of \$49,500.00, for a final purchase price of \$121,749.00.
4. Consider a motion adopting **Resolution No. 2014-3146** ratifying the Collective Bargaining Agreement between the City and IAFF Local 1660.
5. Consider a motion adopting **Resolution No. 2014-3149** approving the appointment of Luke Hoogendam as temporary laborer for the public works operations department.
6. Consider a motion adopting **Resolution No. 2014-3151** amending the Police Association's Contract allowing vacation paid out to be placed into a VEBA account.
7. Consider a motion approving a sound permit for the Chehalem Valley Chamber of Commerce "Tunes on Tuesday" concert series on July 8, 15, 22, 29, and August 5, 12, 19 and 26, 2014.
8. Consider a motion approving the March 17, 2014, city council meeting minutes.

Items 2 and 4 were pulled from Consent Calendar and discussed under New Business.

MOTION: **Rierson/Corey** adopting **Resolution No. 2014-3139** appointing Jacque Betz as city manager effective June 16, 2014, **Resolution No. 2014-3144** approving the purchase of a replacement 2014 Caterpillar 930K front end wheel loader from Peterson cat, in the amount of \$171,249.00, minus a trade-in allowance of \$49,500.00, for a final purchase price of \$121,749.00, **Resolution No. 2014-3149** approving the appointment of Luke Hoogendam as temporary laborer for the public works operations department, **Resolution No. 2014-3151** amending the Police Association's Contract allowing vacation paid out to be placed into a VEBA account, AND approve a sound permit for the Chehalem Valley Chamber of Commerce "Tunes on Tuesday" concert series on July 8, 15, 22, 29, and August 5, 12, 19 and 26, 2014, and the March 17, 2014, city council meeting minutes. Motion carried (7 Yes/0 No).

VIII. PUBLIC HEARING

Consider a motion adopting **Resolution No. 2014-3142** for approval of Supplemental Budget #3 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).

Mayor Andrews asked what are the impacts on the budget with the proposed changes. Ms. Janelle Nordyke said the impact would be a reduction in the contingency by how much revenue is received by the TLT.

Councilor Ryan Howard asked about the funding to replace the staff member that resigned and funding the replacement at a full-time status. Ms. Nordyke replied yes that could be reduced to \$5,000.00 from the \$10,000.00 since the full-time status was not approved by the Budget Committee. Councilor Howard asked are you intending on hiring before the end of the year. Ms. Nordyke answered yes as a contract employee.

MOTION: Howard/McKinney adopting **Resolution No. 2014-3142** for approval of Supplemental Budget #3 for fiscal year 2013-2014 amending the clerical salaries to \$5,000.00, change the description to additional staff, and adjust the other columns by \$5,000.00. Motion carried (7 Yes/0 No).

IX. NEW BUSINESS

1. Consider a motion accepting the Chehalem Valley Chamber of Commerce's third quarter report for the Visitor Information Center.

Ms. Sheryl Kelsh, Chamber of Commerce president/CEO, presented the report (see official meeting packet for full report).

Mayor Andrews said I think page 58 is somewhat misleading the way it is worded. I want to make sure it is reflected in the report that the city is required to support tourism with a portion of the money coming from the TLT.

MOTION: Howard/Bacon accepting the Chehalem Valley Chamber of Commerce's third quarter report for the Visitor Information Center. Motion carried (7 Yes/0 No).

2. Consider a motion adopting **Resolution No. 2014-3141** stating the city of Newberg's support for the submission of a grant application to the state of Oregon's Transportation Growth Management Program for the development of a Newberg downtown revitalization plan.

MOTION: Andrews/Bacon to strike the words pro tem from item #2. Motion carried (7 Yes/0 No).

MOTION: Rierson/Woodruff adopting **Resolution No. 2014-3141** stating the city of Newberg's support for the submission of a grant application to the state of Oregon's Transportation Growth Management Program for the development of a Newberg downtown revitalization plan as amended. Motion carried (7 Yes/0 No).

3. Consider a motion adopting **Resolution No. 2014-3146** ratifying the Collective Bargaining Agreement between the City and IAFF Local 1660.

MOTION: Andrews/Bacon to strike the words pro tem from the second sentence item #2. Motion carried (7 Yes/0 No).

MOTION: Rierson/Bacon adopting **Resolution No. 2014-3146** ratifying the Collective Bargaining Agreement between the City and IAFF Local 1660 as amended. Motion carried (7 Yes/0 No).

X. CONTINUED BUSINESS

Consider a motion adopting **Resolution No. 2014-3135** granting a twelve-year agricultural lease to Harold Medici of land on the city's Oliver Springs property.

Mr. Jay Harris, city engineer presented the staff report (see official meeting packet for full report).

MOTION: Corey/Howard adopting **Resolution No. 2014-3135** granting a twelve-year agricultural lease to Harold Medici of land on the city's Oliver Springs property. Motion carried (7 Yes/0 No).

XI. COUNCIL BUSINESS

Councilor Bart Rierson stated he would like to plant a seed with potential money from TLT for the trails system.

XII. ADJOURNMENT

Meeting adjourned at 8:18PM.

ADOPTED by the Newberg City Council this ____ day of _____, 2014.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this _____ day of _____, 2014.

Bob Andrews, Mayor

**CITY OF NEWBERG CITY COUNCIL MINUTES
JUNE 16, 2014, 7:00 PM
PUBLIC SAFETY BUILDING (401 E. THIRD STREET)**

A work session was held at 6:00 PM preceding the meeting. A review of the council agenda and meeting was done with a welcome party for the new city manager afterward. All councilors, the mayor, city manager, city attorney, city recorder, minutes recorder, and department heads were present. No action was taken and no decisions were made.

I. CALL MEETING TO ORDER

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

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

III. ROLL CALL

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

Staff Present:	Jacque Betz, city manager Lee Elliott, city manager pro tem Janelle Nordyke, finance director	Truman Stone, city attorney Norma Alley, city recorder Nicole Tannler, minute recorder
----------------	---	--

Others Present: Robert Soppe, Sheryl Kelsh, and Vipul Patel

IV. SPECIAL PRESENTATIONS

City Attorney Truman Stone administered an Oath of Office for Ms. Jacque M. Betz appointing her as the city manager.

V. CITY MANAGER'S REPORT

Mr. Lee Elliott, city manager pro tem, reported they are trying to close the books on the budget and get the department heads ready for the changeover.

VI. PUBLIC COMMENTS

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

VII. CONSENT CALENDAR

1. Consider a motion adopting **Resolution No. 2014-3143** adding the Oregon Savings Growth Plan to the employees' choices for deferred compensation investments.
2. Consider a motion adopting **Resolution No. 2014-3147** affirming the bids received by the Oregon Department of Transportation for the N. College Street Sidewalk and Bike Lanes Improvement Project.

3. Consider a motion adopting **Resolution No. 2014-3148** authorizing the city manager to execute amendment three to the professional services agreement with Parametrix, Inc. for the Wynooski to Riverfront Utilities Project in the amount of \$80,627.00.
4. Consider a motion adopting **Resolution No. 2014-3150** revising existing alcohol usage policies on city of Newberg owned property within the Newberg Cultural District.
5. Consider a motion adopting **Resolution No. 2014-3152** approving the purchase of a replacement 280 HP wastewater influent pump from Xylem Water Solutions for \$79,029.03.
6. Consider a motion adopting **Resolution No. 2014-3153** accepting the canvass of votes for the May 20, 2014, Primary Election.

Item number 2 was pulled from the consent calendar and moved to the July 21, 2014 City Council Business meeting.

MOTION: Rierson/Corey adopting **Resolution No. 2014-3143** adding the Oregon Savings Growth Plan to the employees' choices for deferred compensation investments, **Resolution No. 2014-3148** authorizing the city manager to execute amendment three to the professional services agreement with Parametrix, Inc. for the Wynooski to Riverfront Utilities Project in the amount of \$80,627.00, **Resolution No. 2014-3150** revising existing alcohol usage policies on city of Newberg owned property within the Newberg Cultural District, **Resolution No. 2014-3152** approving the purchase of a replacement 280 HP wastewater influent pump from Xylem Water Solutions for \$79,029.03, and **Resolution No. 2014-3153** accepting the canvass of votes for the May 20, 2014, Primary Election as amended. Motion carried (7 Yes/0 No).

VIII. PUBLIC HEARING

1. Consider a motion adopting **Ordinance No. 2014-2771** approving an increase in the Transient Lodging Tax.

Mayor Andrews introduced the legislative 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).

MOTION: Howard/Bacon to open the public record on oral and written testimony for Ordinance No. 2014-2771. Motion carried (7 Yes/ 0 No).

Ms. Sheryl Kelsh, Chamber of Commerce president/CEO, testified she was in support of the ordinance and urged the Councilors to support the amendment giving the hotel partners the chance to prepare.

Mr. Vipul Patel stated he has been part of the community for almost 20 years now and has three hotels in Newberg. We have pre-bookings so it would be helpful if we had a little more time to gradually implement the increase.

Councilor Ryan Howard stated we do recognize this is a hardship on the businesses and I appreciate you coming today. I want to note the original increase was to 3% in July and we are trying to lessen that for you with this ordinance. Councilor Bart Rierson said hopefully another way we can help is that 70% of this goes back toward tourism that can help you in the long run.

Mr. Robert Soppe testified I have some concerns about the manner in which State Law is applied to the increase, specifically the 30/70% split, but I am optimistic that these concerns will be resolved before the meeting. If not, I am likely to raise the issues in person. The 30-70 split needs to be clear on the first increase and I want to echo Councilor Corey's comments that this has been on the agenda since January. If someone wanted to keep up with this the information is very easily accessible. At the May 19, 2014 Council meeting there was concern raised about whether or not the local entities that collect the TLT were adequately informed about the proposed increase. I would like to remind the Council that the specific increase proposed at that meeting, from 6% to 9%, was discussed over a year ago at a public Budget Committee meeting. I would assume that the agenda and minutes, presently available on the city's site, have been there for most of that time. If any entity wished to keep current on local legislative issues for itself or for its members, it would have taken no more than to read these documents readily available online or to attend the Budget Committee meetings to be aware of this proposed increase. I would also remind the Council that a study by Travel Oregon has been repeatedly cited that "documents" show how much spending to promote tourism correlates in increased local business revenue overall. Based on the conclusion of their study, if 70% of the proposed 1.5% rate increase is spent on promoting tourism and the result will be an increase in local business of \$16.1M. A profitable local business would not have to capture much of the \$16.1M of increased local business to offset its share of the increase in the TLT.

Councilor Mike Corey replied I understand there is a hardship on the business owners but I will not be in support of this.

Mayor Andrews said I do not think there has been any direct outreach to the hospitality industry from staff or the councilors and I think we should have a bit of criticism for this.

Councilor Lesley Woodruff stated I understand the city needs money, but I also understand that the tourist are not here and will not know the increase. It is hard that this particular tax increase will be paid by people who are not here in Newberg and I am still on the fence.

Councilor Bart Rierson said I will be supporting the ordinance and I was the one that wanted staff to do some outreach. I think we would not be good business partners if we did not increase this in phases.

Councilor Denise Bacon said I am also going to support this motion. I think it is a fair tax and the way we do it is fair by putting a percentage back into tourism because we know it is well spent. I am glad to see the change.

Councilor Woodruff asked Ms. Betz what she thought. Ms. Betz replied we put a plan together before the increase was brought to council and were in touch with the businesses and the chamber prior. I think the amendment you have tonight is a good compromise.

Councilor Stephen McKinney said I have been torn on this issue and I think there are some facts that should not be overlooked. We currently are on the low end of the spectrum and the discussion probably will not end here tonight with comparisons to other cities. I think sometimes staff was reluctant to have this conversation on the TLT increase. I am reluctant to support this tonight because we did not do a good job of reaching out to our business partners, but probably will support it.

MOTION: Howard/Rierson amending Ordinance No. 2014-2771 to increase the Transient Lodging Tax to 7.5% on October 1, 2014 and then to 9% on July 1, 2015. Motion carried (6 Yes/ 1 No [Corey]).

MOTION: Rierson/Howard approving Ordinance No. 2014-2771 to increase the Transient Lodging Tax as amended and read by title only. Motion carried (6 Yes/ 1 No [Corey]).

2. Consider a motion adopting **Resolution No. 2014-3145** adopting the city of Newberg, Oregon budget for the 2014-2015 fiscal year, making appropriations, levying a property tax, and approving the city of Newberg's participation in the state revenue sharing program.

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

Ms. Janelle Nordyke, finance director and Lee Elliott, city manager pro tem, presented the staff report (see official meeting packet for full report).

MOTION: Howard/Woodruff adopting **Resolution No. 2014-3145** adopting the city of Newberg, Oregon budget for the 2014-2015 fiscal year, making appropriations, levying a property tax, and approving the city of Newberg's participation in the state revenue sharing program. Motion carried (6 Yes/1 No [McKinney]).

IX. NEW BUSINESS

MOTION: Howard/Bacon adopting **Resolution No. 2014-3154** to amend the Collection Bargaining Agreement between the City and the Newberg-Dundee Public Safety Association that extends the contract for 90 days, until September 30, 2014. Motion carried (7 Yes/0 No).

X. COUNCIL BUSINESS

Mayor Andrews said I am looking to council that we direct staff to develop a request for council action (RCA) to get a TLT steering committee started for outreach of the business community. It will be an on-going advisory body to the council.

X. ADJOURNMENT

The meeting adjourned at 8:43PM.

ADOPTED by the Newberg City Council this ____ day of _____, 2014.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this _____ day of _____, 2014.

Bob Andrews, Mayor

THIS PAGE INTENTIONALLY LEFT BLANK

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: July 21, 2014

Order ___ No.	Ordinance ___ No.	Resolution <u>XX</u> No. 2014-3160	Motion ___	Information ___
------------------	----------------------	---------------------------------------	------------	-----------------

SUBJECT: Approving An Increase in the Franchise Fee Assessed Waste Management from 3% to 5%, along with a CPI adjustment of 2.5%, effective September 1, 2014.

**Contact Person (Preparer) for this Motion: Maya Benham, Paralegal
Dept.: City Attorney's Office
File No.:**

HEARING TYPE: ADMINISTRATIVE

RECOMMENDATION:

Adopt Resolution No. 2014-3160 approving adjusted franchise fee pursuant to the exclusive franchise agreement with Waste Management (WM) from 3% to 5%, along with a CPI adjustment of 2.5%, effective September 1, 2014.

EXECUTIVE SUMMARY: The city has an exclusive franchise with WM for the hauling of garbage and the collection of recyclable materials within the city. The franchise agreement gives the city the right to increase the amount of the franchise fee, provided the increase in the franchise fee will not become effective until the city has approved an adjustment in the rates for services in an amount sufficient for franchisee to recover the increase in the franchise fee. The city proposes increasing the franchise fee from 3% to 5%.

Franchises for garbage service have existed in Newberg since 1938. From 1938 until 1978, the franchise holder paid an annual license fee. Ordinance No. 1909 (June 12, 1978) set a franchise fee of 3%. That amount has not been raised since that time.

Resolution No. 1999-2160 was adopted January 19, 1999. It requires garbage rates be reviewed every two (2) years. Increases are based on the cost of provision of service. During that period, the franchise fee has not increased.

History of approved rate increases:

July 1999	3.39%
July 2001	18.5%
July 2003	0.00%
July 2007	3.50%
July 2009	4.23%
July 2011	5.47%
August 2013	4.70%
Sept 2014 PROPOSED	2.50%

With the franchise fee increase in 2014, Newberg would potentially see three consecutive years with rate changes (the increase from last year, a franchise fee pass through in 2014, and a rate review increase in 2015). In addition to the rate increase attributable to the franchise fee increase, WM recommends Newberg add a CPI adjustment this July, with bi-annual reviews occurring during even numbered years thereafter.

FISCAL IMPACT: If approved, garbage rates for customers within the city will increase by approximately 4.42%. For the typical residential customer, the monthly rate would increase from \$19.92 to \$20.81 per month – an increase of \$.89 per month.

The adjusted franchise fee for the city is 5%. The proposed FY 2014/2015 city budget estimated franchise revenue of \$85,000.00.

STRATEGIC ASSESSMENT (Relevancy to Council Goals): A council goal is to maintain a sustainable budget. Increasing the franchise fee is part of the council's revenue enhancement plan, and is fiscally prudent.



RESOLUTION No. 2014-3160

A RESOLUTION ADOPTING AN ADJUSTED FRANCHISE FEE FROM 3% TO 5% WITH WASTE MANAGEMENT ALONG WITH A CPI ADJUSTMENT OF 2.5%, EFFECTIVE SEPTEMBER 1, 2014

RECITALS:

1. The city has entered into an exclusive franchise with Waste Management (WM) for the hauling of garbage as well as the collection of recyclable materials within the city. Section 8.2 of that agreement, allows the city to increase the franchise fee. The relevant portion of the Franchise Agreement is hereby attached as Exhibit A and by this reference incorporated.
2. Franchisee is required to provide a minimum of a 30-day notice to its customers of revisions to the service rate schedule. This fee increase would not take effect until September 1, 2014, which would give the customers more than the 30-day notice.
3. The city of Newberg has granted an exclusive garbage franchise since 1938. Since 1978 the franchise fee has been 3%.
4. Newberg finds that the cost to provide garbage service has increased and is appropriate to adjust rates equal to the Consumer Price Index. A 2.5% CPI adjustment is the appropriate amount. Increased rates are set forth on Exhibit B, which is hereby attached and by this reference incorporated.
5. Rates will be reviewed in even numbered years going forward.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The current 3.0% Waste Management franchise fee is hereby increased to 5.0%, effective September 1, 2014.
2. The garbage rates proposed by Waste Management (WM) with a CPI adjustment of 2.5%, and reflecting the increased franchise fee, are set out in Exhibit B. This rate schedule is hereby adopted, with an effective date of September 1, 2014.

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

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

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 24th day of July, 2014.

Bob Andrews, Mayor

Excerpt from Waste Management (WM) Collection Franchise Agreement

8. FRANCHISE FEES.

8.1. As consideration for the Franchise granted herein, Franchisee will pay to the City each calendar quarter the sum of three percent (3%) of Franchisee's Gross Service Revenues for the preceding calendar quarter (the "Franchise Fee"). Franchisee will submit payment to the City, along with supporting documentation confirming the Franchisee's Gross Service Revenues, on or before the end of the second month after the end of each calendar quarter. By way of example, the Franchise Fee for the first quarter of each year will be due on or before May 30th of that year. The Franchisee will pay interest at the rate of nine percent (9%) per year for any payment due pursuant to this Section made after the due date.

8.2. City may increase the amount of the Franchise Fee, provided however that the increase in the Franchise Fee will not become effective until the City has approved an adjustment in the rates for the Services in an amount sufficient for Franchisee to recover the increase in the Franchise Fee.

8.3. If a dispute arises as to the amount of Gross Service Revenues within the meaning of this Franchise, the amount of such Gross Service Revenues as determined by audit by a certified public accountant, mutually selected by the City and Franchisee, will be deemed the correct amount. The audit may cover one or more continuous quarterly reporting periods. If the audit demonstrates that the Gross Service Revenues were understated resulting in the Franchise Fee being underpaid by five percent or more in any one reporting quarter, the Franchisee will reimburse the City for the reasonable costs of the audit. Any underpayment, including interest or audit cost reimbursement, will be paid within 30 days of the City's notice to the Franchisee of such underpayment. If such notice requires reimbursement of audit costs, City will provide reasonable documentation establishing the actual costs of the audit. Any overpayment of the Franchise Fee will be credited against the subsequent quarterly Franchise Fee payment by the Franchisee to the City.



WASTE MANAGEMENT

P.O. Box 1000
2904 Wynooski Rd.
Newberg, OR 97132
(503) 538-1388
(503) 538-1383 Fax

June 17, 2014

Janelle Nordyke
Finance Director
City of Newberg
PO Box 970
Newberg, OR 97132

RE: Increase of Gross Service Revenues and Request for CPI Adjustment

Dear Janelle,

Per our conversation, the City of Newberg has requested a change in the franchise fee that is paid to the city from a 3% gross service revenue to a 5% gross service revenue. Per section 8.2 of the solid waste franchise agreement, Waste Management is requesting an adjustment in the rates that are sufficient enough to recover the increase in the franchise fee. Attached is the rate sheet which reflects the adjusted franchise fees.

Also, in our efforts to avoid increasing the rates three consecutive years, we are requesting a CPI adjustment this year to be effective at the same time gross service revenues are adjusted. By doing this, there should not be a need to come in next year for a CPI increase. Both increases would be effective September 1st in order to give our customers 30 day notice.

Should you have any questions or need additional information, please feel free to contact me at 503-462-0508.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dave Huber', written in a cursive style.

Dave Huber, District Manager
Waste Management of Oregon Inc. Newberg Hauling Operations

Cc: Mike Jefferies, Dean Kampfer, Kirk Duncan, Adam Winston

From everyday collection to environmental protection, Think Green® Think Waste Management.

City of Newberg Garbage and Recycling Rates
Current and Proposed as of 9/1/2014

CPI Adjustment	2.50%
Franchise Fee Adjustment	2.00%

Residential Service				
Monthly Rate				
Weekly Curbside Service	Current Rate	CPI Adjustment	Franchise Fee Increase	Proposed New Rate
20 gallon cart	\$18.48	\$0.45	\$0.37	\$19.30
35 gallon cart	\$19.92	\$0.48	\$0.40	\$20.81
35 gallon cart - Each additional	\$13.56	\$0.33	\$0.27	\$14.16
35 gallon cart (Non-Curb garbage only)	\$21.88	\$0.53	\$0.44	\$22.85
64 gallon cart	\$24.50	\$0.59	\$0.49	\$25.58
96 gallon cart	\$26.92	\$0.65	\$0.54	\$28.11
additional Recycling / Yard Debris cart	\$3.11	\$0.08	\$0.06	\$3.25
Recycling only - Every other week	\$7.41	\$0.18	\$0.15	\$7.74
Monthly Curbside Service				
35 gallon cart	\$14.58	\$0.35	\$0.29	\$15.23

Every Other Week recycling & yard debris service is included with garbage service.

Multiple Residential Units and Mobile Parks Service (Five or more units) Single Billing				
Monthly Rate				
Weekly Curbside Service	Current Rate	CPI Adjustment	Franchise Fee Increase	Proposed New Rate
20 gallon cart	\$16.63	\$0.40	\$0.33	\$17.36
35 gallon cart	\$18.14	\$0.44	\$0.36	\$18.95
35 gallon cart (Non-Curb garbage only)	\$19.92	\$0.48	\$0.40	\$20.81
96 gallon cart	\$26.92	\$0.65	\$0.54	\$28.11
Each additional 35 gallon cart	\$11.93	\$0.29	\$0.24	\$12.45
Recycling only	\$7.41	\$0.18	\$0.15	\$7.74
Monthly Curbside Service				
35 gallon cart	\$14.58	\$0.35	\$0.29	\$15.23

Every Other Week recycling & yard debris service is included with garbage service.

Additional Rates				
Service				
	Current Rate	CPI Adjustment	Franchise Fee Increase	Proposed New Rate
Extra On Service Day				
Regular Customer - additional 32 gal equivalent can curbside	\$2.97	\$0.07	\$0.06	\$3.11
Regular Customer - additional 32 gal equivalent can non-curbside	\$3.62	\$0.09	\$0.07	\$3.78
On Call Customer - 32 gallon equivalent	\$7.96	\$0.19	\$0.16	\$8.31
Regular Customer - Yard Debris - 32 gal equivalent	\$3.27	\$0.08	\$0.07	\$3.41
Extra - Non-Service Day				
Go Back Charge - Per Cart	\$7.06	\$0.17	\$0.14	\$7.37
Bulky Items - Hourly plus disposal				
Truck - Hourly rate (one person)	\$79.07	\$1.92	\$1.58	\$82.57
Truck - Hourly rate (two people)	\$98.84	\$2.40	\$1.98	\$103.21
Weekly Walk in Rate - per foot after first 50 feet	\$0.01	\$0.00	\$0.00	\$0.01
Recycling Contamination Charge	\$10.72	\$0.26	\$0.21	\$11.20
Cart Exchange Fee	\$11.91	\$0.29	\$0.24	\$12.44
Overweight Charge	\$2.64	\$0.06	\$0.05	\$2.76
Restart Fee - Service stopped for Non-payment	\$11.91	\$0.29	\$0.24	\$12.44
NSF - Non Sufficient Funds	\$20.94	\$0.51	\$0.42	\$21.87

City of Newberg Garbage and Recycling Rates
Current and Proposed as of 9/1/2014

Commercial								
Monthly Rate - Regular Service	Current Rate		CPI Adjustment		Franchise Fee Increase		Proposed New Rate	
	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week
Regular Weekly Service								
35 gallon cart	\$23.09	N/A	\$0.56	N/A	\$0.46	N/A	\$24.11	N/A
64 gallon cart	\$25.68	N/A	\$0.62	N/A	\$0.51	N/A	\$26.82	N/A
96 gallon cart	\$28.11	N/A	\$0.68	N/A	\$0.56	N/A	\$29.36	N/A
1 yard container	\$81.91	\$61.96	\$1.99	\$1.50	\$1.64	\$1.24	\$85.53	\$64.70
1.5 yard container	\$111.26	\$97.75	\$2.70	\$2.37	\$2.23	\$1.95	\$116.19	\$102.08
2 yard container	\$141.95	\$126.73	\$3.45	\$3.08	\$2.84	\$2.53	\$148.24	\$132.34
3 yard container	\$202.27	\$179.06	\$4.91	\$4.35	\$4.05	\$3.58	\$211.22	\$186.98
4 yard container	\$265.63	\$226.92	\$6.45	\$5.51	\$5.31	\$4.54	\$277.39	\$236.96
5 yard container	\$325.63	\$272.07	\$7.90	\$6.60	\$6.51	\$5.44	\$340.04	\$284.12
6 yard container	\$422.12	\$322.60	\$10.24	\$7.83	\$8.44	\$6.45	\$440.81	\$336.88
Yard Debris 96 gallon cart EOW	\$7.41		\$0.18		\$0.15		\$7.74	\$0.00

Temporary Service	Current Rate		CPI Adjustment		Franchise Fee Increase		Proposed New Rate	
Container Size	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week
1.5 yard container	\$37.07	\$26.60	\$0.90	\$0.65	\$0.74	\$0.53	\$38.72	\$27.78
2 yard container	\$47.03	\$35.87	\$1.14	\$0.87	\$0.94	\$0.72	\$49.11	\$37.46
3 yard container	\$62.90	\$50.89	\$1.53	\$1.24	\$1.26	\$1.02	\$65.69	\$53.15
4 yard container	\$78.40	\$67.15	\$1.90	\$1.63	\$1.57	\$1.34	\$81.87	\$70.13

Monthly Rate Commingled Recycling Service								
For Additional Commercial Recycling, Drop Box Recycling, and Recycling Only Customers								
	Current Rate		CPI Adjustment		Franchise Fee Increase		Proposed New Rate	
Regular Weekly Service	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week	One Stop/Week	Each Additional Stop/Week
96 gallon cart	\$10.21	\$8.69	\$0.25	\$0.21	\$0.20	\$0.17	\$10.66	\$9.07
1 yard container	\$33.14	\$28.16	\$0.80	\$0.68	\$0.66	\$0.56	\$34.60	\$29.41
1.5 yard container	\$43.29	\$36.80	\$1.05	\$0.89	\$0.87	\$0.74	\$45.21	\$38.43
2 yard container	\$54.23	\$46.12	\$1.32	\$1.12	\$1.08	\$0.92	\$56.64	\$48.16
3 yard container	\$75.49	\$64.18	\$1.83	\$1.56	\$1.51	\$1.28	\$78.83	\$67.02
4 yard container	\$98.42	\$83.66	\$2.39	\$2.03	\$1.97	\$1.67	\$102.77	\$87.36
5 yard container	\$119.46	\$101.56	\$2.90	\$2.46	\$2.39	\$2.03	\$124.75	\$106.05
6 yard container	\$160.61	\$136.53	\$3.90	\$3.31	\$3.21	\$2.73	\$167.72	\$142.57

Commingled recycling is included with regular service up to two times the garbage volume.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: July 21, 2014

Order ___	Ordinance ___	Resolution <u>XX</u>	Motion ___	Information ___
No.	No.	No. 2014-3147		

SUBJECT: A resolution to affirm the bids received by the Oregon Department of Transportation for the N. College Street Sidewalk and Bike Lane Improvement Project and allocate additional funds of \$144,000.00 towards the project.

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

RECOMMENDATION:

Adopt Resolution No. 2014-3147 affirming bids received by the Oregon Department of Transportation (ODOT) on May 22, 2014, and allocate additional funds in the amount of \$144,000.00 for the design and construction bid overages on the project.

EXECUTIVE SUMMARY:

Resolution No. 2013-3052, adopted by Council on June 17, 2013, included a provision that the cost for the proposed N. College Street west side sidewalk and bike lane improvement project would be re-evaluated prior to construction, to affirm or modify the project limits, and/or adjust the funding commitments from ODOT and the city.

The proposed College Street west side widening project begins at Deskins Street and ends at Aldercrest Drive. OTAK, Inc. designed the project improvement plans for ODOT and estimated the construction cost at \$854,500.00. Four bids were received by ODOT on May 22, 2014. The four qualified bid results are listed below in ascending values:

R&R General Contractors, Inc.....	\$ 973,500.00
Nutter Corporation	\$ 1,059,909.00
Subcom Excavation & Utilities, LLC.....	\$ 1,221,000.00
E & E Excavating	\$ 1,229,450.00

The lowest qualified bidder was R&R General Contractors, Inc. but did exceed the engineer’s estimate. In addition, ODOT recently made the city aware of an additional cost overrun in the final design of the project (\$44,000.00), which the city is responsible for. The revised estimated total cost for this project is \$1,745,000.00. The estimated city’s total contribution is \$724,000.00, which is as follows:

Original awarded bid amount:	\$ 580,000.00
Overage from Engineer’s Estimate:.....	\$ 100,000.00
Engineering Design Cost Overrun:.....	<u>\$ 44,000.00</u>
 City Total Project Costs:.....	 \$ 724,000.00

ODOT is requesting the city to contribute additional funds based on the revised estimated total costs, per the Intergovernmental Agreement (IGA) between the city and ODOT adopted by Council by Resolution No. 2013-3072.

FISCAL IMPACT:

Project Total Cost is \$1,745,000.00. Cost breakouts are as follows:

ODOT's Contribution:\$ 1,021,000.00
City's Contribution:\$ 724,000.00

The city's final project costs after reimbursements from the College Street LID is as follows:

City's Total Project Costs:\$ 724,000.00
LID Reimbursement Costs:.....\$ 194,197.00

City's Net Project Costs:.....\$ 529,803.00

The adopted 2014-2015 Budget allocates \$580,000.00 for this project under account number 18-5150-702165. The LID funding portion of the project will be paid by the property owners over time, thus in order for the city to fund the \$724,000.00 portion of the project, an additional \$144,000.00 will need to be allocated to the project. The increased contribution will be funded by a transfer from the stormwater reserve fund through the supplemental budget process this fall.

STRATEGIC ASSESSMENT:

This project provides an essential pedestrian and bicyclist connection along a major state and city transportation corridor in accordance with the city's Transportation System Plan.



RESOLUTION No. 2014-3147

A RESOLUTION AFFIRMING BIDS RECEIVED BY THE OREGON DEPARTMENT OF TRANSPORTATION FOR THE N. COLLEGE STREET SIDEWALK AND BIKE LANE IMPROVEMENT PROJECT AND ALLOCATE ADDITIONAL FUNDS OF \$144,000.00 TOWARDS THE PROJECT

RECITALS:

1. Resolution No. 2013-3052 adopted by Council on June 17, 2013, included a provision that the cost for the proposed N. College Street west side sidewalk and bike lane improvement project would be re-evaluated prior to construction, to affirm or modify the project limits, and/or adjust the funding commitments from Oregon Department of Transportation (ODOT) and the city.
2. On May 22, 2014, ODOT received four bids for the construction of the N. College Street Sidewalk and Bike Lanes Improvement Project. The project is located along the west side of North College Street from Illinois Street to Aldercrest Drive.
3. The four qualified bid results are listed below in ascending values:

R&R General Contractors, Inc.	\$ 973,500.00
Nutter Corporation	\$1,059,909.00
Subcom Excavation & Utilities, LLC.	\$1,221,000.00
E & E Excavating	\$1,229,450.00

The lowest bidder exceeded the engineer’s (OTAK, Inc.) construction estimate by \$119,000.00.

4. The revised estimated total cost for this project is \$1,745,000.00. The estimated city’s total contribution is \$724,000.00, which does not include the reduction of \$194,197.00 due to the College Street Local Improvement District. ODOT’s total commitment through the Transportation Enhancement Grant is \$1,021,000.00.
5. Due to the higher than estimated construction costs and additional final design costs, additional contribution to the project will need to be made by the city in the amount of \$144,000.00. The transportation project includes significant improvements to the stormwater conveyance, and water quality/quantity improvements. The increased contribution to the project of \$144,000.00 will be funded by a transfer from the stormwater reserve fund through the supplemental budget process this fall.
6. Construction of over 2,000 linear feet of half street improvements (including curbs and gutters, concrete sidewalk, stormwater retention facilities, street trees and related items) on North College Street is anticipated to begin this month and will be completed in October, 2014.
7. Per Newberg Municipal Code 3.15.100 (F), a final assessment will also be prepared for the College Street Local Improvement District after the construction of the project is completed.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council, acting as contract review board for the city, does hereby affirm the bids received by the Oregon Department of Transportation (ODOT) for the North College Street Sidewalk and Bike Lane Improvement Project.
2. City Council approves additional matching funds for the project in the amount of \$144,000.00 to be transferred from the stormwater reserve fund through the supplemental budget process this fall.

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

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

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 24th day of July, 2014.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: July 21, 2014

Order ___ No.	Ordinance ___ No.	Resolution <u>XX</u> No. 2014-3161	Motion ___	Information ___
------------------	----------------------	---------------------------------------	------------	-----------------

SUBJECT: Recommendations from Temporary and Portable Sign Ad-Hoc Committee

Contact Person (Preparer) for this Motion: David Beam, AICP
Dept.: Planning and Building
File No.: G-13-005

RECOMMENDATION:

Adopt Resolution No. 2014-3161, accepting the Temporary and Portable Sign Ad-Hoc Committee's recommendations presented in Exhibit A regarding changes to temporary and portable signage within the city of Newberg. Included within this resolution are various recommended changes to the Newberg Development Code. This resolution initiates the development code amendment process for these proposed changes to the Code.

EXECUTIVE SUMMARY:

On October 7, 2013, the City Council adopted Resolution No. 2013-3080, establishing a Temporary and Portable Sign Ad-Hoc Committee. The committee's charge is as follows: "The committee will make a determination as to what, if any, changes to the current development code regarding temporary and portable signs may be desirable. If the committee determines changes may be warranted, the committee is to draft recommended development code amendments for consideration of adoption by the city council. Such recommended changes shall meet two criteria: improve the likelihood the intended message will reach its target audience; while at the same time, meet the spirit and intent of the purpose of the sign regulations as stated in Section 15.435.010 of the Newberg development code."

The committee was formed at the recommendation of Mayor Bob Andrews. That recommendation came about as a response the following events. On May 6, 2013, three local auto dealers came to the city council and requested a review of Newberg's provisions on temporary and portable signs, particularly relating to the types of devices that fall under the sign regulations, such as advertising flags, banners, and streamers. On June 17, 2013, the city council heard a staff presentation discussing the city's current sign regulations.

The purpose of the city's sign regulations per the Newberg development code is:

15.435.010 Purpose.

A. The citizens of Newberg desire a clean, attractive, economically vibrant, and safe community. Well-planned and constructed signs can contribute to the community's success by directing and informing the public about commercial and other activities, and by creating attractive commercial and other neighborhoods. On the other hand, unregulated signage can create clutter, distractions, and hazards.

The committee began meeting in November 2013 and continued to do so approximately every two weeks. The committee examined the current sign code regarding temporary and portable signs, toured the city to see how the code is being implemented "on the ground", conversed with various business owners (included the owners of the three largest auto dealerships) regarding the implementation of this type of signage, and

explored options on how the city may improve temporary and portable signage in a way that will benefit local businesses as well as the community in general. Exhibit A describes the final recommendations from the committee to the council. It should be noted that implementation of some of the changes would require changes to the Newberg Development Code.

FISCAL IMPACT: All the recommendations will require staff time to develop and implement. Construction of the proposed wayfinding signs would require financial resources that would likely be provided by the city and/or private sources. The proposed sign permit program would develop some revenue to help offset administration and enforcement of the program.

STRATEGIC ASSESSMENT: The committee spent considerable time and effort in identifying potential changes intended to improve temporary and portable signage within Newberg. The committee's recommendations deserve thoughtful consideration.

**A RESOLUTION ACCEPTING THE TEMPORARY AND PORTABLE SIGN
AD-HOC COMMITTEE’S RECOMMENDATIONS REGARDING CHANGES
TO TEMPORARY AND PORTABLE SIGNAGE**

RECITALS:

1. On October 7, 2013, the City Council adopted Resolution No. 2013-3080, establishing a Temporary and Portable Sign Ad-Hoc Committee. The committee’s charge is as follows: “The committee will make a determination as to what, if any, changes to the current development code regarding temporary and portable signs may be desirable. If the committee determines changes may be warranted, the committee is to draft recommended development code amendments for consideration of adoption by the city council. Such recommended changes shall meet two criteria: improve the likelihood the intended message will reach its target audience; while at the same time, meet the spirit and intent of the purpose of the sign regulations as stated in Section 15.435.010 of the Newberg development code.” The committee was formed in response to concerns expressed by members of the business community regarding the current sign code for temporary and portable signs.
2. The purpose of the city’s sign regulations per the Newberg development code is as follows:

15.435.010 Purpose.
A. The citizens of Newberg desire a clean, attractive, economically vibrant, and safe community. Well-planned and constructed signs can contribute to the community’s success by directing and informing the public about commercial and other activities, and by creating attractive commercial and other neighborhoods. On the other hand, unregulated signage can create clutter, distractions, and hazards.
3. The committee began meeting in November 2013 and continued to do so approximately every two weeks. The committee examined the current sign code regarding temporary and portable signs, toured the city to see how the code is being implemented “on the ground”, conversed with various business owners (included the owners of the three largest auto dealerships) regarding the implementation of this type of signage, and explored options on how the city may improve temporary and portable signage in a way that will benefit local businesses as well as the community in general.
4. Exhibit A describes the final recommendations from the committee to the council. Some of the recommendations include changes to the Newberg Development Code.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The Newberg City Council accepts the Temporary and Portable Sign Ad-Hoc Committee’s recommendations as described in Exhibit A, which is attached and by this reference is hereby incorporated.

2. The Newberg City Council initiates the development code amendment process for proposed changes to the Newberg Development Code as described in Exhibit A.

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

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

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 24th day of July, 2014.

Bob Andrews, Mayor

**Newberg Temporary and Portable Sign Ad Hoc Committee
Recommendations to Newberg City Council
July 21, 2014**

1. Develop a downtown wayfinding system

The city of Newberg should develop a wayfinding sign system for the downtown area (C-3 zone). The purpose of the system would be to help visitors to the downtown to locate and discover public and private destinations. An ad hoc committee of the Newberg City Council should be created (members appointed by the Mayor) and the committee's goal should be to develop recommendation for council's consideration of adoption regarding the general appearance of the signs, where they are to be located, how the sign system shall be installed and maintained (both private and public operators should be considered), and any other goals that the council feels is necessary to ensure that the wayfinding sign system will be an attractive and useful addition to the city's historic downtown area. The committee should coordinate with other entities within the community with existing and/or intended wayfinding signage entities (CPRD, Cultural District, Chamber of Commerce, etc.) to ensure all such signage achieves a coordinated appearance.

Any potential wayfinding system that may be adopted should be intended to augment signage that is currently allowed and be an additional option to the current sign code.

2. Develop a sign permit program

The committee heard from some representatives of the business community that current regulations regarding portable and temporary signs are too restrictive. To address this concern, the committee recommends the city develop a sign permit program that would allow additional temporary and portable signage with a city approved sign plan. The program would include regulations and a review process that would ensure that such signage has an attractive, coordinated, and maintained appearance.

The following general criteria would be used to develop specific code language for the proposed sign permit program:

- 1) Multiple signs allowed by approved sign plan and permit
- 2) Time: up to one year. Request to extend existing, approved sign plan would be quick and easy.
- 3) Number: C-2 zone: 1 per 100 feet of street frontage. C-3 zone: 1 per 15 feet of street frontage, with a maximum of 4 signs. Institutional zone: 1 per 100 of street frontage.
At least one per business allowed. Business must have a business license and occupy a discrete space.
- 4) Square footage and size: Total signage for a property will be 1 square foot per 1 foot of street frontage. Maximum allowed for any specific sign will be based on the location of the sign. The farther the distance a sign is from the front property line, the greater size that will be allowed for a specific sign. For every 10 feet from the property line, the maximum square footage for a sign may be an additional 10 square feet larger. In other words, if a sign is between the property line and 10 feet from the property line, then the sign may be up to 10 square feet in size; if a sign is between the 10 feet and 20 feet from the property line, then the sign may be up to 20 square feet in size, and so on.
- 5) Review criteria for signage in plan:

- Size
 - Colors
 - Style
 - Font
 - Size appropriate for setback location
- 6) Fee: \$10 for each month a permit is in effect or \$100 per year. Permit application form simple to complete.
- 7) Maintenance: Condition of permit approval would be that the business would maintain signage in good condition. A permit may be revoked at any time the city deems this condition is not being met.

Sign plan applications shall be reviewed and approved by the city's planning division. Plan approval/disapproval will be based on a set of criteria that is intended to achieve attractive, coordinated portable signage on a property. An appeal to the application decision may be made to a hearing officer appointed by the city manager.

3. Pennants, streamers, and inflatable objects

The use of pennants, streamers and inflatable objects as signage are not addressed in the development code. Therefore, the committee recommends that Section *15.435.100 Temporary signs for events* of the Newberg Development Code be amended as follows (NOTE: amendments are double underlined; code language deletions are ~~strikeouts~~):

15.435.100 Temporary signs for events.

In addition to the portable signs otherwise permitted in this code, a lot may contain temporary signs in excess of the number and size allowed by NMC 15.435.090 during events as listed below— Pennants, streamers, and inflatable objects may be used during these events.

A. Grand Opening Event. A grand opening is an event of up to 30 days in duration within 30 days of issuance of a certificate of occupancy for a new or remodeled structure, or within 30 days of change of business or ownership. No lot may have more than one grand opening event per calendar year. The applicant shall notify the city in writing of the beginning and ending dates prior to the grand opening event. If there are no freestanding signs on a frontage after the grand opening event, one of the temporary signs may remain on the property for the 60 days immediately after the end of the grand opening event. A temporary electronic message center may be used during a grand opening event.

B. Election Event. An election event begins 90 days prior to and ends 14 days after any public election. During this event a lot may contain up to two additional temporary signs, not to exceed 12 square feet in total area for both signs. These signs shall not be located in the public right-of-way.

C. Other Events. A lot may have two other events per calendar year. The events may not be more than eight consecutive days in duration, nor less than 30 days apart. A temporary electronic message center may be used during the event.

D. Flag Displays. One flag display is permitted on each street frontage. An unlimited number of displays is permitted on any legal holiday or Newberg city council designated festival. [Ord. 2731 § 3, 10-18-10; Ord. 2499, 11-2-98. Code 2001 § 151.599.]

Penalty: See NMC 15.05.120.

4. Education/Enforcement/Maintenance

Efforts by the city regarding the enforcement, education, and maintenance of temporary and portable signage is a critical component to achieving the goal of a high quality-of-life in the community. The city should dedicate the necessary resources as feasible to ensure adequate enforcement, education, and maintenance of signage within Newberg. The city of Newberg should develop proposals that improve existing mechanisms as well as create new mechanisms that will help ensure the adherence and enforcement to the temporary and portable sign development codes. Potential solutions should include the development of public handout materials that explain the temporary and portable sign codes as simply as feasible and adoption of some of the other recommendations mentioned in this memo. The format of such materials should use clear language in layman terms and simple graphics to help convey the information. Finally, the city should seek out partners to assist with this issue, such as the Chehalem Valley Chamber of Commerce and the Newberg Downtown Coalition.

5. Flags

The committee has found that there may be insufficient language in the development code regarding the difference between a flag display and flags as portable signs (e.g. teardrop style flags). Therefore, the committee recommends the following amendments to the Newberg Development Code. (NOTE: amendments are double underlined; code language deletions are ~~strikeouts~~):

15.435.100 Temporary signs for events.

In addition to the portable signs otherwise permitted in this code, a lot may contain temporary signs in excess of the number and size allowed by NMC 15.435.090 during events as listed below:

A. Grand Opening Event. A grand opening is an event of up to 30 days in duration within 30 days of issuance of a certificate of occupancy for a new or remodeled structure, or within 30 days of change of business or ownership. No lot may have more than one grand opening event per calendar year. The applicant shall notify the city in writing of the beginning and ending dates prior to the grand opening event. If there are no freestanding signs on a frontage after the grand opening event, one of the temporary signs may remain on the property for the 60 days immediately after the end of the grand opening event. A temporary electronic message center may be used during a grand opening event.

B. Election Event. An election event begins 90 days prior to and ends 14 days after any public election. During this event a lot may contain up to two additional temporary signs, not to exceed 12 square feet in total area for both signs. These signs shall not be located in the public right-of-way.

C. Other Events. A lot may have two other events per calendar year. The events may not be more than eight consecutive days in duration, nor less than 30 days apart. A temporary electronic message center may be used during the event.

D. Flag Displays. One flag display is permitted on each street frontage. An unlimited number of ~~displays~~ is-flags are permitted on any legal holiday or Newberg city council designated festival. [Ord. 2731 § 3, 10-18-10; Ord. 2499, 11-2-98. Code 2001 § 151.599.]

Penalty: See NMC 15.05.120.

Section 15.05.030 Definitions

“Flag display” means one or more flags attached to a permanently affixed single pole.

6. Umbrellas

It is the committee's understanding that the use of umbrellas in conjunction with outdoor seating under the current temporary and portable sign code has been an issue. The committee feels that umbrellas provide an important service to business patrons as protection from the elements, especially with restaurants. Therefore, the committee feels that such umbrellas, with or without signage, should be exempted from the sign code. The committee recommends the following amendments to the Newberg Development Code. (NOTE: amendments are double underlined):

15.435.020 Applicability and exemptions.

A. All signs placed or maintained anywhere within the city shall comply with the standards of this chapter, with the exception of the following:

1. Public signs.
2. Signs that are required to be placed by law and that are no more than 50 percent larger than the minimum size required by law or, if there is no minimum size specified, signs with lettering height no more than four inches.
3. Signs painted on or attached to windows that do not cover more than 50 percent of the surface of that window.
4. Signs located entirely within a building and not on a window.
5. Signs not legible from the public right-of-way.
6. Umbrellas used in conjunction with outdoor seating.

B. If any of the signs listed above require permits under the current edition of the Oregon Structural Specialty Code, the sign shall be placed only following issuance of such permit.

C. Nothing in this chapter shall be construed to allow placement of a sign on a property without the authority of the property owner. [Ord. 2499, 11-2-98. Code 2001 § 151.591.]

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: July 21, 2014

Order ___ No.	Ordinance ___ No.	Resolution ___ No.	Motion ___	Information <u>XX</u>
------------------	----------------------	-----------------------	------------	-----------------------

SUBJECT: LOC's Legislative Priorities Survey

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

EXECUTIVE SUMMARY:

The League of Oregon Cities (LOC) has sent out their annual legislative priorities survey. The results from the survey is used by the LOC staff to set priority for the upcoming legislative hearings.

It would wonderful if you could fill out the attached survey and return it to Mayor Andrews prior to the meeting. There will be discussion on this topic the night of the meeting as well.

FISCAL IMPACT:

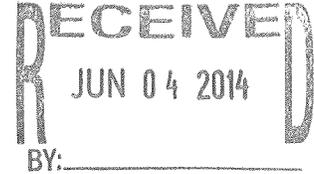
None

STRATEGIC ASSESSMENT (RELATE TO COUNCIL GOALS):

It does not relate to current goals.



P.O. Box 928 • Salem, Oregon 97308
(503) 588-6550 • (800) 452-0338 • Fax: (503) 399-4863
www.orcities.org



June 2, 2014

Dear Chief Administrative Official:

For the past three months, eight policy committees have worked very diligently to identify and propose specific actions as part of the League's effort to develop a pro-active legislative agenda for the 2015 session. They have identified 22 legislative objectives as set forth in the enclosed ballot and legislative recommendation materials. These objectives span a variety of issues and differ in the potential resources required to seek their achievement. Therefore, it is desirable to prioritize them in order to ensure that efforts are focused where they are most needed.

The LOC Board of Directors has made long-term commitments to two issues critical to cities: revenue and land use reform. **As a result of their designation as top legislative priorities on an ongoing basis neither of these issues appear on the enclosed ballot.**

The League will continue to advocate for a constitutional amendment that gives local voters the opportunity to pass local option levies outside of compression. Currently, statewide property tax limitations can prevent local voters from supporting the services they demand via local option levy. This amendment would enable voters to determine the level of services they desire and the associated level of taxation. The League will also advocate for a constitutional amendment that will improve the fairness of the property tax system by recalibrating taxes at the time a property is sold. Oregon's property tax system created a new assessed, or taxable, value based on 1995-96 real market values and capped annual growth. As property values have grown at different rates since that time, huge disparities in tax bills have emerged. The League will also continue to engage in legislative efforts to reform land use processes to reduce the burden on cities as they make local decisions about urban growth. Land use requirements have become increasingly difficult for cities to implement – with increased costs, time, and frequency of appeals – and the League will build on recent efforts to reform the urban growth boundary process to ensure that reforms streamline the land use process.

Each city is being asked to review the recommendations of the policy committees and provide input to the LOC Board of Directors as it prepares to adopt the League's 2015 legislative agenda. After your city council has had the opportunity to review the 22 proposals and discuss them with your staff, please return the enclosed ballot indicating the top four issues that your city council would like to see the League focus on in the 2015 session. **The deadline for response is July 25, 2014.** The board of directors will then review the results of this survey of member cities, along with the recommendations of the policy committees, and determine the League's 2015 legislative agenda.

(over, please)

Your city's participation and input will assist the board in creating a focused set of specific legislative targets that reflect the issues of greatest importance for cities. Thank you for your involvement, and thanks to those among you who gave many hours of time and expertise in developing these proposals.

Do not hesitate to contact me or Craig Honeyman, Legislative Director, with questions.

Sincerely,

A handwritten signature in black ink, reading "Michael J. McCauley". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Michael J. McCauley
Executive Director

cc: Oregon Mayors

LOC Policy Committees' Legislative Recommendations

Priority	Description
Community Development	
A. Provide tools for brownfield remediation including \$10 million in recapitalization of the redevelopment fund, new incentives such as tax credits, or regulatory modifications.	Supports finding funding sources and cost reductions for cleaning up brownfields to support economic development. The Brownfield Redevelopment Fund Program provides gap financing to clean-up industrial sites but has not been recapitalized to address the increasing need for clean-up of brownfield sites. However, the fund is not large enough to address this need on a statewide basis, so further support for efforts to determine alternative means to incentivize brownfield redevelopment will increase available industrial sites and help drive economic development. Overall, increasing tools to redevelop brownfields provides more options to cities looking to redevelop current brownfields into a better use.
B. Support capitalization of the industrial site readiness loan program at \$10 million and the industrial site readiness assessment program at \$200,000.	Provides funding for two programs created in 2013 for addressing lands that are zoned industrial but are not being used for industrial purposes: the industrial site readiness program and the industrial site readiness assessment program. The first provides forgivable loans to local governments that bring industrial sites to shovel ready status, such as by placing infrastructure or cleaning up a brownfield. The second allows regions to determine what is preventing land designated for industrial use from being built for industrial use. However, no money was provided to fund either program in the 2013-2015 budget.
C. Prioritize grants providing assistance for natural disaster planning and updating comprehensive plans to address likely natural disasters in a community, and increase the grant funds available to cities through the DLCDC's general grant funds to \$2 million.	In the last two biennia, the Oregon Department of Land Conservation and Development general fund grant program has seen a significant drop in the money allocated to it with increasing need from local governments to address technical planning issues and update pursuant to periodic review. In addition, the Oregon Seismic Safety Policy Advisory Commission, has released a report related to ongoing need for upgrading resilience in response to a major earthquake and recent natural disasters have raised awareness relating to land use planning. Raising the general fund grant program back to the 2009-2011 budget levels will help more cities address their planning needs and seek technical assistance. This would also alter the uses for these funds to include planning that increases resilience to natural disasters and meet their Goal 7 requirements.
D. Reform the Post Acknowledgment Plan Amendment process to require appellants to raise issues before the local government before raising the issue on appeal.	Changing the appeals requirements for post-acknowledgement plan amendments (PAPAs) will keep decision making for land use policy at the local level first, allowing city official to determine the scope of legislative changes they make to their plans without trying to fight a new issue on appeal. This "raise it or waive it" standard currently exists for quasi-judicial decisions at the local level and insures that local decisions are not attacked on appeal on an issue that a city could have resolved in finalizing its decision. Modifying the PAPA appeal insures more land use decisions start with addressing all issues at the local level first.
Energy	
E. Modify the existing "1.5% green energy technology for public buildings" requirement to allow for offsite solar investments.	<p>Oregon statute currently requires public contracting agencies to invest 1.5% of the total contract price for new construction or major renovation of certain public buildings on solar or geothermal technology. The requirement allows for offsite technology, but only if the energy is directly transmitted back to the public building site and is more cost-effective than onsite installation.</p> <p>Removing the requirement that an offsite project be directly connected to the public building project could result in increased flexibility for local governments to invest in solar projects that are more cost-effective and that could provide for increased solar energy production.</p>

LOC Policy Committees' Legislative Recommendations

<p>F. Support efforts to eliminate the sunset on the Low Carbon Fuel Standard program.</p>	<p>Oregon's low carbon fuel standard, also known as the Clean Fuels Program, was initially adopted by the 2009 legislature. The standard would require fuel producers and importers to cut the carbon intensity of gasoline and diesel fuels by ten percent over a 10-year period in order to reduce greenhouse house gas emissions, reduce dependence on imported oil, and expand upon Oregon's renewable fuel industry. Fuel producers and importers can meet the standard through providing additional biofuels, natural gas or electricity, or by purchasing clean fuel credits. The program includes several consumer protection mechanisms to help ensure an adequate fuel supply and competitive fuel pricing.</p> <p>The program, as initially adopted is scheduled to expire, or sunset, on December 31, 2015. The League will work to support efforts to eliminate the sunset on the program.</p>
<p>Finance & Taxation</p>	
<p>G. Phase out the 3% discount for the early payment of property taxes.</p>	<p>Oregon law offers a 3% discount for property owners who pay the full amount due by November 15th. A 2% discount is offered for those that pay two-thirds of the amount due by November 15th.</p> <p>The League will phase out the discount over a period of time and adopt a penalty for failing to pay by November 15th to mitigate any cash flow issues for local governments.</p>
<p>H. Improve the fairness of how new and improved property is added to the tax roll.</p>	<p>New and improved property is brought on the tax rolls by applying an annual county-wide ratio of assessed values (AV) to real market values (RMV) to the new or added value of a property, in an attempt to replicate the property tax discount given to properties via Measure 50.</p> <p>However, significant variation between AV and RMV exist within a county, resulting in the discount often being inequitable compared to neighboring properties, as well as being out of line with the discount originally offered to properties when Measure 50 passed in 1997.</p> <p>As a result, similarly situated and valued properties can have significantly different property tax liabilities.</p> <p>The League will work to modify the property tax system to improve the fairness of how new property is added to the tax roll.</p>
<p>I. Improve clarity and certainty around transient lodging tax statute.</p>	<p>State law limits how transient lodging taxes increased or adopted after July 2003 can be spent, with statute requiring that 70 percent of increased or new transient lodging tax revenues be expended on tourism promotion or tourism-related facilities. There is uncertainty, however, as to what qualifies as a tourism-related facility and the timeline in which such expenditures can be legally challenged.</p> <p>The League will seek to improve the certainty around what qualifies as a tourism-related facility and reasonably limit the timeframe in which such expenditures can be legally challenged.</p>
<p>General Government</p>	
<p>J. Reform Oregon's recall procedures to encourage a greater participation of the electorate and ensure that it is used for reasons involving misconduct.</p>	<p>Under Oregon law, an elected official may be recalled by an initiative petition for any reason after the first six months of their term. Limiting recalls to cases where there has been demonstrated wrong doing by a court or regulatory body (such as the Oregon Government Ethics Commission) would prevent the misuse of recalls without limiting the power of the electorate to reverse a decision. Recalls should be limited to acts of malfeasance or offenses involving moral turpitude.</p>

LOC Policy Committees' Legislative Recommendations

<p>K. Allow for price comparison when procuring architects and engineers.</p>	<p>In 2011 the Oregon Legislature required cities to use a qualifications based selection (QBS) process that prohibits the consideration of price until an initial selection has been made when hiring architects, engineers and photogrammetrists. This requirement prevents local governments from comparing pricing and effectively eliminates price competition when procuring these services.</p>
<p>L. Clarify and enhance medical marijuana dispensary regulations.</p>	<p>Existing restrictions on the placement of medical marijuana dispensaries (MMD) are inconsistent with land use regulations and should be clarified. Additionally, background checks are not required on people who work in MMD and there is no regulation on the manufacture of oils and other liquid marijuana products that use flammable/explosive substances in their processing.</p>
<p>M. Enhance mental health services.</p>	<p>Oregon's police departments have marked an increase in interactions with the mentally ill in recent years. Crisis intervention teams (CIT) have proven effective and deescalating interactions with the mentally ill, but this service model is not available in all parts of the state. Additionally, there is a demonstrated need for "drop-in" mental health services that allow for treatment before a person enters a state of crisis. There should be statewide access of CITs, and emergency access to mental health services to promote patient and community safety. Additionally, mental health services should be examined holistically to ensure that Oregon is providing the best possible care to the mentally ill.</p>
<p>Human Resources</p>	
<p>N. Ensure that arbitrator awards are in compliance with state, as well as local policies.</p>	<p>Currently, an arbitrator's award overturning an employer's disciplinary decision must comply with state policies on issues including, but not limited to: use of force, sexual harassment, or misconduct. Precedent has established that only state policies apply to the enforceability to an arbitrator's award.</p>
<p>O. Ensure that collective bargaining agreements trump state mandates on police investigations.</p>	<p>"The Police Officer's Bill of Rights" was intended to offer protections for officers who were under investigation if there was no collective bargaining contract or the contract was silent on how investigations were to be conducted. Changes made in 2009 have resulted in confusion and manipulation of the bargaining process. The statute needs to be amended to bring it back to the original intent of the bill.</p>
<p>P. Require earlier submission of last best offer.</p>	<p>Under current law, last best offers (LBOs) must be submitted 14 days prior to opening of arbitration in the event parties have declared an impasse, and binding arbitration is being used to settle the contract. Most arbitrators use a 30-day cancellation policy that requires payment even if parties settle prior to the commencement of arbitration. Requiring LBOs to be submitted 35 days prior to the opening of arbitration would provide an opportunity to settle without paying unnecessary fees.</p>
<p>Telecommunications</p>	
<p>Q. Support the reintroduction of legislation that repeals ORS 221.515 (HB 2455 -7 in 2013) removing the franchise fee rate and revenue restrictions which currently apply to incumbent local exchange carriers, or other legislation that:</p> <ul style="list-style-type: none"> • Does not preempt local authority to manage the public ROW and be compensated for its use; • Maintains or increases the opportunity for revenue growth; and • Is technology neutral. 	<p>Protection of local authority to manage public rights of way (ROW) and receive compensation for any use of those facilities continues to be at the forefront of the League's telecommunications agenda. The League's "Oregon Municipal Policy" generally asserts local government Home Rule authority and specifically refers to the telecom management and compensation authority of Oregon cities.</p> <p>Since 1989 state statute has caused a disparity between certain types of telecommunications providers with regard to how franchise fees are collected. The League's preference is equity between all providers using the ROW, but with continued local ability to negotiate individual franchise agreements with individual service providers.</p> <p>During the 2013 legislative session the League supported efforts by Comcast to enact legislation doing away with the disparity. HB 2455 would have repealed ORS 221.515, thus allowing cities to charge all telecommunications in the same manner. The proposal received a hearing but was not approved in committee.</p> <p>The committee chair may be interested in re-introducing the proposal in 2015. However the telecom industry, this time including Comcast, is likely to introduce legislation</p>

LOC Policy Committees' Legislative Recommendations

	dealing with the disparity in a manner that cities may find objectionable, including rate caps on an overly narrow revenue base and other policies that could infringe upon both management and compensation authority and negatively impact city revenues.
<p>R. Oppose legislation preempting the ability of cities to manage and receive compensation for the use of a public ROW including:</p> <ul style="list-style-type: none"> • Establishment of a “one-size-fits all,” state-wide franchise fee policy and collection system. • Prohibition of a city’s authority to levy franchise fees on other local government entities. 	<p><i>Same as above.</i></p>
Transportation	
<p>S. Pass a comprehensive transportation funding and policy package containing the following elements:</p> <ul style="list-style-type: none"> • A gas tax increase of up to 5 cents/gallon. • Index the gas tax either to the consumer price index or some other accepted and relevant economic index. • Continued development and expansion of the state’s commitment to a transportation user fee based on vehicle miles traveled (VMT). • License plate fee increases to include lightweight trailers. • No change in the constitutional dedication of State Highway Trust Fund dollars to highway, road and street projects (Article 9, Section 3a, Oregon Constitution). • New revenues coming to the State Highway Trust Fund should continue to be split between the state, counties and cities 50%-30%-20% respectively. • Increase in the statutory (ORS 366.805) “Small City Allotment” fund from \$1 million to \$5 million annually, split evenly between the Oregon Department of 	<p>The League of Oregon Cities agrees that the state’s transportation system and the policy and funding programs that support it must be multimodal in scope. The League will therefore support and work to achieve passage of legislation in 2015 that seeks to address funding and policy initiatives relating to all modes (streets, bike/ped, transit, rail, aviation and marine) and in so doing addresses such issues as:</p> <ul style="list-style-type: none"> • Connectivity • Safety • Jobs and economic development • Transportation impact on climate change • Active transportation and public health <p>Given the fact that maintenance and preservation needs have outpaced the resources available for streets, roads and highways, and given the threat that represents to investments already made in the transportation system, the League will insist on a transportation package that increases and makes more sustainable the ability of all government jurisdictions to preserve and maintain these assets.</p> <p>Note: The Small City Allotment has not been increased since its inception in the early 1990’s. The additional revenue to cities from the 2009 Jobs and Transportation Act did not increase road funding for small cities.</p>

LOC Policy Committees' Legislative Recommendations

<p>Transportation (ODOT) and the cities' share of the trust fund.</p> <ul style="list-style-type: none"> • No restriction, moratorium or preemption of local government ability to generate their own revenues for transportation funding. • Adequate funding for the maintenance and preservation of "orphan highways" in Oregon as part of a more robust jurisdictional transfer program. 	
<p>T. Continued or enhanced funding for <i>ConnectOregon</i></p>	<p><i>ConnectOregon</i> is the state's premier multi-modal funding program, and is funded out of lottery revenues.</p>
<p>Water/Wastewater</p>	
<p>U. Support efforts and program funding to address Oregon's long term water supply needs including recapitalization of the Water Conservation, Reuse and Storage Grant Program and implementation of a place-based pilot program for local water resources planning</p>	<p>According to the Oregon Water Resources Department, 2013 marked the fourth driest year on record for Oregon, with some areas experiencing their driest year on record yet. Oregon experienced below average precipitation in 2013 and continuing into 2014. As of May 2014, snow measurement sites in many part of Oregon show record lows for snowpack levels. As a result, summer streamflows are expected to be below average and water shortages are likely for many part of Oregon.</p> <p>The League will work in conjunction with the Oregon Water Resources Department to fund programs to address water supply shortages. These efforts will include support for ongoing funding of the Water Conservation, Reuse and Storage Grant program which provides grant funding for water supply project feasibility studies. The League will also support efforts for the Oregon Water Resources Department to establish a place-based planning pilot program to facilitate local collaboration among interested stakeholders and the creation of a blueprint for long-term integrated water resources planning and implementation.</p>
<p>V. Support efforts to establish a program that would provide low-interest loan opportunities to address failing residential onsite septic systems. The new loan program would support repair and replacement of failing systems or conversion to a municipal wastewater system, if the conversion is at the request of the impacted municipality.</p>	<p>According to the Oregon Department of Environmental Quality, over 30 percent of Oregonians rely on septic systems to treat wastewater from their homes and businesses. Many of these systems are within the boundaries of a municipal wastewater system, and a number of these systems are in need of repair or replacement. Failing septic systems, especially those within proximity to groundwater resources, create a significant human health hazard. However, significant costs to address failing septic systems often create a burden for homeowners who are unable to pay for costs associated with repair, replacement or conversion over to a public sewer system.</p> <p>The League will work with the Oregon Department of Environmental Quality to establish a revolving loan program that private residents can access in order to address failing septic systems. The League will further advocate that the program include mechanisms to encourage participants to convert over to a municipal wastewater system if conversion is at the request of the impacted municipality.</p>

City: _____

Please mark 4 boxes with an X that reflects the top 4 issues that your city recommends be added to the priorities for the League's 2015 legislative agenda.

Community Development

- A. Provide tools for brownfield remediation including \$10 million in recapitalization of the redevelopment fund, new incentives such as tax credits, or regulatory modifications.
- B. Support capitalization of the industrial site readiness loan program at \$10 million and the industrial site readiness assessment program at \$200,000.
- C. Prioritize grants providing assistance for natural disaster planning and updating comprehensive plans to address likely natural disasters in a community, and increase the grant funds available to cities through the DLCD's general grant funds to \$2 million.
- D. Reform the Post Acknowledgment Plan Amendment process to require appellants to raise issues before the local government before raising the issue on appeal.

Energy

- E. Modify the existing "1.5% green energy technology for public buildings" requirement to allow for offsite solar investments.
- F. Support efforts to eliminate the sunset on the Low Carbon Fuel Standard program.

Finance & Taxation

- G. Phase out the 3% discount for the early payment of property taxes.
- H. Improve the fairness of how new and improved property is added to the tax roll.
- I. Improve clarity and certainty around transient lodging tax statute.

General Government

- J. Reform Oregon's recall procedures to encourage a greater participation of the electorate and ensure that it is used for reasons involving misconduct.
- K. Allow for price comparison when procuring architects and engineers.
- L. Clarify and enhance medical marijuana dispensary regulations.
- M. Enhance mental health services.

Human Resources

- N. Ensure that arbitrator awards are in compliance with state, as well as local policies.
- O. Ensure that collective bargaining agreements trump state mandates on police investigations.
- P. Require earlier submission of last best offer.

Telecommunications

- Q. Support the reintroduction of legislation that repeals ORS 221.515.
- R. Oppose legislation preempting the ability of cities to manage and receive compensation for the use of a public ROW.

Transportation

- S. Pass a comprehensive transportation funding and policy package.
- T. Continued or enhanced funding for *ConnectOregon*.

Water/Wastewater

- U. Support efforts and program funding to address Oregon's long term water supply needs including recapitalization of the Water Conservation, Reuse and Storage Grant Program and implementation of a place-based pilot program for local water resources planning.
- V. Support efforts to establish a program that would provide low-interest loan opportunities to address failing residential onsite septic systems. The new loan program would support repair and replacement of failing systems or conversion to a municipal wastewater system, if the conversion is at the request of the impacted municipality.

Note: As indicated, property tax and land use reform will remain as priority efforts.