

**CITY COUNCIL AGENDA
NOVEMBER 17, 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

Pages 1- 14

V. SPECIAL PRESENTATION

Pages 15-16

1. Recognition of Russ Thomas, Public Works Superintendent for the William A. Bowes Service Award from the Oregon Chapter of the American Public Works Association.
2. Comcast Presentation: Internet Program options for impoverished kids

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. Approve the November 3, 2014 City Council meeting minutes. Pages 17-19
2. Approve the Mayor's recommendation of appointments to City committees. Pages 20-23
3. Approve **Resolution No. 2014-3169**, A Resolution amending Rule 5.6 Public Comments in the City of Newberg Council Guidelines. Pages 24-26
4. Instruct staff to abate a nuisance at 516 & 516 ½ N Morton Street. Pages 27-34

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

VIII. NEW BUSINESS

- 1. 1st quarter Chehalem Valley Chamber marketing report Pages 35-39
- 2. **Resolution No. 2014-3170**, A Resolution approving an Enterprise Zone Application Pages 40-44
- 3. Newberg Downtown Coalition Transformation Report Pages 45-49

IV. COUNCIL BUSINESS

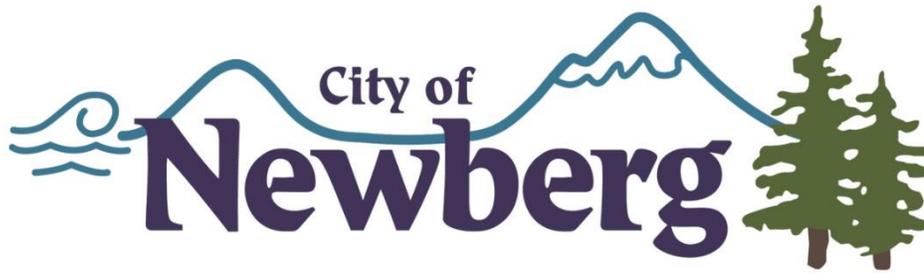
- 1. Councilor appointment to Newberg Urban Area Management Commission

V. 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 two business days 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. Written testimony can be submitted to the Council the night of the meeting except for a land use hearing process, which has different guidelines.

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.



CITY MANAGER REPORT

- The City continues to work with ODOT in finalizing an IGA for the Bypass project. We have made it a priority as Interim City Engineer Gerald Fisher, Public Works Director Jay Harris and I met to review their proposed changes and consolidate our comments. However it is now in the hands of their Department of Justice (DOJ) Legal Department.

One issue we are experiencing is that they sent the document in a PDF format so we cannot go in and track changes. We have encouraged them to send it in MS Word format which allows us to be more efficient in our turnaround time, since we would have tracking ability. Once DOJ has sent us their final copy we will have City Attorney Stone review it and then bring it to Council for a recommendation. We are committed to getting this IGA correct as we do not want the City exposed to any unforeseeable financial pitfalls.

- I “job shadowed” in the Library to become acquainted with the staff and services that we provide (i.e. children’s library programs, circulation, volunteer projects, and cataloguing of resources). I was especially intrigued to learn of the variety of “types of cards” that are available, from a Kindergarten Card, Baby Card, Temporary Card, to a Person Without a Permanent Address Card or an Educator Agency Card (etc.), that is available to accommodate almost any person interested in library services.

I am also amazed at the depth of longevity and experience the City has been able to retain in library staffing, with the average tenure being 13 years (over half of the staff having 10-25 years of service). Newberg and its surrounding areas are fortunate to have access to this resource. It is unfortunate that we have had to cut hours of service and the purchase of books and materials because of declining general fund revenues.

- During my monthly meeting with Library Director Leah Griffith she briefed me on a new volunteer group that has formed called (unofficially), *Art in Public Spaces*. They are creating a mission statement and entities involved include George Fox College, Cultural District, Downtown Coalition, Art Elements, and the Library (City). The Cultural Center would serve as the non-profit to receive funds and the art would be funded from community donations. I have asked Ms. Griffith to provide more detail on this great opportunity when she presents her Department Report at the December 1st Council Worksession.
- On behalf of the Newberg Cultural District (District) the City submitted a grant application to Cycle Oregon in the amount of \$10,000 for artistically designed bike racks. In their application it states, *“This project will add artist designed bicycle racks to the Newberg Cultural District. The racks will not only provide a safe place for bicycles to secure their rides while attending events in the district, but the artist designed racks will add to the appearance and cultural ambiance of the district.”*

There is no fiscal impact to the City. If the District (we) are successful in obtaining the grant funds they will be a pass-through. As many of you know, partnerships enhance a successful application. The City owns the Newberg Public Library properties and the public streets and sidewalks in the district and will partner with the following organizations to bring the project to fruition;

- ✓ Chehalem Park & Recreation District
- ✓ Chehalem Cultural Center
- ✓ Newberg Walk and Bike Committee (City of Newberg)
- ✓ Newberg’s Farmer’s Market
- ✓ Newberg Public Library

- At the last Council meeting I mentioned that staff was putting together a flyer on the establishment of the Communications Officer Public Safety Fee (COPSF) and January 2015 utility bill increases. At the end of this report I have attached a copy of the flyer (Attachment “A”). It will go out Citywide to all addresses on November 20th. The flyer will also be sent a second time in the utility bills on December 3rd. We will post it on the City’s Facebook page several times and on the website.

It was brought to my attention that some in the community question why the City of Dundee does not have to pay the COPSF? As a reminder, we contract for police and communications services with the City of Dundee and the Chief will be negotiating a new contract after the first of the year. Part of that contract assessment will factor in additional costs for dispatch services.

- Utility Billing Update: Also included at the end of my report is a copy of the Utility Billing schedule for November 2014 through March 2016 (Attachment “B”). Some highlights:

- Billing date is always on the 1st of the month.
- Due date is always on the 30th of each month (except February).
- Grace period is always until the 8th of each month.
- Delinquent letter is mailed on the 9th unless it is a weekend (if this is the case, it will be mailed the following Monday).
- Shut-off dates are either on the 3rd or 4th Thursday of each month dependent upon what day the 1st of the month falls on.

The calendar updates will go out as an insert in the December 1st billing statements and it will get posted on the website. We will also encourage customers to “Go Green” by signing up for electronic (email) statements. In regards to online payments, customers are instructed to NOT pay online if their account is past due via delinquent letter and the online portal for payments. The City’s phone message does not include instructions for the type of payments recommended.

We will have an additional temporary person this month for the week of shut-offs to assist the utility billing staff and we will keep that option open for next month as well. The staff has assured me that they will continue to find and implement process improvements as they move to streamline billing efforts.

- The Chehalem Valley Future Focus Committee Administrators decided to reconvene on a monthly basis and I attended my first meeting as the City’s representative. Other entities include the City of Dundee, Chehalem Parks and Recreation District, The Newberg Public Schools, Yamhill County, and Portland State Community College. This is the committee that developed the “*Beyond the Vision, The Chehalem Valley in 2020 Strategic Plan*” (Plan). It was a cooperative governmental effort and part of the report was funded with a grant from the Oregon State Lottery through the Mid-Valley Community Development Partnership for the purpose of promoting economic and community development.

The Plan was adopted by all entities in 2004 and now it is time to review it, identify projects that have been completed, and perhaps begin refreshing the Plan. We will have check-in points for policy makers and I will make sure that those are brought forth to you when necessary.

- Mayor Andrews, City Recorder Ryan and I met to outline an agenda for a City Council/Department Head Retreat. At this time I would ask that all returning Councilors (and the two new ones) and Department Heads “save the date” for Friday January 23rd from 6:00 pm until 9:00 pm and Saturday January 24th from 8:30 until 4:30 pm. Location to be determined.

I am conducting a Department Head Retreat on November 19th as a prelude to the one in January. Our retreat will focus on preparing departmental presentations to the new Council so there is a unified understanding of future needs and reviewing our current financial condition to begin the process of preparing a general fund long range balancing strategy.

In January the City will begin disseminating a monthly electronic newsletter so part of the retreat will also focus on preparing a production timeline, identifying “standing articles” and article topics and assignments throughout the year. Internally staff will continue to plan the Council/Department Head Retreat and after the holidays we will provide logistics and an agenda.

- I attended the Local Government Dinner in Carlton. I didn’t get the memo that we were supposed to wear costumes...but there were a few Elvis’ that did.
- Speaking of costumes, I rode with a couple of police officers Halloween evening and no, it wasn’t so I would not have to buy candy to hand out at my home. I enjoy getting out when my schedule allows to job shadow and I am still trying to meet all of the City employees. I was thrilled to see the amount of trick-or-treaters enjoying a safe outing in the Downtown area.
- I am still in the process of hiring a new Finance Director. We have interviewed three candidates and there are two more scheduled the week of Thanksgiving. The Public Works Director has completed interviews for a new City Engineer and has received authorization to offer employment to the panel’s top applicant. I will keep you updated on that process. By the time you get this report, we will have also interviewed Community Development Director applicants and if I make an offer I will update you verbally at the Council meeting.
- I met with Karl Kemper, Chair of Yamhill County Mediators. Because the City allocates funds to their program he wanted to make sure I had a clear understanding of their mission. He provided me the most recent case statistics report for Newberg and information that also demonstrates how their request for funding is generated based on the cases supported. I have attached this

information at the end of my report (Attachment "C"). I apologize if it is repetitive however I am not sure you received it before my arrival or not.

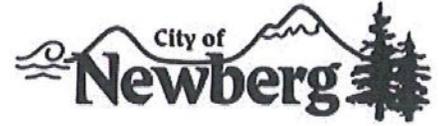
- I presented a "State of the City" report to City Club.
- Finally I can't think of a better way to end this report than by saying that I thoroughly enjoyed witnessing/participating in a "Burn to Learn" on Dog Ridge Road. Councilor Woodruff also attended and I know she found it as rewarding as I did. We both put on turnouts, complete with oxygen tanks and masks, and were invited into the house as our instructors did controlled fire training with our new and seasoned volunteers.

It was an inferno at times and I was amazed that you virtually cannot see anything in a burning building. We had to stay low and/or crawl, know our surroundings, and most importantly respect the flame. At times it felt surreal as I breathed in fresh air through a mask in the thick of the smoke; other times it felt like I was suited up like a scuba diver, but this was much heavier...no buoyancy, and I often wondered if I would have what it takes to be a firefighter. It's not just about you and the fire. It about your team and assuring everyone's safety and accountability while attacking the fire (wearing 50 lbs. of gear). I will have to get back to you on that question....

Anyway, as a city manager I believe it is very important to understand all aspects of the services our employees provide to the community and I am very proud of the career and volunteer firefighters we have in Newberg. I also want to thank Chief Hallman for giving Councilor Woodruff and I the opportunity to be part of the fire training. The City is very fortunate to have someone of his caliber as our Fire Chief.

Respectfully submitted,

Jacque M. Betz
City Manager



UTILITY BILL UPDATE

Effective January 1, 2015

Why are utility fees increasing?

- An inflation adjustment to the cost to operate, replace, and maintain the existing City water, storm-water, and wastewater treatment and conveyance systems.
- Payment of the debt from past capital projects such as the Corral Creek reservoir and the well field water line crossing under the Willamette River.
- Funding for the ongoing and proposed capital projects such as the repair, renovation, and expansion of the wastewater treatment plant, replacement of aging water wells, and seismic improvements to the North Valley Reservoirs.



City of Newberg's Corral Creek Reservoir

Current Projects

- Wastewater Treatment Plant Upgrade
- Wastewater Inflow & Infiltration Projects
- Wastewater Trunkline Replacements
- Reservoir Seismic Upgrades

How is the utility bill calculated?

This is an example of a typical Single-Family Residential home bill that has a consumption of 400 ft³ (2,992 gallons):

Water	
Service Charge -	\$ 1.93
Meter Charge (3/4") -	\$ 9.55
Volume Charge (400 x 0.0373) -	\$ 14.92
Total Water =	\$ 26.40

Wastewater (Sewer)	
Service Charge -	\$ 19.43
Volume Charge (400 x 0.0777) -	\$ 31.08
Total Sewer =	\$ 50.51

Fire Fee	\$ 1.50
Storm	\$ 7.96
Public Safety Fee	\$ 3.00
COPSF	\$ 2.00

TOTAL CHARGES = \$ 91.37

Newberg City Council adopted the fee increases in May 2014.

For more information, go to: www.newbergoregon.gov and look up the following resolutions:

Water Rates –
Resolution 2014- 3131

Wastewater Rates –
Resolution 2014-3132

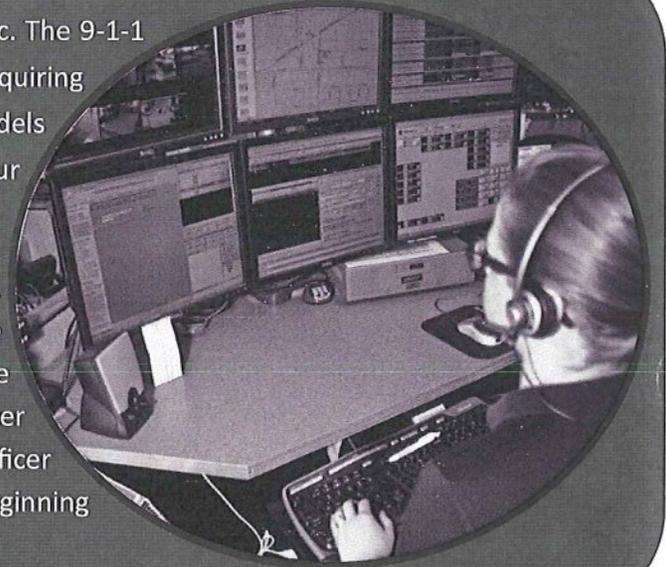
Stormwater Rates –
Resolution 2014-3133

Springs Water Rates –
Resolution 2014-3134

Why a Communications Officer Public Safety Fee?

The City of Newberg is dedicated to the safety of the public. The 9-1-1 Communication Department's current staffing levels are requiring mandatory overtime for employees. Workload analysis models have determined that the department needs two to four additional staff members to cover the current workload.

Newberg City Council adopted Order No. 2014-0035, establishing a Communications Officer Public Safety Fee (COPSF) in the amount of \$2.00 per month for the purpose of stabilizing funding for one existing communications officer and allowing the hiring of an additional communications officer on a permanent basis. The fee will be on your utility bill beginning January 1, 2015.



Public Safety Communication Facts

- * The Newberg-Dundee 9-1-1 Communications Officers receive and dispatch all 9-1-1 calls for Newberg-Dundee Police, Newberg Fire and EMS, Dundee Fire, and both Newberg and Dundee rural fire districts. 9-1-1 coverage area is about 100 square miles.
- * Communications Officers answer the business lines for Newberg-Dundee Police and after-hours for Newberg and Dundee public works emergencies.
- * In 2013, 9-1-1 Communications Officers answered and dispatched 10,103 9-1-1 calls. A total of 68,528 calls were processed by the dispatch center.
- * Quick efficient handling of 9-1-1 calls supports all of public safety, helping area responders make Newberg and Dundee one of the safest areas to live in Oregon.
- * Two Communications Officers are on at all times, serving an area population of approximately 35,000.
- * Current overtime costs are equal to the cost of one Communications Officer.
- * Communications Officers are experiencing stress and fatigue due to excessive overtime, putting citizens, police officers and firefighters at risk.
- * While it will help relieve some immediate strain within the 9-1-1 center, the new COPSF does not fully address the staffing needs long term. This is a stopgap measure until a permanent solution is found.

Consumption Month-YR	Day	Bill Date	Day	Due Date	Day	Grace Period Due Date	Day	Delinquent Letter Mailed	Day	Shut Off
September-14	F	10/03/2014	TU	10/28/2014	SA	11/08/2014	M	11/10/2014	TH	11/20/2014
October-14	SA	11/01/2014	SU	11/30/2014	M	12/08/2014	TU	12/09/2014	TH	12/18/2014
November-14	M	12/01/2014	TU	12/30/2014	TH	01/08/2015	F	01/09/2015	TH	01/22/2015
December-14	TH	01/01/2015	F	01/30/2015	SU	02/08/2015	M	02/09/2015	TH	02/19/2015
January-15	SU	02/01/2015	SA	02/28/2015	SU	03/08/2015	M	03/09/2015	TH	03/19/2015
February-15	SU	03/01/2015	M	03/30/2015	W	04/08/2015	TH	04/09/2015	TH	04/23/2015
March-15	W	04/01/2015	TH	04/30/2015	F	05/08/2015	M	05/11/2015	TH	05/21/2015
April-15	F	05/01/2015	SA	05/30/2015	F	06/08/2015	M	06/11/2015	TH	06/18/2015
May-15	M	06/01/2015	TU	06/30/2015	W	07/08/2015	TH	07/09/2015	TH	07/23/2015
June-15	W	07/01/2015	TH	07/30/2015	SA	08/08/2015	M	08/10/2015	TH	08/20/2015
July-15	SA	08/01/2015	SU	08/30/2015	TU	09/08/2015	W	09/09/2015	TH	09/17/2015
August-15	TU	09/01/2015	W	09/30/2015	TH	10/08/2015	F	10/09/2015	TH	10/22/2015
September-15	TH	10/01/2015	F	10/30/2015	SU	11/08/2015	M	11/09/2015	TH	11/19/2015
October-15	SU	11/01/2015	M	11/30/2015	TU	12/08/2015	W	12/09/2015	TH	12/17/2015
November-15	TU	12/01/2015	W	12/30/2015	F	01/08/2016	M	01/11/2016	TH	01/21/2016
December-15	F	01/01/2016	SA	01/30/2016	M	02/08/2016	TU	02/09/2016	TH	02/18/2016
January-16	M	02/01/2016	M	02/28/2016	TU	03/08/2016	W	03/09/2016	TH	03/17/2016

2012-13 NEWBERG CASE STATISTICAL SUMMARY ~ YCM COMMUNITY MEDIATION PROGRAM

CASE TYPE	# of Cases		# Newberg Residents Served	# Mediations	OPERATIONAL/STAFF EXPENSE distributed to Newberg cases	VOLUNTEER VALUATION (state rate)	
	Cases					Volunteer Mediator Hrs @ \$27.70	\$ Volunteer Services Value
Community: Neighbor-to-Neighbor	3		21	2	\$ 1,000	8	\$ 222
Community: Landlord-Tenant	5		15	-	\$ 1,000	-	\$ -
Community: Business, Workplace, Other	7		17	1	\$ 1,600	7	\$ 194
Family: Custody Disputes/Parenting Plans	11		46	4	\$ 2,800	24	\$ 665
Family: Parent/Adolescent	10		25	4	\$ 2,600	36	\$ 997
Family: Other	5		12	3	\$ 1,100	18	\$ 499
Small Claims	20		42	20	\$ 4,000	26	\$ 720
	61		178	34	\$ 14,100	119.0	\$ 3,296

\$ 17,396 TOTAL CASE SERVICES VALUE 2012-13	
\$ (3,296)	LESS 19% donated volunteer mediator services
\$ (2,083)	LESS 21% of Yamhill County annual contribution
\$ (6,063)	LESS 43% supported by grant income
\$ 5,954	Case Value Supported by City of Newberg funds

\$3,000 received from City of Newberg in 2012-2013
\$5,500 received from City of Newberg in 2013-2014

Case Referral Sources	
Courts, Small Claims	31
Self-referral / Word of Mouth	12
Law Enforcement	6
Housing Agencies	6
Former Clients	5
Social Services	4
Government Agencies	3
Schools	1

Supporting cases for Newberg residents represented
21% of YCM's FY2012-13 Budget of \$67,700

Request for FY2014-15 Program Support based on current 2013-14 YCM Budget	
\$ 15,069	21% of 2013-14 YCM Budget distributed to Newberg
\$ (2,083)	LESS 21% of Yamhill County annual contribution
\$ (4,432)	LESS 29% reduction from grant income, per FY2013-14 Budget
\$ 8,554	City of Newberg 2014 Contribution Request

Your Community Mediators of Yamhill County ~ FY2013-14 BUDGET SUMMARY	
INCOME	EXPENSE
Grants: OOCDCRC State Grant	Staffing Expense
Cities & County Contributions	Office Support
Donations, Service Fees, Fundraising	Travel & Meeting Expense
Contracts - Small Claims, Manufactured Parks	Contracted Services - Payroll, CPA
Volunteer & Family Trainings	Volunteer & Family Trainings
Reserve Account/Savings	
Total INCOME: \$ 72,354	Total EXPENSE: \$ 72,354

For FY2014-15 YCM is requesting just 54 cents per resident for ongoing program support to ensure that ALL Newberg residents have access to our valuable range of services ~ mediation, group facilitation, education ~ effective conflict resolution ~

YOUR COMMUNITY MEDIATORS OF YAMHILL COUNTY (YCM)

Peaceful Conflict Resolution Benefits Everyone

- For over 20 years Yamhill County residents, law enforcement and community organizations have used our conflict dispute resolution program as a “first resort” to peacefully resolve conflict.
- For the past six years, 100% of city councils in Yamhill County support YCM because they recognized the value of resolving conflict in their communities. Yamhill County Commissioners have formally defined mediation as an “essential service.” YCM receives annual grant support from the State through the Oregon Office for Community Dispute Resolution.
- YCM offers mediation training to residents through a Basic Mediation Training that meets State of Oregon standards once every two years at George Fox College; on alternate years through YCM.
- Conflict resolution education opportunities are provided at local schools (peer and teen mediation training) and at the Yamhill County Juvenile Detention Center. Family Meeting Workshops give families effective communication tools to address family relationship issues peacefully and respectfully.
- Trained volunteer mediators provide mediation, facilitation and educational services which keep mediation available at no or low cost to all YC residents. Volunteer mediators devote over 1000 hours each year.
- YCM’s minimal budget for operations and one employee is significantly leveraged by volunteer support, addressing up to 250 cases annually. Over 700 county residents were directly served in mediations and facilitations last year.

Types of Mediations YCM provides

- | | |
|---|--|
| ○ Teen and adult/Parenting plan updates | ○ School relationships/Truancy |
| ○ Family situations/Elder issues | ○ Animal control, barking dogs |
| ○ Consumer and merchant disputes | ○ Landlord/Tenant issues |
| ○ Workplace and business issues | ○ Property boundaries, harassment, noise |
| ○ Juvenile petty crime, vandalism, litter | ○ Neighborhood issues, parking |
| ○ Juvenile Victim/Offender cases | ○ Small Claims disputes |

EFFECTIVENESS OF MEDIATION

- The National Crime Prevention Council, together with community and county law enforcement personnel, have stated that they believe mediation is a key crime prevention tool.
- Mediation prevents disputes from escalating. It cultivates problem-solving skills and positive relationships within families, neighborhoods, businesses and communities.
- The cost of mediation is significantly less than repeated involvement by law enforcement and the courts.
- The likelihood that mediated agreements will be fulfilled is much higher than if a resolution is imposed by an outside party or judgment.
- YCM is able to address urgent cases quickly – in some cases successful mediations have been accomplished on the same day that YCM was contacted for assistance.

YCM IS A 501C3 NON-PROFIT ORGANIZATION – DONATIONS ARE TAX DEDUCTIBLE



UNIVERSITY OF OREGON
School of Law

The Oregon Office for Community Dispute Resolution



2011–2013 Biennial Report

Mediation programs help provide healthy responses to conflict, which otherwise cost a lot of money to resolve and can ruin relationships. Mediation is efficient, cost-effective, and adds value to the state through building grassroots conflict resolution capacity.

Overview

Housed within the Appropriate Dispute Resolution Center at the University of Oregon School of Law, the Oregon Office for Community Dispute Resolution (OOCDR) supports seventeen community dispute resolution centers (CDRCs) in twenty-five Oregon counties through grant-making, consultation, training, research, technical assistance, networking, and collaborative activities and initiatives.

OUS Student Contributions

In 2011–2013, students from the University of Oregon, Portland State University, Southern Oregon University, and Western Oregon University contributed 5,119 hours in projects with OOCDR and CDRCs around the state. Students participated in mediations and restorative justice dialogues, designed school-based peer-mediation programs, and conducted research on improving access to services in Latino communities.

“Western Oregon University student interns provide valuable contributions to our program. Their commitment to peacemaking enhances grassroots conflict resolution capacity in our community.”

—Victim Offender Reconciliation Program of Polk County

Case Study: Youth Accountability

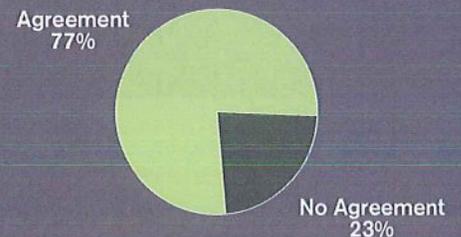
A seventeen-year-old boy stole \$553 worth of goods from a convenience store. Rather than resolving the matter in court, the owner agreed to work out a restitution plan through a restorative justice dialogue. In the meeting, after hearing the impact of his actions, the youth offered his sincere apologies. When the owner asked him to share his plans for the future, he said he wanted to graduate from high school but was going through a rough time at home and was having trouble getting passing grades in some of his classes. The owner made an offer: for every A grade, \$100 would be deducted from the total amount. The entire amount would be forgiven if the youth graduated from high school. However, if he had any unexcused absences or got into trouble with the law again, the full amount of restitution would be due. Post-session surveys indicate that by giving this youth a second chance, his grades have improved and he is on track to graduate.

Value

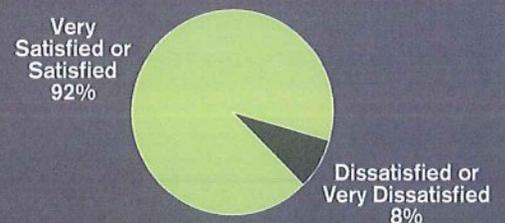
The following table summarizes aggregate data for 2011–2013 activities.

Total information and referral inquiries	5,732
Total number of cases	9,363
Number of people receiving dispute resolution services	24,724
Percentage of clients reaching settlement through mediation or conciliation efforts	77%
Number of volunteers	1,593
Number of volunteer hours	44,698
Number of conflict resolution citizen and school education programs	1,326
Number of participants in conflict resolution education programs	21,616

Mediation Settlement Rates



Mediation Satisfaction Rates



Case Study: Oregon's Education System

The Oregon Education Investment Board (OEIB) invited citizens to give input about ways to improve student success in Oregon's public education system from kindergarten through college. In a joint partnership, local CDRCs teamed with Oregon Consensus to provide facilitation support for seven public meetings held around the state. The OEIB gained valuable information, which was used to develop strategic initiatives for enhancing educational achievement. Collaboration between community dispute resolution centers and Oregon Consensus reduced project costs, minimized the environmental impacts of travel, and established a replicable partnership model for other public policy projects in Oregon.

Case Study: Probate and Guardianship

Four adult siblings and their attorneys disagreed over who should be appointed permanent guardian of their elderly mother, recently diagnosed with dementia. Their conflict had escalated into toxic communication patterns: accusations of lying, broken trust, and damaged relationships. In mediation, the lines of communication opened up and an agreement was reached; the daughter would be appointed guardian, and a professional conservator would be appointed to manage the finances. Mediation helped repair relationships and refocused the siblings on reaching agreements that were in their mother's best interests.

Court Testimonial

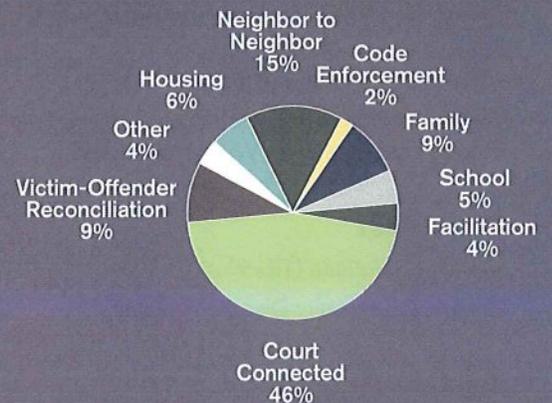
"Mediation is a viable tool for the citizens of our community to work through disputes, and provides a real savings for litigants, emotionally and financially. Our judges rely heavily on mediation to constructively resolve conflicts and reduce the number of civil court cases on our dockets."

—Michelle Leonard, Trial Court Administrator for Union and Willowa County Circuit Courts

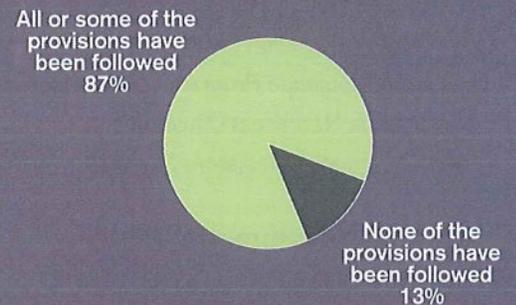
Case Study: Sweat Equity Breaks Logjam

A young man owed his elderly landlady three months back rent. Before filing eviction proceedings, she agreed to mediate. In mediation, the tenant revealed that he had been unable to keep up with the rent after he was laid off his job as a logger. He said he had a strong work ethic and prided himself on honoring his commitments. When the landlady told him she heated her home with wood, they struck a bargain; he agreed to provide her with three cords of hardwood in exchange for the back rent. Relationships and goodwill were restored with a creative out-of-court solution.

Case Types

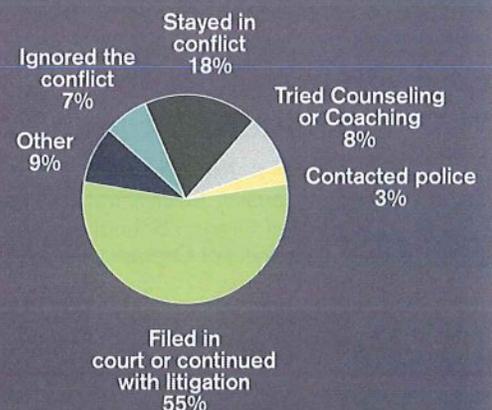


Durability of Mediation Agreements over Time



Alternatives to Mediation

If mediation services had not been available, clients would have



Community Dispute Resolution Centers

Central Oregon and Columbia Gorge

Central Oregon Mediation (Crook, Deschutes, Jefferson)	541-383-0187
Six Rivers Community Mediation (Gilliam, Hood River, Sherman, Wasco, Wheeler)	888-628-4101

The Coast

Conflict Solutions (Tillamook)	503-842-1812
Lincoln Community Dispute Resolution	541-574-9846

Eastern Oregon

Blue Mountain (Umatilla)	541-612-0092
Eastern Oregon Mediation Center (Union)	541-786-0270

Portland Metro Area

Beaverton Dispute Resolution Center (Washington)	503-526-2523
Clackamas County Resolution Services	503-655-8700
East Metro Mediation (Multnomah)	503-618-3247
Hillsboro Mediation Program (Washington)	503-615-6651
Resolutions Northwest (Multnomah)	503-595-4890
Your Community Mediators (Yamhill)	503-435-2835

Southern Willamette Valley

Community Mediation Services (Lane)	541-344-5366
Neighbor to Neighbor (Benton, Linn, Marion)	503-585-0651
Victim Offender Reconciliation Program (Polk)	503-623-3111

Southwest Oregon

Mediation Works (Jackson, Josephine)	541-770-2468
Neighbor to Neighbor (Coos, Douglas)	541-751-9666

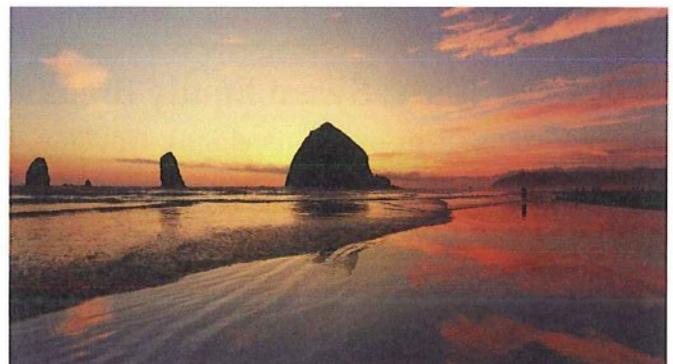
Oregon Office for Community Dispute Resolution

Carrie Heltzel, Administrator
Patrick Sponsler, Administrative Assistant
University of Oregon School of Law
1221 University of Oregon
Eugene, Oregon 97403
541-346-1623
oocdr.uoregon.edu

Community Dispute Resolution Centers are sanctioned under the Oregon Revised Statutes, Chapter 36.

Quotes from Clients

- “Mediation helped make the situation manageable—a practical, pragmatic approach.”
- “Your services are priceless. Thank you for what you’ve done.”
- “We were able to talk to each other; we are good neighbors again.”
- “[I am] a wholehearted supporter of mediation as an alternative to going to court.”
- “Solid results.”
- “It beats going to the cops!”
- “Brought a stalemate to a workable solution; very helpful.”
- “The most positive thing I’ve ever done.”
- “We have learned to speak more respectfully to each other, even when we don’t agree.”
- “Positive experience; put a face to what happened. When I saw the offender was a kid, it reminded me I made mistakes in the past too!”



REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: November 17th, 2014

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

**SUBJECT: Recognition of Russ Thomas,
Superintendent of Public Works Maintenance**

Contact Person (Preparer) for this
Motion: Jay Harris
Dept.: Public Works
File No.:

INFORMATION:

There will be a presentation on the recent award earned by Russ Thomas, the City's Superintendent of Public Works Maintenance.

He received the William A. Bowes Service Award from the Oregon Chapter of the American Public Works Association (APWA).

PRESIDENT

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WH Pacific
9755 SW Barnes Road, Ste 300
Portland, OR 97225
Phone: (503) 372-3518

PRESIDENT-ELECT

Todd Watkins
Washington County
1400 SW Walnut St MS51
Hillsboro, OR 97123-5625
Phone: (503) 846-7650

SECRETARY

Russ Thomas
City of Newberg
500 W 3rd Street
Newberg, OR 97132
Phone: (503) 537-1233

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Delora Kerber
City of Wilsonville
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Wilsonville, OR 97070-6499
Phone: (503) 570-1542

IMMEDIATE PAST PRESIDENT

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Phone: (503) 419-2500

Oregon Chapter APWA
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Bend, OR 97708-6898
Phone: (541) 894-3201
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News Release

October 27, 2014

Contact: Eric Jones, Communications Committee, 541-682-5523

For Immediate Release

Thomas Earns Top Award from Oregon Public Works Association

Russ Thomas, Superintendent of Public Works Maintenance at the City of Newberg, has received the William A. Bowes Service Award from the Oregon Chapter of the American Public Works Association (APWA).

Thomas received the chapter's highest honor in a special presentation at the chapter's fall conference in Pendleton on Oct. 16. In presenting the award, Mark Schoening, the 2013 recipient and Eugene city engineer, credited Thomas as "the go-to person for many of the services his department provides."

"As the Public Works maintenance superintendent for the City of Newberg, he and his crews pretty much do it all – maintenance and operation of streets, storm drainage, public facilities including grounds, wastewater collection and water distribution systems for a City of over 22,000 residents. On call 24 hours a day, 7 days a week, 365 days a year," Schoening said. "And through the services that he and his team provide, they make the lives of the citizens of Newberg better every day."

"I am honored to have been selected to be included in the company of the past recipients of the William A. Bowes Award, Thomas said." I hope to continue to live up to the high standards they have all set in their service to the members of the Oregon Chapter of the American Public Works Association, and to the greater public works community that we all serve throughout the state of Oregon."

Thomas has been active in Oregon APWA for over 18 years and currently serves on the Board of Directors as the chapter secretary. He is also a member of the Oregon Utility Notification Center Board of Directors. He is an advocate for alternative fuel fleets has helped organize several nationally recognized alternative fleet vehicle conferences in Oregon.

Thomas is passionate about education and has worked tirelessly to raise funds for the Oregon APWA scholarship fund. He teaches at public works trainings and has been instrumental in bringing national trainers to Oregon for high quality and affordable utility locate training.

Thomas has coached numerous youth teams and over the years has served as president of Little League, Babe Ruth and the Newberg High School Booster Club. He served as president of the Newberg Old Fashioned Festival for four years, is an active member of the St. Paul Rodeo Association and is past president of the St. Paul Parochial School Parent Teacher Association.

William Bowes was a Portland City commissioner from 1939 to 1969. He was described by his peers as a "man of unique energy and drive and a formidable adversary on any issue or in any campaign, while spending his career working to make Portland a better city."

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: November 17th, 2014

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

SUBJECT: Minutes

**Contact Person (Preparer) for this
Motion: Sue Ryan, City Recorder
Dept.: Administration
File No.:**

RECOMMENDATION:

Approve City Council minutes from November 3rd, 2014.

**CITY COUNCIL MINUTES
NOVEMBER 3, 2014, 7:00 PM
PUBLIC SAFETY BUILDING (401 E. THIRD STREET)**

A work session was held at 6:00 p.m. preceding the meeting. A presentation was given by Jason Wuertz, Civil Engineer, on the Repair, Renovation and Expansion of the Newberg Wastewater Treatment Plant. He said the plant requires improvements to meet current and projected growth flows and loadings. Major improvements include: a fourth secondary clarifier, an expanded influent pump station, a new headworks facility, an improved dewatering system, new oxidation ditches, the chlorine gas disinfection system being replaced with a liquid disinfection chemical, replacing the aging dechlorination system, expanding the disinfection contact tank and various site improvements. These improvements have taken place from 2009 until now.

He said the schedule includes finishing substantial completion on the plant by March of 2015. He explained the CM/GC contracting approach and benefits on the project. The next steps for the plant include a Phase III design and construction, an oxidation ditch expansion, a disinfection contact tank expansion, chlorination /dechlorination system improvements and other site improvements.

Council Business:

Mayor Andrews said they will have Councilor Woodruff handle the roving gavel during the next meeting for the topic of the Enterprise Zone. He encouraged everyone to attend the Police Department's Polar Plunge event for Special Olympics on Wednesday night at the local Burgerville.

All Councilors, the Mayor, City Manager, City Attorney, City Recorder, Public Works Director, Interim Planning and Building Director and Jason Wuertz, Civil Engineer were present. No action was taken and no decisions were made.

Mayor Andrews recessed the meeting at 6:40 p.m.

I. CALL MEETING TO ORDER

Mayor Andrews called the meeting to order at 7:00 p.m.

II. ROLL CALL

Members Present: Mayor Bob Andrews
Bart Rierson
Ryan Howard

Denise Bacon
Stephen McKinney

Mike Corey
Lesley Woodruff

Staff Present: Jacque Betz, City Manager
Sue Ryan, City Recorder

Truman Stone, City Attorney

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

Ms. Jacque Betz, City Manager, said her report was submitted to the Council in the packet. She updated the Council on the Public Safety Fee information. She said the City won't be collecting it until December and staff have met to design a flyer on the rate changes and utility billing changes. She said this was an example of where

they wanted to proactively update everyone on the changes. She said an inquiry was made about the rate change being referred via CRRC to a vote of the people. She said City Attorney Stone had reviewed it and it was a new fee not an increase.

V. PUBLIC COMMENTS

Zack Gallinger–Long spoke about the poor services in the City permit department. He said City of Newberg had issues with a building inspector and the services he provides for them. He said this service does not meet the city’s mission.

VI. CONSENT CALENDAR

MOTION: Rierson/Corey moved to approve the October 20, 2014 City Council meeting minutes and approving **Resolution No. 2014-3168**, A Resolution authorizing the City Manager approving the written performance evaluation of the City Attorney. Motion carried (7 Yes/0 No)

VIII. NEW BUSINESS

Mayor Andrews said he had moved this item from the Consent Calendar because he wanted it reworded. He asked the Council what they thought.

There was discussion on how early material should be submitted for the Council to consider it, the change in the publication of the agenda, and how information is sent to councilors.

CA Stone said he reminded these are internal rules but there are other statutory requirements that aren’t governed by the Council Rules. He suggested Council let staff revise the item and bring it back for consideration.

There was discussion on public notice requirements and how to proceed.

MOTION: Andrews/Rierson moved to table Resolution No. 2014-3169, and bring it back at the November 17 Council Agenda for consideration. Motion carried (7 Yes/0 No)

IV. COUNCIL BUSINESS – was conducted earlier during the Work Session.

V. ADJOURNMENT

The meeting adjourned at 7:35 p.m.

ADOPTED by the Newberg City Council this 17th day of November, 2014.

Sue Ryan, City Recorder

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

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: November 17, 2014

Order ___ No.	Ordinance ___ No.	Resolution ___ No.	Motion <u>XX</u>	Information ___
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SUBJECT: Multiple Committee Appointments

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

RECOMMENDATION:

To consent to the Mayor's appointment of the Committee members as listed in the Executive Summary.

EXECUTIVE SUMMARY:

Public notice of these vacancies was posted in City buildings, at local businesses, published in the local paper and radio station, posted on the City's website and sent out electronically to several local e-mail listservs.

Affordable Housing:

The Affordable Housing Commission is a three member commission with one position open with a term that will expire December 31, 2017. Its mission is to review applications for Newberg Affordable Housing Trust Funds. There were two applicants.

The Mayor recommends:

1) Reappointment of Steve Comfort to the Affordable Housing Commission for a term from January 1, 2015 to December 31, 2017. Mr. Comfort is a 40-year resident of the community and works at SP Fiber. He has served on the Affordable Housing Commission as well as the Newberg Affordable Housing Trust Fund Commission. He has been a volunteer for more than 11 years for the Newberg Fire Department. His interest in serving on the commission is to make sure money goes to improve neighborhoods by giving someone pride in owning a home. He wants the commission to be a step in making low income areas more livable.

Budget:

The Newberg Budget Committee is a seven member committee that has two positions with terms expiring December 31, 2017. Its mission is to ensure a balanced budget, which makes our City government viable. There were three applicants.

The Mayor recommends:

1) Reappointment of Jack Reardon to the Budget Committee for a term from January 1, 2015 to December 31, 2017. Mr. Reardon is a nine-year resident of the community, is a retired property manager at Washington Square. He has served on the budget committee since 2006. His interest in serving on the committee is to contribute to the community in a productive way by using his extensive background in business budgeting.

2) Reappointment of Lon Wall to the Budget Committee for a term from January 1, 2015 to December 31, 2017. Mr. Wall is a 35-year resident of the community and owns Corvair Underground. He has served on the Planning Commission, Citizen Rate Review and Downtown Committee. He has served on the budget committee since 2006. His interest in serving on the committee is to continue helping with this challenging process.

Citizens Rate Review:

The Newberg Citizens' Rate Review Committee is a seven-member committee that has three positions open, one due to the election of a member to Council. One term will expire June 30, 2016 and two terms will expire June 30, 2017. Its mission is to review Newberg's utility rates and ensure a balanced budget, which makes our City government viable. There were four applicants.

The Mayor recommends:

1) **Appointment of Bill Rourke to the Citizens Rate Review Committee for a term from January 1, 2015 to June 30, 2016.** Mr. Rourke is a 49-year resident of the community and is a retired clinical microbiologist. His background includes managing a large component of the OHSU and Providence Health and Services laboratory for more than 40 years including working closely with budgets as well as setting fees for provided services. He also serves on the Board of Directors at Friendsview Retirement Community for over 30 years including 3 years as Chair. He is also actively involved with his churches finance committee.

His interest in serving on the committee is to help the City in moving toward a sustainable funding base. He feels the recent changes made by the CRRC and the City Council with regard to the review and adjustment in fees for water and sewer services is healthy and a good change from the past. He respects the citizens' right to question the fees charged but would work hard to communicate the long-term need to maintain these critical services.

2) **Appointment of Marilynn Van Grunsven to the Citizens Rate Review Committee for a term from January 1, 2015 to June 30, 2017.** Ms. Van Grunsven is the co-owner of the Newberg Luckee Dutch Bakery. She is a 36-year resident of the community. Her background includes serving as the former Treasury analyst of two billion-dollar industries (Textronix Inc. and Holiday Retirement Co.). She is a former facilities project manager for Textronix Inc. She leased and sold commercial real estate for Tektronix. She is a graduate of the Portland State University Business Administration program. Her interest in serving on a City committee is to use her formal education in business and applied education from her job experiences to help benefit the community.

3) **Appointment of Sarah Grider to the Citizens Rate Review Committee for a term from January 1, 2015 to June 30, 2017.** Ms. Grider is a communications student at Marylhurst University and is a 6-year resident of the community. Her background includes experiences with budget and grant administration, planning and coordination of retention programs and organizing groups and communities. She is the PTO Volunteer Coordinator at Joan Austin Elementary School and a volunteer at Mountain View Middle School.

Her interest in serving on a City committee is to represent neighbors who are unable to serve, bring creative solutions to the table and plan ahead so that children have a stable city to live in. She wishes to increase communication about city matters with working families and those not associated with the business community, to get the city budget on track, fund raise and use grant funds for more for projects, consider setting up a foundation so the city can do more community outreach without going over budget.

Historic Preservation:

The Historic Preservation Commission is a six-member commission including a non-voting student member. There are two positions open, one due to a resignation. One term will expire December 31, 2015; the second term will expire December 31, 2017. Its mission is to identify, recognize, and preserve significant properties relating to the community's history, encourage the rehabilitation and ongoing viability of historic buildings and structures, strengthen public support for historic preservation efforts within the community, foster civic pride and encourage cultural heritage tourism. There was one applicant.

The Mayor recommends:

1) **Reappointment of Rick Fieldhouse to the Historic Preservation Commission for a term from January 1, 2015 to December 31, 2017.** Mr. Fieldhouse is a current member of the committee and serves as its chairman. He is a Project Manager for the Newberg Downtown Coalition and a 16-year resident of the community. He is a graduate of George Fox University and holds a Bachelor's degree in History and a Master's degree in Business Administration. He serves as the secretary for the Newberg Historical Society, serves on the board of directors for the Yamhill County Historical Society and is the volunteer curator of the George Fox University museum collection.

His interest in serving on the Committee is because of his love for the town and its past. He traces his family history in Newberg back for five generations and many of its historic homes, commercial buildings and public spaces hold personal significance for him. He believes that Newberg has a unique culture evident in its buildings and citizens

and wants to help the town move forward in preserving the past while acting within the resources available. He believes that by being careful stewards of the historic resources that the Committee can increase the overall quality of life in Newberg, which will attract people who want to live, work and play here.

Planning:

The Newberg Planning Commission is an eight member committee that has one position designated as a non-voting student member. There are two positions open with terms ending December 31, 2017. The Planning Commission hears requests for annexations, comprehensive plan changes, zone changes, conditional use permits, appeals, and other land use applications. Its duties are to hold hearings, make findings, and typically present its recommendation to the Newberg City Council. For some types of applications the Planning Commission makes the final decision. There were four applicants and one student applicant.

The Mayor recommends:

- 1) **Reappointment of Philip Smith to the Planning Commission for a term from January 1, 2015 to December 31, 2017.** Mr. Smith is a college professor at George Fox University. He has been a member of the Planning Commission since 2002. He has received training as a mediator. He has also served as chairman of the Affordable Housing Task Force. His interest in serving on the commission is to complete projects, such as the Urban Growth Boundary Task Force, that he has been working on. He would also like to use the window of opportunity given by the Bypass construction to improve downtown and expand the Urban Growth Boundary for industry. He states he can listen fairly and present rational arguments for policy decisions.
- 2) **Reappointment of Cathy Stuhr to the Planning Commission for a term from January 1, 2015 to December 31, 2017.** Ms. Stuhr is a business owner and a 12-year resident of the area. She has served on the Planning Commission since 2005. She has an extensive past history on a wide variety of city advisory bodies. Her interest is to continue support to the City as she has in the past. She enjoys helping make the City a great place to grow. She sees one big issue as land supply because of its big impact on economic vitality.

Traffic Safety:

The Newberg Traffic Safety Commission is a nine member committee with one student commissioner position. There are five positions open including one student commissioner. One term is open due to a resignation and ends December 31, 2016. Three terms end December 31, 2017. The student commissioner position ends June 30, 2015. The Traffic Safety Commission provides a valuable service to the City of Newberg by promoting traffic safety through investigation, study and analysis of traffic safety programs; conducting educational efforts among the public in the matters of public safety; considering all traffic safety programs which are referred to them for recommendation by the City Council and making reports to the City Council on matters of traffic safety and traffic safety programs. The Traffic Safety Commission makes decisions regarding parking, crosswalks, safety zones, traffic lanes, truck routes and all manner of traffic control devices within the community. There were four applicants.

The Mayor recommends:

- 1) **Reappointment of Neil Klein to the Traffic Safety Commission for a term from January 1, 2015 to December 31, 2017.** Mr. Klein is a Fire Lieutenant/Paramedic with Lake Oswego Fire. He has served on the Traffic Safety Commission since 2009 and currently serves as the Chairman. He is a member of the Mayor's Cabinet and has volunteered with the Newberg Fire Department for 15 years. His interest in serving on the commission is to continue to make improvements to the City of Newberg and continue to learn about City government. He would like to see continued improvement between departments/commissions and the public.
- 2) **Reappointment of Tony Roos to the Traffic Safety Commission for a term from January 1, 2015 to December 31, 2017.** Mr. Roos is a civil engineer focused on transportation and 15-year resident of the community. He has served on the commission since 2013 and also serves on the Oregon Chapter of APWA. His interest in serving the city is to continue work to improve the safety of Newberg's streets. He uses a broad perspective of transportation solutions from around the state and country to his role as a commissioner.

3) Reappointment of Kari Lawson to the Traffic Safety Commission for a term from January 1, 2015 to December 31, 2017. Ms. Lawson is an accounting cashier and has served on the commission since 2012. She is involved with her church and is currently training for Yamhill County CERT. Her interest in serving on the commission is to continue to make a difference by educating herself and others about traffic safety issues in Newberg and implementing needed changes. She would also like to educate citizens as to how and why these decisions are made. She is interested in seeing the City involve and educate more citizens such as through open houses to discuss topics of interest to citizens, greater media and especially social media presence to increase awareness of meetings and announcements.

4) Appointment of Jeff Grider to the Traffic Safety Commission for a term from January 1, 2015 to December 31, 2016. Mr. Grider is a public safety officer at Portland Community College. He serves as an assistant scoutmaster with Troop 520 in Newberg, has served on several project management teams, a special event committee at PCC Sylvania and is Vice President at large of AFT Oregon. His interest in serving on the commission is to contribute his time and energy as well as his desire and willingness to learn new things. When he becomes involved or interested in a new concept, project or idea, he researches and learns from experts and others in order to make processes more efficient and effective. He is interested in seeing the City respond to citizens' complaints about the water bill whether it is the system at fault or a lack of communication.

5) Appointment of Meghan Seifert to the Traffic Safety Commission as a student commissioner for a term from January 1, 2015 to June 30, 2015. Ms. Seifert is a high school student and involved with Rotary International. She is interested in serving on a City commission because she has great interest in the wellbeing of society and would love to actively participate in making the community's needs a priority. She would like to gather with people with similar interests to potentially make the community better. She would also like to be a voice for her peers and assist in the planning of events for her community. Ms. Seifert lived in India for eight months, is enrolled in a legal systems class and has extensive community service experience. She is interested in seeing more unity and communication between the city government and those being governed. She feels she could bring a global and cultural perspective to the activities at hand.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: November 17th, 2014

Order ___ Ordinance ___ Resolution XX Motion ___ Information ___
No. No. No. 2014-3169

SUBJECT: Council Rules

Contact Person (Preparer) for this
Motion: Sue Ryan/Jacque Betz
Dept.:
File No.:

RECOMMENDATION:

Adopt Resolution No. 2014- 3169, Amending Rule 5.6 Public Comments in the City of Newberg Council Guidelines.

EXECUTIVE SUMMARY:

Section 11 of the City Charter provides that the Council will adopt Council Rules by resolution to govern its meetings and proceedings. These rules will decide questions and give direction and are intended to serve as a guide for the Council. Recently the deadline for when written testimony can be submitted to the City Council had been changed due to a change in the publication of the agenda by staff. This deadline allows staff to get the information to Council in advance of the meeting instead of the elected officials trying to read it at the meeting.

FISCAL IMPACT: None

STRATEGIC ASSESSMENT (RELATE TO COUNCIL GOALS):

Allows the City to run more efficiently.



RESOLUTION No. 2014-3169

**A RESOLUTION AMENDING THE CITY COUNCIL GUIDELINES AND
RULES ADOPTED APRIL OF 2011 BY UPDATING THE PROVISION
DEALING WITH PUBLIC COMMENT**

RECITALS:

1. The City Council, from time to time, has revised its Guidelines and Rules.
2. The last full revision was completed and adopted by Resolution No. 2011-2933 on April 18, 2014.
3. The Council directed staff at its October 20, 2014 meeting to bring back a revision of Council Rules to reflect recent changes in practice for the submission of Public Comments.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council Guidelines and Rules of April 18, 2011 will be amended with a revision of the following paragraph under Rule 5.6 Public Comments. The revision is in italics

Rule 5.6 Public Comments

Persons speaking to the council from the floor concerning items not on the agenda or items that are on the consent calendar would speak under public comments. Those people will be given the opportunity to speak no more than five (5) minutes. Speakers may share their time at the discretion of the mayor. The maximum time allowed for public comments, including all speakers is thirty (30) minutes. The mayor has the discretion to extend these time limits. Speakers may address the council for less than their allotted time. ~~Speakers who wish the council to consider written material are encouraged to submit information in writing at least ten (10) days prior to the council meeting.~~ *Speakers who wish the council to consider written material are encouraged to submit written information in writing by 12:00 p.m. (noon) the day of the meeting.* In the case of public hearings or items on the council agenda for action, the submission of written material for consideration or inclusion in the record may be subject to stricter time limits established by council and publicized by the city. Speakers may also submit information at the meeting. However, it may not be considered by the council unless there is time for the council to read and consider the material.

2. The rules shall then reflect the date the last major revision occurred and the amendment date of November 17th, 2014 (the date this resolution is passed).

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: November 18th, 2014.
ADOPTED by the City Council of the City of Newberg, Oregon, this 17th day of November, 2014.

Sue Ryan, City Recorder

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

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: Month Day, Year

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

SUBJECT: Nuisance Abatement by the city at 516 & 516 ½ N Morton St

Contact Person (Preparer) for this
Motion: Brad Allen, Code Compliance Officer
Dept.: City Attorney's Office
File No.: CC14-00312

RECOMMENDATION:

Motion to instruct staff to abate a nuisance at 516 & 516 ½ N Morton St.

RECOMMENDED MOTION: I move to instruct city staff to abate the public health nuisance at 516 & 516 ½ N Morton St. The enforcement officer and city employees assisting the enforcement officer charged with abatement of the nuisance shall:

- 1. At reasonable times, enter into and upon the property in accordance with law to investigate or cause the removal of the nuisance; and**
- 2. Keep an accurate record of the expense incurred by the city in physically abating the nuisance, and shall include therein a charge of 25 percent of the expense for administration overhead.**

EXECUTIVE SUMMARY:

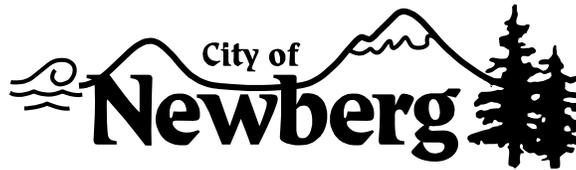
The owner of the property located at 516 & 516 ½ N Morton St (a duplex) was notified on October 21, 2014 of violations of Newberg Municipal Code (NMC) requiring correction by October 31, 2014. Specifically, the sewer connection from the property to the city's wastewater system has been broken resulting in untreated wastewater, or raw sewage, draining into the ground in front of the house. This situation constitutes a nuisance pursuant to NMC § 8.15.030 and § 13.10.050. Because the property is currently in foreclosure, Notices of Violation were also sent to the loan servicer, trustee, and occupant.

The responsible parties were instructed to clean up the accumulation of human waste in the yard and repair the broken sewer connection. Because this has not been done within the time allowed, the nuisance may be abated by the city pursuant to the Uniform Nuisance Abatement Procedure found in NMC § 8.15.210.

FISCAL IMPACT: The cleanup costs for the city will likely be under \$400. The costs of repair are unknown until the extent of the damage and necessary repairs can be fully assessed. Total costs of abatement could be between \$5,000 and \$7,000.

The property owner has filed for bankruptcy, so costs of abatement will not likely be recovered from the owner. Costs may be assessed to and become a lien against the property per NMC 8.15.220.

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



City Manager
(503) 537-1201

City Attorney
(503) 537-1206

Code Compliance Division

P.O. Box 970 - 414 E. First Street - Newberg, Oregon 97132 - (503) 554-7709 - Fax (503) 537-1272

Notice of Municipal Code Violation

October 21, 2014

HERMILO V. JUAREZ
1208 HOSKINS ST
NEWBERG, OR 97132

RE: Wastewater connection required at
516 N Morton St
Tax Lot 3218DC 04400
Case # CC14-00312

Dear Property Owner(s):

It has come to the City's attention that violations of Newberg Municipal Code (NMC) exist at the above address. Specifically, the sewer connection from the property to the City's wastewater system has been damaged or broken resulting in untreated wastewater (sewage) spilling into the ground in front of and under the house. This situation constitutes a nuisance pursuant to **NMC § 8.15.030** and must be corrected pursuant to **NMC §§ 13.10.050** and **13.05.070** (see enclosed excerpts of NMC).

To comply with Newberg Municipal Code, please repair the broken connection and clean up all waste by **October 31, 2014**. A permit and an inspection are required for the plumbing work. The permit can be obtained at the Permit Center at City Hall.

The intent of the City is to gain your voluntary compliance with Newberg Municipal Code. Unless the nuisance is removed, the City of Newberg may abate the nuisance. The cost of abatement shall be charged to the responsible party or assessed against the property, or both. Failure to comply may also result in court action through an Oregon Uniform Citation and Complaint which may impose a civil fine of up to \$1,000.00 per violation, per day. These remedies are not the desire of the City and with your cooperation in resolving this issue, they can be avoided.

If you believe no violation of NMC exists, you may file with me a written statement specifying the basis for protesting by **October 31, 2014**. The statement will be referred to the city council for consideration at its next succeeding meeting.

Thank you for your consideration and cooperation in this matter. If you have questions regarding what is required, please call me before **October 31, 2014**. I can be reached at (503) 554-7709 or via email at brad.allen@newbergoregon.gov. City offices are open Monday through Friday, 8:30 a.m. to 4:30 p.m.

Sincerely,

A handwritten signature in black ink that reads "Brad Allen". The signature is written in a cursive style and is positioned above a horizontal line.

Brad Allen
Code Compliance Officer

Encl: NMC excerpts
cc: file

Newberg Municipal Code Excerpts Title 8 – Health and Safety

The Newberg Municipal Code can be found in its entirety at www.codepublishing.com/OR/Newberg.

8.15.030 Nuisances affecting public health.

- A. No person shall cause or permit on property owned or controlled by the person a nuisance affecting the public health.
- B. The following are nuisances affecting the public health and may be abated as provided in this chapter:
1. Privies. An open vault or privy constructed and maintained within the city, except those constructed or maintained in connection with construction projects in accordance with the Oregon State Board of Health regulations.
 2. Debris. Accumulations of debris, rubbish, manure and other refuse that are not removed within a reasonable time and that affect the health of the city.
 3. Stagnant Water. Stagnant water which affords a breeding place for mosquitoes and other insect pests.
 4. Water Pollution. Pollution of a body of water, well, spring, stream or drainage ditch by wastewater, industrial wastes or other substances placed in or near the water in a manner that will cause harmful material to pollute the water.
 5. Food. Decayed or unwholesome food which is offered for human consumption.
 6. Odor. Premises which are in such a state or condition as to cause an offensive odor or which are in an unsanitary condition.
 7. Surface Drainage. Drainage of liquid wastes from private premises.
 8. Cesspools. Cesspools or septic tanks which are in an unsanitary condition or which cause an offensive odor.
 9. Slaughterhouses, Tanneries, and Similar Operations. A slaughterhouse, tannery, rendering plant, glue manufacturing plant or any other establishment which causes offensive odors.
 10. Obstruction of Drains. The obstruction or interference with the flow of water in any ditch, drain or catch basin constructed in a public street in connection with the improvement of the street.

13.10.050 Use of public wastewater system required.

A. Unlawful Uses. It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the city, or in any area under the jurisdiction of the city, any human or animal excrement, garbage or other objectionable waste.

B. Pretreatment Required. It shall be unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, any wastewater, industrial wastewaters or other polluted waters except where suitable treatment has been provided in accordance with subsequent provisions of this chapter and as approved and specifically permitted as necessary by the Oregon Department of Environmental Quality.

C. Unlawful Disposal Systems. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.

D. Connection Required. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the city and abutting on any public street, alley or easement in which there is now located or may in the future be located a public wastewater system of the city, is required at the owner's expense to install suitable toilet and plumbing facilities directly with the proper side sewer in accordance with the provisions of this chapter. The connection shall be made within 90 days after the date of the official notice to do so; provided, that the public wastewater system is within 100 feet of any property line. For the purposes of this section, notice shall be deemed to have been received upon the mailing of the notice in accordance with NMC 13.10.290.

E. Failure to Connect. Upon the failure of the owner, lessee or occupant to connect the premises to a public wastewater system within the stipulated time, the director, after giving the owner, lessee or occupant an opportunity to be heard, may proceed to connect the premises to a public wastewater system, and the cost of the connection shall be charged and become a city lien upon the property.

13.10.070 Wastewater system connection procedures.

A. Permit Required. All new construction shall be connected to the city wastewater system. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public wastewater system or appurtenance without first obtaining a written permit from the director. The permit shall specify the location where the connection (or other approved work) shall be made, the manner of making the connection, the nature of the waste to be discharged to the wastewater system, the name and address of the owner, and the name of the wastewater system installer who will be doing the work. No permit shall be issued unless the wastewater system to which connection is requested has been accepted as a part of the public or commonly maintained private wastewater system. No permit shall be issued without payment of all appropriate permit, connection, development and inspection fees, including any delinquent assessments against the owner of the property.

O. Owner Responsibility. It shall be the responsibility of the owner, lessee or occupant of a building to maintain the building wastewater system or private collection system in a free-flowing and watertight condition, from the structure served to the public wastewater system or the property line.

Newberg Municipal Code Excerpts Title 8 – Health and Safety

The Newberg Municipal Code can be found in its entirety at www.codepublishing.com/OR/Newberg.

Article IV. Uniform Nuisance Abatement Procedure

8.15.170 Establishment, purpose and title.

A. A uniform nuisance abatement procedure is established and continued to simplify the abatement of nuisances existing in the city.

B. This article shall be known and referred to as the uniform nuisance abatement procedure ordinance and may also be referred to herein as “this article.” [Ord. [2164](#), 4-1-85. Code 2001 § 95.55.]

8.15.180 Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“**Enforcement officer**” means the city manager or designee.

“**Nuisance**” means any act, status, condition, thing, substance or activity which is detrimental to, injurious to, or constitutes a danger to the public health, safety or welfare or which is declared, defined, designated or denominated to be a nuisance by any ordinance of the city.

“**Person**” means any natural person or persons, firm, partnership, association or corporation.

“**Responsible party**” means the person responsible for curing or remedying a nuisance and includes:

1. The owner of the property or the owner’s manager or agent or other person in control of the property on behalf of the owner;
2. The person occupying the property including bailee, lessee, tenant or other person having possession;
3. The person who is alleged to have established or allowed to continue the nuisance. [Ord. [2164](#), 4-1-85. Code 2001 § 95.56.]

8.15.190 Abatement notice.

A. If the enforcement officer is satisfied that a nuisance as defined in this chapter or any other ordinance of the city exists, the enforcement officer shall cause a notice to be posted on the premises or at the site of the nuisance directing the responsible party to abate the nuisance.

B. At the time of posting, the enforcement officer shall cause a copy of the notice to be forwarded by registered or certified mail, postage prepaid, to the responsible party at their last known address.

C. The notice to abate shall contain:

1. A description of the real property by street address or otherwise on which the nuisance exists.
2. A direction to abate the nuisance within 10 days from the date of the notice.
3. A description of the nuisance.

4. A statement that, unless the nuisance is removed, the city may abate the nuisance, and the cost of abatement shall be charged to the responsible party or assessed against the property, or both.

5. A statement that the responsible party may protest the order to abate by giving notice to the enforcement officer within 10 days from the date of the notice.

6. A statement that failure to abate a nuisance may result in a court action.

D. Upon completion of the posting and mailing, the enforcement officer posting and mailing shall execute and file certificates stating the date and place of the mailing and posting respectively.

E. An error in the name or address of the responsible party shall not make the notice void, and in such a case the posted notice shall be sufficient.

F. Personal service, proved by certificate of the enforcement officer, may be used in lieu of the above process for posting and mailing. [Ord. [2164](#), 4-1-85. Code 2001 § 95.57.]

8.15.200 Abatement by responsible party.

A. Within 10 days after the posting and mailing of the notice as provided in NMC [8.15.190](#), a responsible party shall remove the nuisance or show that no nuisance exists.

B. A responsible party, protesting that no nuisance exists, shall file with the enforcement officer a written statement specifying the basis for protesting.

C. The statement shall be referred to the city council as a part of the city council's regular agenda at its next succeeding meeting. At the time set for consideration of the abatement, the person protesting may appear and be heard by the city council; and the city council shall determine whether or not a nuisance in fact exists; and the determination shall be required only in those cases where a written statement has been filed as provided.

D. If the city council determines that a nuisance does in fact exist, a responsible party shall, within 10 days after city council determination, abate the nuisance. [Ord. [2164](#), 4-1-85. Code 2001 § 95.58.]

8.15.210 Abatement by city.

A. If, within the time allowed, the nuisance has not been abated by a responsible party, the city council may cause the nuisance to be abated.

B. The enforcement officer and city employees assisting the enforcement officer charged with abatement of the nuisance shall have the right at reasonable times to enter into and upon the property in accordance with law to investigate or cause the removal of a nuisance.

C. The enforcement officer shall keep an accurate record of the expense incurred by the city in physically abating the nuisance, and shall include therein a charge of 25 percent of the expense for administration overhead. [Ord. [2164](#), 4-1-85. Code 2001 § 95.59.]

8.15.220 Assessment of costs.

A. The enforcement officer, by registered or certified mail, postage prepaid, or by personal service, shall forward to a responsible party a notice stating:

1. The total cost of abatement and inspections, including the administrative overhead.

2. That the cost as indicated will be assessed to and become a lien against the property unless paid within 30 days from the date of the notice.

3. That if the responsible party objects to the cost of the abatement as indicated, they may file a written notice of objection with the enforcement officer not more than 10 days from the date of the notice.

B. Upon the expiration of 10 days after the date of the notice, the city council, in the regular course of business at its next succeeding meeting shall hear and determine the objective to the costs to be assessed.

C. If the costs of the abatement are not paid within 30 days from the date of the notice, an assessment of the costs as stated or as determined by the city council shall be made by resolution and shall thereupon be entered in the docket of city liens; and upon such entry being made, shall constitute a lien upon the property from which the nuisance was removed or abated.

D. The lien shall be enforced in the same manner as liens for street improvements and shall bear interest at the rate of 12 percent per annum. The interest shall commence from the date of the entry in the lien docket.

E. An error in the name of the responsible party shall not void the assessment, nor will a failure to receive the notice of the proposed assessment render the assessment void; but it shall remain a valid lien against the property. [Ord. [2164](#), 4-1-85. Code 2001 § 95.60.]

8.15.230 Abatement – Joint responsibility.

If there is more than one responsible party, they shall be jointly and severally liable for abating the nuisance or for the costs incurred by the city in abating the nuisance. [Ord. [2164](#), 4-1-85. Code 2001 § 95.61.]

8.15.240 Summary abatement.

The procedure provided by this article is not exclusive, but is in addition to procedures provided by other ordinances, and an enforcement officer may proceed summarily to abate a health or other nuisance which unmistakably exists and which imminently endangers human life or property. [Ord. [2164](#), 4-1-85. Code 2001 § 95.62.]

8.15.250 Nonexclusive remedy.

The procedures and remedies contained in this article shall not be read to prohibit in any way any alternative remedies set out in ordinances or state statutes or state law which are intended to alleviate ordinance violations or abate nuisances, and the procedures set forth in this article shall not be prerequisites for utilizing any of said alternative remedies. [Ord. [2164](#), 4-1-85. Code 2001 § 95.63.]

Cross-reference: See ORS [105.555](#) and [105.550](#) – [105.600](#) for nuisance abatement.

Case #: CC14-00312

Address: 516 N Morton St

Date: 11/3/2014



REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: November 17th, 2014

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

**SUBJECT: Chehalem Valley Chamber of
Commerce**

**Contact Person (Preparer) for this
Motion: Sheryl Kelsh
Dept.: Administration
File No.:**

RECOMMENDATION:

Sheryl Kelsh from Chehalem Valley Chamber of Commerce will present the 1st quarter marketing report.

THE CHEHALEM VALLEY VISITOR CENTER

2014-15 First Quarter Report

2014-15 FIRST QUARTER STATS:	JUL	AUG	SEPT
Web Visits:	5,792	5,238	4,744
Visitor Center Traffic:	1,468	1,757	1,793



Tunes on Tuesday Recap

Eight concerts in July and August

Attended by an average of 1,000 people per week, the 2014 summer series of eight concerts was a success. The event has over 1,600 Facebook fans and has received many positive comments. There were details to work out with the relocated venue off N. Howard Street—next to the library and in front of The Chehalem Cultural Center—however, the crowd is now located away from area homes and streets and draws people closer to the downtown area.

Visitor Center Metrics

New and Efficient Ways to Measure Visitor Center Traffic

Installation of Automated Foot Traffic Counter

In the past, manual counts of foot traffic to the Visitor Center resulted in a significant number of unaccounted visitors. The new automated counter is a small, inconspicuous device designed to count people once as they come into the center and is very accurate.

Survey Monkey Questionnaire

During the summer, 175 Chehalem Valley visitors took part in a digital Visitor Center survey designed to help establish statistics such as geographic location, reason for visit, and activity/media preferences. The survey, which was presented on a digital tablet, is a series of six questions designed to better understand the markets that are drawn to Chehalem Valley. A seventh question about mode of travel will be included in future responses. The information will not only help facilitate more targeted advertising, but will inform area Chamber Members of tourists' desired activities, services, and other preferences. Please see below for sample data from the report. *A full report is available.*

SURVEY SAMPLE DATA:

Question: "Where are you from?"

Out of 175 Responses:

State of Oregon: 29.14%
State of Washington: 13.14%
Canada: 13.14%
State of California: 11.43%
Midwest: 11.43%
Responses include Chicago, Michigan, Ohio, Indiana, Iowa
State of New York: 4%
State of Texas: 2.29%
Other: 15.43%
Responses include Arizona, Virginia, New Jersey, New Hampshire, Utah

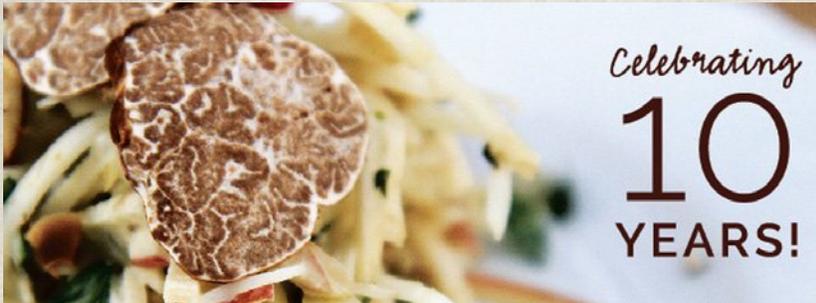
Question: "How did the Chehalem Valley Chamber of Commerce help you? Please select all that apply."

Out of 165 Responses:

With directions: 87.88%
Provided maps and/or other resources: 83.64%
With choosing wine tasting rooms: 35.76%
With dining options: 34.55%
With day planning: 31.52%
With retail shopping options: 7.88%
Other: 6.05%

THE CHEHALEM VALLEY VISITOR CENTER

2014-15 First Quarter Report



Oregon Truffle Festival Update

Oregontrufflefestival.com

The Chehalem Cultural Center will serve as the Yamhill County base for Oregon Truffle Festival activities. On Saturday, January 17, 2015, we will host four area truffle hunts led by trained dogs. The hunt will

be followed by a winery luncheon featuring top local culinary talent and foraged Oregon truffles. Held at three unique Oregon winery venues, this wine country immersion and winter truffle excursion is expected to draw 200 people total.

On Sunday, January 18, 2015, the Cultural Center will present the Truffle Marketplace which is expected to attract as many as 1,000 visitors. The event includes artisan foods, fresh truffles, a truffle dog demonstration, and truffle cooking demonstrations and tastings. The Chehalem Valley Visitor Center has been working on extensive media outreach with Travel Oregon and Oregon Truffle Festival to promote the events. In addition, The Oregon Mycological Society is bringing a tour group to the valley the week of January 19, just prior to the main festival that continues in Eugene.

The Economics of Truffles

Article from Traveloregon.com. *Chehalem Valley is poised to be a leader in the truffle market.*

According to a feasibility study, "Oregon Culinary Truffles: An Emergent Industry for Forestry, Agriculture and Culinary Tourism," by David Pilz, Charles Lefevre, Leslie Scott and James Julian, annual global truffle commerce is expected to exceed \$6 billion within the next two decades, rivaling many other agricultural commodities traded worldwide. With adequate support, cultivated and native truffles produced in Oregon could annually exceed \$200 million in direct sales income; counting secondary economic benefits, the value of the industry could exceed \$1.5 billion. Oregon has a unique opportunity to become a leader in this rare, highly-prized commodity due to:

- Superb native Oregon truffles that grow in private woodlands
- Excellent climate and an abundance of suitable soils for cultivating European truffles
- A world-renown, six-decade legacy of truffle research and the greatest concentration of truffle scientists and specialists in the world
- A local supplier of truffle-inoculated tree seedlings from that scientific community
- *The Oregon Truffle Festival, the first of its kind in the English-speaking world*
- A reputation for fine wine, gourmet dining, culinary tourism and foods that are produced locally, sustainably and organically
- A wealth of innovators and entrepreneurs seeking sustainable investment opportunities

Willamette Valley Visitor Association Film

Tourism promotion film will feature the Willamette Valley

Chef Allen Routt of *The Painted Lady* will be a highlight in the film.

THE CHEHALEM VALLEY VISITOR CENTER

2014-15 First Quarter Report

Media Recap: Newberg & Dundee

July

- 6 *Thrillist*, Oregon ranked 6th in Nation for Food and Drink
- 7 *Curve Magazine*, "Around the Block," July 4, 2014 Willamette Wine Valley (The Allison Inn & Spa and Vista Balloon Adventures)
- 9 *Food and Wine Magazine*, "8 Excellent New Wine Experiences in the Willamette Valley" (Raptor Ridge Winery, Newberg)
- 10 *Thrillist*, "Oregon's 10 Best Restaurants Outside of Portland" (Storr's Smokehouse, Newberg)
- 10 *Yahoo Travel Road Trip*, "Searching the Willamette Valley for the Perfect Pinot"

August

- 8 *USA Today* Oregon ranked 8th in the world in "10Best: Wine Regions to Visit"

September

- 17 *The Thrifty Traveler & Universe Today*, Media inquiry
- 18 Fam Tour hosting the following media/representatives:
City Palate and *Culinaire* magazines; **BJ Oudman**, Calgary, Alberta, Canada
Seattle Kitchen Radio Show; **Tina Nole**, Seattle, Washington
Adventure Cycling Magazine; **Jennifer Myalko**, Missoula, Montana
Travel Oregon's *Instagram Influencer*; **Alice Gao**, New York, New York
The Latin Kitchen; **Marie Elena Martinez**, New York, New York
LAist Food Editor; **Krista Simmons**, Los Angeles, California
- 18 *Womens World*, Media Fam Tour for **Fiona Fraser**
- 20 *Grand Tasting Event*, FEAST Portland features **Chef Allen Routt** from The Painted Lady
- 20 *The Australian Newspaper*, Media Fam Tour for **Judith Elen**
- 30 *Dallas Morning News* Media Inquiry for Fam Tour starting at The Allison Inn & Spa December 1st

THE CHEHALEM VALLEY VISITOR CENTER

2014-15 First Quarter Report

Budget: Q1 July – September, 2014

	Q1	YTD 2014-15	BUDGET
REVENUE:			
City of Newberg	\$56,445.40	\$56,445.40	\$110,000.00
Newberg Chamber Contribution	\$13,625.00	\$13,625.00	\$54,500.00
TOTAL REVENUES:	\$70,070.40	\$70,070.40	\$164,500.00
EXPENSE:			
Personnel	\$15,644.33	\$15,644.33	\$67,000.00
Marketing	\$14,135.44	\$14,135.44	\$44,521.00
Overhead/Utilities, etc.	\$20,621.91	\$20,621.91	\$52,979.00
TOTAL EXPENSES:	\$50,401.68	\$50,401.68	\$164,500.00
NET INCOME:	\$19,668.72		

Note: First quarter the CVCC receives an additional check from the City of Newberg that reflects a “true-up amount from the prior fiscal year.” Net Income reflects the monies received but not spent. The balance of the funds are restricted to future destination marketing projects and will balance out the remainder of the fiscal year.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: November 17, 2014

Order ___ Ordinance ___ Resolution XX Motion ___ Information ___
No. No. No. 2014-3170

SUBJECT: Enterprise Zone Application for property tax abatement

Contact Person (Preparer) for this Motion: David Beam, AICP
Dept.: Planning and Building
File No.: G-14-002

RECOMMENDATION: Adopt Resolution No. 2014-3170, authorizing David Beam, the Newberg Enterprise Zone Manager, to sign an agreement between the City of Newberg and SP Fiber Technologies for a five-year Newberg Enterprise Zone property tax exemption.

EXECUTIVE SUMMARY: On April 25, 2014, Business Oregon approved the establishment of the Newberg Enterprise Zone. The City pursued the designation to help support Newberg's traded-sector industry as having an enterprise zone would be an addition to our community's economic development "tool box". Establishment of the enterprise zone does not affect existing taxing revenues but does allow an eligible applicant to receive a tax exemption for three (3) (and up to five) years on the value of new capital investments.

The following criteria must be met by a company within the enterprise zone to qualify for a tax exemption:

Criteria for Qualifying Projects – Basic three year exemption:

- 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):

- Fulfill the criteria for the three-year enterprise zone exemption;
- The compensation of new employees must be at or above 150% of the county average wage;
- There must be local government approval by resolution and a written agreement entered into with the local zone sponsor (city, port and county, or tribe) and applicant; and,
- The company must meet any additional requirements that the local zone sponsor may reasonably request.

On September 11, 2014, SP Fiber Technologies, LLC (SPFT) submitted an Oregon Enterprise Zone Authorization application to the City of Newberg. SPFT is a qualified company within the Newberg Enterprise Zone. SPFT requested the three year and five-year extended tax abatement on its proposed new

investment. The estimated value of the new investment is \$11,110,000 which includes design and installation of equipment over the next year for the manufacturing of a new product line. They estimate that they will hire an additional 20 new employees by October 1, 2015 and they are working with the Work Source Oregon office in McMinnville to fulfill employment obligations. SPFT qualifies for a three-year property tax abatement.

The three most important criteria that SPFT must meet for the extended five-year property tax abatement are: increased employment, maintenance of the required minimal employment increase level, and the value of compensation to those new employees. The following are these three criteria and how SPFT proposes to meet the criteria:

Criteria 1 – 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);

Criteria 2 - maintain minimum employment level during the exemption period;

SPFT application response – SPFT states that it has had an average employment level of 195.2 over the last 12 months. It projects that it will achieve an employee count of 215 by October 1, 2015. This increase is greater than the 10% required. SPFT has reported that many of its current employees are Newberg residents.

Criteria 3 - Compensation of new workers must be at or above 150% of the county average wage.

SPFT application response – The current average annual wage in Yamhill County is \$35,592. Therefore, the average annual income (wages and benefits) of the new employees would need to be \$53,388. SPFT estimates their current average wage and benefits to be \$65,000.

An enterprise zone sponsor may also place reasonable conditions upon the applicant of a five-year property tax abatement approval. Staff has proposed the following two conditions be placed on an agreement between the City of Newberg and SP Fiber Technologies;

1. *SP Fiber Technologies will make a concerted effort to hire new employees from the Newberg community whenever feasible during the five-year abatement period.*
2. *SP Fiber Technologies will make a concerted effort to hire local contractors for work needed within SPFT's site whenever feasible within the five-year abatement period.*

Staff discussed these two additional conditions for the five-year abatement with SPFT and Yamhill County. Both organizations stated that these conditions were acceptable. SPFT has told staff that they have often used local contractors for work in the past.

FISCAL IMPACT: Staff has been in communication with the County Administrator and Assessor regarding the territory outside of the city limits. They have concurred that the County Commissioners will not object to the five-year abatement. The anticipated new capital investment at SPFT will be approximately equally applied to properties, with one-half on a property within the city limit and the other half on a property within the city's urban growth boundary. Staff has worked with the County Assessor, and the following are estimates of the property taxes that would be abated over the requested five-year period.

City property taxes abated	\$125,000
Property taxes abated for other taxing districts	\$685,000

STRATEGIC ASSESSMENT (RELATE TO COUNCIL GOALS): The city has the goal of a clean, healthy environment. SPFT believes that the new equipment will be more environmentally efficient than the current equipment that it replaces. They expect their water usage to remain about the same. Also, the SPFT plant uses many recyclable materials in making its products, including old newsprint and woody debris from local providers. These are materials that would otherwise likely end up in a landfill.

The City of Newberg understands the importance of supporting local businesses, as a healthy business sector is a key component to having a healthy community overall. The proposed investment will help the city achieve this goal. It will help SPFT stay competitive in an ever faster changing business climate. In addition, the investment will help SPFT increase its employment base with good paying jobs. Moreover, the proposed investment by SPFT should have a long-term economic impact, as they estimate the useful life of the new equipment to be 20+ years. Moreover, given the expected life expectancy of this equipment, it is reasonable to believe that the city may receive more property taxes over the long-term than what would be abated.



RESOLUTION No. 2014-3170

A RESOLUTION AUTHORIZING DAVID BEAM, THE NEWBERG ENTERPRISE ZONE MANAGER, TO SIGN AN AGREEMENT BETWEEN THE CITY OF NEWBERG AND SP FIBER TECHNOLOGIES FOR A FIVE-YEAR NEWBERG ENTERPRISE ZONE PROPERTY TAX EXEMPTION .

RECITALS:

1. On April 25, 2014, Business Oregon approved the establishment of the Newberg Enterprise Zone. The City pursued the designation to help support Newberg's traded-sector industry as having an enterprise zone would be an addition to our community's economic development "tool box". Establishment of the enterprise zone does not affect existing taxing revenues but does allow an eligible applicant to receive a tax exemption for three (3) (and up to five) years on the value of new capital investments.
2. The City of Newberg is the Newberg Enterprise Zone Sponsor. SP Fiber Technologies has applied to the city for a five-year property tax abatement for its \$11 million investment in facility equipment for a new product line. They also expect to increase and maintain their current employment base by at least 20 employees. The new employees compensation will be at least 150% of the current Yamhill County average wage of approximately \$35,000.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City of Newberg supports SP Fiber Technologies' application for a five-year property tax abatement. In addition to the standard requirements that must be met by an enterprise zone applicant to receive a five-year tax abatement, SP Fiber Technologies will agree to meet the following two conditions:
 - A. *SP Fiber Technologies will make a concerted effort to hire new employees from the Newberg community whenever feasible during the five-year abatement period.*
 - B. *SP Fiber Technologies will make a concerted effort to hire local contractors for work needed within SPFT's site whenever feasible within the five-year abatement period.*
2. David Beam, the Newberg Enterprise Zone Manager, is authorized to sign an agreement between the City of Newberg and SP Fiber Technologies for a five-year Newberg Enterprise Zone property tax exemption.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: November 18, 2014.

ADOPTED by the City Council of the City of Newberg, Oregon, this 17th day of November, 2014.

Sue Ryan, City Recorder

ATTEST by the Mayor this 20th day of November, 2014.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: November 17, 2014

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

**SUBJECT: The Newberg Downtown Coalition's
Downtown Transformation Report**

Contact Person (Preparer) for this
Motion: Steve Olson, AICP
Dept.: Planning & Building Dept.
File No.: GR-14-001

RECOMMENDATION: Move to: 1) Accept the Downtown Transformation Report from the Newberg Downtown Coalition (NDC) as an advisory document to inform the Transportation System Plan update and the Downtown Revitalization Plan; and 2) Thank the NDC and everyone who attended the Downtown Transformation meetings for coming up with many creative ideas for improving downtown.

EXECUTIVE SUMMARY: The City Council heard an overview of the Downtown Transformation Report on July 21, 2014 and asked staff to review the report and return to the Council with a recommendation.

In April of 2014, the Newberg Downtown Coalition (NDC) gathered citizens in public meetings to ask "How do you want to transform downtown?" The attendees were not constrained by past planning efforts or by cost, and came up with many creative ideas for improving downtown. The NDC compiled the ideas and used them to write the Downtown Transformation Report (Attachment 1), which includes a list of potential projects. It is clear from the report that many people care about downtown and are excited about the potential to improve it. There is a strong consensus in the report that Newberg should seize the opportunity provided by the first phase of the Newberg-Dundee Bypass and make downtown more pedestrian-friendly.

The next step is for the City Council, city staff, and community to evaluate the ideas in the report in more depth. The city, with help from the NDC, recently obtained a grant to create a Downtown Revitalization Plan (from the State Transportation Growth Management program). The Downtown Revitalization Plan will provide an opportunity to explore the feasibility of many of the ideas in the Downtown Transformation Report and consider potential funding sources.

Some of the ideas in the Downtown Transformation report, such as the public art program, could start as small programs and scale up if funding became available. Some of the other ideas, such as rebuilding the merchants' parking lot on Second Street, are already city goals but will have a high cost. City staff supports many of the ideas in the report in concept, and looks forward to developing these ideas and testing their feasibility through the Downtown Revitalization plan process.

The most expensive and complicated idea in the report is to reconfigure First Street and Hancock Street as two-way streets. This idea is being analyzed in the city's update to the Transportation System Plan. Our traffic engineer, DKS Associates, is analyzing the potential traffic impacts of: A) changing First and Hancock to two-way streets; and B) keeping one-way streets but narrowing First and Hancock from 3 lanes to 2 lanes (also known as a "road diet"). DKS has provided a memo (Attachment 2) that analyzes the traffic impacts and costs of these options.

Downtown traffic modeling summary by DKS:

- The default option: No change to downtown streets. Traffic will drop approximately 20% after the opening of the bypass, but will be worse than current conditions by 2035 due to growth in the area.
- Option A: First and Hancock become two-way streets, with one lane in each direction. Traffic congestion would immediately resemble 2035 conditions. The estimated cost to the city to install this option would be \$8.5 million.
- Option B: The road diet option – First and Hancock remain one way streets but are reduced from 3 lanes to 2. Traffic congestion would increase but more slowly than in option A. The estimated cost to the city to install this option would be \$3.5 million.

Three important points to keep in mind:

- Funding: The city would be responsible for the cost of any changes to downtown streets. In addition to installation costs, the city would need to consider future costs to revert back to the existing configuration once traffic congestion exceeds mobility standards.
- Transportation impacts: First Street and Hancock Street will still be ODOT right of way after the first phase of the bypass is built. The city will need approval from ODOT on any changes to downtown streets.
- Congestion: Current conditions are considered a level of service B, based on a “report card” scale from A to F. Year 2035 conditions are expected to be a level of service C at the worst intersections. This would mean increased wait times when traveling through the downtown corridor.

The TSP is not yet complete, and is in the alternatives analysis phase. Based on the latest analysis from DKS, however, staff does recommend pursuing option A (changing First and Hancock to two-way streets). The cost is high, and the traffic impact will be significant immediately. ODOT has also stated that they cannot support this option because of the traffic impact.

Doing nothing to First and Hancock would be the least expensive option, but would miss a once in a generation opportunity to transform downtown.

Option B (the road diet that reduces First and Hancock from 3 lanes to 2) is more promising. The cost is still high, but less than half that of option A. The traffic impact is also less severe. ODOT is willing to support the road diet option at least in the short term (est. 10-15 years), with a future check-in date to evaluate the status of the bypass and the level of traffic congestion. Staff believes this option should be explored in depth through the Downtown Revitalization grant process.

Staff recommends the City Council move to: 1) Accept the Downtown Transformation Report from the Newberg Downtown Coalition (NDC) as an advisory document to inform the Transportation System Plan update and the Downtown Revitalization Plan; and 2) Thank the NDC and everyone who attended the Downtown Transformation meetings for coming up with many creative ideas for improving downtown.

FISCAL IMPACT: None. Accepting the report does not commit the city to any additional costs.

STRATEGIC ASSESSMENT (RELATE TO COUNCIL GOALS): The City Council wants downtown Newberg to be a vibrant business and cultural center for the community, and sees the construction of the bypass as a major opportunity for downtown. The Downtown Transformation Report contains many good ideas for improving downtown. The feasibility of these ideas can be tested during the Downtown Revitalization Plan process. The Council also wants Newberg to have an effective and cost-efficient transportation system. The road diet option, which keeps the downtown one-way couplet but reduces First

and Hancock from 3 lanes to 2 lanes, appears worth pursuing further at this point, and has some support from ODOT. The road diet option will be explored in depth during the Downtown Revitalization Plan process.

Attachments:

1. Downtown Transformation Report, dated June 30, 2014.
2. TSP Update – Downtown Traffic Concepts memo. DKS Associates, dated November 7, 2014.



How do you want to transform downtown?



Newberg Downtown Coalition

June 30, 2014

Thanks to the editing team for digesting meeting notes from the Downtown Transformation breakout groups and final plenary session to compile a cogent report.

Michelle Marlo

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Shilo Seeberger

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And special thanks to George Edmonston for additional editing assistance.

Rick Fieldhouse, Newberg Downtown Coalition, Project Manager

Mike Ragsdale, Newberg Downtown Coalition, Executive Director

Seize the Opportunity



Newberg is at an exciting point in its history. The Newberg/Dundee Bypass, a topic of discussion for over 50 years, is under construction right now. Newberg has decided to take advantage of this opportunity to transform our downtown. We have a unique opportunity to act as a community and implement our vision of the future. We have the chance to reshape downtown and form the cultural, civic, and commercial heart of our community into a space that reflects the vibrancy and optimism of its citizens.

First Street started as a dirt road before it was paved with gravel, then asphalt, to accommodate wagons and automobiles. Later, tracks were laid for the Red Electric commuter rail line, and finally those tracks were paved over as Highway 99W became the highly trafficked route it is today. In recent history, downtown has been defined by the heavy flow of traffic and a one way-couplet. The completion of the Newberg/Dundee Bypass is expected to bring significant reductions in Newberg Highway 99W traffic.

In April of 2014, the Newberg Downtown Coalition gathered citizens in public meetings to ask, “How do you want to transform downtown?” We should grasp this golden opportunity to bring the dreams and vision of Newberg into the here and now. The goal was to create a blueprint for present and future community leaders that lists tangible action steps to move our present downtown forward to our ideal. This report is that blueprint.



Attendees, including City of Newberg planning staff who served as a resource, formed groups and revisited the vision generated in 2002. The previous vision did not have the exciting reality of the bypass construction and attendees were encouraged to use that vision as a basis, but not feel constrained by it. The desired outcome of the 2014 meetings was to create a list of distinct projects and their desired outcomes. After the first meeting, participants submitted their collected reports and the agenda for the second meeting was formed by these reports.

Ten areas of focus percolated to the surface during the process: Street Closures, Signage and Way-finding, Crosswalk Improvements, Business Mix, Street Configuration, Public Art, Public Restrooms, Sidewalk Treatments, Building and Storefront Appearance, and Parking. Attendees got to use electronic polling devices to vote on and receive immediate results on questions that arose during discussion.

This document describes these areas of focus in a narrative format and concludes with a summary of the key projects outlined at the public meetings.

Benches and other sidewalk features are designed by local artists and schoolchildren, built by local craftspeople, and funded by donations from community groups and individuals wishing to contribute to the atmosphere of downtown. Even mundane elements such as public restrooms incorporate the artistic flair of the neighborhood. Public projects involve planning for artistic elements at every stage and create a unified framework for private and community driven endeavors. These efforts are guided by a Public Art Team who help provide uniformity and advice to both public and private entities on questions of design and suggestions for sources of grant funding.

Signs with the distinct visual style of downtown present information and directions reinforcing the special character of the district. They inform and direct downtown visitors to parking, restrooms, walking and biking trails, and points of interest. The same artistic themes present in public art elements are reflected by the signage.

Historical architecture is preserved and restored when possible. Fanciful elements such as historical elements of sidewalks are framed by pavers making a simple walk down First Street into a treasure hunt. New construction follows the mixed-use model of retail space at street level with office or living space above. It also incorporates a visual style that is a pleasant addition to the older buildings, but not required to mimic them.

Downtown is a place pedestrians, cyclists, and visitors of all ages feel at ease. Every crosswalk has a bulb-out that reduces the distance to cross the street. Decorative pavers and landscaping make each bulb-out an appealing addition to the streetscape. Pedestrian activated warning lights let motorists know well in advance to slow down for crosswalks that don't benefit from a stop light such as Garfield, School, and Washington Streets.

Visitors and shoppers appreciate conveniently placed public restrooms. Facilities similar to the Portland Loo or the Sidewalk Restroom encourage foot traffic and leisurely window-shopping, especially by adults with young children. A short term solution is the strategic placement of port-a-potties at the empty lot at Howard Street and First Street or the Merchants' Parking Lot on Second Street between Howard and College Streets.

Wide sidewalks allow ample seating outside of downtown's many eateries and coffee shops and patrons have plenty of room to dine "al fresco". Plentiful shade trees and awnings provide refuge from the sun and the occasional rain shower. The additional space on the sidewalks allows for more street furniture like benches, wine-barrel planters, and bike racks without impeding pedestrians.

Public parking is easy to find thanks in part to improved signage but also thanks to the newly renovated Merchants' Parking Lot. Additional public parking spaces may become available by working with owners of vacant downtown lots and in diagonal parking along sections of First and Howard Streets. Parking areas are surfaced with decorative pavers and ample landscaping that keep them from being barren asphalt islands. Instead, parking areas are designed with the idea that they are a "people place used by cars", and not a "car place used by people".

What We Want





The downtown area offers a broad scope of retail sales, restaurants, coffee shops, and services that cater to the walk-in customer. Downtown is a destination both in and out of Newberg and a place people want to travel TO rather than travel THROUGH. People walk, bike, and drive to downtown for shopping and services.

Local goods and services are downtown’s focus and shopping is a delightful voyage of exploration and discovery instead of a get-in-get-out chore. Through incentives, code changes, and promotion the types of businesses that settle downtown is subtly shaped over time without disruptive regulation. As growth occurs, codes are reviewed to allow more upward expansion. Mixed-use buildings are encouraged. A vibrant culture develops as downtown becomes a place to be and be seen. Downtown frequently hosts festivals and special events and First Street is the center of public life. Downtown businesses are open longer hours and evenings downtown are just as relaxing for visitors and profitable for merchants as daylight hours.

Howard or School Street may be closed or redesigned to allow temporary closures between First and Hancock transforming the street into a public courtyard and green space. Visitors can enjoy the lively atmosphere amidst food carts, and places for people to gather and enjoy this beautifully landscaped island in the middle of the district. This “Camellia Court” ties the downtown and Newberg Cultural District closer together and is a central hub for festivals and events.

Thanks to the Newberg/Dundee Bypass, downtown traffic is greatly reduced and is no longer such an oppressive constraint for the district. People driving downtown are on their way somewhere locally for business or pleasure. New traffic configurations have restored easy access to all businesses, and the drive through the district is wonderful advertising for life in Newberg. First and Hancock Streets are no longer defined by Highway 99W running through them, but instead are known for their attractive retail shops and fine restaurants as well as the plentiful shade trees along their length.



First and Hancock Streets are reverted back to two-way, two-lane streets, freeing up space for wider sidewalks and a green median planted with over-arching shade trees. The one-way couplet is a thing of the past – no longer an obstacle to closing First Street for festivals or returning parades to the center of town.

The reduction of traffic to two lanes frees up space that can be repurposed to make downtown even more attractive. Usages vary and possibilities include more bike lanes, diagonal parking, wider sidewalks, and a green median strip. Different sections of downtown can benefit from different configurations of this reclaimed space depending on the usage of those areas.

The following projects are distinct items proposed by citizens attending the public meetings. These action items include:

- Establish a Public Art and Design committee to encourage the inclusion of artistic elements throughout development and provide a unified sense of design for downtown. This committee will involve representatives from the community, downtown merchants, city government, and community groups like the Newberg Downtown Coalition.
- Adopt a 1% For Art budgeting requirement for all public projects.
- Involve local artists, schoolchildren, and community groups to aid in the design and creation of street furniture, planters, and mosaic pavements. Adopting the camellia as a design element and theme is strongly supported.
- Include a treed median as part of any traffic realignment plan.
- Improve safety at crosswalks on Highway 99W that don't benefit from a stoplight by including pedestrian triggered warning lights and improved signage.
- Install public restrooms. The Portland Loo and Romtec's Sidewalk Restroom are two options that can be considered. A short-term solution would be the placement of port-a-potties at strategic locations throughout downtown.
- Widen sidewalks to allow space for more outdoor seating at restaurants as well as public seating. Sidewalks could be extended with decorative pavers, possibly funded by in part by allowing citizens to sponsor bricks.
- Improve the public Merchants' Parking Lot and include landscaping
- Adopt a long-term plan for a multi-level parking structure.
- Study closing First Street to vehicular traffic for short term festival or parade use or as a permanent pedestrian mall.
- Review codes and policies with the mindset of encouraging development of street-level downtown businesses focused on restaurant and retail that attracts foot traffic. In addition, review codes and policies to encourage the development of multi-story mixed use retail/office/residential space on vacant properties in the downtown district.
- Study permanently closing Howard or School Street between First and Hancock and transform the area into a pedestrian mall with green space and areas for food carts and other vendors.
- Market downtown as a destination and create a special sense of place with distinct signage and way-finding design.
- Return First and Hancock to two lanes of traffic travelling two ways.
- Study the potential for Second Street improvements to draw even more of the traffic load from First, extending the downtown core one block south and encouraging commercial development on Second that draws in even more foot traffic to the district.
- Create a detailed proposal for the use of road space freed up by reducing First and Hancock Streets from to two lanes of traffic. Diagonal parking, tree medians, wider sidewalks, and bike lanes are all favored. Solicit further citizen involvement on this issue.

Taking Action



The Newberg/Dundee Bypass is no longer wishful thinking – it is under construction at this very moment. The community must move forward with decisive actions so we are prepared for the changes it will bring.

If we adopt a passive “wait and see” approach we could miss vital opportunities to implement changes that boost economic and cultural growth in downtown. There is a sense of urgency, and justifiably so. Newberg is becoming known as a place for food, drink, history, and culture. This is because the unique character of our town that has developed because of its citizens. We are the creators of our culture and we should take action to move in a direction that improves our own lives and shows the rest of the world what we can accomplish.

In the end, everyone who took part in the public meetings, breakout groups, data gathering, and report writing were involved in the process because they love this community and wish to see it grow and thrive.

Now is the time for action.

The road ahead is not easy, and will require commitments and cooperation from local government, businesses, and citizens. There are plenty of opportunities to participate and make a difference. There will be chances to participate in planning, design, and implementation of transformative ideas. Act on your desire for a safer, pedestrian-friendly downtown.

Transformation is coming. To make a difference, get involved.

For more information email info@newbergdowntown.org

Moving Forward



DRAFT MEMORANDUM

DATE: November 7, 2014

TO: Newberg TSP Project Management Team

FROM: Garth Appanaitis, DKS Associates

SUBJECT: **Newberg Transportation System Plan Update**
Downtown Traffic Concepts – Operations Summary

This memorandum summarizes the traffic impacts of two circulation concepts that have been identified to transform Downtown Newberg following the opening of Phase 1 of the Newberg Dundee bypass. Both concepts would include removing existing vehicle travel lanes to convert the space for other potential uses (bikes, pedestrians, seating, etc.).

Summary

The information and analysis presented in the following sections indicates:

- **Future Context** - For the horizon year of 2035, only the initial “Phase 1” portion of the Bypass is currently funded (one lane each direction from Dundee to Springbrook Rd.)
- **Future Conditions** - In year 2035 with the existing couplet configuration and Phase 1 of the Bypass, traffic flow through downtown will be worse than it is today due to future growth in Newberg and increased activity in downtown for non-Newberg traffic.
- **Concept Capacity Reduction** - Both concepts include a lane of traffic removed on Hancock and 1st to include a total of two travel lanes in each direction (total of both streets)
- **Concept Performance** - The concepts would make traffic conditions through downtown significantly worse. Projected year 2035 traffic conditions with the existing configuration would occur much sooner (by 2018) with either of the alternative concepts.
- **Limited Function & Life** – Due to degraded traffic conditions, both concepts would have short usable life. Removing a lane in each direction would cause traffic conditions to reach year 2035 conditions by year 2018. Converting the couplet to two-way traffic flow would make present conditions immediately resemble year 2035 congestion.
- **High Concept Cost** – While both concepts could make use of some existing infrastructure, there would still be significant costs associated with signal modifications, crossing treatments, drainage, and other factors that go beyond painting and striping the pavement. Preliminary project costs are estimated to be \$5 to \$10 million for each concept.

General Assumptions

There are two primary concepts that have been considered for downtown Newberg circulation post-bypass opening day, in addition to the “no change” option.

- Concept A: 2-Way Conversion
 - Convert Hancock and 1st to two-way travel
 - Both streets would have one travel lane in each direction with left turn lanes at intersections
 - 1st would “T” into Hancock at either end and Hancock would be through route
 - This concept would introduce additional challenges (related to design treatment, traffic mobility, and project cost) at either end of the couplet to convert the existing one-way flow to a two-way configuration
- Concept B: Road Diet
 - Remove one travel lane in each direction along Hancock and 1st, while retaining the one-way couplet flow

The following items reflect analysis for both options:

- Traffic may divert to adjacent routes due to reduced capacity and increased travel time through downtown. If so, impacts would spread beyond the downtown area. Traffic diversion was estimated with the travel demand model.
- Traffic operations were analyzed without shifted traffic volumes as well as an assumed shift of traffic for the four TSP study intersections located along the existing couplet.
- Traffic operations were analyzed for the seasonal peak hour at four intersections (Hancock/College, Hancock/Main, 1st/College 1st/Main).
- Traffic growth and circulation is based on Phase 1 of the Newberg Dundee bypass (Dundee to Springbrook Road as a single lane each direction).
 - Phase 1 is the extent of the overall bypass project that is currently funded and is reasonably likely to be funded by year 2035, which is the planning horizon for the TSP. If additional unanticipated funding does become available prior to 2035, future phases of the bypass would be considered for construction. While a decision has not been made about the next phase of the Bypass construction, it could include additional improvements to the south end before making additional improvements and extension to the north.

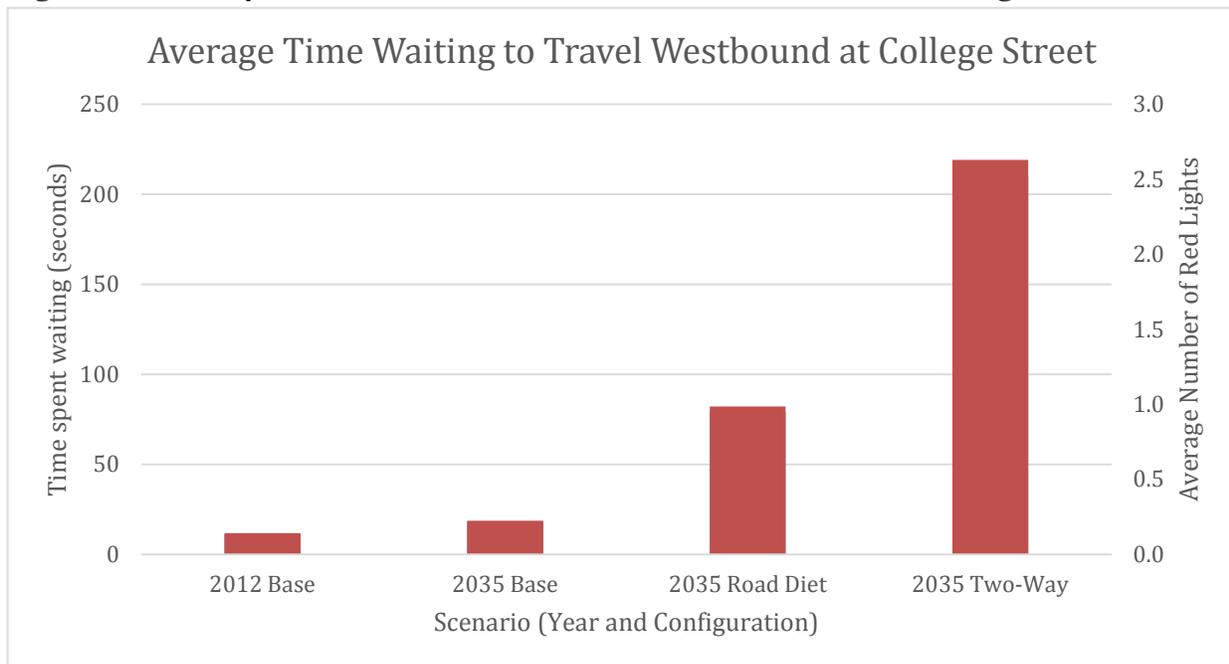
Year 2035 Operational Summary

- With the existing circulation pattern and geometry, the two Hancock intersections (at College Street and at Main Street) would not meet ODOT mobility targets for operational performance (0.85 volume/capacity ratio¹), but would operate under capacity in year 2035. Both 1st Street intersections (at College Street and Main Street) would meet mobility targets and would also operate under capacity.

¹ A decimal representation (1.0 represents saturated conditions) of how “full” the road network or intersection is.

- With either concept, traffic would divert to adjacent east-west corridors for alternative routes.
 - Approximately 700 to 1,000 vehicles during the seasonal (summer) peak hour (occurring between 4-6 p.m.) would divert with each scenario depending on intersection design and level of congestion.
- In year 2035, both proposed circulation options would significantly degrade traffic flow through the downtown corridor and congestion would be worse than is experienced today, even with the assumption that a certain amount of traffic will divert to adjacent routes.
 - Potential impacts to parallel routes such as Sheridan Street and 2nd Street with the additional traffic diversion were not estimated.
- Concept B (road diet option) would perform better than Concept A (two-way option) for all four intersections.
- As shown in Figure 1, it would take significantly longer to travel westbound on Hancock through the College Street light with either of the downtown concepts relative to existing or year 2035 (with bypass) conditions (assuming traffic is not shifted to other routes).
 - With year 2035 traffic volumes, the road diet option would increase the average delay (the additional time it takes to travel through the corridor if no slowing or stopping was needed) from approximately 20 seconds to 80 seconds, while the two-way option would further increase the average delay to over 200 seconds.
 - In 2035, most westbound traffic would get through the downtown corridor without stopping at the light at College St with the current 3-lane configuration. Most vehicles would stop for at least one red light with Concept B, and most vehicles would stop and wait for at least 2-3 red lights with Concept A (at College St).

Figure 1: Summary of Westbound Traffic Conditions on Hancock at College



Potential for Temporary Implementation

In general, neither Concept A nor Concept B would perform well with future 2035 traffic levels. However, either concept could be implemented on a temporary basis, with capacity added back (project removed or reverted to existing configuration) when needed in the future. The two concepts were analyzed for temporary implementation, which could be considered for policy recommendation, but would need to be further vetted by freight community.

- Temporary implementation of Concept A (two-way option) would immediately introduce year 2035 traffic congestion to the downtown core. In addition, this option would not be a simple, low-cost endeavor, and the necessary infrastructure investments would be lost by converting back to the existing configuration.
 - Specific design elements and cost would depend on the actual configuration. However, elements and cost considerations would likely require items beyond paint striping, including: curb extensions, planters or other barriers to separate motor vehicle travel from the existing travel lane that would be removed, signal modifications for current locations (adjusting signal head locations and/or pole locations), new signal pole/arms for two-way travel, and potentially right of way at either end of the couplet for two-way conversion.
- Temporary implementation of Concept B (road diet option) would reach projected year 2035 conditions in 2018, which would be worse congestion than experienced today in the downtown corridor, but would still be a level of service of C at the worst intersections (compared to a level of service B experienced today).
 - While modifications and costs to implement Concept B would be less than Concept A, significant investment would still be required for the short-term project. Fewer new signal poles (to account for two-way traffic flow) would be needed than in Concept A construction, however minor signal modifications, pedestrian crossing treatments, and planters or other physical separators would still contribute to project cost.
- Approximate planning level cost estimates², including eventual project removal:
 - Concept A (2-way Conversion): \$8.5 Million installation (\$10.5 Million with removal)
 - Concept B (Road Diet): \$3.5 Million installation (\$4.5 Million with removal)

² Planning level cost estimates are based on typical concept planning assumptions and may not capture unique design needs or issues that may be identified through subsequent project design and engineering phases.

Appendix A – Technical Operation Summary

Table 1 provides a technical summary of the intersection mobility for several scenarios using Highway Capacity Manual (HCM) measures including level of service (LOS) and volume to capacity (V/C) ratio, which are two methods to gauge intersection operations.

Volume-to-capacity (V/C) ratio: A decimal representation (with 1.00 representing saturated condition) of the proportion of capacity that is being used at a turn movement, approach leg, or intersection. It is determined by dividing the peak hour traffic volume by the hourly capacity of a given intersection or movement. A lower ratio indicates smooth operations and minimal delays. As the ratio approaches 1.00, congestion increases and performance is reduced. If the ratio is greater than 1.00, the turn movement, approach leg, or intersection is oversaturated and usually results in excessive queues and long delays. ODOT mobility targets for intersections along OR 99W are based on v/c ratios.

Level of service (LOS): A “report card” rating (A through F) based on the average delay experienced by vehicles at the intersection. LOS A, B, and C indicate conditions where traffic moves without significant delays over periods of peak hour travel demand. LOS D and E are progressively worse operating conditions. LOS F represents conditions where average vehicle delay has become excessive and traffic is highly congested. LOS is used to designate minimum performance standards for intersections under City of Newberg and Yamhill County jurisdictions.

Table 1: Peak Seasonal (30HV) Traffic Operations - Level of Service and Volume/Capacity V/C)

Intersection	Existing (No Bypass)	2035 Baseline (Phase 1 Bypass)*	2035 Concept B (Road Diet)		2035 Concept A (2-way Conversion)	
			No Additional Shift*	Shifted (Reduced Traffic)	No Additional Shift*	Shifted (Reduced Traffic)
Hancock/Main	0.70 B	0.88 C	1.06 E	0.93 C	1.87 F	1.86 F
Hancock/College	0.76 B	0.91 C	1.15 F	1.06 E	1.39 F	1.30 F
1 st /Main	0.57 B	0.68 B	0.82 B	0.63 B	0.99 C	0.88 C
1 st /College	0.58 B	0.63 B	0.77 B	0.62 B	0.86 B	0.80 B

Note: * 2035 Baseline traffic conditions and “no additional shift” scenarios assume that some through traffic has shifted to the bypass