



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

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. CITY MANAGER'S REPORT

V. PUBLIC COMMENTS

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

VI. CONSENT CALENDAR

1. Consider a motion adopting **Resolution No. 2013-3090** authorizing the city manager pro tem to enter into a professional services agreement with Pavement Services, Inc. to complete a citywide street pavement condition evaluation and maintenance prioritization list. (Pgs. 3-12)
2. Consider a motion adopting **Resolution No. 2013-3091** authorizing the city manager pro tem to enter into a construction contract with McClure and Sons, Inc. for the North Valley and Corral Creek Reservoirs Upgrades. (Pgs. 13-14)
3. Consider a motion approving the city council minutes from August 19, 2013, and September 16, 2013. (Pgs. 15-27)

VII. NEW BUSINESS

1. Consider a motion adopting **Resolution No. 2013-3082** adopting utility billing policies. (Pgs. 29-52)
2. Consider a motion adopting **Resolution No. 2013-3085** authorizing the city manager pro tem to implement an employee incentive program. (Pgs. 53-70)

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. COUNCIL BUSINESS

IX. ADJOURNMENT

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

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

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

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 21, 2013

Order ___ Ordinance ___ Resolution XX Motion ___ Information ___
No. No. No. 2013-3090

SUBJECT: Authorizing the City Manager Pro Tem to enter into a Professional Services Agreement with Pavement Services, Inc. to complete a citywide pavement condition evaluation and street maintenance prioritization project in the amount of \$92,726.00.

Contact Person (Preparer) for this Motion: Paul Chiu, Senior Engineer/Project Manager
Dept.: Engineering Services Department
File No.:

RECOMMENDATION:

Adopt Resolution No. 2013-3090 authorizing the City Manager Pro Tem to enter into a Professional Services Agreement with Pavement Services, Inc. to complete the Citywide Pavement Condition Evaluation and Street Maintenance Prioritization Project in the amount of \$92,726.00.

EXECUTIVE SUMMARY:

In 2011, city staff conducted a simple evaluation of pavement conditions for all city streets. On May 6, 2013, City Engineer, Jay Harris, presented to the City Council the state of the city's pavement, street trees and sidewalk facilities, and illustrated the need for a comprehensive roadway asset management program that keeps track of, and maintains or replaces the city's existing right of way infrastructure. A comprehensive citywide pavement evaluation is essential for the beginning of this right of way infrastructure preservation effort.

On April 29, 2013, the city solicited proposals from consultants through the Request for Qualifications (RFQ) process, to provide design phase services for two city pavement projects; namely the Vittoria Way preservation project, and the citywide crack and slurry seal pavement maintenance project. Three proposals for the above design phase services were received on April 29, 2013. Pavement Services, Inc. (PSI) received the highest score in the RFQ process, and was determined to be the most qualified consultant. PSI is a professional pavement specialty consultant with extensive experiences in pavement analysis and evaluation. Both pavement rehabilitation projects, designed by PSI, were completed this summer, and PSI's performance was satisfactory and the cost associated with their scope of work was reasonable.

The Engineering Services Department would recommend, for the above reasons, to allow sole sourcing the contract for PSI to perform the proposed Citywide Pavement Condition Evaluation and Street Maintenance Prioritization Project. PSI submitted a detailed proposal with scope of work and cost breakdown, which is attached as Attachment 1. The negotiated consultant cost for \$92,726.00 is reasonable for the extensive amount of data gathering, analysis, and preparation of the final report.

FISCAL IMPACT:

The proposed pavement condition evaluation will be funded through the street maintenance budget (gas tax revenue). Remaining funds in approved fiscal year 2013/2014 budget in account numbers 18-5150-702171 and 18-5150-702115 will support the proposed Citywide Pavement Condition Evaluation and Street Maintenance Prioritization Project.

STRATEGIC ASSESSMENT:

Acquiring and updating pavement condition data is needed in the ongoing preservation effort of the largest asset of the city. The proposed work will prioritize city streets for future pavement preservation projects, and provide detailed cost estimates for needed preservation projects, for staff to plan future projects, and to potentially acquire additional funding resources to keep the city streets in good conditions as to attract new business investments and to increase overall property values in the city.



PAVEMENT SERVICES, INC.

INNOVATIVE PAVEMENT SOLUTIONS

3835 NE TILLAMOOK STREET
PORTLAND, OREGON 97212
503.235.0377
www.pspidx.com

September 23, 2013

City of Newberg
Attn: Mr. Paul Chiu, P.E.
414 E. First Street
Newberg, OR 97132

**Subject: Scope of Work and Fee Estimate for Engineering Services
 Pavement Condition Survey/Evaluation of City of Newberg Street System**

Dear Paul:

We are pleased to submit the enclosed scope of work and fee estimate to conduct a pavement condition survey and evaluation of the Newberg city street system. Our proposed approach has been revised to focus on delivering high-quality pavement condition survey data to establish a Maintenance & Repair (M&R) Plan for the period 2014 to 2022. In addition to a pavement condition survey, we have included core sampling and traffic counts as part of our proposal to support our effort to develop the M&R plan. Based on discussions with you by telephone, we believe that our approach, which focuses on our expertise in assessing pavement condition, our knowledge and understanding of the pavement preservation philosophy, and our comfort level with GIS and other tools, is in concert with the goals and objectives of the City of Newberg.

We are thankful for the opportunity to submit this proposal and very much look forward to the opportunity to work with the City of Newberg. Thank you for your consideration of the revised scope, fee, schedule, and agreement modifications. Please feel free to call me at (503) 235-0377 with any questions that you may have.

Sincerely,

PAVEMENT SERVICES, INC.

John I. Duval, P.E., G.E.
President

Enclosures



PAVEMENT SERVICES, INC.

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**PROPOSED SCOPE OF WORK
PAVEMENT CONDITION SURVEY / EVALUATION
CITY OF NEWBERG STREET SYSTEM**

Submitted to
City of Newberg Engineering Services Department
September 23, 2013

PROJECT UNDERSTANDING

We understand the City of Newberg Public Works Department operates approximately 70 centerline miles of local, collector, and arterial streets. We further understand the City has a desire to conduct a pavement condition survey of the street system in order to establish the current condition of the pavement surface. This is an important part in the process of developing a plan to manage the 70-mile pavement system at the lowest life-cycle cost.

Approximately 65 centerline miles of the existing street system is constructed of asphalt concrete (AC), with the remainder being gravel roads and portland cement concrete (PCC). The City has expressed a need to conduct a pavement evaluation in order to help keep the existing pavement system in good condition. This is a laudable objective in that it is well-established that maintaining pavements in good condition lowers the overall life-cycle cost of those pavements.

OBJECTIVES

The primary objective is to develop a prioritized maintenance and repair (M&R) plan that the City can use to manage expenditures for pavement M&R projects for the 2014-2022 timeframe. In order to achieve this objective our team will conduct a visual condition survey of the Newberg street system. In addition, we propose to complete pavement coring on a wide variety of streets plus conduct vehicle count and classifications to establish federal functional classification of minor arterials, major collectors, and minor collectors.

PROPOSED APPROACH

Pavement Services, Inc. has considerable experience in conducting pavement condition surveys and developing M&R plans. Our general approach centers on our expertise in three areas:

1. **High-quality visual pavement condition surveys** in accordance with ASTM D 6433
2. Using the power of Pavement Management Systems to **optimize project selection and timing**
3. Developing **visually-compelling M&R plans** from powerful Geographic Information Systems

The City has conducted pavement condition surveys in the past, using the Oregon Department of Transportation (ODOT) Good-Fair-Poor (GFP) pavement rating system. The ODOT GFP system was previously a system that used a 1-5 scale, with 5 being very good and 1 being very poor. The ODOT system was modified in 2010 to include an updated 0-100 rating scale and new descriptions of pavement distresses. The system is essentially a subjective system that allows the rater to apply considerable judgment in rating the pavement surface condition as he or she drives the pavement at speeds up to the

posted speed limit. We are not aware of an automated pavement management system (PMS) that uses the ODOT distress survey method. This means that an agency would likely have to develop an ad-hoc system for analysis and evaluation of the distress data in order to use it for M&R prioritization.

While the GFP system may be appropriate for ODOT, we do not feel that the GFP system is appropriate for use on the City of Newberg street network. The ODOT survey is conducted from a moving vehicle, which does not provide the vantage point for a high quality observation of pavement surface condition. Furthermore, the rating system used is highly subjective rather than objective definitions of pavement distress levels.

We recommend that the City of Newberg adopt the American Society of Testing and Materials (ASTM) Test Method D 6433 as the standard method for conducting pavement surveys. ASTM D 6433 is the Pavement Condition Index (PCI) system for local roads and streets which uses a 0-100 rating scale. Surveys are conducted visually by foot, which provides the best vantage point for observing the actual condition of the pavement surface. By standing or walking the pavement surface, the pavement rater has the opportunity to bend down close to observe crack width, distinguish between raveling and weathering, measure depressions and rut depth, and better assess the amount of distress observed in a specific sample unit. **It is our opinion that the ASTM D 6433 method, when accomplished by a trained rater, provides the overall highest quality pavement rating available.**

A testament to the quality of the ASTM D 6433 method is that the two major PMS systems, MicroPAVER and StreetSaver, both use the ASTM D 6433 method as the basis for distress surveys and assessment of pavement condition. PSI recommends that the City use the MicroPAVER system as the primary method for pavement management.

The PSI approach will be to deploy a highly qualified rating team to walk the street system and rate the pavement condition according to ASTM D 6433. Our field crews use handheld tablet devices for data input in the field, which improves accuracy and eliminates redundant data entry at a later time. This reduces the amount of time required for the survey and streamlines the data handling process, allowing the pavement condition index to be computed as soon as the day following the inspection of each section.

SCOPE OF WORK

Task 1 - PCI Survey Preparation and Database Development

- a. **Project Kickoff/Coordination:** PSI will meet with City Engineering Services Department (ESD) to discuss project details, scheduling and coordination. We will request that the ESD coordinate with other City of Newberg departments to notify them of pavement condition survey activities, as required.
- b. **GIS of Road System:** We will acquire the City's GIS shapefile which we will use to create the inventory and link the map to each pavement section.
- c. **Detailed Records Review:** PSI will coordinate with ESD to pull related records pertaining to the street sections, including length, width, surface type, functional classification, and age of the pavement sections that are to be included in the inventory. We understand that much of this data is available in the GIS database and will focus our efforts on identifying remaining records.
- d. **Pavement Maintenance Information:** We will request information from ESD regarding current City budgets for new pavement construction, overlays, localized repairs (patching and crack sealing), and preventive maintenance activities. We will furthermore develop costs for specific activities (e.g. 2" overlay) and the policies ESD uses to trigger M&R.
- e. **Create Pavement Inventory:** Using the City's GIS database, PSI will create a MicroPAVER inventory for the City of Newberg street system. A GIS shapefile will be populated with MicroPAVER mandatory fields to include information gathered in Task 1c.

- f. **Create Pavement Inventory from GIS Shapefile:** Using the GIS shapefile that contains the correct section definitions and MicroPAVER mandatory fields, PSI will create a pavement inventory database in MicroPAVER.

Task 2—Pavement Condition Index Survey

- a. **Pavement Condition Index Survey:** The pavement condition survey will be completed in accordance with ASTM D6433-11, “Standard Practice for Roads and Parking Lots Pavement Condition Surveys”. PSI will use the MicroPAVER FieldInspector on a handheld tablet device to collect the distress data. This will allow for a faster transition between data collection, data analysis, condition assessment, and rehabilitation recommendations.

Task 3—Pavement Coring

- a. **Pavement Core Exploration Plan:** We will develop a pavement core exploration plan that shows the proposed location of cores on the city street network.
- b. **Mark Cores:** Once the core and exploration plan is developed, we will paint core locations on the city street system using white marking paint. This will serve to identify the core locations to the utility companies for clearance.
- c. **Utility Locate Notification and Coordination:** PSI will call in proposed core locations for location by the one-call notification team. Due to the large number of cores to be taken, we have allowed some time in our schedule to coordinate these activities with the one-call center. We will further request that a 20-foot radius around each core location be cleared to allow us to move the proposed core to a cleared location in the event of a conflict with underground utilities.
- d. **Pavement Coring:** We plan to conduct pavement coring from our trailer or truck-mounted electric core drill according the following spacing on the Newberg street system:

Table 1—Pavement Coring Schedule

Street Functional Class	Total CL Miles	CL Miles of Unknown Thickness	Proposed Core Spacing	No. of Core Samples
Minor Arterial	3.2	1.9	1,500	7
Major Collector	12.9	8.0	1,500	29
Minor Collector	4.4	3.3	1,500	12
Residential	48.9	23.1	5,000	25
Total	69.4	36.3		73

Diamond-tipped core barrels (6-inch diameter) will be used for fast coring, clean edges, and a large enough core to 1) measure pavement thickness, and 2) advance an auger to remove aggregate base in the hole. After removing aggregate base, the base thickness will be measured in the core hole and a small grab sample of subgrade soil will be taken to allow a field soil classification.

- e. **Core Logs and Photographs:** For each core, a core log will be developed that identifies the location (latitude and longitude), pavement type and thickness, aggregate base type and thickness, and subgrade soil visual classification. Photographs will be taken of core samples with a scale, showing the thickness of the core.
- f. **Pavement Core Data Table/Report:** PSI will prepare a pavement core data table and report. This information will also be provided to the City in electronic format for possible upload to the Cartegraph PV database and GIS.

Task 4—Traffic Counts and Validation/Update of Federal Functional Classification

- a. **Traffic Count Plan:** We will develop a plan identifying streets for traffic count and classification. PSI will acquire traffic counts on minor arterials, major collectors, and minor collectors. Up to 50 tube sets will be used to traffic count and classification.
- b. **Outsourced Traffic Counts:** PSI will outsource placement of up to 40 tube sets on Newberg streets to a reliable subcontractor for 3-day traffic counts and vehicle classifications.
- c. **Review Traffic Count Data:** We will review the traffic count data to ensure that the counts were completed as planned and that the data is accurate.
- d. **Validate Federal Functional Classification (FFC):** We will review and analyze the traffic count data to confirm the current FFC for each arterial and collector street within the City. If appropriate a new classification will be assigned.

Task 5—Analysis of Maintenance Priorities

- a. **PCI Data Import and Data Analysis:** We will import the data that was collected during the survey from the handheld survey devices into the MicroPAVER database. We will also begin the data analysis process using the MicroPAVER PCI module.
- b. **Maintenance and Repair Policies:** PSI will meet with ESD to discuss and document the policies that will be used to develop M&R plans for future years. For example, we will document and set the City's policy for pavements exhibiting alligator cracking. If the policy for high severity alligator cracking is to conduct localized repair, this policy must be established within MicroPAVER.
- c. **Budget Analysis:** With the M&R policies loaded in MicroPAVER, we will then run multiple budget scenarios for consideration by the City. For example, one budget scenario may be to apply \$250,000 to pavement M&R each fiscal year. Based on the application of this budget scenario, PSI will be able to assess the consequence, such as whether the street system exhibits an overall increase or decrease in PCI. Another budget scenario to consider may be to identify the annual budget required to maintain the current PCI.
- d. **Project Development and Prioritization:** Based upon the current and future predicted pavement condition, PSI will create projects for groups of pavement sections. We will group projects to include sections requiring preventative maintenance such as crack sealing and chip seals to major rehabilitation activities such as cold milling and overlay. Each pavement section that is assigned M&R will have supporting information as to why the M&R was selected, the approximate present day cost, and resulting PCI.
- e. **Report:** Our report will document the project and provide detailed information including maps, tables, and a prioritized project listing for each year in the 2014-2022 timeframe. This 8-year plan conforms to the timeframe that has been identified by ESD.
- f. **Training/Consultation:** After the completion of the pavement survey and M&R plan, PSI will conduct training of the ESD staff on the use of the MicroPAVER system. This will be scheduled once the data is completely loaded in the PMS and the budget analysis and project prioritization is complete. The training and additional consultation will be helpful in developing the working knowledge of the ESD to better understand the new system and to learn methods for using MicroPAVER to run certain reports.

DELIVERABLES

At the completion of this project, PSI will submit a final report documenting the current pavement condition for the Newberg city street network. In addition, the report will include GIS maps showing current pavement condition, a detailed listing of pavement distresses identified, and a recommended 8-year M&R plan prioritized to reflect the focus on pavement preservation.

ESTIMATED FEES AND EXPENSES

We propose to conduct the work described herein on a time and materials basis according to our **Standard Rates for Engineering Services and Testing Equipment**, including as part of this proposal. We have developed a detailed cost estimate showing the time for each engineering category, hourly rates for these labor categories, and an estimate of reimbursable expenses that may apply to the project, which is also included as part of this proposal. As shown on the attached estimate, we estimate that our total fee will be \$92,726. This includes \$67,651 for engineering labor and \$25,074 for reimbursable expenses, such as company/staff vehicle mileage, equipment, core barrel wear, patch material costs, per diem (lodging and meals) for field rating crews, and subcontracted labor to supplement our in-house field technicians. Our actual labor fee will be the number of hours expended on the project multiplied by the hourly rate for that labor category. Our actual expenses will be billed to the City at cost. **We recommend that a not-to-exceed limit of this contract be established at \$92,726.** We will not exceed this limit without prior written authorization from the City of Newberg.

SCHEDULE

We are ready to begin work on this effort immediately. Assuming we receive notice-to-proceed by October 4, 2013, we propose the following schedule:

Table 2—Proposed Schedule for Pavement Condition Survey and MR&R Report

Event	Estimated Start Date	Estimated Completion Date
Kickoff Meeting	October 8, 2013	
Task 1—PCI Survey Preparation and Database Development	October 8, 2013	October 18, 2013
Task 2—Pavement Condition Index Survey	October 14, 2013	November 22, 2013
Task 3—Pavement Coring	October 21, 2013	November 22, 2013
Task 4—Traffic Analysis Update	October 21, 2013	November 22, 2013
Task 5—Analysis of Maintenance Priorities	November 18, 2013	January 15, 2014
Draft MR&R Prioritization Report Due to City for Review		January 15, 2014
Review Comments Received from City		January 31, 2014
Final MR&R Prioritization Report Due		February 15, 2014

CLOSURE

We look forward to supporting the City of Newberg with this project. Please contact John Duval, P.E. at (503) 235-0377 or john@psipdx.com for any questions about the content of this document.



City of Newberg Pavement Evaluation

Task Description	Task Total
Task 1 – PCI Survey Preparation and Database Development	\$ 6,170.00
Task 2 – Pavement Condition Index Survey	\$ 24,293.00
Task 3 – Pavement Coring	\$ 24,863.00
Task 4 – Traffic Analysis Update (Traffic Counts/Validation of Federal Functional Classification)	\$ 15,630.00
Task 5 – Analysis of Maintenance Priorities	\$ 21,770.00
GRAND TOTAL for All Tasks =	\$ 92,726.00

A RESOLUTION AUTHORIZING THE CITY MANAGER PRO TEM TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH PAVEMENT SERVICES, INC. TO COMPLETE A CITYWIDE PAVEMENT CONDITION EVALUATION AND STREET MAINTENANCE PRIORITIZATION PROJECT IN THE AMOUNT OF \$92,726.00

RECITALS:

1. The City of Newberg needs a comprehensive roadway asset management program to keep track of maintenance, replacement and prioritization of the city's right of way infrastructure such as pavement, sidewalks and street trees, and a citywide pavement condition evaluation is an essential part of this infrastructure preservation effort.
2. The city sole sources the proposed citywide pavement condition evaluation and street maintenance prioritization to Pavement Services, Inc. (PSI) based on the fact that PSI was determined to be the most qualified of the three consultants through a previous Request for Qualifications (RFQ) process for the city's two other prior pavement projects, namely the Vittoria Way preservation project and the citywide crack and slurry seal pavement maintenance project on April 29, 2013, and their subsequent satisfactory performances on those two projects. Furthermore, PSI is a professional pavement specialty consultant with extensive experiences in pavement analysis and evaluation and well suited for this proposed project.
3. PSI provided a detailed proposal for the proposed Citywide Pavement Condition Evaluation and Street Maintenance Prioritization Project, outlining the negotiated scope of work with a reasonable phase-by-phase cost breakdown at a total consultant cost of \$92,726.00.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

The City Council, acting as contract review board for the city, authorizes the city manager pro tem to enter into a professional services agreement with Pavement Services, Inc. to complete the Citywide Pavement Condition Evaluation and Street Maintenance Prioritization Project in the amount of \$92,726.00.

- **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: October 22, 2013.

ADOPTED by the City Council of the City of Newberg, Oregon, this 21st day of October, 2013.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 24th day of October, 2013.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 21, 2013

Order ___ No.	Ordinance ___ No.	Resolution <u>XX</u> No. 2013-3091	Motion ___	Information ___
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SUBJECT: Authorize the city manager pro tem to enter into a construction contract with McClure and Sons, Inc. for the North Valley and Corral Creek Reservoirs Seismic and Hydraulic Upgrade Project in the amount of \$1,282,000.00.

Contact Person (Preparer) for this Motion: Jason Wuertz, PE, Project Manager and Jay Harris, PE, City Engineer
Dept.: Engineering Services Department
File No.:

RECOMMENDATION:

Adopt Resolution No. 2013-3091

EXECUTIVE SUMMARY:

The City's 2004 Water System Vulnerability Assessment identified potential vulnerabilities of the three city reservoirs and their critical role in the water system. The catastrophic loss of one, or all, following a seismic event would have serious consequences on the City's ability to provide adequate water for public safety and drinking water. Additionally, due to poor inlet and outlet hydraulics, all three reservoirs occasionally experience low chlorine residual levels.

The City hired Kennedy/Jenks Consultants to design the needed seismic and hydraulic mixing upgrades to the reservoirs. The project was publically advertised for bid and the City received three bids on October 2, 2013. Due to budgeting constraints, only the seismic and hydraulic mixing improvements to one of the North Valley reservoirs will be completed at this time. The bid results for the improvements to one reservoir are as follows:

SCI Construction	\$2,193,000.00
Marion Construction	\$1,705,000.00
McClure and Sons	\$1,282,000.00

The bid submitted from McClure and Sons is the lowest qualified bid with a price of \$1,282,000.00. Upon Council approval, construction is anticipated to begin in November, 2013, be completed by June, 2014.

FISCAL IMPACT:

The construction of the reservoir improvements will be completed in fiscal year 2013/2014. The fiscal year 2013/2014 adopted budget allocates \$1,555,000.00 in account number 04-5150-707587.

STRATEGIC ASSESSMENT:

The two North Valley Reservoirs combined provide for approximately two-thirds of the City's total water storage capacity, are aging, and in need of seismic retrofitting. In addition, the North Valley and Corral Creek Reservoirs all experience hydraulic mixing problems. This project begins to address these problems by completing the needed hydraulic and seismic improvements at North Valley Reservoir #2.



RESOLUTION No. 2013-3039

A RESOLUTION AUTHORIZING THE CITY MANAGER PTO TEM TO ENTER INTO A CONSTRUCTION CONTRACT WITH McCLURE AND SONS, INC. FOR THE NORTH VALLEY AND CORRAL CREEK RESERVOIRS SEISMIC AND HYDRAULIC UPGRADE PROJECT IN THE AMOUNT OF \$1,282,000.00

RECITALS:

1. The City of Newberg advertised the North Valley and Corral Creek Reservoirs Seismic Upgrade and Inlet/Outlet Modifications Project and received three qualified bids on October 2, 2013.
2. The lowest qualified bidder was McClure and Sons, Inc. with a bid in the amount of \$1,282,000.00.
3. Construction for this project will begin in November, 2013, and will be complete in June, 2013.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

The City Council, acting as Contract Review Board for the City, authorizes the city manager pro tem to enter into a contract with McClure and Sons, Inc. in the amount of \$1,282,000.00.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: October 22, 2013.

ADOPTED by the City Council of the City of Newberg, Oregon, this 21st day of October, 2013.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 23rd day of October, 2013.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 21, 2013

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

SUBJECT: Approve the August 19, 2013, and
September 16, 2013, City Council Meeting minutes.

Contact Person (Preparer) for this
Motion: Norma Alley, City Recorder
Dept.: Administration

RECOMMENDATION:

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

EXECUTIVE SUMMARY:

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

FISCAL IMPACT:

None.

STRATEGIC ASSESSMENT:

None.

CITY COUNCIL MINUTES
AUGUST 19, 2013
7:00 PM MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)

A work session was held at 6:00 PM preceding the meeting. A presentation was given by Mr. Lee Elliot, assistant city manager, regarding the Public Works Master Plan and staff discussed the “If I Were a Mayor...” Contest, Fox Farm Vineyard development, and Oregon Planning Institute. Councilor Lesley Woodruff spoke about the culture of dishonesty, which may have developed in the city, and the letters from Mr. Leonard Rydell about recycling. All Councilors, the Mayor, acting city manager, city attorney, city recorder, and minutes recorder were present; no action was taken and no decisions were made.

I. CALL MEETING TO ORDER

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

II. ROLL CALL

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

Staff Present:	Lee Elliot, Assistant City Manager	Terry Mahr, City Attorney
	Barton Brierley, Planning and Building Director	Jay Harris, City Engineer
	Jason Wuertz, Civil Engineer	Janelle Nordyke, Finance Director
	Norma Alley, City Recorder	Mandy Dillman, Minutes Recorder

Others Present: Robert Soppe, Mark Darula, Jane Greller, John Bridges, Blyth Darula, Don Clements, and Mike Ragsdale

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER’S REPORT

Mr. Lee Elliot, assistant city manager, gave reported how difficult the last week has been; however, he wanted to say what an honor it was to work with staff in an efficient and positive way to the response of the resignation of the previous city manager. The deadline for the citizen survey has been extended to August 30, 2013, at 5:00PM. The city mailed 24,000 envelopes with surveys and posted the survey online for everyone to partake. Through the mailings and the online survey, they have already received 348 replies.

V. COUNCIL APPOINTMENTS

1. Consider a motion appointing Sulamita Barbiyeru to the Planning Commission as the Student Planning Commissioner for a term expiring May 30, 2014.

MOTION: Rierson/Bacon appointing Sulamita Barbiyeru to the Planning Commission as the Student Planning Commissioner for a term expiring May 30, 2014. Motion carried (7 Yes/0 No).

2. Consider a motion appointing David Venable to the Traffic Safety Commission for a term expiring December 31, 2015.

MOTION: Bacon/Woodruff appointing David Venable to the Traffic Safety Commission for a term expiring December 31, 2015. Motion carried (7 Yes/0 No).

Mr. David Venable shared a little about himself and his readiness to help solve problems for Newberg. Councilor Bart Rierson said the traffic safety commission is important for the safety of citizens and thanked Mr. Venable for filling the position.

VI. PUBLIC COMMENTS

Mr. Robert Soppe testified in response to the resignation of the city manager and he feels he should not have been given a severance package because he resigned and urged them to give careful consideration to future contracts specifically for the city manager and city attorney to prevent this from happening again.

Mr. Mark Darula brought forth the issue of Terra Vista Heights planning to be built in his neighborhood. He mentioned he was very surprised, disappointed, and confused when he and his neighbors went to the planning commission for answers. He worked with the director, however his questions were not answered; postings that were supposed to happen were not posted, documents were lost that were supposed to be in the public record, and he is trying to figure out why it is so hard to communicate with the city. The planning commission accused them of not doing their homework and if they need to pay the city for special council time, they will to get their questions answered. Mr. Darula asked if they cannot explain the codes in the new R1 zoning reconfiguration, then do not vote. He is frustrated trying to understand the zoning codes and when he asked staff for clarification, was informed the codes are clear and concise. Things are not adding up and is concerned it goes deeper than the planning commission and something is desperately wrong. They have been so frustrated the last five weeks and he asked again that the councilors vote against the zoning table if they do not understand what it entails. Councilor Rierson thanked Mr. Darula for speaking about something important and asked if the city could waive the fees because they do not want citizens unsatisfied and a fee on top of it causing delay.

VII. CONSENT CALENDAR

1. Consider a motion adopting **Resolution No. 2013-3068** authorizing the city manager to negotiate and execute an Intergovernmental Agreement with the State of Oregon to upgrade and replace ADA ramps.
2. Consider a motion adopting **Resolution No. 2013-3071** authorizing the city manager to execute an amendment to the Intergovernmental Agreement with the State of Oregon to exchange federal funds for state funds.
3. Consider a motion adopting **Resolution No. 2013-3072** authorizing the city manager to execute an amendment to the Intergovernmental Agreement with ODOT for the sidewalk and bike lane improvements on N. College Street.
4. Consider a motion adopting **Resolution No. 2013-3073** initiating a Newberg Transportation System Plan amendment to reflect the Newberg-Dundee Bypass Phase I Alignment
5. Consider a motion adopting **Resolution No. 2013-3075** approving the appointment of Jennifer Nelson as the Deputy City Recorder.

6. Consider a motion approving a sound permit for the Newberg Downtown Coalition for Oktoberfest to be held on September 20 and 21, 2013.
7. Consider a motion approving the July 15, 2013, city council meeting minutes.

MOTION: **Rierson/Bacon** adopting the consent calendar including **Resolution No. 2013-3068** authorizing the city manager to negotiate and execute an Intergovernmental Agreement with the State of Oregon to upgrade and replace ADA ramps, **Resolution No. 2013-3071** authorizing the city manager to execute an amendment to the Intergovernmental Agreement with the State of Oregon to exchange federal funds for state funds, **Resolution No. 2013-3072** authorizing the city manager to execute an amendment to the Intergovernmental Agreement with ODOT for the sidewalk and bike lane improvements on N. College Street, **Resolution No. 2013-3073** initiating a Newberg Transportation System Plan amendment to reflect the Newberg-Dundee Bypass Phase I Alignment, **Resolution No. 2013-3075** approving the appointment of Jennifer Nelson as the Deputy City Recorder, approving a sound permit for the Newberg Downtown Coalition for Oktoberfest to be held on September 20 and 21, 2013, and approving the July 15, 2013, city council meeting minutes. Motion carried (7 Yes/0 No).

VIII. PUBLIC HEARINGS

Consider a motion adopting **Ordinance No. 2013-2763** amending the Newberg Development Code adopting a new Zone Use Table.
(Legislative Hearing)

Mr. Barton Brierley, planning and building director, presented the staff report accompanied by a PowerPoint presentation (see official meeting packet for full report). Staff recommends approval of Ordinance No. 2013-2763.

Councilor Ryan Howard asked if these changes would cause any existing business to change to comply or to close. Mr. Brierley explained any current establishments may continue current use; however, if they close for any reason for more than a year, they must comply with the changes upon re-opening. Councilor Howard wondered if vacation rental homes would be notified of the new standards and registration process. Mr. Brierley said one provision in the recommendation was if someone had a previous existing use, they are allowed to continue as they are. They further discussed Caravan Coffee and other complicated cases.

Ms. Jane Greller expressed how the staff report explains the frustration her and her neighbors have felt. She asked the council to ask Mr. Brierley where the presentation identifies what is going to be repealed. As she understands it, the councilors are being asked to repeal language in the code, which removes the language and now says R-1 Low Density Residential (LDR) is no longer the most important land use in the city. It bothers Ms. Greller that language will just disappear. She received what Mr. Brierley presented in a letter accompanying her water bill; however, she was unable to find the information, which states what they will be replacing the definition of the R1 with. She further explained she understands the LDR designation of 4.4 units is now going to average over the entire district, including the portion being developed in their neighborhood. She further explained in the zoning use table in section 200 it lists residential uses in R-1 are subject to density limits per code 15.405.010b, which has not been mentioned in the utility bill or staff report and asked why it has not been mentioned. As a concerned citizen, she is trying to become involved and understand the guidelines; however, she is feeling stone-walled and the process has been very confusing. She asked why it is so hard to get clear, understandable answers from the planning department, even after 14 emails over three weeks asking the same question about LDR, high density residential (HDR) and medium density residential (MDR) formulas. Ms. Greller submitted written testimony for an extension of the Terrace Estates hearing on August 15, 2013, and she was contacted by Ms. Nunley, informing her that two of the pages had gone missing.

Mr. Terry Mahr, city attorney, interrupted Ms. Greller notifying the council her testimony is on a quasi-judicial hearing currently being heard by the planning commission and she should not be sharing evidence at the council level; instead she should go through an appeals process with the planning commission.

Discussion commenced about how to submit information in that manner and what is appropriate for her to discuss with the city council.

Ms. Greller continued by saying she is being misrepresented. She asked council to turn to page 165 in their council packet and wanted to know how the density limits are calculated. Councilor Denise Bacon asked Mr. Brierley if this was what they did a few years ago when trying to meet density goals because of the affordable housing act. Mr. Brierley answered it was. Mayor Andrews informed Ms. Greller they cannot come up with the answer for her tonight, but staff will prepare a response to send to her by her choice of delivery. Ms. Greller mentioned the land use notices for the Terra Estates property were not properly displayed, as per code, and she is very concerned because the code is changing to say the R-1 is not the most important property in the city anymore and will be averaged by density limit in a way that cannot be calculated. Councilor Bacon explained the city spent many years building on huge lots and not meeting target goals for housing, which means there is no more land left for housing. She mentioned this does not mean they are going to come rebuild on Ms. Greller's property. Ms. Greller also spoke about the comprehensive plan saying land use projects are "until 2010" and then in two other places it states it is "through 2010". She explained it makes a difference to her and asked where the comprehensive plan lives. They want a plan that is crisp and clear and understandable because it is conflicting and no one can tell her why. Councilor Bacon asked Mr. Brierley if she had a piece of property bought before the change in density, but did not file paperwork to build on the land and decided to today, would she start with what is current or what the rules were when she bought the property. Mr. Brierley replied she would start with what is current today. Councilor Bacon asked Ms. Greller why it makes a big difference. Ms. Greller explained until R-1 density in 2010 the square footage was 7,500 and then in October, 2010, it changed to 5,000 square foot minimums. The plan continues to say it is good "through 2010" and then says it is good "until", and she does not really care either way; however, it cannot be both, which causes contradictory language in the plan. Councilor Stephen McKinney said her questions are legitimate, suggested they may want to seek legal advice on some of their issues, and reminded her staff will be working on her questions and they all want to help her move forward. Councilor Bart Rierson said he was not familiar with the document that mentioned R1 was the most important land use and his assumptions in regards to land use projects is the dates are constantly changing. He informed her the previous city manger was working on ways to help the citizen process of navigating the city easier with a city liaison, specifically for these types of issues. Additionally, he mentioned she could call city councilors to get more help. Mr. Brierley read out loud what the code currently states and informed Ms. Greller the planning commission changed R1 from being the most important land in the community because they had a feeling all land in the city is equally important and therefore asked the language be changed. He then read what the new language was to be and informed the council it was highlighted in their material on page 139. Additionally, the density limit currently says the R-1 has a minimum of 5,000 square feet per dwelling limit and establish it by a sub-district. Councilor Rierson asked where the formula for 4.4 per acre was derived. Mr. Brierley explained the dwelling unit per gross buildable acre came from the comprehensive plan, which has been in place since 1979, and was reaffirmed and adopted in 2006. Councilor Rierson asked if the 4.4 units per gross buildable acre assumes a figure larger than 7,500 square feet. Mr. Brierley said it was roughly an average of a 7,424 square foot lot. Additionally, he explained they have done a number of updates to the comprehensive plan over time, which included significant changes in 2005 and 2006 to update projects for land needs through 2025 and 2040. The future land uses were not supposed to be updated until 2010 and they have not yet updated them. Those parts in need of updating have the language Ms. Greller found to be contradictory and like the zoning use table, outdated.

It was discussed staff did all they could to inform citizens of the land use change for Terra Heights and they also posted notices on the website and in the newsletters for the planning commissions consideration of zone changes.

Councilor McKinney asked if by saying “through 2010”, they are assuming it is until December 31, 2010. Mr. Brierley restated the comprehensive plan is in need of updating and when they were last updated in the nineties, it was updated through 2010 and is assumed until the end. The two lines in question still refer to 2010 and need to be amended.

Mr. John Bridges urged the council to include child care in industrial zones. He said the planning commission agreed to allow it as a conditional use and asked the council do the same.

Mr. Mark Darula asked why they are giving a five-year exemption to land without any value to change in the next five years with no regards of decision to city changes. Additionally, Mr. Brierley said a piece of land can be bought in the next five years and have to conform, which is opposite of the previous statement. Mayor Andrews said they will work on finding an answer, but do not have one for him today. He also reminded the council this is the first reading, so if the council needs clarification on matters they will not vote on the issue.

Councilor Howard asked why they were changing section 25. Mr. Brierley explained it was in light of the many measures passed in Oregon over the last decade, which have affected land use. They are allowing a grace period for those wanting to use a property for a use now changing or not allowed. If the council would like they could change those terms.

Mr. Darula asked why the people on the land for Terra Estates are not given the five-year exemption for the annexation when it was annexed at a community vote by 45%. He wondered how it was not intended for that purpose. Mayor Andrews replied staff would have to get back to them with an answer for that.

Ms. Blyth Darula said she has a general feeling something is being hidden from the citizens and they are supposed to be seen and not heard. She mentioned the language “trying to bring the code up to the 21st century” will cause things to get overlooked because of lack of detail. Ms. Darula feels special interest groups are getting away with changing the code and responsible citizens are supposed to look in the paper to see if they should be worrying. She feels they have not been well represented and have been told to not make ripples. If there is something in the process that is not right, she asked council look into it and change it. Councilor Mike Corey stated the city is not trying to hide anything; all the information has been public knowledge for a while. The information is difficult for the councilors to understand at times as well, but the changes are to help citizens in the future, not to hurt them. Councilor Corey concluded with explaining the R-1 changes are intended to help keep jobs in the city, which will therefore keep the need for new houses; and lowering the square footage requirement will allow more low-income housing for those who cannot afford a larger home. He expressed his hope they were able to voice concerns at the planning commission meeting. Ms. Darula said they all spoke at planning commission. Mayor Andrews asked her about the zoning changes and she informed him they had no idea about them. Mayor Andrews replied they are looking for new ways to communicate with the public and ideas are greatly appreciated. Councilor McKinney replied to Ms. Darula’s testimony by stating he is unaware of any special interest groups using solicitation to use the city and was sorry to hear citizens think there might be. Ms. Darula replied it was just a blanket statement in regards to her recent experience which causes her to believe there maybe dishonesty happening in lower levels. She is asking for help to look into what is happening in the city offices.

Discussion commenced in regards to the ordinance and Terra Heights application and it was determined the citizens feel the smaller sized lots are changing how Newberg looks.

Mayor Andrews mentioned a Mr. Gerald Boe submitted a written testimony.

MOTION: Rierson/Bacon adopting written testimony of Mr. Gerald Boe. Motion carried (7 Yes/0 No).

Mayor Andrews closed the public testimony.

Mr. Brierley said they have tried to be very cognizant and detail-oriented in this process, as well as being very transparent in the changes. Volunteers have spent many nights working with these codes and Mr. Brierley wanted to commend the planning commission for their effort. He wanted the citizens to know they have tried very hard to make information simple and understandable. The planning commission looked very carefully over the zoning use table and Mr. Brierley feels comfortable asking the council to adopt it as well. Mayor Andrews asked if planning commission had been unanimous in adoption and Mr. Brierley replied they had been. Councilor Rierson mentioned the written testimony from Mr. Boe suggests objecting to R-1 zone density should not be decreased further by adding plan unit developments. Councilor Rierson assumes the planning development is already part of the code and plan unit development would not increase density, but instead allow for a slightly smaller lot size, where odd shaped pieces could exist without being flag lots, and other units being bigger to make up for the smaller lots. Mr. Brierley explained planning developments can apply under R1 in current code and under purposed lots. The density in planning unit development is calculated differently than in a subdivision and is based on the number of bedrooms in unit. It is possible to ask for more dwelling units in a planning unit development; however, there are stricter requirements. Mayor Andrews asked if the planning commission adopted 2013-299 and Mr. Brierley said they had. It was discussed further the changes to daycare applications in the new zoning code table.

Mayor Andrews closed public hearing and record.

Staff stated additional written testimony will be accepted for seven days with the second reading scheduled for September 16, 2013. Mayor Andrews also mentioned council can reopen the public record at the next meeting if people come to testify.

IX. NEW BUSINESS

TIME – 7:06 PM

1. Consider a motion adopting **Resolution No. 2013-3074** authorizing a settlement with former employee, Tabrina McPherson, concerning employment claims due to her separation from employment with the City in the amount of \$44,280.00.

Mr. Mahr explained this motion is for a settlement of a claim, which they will pay over nine months as a severance package for all outstanding claims. The pursuant sent a letter through their attorney about employment claims including information about all offices, including the city manager. Councilor McKinney asked if Citycounty Insurance Services (CIS) was going to help pay for the settlement. Mr. Mahr said CIS is contributing two-thirds of the payment. It was discussed the city does not have a standard way of resolving issues of this sort because layoffs rarely happen.

MOTION: Rierson/Bacon adopting **Resolution No. 2013-3074** authorizing a settlement with former employee, Tabrina McPherson, concerning employment claims due to her separation from employment with the City in the amount of \$44,280.00. Motion carried (7 Yes/0 No).

2. Consider a motion adopting **Resolution No. 2013-3069** authorizing the city manager to enter into a construction contract for the Sheridan Street and Chehalem Cultural Center Forecourt Project.

Mr. Jason Wuertz, civil engineer, presented the staff report accompanied by a PowerPoint presentation (see official meeting packet for full report). Staff recommends approval of Resolution No. 2013-3069.

Discussion commenced on the planned usage of the federal exchange monies. It was concluded the council can decide to postpone for a couple weeks, defer until later winter, or approve as it stands. The full amount of

money from the federal exchange will be \$485,000.00; however, it will be used for several projects including the Cultural Center's forecourt and the current street rehabilitation projects happening around town. The total budget for this project was \$485,000.00 with \$1,720,000.00 in the federal funds currently, which would be enough to pay for the project as well as Vittoria Way and several paving projects next summer if the council chooses. However, the bid came in high and the new total budget is \$530,000.00, which they plan to pay the difference with federal exchange monies if allowed. If not allowed, the money would need to come from other projects budgets. Councilors discussed they feel the city needs the rehabilitation projects and staff informed them the money they would take from rehabilitation projects would be enough to re-pave three-fourths of a block.

Mr. Mike Ragsdale, Newberg downtown association chair, encouraged the council to pass the motion. He explained they have worked hard to raise their share of the money for the project and have the ballroom to finish as well, which will also help increase the Cultural Center's revenue. They are also over budget because of the Sherman Street underground power line and curb cuts. He encouraged them to move quickly so construction can get underway before the wet weather sets in. Councilor Howard asked if they could forego the parking lot refurbishing to help pay for the forecourt; however, Mr. Ragsdale informed him he would not be able to answer.

Mr. Don Clements, Chehalem Park and Recreation District (CPRD) superintendent, said they have been working on this project for four years. He feels passing the motion is the right decision and delaying will only complicate and inconvenience citizens instead of saving money.

Discussion commenced with councilors stating their opinions of the motion.

MOTION: Rierson/Howard adopting **Resolution No. 2013-3069** authorizing the city manager to enter into a construction contract for the Sheridan Street and Chehalem Cultural Center Forecourt Project.

Mayor Andrews asked for clarification as to how they would pay for the project if the federal funds will not. Ms. Janelle Nordyke, finance director, explained the funds would come from the street fund and will come from contingency, which will eat into the six-day operating contingency and directly effect the maintenance. Additionally, if they go below three months of reserves, the bond issue will have a higher interest rate.

Discussion commenced on delaying the project and it was determined if delayed, they must go out for bids again and it would push the project into the winter season increasing costs.

MOTION: Corey/Andrews amending **Resolution No. 2013-3069** authorizing the city manager to enter into a construction contract for the Sheridan Street and Chehalem Cultural Center Forecourt Project, contingent upon approval of legal counsel allowing for use of the federal exchange funds.

Discussion commenced about why council is just finding out now about the federal funds possibly not covering the project. It was determined the previous city manager had other priorities and wanted to push this project through faster without delay. Additionally, it was discussed they will have a risk analysis in the next few days as to whether they think the federal monies can be used for the project. If federal monies cannot be used, they will bring the item back to discuss what monies to use instead.

VOTE: amending **Resolution No. 2013-3069** contingent upon approval of legal counsel allowing for use of the federal exchange funds. Motion carried (6 Yes/1 No [Woodruff]).

VOTE: Corey/Andrews adopting **Resolution No. 2013-3069** authorizing the city manager to enter into a construction contract for the Sheridan Street and Chehalem Cultural Center Forecourt Project, as amended. Motion carried (6 Yes/1 No [Woodruff]).

3. Consider a motion adopting **Resolution No. 2013-3070** authorizing the city manager to execute an Intergovernmental Agreement with Chehalem Park and Recreation District (CPRD) for cost sharing of the Sheridan Street and Chehalem Cultural Center Forecourt Project.

Mr. Wuertz explained the split is determined by the right-of-way boundary on the property line and everything outside of the right-of-way will be covered by CPRD. Staff recommends approval Resolution No. 2013-3070.

MOTION: Rierson/Bacon adopting **Resolution No. 2013-3070** authorizing the city manager to execute an Intergovernmental Agreement with Chehalem Park and Recreation District (CPRD) for cost sharing of the Sheridan Street and Chehalem Cultural Center Forecourt Project. Motion carried (7 Yes/0 No).

X. COUNCIL BUSINESS

TIME – 10:29 PM

1. Consider a motion directing staff to work with Debbie Headley to install a Peace Pole at Francis Square.

MOTION: Howard/Bacon motion directing staff to work with Debbie Headley to install a Peace Pole at Francis Square. Motion carried (7 Yes/0 No).

2. Francis Park Waterfall

Mayor Andrews explained he received an e-mail from Ms. Pat Haight and forwarded it on to public works for input. Mr. Elliot replied they have had multiple challenges in regards to vandalism and staff will have recommendations in a couple weeks. Councilor Howard asked how persistent the issues are and Mr. Elliot said they spent several weeks fixing the area and the next day it was vandalized.

XI. ADJOURNMENT

The meeting adjourned at 10:42 PM.

ADOPTED by the Newberg City Council this ____ day of _____, 201x.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this _____ day of _____, 201x.

Bob Andrews, Mayor

CITY OF NEWBERG COUNCIL MINUTES
SEPTEMBER 16, 2013
7:00 PM MEETING
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)

A work session was held prior to the meeting. A presentation was given on the Library and Cultural District by Library Director Leah Griffith, a presentation on the Newberg Downtown Coalition by NDC Executive Director Mike Ragsdale, and a presentation on the Chehalem Valley Vision Plan by Newberg School District Communications and Community Relations Coordinator Claudia Stewart. No action was taken and no decisions were made. All Councilors and the Mayor were present.

I. CALL MEETING TO ORDER

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

II. ROLL CALL

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

Staff Present:	Lee Elliott, City Manager – Pro Tem	Terrance Mahr, City Attorney
	Janelle Nordyke, Finance Director	Norma Alley, City Recorder
	Leah Griffith, Library Director	DawnKaren Bevill, Minutes Recorder
	Barton Brierley, Planning & Building Director	

Others Present: Robert Soppe, Jason Yates, and Wayne German

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER’S REPORT

Mr. Lee Elliott, city manager – pro tem, announced a goal setting session will be held on Monday, September 23, 2013, at 6:00 PM, an external audit that will take place the second week of October and a Sheridan Street Project pre-construction meeting will be held on Wednesday, September 25, 2013.

V. PUBLIC COMMENTS

Mayor Andrews opened the public testimony.

Mr. Robert Soppe raised some issues regarding the Newberg-Dundee Bypass stating the Newberg Transportation System Plan (TSP) assumes the full Bypass will be constructed. With the current approach where the construction is accomplished in phases, he believes adjustments need to be made in the TSP and elsewhere. Mr. Soppe asked are we protecting the property on the east side to allow completion of the full Bypass, are we revisiting the TSP assumptions to accommodate the delay in construction of the full Bypass, and are we addressing the intersection failures Oregon Department of Transportation (ODOT) has projected in 2016. Fundamental to the resolution of these questions is whether or not the council believes the full Bypass will be constructed. If it will, we need to ensure it will remain economically feasible. He asked if the property on the east side of the Bypass corridor is developed, will that not effectively block the future completion of the Bypass because of the dramatic higher acquisition costs. If it is not expected to be constructed, then the TSP

must reflect that and we need to move on. The Final Environmental Impact Statement (FEIS) from ODOT makes it clear we will have problems with intersections if the full Bypass is not constructed. According to the Bypass FEIS, there are numerous intersections that do not meet their 2016 standards. In addition to the intersections failures, one can expect a substantial amount of Bypass traffic leaving northbound Springbrook to travel through Springbrook Oaks in order to get to eastbound Highway 99W; this needs to be anticipated and accommodated. Mr. Soppe has reviewed the information regarding the TSP update that began last year, but it does not appear the update is being handled in a timely manner, nor is it clear that these specific issues are being addressed.

Mr. Jason Yates stated his concern with Resolution No. 2013-3069, authorizing the city manager pro tem to enter into a construction contract for the Sheridan Street and Chehalem Cultural Center Forecourt Project. He expressed his disappointment that the allocated public funds were used to decorate a building when the funds should have been used on the rotting structure of roads. Mr. Yates stated he felt council decisions were made disregarding the citizens. Mayor Andrews invited Mr. Yates to meet with him personally regarding the issue.

Mr. Wayne German has been involved professionally in the software industry and asked for laws to be changed regarding mental illness. He explained there is no recourse for people who are mentally challenged and attacked verbally in the workplace. Mr. German explained people have a natural tendency to believe their doctor is their advocate, but as a matter of course, the doctor will speak to the insurance company who will in turn determine what medical treatment can be given. He is concerned the doctors in Newberg are becoming advocates for the system, rather than for the patient, as there is no choice for the patients regarding what insulin they purchase. Councilor Denise Bacon offered to connect Mr. German to people who can help him with his concerns.

VI. CONSENT CALENDAR

1. Consider a motion adopting **Resolution No. 2013-3076** approving the appointment of Jodie Hoogendam as the Public Works Maintenance Department Secretary.
2. Consider a motion adopting **Resolution No. 2013-3077** approving the appointment of Amy Rockwell as a Library Shelver.
3. Consider a motion adopting **Resolution No. 2013-3081** approving the appointment of Andrew Shepherd as the Operator II in the Public Works Operations Department.

MOTION: Howard/Woodruff moved to adopt **Resolution No. 2013-3076** approving the appointment of Jodie Hoogendam as the public works maintenance department secretary, **Resolution No. 2013-3077** approving the appointment of Amy Rockwell as a library shelver, and **Resolution No. 2013-3081** approving the appointment of Andrew Shepherd as the operator II in the Public Works Operations Department. Motion carried (7 Yes/0 No).

VII. PUBLIC HEARINGS

Consider a motion adopting **Ordinance No. 2013-2763** amending the Newberg Development Code adopting a new Zone Use Table. (**Legislative Hearing – 2nd Reading**)

TIME – 7:26 PM

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

Mr. Barton Brierley, planning & building director, presented the staff report and recommended approving the new Zone Use Table. He reviewed the existing and revised Purpose Statement for clarification.

Mayor Andrews closed the public hearing.

MOTION: Woodruff/Howard moved to adopt **Ordinance No. 2013-2763** amending the Newberg Development Code adopting a new Zone Use Table, read by title only. Motion carried (7 Yes/ 0 No).

VIII. NEW BUSINESS

1. Consider a motion adopting **Resolution No. 2013-3078** authorizing the city manager pro tem to enter into an Intergovernmental Agreement with Chehalem Park and Recreation District for the management of Newberg Cultural District.

Ms. Leah Griffith, library director and city's liaison for the cultural district, reported many meetings have been held and an intergovernmental agreement was developed to manage the area, with an executive board to make decisions for the area. Chehalem Park & Recreation District (CPRD) approved the intergovernmental agreement (IGA) at their August 22, 2013, meeting. The IGA includes how to manage outdoor areas and working on a parking plan. The parking management plan will address the total activities going on in the two buildings in order to coordinate events from reaching over and above capacity. The city manager will appoint a city representative from amongst city staff or an elected official. Ms. Griffith will be the representative from the Library.

Mayor Andrews asked for clarification on the citizen member. Ms. Griffith answered the residential district is comprised of those living in the area and they will select a residential neighbor to represent them.

MOTION: Howard/Bacon moved to adopt **Resolution No. 2013-3078** authorizing the city manager pro tem to enter into an Intergovernmental Agreement with Chehalem Park and Recreation District for the management of Newberg Cultural District. Motion carried (7 Yes/ 0 No)

2. Consider a motion adopting **Resolution No. 2013-3079** appointing Truman Stone as the City Attorney.

MOTION: Rierson/Bacon moved to adopt **Resolution No. 2013-3079** appointing Truman Stone as the City Attorney, effective October 7, 2013. Motion carried (7 Yes/ 0 No)

3. Consider a motion accepting the Chehalem Valley Visitor Information Center 2012-2013 Fourth Quarterly Report.

MOTION: McKinney/Howard accepting the Chehalem Valley Visitor Information Center 2012-2013 Fourth Quarterly Report. Motion carried (7 Yes/ 0 No).

IX. COUNCIL BUSINESS

1. Discussion of Utility Billing Policies.

Mrs. Janelle Nordyke, finance director, presented the staff report (see official meeting packet for full report) summarizing recommended policy changes. Ms. Nordyke reported the intent is to modify the utility billing policies. Staff is recommending modifications to the process by suggesting a new billing policy for three to

five days after the meter is read in order to give customers the opportunity to make quick changes if there are any leaks and giving two months of credit for leaks where appropriate. Fee increases for delinquencies should be increased from \$15.00 to \$20.00. A \$50.00 late fee will be given if they have not paid a day before the shut-off date. Staff recommended cutting extended hours on shut-off days due to the many opportunities and notices received during the month. There are opportunities for extensions and payment plans and recommended looking at a customer's account for a year and if they have paid on time, staff can then offer an extension if needed. Payment plans have not been offered unless there were extreme circumstances, so staff recommends changing it to a payment plan of up to three months under extenuating circumstances. Mrs. Nordyke suggested requiring rental tenants to pay a \$100.00 refundable deposit to sign up in their name. Staff recommended real estate agents pay a cleaning fee of \$20.00 for a week or \$34.96 for a month, plus consumption, with no charge for a shut-off up to 100 cubic feet of water. Mrs. Nordyke stated a clear chain of command for disputes is needed and should be the billing clerk, then assistant finance director, and finally the finance director. Mrs. Nordyke will bring back a formal report on October 21, 2013.

Mayor Andrews suggested staff look at a progressive fee for delinquencies.

2. Discussion of the City Manager Recruitment Subcommittee.

Mayor Andrews asked for the discussion to be placed on the October 7, 2013, city council agenda.

Mayor Andrews stated this is Terry Mahr's last council meeting and congratulated him on 26 years of service. Mr. Mahr stated he has enjoyed his career as city attorney.

X. ADJOURNMENT

Meeting adjourned at 10:15 PM.

ADOPTED by the Newberg City Council this ____ day of ____, 2013

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this ____ day of ____, 2013.

Bob Andrews, Mayor

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REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 21, 2013

Order ___ No.	Ordinance ___ No.	Resolution <u>XX</u> No. 2013-3082	Motion ___	Information ___
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SUBJECT: Adopt the following Utility Billing Policies

Contact Person (Preparer) for this
Motion: Janelle Nordyke
Dept.: Finance Director
File No.:

RECOMMENDATION:

Adopt Resolution No. 2013-3082 adopting Utility Billing policies.

EXECUTIVE SUMMARY:

The Finance Department oversees the Utility Billing Department. The current policies have not been updated for several years. It is prudent to review policies on a frequent basis.

An overview and discussion on the Utility Billing policies were reviewed by the City Council on September 16, 2013. After suggestions from the Council, the following Utility Billing policies are being recommended for adoption by the City Council are shown in Exhibit "A".

FISCAL IMPACT:

Revenues will be received in a more timely fashion. The accounts receivable aging will decrease because there will only be one month instead of two months outstanding invoices for customers who choose to pay by the second month's due date. Accounts sent to collections will be less than in the past as the delinquent customer will only have one month outstanding invoice instead of two.

STRATEGIC ASSESSMENT:

By adopting the revised Utility Billing policies as recommended will allow the Utility Billing Department to continue to become more efficient and allow for greater customer service opportunities.



RESOLUTION No. 2013-3082

A RESOLUTION ADOPTING UTILITY BILLING POLICIES

RECITALS:

1. The Utility Billing policies should be reviewed on a regular basis.
2. The Utility Billing policies have been reviewed by the City Council on September 16, 2013.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

The City Council adopts Utility Billing Policies as attached in Exhibit "A", which is hereby adopted and by this reference incorporated.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: October 22, 2013.

ADOPTED by the City Council of the City of Newberg, Oregon, this 21st day of October, 2013.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 24th day of October, 2013.

Bob Andrews, Mayor

POLICIES FOR UTILITY BILLING

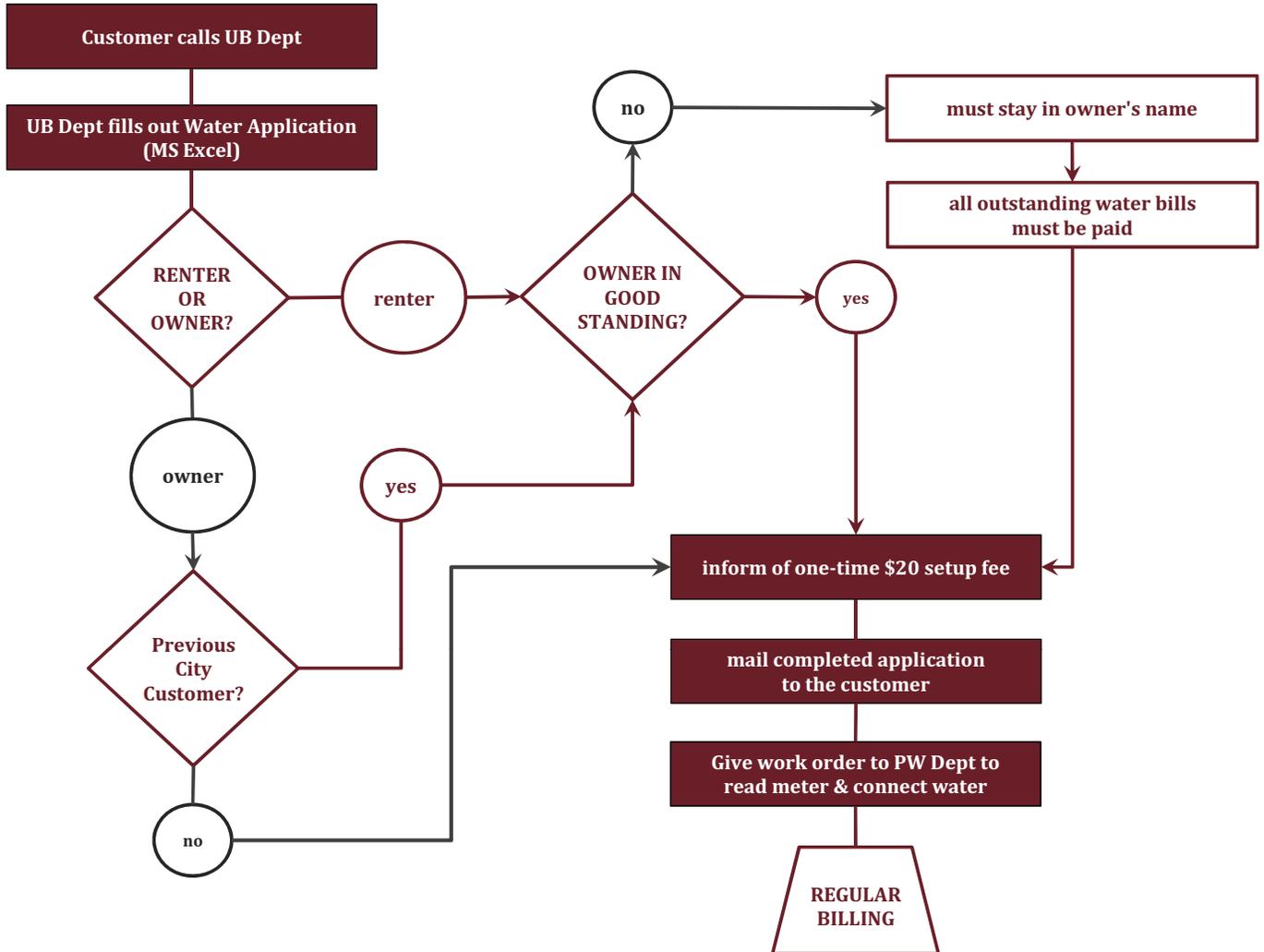
A. New Accounts (see Exhibit A)

1. Customers sign up for service by providing detailed information, including either a SS# or DL# and a contact phone number.
2. UB verifies that the account has been “finaled” so that the new customer can sign up.
3. Customer is informed of the \$20 connect fee.
4. A work order email to connect service is created and sent to Public Works. (see Exhibit B)
5. A copy of the application is mailed to the customer

Recommendations: None.

City of Newberg UTILITY BILLING PROCESS FLOWCHART

OPENING AN ACCOUNT



No. _____



APPLICATION FOR WATER/SEWER/STORM WATER SERVICE

DATE: _____	Account No: _____
NAME: _____	Reading: _____
Renter? _____ Owner? _____	Reading Date: _____
Outside City? Yes _____ No _____	No In Household: _____
Service Address: _____	Phone No.: _____
Billing Address: _____	
Previous City Customer Yes _____ No _____	
Notes: _____	

Note: There is a \$20.00 non-refundable set up charge which will appear on your first bill.

I hereby apply for **water/sewer/storm water** service to the above premises. In consideration of the furnishing of service by the City of Newberg to the above premises. I agree to:

1. Be responsible for all charges for service from the date of this application until I give the City notice to discontinue service.
2. Abide and comply with all rules and regulation now in force or hereinafter enacted by the Newberg City Council.
3. Pay promptly all bills for service before the charges become delinquent and to notify the Finance Department that service is no longer required.
4. Have this application constitute a binding agreement between the City and myself only upon proper execution by myself and acceptance by the City.

Delinquency. The City of Newberg reserves the right to discontinue service when charges are not paid when due, and to refuse further service until the delinquency is paid in full.

Failure to Pay. Failure to pay all charges for service may result in further collection efforts by the City or the City may place a lien on the property. Unpaid charges which become a lien may be enforced and collected in the same manner as any other municipal lien.

 Initials _____
 Soc. Sec. No. _____ or Driver's License _____

To: PW Utility Technician
Cc: UB Clerk
Subject: 09/03/2013 CONNECT 1234 SMITH DR

METER # 987654321

John Smith
Utility Billing Clerk
City of Newberg
(503) 537-1205

POLICIES FOR UTILITY BILLING

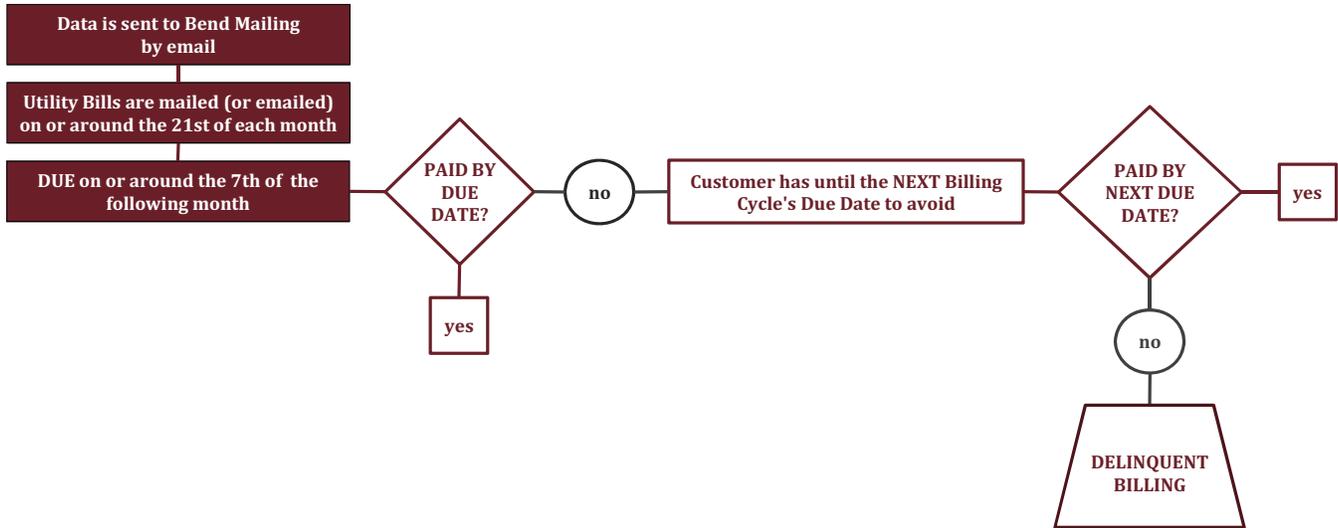
B. Monthly Billing (see Exhibit C)

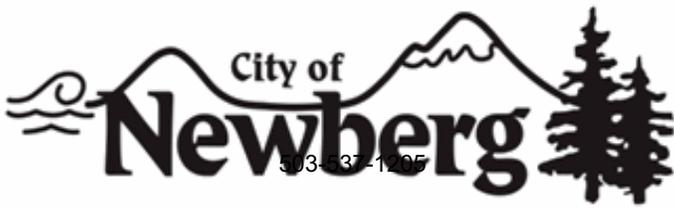
1. Meters are read on the 2nd – 3rd of each month.
2. Bills are figured around the 21st of each month. Bills are mailed around the 23rd of the month, using a 3rd party provider: Bend Mailing.
3. Routes are read the first week of each month leaving the three weeks prior to billing for re-reads and repairs.
4. Why do corrections need to be made prior to billing? They don't because it is PW fixing meters, gaskets, etc, not customers fixing their side of the pipes.
5. Can we bill 2-3 days after reading and then make adjustments for re-reads and repairs after billing? Yes, we can, because then the customer will see the high reading and be proactive, instead of us spending 34 hours doing re-reads and variance checks.

Recommendations: Change billing date to be 3 - 5 days after meters are read. The customer will receive the bill much sooner and will be able to be proactive in monitoring their consumption. Staff will continue to do a cursory review prior to bills going out but a more thorough review will be done after the bills are sent out.

City of Newberg UTILITY BILLING PROCESS FLOWCHART

REGULAR BILLING





Account
Statement

**EXHIBIT "A" TO
RESOLUTION 2013-3082
(Exhibit C-1)**

ACCOUNT INFORMATION

ACCOUNT:
SERVICE ADDRESS:
SERVICE PERIOD: 9/21/2012 to 10/21/2012
BILLING DATE: 10/22/2012
DUE DATE: 11/7/2012

METER READING

Serial No	Previous Reading		Current Reading		Cons
	Date	Reading	Date	Reading	
62573684	9/5/2012	43600	10/1/2012	44600	1000

NEWBERG, OR 97132

SPECIAL MESSAGE

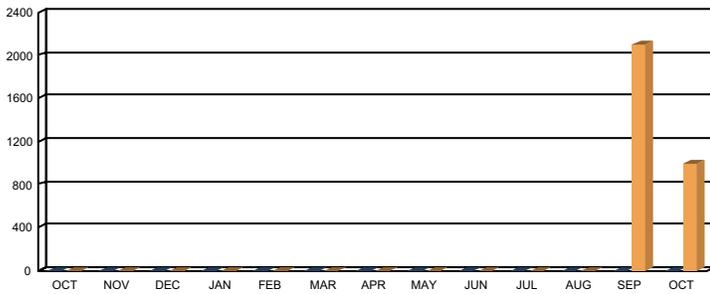
NFD 72nd Turkey Carnival Nov 9 & 10 at the downtown Fire Station. Join us for dessert at 6pm. Bingo & kids games begin at 6:30pm. Fats, oils & grease don't belong down the drain or toilet but in the garbage. For flooding please call 503-537-1234

CURRENT CHARGES

Water	44.57
Sewer	89.34
Fire	1.50
Storm	5.29
Public Safety Fee	3.00

TOTAL CURRENT CHARGES 143.70

USAGE HISTORY



BILL SUMMARY

PREVIOUS BALANCE	243.82
PAYMENTS RECEIVED	0.00
ADJUSTMENTS	0.00
ADDITIONAL BILLING	0.00
CURRENT CHARGES	143.70

TOTAL AMOUNT DUE 387.52

Payment
Coupon

ACCOUNT INFORMATION

PLEASE RETURN THIS PORTION ALONG WITH YOUR PAYMENT
 PLEASE MAKE CHECK PAYABLE TO:
CITY OF NEWBERG

ACCOUNT:
SERVICE ADDRESS:
SERVICE PERIOD: 9/21/2012 to 10/21/2012
BILLING DATE: 10/22/2012
DUE DATE: 11/7/2012

NEWBERG, OR 97132

AMOUNT DUE

TOTAL AMOUNT DUE BY 11/7/2012 387.52

AMOUNT ENCLOSED

REMIT PAYMENT TO:

PO BOX 970
 NEWBERG, OR 97132



POLICIES FOR UTILITY BILLING

C. Delinquent Billing (see Exhibit D, Exhibit I, Exhibit J)

1. Delinquent letters are sent out the day after utility bills are due. When a delinquent letter is sent, a \$15 fee is assessed on the account. The Delinquent Letter states that your water will be shut off by a certain date. You must pay your past due amount, plus the \$15 late fee, by the date mentioned. If you fail to pay by the DL due date, another \$15 will be assessed on the Shut Off day, whether or not you are actually shut off.
2. This is the 3rd notice that customers received. The First is the previous balance amount on the utility bill if it is greater than \$0. The Second notice is with the second utility bill which states in big, bold letters at the top of the invoice the amount past due and when to pay it by. The Third notice is the delinquent letter. We no longer do door hangers but mail the notice instead.
3. IVR (Interactive Voice Response); customers on the delinquent list are called the morning of the day delinquent letters are mailed. This lets the delinquent customer know that their water will be shut off if payment is not made by a certain date. Customers are responding positively to this phone reminder. This list is updated and the calls are repeated 2 days before shut-off.

Recommendations: Delinquent bills to be sent out after 1 month of non-payment instead of the current 2 month policy. This will require that the water used will be billed 3-5 days after reading, due date 14-18 days after reading, grace period of 10 days after due date and shut offs 40-41 days after reading instead of billing 20 days after reading, a grace period up to 65 days after reading, with shut offs 71-72 days after reading. Switching to delinquent letters being sent out after 1 month on non-payment instead the current delinquency after 2 months will require many customers to pay 2 utility bills at once. This is where a payment plan arrangement would be advantageous. The Utility Billing Department would allow a payment plan to be made available during this transition period for no more than 3 months.

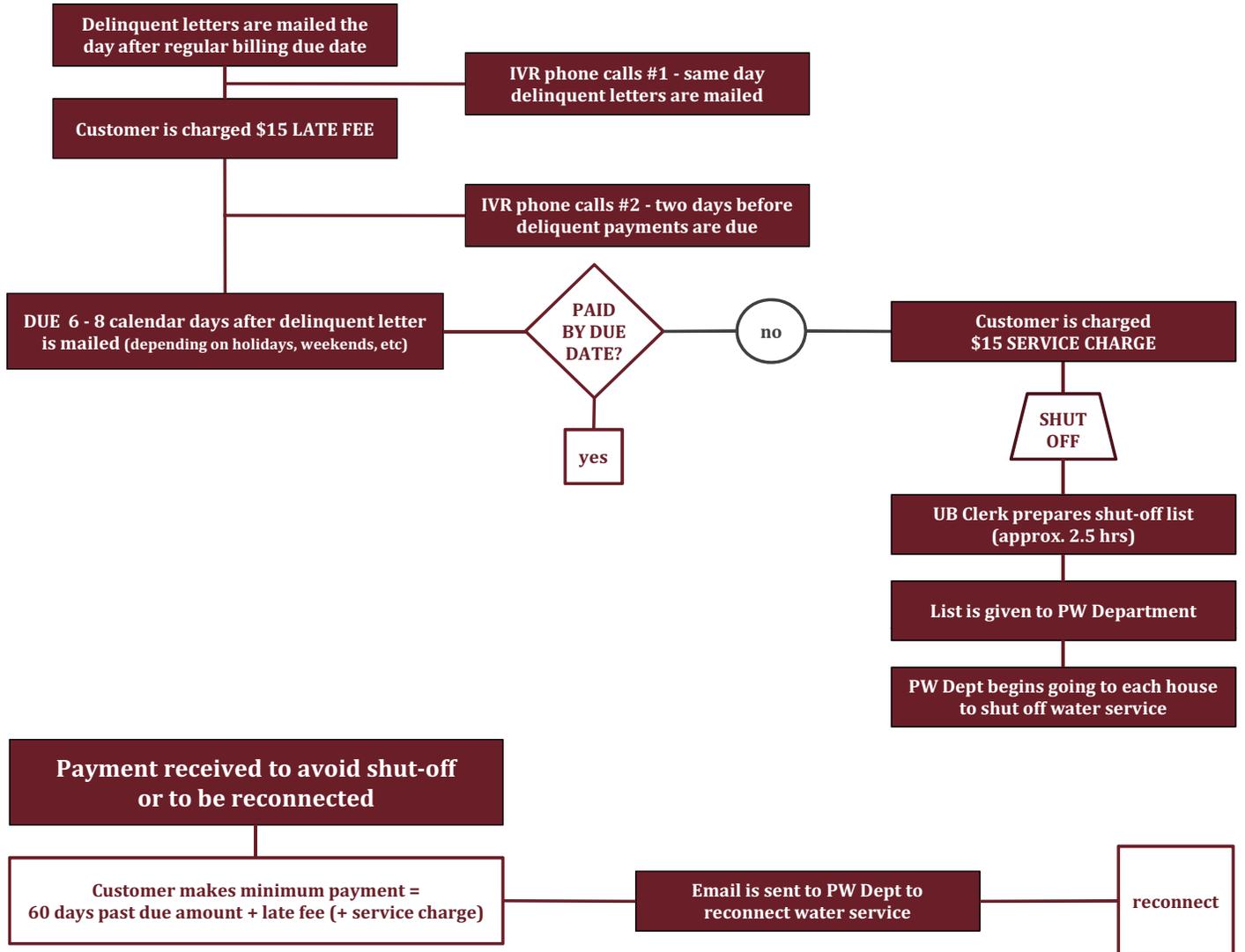
Also, recommend to increase the delinquent charge to \$20 and increase the fee for non-payment by Shut Off day to \$50.

Suggested timeline for bills:	<u>Suggestion</u>	<u>Current</u>
Read Meters:	3-5 days prior to billing	15-20 days prior to billing
Bill:	3-5 days after reading	15-20 days after reading
Due Date:	14-18 days after bill is sent	15 days after bill is sent
Grace Period:	10 days after Due Date	30 days after Due Date of 1 st billing
Delinquent Letter:	Sent after grace period with 6-8 days to pay before shut offs	Sent after Due Date of 2 nd billing
Delinquent phone calls:	Date of mailing DL, & 2 days before shut offs	Date of mailing DL & 2 days before shut offs
Shut offs:	6-8 days after DL sent	6-8 days after DL sent

City of Newberg

UTILITY BILLING PROCESS FLOWCHART

DELINQUENT BILLING





414 E FIRST ST
PO BOX 970
NEWBERG, OR 97132
PHONE: 503-537-1205

EXHIBIT "A" TO
RESOLUTION 2013-3082

(Exhibit D-2)

PAY BY NOV 14 -- 4:30PM

NEWBERG, OR 97132

RE: Account Number
Account Name
Service Location
Past Due Amount \$243.82
Additional Charge \$15.00
Amount Due \$258.82
Due Date Wednesday, November 14, 2012

Dear Customer:

11/08/2012

Our records indicate that your account is past due and a \$15.00 late charge has been applied to your account. If you have already made your payment, please disregard this notice.

If Amount Due payment has not been received by the deadline above, an additional \$15.00 Service Fee will be applied to your account.

Also, if Amount Due has not been received by the above deadline, your WATER SERVICE WILL BE DISCONNECTED until Amount Due plus Service Fee has been received. To have service restored, payment must be received in our office no later than 4:00pm. There are no reconnections made after 4:00pm, on weekends, or holidays.

Payments can be made at City Hall, 414 E First Street. We accept VISA/Mastercard. Please bring this notice when paying in person. Do not pay via online services once you have received this notice.

Sincerely,

Utility Billing
PO BOX 970
414 E FIRST ST
NEWBERG, OR 97132

Payment Coupon

ACCOUNT INFORMATION

PLEASE RETURN THIS PORTION ALONG WITH YOUR PAYMENT

PLEASE MAKE CHECK PAYABLE TO:

CITY OF NEWBERG

ACCOUNT:

SERVICE ADDRESS:

BILLING DATE:

11/08/2012

DUE DATE:

11/14/2012

NEWBERG, OR 97132

AMOUNT DUE

PAST DUE AMOUNT	243.82
LATE CHARGE	\$15.00
TOTAL AMOUNT DUE BY	11/14/2012
	\$258.82

AMOUNT ENCLOSED

REMIT PAYMENT TO:

PO BOX 970
414 E FIRST ST
NEWBERG, OR 97132



Comparisons between Utilities within Newberg

1/7/2013

Utility	Billing Period (days) after Reading	Due Dates	Grace Period (days)	Describe Grace Period	Late Fees	Shut-off Fees	Reconnect Fees	Deposit	Convenience Fee	Payment Plans Y/N	Length of Plans	Describe Plan	Other Comment
CON	21	Varies, around the 6th - 11th of the month	60	Due 8th of month following 2nd billing; Del tr due 7 days; shut off on day after Delq tr due date	\$ 15.00	\$ 15.00	none	none	N	N	0	On rare occasions, we work with the customer, but only over a 2-3 month period.	Not regulated by PUC
PGE	2-3	Varies, around the 10th - 15th of the month	47	Due 18 days after bill is sent; late notice sent EOM allowing 15 days, then tr sent stating 5 days to shut-off; shut-off next day	1.70%	\$ 15.00	\$30 standard hours	Not usually for new accounts.	\$2.95 if using customer service, free on website.	Y	12	\$ past due divided by length of plan and added to current bill.	Regulated by PUC
1-800-542-8818							\$80 after hours						
NWNG	same day or next day	Varies, around the 6th - 11th of the month	50-55	Due 15 days after bill is sent; late fee is \$3 or 1.7% over \$50; due before next billing period; shut off 20-25 days later	\$3 or 1.7%	\$ 15.00	\$30 standard hours	2 months avg	\$2.50 if using customer service, free using website.	Y	3,6,9,12	Plan 1: \$ divided by length of plan and added to equal pay bill. They do require that a down payment be made and then the balance divided equally the rest of the months. Plan 2: \$ divided by length of plan and added to current bill. They do require that a down payment be made and then the balance divided equally the rest of the months.	Regulated by PUC
1-800-422-4012							\$100 after hours						

(Exhibit I)

Delinquency Comparisons

Created in March 2012

Organization	# of Accounts	Mail		Call	Deliver		Fees			Restoration		Payment Plans				
		Reminder or Delinq. Notice	Final or Urgent notice		Courtesy Call	# of Warning DH	# of Shut offs	Late	Door Hanger	Disconnect / Reconnect	After hours	What do they have to pay B4 restore	Same day turn on	if paid by...	Extensions	Long Term
Clackamas River Water	13,000	12,500	1,500	600 automated	See "Mail"	100	\$5 or 5%	(It was \$10 when they used to do DHs)	\$40.00	100.00	yes	4:30pm...additional fee after hours	yes-few days up to 2 weeks with partial pmt	yes-to be paid off in 6 months	only shut off if account owes more than \$50.00	
Forest Grove	9,379	yes	yes				na	\$12 inside city & \$24 outside city limits	\$60 Total \$30 disconnect \$30 reconnect	100.00	yes	8pm...additional fee from 5:01pm-8:00pm	yes-1 week	rare	They provide water, sewer, & electric	
Newberg	6,500	6,400	500		See "Mail"	180	\$15.00	na	\$15.00	no	yes	4:00pm	yes	no		
Oregon City	10,000		800-1000	Busn. & Mult Accs		60-80		\$25.00	\$25.00		yes	4:00pm	yes	3 months		
Sherwood	6,300	5,000	684		See "Mail"	18	na	\$10.00	\$60.00	50.00	yes	4:30pm...additional fee after hours	yes	yes	They are working on phasing out the final request letter.	
Sunrise Water Authority	14,000	8,000	450		See "Mail"	50	\$5.00	10.00 shut off notice	\$40.00	200.00	yes	5:00pm	yes	yes	\$300 fee if you tamper with the meter	
Tigard	19,712	19,700	1,221	twice		253	na	\$25.00	\$50.00	NA	yes		yes	rare	they call customers twice to try & remind them of delinquency.	
Tualatin Valley Water D.	58,000	58,000	yes			no door hangers	na	na	\$60.00	50.00	yes	4:00pm	yes	rare		
Wilsonville	4,800	4,800	312			198	1.25%	na	\$27.50	44.00	yes	4:00pm	yes	yes-to be paid off in 6 months	we call customers that default on the pmt extension	

POLICIES FOR UTILITY BILLING

D. Shut-offs (see Exhibit H)

1. Shut-offs are done once a month. Shut-off days are figured around holidays, payment due dates, etc. They are usually on Wednesdays, with delinquent letters sent out the Thursday before.
2. When customers are put on the Shut Off list, they must pay the amount past due, plus the Delinquent Letter fee and the Shut Off fee, before their water can be turned back on.
3. Hours of operation on Shut-off days are: 8:30 am to 6 pm. Deadline to get water turned back on after payment is 5:30 pm. This allows the PW Maintenance person to get back to the Maintenance Shop by 6 pm to clock out.
4. The PW Maintenance workers must still turn the customer's water off, even if the customer says I will call the UB Department right now, just wait a minute. The customer has had multiple opportunities to pay their utility bill. They just need the threat being carried out before they will actually pay. In the past, there have been workers who have not actually turned off the water, but have waited until the customer has called the UB Department and made the payment. This has not gone well for the UB Department because the customer doesn't want to pay the Shut Off fee because their water was "technically" not Shut Off. This is also not fair to the PW Maintenance worker as they have to wait around until the customer pays and they get confirmation from the UB Department the customer has paid. This leniency has been stopped.
5. With the implementation of automatic calling of delinquent customers twice before Shut Off day, the number of customers that are still delinquent on Shut Off day has diminished. Exhibit H provides statistics of walk-in customers versus call-in customers and the number of people paying their bill to get turned on versus other types of utility billing services performed.

Recommendations: Change the extended late night hours back to closing at 4:30 pm. In order to provide staffing for late night coverage and to not pay overtime, either the Finance Director or the Assistant Finance Director must work an extra hour on those nights. Per Exhibit H, the number of customers that call between 4:30 and 6:00 averages 3.1 customers. Delinquent customers have been notified up to five times before Shut Off day that they are delinquent.

(Exhibit H)

STATS FOR SHUT OFF DAYS

Utility Billing

Date	Walk-Ins	Time	Comment	Phone Calls	Time	Total Customers	
5/15/2012 UB Shut off Day				1	5:10	Shut off	1
				1	5:50	Shut off, too late to turn on	1
6/13/2012 UB Shut off Day			Didn't keep stats.			No data	0
7/18/2012 UB Shut off Day	1	5:10	Shut off, pd bill	1	5:38	Shut off, too late to turn on	2
8/15/2012 UB Shut off Day	1	4:50	Shut off	1	4:50	Shut off	2
	1	4:55	Shut off	1	5:05	Not Shut off	2
	1	4:56	Shut off	1	5:45	Shut off	2
				1	5:50	Shut off	1
9/18/2012 UB Shut off Day	1	4:48	Bill not past due, pd cash	1	4:55	Pay bill, not delinquent	2
				1	4:58	Verified acct info	1
				1	5:21	Shut off, pd bill	1
				1	5:36	Shut off, pd bill	1
				1	5:40	Water not turned on, Geo confirmed	1
10/17/2012 UB Shut off Day	1	4:50	Did not have info	1	4:50	Shut off, pd bill	2
	1	4:55	Shut off, pd bill	1	5:15	Shut off, pd bill	2
	1	4:58	Shut off, pd bill	1	5:40	Shut off, pd bill	2
	1	5:30	Shut off, pd bill & chngd acct info				1
11/15/2012 UB Shut off Day	1	4:54	Shut off, pd bill	1	5:00	Requested acct info	2
				1	5:35	Shut off, pd bill	1
12/18/2012 UB Shut off Day	1	5:32	Shut off, pd bill	1	4:50	Shut off, pd bill	2
				1	5:15	Shut off	1
				1	5:30	Shut off, pd bill	1
				1	5:40	Shut off, pd bill	1
1/16/2013 UB Shut off Day	1	5:32	Shut off, pd bill	1	4:50	Shut off, pd bill	2
				1	5:15	Shut off	1
				1	5:30	Shut off, pd bill	1
2/13/2013 UB Shut off Day	1	5:20	Shut off, pd bill	1	5:06	Shut off inquiry	2
				1	5:26	Shut off, pd bill	1
				1	5:35	Shut off, pd bill	1
				1	5:37	Inquiry about bill	1
				1	5:47	Inquiry about service	1
				1	5:55	Shut off, pd bill	1
3/13/2013 UB Shut off Day				0			0
				0			0
4/17/2013 UB Shut off Day				1	4:50	Shut off, pd bill	1
				1	5:15	Called to see why water hadn't been turned back on, since pd 2.5 hr ago. Geo said water had been turned on 2 hr ago, didn't know why they called.	1
				1	5:25	Shut off, pd bill	1
				1	5:57	Shut off, pd bill	1
5/15/2013 UB Shut off Day				1	4:40	Shut off, pd bill	1
				1	5:05	Shut off, pd bill	1
				1	5:13	Question about new acct	1
				1	5:25	Current, pd bill	1
				1	5:33	Inquiring about when srvc to be restored	1
6/18/2013 UB Shut off Day				1	5:20	Connect	1
				1		Shut off, pd bill	1
				1		Shut off, pd bill	1
7/17/2013 UB Shut off Day	1	4:44	Current, pd bill	1	4:40	Shut off, pd bill	2
				1	4:47	Question about closing acct	1
				1	5:12	Shut off, pd bill	1
				1	5:44	Shut off, pd bill	1

15 days

	<u>14</u>		<u>46</u>		<u>60</u>
Avg for Shut off day:	0.9		3.1		4.0
Shut Off Customers:	10		32		42

POLICIES FOR UTILITY BILLING

E. Extensions

1. Extensions are given to customers who are eligible.
2. Customers who are not eligible are those who:
 - * Failed to keep a previous extension, and
 - * Their account looks questionable by having lots of delinquent letters sent and/or shut offs.
3. Extension date is the day before the bills are figured, therefore, up until the 19th of the month.
4. If customers keep their extension, they are eligible to receive extensions every month.
5. If customers do not keep their extension, their water is turned off the next day.

Recommendations: Customers who are not eligible are those who failed to keep a previous extension *within the past 12 months or their account is not in good standing.*

F. NSF Checks

1. Customers are given a yellow door hanger with the dollar amount of the NSF check written on the door hanger, in addition to the NSF fee charge. The customer is given two days to cover the NSF, otherwise their water will be shut off.

Recommendations: None.

G. Closing Accounts (see Exhibit E)

1. Customer says they are leaving and provide a forwarding address. A service request is generated and e-mailed to the meter reader like the connection as in Exhibit B.
2. The meter reader does a final meter read, gives the reading to the UB clerk who then bills the customer for the amount of the final bill, plus any outstanding bills.

Recommendations: None.

Utility Billing
Service Request Form

(Exhibit E)

Request Number: 000016-08-2013

Last Updated By:

Account Number: -000

On: 8/7/2013

Account Status: Active

Name: _____
Billing Address: 3605 OAK HOLLOW DR
NEWBERG, OR 97132

Home Phone: 5038407339
Business Phone:
Service Address: 3605 OAK HOLLOW DR

Request Date: 8/7/2013
Request Description: DISCONNECT SERVICE
Service Date: 8/7/2013

Water/Gas Meters	Route-Seq Read Dt	Serial No Cons	Register ID No Of Digits	MXU ID	Manufacturer	Model No	Reading
Existing Water Meter	17-000031 8/2/2013	57975572 500	57975572 6	13132771	X	F-3/4-6-100	36500

Location:

Comments:

Follow up needed? yes no Serviced By: _____ Date: _____ **Page 16 of 22**

POLICIES FOR UTILITY BILLING

H. Leak Adjustments (see Exhibit F)

1. An application for a leak adjustment is completed by the customer. Receipts of repairs must accompany the application. If not, the application is returned to the customer with the paragraph about providing receipts is highlighted. If the repair has not been done, the credit isn't given. Credit is given for 1 month of the leak, usually the highest consumption during the timeframe of the leak.
2. The meter reader reads the meter 3 different times to make sure there is not a leak. This is called "no spin".
3. If the leak has been repaired and there is "no spin", a Leak Adjustment Worksheet (see Exhibit F-2) is processed and the customer is given the credit accordingly.
4. Customers can only qualify for a Leak Adjustment once a year.

Recommendations: Credit is given for up to 2 months of the leak if appropriate.



Leak Adjustment Request Form

Account #: _____ Service Address: _____

Customer Name: _____ Daytime Phone No: _____

The City of Newberg's Utility Department allows for a Leak Adjustment credit because of loss of water through a leak in the customer's water line or fixtures. Credits are based upon your average usage for the same period in previous years. This average is deducted from the total consumption used during the time of the leak.

I, _____, am the Responsible Party for the account at the above service address.
(Name as shown on the account)

I am asking the City of Newberg's Utility Department to reduce the water/sewer bill for this account because of a leak beginning on (date _____ and repaired on (date) _____. During this period the water lost from this leak was not used by anyone.

IN ORDER TO PROCESS YOUR APPLICATION QUICKLY & EFFICIENTLY, PLEASE READ THE FOLLOWING CAREFULLY AND GIVE A COMPLETE AND CLEAR DESCRIPTION OF THE REPAIRS.

Location of leak: _____

Description of repair: _____

ATTACH DOCUMENTATION OF THE REPAIR: date, address, type of repair, and cost. Acceptable documents include plumber's statement/bill or a receipt for parts. Businesses with in-house maintenance may submit a statement signed by two (2) employees who witnessed the repair.

In all cases, the Utility Department retains the right to make field verifications before approving leak adjustments. You will be notified when your request is approved or denied.

Signature of person requesting leak adjustment: _____ Date: _____

Signature of person who made repair: _____ Date: _____

City of Newberg
 Utility Department
 414 E FIRST ST
 Newberg, OR 97132
 (503) 537-1205

Leak Adjustment Worksheet

Customer: _____
 Address: _____
 Account #: _____
 Date Requested: _____

	Consumption	Water	Sewer	Storm	Fire	PSF	Total Bill
Billed	2,100	\$ 84.82	\$ 53.44	\$ 6.22	\$ 1.50	\$ 3.00	\$ 148.98
Adjusted Bill	900	\$ 40.18	\$ 53.44	\$ 6.22	\$ 1.50	\$ 3.00	\$ 104.34
Credit	1,200	\$ 44.64	\$ -	\$ -	\$ -	\$ -	\$ 44.64

Historical Usage

Month One	Year	Consumption
June	2012	500
June	2011	400
June	2010	1,800

Average Usage 900

Prepared: _____

Date: _____

Approved: _____

Date: _____

POLICIES FOR UTILITY BILLING

I. Hours of business (including phone calls)

1. Counter hours are Monday through Friday, 8:30am to 4:30pm with the phone being answered from 8:00am until 5:00pm.

Recommendations: None.

J. Winter Averages

1. Winter Averaging is figured on the lowest consumption months of the year, which is during the winter.
2. Actual readings for the months of December, January, February, and March divided by 4, is used for the rest of the year, with a minimum of 200 cf charge, until the following December, when the Winter Averaging process starts again.
3. If water consumption for the month is less than the calculated Winter Average for March through October, the actual water consumption is used for that month.

Recommendations: None.

K. Payment methods

1. By check, cash, credit/debit at the counter; credit/debit payments through the City's website, online banking through the customer's bank; and automatic deduction from the customer's checking/savings account.

Recommendations: None.

L. Due Dates

1. UB coordinates with the City's holiday calendar, the Post Office closed calendar, PW Maintenance calendar and weekends to coordinate Due Dates and Shut Offs. The Delinquent Letter is sent usually 7-9 days prior to Shut Off.

Recommendations: None.

POLICIES FOR UTILITY BILLING

M. Connects for Cleaning only

1. Connects for cleaning is \$20. If the owner uses more than 100 cf, they are billed actual consumption. There is no timeframe for turning off water after a certain number of days for cleaning. If not called to disconnect by the end of the billing cycle, the minimum meter charges are billed.

Recommendations: Grant water connection for cleaning for \$20/week for up to 100 cf. If more is used in that week's time, then the additional consumption is billed.

N. Connects for real estate agents selling homes

1. Connects for viewing is \$20. If the real estate agent uses more than 100 cf, they are billed actual. There is no timeframe for turning off water after a certain number of days for cleaning. If not called to disconnect by the end of the billing cycle, the minimum meter charges are billed.

Recommendations: Grant water connection for real estate agents for \$20/week for up to 100 cf. If more is used in that week's time, then the additional consumption is billed.

O. Disputes of Bill

1. Customer begins with the UB clerks. If they don't feel their issue has been resolved, they ask to speak to a supervisor (Finance Director or Assistant Finance Director). If they don't get their answer resolved to their satisfaction, they continue up the chain to the City Manager, the Mayor, and potentially the City Council.

Recommendations: Have the chain for resolution end with the Finance Director. If they still aren't satisfied, there is still due process. This gives the Finance Director the authority needed to settle disputes.

P. Utility Assistance Voucher

1. Customer goes through YCAP or other local non-profit agencies to get approval for assistance. This is subject to a set dollar amount granted for each agency per year.

Recommendations: None.

POLICIES FOR UTILITY BILLING

Q. Payment Plans – 3 months

1. Customers frequently ask to be allowed to make payments on their utility bills. Customers want to pay their bills. Payment plans were only given in very rare occasions because of the difficulty in available tracking mechanisms. We now have the capability to easily track payment plans. Often the request for a payment plan is for less than 2 months.
2. Payment plans will only be given once in a 12-month period.
3. Customers will still need to pay their current bill in addition to the payment plan agreement.
4. If customer does not follow the payment plan, their water is turned off the next day with balance paid in full prior to reconnection.
5. Customers who are not eligible for a payment plan are those who:
 - * Failed to keep a previous payment arrangement,
 - * Their account looks questionable by having lots of delinquent letters sent and/or shut offs,
 - * Accounts that that have been open less than 12 months

Recommendations: To allow up to 3 months payment plans for conversion to new grace period for utility bills and for hardship cases.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 21, 2013

Order ___ No.	Ordinance ___ No.	Resolution <u>XX</u> No. 2013-3085	Motion ___	Information ___
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SUBJECT: Authorizing the city manager pro tem to implement an employee suggestion awards program

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

RECOMMENDATION:

Adopt Resolution No. 2013-3085 authorizing the city manager pro tem to implement an employee suggestion awards program encouraging City employees to participate in improving the efficiency and effectiveness of City operations.

EXECUTIVE SUMMARY:

What is the Employee Suggestion Program?

This is an employee incentives program that provides cash or non-monetary awards with the intention of encouraging City employees to participate in improving the efficiency and effectiveness of his/her job and City operations in general.

Who is Eligible?

All City Employees are eligible to submit suggestions. However, administrative management or supervisory personnel whose primary job responsibilities are problem identification, analysis, and solution, are ineligible for monetary awards for suggestions involving their own job assignments.

Award Amount

There is a minimum award of \$100.00 and a maximum award of \$5,000.00 for any one suggestion if the suggestion is adopted and implemented. Employees will receive ten percent (10%) of the documented first year savings up to the maximum award amount. An award of \$100.00 may be recommended if the suggestion is difficult to measure in the form of cash.

What is a Suggestion?

A suggestion is a proposal voluntarily submitted by an employee, in writing, for the improvement of equipment, procedures or operations within the complete control of the City. The adoption of such a proposal will result in significant monetary savings to the City. The mere statement of a problem without submitting a practical solution is not a suggestion. Examples are as follows:

- Save time, labor, materials or supplies
- Result in efficiencies
- Eliminate unnecessary procedures
- Eliminate unnecessary forms
- Improve service
- Avoid duplication or eliminate waste

Some ideas may not be practical for various reasons. The following are types of suggestions that are not eligible for award consideration in accordance with the program Bylaws:

- An idea already under active consideration.
- Potential benefits would not offset the cost.
- Matters subject to negotiation such as salaries.
- Duplicate suggestions.
- Suggestions calling for enforcement of existing.
- Routine Maintenance.
- Proposals for budgeting, staff changes or increases of existing fees.
- Those within the scope of the normal job responsibilities of the suggester.

Suggestions must be submitted on an Employee Suggestion Application form to the city manager or his/her designee. Suggestions should be expected to:

- Define the present situation completely.
- Give a specific, detailed solution to the problem.
- Be specific as possible regarding the benefits of the suggestion.
- Attach sketches, drawings or other descriptive material if necessary to describe the idea fully and clearly.

Process

Suggestions will be reviewed by the Employee Suggestion Awards Committee consisting of the mayor (or designee), city manager, non-management, City staff person designated by city manager, finance director, and a citizen member of the Budget Committee. Based on the evaluations, the Committee determines if the suggestion is eligible for a cash award.

Funding

Payment of awards will come from the budget of the department(s) that receives the benefit of the suggestion.

City's Rights

Suggestions submitted become the exclusive property of the City. Decisions made by the City regarding eligibility, adoption, rejection and awards are final.

The City has the exclusive authority to make the policy and determine the rules governing the operation of the Suggestion Process. The City also reserves the right to amend or modify the Suggestion program at any time.

FISCAL IMPACT:

Undetermined until the program has been utilized for at least a year. No funds have been budgeted for the current fiscal year 2013/2014. The various departments' budgets will cover the expense of the awards for the initial year of implementation. The Human Resources Department will budget for and thus account for all expenses beginning fiscal year 2014/2015 and after.

STRATEGIC ASSESSMENT:

To promote even a higher level of excellence of services by employees, more of a sense of ownership and pride, and an incentive to continue to improve and maintain the highest level of quality services possible.

**A RESOLUTION AUTHORIZING THE CITY MANAGER PRO TEM TO
IMPLEMENT AN EMPLOYEE SUGGESTION AWARDS PROGRAM**

RECITALS:

1. **History** – Mayor Bob Andrews has had a strong interest in the implementation of an employee incentive awards program for several years. Several discussions between the mayor and former city manager have transpired, and there was not only an agreement but also a need seen from within the organization for such a program.
2. **Ethics** – The human resources manager has checked with the Oregon Government Ethics Commission (“OGEC”) to ensure that there are no ethical issues associated with this incentive program. The OGEC’s response is as follows:

“The jurisdiction of the Oregon Government Ethics Commission is limited to the provisions in ORS Chapter 244 which regulates the conduct of public officials not the governing bodies in which they serve. As such the following guidance will be provided to address how the provisions in ORS Chapter 244 apply to “public officials.”

Public officials must know that they are held personally responsible for complying with the provisions in Oregon Government Ethics law. This means that each public official must make a personal judgment in deciding such matters as the use of official position for financial gain. There are provisions of law that do prohibit a public official from using their position or office held for financial gain. ORS 244.040(1) prohibits every public official from using or attempting to use the position held as a public official to obtain a financial benefit, if the opportunity for the financial benefit would not otherwise be available if not for the position held by the public official. The financial benefit prohibited can be either an opportunity for gain or to avoid an expense.

There are circumstances however, in which a public official may use their position to accept financial benefits that would not otherwise be available if not for holding the position as a public official. Official compensation, public officials may accept any financial benefit that is identified by the City served by the public official as part of the “official compensation package” of the public official. If the City identifies such benefits as salary or other various paid allowances in the employment agreement or contract of a public official, those financial benefits are part of the “official compensation package” ORS 244.040(2)(a). To provide additional guidance OAR 199-005-0035(3) provides a definition of “official compensation package.”

An “official compensation package” means the wages and **other benefits** provided to the public official. To be part of the public official’s “official compensation package”, the wages and benefits must have been specifically approved by the public body in a formal manner, such as through a union contract, an employment contract, or other adopted personnel policies that apply generally to employees or other public officials. “Official compensation package” also includes the direct payment of a public official’s expenses by the public body, in accordance with the public body’s policies.”

3. **Budget** – The City will need to budget for this awards program and there are maximum awards to be received by department, employee, and/or fiscal year in order to remain within the budget and ensure equitability throughout the organization.
4. **Procedure** – The procedure is described as follows:
5. **Statement of Policy** – It is in the public interest to provide a program to encourage and reward employees who submit suggestions that will improve efficiency and effectiveness in government agencies and programs.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council hereby adopts the employee incentive awards program attached as Exhibit “A”, which by this reference is incorporated.
2. The City Council hereby adopts the Employee Suggestion Program Application Form attached as Exhibit “B”, which by this reference is incorporated.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: October 22, 2013.

ADOPTED by the City Council of the City of Newberg, Oregon, this 21st day of October, 2013.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 24th day of October, 2013.

Bob Andrews, Mayor



Employee Suggestion Awards Program Policies and Procedures - Summarized

§ I. Adoption of the Suggestion Program

A. Purpose

On October 7, 2013, the City of Newberg Council adopted an Employees' Suggestion Award Program (Program). The Program is intended to encourage employee participation in improving the efficiency and effectiveness of their job and City operations in general. It is also intended to motivate employees toward problem identification and to stimulate creativity in problem-solving. The program provides a means to communicate to the employee the high value City management places on constructive ideas through recognition and reward.

B. Procedures

Administration of the Employee Suggestion Award Program of the City of Newberg will be governed by the procedures contained in these Policies and Procedures.

§ II. Management's Role

- A. Management will support the Suggestion Award Program concept by being open to new ideas submitted by employees.
- B. Management will be responsible for the timely completion and return of suggestion evaluation form(s).

§ III. Definitions

Whenever in these regulations the following terms are used, they will have the meaning respectively ascribed to them in this section unless otherwise noted.

Adoption: A suggestion will be considered to have been adopted when the new or revised procedures and/or methods it proposes are implemented by the Department Head, City Manager, or City Council.

Award: Either monetary or certificate, or other acknowledgment

that is given to an employee in recognition for a suggestion deemed valuable to the City of Newberg.

Certificate of Award: A document that accompanies a monetary award commending an employee for submitting a suggestion that results in a tangible cost reduction, improved public service and/or limits the City's liability exposure, and that has been adopted and placed in operation.

Committee: The Employee Suggestion Awards Committee.

Coordinator: The City Manager is responsible for the administration of the Program. The City Manager may assign one of his or her subordinates to be the principal staff for this Program.

Forms: When the terms "Suggestion Form," "Evaluation Form," or any similar reference is used in these regulations, it will refer to such document or documents as may from time to time be authorized and approved by the Suggestion Awards Committee.

Intangible Savings: Those savings which improve efficiency, provide a greater level of service to the public, save space, simplify procedures, reduce or eliminate safety hazards, lower the City's liability exposure, or in some other way improve City government, but which have no measurable savings.

Joint Suggestion: A suggestion that is submitted over the signatures of two or more employees. Awards for joint suggestions will be divided equally among the employees submitting such suggestions.

Letter of Appreciation: A written letter that acknowledges the suggestion submitted by an employee and informs the employee that the suggestion does not qualify for a cash award, yet does represent a contribution to the City.

Net Savings: The estimated first-year net cost reduction resulting

from the adoption and implementation of a suggestion, determined by the affected department and approved by the Committee. This may also include recovery of revenue which would otherwise be lost to the City if the suggestion had not been adopted, providing that this does not apply to increases in revenue resulting from increased fees. In computing net cost reduction, the cost of placing the suggestion into effect may be amortized over the expected life of the suggestion as determined by the Committee.

Significant Budgetary

Savings:

Those savings that reduce or eliminate expenditures in the budget, increase revenue to the City or, in general, result in reasonable savings that can be comprehended.

Suggestion:

A written proposal by an employee that contains both the identification of a problem and the basis for an acceptable solution or indicates to the Committee a way to do any job, system or procedure better, more quickly, more easily, more safely and/or at less cost; or to handle additional workload with the same staff and/or equipment; or to produce a more efficient operation with better control.

§ IV. Suggestions Awards Committee

A. Membership of the Committee

The Committee will be composed of five members to specifically include the following titles:

1. Mayor (or designated city councilor)
2. City Manager
3. City staff person designated by city manager
4. Finance Director
5. A citizen member of the Budget Committee

B. Function and Responsibility of the Committee

The Committee will be responsible directly to the City Council. It will exercise general direction over the Program. It will meet as necessary for the operation of the Program.

The Committee will:

1. Review all suggestions and evaluations brought before it in a fair and impartial manner.
2. Recommend the amount of each award, if applicable, to the City Council.
3. Assure that each suggestion is thoroughly and fairly investigated and reported on.
4. Request further information and investigation deemed appropriate.
5. Encourage employees to make suggestions, encourage departments to promote the Program among their employees, and to explain the Program to departments upon request.
6. Make necessary changes in procedures in the interest of fairness and equity, with the exception of the rules governing the amount of the award.
7. To determine the eligibility of suggestions for awards if necessary.
8. Periodically review and update regulations as necessary.
9. Call upon any City officer or employee for information on the evaluation or implementation of a suggestion.
10. Appoint an individual to keep minutes of each meeting, and to supply each committee member and/or an alternate with copies of the minutes, the agenda, and the suggestions.

§ V. Eligibility

A. Eligibility for Submission of Suggestions

1. Every employee of the City of Newberg is eligible to submit suggestions under the Suggestion Program.

2. Every terminated or retired employee is eligible for an award provided that his or her suggestion was received prior to the termination or retirement date, and provided that he or she meets other eligibility conditions.

3. The following employees will not be eligible for a cash award under the Program:
 - a. Members of the City Council.

 - b. Members of the Suggestion Awards Committee.

 - c. Department Directors/Heads

 - d. Administrative management or supervisory personnel whose primary job responsibility is problem identification, analysis and solution, are ineligible for monetary awards for suggestions involving their own job assignments.

 - e. Consultants employed by the City.

§ VI. Eligibility of Suggestions

A. Eligible Suggestions

To be eligible for an award, a suggestion must be adopted in whole or part, and result in significant benefits involving the following:

1. Saving of time, labor, space, materials or supplies.

2. Improvement of methods, procedures, or equipment resulting in increased output and/or efficiency.

3. Elimination of unnecessary procedures, records, and forms.

4. Improvement of service, safety conditions, and/or City liability.

5. Elimination of bottlenecks, accidents, delays, duplication, waste or spoilage.

6. Improvement of revenue to the City except as limited by Section VI (B) (13).

B. Ineligible Suggestions

Suggestions that fall into the following categories will not be eligible for awards:

1. Those that call attention to a problem, but do not suggest an acceptable solution.
2. Those that contain an idea already under active consideration by the City. This must be documented by the department(s) and reviewed by the Awards Committee.
3. Those calling for enforcement of existing rules, policies and procedures.
4. Those that are duplications of suggestions submitted within the last 24-month period.
5. Those dealing with normal maintenance unless such suggestion contributes to the solution of a maintenance problem.
6. Those proposing adjustments in salaries, job classification, or terms and conditions of employment that is subject to negotiation with recognized employee organizations.
7. Those proposals for budgeting or staff changes for which other specific channels are prescribed for submittal.
8. Those that are within the scope of the normal job responsibility of the suggester.
9. Those where the evaluation by the department and/or Awards Committee show that the potential benefits would not offset the cost of implementation.
10. Suggestions that cannot or will not be implemented by the City because they are not practical or there are insufficient funds to implement suggestion.
11. Those submitted for reconsideration more than ninety days after implementation of the suggestion.
12. Those that were previously adopted and implemented.
13. Those that propose an increase in existing fees to be charged for current City services.

The decision by the Suggestion Awards Committee as to whether a proposal constitutes an eligible suggestion under these regulations will be final.

§ VII. Suggestion Procedure

A. Basic Regulations

The following criteria must be complied with before a suggestion is accepted for evaluation:

1. A suggestion must be submitted in writing to the City Manager’s Office on the suggestion forms designated for that purpose.
2. The suggester will set forth on the designated suggestion form in writing the following:
 - a. A description of the present method or problem that the suggestion seeks to correct or improve.
 - b. A description of the suggested solution and the procedure to accomplish the improvement.
 - c. A description of the results anticipated from adoption of the suggestion.
 - d. Any sketches, drawings, maps, photographs or other descriptive material necessary to describe the suggestion fully and clearly.
 - e. An estimate of the amount of money the City may be expected to save (annualized from the date of implementation) if the suggestion is adopted and put into operation.
 - f. The name and signature of the employee submitting the suggestion. If it is a joint suggestion, the signature of all employees joining in the suggestion will appear.
 - g. A return mailing address to which replies should be addressed, and the telephone number of the suggester.

B. Anonymity

At the request of the suggester, the Coordinator may remove there-from the name and address of the suggester, together with any other marks or information that might reveal the suggester’s name, and thereafter the suggestion will be known only by its identification number. The Coordinator will not reveal the name of the suggester until the suggestion is adopted.

C. Identical Suggestions

If at any time during the course of processing a suggestion it is found that a suggestion submitted previously presents the same proposal, only the suggestion received first will be eligible for any award or certificate, and the employee submitting the duplicate suggestion will be so informed by the committee. This regulation will apply only where the second suggestion is received within two years of the date of the last entry, relative to the first suggestion in the committee’s official records. Otherwise, the second suggestion will be deemed an original suggestion and processed accordingly.

§ VIII. Suggestion Process

A. Submission

1. All suggestions will be transmitted to the City Manager’s Office. If a suggestion is received in any manner other than that prescribed by these regulations, it will be returned to the suggester together with a suggestion form and an explanation of how to proceed in the prescribed manner.
2. Upon receipt of a suggestion as defined in these regulations, the Coordinator will place upon it the date and time it was received and will assign an identification number to it.
3. Upon receipt of a suggestion, the Coordinator will transmit a letter to the suggester acknowledging its receipt and informing the suggester of the identification number.
4. If the suggestion coordinator is in doubt as to whether the suggestion is eligible or the suggester is eligible for a monetary award, he or she will submit the matter to the Committee for a final decision.
5. The suggestion coordinator will maintain a permanent file of all matters pertaining to each suggestion and log showing the current status or final disposition of each suggestion.
6. Suggestions will be reviewed quarterly. If a suggestion is received after the due date, it will be reviewed in the following quarter.

7. Suggestions will ordinarily be processed in the order received. However, if the judgment of the coordinator, a suggestion involves a matter of immediate importance and application, it may be advanced in the processing.
8. The Committee will make its recommendation to the City Council on all acceptable suggestions within 90 calendar days of the date of return from the department, on a quarterly basis.

B. Evaluation

1. The suggestion coordinator will refer clearly eligible suggestions to the appropriate City department(s) for investigation and recommendation. Within 45 calendar days after receiving a suggestion, each department will report to the Coordinator its findings and its recommendations as to acceptance or rejection of the suggestion. The department's report will include the following information.
 - a. An estimate of the annualized savings in time, labor, material, space, hazard, inconvenience and/or other factors.
 - b. An estimate of the cost of implementation and a recommendation on the amortization of the cost of adoption of the suggestion.
 - c. The estimate of the period of time over which the saving occurs.
 - d. A recommendation as to adoption or rejection of the suggestion. If the suggestion is recommended for rejection the complete reasons for the rejection will be stated. The department head will review and sign the evaluation form.
 - e. A statement as to whether consideration of the suggestion has led or is likely to lead to an alternate or modified solution of the problem the suggestion modifies.
 - f. A statement as to whether the suggestion proposes something which is already or has been under active consideration by management with clear, written documentation if that this is the case.
2. The suggestion coordinator will periodically review the records to see whether any evaluations by departments are overdue, and in such case will send follow-up notices to departments asking the reason for the delay. If the department

requires more time to complete its investigating it will so notify the Coordinator, indicating when the investigation will be complete. The Coordinator will notify the suggester of the delay.

3. A suggestion relating to safety will be sent to Risk Management for evaluation.
4. A suggestion relating to the purchase of an unusual piece of equipment will be sent to the Purchasing Agent for review.
5. The Coordinator will review the department evaluation and submit the recommendation to the Awards Committee.

C. Awards Committee Review

1. The Committee will review the suggestion and the departmental analysis and recommendation before its monthly meeting.
2. The Committee will determine whether the suggester and the suggestion are eligible for a cash award or non-monetary award and will recommend to the Council as to the amount of the award, if any, in accordance with these Regulations.
3. The suggester is notified of the department recommendation and the Committee's recommendation.
4. The City Council will make the final determination whether to approve an award. Once a suggestion has been placed into actual beneficial use, the Council will present a certificate of Award and a monetary award to the suggester for money suggestions, or a Certificate of Award and a token of appreciation for non-monetary suggestions. A copy of the certificate will be placed in the suggestor's personnel file.
5. If the award is rejected, a letter will be sent to the suggester by the Committee, which states the specific reason(s) for rejection.
6. Suggesters will be encouraged to discuss their suggestions with their supervisors. The supervisor will maintain the confidentiality of both the suggester and the suggestion. Suggesters may solicit supervisors' comments for their initial applications. In cases where the assistance of job experience has been significant

in framing the suggestions upon recommendation of the suggestion’s department of the Committee, a letter of appreciation will be sent to the supervisor and a copy placed in the supervisor’s personnel file.

§ IX. Awards

A. Monetary Awards

1. The award for measurable savings to the City for the first calendar year’s projected net savings will be ten percent (10%) of the savings up to a maximum award of \$5,000, except that no award will be less than \$100.
2. Upon finding that a net savings will accrue to the City by adopting and placing the suggestion into operation and also finding that there is unusual difficulty in computing such net savings, the Committee may recommend to the Council that the suggester be paid a preliminary award of \$100 and that the suggestion be re-evaluated after it has been in operation for twelve months. If, after re-evaluation of the operation and re-estimating the first year’s net saving, the Committee finds that on the basis of the re-estimate of net saving of the first year’s operations, a larger award than the preliminary award should be paid to the suggester, the Committee will recommend that the suggester be paid an additional award equal to 10% of the re-estimated first year’s net savings less the \$100, provided in no event will the total monetary award exceed the aggregate total of \$5,000 for any one suggestion.
3. Upon finding that a net saving and/or improved public service or reduced liability will accrue to the City through analyzing and placing a suggestion in operation, and that it is impractical or uneconomical to estimate the amount of such savings, the Committee may recommend to the Council that the suggester be paid a monetary award of \$100 for any one suggestion.
4. Upon finding that the suggestion cannot be adopted or placed in operation, but the suggestion has led directly to the adoption of improving or changes that result in a savings and/or improved public services or reduced liability to the City, the Committee may recommend to the Council that the suggester be paid a monetary award of \$100 for any one suggestion.
5. The committee will recommend the awarding of a Certificate of Award to the originator of an adopted suggestion, which will be presented to the suggester

along with the monetary award in an appropriate ceremony. A copy of the suggestion and the Certificate of Award will become a permanent part of the employee's personnel file.

B. Non-Monetary Awards

The Committee will give a Certificate of Award and a token of appreciation to an employee whose suggestions do not qualify for a monetary award, but which represents a contribution to the City.

C. Payment of Awards

Awards will be paid by the department(s) that receives the benefit of the suggestion. If more than one department benefits from a suggestion, payment will be split proportional to the benefit each department receives.

§ X. Ownership of Suggestions

- A. All suggestions that are adopted will become the property of the City of Newberg. The suggestion form will include a waiver of ownership of the suggestion and of any future claims upon the City based upon the suggestion.
- B. By submission of a suggestion, the suggester thereby waives any claim for compensation for each suggestion, other than as herein provided, and each suggestion from submitted by a suggester will contain such a waiver.
- C. The City Council's decisions regarding the awards are final.



Employee Suggestion Award Program Application Form

<i>City of Newberg</i> Employee Suggestion Program "Good Ideas Pay You Money" APPLICATION		FOR OFFICIAL USE ONLY SUGGESTION NUMBER
*NAME	*TITLE	DATE RECEIVED
*DEPARTMENT/DIVISION	*MY NAME MAY BE DISCLOSED IN PROCESSING THIS SUGGESTION	
*SUPERVISOR'S NAME		WORK PHONE #
*SUGGESTER'S SIGNATURE		<input type="radio"/> YES <input type="radio"/> NO
*REQUIRED ALL SUGGESTIONS BECOME THE PROPERTY OF THE CITY OF NEWBERG		
SUGGESTION TITLE OR SUBJECT		
EXISTING CONDITION (if more space is needed, please summarize and attach additional sheet/s)		
SUGGESTION IMPROVEMENT (if more space is needed, please summarize and attach additional sheet/s)		
BENEFITS (Cash savings, revenue, labor, space, safety, service, morale) (if more space is needed, please summarize and attach additional sheet/s)		
<p>My suggestion set forth above is submitted for consideration under the terms and conditions of the City of Newberg Employees' Suggestion Award Program Regulations. I understand and agree that the City of Newberg will have the right to make full use of my suggestion, and I hereby waive any claim for compensation other than provided in said regulations.</p> <p align="center">ATTACH ADDITIONAL SHEETS OR SKETCHES IF NECESSARY</p>		

REGULATIONS AND GUIDELINES FOR THE SUGGESTER

WHAT KIND OF SUGGESTION MERITS RECOGNITION?

A valid suggestion must save the City time and/or money, or eliminate waste, duplication of effort and extra steps, or improve service. The suggestion must provide a basis for a solution as well as identify the problem. Suggestions on salary and other labor related issues, classification suggestions, or classification, or normal maintenance cannot be considered by the program.

WHO IS ELIGIBLE FOR RECOGNITION?

Every City employee is eligible to participate in the Suggestion Program. Suggestions must be outside the scope of the employee's normal duties.

WHAT MAY I WIN?

The maximum award for tangible savings is \$5,000 and the minimum award is \$100. If more than one employee is named on the suggestion submittal form, the award is divided among the eligible suggesters. Certificates of Award accompany cash award. Letters of Appreciation are awarded when a cash award is not applicable.

HOW DO I SUBMIT MY IDEA?

Fill out the submittal form completely. No suggestion will be considered without submittal of this form. Be sure to check the "Yes" or "No" box to indicate whether your name may be used during the evaluation process. If neither box is checked, it will be considered as a "Yes."

In addition to the obvious benefits such as cash savings and additional revenue, be sure to list side benefits such as morale, service safety, etc.

Submit your suggestions to the city manager. Keep a copy of your suggestion for your records.

WHAT HAPPENS NEXT?

Your suggestion will be sent to one or more departments for evaluation. When it is returned to the suggestion coordinator, it is schedule for a review by the Employee Suggestion Awards Committee. If no further investigation is indicated, you will be notified of the results.

GENERAL FACTS:

1. All suggestions become the property of the City of Newberg.
2. Awards are considered salary, and will be recorded on your W-2.

**DO NOT WAIT UNTIL YOU KNOW THE RESULTS OF OUR FIRST SUGGESTION
TO SUBMIT YOUR NEXT ONE.
SHARE YOUR IDEAS – EARN CASH AND RECOGNITION
SAVE TAXPAYER DOLLARS!**

SUGGEST TODAY!