



**CITY COUNCIL AGENDA
OCTOBER 7, 2013
7:00 P.M. 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. 2013-3080** establishing a Temporary and Portable Sign Ad-hoc Committee. (Pgs. 3-5)
2. Consider a motion adopting **Resolution No. 2013-3083** authorizing the city manager pro tem to enter into a professional services agreement with Parametrix, Inc. to complete the utility project on Springbrook Road. (Pgs. 7-28)
3. Consider a motion adopting **Resolution No. 2013-3086** approving the appointment of Jason Dorrell as a part-time Help Desk Technician in the IT Department. (Pgs. 29-30)
4. Consider a motion adopting **Resolution No. 2013-3087** approving the appointment of Stacy Martin as a part-time Help Desk Technician in the IT Department. (Pgs. 31-32)
5. Consider a motion to approve a no-tolerance dishonesty statement and distribution of statement to media and employees, as well as inclusion of it in new Employee Handbook. (Pgs. 33-34)
6. Consider a motion approving the August 5, 2013, and August 19, 2013, City Council meeting minutes. (Pgs. 35-48)

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.

VII. PUBLIC HEARINGS

1. Consider a motion adopting **Ordinance No. 2013-2764** amending the Newberg Municipal Code establishing a Historic Preservation Commission and assigning powers and duties of the Commission. (Pgs. 49-66)
(Legislative Hearing – 1st Reading)

VIII. NEW BUSINESS

1. Consider a motion adopting **Resolution No. 2013-3088** authorizing the city manager pro tem to restructure staff positions in the Information Technology Department. (Pgs. 67-72)
2. Consider a motion adopting **Resolution No. 2013-3089** allowing US Bancorp Government Leasing and Finance, Inc. to reimburse the City of Newberg for a portion of Mountain States Networking expenditure. (Pgs. 73-80)
3. Consider a motion to not proceed with the outsourcing of the Utility Billing Department. (Pgs. 81-82)

IX. COUNCIL BUSINESS

Discussion on the City Manager Recruitment Subcommittee.

X. ADJOURNMENT

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

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

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

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 7, 2013

Order ___ Ordinance ___ Resolution XX Motion ___ Information ___
No. No. No. 2013-3080

SUBJECT: Establishment of temporary and portable sign ad-hoc committee

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

RECOMMENDATION:

Adopt Resolution No. 2013-3080, establishing a temporary and portable sign ad-hoc committee. The committee's charge will be to examine current development code regulations on temporary and portable signs and recommend if any amendments that may be needed. If the committee determines after its examination that changes may be warranted, then they are to develop recommended development code amendment language for consideration of adoption by the city council.

EXECUTIVE SUMMARY:

On May 6, 2013, three local auto dealers came to the city council and requested a review of Newberg's provisions on temporary and portable signs, particularly relating to the types of devices that fall under the sign regulations, such as advertising flags, banners, and streamers. On June 17, 2013, the city council heard a staff presentation discussing the city's current regulations. As a follow up to this presentation, the mayor has asked that a temporary and portable sign ad-hoc committee be formed to study the issue and recommend whether there should be any changes to the current standards.

FISCAL IMPACT:

Staff time will be dedicated to support the work of the committee.

STRATEGIC ASSESSMENT:

In 2011, the city council adopted the following vision statement for our community: "Newberg will cultivate a healthy, safe environment where citizens can work, play and grow in a friendly, dynamic and diverse community valuing partnerships and opportunity." In addition, Section 15.435.010 of the development code states the purpose of sign regulations:

15.435.010 Purpose.

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

An ad-hoc committee would allow for an in-depth examination as whether or not changes to the current development code regarding temporary and portable signs is warranted.

**A RESOLUTION ESTABLISHING A TEMPORARY AND PORTABLE SIGN
AD-HOC COMMITTEE**

RECITALS:

1. Newberg has had sign regulations for many years. Major changes to the sign code were most recently accomplished in 1998. Since the sign code has been in place, the city has performed enforcement actions to ensure compliance with the sign code's regulations.
2. The purpose of the city's sign regulations per the Newberg development code is:

15.435.010 Purpose.

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

3. Recently some businesses have asked that the city review the city's temporary and portable sign regulations, especially as they apply to advertising flags, banners, streamers and similar type devices.
4. In response to these concerns, the mayor has asked that a temporary and portable sign ad-hoc committee be formed. The charge of such a committee would be to determine what, if any, changes might be made in the current development code regarding this issue that would keep business promotion capabilities, keep Newberg an attractive place, and meet the spirit and intent sign regulations.
5. The membership of the temporary and portable sign ad-hoc committee should consist of citizens that represent a balanced and broad spectrum of community interests. The duration of the ad-hoc committee should be of a short time frame.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. Establishment and Role. There is hereby established a temporary and portable sign ad-hoc committee. The role of the ad-hoc committee is to advise the city council on whether or not changes to the Newberg development code should be made regarding temporary and portable signs regulations.
2. Committee Task. The ad-hoc committee will examine the current development code regarding temporary and portable signs. The committee will make a determination as to what, if any, changes to the current development code regarding temporary and portable signs may be desirable. If the committee determines changes may be warranted, the committee is to draft recommended development code amendments for consideration of adoption by the city council. Such

recommended changes shall meet two criteria: improve the likelihood the intended message will reach its target audience; while at the same time, meet the spirit and intent of the purpose of the sign regulations as stated in Section 15.435.010 of the Newberg development code.

3. Membership.

- A. The Newberg mayor will appoint members of the committee.
- B. The committee will consist of seven members who are not employees of the City of Newberg.
- C. At least five of the members shall be residents of the city. All members will be residents of Yamhill County.
- D. In appointing members, the mayor should strive to include representatives from the following groups:
 - i. A city councilor;
 - ii. A planning commissioner;
 - iii. Local business owners and/or operators;
 - iv. Citizens at-large that are not owners and/or operators of local businesses.
- E. Organization. The mayor will appoint a chair and vice-chair from among the membership.
- F. Duration. The committee will serve until it completes its recommendation. It is anticipated this committee will serve approximately four months.
- G. Meetings. The committee will establish a meeting schedule as needed to accomplish its task. Usually, it will hold meetings twice a month.
- H. Staff Support. The city recorder will provide a secretary to the committee and such other staff and consultation services as may be appropriate. The secretary will keep a record of committee proceedings.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: October 8, 2013.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of October, 2013.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of October, 2013.

Bob Andrews, Mayor

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REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 7, 2013

Order ___ Ordinance ___ Resolution XX Motion ___ Information ___
No. No. No. 2013-3083

SUBJECT: Authorize the City Manager Pro Tem to enter into a Professional Services Agreement with Parametrix, Inc. to complete the city's utility project on Springbrook Road.

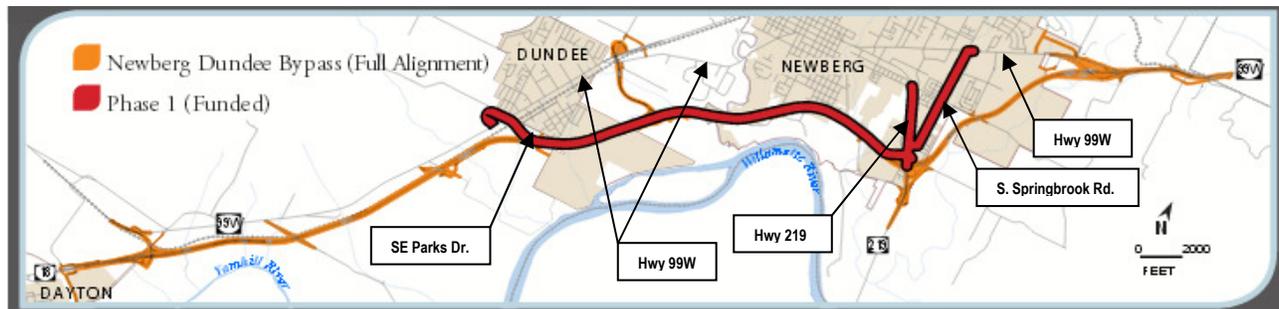
Contact Person (Preparer) for this Motion: Paul Chiu, P.E., Senior Engineer
Dept.: Engineering Services Department
File No.:

RECOMMENDATION:

Adopt Resolution No. 2013-3083 authorizing the City Manager Pro Tem to enter into a professional services agreement with Parametrix, Inc. to complete the city's Springbrook Road Wastewater, Water and Reuse Water Design and to resolve the city's utility conflicts created by the Oregon Department of Transportation's Newberg-Dundee Bypass Project in the amount of \$678,394.00.

EXECUTIVE SUMMARY:

The Oregon Department of Transportation (ODOT) is working to complete Phase 1 of the Newberg-Dundee Bypass Project, bypassing Highway 99W from S. Springbrook Road in the City of Newberg (city) to a point west of SE Parks Drive in the City of Dundee as illustrated in the map below.



The existing city owned improvements on S. Springbrook Road are being reconstructed and widened by ODOT to provide interim connections to the proposed Newberg-Dundee Bypass. Construction of Phase 1 of the bypass project is scheduled for completion in 2015/2016.

The city needs to upsize its wastewater trunk line and potable water transmission line, and install them according to the adopted master plans next year, ahead of the ODOT improvements. Completing the utility improvements prior to the bypass construction will minimize traffic interruptions, nighttime construction, and trenching in new pavement. To meet ODOT's schedule, the city's utility improvements in S. Springbrook Road, therefore, require a timely design with subsequent construction.

This project was advertised on the city's website on July 12, 2013. Five consultants with experiences in projects with aggressive design and construction schedules contacted the city. Three of the five consultants have extensive involvements with ODOT on the bypass project.

This utility design project requires a thorough understanding of ODOT's bypass project as the proposed scope of work for the consultant also includes utility conflict resolution in the bypass alignment in the southern portions of the city.

One proposal was received from Parametrix, Inc. on July 23, 2013. Another consultant Murray, Smith & Associates, Inc. declined submitting a proposal, citing an apparent conflict of interest as they are the active utility coordinator for ODOT on the bypass project.

Parametrix, Inc. is a qualified engineering consultant and was asked to submit a detailed proposal with scope of work and cost breakdown for the city's consideration (refer to Exhibit "A"). Parametrix's proposal requests \$594,354.00 for compensation with an additional \$84,040.00 for construction observation/inspections and miscellaneous support. The total consultant cost (negotiated to \$678,394.00) is reasonable considering the proposed vast scope of work that is required for designing various city's utilities and resolving ODOT's utility conflicts caused by the bypass project. Parametrix, Inc. is currently under contract with ODOT to complete the stormwater facility design for the bypass project that includes the stormwater conveyance system to be constructed on S. Springbrook Road.

FISCAL IMPACT:

The Springbrook Road water and wastewater design and construction projects are combined into one larger project that will have a shorter construction timeline and significant cost savings. The total Springbrook Road utility project costs (design and construction) are estimated to be \$4.4 million, where \$1.2 million is in waterworks, and \$3.2 million in wastewater conveyance system improvements. Funding for the reuse waterline is included in the above waterworks and wastewater conveyance system improvement budgets as an equal split.

Project costs for the Springbrook Road water and wastewater projects span the fiscal year 2013/2014 and fiscal year 2014/2015 budget years. The adopted fiscal year 2013/2014 budget provides \$245,000.00 (under capital project account number 04-5150-707611) for the waterworks, and \$810,000.00 (under account number 04-5150-706411) for the wastewater system improvements. This project will be fully designed and partially constructed in this fiscal year (FY 2013/2014). In fiscal year 2014/2015, approximately \$3,345,000.00 will be allocated to complete the construction of the Springbrook Road utility project.

The existing water transmission line in Springbrook Road has been identified by ODOT as a conflict in the bypass project and therefore, its design and construction for relocation is fully reimbursable by ODOT. The ODOT reimbursement, however, will not include the costs to oversize the pipe for future city demands. Reimbursement by ODOT is also available for the city's utility conflict resolution in the bypass alignment in the southern portions of the city. Preliminary calculations indicate that the city may be reimbursed by ODOT for approximately 40% of the total project design and construction costs.

STRATEGIC ASSESSMENT:

This project is required according to the city's water and wastewater master plans, to provide additional system capacities, allowing for future growth of the city. As ODOT will be reconstructing S. Springbrook Road for the bypass improvements in 2015, the city is taking advantage of this opportunity to improve the city's wastewater, water and reuse water systems while simultaneously meeting ODOT's request to resolve various utility conflicts created by their bypass project in the southern portions of the city.



RESOLUTION No. 2013-3083

A RESOLUTION AUTHORIZING THE CITY MANAGER PRO TEM TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH PARAMETRIX, INC. TO COMPLETE THE CITY'S SPRINGBROOK ROAD WASTEWATER, WATER, AND REUSE WATER DESIGN AND TO RESOLVE THE CITY'S UTILITY CONFLICTS CREATED BY THE OREGON DEPARTMENT OF TRANSPORTATION'S NEWBERG-DUNDEE BYPASS PROJECT IN THE AMOUNT OF \$678,394.00

RECITALS:

1. The Oregon Department of Transportation (ODOT) is in design and construction to complete Phase 1 of the Newberg-Dundee Bypass Project from the City of Newberg to the City of Dundee. Phase 1 of ODOT's bypass project includes the reconstruction and widening of S. Springbrook Road from Highway 99W south to Highway 219 within the city limits. Springbrook Road construction is proposed to commence in 2015.
2. The city is required by ODOT to resolve the city's utility conflicts created by the ODOT's bypass project. This includes the required relocation of the city's potable water transmission line and resolving the conflicts on the city's wastewater trunk line in S. Springbrook Road. The city is also required by ODOT to resolve utility conflicts in the bypass alignment in the southern portions of the city.
3. The city's wastewater and water transmission systems need to be upsized, and a reuse waterline is to be installed in S. Springbrook Road according to the city's adopted master plans.
4. The city requires consultant services to complete the two major design tasks noted in paragraphs number 2 and 3 above. The project was advertised on the city's website on July 12, 2013. Five consultants with experience in aggressive projects and extensive involvement with ODOT's bypass project design were informed of this opportunity to submit their proposals for city's consideration. Through the qualification based Request for Qualifications (RFQ) process, the city received one proposal from Parametrix, Inc. on July 23, 2013.
5. Parametrix, Inc., a qualified engineering consultant, submitted a detailed proposal outlining the scope of work with a reasonable phase-by-phase cost breakdown, which is attached as Exhibit "A" and by this reference incorporated.
6. Preliminary calculations indicate the city may be reimbursed by ODOT approximately 40% of the total project costs (design and construction), subject to ODOT's future review and approval.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

The City Council, acting as contract review board for the city, does hereby authorize the City Manager Pro Tem to enter into a Professional Services Agreement with Parametrix, Inc. to complete

the city's Springbrook Road Wastewater, Water and Reuse Water Design and to resolve the city's utility conflicts created by the Oregon Department of Transportation's Newberg-Dundee Bypass Project in the amount of \$678,394.00.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: October 8, 2013.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of October, 2013.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of October, 2013.

Bob Andrews, Mayor

SCOPE OF WORK

City of Newberg

The Springbrook Road Utility Design Project

INTRODUCTION AND BACKGROUND

The Oregon Department of Transportation (ODOT) is currently underway with Phase 1 design and construction of the Newberg Dundee Bypass project (Bypass) which impacts the City of Newberg (City). Phase 1 includes proposed roadway, signal, stormwater management, landscaping, erosion control, and utility relocation designs for improvements to Springbrook Road and OR 219 (Subphase 1G) and in areas of the City affected by the Bypass project such as Area 1E. In advance of ODOT 1G and 1E improvements, the City wishes to upgrade or improve, and in some instances relocate, water, sanitary sewer, and reuse line services in these areas. The City needs an engineering consultant to provide utility design, bid, and construction services.

Tasks and subtasks needed to complete the project are listed below. Input from the City will be needed for all tasks. Deliverables will be provided in draft form for City review.

Conventions and Terminology. The Springbrook Road Utility Design Project (project) work is being conducted in advance of ODOT's work on the Bypass. ODOT refers to work along Springbrook Road as Phase 1G, which was referred to as Task 3A in the RFQ. For consistency, this scope and subsequent deliverables will refer to this work element as Area 1G. ODOT refers to work in southern Newberg as Phase 1E, which was referred to as Task 3B in the RFP. For consistency, this scope and subsequent deliverables will refer to this work element as Area 1E.

PURPOSE

The purpose of this scope of work is to provide design and optional bidding services to allow the project to be put out for public bid and to start construction. Work covered by this scope of work is described in the following task and subtask descriptions.

PHASE 1. PRELIMINARY WORK

Task 1100 – Kickoff Meeting

The kickoff meeting between Parametrix and City staff will include introducing key Parametrix and City staff; reviewing and discussing the project scope, schedule, goals and objectives; scheduling project progress meetings; establishing the date for the first deliverable; establishing coordination protocols with ODOT; and planning the workshop described below. The meeting will feature a discussion of the City's response to Parametrix's pre-meeting data request, so critical data needs and other issues can be identified early on.

Assumptions:

- Notice to proceed issued on September 20, 2013.
- Key City staff will be available to attend a kickoff meeting.
- Up to four Parametrix staff will attend a 2-hour kickoff meeting at City offices.

SCOPE OF WORK (CONTINUED)

- Key ODOT staff will be available to attend a kickoff meeting.
- The City will clearly define measures of success for project goals and objectives and clearly define and identify draft design criteria and preferences, as well as direction on proposed improvements.

Deliverables:

- Agenda
- Meeting minutes detailing project goals, objectives, measures of success, draft design criteria

Task 1200 – Data Gap Analysis/Design Criteria

In this task, available existing data not already acquired will be collected and reviewed. Anticipated desired electronic or hard copy data include but are not limited to the following for the project areas:

- Identification and site addresses of all existing water and sewer service connections within the project area
- Documentation of locations of existing water and sewer service connections (example sources include drawings or sketches from original building permits or records)
- Pipe diameters that serve the various areas
- Water and sewer master plans and maps in electronic format
- Existing engineering plans and record drawings of existing public and private roads and utilities within or adjacent to the project area
- Land use planning and zoning information in GIS format
- City utility design standards
- City standard contract and bidding requirements
- Records of existing or pending public, private, and temporary easements in the project area
- Existing subsurface geotechnical data
- Available record drawings of existing water and sewer utilities in (A) Area 1G and (B) Area 1E & College/Waterfront

Supplemental data or information available and data not already collected during Area 1G activity will be gathered. Included will be available information from the City or ODOT concerning existing utility types and locations. After review of the data, additional data gaps will be identified and summarized.

The existing City standards will be reviewed in light of the requirements to accommodate the coming ODOT improvements. Based on the existing City standards, project-specific design criteria will be tabulated: one table for Area 1G and one for Area 1E. Examples of design criteria include water and sewer pipe material of construction and classifications/pressure ratings, AWWA standards for valves, standards for backfill and pipe zone aggregate, and pavement thickness for restoration.

A technical memorandum will be prepared summarizing the requested data and describing data gaps. Tables of design criteria will be presented specific to Areas 1G and 1E.

SCOPE OF WORK (CONTINUED)

Assumptions:

- The initial data request will be provided by Parametrix to the City approximately 1 week after the notice to proceed is issued.
- Requests for other applicable data may be made as the designs are developed.
- The City will provide the initial data requested at the kickoff meeting.
- Organized electronic data will be transferred to the Parametrix FTP site, and hard copy data will be provided in one comprehensive package for delivery to Parametrix or pick-up at the City offices.
- No cost analysis or cost estimate will be included in the technical memorandum.
- Up to three staff will perform an initial full-day site visit to observe the extents of Areas 1E and 1G.
- City will arrange for Parametrix staff access to project areas for site visits and reconnaissance work.

Deliverables:

- Listing of data requested of the City.
- Hand-marked map showing proposed pipeline alignment for the new water service main lines and gravity sewer main lines based on the kickoff meeting.
- A draft data gap analysis technical memorandum will be submitted to the City for review, and a final technical memorandum will be submitted after City comments have been received and addressed.
- Final design criteria.

Task 1300 – Public Meetings

Eight hours have been allocated for minimal public meeting support.

Parametrix will attend or assist the City at selected public meetings.

Assumptions:

- The City will facilitate and advertise the meetings, prepare agendas, send out materials, and arrange locations.
- One Parametrix staff member will participate in or provide meeting technical support.
- Any Parametrix meeting involvement is expected to be minor, and no document generation is anticipated for this task.

Deliverables:

- Up to 8 hours of public meeting technical support.

Task 1400 – College/Waterfront Waterline Preferred Alternative

- No budget has been assigned to this task.

SCOPE OF WORK (CONTINUED)

Assumptions:

- The City will identify the preferred alternative alignment (street name and location/side of the street), pipe size, and extents for waterline pipe improvements.

PHASE 2. DESIGN

Overview

The design process will be broken down into subtasks specific to work in (1) Area 1G and (2) Area 1E and (3) College/Waterfront. The sequence of work will be preparing the 30% design, conducting a design workshop, preparing the 90% design, and completing the bid-ready submittals. The workshop is listed as an early task, even though it will occur after the 30% submittal.

Task Listing

The table below lists the design tasks that will be used for project tracking.

Table 1. Design Tasks

Task	Name	Notes
2100	Workshop	One workshop will be conducted after 30% design submittal.
Group 2200	Design for Area 1G	This task group covers work along Springbrook Road in Area 1G. A detailed description of the geographic area encompassed by this work is in the design assumptions.
2210	30% Design Area 1G	
2220	90% Design Area 1G	
2230	Bid Set Area 1G	
Group 2300	Design for Area 1E	This task group covers work along the south side of Newberg in Area 1E. A detailed description of the geographic area encompassed by this work is in the design assumptions.
2310	30% Design Area 1E	
2320	90% Design Area 1E	
2330	Bid Set Area 1E	
Group 2400	Design for College/Waterfront	This task group covers work in the areas for College/Waterfront Waterline. A detailed description of the geographic area encompassed by this work is in the design assumptions.
2410	30% Design College/Waterfront	
2420	90% Design College/Waterfront	
2430	Bid Set College/Waterfront	

Work Descriptions

Descriptions of the work in each area are similar, but the level of effort will vary. For brevity, the descriptions of design work are presented once and are applicable for both Areas 1G, 1E & College/Waterfront, with respective differences identified. Note that references to the College/Riverfront waterline applies only to the design of segments of water pipeline crossing the ODOT Bypass right-of-

SCOPE OF WORK (CONTINUED)

way, not the entire system from College Street to Waterfront Street. These crossings will enable the City to design and construct then entire looping system in the future without entering the Bypass right-of-way.

Task 2100 – Workshops

A workshop will be scheduled for Parametrix and City staff to collaboratively share design information and ideas. It will occur within 1 week after the 30% design review meeting. The purpose of the workshop includes but is not limited to developing a strategy to address the following items relative to utility construction in Areas 1G, 1E, and College/Waterfront:

- Transitioning from existing to new water and sewer pipelines.
- Providing new (replacement) water and sewer service connections for affected customers, maintaining service, and minimizing redundant pavement or restoration construction activities.
- Providing temporary water and sewer services or temporary pipelines or pump around during construction.
- Particulars regarding traffic control and maintaining access to residences and businesses. Maintaining basic services, for example, mail, trash collection, and access to fire or police department services.
- Transition of existing water pipeline in Springbrook Road to reuse service.
- Confirm pavement restoration methods to be used on arterial and residential roads.
- Coordination with ODOT Areas 1G and 1E design and construction schedule and activities.

Assumptions:

- The City will lead and be responsible for coordinating, facilitating, and assuring the successful transitioning of private service connections to proposed public improvements.
- A half-day workshop will be held at City offices. Participation will be by six Parametrix staff (project manager, design manager, project engineer, senior QC engineer, project coordinator, and workshop facilitator). Key city staff will include the City project manager and representatives needed to make final decisions on water and sewer relocations, customer service connections, and other workshop agenda items.
- Representatives from ODOT will attend the workshop.
- The workshops will be held within 1 week after the 30% design review meeting.

Deliverables:

- Agenda
- Handouts and graphics for the workshop
- Workshop minutes

Tasks 2210, 2220, 2230, 2310, 2320, 2330, 2410, 2420, and 2430

The following describes the design work to be conducted in Tasks 2210, 2220, 2230, 2310, 2320, 2330, 2410, 2420, and 2430. The descriptions of design work are applicable for both Area 1G and Area 1E & College/Waterfront, and differences are identified.

SCOPE OF WORK (CONTINUED)

- The entire Parametrix project team will conduct an internal kickoff meeting to review the scope, schedule and City expectations; confirm roles and responsibilities; review Computer Aided Design (CAD) and design standards; schedule progress meetings; and initiate the project.
- At the 30% design stage prepare a list, general description, and sketches showing additional pipeline right-of-way or easement needs (if any).
- Coordinate with Murray Smith and Associates (MSA), the City, and ODOT to minimize utility conflicts.
- Review survey related to right-of-way and proposed utility alignments. Identify additional right-of-way or easement needs.
- Review survey on pipeline alignment and adjust to standards/format needed for design.
- Up to two staff to conduct four half-day site visits to observe and review conditions affecting the design concurrent to both Area 1G and Area 1E, and two half-day site visits for a similar assessment of the College/Waterfront water pipeline areas.
- Conduct weekly internal project progress meetings to review project status. Maintain a design issues checklist to identify outstanding design issues, assign staff and establish timelines to address each issue, and monitor reconciliation of each issue.
- Identify locations for manholes, valves, air/vacuum relief, and appurtenances.
- At 30% completion, prepare and submit general roll plot drawings showing plans, profiles, and design criteria. Also submit four sample drawing sheets including one cover sheet, two utility design sheets, and one custom detail.
- Incorporate results of workshop.
- Coordinate with suppliers of pipe and valves. Assist the City in coordinating the design with existing utilities and the new ODOT storm system.
- Include new water and sanitary sewer service connections on designs.
- Review the City Water and Sewer Master Plans to determine proposed increases in the diameters of water and sewer pipelines in defined project Areas 1G and 1E.
- Assist the City in coordinating with ODOT's geotechnical consultant to obtain their recommendations on subsurface soil conditions such as trench stability, suitability of existing soil for backfill, presence of rock, and elevation of groundwater/need for dewatering during construction.
- Assess whether trench dewatering is required, and address as necessary.
- Coordinate with DEQ on 1200-C permit requirements. Prepare applications for DEQ 1200-C permit and accompanying Erosion and Sediment Control drawings for both Area 1G and Area 1E & College/Waterfront. Submit application and plans to DEQ for review and approval.
- Address City maintenance access and operation and maintenance needs.
- Identify locations for connecting new utilities to existing systems.
- For Area 1G, prepare details on converting the existing water pipeline to reuse service.
- Prepare layout sheets for plan/profile. Prepare plans and profiles for the proposed alignments.

SCOPE OF WORK (CONTINUED)

- At 90% completion, submit design documents to ODOT for review. Coordinate with ODOT staff to address their comments. Address site work, pavement removal/replacement, and restoration along the route. Include appropriate details.
- Provide support services for the City regarding temporary road closures and timing, temporary and permanent pavement restoration, and traffic control conditions.
- Prepare calculations for needed pipeline joint restraint (City uses MEGALUG).
- Prepare notes on the drawings for phasing to maintain existing water and sewer service. The notes will identify where to conduct work and the order in which to conduct it to maintain services. The contractor will be required to submit a phasing plan for each area for City and Parametrix approvals.
- Prepare design submittals at the 30%, 90%, and bid-set completion stages. These will be prepared separately (one set each) for (A) Area 1G, and (B) Area 1E and College/Waterfront.
 - Prepare the 30% design as roll plot plan and profile views of the alignment based on available survey data. The roll plot plan view will include a key map of proposed drawing sheets. The intent is to show the new pipeline alignments and identify how best to manage separation and crossings of existing utilities. The 30% design will include draft specification table of contents. Four sample drawings will be provided including one cover sheet, two design sheets showing a sample plan and profile, and one custom detail sheet.
 - Attend design review meetings with City staff after receipt of City comments on the 30% and 90% submittals.
 - Prepare 90% design including completed drawings and specifications ready for final City and ODOT review.
 - Prepare ready for public advertisement bid sets based on final review comments.
 - Prepare opinion of probable construction cost with each submittal—30%, 90%, and bid set.

Assumptions:

- Due to the fast track nature of the project, the majority of the design effort will be up front to the 30% design stage.
- Design changes, if any, beyond 30% will be minor.
- The detailed design will not commence until the City provides necessary data based on the data gap analysis and design criteria technical memorandum.
- The design scope and fee are based upon a fundamental assumption: the alignment is generally as described in the July 12, 2013, City of Newberg Request for Qualifications for Springbrook Road Utility Design Project and ODOT Area 1E Utility Conflict Analysis of June 14, 2013, prepared by MSA. (It is important to establish this baseline for the design because it sets the extent of the infrastructure improvements, which in turn governs the number of engineering plans and details, and thus the fee.)
- The basis of design will follow the design criteria developed in Task 1200.
- New right-of-way improvements only include sanitary sewer, water, and reuse utility features, and do not include features such as sidewalks, curbs, gutters, and catch basins.
- Due to the nature of this project, the following typical utility design items are not included in this scope: contaminated media plan, pipe analysis and pipe modeling for future development, water

SCOPE OF WORK (CONTINUED)

system hydraulic modeling, hydraulic calculations or water system modeling for pressure losses, stormwater quality or quantity system analysis, new electrical service evaluation or design, sewage or water pump station, or water/wastewater treatment.

- ODOT will provide interpretations specific to construction in Area 1G and Area 1E & College/Waterfront. This interpretation includes written recommendations on subsurface soil conditions such as trench stability, suitability of existing soil for backfill, presence of rock, elevation of groundwater, and the need for and type of construction dewatering. These recommendations will be suitable for inclusion in the construction contract documents for Area 1G and Area 1E & College/Waterfront.
- Water system profile drawings will be on drawings separate from sewer system profile drawings.
- Water and sewer pipeline replacements will be based on the City Water Master Plan or Sewer Master Plan current as of August 15, 2013. The waterline for College/Waterfront area is 12 inches in diameter.
- Improvement and replacement of water and sewer utilities will be limited to within the proposed right-of-way or easements for the Bypass, as provided in ODOT base drawings, current as of August 15, 2013.
- City staff will be available to meet in the field at proposed work sites and will provide access for Parametrix staff to observe selected manhole interiors. The City will provide traffic control.
- Only service connections for replacement water and sewer services will be shown.
- Up to three horizontal borings for water and sewer connections are anticipated using jack-and-bore method and the use of Parametrix's standard detail for these borings. The borings are assumed to be no more than 200 feet in length.
- Traffic control plans will be prepared by the construction contractor.
- Written responses to City comments on the 30% and 90% percent submittals are not required.
- Restoration will be limited to areas affected by construction. Pavement restoration is limited to a T-cut over the trench—lane or roadway. Full width repaving is not included. The contractor will be required to restore affected areas to preconstruction conditions. Landscaping and irrigation systems are not included.
- Up to two Parametrix staff will attend four 2-hour design review meetings at City offices: one meeting each to discuss 30% deliverables for (A) Area 1G and (B) Area 1E & College/Waterfront, and one meeting each to discuss 90% deliverables for (A) Area 1G and (B) Area 1E & College/Waterfront.
- The project utilities will be designed in accordance with City standards.
- A horizontal scale of 1 inch = 50 feet is assumed for the pipeline plan and profile drawings. Selected plans will use a more detailed scale.
- Specifications will be prepared using the City of Newberg standard specifications.
- CAD engineering and drafting will be conducted in MicroStation. Drawings will be produced using Parametrix's drafting standards.
- Two construction (bidding) packages will be prepared; one each for the pipelines in (A) Area 1G and (B) Area 1E & College/Waterfront.
- The City will prepare and provide the following components of the specifications:

SCOPE OF WORK (CONTINUED)

- Bidding requirements – invitation, instruction, bid form, bid bond
- Contract forms – agreement, performance bond, payment bond, and certificates
- Contract Conditions – general conditions and supplementary conditions
- Parametrix will prepare tabulation of bid items for the City to insert into the bid form. Parametrix will assist the City in preparing the measurement and payment, and submittal sections of the general contract requirements.
- Comprehensive and combined City review comments will be on “markups” of drawings and specifications. One markup set will be provided electronically to Parametrix after the 30% and 90% submittals.
- To achieve the project schedule, City and ODOT review comments for the 30% submittal need to be completed within 14 days of submission. For the 90% submittal, City and ODOT review comments need to be completed within 30 days of submission.
- Right-of-way will be based on existing surveys provided by ODOT.
- The City will identify and contact any affected property owners.
- The new utilities will be located within the public right-of-way, existing easements, or new easements obtained by the City.
- Rights-of-entry, legal property descriptions, and new easements, if needed will be provided by others.
- Other than the DEQ 1200-C, all federal, state, and local permits will be secured by the City or others. All permit fees will be paid by the City or others.
- The City has plan review exemption status with DEQ and the Oregon Drinking Water Program and thus these agencies do not need to review the water and sewer plans.
- All 1G and 1E Bypass project data and information are available for the project
- The pending project- related IGA between ODOT and the City will not result in a conflict with the project scope and budget.
- Parametrix is not responsible for the development or negotiations of the pending IGA.
- Parametrix is not serving as an ODOT representative or liaison.
- There are no environmentally or archaeologically sensitive areas within the project limits.
- The City will process Land Use Compatibility Statements as may be needed for the 1200-C permit and other project requirements.
- The extent of the proposed design work in Areas 1G and 1E is described in Tables 2 and 3.
- On March 14, 2013, MSA furnished to the City of Newberg utility conflict tables and plans (Utility Conflict Analysis [UCA]). The tables and plans listed and showed utility conflicts that needed to be relocated ahead of the ODOT Bypass project. Each table and corresponding plan set listed sewer and water conflicts for both Areas 1E and 1G. The conflicts were numbered and preceded by “S” for sewer and “W” for water. The scope and fee developed by Parametrix were based upon the quantity of water and sewer pipelines identified in the UCA. Tables 2 and 3 below list the UCA sheet number, conflict number, and a brief description of the water and sewer pipelines to be relocated as part of this project. The miscellaneous valves, manholes, water

SCOPE OF WORK (CONTINUED)

meters, water services, and sewer services are not listed individually, because it is assumed they will be noted for replacement on the new design plan sheets and included as design details.

- The drawing list for the 90% and bid-set submittals are listed in Tables 4 and 5. These drawings lists were developed based upon conflicts identified in the UCA.

Table 2. Area 1G Water and Sewer Pipelines

UCA Water Sheet	Conflict Number(s)	Description of Design Work
3B	W73	18" DIP on Wilsonville Rd, 300 LF
3B	W71, W72	Valves and water services
3B	W69 to W70	Unknown water & Hydrant
3	W141	8" DIP 100 LF
3	W169 to W175	Valves and water services
3A	W178, and W182	8" DIP, 450 LF north on 219 and 8" DIP, 80 LF
3A	W184	8" DIP 550 LF
3A	W184 (cont.)	8" DIP 700 LF
3A	W192 and W202	Unknown water, 150 LF and 150 LF
3C	W203	Unknown water, 600 LF in Wynooski Rd
3, 4, 5	W142	14" DIP in Springbrook, 1,250 LF
5	W214 to W221	Meters, valves, and water services
5	W219	Unknown Water
5	W82	12" DIP, 60 LF
5, 6	W224	12" DIP, 2,800 LF
6	W230	12" water, 30 LF
6	W231	Vault
7, 7A	W125	12" DIP, 1,660 LF in Hwy 99
7	W234	Unknown water, 130 LF
7	W117	Waterline and sign conflict
3, 3A, 3B, 4		Replace SS in Springbrook Rd, Sta 27+00 to 60+30
7	S40,S43,S67-S69,S71,S73,S74	8 MHs to raise, sign conflict
7	S72	8" sewer, 130 LF, two new MHs
7A	S70	8" sewer, 170 LF
7A	S75, S76	2 MHs to raise

Notes:

LF - linear feet; DIP – ductile iron pipe; CI – cast iron; CCP - concrete cylinder pipe

RCP - reinforced concrete pipe; MH – manholes; PVC – polyvinyl chloride

Table 3. Area 1E Water and Sewer Pipelines

UCA Water Sheet	Conflict Number(s)	Description of Design Work
14	W21 to W23	Replace Approx. 880 LF of 2" poly
15	W26	Pipeline and water service
15	W31 to W33	Water service conflict with pier and footings
15	W38	200 LF of 6" DIP

SCOPE OF WORK (CONTINUED)

15	W51	6" DIP reroute around pier
15	W159	Two each 4" DIP, 220 LF
16	W57	2" steel water, 150-200 LF
17	W163	18" CCP under retaining walls, each side, 150-200 LF
17	W161	8" CI water in utility congested area
17	W140	18" DIP, 250 LF
19	W63 to W65	Water Valves
19	W164	12" DIP, 100 LF
15	S14 to S16	Raise 3 MH rims
17	S23, S24	Raise 2 MH rims
17	S53	30" RCP, 650 LF, soil unsuitable, Add MHs
19	S54	3" FM, unknown depth, 150-200 LF

Notes:

LF - linear feet; DIP – ductile iron pipe; CI – cast iron; CCP - concrete cylinder pipe
RCP - reinforced concrete pipe; MH – manholes; PVC – polyvinyl chloride

Table 4. Area 1G Water/Sewer Drawing Listing

Drawing No.	Sheet Type	Description
1-3	General	Cover/index, general notes, key sheet
4-15	Civil	Water Plan/Profile
16-20	Civil	Sewer Plan/Profile
21	Standard Water Detail	Water service, valve, blow off, ARV, thrust restraint, hydrant
22	Standard Sewer Detail	MH rim adjust, manhole, sewer service, air/vacuum relief
23	Custom Details	Casing pipe, water/sewer crossing, vault elev/plan, temporary pump around
24	Trench and Restoration	Pipe in trench, dual pipe trench , multiple pipe trench at roadway section, pavement restoration
25-27	1200 C permit	Cover Sheet, Key sheet, and Standard Notes
28-40	1200 C permit	Plan Views
41-42	1200 C permit	Details: construction entrance, ditch protect, biofilter bag, sediment fence, stock pile protection

Table 5. Area 1E and College/Waterfront Water and Area 1E Sewer Drawing Listing

Drawing No.	Sheet Type	Description
1-3	General	Cover/index, general notes, key sheet
4-8	Civil	Water Plan/Profile – Area 1E
9-13	Civil	Water Plan/Profile – College/Waterfront
14-15	Civil	Sewer Plan/Profile

SCOPE OF WORK (CONTINUED)

Drawing No.	Sheet Type	Description
16	Standard Water Detail	Water service, valve, blow off, ARV, thrust restraint, hydrant
17	Standard Sewer Detail	MH rim adjust, manhole, sewer service, air/vacuum relief
18-19	Custom Details	Casing pipe, water/sewer crossing, vault elev/plan, temporary pump around, Concrete Cylinder Pipe
20	Custom Details	Pipe at retaining wall, FM connection
21	Trench and Restoration	Pipe in trench, dual pipe trench , multiple pipe trench at roadway section, pavement restoration
22-24	1200 C permit	Cover Sheet, Key sheet, and Standard Notes
25-32	1200 C permit	Plan Views – Area 1E and College/Waterfront
33-34	1200 C permit	Details: construction entrance, ditch protect, biofilter bag, sediment fence, stock pile protection

Deliverables:

- The 30% design submittal will include roll plots of plan and profile views of the alignment based on available survey data. The roll plot plans will include a key map of proposed drawing sheets. The 30% design will include a draft specification table of contents. Four sample drawings will be provided, including one cover sheet, two design sheets showing sample plan and profiles, and one selected custom detail. A list, general description, and sketches showing property needs or easements for the new pipelines will be provided.
- The 90% submittals will include one unbound copy of the half-size (11” x 17”) drawings, an opinion of probable construction cost for review, and corresponding electronic files in pdf format. The 90% submittal will include one unbound copy of the specifications.
- The bid-set submittal will include unbound copies of the plans, specifications, and updated cost opinion for each work area.
- The 90% design submittal includes completed hard copy drawings and specifications ready for final client and ODOT review. The 90% and bid-set submittals will also include a complete set of CAD (MicroStation and pdf format) drawing files and Word format specifications on a CD.
- The bid-set submittal will be based on final review comments and be ready for public bidding. The bid-set submittal will include one half-size set of reproducible drawings, one unbound set of full-size (22” x 34”) drawings, unbound technical specifications, and a final cost opinion.

PHASE 3. PROJECT MANAGEMENT, QUALITY CONTROL, MEETINGS, AND ODOT COORDINATION

Task 3110 – Project Management

The project management task includes coordinating efforts of team members; preparing the scope of work and fee, the project-specific work plan, and monthly progress reports; reviewing project billings; and other administrative tasks. The project manager is Doug Gates.

The project manager will coordinate team members to develop their task-specific work plans, manage delivery progress against scope/budget, prepare project correspondence (letters, memos, email, etc.) and maintain written and electronic files.

SCOPE OF WORK (CONTINUED)

Monthly progress reports will address work progress, significant findings and unresolved issues, action needed from the City and Parametrix, items and meetings scheduled for the next period(s), and list potential out-of-scope work/issues.

Assumptions:

- The duration for this scope of work through contractor award is 7 months – Sept 20, 2013 to April 24, 2014.

Deliverables:

- Monthly progress reports and invoices

Task 3120 – Project Progress Meetings

Up to two Parametrix key staff will participate in project progress meetings with the City project manager. At each meeting, participants will review the project status, significant findings, additional data or resource needs, next steps, anticipated schedule, budget status, and potential out-of-scope work.

Assumptions:

- Meetings will be held during the design phase. They will be conducted on a weekly basis during the first 4 weeks and biweekly for the remainder of the project.
- Up to two staff will participate in a total of 18 meetings—6 meetings will be conducted in the City of Newberg and 12 meetings will be conducted via telephone.

Deliverables:

- Agenda
- Meeting summary delivered by email

Task 3200 – Quality Assurance/Quality Control

This work will be divided into area-specific quality control in the following subtasks:

- Task 3220 – QC for Area 1G
- Task 3230 – QC for Area 1E and College/Waterfront

The goal under these tasks is to provide quality deliverables that conform to the standards of the profession and expectations of the City through informal peer reviews and formal senior reviews.

Quality assurance (QA) is verifying and documenting that the work and quality control (QC) reviews were performed. QC consists of reviewing services and deliverables to confirm they conform to applicable standards of care and contractual and regulatory requirements.

Parametrix will implement appropriate project QA/QC measures for quality, proper design documentation, and enable peer and senior staff review. The project QA/QC measures will include the following:

SCOPE OF WORK (CONTINUED)

- Conduct informal peer checks by experienced professionals in the specialty area for a fresh perspective on achieving project objectives. Peer checks will include review of work in progress to identify potential alternative methods.
- Provide formal QC reviews of project deliverables by a designated senior reviewer.

Assumptions:

- Deliverables will be as described under individual tasks.

Deliverables:

- Documentation of QC review of deliverables will be available upon request. Documentation may consist of markups of reports, specifications, or drawings; email comments from reviewers; or hand-written notes taken during receipt of verbal comments.

Task 3300 – ODOT Coordination

Parametrix will coordinate with ODOT to discuss the status and progress of both the City's project and ODOT's Bypass project. The intent is to identify status and changes that affect either project and to identify potential efficiencies between the two. This coordination task will also be used to request additional data if needed. Coordination will occur with a combination of meetings in ODOT's Salem offices and telephone calls.

Assumptions:

- Six meetings will be conducted at ODOT's Salem offices.
- Eight hours have been allocated for telephone coordination.
- Participation will be by the Parametrix project manager.

Deliverables:

- Meeting summary delivered by email to ODOT, the City project manager, and appropriate project team members.

PHASE 4. BIDDING AND CONSTRUCTION PHASE ASSISTANCE

Task 4110 – Bidding Assistance – Area 1G

Task 4120 – Bidding Assistance – Area 1E and College/Waterfront

Parametrix will provide assistance to the City during bidding of each bid package (total of two). Work in this phase will be divided into area specific tasks (4110 and 4120) listed above. Services for both packages are described collectively below.

- Attend (one each) prebid conference for each bidding package.
- Respond to bidder's questions and prepare addenda for each bidding/construction package.
- Evaluate bids and prepare (one each) bid tabulation for each bidding/construction package.

SCOPE OF WORK (CONTINUED)

Assumptions:

- The City will reproduce and distribute documents to potential bidders.
- Two construction packages are to be bid including (A) Area 1G. and (B) 1E and College/Waterfront.
- Each construction package will have a 4- to 5-week bidding period.
- After the bid due date, approximately 1 month is needed for the City to process the contract and issue the notice to proceed to the contractor.

Deliverables:

- Written responses (email) to questions during bidding for each bidding package.
- Up to two addenda (if necessary) for each bidding package.
- One each bid tabulation for each of the two bidding packages

Task 4210 – Construction Phase Assistance – Area 1 G

Task 4220 – Construction Phase Assistance – Area 1 E and College/Waterfront

Parametrix will provide selected assistance to the City during construction of each package. Work in this phase will be divided into area-specific tasks (4210 and 4220) listed above. Services for both packages are described collectively below.

- Review technical submittals, test results, and shop drawings submitted by the construction contractor, through the City, for conformance with the design intent. Return reviewed submittals via email with written comments and recommended action. Provide technical assistance on written requests for information (RFI) from the construction contractor. Maintain a log of submittals and RFIs.
- Coordinate with the City staff and the contractor on design clarifications during construction.
- Conduct site visits to include the preconstruction meeting, site visits to observe construction progress, to attend progress meetings, and “punchlist” visits.

Assumptions:

- Construction phase assistance will be conducted on a time and materials basis up to the budget allocated for these tasks.
- Construction duration is 26 weeks from contractor notice to proceed to substantial completion.
- A total of 80 hours was allowed for review and response to technical submittals, test results, and RFIs.
- An allowance of 5 technical staff hours per week for coordination with the City and contractor on design intent and minor revisions. Administrative support is 2 hours per week to maintain submittal and RFI logs, project filing, and process invoices.
- The time for project management is 2 hours per week to coordinate between the team and City, monitor budget, manage team, and prepare monthly progress reports.

SCOPE OF WORK (CONTINUED)

- Up to 13 site visits will be conducted. Time for preparation, attendance, travel, and visit report is 6 hours for each visit.
- The City will prepare agenda, minutes, and run the construction progress meetings. The City will process contractors' pay requests and change orders.
- Design revisions requiring issuing CAD drawings are not included. Record drawings and O&M manuals are not included.

Deliverables:

- Email responses to contractor submittals and RFIs.
- Site visit reports delivered by email.

PHASE 5. ADDITIONAL SUPPORT (OPTIONAL)

These are reserve tasks established to manage unforeseen circumstances. Work will be conducted only after specific approval by the City project manager.

Task 5100 – Added Public Involvement

Provide additional support for public involvement including facilitation, preparation of graphics, and attendance at added public meetings or Newberg City Council sessions.

Task 5200 – Added Design

Provide added design work as may be requested by the City, for example, extension of utility service outside of the ODOT right-of-way.

Task 5300 – Easement and Right-of-Way Assistance

Prepare descriptions and supporting figures of additional property for utilities needed outside of City or the Bypass project right-of-way. Descriptions are not legal, surveyed descriptions, but sufficient for a surveyor to prepare such.

Task 5400 – Permitting

As part of the project, various land use and natural resource permits may be needed. Potential natural resource work and permits include determination and delineation of wetlands within the impacted project area, generic resources/fisheries and wildlife habitat assessments, and permitting for a Clean Water Act and Removal-Fill Permit from the US Army Corps of Engineers and the Oregon Department of State Lands. The intent of this task is to provide an allowance to describe potential permit requirements, confer with agencies, and report findings to the City and project team.

Assumptions:

- The budget established for the additional support tasks is a placeholder and not necessarily meant to cover all work for an unanticipated task(s).

Deliverables:

- Vary, depending on specific assignment.

SCOPE OF WORK (CONTINUED)

Task 5500 – Construction Observation

The resident project representative (RPR) is a full-time observer of the contractor's construction activity and monitors the work and progress. The RPR duties include the following:

- Check materials and equipment received on site for conformance with reviewed submittals. Maintain submittal files.
- Check dimensions of constructed features.
- Monitor erosion and sediment control practices and dewatering.
- Note any changes to the design, and document on the drawings.
- Observe, document, and track quantities of unit materials (yards of aggregate, area of asphalt, feet of pipe) to track for unit prices, change orders, and pay requests.
- Be available to answer contractor questions and exercise judgment for variations to the design. Advise and confer with engineer on significant and/or appropriate issues.
- Verify that contractor performs required surveying and maintains record drawings.
- Verify that contractor performs required testing and monitor testing (testing by others). Includes compaction, pressure tests, manhole tests, etc. Maintain files of test results.
- Keep daily log of contractor activities and progress photographs and maintain files.
- Keep record of time and materials on contractor's cost reimbursable work (force account).

Assumptions:

- The RPR does not direct the contractor's activities and is not responsible for site safety.
- Assumed 23 hours per week for 26-week period. Further observation beyond 30 weeks may be negotiated.
- Once Parametrix's RPR on-site work is completed (after 26 weeks), City will assume responsibility for conducting or designating someone to continue RPR duties.

Deliverables:

- Observation reports and progress photos (digital).
- The RPR's copies of submittals to be given to City at completion of construction.

SCOPE OF WORK (CONTINUED)

<u>COST BREAKDOWN</u>	
City of Newberg Utility Improvements Ahead of ODOT Bypass Project	
1 PRELIMINARY WORK	\$28,297
Kickoff meeting, data gap analysis, develop design criteria, College St/Waterfront Street waterline feasibility, and public meetings	
2 DESIGN	\$378,370
Workshops, design water and sewer utilities in Area 1G, 1E, and College/Waterfront	
3 PROJECT MANAGEMENT, QC, MEETINGS, ODOT COORDINATION	\$71,679
Project management, quality control, progress meetings, and ODOT coordination	
4 BID AND CONSTRUCTION PHASE ASSIST.	\$116,008
Attend pre-bid, addenda, review submittals, coordination, periodic site visits for Areas 1G, 1E, and College/Waterfront	
SUBTOTAL	\$594,354
5 ADDITIONAL SUPPORT (OPTIONAL)	\$84,040
Added public involvement, design, easements and right-of-way assistance, permitting, and construction observation	
TOTAL WITH OPTIONAL	\$678,394

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 7, 2013

Order ___ No.	Ordinance ___ No.	Resolution <u>XX</u> No. 2013-3086	Motion ___	Information ___
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SUBJECT: Approval to appoint Jason Dorrell as a part-time Help Desk Technician in the Information Technology Department

Contact Person (Preparer) for this Motion: Dave Brooks, IT Director
Dept.: Information Technology
File No.:

RECOMMENDATION:

Adopt Resolution No. 2013-3086 approving the appointment of Jason Dorrell as a part-time Help Desk Technician in the Information Technology Department.

EXECUTIVE SUMMARY:

The Information Technology Department has two vacant part-time help desk positions open. This position works with and under the direct supervision of the IT Director. Filling this position will allow the department to work at full help desk capacity, removing the requirement of the existing IT Technicians and the IT Director to staff the IT help desk.

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

The Assistant City Manager Lee Elliott and IT Director Dave Brooks reviewed the material and approve the hire of Jason Dorrell as a part-time Help Desk Technician in the IT Department.

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

FISCAL IMPACT:

Compensation for this position was budgeted in the 2013/2014 Budget under account No. 31-1330-431000

STRATEGIC ASSESSMENT:

Filling this position will provide the IT Department with staff to maintain the help desk and operate in a highly efficient and effective manner for the City and its citizens.



RESOLUTION No. 2013-3086

A RESOLUTION APPROVING THE APPOINTMENT OF APPOINT JASON DORRELL AS A PART-TIME HELP DESK TECHNICIAN IN THE INFORMATION TECHNOLOGY DEPARTMENT

RECITALS:

1. Reason for Vacancy: This position was established in the 2013-2014 Budget to address IT staffing shortfalls.
2. Posting: A job advertisement was posted within the city on the City of Newberg website and advertised on Craigslist and IT job websites. This position opened June 25, 2013, and closed July 15, 2013, then was re-opened August 26, 2013, and closed September 6, 2013.
3. Number of Applications: 15.
4. Recommendation: The IT Director recommends Jason Dorrell for the position.
5. Funding: Position funding is within the budget.
6. Manager Pro Tem Appointment: Assistant City Manager Lee Elliott was appointed Manager Pro Tem on August 26, 2013, by the City Council. He reviewed the material and appoints Jason Dorrell subject to Council approval. The City Charter, Chapter VIII, Section 34 (h) provides that the Manager Pro Tem “has the authority and duties of manager, except that a Manager Pro Tem may appoint or remove employees only with council approval”.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

The City Council approves the appointment by the Assistant City Manager of Jason Dorrell as a part-time Help Desk Technician in the Information Technology Department.

- **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: October 8, 2013.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of October, 2013.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of October, 2013.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 7, 2013

Order ___ Ordinance ___ Resolution XX Motion ___ Information ___
No. No. No. 2013-3087

SUBJECT: Approval to appoint Stacy Martin as a part-time Help Desk Technician in the Information Technology Department

Contact Person (Preparer) for this Motion: Dave Brooks, IT Director
Dept.: Information Technology
File No.:

RECOMMENDATION:

Adopt Resolution No. 2013-3087 approving the appointment of Stacy Martin as a part-time Help Desk Technician in the Information Technology Department.

EXECUTIVE SUMMARY:

The Information Technology Department has two vacant part time help desk positions open. This position works with, and under the direct supervision of the IT Director. Filling this position will allow the department to work at full help desk capacity, removing the requirement of the existing IT Technicians and the IT Director to staff the IT help desk.

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

The Assistant City Manager Lee Elliott and IT Director Dave Brooks reviewed the material and approve the hire of Stacy Martin as a part-time Help Desk Technician in the IT Department.

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

FISCAL IMPACT:

Compensation for this position was budgeted in the 2013/2014 Budget under account No. 31-1330-431000

STRATEGIC ASSESSMENT:

Filling this position will provide the IT Department with staff to maintain the help desk and operate in a highly efficient and effective manner for the City and its citizens.



RESOLUTION No. 2013-3087

A RESOLUTION APPROVING THE APPOINTMENT OF APPOINT STACY MARTIN AS A PART-TIME HELP DESK TECHNICIAN IN THE INFORMATION TECHNOLOGY DEPARTMENT

RECITALS:

1. Reason for Vacancy: This position was established in the 2013-2014 Budget to address IT staffing shortfalls.
2. Posting: A job advertisement was posted within the city on the City of Newberg website and advertised on Craigslist and IT job websites. This position opened June 25, 2013, and closed July 15, 2013, then was re-opened August 26, 2013, and closed September 6, 2013.
3. Number of Applications: 15.
4. Recommendation: The IT Director recommends Stacy Martin for the position.
5. Funding: Position funding is within the budget.
6. Manager Pro Tem Appointment: Assistant City Manager Lee Elliott was appointed Manager Pro Tem on August 26, 2013, by the City Council. He reviewed the material and appoints Stacy Martin subject to Council approval. The City Charter, Chapter VIII, Section 34 (h) provides that the Manager Pro Tem “has the authority and duties of manager, except that a Manager Pro Tem may appoint or remove employees only with council approval”.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

The City Council approves the appointment by the Assistant City Manager of Stacy Martin as a part-time Help Desk Technician in the Information Technology Department.

- **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: October 8, 2013.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of October, 2013.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of October, 2013.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 7, 2013

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

SUBJECT: Council's philosophy statement on zero-tolerance of dishonesty.

Contact Person (Preparer) for this
Motion: Dawn M. Wilson, H/R Manager
Dept.: Administration

RECOMMENDATION:

Approve of the below no-tolerance dishonesty statement and distribution of statement to media and employees, as well as inclusion of it in new Employee Handbook.

EXECUTIVE SUMMARY:

Incorporate the following honesty statement into the new Employee Handbook. For example, it could be included at the beginning, under the "Introduction" section.

Honesty Statement on behalf of Mayor and City Council:

Joining our team gives you a rewarding career serving the citizens of our community by supporting vital infrastructures, strong neighborhoods, public safety, economic vitality and a sustainable future for all to enjoy. We are looking for team members who share our core values.

Core Values

*** Responsiveness in Quality Customer Service * Respect for Diverse Voices and Ideas * Tradition of Reliability * Stewardship of the Public Trust * Leadership with Ethics and Integrity * Culture of Teamwork and Communication * Emphasis on Innovation ***

As public officials of the City of Newberg, you will deliver the qualities and value system defined as fairness, honesty, transparency and compassion. These values are part of every decision you make as an employee of THE CITY.

Furthermore, it should be duly noted that THE CITY has a zero tolerance for dishonesty and takes great pride in having an open and honest culture. Employees who wish to engage in disingenuous activity(ies) will be held accountable, which may lead to termination of employment.

–Mayor and City Council

FISCAL IMPACT: No immediate cost factor.

STRATEGIC ASSESSMENT:

In the best interest of the personnel, volunteers, and community in order to continue to deliver the best quality services possible by maintaining the highest quality workplace in which employees are proud to be a part of.

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REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 7, 2013

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

SUBJECT: Approve the August 5, 2013, and August 19, 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 a public meeting and minutes were recorded in text. In accordance to Oregon State Records Management law, the City of Newberg must preserve these minutes in hard copy form for permanent retention.

FISCAL IMPACT:

None.

STRATEGIC ASSESSMENT:

None.

CITY OF NEWBERG COUNCIL MINUTES
AUGUST 5, 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 by Mr. Barton Brierley regarding planning master plans. 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 7:05 PM.

II. ROLL CALL

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

Staff Present:	Daniel Danicic, City Manager	Terrence Mahr, City Attorney
	Jay Harris, City Engineer	Norma Alley, City Recorder
	Barton Brierley, Planning & Building Dir.	DawnKaren Bevill, Minutes Recorder

Others Present: Debbie Headley, Fred Gregory, Andy Becker, Jerry Dale

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

Mr. Dan Danicic said staff will be sending out the citizen satisfaction survey to 2,500 random citizens by mid-week with a closing date of August 23, 2013. The Newberg Graphic will be notified. The survey is available for any Newberg citizen to fill out on the website and a Spanish language version will also be available.

V. PUBLIC COMMENTS

Mayor Andrews opened the public testimony.

Ms. Debbie Headley stated the city council declared Newberg a peace community over a year ago and asked if a peace pole could be placed in Francis Square. The pole is eight feet tall and the peace village will be paying for it. Ms. Headley worked along with a variety of churches, George Fox University, Rotary, and businesses of all sizes that were involved in the peace camp for children. Through the process she observed how strong Newberg citizens are in their peacemaking efforts. She proposed the pole be in English, Spanish, Japanese and Mandarin. If approved, a ceremony or observance could be held on the International Day of Peace on September 21, 2013, to dedicate the pole in the square.

Mr. Fred Gregory represents George Fox University and explained students have painted a mural on the west side of the Climax building that unfortunately conflicted with some Newberg sign codes. Facilitation is needed to allow public art to be viewed differently from signage on the side of buildings. They are asking for a way to thoughtfully consider in allowing this type of art to be displayed.

Mr. Andy Becker from Climax stated George Fox University interns have been an asset to the company and the mural captures the forty-six year history of the company in Newberg. The art work shows the growth of the company. Mr. Becker asked for consideration to place the mural on the building.

VI. CONSENT CALENDAR

1. Consider a motion adopting **Resolution No. 2013-3067** approving an increase in the FireMed Membership Fee from \$45.00 to \$52.00, effective September 1, 2013.
2. Consider a motion approving the July 1, 2013, city council meeting minutes.

MOTION: **Howard/Bacon** moved to adopt the consent calendar including **Resolution No. 2013-3067** approving an increase in the FireMed Membership Fee from \$45.00 to \$52.00, effective September 1, 2013; and approving the July 1, 2013, city council meeting minutes. Motion carried (7 Yes/0 No).

VII. PUBLIC HEARINGS

1. Consider a motion tentatively approving the vacation of right-of-way property on Ninth Street and directing staff to prepare an ordinance for final consideration.

TIME – 7:21 PM

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

Mr. Barton Brierley, planning & building director, presented the staff report (see official meeting packet for full report). Staff recommended city council direct staff to prepare an ordinance for final approval after the exhibits and utility easements have been submitted and revised by staff.

Mayor Andrews opened public testimony.

Mr. Jerry Dale is a member of Airpark Properties LLC and asked for city council's support of the vacation. No questions were brought forward for Mr. Dale.

MOTION: **Corey/Bacon** tentatively approving the vacation, conditional upon: (1) Airpark Properties, LLC supplying by November 5, 2013, legal descriptions and exhibits prepared by a surveyor of the area to be vacated and any necessary utility and access easements as noted in the previous July 5, 2011, tentative approval. The utility easements should be placed over the actual utility lines, instead of covering the entire right-of-way. (2) Airpark Properties coordinating with PGE and paying costs to remove the existing streetlight in the right-of-way, unless the Normans request the streetlight remain. Direct staff to prepare an ordinance for final approval after the exhibits and utility easements have been submitted and reviewed by staff. Motion carried (7 Yes/0 No).

2. Consider a motion adopting **Resolution No. 2013-3062** approving a hardship request for water service to 4001 and 4213 NE Aspen Way.

TIME – 7:36 PM

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

Mr. Jay Harris, city engineer, presented the staff report accompanied by a PowerPoint presentation (see official meeting packet for full report). Staff recommended adoption of Resolution No. 2013-3062.

Councilor Howard asked when the properties were developed and how long water services were received. Mr. Austin stated his family has owned the properties for four years, but they were built over 20 years ago. Councilor Howard finds this request inconsistent with the city code regarding annexation. Mr. Harris stated it is a standard form used by staff for several years. The properties are outside the Urban Growth Boundary and will not be developed in the near future.

MOTION: Rierson/Bacon adopting **Resolution No. 2013-3062** approving a hardship request for water service to 4001 and 4213 NE Aspen Way. Motion carried (7 Yes/0 No).

3. Consider a motion adopting **Resolution No. 2013-3063** approving the sale of a portion of city property to ODOT for right-of-way purposes.

TIME – 7:53 PM

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

Mr. Jay Harris, city engineer, presented the staff report accompanied by a PowerPoint presentation (see official meeting packet for full report). Staff recommended adoption of Resolution No. 2013-3063.

Mayor Andrews opened and closed public testimony as there was no one to testify.

MOTION: Corey/Rierson adopting **Resolution No. 2013-3063** approving the sale of 9.74 acres of City property to ODOT for right-of-way purposes, \$995,991.00; approving the sales agreement and authorizing the city manager to execute all necessary documents to complete the sale. Motion carried (7 Yes/0 No).

VIII. EXECUTIVE SESSION

TIME - 8:00 PM

Executive Session pursuant to ORS 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed – concerning personnel issue.

Executive Session was held with all councilors, the mayor, city manager, and city attorney present; no action was taken and no decisions were made.

Mayor Andrews closed the Executive Session and opened the public meeting at 10:10 PM.

IX. COUNCIL BUSINESS

TIME – 10:10 PM

Councilor Woodruff would like to see the peace pole in Francis Square. Mayor Andrews requested Austria be included on the pole as a sister city. .

MOTION: Woodruff/Bacon moved for staff to move forward to work with Debbie Headley or the appropriate person to install a peace pole in Francis Square. Motion tabled.

MOTION: Howard/McKinney to table the peace pole decision until the next scheduled meeting. Motion carried (7 Yes/ 0 No).

MOTION: Andrews/Howard for staff to pursue sign code language for murals and report back to city council. Motion carried. (7 Yes/ 0 No)

X. ADJOURNMENT

Meeting adjourned at 10:26 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

**CITY COUNCIL MINUTES
AUGUST 19, 2013
7:00 P.M. 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 was terminated 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 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, contingent upon approval of 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.

MOTION: Corey/Andrews adopting **Resolution No. 2013-3069** contingent upon the approval of the federal exchange funds. Motion carried (6 Yes/1 No [Woodruff]).

MOTION: 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, contingent upon the approval of the federal exchange funds. 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

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REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 7, 2013

Order ___ Ordinance XX Resolution ___ Motion ___ Information ___
No. No. 2013-2764 No.

SUBJECT: An ordinance amending the Newberg Municipal Code establishing a historic preservation commission and assigning powers and duties of the Commission

Contact Person (Preparer) for this Motion: David Beam, AICP
Dept.: Planning and Building
File No.: DCA 13-001

HEARING TYPE: LEGISLATIVE QUASI-JUDICIAL NOT APPLICABLE

RECOMMENDATION:

Adopt Ordinance No. 2013-2764, amending the Newberg Municipal Code to:

1. Establish a historic preservation commission.
2. Transfer application review responsibility regarding designation, alteration, new construction, and demolition of city designated historic landmarks from the planning commission to the historic preservation commission.

EXECUTIVE SUMMARY: On April 1, 2013, the city council heard a presentation by Kuri Gill of the Oregon Parks and Recreation Department – Heritage Programs regarding their Certified Local Government program (CLG). After hearing of the CLG program and discussion, the council instructed city staff to bring to council a proposal regarding the designation of Newberg as a CLG. The recommended municipal code changes included in the proposed ordinance is a first step in complying with many of the criteria needed to be met in becoming a designated CLG. City staff has worked with the Heritage Program in the development of the proposed recommended municipal code changes in this ordinance.

There are multiple requirements and benefits to becoming a CLG:

Requirements

- Establish a historic preservation commission (HPC). This ordinance would do that.
- Establish a historic preservation ordinance (NOTE: Newberg has an ordinance in place; the commission will consider updating and revising it).
- Help update state's historic building inventory (NOTE: Newberg has a historic inventory; the commission will consider updating and revising it).
- Comment on local nominations to National Register of Historic Places (NRHP)
- Enforce state preservation laws

Benefits

- Access to state grant funds for historic preservation projects
- Access to technical training opportunities
- Access to state and federal technical assistance
- Increased overall effectiveness to local historic preservation program

Attachment 1 provides a more detailed description of the requirements and benefits of becoming a CLG.

Specifically, the proposed amendments to the Newberg Municipal Code do the following:

1. Add a new definition to Chapter 15.05.030 of the municipal code regarding a “historic preservation commission”.
2. Add new Sections 2.15.500 to 2.15.610 which establish the historic preservation commission as well as describes it purpose, powers and duties, and administration.
3. Change Chapter 15.344 HISTORIC LANDMARKS (H) SUBDISTRICT as follows:
 - a. Add Section 15.344.015 historic preservation commission review, which describes the commission’s Type III review process for designation, alteration, new construction and demolition of city designated landmarks. It also states in the case where an application requires both historic preservation commission and planning commission review, such as a modification of a landmark for a conditional use, the commissions shall hold a combined hearing. However, the two commissions shall make separate decisions.
 - b. Change all references to the planning commission to the historic preservation commission in Section 15.344.020 Landmark Designation and Section 15.244.030 Alteration, new construction, demolitions.

On September 12, 2013, the Newberg planning commission held a public hearing regarding the proposed code amendments. At that meeting, the commission approved Resolution No. 2013-300, recommending the city council approve the proposed amendments (please see Attachment “2”).

FISCAL IMPACT: City staff resources will be required to work with the HPC. The estimated value of those staff resources is \$8,000.00 to \$15,000.00 per year. Some of those resources would be redirected from staff resources previously provided to the planning commission to carry duties in reviewing historic landmark issues. The new HPC is charged to be proactive in its historic preservation work, which may require some additional city resources. As stated earlier, establishing the HPC is a major step towards the city becoming a CLG. This in turn will provide opportunities for the city to access grant funding for historic preservation efforts as well as access to valuable historic expertise from the State of Oregon and federal government. In recent years, grant funding for CLGs has ranged from \$5,000.00 to \$20,000.00 per biennium, depending on what is allocated by the Oregon Legislature. This biennium, CLGs are expected to receive around \$12,000.00.

STRATEGIC ASSESSMENT: The creation and implementation of a historic preservation commission should strengthen the city’s efforts to preserve local historic resources. The HPC would not only be taking over the role of the planning commission in the review of historic landmark application (and

reducing the planning commission's workload), it will also likely be taking a proactive role in the husbandry of local historic resources. It will be a commission specifically tasked to work toward the preservation of local historic resources and it will have members with strong interests and special skills that will be especially useful in achieving more effective historic preservation.

With the adoption of the proposed code changes, the city should only need to appoint members to the newly created historic preservation commission to meet all the criteria to become a CLG. Forming this commission should lead to the city becoming a CLG, which will provide the city with access to a variety of new resources intended to assist with the preservation of Newberg's local history.

Certified Local Government Certification

Requirements

The basic certification requirements for local governments are as follows:

- Establish a historic preservation commission and appoint interested and qualified residents to serve. To the extent they are available, at least some of the commission members should meet "professional" qualifications in the disciplines of history, architecture, architectural history, archaeology, or related fields.
- Pass a preservation ordinance that outlines how the local government will address historic preservation issues.
- Agree to participate in updating and expanding the state's historic building inventory program. SHPO takes the lead in this effort by maintaining the master database and the files for the statewide inventory, and by providing grants to survey additional properties.
- Agree to review and comment on any National Register of Historic Places nominations of properties within the local government boundaries. Nominations are usually submitted by the property owners themselves or other members of the public. SHPO administers the National Register program in Oregon.
- Affirm that it will fulfill its obligation to enforce existing state preservation laws.



Benefits

- **Grants:** CLGs may apply for annual grants from SHPO. The grants, which require a 50/50 match, have typically been in the \$5,000--\$20,000 range in recent years. Grants can be used for a broad range of preservation activities, though some of the most common grant-funded projects include the following:
 - Surveys of historic properties and accompanying context studies
 - National Register nominations of either individual buildings or historic districts
 - Public education activities: plaques, walking tour booklets, websites, etc.
 - Preservation planning: updating ordinances, preparing design guidelines, administering local preservation programs, etc.
 - Architectural and engineering studies and plans for rehabilitating historic properties
 - "Brick-and-mortar" rehabilitation work on National Register buildings
- **Training:** workshops and conferences for staff and commission members
- **SHPO and National Park Service assistance:** CLGs enjoy a partnership relationship with the state and federal agencies that have the primary responsibility for promoting historic preservation in the U.S. As such, CLGs are able to tap into the expertise and resources of these agencies in order to help address their local preservation issues. Networking: Through CLG workshops, conferences, listservs, and websites, CLGs are able to participate in the discussion of preservation issues with other local governments throughout the state and country.
- **Increased Effectiveness:** By participating in the CLG program, local governments become more skilled and effective at promoting the economic, social, and educational benefits of historic preservation in their community. They are also able to avoid much of the controversy that comes from mishandled local historic preservation issues.





PLANNING COMMISSION RESOLUTION 2013-300

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL AMEND THE
NEWBERG DEVELOPMENT CODE AND MUNICIPAL CODE REGARDING THE
ESTABLISHMENT AND FUNCTIONS OF A HISTORIC PRESERVATION COMMISSION

RECITALS

1. On April 1, 2013, the Newberg City Council heard a presentation by Kuri Gill of the Oregon Parks and Recreation Department – Heritage Programs regarding their Certified Local Government (CLG) program. After hearing of the CLG program and discussion, the Council instructed city staff to bring to Council a proposal to establish Newberg as a CLG. The recommend municipal code changes included in this resolution would comply with a portion of the criteria needed to become a CLG.
2. After proper notice, the Newberg Planning Commission held a hearing on September 12, 2013 to consider the amendment. The Commission considered testimony and deliberated.

The Newberg Planning Commission resolves as follows:

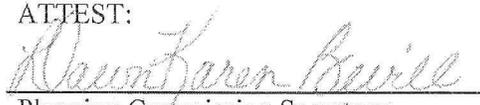
1. The Commission recommends that the City Council adopt the amendments to the Newberg Development Code as shown in Exhibit "A". Exhibit "A" is hereby adopted and by this reference incorporated.
2. The findings shown in Exhibit "B" are hereby adopted. Exhibit "B" is by this reference incorporated.

Adopted by the Newberg Planning Commission this 12th day of September, 2013.



Planning Commission Chair

ATTEST:



Planning Commission Secretary

List of Exhibits:

- Exhibit "A": Development Code Text Amendments
- Exhibit "B": Findings



ORDINANCE No. 2013-2764

**AN ORDINANCE AMENDING THE NEWBERG MUNICIPAL CODE
ESTABLISHING A HISTORIC PRESERVATION COMMISSION AND
ASSIGNING POWERS AND DUTIES OF THE COMMISSION**

RECITALS:

1. On April 1, 2013, the Newberg city council heard a presentation by Kuri Gill of the Oregon Parks and Recreation Department – Heritage Programs regarding their Certified Local Government program (CLG). After hearing of the CLG program and discussion, the council instructed city staff to bring to council a proposal regarding the designation of Newberg as a CLG.
2. The establishment of a historic preservation commission is an important first step in complying with many of the criteria needed to be met in becoming a designated CLG. City staff has worked with the Heritage Program in the development of the proposed recommended municipal code changes for the establishment of a historic preservation commission.
3. On September 12, 2013, the Newberg planning commission held a public hearing regarding the proposed amendments to the Newberg Municipal Code establishing a historic preservation commission and assigning powers and duties of the commission. At that meeting, the Newberg planning commission approved Resolution No. 2013-300, recommending that the city council approve the proposed amendments.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The Newberg Municipal Code is amended and shown in Exhibit "A". Exhibit "A" is hereby attached and by this reference incorporated.
2. The findings in support of these amendments are adopted and shown in Exhibit "B". Exhibit "B" is hereby adopted and by this reference incorporated.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: November 6, 2013.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of October, 2013, by the following votes: **AYE:** **NAY:** **ABSENT:** **ABSTAIN:**

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of October, 2013.

Bob Andrews, Mayor

Establishment of Newberg Historic Preservation Commission Newberg Code Amendments

Legend for proposed development code changes:

Red lettering = directions for code changes

Black lettering = existing code language

~~Black strikeout~~ = proposed language deletion

Black double underline = proposed language addition

Section 1: The following shall be added to Chapter 15.05.030 Definitions of the Newberg Code.

“Historic preservation commission” means the historic preservation commission of the City of Newberg, a body of officials appointed by the mayor with the consent of the city council, serving the city council by overseeing historic preservation issues affecting the city.

Section 2: The following shall be added as Chapter 2.15, Article VI of the Newberg Code.

Article VI. Historic Preservation Commission

2.15.500 Establishment.

There is hereby established a historic preservation commission for the City of Newberg, Oregon.

2.15.510 Purpose.

The historic preservation commission for the City of Newberg is established to identify, recognize, and preserve significant properties related to the community’s history, encourage the rehabilitation and ongoing viability of historic buildings and structures, strengthen public support for historic preservation efforts within the community, foster civic pride, and encourage cultural heritage tourism.

2.15.520 Membership.

A. The commission shall consist of five members who are not officials or employees of the city and an ex officio nonvoting member who shall be a student from one of the local high schools.

B. Members should have a demonstrated competence, knowledge, or interest in historic preservation with preference given to those with professional experience in the fields of preservation, architecture, archaeology, community history, building trades, real estate, or related specialties.

C. Three of the five members shall have their principal place of residency inside the city limits. One member may have their principal place of residency outside city limits provided it is within one mile of the urban growth boundary of the city at the time of their appointment and during the term that they serve on the historic preservation commission. There is no residency requirement for the one remaining member or the ex officio student.

2.15.530 Term of office.

A. Members of the historic preservation commission shall be appointed by the mayor with the consent of the city council for a term of three years from the first calendar day of the year. The appointments of some members shall be for other than specified terms in order to establish an approximately equal expiration of terms each year. The term of the student member will begin June 1st of each calendar year and end May 31st of succeeding calendar year with reappointment not to exceed three years. Members of the historic preservation commission shall continue after expiration of their term until such time as their successors are appointed.

B. The term of each member shall continue until such time as their successors are appointed.

2.15.540 Vacancies and removal.

A. Any vacancy in the commission shall be filled by appointment of the mayor with consent of the city council for the unexpired term of the predecessor in the position.

B. A member of the commission may be removed by the city council after hearing for misconduct or nonperformance of duty.

C. A member who is absent from two consecutive meetings without an excuse as approved by the historic preservation commission is rebuttably presumed to be in nonperformance of duty and the city council shall declare the position vacant unless finding otherwise following the hearing.

2.15.550 Presiding members.

At the commission's first meeting of each calendar year, the commission shall elect a chair and vice chair to serve one-year terms.

2.15.560 Staff services.

The city recorder shall provide a secretary to the commission and such other staff and consultation services as may be appropriate. The secretary shall keep a record of commission proceedings.

2.15.570 Meetings.

A. A majority of the voting members of the historic preservation commission shall constitute a quorum. The commission shall meet at least meet at least four times a year, and as required to conduct business in a timely fashion. Meetings of the commission shall be open to the public and shall be subject to the Open Meetings Law. Meetings other

than the regularly scheduled times may be announced at a prior meeting and thereby be made a part of the meeting records.

B. The chair, upon the chair's own motion, may, or at the request of two members of the commission, shall, by giving notice to the members of the commission, call a special meeting of the commission for a time not earlier than 24 hours after the notice is given. Notice of a special meeting shall be posted at City Hall and to the extent feasible, provided to interested persons and the local newspaper at least 24 hours prior to the meeting.

C. Meeting minutes, applications for historic review, landmark nominations, records of landmark designation, staff reports, and decisions of the commission shall be created and maintained as public records in accordance with applicable local state laws.

2.15.580 Powers and duties.

A. The commission shall have the powers and duties which are now and may hereinafter be assigned to it by Charter, ordinances or resolutions of the city and general laws of the state.

B. The commission shall identify and evaluate properties in the City of Newberg and maintain a Historic Resource Survey consistent with the standards of the Oregon State Historic Preservation Office, hereinafter referred to as "SHPO."

C. The commission shall make recommendations to the city council regarding properties to be designated to the list of designated landmarks

D. The commission shall review and act upon applications for the alteration, relocation, or demolition of designated landmarks.

E. The commission shall support the enforcement of all state laws relating to historic preservation.

F. The commission shall perform any other functions that may be designated by resolution or motion of the city council.

G. The commission may publish and adopt written and graphic guidelines and example materials to clarify the criteria in the historic landmarks section of this code and to assist applicants in developing complete and viable applications to designate, alter, rehabilitate, relocate, or demolish landmarks. The commission may make recommendations to the city council regarding changes to regulations of designated landmarks within Newberg development code using the established procedures for amendments.

H. The commission may undertake to inform the citizens and visitors to the City of Newberg of the community's history and prehistory, promote research into its history and prehistory, collect and make available materials on the preservation of designated landmarks, provide information on state and federal preservation programs, and document designated landmarks prior to their alteration, demolition, or relocation and archive that documentation.

I. The commission may make recommendations to the city council regarding expenditures for historic preservation activities and potential funding source in which to pay for the recommended expenditures.

J. The commission may recommend incentives and code amendments to the city council and planning commission to promote historic preservation in the community.

K. The commission may comment on local, state, or federal issues, laws, and requests relating to historic preservation.

L. The commission may adopt rules to conduct its business meetings.

2.15.590 Application for membership.

A. The city shall give public notice of any vacancy of the historic preservation commission and accept such application for such vacancies.

B. The application for membership on the historic preservation commission shall state the principal occupation of the applicant, the principal residence of the applicant, and give other information and qualifications as the city may deem necessary.

2.15.600 Conflict of interest.

A member of the historic preservation commission shall abide by and be in accordance with the State Ethics Code.

2.15.610 Training.

The city shall offer training to historic preservation commissioners to educate them in their duties. It shall be the duty of any newly appointed historic preservation commissioner to attend a basic training session from staff within 30 days of the historic preservation commissioner's appointment. It shall be the duty of any reappointed historic preservation commissioner to attend at least a one-hour training session from staff or offered by the city within 12 months from the beginning of that person's appointed term.

Section 3: Chapter 2.15, Article VI of the Newberg Code, "Penalty" shall be renumbered as Article VII, and the current Section 2.15.490 and all cross references to this section shall be renumbered as Section 2.15.900.

Section 4: The following amendments shall be made to Chapter 15.344 of the Newberg Development Code.

**Chapter 15.344
HISTORIC LANDMARKS (H) SUBDISTRICT**

Sections:

- | | |
|-------------------|---|
| 15.344.010 | Purpose. |
| <u>15.344.015</u> | <u>Historic preservation commission review.</u> |
| 15.344.020 | Landmark designation. |
| 15.344.030 | Alteration, new construction, demolitions. |
| 15.344.040 | Exceptions for economic hardship. |
| 15.344.050 | General administration. |

15.344.010 Purpose.

The purpose of the H overlay zone is to:

A. Safeguard the historic landmarks, buildings and sites representing significant elements of Newberg history;

- B. Promote the historic, educational, cultural, economic and general welfare of the public through the preservation, restoration and protection of these buildings, structures, sites, and objects of historic interest within the city;
- C. Foster civic pride in the accomplishments of the past;
- D. Protect and enhance the city's attractions to tourists and visitors;
- E. Carry out the provisions of the Land Conservation and Development Commission Goal 5. [Ord. 2451, 12-2-96. Code 2001 § 151.490.]

15.344.015 Historic preservation commission review.

The historic preservation commission shall review applications for landmark designation, alteration, new construction, and demolition requiring Type III review as outlined in this chapter. In conducting a Type III review, the commission shall have all powers and duties of the planning commission. The notice, review, and appeal provisions of this code that apply to Type III planning commission reviews shall apply equally to Type III historic preservation commission review. In cases where an application requires both historic preservation commission and planning commission review, such as for a modification to a landmark for a conditional use, the two commissions may hold a combined hearing. However, the two commissions shall make separate decisions.

15.344.020 Landmark designation.

A. Institution of Proceedings. The owner(s) of record may initiate the proceedings for designation of a historic landmark. Initiation of an application by a property owner is voluntary and landmark designation may not occur without an owner's consent. Applications for designation shall be made available by the director. No fee shall be charged for the application.

B. Application Information. The following information shall be provided for designation or modification of a historic landmark:

1. Site plan indicating the existing and/or proposed building or buildings.
2. Architectural elevations or pictures of the structure and, if appropriate, elevations of any proposed additions or revisions.
3. Information regarding the age and historic character of the landmark. Where available, information indicating its association with historic events, former residents or users of the landmark, and the period or style of the landmark.

C. Designation Procedure Type III. Designation of a (H) historic landmarks subdistrict will be treated as a zoning map amendment and shall be processed under the Type III procedure. The designation of a site-specific historic landmark shall be processed under a Type III procedure and reviewed by the ~~planning commission~~ historic preservation commission. Sites or buildings identified as historic landmarks shall be subject to this chapter.

D. Designation Criteria. If the building, structure, site, or object is currently listed in the National Register of Historic Places of the United States of America, the property or properties shall be designated as a local landmark. In addition, landmarks shall include those buildings, structures, sites, or objects which have been identified as landmarks in the historic resources element of the comprehensive plan. The following criteria will be used by the ~~planning commission~~ historic preservation commission and city council in considering other properties:

1. The evaluation criteria used in the 1990 historic resources evaluation shall be considered. Any or all of the criteria may be satisfied for designation:

a. The landmark is associated with natural history, historic people, or with important events in national, state or local history. The age of a specific building shall be considered but shall not be deemed sufficient in itself to warrant designation as a significant historic resource.

b. The landmark embodies distinguishing characteristics of architectural specimens inherently valuable for a study of a period, style, or method of construction.

c. The landmark is a notable work of a master builder, designer or architect, or the structure represents a rarity of type, style, or design in the community.

d. The landmark retains a high degree of original design, crafting, materials, and original site features.

e. The landmark contributes to the immediate environment and the character of the neighborhood or city.

2. The proposed landmark will serve the purpose of this section as stated in NMC 15.344.010.

3. The economic, social, environmental, and energy consequences of conflicting uses shall be considered.

E. Designation Removal. Request for removal of a historic landmark designation may be made by the property owner and shall follow the same procedures as required for inclusion by this code. The ~~planning commission~~historic preservation commission is not obligated to remove a historic landmark designation if the landmark still meets the criteria contained in subsection (D) of this section. If a historic landmark designation is removed from the register, the ~~planning commission~~historic preservation commission or city council is authorized to require that all city fees that were waived during the time period that the landmark was designated be repaid to the city prior to the landmark designation being removed. [Ord. 2451, 12-2-96. Code 2001 § 151.491.]

15.344.030 Alteration, new construction, demolitions.

A. Exterior Alterations.

1. Application Process. Application for permit approval shall be made to the director. The application shall include site plans, floor plans, elevations, materials, textures, and other information deemed necessary by the director to determine the appropriateness of the alterations of the designated landmark.

2. Director Review of Minor Alterations Type I.

a. The director shall approve minor alteration requests through the Type I procedure if there is no significant change in appearance, or in original material integrity, from the existing structure or site. The director's approval may include conditions to ensure compatibility. Minor alterations meeting the following standards shall be approved and shall be documented by written findings:

i. The proposed alteration duplicates or restores the affected exterior features and materials as determined from historic photographs, original building plans, or other evidence of original features or materials;

ii. The proposed alteration results in new siding, roofing, or foundation skirting which matches materials used on the structure or is typical in terms of material and texture for the style of the landmark;

iii. The proposed alteration results in the replacement of gutters and downspouts, or the addition of gutters and downspouts, using materials that match or appear to match those typically used on similar-style buildings;

iv. The proposed alteration results in a new foundation that does not raise or lower the building elevation, provided the foundation materials and/or craftsmanship do not contribute to the historical and architectural significance of the landmark;

v. The proposed alteration results in the application of storm windows made with wood, bronze or flat-finished anodized aluminum, or baked enamel frames which complement or match the color detail and proportions of the building;

vi. The proposed alteration results in replacement of existing sashes with new sashes, when using material which is consistent with the original historic material and appearance;

vii. The proposed alteration results in modifications to the porch which imitate or restore railings, posts, steps, and skirting which were typical for the style of the landmark;

viii. The proposed alteration results in construction of a wood fence in the front yard which was typical for the style of the landmark. Solid wood fences shall be permitted along side and rear property boundaries;

ix. The proposed alteration results in the installation of permanent air conditioning or heating facilities, including solar panels, which do not result in the destruction or removal of original architectural features. If possible, facilities should be located in such a manner that they are not readily visible from the public right-of-way, excluding alleys;

x. The proposed alteration results in new awnings or signage which were typical for the style of the landmark.

b. The ~~planning commission~~historic preservation commission may develop additional standards to guide the director in determining what constitutes a significant change.

3. ~~Planning Commission~~Historic Preservation Commission Review Criteria and Guidelines Type III. Excluding routine maintenance and minor alterations subject to director review, requests to alter a designated landmark in such a manner as to affect its exterior appearance shall be reviewed for permit approval by the ~~planning commission~~historic preservation commission using the Type III procedure. The ~~planning commission~~historic preservation commission, in considering applications for permit approval for any alteration, shall base their decision on substantial compliance with the following criteria and guidelines:

a. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided. Specific design elements which must be addressed include:

i. Average Setback. When a new structure is being constructed on an infill lot, the front yard setback shall be the same as the buildings on either side. When the front setbacks of the adjacent buildings are different, the front setback of the new structure shall be an average of the two.

ii. Architectural Elements. The design shall incorporate architectural elements of the city's historic styles, including Queen Anne, colonial revival, Dutch colonial revival, and bungalow styles. Ideally, the architectural elements should reflect

and/or be compatible with the style of other nearby historic structures. Typical design elements which should be considered include, but are not limited to, "crippled hip" roofs, Palladian-style windows, roof eave brackets, roof dormers, and decorative trim boards.

iii. Building Orientation. The main entrance of the new structure shall be oriented to the street. Construction of a porch is encouraged but not required. Such a porch shall be at least six feet in depth.

iv. Vehicle Parking/Storage. Garages and carports shall be set back from the front facade of the primary structure and shall relate to the primary structure in terms of design and building materials.

v. Fences. Fences shall be built of materials which are compatible with the design and materials used in the primary structure.

b. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

c. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

d. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved to the extent possible.

e. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall reasonably match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

f. Chemical or physical treatments, such as sandblasting, that cause extensive damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

g. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

h. New additions, exterior alterations, or related new construction shall not destroy the historic character of the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

i. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

B. New Construction Type III Review Criteria.

1. Review Required. If an application is made to build a new building on a landmark site, the ~~planning commission~~ historic preservation commission shall review the request through the Type III procedure to assure the plans are compatible with any existing landmark structures on the site. No new structure or major public improvement shall be constructed without review pursuant to the following criteria.

2. Review Criteria. Designs shall be compatible with any existing landmark structures on the site in terms of size, scale, material and character. Contemporary

designs shall not be discouraged when they do not destroy significant historical, architectural, or cultural material. Review criteria shall include consideration of the guidelines listed in subsection (A)(3) of this section.

C. Demolition and Moving Review.

1. Building Director Review Type I. The building director shall issue a permit for moving or demolition if any of the following conditions exist:

a. The building is not a designated landmark. If the landmark is pending review under NMC 15.344.020, no permit shall be issued; and/or

b. The landmark has been damaged beyond reasonable repair through fire, flood, wind or other acts of God, vandalism, or neglect, and poses an immediate threat to public safety. For any demolition or moving which does not comply with the above criteria, it shall be referred to the ~~planning commission~~historic preservation commission under the Type III procedure.

2. ~~Planning Commission~~Historic Preservation Commission Review Process Type III. The process and public notice for review of a demolition permit shall be conducted under the Type III procedure. Unless extended by mutual consent of the applicant and the ~~planning commission~~historic preservation commission, the ~~planning commission~~historic preservation commission shall complete any review within 45 days of the date the city received a complete application, with the intent that the ~~planning commission~~historic preservation commission and applicant seek alternatives such as sale, salvage, relocation or donation to historic or interested groups, not simply to delay the demolition or moving.

3. Review Criteria. In reviewing an application for a demolition permit or moving permit, the commission shall consider the purpose of this chapter as stated in NMC 15.344.010 and the criteria used in the original designation of the landmark as stated in NMC 15.344.020(D).

D. City Council Review of Dangerous Structures. The city council may order the removal or demolition of any structure determined to be dangerous to life, health, or property.

E. Documentation. In the event of the demolition or moving of a landmark, building, structure, site or object, the history of such landmark shall be documented and kept on file with the city. [Ord. 2505, 2-1-99; Ord. 2451, 12-2-96. Code 2001 § 151.492.]

15.344.040 Exceptions for economic hardship.

A. When the applicant has demonstrated an economic hardship as a result of the provisions of this code, the commission or city council may relax the requirements of the ordinance, provided the relaxation is consistent with the purpose of this chapter as stated in NMC 15.344.010. Any relaxation of requirements shall be the minimum necessary to alleviate the economic hardship. In determining whether an exception due to economic hardship is justified, the commission or city council shall consider the following factors:

1. Estimated cost of rehabilitation;
2. Estimated market value of property in current condition and after proposed construction;
3. Potential income from property if income-producing;
4. Any other economic information deemed relevant to the decision; and
5. Economic, social, environmental, and energy consequences of the exception.

B. The applicant shall provide adequate documentation to justify an economic hardship. The information shall be provided on a form available from the director. [Ord. 2451, 12-2-96. Code 2001 § 151.493.]

15.344.050 General administration.

A. Signs. One sign no larger than 200 square inches is permitted in addition to other permitted signs.

B. Maintenance. Nothing in this code shall be construed to prevent the ordinary maintenance or repair of any exterior architectural features which does not involve a change in design, material or the outward appearance of such feature, nor to prevent the construction, reconstruction, alteration or demolition of such feature which the city's building director shall certify is required by the city's building and development codes. Maintenance and repair actions include, but are not limited to:

1. Repair of siding, roofing, foundations, and gutters or downspouts when required due to deterioration, with materials that match the original materials or are in character with materials typically used on similar-style buildings;
2. Painting and related preparation;
3. Water quality protection actions;
4. Installation of air conditioners, provided the units are removable and no architectural alterations are necessary;
5. Site maintenance such as pruning, landscaping maintenance, brush clearing and removal of debris;
6. Temporary removals of roofs or other access obstructions for purposes of repair or maintenance of interior components of industrial or power generation facilities. [Ord. 2521, 11-15-99; Ord. 2499, 11-2-98; Ord. 2451, 12-2-96. Code 2001 § 151.494.]

I. Statewide Planning Goal 5

To protect natural resources and conserve scenic and historic areas and open spaces.

Local governments shall adopt programs that will protect natural resources and conserve scenic, historic, and open space resources for present and future generations. These resources promote a healthy environment and natural landscape that contributes to Oregon's livability.

II. Newberg Comprehensive Goal G. OPEN SPACE, SCENIC, NATURAL, HISTORIC AND RECREATIONAL RESOURCES

1. To ensure that adequate land shall be retained in permanent open space use and that natural, scenic and historic resources are protected.

Policy 3 - Historic Resources Policies

a. The continued preservation of Newberg's designated historic sites and structures shall be encouraged.

b. Newberg's Historic Inventory shall be updated as needed to reflect new information.

c. The City will encourage the establishment of a museum for the housing of historic artifacts, the sponsorship of touring exhibits, seminars and oral history, archival research, etc.

d. The City will encourage the re-use of historic structures such as the establishment of bed and breakfast operations, specialty shops, restaurants and professional offices.

e. The City will encourage identification and/or preservation of significant historic landmarks, archaeological or architectural sites which meet criteria established by the City.

Finding: The creation and implementation of a historic preservation commission will strengthen the effort to achieve these goals and policies. It will be a commission specifically tasked to work towards the preservation of local historic resource and it will have members with strong interests and special skills that will be especially useful in achieving these goals and policies. In addition, forming this commission may lead to the city becoming a Certified Local Government, which will provide the city with a variety of new resources intended to assist with the preservation of local historic resources.

II. Conclusion: The proposed development code amendments meet the applicable requirements of state law, state rules, the Statewide Planning Goals, and the Newberg Comprehensive Plan, and should be approved.

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REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 7, 2013

Order ___ Ordinance ___ Resolution XX Motion ___ Information ___
No. No. No. 2013-3088

SUBJECT: Authorize the city manager pro tem to re-structure the Information Technology department.

Contact Person (Preparer) for this
Motion: Dave Brooks, IT Director
Dept.: Information Technology
File No.:

RECOMMENDATION:

Adopt Resolution No. 2013-3088 authorizing the city manager pro tem to restructure staff positions in the Information Technology Department.

EXECUTIVE SUMMARY:

The fiscal climate and resulting budget cuts of the last several years has resulted in the City of Newberg investing less in computer replacements and more in the institutional knowledge of the current IT staff. The current staffing level of the IT Department is lower than our comparator cities when the amount of departments supported is taken into account; and, the current salaries of IT staff are substantially lower than our peers. Retaining current staff is critical to the success of the IT Department.

The IT Department staff consists of the IT Director and three IT Support Specialists. A fourth IT Support Specialist position was eliminated in 2011 due to budget cuts.

Two of the remaining three IT staff indicated they will be leaving the city for higher paying positions. One of those leaving is currently interviewing and another has indicated he will be leaving within the next few months. All three IT staff is in the pay range of \$42,000.00-\$52,000.00/yr.

One staff member has applied for an IT position at a nearby city with a beginning salary of \$66,000.00. This staff member has indicated he would stay here at the City of Newberg if the city paid a comparable wage to what is being offered elsewhere.

The second staff member who indicated he will be leaving is the most senior IT tech on staff, and his responsibilities include all network related projects and repair. A few months ago this person announced he was considering leaving the city for a higher paying job. I convinced him to stay by paying out a portion of his comp-time, but that was a temporary solution. He indicated he will be leaving the city by the end of this calendar year. This staff member likes working for the city but with his skills he can go work as a Network Engineer for \$80,000-\$100,000 a year.

I have researched IT salary schedules both with comparator cities and the private sector and have found both our salary schedule and staffing level grossly inadequate. Furthermore, the IT job market in the Portland Metro area is the most active I have ever seen. There are currently over 1,700 IT support jobs advertised with a beginning salary of over \$60,000.00 in the Portland Metro area.

Comparator cities are paying IT staff between \$65,000.00 and \$85,000.00. IT Directors are being paid about \$106,000.00. (See Attachment 1.) When comparing IT departments from one city to another, it is important

to take into account the responsibility and workload. For example, a city may not have a Fire Department, Police Department, Library, 9-1-1 Center, etc. A great source of workload is the 9-1-1 center and there are few municipalities that operate one in the state of Oregon. While Lake Oswego has a higher tax base than the City of Newberg and is not a comparator to the City of Newberg for the purpose of salary comparison, Lake Oswego has a 9-1-1 center and assigns 2.5 FTE to working on IT equipment in the center. YCOM is an independent dispatch center located in Yamhill County and has 2 FTE. The YCOM IT Manager's annual salary is \$125,000.00. Our comparator cities are staffed with an average of 4 FTE, yet none of them are responsible for a 9-1-1 Center. Most do not have a Fire Department, Operations division, or Library.

The IT department has an open position for a full-time contract IT Tech at the starting salary of \$42,000. It was advertised on two separate occasions for this position and few applications were received. There were not any qualified candidates from the pool of applicants. Based on the job market research completed, it is apparent the city will not be able to hire qualified staff using the current salary scale. The Newberg School District is in the same predicament as the city; the District has advertised an IT position with a similar pay scale for five months, which still remains vacant.

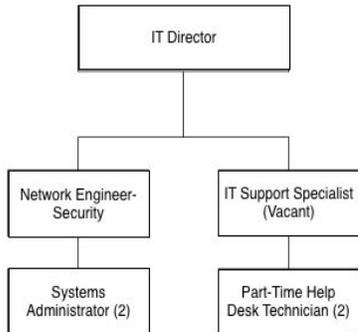
The city was forced to cut computer budgets and IT staff over the past several years in order to balance the budget. As a result of these cuts, computer equipment is outdated and several pieces of critical equipment have failed or are about to fail.

The IT department is in the beginning stages of implementing a \$500,000.00 upgrade project to replace the city's outdated computers, servers, and applications. Retaining current staff is vital to the successful completion of this project. If current staff is lost, the upgrades will have to be put on indefinite hold until new staff is hired and trained. Given the current market conditions, the city will be unable to attract qualified candidates at the current pay rate. Salary adjustments must be made in order to attract qualified candidates and replacement staff will need to be trained on the systems and applications specific to the city. This process would most likely take nine months to hire and train a new staff person to minimum standards. Any delay in project implementation puts the city at risk for further equipment failures.

As part of the 2013-2014 budget process, a proposal was created to restructure the IT department positions to better fit the individual job functions of staff in lieu of the generic "IT Support Specialist" position that exists today. One position would be reclassified as a Network Engineer-Security position. This position would be responsible for maintaining and troubleshooting the city network and meeting the current Information Security related challenges. The city network extends to 9 different buildings; it includes voice, wireless, and video traffic; and maintains multiple secured connections to other agencies as well as mobile field terminals. The size and complexity of the network warrants a staff position to maintain it. In addition, there are several information security shortfalls the city needs to address. The State Criminal Justice Information System has issued several mandates related to information security which the city is currently not in compliance. The only way the city can comply is by devoting staff resources. This position would work on-call rotations to provide 24/7 IT support.

Two positions would be reclassified as systems administrator positions. These positions would be responsible for maintaining servers, applications, city data, and completing IT related projects. These positions would act as a "tier-two" escalation point for the help desk staff, and work on-call rotations to provide 24/7 IT support.

Information Technology Department



Using comparator city salaries as a guide, IT positions and salaries will be restructured as follows:

Systems Administrator:	\$5,346.00/Mo (1 FTE)
Systems Administrator:	\$5,757.00/Mo (1FTE)
Network Engineer-Security:	\$6,181.00/Mo (1FTE)
IT Director:	\$8,361.00/Mo (1FTE)

FISCAL IMPACT:

The proposed restructuring of the IT Department will result in an increase in expenditures of approximately \$50,000.00 in the personnel section of the IT Department.

STRATEGIC ASSESSMENT:

The current structure of the IT Department and the corresponding compensation schedule is not competitive and will lead to the loss of seasoned, high performing staff. If the city is unable to retain or replace staff the IT Department will not be able to maintain the city's information systems.

Attachment 1 for Resolution No. 2013-3088 RCA

Attachement 1

RCA 2013-3088

City	Population	9-1-1 Center?	Fire?	Police?	WWTP?	Staff description/quantity	Salary
Sherwood	18,567	NO	NO	YES	NO		4
						Director	\$107,892
						Systems administrator	\$74,124
						Systems analyst	\$74,124
						Network administrator	\$74,300
Wilsonville	19,715	NO	NO	NO	NO		4
						Director	\$101,000
						Assistant	\$47,000
						Systems Analyst	\$67,000
						Network Administrator	\$80,796
West Linn	25,392	NO	NO	YES	NO		3
						Director	\$104,520
						Network Technician desktop/helpdesk tech	\$66,708 \$62,232
Tualatin	26,558	NO	NO	YES	NO		4
						Director	\$106,732
						Network Administrator	\$83,699
						Information Technician	\$65,603
						Information coordinator	\$75,982



RESOLUTION No. 2013-3088

A RESOLUTION AUTHORIZING THE CITY MANAGER PRO TEM TO RE-STRUCTURE THE INFORMATION TECHNOLOGY DEPARTMENT

RECITALS:

1. The Information Technology Department is an essential service to the city and citizens of Newberg.
2. The remaining IT staff are seasoned IT professionals.
3. The IT Department salaries are not on par with comparator cities.
4. Losing IT staff at this time would have devastating effects on the city due to the current age and disrepair of the existing computer inventory, the amount of IT projects currently underway, and the institutional knowledge of the current staff.
5. Replacing IT staff will be difficult at best using the current salary range. Research has shown replacing key staff with the necessary skill set would require the city to compete in the current job market where companies in the Portland Metro area are offering \$80,000.00-\$100,000.00 annually for similar positions. Reclassifying current staff will ultimately save the city in salaries, recruitment costs, training time, and loss of productivity.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. To accept the proposed restructuring of the IT Department with the position and title changes as shown in Exhibit "A" and is hereby referenced.
2. To accept the proposed salary adjustments for the following staff:

Systems Administrator:	\$5,346.00/Mo (1 FTE)
Systems Administrator:	\$5,757.00/Mo (1FTE)
Network Engineer-Security:	\$6,181.00/Mo (1FTE)
IT Director:	\$8,361.00/Mo (1FTE)

3. To transfer \$50,000.00 from Administrative Support Contingency (Fund 31) to the corresponding IT Department salaries lines (Fund 31).

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: October 8th, 2013.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of October, 2013.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of October, 2013.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 7, 2013

Order ___ Ordinance ___ Resolution XX Motion ___ Information ___
No. No. No. 2013-3089

SUBJECT: To declare intention to reimburse the City of Newberg from the proceeds of one tax exempt financing for a certain expenditure made in connection with the acquisition of computer networking equipment improvements.

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

RECOMMENDATION:

To adopt Resolution No. 2013-3089 allowing US Bancorp Government Leasing and Finance, Inc. to reimburse the City of Newberg for a portion of Mountain States Networking expenditure paid by the City of Newberg.

EXECUTIVE SUMMARY:

The City Council adopted the 2013-14 Budget in which the purchase and installation of computer network equipment was to be partially paid for through financing. US Bancorp Government Leasing and Finance, Inc. agreed to finance a portion.

The financing documents were waiting to be signed based on the arrival of all the equipment from all the vendors for this project. In the meantime, the invoice for the equipment from Mountain States Networking, the amount to be financed, had arrived and was paid in full. Once all the equipment had arrived, the loan documents were then signed. Not realizing that in order to get reimbursed by US Bancorp Government Leasing and Finance, Inc., a resolution needed to be adopted allowing this reimbursement.

FISCAL IMPACT:

In the 2013-14 Budget the city planned to finance \$250,000.00 to partially pay for the computer network upgrade. The first loan payment of \$51,860.00 has been budgeted. If this resolution is not approved, the remaining financed amount of \$198,140.00 will need to come from other internal resources that are earmarked for other expenditures. By approving this resolution, the city will be able to pay for budgeted expenditures in the 2013-14 Budget.

STRATEGIC ASSESSMENT:

Approving the above resolution will allow the city to continue with the 2013-14 Budget as adopted by City Council on June 3, 2013.



RESOLUTION No. 2013-3089

A RESOLUTION TO ALLOW US BANCORP GOVERNMENT LEASING AND FINANCE, INC. TO REIMBURSE THE CITY OF NEWBERG FOR A PORTION OF MOUNTAIN STATES NETWORKING EXPENDITURE PAID BY THE CITY OF NEWBERG

RECITALS:

1. The City of Newberg is a political subdivision organized and existing under the laws of Oregon; and
2. The City of Newberg has paid on August 8, 2013, certain expenditures (the "Expenditures") in connection with the computer networking capital project (the "Project"), as more fully described in Appendix A attached hereto; and
3. The City Council of the City of Newberg has determined that the money previously advanced on August 8, 2013, to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the City of Newberg for the Expenditures from the proceeds of the tax-exempt obligation (the "Obligation");

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council hereby declares US Bancorp Government Leasing and Finance, Inc.'s intent to reimburse the City of Newberg with the proceeds of the Obligation for the Expenditures with respect to the Computer Network Equipment Project made on August 8, 2013, the date hereof. The City of Newberg reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Obligation.
2. The Expenditure was (a) of a type properly chargeable to the capital account under general federal income tax principles (determined in each case as of the date of the Expenditure) and (b) complies with all applicable regulations.
3. The maximum cost of the Project to be financed is \$250,000.00.
4. The City of Newberg will make a reimbursement allocation, which is a written allocation by the City of Newberg that evidences the City of Newberg's use of proceeds of the Obligation to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid.
5. This resolution shall take effect immediately upon its passage on October 7, 2013.

➤ **EFFECTIVE DATE** of this resolution is the day of the adoption date, which is: October 7, 2013.

ADOPTED by the City Council of the City of Newberg, Oregon, this 7th day of October, 2013.

Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 10th day of October, 2013.

Bob Andrews, Mayor

125314

CITY OF NEWBERG
NEWBERG, OREGON 97132

Vendor: Mountain States Networking Inc
Vendor No. 04458 Vendor Account No:
Invoice Number Date Description
PDX12043 7/29/2013 Server Network Hardware
PDX12043SNT 7/29/2013 Server Network Hardware

Check Date: 08/08/2013
Check Amount: 314,500.94
Invoice Amount
311,395.34
3,105.60

Sent certified mail 7009 1410 0000 9811 1831

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Article Addressed to:</p> <p>Mountain States Networking Inc. 448 E Winchester Suite 250 Salt Lake City, UT 84107</p>		<p>A. Signature <input checked="" type="checkbox"/> <i>Shirley Johnson</i> <input type="checkbox"/> Agent</p> <p>B. Received by (Printed Name) _____ <input type="checkbox"/> Addressee</p> <p>Date of Delivery 8/2/2013</p>	
<p>2. Article Number (Transfer from service label) 7009 1410 0000 9811 1831</p> <p>PS Form 3811, February 2004 Domestic Return Receipt</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>2. Print your name and address on the reverse so that we can return the card to you.</p> <p>3. Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes</p> <p>If YES, enter delivery address below: <input type="checkbox"/> No</p>	

7009 1410 0000 9811 1831

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OFFICIAL USE

Postage \$ _____

Certified Fee \$ _____

Return Receipt Fee (Endorsement Required) \$ _____

Restricted Delivery Fee (Endorsement Required) \$ _____

Total Postage & Fees \$ _____

Sent to Mountain States Networking Inc.
Street, Apt. No., 448 E Winchester, Suite 250
or PO Box No. Salt Lake City UT 84107
City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

04458

Mountain States Networking, Inc.
1226 East 6600 South
Suite # 200
Salt Lake City, Utah 84121

Remit To:
Mountain States Networking
448 E Winchester Suite 250
Salt Lake City Utah 84107

EXHIBIT "A" TO
RESOLUTION 2013-3089
Invoice

Date	Invoice #
7/29/2013	PDX12043

Bill To
City of Newberg Pam Young PO Box 970 Newberg OR 97132

Ship To
City of Newberg Dave Brooks 401 East 3rd Street Newberg, OR 97132

Case #	P.O. Number	Terms	Rep	Ship	Via	Project
0	6016	Net 30	NPF	7/24/2013	FedEx-Ground	PDX12043

Quantity	Item Code	Description	Price Each	Amount
4	X6569-R6-C	SFP+ for X1117A,Optical,10GbE,R6,-C	329.00	1,316.00
2	X1971A-EN-R6-C	Flash Cashe 512GB PCIe, Module, EN-C, SN - 9414566381, 9414565715	13,818.00	27,636.00
1	CS-O2-NOINSTALL-NBD-VA	SupportEdge Premium NBD Onsite, w/o Install,VA	18,363.67	18,363.67
1	X5526A-R6	Rackmount Kit,4-Post,Universal,R6	47.00	47.00
1	DS4246-54TB-24M-QS-R6	DSK SHLF,6x100GB,18x3TB,Mixed,QS	47,843.65	47,843.65
4	X6558-R6	Cable,SAS Cntrlr-Shelf/Shelf-Shelf/HA,2m	70.50	282.00
1	X6560-R6	Cable,Ethernet,0.5m RJ45 CAT6	2.82	2.82
2	X6561-R6	Cable,Ethernet,2m RJ45 CAT6	4.23	8.46
1	CS-O2-NOINSTALL-NBD-VA	SupportEdge Premium NBD Onsite, w/o Install,VA	16,219.00	16,219.00
1	Freight	Freight	425.00	425.00
		Subtotal		311,395.34

P.O. NO. 6016
 ACCT. NO. see po
 APPROVED PJ
 APPROVED _____

Questions concerning this invoice? Please call (801)743-6262/ email accounting@mstates.com.Thank You	Total	\$311,395.34
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Mountain States Networking, Inc.

1226 East 6600 South
 Suite # 200
 Salt Lake City, Utah 84121

Remit To:
 Mountain States Networking
 448 E Winchester Suite 250
 Salt Lake City Utah 84107

EXHIBIT "A" TO
 RESOLUTION 2013-3089
Invoice

Date	Invoice #
7/29/2013	PDX12043

Bill To
City of Newberg Pam Young PO Box 970 Newberg OR 97132

Ship To
City of Newberg Dave Brooks 401 East 3rd Street Newberg, OR 97132

Case #	P.O. Number	Terms	Rep	Ship	Via	Project
0	6016	Net 30	NPF	7/24/2013	FedEx-Ground	PDX12043

Quantity	Item Code	Description	Price Each	Amount
1	UCS-SP-INFRA-CHSS	UCS SP BASE 5108 Blade Svr AC Chassis / Serial# FOX1721G1XE	7,100.10	7,100.10
4	UCS-SP-PERF-B200M3	(Not a standalone SKU) B200M3 w/2xE5-2680256GB1240 VIC Serial# FCH1722JB80, FCH1722JBFZ, FCH1723JZFQ, FCH1723JZFT	10,902.50	43,610.00
2	UCS-SP-INFRA-FI96	UCS 6296UP BUN 2RU Fabric Int /18p LIC Serial# FOX1721GL3A, FOX1721GL5J	7,105.00	14,210.00
2	UCUCS-EZ-B200M3	UCS B200 M3, dual-8-core/2.7 GHz, 96GB RAM	8,729.84	17,459.68
1	UCS-EZ-INFRA-CHSS	UCS EZ BUN 5108 Blade Svr AC Chassis 4PS 2 IOM	8,575.00	8,575.00
2	UCS-EZ-PERF-B200M3	UCS SP B200 PERF EXP PAK w/ 2xE52680,256GB	10,780.00	21,560.00
2	WS-X6716-10G-3C	C6K 16 port 10 Gigabit Ethernet module(req. X2) Serial# FOX1721G01S	22,000.00	44,000.00
12	X2-10GB-LRM=	10GBASE-LRM X2 Module Serial# FNS17251GLV, FNS17251GN5, FNS17261232, FNS1726124R, FNS17261255, FNS1726125H, FNS17261DRG, FNS17261DSD, FNS17261DU8, FNS17261DVC, FNS172622L9, FNS172622ND	822.25	9,867.00
12	SFP-10G-LRM=	10GBASE-LRM SFP Module Serial# AGD1721V02F, AGD1721V05N, AGD1721V05P, AGD1721V05T, AGD1721V05U, AGD1721V05V, AGD1721V05Y, AGD1721V062, AGD1721V063, AGD1721V06C, AGD1721V06H, AGD1721V06L	712.25	8,547.00
4	SFP-H10GB-CU3M=	10GBASE-CU SFP+ Cable 3 Meter Serial# MOC172404KA, MOC172404Y3, MOC172405DT, MOC172500J1	115.50	462.00
2	FAS3220AE-BASE-R6	FAS3220HA System with Dual Cntrlr & IOXM, SN- 700002024159, 700002024161	7,510.60	15,021.20
2	SW-3220A-NFS-C	SW, NFS,3220A-C	3,252.40	6,504.80
4	X6553-R6-C	Cable, Cntrl-Shelf/Switch, 2m,LC/LC,OP-C	58.75	235.00
2	X-SFP-H10GB-CU5M-R6-C	Cisco N50XX 10GBase Copper SFP+cable,5m,-C,R6	65.33	130.66
2	X1117A-EN-R6-C	NICII 2-Port Bare Cage SFP+ 10GbE PCIe,EN,-C	937.65	1,875.30
2	X5515A-R6-C	Kit,4N2 Post Rackmount,DS14-Mid,-C,R6	47.00	94.00

Questions concerning this invoice? Please call (801)743-6262/ email accounting@mstates.com.Thank You

Total

Mountain States Networking, Inc.

1226 East 6600 South
Suite # 200
Salt Lake City, Utah 84121

Remit To:
Mountain States Networking
448 E Winchester Suite 250
Salt Lake City Utah 84107

Date	Invoice #
7/29/2013	PDX12043SNT

Bill To
City of Newberg Pam Young PO Box 970 Newberg OR 97132

Ship To
City of Newberg Dave Brooks 401 East 3rd Street Newberg, OR 97132

Case #	P.O. Number	Terms	Rep	Ship	Via	Project
0	6016	Net 30	NPF	7/26/2013	N/A	PDX12043SNT

Quantity	Item Code	Description	Price Each	Amount
1	CON-SNT-SPINFRAC	SMARTNET 8X5XNBD 5108 Blade Server Chassis, 3829829 7/24/14	54.40	54.40
4	CON-SNT-SPPFPB200	Smart Play B200 M3 Server, 3829829 7/22/14	146.40	585.60
2	CON-SNT-SPINF196	SMARTNET 8X5XNBD UCS 6296UP 2RU Fabric Interconnect 3829829 7/21/14	912.80	1,825.60
2	CON-SNT-UCB200M3	SMARTNET 8X5XNBD UCS B200 M3 Server 3829829 7/20/14	146.40	292.80
1	CON-SNT-EZINCHSS	SMARTNET 8X5XNBD UCS 5108 Blade Server AC Chassis 3829829 7/23/14	54.40	54.40
2	CON-SNT-EZRB20M3	SMARTNET 8X5XNBD UCS B200 M3 Server 3829829 7/21/14	146.40	292.80
		Subtotal		3,105.60
		NO ITEMS TO BE RECEIVED - MAINTENANCE ONLY		

P.O. NO. 60016
ACCT. NO. See Po
APPROVED PJ
APPROVED _____

Questions concerning this invoice? Please call (801)743-6262/ email accounting@mstates.com.Thank You

Total \$3,105.60



PURCHASE ORDER

No. 6016

This number must appear on
your invoices and packages

VENDOR:

Mountain States Networking Inc
448 E Winchester Suite 250

Salt Lake City, UT 84107

BILL TO:

City of Newberg
414 E. First St.
PO Box 970
Newberg, OR 97132

VENDOR NO.	VENDOR PHONE NUMBER	DATE	REQUIRED DELIVERY DATE
04458		07/10/2013	
SHIPPING INSTRUCTIONS			
Joseph Falbey			
ITEM	DESCRIPTION/TASK	ACCOUNT	AMOUNT
1	Server Network Hardware	32-1330-610200	314,500.94
2	Server Network Hardware - Project Mgmt/Cost	32-1330-610200	18,000.00

SUBTOTAL:	332,500.94
TAX:	0.00
SHIPPING:	0.00
TOTAL:	332,500.94

Signature: *Joseph Falbey* Title: Finance Director or Designee
 Signature: *Joseph Falbey* Title: City Manager (if over \$5,000)

For Office Use Only	
Received By:	<u>Joseph Falbey</u>
Date Received:	<u>8/1/2013</u>
Order Complete? (Y or N)	<u>Y</u>
If not complete, how much approved for payment?	<u>314,500.94</u>

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: October 7, 2013

Order ___ No.	Ordinance ___ No.	Resolution ___ No.	Motion <u>XX</u>	Information ___
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SUBJECT: Not to proceed with the outsourcing of the Utility Billing Department.

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

RECOMMENDATION:

Not to proceed with the outsourcing of the Utility Billing Department.

EXECUTIVE SUMMARY:

During previous budget committee meetings, the Budget Committee had requested staff to look into the possibility of outsourcing certain City of Newberg programs.

The city manager at the time, Dan Danicic, had been approached a couple years ago by a public utility company called Global Fathom. The city manager recognized many businesses contract out their customer service call centers, even though few cities have done this. The question was “does it make sense for the City of Newberg to look into the possibility of outsourcing utility billing?”. With the anticipated increase in construction of new homes, the question was “can we save money by outsourcing utility billing?”. After initially meeting with Global Fathom, Dan Danicic’s estimate was that it would save the city money over the course of 10-15 years by stabilizing the estimated increases in payroll related costs, enough savings that the City Council should consider the concept of outsourcing utility billing.

On February 19, 2013, Council was approached about outsourcing Utility Billing. The City Council gave the go ahead for the city manager to proceed with sending out a request for qualifications (RFQ). April 30, 2013, was the deadline to receive RFQs and four submissions were received. After careful review of these submissions by the city manager and finance director, it was apparent Global Fathom was the only company that could provide the full services requested by the RFQ.

During initial discussions with Global Fathom, Global stated the city would still need to provide customer service to walk-in customers, as well as those that would contact the City directly. The City’s current number of walk-in customers is manageable by existing staff, but the concern of staff is that if the City Council decides to move forward with outsourcing Utility Billing, the number of walk-in customers would increase significantly. This would, therefore, clearly negate the anticipated savings of outsourcing utility billing. If City Council did proceed with outsourcing utility billing, the city would still be responsible to the citizens of Newberg for taking payments, connecting and disconnecting customers, answering questions on their bills for walk-ins and direct phone contact.

It is apparent to staff and City Council that customer service is very important to the City of Newberg and its citizens as stated in the City motto “Serious About Service”. One of the fundamental services the City of Newberg provides its citizens is utility billing. Keeping utility billing in house will show the citizens of Newberg that the City is “Serious About Service”.

As Dan Danicic, who was overseeing this proposal for outsourcing, is no longer the city manager, the city manager pro tem and finance director would like to have the City Council consider more than just the economic factor. If you just take into account the economic factor of outsourcing utility billing, it makes sense to outsource the utility billing department because there is savings when you look at the total dollar amount. However, economics isn't all the City Council needs to take into consideration; the customer service factor must also be reviewed. It is this customer service factor that holds more weight than the economic factor when you look into outsourcing utility billing. Outsourcing utility billing does not make the city's responsibility for customer service go away. The city would still be required to provide customer service to the citizens of Newberg, but outsourcing could be perceived as betraying the trust the city has developed with its citizens. By giving up the heart of this service would mean losing control. Outsourcing would just mean that someone else would do the billing, collecting, and taking the majority of phone calls. Outsourcing could even make the job of customer service more difficult for the city.

The finance director is requesting the City Council not outsource the utility billing department.

FISCAL IMPACT:

Not outsourcing Utility Billing could potentially cost the residents of Newberg approximately \$1 – \$1.5 million dollars in increased fees over the course of 10-15 years, or approximately \$100,000.00 a year, or \$1.33 per customer, per month, using existing staff. If more staff needs to be hired, based on increased customers, the direct costs to the customer will increase; however, the indirect costs cannot be measured.

STRATEGIC ASSESSMENT:

Customer service is very important to the City of Newberg and its citizens. One of the fundamental services the City of Newberg provides its citizens is utility billing. Keeping utility billing in house will show the citizens of Newberg the City is "Serious About Service".