

**CITY COUNCIL AGENDA
JUNE 15, 2015, 7:00 PM**

PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)

Mission Statement

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

Vision Statement

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

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. PRESENTATIONS

1. Proclaim June 27, 2015 as The Relay for Life of Newberg: Power of Purple Day Pages 1-2

V. CITY MANAGER'S REPORT

1. 2015-2016 Capital Improvement Plan Pages 3- 27

VI. PUBLIC COMMENTS

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

VII. CONSENT CALENDAR

1. Approve Minutes from June 1, 2015 Pages 28-32
2. April Financial Reports Pages 33-43
3. Resolution 2015-3192, A Resolution to authorize the City Manager to enter into a Professional Services Agreement with Project Delivery Group, LLC to design the City's Blaine Street Stormwater Design project in the amount of \$224,626.00. Pages 44-55

VIII. NEW BUSINESS

1. Resolution 2015-3202, A Resolution Amending Policies and Procedures for Administration of the City of Newberg's Affordable Housing Trust Fund Pages 56-86

Agenda continued on next page

IV. EXECUTIVE SESSION

1. Executive Session # 3 Pursuant to ORS 192.660 (2) (i) Performance Evaluations of Public Officers and Employees

X. COUNCIL BUSINESS

XI. ADJOURNMENT

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

Council accepts comments on agenda items during the meeting. Fill out a form identifying the item you wish to speak on prior to the agenda item beginning and turn it into the City Recorder. Speakers who wish the Council to consider written material are encouraged to submit written information in writing by 12:00 p.m. (noon) the day of the meeting.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: June 15, 2015

Order ___ No.	Ordinance ___ No.	Resolution ___ No.	Motion <u>XX</u>	Information ___
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SUBJECT: Approve a proclamation declaring June 27, 2015 as The Relay for Life of Newberg: POWER OF PURPLE DAY.

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

RECOMMENDATION: Approve a proclamation declaring June 27, 2015 as The Relay for Life of Newberg: POWER OF PURPLE DAY.

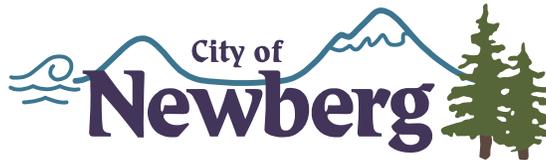
EXECUTIVE SUMMARY: In May 1985, Dr. Gordy Klatt walked and ran for 24 hours around a track in Tacoma, Washington, ultimately raising \$27,000 to help the American Cancer Society fight the nation's biggest health concern - cancer. A year later, 340 supporters joined the overnight event. Since those first steps, the Relay For Life movement has grown into a worldwide phenomenon, raising nearly \$5 billion to fight cancer.

On June 27, 2015 Newberg will join in this fight by holding its annual Relay for Life event at the Newberg High School track. A cancer survivors' luncheon will kick off the event at 12:30 p.m. with opening ceremonies at 2:00 p.m. Survivors take the first lap around the track and walking continues until 8:30 a.m. on June 28 when the closing ceremonies will be held.

For more information about how to get involved, call Marty Brown at 503-349-2653 or Kathy Brown at 503-317-3200.

FISCAL IMPACT: None

STRATEGIC ASSESSMENT (RELATE TO COUNCIL GOALS):



PROCLAMATION

A PROCLAMATION DECLARING June 27, 2015 AS The Relay for Life of Newberg: POWER OF PURPLE DAY

WHEREAS, there are approximately 200 cancer-related deaths in Yamhill County every year; and

WHEREAS, there are approximately 580 citizens diagnosed with cancer-related illnesses in Yamhill County every year; and

WHEREAS, there are approximately 120 citizens treated for cancer-related illnesses in Yamhill County every year; and

WHEREAS, there are thousands of citizens that have survived cancer-related illnesses in Yamhill County; and

WHEREAS, there are many citizens that are care-givers to loved ones that are being treated for cancer-related illnesses; and

WHEREAS, there are hundreds of citizens of Yamhill County that selflessly volunteer their time and energy in raising money to find a cure for cancer; and

WHEREAS, all citizens need to be made aware of the great strides being made through research to finding a cure for cancer in our lifetime.

NOW, THEREFORE, IT IS PROCLAIMED by the Mayor and City Council of the City of Newberg, Oregon, the day of June 27, 2015 as The Relay for Life of Newberg: POWER OF PURPLE DAY

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Newberg to be affixed on this 15th day of June, 2015.

SEAL

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: June 15, 2015

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

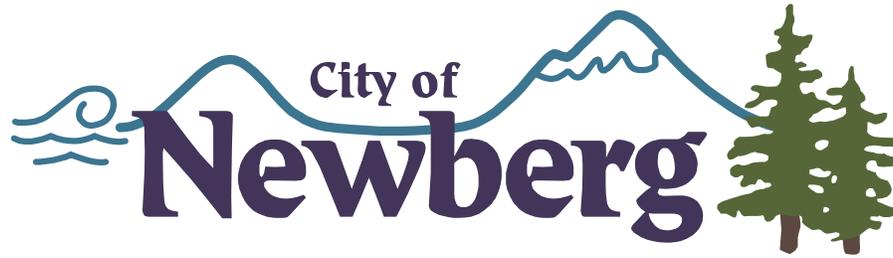
SUBJECT: Capital Improvement Program 2015-16

**Contact Person (Preparer) for this
Item: Jacque M. Betz
Dept.: City Manager
File No.:**

EXECUTIVE SUMMARY:

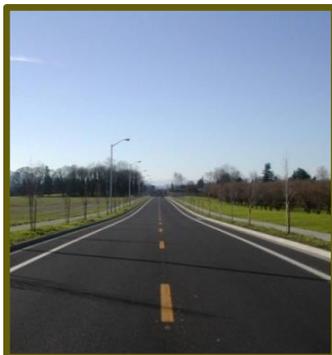
Included in your packet is the 2015-16 Capital Improvement Program that compliments the budget that Council adopted at its June 1, 2015 Council Meeting.

This is for informational purposes only.



2015-2016 CAPITAL IMPROVEMENT PROGRAM

April 2015



Transportation

Water

Wastewater

Stormwater

CAPITAL IMPROVEMENT PROGRAM

Transportation

Water

Wastewater

Stormwater

The Capital Improvement Program (CIP) is the Engineering Services Department's implementation plan for identified transportation, storm drainage, water, and wastewater projects. The capital infrastructure needs within the CIP are identified through a variety of sources, including Master Plans. Other sources used to identify capital projects are: City Council goals, operational needs, and regulatory obligations.

In keeping with the Department's Vision Statement, Engineering Staff will begin a program to reduce the amount of inflow and infiltration, or I&I that enters the wastewater system. I&I is the term used to describe surface and subsurface water that enters the wastewater piping system, caused primarily by aging infrastructure that needs to be repaired or replaced. The water enters into the wastewater pipes through cracks, holes, joint failures, faulty connections, and through holes in manhole covers. During large storm events I&I can create an overflow situation as the system is not built to handle the additional water. Although I&I is essentially 'clean water', the additional water flows to the wastewater treatment plant and must be treated with the normal wastewater flows. Normal dry weather processing at the wastewater treatment plant is approximately 3 million gallons per day, whereas, during heavy rainfall events the peak flows at the wastewater treatment plant are in excess of 20 million gallons per day. This additional flows due to excessive I&I create added operational and maintenance costs to the wastewater system.

An I&I reduction plan is expected to be completed in the Spring of 2015 by Keller Associates. Projects based on this reduction plan will be proposed for the next 5 fiscal years to aggressively repair and/or replace the inadequate portions of the system. Although the costs to repair the aging wastewater collection system will be significant, it can no longer be postponed.

The Engineering Services Department is also committed to providing well maintained streets to our citizens. Although, this work started in 2012, there is a substantial amount of road repair yet to be completed, and unfortunately, the road maintenance program budget continues to be underfunded, as identified in the 2014 City wide Pavement Management System Implementation Report.

The primary funding source for the roadway maintenance budget is the City's share of the state gas tax revenue. This revenue source has been in decline since 2005-06 due to the public's response to increased fuel prices, higher mile per gallon vehicles, and only moderate economic growth. A secondary funding source for roadway improvements is federal funding distributed by ODOT through the Surface Transportation Program (STP), and can only be used for new roadway construction or full reconstruction of existing roadways, not maintenance projects.

Oregon Department of Transportation (ODOT) remains committed to constructing the Newberg/Dundee Bypass. Since this state highway system runs through our City, Newberg is

required to pay a share of the cost of the bypass. ODOT has agreed to loan the money to the City and interest only payments begin in 2014, and full payments begin in 2017. These payments will be made using the STP funding allocations described above, therefore, significantly reducing the available funds for new and reconstruction of roadways.

Over the past few years, ideas have been discussed as to how to increase maintenance funding for our roadways. Possible funding methods identified by the Transportation Task Force Report, completed by a committee formed in 2002, was to establish a maintenance fee on the monthly utility bill, create a property tax levy, or establish a local gas tax. As the City Council continues to complete their identified goals, securing stable long-term revenue for the maintenance of the street system needs to be completed.

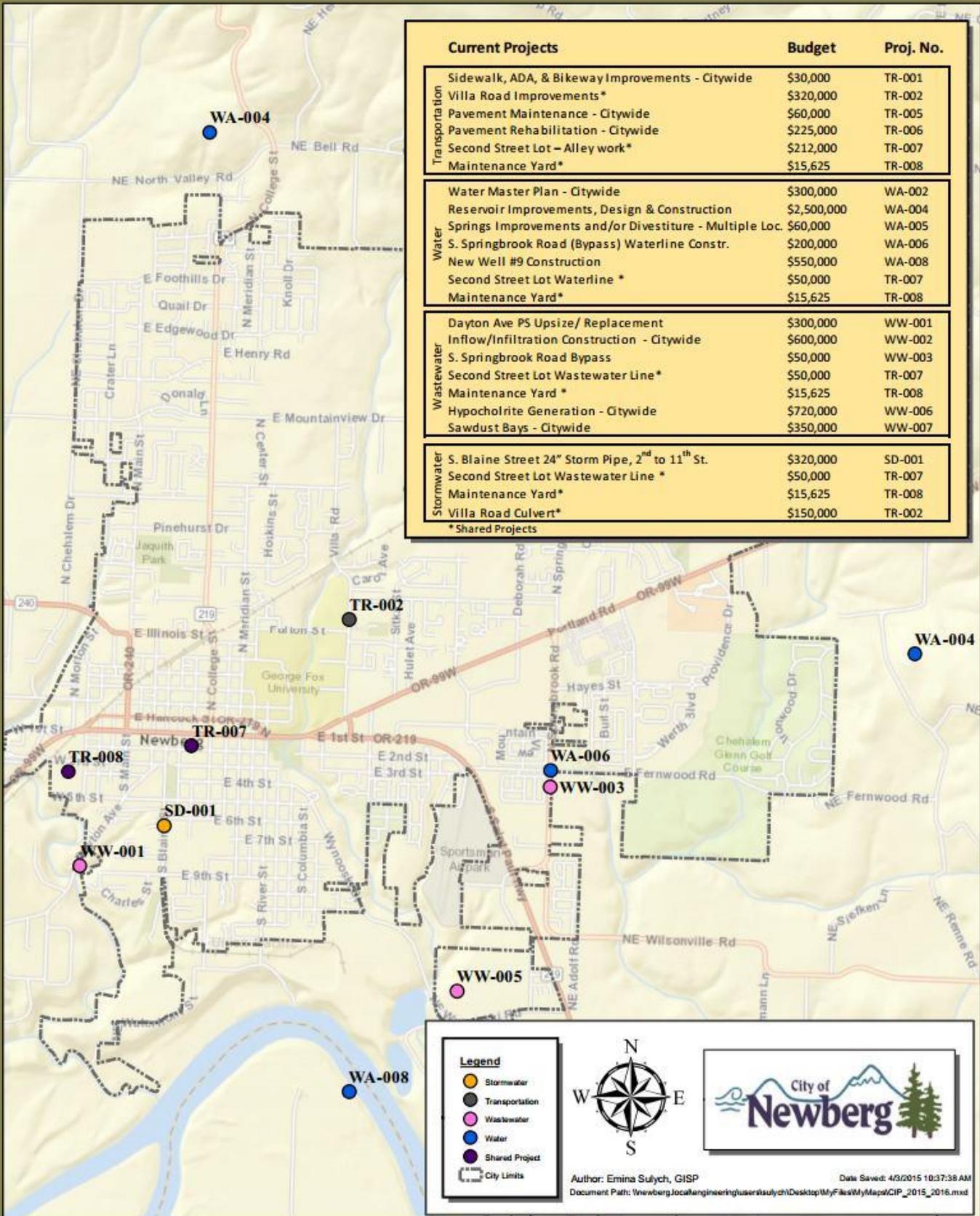
A major effort has been underway since 2007 to upgrade the City's Wastewater Treatment Plant. Since those efforts began, construction has completed or will be soon be complete on a new expanded influent pump station, headworks, screw press dewatering equipment, secondary clarifier, and a septage receiving station. We will be continuing with the addition of additional sawdust bays and hypochlorite generation in 2015-16. The next major upgrades will be determined after an update Master Plan in completed in FY2016-17.

Since 2000, the City has focused its efforts towards establishing a high quality and adequate potable water supply, storage, and distribution system. An item that remains to be addressed is the water quality and ownership of the Springs Water Supply System. A significant financial investment will need to be made in the near future to bring the springs system up to state water quality corrosion control standards if the City remains the operator of the system. City staff has been meeting with the Springs Executive Users Group to begin negotiations for the users to acquire the Springs System.

The Engineering Services Department works closely with the Public Works Operations and Maintenance Departments to complete the identified projects on an annual basis. The fiscal year 2015-2016 Capital Improvement Program implements the planning, design, and construction of the capital infrastructure needs of the City by prioritizing projects based on an analysis of the master plans and other studies in combination with the availability of funding. The scheduled projects in the years beyond FY 2015-16 are not intended to be a spending commitment, but are included to show a proposed plan for the projects that are considered to be a priority at this particular snapshot in time.

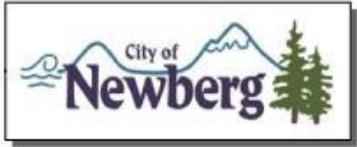
The Capital Improvement Projects for FY 2015-16 are shown on the following pages.

Capital Improvement Projects 2015-2016



Legend

- Stormwater
- Transportation
- Wastewater
- Water
- Shared Project
- City Limits



2015-2016

CAPITAL IMPROVEMENT PROGRAM

TRANSPORTATION

The Transportation Program provides for the planning, engineering, and construction of improvements to the City's transportation systems that safely preserve existing infrastructure, increase roadway capacity, improve mobility and/or enhance neighborhood livability.

The following project list was developed from the Transportation System Master Plan and associated studies while considering the available funds from state gas tax revenue, surface transportation program (federal funds exchange) and system development charges.

<u>Current Projects</u>	<u>Budget</u>
Sidewalk, ADA, & Bikeway Improvements	\$30,000
Villa Road Improvements	\$320,000
Pavement Maintenance	\$60,000
Pavement Rehabilitation	\$225,000
Second Street Lot – Alley work	\$212,000
Maintenance Yard	\$15,625

Transportation Program

Project Summary Sheet

FY 15-16

TR-001 Sidewalk, Bikeway, & ADA Improvements

\$30,000

City Council established a comprehensive bicycle program in 2011 to implement the policies and recommended improvements in the ADA/Pedestrian/Bike Route Improvement Plan. The bicycle program consists of marked and signed bicycle routes, a printed bicycle route map, and a downtown bike rack cost share program. Annual funding will be allocated for continuation of the bicycle program with \$5,000 planned for the 2015-2016 FY.

Projects are selected based on the City's need and available funding for each fiscal year. The ADA/Pedestrian/Bike Route Improvement Plan is a resource the City often utilizes in selecting improvement projects. Current utility maintenance projects include replacement or installation of ADA accessible barriers identified in the plan. FY 2014-2015 projects include installation of ramps at N School and E Franklin as part of the water/sewer main upgrade, replacement of failing/substandard sidewalks at public ROW alley crossings, and when street sections are overlaid.

The ADA/Pedestrian/Bike Route Improvement Plan can be found on the city website in Departments/Planning/Plans/ADA Bike Pedestrian Plan



Existing Sidewalk Conditions along Blaine Street prior to ADA Ramp Installation

Transportation Program

Project Summary Sheet

FY 15-16

TR-002 Villa Road Improvements

\$320,000

Villa Road north of 99W is a two lane major collector roadway that has intermittent sections of curb and sidewalk improvements. The proposed roadway improvement project is to construct a full width street improvement project consisting of curbs, sidewalk, and bike lanes, from Fulton Street to Crestview Drive.

The 2007 ADA/Pedestrian/Bike Route Improvement Plan identified the project as a primary critical pedestrian and bikeway route. The incomplete sidewalk connections are unsafe as it forces pedestrians onto the roadway shoulders.

The City Engineering Services Department has contracted with a consultant to complete the design of the project and right of way acquisition in the spring/summer of 2015. Construction is currently scheduled for the summer 2016.

The project is to be funded by stormwater funds, gas tax revenue, and system development charges.



Villa Road Looking North at Carol Ann Dr.



Villa Road Looking North at Park Ln.

Transportation Program

Project Summary Sheet

FY 15-16

TR-005 Pavement Maintenance

\$60,000

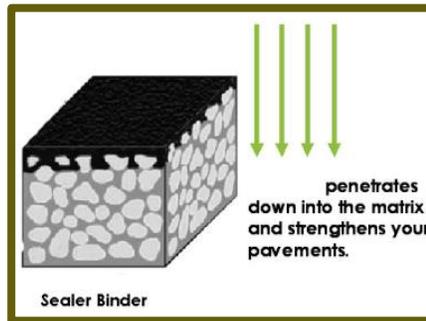
Yearly maintenance of the pavement surfaces in the City is needed to minimize water intrusion and damage to the pavement structure. Studies have shown that it is much more cost effective to regularly seal the pavement surface every 5-7 years, than it is to overlay or grind/inlay the pavement every 15-20 years.

Major cracks are sealed in the pavement surfaces every 2-4 years, and a fog or slurry sealant is normally applied to the pavement surface every 5-7 years, depending on traffic volume, speed, condition of underlying pavement structure, etc.

Per the pavement condition survey and evaluation completed in 2014, City of Newberg has 69.4 miles out of 72.2 miles of roadways survey, of which 45.8 miles (63.4%) is in good condition (at a Pavement Condition Index, PCI, from 100 to 71), 8.3 miles (11.5%) is in fair condition (at PCI from 70 to 56), 13.5 miles (18.7%) is in poor condition (at PCI from 55 to 0), and 4.6 miles (6.4%) are unpaved (gravel). The proposed roadway maintenance measures are mainly targeted to the roadways in good/fair/poor condition in the City to preserve the surface from water intrusion and premature pavement failure. Last year, the city began an in-house crack sealing program utilizing city staff, completing 2.5 miles of crack sealing in its inaugural year in a 30 day time frame.



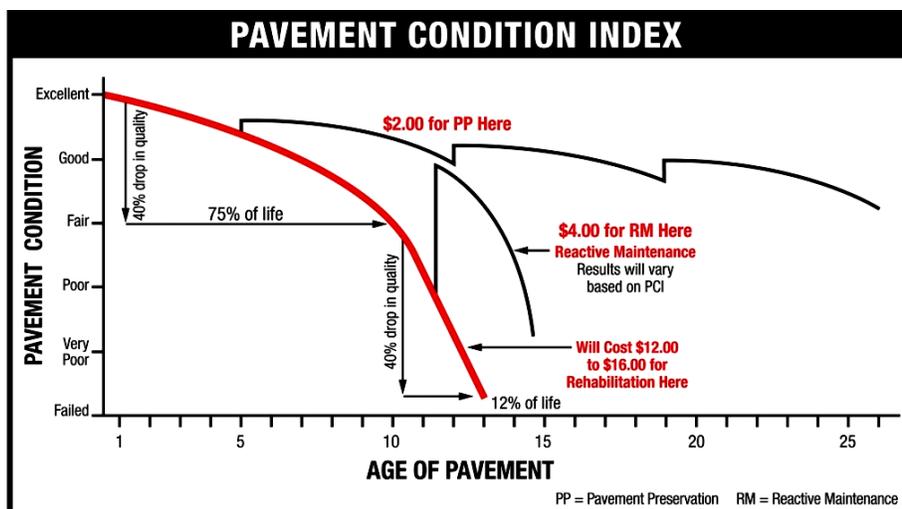
Crack Seal



Fog Seal



Slurry Seal



Transportation Program

Project Summary Sheet

FY 15-16

TR-006 Pavement Rehabilitation

\$225,000

The 2015-2016 Budget includes pavement rehabilitation which is funded by the City's share of the State Gas Tax and Federal Funding provided through ODOT. Rehabilitation is required when pavement condition is considered beyond repair using standard maintenance techniques. Last year, the City completed 0.3 miles of this type of treatment. This year, the City plans to perform rehabilitation work in heavily damaged sections of Elliot Road, Meridian Street and Main Street, as budget allows.



2012: Removal of existing Pavement on Blaine St.



2013: Completed Thin Pave on Victoria Way

Transportation Program

Project Summary Sheet

FY 15-16

TR-007 Second Street Lot Pavement

\$212,000

The 2015-2016 budget includes a pavement maintenance project for the Second Street Parking Lot which is located on 2nd street between Howard and College Streets. The pavement in this area has failed significantly and is becoming a safety hazard. The project includes work in the alley and also utility upgrades. The project uses gas tax and economic development funds to complete the maintenance of the pavement and utility funds to upgrade the water, wastewater and stormwater lines.



Second Street Parking Lot Pavement Condition

Transportation Program

Project Summary Sheet

FY 15-16

TR-008 Maintenance Yard

\$50,000

The City has outgrown the existing 2.1 acre public works maintenance yard on 3rd Street. Due to the current space constraints, construction materials such as pipe, manholes, inlets, are stored offsite at the wastewater treatment plant, creating delays in dispatching the proper manpower, equipment, and materials to everyday construction activities and causes significant delays in responding to emergencies. In 2014 negotiations began for the purchase of an additional 3.9 acre site adjacent to the current maintenance yard.

Expansion of the existing maintenance yard onto the adjacent property will provide long term solution to current and future space requirements. A facility site plan will also be developed, identifying immediate and future improvements to meet the current and projected needs.

Improvements to the combined property site planned for FY2015-2016 include installation of street trees, replacement of substandard sidewalks and driveway, street frontage security fencing, automated access gates, and security systems.



2015-2016

CAPITAL IMPROVEMENT PROGRAM

WATER

The Water Program provides for the planning, design and construction of improvements to the City's public water utility system. This program area includes the well field, storage reservoirs, water treatment plant, and water distribution system.

The following project list was developed from the Water Master Plan and other associated studies while considering the available funds from the water utility rates and system development charges.

<u>Current Projects</u>	<u>Budget</u>
Water Master Plan	\$300,000
Reservoir Improvements, Design & Construction	\$2,500,000
Springs Improvements and/or Divestiture	\$60,000
S. Springbrook Road (Bypass) Waterline Construction	\$200,000
New Well #9 Construction	\$550,000
Second Street Lot Waterline (see project sheet in Transportation)	\$50,000
Maintenance Yard (see project sheet in Transportation)	\$15,625

Water Program

Project Summary Sheet

FY 15-16

WA-002 Water Master Plan

\$300,000

The City's Water Master Plan was last updated in 2004. The plan should generally be updated every 10 years. Along with storage, distribution and supply components, this plan will address:

- Non-potable water storage and distribution: better identify future potential users and to evaluate the system filter, pumping, distribution line, and storage costs vs. the benefits of the reuse system
- Riverfront extension:
- Waterline Bridge removal: update prior reports and the cost of various removal methods of the bridge.
- Well Field evaluation
- Vulnerability Analysis
- Zone 4 Reservoir Siting
- Water Treatment Plant Expansion



Water Program

Project Summary Sheet

FY 15-16

WA-004 Reservoir Improvements, Design & Const.

\$2,500,000

In the event of a major earthquake, the two City North Valley Road reservoirs could potentially be subject to significant damage, which may include roof collapse, wall cracking, and/or base sliding. A study of the existing conditions of both the North Valley Road Reservoirs (NVRR) and the Corral Creek Road Reservoir (CCRR) was completed in 2011. The design of the structural (seismic) and operational repairs for all reservoirs was completed in the summer of 2013.

The City is currently embarking on a value engineering study with a goal to reduce the project costs. Staff anticipates advertising the project for bid for a second time in the fall of 2015 with construction scheduled for the winter of 2015.

The overall cost for the construction of the seismic and hydraulic improvements for all three reservoirs is estimated at \$2,500,000.



North Valley Road Reservoirs



Corral Creek Reservoir

Water Program

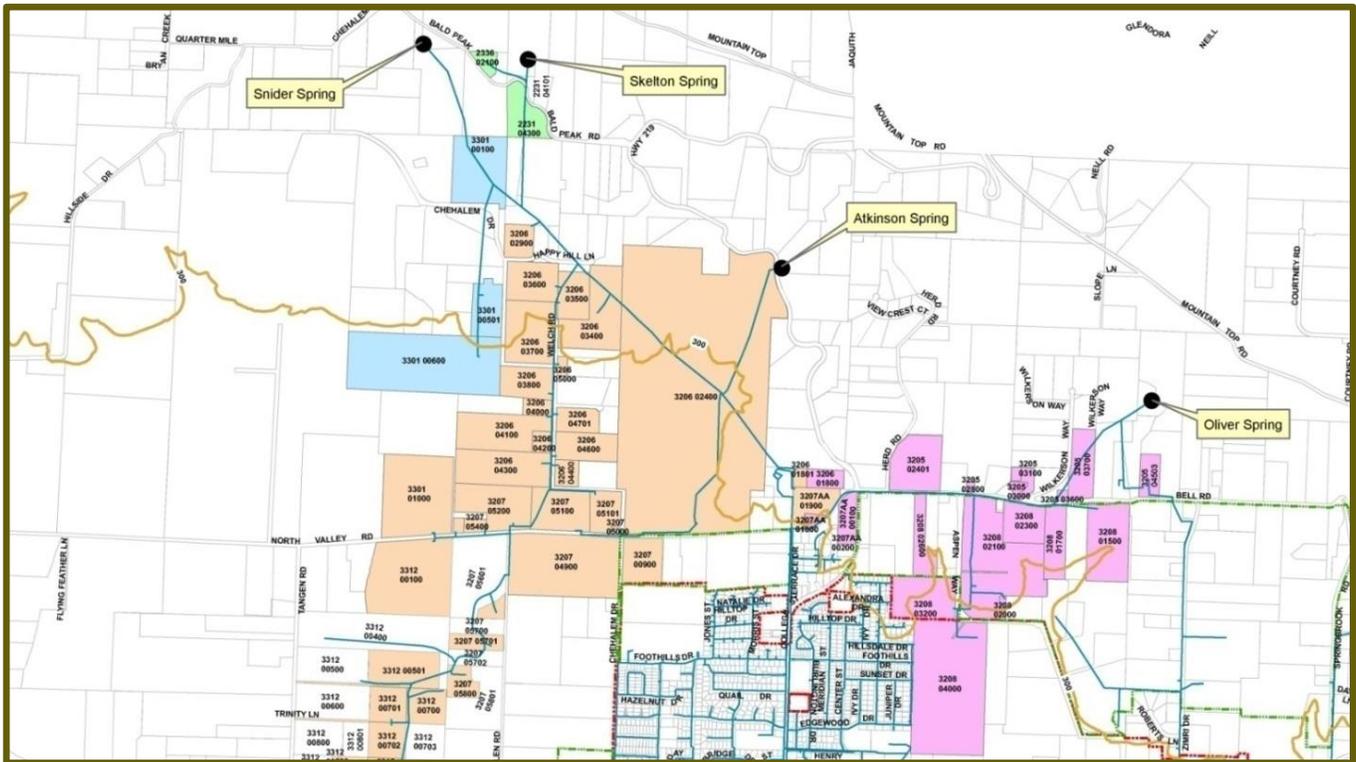
Project Summary Sheet

FY 15-16

WA-005 Springs Water System Divestiture and/or Improvement \$60,000

The City is required to comply with the Oregon Health Authority program requirements for corrosion control for the spring's water system. Over the last several years, City staff has been conducting trial testing of various temporary improvements to the water systems to adjust the PH of the water to reduce the corrosion potential, which in turn reduces the potential for lead and copper in the water. Once the testing of the water from the temporary systems meets state standards, permanent improvements will need to be constructed at Skeleton, Snider, and Oliver Springs.

The City is also currently working with a group of spring's customers on potentially transferring the spring's system from City ownership to a possibly water association formed by the customers.



Springs Location Sketch

Water Program

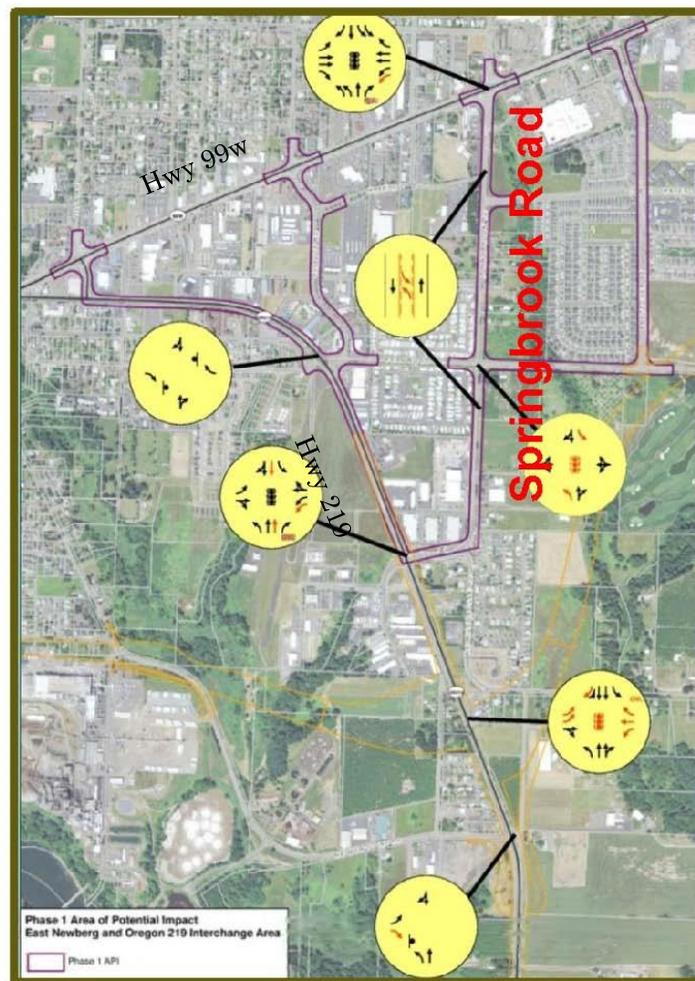
Project Summary Sheet

WA-006 Springbrook Road (Bypass) Waterline

FY 15-16

\$200,000

ODOT plans to improve Springbrook Road south of 99W for access to the first phase of the Newberg-Dundee Bypass. ODOT is paying for a portion of the work as their improvements to Springbrook Road requires the relocation of the majority of the existing 12-inch waterline. They will also be completing the design and construction of the proposed 24 inch waterline for the City.



Springbrook Road Project Location Map
Hwy 219 to Hwy 99w

Water Program

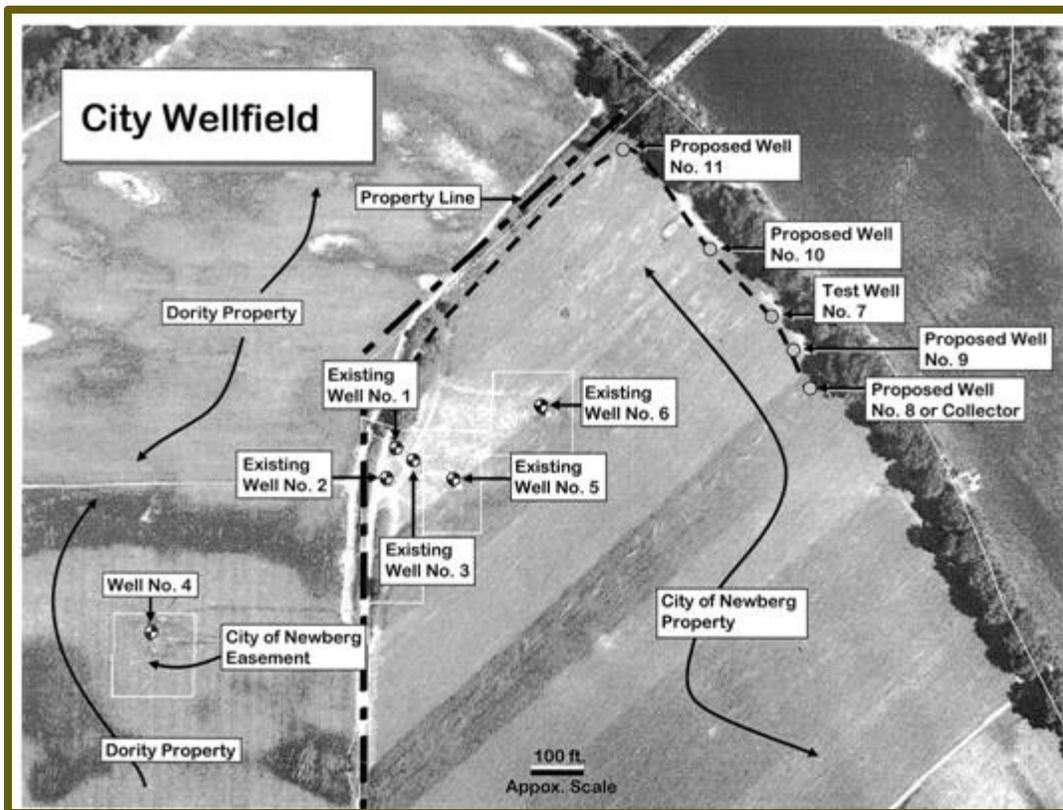
Project Summary Sheet

FY 15-16

WA-008 New Well #9 Construction

\$550,000

A new well is required to increase the redundancy of the well field system, and to continue service to a growing community. The design of Well #9 is underway, and construction is scheduled for FY 15/16. The total cost for design and construction is roughly estimated at \$625,000.



Aerial Sketch of the Wellfield Layout

2015-2016

CAPITAL IMPROVEMENT PROGRAM

WASTEWATER

The Wastewater Program provides for the planning, design and construction of improvements to the City's public wastewater utility system. This program area includes the pump stations, wastewater treatment plant, and wastewater collection and conveyance system. The majority of the wastewater budget is allocated to the needed improvements at the wastewater treatment plant.

The following project list was developed from the Sewerage Master Plan, the 2007 Wastewater Treatment Facilities Plan Update and other associated studies, while considering the available funds from the wastewater utility rates and system development charges.

<u>Current Projects</u>	<u>Budget</u>
Dayton Ave PS Upsize/ Replacement	\$300,000
Inflow/Infiltration Construction	\$600,000
S. Springbrook Road Bypass	\$50,000
Second Street Lot Wastewater Line(see project sheet in Transportation)	\$50,000
Maintenance Yard (see project sheet in Transportation)	\$15,625
Hypochlorite Generation	\$720,000
Sawdust Bays	\$350,000

Wastewater Program

Project Summary Sheet

FY 15-16

WW-001 Dayton Ave PS Upsize/ Replacement

\$300,000

The existing Dayton Avenue pump station and the 4,000 foot long 12-inch force main were constructed in 1993. The Gorman-Rupp top-side dry pumps are nearing the end of their service life and the volume of the station wet well is significantly undersized for the flows to the station. The station overflows into Chehalem Creek during very high flow events. A preliminary design report is currently being worked on by an engineering consultant, which will outline the recommended upgrades to the station, increasing the pump station capacity and reliability. This project will begin implementing these recommendations.



Dayton Avenue Existing Gorman-Rupp Pumps

Wastewater Program

Project Summary Sheet

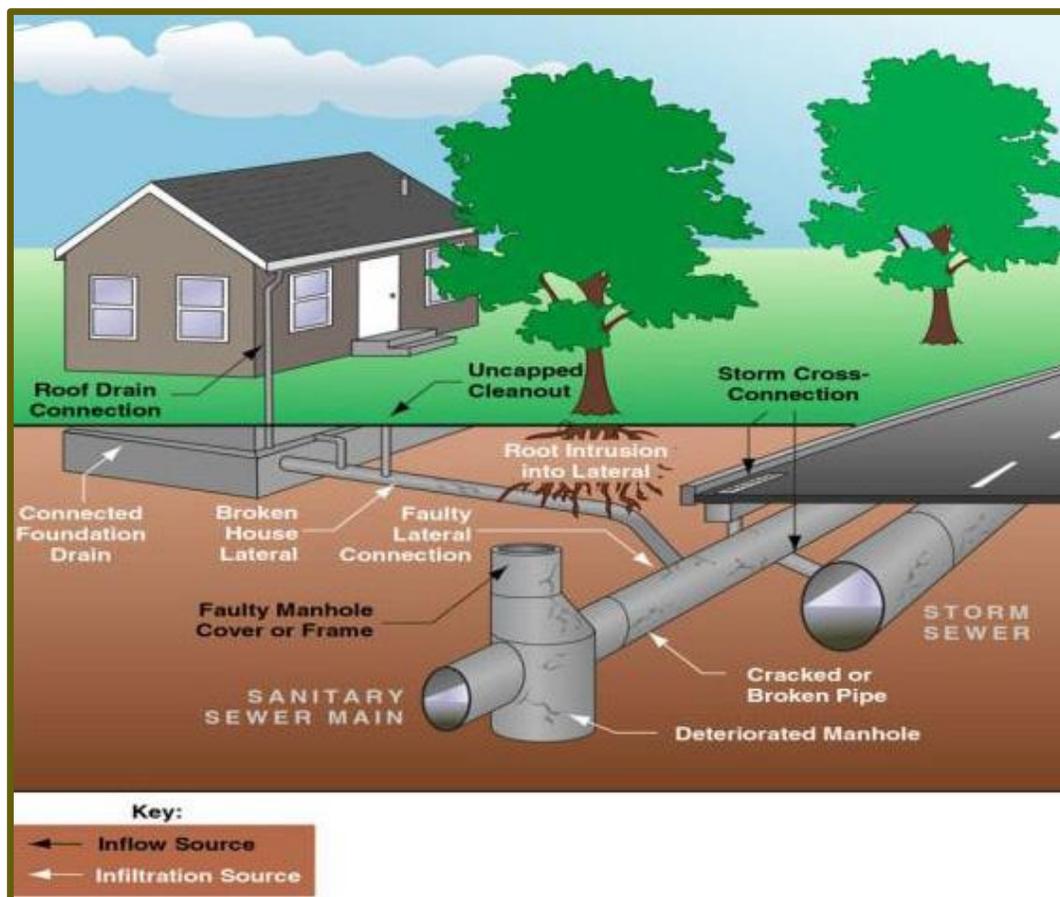
FY 15-16

WW-002 Inflow & Infiltration (I&I) Construction

\$600,000

The 2007 Sewerage Master Plan Update identified the need for significant replacements of the older sections of the wastewater collections system throughout the City. The goal of the project is to replace the aging pipe infrastructure to reduce the maintenance costs and the stormwater inflow and infiltration into the system.

A contract was awarded to Keller Associates during the fall 2013 to conduct an Inflow and Infiltration (I&I) study. This study will provide a project priority list for the construction of improvements to reduce I&I into the wastewater conveyance system. The I&I study will be completed during the spring of 2015 with the construction of projects scheduled for the Fall of 2015.



Inflow and Infiltration diagram

Wastewater Program

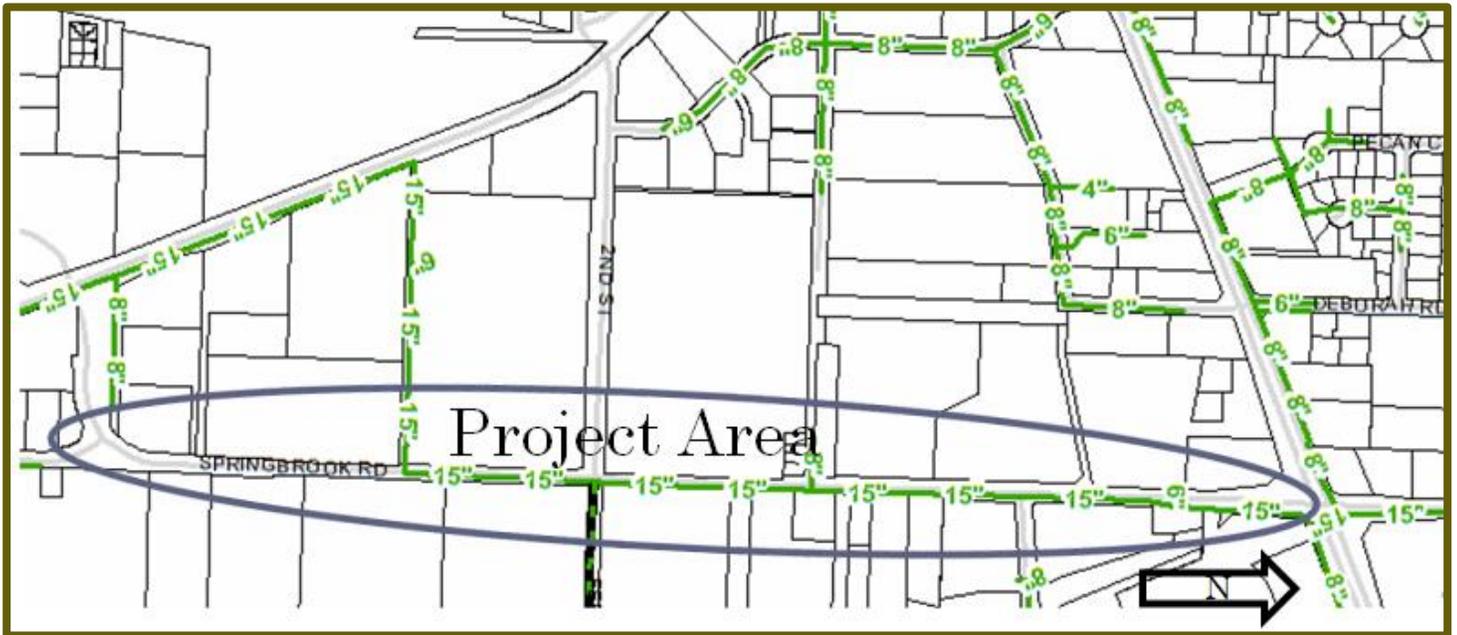
Project Summary Sheet

FY 15-16

WW-003 Springbrook Road (Bypass) Sewerline

\$50,000

ODOT plans to improve Springbrook Road south of 99W to Highway 219, for access to the first phase of the Newberg-Dundee Bypass. ODOT is to share in a portion of the costs for lines and manholes that need to be relocated due to their roadway construction activities. This is a reserve account setting funds aside for potential miscellaneous costs related to now undetermined projects related with the construction of the Newberg-Dundee bypass project through developed sections of the City.



Springbrook Road Project Map

Wastewater Program

Project Summary Sheet

FY 15-16

WW-005

Wastewater Treatment Plant Repair,
Renovation & Expansion Design & Const.

\$1,070,000

The Wastewater Treatment plant currently uses chlorine gas for disinfection. This system is outdated and poses a very high safety risk to employees as well as the general public. The Hypochlorite Generation System is proposed to be installed which will eliminate the need for chlorine gas. The system will generate chlorine in liquid form and on an as needed basis, eliminating the high safety risks, while also providing for future capacity needs at the plant.

The Sawdust Bays are proposed to be installed which will assist in the operations and safety of the wastewater plant and the composting facility. There is not currently enough dry storage for compost and sawdust. The addition of the new bays will allow the storage of sawdust in the new facility, freeing up all the bays in the existing facility for curing and storage of compost. This will allow the plant to continue to meet the solids disposal capacity.



2007 Aerial Photograph, Looking Northeast

2015-2016

CAPITAL IMPROVEMENT PROGRAM

STORMWATER

The Stormwater Program provides for the planning, design and construction of improvements to the City's public storm drainage system. This program area includes the surface water conveyance and water quality systems.

The 2014 Drainage Master Plan Update is used to plan for improvements to the overall City storm drainage system. Funding for the stormwater program is provided through stormwater utility rates and system development charges.

<u>Projects</u>	<u>Budget</u>
S. Blaine Street 24" Storm Pipe, 2 nd to 11 th St.	\$320,000
Second Street Lot Wastewater Line (see project sheet in Transportation)	\$50,000
Maintenance Yard (see project sheet in Transportation)	\$15,625
Villa Road Culvert (see project sheet in Transportation)	\$150,000

Stormwater Program

Project Summary Sheet

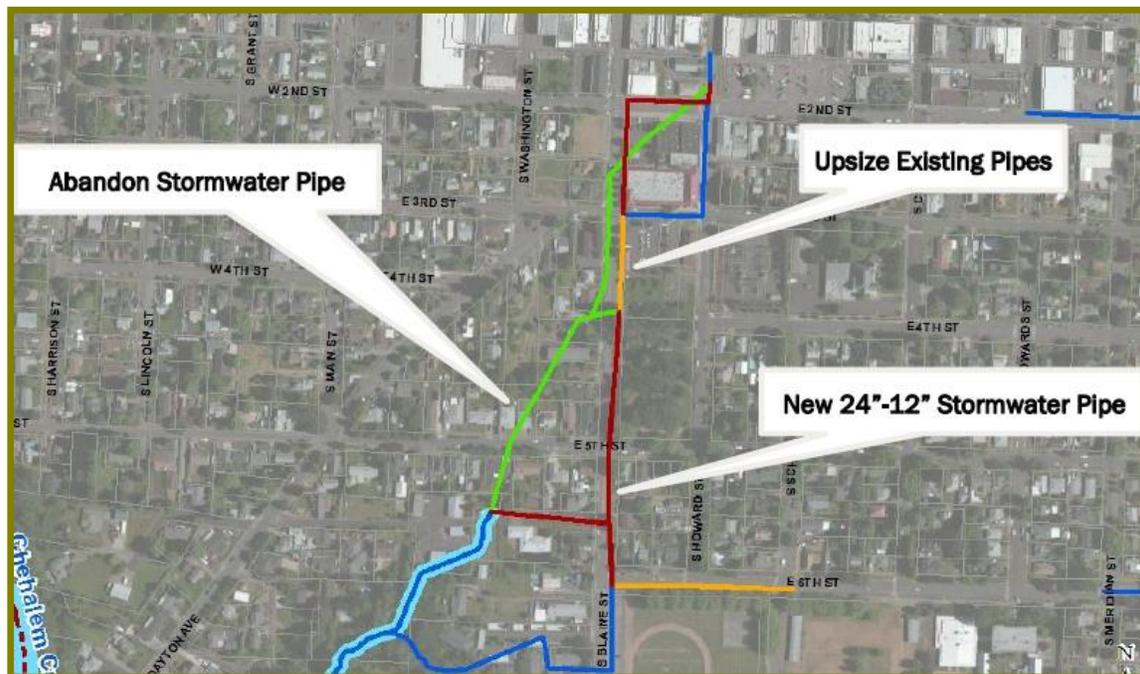
FY 15-16

SD-001 S. Blaine Street 24" Storm Pipe (2nd to 11th)

\$320,000

A section of 12" to 18" of existing stormwater piping crosses under fire station #20 and under multiple homes. Flooding occurs in the 10 year storm event including City Hall, Second Street, Howard Street and at 6th Street and Blaine Street. Large segments of the existing pipe are constructed of corrugated metal and are near end of life. The \$1,127,000 project will decommission the existing stormwater pipes (shown in green below) and construct a new 24" stormwater mainline (shown in red) along South Blaine and 2nd Streets. Sections of the existing piping system will also be upsized to convey existing and future flows (shown in gold). This project will also include the storm system adjacent to 99W and the Second Street Parking Lot.

A consultant has been hired to confirm hydraulic modeling, complete existing conditions and right of way surveys, design the system improvements, and complete cost estimates. Due to funding constraints, the project is scheduled to be constructed in phases over several fiscal years. The 1st phase will begin in FY15-16.



Blaine Street Storm Project Map

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: June 15, 2015

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

SUBJECT: Minutes

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

RECOMMENDATION:

Approve City Council minutes from June 1, 2015.

**NEWBERG CITY COUNCIL MINUTES
JUNE 1, 2015, 7:00 PM
PUBLIC SAFETY BUILDING (401 E. THIRD STREET)**

A work session was held at 6:00 p.m. preceding the meeting. Present were Mayor Bob Andrews, Councilors Lesley Woodruff, Stephen McKinney, Scott Essin, Denise Bacon, Mike Corey, and Tony Rourke. Also present were City Manager Jacque Betz, City Recorder Sue Ryan, City Attorney Truman Stone, Library Director Leah Griffith, Public Works Director Jay Harris, Community Development Director Doug Rux, Police Chief Brian Casey, Fire Chief Les Hallman, Finance Director Matt Zook, and Information Technology Director Dave Brooks.

Department Head Directors gave their quarterly reports. PC Casey reported on the status of the department's K-9 unit, new employees and the Citizen Police Academy. The Tip a Cop fundraiser for Special Olympics was able to raise \$3,000. Last Saturday they held an Open House which was well attended. There was discussion regarding gang activity and graffiti.

PWSD Harris reported on Villa Road project work, the Wastewater Treatment Plant open house and summer projects including paving. Staff designed Well #9 and the project would go to bid this fall with the well operational next spring. There was discussion on Villa Road and the wellfields.

LD Griffith reported on Summer Reading Program, Summer Nights, strategic planning and issues with the new library computer system. The title company would be removing a cedar tree during a remodeling project next to the library. Tunes on Tuesday activity involved the construction of a stage and management of parking in the area during events. The Stop, Drop, and Read event happened last Tuesday. There was discussion on looking into showing movies outside during the summer and the policy for removing and replacing trees.

FD Zook reported on the budget, which the Council would vote on during the business session. The General Fund would be living within its means, and the expenditures for the first time in over eight years were being budgeted within the anticipated revenue. Bond sales for the City's debt refinancing was June 29. Other projects in Finance included improving customer service, an upcoming audit in October and the filling of a vacant staff position in July.

CDD Rux said reported on recent projects including a Comprehensive Plan zone change, several design reviews, Transportation System Plan, withdrawal of the UGB mediation with DLCD, medical marijuana facility, annexation application, TGM grant for downtown, design standards, utilizing street parking spaces for outdoor seating opportunities, and general development project work. He had also been working on America's Best Communities Grant and Economic Development Task Force meetings. The Affordable Housing Commission had come back with recommendations for the Council. A \$13,000 grant had been received for historic structure inventory downtown.

ITD Brooks said the new City website had been up for six months and more people were using it. A new bids and RFP module was being added to the website for Public Works. The internal website for employee use was going to be upgraded. Three FBI security audits were coming up. He was also working on a network expansion project at the Operations site. Service calls had increased but the after hour calls had gone down.

FC Hallman said as of May 31 they had received 2,068 calls which was a 12% increase over last year. There was an opening for a lieutenant and four internal candidates applied. The Volunteer Association's monthly business meeting would be held on June 15 where four new members of the Association would be sworn in. All nine current probationary volunteer fire fighters passed their basic fire fighting program.

Mayor Andrews asked for recommendations from staff. FD Zook said staff recommended approval of the resolutions.

MOTION: Rourke/Woodruff moved to adopt Resolution 2015-3194, A Resolution declaring the City of Newberg's election to receive revenues through the State Revenue Sharing program. Motion carried (7 Yes/ 0 No).

MOTION: Rourke/McKinney moved to adopt Resolution 2015-3200, A Resolution certifying the provision of municipal services by the City of Newberg for the purposes of participation in the State Revenue Sharing program. Motion carried (7 Yes/ 0 No).

Budget for FY 2015-2016 and adoption of Resolution 2015-3195:

Mayor Andrews opened the public hearing and called for any declaration of conflicts of interest or abstentions. There were none.

FD Zook gave the staff report. He said the Budget Committee met twice this year to deliberate on the proposed budget. One modification was made, a reduction of \$40,000 in the Community Support Fund. The money was moved to General Fund Contingency. The budget equaled \$88,164,730, the property tax rate remained at 4.3827 per \$1,000 of assessed value, and the levy for general obligation bonds also remained at \$425,000. This was a balanced budget.

There was discussion regarding the tax rate and adding back in an Assistant City Manager position.

Mayor Andrews called for citizen testimony. There was none. Mayor Andrews closed the citizen testimony portion of the hearing. Mayor Andrews asked for recommendations from staff. FD Zook said staff recommended adoption of the resolution.

Council deliberation: Councilor Rourke asked if it was normal not to have citizen input on the budget. Mayor Andrews said in his experience, it was normal.

MOTION: McKinney/Rourke moved to adopt Resolution 2015-3195, A Resolution adopting the City of Newberg, Oregon budget for the 2015-2016 fiscal year, making appropriations, imposing the tax, and categorizing the tax. Motion carried (7 Yes/ 0 No).

Supplemental Budget #2 for FY 2014-2015 and adoption of Resolution 2015-3193:

Mayor Andrews opened the public hearing and called for any declaration of conflicts of interest or abstentions. There were none.

FD Zook delivered the staff report. He said there were three reasons for the supplemental budget. One was additional operational costs. Another was increases in the budget that were offset by revenue due to insurance reimbursements and awarding of a grant. The last reason was to allow for the costs to refinance the City's outstanding debt. With the refinancing, the City would save \$800,000 to \$850,000.

Councilor Essin asked why there was no budget message. CM Betz said this was a supplemental budget to the current budget. Typically the budget message was presented to the Budget Committee and included in the budget document but not brought before the Council again in the staff report. Councilor McKinney said this budget was remarkably different because it was the first time in a long time the budget was balanced and they were not dipping into savings.

Mayor Andrews called for citizen testimony. There was none. Mayor Andrews closed the citizen testimony portion of the hearing. Mayor Andrews asked for recommendations from staff. FD Zook recommended approval of the resolution.

MOTION: Rourke/McKinney moved to approve Resolution 2015-3193, A Resolution to adopt Supplemental Budget # 2 for Fiscal Year 2014-2015 beginning July 1, 2014, and ending June 30, 2015. Motion carried (7 Yes/ 0 No).

COUNCIL BUSINESS:

Mayor Andrews would give the roving gavel to Councilor Woodruff for the creation of the Transient Lodging Tax Fund at a future meeting. There was consensus to cancel the August 3, 2015 City Council meeting. Mayor Andrews announced on June 5 the Council and staff would take a tour of the bypass.

Councilor Woodruff invited the community to upcoming performances of the Newberg Community Band on Sunday, July 26, 2015 at the Old Fashioned Festival at 1:00 and 2:00 p.m. and on July 30, 2015 at 7:00 p.m. at George Fox University.

Councilor Bacon asked what the process was for groups that wanted a proclamation done. If there was not a process, she thought they could establish a process. CA Stone read the portion of the Council Rules that dealt with proclamations. Those organizations who wanted a proclamation could request one from the City.

ADJOURNMENT: The meeting was adjourned at 7:55 p.m.

ADOPTED by the Newberg City Council this 15th day of June, 2015.

Sue Ryan, City Recorder

ATTESTED by the Mayor this ____ day of June, 2015.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: June 15, 2015

Order ___ No.	Ordinance ___ No.	Resolution ___ No.	Motion ___	Information <u>XX</u>
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SUBJECT: Newberg Financial Report for April 2015

**Contact Person (Preparer) for this
Item: Matt Zook
Dept: Finance**

EXECUTIVE SUMMARY:

Included with this report are the financial summary statements for April 2015. These are provided for your information only. The expenses for each fund are on track to be beneath budget. Supplemental Budget #1 is reflected in these statements, as it was approved in April. Supplemental Budget #2 was approved in June, so it will be reflected in the June 2015 statements.

SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF APR 2015	2014-15 YTD	Current YTD Compare to Budget 83%	2013-14 PRIOR YTD
City Budget Totals					
Total Beg Fund Balance	\$ 31,461,724	\$ -	\$ 28,130,941	89%	31,493,673
Total Revenues	69,138,791	1,178,949	50,599,043	73%	46,439,148
Total Beg Fund Bal & Revenues	100,600,515	1,178,949	78,729,984		77,932,821
Total Expenses	73,910,430	2,039,533	41,276,140	56%	43,091,059
Total Contingencies / Reserves	26,690,085	-	-	0%	-
Total Exp & Contingen / Reserves	100,600,515	2,039,533	41,276,140	41%	43,091,059
Total Monthly Activity Net Gain / (Loss)		\$ (860,584)			
Total Ending Fund Balance			<u>\$ 37,453,844</u>		34,841,762

City Services

General Fund

Beg Fund Balance	\$ 2,249,309	\$ -	\$ 2,504,196	111%	2,835,743
Revenues					
General Government	100,000.00	-	15,155.00	15%	17,500.00
Municipal Court	31,815	2,090	23,752	75%	27,114
Police	1,152,361	87,786	928,361	81%	994,804
Fire	307,000	122,706	316,049	103%	223,730
Communications	55,994	14,154	56,615	101%	53,904
Library	142,712	3,823	99,930	70%	98,548
Planning	498,052	11,346	408,660	82%	201,575
Property Taxes	6,714,209	95,593	6,625,489	99%	6,309,019
Other Taxes	696,216	124,065	486,865	70%	363,952
Franchise Fees	1,508,097	34,596	1,318,841	87%	1,288,662
Intergovernmental	1,180,653	130,234	982,419	83%	894,245
Miscellaneous	2,500	224	1,657	66%	442
Interest	7,070	1,216	8,039	114%	8,144
Transfers	-	-	-	0%	-
Revenue Total	12,396,679	627,834	11,271,834	91%	10,481,637
Expenses					
General Government	543,314	22,643	282,103	52%	295,358
Municipal Court	364,698	29,224	270,064	74%	209,580
Police	5,682,181	445,713	4,540,133	80%	4,484,976
Fire	3,354,089	323,524	2,743,834	82%	2,664,486
Communications	1,041,640	132,740	921,378	88%	818,544
Library	1,182,802	89,379	975,351	82%	959,439
Planning	586,154	46,207	468,552	80%	548,669
Transfers	39,068	-	16,412	42%	-
Contingency	752,042	-	-	0%	-
Unappropriated Ending Balance	1,100,000	-	-	0%	-
Total Expenses	14,645,988	1,089,429	10,217,826	70%	9,981,053
Monthly Activity Net Gain / (Loss)		\$ (461,595)			
Ending Fund Balance			\$ 3,558,203		3,336,327

SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF APR 2015	2014-15 YTD	Current YTD Compare to Budget 83%	2013-14 PRIOR YTD
<u>Public Safety Fee</u>					
Beg Fund Balance	\$ 156,030	\$ -	\$ 178,122	114%	196,153
Revenues	532,646	40,101	302,932	57%	240,128
Expenses	507,191	(23,072)	319,189	63%	276,320
Contingencies / Reserves	181,485	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 63,173			
Ending Fund Balance			\$ 161,865		159,961
<u>EMS</u>					
Beg Fund Balance	\$ 510,066	\$ -	\$ 606,111	119%	457,509
Revenues	1,609,000	152,242	1,646,386	102%	1,289,600
Expenses	1,829,741	115,519	1,479,076	81%	1,189,358
Contingencies / Reserves	289,325	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 36,723			
Ending Fund Balance			\$ 773,421		557,751
<u>911 Emergency</u>					
Beg Fund Balance	\$ 57,640	\$ -	\$ 62,606	109%	89,061
Revenues	196,250	48,453	147,593	75%	148,866
Expenses	223,409	19,544	195,683	88%	185,235
Contingencies / Reserves	30,481	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 28,908			
Ending Fund Balance			\$ 14,516		52,692
<u>Civil Forfeiture</u>					
Beg Fund Balance	\$ 45	\$ -	\$ 15,974	35498%	-
Revenues	5,000	8	4,155	83%	15,960
Expenses	5,045	-	-	0%	-
Contingencies / Reserves	-	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 8			
Ending Fund Balance			\$ 20,129		15,960
<u>Library Gift & Memorial</u>					
Beg Fund Balance	\$ 30,062	\$ -	\$ 86,809	289%	92,623
Revenues	139,100	10,917	49,512	36%	121,402
Expenses	135,500	6,011	38,461	28%	108,463
Contingencies / Reserves	33,662	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 4,906			
Ending Fund Balance			\$ 97,860		105,562
<u>Building Inspection</u>					
Beg Fund Balance	\$ 296,733	\$ -	\$ 387,961	131%	339,929
Revenues	384,750	27,170	554,302	144%	315,491
Expenses	427,956	34,300	345,661	81%	301,568
Contingencies / Reserves	253,527	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (7,131)			
Ending Fund Balance			\$ 596,603		353,852

SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF APR 2015	2014-15 YTD	Current YTD Compare to Budget 83%	2013-14 PRIOR YTD
<u>Streets (Operating)</u>					
Beg Fund Balance	\$ 638,391	\$ -	\$ 668,873	105%	689,103
Revenues	1,350,500	118,153	1,057,113	78%	1,011,891
Expenses	1,479,719	242,264	1,083,318	73%	1,146,418
Contingencies / Reserves	509,172	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (124,111)			
Ending Fund Balance			\$ 642,668		554,576
<u>Water (Operating)</u>					
Beg Fund Balance	\$ 2,741,790	\$ -	\$ 3,127,505	114%	4,783,887
Revenues	4,879,371	456,546	4,453,247	91%	4,004,870
Expenses	4,928,586	242,693	4,205,593	85%	5,941,135
Contingencies / Reserves	2,692,575	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 213,853			
Ending Fund Balance			\$ 3,375,159		2,847,622
<u>Wastewater (Operating)</u>					
Beg Fund Balance	\$ 4,188,939	\$ -	\$ 4,576,380	109%	7,576,184
Revenues	7,030,230	573,111	5,421,279	77%	5,491,760
Expenses	6,999,879	894,104	5,710,068	82%	9,012,017
Contingencies / Reserves	4,219,290	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (320,993)			
Ending Fund Balance			\$ 4,287,591		4,055,926
<u>Stormwater (Operating)</u>					
Beg Fund Balance	\$ 236,855	\$ -	\$ 430,824	182%	1,004,730
Revenues	1,097,015	103,687	983,760	90%	836,597
Expenses	1,073,613	69,003	709,813	66%	1,518,935
Contingencies / Reserves	260,257	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 34,685			
Ending Fund Balance			\$ 704,771		322,392

SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF APR 2015	2014-15 YTD	Current YTD Compare to Budget 83%	2013-14 PRIOR YTD
<u>Administrative Support</u>					
Beg Fund Balance	\$ 740,869	\$ -	\$ 802,648	108%	684,851
Revenues	3,627,586	304,954	3,036,713	84%	2,779,315
Expenses					
City Manager	287,592	20,162	214,754	75%	200,620
Human Resources	145,874	10,571	141,259	97%	124,450
City Recorder	150,860	10,697	93,264	62%	122,368
Emergency Management	-	66	66	0%	7,343
Finance	519,586	46,164	468,936	90%	419,787
Gen Office(Postage/Phones)	155,000	11,774	114,408	74%	109,732
Utility Billing	287,939	20,346	214,632	75%	178,712
Information Technology	882,357	77,142	559,312	63%	475,506
Legal	431,011	38,032	363,064	84%	319,196
Fleet Maintenance	168,423	12,609	133,400	79%	134,866
Facilities Repair/Replacement	343,990	27,115	294,060	85%	282,048
Insurance	295,000	5,148	248,449	84%	251,075
Transfers	500,000	-	500,000	100%	-
Contingencies / Reserves	200,823	-	-	0%	-
Total Expenses	4,368,455	279,826	3,345,605	77%	2,625,705
Monthly Activity Net Gain / (Loss)		\$ 25,128			
Ending Fund Balance			\$ 493,756		838,461

SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF APR 2015	2014-15 YTD	Current YTD Compare to Budget 83%	2013-14 PRIOR YTD
Capital Improvement Projects					
<u>Streets CIP's</u>					
Beg Fund Balance	\$ 158,192	\$ -	\$ 163,489	0%	109,838
Revenues	1,435,301	218,938	548,429	38%	1,439,516
Expenses	1,435,000	218,874	547,848	38%	1,391,004
Contingencies / Reserves	158,493	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 65			
Ending Fund Balance			\$ 164,070		158,350
<u>Water / Wastewater / Stormwater CIP's</u>					
Beg Fund Balance	\$ -	\$ -	\$ 451,461	0%	-
Revenues	5,944,007	(2,508,359)	2,651,783	45%	642,010
Expenses	5,944,007	720,822	3,104,695	52%	642,010
Contingencies / Reserves	-	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (3,229,181)			
Ending Fund Balance			\$ (1,451)		-
<u>Wastewater Financed CIP's</u>					
Beg Fund Balance	\$ -	\$ -	\$ (5,104,064)	0%	-
Revenues	21,088,728	491,021	11,507,333	55%	4,620,523
Expenses	21,088,728	541,611	7,298,393	35%	4,344,211
Contingencies / Reserves	-	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (50,590)			
Ending Fund Balance			\$ (895,124)		276,312

SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF APR 2015	2014-15 YTD	Current YTD Compare to Budget 83%	2013-14 PRIOR YTD
<u>Street SDC</u>					
Beg Fund Balance	\$ 2,207,054	\$ -	\$ 2,225,545	101%	2,534,551
Revenues	762,500	22,466	517,832	68%	217,674
Expenses	1,005,000	44,706	189,871	19%	18,202
Contingencies / Reserves	1,964,554	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (22,240)			
Ending Fund Balance			\$ 2,553,506		2,734,023
<u>Water SDC</u>					
Beg Fund Balance	\$ 298,188	\$ -	\$ (54,053)	-18%	468,918
Revenues	1,586,402	247,251	1,516,080	96%	1,102,935
Expenses	1,881,352	(1,106,274)	274,738	15%	942,684
Contingencies / Reserves	3,238	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 1,353,524			
Ending Fund Balance			\$ 1,187,289		629,169
<u>Wastewater SDC</u>					
Beg Fund Balance	\$ 3,219,421	\$ -	\$ 3,176,180	99%	1,794,112
Revenues	691,800	54,645	1,190,746	172%	1,717,996
Expenses	1,679,779	(166,572)	283,342	17%	319,984
Contingencies / Reserves	2,231,442	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 221,217			
Ending Fund Balance			\$ 4,083,583		3,192,125
<u>Stormwater SDC</u>					
Beg Fund Balance	\$ 166,722	\$ -	\$ 148,161	89%	351,007
Revenues	67,000	2,293	32,659	49%	22,387
Expenses	102,500	43,901	47,641	46%	155,045
Contingencies / Reserves	131,222	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (41,608)			
Ending Fund Balance			\$ 133,179		218,350

SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF APR 2015	2014-15 YTD	Current YTD Compare to Budget 83%	2013-14 PRIOR YTD
Debt					
<u>Debt Service (General Op)</u>					
Beg Fund Balance	\$ 197,349	\$ -	\$ 206,903	105%	195,259
Revenues	892,667	99,284	892,319	100%	860,800
Expenses	889,332	31,365	736,426	83%	730,628
Contingencies / Reserves	200,684	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 67,919			
Ending Fund Balance			\$ 362,797		325,431
<u>City Hall</u>					
Beg Fund Balance	\$ 545,937	\$ -	\$ 548,803	101%	576,115
Revenues	89,500	1,960	82,299	92%	36,736
Expenses	108,342	31,365	108,342	100%	108,223
Contingencies / Reserves	-	-	-	0%	-
Unappropriated Ending Balance	527,095	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (29,405)			
Ending Fund Balance			\$ 522,760		504,628

SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF APR 2015	2014-15 YTD	Current YTD Compare to Budget 83%	2013-14 PRIOR YTD
Reserves					
<u>Water Replacement Reserve</u>					
Beg Fund Balance	\$ 4,709,677	\$ -	\$ 4,782,060	102%	2,961,007
Revenues	615,000	2,048	619,798	101%	2,313,424
Expenses	707,500	161,363	219,698	31%	233,599
Contingencies / Reserves	4,617,177	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (159,315)			
Ending Fund Balance			\$ 5,182,160		5,040,832
<u>Wastewater Replacement Reserve</u>					
Beg Fund Balance	\$ 5,510,301	\$ -	\$ 5,365,101	97%	1,234,745
Revenues	1,015,000	2,627	1,023,676	101%	4,717,162
Expenses	1,468,500	(1,664,750)	(105,354)	-7%	116,768
Contingencies / Reserves	5,056,801	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 1,667,376			
Ending Fund Balance			\$ 6,494,131		5,835,139
<u>Stormwater Replacement Reserve</u>					
Beg Fund Balance	\$ 811,500	\$ -	\$ 812,069	100%	-
Revenues	52,500	266	53,067	101%	811,368
Expenses	217,500	172,045	180,696	83%	-
Contingencies / Reserves	646,500	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (171,779)			
Ending Fund Balance			\$ 684,439		811,368

SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF APR 2015	2014-15 YTD	Current YTD Compare to Budget 83%	2013-14 PRIOR YTD
<u>Vehicle / Equipment Replacement</u>					
Beg Fund Balance	\$ 1,133,710	\$ -	\$ 1,206,430	106%	1,658,968
Revenues	\$ 1,242,464	\$ 65,455	\$ 727,495	59%	831,411
Expenses					
General Government	-	-	-	0%	-
City Manager's Office	-	-	-	0%	-
Human Resources	-	-	-	0%	-
City Recorder/Clerk	-	-	-	0%	-
Finance	-	-	-	0%	1,762
Information Technology	384,172	38,501	202,899	53%	536,872
Legal	-	-	-	0%	-
Municipal Court	-	-	-	0%	-
Police	123,017	-	89,453	73%	88,255
Fire	543,111	-	117,474	22%	-
Communications	15,000	-	6,149	41%	5,204
Library	-	-	-	0%	-
Planning	11,548	-	11,137	96%	-
Building	-	-	-	0%	-
PW Administration	162,551	2,325	138,626	85%	666,649
Fleet Maintenance	12,500	-	439	0%	54
Facilities Repair/Replacement	75,000	-	18,963	25%	-
Contingencies / Reserves	1,049,275	-	-	0%	-
Total Expenses	2,376,174	40,826	585,139	25%	1,298,796
Monthly Activity Net Gain / (Loss)		\$ 24,629			
Ending Fund Balance			\$ 1,348,786		1,191,583
<u>Fire & EMS Equip Fee</u>					
Beg Fund Balance	\$ 100,371	\$ -	\$ 110,942	111%	174,453
Revenues	141,000	12,085	120,077	85%	161,669
Expenses	241,371	-	11,179	5%	251,015
Contingencies / Reserves	-	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 12,085			
Ending Fund Balance			\$ 219,840		85,107

SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF APR 2015	2014-15 YTD	Current YTD Compare to Budget 83%	2013-14 PRIOR YTD
Community Projects					
<u>Cable TV Trust</u>					
Beg Fund Balance	\$ 26,895	\$ -	\$ 41,942	156%	41,744
Revenues	150	15	147	98%	159
Expenses	15,000	300	4,782	32%	-
Contingencies / Reserves	12,045	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (285)			
Ending Fund Balance			\$ 37,307		41,903
<u>Economic Development</u>					
Beg Fund Balance	\$ 529,678	\$ -	\$ 601,964	114%	643,183
Revenues	266,645	3,779	186,478	70%	205,861
Expenses	514,429	329	138,411	27%	252,684
Contingencies / Reserves	281,894	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 3,450			
Ending Fund Balance			\$ 650,031		596,360

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: June 15, 2015

Order ___ No.	Ordinance ___ No.	Resolution <u>XX</u> No. 2015-3192	Motion ___	Information ___
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SUBJECT: A resolution to authorize the City Manager to enter into a professional services agreement with Project Delivery Group, LLC to design the City’s Blaine Street Stormwater Project in the amount of \$224,626.00.

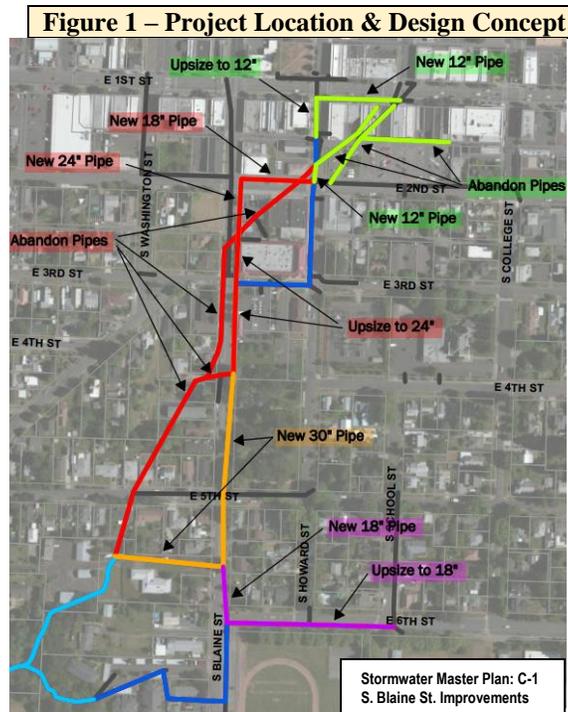
**Contact Person (Preparer) for this Motion: Paul Chiu, P.E., Senior Engineer
 Dept.: Engineering Services Department
 File No.:**

RECOMMENDATION:

Adopt Resolution No. 2015-3192 authorizing the City Manager to enter into a professional services agreement (PSA) with Project Delivery Group, LLC for engineering design, bid and construction phase services of the City’s Blaine Street Stormwater Project in the amount of \$224,626.00.

EXECUTIVE SUMMARY:

The current stormwater master plan identifies the Blaine Street storm design and construction improvements as one of the highest priority projects in the City of Newberg. The location of the proposed project and the associated planning level stormwater design is depicted, according to the master plan, in Figure 1 below.



The RFP for design services was advertised in the Daily Journal of Commerce on March 18, 2015 and the City received four proposals from engineering design consultants. Project Delivery Group (PDG) was identified as the most qualified consultant with the knowledge, expertise and experience to complete the

various phases of work for the proposed project. Staff entered into negotiations last month with PDG per ORS. 279C.110. PDG submitted a detailed scope of work and cost breakdown for the City's consideration and is attached as Exhibit "A" where PDG's proposal requests \$224,626.00 for design, bid support, and construction services. PDG will not complete construction services until the City retains a contractor through the public bidding process. The stormwater master plan estimated the total project implementation cost to be \$1,161,100.00, and the proposed PDG fee of \$224,626.00, which is 19.3% of the total project implementation cost, is reasonable.

FISCAL IMPACT:

PDG will complete the design phase of this project for \$167,751.00, which has been appropriated in the fiscal year 2015-2016 budget. PDG will provide the bid and construction phase services for \$56,875.00 in subsequent fiscal years. The construction costs for the project will be in phases over several fiscal years, and the costs will be appropriated through future budget review and approval processes.

STRATEGIC ASSESSMENT:

The design will provide for the relocation or replacement of a large segment of existing stormwater pipes that are under capacity, at the end of their design life, and are under existing buildings. This project will significantly reduce the City's liability as large sections of the existing piping is seriously deteriorated and sinkholes could potentially form over the existing piping in the future. Completing the full design and cost estimating of the Blaine Street project in fiscal year 2015-2016 allows City staff to phase for the future construction in following fiscal years. The construction of the project may be phased over several construction seasons based on the limited available stormwater funding.



RESOLUTION No. 2015-3192

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH PROJECT DELIVERY GROUP, LLC TO DESIGN THE CITY'S BLAINE STREET STORMWATER PROJECT IN THE AMOUNT OF \$224,626.00.

RECITALS:

1. The City of Newberg's current stormwater master plan identifies the Blaine Street storm design and construction improvements as one of the highest priority projects in the City.
2. The stormwater improvement project is needed to replace the aging, under capacity pipes, to reduce the risk of blockages and sinkholes, and to relocate the pipes away from existing buildings.
3. The City advertised the project in the Daily Journal of Commerce and received four qualified proposals through the Request for Proposals process.
4. Project Delivery Group, LLC was selected as the most qualified consultant per ORS. 279C.110.
5. Project Delivery Group, LLC submitted a detailed proposal outlining the scope of work with a reasonable phase-by-phase cost breakdown included in Exhibit "A" and by this reference incorporated.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council, acting as contract review board for the City, does hereby authorize the City Manager to enter into a Professional Services Agreement with Project Delivery Group, LLC to complete the City's Blaine Street Stormwater Project that includes the engineering design, bid and construction phase services in the amount of \$224,626.00.
2. The City Manager is authorized to amend the Professional Services Agreement up to ten (10) percent of the original contract amount.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: June 16, 2015.

ADOPTED by the City Council of the City of Newberg, Oregon, this 15th day of June, 2015.

Sue Ryan, City Recorder

ATTEST by the Mayor this 18th day of June, 2015.

Bob Andrews, Mayor



SCOPE & FEE SCHEDULE
FOR
BLAINE STREET
STORMWATER DESIGN
PROJECT



Project Delivery Group, LLC | www.pdgnw.com
3150 22nd St SE Salem, OR 97302 | 503-364-4004 | pdg@pdgnw.com

CIP NO. 717711



June 8, 2015

Paul Chiu, P.E. Senior Engineer
City of Newberg
414 E 1st Street (PO Box 970)
Newberg, OR 97132

RE: BLAINE STREET STORMWATER DESIGN PROJECT Scope & Fee Schedule – CIP No. 717711

Dear Mr. Chiu,

Project Delivery Group (PDG) and our design team are excited to provide engineering design, land surveying, and project management services for the Blaine Street Stormwater Project. Attached is our project scope and fee schedule for design of the Blaine Street Stormwater improvements and construction services for Phase 1. As instructed, we have included video inspection of the storm mains, 12" and greater, and vacuum excavation of utility crossings within our scope. We have revised this scope and fee schedule to include construction staking for the project to be constructed in one phase. If the project is broken into separate phases, we will revisit the staking needs, assumptions, and fee with the City's Project Manager during each new construction phase of the project.

The total cost for design and construction services is \$224,626. The two components to the project are design (\$177,941) and construction services (\$46,685). According to your stormwater master plan, the estimated design cost for this project is \$180,000 and the combined "Construction & General Administration" services cost is \$46,717, for a combined total of \$226,717. Our design and construction services cost are within the estimated project costs and throughout the project we will look for efficiencies and cost reductions where possible to deliver your project on time and within or under budget.

As stated in our proposal, I will be your primary contact for this project and am authorized to negotiate and sign all contracts, modifications, and amendments requested or required by the City.

We have enclosed three (3) copies of our scope and fee schedule for your review and can provide you with a PDF version for your staff reports when needed. We appreciate this opportunity to work with the City of Newberg again and look forward to hearing from you. Please feel free to contact me at 503.364.4004 (office), 503.679.9237 (cell), 503.886.8924 (fax), or by email at gerald@pdgnw.com if you have any questions.

Sincerely,
Project Delivery Group, LLC



Gerald Fisher, PE, Senior Project Manager

PROJECT SCOPE

Task 1.0 General Project Management

- Prepare and manage work plan and schedule
- Prepare monthly status reports (design)
- Review and submit monthly pay requests (design)
- Prepare monthly status reports (construction)
- Review and submit monthly pay requests (construction)

Task 2.0 Conceptual Design Phase

- Schedule and attend project kick-off meeting
- Coordinate project with SP Fiber representatives
- Coordinate project with railroad representatives
- Coordinate project with residential and commercial property owners
- Coordinate project with franchise utilities representatives
- Coordinate project with ODOT representatives
- Review city as-built documents
- Review ongoing storm system issues with the Maintenance Division
- Perform and review video inspection of storm system 12" and larger
- Field review of potential stormwater system routes
- Perform stormwater modeling of basin using GIS data
- Develop stormwater design options
- Perform evaluation of design options and risk assessment
- Prepare and review conceptual design report
- Submit conceptual design report to City and attend design options meeting

Deliverable(s):

- ✓ *Copy of video inspection reports*
- ✓ *Conceptual design report*

Task 3.0 Design Surveys & Easement Preparation

- Perform office research for property boundaries, horizontal monuments, and vertical control
- Order and review property title reports for new alignment easements (5 estimated)
- Request and mark limits for the utility locates in the public right-of-way and easements
- Perform the office and field tasks to establish and confirm the control network for the land surveying tasks
- Tie property monument locations and resolve this with record data sufficient to provide accurate location of the existing and proposed improvements, and to prepare the required legal descriptions for easements
- Perform topographic survey
- Reduce topographic surveying data
- Develop existing conditions base map
- Perform pre-construction right-of-way (ROW) survey
- Prepare pre-construction ROW survey
- File pre-construction ROW survey
- Field check base map
- Finalize base map for design

EXHIBIT "A" for Council Resolution No. 2015-3192

- Prepare legal descriptions, exhibit maps, and easement agreements for proposed easements

Deliverable(s):

- ✓ *Copy of property title reports*
- ✓ *Copy of easement agreements with legal descriptions and exhibit maps*

Task 4.0 Preliminary Engineering Phase

- Visual assessment of potential voids along existing storm alignment
- Identify boring locations and perform soil borings for soil stability, ground water elevation, and infiltration potential
- Review boring results and recommend options
- Perform infiltration testing based on boring results (if necessary)
- Review infiltration test results and recommend options (if necessary)
- Perform vacuum excavation of utility crossings (10 estimated)
- Review vacuum excavation report
- Negotiate new or relocated storm drainage easements with property owners if necessary (5 estimated)
- Perform easement acquisition and progress tracking
- Develop and QC 40% design
- Prepare stormwater management report meeting the requirements of SLOPES V and Section 401 of the Clean Water Act
- Prepare erosion and sediment control plan
- Prepare environmental permitting applications
- Coordinate with Corps, DSL, DEQ, and NMFS for permit requirements
- Manage and track environmental permitting applications
- Submit 40% design to City with construction phasing recommendations
- Submit environmental permitting application to City for review and signatures
- Follow-up with agencies and project stakeholders
- Prepare documents for public information meeting
- Attend public information meeting and document comments from public

Deliverable(s):

- ✓ *Geotechnical reports regarding soil conditions, groundwater elevation, and infiltration rate*
- ✓ *Vacuum excavation report of utility locations and depths*
- ✓ *40% design plans*
- ✓ *Construction phasing recommendation report*
- ✓ *Environmental permit application and supporting documents*
- ✓ *Public information meeting documents*

Task 5.0 90% Engineering Phase

- Develop and QC 90% plans, specifications, and estimated cost of construction (PS&E) for Phase 1
- Submit 90% PS&E to City for review
- Distribute 90% plans to utilities and agencies for review
- Obtain utility certifications/approvals
- Coordinate agency and railroad permits
- Coordinate utility and stakeholder certifications/approvals

Deliverable(s):

- ✓ *90% design plans*
- ✓ *90% construction specifications*
- ✓ *90% engineers estimate of construction costs (Phase 1)*
- ✓ *1200-C permit application*
- ✓ *ODOT permit application*
- ✓ *Railroad permit application*

Task 6.0 Final Design Phase

- Prepare and QC final PS&E
- Submit final PS&E to City for review
- Finalize agency and railroad permits
- Finalize utility and stakeholder certifications/approvals
- Finalize easement certifications/approvals
- Finalize environmental certifications/approvals
- Schedule and attend final design meeting

Deliverable(s):

- ✓ *Final design plans*
- ✓ *Final construction specifications*
- ✓ *Final engineers estimate of construction costs (Phase 1)*
- ✓ *Final easements for recording*

Task 7.0 Construction Bidding Phase

- Prepare bid document sets (2 copies)
- Assist City staff with bid advertisements
- Attend pre-bid meeting
- Respond to Contractor RFI's and prepare clarifications and addenda
- Attend bid opening
- Review bids with City staff
- Assist City staff with intent to award notifications and bid award
- Assist City staff with construction contract execution and Contractor Notice to Proceed

Deliverable(s):

- ✓ *Bid sets (2 copies)*
- ✓ *RFI/Clarification/Addenda log and approved documents*
- ✓ *Bid tabulation*
- ✓ *Award notification and construction contract documents, if needed*

Task 8.0 Project Construction Phase

- Review and respond to Contractor submittals
- Prepare construction documents and support City staff
- Schedule and attend weekly construction progress meetings with Contractor
- Perform weekly construction progress inspections
- Calculated construction staking points
- Set construction stakes and PK's with offsets
- Prepare and submit construction staking cut sheet to Contractor

Deliverable(s):

- ✓ *Submittal log and approved documents*
- ✓ *Weekly construction meeting summary notes*
- ✓ *Weekly progress inspection reports*
- ✓ *Provide construction staking cut sheets*

Task 9.0 Post-Construction & Closeout Phase

- Prepare record drawing
- Submit record drawing to City
- Perform project closeout and document transfer to City staff

Deliverable(s):

- ✓ *Post-construction survey*
- ✓ *Record drawing in hard copy and PDF format*
- ✓ *Project documents in PDF format*

Assumptions

- Paul Chiu, PE, Senior Engineer will be the City's project manager and Gerald Fisher, PE, Senior Project Manager will be PDG's project manager.
- City Council tentatively scheduled to award contract on June 15, 2015 and PDG to receive authorization to proceed by June 19, 2015.
- Project meetings will be held at City Hall or other City facility during design phase of project.
- City will provide paper or electronic copies of construction asbuilts for street, storm, sewer, and water systems along existing and proposed design routes.
- City will provide GIS data necessary for basin modeling.
- City will clean storm system lines (12" and larger) if video inspection cannot be completed due to debris in system.
- PDG will order title reports for easement and acquisition use (2 estimated along new alignment).
- City will pay all recording fees for easements.
- City will provide budget estimates for future fiscal year construction phases prior to 40% design.
- City will pay all agency permitting fees.
- City to schedule and secure location of public information meeting and advertise as necessary.
- City will pay for pre-construction survey filings.
- Unless otherwise instructed, all communication with the contractor and the public shall be through the City's project manager.
- PDG to perform construction survey activities and provide cut sheet to Contractor.
- PDG will limit the number of vacuum excavation locations and borings required for the project.
- PDG will limit the number of property easement required for the project.
- Contractor will be responsible to reset survey monuments damaged or destroyed as part of the work.
- City may provide vacuum excavating, video inspection, and traffic control services using their own forces or contracting services separately from these design services.

EXHIBIT "A" for Council Resolution No. 2015-3192

FEE SCHEDULE

See attached spreadsheet

EXHIBIT "A" for Council Resolution No. 2015-3192

Blaine Street Storm Project (Project 15051)

Services	Total Hrs.	Total Cost
TASK 1.0 GENERAL PROJECT MANAGEMENT	62	\$7,540
Subtotal		
TASK 2.0 CONCEPTUAL ENGINEERING PHASE	292	\$31,570
Subtotal		
TASK 3.0 DESIGN SURVEYS & EASEMENT PREPERATION	366	\$38,510
Subtotal		
TASK 4.0 PRELIMINARY ENGINEERING PHASE	184	\$20,295
Subtotal		
TASK 5.0 90% ENGINEERING PHASE	101	\$10,120
Subtotal		
TASK 6.0 FINAL DESIGN PHASE	54	\$5,785
Subtotal		
TASK 7.0 CONSTRUCTION BIDDING PHASE	39	\$4,515
Subtotal		
TASK 8.0 PROJECT CONSTRUCTION PHASE	376	\$46,685
Subtotal		
TASK 9.0 POST-CONSTRUCTION & CLOSEOUT PHASE	49	\$5,675
Subtotal		
Total PDG*	1,523	\$170,695

*The costs related to the following items are included in the hourly services shown above:

- Information technology (including computer time and CAD software)
- Other direct costs not identified as reimbursable, other indirect costs (support staff such as legal, accounting, officers, and computer) and profits
- In-house printing
- Survey equipment and supplies

	Hrs.	Cost
Total PDG*	1,523	\$170,695
Sub-Consultants		\$52,101
Documents & Printing**		\$1,830
Grand Total		\$224,626

**The costs related to the following items are invoiced without additional mark-up:

- Printing, plotting, copying, display or document preparation provided by print shops
- Travel expenses specifically indicated in a proposal or contract

Total Design Costs		\$177,941
Total Const. Costs		\$46,685
Design & Const. Total		\$224,626

PRELIMINARY PROJECT SCHEDULE

The following is a preliminary schedule based on timelines identified in the Request for Proposals. This schedule assumes that there will be no delays associated with completion of environmental permitting and acquisition/dedication of temporary construction and permanent stormwater easements where required.

Conceptual Engineering Phase	June 2015 – August 2015
Preliminary Design Phase	August 2015 – October 2015
90% Design Phase	October 2015 – December 2015
Final Design Phase	December 2015 – February 2016
Bid & Award Phase	February 2016 – April 2016
Construction Phase 1	April 2016 – December 2016

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: June 15, 2015

Order ___	Ordinance ___	Resolution <u>XX</u>	Motion ___	Information ___
No.	No.	No. 2015-3202		

<p>SUBJECT: A resolution amending policies and procedures for administration of the City of Newberg’s Affordable Housing Trust Fund</p>	<p>Contact Person (Preparer) for this Motion: Doug Rux Dept.: Community Development File No.:</p>
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RECOMMENDATION:

Adopt Resolution No. 2015-3202 that establish policies and procedures for administration of the City of Newberg’s Affordable Housing Trust Fund and repeal Resolution No. 2012-2988.

EXECUTIVE SUMMARY:

On March 12, 2012 the Newberg City Council passed Ordinance No. 2012-2749 amending the Newberg Municipal Code (NMC), adding a new section establishing a Newberg Affordable Housing Trust Fund. NMC 3.35.050 Establishment of Policies and Procedures outlines the administrative procedures associated with the Newberg Affordable Housing Trust Fund (NAHTF) are established per city resolution. On April 16, 2012 the Newberg City Council adopted Resolution No. 2012-2988 establishing policies and procedures for administration of the NAHTF.

The Newberg Affordable Housing Commission (NAHC) commenced discussion in April 2104 on the NAHTF about possible modifications to Resolution No. 2012-2988 on the rental housing loan program and how to grow the financial resources of the trust fund. At the August and October 2014 NAHC meetings discussion focused on the rental housing loan program – property owner eligibility, equity, guidelines, loan officer and growing the trust fund; the grant program; and forms. The Mid-Willamette Valley Council of Governments (MWVCOG) attended the October meeting to provide insight on potential modifications to the policies and procedures.

At the January 2015 NAHC meeting the MWVCOG attended and the NAHC developed recommendations to have the MWVCOG provide staff assistance, engage the MWVCOG in grant writing proposals and prepare recommended changes to the policies and procedures. These recommendations were forwarded to the City on May 4, 2015 where the Council adopted Resolution No. 2015-3186 directing the NAHC to return with amendments to Resolution No. 2012-2988 to better administer the NAHTF and Resolution No. 2015-3187 directing the City Manager to enter into a professional services contract with the MWVCOG to administer the NAHTF.

The NAHC meet on May 26, 2015 discussing modifications to the policies and procedures to Resolution No. 2012-298 which included:

- Section 3.1 to refer to the US. Department of Housing and Urban Development (HUD) on income levels;
- Section 3.5.a to delete interest as an eligible cost;
- Section 4.1 to fix scrivener's errors;
- Section 6.2 to modify approved loan project costs from the current 100% to 80%;

- Section 7.3.c(1) to clarify that loans above \$15,000 require NAHC recommendation to the City Council;
- Section 7.3.c(3) on reducing the loan term from seven years to five years; and
- Section 8 discussion if a cap should be placed on grant amounts.

The NAHAC discussed each of the proposed changes and the merits of using the HUD median income 80% provision for moderate income; removing interest as an eligible expense; scrivener's errors; modifying the loan amounts to 80% for project costs from the current 100% which would show applicant equity in a project along with discussion on liens being placed on a property and the applicant covering title report, recording costs and deed preparation; clarifying that funding approvals require recommendations from the NAHC to the City Council and reducing the term of a loan from seven years to five years accelerates the payback to make funds available for other projects; and that there are already guidelines in place that places a cap on grant amounts at 5% of the available funds along with a provision for having a 15% contingency of the total Trust Fund available funding.

The NAHC subsequently passed a motion to:

1. Accept the correction of typos proposed by the MWVCOG;
2. Delete interest as an eligible acquisition and construction cost and clarify the financing fee elements in Section 3;
3. Use 80% of median household income as defined by HUD for income qualifications in Sections 3 and 8;
4. Use 80% as the qualified project costs for maximum loan amounts and maintain 50% maximum of qualified costs for grants in Section 6;
5. Sections 7.2.b, 7.2.c, 7.3.c and 7.3.d add new/revised subsections that loans are to have a 80% loan to value, reduce loan term to 5 years and borrower to pay deed, recording and title report costs; and
6. Add requirement for lien, trust deed and promissory note requirements to 7.2.b and 7.3.c.

The vote was unanimous (3/0).

Resolution No. 2015-3202 incorporates all of the recommended amendments. The details of the proposed changes (in track changes format) are included as Attachment 1.

FISCAL IMPACT: The proposed modifications to the Newberg Affordable Housing Trust Fund would extend the funds available in the program by requiring applicants to have equity in their loan requests rather than having the program cover 100% of the eligible costs.

STRATEGIC ASSESSMENT (RELATE TO COUNCIL GOALS): The amendments to the Newberg Affordable Housing Trust Fund policies and procedures will assist in fostering and encouraging economic development in the community through rehabilitation of housing for the community's workforce and to manage and operate the City Government in an efficient and effective manner by responding with a flexible loan program that meets the needs of the community's underprivileged and disadvantaged.

ATTACHMENTS:

Resolution No. 2015-3202

1. Resolution 2012-2988 track changes version



RESOLUTION No. 2015-3202

**A RESOLUTION AMENDING POLICIES AND PROCEDURES FOR
ADMINISTRATION OF THE CITY OF NEWBERG'S AFFORDABLE
HOUSING TRUST FUND**

RECITALS:

1. On May 4, 2009, the Newberg City Council adopted Resolution No. 2009-2843 accepting the Newberg Affordable Housing Action Plan.
2. On February 23, 2011, the Newberg Affordable Housing Action Committee recommended that the Newberg City Council adopt an affordable housing trust fund and adopt policies and procedures for administration of the fund.
3. On March 15, 2012 the Newberg City Council passed Ordinance No. 2012-2749 establishing the Newberg Affordable Housing Trust Fund, to keep our community diverse and healthy by facilitating the production and preservation of affordable housing throughout Newberg.
4. On April 16, 2012 the Newberg City Council adopted Resolution No. 2012-2988 establishing policies and procedures for administration of the Newberg Affordable Housing Trust Fund.
5. The Newberg Affordable Housing Commission met on April 22, August 26, October 28, 2014 and January 27 and May 26, 2015 to discuss possible amendments to the adopted policies and procedures for administration of the Newberg Affordable Housing Trust Fund.
6. On May 4, 2015 the Newberg City Council adopted Resolution No. 2015-3186 directing the Newberg Affordable Housing Commission to return with amendments to Resolution No. 2012-2988 to better administer the Newberg Affordable Housing Trust Fund.
7. The policies and procedures for administration of the Newberg Affordable Housing Trust Fund establish eligible uses, eligible applicants, method by which funds are awarded, and selection criteria.
8. The City Council understands the changing nature of the housing market and corresponding housing needs. Therefore, the council has established flexible policies and procedures for administering the Newberg Affordable Housing Trust Fund (NAHTF) that can respond to changing market conditions.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. Resolution No. 2012-2988 is repealed.
2. Resolution No. 2015-3202 as follows:

SECTION 1. Purpose

- 1.1 The purpose of the Newberg Affordable Housing Trust Fund (NAHTF) is to support the development, preservation, and rehabilitation of housing that is affordable to the citizens of Newberg with incomes that do not exceed 80% of the area median income. The NAHTF will have a dedicated source of revenue to provide ongoing funding for housing projects or programs that address the housing needs of these Newberg residents. The primary purpose of the NAHTF is to encourage the development, preservation, and rehabilitation of housing for homeownership or rent, at a cost that will enable very low, low and moderate-income families to afford quality housing while paying no more than thirty percent of gross household income on housing.
- 1.2 To promote the rehabilitation, preservation and production of quality, well-designed rental and ownership housing, the NAHTF will award funds to community development partners that are furthering the NAHTF mission. It is expected that the local contributions made through Newberg's Affordable Housing Trust Fund will maximize the leveraging of state and federal funds, as well as encourage private sector investment in affordable housing.
- 1.3 Understanding the high cost of housing regionally, it is evident that very low, low, and moderate - income households are not being served by the housing market. To address the disparity between the cost of housing and the means of resident household to afford housing, the Newberg Affordable Housing Trust Fund aims to provide direct financial support to projects that retain or increase the supply of needed housing for households earning less than 80% the area median income, which is to be defined through income limits established by the U.S. Department of Housing and Urban Development for Yamhill County, Oregon.
- 1.4 The administrative procedures associated with the Newberg Affordable Housing Trust Fund, including fund administration, determination of eligible applicants, eligible uses and activities, award preferences, eligibility criteria, award process, and selection criteria are hereby established.

SECTION 2. Eligible Applicants

- 2.1 The Newberg Affordable Housing Trust Fund is structured to ensure that many different types of organizations and persons are eligible to receive funds.
- 2.2 Eligible applicants include governmental subdivisions, community development corporations, local housing authorities, community action agencies, community-based or neighborhood-based non-profit housing organizations, other non-profit organizations, for-profit entities and private employers, and private landlords.

SECTION 3. Eligible Uses and Activities

- 3.1 Newberg Affordable Housing Trust Funds shall support the creation or preservation of housing that is affordable to households with incomes that do not exceed 80% of the area median income, as established by the most current U.S. Department of Housing and Urban Development for Yamhill County, Oregon, and adopted by the City of Newberg.
- 3.2 Newberg Affordable Housing Trust Funds will be limited to those activities that create, preserve or acquire housing within the Newberg city limits.

- 3.3** Housing developments financed by the NAHTF which receive subsidy, financing, tax credits or other assistance under a State or Federal housing programs, may contain market rate units insofar as permissible under those programs and/or to the extent that they are necessary to support the creation of and/or ongoing sustain ability of the affordable housing units in the development. However, Newberg Affordable Housing Trust Funds may not be used to support such market rate units.
- 3.4** Affordable housing units developed utilizing subsidy from the Newberg Affordable Housing Trust Fund shall comply with the income and housing cost limits established by Newberg Municipal Code Section 15.242.030, as amended, and as restricted by a contract prepared by the City of Newberg. The city council reserves the right to make exceptions to the standards established by Newberg Municipal Code Section 15.242.030 for proposed projects it wishes to support and deems further the provision of affordable housing within the community.
- 3.5** The Newberg Affordable Housing Trust Funds can be provided as either a grant or a loan depending on the project or program receiving funding. To retain a significant degree of flexibility, the eligible uses have a broad application including the following:
- 3.5.a Acquisition and construction of new affordable housing.** Eligible acquisition and construction costs include reasonable costs associated with building or land purchase, including but not limited to:
- Purchase price
 - Option costs
 - Financing fees including but not limited to the recording of trust deeds and promissory notes, title searches, and other third party costs related to securing the loan.
 - Appraisal costs
 - Closing costs
 - Inspection fees
 - Title insurance
 - Relocation costs
 - Architectural/engineering fees
 - Permit fees
 - System development charges
 - Construction costs
- 3.5.b Conservation** of energy through the use of “green” technologies provided that the benefits of the energy savings is passed on in the form of reduced costs to the qualified occupants of the affordable housing.
- 3.5.c Land banking** to include the purchase of land to be dedicated toward the development of affordable housing in the near or long-term.
- 3.5.d Predevelopment activities** undertaken by a community development organization in support of the development of affordable housing including planning, architectural services, engineering services, landscape design, legal services, surveys, appraisals, site clearance and demolition, environmental clearance, permit application fees and system development

charges. Grant funding for these types of activities may be required to convert to a loan if the project receives full funding. For-profit developers are not eligible to apply for Newberg's Affordable Housing Trust Funds to assist with predevelopment costs.

- 3.5.e Bridge loans** to assist in development of affordable housing (for rental or owner occupancy). Bridge loans are intended to provide funding to permit housing projects to proceed in advance of the availability of permanent project funding. Bridge loan funding is available for acquisition or construction activities.
- 3.5.f Capacity building** for non-profit affordable housing providers in the form of direct grant awards to fund administration of an affordable housing project or program.
- 3.5.g Rehabilitation and emergency repairs** as part of an established program to secure units as affordable or to provide direct benefits to existing very low to moderate income households.

Eligible rehabilitation and emergency repair costs include but are not limited to:

- Architectural/engineering fees
- Consultations
- Construction costs
- Relocation costs
- Financing fees including but not limited to the recording of trust deeds and promissory notes, title searches, and other third party costs related to securing the loan.
- Hazardous materials abatement including lead based paint noticing consistent with the Federal Lead Safe Housing Regulations HUD requirements at 24 CFR §35

Rehabilitation loans to the owners of owner-occupied dwellings are not eligible uses of the NAHTF.

- 3.5.h Direct benefits** to very low to moderate income households through an established program including down payment assistance, rental assistance, mortgage foreclosure prevention, emergency housing vouchers, homeownership training, renter education, or other programs intended to increase housing opportunities for Newberg's low to moderate income residents.
- 3.5.i Transitional and emergency housing** for homeless individuals and families through an established program to move people toward self-sufficiency.
- 3.5.j Educational programs and services** for potential home owners and renters.
- 3.5.k Other uses as deemed appropriate** by the Newberg City Council as supporting the development or preservation of affordable housing within the City of Newberg.

SECTION 4. Program Goals

- 4.1** To help maintain the effectiveness and long-term viability of the NAHTF, preference will be given to the provision of loans over grants. General criteria of project selection are found in Section 8 of this resolution. In no particular order, the following preferences are provided as general guidance for future applicants for Newberg Affordable Housing Trust Funds.
- 4.1.a** Developments that produce new affordable housing units. New affordable housing units shall include housing units constructed where none had existed previously, abandoned or fire-damaged residential units to be returned to residential use, and non-residential or mixed-use projects in non-residentially-zoned property. Any designated new affordable housing units shall be secured as affordable for future use through the recording of an appropriate legal instrument approved by the city attorney.
 - 4.1.b** Developments that provide new affordability. New affordability refers to existing housing where a new level of affordability is provided that does not currently exist. This could occur in rental or ownership housing where the number of affordable units is increased, where a portion of existing units will be made affordable to households at income levels substantially lower than the units previously served, or where the term of affordability on the units will be extended for a period of at least twenty-five (25) years.
 - 4.1.c** Developments that improve the energy efficiency and safety of existing affordable housing stock while maintaining affordability of the units.
 - 4.1.d** Developments of housing utilizing the land trust model to secure property and perpetual affordability.
 - 4.1.e** Developments that include joint ventures between multiple non-profit developers and/or for profit developers, working in partnership, to complete an affordable housing project.
 - 4.1.f** Developments that include a joint venture between service providers and non-profit affordable housing developers to create projects that contain additional benefits to low income individuals in the development of the project, or additional services for the resident upon completion.
 - 4.1.g** Developments that incorporate the use of “green” building materials, use of energy-efficient appliances, low-water use landscaping, and reduced storm water runoff. In addition, developments that incorporate building design and operational factors that minimize energy use and resource consumption as well as avoid indoor health impact.
 - 4.1.h** Developments that include affordable units for the disabled and the homeless.
 - 4.1.i** Projects that propose long-term affordability.
 - 4.1.j** Projects that are sponsored by non-profit organizations.
 - 4.1.k** Projects that use private funding sources and State funding sources to leverage the least amount of Newberg's Affordable Housing Trust Funds.

SECTION 5. Fund Administration

The Newberg Affordable Housing Trust Fund (NAHTF) originated through the direction of the Newberg City Council.

- 5.1** The City of Newberg acts as fiduciary agent and administrator of the funds. The city reserves the right to contract certain tasks to most effectively and efficiently achieve its administrative duties.
- 5.2** Funds dedicated to the Newberg Affordable Housing Trust Fund shall be exclusively reserved to support the eligible uses activities identified in Section 3, and shall not be used for the general operation of the city.
- 5.3** The City of Newberg shall accept requests for funding from the NAHTF's Time Sensitive Loan Program from eligible applicants at any time in order to accommodate affordable housing project opportunities that are time sensitive. Coordination with other private and government funding application timelines will help ensure that NAHTF funds are best applied to leverage additional resources in support of the housing projects. Project submittals deemed not time-sensitive will not be approved, but the applicant will be encouraged to submit their proposal to the annual request for proposals (RFP) funding process under the NAHTF' s Competitive Awards Program. Also, eligible applicants may submit proposals to the NAHTF's Rental Rehabilitation Loan Program at any time.
- 5.4** The City of Newberg shall annually issue a notice of funding available (NOFA) to announce the availability of funds. The City shall also issue a request for proposals (RFP) for affordable housing projects that are not time sensitive.
- 5.5** As a target in any given year, up to 80 percent of the NAHTF will be available for project loans and up to 5 percent will be available for project grants. The remaining 15 percent of the NAHTF will be available for project contingencies through grants and/or loans.
- 5.6** In any given year, at least 50% of the available funds within the NAHTF shall be available for use through the competitive awards program. In any given year, the city council may make an exception to this standard to take advantage of affordable housing opportunities.
- 5.7** The City of Newberg shall form an Affordable Housing Commission (AHC) that consists of three members appointed by the Mayor with the consent of the city council. Membership of the commission should reflect representative broad interests regarding affordable housing in the community. The commission shall review applications for Newberg Affordable Housing Trust Funds to determine project eligibility and evaluate the applications based on the selection criteria. The commission shall provide recommendations to the city council who shall make final award decisions. In addition, the commission shall meet annually to prepare the NAHTF's annual NOFA and RFP for consideration of approval by the city council. Otherwise, the commission will meet as necessary during the year.
- 5.8** Newberg Affordable Housing Trust Funds will be allocated in a manner consistent with the threshold criteria provided Section 8, and consistent with state and local public contracting law.

- 5.9** Grant monies received into the NAHTF will have five percent of those monies reserved for administration.

SECTION 6. Match Requirements

- 6.1** The Newberg Affordable Housing Trust Fund is intended to support the development of needed housing. In addition, the City of Newberg believes that projects can become stronger and more successful through the partnership of many organizations. Therefore, the following match requirements apply to projects utilizing grants from the NAHTF.
- 6.1.a** The Newberg Affordable Housing Trust Fund grant contribution shall not exceed 50% of the total project or program cost. Required match can be met utilizing government funding, direct contribution from the applicant, private donations, and the contribution of land, materials or labor to the project.
 - 6.1.b** In the case that land previously owned by the applicant is considered as required match, the value of the land shall be determined by a city approved certified appraisal completed by the applicant or real market value from the Yamhill County assessor office provided by the applicant, unless otherwise directed in Oregon Revised Statute or Newberg Municipal Code.
 - 6.1.c** The valuation of land, and available equity to be considered as matching funds, shall be verified by the city prior to the disbursement of an NAHTF grant when its value is considered as required matching funds.
 - 6.1.d** Donated materials and labor, which are proposed as required match through the development of a project shall have their value estimated at the time of application. The actual value of these contributions is subject to verification by the city at completion of the project.
 - 6.1.e** Award recipients shall provide verifiable accounting for donated labor and materials, when such was necessary to satisfy the NAHTF match requirements.
 - 6.1.f** If a recipient of an NAHTF grant has been deemed by the city to have failed to have fulfilled all the necessary grant award match requirements, the city may require a full or partial repayment of any NAHTF grants awarded to a project.
- 6.2** Approved loans provided by the NAHTF may cover up to 80% of a project's costs. Required match can be met utilizing government funding, direct contribution from the applicant, private donations, and the contribution of land, materials or labor to the project.

SECTION 7. Allocation of Funds

The Newberg Affordable Housing Trust Fund is structured to allow flexibility for the city and housing providers. The establishment of three distinct and separate award processes is intended to provide for both consistency and flexibility of the NAHTF program. Annually, the city shall issue a notice of funding availability (NOFA), announcing the availability of funds in the following year and the types of programs. The city shall issue the NOFA for the year through publication in the Newberg Graphic and on the city's website. The NOFA shall be issued on or near July 1st of the year.

First, there is the competitive awards program. Annually, the city will issue a request for proposals for affordable housing projects of a non-time sensitive nature. Proposals awarded funding through the RFP process shall be done through a competitive basis. Loans and/or grants may be awarded through this program.

Second, there is the time sensitive program. Through this program, applicants requesting funding from the NAHTF may submit requests at any time in the year to accommodate affordable housing project opportunities that are time sensitive. Coordination with other private and government funding application timelines will help ensure that NAHTF funds are best applied to leverage additional resources in support of the housing projects. Loans and/or grants may be awarded through this program.

Third, there is the rental rehabilitation program. This program is intended to assist private property owners with rental rehabilitation projects. Applications for this program may be submitted at any time and need not be considered under the competitive awards program. Applicants seeking funding assistance must be willing to enter into a contractual agreement with the city that will ensure the future affordability of the project units for a specific period of time. Only loans will be awarded through this program.

The distribution of any and all NAHTF funds through competitive or non-competitive awards, as described in Sections 7.1 through 7.3, will be in accordance with state and local public contracting laws.

7.1 Competitive Awards Program

The City of Newberg has a limited amount of Newberg Affordable Housing Trust Funds to use each year in comparison to the scope of the housing needs within the community. As a result, it is essential that the funds are used to meet the city's priorities in an efficient and cost-effective manner. To this end, a competitive award process uses a set of award criteria to evaluate proposals received through a request for proposals (RFP) process in terms of how they address the specific priorities outlined in the annual RFP.

The steps for making the competitive grant awards or loans are outlined below.

- 7.1.a** The City of Newberg may issue an RFP Request for proposals on an annual basis depending on availability of funds, providing applicants with a minimum of 45 days to respond to the request. The RFP shall be issued on or near July 1st of the year.
- 7.1.b** City staff shall assess the project proposals to determine if the eligibility criteria are met and shall develop a recommendation to provide to the Newberg Affordable Housing Commission and the city council.
- 7.1.c** The Newberg Affordable Housing Commission will provide applicants the opportunity to make a presentation on their project proposal and provide community members the opportunity to comment by holding a public meeting.
- 7.1.d** The Newberg Affordable Housing Commission will develop an award recommendation to the city council using the NAHTF criteria to determine which projects best meet the city's spending priorities. Each application will be rated on a numeric scale as established in the annual RFP for each criterion of selection (Section 8).
- 7.1.e** The Newberg city council shall make a final decision on the award of Newberg Affordable Housing Trust Funds.

- 7.1.f** The City of Newberg shall prepare an agreement between the city and the award recipient. The agreement shall outline the conditions of award and shall be executed prior to the disbursement of any Newberg Affordable Housing Trust Funds.
- 7.1.g** An award granted to an applicant may be rescinded by the city if the applicant does not initiate the activities identified in response to the RFP in advance of the City's issuance of another RFP.

7.2 Time Sensitive Loan Program

The City of Newberg recognizes that the nature of affordable housing development is often opportunity driven and time sensitive. Through this program, applications may be submitted at any time during a given year. When applications are received, the city shall review them to determine if the applications meet the city's threshold criteria. If the criteria are met, then the funds may be awarded to, or reserved for, the applicant. Funds available through this process are awarded on a first come, first served basis.

- 7.2.a** Project Eligibility. Projects are eligible to utilize funds for activities listed in Section 3.
- 7.2.b** Project Security. Applicant must demonstrate and commit sufficient collateral to ensure the security of the loan. Security shall be demonstrated based upon an 80% loan to value ratio based upon the most current County Assessor records, unless otherwise recommended by the NAHC and approved by the City Council. Loans shall be secured via recording of a Trust Deed and Promissory Note against the property.
- 7.2.c** Loan Terms.
- (1) Loan amounts will be determined by the proposed project need and amount available within the NAHTF.
 - (2) The standard interest rate is two percent (2%) below the prime rate.
 - (3) The standard term of the loan is two years.
 - (4) The applicant shall pay a loan processing fee equal to one percent (1%) of the loan or \$100.00, whichever is greater.
 - (5) Standard loan terms may be modified by approval of the City Council.
 - (6) The applicant shall enter into an agreement guaranteeing the dwellings will only be occupied by families or individuals meeting the income guidelines.
 - (7) The applicant will be required to pay for all financing fees including but not limited to recording of trust deeds and promissory notes, title searches, and other third party costs related to securing the loan.
- 7.2.d** Process.
- (1) The city manager shall appoint a loan officer to process loan applications.
 - (2) The loan officer will prepare application specifications.
 - (3) The loan officer will review applications for eligibility, and qualify applicants as either standard or preferred applicants. The loan officer may establish a priority for awarding of qualified loans.
 - (4) Prior to awarding any loan, the application will be forwarded to the Newberg Affordable Housing Commission for consideration of recommendation for approval by the Newberg city council.

- (5) The loan officer shall prepare the necessary documents and agreements to execute and provide for repayment of the loan.

7.3 Rental Rehabilitation Loan Program

7.3.a Purpose

The purpose of the rental rehabilitation loan program is to loan NAHTF monies to local landlords so they can rehabilitate dwellings and make them safe and decent for rental to low or very low income families.

7.3.b Eligibility

- (1) The dwelling must be within the Newberg city limits.
- (2) The dwelling must be rented to low or very low income families or individuals, according to income guidelines established by the Affordable Housing Commission. Preference will be given to units to be rented to very low income families or individuals.
- (3) Repairs shall improve the overall livability of the dwelling by addressing health and safety issues and by making the home more energy efficient and affordable. Priority is placed on the repairs needed to make the home safe and to prevent further deterioration and escalated costs if left unattended. Typical examples of these projects include new roofs, new windows, new electrical wiring, heating system repair/replacement, and utility repairs.
- (4) The applicant shall demonstrate sufficient equity in the property and sufficient ability to repay the loan.
- (5) The applicant shall demonstrate that the rehabilitation could not be accomplished using conventional loan programs.
- (6) Preference shall be given to landlords who live in Newberg or the Newberg area, and who own 10 or fewer rental units, and who own the property outright or have substantial equity in the property.

7.3.c Project Security. Applicant must demonstrate and commit sufficient collateral to ensure the security of the loan. Security shall be demonstrated based upon an 80% loan to value ratio based upon the most current County Assessor records, unless otherwise recommended by the NAHC and approved by the City Council. Loans shall be secured via recording of a Trust Deed and Promissory Note against the property.

7.3.d. Loan Terms

- (1) Loans are available in amounts ranging between \$5,000.00 and \$15,000.00. This amount may be increased up to \$25,000.00 if the need for repairs is justified, if the Newberg Affordable Housing Commission recommends the City Council increase the loan amount, and if adequate equity is established.
- (2) The standard interest rate is two percent (2%) below the prime rate.
- (3) The standard term of the loan is five (5) years.
- (4) The applicant shall pay a loan processing fee equal to one percent (1 %) of the loan or \$100.00, whichever is greater.
- (5) Standard loan terms may be modified by approval of the city council.
- (6) The applicant shall enter into an agreement guaranteeing the dwellings will only be

- occupied by families or individuals meeting the income guidelines for the loan term.
- (7) The applicant will be required to pay for all financing fees including but not limited to recording of trust deeds and promissory notes, title searches, and other third party costs related to securing the loan.

7.3.e Process

- (1) The city manager shall appoint a loan officer to process loan applications.
- (2) The loan officer will prepare application specifications. The loan officer will receive applications by a date specified in the notice of funding availability. The loan officer will accept applications after that date if funding remains available, and may establish a waiting list for applications in future funding cycles.
- (3) The loan officer will review applications for eligibility, and qualify applicants as either standard or preferred applicants. The loan officer may establish a priority for awarding of qualified loans.
- (4) Prior to awarding any loan, the application will be forwarded to the Affordable Housing Commission for consideration of recommendation for approval by the Newberg city council.
- (5) The loan officer shall prepare the necessary documents and agreements to execute and provide for repayment of the loan.
- (6) The applicant shall complete all repairs within one year of loan award.

SECTION 8. NAHTF Competitive Grant or Loan Award Threshold and Selection Criteria

- 8.1** The project is considered an eligible use or activity under Section 3, and benefits households earning less than 80% the area median income (threshold verification).
- 8.2** If the project is related to the provision of technical assistance to affordable housing providers, the use of Newberg Affordable Housing Trust Funds functions to increase the capacity of the organization to specifically address the mission of the NAHTF (threshold verification).
- 8.3** Newberg Affordable Housing Trust Funds shall be limited to the minimum amount necessary to complete the project. The lower the percentage of NAHTF funds requested, relative to the full project costs, the higher ranking the project shall be given.
- 8.4** The project addresses the unmet housing needs as identified in the Housing Element of the Newberg Comprehensive Plan.
- 8.5** The lower the income level that is targeted for the benefitting households, the higher the ranking the project shall be given.
- 8.6** The project provides new affordable housing, or new affordability, through retention or rehabilitation of existing housing, within the city. The greater the number of units provided, the higher the ranking the project shall be given.
- 8.7** The project retains the affordable housing units as affordable. The longer period of time the units remain affordable, the higher ranking the project shall be given.
- 8.8** The project addresses energy conservation through the integration of green building

- technologies in new construction, or achieves greater energy efficiency through rehabilitation of existing housing.
- 8.9** The project maximizes partnerships in the community (volunteers, in-kind contributions, cash contributions, multiple organization involved, etc).
 - 8.10** The project utilizes already existing resources in effective and innovative ways. The project shall not duplicate service provided by another organization.
 - 8.11** The agency submitting the proposal has the capacity to carry out the project and has had demonstrated successes completing projects of similar scope.
 - 8.12** The budget and timeline are thorough and realistic.
 - 8.13** The project is ready for implementation.
 - 8.14** If the project includes the acquisition of property, the identified property is currently available for acquisition and the applicant has secured either a purchase option or letter of interest from the seller. If the applicant is also applying for federal funding (i.e. Community Development Block Grants or HOME) they should carefully review procurement requirements and limitations before obtaining a purchase option.
 - 8.15** The relocation of existing residents will be minimized, and when necessary, the applicant has included accurate relocation assistance costs as part of the project pro forma.
 - 8.16** The proposal demonstrates that Newberg Affordable Housing Trust Funds are the most appropriate funding source, and necessary, for the project.
 - 8.17** Additional selection criteria may be developed and included in the annual RFP to best direct Newberg Affordable Housing Trust Funds toward an identified priority need. Numeric rankings for each of the selection criteria shall be incorporated into the annual RFP.

SECTION 9. Fund Revenue

- 9.1** The city manager is directed to create a new budget department code within the existing Fund 14 for monies within the NAHTF. Monies within the budget under line 14-4120-602000, Housing Authority Loans, shall be placed in this new department code.
- 9.2** All new revenue brought into the NAHTF shall be done so with the approval of the city council.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: June 16, 2015.

ADOPTED by the City Council of the City of Newberg, Oregon, this 15th day of June, 2015.

Sue Ryan, City Recorder

ATTEST by the Mayor this _____ day of _____, 2015.

Bob Andrews, Mayor

ATTACHMENT 1

RESOLUTION NO. 2012-2988

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**A RESOLUTION ESTABLISHING POLICIES AND PROCEDURES FOR ADMINISTRATION OF
THE CITY OF NEWBERG'S AFFORDABLE HOUSING TRUST FUND**

RECITALS:

- 1 On May 4, 2009, the Newberg City Council adopted Resolution No. 2009-2843 accepting the Newberg Affordable Housing Action Plan.
- 2 On February 23, 2011, the Newberg Affordable Housing Action Committee recommended that the city council adopt an affordable housing trust fund and adopt policies and procedures for administration of that fund.
- 3 On March 5, 2012, the Newberg City Council approved Ordinance No. 2012-2749 establishing the Newberg Affordable Housing Trust Fund, to keep our community diverse and healthy by facilitating the production and preservation of affordable housing throughout Newberg.
- 4 The policies and procedures for administration of the Newberg Affordable Housing Trust Fund establish eligible uses, eligible applicants, method by which funds are awarded, and selection criteria.
- 5 The city council understands the changing nature of the housing market and corresponding housing needs. Therefore, the council has established flexible policies and procedures for administering the Newberg Affordable Housing Trust Fund (NAHTF) that can respond to changing market conditions and opportunities.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

SECTION 1. Purpose

- 1.1 The purpose of the Newberg Affordable Housing Trust Fund (NAHTF) is to support the development, preservation, and rehabilitation of housing that is affordable to the citizens of Newberg with incomes that do not exceed ~~400~~ 80% of the area median income. The NAHTF will have a dedicated source of revenue to provide ongoing funding for housing projects or programs that address the housing needs of these Newberg residents. The primary purpose of the NAHTF is to encourage the development, preservation, and rehabilitation of housing for homeownership or rent, at a cost that will enable very low, low and moderate-income families to afford quality housing while paying no more than thirty percent of gross household income on housing.
- 1.2 To promote the rehabilitation, preservation and production of quality, well-designed rental and ownership housing, the NAHTF will award funds to community development partners that are furthering the NAHTF mission. It is expected that the local contributions made through Newberg's Affordable Housing Trust Fund will maximize the leveraging of state and federal funds, as well as encourage private sector investment in affordable housing.

- 1.3 Understanding the high cost of housing regionally, it is evident that very low, low, and moderate income households are not being served by the housing market. To address the disparity between the cost of housing and the means of resident household to afford housing, the Newberg Affordable Housing Trust Fund aims to provide direct financial support to projects that retain or increase the supply of needed housing for households earning less than ~~400~~ 80% the area median income, which is to be defined through income limits established by the U.S. Department of Housing and Urban Development for Yamhill County, Oregon.
- 1.4 The administrative procedures associated with the Newberg Affordable Housing Trust Fund, including fund administration, determination of eligible applicants, eligible uses and activities, award preferences, eligibility criteria, award process, and selection criteria are hereby established.

SECTION 2. Eligible Applicants

- 2.1 The Newberg Affordable Housing Trust Fund is structured to ensure that many different types of organizations and persons are eligible to receive funds.
- 2.2 Eligible applicants include governmental subdivisions, community development corporations, local housing authorities, community action agencies, community-based or neighborhood-based non-profit housing organizations, other non-profit organizations, for-profit entities and private employers, and private landlords.

SECTION 3. Eligible Uses and Activities

- 3.1 Newberg Affordable Housing Trust Funds shall support the creation or preservation of housing that is affordable to households with incomes that do not exceed 400 80% of the area median income, as ~~defined by the Newberg planning and building director, using the best available data, established by the most current U.S. Department of Housing and Urban Development for Yamhill County, Oregon, and adopted by the City of Newberg.~~
- 3.2 Newberg Affordable Housing Trust Funds will be limited to those activities that create, preserve or acquire housing within the Newberg city limits.
- 3.3 Housing developments financed by the NAHTF which receive subsidy, financing, tax credits or other assistance under a State or Federal housing programs, may contain market rate units insofar as permissible under those programs and/or to the extent that they are necessary to support the creation of and/or ongoing sustain ability of the affordable housing units in the development. However, Newberg Affordable Housing Trust Funds may not be used to support such market rate units.
- 3.4 Affordable housing units developed utilizing subsidy from the Newberg Affordable Housing Trust Fund shall comply with the income and housing cost limits established by Newberg Municipal Code Section 15.242.030, as amended, and as restricted by a contract prepared by the City of Newberg. The city council reserves the right to make exceptions to the standards established by Newberg Municipal Code Section 15.242.030 for proposed projects it wishes to support and deems further the provision of affordable housing within the community.

3.5 The Newberg Affordable Housing Trust Funds can be provided as either a grant or a loan depending on the project or program receiving funding. To retain a significant degree of flexibility, the eligible uses have a broad application including the following:

3.5.a Acquisition and construction of new affordable housing. Eligible acquisition and construction costs include reasonable costs associated with building or land purchase, including but not limited to:

- Purchase price
- Option costs
- Financing fees [including but not limited to the recording of trust deeds and promissory notes, title searches, and other third party costs related to securing the loan.](#)
- Appraisal costs
- Closing costs
- ~~Interest~~
- Inspection fees
- Title insurance
- Relocation costs
- Architectural/engineering fees
- Permit fees
- System development charges
- Construction costs

3.5.b Conservation of energy through the use of “green” technologies provided that the benefits of the energy savings is passed on in the form of reduced costs to the qualified occupants of the affordable housing.

3.5.c Land banking to include the purchase of land to be dedicated toward the development of affordable housing in the near or long-term.

3.5.d Predevelopment activities undertaken by a community development organization in support of the development of affordable housing including planning, architectural services, engineering services, landscape design, legal services, surveys, appraisals, site clearance and demolition, environmental clearance, permit application fees and system development charges. Grant funding for these types of activities may be required to convert to a loan if the project receives full funding. For-profit developers are not eligible to apply for Newberg's Affordable Housing Trust Funds to assist with predevelopment costs.

3.5.e Bridge loans to assist in development of affordable housing (for rental or owner occupancy). Bridge loans are intended to provide funding to permit housing projects to proceed in advance of the availability of permanent project funding. Bridge loan funding is available for acquisition or construction activities.

3.5.f Capacity building for non-profit affordable housing providers in the form of direct grant awards to fund administration of an affordable housing project or program.

3.5.g Rehabilitation and emergency repairs as part of an established program to secure units as affordable or to provide direct benefits to existing very low to moderate income households.

Eligible rehabilitation and emergency repair costs include but are not limited to:

- Architectural/engineering fees
- Consultations
- Construction costs
- Relocation costs
- [Financing fees including but not limited to the recording of trust deeds and promissory notes, title searches, and other third party costs related to securing the loan.](#)
- Hazardous materials abatement including lead based paint noticing consistent with the Federal Lead Safe Housing Regulations HUD requirements at 24 CFR §35

Rehabilitation loans to the owners of owner-occupied dwellings are not eligible uses of the NAHTF.

3.S.h Direct benefits to very low to moderate income households through an established program including down payment assistance, rental assistance, mortgage foreclosure prevention, emergency housing vouchers, homeownership training, renter education, or other programs intended to increase housing opportunities for Newberg's low to moderate income residents.

3.S.i Transitional and emergency housing for homeless individuals and families through an established program to move people toward self-sufficiency.

3.S.j Educational programs and services for potential home owners and renters.

3.S.k Other uses as deemed appropriate by the Newberg City Council as supporting the development or preservation of affordable housing within the City of Newberg.

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- 5.9 Grant monies received into the NAHTF will have five percent of those monies reserved for administration.

SECTION 6. Match Requirements

- 6.1 The Newberg Affordable Housing Trust Fund is intended to support the development of needed housing. In addition, the City of Newberg believes that projects can become stronger and more successful through the partnership of many organizations. Therefore, the following match requirements apply to projects utilizing grants from the NAHTF.
 - 6.1.a The Newberg Affordable Housing Trust Fund grant contribution shall not exceed 50% of the total project or program cost. Required match can be met utilizing government funding, direct contribution from the applicant, private donations, and the contribution of land, materials or labor to the project.
 - 6.1.h In the case that land previously owned by the applicant is considered as required match, the value of the land shall be determined by a city approved certified appraisal completed by the applicant or real market value from the Yamhill County assessor office provided by the applicant, unless otherwise directed in Oregon Revised Statute or Newberg Municipal Code.

- 6.1.c The valuation of land, and available equity to be considered as matching funds, shall be verified by the city prior to the disbursement of an NAHTF grant when its value is considered as required matching funds.
- 6.1.d Donated materials and labor, which are proposed as required match through the development of a project shall have their value estimated at the time of application. The actual value of these contributions is subject to verification by the city at completion of the project.
- 6.1.e Award recipients shall provide verifiable accounting for donated labor and materials, when such was necessary to satisfy the NAHTF match requirements.
- 6.1.f If a recipient of an NAHTF grant has been deemed by the city to have failed to have fulfilled all the necessary grant award match requirements, the city may require a full or partial repayment of any NAHTF grants awarded to a project.

6.2 Approved loans provided by the NAHTF may cover up to ~~400~~ 80% of a project's costs. [Required match can be met utilizing government funding, direct contribution from the applicant, private donations, and the contribution of land, materials or labor to the project.](#)

SECTION 7. Allocation of Funds

The Newberg Affordable Housing Trust Fund is structured to allow flexibility for the city and housing providers. The establishment of three distinct and separate award processes is intended to provide for both consistency and flexibility of the NAHTF program. Annually, the city shall issue a notice of funding availability (NOFA), announcing the availability of funds in the following year and the types of programs. The city shall issue the NOFA for the year through publication in the Newberg Graphic and on the city's website. The NOFA shall be issued on or near July 1st of the year.

First, there is the competitive awards program. Annually, the city will issue a request for proposals for affordable housing projects of a non-time sensitive nature. Proposals awarded funding through the RFP process shall be done through a competitive basis. Loans and/or grants may be awarded through this program.

Second, there is the time sensitive program. Through this program, applicants requesting funding from the NAHTF may submit requests at any time in the year to accommodate affordable housing project opportunities that are time sensitive. Coordination with other private and government funding application timelines will help ensure that NAHTF funds are best applied to leverage additional resources in support of the housing projects. Loans and/or grants may be awarded through this program.

Third, there is the rental rehabilitation program. This program is intended to assist private property owners with rental rehabilitation projects. Applications for this program may be submitted at any time and need not be considered under the competitive awards program. Applicants seeking funding assistance must be willing to enter into a contractual agreement with the city that will ensure the future affordability of the project units for a specific period of time. Only loans will be awarded through this program.

The distribution of any and all NAHTF funds through competitive or non-competitive awards, as described in Sections 7.1 through 7.3, will be in accordance with state and local public contracting laws.

7.1 Competitive Awards Program

The City of Newberg has a limited amount of Newberg Affordable Housing Trust Funds to use each year in comparison to the scope of the housing needs within the community. As a result, it is essential that the funds are used to meet the city's priorities in an efficient and cost-effective manner. To this end, a competitive award process uses a set of award criteria to evaluate proposals received through a request for proposals (RFP) process in terms of how they address the specific priorities outlined in the annual RFP.

The steps for making the competitive grant awards or loans are outlined below.

- 7.1.a** The City of Newberg may issue an RFP Request for proposals on an annual basis depending on availability of funds, providing applicants with a minimum of 45 days to respond to the request. The RFP shall be issued on or near July 1st of the year.
- 7.1.b** City staff shall assess the project proposals to determine if the eligibility criteria are met and shall develop a recommendation to provide to the Newberg Affordable Housing Commission and the city council.
- 7.1.c** The Newberg Affordable Housing Commission will provide applicants the opportunity to make a presentation on their project proposal and provide community members the opportunity to comment by holding a public meeting.
- 7.1.d** The Newberg Affordable Housing Commission will develop an award recommendation to the city council using the NAHTF criteria to determine which projects best meet the city's spending priorities. Each application will be rated on a numeric scale as established in the annual RFP for each criterion of selection (Section 8).
- 7.1.e** The Newberg city council shall make a final decision on the award of Newberg Affordable Housing Trust Funds.
- 7.1.f** The City of Newberg shall prepare an agreement between the city and the award recipient. The agreement shall outline the conditions of award and shall be executed prior to the disbursement of any Newberg Affordable Housing Trust Funds.
- 7.1.g** An award granted to an applicant may be rescinded by the city if the applicant does not initiate the activities identified in response to the RFP in advance of the City's issuance of another RFP.

7.2 Time Sensitive Loan Program

The City of Newberg recognizes that the nature of affordable housing development is often opportunity driven and time sensitive. Through this program, applications may be submitted at any time during a given year. When applications are received, the city shall review them to determine if the applications meet the city's threshold criteria. If the criteria are met, then the funds may be awarded to, or reserved for, the applicant. Funds available through this process are awarded on a first come, first served basis.

- 7.2.a** Project Eligibility. Projects are eligible to utilize funds for activities listed in Section 3.

7.2.b Project Security. Applicant must demonstrate and commit sufficient collateral to ensure the security of the loan. Security shall be demonstrated based upon an 80% loan to value ratio based upon the most current County Assessor records, unless otherwise recommended by the NAHC and approved by the City Council. Loans shall be secured via recording of a Trust Deed and Promissory Note against the property.

7.2.c Loan Terms.

- (1) Loan amounts will be determined by the proposed project need and amount available within the NAHTF.
- (2) The standard interest rate is two percent (2%) below the prime rate.
- (3) The standard term of the loan is two years.
- (4) The applicant shall pay a loan processing fee equal to one percent (1-%) of the loan or \$100.00, whichever is greater.
- (5) Standard loan terms may be modified by approval of the City Council.
- (6) The applicant shall enter into an agreement guaranteeing the dwellings will only be occupied by families or individuals meeting the income guidelines.
- (7) The applicant will be required to pay for all financing fees including but not limited to recording of trust deeds and promissory notes, title searches, and other third party costs related to securing the loan.

7.2.d Process.

- (1) The city manager shall appoint a loan officer to process loan applications.
- (2) The loan officer will prepare application specifications.
- (3) The loan officer will review applications for eligibility, and qualify applicants as either standard or preferred applicants. The loan officer may establish a priority for awarding of qualified loans.
- (4) Prior to awarding any loan, the application will be forwarded to the Newberg Affordable Housing Commission for consideration of recommendation for approval by the Newberg city council.
- (5) The loan officer shall prepare the necessary documents and agreements to execute and provide for repayment of the loan.

7.3 Rental Rehabilitation Loan Program

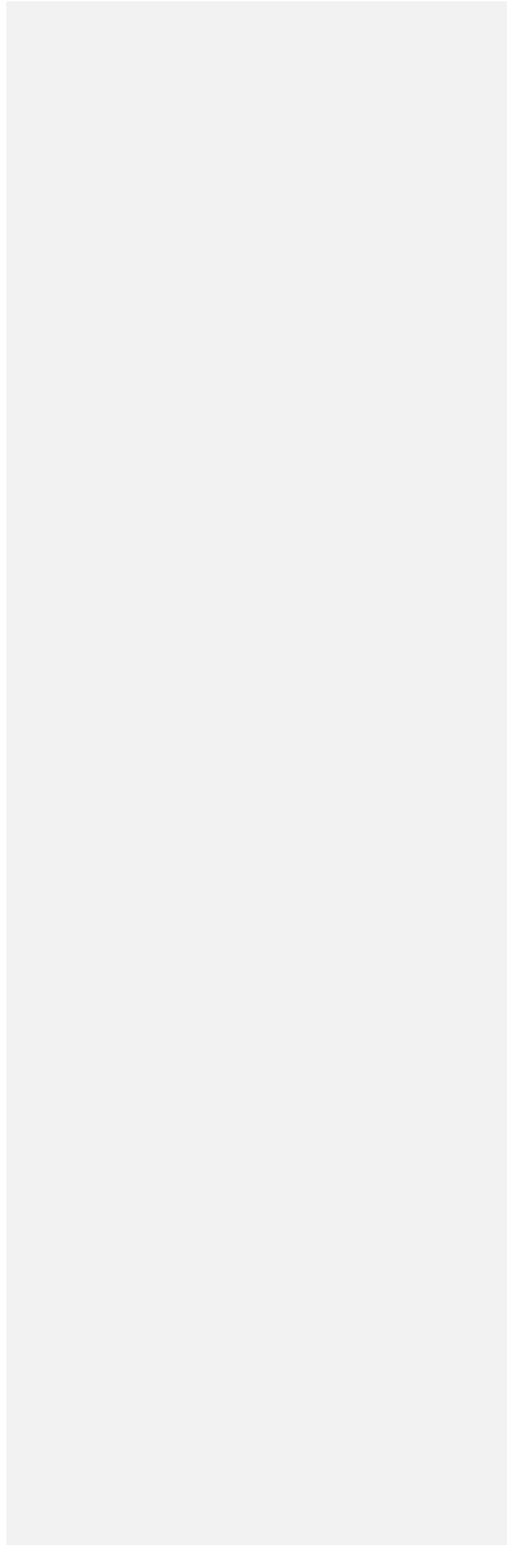
7.3.a Purpose

The purpose of the rental rehabilitation loan program is to loan NAHTF monies to local landlords so they can rehabilitate dwellings and make them safe and decent for rental to low or very low income families.

7.3.b Eligibility

- (1) The dwelling must be within the Newberg city limits.
- (2) The dwelling must be rented to low or very low income families or individuals, according to income guidelines established by the Affordable Housing Commission. Preference will be given to units to be rented to very low income families or individuals.
- (3) Repairs shall improve the overall livability of the dwelling by addressing health and safety issues and by making the home more energy efficient and affordable. Priority is placed on the repairs needed to make the home safe and to prevent further deterioration and escalated costs if left unattended. Typical examples of these projects include new roofs, new windows, new electrical wiring, heating system repair/replacement, and utility repairs.
- (4) The applicant shall demonstrate sufficient equity in the property and sufficient ability to repay the loan.
- (5) The applicant shall demonstrate that the rehabilitation could not be accomplished using conventional loan programs.
- (6) Preference shall be given to landlords who live in Newberg or the Newberg area, and who own 10 or fewer rental units, and who own the property outright or have substantial equity in the

property.



- 7.3.c Project Security. Applicant must demonstrate and commit sufficient collateral to ensure the security of the loan. Security shall be demonstrated based upon an 80% loan to value ratio based upon the most current County Assessor records, unless otherwise recommended by the NAHC and approved by the City Council. Loans shall be secured via recording of a Trust Deed and Promissory Note against the property.

7.3.d. Loan Terms

- (1) Loans are available in amounts ranging between \$5,000.00 and \$15,000.00. This amount may be increased up to \$25,000.00 if the need for repairs is justified, if the Newberg Affordable Housing Commission recommends the City Council increase the loan amount, and if adequate equity is established.
- (2) The standard interest rate is two percent (2%) below the prime rate.
- (3) The standard term of the loan is ~~seven-five (5)~~ years.
- (4) The applicant shall pay a loan processing fee equal to one percent (1 %) of the loan or \$100.00, whichever is greater.
- (5) Standard loan terms may be modified by approval of the city council.
- (6) The applicant shall enter into an agreement guaranteeing the dwellings will only be occupied by families or individuals meeting the income guidelines for the loan term.
- (7) The applicant will be required to pay for all financing fees including but not limited to recording of trust deeds and promissory notes, title searches, and other third party costs related to securing the loan.-

7.3.e Process

- (1) The city manager shall appoint a loan officer to process loan applications.
- (2) The loan officer will prepare application specifications. The loan officer will receive applications by a date specified in the notice of funding availability. The loan officer will accept applications after that date if funding remains available, and may establish a waiting list for applications in future funding cycles.
- (3) The loan officer will review applications for eligibility, and qualify applicants as either standard or preferred applicants. The loan officer may establish a priority for awarding of qualified loans.
- (4) Prior to awarding any loan, the application will be forwarded to the Affordable Housing Commission for consideration of recommendation for approval by the Newberg city council.
- (5) The loan officer shall prepare the necessary documents and agreements to execute and provide for repayment of the loan.
- (6) The applicant shall complete all repairs within one year of loan award.

SECTION 8. NAHTF Competitive Grant or Loan Award Threshold and Selection Criteria

- 8.1** The project is considered an eligible use or activity under Section 3, and benefits households earning less than ~~400~~ 80% the area median income (threshold verification).
- 8.2** If the project is related to the provision of technical assistance to affordable housing providers, the use of Newberg Affordable Housing Trust Funds functions to increase the capacity of the organization to specifically address the mission of the NAHTF (threshold verification).
- 8.3** Newberg Affordable Housing Trust Funds shall be limited to the minimum amount necessary to complete the project. The lower the percentage of NAHTF funds requested, relative to the full project costs, the higher ranking the project shall be given.

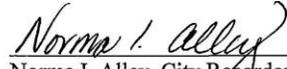
- 8.4** The project addresses the unmet housing needs as identified in the Housing Element of the Newberg Comprehensive Plan.
- 8.5** The lower the income level that is targeted for the benefitting households, the higher the ranking the project shall be given.
- 8.6** The project provides new affordable housing, or new affordability, through retention or rehabilitation of existing housing, within the city. The greater the number of units provided, the higher the ranking the project shall be given.
- 8.7** The project retains the affordable housing units as affordable. The longer period of time the units remain affordable, the higher ranking the project shall be given.
- 8.8** The project addresses energy conservation through the integration of green building technologies in new construction, or achieves greater energy efficiency through rehabilitation of existing housing.
- 8.9** The project maximizes partnerships in the community (volunteers, in-kind contributions, cash contributions, multiple organization involved, etc).
- 8.10** The project utilizes already existing resources in effective and innovative ways. The project shall not duplicate service provided by another organization.
- 8.11** The agency submitting the proposal has the capacity to carry out the project and has had demonstrated successes completing projects of similar scope.
- 8.12** The budget and timeline are thorough and realistic.
- 8.13** The project is ready for implementation.
- 8.14** If the project includes the acquisition of property, the identified property is currently available for acquisition and the applicant has secured either a purchase option or letter of interest from the seller. If the applicant is also applying for federal funding (i.e. Community Development Block Grants or HOME) they should carefully review procurement requirements and limitations before obtaining a purchase option.
- 8.15** The relocation of existing residents will be minimized, and when necessary, the applicant has included accurate relocation assistance costs as part of the project pro forma.
- 8.16** The proposal demonstrates that Newberg Affordable Housing Trust Funds are the most appropriate funding source, and necessary, for the project.
- 8.17** Additional selection criteria may be developed and included in the annual RFP to best direct Newberg Affordable Housing Trust Funds toward an identified priority need. Numeric rankings for each of the selection criteria shall be incorporated into the annual RFP.

SECTION 9. Fund Revenue

9.1 The city manager is directed to create a new budget department code within the existing Fund 14 for monies within the NAHTF. Monies within the budget under line 14-4120-602000, Housing Authority Loans, shall be placed in this new department code.

9.2 All new revenue brought into the NAHTF shall be done so with the approval of the city council.

> **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: April 17, 2012. **ADOPTED** by the city council of the City of Newberg, Oregon, this 16th day of April, 2012.



Norma I. Alley, City Recorder

ATTEST by the council president this 19th day of April, 2012.



Dehise Bacon, Council President

REQUEST FOR COUNCIL ACTION

Date of Council Meeting: June 15, 2015

Order ___ No.	Ordinance ___ No.	Resolution ___ No.	Motion ___	Information <u>XX</u>
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**SUBJECT: Forward Looking Calendar,
Newberg Public Works Day**

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

EXECUTIVE SUMMARY: These items are informational for the Council and the public.

The Council Forward Looking Calendar is attached.

The Newberg Public Works Day will be held on Tuesday, June 16 from 11:00 a.m. to 1:00 p.m. at Newberg Public Library, 503. E. Hancock Street. At 11:30 a.m. there will be a free Hot Dog lunch for the first 500 people. Come and meet your dedicated Public Works Professionals. Learn about the training, equipment and skills required to maintain the City of Newberg. For more information, please call (503) 537-1234.

FISCAL IMPACT: None.

STRATEGIC ASSESSMENT (RELATE TO COUNCIL GOALS): To keep the citizenry informed.

**NEWBERG CITY COUNCIL
2015 FORWARD LOOKING CALENDAR**

Monday, July 6, 2015

Presentation of Vision Statement

Proclamation: Old Fashioned Festival Court

IGA with ODOT for TGM grant

Villa Road Design Contract

Public Hearing on Comprehensive Plan Amendment for Zoning at Martell Commons and adoption of Ordinance

Executive Session on Labor Negotiations with Firefighter's Association

Adoption of Resolution for Newberg Fire Association Collective Bargaining Association

Adoption of Resolution for City Manager Evaluation

Monday, July 20, 2015

Presentation on Water Conservation

Presentation on Parklets

Second Reading of Comp Plan/ Zone Change ordinance for Martell Commons

Public Hearing on temporary and portable signs code amendment ordinance

Creating process for declaring an emergency

Tentative – Executive Session on Labor Negotiations with Police Association

Tentative – Approve Collective Bargaining Agreement with Police Association

Monday, August 3, 2015 – CANCELLED

Monday, August 17, 2015

Adoption of Resolution on Public Works Design Standards

Adoption of Amendment of Council Rules

Adoption of Municipal Code Chapter 13 revisions on contracting & design standards

Bond Sale Report – tentative

Year end reports from Department Heads