

**CITY COUNCIL WORK SESSION  
FEBRUARY 17, 2015, 6:00 PM  
NEWBERG PUBLIC SAFETY BUILDING (401 EAST THIRD STREET)**

WORK SESSIONS ARE INTENDED FOR DISCUSSION. NO ACTION WILL BE TAKEN ON THE AGENDA ITEMS AND NO DECISIONS WILL BE MADE. NO ORAL OR WRITTEN TESTIMONY WILL BE HEARD OR RECEIVED FROM THE PUBLIC.

**I. CALL MEETING TO ORDER**

**II. ROLL CALL**

**III. REVIEW OF COUNCIL AGENDA AND MEETING**

**IV. COUNCIL ITEMS**

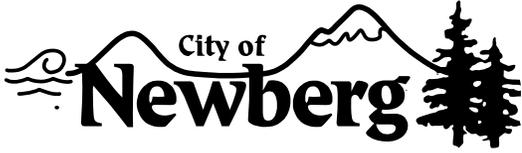
1. Transportation System Plan Update

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**V. ADJOURNMENT**

***ACCOMMODATION OF PHYSICAL IMPAIRMENTS:***

*In order to accommodate persons with physical impairments, please notify the City Recorder's Office of any special physical 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 service please dial 711.*



## Planning and Building Department

P.O. Box 970 ▪ 414 E First Street ▪ Newberg, Oregon 97132  
503-537-1240 ▪ Fax 503-537-1272 ▪ www.newbergoregon.gov

### MEMORANDUM

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TO: Newberg City Council  
CC: Jacque Betz, City Manager; Steve Olson, Interim Planning & Building Director  
FROM: Jessica Pelz, AICP, Associate Planner  
SUBJECT: Newberg Transportation System Plan Update – City Council Work Session  
DATE: February 17, 2015

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During the City Council work session on February 17, our TSP consultant (DKS Associates) and I will give an overview presentation of our progress on the Transportation System Plan update. We will discuss the following items:

- Why Update the TSP
- TSP Process Overview
- Newberg's Transportation Needs
- Newberg's Transportation Future
- Transportation Alternatives
- Public Process and Feedback
- Next Steps

We held a well-attended open house event in December 2014, where we presented information about downtown options and the draft project list. I have attached the Project Descriptions and Evaluation Summary we handed out at the December open house for your review, and we will discuss the downtown options in more detail during the business session.

During the City Council business session, we will be asking for official Council guidance on a preferred downtown circulation option. We're at the phase in the project where we need to focus and refine our project list so that we can include necessary details in the draft plan. The three options on the table are: No Change, Concept A: 2-Way Conversion, and Concept B: Road Diet. There is a Request for Council Action memo in the business meeting packet discussing these options in more detail.

Overall, the TSP update is going well, and we expect to wrap up the project sometime in mid to late 2015.

#### Attachments:

1. Project Descriptions and Evaluation Summary, Newberg TSP Open House, December 10, 2014

## Project Descriptions and Evaluation Summary

Newberg TSP Open House

December 10, 2014

The following pages include summaries of transportation improvement alternatives, grouped into several categories. Maps are provided around the room that show the project extents. The general categories include:

- Roadway Projects (Standards and Safety, Intersection Projects, Expansion Projects)
- Pedestrian Projects
- Bicycle Projects
- Transit Projects
- Bypass Projects

Each project was evaluated based on criteria (see below) that are developed from Newberg's transportation goals. This evaluation provides an initial prioritization for projects, but are looking for your input and thoughts about specific projects or other ideas.

### Evaluation Criteria

Each project was evaluated on a score of -2 to +2 based on how well each of the following criteria was addressed. Higher scores are better, and a maximum score of 10 is possible.

- Economic Development
- Sustainability
- Health and Safety
- Equity
- Fiscal Responsibility

### Feedback

You can provide feedback by:

- **Stickers** – Place stickers on the maps next to projects that you support
- **Comment Forms** – Comment forms are provided for you to leave more thorough feedback
- **Talk to Us** – We are available to answer your questions and hear your ideas.
- **Project Website** – If you think of something later that you didn't tell us tonight, you can leave feedback on the project website [newbergtsp.org](http://newbergtsp.org)

Thanks for your attendance and feedback!

## Roadway Projects – Standards and Safety

Project #	Project Name	Project Description	Source	Evaluation Score
S01	Dayton Ave Collector Improvement	Reconstruct Dayton Avenue to major collector street standards between 5th Street and Newberg city limits to include sidewalks and bicycle lanes on each side of Dayton Avenue	2005 TSP	4
S02	3rd St Collector Improvement	Reconstruct 3rd Street to minor collector street standards between OR 99W and Main Street to include sidewalks and on-street parking on each side of 3rd Street	2005 TSP	5
S03	OR 99W Arterial Improvement	Reconstruct OR 99W to major arterial street standards between Harrison Street and 3rd Street to include sidewalks and bicycle lanes on each side of OR 99W.	2005 TSP	3
S04	Downtown Street Redevelopment	Pedestrian enhancements such as improved crossings, wider sidewalks, and curb extensions should be considered on 1st St and Hancock St in the downtown	2005 TSP	5
S05	Remove RT Lane on Hancock	Remove right turn lane onto Main St, add back-in diagonal parking	Stakeholder Interviews	3
S06	Downtown Two-Way Conversion	Convert Hancock St and 1st St to two-way	Meetings	4
S07	Downtown Road Diet	Remove one lane each from Hancock St and 1st St	Meetings	5
S08	S Main St Collector Improvement	Reconstruct to major collector street standards between 1st St and 5th St to include sidewalks and bicycle lanes on each side.	2005 TSP	5
S09	2nd St Collector Improvement	Reconstruct 2nd St to major collector street standards between Main St and River St to include sidewalks, bicycle lanes, and on-street parking on each side of 2nd Street	2005 TSP	5
S10	Blaine St Collector Improvement	Reconstruct Blaine St to major collector street standards between Hancock St and 9th St to include sidewalks and bicycle lanes on each side of Blaine Street.	2005 TSP	4
S11	Chehalem Dr Collector Improvement	Reconstruct Chehalem Dr between OR240 and North Valley Rd to major collector street standards to include bicycle lanes and sidewalks on both sides of the street. Yamhill County and City of Newberg jurisdictions.	2005 TSP	5
S12	N Main St Collector Improvement	Reconstruct to full major collector street standards between Illinois St and Mountainview Dr to include sidewalks and bicycle lanes on each side of Main St.	2005 TSP	5
S13	Illinois St Collector Improvement	Reconstruct Illinois St between Main St and College St to major collector street standards to include on-street parking, bicycle lanes, and sidewalks on each side of the street.	2005 TSP	5
S14	Columbia Dr Collector Improvement	Reconstruct Columbia Dr between Chehalem Dr and College St to minor collector street standards to include a travel lane in each direction, and sidewalks and on-street parking on both sides of the street.	2005 TSP	6
S15	Ore 219 Rerouting	Rerouting of Ore 219 through Newberg.	2005 TSP	3
S16	North Valley Rd Collector Improvement	Reconstruct North Valley Rd to major collector street standards between College St and Chehalem Dr to include	2005 TSP	6

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to TSP Work Session Memo

Project #	Project Name	Project Description	Source	Evaluation Score
		sidewalks and bicycle lanes on each side of North Valley Rd.		
S17	Foothills Dr Collector Improvement	Reconstruct to major collector street standards between Main St and Aldersgate Dr to include sidewalks and bicycle lanes on each side.	2005 TSP	4
S18	Crestview Dr Collector Improvement	Reconstruct Crestview Dr to minor collector street standards between College St and Villa Rd to include sidewalks and on-street parking.	2005 TSP	4
S19	Meridian St Traffic Calming	Meridian St Traffic Calming	Stakeholder Interviews	2
S20	Vermillion St Collector Improvement	Reconstruct Vermillion St between Meridian St and College St to major collector standards to provide bicycle lanes and sidewalks on each side of the street.	2005 TSP	4
S21	Fulton St Collector Improvement	Reconstruct Fulton St between Meridian St and Villa Rd to major collector standards, providing bicycle lanes and sidewalks on each side of the street.	2005 TSP	4
S22	River St Collector Improvements	Reconstruct to major collector street standards between 1st St and Rogers Landing Rd to include sidewalks and bicycle lanes on each side of River St.	2005 TSP	3
S23	Rogers Landing Rd Collector Improvement	Reconstruct Rogers Landing Rd to major collector street standards between River St and the Willamette River to include sidewalks and bicycle lanes on each side of the street.	2005 TSP	4
S24	Villa Rd Wayfinding	Improve wayfinding on OR219 directing traffic bound for 99W onto Villa Rd	Stakeholder Interviews	2
S25	Villa Rd Collector Improvement	Reconstruct Villa Rd to major collector street standards between OR 99W and Fulton St to include sidewalks and bicycle lanes on each side of Villa Rd.	2005 TSP	4
S26	Villa Rd Collector Improvement	Reconstruct to major collector street standards between Fulton St and Crestview Dr to include sidewalks and bicycle lanes on each side of Villa Rd.	2005 TSP	6
S27	Haworth Ave Collector Improvement	Reconstruct Haworth Ave to major collector street standards between Villa Rd and Springbrook St to include sidewalks and bicycle lanes on each side of Haworth St.	2005 TSP	4
S28	Villa Rd Collector Improvement	Reconstruct Villa Rd to major collector street standards between Aspen Way and Bell Rd to include sidewalks and bicycle lanes on each side of Villa Rd.	2005 TSP	5
S29	Aspen Way Collector Improvement	Reconstruct Aspen Way to minor collector standards between Villa Rd and Mountainview Dr to include sidewalks and on-street parking on each side of Aspen Way	2005 TSP, Springbrook MP	4
S30	Bell Rd Collector Improvement	Reconstruct Bell Rd to major collector street standards between College St and Springbrook St to include sidewalks and bicycle lanes on each side of Bell Rd.	2005 TSP	6
S31	Springbrook St Collector Improvement	Reconstruct Springbrook to major collector standards between Mountainview and Bell Road,	2005 TSP, Springbrook MP	6

Project #	Project Name	Project Description	Source	Evaluation Score
S32	Elliott Rd Collector Improvement	Reconstruct to full, major collector street standards between OR 99W and Newberg High School to include sidewalks and bicycle lanes on each side of Elliot Rd.	2005 TSP	5
S33	Hayes St Collector Improvement	Reconstruct Hayes Street to minor collector street standards between Elliott Road and Deborah Street to include sidewalks and on-street parking on each side of Hayes Street	2005 TSP	3
S34	Hancock Street - Local Improvement	Reconstruct Hancock between Sitka and Elliot to include sidewalks and on-street parking on each side.	2005 TSP	4
S35	Fernwood Rd Collector Improvement	Reconstruct Fernwood Rd between Springbrook St and Creek to major collector standards to include bicycle lanes and sidewalks on each side of the street	2005 TSP	5
S36	OR 99W Arterial Improvement	Reconstruct OR 99W to major arterial street standards between Vittoria Way and Harmony Ln to include sidewalks and bicycle lanes on each side of OR 99W.	2005 TSP	4
S37	Wynooski St Collector Improvement	Reconstruct Wynooski Street to major collector street standards between River Street and Bypass to include sidewalks and bicycle lanes on each side of Wynooski Street	2005 TSP, Near-term Bypass	5

### Roadway Projects - Expansion

Project #	Project Name	Project Description	Source	Evaluation Score
E01	OR 240 Minor Arterial Improvement	Reconstruct Ore 240 for approximately 0.36 miles between the west edge of the Urban Reserve Area and Main Street to full, 3-lane minor arterial street standards.	2005 TSP	4
E02	Hancock Street Arterial Improvement	Reconstruct Hancock Street to major arterial street standards between Harrison Street and Main Street to include sidewalks and bicycle lanes on each side of Hancock Street.	2005 TSP	4
E03	N Main Street (OR240) Arterial Improvement	Reconstruct to full minor arterial standards between Illinois and 1st to include three travel lanes, bike lanes, and sidewalks.	2005 TSP	5
E04	Blaine St Extension	Construct new street between 9th St and River St to major collector standards.	2005 TSP	4
E05	College St Arterial Improvement	Reconstruct to minor arterial street standards between 1st St and Bell Rd to include sidewalks and bicycle lanes on each side of College Street.	2005 TSP, Springbrook MP	4
E06	Rogers Landing Rd Extension	Construct Rogers Landing Rd from Willamette River to UGB to major collector standards.	2005 TSP	4
E07	Foothills Dr Extension	Construct Foothills Dr from Aldersgate to Villa Rd.	2005 TSP, Springbrook MP	5
E08	Villa Rd Extension	Construct Villa Rd from Mountainview Dr to Aspen Way and construct to major collector standards with sidewalks and bike lanes.	2005 TSP, Springbrook MP	6

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E09	New Camelia Dr	Construct a new local street connection between Aspen Way and Zimri Dr, as development occurs.	2005 TSP	5
E10	New Kincaid Rd	Construct a new local street connection between Aspen Way and Springbrook Rd, as development occurs.	2005 TSP	5
E11	Mountainview Dr Arterial Improvement	Reconstruct Mountainview Dr between Villa Rd and Aspen Way to minor arterial standards. Include bike lanes and sidewalks on both sides.	2005 TSP, Springbrook MP	4
E12	New North-South Local St	Construct a new local street connection between Bell Rd and New Kincaid Rd extension (#6 above), as development occurs.	2005 TSP	5
E13	Putman Rd Extension	Construct approximately 0.42 miles of new Putman Rd between Springbrook St and Putman St to local street standards.	2005 TSP	3
E14	Crestview Dr Extension	Construct Crestview Dr from southern terminus to OR 99W. Construct to major collector standards	Meetings	6
E15	Hayes St Extension	Construct Hayes St from its eastern terminus at Deborah St to Springbrook St to minor collector street standards	2005 TSP	4
E16	Springbrook St Arterial Improvement	Reconstruct to minor arterial standards between OR 99W and 8th St. Include sidewalks and bike lanes.	2005 TSP	6
E17	Hancock St Extension	Construct Hancock St between Elliot Rd and Springbrook Rd to local street standards. Reconstruct eastern terminus of Hancock at Springbrook to local street standards.	2005 TSP	4
E18	OR219 Arterial Improvement	Reconstruct OR219 to arterial standards between 1st Street and the UGB to include sidewalks and bicycle lanes on each side of OR219.	2005 TSP	5
E19	New Greens Drive	Construct a new local street connection between Eagle Street and Corral Creek Rd, as development occurs.	2005 TSP	4

### Pedestrian Projects

Project #	Additional Project #	Project Name	Project Description	Source	Evaluation Score
P01	S01	Dayton Ave Sidewalks	From 5th St to UGB	New	3
P02	N/A	OR 99W Sidewalks	From UGB to 3rd Street	2005 TSP	6
P03	N/A	1st St Sidewalks	From UGB to Ore 99W	2005 TSP	4
P04	E02, S06, S07	Hancock St/1st St Sidewalks	From 3rd to River Street	New	3
P05	S02	3rd St Sidewalk Infill	From OR 99W to Main Infill	2005 TSP	3
P06	S08	S Main St Sidewalk Infill	From 5th St to Hancock Infill	2005 TSP	3
P07	S10	Blaine St Sidewalk Infill	From River St to Hancock St Infill	New	3
P08	N/A	9th St Sidewalks	From Blaine St to River St	2005 TSP	3
P09	N/A	14th St Sidewalks - Partially with BY	From College St to River St	2005 TSP	4
P10	S22	River St Sidewalks	From Sheridan St to 14th St	New	3
P11	S37	Wynooski St Sidewalks	From 4th St to 11th St	New	3
P12	N/A	11th St Sidewalks	From River St to Wynooski St	2005 TSP	3
P13	N/A	College St Sidewalks	From 9th St to 14th St	2005 TSP	3
P14	E05	College St Sidewalks	From Ella Ct to Foothills Drive	Stakeholder	3

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P15	N/A	Meridian St Sidewalks	From Hancock Street to 2nd Street	2005 TSP	3
P16	E03	N Main St/OR240 Sidewalk Infill	From Hancock St to Illinois St Infill	New	3
P17	E01	OR240 Sidewalk Infill	From Main to UGB Infill	2005 TSP	3
P18	S11	Chehalem Dr Sidewalk Infill	From OR240 to North Valley Rd Infill	2005 TSP	3
P19	S13	Illinois St Sidewalks	From Main St to College St	New	3
P20	S20	Vermillion St Sidewalk Infill	From College St to Meridian St Infill	2005 TSP	3
P21	S21	Fulton St Sidewalk Infill	From Meridian St to Cherry St Infill	2005 TSP	3
P22	S14	Columbia Dr Sidewalk Infill	From Chehalem Dr to College St Infill	2005 TSP	3
P23	N/A	Meridian St Sidewalks	From Crestview Dr to Fulton St	2005 TSP	3
P24	S18	Crestview Dr Sidewalk Infill	From College to Villa Rd Infill	2005 TSP	3
P25	S12	N Main St Sidewalk Infill	From Illinois St to Mountainview Dr	2005 TSP	3
P27	S16	North Valley Rd Sidewalks	From Chehalem Dr to College St	2005 TSP	5
P28	S30	Bell Rd Sidewalks	From College St to Springbrook Rd	2005 TSP	5
P29	S29	Aspen Way Sidewalks	From Bell Rd to Crestview Dr	New	5
P30	E11	Mountainview Dr Sidewalks	From Villa Rd to Aspen Way	New	5
P31	N/A	Zimri Dr Sidewalks	From Mountainview Dr to Bell Rd	New	5
P32	N/A	N Springbrook Rd Sidewalks	From S of Benjamin Rd to UGB	New	5
P33	N/A	Crestview Dr Sidewalks	From Emery St to Springbrook St	2005 TSP	5
P34	N/A	Emery St Sidewalks	From Crestview Drive to Douglas Ave	2005 TSP	3
P35	N/A	Douglas Ave Sidewalks	From Emery St to Springbrook Way	2005 TSP	3
P36	N/A	Springbrook Way Sidewalks	From Douglas Ave to 100 ft S of Douglas	2005 TSP	3
P37	N/A	Deborah St Sidewalks	From Douglas Ave to Haworth Ave	2005 TSP	3
P38	N/A	Springbrook Rd Sidewalks	From Crestview Drive to Ore 99W	2005 TSP	3
P39	S27	Haworth Ave Sidewalks	From Villa Rd to Springbrook Rd	New	3
P40	S32	N Elliott Rd Sidewalk Infill	From Ore 99W to Newberg HS	2005 TSP	3
P41	S25, S26	Villa Road Sidewalks	From OR 99W to Mountainview Dr	2005 TSP	5
P42	N/A	Hayes St Sidewalks	From Springbrook St to Burl St	2005 TSP	5
P43	S34	Hancock St Sidewalk Infill	From Sitka to end	2005 TSP	5
P44	N/A	S Elliott Rd Sidewalk Infill	From OR 99W to 2nd St	0	5
P45	E16	S Springbrook Rd Sidewalks	From OR 99W to 8th St	0	5
P46	S35	Fernwood Rd Sidewalks	From Springbrook St to Brutscher St	2005 TSP	5
P47	E18	OR219 Sidewalk Infill	From 1st St to UGB	0	5
P48	N/A	OR 99W Sidewalk Infill	From Brustcher Street to Vittoria Way	2005 TSP	6
P49	S36	OR 99W Sidewalk Infill	From Vittoria Way to East of UGB	2005 TSP	6

## Bicycle Projects

Project #	Additional Project #	Project Name	Project Description	Source	Evaluation Score
B01	S01	Dayton Ave Bike Lanes	From OR 99W to UGB	2005 TSP	4
B02	S12, E03, S08	Main St Bike Lanes	From 5th St to Mountainview Dr.	2005 TSP	4
B03	E02, S06, S07	Hancock/1st Bike Lanes	From 3rd St to River St	Stakeholder	5
B04	S10	Blain St Bike Lanes	From 1st St to 9th St	2005 TSP	4
B05	N/A	9th St Bike Lanes	From Blaine St to River St	2005 TSP	4
B06	S22	River St Bike Lanes	From OR 99W to Rogers Landing Rd	2005 TSP	4
B07	E05	College St Bike Lanes	From 1st to UGB	2005 TSP	5
B08	N/A	Meridian St Bike Lanes	From Crestview Dr to 1st St	2005 TSP	4
B09	E01	OR240 Bike Lanes	From Main to UGB	2005 TSP	5
B10	S11	Chehalem Dr Bike Lanes	From OR240 to North Valley Rd	2005 TSP	4
B11	S13, S20	Illinois Street Bike Lanes	From College St to Main St	2005 TSP	4
B12	N/A	Jaquith Park Path	New pedestrian/bicycle pathway adjacent to Jaquith Park between Main St and College St	2005 TSP	3
B13	S17	Foothills Drive Bike Lanes	From Main St to Villa St	2005 TSP	4
B14	S16, S30	North Valley Road /Bell Road Bike Lanes	From Chehalem Dr to Springbrook Rd	2005 TSP	4
B15	S25, S26, S28	Villa Rd Bike Lanes	From OR 99W to Mountainview Dr	2005 TSP	4
B16	E11	Mountainview Dr Bike Lanes	From Villa Rd to Aspen Way	2005 TSP	4
B17	S27	Haworth Ave Bike Lanes	From College St to Springbrook Rd	2005 TSP	4
B18	S21	Fulton St Bike Lanes	From College St to Springbrook Rd	2005 TSP	4
B19	N/A	11th St Bike Lanes	East of River St	2005 TSP	4
B20	N/A	Hess Creek Path	New pedestrian/bicycle pathway along Hess Creek can serve recreational and school bicyclists and pedestrians.	2005 TSP	3
B21	S23	Rogers Landing Rd Bike Lanes	From 1st to Rogers Landing	2005 TSP	4
B22	N/A	New Willamette River Pedestrian-Bicycle Bridge	Extended from Rogers Landing Drive across to Champoeg Park. This new connection would link the Newberg bicycle-pedestrian system with that of Champoeg Park and Marion County	2005 TSP	3
B23	N/A	Wilsonville Rd Bike Lanes	East of Daybread Drive	2005 TSP	4
B24	E18	OR219 Bike Lanes	From Wyooski St to 1st St	2005 TSP	4
B25	E16	Springbrook Road Bike Lanes	South of OR 99W on west side and north of OR 99W between Haworth and Middlebrook	New	4

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B26	S35	Fernwood Dr Bike Lanes	From Springbrook to Brutcher St	2005 TSP	4
B27	N/A	Hancock St Bike Lanes	West of Springbrook	2005 TSP	4
B28	S32	Elliot Road Bike Lanes	From OR 99W to Newberg HS	2005 TSP	4
B29	N/A	Vittoria Way Bike Lanes	From Springbrook to OR 99W	2005 TSP	4
B30	N/A	Aspen Way Bike Lanes	From Mountainview Dr to Springbrook	2005 TSP	4
B31	N/A	Benjamin Rd Bike Lanes	From the railroad to UGB	2005 TSP	4
B32	S31	Springbrook Rd Bike Lanes	From UGB to Bell Road	2005 TSP	5
B33	N/A	Wynooski St Bike Lanes	From Willamette St to OR219	Bypass EIS, 2005 TSP	4

### Transit Projects

Project #	Project Name	Project Description	Source	Evaluation Score
T01	Bus Stop Improvements	Amenities and improved pedestrian crossings at bus stops along 99W	New	3
T02	Route 5 and 7 Expansion	Expand routes 5 and 7 to new urban growth areas	New	3

### Bypass Projects

Project #	Project Name	Project Description
BY1	Wilsonville Rd Reroute	Wilsonville Road is to be rerouted to the north to cross the Bypass (without an interchange) and to intersect with Springbrook Street.
BY2	Springbrook/Fernwood Traffic Signal	New traffic signal at Springbrook Rd and Fernwood Rd
BY3	Benjamin Loop	Concurrent with the construction of the new Ore 99W interchange with the NDTIP Bypass, Benjamin Road to be closed at Ore 99W
BY4	New East-West Bypass Connection	Construct new east-west connection from the eastern terminus of Hayes Street, northeasterly and across the NDTIP Bypass to Corral Creek Road
BY5	Ore 219 Street Closures	The existing street connections of Wilsonville Road, Wynooski and Springbrook Street to Ore 219 are to be eliminated
BY6	NDTIP Bypass Roadway Crossings	to have eight grade separated crossings of the new NDTIP Bypass: Blaine Street, College Street, River Street, Wynooski Street, Ore 219 (grade-separated interchange), Wilsonville Road, Fernwood Street, Proposed East-West Street
BY7	RIRO at OR219/2nd	RIRO at OR 219/2nd to limit through traffic, improve intersection safety
BY8	Newberg-Dundee Bypass Bike Path	New bicycle facility to be developed in conjunction with the Newberg Dundee Bypass

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BY9	OR99W/Springbrook Rd	Construct second westbound left turn lane and second southbound receiving lane on Springbrook Road extending 300 feet from Oregon 99W
BY10	Springbrook Rd/OR219	Construct second westbound left turn lane, second southbound through lane, and second northbound through lane.
BY11	Oregon 219/Wynooski Rd	Construct eastbound right turn lane
BY12	Oregon 219/Wilsonville Rd Phase 1 intersection	Construct westbound left, through, and right turn lanes. Construct dual southbound right turn lanes to access Phase 1 and dual westbound left turn lanes to exit Phase 1 onto Oregon 219
BY13	Wilsonville Rd	Extend Wilsonville Road west to connect to Oregon 219/Bypass intersection. Create cul-de-sac section of Wilsonville Road between new extension and Springbrook Road
BY14	14th St Realignment	Preserve access to properties on 14th Street when bypass is built
BY15	Wynooski St Realignment	Realignment due to bypass



**CITY COUNCIL AGENDA  
FEBRUARY 17, 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. CITY MANAGER'S REPORT**

Pages 1-9

**V. PUBLIC COMMENTS**

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

**VI. CONSENT CALENDAR**

1. Approve Minutes from January 20 and February 2, 2015

Pages 10-16

2. Accept December 2014 Financial Report

Pages 17-27

**VII. NEW BUSINESS**

1. Request for Council Action to direct staff to pursue inclusion of the  
"Concept B: Road Diet" option as the preferred option for downtown  
in the Transportation System Plan update.

Pages 28-35

2. Ordinance No. 2015-2779, An Ordinance establishing a unified, single  
permit for use of the Cultural District Festival Streets within the City,  
replacing separate permits required elsewhere in the Newberg Municipal Code.

Pages 36-40

3. Request for Council Action to direct staff to prepare a resolution creating  
a process and criteria to allow waivers to the standard enterprise zone  
requirements consistent with ORS 285C and additional city conditions.

Pages 41-42

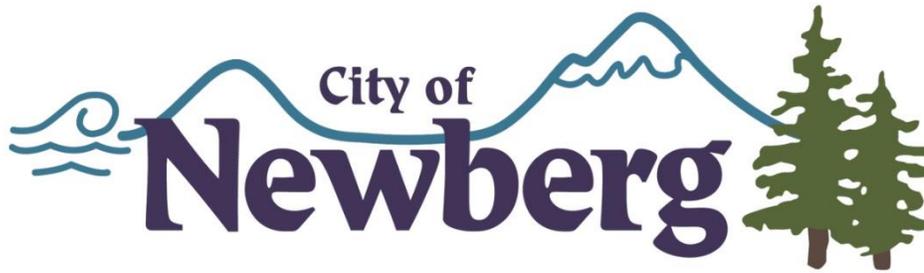
**VIII. COUNCIL BUSINESS**

**IX. ADJOURNMENT**

*ACCOMMODATION OF PHYSICAL IMPAIRMENTS: In order to accommodate persons with physical impairments, please notify the City Recorder's Office of any special physical or language accommodations you may need as far in advance of the meeting as possible and no later than 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.**

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



## CITY MANAGER REPORT

Activities update Between January 26<sup>th</sup> – February 8<sup>th</sup>, 2015 (which is the cut- off date for the packet)

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1. For the last couple of weeks, Finance Director (FD) Matt Zook and I kicked off 2015-2016 budget discussions. Currently we are asking Department Heads to project year-end expenditures so we can align these with the City's ending fund balance once we have finalized the audit. The next step will be to have Department Heads submit 2015-2016 funding requests so FD Zook and I will review, compute and prepare a draft budget for the committee in April. I want to emphasize that until we know what our 2014-15 ending fund balance is, and what the year-end expenditures are projected to be, it is difficult to hypothesize how much of our reserves we are actually utilizing in the current budget. The City's reserve policy will be reviewed through the budget process and any recommended policy changes will be forwarded to Council.

I'd like to also acknowledge all of the hard work that FD Zook has done since his arrival in improving efficiencies and reporting in Finance. He was tasked with completing the audit, preparing the budget, financial statements, and addressing issues with the utility billing process immediately upon his arrival. This is a great deal of responsibility for a new department head, and he is addressing it expeditiously. In the short time that he has been here, Mr. Zook has demonstrated that he is an integral part of the management team. He has a fantastic work ethic and sense of humor. He is a good match for Newberg.

2. Before I was hired, Mayor Andrews represented the City on the Downtown Coalition Board. He has allowed me to get settled for the past seven months before transferring the representation to me. The last week of January I attended my first meeting. The timing was optimal as it allowed me the opportunity to discuss the 2<sup>nd</sup> Street Parking Lot proposed with the Board. I received consensus that they would support minimal maintenance on the lot until the Downtown Revitalization Plan is completed by the consultant. They agree that it does not

make sense to spend money on a maintenance overlay (that would most likely need to be removed once a permanent solution is funded) or to do a complete reconstruction until a vision is done on the downtown. They do support the garbage dumpster concept and also showed me preliminary renderings of how some businesses would improve the backsides of their buildings/businesses.

The Board is not concerned with City employees parking in the lot as they recognize that it is a public lot and when posed the question as to whether or not they would help fund the maintenance or reconstruction from any of the options that were presented to Council (local improvement district, business improvement district, parking permits, etc.) the answer was “they don’t know.” They would have to conduct a survey to temper that. The Board also acknowledged that they believe there is adequate parking in the downtown area, it is just that people won’t park and walk more than a block. Creating a vibrant, walkable downtown will help make existing parking more attractive.

I met with Public Works Director (PWD) Jay Harris and City Engineer (CE) Kaaren Hofmann to follow-up with the Council comments from the January 20<sup>th</sup> work session and my meeting with Downtown Coalition Board. I believe we have come to a consensus on what the immediate next steps should be and we will present the information and timeline in my March 2<sup>nd</sup> City Manager Report. It will also include a couple of options staff is considering in regards to providing alternate parking for City employees.

3. I attended the Mayor’s Cabinet meeting. Providence Newberg Medical Center (PNMC) Administrator Lori Von Zanten discussed future plans for the hospital. All of this is very preliminary and they are collecting data to analyze what the future needs are in regards to medical offices and outpatient services. Once they have the market assessment they will put a design team together and work with their headquarters office in Washington with funding options and priorities. It could be as early as 2017 that they begin a project on the east side of Providence Street. Because of the likelihood that the Gramor Development will be underway by then (if not completed) and with the City updating the Transportation System Plan, it would behoove the City to provide representation on the PNMC design team. Ms. Van Zanten was very receptive to this and she will be coordinating participation with CE Hofmann in the near future.
4. Attended City Club and Greeters. Our City Attorney (CA) appears to have a fortunate streak going as he has won raffle prizes (under \$50) for the past two weeks. Maybe it is all those extra hours he’s working and not having an office that is giving him good karma...I haven’t figured out what I am doing wrong.

In regards to our office situation, we solicited bids and are waiting to sign contracts. We also had to wait until it rained again to make sure the holes in the roof have all been patched as we continue to have leaks in my office. There is no question that the roof will be to be replaced in the next fiscal year. For now if you visit my temporary office you will see that CA Stone and I have posted our own prediction for completion. We are a month apart and let's just say that I hope his guess is correct.

At the end of my report is a picture (Exhibit A) of contractors doing a City Hall remodel in 1999. I believe it is Mark Schultz and Rob Fuller. Anyway, if you look closely to what they are pointing to on our white board, you might get a chuckle. Guess maybe they knew something we didn't...

5. On Saturday, January 31, 2015 I did a ride along with Police Officer Paul Rapet. Officer Rapet is very active when on shift and enjoys making sure there is a police presence in the community when his is not on a call. He also is genuine with "selling his tickets" so that people understand why they are getting cited and turns it into a teachable moment. I enjoyed our conversations and it gives me an opportunity to get out into the neighborhoods that I normally do not frequent. We are fortunate to have him as part of our police department and I appreciate the time he afforded me.
  
6. Mayor Andrews, CA Stone and I attended the annual awards presentation by the Mid-Willamette Valley Council of Governments (MWVCOG) in Salem. Mayor Andrews is on the Board and all of you should have received a copy of their 2014 Annual Report that we brought back for you. The MWVCOG provides essential services to cities. In 2014 they facilitated a Council goal setting session for Newberg and handled the City Manager recruitment process. Currently they are providing planning services for our Affordable Housing Commission and will also be providing planning tech assistance once or twice a week to help staff with customer contacts at the counter.

Interesting to note: The Mayor, CA Stone, and I rode together to the event in the City's new hybrid car. Later in the week CA Stone and I were having a casual conversation regarding successions in positions of power. He shared an article from 1947 on Governor Earl Snell's fatal plane crash in Klamath Falls. Not only was Governor Snell killed, but so was Secretary of State Robert Farrell, State Senator Marshall Cornett and pilot Cliff Hogue. All were in line to succeed should something happen...well except for the pilot.

This tragic accident led the state to adopt a policy to protect the line of succession by prohibiting Oregon's top elected officials from traveling together in the same plane. I guess this got me to wonder whether the Mayor, City Attorney and City Manager should be riding in a hybrid car together...I guess Council President would take over...

7. CA Stone, Police Chief Casey and I met with Jan Floren, Rick Lipinski, Crystal Case, and Crista Eberle to finalize discussion on the Animal Shelter Agreement. I believe both parties have come to an agreement and CA Stone has sent a final draft to Ms. Floren for review. There was initial language in the draft agreement where the City encouraged the Board to work with Yamhill County for leasing kennel space. However when the County sent out requests for proposals to contract for dog control facilities, the Animal Shelter received the proposal package the day the proposals were due. When they contacted the County for an extension they were not granted one.

After receiving the qualification requirements; however, an extension may have been a moot point because without having a shelter manager the Board cannot provide the level of service the County is requesting. Because they cannot commit to leasing space to anyone without knowing their requirements and are able to meet those requirements we removed that language from the agreement.

We did find out that Yamhill County issued a notice of intent to enter into negotiations with and award a contract for Dog Control Services to Pets Stop Inn located at 2818 NE Rivergate Street in McMinnville. The amount of the contract is \$84,000, which is an unfortunate missed opportunity for the Animal Shelter. I believe it is important that you understand all the variables as to why the County partnership is no longer being pursued. As a final comment, the Board reported that the health of the operation is good and they have great volunteers and community support. The final agreement will come to Council on the consent agenda March 2<sup>nd</sup>.

8. I met with Rob Daykin, City Administrator for Dundee. We have established monthly meetings alternating City Halls to discuss projects of common interest. The current police services contract with Dundee expires June 30, 2015. It has an automatic renewal clause for an additional five years beginning July 1, 2015, unless either party notifies the other party of their intent not to renew or has a desire to renegotiate the agreement. The desire to renegotiate must be made nine months prior to the expiration of the agreement (which would have been September 30, 2014).

Police Chief Casey had conversations with Mr. Daykin several months ago in regards to services provided and costs for those services. The City of Dundee is very satisfied with the policing services and there is an annual escalator clause for COLA increases based on CPI for police services and an annual 5% increase for dispatch services. Therefore, it was the consensus of Chief Casey, Mr. Daykin, and myself that we allow for an automatic five-year renewal. Chief Casey also should be commended for creating and maintaining a very good relationship with the Dundee City Administrator and their elected officials.

9. I attended the Chehalem Valley Chamber Board meeting. The Government Affairs Committee made a recommendation to the Board to change their position on the Waste Management landfill expansion application from supportive to neutral. The change stems from the committee obtaining information that it could both harm/benefit businesses. The full Board was not asked to take a vote on the recommendation at this time.

For those interested in attending the Chamber's Annual Awards Banquet, please mark your calendar for Friday, March 20<sup>th</sup>, 6:00 pm at the Cultural Center. More information to follow.

10. CA Stone and I had a lunch meeting with George Fox University's (GFU) President Robin Baker. We decided to eat on campus and it was nice to see how engaged Mr. Baker is with his faculty and students. He provided a brief tour and history and we were able to convey to him that the City wants to be a good partner with their future projects. Their enrollment is increasing as is their campus. It is important that the City understand its overall Master Plan so that we can proactively get them information on the land use process so they have a manageable timeline for their projects.

Speaking of projects, GFU has arranged a pre-application with Planning/Building on February 18<sup>th</sup>. They are going to construct a new dining hall building on the east side of the creek, behind the old hospital building. It will be a 30,000 sq. ft. dining hall that will replace the existing Klages Dining Hall that is located in the center of campus. The architects' goal is to create simple and dynamic light filled spaces that will celebrate the community of GFU, support students in their collaborative education and social lives and connect them to the natural environment of Hess Creek Canyon.

11. The Washington County Consolidated Communication Agency (WCCCA) applied for a grant to support the planned upgrade of the WCCA Motorola 800 MHz regional radio system. As you recall, Chief Casey talked about this unfunded mandate for a new radio system at our Department Head/Council Retreat and there are some major financial implications forthcoming to the City. The grant they are seeking is to partially fund microwave multiplexers that are failing at an unexpected rate on Bald and Parrot Mountain. The City wants to be supportive of any funding WCCCA applies for on this project so we provided a letter of support. A copy is attached as "Exhibit B."

12. I'd like to thank Support Services/911 Coordinator Mary Newell for proposing and submitting an application for the 2015 Homeland Security Grant Program. The City is applying for \$167,550 towards the radio project. Specifically we are requesting funds for 27 Motorola APX 7000 Dual Band portable radios, which is approximately one half of the total 55 radios to be purchased. If we are awarded the grant, the general fund will fund the 50% balance plus the cost of programming. Currently, police and fire budgets have been placing funds in a reserve account annually to help offset the inevitable cost.

It is extremely important that we enhance existing interoperable radio communications between the City of Newberg Police, Fire, EMS responders and Yamhill County agencies. The City could not apply for the funds directly as our application had to be vetted through Yamhill County's Emergency Management department. We will keep you posted on the outcome.

13. The Planning Department received a design review application to construct a new commercial retail center called Old Mill Marketplace on the corner of Highway 99W and Elliott Road. The development includes three multi-tenant buildings with 18,860 sq. ft. of multi-use retail and professional office space. The applicant/owner is Stuart Brown and the City is seeking written comments. For more information, visit the City's website under the Planning Department page.

14. I job shadowed with Dan Wilson, the City's Water Treatment Plant/WTS Senior Operator in the Public Works Department. It happened to be on a day where there were heavy rains, which caused turbidity of the water coming from the Snider and Skeleton springs. Boil notices needed to be delivered to the spring customers receiving water from these sources so Dan and I hung door hangers.

This is not anything new for the spring users but for me it was an excellent way to get out and actually see who the springs' customers are. What amazed me is there are some that are on springs and the next door neighbor is on a well. It provided

the reassurance that I needed that the City is definitely headed in the right direction with divestiture. Dan has all the institutional knowledge on who is and isn't on springs because he has been with the City for 30+ years, however, he did say that there is a notebook that has all of the homes matched up with the appropriate spring so that anyone could do notices. I believe I was challenged to grab the notebook and see if I could find the homes...I will have to consider that.

Dan also took me to the City's well field and I climbed up to the pump station for Well #8 (and I don't like heights.) It was very beneficial for me to see where Well #9 will probably be located, which is the one that Council just authorized us to move forward on. So often administration signs contracts with big dollar amounts that for me it is gratifying to physically see where the money is being spent. This is why I enjoy local government so much.

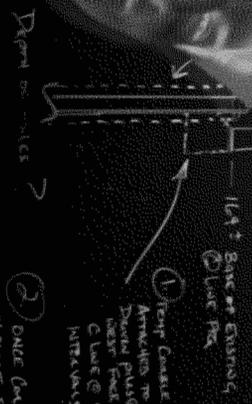
Dan has a fantastic spirit about him and affection for what he does. He was born and raised in Newberg and has been part of its evolution. I learned a lot from him and look forward to the next time I can get out with Public Works. Not knowing if I really want to admit this or not... Dan gave me history on the filbert industry during our time hanging door hangar notices and had to tell me that filberts and hazelnuts are the same thing...oh well, welcome to Newberg Jacque.

Respectfully submitted by,

Jacque M. Betz  
City Manager

Rosakamp Ethics

PLAN C



1) Temp Contact Arranged to meet with Client Face of Client @ P.D. INTERVIEWS

2) ONCE CONTACT IN PLACE EXTRACT 80 @ LIVE EXOR EXTRACT wait 1 FRP

PLAN D (Free Penetration)

TEAR THE BANDS DOWN & SMART OVER

PLAN A NEEDLE BEARS



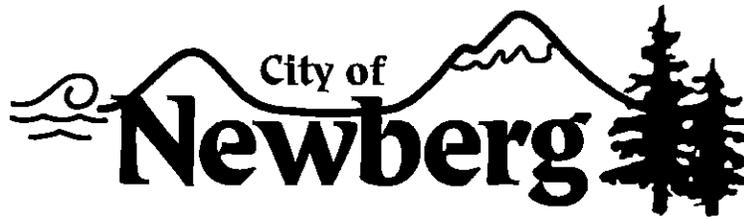
PLAN B

The Virus



City Manager  
(503) 537-1201

City Attorney  
(503) 537-1206



414 East First St.  
PO Box 970  
Newberg, OR 97132

February 4, 2015

Dear SHSP Grant Review Committee:

On behalf of the City of Newberg, I strongly encourage the SHSP Grant Review Committee to consider the Washington County Consolidated Communications Agency (WCCCA) grant application to support the planned upgrade of the WCCCA Motorola 800 MHz regional radio system.

The City of Newberg joined the WCCCA/C800 user community in 2010, when the City of Newberg contracted with WCCCA for radio services. We support this project as it is critical to the continued stability and reliability of radio communications for the cities of Newberg and Dundee police, fire and EMS emergency service providers.

As a primary 9-1-1 Public Safety Answering Point (PSAP), Newberg-Dundee 9-1-1 answers all 9-1-1 calls for east Yamhill County. A dependable radio system is vital to the health and safety of our east Yamhill county citizens, as well as the emergency first responders.

The interoperability provided through the WCCCA radio system allows Newberg and Dundee to communicate with Washington and Clackamas County agencies, and into the Portland and Vancouver metropolitan area. It is important to maintain this radio interoperability in the event of a major incident, as well as support our day-to-day mutual aid activities.

I respectfully request that these necessary and planned microwave upgrades to enhance the WCCCA Motorola 800 MHz regional radio system be seriously considered for SHSP funding.

Sincerely,

A handwritten signature in black ink that reads "Jacquie M. Betz". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jacquie M. Betz  
City Manager

# *REQUEST FOR COUNCIL ACTION*

**DATE ACTION REQUESTED: February 17, 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 January 20 and February 5, 2015.

**NEWBERG CITY COUNCIL MINUTES**  
**JANUARY 20, 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, Councilor Tony Rourke, Councilor Stephen McKinney, Councilor Denise Bacon, Councilor Lesley Woodruff, Councilor Mike Corey and Councilor Scott Essin. Also present were City Manager Jacque Betz, City Recorder Sue Ryan, City Attorney Truman Stone, Public Works Director Jay Harris, Senior Engineer Jason Wuertz, City Engineer Kaaren Hofmann, and Finance Director Matt Zook.

City Manager Jacque Betz introduced new Finance Director Matt Zook. Public Works Director Jay Harris introduced new City Engineer Kaaren Hofmann.

Senior Engineer Jason Wuertz gave a presentation on the Merchants Parking Lot project (Exhibit A). He gave a history of the project, discussed the conceptual design process, cost estimate, funding options, and next steps. The parking lot is located between College and Howard streets on 2<sup>nd</sup> Street. The current condition of the pavement and layout is extremely poor. A neighborhood meeting was held on the concept design. He explained the elements of the proposed design for a new parking lot on the site. There was potential to close the alley on College and Howard streets for safety, underground utilities, and extend the same frontage treatment on 2<sup>nd</sup> in down to Howard and around the corner. The new design would reduce the parking from 92 to 72 spaces. The project cost estimate for full reconstruction and reconfiguration was \$675,000. To do pavement maintenance and restripe the current configuration, it would cost \$224,500. He discussed the funding options and sources for the project.

Councilor Woodruff asked if a parking count had been done and the impact of the reduction of parking spaces. She also asked about the parking lot being dedicated to the merchants. SE Wuertz said the feedback staff received was there was not enough parking and there was concern about the reduction. He would have to research the dedication. There was discussion on the formation of a Local Improvement District (LID) to pay for the work. Councilor Corey was concerned about losing the parking spaces and if City employees used the parking lot. He thought the parking should be used for downtown customers rather than staff. He also asked if the funds were available now or was it something that would have to be put in the budget. SE Wuertz said employees were using the parking lot. The project would have to go through the budgeting process.

There was discussion on the cleaning up the backs of the buildings near the parking lot, parking lots the City owned, funding, design, options to increase the number of parking spaces, and requirements of the Planning Department. There was discussion on use of a nearby church parking lot and whether to take action now or wait for the redevelopment of downtown.

Dr. Randy Morgan, Newberg Family Dental, spoke about being a part of the design process as his business abutted the parking lot and as a member of the Downtown Coalition Board. The Board saw this as an opportunity to make the parking lot a facility that improved the overall quality of downtown, which provided centralized parking. He said a downtown parking plan should be created. The property owners also wanted to see this happen as well as the merchants because they all saw this as improving their businesses. He thought downtown had plenty of parking; the challenge was using it correctly. They needed to do something with the parking lot in the short term.

There was a discussion on how an Urban Renewal District would work, if there should be a study of who was using the parking lot and how long they were using it, and looking into the LID concept with the City contributing to the LID.

CM Betz asked about consensus on next steps for the parking lot. Did the Council want to do maintenance repairs or a full reconfiguration? There was consensus to discuss this item further under Council Business.

**CALL MEETING TO ORDER**

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

## ROLL CALL

Members Present: Mayor Bob Andrews Denise Bacon Mike Corey  
Scott Essin Stephen McKinney Lesley Woodruff  
Tony Rourke

Staff Present: Jacque Betz, City Manager Truman Stone, City Attorney  
Sue Ryan, City Recorder

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was performed.

**CITY MANAGER'S REPORT:** Ms. Jacque Betz, City Manager, said the City was co-hosting the Local Government Dinner in February.

**PUBLIC COMMENTS:** Dave Adams, KLYC Radio, gave an update on the radio station. He said starting on Thursday they would be putting in a \$35,000 upgrade to the tower project to expand night time coverage. Their goals was to have an emergency response plan and increase local news.

## CONSENT CALENDAR:

**MOTION: Bacon/Corey** moved to approve the January 5, 2015 City Council meeting minutes, the November Financial Report, and Resolution No. 2015-3175, A resolution to authorize the City Manager to enter into a professional services agreement with Murray, Smith & Associates, Inc., to design the City's Well No. 9 Project in the amount of \$99,940. Motion carried (7 Yes/0 No).

## OLD BUSINESS:

**Resolution No. 2015-3176:** Associate Planner Jessica Pelz said this proposal had been tabled in November. She explained new conditions including a reporting requirement and an environmental condition. The applicant amended the initial application to include an additional 1.4 million dollar project for emissions control. The new estimated total for the project was \$12.52 million dollars, which would include 20 new employees. They were requesting a five-year abatement. The applicant did agree to propose a stormwater runoff project that would reduce pollutants to the Willamette River. The applicant was willing to submit an annual report on their progress in meeting the conditions of the resolution. She also noted a typographical error in the resolution. Staff recommended Council adopt the resolution as amended.

David Walsh, SP Fiber, said manufacturing had been on the site since the 1890s. They used to only make newsprint, but the amount of people reading newspapers was going down. The company changed products to packaging papers and the Enterprise Zone would help the conversion. They would be hiring back employees that had been laid off and they were good family wage jobs. There was discussion regarding the environmental impacts of the project and the improvements the applicant proposed.

**MOTION: Rourke/McKinney** moved to approve Resolution No. 2015-3176, A Resolution authorizing Jessica Pelz, the Newberg Enterprise Zone Manager, to sign an agreement between the City of Newberg and SP Fiber Technologies for a five-year Newberg Enterprise Zone property tax exemption as amended for a typographical error. Motion carried (7 Yes/0 No).

## NEW BUSINESS:

**Resolution No. 2015-3178:** CA Stone said in 2008 the City adopted a licensing model in the Code for utilities using the public right-of-way. Most utilities paid a percentage of their gross revenues earned within the City as a privilege tax. For utilities passing through the City they would pay a licensing fee privilege tax on a per foot basis with the amount set by resolution. There was a utility in this situation and the fee had not been set yet. He discussed the survey from the League of Oregon Cities that had been done in 2012 for comparison of the fee. Staff recommended \$3 per foot as the fee.

Councilor Essin asked if it would increase the amount of money the City would receive from PGE ? CA Stone said it would not apply to PGE because they serviced customers in the City. The one utility that would be affected was Astound/Wave Broadband. The income to the City would be \$26,364 in 2015. Wave had approached the City for a right-

of-way permit, installed the lines in the fall, and had expected to pay the fee. He had sent them a copy of the resolution but had not received any comments.

**MOTION: Corey/Rourke** moved to approve Resolution No. 2015-3178, A Resolution adopting a utility license application fee, a utility transmission line fee of \$3 (per foot fee), pursuant to Newberg Municipal Code § 12.05.370 (B), effective January 20, 2015. Motion carried (7 Yes/0 No).

PGE franchise agreement discussion: CA Stone said the historical model was for municipalities to grant franchises to utilities. That model worked if there was only one company, but now there was a lot more competition. The modern trend was to abandon the franchise model and adopt a licensing model that would treat all utilities equally and save staff time in renegotiating contracts. The Council adopted this model in 2008. Staff met with PGE last August to hear their request for a franchise, had analyzed it, and brought it before Council.

Wendy Veliz, PGE communications director, said they were involved in 2008 when the ordinance changing the model was adopted. PGE preferred a franchise agreement as it was a mutually agreed upon document for a set period of time, providing consistency and stability for customers. All of the surrounding cities still had franchises with PGE and they had been renewed in the last four to five years. She proposed a franchise agreement that complimented the City's right-of-way ordinance. PGE was not trying to impact the City's revenue, and the way they calculated gross revenue was consistent with the City's ordinance. Sheryl Kelsh, Chehalem Valley Chamber of Commerce, provided comments in support of PGE.

Councilor Rourke asked how the licensing model affected PGE negatively and how the franchise would help them. PGE staff attorney Barbara Halle gave examples of how not all the provisions in a right-of-way ordinance fit the electric utility model. They would have to get a waiver every time a project did not fit the provisions. Councilor Essin asked what the precise financial impact on the revenues the City received would be.

Ms. Halle thought there would be no impact as the definition of gross revenue was how they were currently operating. Ms. Veliz stated most cities had a franchise with PGE. The cities that did not have agreements were Sandy, Sherwood, Portland, and Gresham.

CA Stone clarified that franchise agreements could be entered into but that the ordinance the Council drafted was a public interest test. He agreed with PGE on the difficulty of getting waivers for every project. They were asking to enter into a contract that mirrored what was already in the ordinance and he questioned the necessity of a franchise. The City still had franchises that had not yet expired, and PGE was the first one that expired after the new code adoption. He was asking for feedback from Council on direction to take. He preferred the City have the flexibility to address concerns as they came up, and not be locked into a long term agreement.

CM Betz agreed with CA Stone. This was about policy that was set and she was cautioned elected officials not to adopt something because everyone else was doing it. They had to do what was best for the public interest in Newberg. She thought they could come to an agreement outside of a franchise. There was discussion on the difference between franchising and licensing agreements and how the choice of either model would affect the City's needs. CA Stone said the status of NW Natural Gas was they entered into an agreement with the City in 1996 for a term of 20 years. It would expire in February of 2016. If they had code provisions, but changed them for different utilities, he thought it would water down the code. If the Code was not working, then it would be incumbent on the Council to fix the Code.

Mayor Andrews asked if PGE could accept the approach of applying the ordinance, but making reasonable exceptions to it instead of doing a franchise agreement. Ms. Veliz said the challenge was getting the exception today, but the political environment could change and the exceptions could go away. The franchise agreement would clarify issues and concerns for operations especially in the gray areas specific to an electric utility. She thought the right-of-way ordinance came about to get telecommunications issues resolved and to get everyone up to par as far as revenue. Ms. Halle said it made sense to have provisions that addressed their particular operational requirements. She explained how they defined gross revenue as required by the PUC and how it was different from the broad definition in the right-of-way ordinance.

There was further discussion regarding the definition of gross revenue. The meeting was recessed for five minutes. Mayor Andrews asked how a franchise would be in the public's best interest. Ms. Veliz explained how a franchise would benefit PGE's customers, the citizens of this community, in consistency and certainty of service and operations. Councilor Bacon

thought a franchise agreement would better meet the needs for PGE, the City, and citizens. Councilor Rourke thought either way it would be a lot of work, to negotiate a franchise or an ordinance with many exceptions. He thought if they went with the ordinance, it would be like having a franchise agreement for a one-year term. Councilor Essin said they were trying to make it easier and streamline processes, and using an ordinance might cause confusion and make things longer to work out in the field.

Councilor Corey thought they should use a licensing agreement. They could handle the special requirements through a variance. Councilor Woodruff was in favor of the franchise agreement. Mayor Andrews said the past Council who made the decision about the licensing agreement recognized the validity of a franchise agreement, or they would not have included the language allowing a franchise. He was in support of a franchise.

**MOTION: Bacon/McKinney** moved to direct staff to negotiate a franchise agreement with PGE. Motion carried (6 Yes/1 No [Corey]).

**COUNCIL BUSINESS:**

Councilor Bacon complimented Sheryl Kelsh of the Chehalem Valley Chamber of Commerce for the first Truffle Festival with 600-800 in attendance.

The Council discussed the next steps for the Merchants Parking Lot that was presented earlier in the evening. They discussed whether to proceed with a maintenance project only or the full reconstruction and recon-figuration of the parking lot, funding it completely with existing funds or if portions of the project should be funded by an alternative source. There was further discussion regarding the timing of the project and starting the process for creating a Downtown Revitalization Plan and Transportation Growth Management Plan.

CM Betz would find out the lifespan of the maintenance, what would have to be redone when it was reconstructed, and how long they could wait before something was done to the parking lot. Council felt more questions needed to be answered before a decision was made.

**ADJOURNMENT:** The meeting adjourned at 10:02 p.m.

**ADOPTED** by the Newberg City Council this 17<sup>th</sup> day of February, 2015.

\_\_\_\_\_  
Sue Ryan, City Recorder

**ATTESTED** by the Mayor this \_\_\_\_\_ day of February, 2015.

\_\_\_\_\_  
Bob Andrews, Mayor

**NEWBERG CITY COUNCIL MINUTES  
FEBRUARY 2, 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, Councilor Tony Rourke, Councilor Denise Bacon, Councilor Lesley Woodruff, Councilor Mike Corey and Councilor Scott Essin. Councilor McKinney entered at 6:10 p.m. Also present were City Manager Jacque Betz, City Recorder Sue Ryan and City Attorney Truman Stone, Associate Planner Jessica Pelz and Interim Building and Planning Director Steve Olson.

AP Pelz introduced the 2015 Design Stars participants. This was an annual City program for 6<sup>th</sup> graders at Mountain View Middle School. Many schoolchildren presented development proposals for a site on Springbrook and a small downtown site. The ideas included a sports mall, whole foods grocery store, downtown arcade, four elements theme park, and family care center.

Tess Fields, Rebecca Ruark, and Jay Burris of Comcast presented on Comcast's programs. Ms. Fields talked about the company's history and services. She said Comcast was the largest provider of cable entertainment and communications products and services in Oregon and southwest Washington. She provided statistics for Newberg and Dundee. Mr. Burris discussed Comcast's fiber optics infrastructure and how it worked to provide service to their customers. Ms. Ruark reviewed Comcast's video products and new operating system.

**CALL MEETING TO ORDER**

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

**ROLL CALL**

Members Present:	Mayor Bob Andrews	Denise Bacon	Mike Corey
	Scott Essin	Stephen McKinney	Lesley Woodruff
	Tony Rourke		

Staff Present:	Jacque Betz, City Manager	Truman Stone, City Attorney
	Sue Ryan, City Recorder	

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was performed.

**CITY MANAGER'S REPORT:** City Manager Jacque Betz said there was nothing further to report than what was in the Council packet.

**CONSENT CALENDAR:**

**MOTION: Bacon/Corey** moved to accept the Consent Calendar, including the 2015 Budget Calendar for the City of Newberg (7 Yes/0 No).

**NEW BUSINESS:**

Resolution No. 2015-3177: Interim Building and Planning Director Steve Olson said the request was to initiate a Code amendment regarding medical marijuana dispensaries. This would be approval to start the process and the code amendment would go to the Planning Commission in March and Council in April. He reviewed State law on medical marijuana dispensaries (MMDs), the current moratorium until May 1, 2015 and the City's zoning. The proposal was to clarify that dispensaries would be allowed in commercial zones but not industrial. MMDs would not be allowed in neighborhood commercial zones and a 1,000 foot buffer would be placed around schools and parks. He showed a map of the proposed buffer areas and the areas available for dispensaries.

CM Betz said there would be a more professional map made for the public hearings. She met with the Downtown Coalition Board and they were in support that dispensaries not be allowed in downtown.

City Attorney Truman Stone explained the difference between types of day care facilities, especially those that might be located in a commercial zone. There could be a rationale for buffering those types of facilities as well.

There was discussion on having buffering for those facilities and if it would apply to preschools or daycare facilities for children. IBPD Olson said staff focused on elementary schools through high school. They had not mapped the churches with daycare facilities or preschools but could bring back a series of maps showing the effects of adding buffers around different types of uses.

Doug Heuer, Newberg resident, said preschools and day care centers were not on the list in HB 3460 because legislators didn't think those children would go down to a dispensary and try to buy medical marijuana.

Lathen Gorbett, Oregon Business Council, said he was a consultant for people in the cannabis business. He said elementary and secondary schools were in the buffer map as a political means to pass the bill but did not think buffers gave protection. He did not think there would be changes in traffic incidences, underage use, and crime at the facilities. He said no consumption was allowed on the premises of the MMDs. He thought the regulations should include well lit areas with good drive by, available parking spaces, and on an arterial road. Many of his clients interested in recreational marijuana were looking to come to Newberg. He thought the MMDs rules were strict and it would be secure.

There was discussion on the limited amount of area for these facilities and how it would be first come, first serve. Councilor Bacon clarified if the Council did nothing with the resolution, then the City would follow state law. Councilor Corey suggested identifying licensed day care facilities. CA Stone said any amendments to the resolution needed to be made as a separate motion. Councilor Essin did not think day cares needed to be added due to the ages of the children.

**MOTION: Rourke/Woodruff** moved to approve Resolution No. 2015-3177, A Resolution initiating an amendment to the Newberg Development Code adding Medical Marijuana Dispensaries as an allowed use in some commercial zoning districts, not allowing them in other zoning districts, and establishing 1,000 foot buffers around schools and parks where dispensaries would not be allowed. Motion carried (6 Yes/ 1 No [Bacon]).

**COUNCIL BUSINESS:** CM Betz had secured a facilitator for the Council Visioning Retreat. She asked if April 24 would work for the Council.

Councilor Rourke challenged the Council to waive their compensation for January – June 2015. Even though the amount was nominal, the action would serve as an example and symbol that the Council was working to turn the City around. There was discussion on waiving the compensation, the Council Rules, whether or not Council was in support of the gesture, especially since it was a small amount compared to the entire budget and there was a need for more citizens to get involved in City government. There was not consensus to waive Council compensation; however any individual Councilor could waive their own compensation if they chose to do so. CA Stone said the court dismissed the case filed against the city challenging the marijuana tax ordinance

**EXECUTIVE SESSION:** Executive session pursuant to ORS 192.660 (2) (e) relating to a real property transaction for Cal Portland property. The Council entered executive session at 8:17 p.m. The Council re-entered open session at 8:44 p.m.

**ADJOURNMENT:** The meeting adjourned at 8:45 p.m.

**ADOPTED** by the Newberg City Council this 17th day of February, 2015.

\_\_\_\_\_  
Sue Ryan, City Recorder

**ATTESTED** by the Mayor this \_\_\_\_\_ day of February, 2015.

\_\_\_\_\_  
Bob Andrews, Mayor

# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: February 17, 2015

Order \_\_\_      Ordinance \_\_\_      Resolution \_\_\_      Motion X      Information \_\_\_  
No.              No.                      No.

**SUBJECT: Accept Newberg Financial Report for  
December 2014**

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

## EXECUTIVE SUMMARY:

The Finance Department began including the City of Newberg Financial Reports in Council packets on December 1, 2014. Please see attached for the reports for the month of December 2014. Financial reports will be included in Council packets on the second meeting of the month. These are provided for your information and will be placed under Consent Agenda for acceptance.

## SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF DEC 2014	2014-15 YTD	Current YTD Compare to Budget 50%	2013-14 PRIOR YTD
<b>City Budget Totals</b>					
Total Beg Fund Balance	\$ 31,461,724		\$ 31,461,724	100%	31,493,673
Total Revenues	67,644,784	4,849,736	34,480,642	51%	31,279,413
Total Beg Fund Bal & Revenues	99,106,508	4,849,736	65,942,366		62,773,086
Total Expenses	72,044,999	7,394,149	29,369,420	41%	28,462,153
Total Contingencies / Reserves	27,061,509	-	-	0%	-
Total Exp & Contingen / Reserves	99,106,508	7,394,149	29,369,420	30%	28,462,153
Total Monthly Activity Net Gain / (Loss)		\$ (2,544,413)			
Total Ending Fund Balance			<u>\$ 36,572,946</u>		34,310,933

### City Services

#### General Fund

Beg Fund Balance	\$ 2,249,309		\$ 2,249,309	100%	2,835,743
<b>Revenues</b>					
General Government	100,000.00	-	15,155.00	15%	-
Municipal Court	31,815	1,232	13,416	42%	15,896
Police	1,152,361	80,251	549,959	48%	598,034
Fire	307,000	-	31,576	10%	21,165
Communications	55,994	-	28,308	51%	26,952
Library	142,712	2,369	61,529	43%	54,720
Planning	498,052	136,049	273,781	55%	124,203
Property Taxes	6,714,209	105,653	6,321,247	94%	5,987,512
Other Taxes	696,216	-	203,977	29%	187,608
Franchise Fees	1,508,097	-	79,637	5%	54,074
Intergovernmental	1,180,653	82,562	555,500	47%	526,622
Miscellaneous	2,500	10	1,499	60%	(45)
Interest	7,070	1,378	3,539	50%	4,061
Transfers	-	-	-	0%	-
Revenue Total	12,396,679	409,503	8,139,123	66%	7,600,802
<b>Expenses</b>					
General Government	543,314	23,942	187,659	35%	192,807
Municipal Court	364,698	27,400	162,067	44%	126,726
Police	5,682,181	530,089	2,750,504	48%	2,760,923
Fire	3,354,089	301,905	1,681,383	50%	1,642,619
Communications	1,041,640	102,514	549,553	53%	523,698
Library	1,182,802	83,653	622,118	53%	503,851
Planning	586,154	65,165	302,276	52%	322,470
Transfers	39,068	-	-	0%	-
Contingency	752,042	-	-	0%	-
Unappropriated Ending Balance	1,100,000	-	-	0%	-
Total Expenses	14,645,988	1,134,667	6,255,560	43%	6,073,094
Monthly Activity Net Gain / (Loss)		\$ (725,164)			
Ending Fund Balance			\$ 4,132,871		4,363,451

# SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF DEC 2014	2014-15 YTD	Current YTD Compare to Budget	2013-14 PRIOR YTD
				50%	
<u>Public Safety Fee</u>					
Beg Fund Balance	\$ 156,030		\$ 156,030	100%	196,153
Revenues	532,646	24,065	143,533	27%	143,617
Expenses	507,191	46,983	225,875	45%	169,585
Contingencies / Reserves	181,485	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (22,918)			
Ending Fund Balance			\$ 73,687		170,186
<u>EMS</u>					
Beg Fund Balance	\$ 510,066		\$ 510,066	100%	457,509
Revenues	1,609,000	125,580	980,161	61%	812,843
Expenses	1,829,741	143,681	941,285	51%	666,986
Contingencies / Reserves	289,325	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (18,101)			
Ending Fund Balance			\$ 548,941		603,366
<u>911 Emergency</u>					
Beg Fund Balance	\$ 57,640		\$ 57,640	100%	89,061
Revenues	196,250	2	50,896	26%	49,554
Expenses	223,409	23,728	114,338	51%	108,755
Contingencies / Reserves	30,481	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (23,726)			
Ending Fund Balance			\$ (5,802)		29,859
<u>Civil Forfeiture</u>					
Beg Fund Balance	\$ 45		\$ 45	100%	-
Revenues	5,000	165	3,582	72%	15,937
Expenses	5,045	-	-	0%	-
Contingencies / Reserves	-	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 165			
Ending Fund Balance			\$ 3,627		15,937
<u>Library Gift &amp; Memorial</u>					
Beg Fund Balance	\$ 30,062		\$ 30,062	100%	92,623
Revenues	139,100	2,469	22,711	16%	111,008
Expenses	135,500	8,715	31,348	23%	50,420
Contingencies / Reserves	33,662	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (6,247)			
Ending Fund Balance			\$ 21,425		153,212
<u>Building Inspection</u>					
Beg Fund Balance	\$ 296,733		\$ 296,733	100%	339,929
Revenues	384,750	108,374	324,404	84%	190,064
Expenses	427,956	35,111	206,564	48%	180,721
Contingencies / Reserves	253,527	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 73,263			
Ending Fund Balance			\$ 414,573		349,272

## SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF DEC 2014	2014-15 YTD	Current YTD Compare to Budget 50%	2013-14 PRIOR YTD
<u>Streets (Operating)</u>					
Beg Fund Balance	\$ 638,391		\$ 638,391	100%	689,103
Revenues	1,350,500	116,924	609,487	45%	576,487
Expenses	1,224,719	73,972	638,099	52%	739,812
Contingencies / Reserves	764,172	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 42,952			
Ending Fund Balance			\$ 609,779		525,778
<u>Water (Operating)</u>					
Beg Fund Balance	\$ 2,741,790		\$ 2,741,790	100%	4,783,887
Revenues	4,879,371	(56,414)	3,099,559	64%	2,868,781
Expenses	4,928,586	612,159	2,445,252	50%	4,476,586
Contingencies / Reserves	2,692,575	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (668,572)			
Ending Fund Balance			\$ 3,396,097		3,176,082
<u>Wastewater (Operating)</u>					
Beg Fund Balance	\$ 4,188,939		\$ 4,188,939	100%	7,576,184
Revenues	7,030,230	515,808	3,032,830	43%	3,323,953
Expenses	6,920,955	896,558	3,943,825	57%	7,366,885
Contingencies / Reserves	4,298,214	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (380,750)			
Ending Fund Balance			\$ 3,277,944		3,533,253
<u>Stormwater (Operating)</u>					
Beg Fund Balance	\$ 236,855		\$ 236,855	100%	1,004,730
Revenues	1,097,015	92,766	588,396	54%	477,478
Expenses	1,036,113	68,673	441,392	43%	1,248,291
Contingencies / Reserves	297,757	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 24,093			
Ending Fund Balance			\$ 383,859		233,917

## SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF DEC 2014	2014-15 YTD	Current YTD Compare to Budget 50%	2013-14 PRIOR YTD
<u>Administrative Support</u>					
Beg Fund Balance	\$ 740,869		\$ 740,869	100%	684,851
Revenues	3,627,586	302,327	1,821,346	50%	1,668,101
Expenses					
City Manager	287,592	19,081	133,831	47%	162,061
Human Resources	145,874	9,966	65,381	45%	75,727
City Recorder	150,860	7,329	60,266	40%	75,616
Emergency Management	-	-	-	0%	343
Finance	519,586	39,334	284,416	55%	267,951
Gen Office(Postage/Phones)	155,000	11,166	68,632	44%	66,558
Utility Billing	287,939	22,393	131,170	46%	103,092
Information Technology	882,357	51,554	323,499	37%	269,099
Legal	431,011	36,310	214,305	50%	181,822
Fleet Maintenance	168,423	12,952	76,258	45%	79,166
Facilities Repair/Replacement	343,990	27,685	180,255	52%	168,939
Insurance	295,000	40,442	242,717	82%	248,648
Transfers	500,000	-	500,000	100%	-
Contingencies / Reserves	200,823	-	-	0%	-
Total Expenses	4,368,455	278,214	2,280,729	52%	1,699,024
Monthly Activity Net Gain / (Loss)		\$ 24,113			
Ending Fund Balance			\$ 281,486		653,929

# SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF DEC 2014	2014-15 YTD	Current YTD	2013-14 PRIOR YTD
				Compare to Budget 50%	
<b>Capital Improvement Projects</b>					
<u>Streets CIP's</u>					
Beg Fund Balance	\$ 158,192		\$ 158,192	0%	109,838
Revenues	1,180,301	11,712	282,897	24%	514,224
Expenses	1,180,000	11,647	282,535	24%	931,782
Contingencies / Reserves	158,493	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 65			
Ending Fund Balance			\$ 158,554		(307,720)
<u>Water / Wastewater / Stormwater CIP's</u>					
Beg Fund Balance	\$ -		\$ -	0%	-
Revenues	4,705,000	1,047,177	3,841,683	82%	220,214
Expenses	4,705,000	1,047,177	1,864,667	40%	220,214
Contingencies / Reserves	-	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ -			
Ending Fund Balance			\$ 1,977,015		-
<u>Wastewater Financed CIP's</u>					
Beg Fund Balance	\$ -		\$ -	0%	-
Revenues	21,088,728	832,203	6,671,082	32%	1,172,764
Expenses	21,088,728	592,442	5,530,711	26%	1,367,616
Contingencies / Reserves	-	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 239,761			
Ending Fund Balance			\$ 1,140,371		(194,852)

# SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF DEC 2014	2014-15 YTD	Current YTD Compare to Budget	2013-14 PRIOR YTD
				50%	
<b>Street SDC</b>					
Beg Fund Balance	\$ 2,207,054		\$ 2,207,054	100%	2,534,551
Revenues	762,500	265,400	407,674	53%	78,236
Expenses	1,005,000	2,282	111,040	11%	15,107
Contingencies / Reserves	1,964,554	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 263,119			
Ending Fund Balance			\$ 2,503,688		2,597,680
<b>Water SDC</b>					
Beg Fund Balance	\$ 298,188		\$ 298,188	100%	468,918
Revenues	1,586,402	157,202	291,646	18%	394,803
Expenses	1,881,352	1,016,289	1,372,022	73%	849,593
Contingencies / Reserves	3,238	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (859,087)			
Ending Fund Balance			\$ (782,188)		14,128
<b>Wastewater SDC</b>					
Beg Fund Balance	\$ 3,219,421		\$ 3,219,421	100%	1,794,112
Revenues	691,800	762,946	941,847	136%	1,583,143
Expenses	1,679,779	363,971	408,334	24%	311,597
Contingencies / Reserves	2,231,442	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 398,975			
Ending Fund Balance			\$ 3,752,934		3,065,658
<b>Stormwater SDC</b>					
Beg Fund Balance	\$ 166,722		\$ 166,722	100%	351,007
Revenues	67,000	16,032	24,007	36%	16,192
Expenses	102,500	-	603	1%	96,633
Contingencies / Reserves	131,222	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 16,032			
Ending Fund Balance			\$ 190,126		270,566

# SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF DEC 2014	2014-15 YTD	Current YTD Compare to Budget 50%	2013-14 PRIOR YTD
<b>Debt</b>					
<u>Debt Service (General Op)</u>					
Beg Fund Balance	\$ 197,349		\$ 197,349	100%	195,259
Revenues	892,667	26,988	727,072	81%	707,476
Expenses	889,332	227,420	537,566	60%	527,948
Contingencies / Reserves	200,684	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (200,432)			
Ending Fund Balance			\$ 386,855		374,787
<u>City Hall</u>					
Beg Fund Balance	\$ 545,937		\$ 545,937	100%	576,115
Revenues	89,500	31,794	54,344	61%	20,859
Expenses	108,342	-	76,977	71%	71,863
Contingencies / Reserves	-	-	-	0%	-
Unappropriated Ending Balance	527,095	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 31,794			
Ending Fund Balance			\$ 523,304		525,111

# SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF DEC 2014	2014-15 YTD	Current YTD	2013-14 PRIOR YTD
				Compare to Budget 50%	
<b>Reserves</b>					
<u>Water Replacement Reserve</u>					
Beg Fund Balance	\$ 4,709,677		\$ 4,709,677	100%	2,961,007
Revenues	615,000	2,141	612,435	100%	2,305,888
Expenses	707,500	5,631	32,651	5%	72,330
Contingencies / Reserves	4,617,177	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (3,489)			
Ending Fund Balance			\$ 5,289,461		5,194,566
<u>Wastewater Replacement Reserve</u>					
Beg Fund Balance	\$ 5,510,301		\$ 5,510,301	100%	1,234,745
Revenues	1,015,000	3,295	1,015,453	100%	4,708,526
Expenses	1,468,500	788,415	1,178,186	80%	16,130
Contingencies / Reserves	5,056,801	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ (785,121)			
Ending Fund Balance			\$ 5,347,569		5,927,141
<u>Stormwater Replacement Reserve</u>					
Beg Fund Balance	\$ 811,500		\$ 811,500	100%	-
Revenues	52,500	344	51,876	99%	810,180
Expenses	217,500	-	-	0%	-
Contingencies / Reserves	646,500	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 344			
Ending Fund Balance			\$ 863,376		810,180

## SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF DEC 2014	2014-15 YTD	Current YTD Compare to Budget 50%	2013-14 PRIOR YTD
<u>Vehicle / Equipment Replacement</u>					
Beg Fund Balance	\$ 1,133,710		\$ 1,133,710	100%	1,658,968
Revenues	\$ 1,242,464	\$ 28,197	\$ 553,256	45%	732,297
Expenses					
General Government	-	-	-	0%	-
City Manager's Office	-	-	-	0%	-
Human Resources	-	-	-	0%	-
City Recorder/Clerk	-	-	-	0%	-
Finance	-	-	-	0%	-
Information Technology	384,172	-	164,397	43%	482,907
Legal	-	-	-	0%	-
Municipal Court	-	-	-	0%	-
Police	123,017	4,156	76,892	63%	61,032
Fire	543,111	-	-	0%	-
Communications	15,000	-	6,149	41%	-
Library	-	-	-	0%	-
Planning	11,548	52	11,137	96%	-
Building	-	-	-	0%	-
PW Administration	162,551	52	99,797	61%	493,181
Fleet Maintenance	12,500	23	254	0%	-
Facilities Repair/Replacement	75,000	-	-	0%	-
Contingencies / Reserves	1,049,275	-	-	0%	-
Total Expenses	2,376,174	4,284	358,627	15%	1,037,120
Monthly Activity Net Gain / (Loss)		\$ 23,913			
Ending Fund Balance			\$ 1,328,339		1,354,145
<u>Fire &amp; EMS Equip Fee</u>					
Beg Fund Balance	\$ 100,371		\$ 100,371	100%	174,453
Revenues	141,000	12,087	72,148	51%	113,197
Expenses	241,371	11,179	11,179	5%	44,426
Contingencies / Reserves	-	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 908			
Ending Fund Balance			\$ 161,341		243,224

## SUMMARY REPORT

FUNDS	2014-15 BUDGET	MONTH OF DEC 2014	2014-15 YTD	Current YTD Compare to Budget 50%	2013-14 PRIOR YTD
<b>Community Projects</b>					
<u>Cable TV Trust</u>					
Beg Fund Balance	\$ 26,895		\$ 26,895	100%	41,744
Revenues	150	17	92	61%	97
Expenses	15,000	-	-	0%	-
Contingencies / Reserves	12,045	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 17			
Ending Fund Balance			\$ 26,987		41,841
<u>Economic Development</u>					
Beg Fund Balance	\$ 529,678		\$ 529,678	100%	643,183
Revenues	266,645	10,633	117,101	44%	62,693
Expenses	514,429	952	80,053	16%	119,637
Contingencies / Reserves	281,894	-	-	0%	-
Monthly Activity Net Gain / (Loss)		\$ 9,681			
Ending Fund Balance			\$ 566,727		586,238

# REQUEST FOR COUNCIL ACTION

**DATE ACTION REQUESTED: February 17, 2015**

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

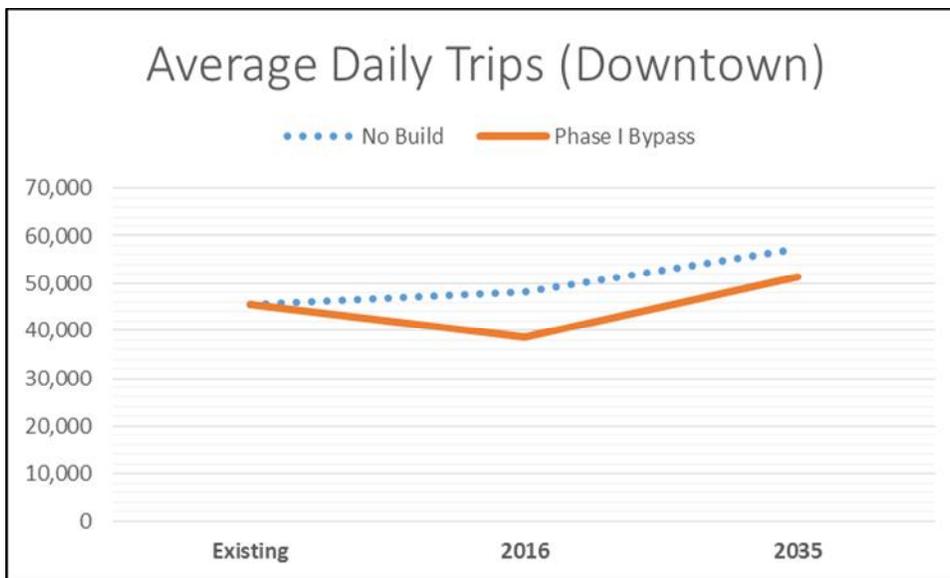
**SUBJECT: Guidance on a preferred transportation option for downtown for the TSP update**

**Contact Person (Preparer) for this Motion: Jessica Pelz**  
**Dept.: Community Development**  
**File No.: CPTA4-11-001**

**RECOMMENDATION:** Approve a motion directing staff to pursue inclusion of the “Concept B: Road Diet” option as the preferred option for downtown in the Transportation System Plan update.

**EXECUTIVE SUMMARY:** The city is currently working on an update to the Transportation System Plan (TSP), which is our 20-year plan for our transportation network. The TSP guides all things related to transportation in the city, including future capacity and non-capacity transportation network improvement projects for streets, intersections, bicycle and pedestrian networks, and transit. The TSP update is spurred in part by the impending completion of Phase 1 of the Newberg Dundee Bypass, and gives the city a good opportunity to see how Phase 1 will affect traffic through Newberg.

Part of the TSP update project includes using 20-year traffic forecasts to determine future traffic impacts throughout the network. The forecasts for our TSP update were done in coordination with ODOT (Oregon Department of Transportation), TPAU (the Oregon Transportation Planning Analysis Unit), and DKS Associates, our consultant on this project, and they incorporate the forecasting analysis done specifically for Phase 1 impacts. Our forecasts show an approximately 20% reduction in overall traffic through downtown Newberg after opening of Phase 1. Much of the reduction in traffic will be from heavy truck traffic, which is expected to drop by about 50%. As the chart below shows, there will be an immediate drop in traffic at opening of Phase 1, and then traffic will start to climb back up to today’s levels over the next 20 years.



With a reduction in traffic volumes comes the opportunity to make some changes to downtown Newberg to make it more pedestrian friendly by potentially incorporating wider sidewalks, curb bulb-outs, additional

sidewalk seating space, safer bicycle infrastructure, and more. The difficulty comes in balancing proposed changes with the reality of still relatively high traffic volumes and the knowledge that Phase 1 will eventually reach capacity, leading traffic volumes to return to and exceed today's levels in the downtown area. Attachment "1" includes details about the three potential options for downtown: No Change, Concept A: 2-Way Conversion, and Concept B: Road Diet.

The TSP project team recommends Concept B: Road Diet as the preferred option for downtown in the TSP update. It is the best option for downtown because it is the most flexible and cost effective:

- Most improvements required for the road diet could be relatively temporary in nature (i.e. restriping, parklets), allowing for a transition back to three travel lanes when and if necessary as demanded by congestion levels downtown.
- Forecasts show that a road diet is a reasonable option to allow for pedestrian and bicycle improvements while still retaining adequate mobility for vehicles through downtown.
- The road diet option could be phased in over time as a pilot project, compared to Concept A, which would require improvements to be built up front due to needing additional right-of-way and signal location changes.
- The road diet option would cost approximately \$3.5 million (compared with approximately \$8.5 million for Concept A) for installation, and then approximately \$1 million to eventually remove improvements if needed.

The TSP project is nearing the draft plan stage, which means that the project lists, funding assumptions, and details need to be focused and refined. The TSP team is asking for Council guidance on which downtown option to include as the preferred option in the TSP. This means that whichever option is chosen will be included in the draft TSP and then potentially in the city's capital projects list for future funding and construction (depending on priorities). The TSP project team recommends that City Council direct staff to include Concept B: Road Diet as the preferred option for downtown in the TSP update.

**FISCAL IMPACT:** Any changes to the downtown transportation infrastructure will require significant capital investment by the city. As detailed in Attachment "1", Concept A would cost approximately \$8.5 million for installation and Concept B would cost approximately \$3.5 million for installation, plus potential additional costs associated with future removal. The city would bear the brunt of these costs through a future capital project. Additional funding sources may be explored in the future through tax increment financing, fees, partnerships, or other undetermined sources.

**STRATEGIC ASSESSMENT (RELATE TO COUNCIL GOALS):** The TSP update, and associated downtown improvements, help the city meet City Council Goal #5: Maintain and modernize the City's transportation and utilities infrastructure. The potential downtown improvements help the city meet objectives 5.6 and 5.9:

- 5.6: Develop a plan for transportation within Newberg's downtown core post Newberg-Dundee Bypass.
- 5.9: Consider the safety and accessibility of pedestrians and all roadway users in the improvement of transportation infrastructure.

#### **ATTACHMENTS:**

1: Draft Memorandum, Downtown Traffic Concepts – Operations Summary, November 7, 2014

## DRAFT MEMORANDUM

**DATE:** November 7, 2014

**TO:** Newberg TSP Project Management Team

**FROM:** Garth Appanaitis, DKS Associates

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

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

### Summary

The information and analysis presented in the following sections addresses:

- **Future Context** - For the horizon year of 2035, only the initial “Phase 1” portion of the Bypass is currently funded (one lane each direction from Dundee to Oregon 219 and Springbrook Rd.)
- **Future Conditions** – While initially improved after opening, by 2035 with the existing couplet configuration and just Phase 1 of the Bypass, traffic flow through downtown will be slightly worse than it is today due to future growth in Newberg and increased activity in downtown for non-Newberg traffic.
- **Concept Capacity Reduction** - Both downtown concepts include removing a lane of traffic on both Hancock and 1st to include a total of two travel lanes in each direction (total of both streets) compared to the existing 3-lanes in each direction.
- **Concept Performance** - Either downtown concept will make traffic conditions through downtown significantly worse than the conditions that are expected with the existing configuration. The projected 2035 level of traffic congestion based on the existing configuration would be reached or exceeded much sooner with either of the alternative concepts (immediately exceeded with the Downtown Committee’s two-way concept and reached by 2018 with the City staff’s reduced couplet).

- **Limited Function & Life** – Due to degraded traffic conditions, both concepts would have short usable life. Removing a lane in each direction would cause traffic congestion to reach 2035 levels by approximately 2018. Converting the existing 3-lane couplet to two-lane, two-way traffic flow would result in levels of congestion that would immediately exceed 2035 congestion levels by a significant margin.
- **High Concept Cost** – While both concepts could make use of some existing infrastructure, there would still be significant costs associated with signal modifications, crossing treatments, drainage, and other factors that go beyond painting and striping the pavement. Preliminary project costs are estimated to be \$5 to \$10 million for each concept.

## General Assumptions

Two primary concepts for downtown Newberg circulation, post-bypass opening day, in addition to the “no change” option, have been suggested for Council consideration – one by the Downtown Committee (Concept A) and one by City staff (Concept B).

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

The following items reflect analysis for both options:

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

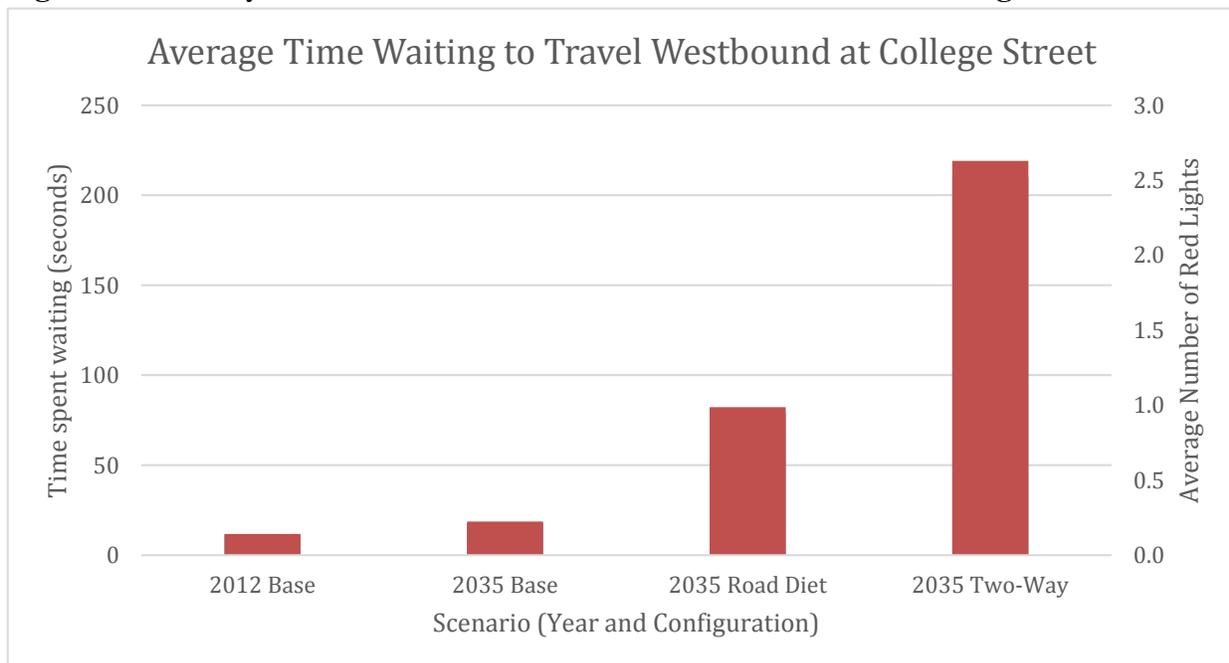
## Year 2035 Operational Summary

- With the existing roadway (couplet with 3-lanes on both Hancock and 1<sup>st</sup>), the two Hancock intersections (at College Street and at Main Street) would not meet ODOT mobility targets for operational performance (0.85 volume/capacity ratio<sup>1</sup>), but would operate at less than full roadway capacity in 2035. Both 1<sup>st</sup> Street intersections (at College Street and Main Street) would meet mobility targets and would also operate under capacity.

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

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

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



## Potential for Temporary Implementation

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

- Temporary implementation of Concept A (two-way option) would immediately result in traffic congestion within the downtown core that would be significantly worse than the existing conditions and the conditions expected in 2035 with Phase One of the bypass with the existing roadway configuration remaining unchanged. In addition, this option would not be a simple, low-cost endeavor, and the necessary infrastructure investments would be lost by converting back to the existing configuration.
  - Specific design elements and cost would depend on the actual configuration. However, elements and cost considerations would likely require items beyond paint striping, including: curb extensions, planters or other barriers to separate motor vehicle travel from the existing travel lane that would be removed, signal modifications for current locations (adjusting signal head locations and/or pole locations), new signal pole/arms for two way travel, and potentially right of way at either end of the couplet for two-way conversion.
- Temporary implementation of Concept B (road diet option) would result in the level of congestion expected with the current lane configuration in 2035 occurring by 2018. Full roadway capacity would be reached by approximately 2026.
  - While modifications and costs to implement Concept B would less than Concept A, significant investment would still be required for the short-term project. Fewer new signal poles (to account for two-way traffic flow) would be needed than in Concept A construction, however minor signal modifications, pedestrian crossing treatments, and planters or other physical separators would still contribute to project cost.
- Approximate planning level cost estimates<sup>2</sup>, including eventual project removal:
  - Concept A (2-way Conversion): \$8.5 Million installation (\$10.5 Million with removal)
  - Concept B (Road Diet): \$3.5 Million installation (\$4.5 Million with removal)

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

## Appendix A – Technical Operation Summary

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

**Volume-to-capacity (V/C) ratio:** A decimal representation (with 1.00 representing saturated condition) of the proportion of capacity that is being used at a turn movement, approach leg, or intersection. It is determined by dividing the peak hour traffic volume by the hourly capacity of a given intersection or movement. A lower ratio indicates smooth operations and minimal delays. As the ratio approaches 1.00, congestion increases and performance is reduced. If the ratio is greater than 1.00, the turn movement, approach leg, or intersection is oversaturated and usually results in excessive queues and long delays beyond a single peak hour. ODOT mobility targets for intersections along OR 99W are based on v/c ratios. The current ODOT Mobility Target for OR 99W in downtown Newberg is a V/C ratio of 0.85.

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

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

Intersection	Existing 2014 (No Bypass)	2035 Baseline (Phase 1 Bypass)*	2035 Concept B (Road Diet)		2035 Concept A (2-way Conversion)	
			No Additional Shift*	Shifted (Reduced Traffic)	No Additional Shift*	Shifted (Reduced Traffic)
Hancock/Main	0.70 B	0.88 C	1.06 E	0.93 C	1.87 F	1.86 F
Hancock/College	0.76 B	0.91 C	1.15 F	1.06 E	1.39 F	1.30 F
1 <sup>st</sup> /Main	0.57 B	0.68 B	0.82 B	0.63 B	0.99 C	0.88 C
1 <sup>st</sup> /College	0.58 B	0.63 B	0.77 B	0.62 B	0.86 B	0.80 B

Note: \* 2035 Baseline traffic conditions and “no additional shift” scenarios assume that some through traffic has shifted to the bypass. V/C ratios and LOS reflect PM Peak Hour Conditions.

# *REQUEST FOR COUNCIL ACTION*

**DATE ACTION REQUESTED: February 17, 2015**

<b>Order</b> ___	<b>Ordinance</b> <u>XX</u>	<b>Resolution</b> ___	<b>Motion</b> ___	<b>Information</b> ___
<b>No.</b>	<b>No. 2015-2779</b>	<b>No.</b>		

**SUBJECT: An ordinance to establish a unified, single permit for use of the Cultural District Festival Streets within the city, replacing separate permits required elsewhere in the Newberg Municipal Code.**

**Contact Person (Preparer) for this Motion: Leah Griffith & Truman Stone**  
**Dept.: Library & Legal**  
**File No.:**

**HEARING TYPE:**     **LEGISLATIVE**     **QUASI-JUDICIAL**     **NOT APPLICABLE**

**RECOMMENDATION:**    Adopt Ordinance No. 2015-2779 designating Festival Street regulations and establishing Sheridan and Howard Streets within the Newberg Cultural District as Festival Streets.

**EXECUTIVE SUMMARY:**    The Festival Street Ordinance sets out a single procedure for street closure, music and sound amplification, dance, and temporary merchant permitting for the area designated as the Newberg Cultural Center Festival Streets. This summary begins with an overview of the current state of affairs and ends with the proposed change.

In 2013-14 Sheridan Street was redesigned to facilitate its use as both a roadway and a street closure, public festival area. This area was used successfully during 2014 for events such as the Farmers Market, Tunes on Tuesday, Camellia Festival, Tree Lighting and Public Works Day. Currently, each event utilizing the Newberg Cultural District streets requires the applicant to obtain signatures from the cultural center, the library, the Masonic Lodge, Wine Country Antiques and the resident at 215 School St. whose property is on Sheridan Street. This is very time consuming for the applicant and for those required to sign off on applications multiple times each year. These closures affect the same people each time.

Depending on the event, multiple city permits may be required. A summary of those permits follows. Additionally, county and state permits may also be required. Currently each time a street closure is requested within the City, the applicant completes a block party application form. This requires signatures from all affected property owners/managers. The application is then submitted to the Police Department who reviews it, then submitted to the Fire and Engineering Departments for review and approval. Once approval is received, the applicant is given approval.

For amplified music, a permit is currently required and is obtained from the Police Department or the City Council, depending on the type of event and the level of noise. No notice to area residents or facilities is required. For public dances, currently a dance license is required and is again obtained from the Police Department. No notice to area residents or facilities is required.

Currently, temporary merchants may or may not require a permit, depending upon a number of factors. For sales associated with events sponsored through the city council or city manager, an exemption is allowed. The Old Fashioned Festival, City auctions, Bike Fair, and Turkey Carnival are examples provided in NMC 5.15.100.C.

This ordinance streamlines the multiple permit processes into a single permit for an area designated as the Newberg Cultural District Festival streets. It requires the City Manager to designate a Festival Street

administrator who will create, review and issue the single permit for street closure, sound, dancing, and temporary merchants, in consultation with affected city departments.

This ordinance defines the Newberg Cultural District Festival streets as: East Sheridan Street between North School and North Blaine streets; and North Howard Street between East Hancock and East Sheridan streets. Events beyond this area will be subject to general code permit requirements.

Notification of the proposed closure and the nature of the event (music, hours of operation, etc.) will be given to residents or operators of facilities on the street(s) to be closed. Those affected will have the ability to appeal a proposed closure.

The permit administrator will also be responsible to notify Newberg departments of the application, specifically: the Police Department, Fire Department, Engineering Division, Planning (Community Development), Public Works-Maintenance, and City Manager's Office.

The ordinance authorized the city council to set permit fees by resolution. Applicants currently pay a rental fee to the Cultural District Executive Board. Staff is not recommending a permit fee at this time.

Use of or sales of alcohol, food vending or other activities would require appropriate permitting from OLCC, Health Department or other appropriate agencies. Festival Street designation does not alter those processes.

A permit under this system could be revoked by the City Manager in emergency circumstances.

**FISCAL IMPACT:** A single permit will reduce staff time of the Police, Fire and Engineering departments required to review, approve and respond to events within the Cultural Center Festival streets. A single permit will eliminate the requirement that the City Council approve certain sound permits, and will save both staff time as well as Council time.

**STRATEGIC ASSESSMENT (RELATE TO COUNCIL GOALS):** The Newberg Cultural District core area of Sheridan and Howard streets was rebuilt in 2013-14 to become a festival area for the community. The streamlining of the process to close the streets for events will allow the space to be used as designed and eliminate unneeded process for Festival Street closures. (Goal 7-Manage and operate the City government in an efficient and effective manner)



## ORDINANCE No. 2015-2779

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**AN ORDINANCE ESTABLISHING A UNIFIED, SINGLE PERMIT FOR USE OF THE CULTURAL DISTRICT FESTIVAL STREETS WITHIN THE CITY, REPLACING SEPARATE PERMITS REQUIRED ELSEWHERE IN THE NEWBERG MUNICIPAL CODE**

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### RECITALS:

1. The Newberg Cultural District is a partnership of the City of Newberg, the Chehalem Park and Recreation District, the Chehalem Cultural Center and the Newberg Public Library.
2. An Intergovernmental Agreement (IGA) between the City of Newberg and the Chehalem Park and Recreation District created the Newberg Cultural District in 2013. The IGA formally establishes an executive board made up of representatives from the City, CPRD, the Library, the Cultural Center and the neighborhood. The purpose of the Executive Board is to manage rental and use of outdoor spaces and activities of the Cultural District, as well as work with traffic and parking impacts for events within the Library and Cultural Center.
3. In 2013-14, Sheridan Street, between Blaine Street and School Street, was designed and constructed to serve both as a local street and a public event space. This space hosts both public and private events, as well as public festivals such as the *Tunes on Tuesday* summer concert series.
4. The IGA provides that a single application for reservations for the outdoor space be used, but acknowledges that a variety of permits may be required for outdoor events and uses.
5. It is the council's intent that the Sheridan Festival Street be frequently utilized for the benefit of the citizens of Newberg. In order to facilitate use of Sheridan Street, the city desires to create a simplified and unified permitting system.
6. Currently, an event in the Cultural District may require multiple city permits, in addition to county and state permits. For example, an event may need one permit to close the street, one for amplification of music, one for temporary merchants, one for dancing, and one for serving of alcohol.
7. Processing of multiple permits is an inefficient use of city human resources and an unnecessary burden on citizens.
8. This ordinance protects the public's health, safety and welfare.

### THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

**SECTION 1.** Title 12 Streets and Sidewalks hereby adds a new section 12.05.240, establishing a unified permit for the Cultural District festival street as follows:

12.05.240 Permit for use of the Cultural District Festival Street

It is the intention of the city to create a single, unified permit for use of the Newberg Cultural District Festival Street. Holders of the festival street permit shall not be required to obtain separate permits (block party, noise, parade/special event, or temporary merchant), notwithstanding the code provisions requiring such permits. This permit is in addition to any rental or use agreement between the applicant and the Cultural District Executive Board or designee. The festival street permit shall be issued according and subject to the following procedures:

- A. The Newberg Cultural District Festival Street is defined as the following area, and this area only: East Sheridan Street between North School and North Blaine streets; and North Howard Street between East Hancock and East Sheridan streets. Events beyond this area will be subject to general code permit requirements.
- B. The city manager shall designate a festival street permit administrator. The administrator will review applications, submitted on a form supplied by the city, and issue permits in conformance with code provisions. The administrator may condition such permit on evidence of compliance with federal, state, or municipal law. Decisions of the administrator shall be appealable to the City Manager, whose decisions shall be final.
- C. Festival street permit applications shall be made not less than 10 business days prior to the event and shall be accompanied by an application fee, should the City Council set such fee by resolution.
- D. Applications submitted less than 10 business days prior to the event shall be processed at the sole discretion of the administrator. If a late application is accepted and a permit issued, the applicant shall pay a late fee, should the City Council set such fee by resolution.
- E. The administrator shall ensure that notification of the closure and the nature of the event will be given to residents or operators of facilities on the street(s) to be closed and the following city of Newberg departments: Police Department, Fire Department, Engineering Division, Planning (Community Development), Public Works-Maintenance, and the City Manager's Office.
- F. Property owners immediately adjacent to the street to be closed may appeal the closure to the administrator, who shall consider the basis of appeal and render a decision. Such decision shall be in the sole discretion of the administrator.
- G. A permit issued under this section shall be equivalent to a permit issued under NMC 8.15.150.C.2, but all other applicable provisions of NMC 8.15.150 that are not in conflict with this ordinance, shall apply.
- H. A permit issued under this section shall be equivalent to a permit issued under NMC 2.15.470.C and the chief of police shall designate the festival street permit administrator to make street closures decisions for the festival street in conjunction with issuance of permits under this section.
- I. A permit issued under this section shall be equivalent to a license issued under NMC 5.25.010, but all other applicable provisions of NMC Chapter 5.25 that are not in conflict with this ordinance, shall apply.

- J. Temporary merchants operating in the Festival Street pursuant to a permitted event shall be considered exempt under NMC 5.15.100.C, but shall otherwise comply with NMC 5.15.
- K. All applicants for a permit under this section for an event serving food, alcohol, or both, shall obtain the required permits from the OLCC, Health Department, or other agency. Copies of such permits shall be provided to the administrator upon request. Failure to provide proof of such permits may be cause to revoke any permit granted under this section.
- L. A permit issued under this section may be revoked by the City Manager or designee in the case of an emergency or safety hazard.
- M. Nothing in this section affects the city's ability to protect the public against harmful acts or effects under remedies supplied in other sections of this code or other applicable provisions of law.

**SECTION 2.** Subsection 5 is added to Section 8.15.150.C to read as follows:

5. Permits for use of the Newberg Cultural District Festival Street are issued pursuant to NMC 12.05.240.

**SECTION 3.** Subsection D is added to Section 2.15.470 to read as follows:

D. Permits for closure of the Newberg Cultural District Festival Street are issued under NMC 12.05.240.

**SECTION 4.** Subsection D is added to Section 5.25.020 to read as follows:

D. Permits for use of the Newberg Cultural District Festival Street for a public dance are issued under NMC 12.05.240.

**SECTION 5.** Unless amended above, all remaining provisions of the NMC remain in full force and affect.

**SECTION 6.** Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: March 19, 2015

**ADOPTED** by the City Council of the City of Newberg, Oregon, this 17th day of February, 2016, by the following votes: **AYE:**    **NAY:**    **ABSENT:**    **ABSTAIN:**

\_\_\_\_\_  
Sue Ryan, City Recorder

**ATTEST** by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Bob Andrews, Mayor

# REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: February 17, 2015

Order \_\_\_      Ordinance \_\_\_      Resolution \_\_\_      Motion XX      Information \_\_\_  
No.              No.                      No.                                                                \_\_\_

**SUBJECT: Waivers to the standard enterprise zone requirements**

Contact Person (Preparer) for this  
Motion: Jessica Pelz, AICP  
Dept.: Community Development  
File No.: G-14-001

**RECOMMENDATION:** Approve a motion directing staff to prepare a resolution creating a process and criteria to allow waivers to the standard enterprise zone requirements consistent with ORS 285C and additional city conditions.

**EXECUTIVE SUMMARY:** Enterprise zones (EZ) are primarily governed by Oregon Revised Statute (ORS) 285C and Oregon Administrative Rules (OAR) 123-668 and 123-674. The rules and statutes spell out the provisions of standard EZ requirements:

For a three-year exemption:

- Increase full-time, permanent employment of the firm inside the enterprise zone by the greater of one new job or 10% (or less with special-case local sponsor waivers);
- Generally have no concurrent job losses outside the zone boundary inside Oregon;
- Maintain minimum employment level during the exemption period;
- Enter into a first-source agreement with local job training providers; and
- Satisfy any additional local conditions, which vary for each zone.

For an extended exemption (four or five years):

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

We have received an application from a qualified business in the EZ, asking for an exception to the standard employment requirements. The rules and statutes allow a local enterprise zone to grant an exception or waiver of the employment increase requirement in certain circumstances. Such a waiver must be adopted by resolution, and in the interest of transparency and consistency, the rules encourage it be applicable to other similar qualified businesses. Oregon statute allows an employment waiver under the following circumstances:

- The firm *either* completes an investment of \$25 million or more in qualified property *or* the firm fulfills the requirements of ORS 285C.205 and the employment of the firm does not decrease below the annual average employment of the firm. [ORS 285C.200(2)(b)(A) & (B), summarized]
- The firm demonstrates at least a 10% increase in productivity no later than 18 months following January 1 of the assessment year for which the exemption is claimed, and the firm maintains or exceeds the 10% increase in productivity as an annual average rate for each subsequent year of the exemption period. [ORS 285C.205, summarized]

In addition, the city has the authority to identify any other reasonable conditions for a waiver, as defined

by OAR 123-668-2300. In general, reasonable conditions are not arbitrary, are consistently applied to all qualified businesses unless businesses are differentiated based on definable characteristics, may entail economic costs, and may not require anything outside of normal business practices. Staff has outlined potential additional conditions the council could consider if they choose to move forward with allowing a waiver to the employment requirement. In addition to the statutory requirements of ORS 285C.200 and 285C.205, as summarized above, the following conditions could apply:

- Only one waiver per qualified firm would be granted per exemption period (whether 3-year or 5-year).
- A waiver will only be granted for a 3-year exemption period unless employment is increased by at least one employee per year during years 4 and 5 for an extended exemption period.
- The firm is required to coordinate with local schools and/or Worksource Oregon to continuously support an internship program at the firm.
- The firm would be required to help fund the Newberg School District STEM (Science, Technology, Engineering, Math) program by annually donating an amount earmarked to STEM that is equivalent to 10% of the tax savings associated with the property tax abatement.

There are several questions/issues for the council to consider in deciding whether to allow waivers or not, including:

- Whether granting a tax exemption for an investment not resulting in new jobs is a benefit to the city.
- Whether there should be a minimum investment threshold for a firm to qualify for a waiver.
- Whether additional criteria are important to ensure the city has an additional return on investment.

According to our contact at Business Oregon, a few enterprise zones are already permitting waivers, and quite a few are exploring whether to permit them or not. From a practical standpoint, a waiver could be an incentive to encourage or assist a business in staying local, and enhanced productivity is always a plus from the business side. The main consideration is whether the local area is also getting an adequate benefit from the tax exemption if jobs are not being created. The additional conditions suggested by staff are geared toward the local area still realizing a benefit in terms of workforce training for the future. Staff recommends adopting a resolution setting forth a process and criteria to allow employment waivers consistent with ORS 285C and additional city conditions.

**FISCAL IMPACT:** Property tax abatements do not reduce existing revenue. A resolution allowing a waiver to standard enterprise zone criteria would start allowing property tax abatements related to qualified investments without a corresponding increase in local jobs. However, employment must at least stay steady during the abatement period, so there would be no loss of local jobs associated with the waiver. The amount of taxes to be abated would be determined on a case by case basis in collaboration with the Yamhill County Assessor and based on the amount of approved investment by the firm.

**STRATEGIC ASSESSMENT (RELATE TO COUNCIL GOALS):** The proposed resolution would meet the council goal to “foster and encourage economic development in the community” by adding one more tool to the economic development toolbox to incentivize local business investment.