



ORDINANCE NO. 2016-2800

**AN ORDINANCE ESTABLISHING A PROCESS FOR THE COUNCIL TO
ADJUST AN EXISTING PUBLIC SAFETY FEE AND DECLARING AN
EMERGENCY**

RECITALS:

1. On May 18, 2009, the Council adopted Ordinance No. 2009-2714, establishing a process for enacting a public safety fee to finance police and fire services. That ordinance has been codified as Chapter 3.30 of the Newberg Municipal Code.
2. Since 2009, the City has enacted and levied two public safety fees. Order No. 2009-0021, enacted July 6, 2009, funded three police officer positions. Order No. 2014-0035, enacted October 20, 2014, funded two communication officer positions.
3. The public safety fee ordinance as enacted contains no process or procedure for adjustment of a public safety fee, once a fee is enacted.
4. Over time, the estimated amount needed to fund a police officer or communication officer position may prove to be insufficient to support the funded positions. Increases in the cost of insurance, wage scales under new collective bargaining agreements, and salary increases attributed to longevity and advancement may leave a funding gap.
5. This ordinance does not increase any existing public safety fee or create any new fee. The purpose is to establish a mechanism and criteria for the Council to adjust fee amounts should a determination that an increase or decrease is warranted.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

Section 1. Section 3.30.040, Adjustment of Existing Public Safety Fee, is added to Chapter 3.30 to read as follows:

3.30.040 Adjustment of Existing Public Safety Fee.

A. Purpose of Adjustment. The council recognizes that unanticipated increases in the cost of living, health care, pension obligations, renegotiation of collective bargaining agreements, and other circumstances may require the council to adjust a previously enacted PSF to provide the revenue needed support the resources to provide the services for which the PSF was enacted.

B. Amended Order. The Council may adjust an enacted PSF by an amended order. The amended order shall only address a change in the fee amount. The amended order may index future increases to the PSF to an objective criteria, including but not limited to a

CPI published by the U.S. Bureau of Labor Statistics.

C. Criteria. Any adjustment must be based upon the following criteria:

1. Identification of the financial circumstances that have changed since the original enactment of the PSF.
2. The amount of revenue needed to support the resources to provide the services identified in the PSF.
3. Any other criteria that should reasonably be considered that would be likely to assist in establishing an equitable adjustment to the PSF.
4. The report proposing the PSF adjustment will address the criteria to be considered.

D. Public Hearing. Prior to adjusting any enacted PSF, the Council shall hold a public hearing at which the city council may receive from the public advice, input and comment concerning the proposed adjustment. The testimony at the public hearing should be addressed to the criteria.

Section 2. All other provisions of Chapter 3.30 shall remain unchanged.

Section 3. In order to allow time for the council to consider a potential adjustment of one or more PSF during the Fiscal Year 16-17 Budget process, an emergency is declared to exist. To carry out the intention of this ordinance, this ordinance shall take effect on April 19, 2016.

➤ **EFFECTIVE DATE** of this ordinance is: April 19, 2016.

ADOPTED by the City Council of the City of Newberg, Oregon, this 18th day of April, 2016, by the following votes: **AYE: 7 NAY: 0 ABSENT: 0 ABSTAIN: 0**



Sue Ryan, City Recorder

ATTEST by the Mayor this 21st day of April, 2016.



Bob Andrews, Mayor