



City Council

June 17, 2024

Newberg Public Safety Building 401 E. Third Street

Denise Bacon Community Room

Hybrid Meeting

Hybrid: <https://us06web.zoom.us/j/89536547180>

Public Comment Registration: <https://bit.ly/nbgcomment>

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. COUNCIL BUSINESS

4.1. District 3 Vacancy

Page 3

4.2. Planning Commission as Ex-Officio Assignment

Page 32

A motion to appoint a City Council member to serve as the Ex-Officio of the Planning Commission.

5. CITY MANAGER'S REPORT

Page 34

Statistical data from April 2024.

6. PUBLIC COMMENTS

7. REPORTS AND PRESENTATIONS

7.1. Cultural District Update

Page 57

**7.2. Contract with Green Power Electrical Contractors, Inc. for the
WWTP Emergency PLC Replacement and Reprogramming Project**

Page 62

Resolution authorizing City Manager to enter into a construction contract with Green Power Electrical Contractors, Inc. for the WWTP Emergency PLC Replacement and Reprogramming Project in the amount of \$638,500.00

7.3. Waste Management rate increase proposal

Page 66

8. LEGISLATIVE HEARING

8.1. SDC Ordinance Update

Page 72

An Ordinance to Adopt Code Amendments to the System Development Charges Chapter of Newberg's Municipality Code.

9. CONTINUED BUSINESS

10. PUBLIC HEARING

10.1. Supplemental Budget #2

Page 98

Public hearing and approval of Supplemental Budget #2 for fiscal year 2023-2024 as described in Exhibit "A"

11. NEW BUSINESS

11.1. 2021 Newberg Rehabilitation Project

Page 119

A Resolution conducting a public hearing for the Newberg City Council to obtain citizens views about the 2021 Newberg Rehabilitation Project, to take comments about the local government's performance, and administratively close a Community Development Block Grant Project

12. ADJOURNMENT

ADA STATEMENT

Contact the City Recorder's Office for physical or language accommodations at least 2 business days before the meeting. Call (503) 537-1283 or email cityrecorder@newbergoregon.gov. For TTY services please dial 711.

REQUEST FOR COUNCIL ACTION



Date Action Requested: June 17, 2024

Order <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Information <input type="checkbox"/> Proclamation <input type="checkbox"/> No.	
Subject: Motion to Appoint Councilor to fill District 3 Vacancy.	Staff: Rachel Thomas Department: Administration
Business Session	Order On Agenda: Council Business
Hearing Type: N/A	

Is this item state mandated? Yes No

If yes, please cite the state house bill or order that necessitated this action:

Recommendation:

To appoint _____ to fill the District 3 seat on the Newberg City Council for a term ending December 31, 2024, and be sworn in at the July 3, 2024 City Council meeting.

Executive Summary:

Written interviews of candidates were scored earlier in the meeting to fill the vacancy in the District 3 City Council position. The council sets policy and direction for the City. It is critical for the city council to have a full complement of its membership in order to carry on the business of the City. The selecting the most qualified candidate to fulfill the District 3 vacant position is important to ensure the citizens within its boundaries are fairly represented.

Fiscal Impact: N/A

Report Approval Details

Document Title:	District 3 Vacancy Appointment.docx
Attachments:	District 3 Jacob Baker 2022-1128 application.pdf District 3 Jennifer Bean 2022-1212 application.pdf District 3 Glenn Cloyd 2022-1214 application.pdf District 3 Mike Griffiths 2024-0610 application.jpg District 3 Gabrielle Humlie 2022-1128 application.pdf Gabrielle Humlie Interview Questions .pdf District 3 Ryan McDermott 2022-1128 application.pdf District 3 John Moore 2022-1216 application.pdf District 3 Jeri Turgesen 2024-0609 application.pdf
Final Approval Date:	June 11, 2024

This document and all of its attachments were approved and signed as outlined below:
Will Worthey



Application for City Council Vacancies

APPLICANT INFORMATION

Name: _____

Address: _____

City/State: _____ Zip: _____

Phone: _____ Email: _____

Occupation/Profession: _____

Years living in Newberg: _____ Live in City limits? _____ Are you a registered voter? _____

How would you currently rate City's performance? _____

What ideas do you have for improving the City's performance? _____

Why are you interested in serving on the City Council? _____

What qualifications, skills, or experiences would you bring to the City Council? _____

What contributions do you feel you can make to the City Council? _____

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

Signature: _____ Date: _____

City Council • Email: cityrecorder@newbergoregon.gov • Phone: (503) 537-1283



Application for City Council Vacancies

FOR OFFICE USE ONLY:

Council District Reside In: _____

Registered Voter: Y _____ N _____ Since: _____

Utility Customer Y _____ N _____ Since: _____

Other: _____



APPLICANT INFORMATION

Name: Jennifer Bean

Address: 518 S. Columbia St. Newberg, OR 97132 **Phone:** (559) 213-1637

Email: Jennbean91@gmail.com

Occupation/Profession: Analyst/Corporate Purchasing

Years living in Newberg: 3 years **Live in City limits?** Yes **Are you a registered voter ?** Yes

How would you currently rate City's performance ? In my personal opinion I think the City's performance has been good, of course there is always room to make improvements. Newberg is a growing town. It is evident in the large number of new homes being built and the number of people moving here. I moved to Newberg just over 3 years ago due to the affordability in comparison to other suburban towns surrounding Portland. To continue to be a desirable place to live and a wine tourism destination, the city of Newberg will need to apply the additional property tax revenue to the social and economic programs that will draw more amazing future residents and new enterprise businesses here.

What ideas do you have for improving the City's performance ? I have many ideas for projects and programs that can improve Newberg and the surrounding communities. I like to give back to my community and be a part of making this city even better than it currently is, to not only better my own quality of life here but for others as well. I have been a MOD on the Newberg's NextDoor App for over 2 years (Nextdoor is a social platform for neighborhoods connecting residents to neighbors, local events, safety concerns, tips and more). Having been a MOD for Newberg Nextdoor I am privy to seeing the concerns of local residents in District 3 and beyond. I have seen several city wide concerns posted on the forum time and time again. Identifying a couple here; traffic safety in connection to increased travel on residential roads near new housing developments (Wynookski Road to name an outlying area) and concern for our houseless neighbors. As previously mentioned, I myself moved to Newberg due to its affordability in comparison to other towns in the Portland Metro Area, and have seen home prices and rent increase significantly over that time frame. I strongly believe that the city of Newberg is on the right track but can do more to create affordable housing and create not only jobs but a city where people will want to grow.

Why are you interested in serving on the City Council ? Since moving to Newberg in 2019 I have enjoyed volunteering my free time to the community. From 2019-2020 (when Covid hit) I volunteered at the Newberg Animal Shelter cleaning kennels and working with the animals. From 2021-current I am appointed ‘Secretary’ of the Citizens Rate Review Committee where members of the community listen to the city's proposal on future municipal water rates and make a recommendation to City Council. I support the economic development and urban growth expansion of the old mill, riverfront area and Downtown, which will directly impact the residents and commerce within District 3. I want to see the City of Newberg become the premier destination for small business owners, and young families.

What qualifications, skills, or experiences would you bring to the City Council ? I have a Bachelor's Degree in Business Management with a minor in Economics from Cal Poly Humboldt. I have spent the majority of my professional career in accounting and purchasing. I am currently in corporate purchasing responsible for budget management and purchasing activities grossing more than \$700 million dollars in spend across multiple production facilities in the US. I have previously held a position as an accounting analyst where I was responsible for analyzing fiscal data and multi state tax reporting. I believe my financial and business acumen will help the council review proposed fiscal year budgets and motions for city improvements.

What contributions do you feel you can make to the City Council ? With my extensive background in accounting, economics and business I feel I can contribute my financial knowledge and understanding to the council and public. I believe that every resident's thoughts, opinions and ideas should be heard and taken into consideration by decision makers. I understand our cities need for more affordable housing and substantial opportunity for growth. Residing in District 3 where the bulk of the current Urban Renewal and Economic Development plan is occurring, my connection to the local community on Nextdoor and in person will make me the ideal candidate to serve the City of Newberg on City Council.

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

Signature: Jennifer Bean Date: 12/12/2022 •City Council•

Email: cityrecorder@newbergoregon.gov • Phone: (503) 537-1283



FOR OFFICE USE ONLY:

Council District Reside In: _____

Registered Voter: Y _____ N _____ Since: _____

Utility Customer Y _____ N _____ Since: _____

Other: _____



Application for City Council Vacancies

APPLICANT INFORMATION

Name: Glenn Cloyd

Address: 1006 S College St

City/State: Newberg Oregon Zip: 97132

Phone: 503.750.7983

Email: glenn@nwdsd.com

Occupation/Profession: Maintenance Manager

Years living in Newberg: 45+

Live in City limits? 30+

Are you a registered voter ? Yes

How would you currently rate City's performance? I am very happy that Newberg has stabilized the city manager position, and with a person who is highly respected by the community. For criticism, I believe that the south side of Newberg does not get the attention needed on our infrastructure, especially street repairs. Especially now with the loss of councilor Denise Bacon.

What ideas do you have for improving the City's performance? I believe there are under-represented communities in Newberg whose voices are not heard. I have lived in the city of Newberg for over 50 years and specifically in south Newberg for over 30. I believe that working class neighborhoods do not have an equal voice. My wife and daughter are recent immigrants from southeast Asia, and we need to amplify voices who are not normally heard.

Why are you interested in serving on the City Council? I grew up in Newberg, I attended Newberg public schools, worked at the mill, and lived in Newberg for 50 years and lived in south Newberg for 30. This has been a great place to raise a family, but now working-class residents are finding it hard to live here, find housing, and a find a livable wage without travelling. I would like to be an advocate for affordable housing and family wage, local jobs.

What qualifications, skills, or experiences would you bring to the City Council? I worked at the Newberg Mill for 18 years, I was an active member of the AWPPW union (Association of Western Pulp & Paper Workers) and a union shop steward, Central Safety, EMT, High Angle, and Confined Space Rescue. I was trained and as an EMT at Newberg Fire and volunteered with Newberg Fire for many years. I know it takes a team to make any system work, I believe my skill set, experience, and perspective, would be an asset to the city council.

What contributions do you feel you can make to the City Council? I bring a diverse background, with a unique perspective. I believe that I will be able to listen to, and then communicate the issues and concerns that residents of District #3 have. I will be a strong advocate for our district and will communicate how our needs and desires fit into the long-range strategic plan for our community.

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

Signature: _____

Date: 12/14/2022

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Application for City Council Vacancies

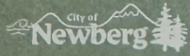
FOR OFFICE USE ONLY:

Council District Reside In: _____

Registered Voter: Y _____ N _____ Since: _____

Utility Customer Y _____ N _____ Since: _____

Other: _____



Application for City Council Vacancies

APPLICANT INFORMATION

Name: MICHAEL GRIFFITHS

Address: 412 S HOWARD ST

City/State: NEWBERG OR Zip: 97132

Phone: 503-941-8797 Email: BTMAGNET@gmail.com

Occupation/Profession: RESTAURANT OWNER & RN

Years living in Newberg: 6 Live in City limits? Y Are you a registered voter? Y

How would you currently rate City's performance? EXCELLENT. ESPECIALLY IN AREAS OF COMMUNICATION.

What ideas do you have for improving the City's performance? FINDING ADDITIONAL REVENUE SOURCES IS CHALLENGING BUT WORTHWHILE TO MAINTAIN & POSSIBLY INCREASE SERVICES.

Why are you interested in serving on the City Council? WANT TO BE PART OF SOLUTIONS. PUBLIC SERVICE.

What qualifications, skills, or experiences would you bring to the City Council? 14 YEARS CEO of \$250 M COMPANY. CURRENTLY SERVE ON PLANNING COMMISSION & NDC. MEMPHISVILLE AIRPORT COMMISSIONER VETERAN & LOCAL BUSINESS OWNER.

What contributions do you feel you can make to the City Council? DIVERSITY, EXECUTIVE EXPERIENCE, LOCAL BUSINESS BACKGROUND & PRIOR GOVERNMENT SERVICE EXPERIENCE.

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

Signature: Michael Griffiths Date: 6-10-24

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Application for City Council Vacancies

APPLICANT INFORMATION

Name: _____

Address: _____

City/State: _____ Zip: _____

Phone: _____ Email: _____

Occupation/Profession: _____

Years living in Newberg: _____ Live in City limits? _____ Are you a registered voter? _____

How would you currently rate City's performance? _____

What ideas do you have for improving the City's performance? _____

Why are you interested in serving on the City Council? _____

What qualifications, skills, or experiences would you bring to the City Council? _____

What contributions do you feel you can make to the City Council? _____

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

Signature: Gabrielle Humlie Date: _____

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Application for City Council Vacancies

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Utility Customer Y _____ N _____ Since: _____

Other: _____

Newberg City Council District 3 Vacancy - Written Interview Questions

Please complete the following questions and email to cityrecorder@newbergoregon.gov by 5pm on June 12th. Please limit your responses to 200 words per question.

1. What would you say is the largest pressing concern in Newberg?

Affordable housing. Newberg has done well trying to support creative housing solutions and decreasing barriers for housing, but the demand continues to exceed supply. We need to continue reducing barriers.

2. What is the duty of a city councilor?

Represent constituents, vote on laws/policies/ordinances that impact local issues and ensure state compliance, address community concerns and liaison with other agencies/administrators as necessary, and serve on committees and subcommittees as needed.

3. Why do you want to be a city councilor?

To help our community. I'm happy to help when opportunities arise, and this is the latest opportunity available to me. I have lived in Yamhill County for my entire life. When I reviewed my bandwidth for projects a few years ago once the post-partum fog cleared, I decided to make more of an effort to be involved locally because I really care about our community.

4. What do you see as the biggest opportunities and challenges facing our city in the coming years, and how do you plan to address them?

Opportunities: I see many local politicians willing to bridge differences to reach a common goal. My dad always says "it's impossible for two humble people not to get along". I find I respect the integrity of the individuals on our city council even if I don't always agree with the conclusion. Challenges: ongoing budget limitations always lead to difficult decisions around priorities that ultimately leaves a group of people disgruntled and unsatisfied. Election years are always a difficult year to navigate as tensions run high. This requires de-escalation communication techniques from leadership to provide stability.

5. What job or life experiences have you had that would make you an effective and qualified city councilor?

Lifetime resident of Yamhill County, 6 years in Newberg
I work part-time and enjoy using my time to help others.
Committees: Traffic Safety Commission (2024), Cancer Survivorship Committee WVMC (2021),
Joint Replacement Institute WVMC (2021)
Board Member Henderson House (County DV and SA advocacy and shelter)
Board Member SNACK (Student Nutrition and Activity Council for Kids)
Volunteer Experiences at Friends in Service to Humanity (FISH), Lutheran Community Services,
McMinnville Public Library, Jackson Street Youth Shelter, Salvation Army
Oregon State University: Undergraduate Student Council, Nutrition and Dietetics Club president

6. What problems / situations would you like to solve while serving on city council?

Continuing to reduce barriers for affordable housing in Newberg is vital. Supporting our downtown development as it blossoms in our post-COVID era. I would love to see greater emphasis placed on addressing childcare gaps to support the city's economic growth. Many parents I know are unable to join the workforce due to lack of childcare. I'm not sure the answer is at a city level, but it would be wonderful to explore options to move the needle.

7. What would you say is your greatest strength that would benefit the council?

I recognize right now there is much I don't know about being a city councilor, but I am openminded, learn quickly, and have a good attitude. I am someone who is able to step into another's perspective and consider multiple angles. At the end of the day, which perspective benefits the majority? Especially with land use concerns with affordable housing, people get attached to their vision of how it should be. I have seen both sides and can hold that tension when making decisions.

8. What could the city improve on that you could positively impact while serving on council?

I imagine that I would serve more of a supportive role for ongoing projects as the interim position is through December 2024. If I come in with an agenda to address something in a 6 month period, it could be more disruptive than energizing.



Application for City Council Vacancies

APPLICANT INFORMATION

Name: Ryan McDermott

Address: 1441 S Gia Ct.

City/State: Newberg, OR Zip: 97132

Phone: 773-558-7823 Email: ryan.a.mcdermott1@gmail.com

Occupation/Profession: Current student - BS Public Health Pre-Clinical Health Science (Pre-Physician Assistant)

Years living in Newberg: 1 Live in City limits? Yes Are you a registered voter? Yes

How would you currently rate City's performance? Objectively, the City of Newberg is currently performing at a fair level. I am pleased to see growth and development of affordable _____

housing and opportunities for new business, but there are significant deficiencies in other aspects including traffic safety, public education, and public grounds maintenance just to provide a few short examples.

What ideas do you have for improving the City's performance? At the City Council level I hope to promote constructive working relationships _____

with fellow councilors in order to efficiently and effectively serve the needs of our community as a whole. I will strongly support the needs of our schools so they may more effectively perform their duties and increase the educational performance of our children.

I will support investments into our aging infrastructure, improve ADA compliance, increase walkability and revitalization of our parks, review budgets to identify where there is excess/deficiencies in order to reallocate funds for the most pragmatic use.

Why are you interested in serving on the City Council? I firmly believe that crossing the aisle is paramount to creating positive change and partisan politics have no room at the table on the municipal level. _____

I have never been the kind of person to identify a problem and not attempt to fix it. Serving on the City Council would provide me the ability to collaborate with other community members and get to work on making our home a better and safer place for us all.

The City of Newberg has been home to many for generations, and for others it is the beginning of a new chapter in their lives. I support fostering a welcoming and diverse culture which is most reflective of our growing community's values.

What qualifications, skills, or experiences would you bring to the City Council? I have over six years of experience working in various capacities of the Federal Government. _____

I served as a US Navy Hospital Corpsman with 1st Marine Division for five years. In that time I worked in high pressure and high risk situations with people from all over the world. Following my honorable discharge I continued to serve our community at hospitals (CHSU & Portland Veteran's Affairs) and urgent cares during the peak of the SARS-CoV-2 pandemic.

I have served in volunteer fire and medical training to police agencies and civilians alike ensuring the most current information was taught. I will continue to serve in some capacity in any way that I can for the rest of my life. I am an effective communicator and value decision making based off data, logic and cooperative effort. I have an Associate of Science, will be graduating with a BS in Public Health Summer 23, and will continue on to pursue a Master's of Medicine as a Physician Assistant.

What contributions do you feel you can make to the City Council? I will contribute to the City Council by actively engaging with fellow council members and community members alike. _____

I understand that frequency and duration of meetings and will see that our time is used productively and in a way that is respectful to our City's needs and expectations.

I will be a fair representative of community members that the City already contains, as well as individuals and families who will be joining us in a very promising future.

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

Signature: Date: 11/28/2022

City Council • Email: cityrecorder@newbergoregon.gov • Phone: (503) 537-1283



Application for City Council Vacancies

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Council District Reside In: _____

Registered Voter: Y _____ N _____ Since: _____

Utility Customer Y _____ N _____ Since: _____

Other: _____

Newberg City Council Application Answers (Larger Font)

- 1) How would you currently rate City's performance?
 - a. Objectively, the City of Newberg is currently performing at a fair level. I am pleased to see growth and development of affordable housing as well as opportunities for new business, but there are significant deficiencies in other aspects including traffic safety, public education, and public grounds maintenance just to provide a few short examples.
- 2) What ideas do you have for improving the City's performance?
 - a. At the City Council level, I hope to promote constructive working relationships with fellow councilors in order to serve the needs of our community efficiently and effectively as a whole. I will strongly support the needs of our schools so they may more effectively perform their duties and increase the educational performance of our children. I will support investments into our aging infrastructure, improve ADA compliance, increase walkability and revitalization of our parks, review budgets to identify where there is excess/deficiencies in order to reallocate funds for the most pragmatic use.
- 3) Why are you interested in serving on the City Council?
 - a. I firmly believe that crossing the aisle is paramount to creating positive change and partisan politics have no room at the table on the municipal level. I have never been the kind of person to identify a problem and not attempt to fix it. Serving on the City Council would provide me the ability to collaborate with other community members and get to work on making our home a better and safer place for us all. The City of Newberg has been home to many for generations, and for others it is the beginning of a new chapter in their lives. I support fostering a welcoming and diverse culture which is most reflective of our growing community's values.
- 4) What qualifications, skills, or experience would you bring to the City Council?
 - a. I have over six years of experience working in various capacities of the Federal Government. I served as a US Navy Hospital Corpsman with 1st Marine Division for five years. In that time I worked in high pressure and high risk situations with people from all over the world. Following my honorable discharge, I continued to serve our community at hospitals (OHSU & Portland Veteran's Affairs) and urgent cares during the peak of the SARS-CoV-2 pandemic. I have served in volunteer fire and medical training to police agencies and civilians alike ensuring the most current information was taught. I will continue to serve in some capacity in any way that I can for the rest of my life. I am an effective communicator and value decision making based off data, logic, and cooperative effort. I have an Associate of Science, will be graduating with a BS in Public

Health Summer '23, and will continue on to pursue a Master of Medicine as a Physician Assistant.

- 5) What contributions do you feel you can make to the City Council?
- a. I will contribute to the City Council by actively engaging with fellow council members and community members alike. I understand that frequency and duration of meetings and will see that our time is used productively and in a way that is respectful to our city's needs and expectations. I will be a fair representative of community members that the city already contains, as well as individuals and families who will be joining us in a very promising future.

A handwritten signature in black ink, appearing to read 'Ryan McDermott', written over a horizontal line.

Ryan McDermott
11/28/2022



Application for City Council Vacancies

APPLICANT INFORMATION

Name: John Moore

Address: 1400 E 8th St

City/State: Newberg **Zip:** 97132

Phone: 360-471-0792 **Email:** johnmoore1980@me.com

Occupation/Profession: Engineer

Years living in Newberg: 3 years 7 months **Live in City limits?** Yes **Are you a registered voter?** Yes

How would you currently rate City's performance? I think the city has done an adequate job in the 3+ years I have lived here. I moved to the city shortly before covid and in my opinion the city staff did an admirable job navigating all of the challenges that went along with the pandemic. There are areas I would like to see improved, specifically road repairs, improving conditions for businesses, and continued work on improving affordable housing options. There is a distinct difference in the roads depending on where in Newberg you are. The city needs to do better on this and repairs need to leave roads in better condition and not worse.

What ideas do you have for improving the City's performance? We need to explore ways to encourage businesses to come to Newberg. We need to work towards making the city more business friendly while protecting revenue streams for the city. Businesses are looking to operate and expand into welcoming and inclusive places. Recent school board actions and the subsequent media coverage have made this city seem like that is not the case. We need to find ways to create more affordable housing options in the city. We need to focus on actual causes and not disingenuous arguments like saying that transitional housing is harmful to children. We need to understand that providing help doesn't encourage houseless people to come here from Portland. We have far too many housing insecure kids in our own town and these are the families that we need to help. Median home prices are too high for many families and the answer isn't \$500 thousand dollar townhomes crowded as tightly together as possible. Being in wine country means leads to a large number of investment properties used for short term rentals and the city needs to look at zoning to ensure housing prices can remain affordable. I believe that these are two of the biggest issues on the community member's minds in the near future and think we need clear headed, data driven decision making in order to improve the local community. I would like to see more events that



Application for City Council Vacancies

bring the community together like the Wednesday Market and the Old-Fashioned Festival. As our discourse becomes more and more divisive, I feel that events like these can remind us our shared interest in improving this town.

Why are you interested in serving on the City Council? I think it is important to have people serving on the council that are interested in ways to actually improve our town instead pursuing a harmful agenda built on nonsense like we have seen with the recent school board decisions. Having decision makers that have extreme agendas does not lead to desirable outcomes for the majority. We have seen an influx of extremism come in to our town recently, culminating in someone setting a flag on fire on someone's home. There are many different views on every topic impacting our community and it is important to have discussions on these topics but they must be rooted in facts. This is not a role that I would have been interested in until recently. I have seen first-hand the problems the school board has caused in my time here and feel that I can be a voice of reason and logic to help push the city forward in a way beneficial to everyone in the community and avoid similar devastating and short-sighted decisions.

What qualifications, skills, or experiences would you bring to the City Council? I am a navy veteran and have spent the past 12+ years since leaving the Navy doing engineering work in two different industries (nuclear/pharmaceutical). I spent the majority of that time in highly collaborative roles that required finding solutions between multiple interested groups that often held opposing views on the best solution. Having the ability to listen to differing views and deciding on the proper course of action is obviously very important as a city councilor. I spent most of the past 8 years working as a project manager in the pharmaceutical industry. This role included a wide variety of skills directly applicable to a city councilor. It is important to understand budgeting, staffing, adherence to schedules, and maintaining clear and open communications between involved parties. I would also point to my experience in troubleshooting equipment and systems as a relevant skill for a member of the city council. A city councilor needs to be able to understand a wide variety of topics, gather information on the negative and positive effects of those decisions, and then balance the risks and rewards in order to reach a decision. My background has allowed me to develop the ability to understand difficult topics and make informed decisions on the best course of action.



Application for City Council Vacancies

What contributions do you feel you can make to the City Council? I feel that I can listen to and incorporate information from various viewpoints and make decision grounded in evidence. I am willing to have the hard discussions and make the hard decision that are required in a role this important.

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

Signature:  Date: 16 DEC 2022

City Council • Email: cityrecorder@newbergoregon.gov • Phone: (503) 537-1283

FOR OFFICE USE ONLY:

Council District Reside In: 3

Registered Voter: Y N Since: 2019

Utility Customer Y N Since: _____

Other: _____



Application for City Council Vacancies

APPLICANT INFORMATION

Name: _____

Address: _____

City/State: _____ Zip: _____

Phone: _____ Email: _____

Occupation/Profession: _____

Years living in Newberg: _____ Live in City limits? _____ Are you a registered voter? _____

How would you currently rate City's performance? _____


What ideas do you have for improving the City's performance? _____

Why are you interested in serving on the City Council? _____

What qualifications, skills, or experiences would you bring to the City Council? _____

What contributions do you feel you can make to the City Council? _____

I have sufficient time to devote to this responsibility and will attend the required meetings if appointed.

Signature:  _____ Date: _____

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Utility Customer Y _____ N _____ Since: _____

Other: _____

How would you currently rate City's performance

The City of Newberg currently has strong performance. As a long-term Newberg resident, I have greatly appreciated changes and updates the city has made, particularly in the areas of communication. The changes in provision and accessibility of information, response to questions, and accessibility of information are noticeable. The 2023/2024 goals identified by City Council are clear objectives that are tangibly connected to improving the livability, viability, and long-term success of the Newberg community and I have appreciated the work of our city's leadership to center those goals in decisions made and work completed.

What ideas do you have for improving the City's performance?

Many of my areas of interest and focus directly align with those values and directives currently expressed by City Council. While our city has made significant shifts and changes in communication, transparency, and is striving to support economic and infrastructure development, there is still lots of work to do. Newberg, like many of our surrounding communities, continues to feel the significant impact of COVID and disastrous consequences of Measure 110, impacting both addiction and housing related concerns. There are lots of opportunities to ensure that Newberg continues to be a community that is safe, open, and welcoming for everyone.

As a member of city council, I am hopeful to support ongoing work in addressing aspects of community safety, including addressing issues of homelessness and access to supportive services and job placement for our community's houseless population. I hope the city will continue its proactive approach of holding community partners accountable and carefully scrutinizing how resources are utilized and allocated in addressing these complex issues. These are complex challenges requiring both compassion and firm considerations for safety and wellness of the community. Simultaneously supporting law enforcement and community policing initiatives can help to further increase our community's sense of safety, cultivate positive relationships, and proactively address identified community needs.

I have high value in the work that is being done to enhance public service and hope to support the work that our city manager is doing through enhanced operationalizing of our city's needs through the use of technology, services, and provision of information that are easily accessible for our community. Supporting infrastructure development and attracting businesses to our city are also essential for long-term viability. Communication of the incredible work that is happening is also essential. Unfortunately, a significant portion of our broader community is not fully aware of the city government, the work that is happening, and the efforts that are being made to serve and improve Newberg. Without broad, effective communication, we risk both missing dissemination of important information and we risk missing and not hearing from a substantial proportion of the constituents, their voices and their identified needs.

Why are you interested in serving on the City Council?

Growing up in Yamhill County, I frequently spent time in Newberg attending the Old-Fashioned Festival, participating in various work-related events for my parents, and later getting my first 'official' job here in town. We officially became part of the community when my husband and I moved to Newberg in 2009, while I attended George Fox University. We have considered Newberg our home and have lived here continuously since then (with the exception

of 2-year required training placement from 2011-2013). We returned to Newberg as quickly as possible in 2013 and have lived here since that time. Both my children were born in Newberg, attend Newberg schools, and my family is actively engaged and committed to serving and supporting this community in a variety of capacities.

My desire to join the Newberg City Council stems from my deep-rooted commitment to this community, and desire for a long-term vision of success for the city of Newberg. I am excited by the thought of having the opportunity to represent my neighborhood, foster civic engagement, and cultivate relationships throughout the city with our local government, community-based organizations, civic groups, and stakeholders to support developing a sense of community and engagement. I have a genuine interest and passion for public service. Having the opportunity to serve Newberg and work towards making a positive impact in my community through growth and development would be an incredible honor.

What qualifications, skills, or experiences would you bring to the City Council?

I have a number of skills and qualifications that are directly relevant and applicable to the work of City Council. I have direct experience in leadership both in my former capacity for Providence Medical Group where I served as a Psychologist Medical Director for the Oregon region before returning to directly support the community of Newberg through partnering with the Newberg School District. In addition to my current work for the school district, I support two different non-profits organizations, serving in various capacities including as an Executive Director and Director of Behavioral Health Services. I also manage and run my own private practice in town. I believe strongly that my background and training as a psychologist will bring a unique lens and perspective to the city and my work as a city councilor.

Both my current and prior work experiences have resulted in an in-depth understanding of finance and budgeting, including grants and federal government restricted financing policies. While the budgets I have worked on have not been the size and extent of the City's current budget, I am confident that my background, understanding, and fiscal management will carry over and serve the city well. In addition to my background in department and organizational budgeting, I have a strong background in data analysis and research skills, supporting evidence-based decision making, and utilizing formal methodology to analyze data and support policy consideration and implementation. These skills will support effectiveness of city programming and services to support data-driven recommendations.

I'm highly collaborative and a strong communicator. My relational approach and desire to collaborate with individuals from all backgrounds and areas of interest and expertise support a proactive, community-centered approach to identifying and supporting those issues most pressing to our community.

What contributions do you feel you can make to the City Council?

As a long-term resident of Yamhill County, and Newberg, I am excited for the opportunity to serve on the council. I strongly believe that I will be able to cultivate relationships with local constituents, serving as an approachable, accessible bridge between citizens and the government. I will advocate for community needs, supporting projects and policies that will benefit the community and help to address the significant needs facing our city including infrastructure, public safety, and economic development.

As a member of the council, I will promote transparency, accountability, and fiscal responsibility in governmental operations and prioritizing the long-term health of the city. Part of this work in transparency and accountability, includes close active partnership and collaboration with stakeholders including organizations, businesses, and our local school district to ensure that solutions developed are comprehensive and fully address identified concerns. Leaning in to collaborative community partnerships with stakeholders will additionally further support the city's work in attracting businesses, promoting entrepreneurship and creating local, living wage jobs.

REQUEST FOR COUNCIL ACTION



Date Action Requested: June 17, 2024

Order <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Information <input type="checkbox"/> Proclamation <input type="checkbox"/>	
Subject: A motion to assign a City Council member to the Planning Commission as Ex-Officio	Staff: Melissa Morris Department: Administration
Business Session	Order On Agenda: 4.2

Is this item state mandated? Yes No

If yes, please cite the state house bill or order that necessitated this action:

Recommendation: Staff recommends City Council appoint a member of council to serve as Ex-Officio of the Planning Commission

Executive Summary: Council needs to discuss and appoint a member of council to serve as the Ex-Officio of the Planning Commission to fill the vacancy left by councilor Olson's resignation.

Fiscal Impact: No fiscal impact expected.

Council Goals: This falls in line with Council Goal 5: Create and maintain a high level of transparency with our residents in order to build trust.

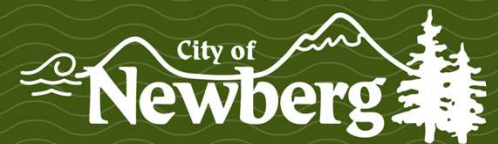
Report Approval Details

Document Title:	RCA Planning Commission Ex-Officio Assignment .docx
Attachments:	
Final Approval Date:	June 10, 2024

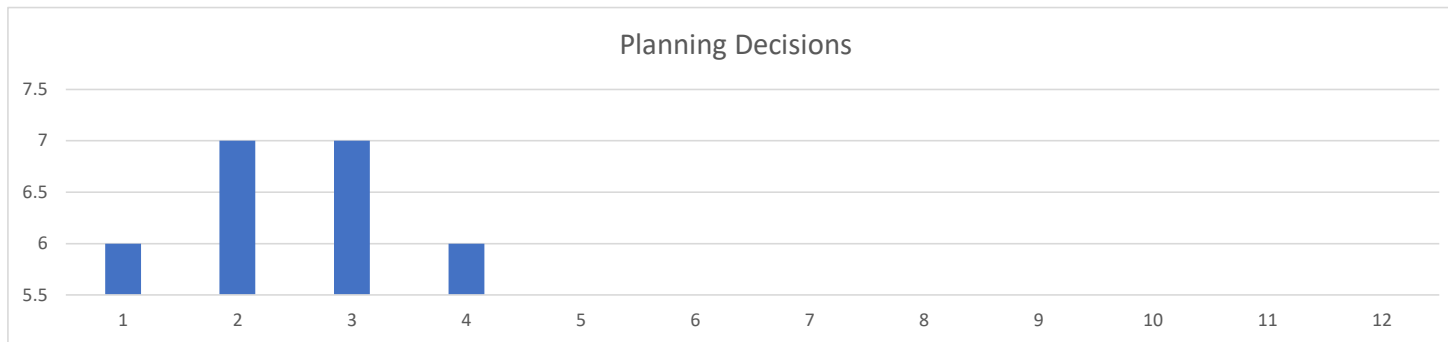
This document and all of its attachments were approved and signed as outlined below:
Melissa Morris

Newberg CM report

Monthly Statistics to the end of April 2024



Planning: combined planning decisions of all sorts*: 6



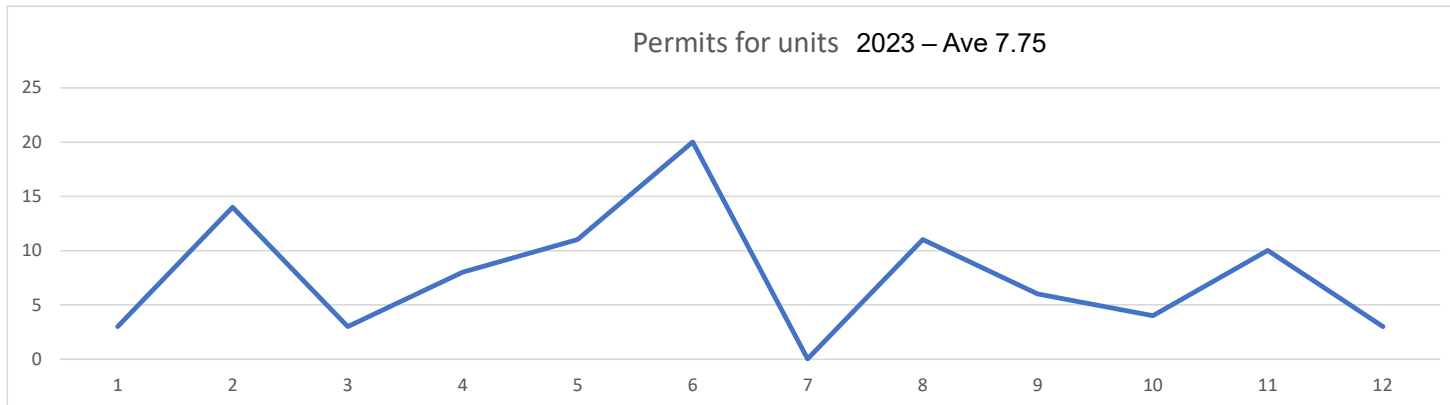
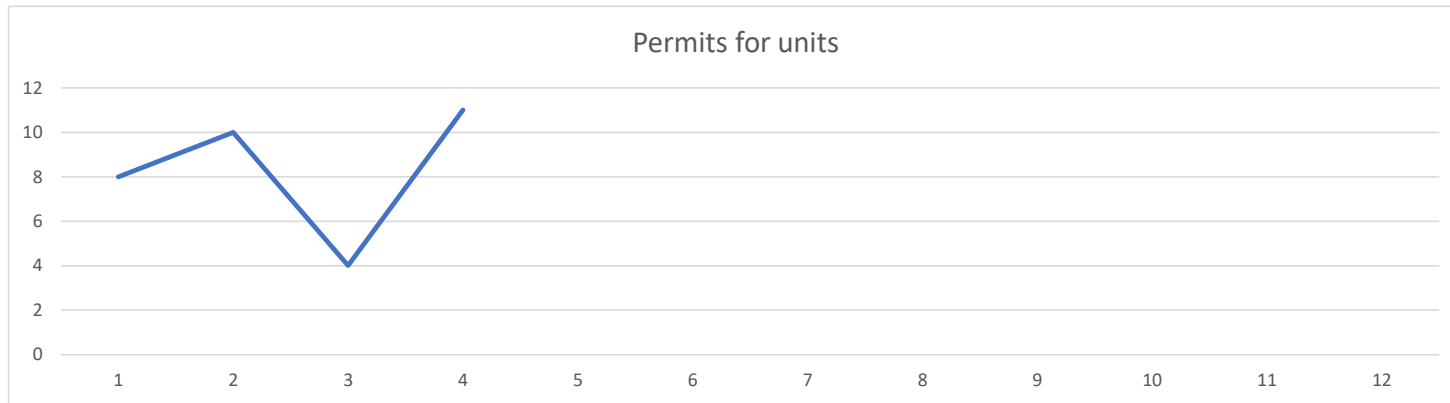
**Average
2022
11.67**

* Combined from the Director, Planning Commission and Council

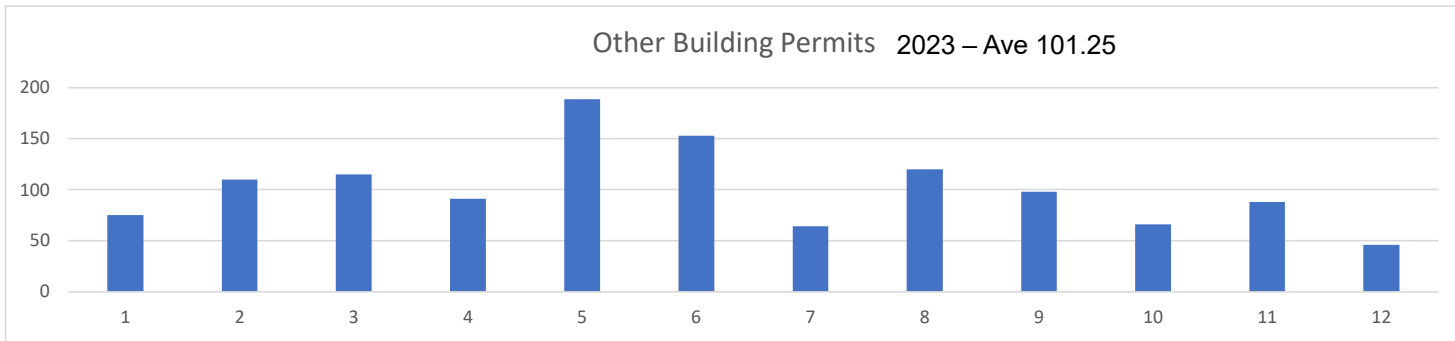
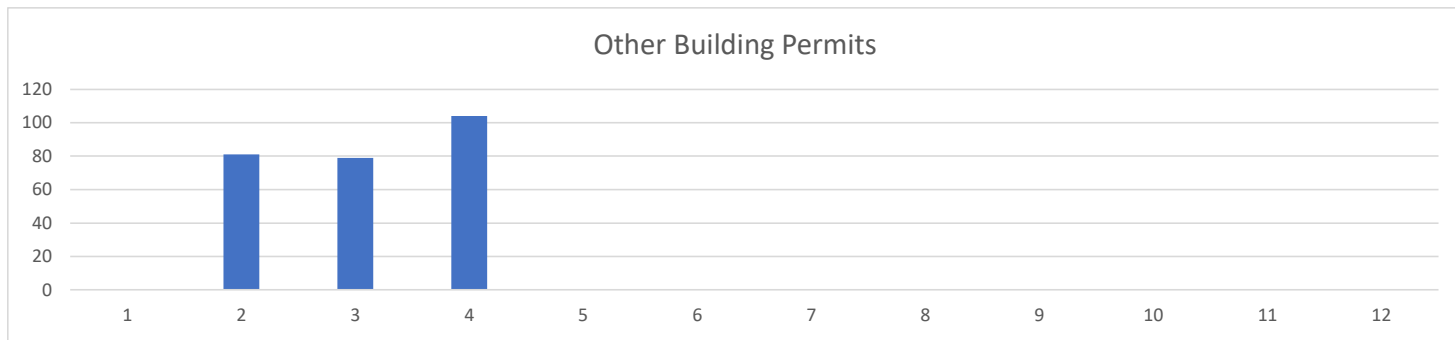
Planning: building permits for housing units: 11

**Average
2022**

15



Planning: building permits other types: 104



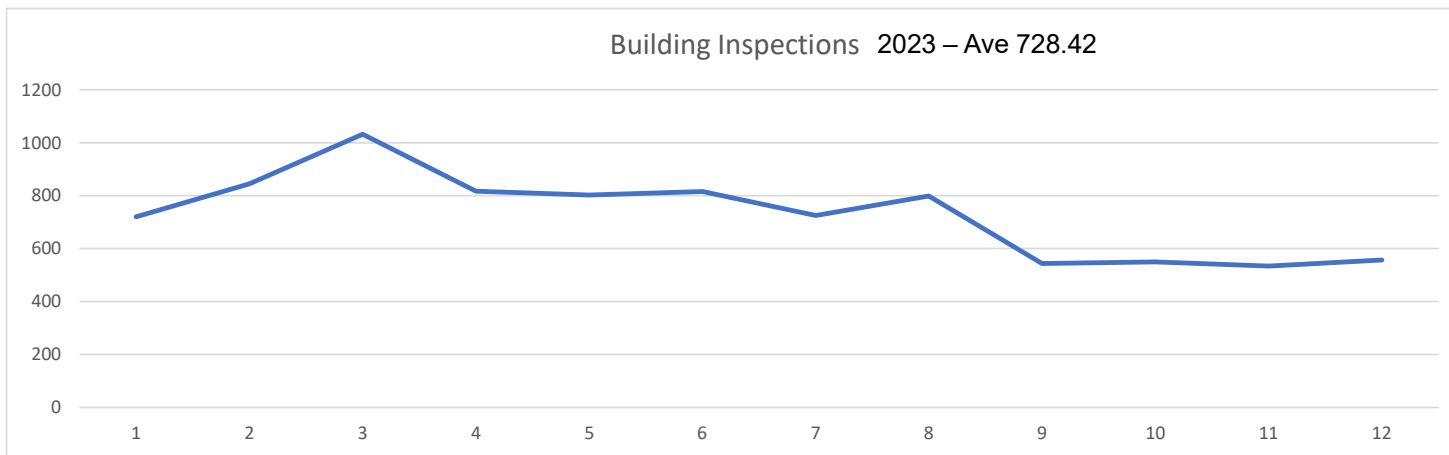
Average
2022
122

Planning: building inspections: 785

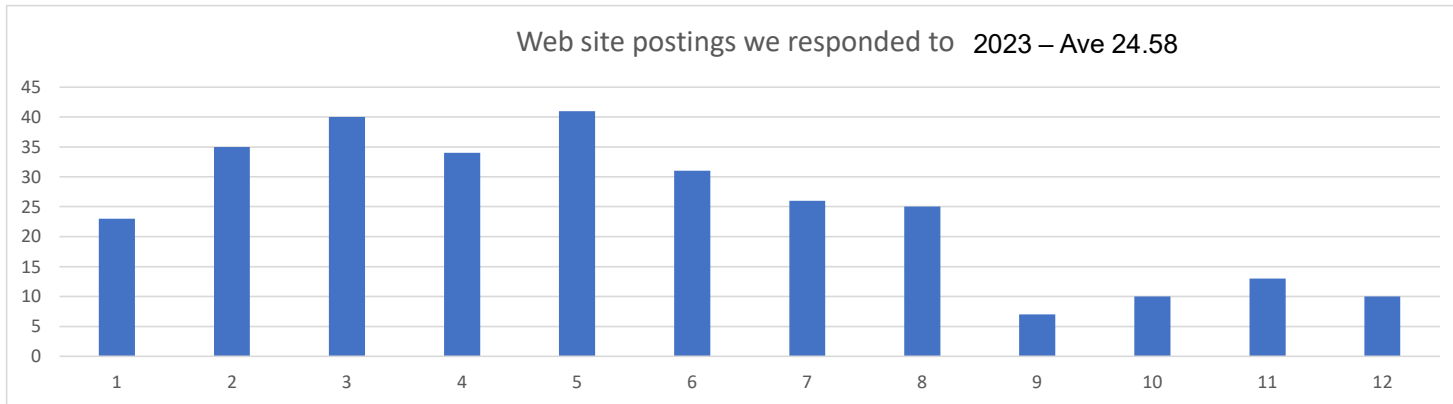
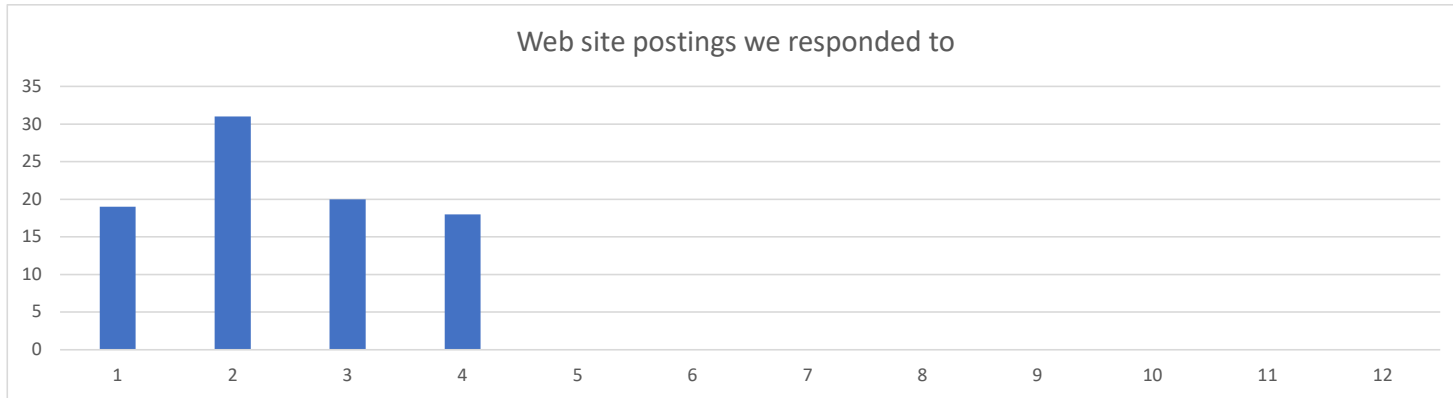


Average
2022

691



Community Engagement: submission forms through website: 18

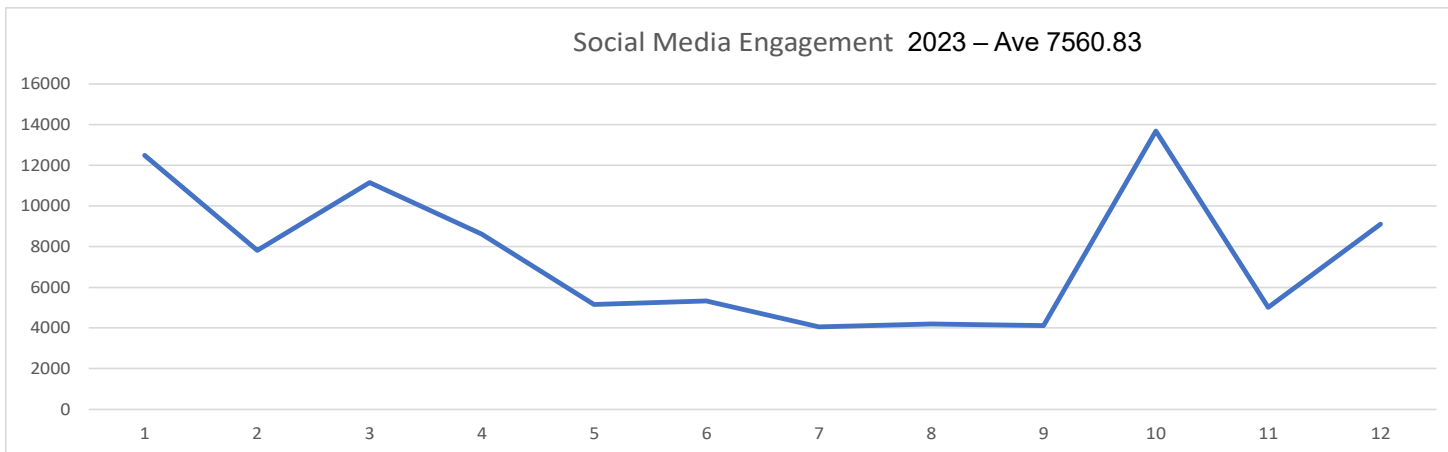
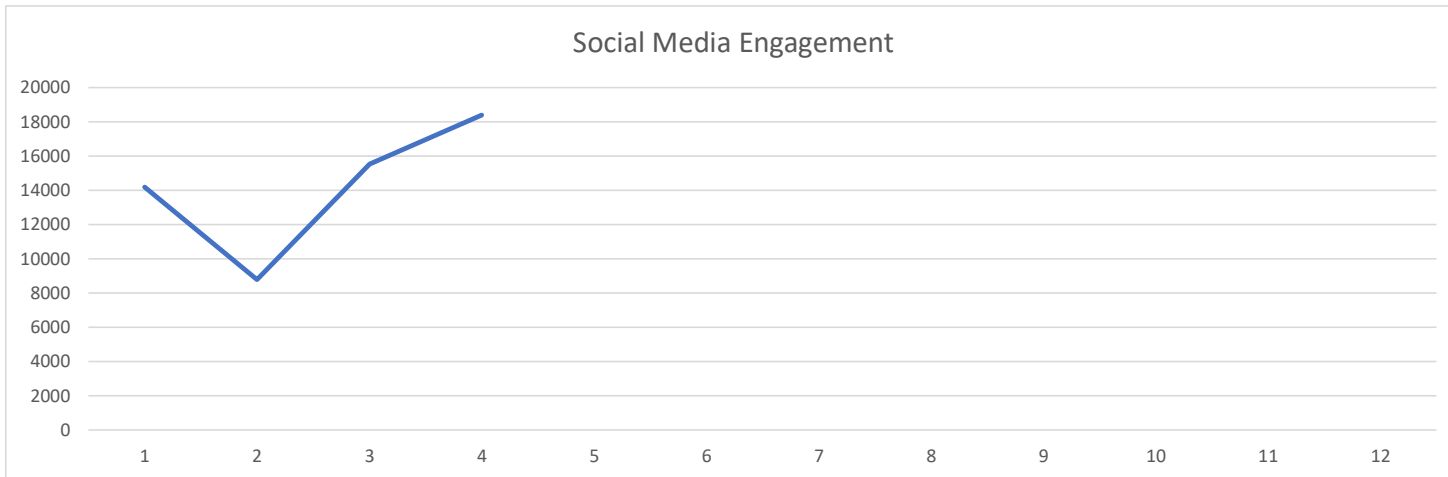


**Average
2022**

23



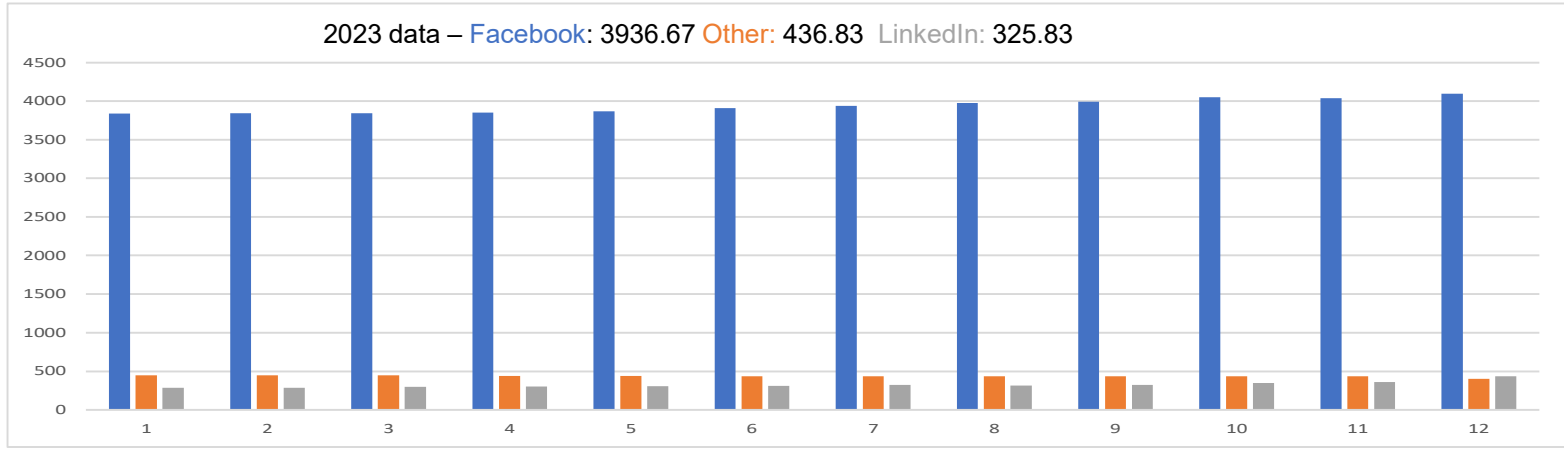
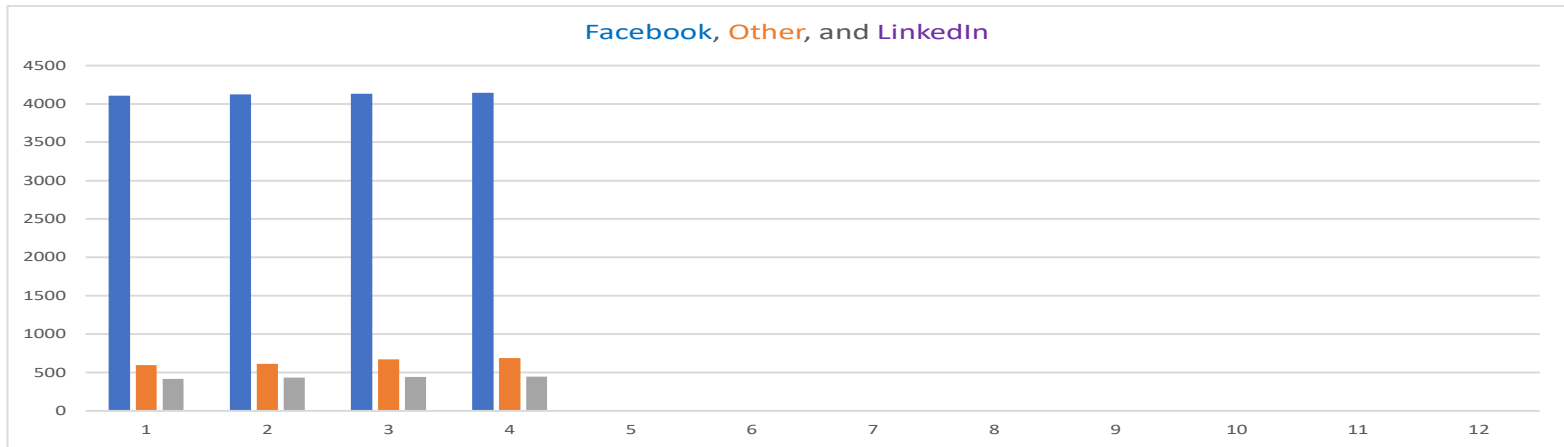
Community Engagement: social media engagement: 18,381



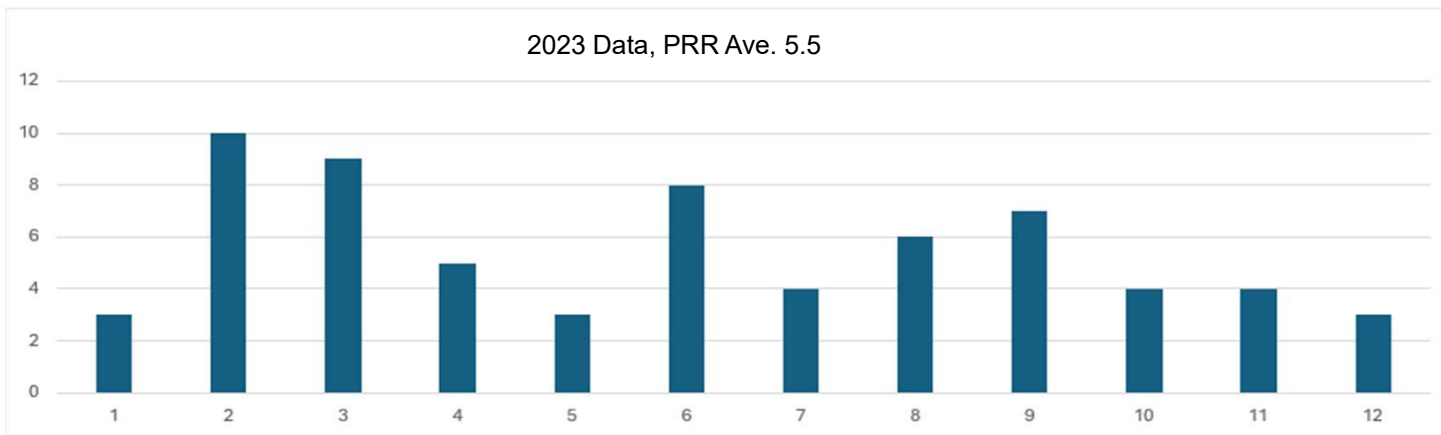
**Average
2022
7942.5**

Community Engagement: Socials followers Facebook 4144, Other 687, LinkedIn 443

Average 2022
Facebook 3746
Twitter 415
LinkedIn 253.6



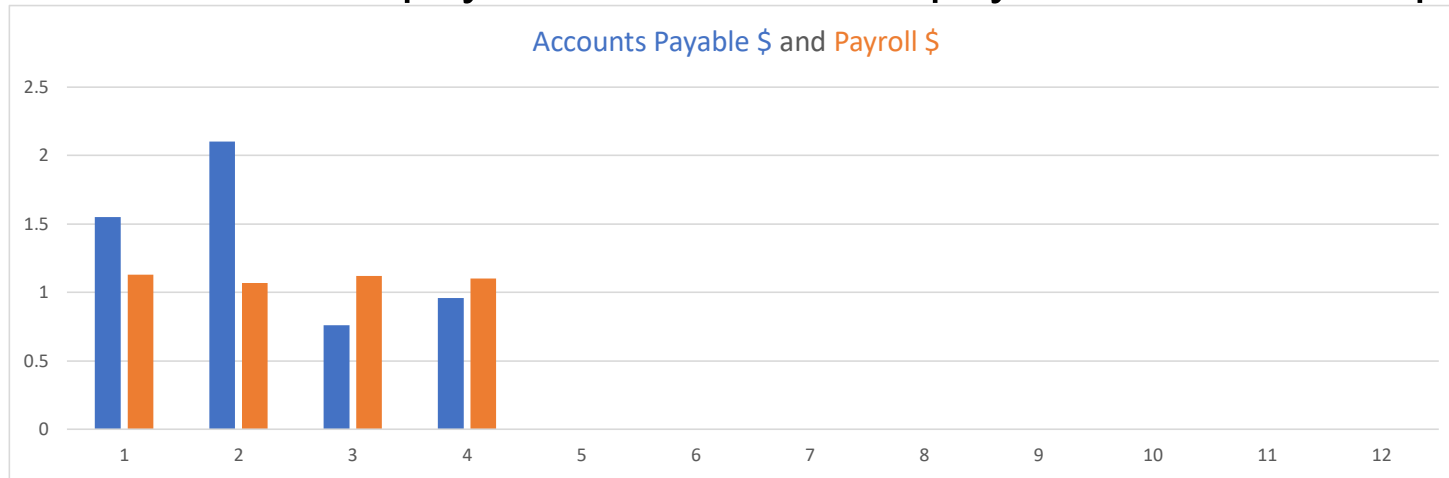
City Recorder: Public Records Requests: 4



**Average
2022
4.5**



Finance: \$0.96 M of payments to accounts payable & \$1.1 M of payroll



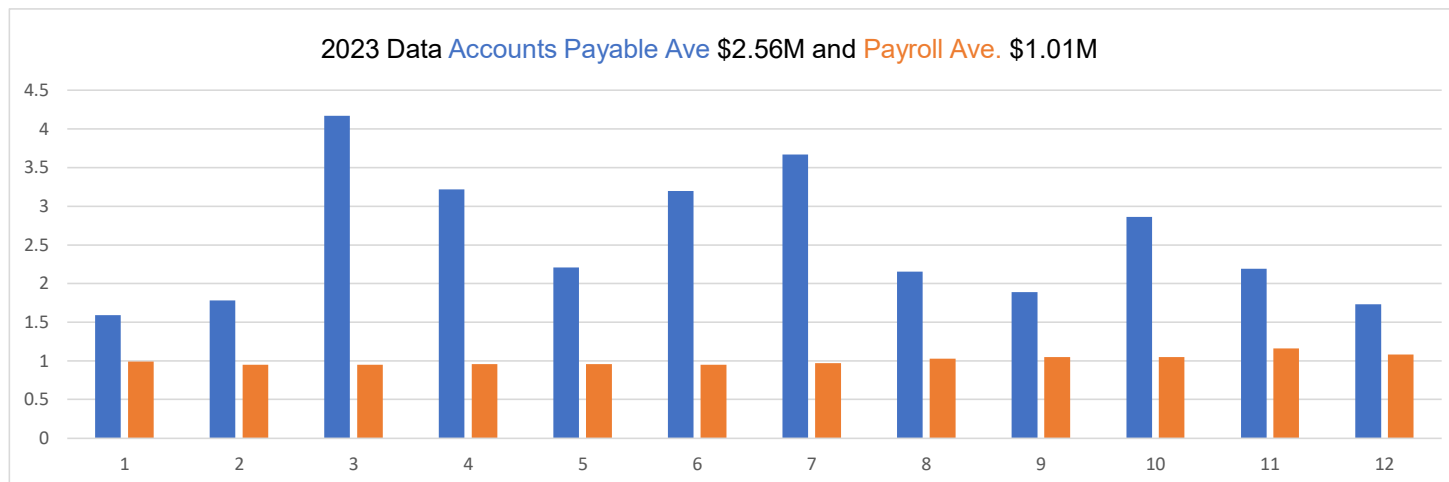
Average
2022

AP

\$1.75 M

Payroll

\$0.93 M





HR activity: Recruitments advertised - 3 Hires: 1 Separations: 0,
FMLA / ADA / OFLA / workers comp claims: 4

**Average
2022**

Recruitments

5.6

Hires

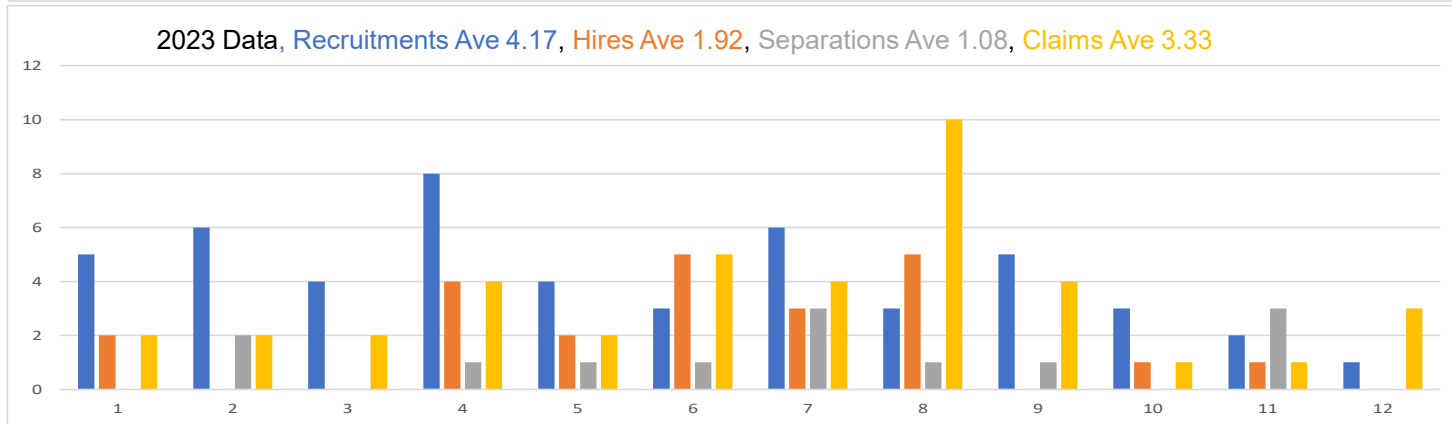
1.9

Separations

1.6

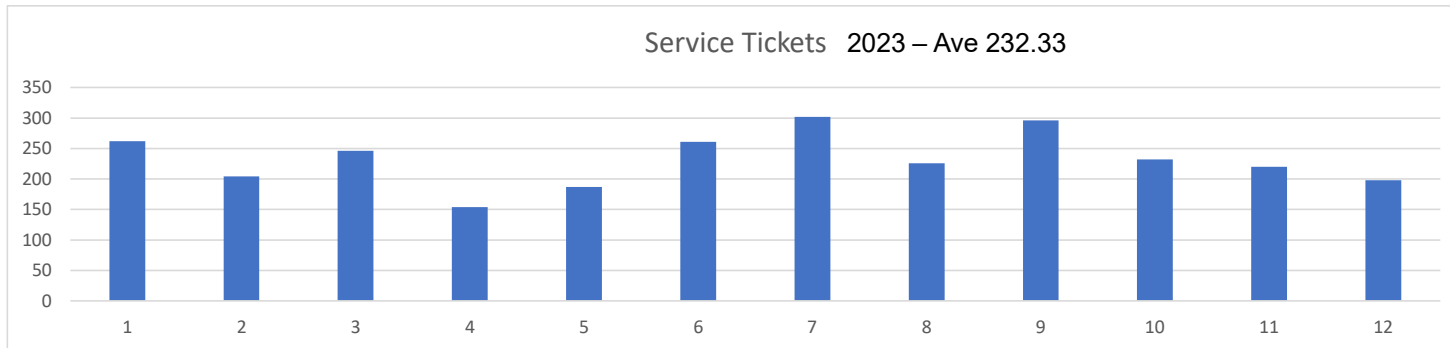
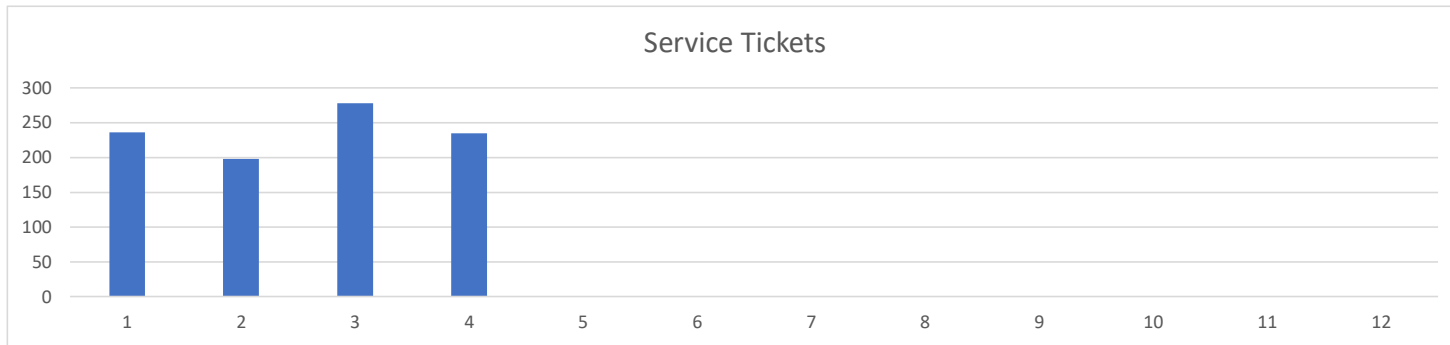
Claims

2.6



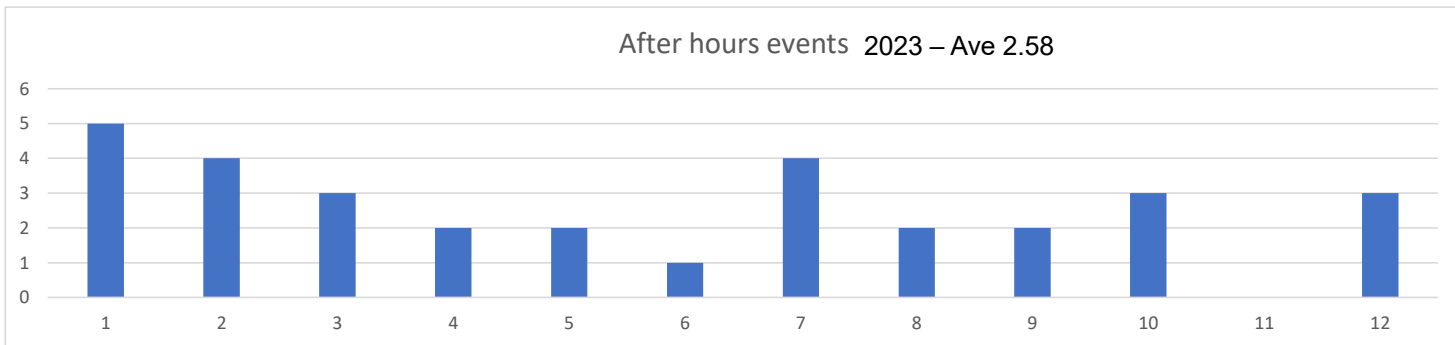


IT resolved 235 service tickets for the city.



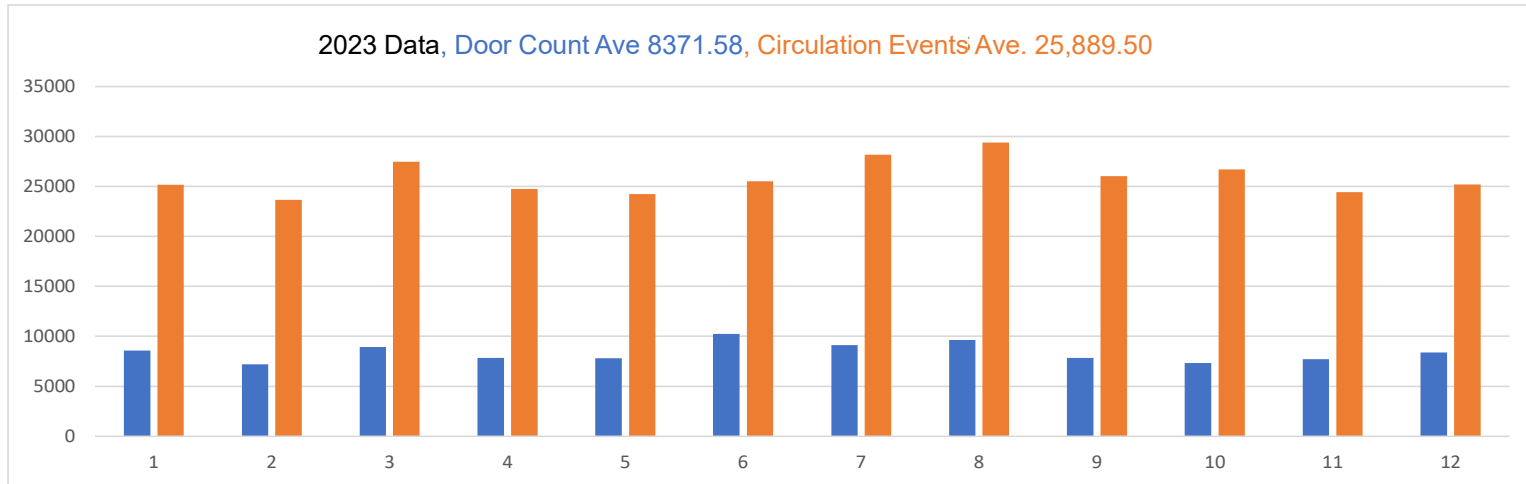
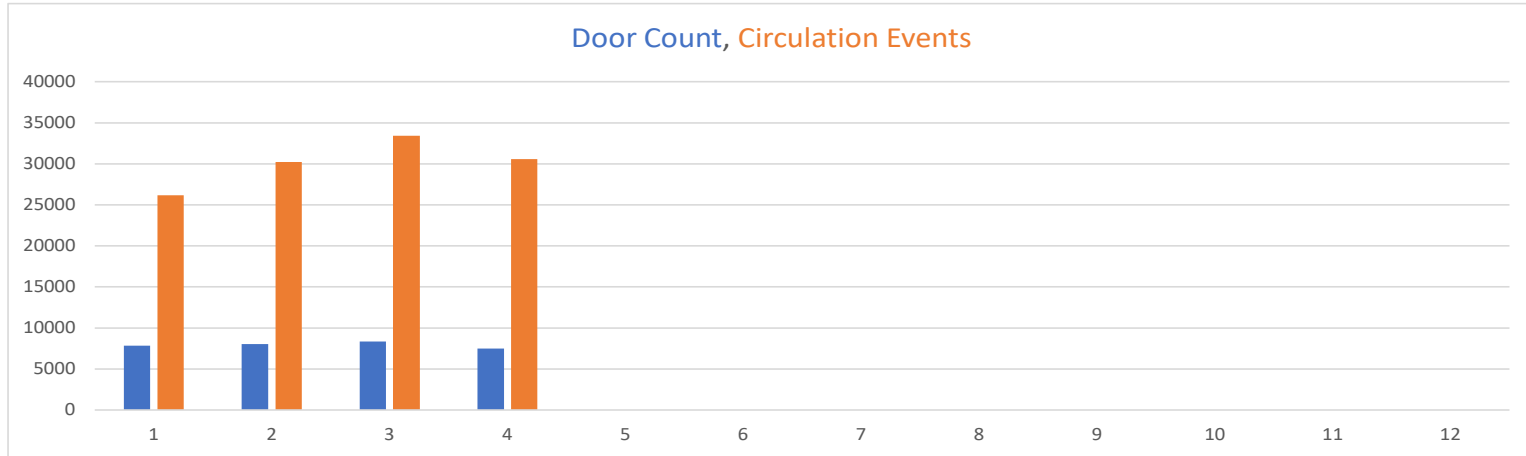
**Average
2022
203.4**

IT responded to 3 after hours on-call events.



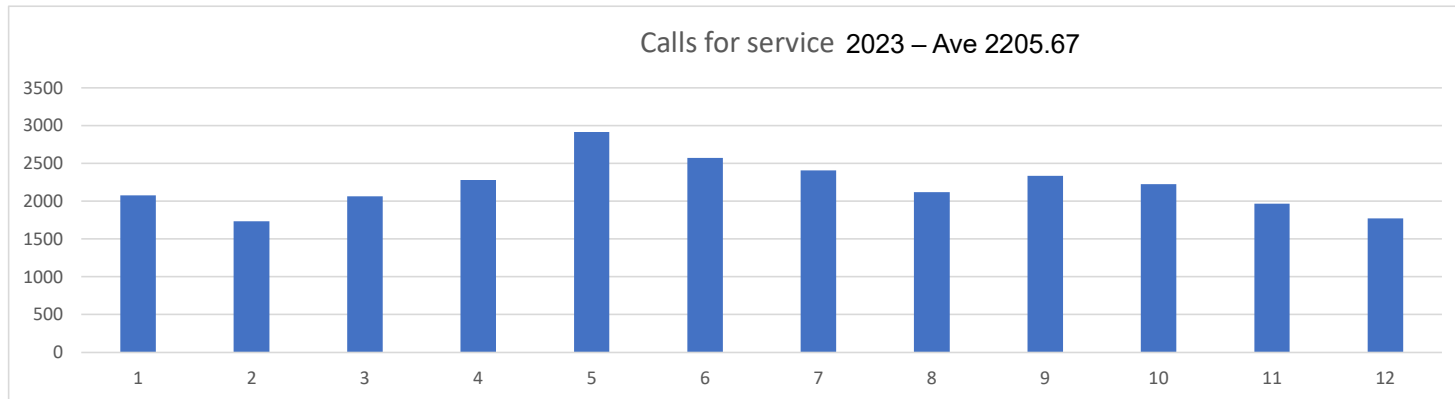
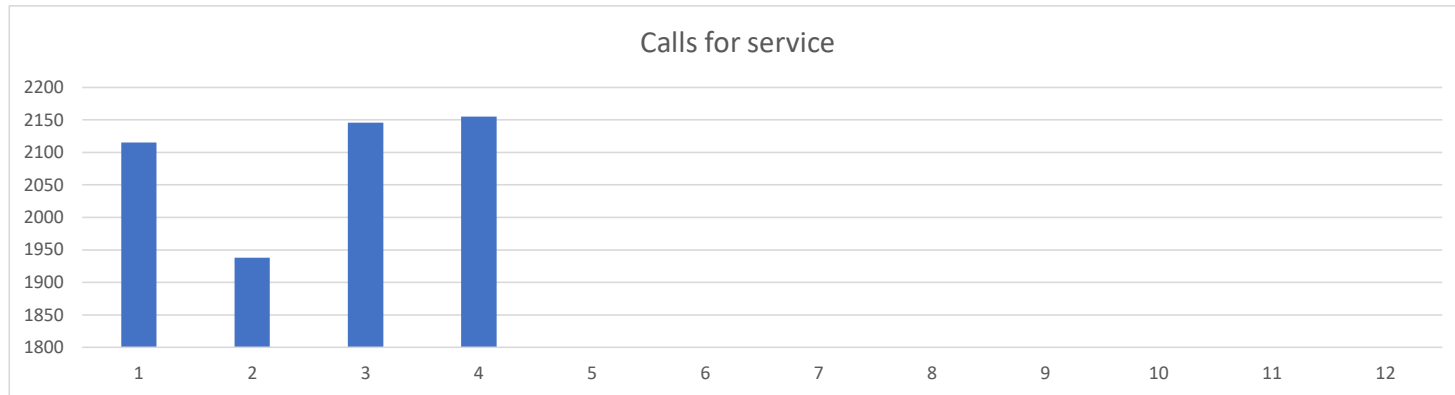
**Average
2022
3.6**

Library Activity: Door count 7,444, Circulation events 30,584



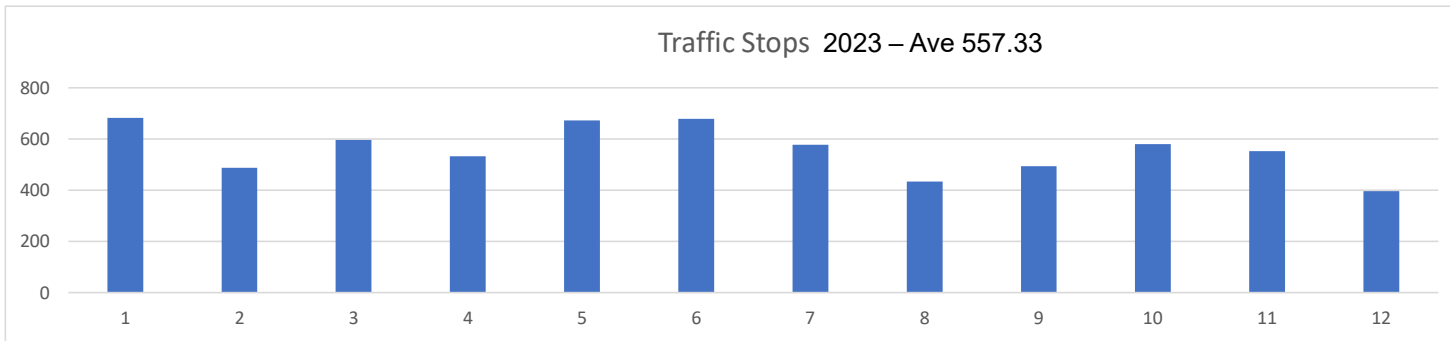
Average 2022
Door Count 7108
Circulation Events 23,418

Public Safety: 2,155 – calls for service



**Average
2022
2065**

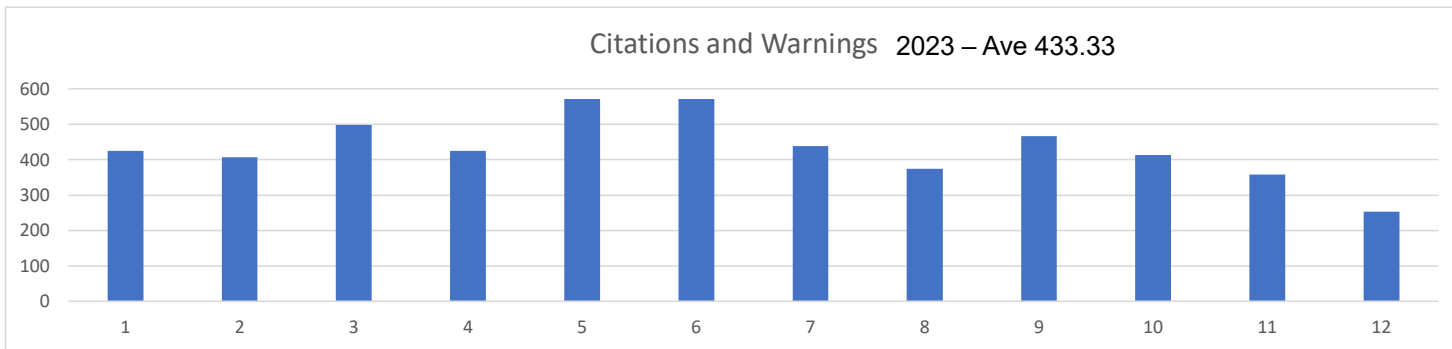
Public Safety: 688 – traffic stops



**Average
2022**

561

Public Safety: 510 – citations & warnings

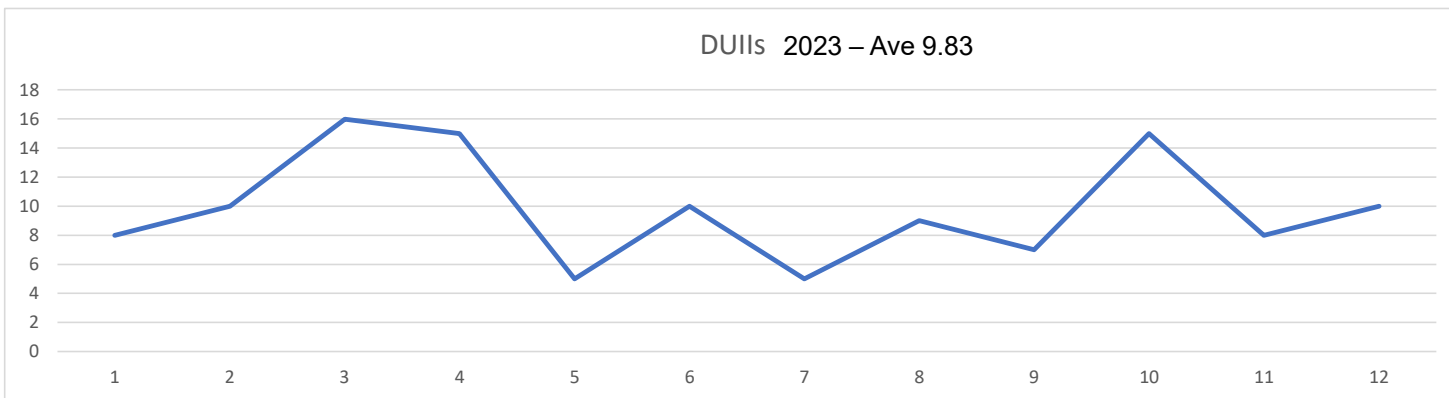
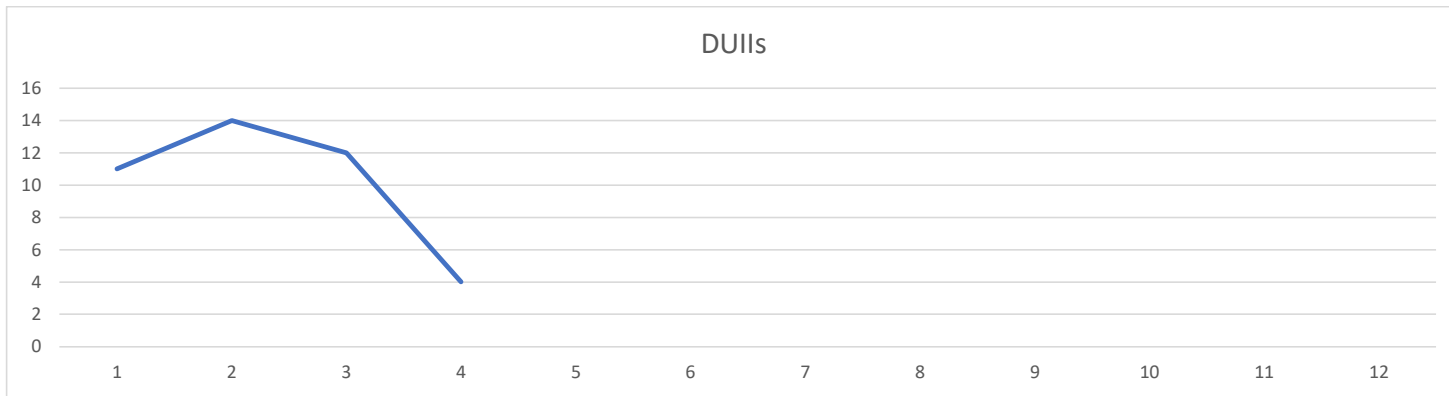


**Average
2022**

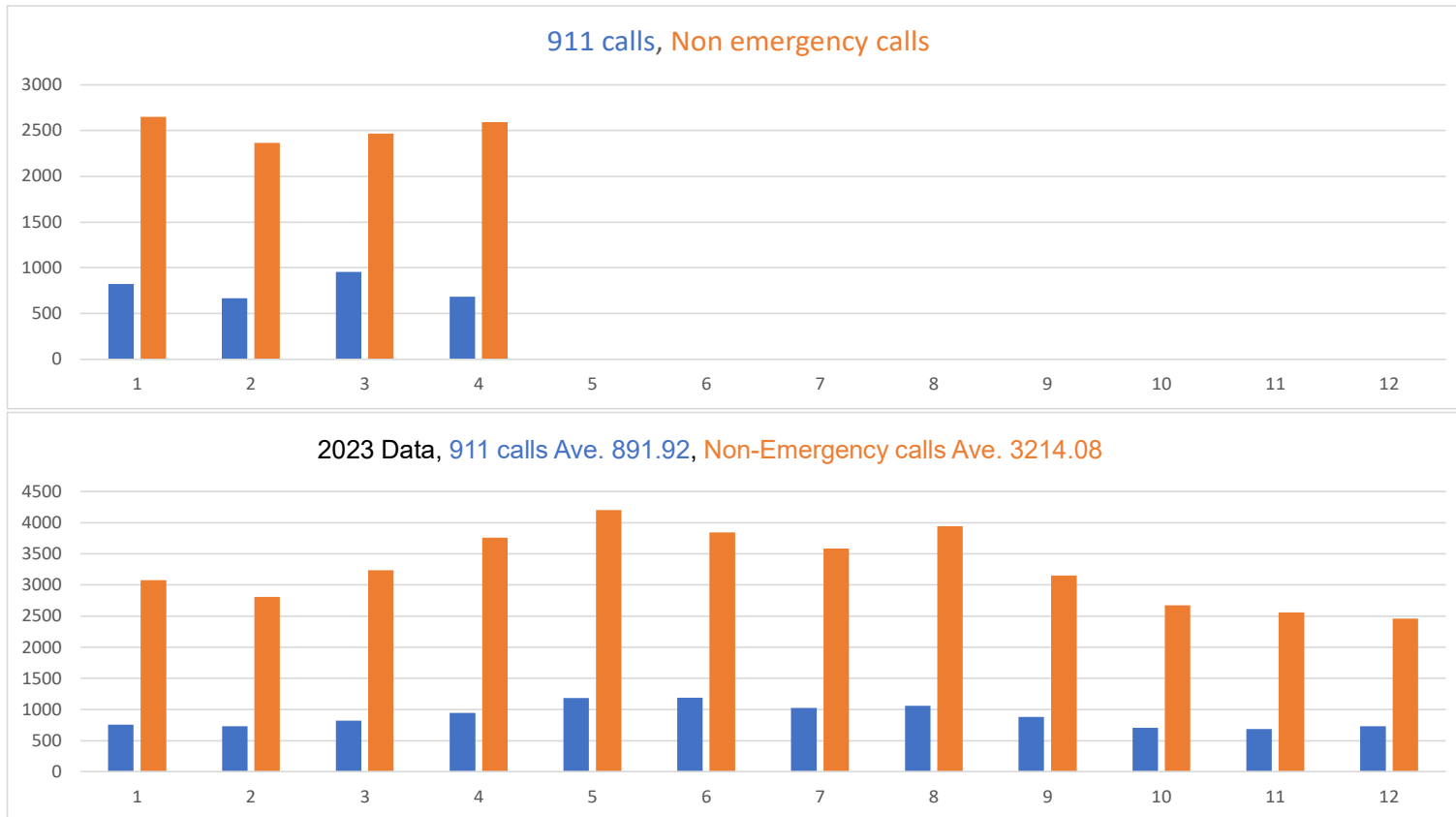
428

Public Safety: 4 – DUI's

**Average
2022
12.1**



Dispatch: 682 “911” calls & 2,593 non-emergency calls



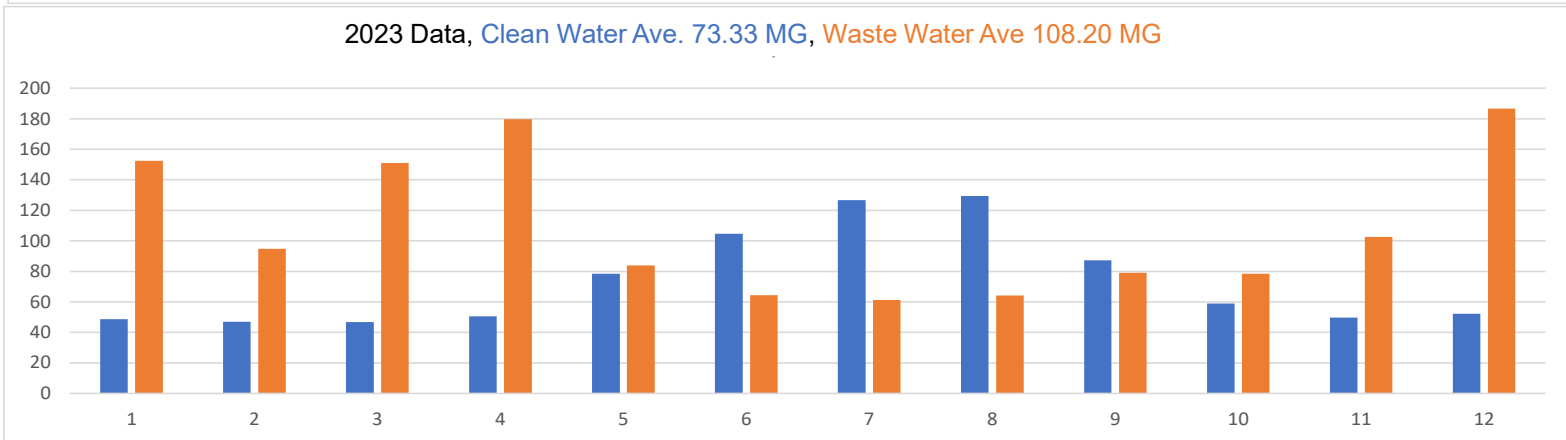
**Average
2022**

**911 Calls
817**

**Non-
Emergency
Calls
3436**



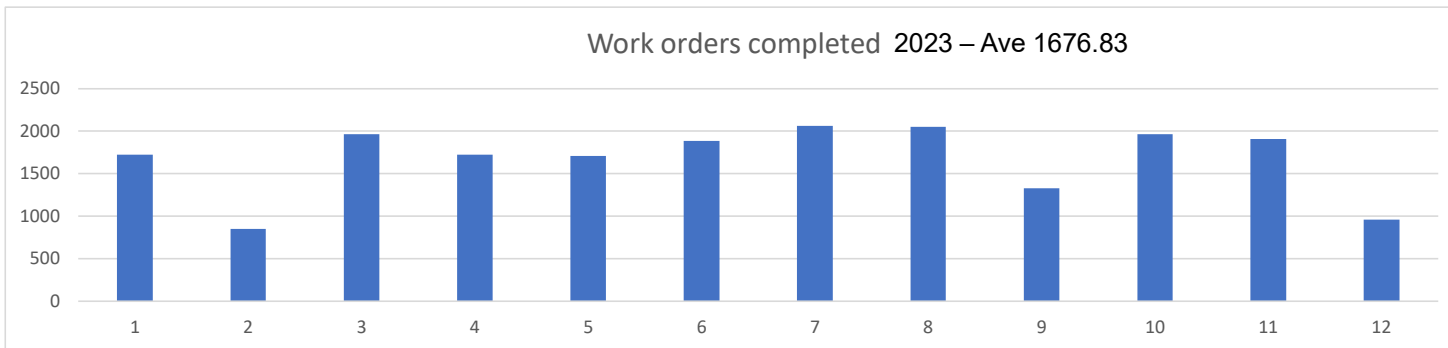
Public Works: water production was 55.9 million gallons, & 123.6 million gallons (MG) were treated



**Average
2022**
**Clean Water
69.45 MG**
**Waste Water
105.46 MG**



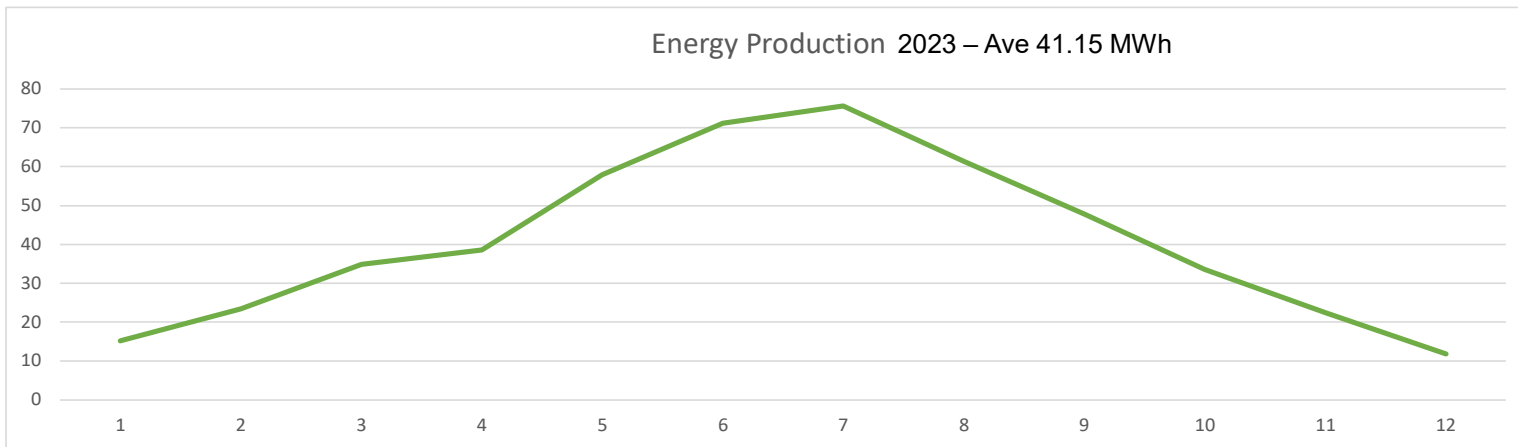
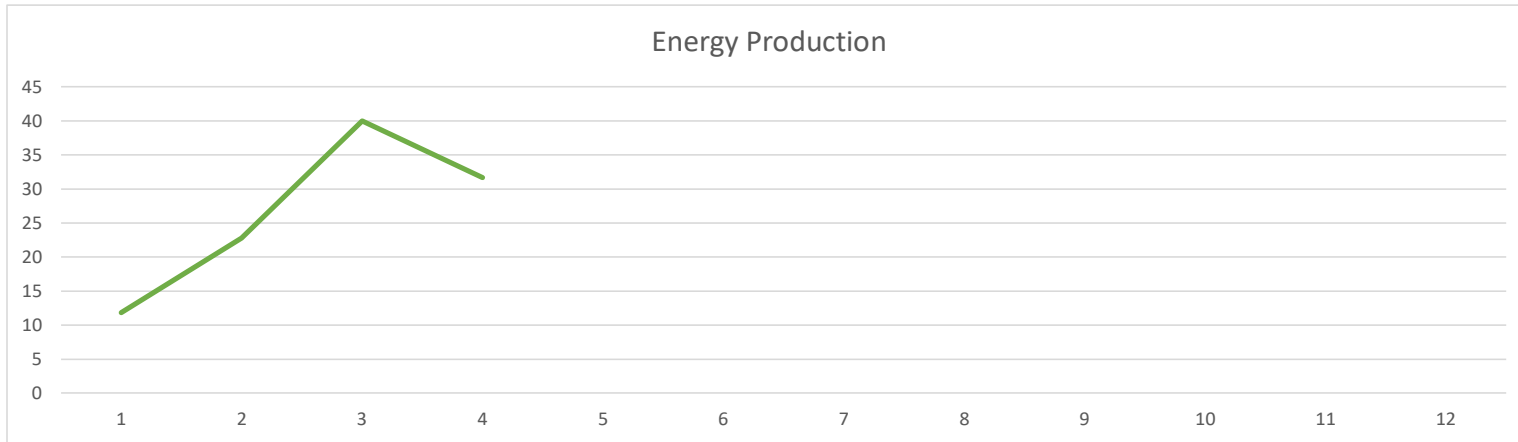
Public Works: 1,189 work orders completed



**Average
2022
1452.6**



Public Works: 31.7 MWh of energy generated



**Average
2022**

47.35 MWh
(April–Dec only)

So that's the totals to the end of
April 2024!

Questions?



Newberg Cultural District

Executive Board

Sean Andries, Chehalem Cultural Center

Korie Buerkle, Newberg Public Library

Casey Creighton, Chehalem Park and Recreation

Teresa Sypher, Neighborhood Representative

Robyn Wheatley, Newberg City Council

NEWBERG CULTURAL DISTRICT

The City of Newberg and Chehalem Park and Recreation District came together in 2013 to create a Cultural District.

This was reaffirmed and improved in 2019 by city resolution # 2019-3543.



CULTURAL DISTRICT AREA

The area defined as the Cultural District is bordered by: Hancock, Blaine, School and Sherman streets and encompasses the Newberg Public Library, the Carnegie Court, the public parking lot at Blaine and Hancock, the Chehalem Cultural Center, surrounding land, and the private properties within the boundaries.





- April 2024
 - Camellia Festival, April 13
- June 2024
 - Library Summer Reading Programs weekly
- July 2024
 - Tunes on Tuesday starts July 9
 - Library Summer Reading weekly
 - Lavender Festival July 13 & 14
- August 2024
 - Tunes on Tuesday ends August 6
 - Summer Reading Programs ends Aug. 10

- December 2024
 - Tree Lighting, TBA
- Ongoing Projects
 - Cultural Center construction

Updates available at:

www.newbergoregon.gov/library/page/newberg-cultural-district-0

EXECUTIVE BOARD CONTACTS

Sean Andries

Chehalem Cultural Center | director@chehalemculturalcenter.org

Korie Buerkle

Newberg Public Library | korie.buerkle@newbergoregon.gov

Casey Creighton

Chehalem Park and Recreation | ccreighton@cprdnewberg.org

Teresa Sypher

Neighborhood Representative | teresa.sypher@gmail.com

Robyn Wheatley

Newberg City Council | robyn.wheatley@newbergoregon.gov

REQUEST FOR COUNCIL ACTION



Date Action Requested: (June 17, 2024)

Order <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Information <input type="checkbox"/> Proclamation <input type="checkbox"/>	
No. 2024-3934	
Subject: A resolution authorizing the City Manager to enter into a construction contract with Green Power Electrical Contractors, Inc. for the WWTP Emergency PLC Replacement and Reprogramming Project in the amount of \$638,500.00.	Staff: Paul Chiu, PE, Senior Engineer Department: Public Works - Engineering
Business Session	Order On Agenda: Consent
Hearing Type: NA	

Is this item state mandated? Yes No

If yes, please cite the state house bill or order that necessitated this action:

Recommendation: Adopt Resolution No. 2024-3934.

Executive Summary: The Programmable Logic Controller (PLC) is the system that provides the City's Wastewater Treatment Plant (WWTP) with the ability to run in an automatic mode. The current Siemens PLCs, installed in the late 1990's and with discontinued parts production, has reached its life expectancy. WWTP currently relies on other third party PLC support such as Control Technology, Inc. and their production may stop at any time, making the City's wastewater treatment obsolete. The WWTP operators would no longer be able to remotely control the treatment processes and the lift stations. All process controls would have to be operated manually on a 24/7 basis with additional operators and the likelihood of a DEQ permit violation. This project will address the situation by replacing the existing PLCs with a fully supported process controller and providing additional system redundancy and security.

In July 2022, the City retained HDR Engineering, Inc. to design the WWTP Emergency PLC Replacement and Reprogramming Project.

On May 13, 2024, staff advertised the project for bid. The Engineer's estimate was in the range of \$650,000.00 to \$850,000.00.

On May 28, 2024, the City received and opened one (1) qualified bid for \$638,500.00 from Green Power Electrical Contractors, Inc. The bid was slightly less than the Engineer's estimate and it was responsive to the City's bid request. Federal procurement, however, requires at least two competitive bids. EPA needs to review and approve this unique one-bid situation. Therefore, the City's bid award is contingent upon EPA's determination in the near future.

Construction is planned to begin in July 2024 with completion in March 2025.

Fiscal Impact: The qualified bid/proposed construction contract includes a contingency requiring City Manager’s authorization prior to its use. This project is budgeted with adequate funding in the current fiscal year and the proposed fiscal year 2024-2025 under account number: 04-5150-706397. The required PLC equipment has been pre-purchased and prepaid with Yamhill County ARPA funding. The Newberg Community Grant Project funding as outlined in the FY22 congressional appropriations is also set to financially support this project. List of grant funds:

Yamhill County ARPA grant funding =	\$518,500.00
EPA Community grant funding =	\$500,000.00

Council Goals: In 2023, the Newberg City Council created a new list of goals and objectives to better reflect their intent as a council. This project meets the Council goals to have wastewater infrastructure in good repairs and functions with emergency management for the Newberg community.

RESOLUTION NO. 2024-3934

A Resolution authorizing the City Manager to enter into a Construction Contract with Green Power Electrical Contractors, Inc. for the WWTP Emergency PLC Replacement and Reprogramming Project in the amount of \$638,500.00.

Recitals:

1. The Programmable Logic Controller (PLC) is the system that provides the City's Wastewater Treatment Plant (WWTP) with the ability to run in an automatic mode. The current Siemens PLCs, installed in the late 1990's and with discontinued parts production, has reached its life expectancy. WWTP currently relies on other third party PLC support and their production may stop at any time, making the City's wastewater treatment obsolete.
2. If the PLC replacement parts should one day be unavailable, the WWTP operators would no longer be able to remotely control the treatment processes and the lift stations. All process controls would have to be operated manually on a 24/7 basis with additional operators and the likelihood of a DEQ permit violation.
3. This project will address the situation by replacing the existing PLCs with a fully supported process controller and providing additional system redundancy and security.
4. On May 13, 2024, staff advertised the project for bid. The Engineer's estimate was in the range of \$650,000.00 to \$850,000.00.
5. On May 28, 2024, the City received and opened one (1) qualified bid for \$638,500.00 from Green Power Electrical Contractors, Inc. The bid was slightly less than the Engineer's estimate and it was responsive to the City's bid request. Federal procurement, however, requires at least two competitive bids. EPA needs to review and approve this unique one-bid situation. Therefore, the City's bid award is contingent upon EPA's determination.
6. Construction is planned to begin in July 2024 with completion in March 2025.

The City of Newberg Resolves as Follows:

1. The City Council, acting as contract review board for the City, does hereby authorize the City Manager to execute a construction contract with Green Power Electrical Contractors, Inc., contingent upon EPA approval, for the WWTP Emergency PLC Replacement and Reprogramming Project in the amount of \$638,500.00.
2. The City Attorney will review and approve all contracts as to form and content.

Effective Date of this resolution is the day after the adoption date, which is: June 18, 2024.

Adopted by the City Council of Newberg, Oregon, this _____ day of June, 2024.

Rachel Thomas, City Recorder

Attest by the Mayor this _____ day of June, 2024.

Bill Rosacker, Mayor



April 15, 2024

Will Worthey
City Manager
PO Box 970
Newberg, Oregon 97132

Dear Will,

Attached please find our 2023 annual detailed cost report. The report compares our 2023 results to 2022 as well as a projection of our performance in the City of Newberg for 2024.

The report shows our operating margin has changed from 11.88% in 2022 to 6.74% in 2023, and we are projecting 2024 to be at 6.57%. This projected rate of return is outside the range we consider reasonable.

As a result, Waste Management-Newberg Operations is requesting a rate increase of 3.81% to cover inflationary costs to be effective July 1, 2024.

I would like to see if there is an opportunity to get on the city council agenda in the next month to review the reports and give an annual update. Please let me know if that is a possibility. I can be reached at 503-462-0508 and I look forward to hearing back from you.

Sincerely,

A handwritten signature in blue ink that reads "Dave Huber".

Dave Huber, Sr. Manager Public Sector
Waste Management of Oregon Inc.

Cc: Mike Jefferies, Jason Wille

Waste Management - Newberg Operations
Newberg Rate Review Report
For The Year Ended December 31, 2023

	2022	2023	Projected
Total Revenue	\$ 5,130,337	\$ 5,341,208	\$ 5,473,136
Total Direct Costs	\$ 3,769,420	\$ 4,138,187	\$ 4,245,473
Total Indirect Costs	\$ 751,510	\$ 842,941	\$ 868,032
Operating Income	\$ 609,407	\$ 360,080	\$ 359,631
Return on Revenue	11.88%	6.74%	6.57%

	Hours				
	Total Company 2022	Newberg 2022			
Hours					
Commercial	4,947	3,825	4,928	3,783	(42)
Res'l Garbage	6,349	3,395	6,375	3,472	77
Res'l Recycling	4,706	2,342	4,807	2,383	41
Res'l Yard Waste	1,297	1,087	1,359	1,138	50
Rolloff	3,916	2,119	3,145	1,832	(287)
Total	21,215	12,769	20,614	12,608	(161)
	Tons				
Commercial	6,393	5,082	6,821	5,570	488
Res'l Garbage	9,376	5,624	9,426	5,691	67
Res'l Recycling	2,820	1,424	2,621	1,374	(50)
Res'l Yard Waste	2,942	2,457	2,796	2,343	(114)
Rolloff	16,853	8,517	14,704	7,344	(1,172)
Total	38,385	23,103	36,369	22,323	(780)

	Miles				
	Total Company 2022	Newberg 2022			
Miles					
Total Company 2022	37,099	26,851	36,946	26,812	(39)
Newberg 2022	42,511	16,859	42,601	17,420	560
Total Company 2023	40,139	14,835	40,126	15,063	228
Newberg 2023	7,706	6,095	7,937	6,345	250
Total	53,280	28,831	55,918	32,581	3,750
Total	166,350	93,472	183,528	98,221	4,749
	Stops				
Commercial	52,003	41,180	53,657	40,863	(316)
Res'l Garbage	547,037	339,618	553,870	346,438	6,820
Res'l Recycling	423,538	260,662	415,946	258,386	(2,276)
Res'l Yard Waste	191,471	161,451	195,127	164,920	3,469
Rolloff	7,908	4,986	5,156	3,548	(1,438)
Total	1,221,957	807,897	1,223,756	814,155	6,258

CPI			Customers	
Year	Annual	% Change	Commercial	Residential
2021	275.06	1.74%	533	6379
2022	287.49	4.52%	549	6485
2023	310.51	8.01%	555	6642
2024	323.83	4.29%	555	6642

Franchise Payment	Revenue		Fran. Fee
Residential:	2,303,135	5%	115,157
Commercial:	1,650,361	5%	82,518
Drop Box:	1,377,036	5%	68,852
Other	\$ 10,677	5%	534
Total Income:	\$5,341,208		267,060

Waste Management - Newberg Operations
Newberg Rate Review Report
For The Year Ended December 31, 2023

Revenue	Line Allocation	Actual	Actual	Variance	Adjustments	Projected	
	# Method	2022	2023		%	Amount	2024
Commercial	18 Actual	\$ 1,540,097	\$ 1,650,361	\$ 110,263	2.47%	\$ 40,764	\$ 1,691,124
Residential	18 Actual	\$ 2,237,756	\$ 2,303,135	\$ 65,379	2.47%	\$ 56,887	\$ 2,360,023
Industrial	18 Actual	\$ 1,342,558	\$ 1,377,036	\$ 34,477	2.47%	\$ 34,013	\$ 1,411,048
Other	20 Actual	\$ 9,926	\$ 10,677	\$ 751	2.47%	\$ 264	\$ 10,940
Recycling Material Sales	19 Recycling Tons	\$ -	\$ -	\$ -		\$ -	\$ -
Total Operating Revenue		\$ 5,130,337	\$ 5,341,208			\$ 131,928	\$ 5,473,136

Direct Cost	Line Allocation	Actual	Actual	Variance	Adjustments	Projected	
	# Method	2022	2023		%	Amount	2024
Wages - Route Drivers	22 Labor Hours	492,181	\$ 504,776	\$ 12,596	4.00%	\$ 20,191	\$ 524,967
Wages - Utility Workers	23 Labor Hours	63,402	\$ 54,652	\$ (8,749)	4.00%	\$ 2,186	\$ 56,838
Wages - Mechanic	24 Labor Hours	158,991	\$ 99,215	\$ (59,775)	4.00%	\$ 3,969	\$ 103,184
Payroll Tax Expense	25 Labor Hours	79,565	\$ 61,249	\$ (18,316)	4.00%	\$ 2,450	\$ 63,699
Pension Plan Expense	26 Labor Hours	21,254	\$ 20,490	\$ (764)	4.00%	\$ 820	\$ 21,310
Medical Insurance	27 Labor Hours	35,491	\$ 81,707	\$ 46,216	4.00%	\$ 3,268	\$ 84,975
Training and Worker Safety	29 Labor Hours	19,311	\$ 19,990	\$ 679	4.29%	\$ 858	\$ 20,847
Fuel	30 Miles	220,284	\$ 175,648	\$ (44,636)	4.29%	\$ 7,535	\$ 183,183
Repairs & Maintenance - Vehicles	31 Labor Hours	82,107	\$ 293,833	\$ 211,726	-25.00%	\$ (73,458)	\$ 220,375
Repairs & Maintenance - Containers & Carts	32 Labor Hours	149,483	\$ 180,661	\$ 31,178	-10.00%	\$ (18,066)	\$ 162,595
Depreciation - Vehicles	35 Labor Hours	120,778	\$ 134,841	\$ 14,063	10.00%	\$ 13,484	\$ 148,325
Depreciation - Containers & Carts	36 Customers	79,287	\$ 85,293	\$ 6,006		\$ -	\$ 85,293
Disposal fees	39 Tons	1,800,858	\$ 1,875,318	\$ 74,460	7.03%	\$ 131,835	\$ 2,007,153
Yard Rent	42 Customers	131,600	\$ 153,905	\$ 22,305	4.29%	\$ 6,603	\$ 160,507
Insurance	45 Labor Hours	46,643	\$ 105,054	\$ 58,411	4.29%	\$ 4,507	\$ 109,561
PUC / License / Fees	47 Labor Hours	10,982	\$ 25,772	\$ 14,790	4.29%	\$ 1,106	\$ 26,877
Franchise Fees	48 Actual Amount	257,204	\$ 265,782	\$ 8,578		\$ -	\$ 265,782
Total Direct Cost		\$ 3,769,420	\$ 4,138,187	\$ 368,767			\$ 4,245,473

*The Newberg Operations include four separate jurisdictions; Newberg, Dundee, Yamhill County, and a small portion of Unincorporated Washington County. Specific costs and revenue are directly assigned to the appropriate jurisdiction. Costs that cannot be specifically assigned are allocated based on industry standards such as, labor hours, tons, miles, and customer counts. All statistics are based on actual hours, miles, customers, and tons collected on the collection routes associated with each customer. The allocation method associated with each cost is identified under the "Allocation Method" column.

Waste Management - Newberg Operations
Newberg Rate Review Report
For The Year Ended December 31, 2023

Indirect Cost	Line Allocation		Actual	Actual	Variance	Adjustments		Projected
	#	Method	2022	2023		%	Amount	2024
Management Salaries	56	Customers	165,798	\$ 191,816	\$ 26,018	4.00%	\$ 7,673	\$ 199,489
Management Payroll Tax Expense	57	Customers	3,334	\$ 18,963	\$ 15,629	4.00%	\$ 759	\$ 19,721
Management Medical Insurance	58	Customers	24,794	\$ 31,087	\$ 6,293	4.00%	\$ 1,243	\$ 32,331
Managemenet Workers Compensation	59	Customers	8,218	\$ 2,719	\$ (5,498)	4.00%	\$ 109	\$ 2,828
Management Pension Plan Expense	60	Customers	1,264	\$ 5,413	\$ 4,148	4.00%	\$ 217	\$ 5,629
Management Other Employee Expense	61	Customers	44,004	\$ 38,391	\$ (5,613)	4.00%	\$ 1,536	\$ 39,926
Administrative Salaries	62	Customers	26,989	\$ 32,109	\$ 5,120	4.00%	\$ 1,284	\$ 33,393
Administrative Payroll Tax Expense	63	Customers	8,216	\$ 9,889	\$ 1,673	4.00%	\$ 396	\$ 10,284
Administrative Medical Insurance	64	Customers	4,463	\$ -	\$ (4,463)	4.00%	\$ -	\$ -
Administrative Pension Plan	65	Customers	1,711	\$ 1,198	\$ (513)	4.00%	\$ 48	\$ 1,246
Administrative Other Benefits	67	Customers	8,630	\$ 7,662	\$ (967)	4.00%	\$ 306	\$ 7,969
Office Rent	68	Customers	206	\$ 1,430	\$ 1,223	4.29%	\$ 61	\$ 1,491
Advertising and Public Education	69	Customers	-	\$ -	\$ -	4.29%	\$ -	\$ -
Contributions	70	Customers	1,690	\$ 1,362	\$ (329)	4.29%	\$ 58	\$ 1,420
Professional Fees	71	Customers	27,125	\$ 40,850	\$ 13,725	4.29%	\$ 1,752	\$ 42,603
Training and Worker Safety	72	Customers	1,474	\$ 1,422	\$ (52)	4.29%	\$ 61	\$ 1,483
Insurance	73	Customers	2,382	\$ 2,307	\$ (75)	4.29%	\$ 99	\$ 2,406
Telephone	74	Customers	2,741	\$ 4,074	\$ 1,333	4.29%	\$ 175	\$ 4,249
Utilities	75	Customers	13,224	\$ 17,135	\$ 3,911	4.29%	\$ 735	\$ 17,870
Property Taxes/Licenses/Fees	76	Customers	24,080	\$ 24,591	\$ 511	4.29%	\$ 1,055	\$ 25,646
Dues & Subscriptions	77	Customers	8,206	\$ 6,435	\$ (1,771)	4.29%	\$ 276	\$ 6,711
Depreciation - Office Building	78	Customers	3,372	\$ 3,380	\$ 8		\$ -	\$ 3,380
Depreciation - Office Equipment	79	Customers	179	\$ 139	\$ (41)		\$ -	\$ 139
Repairs & Maintenance-office	80	Customers	7,161	\$ 27,890	\$ 20,729	-25.00%	\$ (6,973)	\$ 20,918
Cleaning and Maintenance	81	Customers	-	\$ 11,956	\$ 11,956	4.29%	\$ 513	\$ 12,468
Equipment Rental	82	Customers	11,168	\$ 1,741	\$ (9,427)	4.29%	\$ 75	\$ 1,815
Office Supplies	83	Customers	32,171	\$ 23,756	\$ (8,415)	4.29%	\$ 1,019	\$ 24,775
Postage & Freight	84	Customers	666	\$ 16,853	\$ 16,186	4.29%	\$ 723	\$ 17,576
Miscellaneous expense	85	Customers	1,019	\$ 1,426	\$ 407	4.29%	\$ 61	\$ 1,487
Travel/Meals/Lodging	86	Customers	1,802	\$ 2,408	\$ 606	4.29%	\$ 103	\$ 2,512
Bad Debt	87	Customers	10,493	\$ 10,012	\$ (481)	4.29%	\$ 430	\$ 10,441
Corporate overhead costs	89	Customers	271,039	\$ 263,332	\$ (7,707)	4.29%	\$ 11,297	\$ 274,629
Sale of Asset	90	Customers	-	\$ -	\$ -		\$ -	\$ -
Interest Expense	91	Customers	33,890	\$ 41,197	\$ 7,307		\$ -	\$ 41,197
Total Indirect Cost			\$ 751,510	\$ 842,941	\$ 91,431			\$ 868,032
Allowable Costs			\$ 4,520,930	\$ 4,981,128	\$ 460,198			\$ 5,113,504
Operating Income			\$ 609,407	\$ 360,080	\$ (249,327)			\$ 359,631
Operating Margin			11.88%	6.74%				6.57%

City of Newberg Garbage and Recycling Rates
Current Rates as of 7/1/2023 and Proposed Rates as of 7/1/2024

Proposed Increase **3.8%**

Residential Service		
Monthly Rate		
Weekly Curbside Service	Current Rate	Proposed Rate
20 gallon cart	\$21.69	\$22.52
35 gallon cart	\$23.39	\$24.28
35 gallon cart - Each additional	\$15.92	\$16.52
35 gallon cart (Non-Curb garbage only)	\$25.69	\$26.66
64 gallon cart	\$28.76	\$29.85
96 gallon cart	\$31.60	\$32.80
additional Recycling / Yard Debris cart	\$3.65	\$3.79
Recycling only - Every other week	\$8.70	\$9.03
35 gallon glass cart, every other week greater than 50% participation	\$3.96	\$4.11
35 gallon glass cart, every other week less than 50% participation	\$5.68	\$5.89
Monthly Curbside Service		
35 gallon cart	\$17.12	\$17.77
Every Other Week recycling & yard debris service is included with garbage service.		

Multiple Residential Units and Mobile Parks Service (Five or more units) Single Billing		
Monthly Rate		
Weekly Curbside Service	Current Rate	Proposed Rate
20 gallon cart	\$19.52	\$20.26
35 gallon cart	\$21.30	\$22.11
35 gallon cart (Non-Curb garbage only)	\$23.39	\$24.28
96 gallon cart	\$31.60	\$32.80
Each additional 35 gallon cart	\$14.00	\$14.53
Recycling only	\$8.70	\$9.03
Monthly Curbside Service		
35 gallon cart	\$17.12	\$17.77
Every Other Week recycling & yard debris service is included with garbage service.		

Additional Rates		
Service		
Extra On Service Day	Current Rate	Proposed Rate
Regular Customer - additional 32 gal equivalent can curbside	\$3.49	\$3.62
Regular Customer - additional 32 gal equivalent can non-curbside	\$4.25	\$4.41
On Call Customer - 32 gallon equivalent	\$9.34	\$9.70
Regular Customer - Yard Debris - 32 gal equivalent	\$3.83	\$3.98
Extra - Non-Service Day		
Go Back Charge - Per Cart	\$8.28	\$8.60
Bulky Items - Hourly plus disposal		
Truck - Hourly rate (one person)	\$92.81	\$96.35
Truck - Hourly rate (two people)	\$116.02	\$120.44
Recycling Contamination Charge (per occurrence)	\$12.59	\$13.06
Cart Exchange Fee	\$13.99	\$14.52
Overweight Charge	\$3.10	\$3.22
Restart Fee - Service stopped for Non-payment	\$13.99	\$14.52
NSF - Non Sufficient Funds	\$38.07	\$39.52

Commercial			
Monthly Rate - Regular Service	Current Rate		
	One Stop/Week	Each Additional Stop/Week	
Regular Weekly Service			
35 gallon cart	\$27.10	N/A	
64 gallon cart	\$30.15	N/A	
96 gallon cart	\$33.00	N/A	
1 yard container	\$96.15	\$72.73	
1.5 yard container	\$130.61	\$114.74	
2 yard container	\$166.63	\$148.76	
3 yard container	\$237.43	\$210.18	
4 yard container	\$311.81	\$266.36	
6 yard container	\$495.50	\$378.68	
8 yard container	\$639.32	\$543.44	
Yard Debris 96 gallon cart EOW	\$8.70	\$0.00	

Proposed Rate		
One Stop/Week	Each Additional Stop/Week	
	\$28.13	N/A
	\$31.30	N/A
	\$34.26	N/A
	\$99.81	\$75.50
	\$135.58	\$119.11
	\$172.98	\$154.43
	\$246.48	\$218.19
	\$323.69	\$276.51
	\$514.38	\$393.11
	\$663.68	\$564.14
	\$9.03	\$0.00

Temporary Service		
Container Size	Current Rate	
	One Stop/Week	Each Additional Stop/Week
1.5 yard container	\$43.52	\$31.23
2 yard container	\$55.21	\$42.11
3 yard container	\$73.84	\$59.74
4 yard container	\$92.03	\$78.83

Proposed Rate		
One Stop/Week	Each Additional Stop/Week	
	\$45.18	\$32.42
	\$57.31	\$43.71
	\$76.65	\$62.02
	\$95.53	\$81.83

Monthly Rate Commingled Recycling Service

For Additional Commercial Recycling, Drop Box Recycling, and Recycling Only Customers

Regular Weekly Service	Current Rate	
	One Stop/Week	Each Additional Stop/Week
96 gallon cart	\$11.98	\$10.20
1 yard container	\$38.90	\$33.06
1.5 yard container	\$50.82	\$43.20
2 yard container	\$63.66	\$54.14
3 yard container	\$88.61	\$75.34
4 yard container	\$115.53	\$98.20
5 yard container	\$140.23	\$119.21
6 yard container	\$188.53	\$160.26

Proposed Rate	
One Stop/Week	Each Additional Stop/Week
\$12.44	\$10.59
\$40.38	\$34.32
\$52.76	\$44.85
\$66.09	\$56.20
\$91.99	\$78.21
\$119.93	\$101.94
\$145.57	\$123.76
\$195.71	\$166.37

Commingled recycling is included with regular service up to two times the garbage volume.

Dropbox

Disposal Rates	Current Rate	
	Loose Rate	Compacted Rate
Container Size		
10 yard	\$232.13	\$371.29
15 yard	\$336.31	\$496.65
20 yard	\$383.47	\$611.51
25 yard	N/A	\$767.39
30 yard	\$565.35	\$882.25
40 yard	\$737.30	\$1,143.09

Proposed Rate	
Loose Rate	Compacted Rate
\$240.98	\$385.44
\$349.13	\$515.57
\$398.08	\$634.80
N/A	\$796.63
\$586.89	\$915.86
\$765.39	\$1,186.64

Permanent Drop box Rental Rates

Container Size	Current Rate
20 yard	\$62.58
30 yard	\$78.58
40 yard	\$83.76
Screen Lid	\$15.03
Metal Covered Lid	\$18.94
Demurrage - daily fee	\$6.17

Proposed Rate
\$64.97
\$81.58
\$86.95
\$15.60
\$19.66
\$6.40

Additional Rate Information	Current Rate
Delivery/Trip Charge - First Box	\$45.00
One drop box truck (one person) hourly rate	\$100.55
One drop box truck & trailer (one person) hourly rate	\$123.75
Mileage - per mile over 10 miles round trip	\$2.56

Proposed Rate
\$45.00
\$104.38
\$128.46
\$2.65

Note;

Drop boxes must be loaded to the point where the loaded vehicle will not exceed truck weight laws, or to the point where the drop box can not be dumped by normal dumping methods. Additional fees may apply for cost of penalties that are incurred due to overweight drop boxes.

Drop boxes shall not be loaded above the top of the box.

Weekend service for drop boxes shall be at 1.5 times the regular rate and shall be arranged prior to the service

Other Special Rates

Additional Rate Information

Tires	Current Rate		Proposed Rate	
Car tire - on or off rim	\$3.27	plus processing fee	\$3.27	plus processing fee
Truck tire - on or off rim	\$3.27	plus processing fee	\$3.27	plus processing fee

Note;

Tenants are responsible for waste collection fees (unless separate payment arrangements are made by the landlord).

Definition of extra; bundles, bags, sacks, and other - based on volume, securely tied and limited to 60 lbs. (1.5 x 1.5 x 4 feet will be equivalent to a full garbage carts

Plastic Bags securely tied and limited to 30 lbs. will be equivalent to a full garbage can. Plastic bags to be used for occasional additional garbage, not as full-time garbage service container.

Medical - Commercial Customers Only

Container Sales	Current Rate	
	1 - 2 Containers	3 or More
Container Size		
17 gallon tub	\$40.21	\$29.98
23 gallon box	\$43.21	\$32.37
31 gallon tub	\$44.64	\$33.45
43 gallon tub	\$50.34	\$39.00
30 gallon box	\$53.85	\$38.55

Proposed Rate	
1 - 2 Containers	3 or More
\$41.74	\$31.13
\$44.86	\$33.61
\$46.34	\$34.73
\$52.25	\$40.49
\$55.90	\$40.02

REQUEST FOR COUNCIL ACTION



Date Action Requested: (June 17th, 2024)

Order <input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Information <input type="checkbox"/>	
No. 2024-2926	
Subject: AN ORDINANCE TO ADOPT CODE AMENDMENTS TO THE SYSTEM DEVELOPMENT CHARGES CHAPTER OF NEWBERG'S MUNICIPAL CODE.	Staff: James Walker (City Attorney) Department: Legal
Business Session	Order On Agenda: Legislative Hearing
Hearing Type: Legislative <input checked="" type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Administrative <input type="checkbox"/> Not Applicable <input type="checkbox"/>	

Is this item state mandated? Yes No

If yes, please cite the state house bill or order that necessitated this action:

The City's SDC program is regulated by the provisions set forth in Oregon Revised Statutes 223.297–223.316.

Recommendation:

Staff recommends that City Council approve ordinance 2024-2926 amending Newberg's Municipal Code on System Development Charges.

Executive Summary:

City Council adopted Ordinance No. 2024-2922, amending Newberg's Municipal Code on System Development Charges on February 20, 2024. The purpose, in part, of Ordinance No. 2024-2922 was to remove the indexing system outlined in Newberg's Municipal Code. Reference to the indexing system was inadvertently left in the code. The package before City Council at this time effectuates the intent of the SDC Task Force and Ordinance No. 2024-2922 by removing all references to the indexing system in the City's SDC program.

Fiscal Impact: There are no fiscal impacts associated with Ordinance 2024-2926.

Council Goals: This amendment effectuates the intent of Ordinance No. 2024-2922, which was to "Implement a careful and prudent fiscal policy" and specifically to fulfill objective 3: "The city will prudently lower System Development Charge fees."

ORDINANCE NO. 2024-2926



AN ORDINANCE TO ADOPT CODE AMENDMENTS TO THE SYSTEM DEVELOPMENT CHARGES CHAPTER OF NEWBERG'S MUNICIPAL CODE.

Recitals:

1. In 2022, the City created the SDC Task Force to initiate system development charge (SDC) reform. The SDC Task Force recommended various code changes to Newberg Municipal Code Section 13.05. The recommendations, in part, were to remove the indexing system from the City's SDC program.
2. The City Council adopted Ordinance No. Ordinance No. 2024-2922, amending Newberg's Municipal Code on System Development Charges on February 20, 2024 to implement the recommendations of the SDC Task Force. Reference to the indexing system was inadvertently left in Section 13.05 of the Newberg Municipal Code after passage of Ordinance No. 2024-2922.
3. The amendments to Section 13.05, included as Attachment A, effectuate the intent of the SDC Task Force by removing references to the indexing system.

The City of Newberg Ordains as Follows:

1. The City Council adopts the amendments to Section 13.05 of the Newberg Municipal Code as provided under Attachment A.

Effective Date of this ordinance is the day of the adoption date, which is: June 17th, 2024.

Adopted by the City Council of Newberg, Oregon, this ___ day of _____, 2024, by the following votes: **AYE:** **NAY:** **ABSTAIN:**

Rachel Thomas, City Recorder

Attest by the Mayor this _____ day of _____, 2024.

Chapter 13.05 GENERAL PROVISIONS

Sections:

Article I. System Development Charges

- 13.05.010 Purpose.**
- 13.05.020 Scope.**
- 13.05.030 Definitions.**
- 13.05.040 System development charge established.**
- 13.05.050 Methodology.**
- 13.05.060 Authorized expenditures.**
- 13.05.070 Expenditure restrictions.**
- 13.05.075 Notice.**
- 13.05.080 Improvement plan.**
- 13.05.090 Collection of charge.**
- 13.05.100 Delinquent charges – Hearing.**
- 13.05.110 Installment payment.**
- 13.05.120 Exemptions.**
- 13.05.125 Waivers.**
- 13.05.130 Credits and deductions.**
- ~~**13.05.135 Indexing.**~~

13.05.140 Segregation and use of revenue.

13.05.150 Appeal procedure.

13.05.160 Prohibited connection.

Article II. Penalty

13.05.170 Penalty.

Article I. System Development Charges

13.05.010 Purpose.

The purpose of the system development charge is to impose a portion of the cost of capital improvements for water, wastewater drainage, streets, and flood control upon those developments that create the need for or increase the demands on capital improvements. [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.01.]

13.05.020 Scope.

The system development charge imposed by this article is separate from and in addition to any applicable tax, assessment, charge, or fee otherwise provided by law or imposed as a condition of development. [Ord. [2306](#), 6-18-91. Code 2001 § 50.02.]

Cross-reference: See Chapter 223 of Title [21](#) ORS for local system development charges.

13.05.030 Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“**Capital improvements**” means facilities or assets used for:

1. Water supply, treatment, and distribution;
2. Wastewater collection, transmission, treatment, and disposal;
3. Drainage and flood control; or

4. Transportation.

“**Developer**” means the person, builder, applicant, permittee, or firm developing land, making the improvement, or building or modifying a structure.

“**Development**” means constructing a building or making a physical change in the use or appearance of a structure or land.

“**Improvement fee**” means a fee for costs associated with capital improvements to be constructed after the date the fee is adopted pursuant to NMC [13.05.040](#).

“**Land area**” means the area of a parcel of land as measured by projection of the parcel boundaries upon a horizontal plane with the exception of a portion of the parcel within a recorded right-of-way or easement subject to a servitude for a public street, or scenic purpose, or preservation purpose.

“**Parcel of land**” means a lot, parcel, block, or other tract of land that is occupied or may be occupied by a structure or structures or other use, and that includes the yards and other open spaces required under the zoning, subdivision, or other development ordinances.

“**Qualified public improvement**” means a capital improvement that is:

1. Required as a condition of development approval;
2. Identified in the plan adopted pursuant to NMC [13.05.080](#); and either:
 - a. Not located on or contiguous to a parcel of land that is the subject of a development approval; or
 - b. Located in whole or in part on or contiguous to property that is the subject of development approval and required to be built larger or with greater capacity than is necessary for the particular development project to which the improvement fee is related.
3. For purposes of this definition, “**contiguous**” means in a public way which abuts the parcel.

“**Reimbursement fee**” means a fee for costs associated with capital improvements constructed or under construction on the date the fee is adopted pursuant to NMC [13.05.040](#) and for which the city council determines capacity exists.

“**System development charge**” means a reimbursement fee, an improvement fee, or a combination of a reimbursement fee and an improvement fee assessed or collected at the time of increased usage of a capital

improvement, at the time of issuance of a development permit or building permit, or at the time of connection to the capital improvement. “**System development charge**” includes that portion of a sewer or water system connection charge that is greater than the amount necessary to reimburse the local government for its average cost of inspecting and installing connections with water and sewer facilities. “**System development charge**” does not include fees assessed or collected as part of a local improvement district or a charge in lieu of a local improvement district assessment, or the cost of complying with requirements or conditions imposed by a land use decision. [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.03.]

13.05.040 System development charge established.

- A. System development charges shall be established and may be revised by resolution of the city council.
- B. Unless otherwise exempted by the provisions of this article or other local or state law, a system development charge is imposed upon all development within the city, and upon all development outside the boundary of the city that connect to or otherwise use the wastewater facilities, stormwater facilities, or water facilities of the city.
- C. For residential developments where dwelling units, as defined by the Oregon Residential Specialty Code, are one thousand square feet or less, except for multifamily housing as defined in ORS 456.515(8), the city will, at the election of the developer, modify the system development charge owed by applying a factor of twenty percent to the system development charge computed for the development. For multi-parcel developments, a factor of twenty percent may be applied only to those parcels whose only above grade improvements are single-family houses with dwelling units that are 1000 square feet or less. Developers that claim this system development charge modifier cannot claim any other waiver or discount for system development charges.

Cross-reference: See ORS [223.299](#) and [223.297](#) – [223.314](#) for system development charges.

13.05.050 Methodology.

- A. The methodology used to establish or modify the reimbursement fee shall, where applicable, be based on the cost of then-existing facilities, prior contributions by then-existing users, the value of unused capacity, rate-making principles employed to finance publicly owned capital improvements, and other relevant factors identified by the city council. The methodology shall promote the objective that future systems users shall contribute no more than an equitable share of the cost of then-existing facilities.
- B. The methodology used to establish or modify the improvement fee shall, where applicable, demonstrate consideration of the cost of projected capital improvements needed to increase the capacity

of the systems to which the fee is related.

C. The methodology used to establish the improvement fee or the reimbursement fee, or both, shall be contained in a resolution adopted by the city council. [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.05.]

13.05.060 Authorized expenditures.

A. Reimbursement fees shall be applied only to capital improvements associated with the systems for which the fees are assessed, including expenditures relating to repayment of indebtedness.

B. Improvement Fees.

1. Improvement fees shall be spent only on capacity-increasing capital improvements, including expenditures relating to repayment of future debt for the improvements. An increase in system capacity occurs if a capital improvement increases the level of performance or service provided by existing facilities or provides new facilities. The portion of the capital improvements funded by improvement fees must be related to demands created by development.

2. A capital improvement being funded wholly or in part from revenues derived from the improvement fee shall be included in the plan adopted by the city pursuant to NMC [13.05.080](#).

C. Notwithstanding subsections (A) and (B) of this section, system development charge revenues may be expended on the direct costs of complying with the provisions of this article, including the costs of developing system development charge methodologies and providing an annual accounting of system development charge expenditures. [Ord. [2306](#), 6-18-91. Code 2001 § 50.06.]

13.05.070 Expenditure restrictions.

A. System development charges shall not be expended for costs associated with the construction of administrative office facilities that are more than an incidental part of other capital improvements.

B. System development charges shall not be expended for costs of the operation or routine maintenance of capital improvements. [Ord. [2306](#), 6-18-91. Code 2001 § 50.07.]

13.05.075 Notice.

A. The city shall maintain a list of persons who have made a written request for notification prior to adoption or modification of a methodology for any system development charge. Written notice shall be mailed to

persons on the list at least 90 days prior to the first hearing to establish or modify a system development charge. The methodology supporting the system development charge shall be available at least 60 days prior to the first hearing to adopt or amend a system development charge. The failure of a person on the list to receive a notice that was mailed does not invalidate the action of the city.

B. The city may periodically delete names from the list, but at least 30 days prior to removing a name from the list, the city must notify the person whose name is to be deleted that a new written request for notification is required if the person wishes to remain on the notification list. [Ord. [2823](#) § 1, 3-19-18.]

13.05.080 Improvement plan.

A. The city council shall adopt a plan that:

1. Lists the capital improvements that the city council intends to fund in whole or in part with improvement fee revenues;
2. Lists the estimated cost and time of construction of each improvement and the percentage of that cost eligible to be funded with improvement fee revenues; and
3. Describes the process for modifying the plan.

B. In adopting this plan, the city council may incorporate by reference all or a portion of any public facilities plan, master plan, capital improvements plan, or similar plan that contains the information required by this section.

C. The city council may modify such plan and list at any time. If a system development charge will be increased by a proposed modification to the list to include a capacity-increasing public improvement the city council will:

1. At least 30 days prior to adoption of the proposed modification, provide written notice to persons who have requested notice pursuant to NMC [13.05.075](#).
2. Hold a public hearing if a written request for a hearing is received within seven days of the date of the proposed modification.

D. A change in the amount of a reimbursement fee or an improvement fee is not a modification of the system development charge if the change in amount is based on ~~the periodic application of the indexing~~

provisions of NMC [13.05.135](#) or a modification to any of the factors related to the rate therein that are incorporated in the established methodology. [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.08.]

13.05.090 Collection of charge.

A. The system development charge is due and payable at the earliest of the following:

1. At the time a request for an insulation inspection is made on single-family residences and duplexes. To allow timely processing of payment, payment must be made not less than 48 hours prior to a request for inspection and no insulation inspection shall be scheduled without proof of payment;
2. Issuance of a building permit for all other habitable structures (a development permit);
3. Issuance of a development permit that does not require the issuance of a building permit;
4. Issuance of a permit to connect to the water system; or
5. Issuance of a permit to connect to the wastewater system.

B. If no building or connection permit is required, the system development charge is payable at the time the usage of the capital improvement is increased based on changes in the use of the property unrelated to seasonal or ordinary fluctuations in usage.

C. If development is commenced or connection is made to the water, stormwater, or wastewater systems without an appropriate permit, the system development charge is immediately payable upon the earliest date that a permit was required.

D. The city manager shall collect the applicable system development charge when a permit that allows building or development of a parcel is issued or when a connection to the water, stormwater, or wastewater system of the city is made. The applicable charge is the charge in place at the time of collection, not the time of permit application.

E. The city manager shall not issue such permit or allow such connection until the charge has been paid in full, except for single-family residences and duplexes per subsection (A)(1) of this section, provision for installment payments has been made pursuant to NMC [13.05.110](#), or unless an exemption is granted pursuant to NMC [13.05.120](#). [Ord. [2869](#) § 1, 11-16-20; Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.09.]

13.05.100 Delinquent charges – Hearing.

A. When, for any reason, the system development charge has not been paid, the city manager shall report to the city council the amount of the uncollected charge, the description of the development to which the charge is attributable, the date upon which the charge was due, and the name of the developer.

B. The city council shall schedule a public hearing on the matter and direct that notice of the hearing be given to each developer with a copy of the city manager report concerning the unpaid charge. Notice of the hearing shall be given either personally or by certified mail, return receipt requested, or by both personal and mailed notice, and by posting notice on the parcel at least 10 days before the date set for the hearing.

C. At the hearing, the city council may accept, reject, or modify the determination of the city manager as set forth in the report. If the city council finds that a system development charge is unpaid and uncollected, it shall direct the city manager to enter the unpaid and uncollected system development charge in the lien docket. Upon completion of the docketing, the city shall have a lien against the described land for the full amount of the unpaid charge, together with interest at the legal rate of 10 percent and with the city's actual cost of serving notice of the hearing on the owners. The lien shall be enforceable in the manner provided in ORS Chapter [223](#). [Ord. [2306](#), 6-18-91. Code 2001 § 50.10.]

13.05.110 Installment payment.

A. An owner of property obligated to pay a system development charge in an amount exceeding \$2,500 may apply to pay the charge in semiannual installments over a period not to exceed 10 years, but will pay minimum semiannual installments of not less than \$1,250. Installments shall include interest on the unpaid balance at the rate equal to three percent per annum above the prime rate of interest quoted by the Wall Street Journal as of January 2nd of the year in which the charge is imposed.

B. The city manager shall provide application forms for installment payments, which shall include a waiver of all rights to contest the validity of the lien, except for the correction of computational errors.

C. An applicant for installment payments shall have the burden of demonstrating the applicant's authority to assent to the imposition of a lien on the development and that the interest of the applicant is adequate to secure payment of the lien.

D. The city manager shall docket the lien in the lien docket. From that time the city shall have a lien upon the described parcel for the amount of the system development charge, together with interest on the unpaid balance. The lien shall be enforceable in the manner provided in ORS Chapter [223](#). [Ord. [2823](#) § 1, 3-19-18;

13.05.120 Exemptions.

A. Structures and uses established and existing on or before June 18, 1991, are exempt from a system development charge, except water and wastewater charges, to the extent of the structure or use then existing and to the extent of the parcel of land as it is constituted on that date. Structures and uses affected by this section shall pay the water or wastewater charges pursuant to the terms of this article upon the receipt of a permit to connect to the water or wastewater system.

B. Additions to single-family dwellings that do not constitute the addition of a dwelling unit, as defined by the current Oregon Residential Specialty Code, are exempt from all portions of the system development charge.

C. An alteration, addition, replacement, or change in use that does not increase the parcel's or structure's use of the public improvement facility are exempt from all portions of the system development charge.

D. No transportation system development charges shall be charged for applications that only request a change in use for improvements existing at the time of application submission.

E. Development of child care facilities as defined by ORS 329A.250(5) and certified per ORS 329A.300 are exempt from all system development charges established under this Chapter.

13.05.125 Waivers.

A. Up to two low or moderate income single-family residential projects for certified nonprofit entities per calendar year will be granted a waiver for wastewater and water system development charges by the city manager on a first come, first served basis.

B. Partial waivers of twenty-five percent for each category of system development charge shall be applied to developments starting or expanding enterprises that provide family wage jobs as further described in this subsection. No developer may claim any other waiver, modifier, or discount for system development charges in addition to the partial waiver described in this subsection. No partial waiver shall be applied unless the city council affirmatively finds that:

1. The enterprise will create at least twenty family wage jobs.
2. The developer will also be the employer of each individual receiving a family wage job.

3. The family wage jobs will not pay less than one hundred and fifty percent of the applicable minimum wage rate provided under ORS 653.025(1).
4. The enterprise has been reviewed and endorsed by the Strategic Economic Development Corporation of the Mid-Willamette Valley, Oregon or another outside Oregon economic development agency.
5. The duration of each family wage job is permanent in nature and will likely last three or more years.
6. A staff report by the city's community development department supports the award of a partial waiver.

C. Except as provided in this section, no waiver of system development charges shall be made. [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.12.]

13.05.130 Credits and deductions.

A. Deductions shall be given for the computed system development charge to the extent that prior structures existed and services were established on or before June 18, 1991. The deduction so computed shall not exceed the calculated system development charge. No refund shall be made on account of such deduction. No deduction will be granted on uses that have not existed for over five years or if said property has been vacant for over five years.

B. A credit shall be given for the cost of a qualified public improvement associated with a development. If a qualified public improvement is the subject of the development approval:

1. The credit shall be given only for the cost of the eligible portion of the improvement.
2. The credit provided for by this subsection shall be only for the improvement fee charged for the type of improvement being constructed.
3. Credits must be for the actual cost of project capacity in excess of that needed to serve the particular development.
4. Credits must be issued only for projects in the plan adopted pursuant to NMC [13.05.080](#).
5. The credit shall be given only after the city approves the cost of the eligible portion of the improvement, including the cost basis of said amount. The applicant shall have the burden of demonstrating that a particular improvement qualifies for credit under this subsection. The request for credit shall be filed in writing no later than 60 days after acceptance of the improvement by the city.

The city's determination of the cost of a qualified public improvement shall be final, subject to any applicable appeal processes.

6. The city may deny the credit provided for in this section if the city demonstrates that the application does not meet the requirements of this section or if the improvement for which credit is sought was not included in the improvement plan.

C. Credit shall not be transferable from one development to another except within the same use district or subdistrict that is part of a Council-approved master plan or within a planned unit development authorized by NMC 15.240.

D. Credit shall not be transferable from one category of capital improvement to another.

E. Credits cannot be indexed for inflation.

F. Credits cannot be redeemed for cash.

G. Credits shall be used within ten years from the date the credit is given. [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.13.]

H. The city may require the developer to identify the credits the developer believes are applicable to the development during the applicable permitting process. The city will not be bound to approve any credits identified under this section. The city will not issue planning approval until potential credits have been approved by the city engineer.

13.05.135 – Repealed

13.05.140 Segregation and use of revenue.

A. All funds derived from a particular system development charge are to be segregated by accounting practices from all other funds of the city. That portion of the system development charge calculated and collected on account of a specific facility system shall be used for no purpose other than those set forth in NMC [13.05.060](#).

B. The city manager shall provide an annual accounting, based on the city's fiscal year, for system development charges showing the total amount of system development charge revenues collected for each type of facility and the projects funded from each account. [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.14.]

13.05.150 Appeal procedure.

A. A person challenging the propriety of an expenditure of system development charge revenues may appeal the decision or the expenditure to the city council by filing a written request with the city manager describing with particularity the expenditure which the person appeals. An appeal of an expenditure must be filed within two years of the date of the alleged improper expenditure.

B. After providing notice to the appellant, the city council shall determine if the expenditure is in accordance with this article and the provisions of ORS [223.297](#) through [223.314](#) and may affirm, modify, or overrule the decisions. If the city council determines that there has been an improper expenditure of system development charge revenues, the city council shall direct that a sum equal to the misspent amount shall be deposited within one year to the credit of the account or fund from which it was spent.

C. A legal action challenging the methodology adopted by the city council pursuant to NMC [13.05.050](#) shall not be filed later than 60 days after the adoption and only as provided in ORS [34.010](#) through ORS [34.100](#). [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.15.]

13.05.160 Prohibited connection.

No person shall connect to the water or wastewater systems of the city unless the appropriate system development charge has been paid or installment payment method has been applied for and approved. [Ord. [2306](#), 6-18-91. Code 2001 § 50.16.]

Penalty: See NMC [13.05.170](#).

Article II. Penalty

13.05.170 Penalty.

Violation of NMC [13.05.160](#) is punishable by a fine not to exceed \$500.00. [Ord. [2585](#), 7-21-03; Ord. [2306](#), 6-18-91. Code 2001 § 50.99.]

Chapter 13.05 GENERAL PROVISIONS

Sections:

Article I. System Development Charges

- 13.05.010 Purpose.**
- 13.05.020 Scope.**
- 13.05.030 Definitions.**
- 13.05.040 System development charge established.**
- 13.05.050 Methodology.**
- 13.05.060 Authorized expenditures.**
- 13.05.070 Expenditure restrictions.**
- 13.05.075 Notice.**
- 13.05.080 Improvement plan.**
- 13.05.090 Collection of charge.**
- 13.05.100 Delinquent charges – Hearing.**
- 13.05.110 Installment payment.**
- 13.05.120 Exemptions.**
- 13.05.125 Waivers.**
- 13.05.130 Credits and deductions.**
- 13.05.140 Segregation and use of revenue.**

13.05.150 Appeal procedure.

13.05.160 Prohibited connection.

Article II. Penalty

13.05.170 Penalty.

Article I. System Development Charges

13.05.010 Purpose.

The purpose of the system development charge is to impose a portion of the cost of capital improvements for water, wastewater drainage, streets, and flood control upon those developments that create the need for or increase the demands on capital improvements. [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.01.]

13.05.020 Scope.

The system development charge imposed by this article is separate from and in addition to any applicable tax, assessment, charge, or fee otherwise provided by law or imposed as a condition of development. [Ord. [2306](#), 6-18-91. Code 2001 § 50.02.]

Cross-reference: See Chapter 223 of Title [21](#) ORS for local system development charges.

13.05.030 Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“**Capital improvements**” means facilities or assets used for:

1. Water supply, treatment, and distribution;
2. Wastewater collection, transmission, treatment, and disposal;
3. Drainage and flood control; or
4. Transportation.

“**Developer**” means the person, builder, applicant, permittee, or firm developing land, making the improvement, or building or modifying a structure.

“**Development**” means constructing a building or making a physical change in the use or appearance of a structure or land.

“**Improvement fee**” means a fee for costs associated with capital improvements to be constructed after the date the fee is adopted pursuant to NMC [13.05.040](#).

“**Land area**” means the area of a parcel of land as measured by projection of the parcel boundaries upon a horizontal plane with the exception of a portion of the parcel within a recorded right-of-way or easement subject to a servitude for a public street, or scenic purpose, or preservation purpose.

“**Parcel of land**” means a lot, parcel, block, or other tract of land that is occupied or may be occupied by a structure or structures or other use, and that includes the yards and other open spaces required under the zoning, subdivision, or other development ordinances.

“**Qualified public improvement**” means a capital improvement that is:

1. Required as a condition of development approval;
2. Identified in the plan adopted pursuant to NMC [13.05.080](#); and either:
 - a. Not located on or contiguous to a parcel of land that is the subject of a development approval; or
 - b. Located in whole or in part on or contiguous to property that is the subject of development approval and required to be built larger or with greater capacity than is necessary for the particular development project to which the improvement fee is related.
3. For purposes of this definition, “**contiguous**” means in a public way which abuts the parcel.

“**Reimbursement fee**” means a fee for costs associated with capital improvements constructed or under construction on the date the fee is adopted pursuant to NMC [13.05.040](#) and for which the city council determines capacity exists.

“**System development charge**” means a reimbursement fee, an improvement fee, or a combination of a reimbursement fee and an improvement fee assessed or collected at the time of increased usage of a capital improvement, at the time of issuance of a development permit or building permit, or at the time of

connection to the capital improvement. “**System development charge**” includes that portion of a sewer or water system connection charge that is greater than the amount necessary to reimburse the local government for its average cost of inspecting and installing connections with water and sewer facilities. “**System development charge**” does not include fees assessed or collected as part of a local improvement district or a charge in lieu of a local improvement district assessment, or the cost of complying with requirements or conditions imposed by a land use decision. [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.03.]

13.05.040 System development charge established.

- A. System development charges shall be established and may be revised by resolution of the city council.
- B. Unless otherwise exempted by the provisions of this article or other local or state law, a system development charge is imposed upon all development within the city, and upon all development outside the boundary of the city that connect to or otherwise use the wastewater facilities, stormwater facilities, or water facilities of the city.
- C. For residential developments where dwelling units, as defined by the Oregon Residential Specialty Code, are one thousand square feet or less, except for multifamily housing as defined in ORS 456.515(8), the city will, at the election of the developer, modify the system development charge owed by applying a factor of twenty percent to the system development charge computed for the development. For multi-parcel developments, a factor of twenty percent may be applied only to those parcels whose only above grade improvements are single-family houses with dwelling units that are 1000 square feet or less. Developers that claim this system development charge modifier cannot claim any other waiver or discount for system development charges.

Cross-reference: See ORS [223.299](#) and [223.297](#) – [223.314](#) for system development charges.

13.05.050 Methodology.

- A. The methodology used to establish or modify the reimbursement fee shall, where applicable, be based on the cost of then-existing facilities, prior contributions by then-existing users, the value of unused capacity, rate-making principles employed to finance publicly owned capital improvements, and other relevant factors identified by the city council. The methodology shall promote the objective that future systems users shall contribute no more than an equitable share of the cost of then-existing facilities.
- B. The methodology used to establish or modify the improvement fee shall, where applicable, demonstrate consideration of the cost of projected capital improvements needed to increase the capacity of the systems to which the fee is related.

C. The methodology used to establish the improvement fee or the reimbursement fee, or both, shall be contained in a resolution adopted by the city council. [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.05.]

13.05.060 Authorized expenditures.

A. Reimbursement fees shall be applied only to capital improvements associated with the systems for which the fees are assessed, including expenditures relating to repayment of indebtedness.

B. Improvement Fees.

1. Improvement fees shall be spent only on capacity-increasing capital improvements, including expenditures relating to repayment of future debt for the improvements. An increase in system capacity occurs if a capital improvement increases the level of performance or service provided by existing facilities or provides new facilities. The portion of the capital improvements funded by improvement fees must be related to demands created by development.

2. A capital improvement being funded wholly or in part from revenues derived from the improvement fee shall be included in the plan adopted by the city pursuant to NMC [13.05.080](#).

C. Notwithstanding subsections (A) and (B) of this section, system development charge revenues may be expended on the direct costs of complying with the provisions of this article, including the costs of developing system development charge methodologies and providing an annual accounting of system development charge expenditures. [Ord. [2306](#), 6-18-91. Code 2001 § 50.06.]

13.05.070 Expenditure restrictions.

A. System development charges shall not be expended for costs associated with the construction of administrative office facilities that are more than an incidental part of other capital improvements.

B. System development charges shall not be expended for costs of the operation or routine maintenance of capital improvements. [Ord. [2306](#), 6-18-91. Code 2001 § 50.07.]

13.05.075 Notice.

A. The city shall maintain a list of persons who have made a written request for notification prior to adoption or modification of a methodology for any system development charge. Written notice shall be mailed to persons on the list at least 90 days prior to the first hearing to establish or modify a system development charge. The methodology supporting the system development charge shall be available at least 60 days prior

to the first hearing to adopt or amend a system development charge. The failure of a person on the list to receive a notice that was mailed does not invalidate the action of the city.

B. The city may periodically delete names from the list, but at least 30 days prior to removing a name from the list, the city must notify the person whose name is to be deleted that a new written request for notification is required if the person wishes to remain on the notification list. [Ord. [2823](#) § 1, 3-19-18.]

13.05.080 Improvement plan.

A. The city council shall adopt a plan that:

1. Lists the capital improvements that the city council intends to fund in whole or in part with improvement fee revenues;
2. Lists the estimated cost and time of construction of each improvement and the percentage of that cost eligible to be funded with improvement fee revenues; and
3. Describes the process for modifying the plan.

B. In adopting this plan, the city council may incorporate by reference all or a portion of any public facilities plan, master plan, capital improvements plan, or similar plan that contains the information required by this section.

C. The city council may modify such plan and list at any time. If a system development charge will be increased by a proposed modification to the list to include a capacity-increasing public improvement the city council will:

1. At least 30 days prior to adoption of the proposed modification, provide written notice to persons who have requested notice pursuant to NMC [13.05.075](#).
2. Hold a public hearing if a written request for a hearing is received within seven days of the date of the proposed modification.

D. A change in the amount of a reimbursement fee or an improvement fee is not a modification of the system development charge if the change in amount is based on a modification to any of the factors related to the rate therein that are incorporated in the established methodology. [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.08.]

13.05.090 Collection of charge.

A. The system development charge is due and payable at the earliest of the following:

1. At the time a request for an insulation inspection is made on single-family residences and duplexes. To allow timely processing of payment, payment must be made not less than 48 hours prior to a request for inspection and no insulation inspection shall be scheduled without proof of payment;
2. Issuance of a building permit for all other habitable structures (a development permit);
3. Issuance of a development permit that does not require the issuance of a building permit;
4. Issuance of a permit to connect to the water system; or
5. Issuance of a permit to connect to the wastewater system.

B. If no building or connection permit is required, the system development charge is payable at the time the usage of the capital improvement is increased based on changes in the use of the property unrelated to seasonal or ordinary fluctuations in usage.

C. If development is commenced or connection is made to the water, stormwater, or wastewater systems without an appropriate permit, the system development charge is immediately payable upon the earliest date that a permit was required.

D. The city manager shall collect the applicable system development charge when a permit that allows building or development of a parcel is issued or when a connection to the water, stormwater, or wastewater system of the city is made. The applicable charge is the charge in place at the time of collection, not the time of permit application.

E. The city manager shall not issue such permit or allow such connection until the charge has been paid in full, except for single-family residences and duplexes per subsection (A)(1) of this section, provision for installment payments has been made pursuant to NMC [13.05.110](#), or unless an exemption is granted pursuant to NMC [13.05.120](#). [Ord. [2869](#) § 1, 11-16-20; Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.09.]

13.05.100 Delinquent charges – Hearing.

A. When, for any reason, the system development charge has not been paid, the city manager shall report to the city council the amount of the uncollected charge, the description of the development to which the

charge is attributable, the date upon which the charge was due, and the name of the developer.

B. The city council shall schedule a public hearing on the matter and direct that notice of the hearing be given to each developer with a copy of the city manager report concerning the unpaid charge. Notice of the hearing shall be given either personally or by certified mail, return receipt requested, or by both personal and mailed notice, and by posting notice on the parcel at least 10 days before the date set for the hearing.

C. At the hearing, the city council may accept, reject, or modify the determination of the city manager as set forth in the report. If the city council finds that a system development charge is unpaid and uncollected, it shall direct the city manager to enter the unpaid and uncollected system development charge in the lien docket. Upon completion of the docketing, the city shall have a lien against the described land for the full amount of the unpaid charge, together with interest at the legal rate of 10 percent and with the city's actual cost of serving notice of the hearing on the owners. The lien shall be enforceable in the manner provided in ORS Chapter [223](#). [Ord. [2306](#), 6-18-91. Code 2001 § 50.10.]

13.05.110 Installment payment.

A. An owner of property obligated to pay a system development charge in an amount exceeding \$2,500 may apply to pay the charge in semiannual installments over a period not to exceed 10 years, but will pay minimum semiannual installments of not less than \$1,250. Installments shall include interest on the unpaid balance at the rate equal to three percent per annum above the prime rate of interest quoted by the Wall Street Journal as of January 2nd of the year in which the charge is imposed.

B. The city manager shall provide application forms for installment payments, which shall include a waiver of all rights to contest the validity of the lien, except for the correction of computational errors.

C. An applicant for installment payments shall have the burden of demonstrating the applicant's authority to assent to the imposition of a lien on the development and that the interest of the applicant is adequate to secure payment of the lien.

D. The city manager shall docket the lien in the lien docket. From that time the city shall have a lien upon the described parcel for the amount of the system development charge, together with interest on the unpaid balance. The lien shall be enforceable in the manner provided in ORS Chapter [223](#). [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.11.]

13.05.120 Exemptions.

A. Structures and uses established and existing on or before June 18, 1991, are exempt from a system

development charge, except water and wastewater charges, to the extent of the structure or use then existing and to the extent of the parcel of land as it is constituted on that date. Structures and uses affected by this section shall pay the water or wastewater charges pursuant to the terms of this article upon the receipt of a permit to connect to the water or wastewater system.

B. Additions to single-family dwellings that do not constitute the addition of a dwelling unit, as defined by the current Oregon Residential Specialty Code, are exempt from all portions of the system development charge.

C. An alteration, addition, replacement, or change in use that does not increase the parcel's or structure's use of the public improvement facility are exempt from all portions of the system development charge.

D. No transportation system development charges shall be charged for applications that only request a change in use for improvements existing at the time of application submission.

E. Development of child care facilities as defined by ORS 329A.250(5) and certified per ORS 329A.300 are exempt from all system development charges established under this Chapter.

13.05.125 Waivers.

A. Up to two low or moderate income single-family residential projects for certified nonprofit entities per calendar year will be granted a waiver for wastewater and water system development charges by the city manager on a first come, first served basis.

B. Partial waivers of twenty-five percent for each category of system development charge shall be applied to developments starting or expanding enterprises that provide family wage jobs as further described in this subsection. No developer may claim any other waiver, modifier, or discount for system development charges in addition to the partial waiver described in this subsection. No partial waiver shall be applied unless the city council affirmatively finds that:

1. The enterprise will create at least twenty family wage jobs.
2. The developer will also be the employer of each individual receiving a family wage job.
3. The family wage jobs will not pay less than one hundred and fifty percent of the applicable minimum wage rate provided under ORS 653.025(1).
4. The enterprise has been reviewed and endorsed by the Strategic Economic Development Corporation of the Mid-Willamette Valley, Oregon or another outside Oregon economic development agency.

5. The duration of each family wage job is permanent in nature and will likely last three or more years.
6. A staff report by the city's community development department supports the award of a partial waiver.

C. Except as provided in this section, no waiver of system development charges shall be made. [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.12.]

13.05.130 Credits and deductions.

A. Deductions shall be given for the computed system development charge to the extent that prior structures existed and services were established on or before June 18, 1991. The deduction so computed shall not exceed the calculated system development charge. No refund shall be made on account of such deduction. No deduction will be granted on uses that have not existed for over five years or if said property has been vacant for over five years.

B. A credit shall be given for the cost of a qualified public improvement associated with a development. If a qualified public improvement is the subject of the development approval:

1. The credit shall be given only for the cost of the eligible portion of the improvement.
2. The credit provided for by this subsection shall be only for the improvement fee charged for the type of improvement being constructed.
3. Credits must be for the actual cost of project capacity in excess of that needed to serve the particular development.
4. Credits must be issued only for projects in the plan adopted pursuant to NMC [13.05.080](#).
5. The credit shall be given only after the city approves the cost of the eligible portion of the improvement, including the cost basis of said amount. The applicant shall have the burden of demonstrating that a particular improvement qualifies for credit under this subsection. The request for credit shall be filed in writing no later than 60 days after acceptance of the improvement by the city. The city's determination of the cost of a qualified public improvement shall be final, subject to any applicable appeal processes.
6. The city may deny the credit provided for in this section if the city demonstrates that the application does not meet the requirements of this section or if the improvement for which credit is

sought was not included in the improvement plan.

C. Credit shall not be transferable from one development to another except within the same use district or subdistrict that is part of a Council-approved master plan or within a planned unit development authorized by NMC 15.240.

D. Credit shall not be transferable from one category of capital improvement to another.

E. Credits cannot be indexed for inflation.

F. Credits cannot be redeemed for cash.

G. Credits shall be used within ten years from the date the credit is given. [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.13.]

H. The city may require the developer to identify the credits the developer believes are applicable to the development during the applicable permitting process. The city will not be bound to approve any credits identified under this section. The city will not issue planning approval until potential credits have been approved by the city engineer.

13.05.135 – Repealed

13.05.140 Segregation and use of revenue.

A. All funds derived from a particular system development charge are to be segregated by accounting practices from all other funds of the city. That portion of the system development charge calculated and collected on account of a specific facility system shall be used for no purpose other than those set forth in NMC [13.05.060](#).

B. The city manager shall provide an annual accounting, based on the city's fiscal year, for system development charges showing the total amount of system development charge revenues collected for each type of facility and the projects funded from each account. [Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.14.]

13.05.150 Appeal procedure.

A. A person challenging the propriety of an expenditure of system development charge revenues may appeal the decision or the expenditure to the city council by filing a written request with the city manager describing with particularity the expenditure which the person appeals. An appeal of an expenditure must be filed within

two years of the date of the alleged improper expenditure.

B. After providing notice to the appellant, the city council shall determine if the expenditure is in accordance with this article and the provisions of ORS [223.297](#) through [223.314](#) and may affirm, modify, or overrule the decisions. If the city council determines that there has been an improper expenditure of system development charge revenues, the city council shall direct that a sum equal to the misspent amount shall be deposited within one year to the credit of the account or fund from which it was spent.

C. A legal action challenging the methodology adopted by the city council pursuant to NMC [13.05.050](#) shall not be filed later than 60 days after the adoption and only as provided in ORS [34.010](#) through ORS [34.100](#).

[Ord. [2823](#) § 1, 3-19-18; Ord. [2306](#), 6-18-91. Code 2001 § 50.15.]

13.05.160 Prohibited connection.

No person shall connect to the water or wastewater systems of the city unless the appropriate system development charge has been paid or installment payment method has been applied for and approved. [Ord. [2306](#), 6-18-91. Code 2001 § 50.16.]

Penalty: See NMC [13.05.170](#).

Article II. Penalty

13.05.170 Penalty.

Violation of NMC [13.05.160](#) is punishable by a fine not to exceed \$500.00. [Ord. [2585](#), 7-21-03; Ord. [2306](#), 6-18-91. Code 2001 § 50.99.]

REQUEST FOR COUNCIL ACTION



Date Action Requested: June 17, 2024

Order <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Information <input type="checkbox"/>	
No. 2024-3935	
Subject: Public hearing and approval of Supplemental Budget #2 for fiscal year 2023-2024 as described in Exhibit "A".	Staff: Kady Strode Department: Finance File No.
Business Session	Order On Agenda: Public Hearing
Hearing Type: Administrative	

Recommendation: Adopt Resolution No. 2024-3935 for approval of Supplemental Budget #2 for fiscal year 2023-2024.

Executive Summary: The changes presented in the Supplemental Budget #2 covers 12 funds. A brief description of the reasons for these changes is provided below. Notice of the supplemental budget public hearing was published in the Newberg Graphic on June 6th, 2024.

Fiscal Impact: The Supplemental Budget #2 results in a net increase in total appropriations of \$1,210,443, bringing total appropriations to \$140,138,930 and unappropriated ending fund balances of \$1,154 for a total amount of \$140,140,084. The main reason for increase of appropriations was an increase in TLT revenue, additional interest income received, and the insurance reimbursement for the city hall freeze event which were not originally anticipated at the time of the budget creation. Many other appropriation categories increased or decreased but did not change the overall expenditure amount budgeted in the fund.

Strategic Assessment: The Supplemental Budget #2 allows for better transparency to the public and Council for truing up the budget to current spending throughout the fiscal year.

RESOLUTION NO. 2024-3935

A Resolution to approve the Supplemental Budget #2 for fiscal year 2023-2024 as described in Exhibit A.

Recitals:

1. The 2023-2024 Budget was adopted by Resolution 2023-3898 on June 5, 2023.
2. The 2023-2024 Supplemental Budget #1 was adopted by resolution on February 5, 2024.
3. Increase in appropriation resulted from an increase in TLT revenue, additional interest income received, and the insurance reimbursement for the city hall freeze event. Other appropriation categories increased or decreased but did not change the overall expenditures of the fund.
3. In accordance with Oregon Budget Law, notice of this Council public hearing was published in the Newberg Graphic on June 6th, 2024.

The City of Newberg Resolves as Follows:

1. The Council adopts the above recitals.
2. The Council adopts the Supplemental Budget #2 as reflected in the attached Exhibit A which is incorporated in full by this reference. The Council further authorizes the supplemental appropriations reflected in Exhibit A.

Effective Date of this resolution is the day after the adoption date, which is: June 18, 2024.

Adopted by the City Council of Newberg, Oregon, this 17th day of June, 2024

Rachel Thomas, City Recorder

Attest by the Mayor this _____ day of _____, 2024.

Bill Rosacker, Mayor

**EXHIBIT A TO
RESOLUTION NO. 2024-3935**

City of Newberg
Supplemental Budget #2
Fiscal Year 2023-2024

SUMMARY OF PROPOSED BUDGET CHANGES				
AMOUNTS SHOWN ARE REVISED TOTALS IN THOSE FUNDS BEING MODIFIED				
FUND 01 - GENERAL FUND				
		BUDGET	CHANGE	REVISED
Resources	<i>Increase</i>	19,671,808	377,267	20,049,075
Police	<i>Increase</i>	9,654,477	100,000	9,754,477
Contingency	<i>Increase</i>	3,548,477	277,267	3,825,744
	Revised Total Resources	20,049,075		
	Revised Total Requirements	20,049,075		
<p><i>Resources increased due to additional TLT revenue received by transfer in from the Transient Lodging Tax Fund as well as interest income exceeding budgeted predictions. Police expenditures increased due to new CBA contract negotiations allowing for vacation payouts and longevity to match the rest of the city's policies. Contingency increased as offset.</i></p>				
FUND 02 - STREETS				
		BUDGET	CHANGE	REVISED
Resources	<i>Increased</i>	4,626,308	73,267	4,699,575
Public Works	<i>Increased</i>	1,925,819	342,030	2,267,849
Contingency	<i>Decrease</i>	1,950,489	(268,763)	1,681,726
	Revised Total Resources	4,699,575		
	Revised Total Requirements	4,699,575		
<p><i>Resources increased due to a grant received for the street sweeper which was partially recorded in the street fund. Public Works expenditures increased due to vehicle fleet purchases made from contingency assigned for that purpose. Offset from contingency.</i></p>				
FUND 06 - WASTEWATER FUND				
		BUDGET	CHANGE	REVISED
Public Works	<i>Increase</i>	8,065,585	482,832	8,548,417
Contingency	<i>Decrease</i>	14,378,465	(482,832)	13,895,633
	Revised Total Requirements	26,656,970		
<p><i>Public works expenditures increased due to vehicle fleet purchases made from contingency assigned for that purpose. Contingency decreased as offset.</i></p>				

<u>FUND 07 - WATER</u>		BUDGET	CHANGE	REVISED
Public Works	<i>Increase</i>	5,965,583	495,432	6,461,015
Contingency	<i>Decrease</i>	10,308,903	(495,432)	9,813,471
Revised Total Requirements		21,079,642		

Public works expenditures increased due to vehicle fleet purchases made from contingency assigned for that purpose. Contingency decreased as offset.

<u>FUND 08 - BUILDING INSPECTION</u>		BUDGET	CHANGE	REVISED
Building Inspection	<i>Increase</i>	1,136,935	46,853	1,183,788
Contingency	<i>Decrease</i>	3,036,353	(46,853)	2,989,500
Revised Total Requirements		4,173,288		

Building Inspection expenditures increased due to vehicle fleet purchases made from contingency assigned for that purpose. Contingency decreased as offset.

<u>FUND 13 - 911 EMERGENCY</u>		BUDGET	CHANGE	REVISED
Resources	<i>Increase</i>	658,739	22,315	681,054
Communications	<i>Increase</i>	544,897	22,315	567,212
Revised Total Resources		681,054		
Revised Total Requirements		681,054		

Resources and Communication expenditures increased due to a NEWCOM SIP Integration reimbursement received.

<u>FUND 14 - ECONOMIC DEVELOPMENT</u>		BUDGET	CHANGE	REVISED
Planning	<i>Increase</i>	24,320	20,000	44,320
Contingency	<i>Decrease</i>	1,505,363	(20,000)	1,485,363
Revised Total Requirements		3,113,028		

Planning increased due to the purchase of new building and planning software using a portion of economic development funds. Contingency decreased as offset.

<u>FUND 16 - PUBLIC SAFETY FEE</u>		BUDGET	CHANGE	REVISED
Police	<i>Increase</i>	567,299	14,738	582,037
Communications	<i>Increase</i>	289,074	25,569	314,643
Contingency	<i>Decrease</i>	77,578	(40,307)	37,271
Revised Total Requirements		933,951		

Police and Communications expenditures increased due to additional utilization of funds from public safety fees. Contingency decreased as offset.

<u>FUND 17 - STORMWATER</u>		BUDGET	CHANGE	REVISED
Public Works	<i>Increase</i>	2,062,578	466,856	2,529,434
Contingency	<i>Decrease</i>	2,936,414	(466,856)	2,469,558
Revised Total Requirements		5,986,922		

Public Works expenditures increased due to vehicle fleet purchases made from contingency assigned for that purpose. Contingency decreased as offset.

<u>FUND 19 - TRANSIENT LODGING TAX</u>		BUDGET	CHANGE	REVISED
Resources	<i>Increase</i>	1,072,657	350,000	1,422,657
General Government	<i>Increase</i>	375,507	122,733	498,240
Transfers	<i>Increase</i>	694,783	227,267	922,050
Revised Total Resources		<u>1,422,657</u>		
Revised Total Requirements		<u>1,422,657</u>		

Resources, General Government, Transfers and Contingency increased due to additional TLT revenue received.

<u>FUND 22 - LIBRARY GIFT, MEMORIAL & GRANT</u>		BUDGET	CHANGE	REVISED
Library	<i>Increase</i>	55,906	7,535	63,441
Contingency	<i>Decrease</i>	7,535	(7,535)	-
Revised Total Requirements		<u>63,441</u>		

Library expenditures increased due to to additional spending on library books and materials. The library receives grants and donations and uses all available revenues from this fund when possible to maximize revenues received. Contingency decreased as offset.

<u>FUND 31 - ADMIN SUPPORT SERVICES</u>		BUDGET	CHANGE	REVISED
Resources	<i>Increase</i>	8,304,210	387,594	8,691,804
City Attorney	<i>Increase</i>	542,437	75,000	617,437
Public Works	<i>Increase</i>	1,097,168	597,110	1,694,278
Insurance	<i>Decrease</i>	708,600	(36,590)	672,010
Contingency	<i>Decrease</i>	1,029,900	(247,926)	781,974
Revised Total Resources		<u>8,691,804</u>		
Revised Total Requirements		<u>8,691,804</u>		

Resources increased due to insurance reimbursements received related to the city hall flooding and water treatment plant freeze damages. City Attorney expenditures increased due to additional legal expenses incurred for AFSCME bargaining. Public Works expenditures increased due to city hall flood and water treatment plant freeze damages being recorded in Facilities department, some of which will be reimbursed by insurance. Additionally, Public Works expenditures increased due to vehicle fleet purchases made from contingency assigned for that purpose. Insurance decreased due to property liability and workers comp claims coming in less than budgeted. Contingency decreased as offset.

Total Increase in appropriations for all funds: \$ 1,210,443

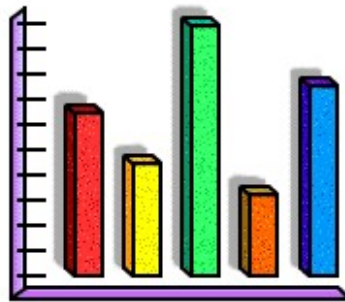
Total Appropriated Budget	\$ 133,472,527
Plus: Increase in appropriations	
Supplemental Budget #1	5,457,114
Supplemental Budget #2	<u>1,210,443</u>
Revised Appropriated Budget	<u><u>\$ 140,140,084</u></u>
Reconciliation of 2023-24 Budget Changes	
<u>Appropriations</u>	
Total Appropriations from original Adopted Budget (June 5, 2023)	\$ 133,471,373
Changes in appropriations	
Supplemental Budget #1 (February 5, 2024)	5,457,114
Supplemental Budget #2 (June 17, 2024)	<u>1,210,443</u>
Total Appropriations including Supplemental Budgets	<u><u>\$ 140,138,930</u></u>
<u>Unappropriated Ending Fund Balance (UEFB)</u>	
Unappropriated Ending Fund Balance - Debt Service Fund	<u>1,154</u>
Total Unappropriated Ending Fund Balance	<u><u>\$1,154</u></u>
Adjusted Adopted Budget (Sum of Appropriations, UEFB, and Reserves)	<u><u>\$140,140,084</u></u>

Supplemental Budget



Summary of Changes

- Total adjustments \$1,210,443
- Total revenue/expenditures now totals \$140,140,084



General Fund (01)

Resources – Increased \$377,267 from Adopted Budget

- TLT revenue exceeded previous budgetary projections – transfer-in to General Fund will increase because of this
- Interest Income has also exceeded previous expectations

Police – Increased by \$100,000

- Increased due to contract negotiations settling allowing for vacation and longevity to align with the rest of the city's policies.

Contingency – Increased by \$277,267

- To offset other adjustments as needed.

Admin Services Fund (31)

Resources – Increased by \$387,594 from the Adopted Budget

- Reimbursement from insurance for city hall flood and water treatment plant freeze incidents.

City Attorney – Increased by \$75,000

- Additional legal fees incurred this year due to union negotiations for AFSCME.

Public Works – Increased by \$597,110

- Increased for purchase of vehicle fleet purchases made from the contingency assigned for that purpose. Moved those assigned funds to Capital Outlay.
- Increased Facilities departmental budget due to additional expenditures related to the freeze event being recorded there.

Insurance – Decreased by \$36,590

- Insurance premiums and claims have been less than budgeted.

Contingency – Decreased by \$247,926

- Offset to adjustments.

Street Fund (02)

Resources– *Increased by \$73,267 from the Adopted Budget*

- Received a grant for the street sweeper which was partially recorded in the street fund.

Public Works– *Increased by \$342,030*

- Increased for purchase of vehicle fleet purchases made from the contingency assigned for that purpose. Moved those assigned funds to Capital Outlay.

Contingency– *Decreased by \$268,763*

- Offset to adjustments

Wastewater Fund (06)

Public Works – *Increased \$482,832 from Adopted Budget*

- Increased for purchase of vehicle fleet purchases made from the contingency assigned for that purpose. Moved those assigned funds to Capital Outlay.

Contingency – *Decreased by \$482,832*

- Offset to the increase

Water Fund (07)

Public Works – *Increased \$495,432 from Adopted Budget*

- Increased for purchase of vehicle fleet purchases made from the contingency assigned for that purpose. Moved those assigned funds to Capital Outlay.

Contingency – *Decreased by \$495,432*

- Offset the increase

Building Inspection Fund (08)

Building Inspection – *Increased \$46,853 from Adopted Budget*

- Increased for purchase of vehicle fleet purchases made from the contingency assigned for that purpose. Moved those assigned funds to Capital Outlay.

Contingency – *Decrease by \$46,853*

- Offset the increase

911 Emergency Fund (13)

**Resources – Increased
\$22,315 from Adopted Budget**

- NEWCOM SIP Integration reimbursement received for project costs expended.

**Communications – Increased
by \$22,315**

- Costs related to the NEWCOM SIP Integration

Economic Development Fund (14)

Planning – *Increased \$20,000 from Adopted Budget*

- Additional expenses for new building and planning software which were partially funded through economic development funds.

Contingency – *Decreased by \$20,000*

- Offset to increase

Public Safety Fee Fund (16)

**Police – Increased \$14,738 from
Adopted Budget**

- Utilizing maximum amount of these funds as possible

Police – Increased by \$25,569

- Utilizing maximum amount of these funds as possible

**Contingency –
Decreased by \$40,307**

- Offset to adjustment

Stormwater Fund (17)

Public Works– *Increased by \$466,856 from the Adopted Budget*

- Increased for purchase of vehicle fleet purchases made from the contingency assigned for that purpose. Moved those assigned funds to Capital Outlay.

Contingency– *Increased by \$466,856*

- Offset to adjustment

Transient Lodging Tax Fund (19)

Resources – *Increased by \$350,000 from the Adopted Budget*

- Additional TLT revenue expected beyond what was originally budgeted.

General Government – *Increased by \$122,733*

- Portion of TLT that goes to Taste Newberg

Transfers – *Increased by \$227,267*

- Portion of TLT that goes to the City

Library Gift and Memorial Fund (22)

**Library – Increased \$7,535
from Adopted Budget**

- Majority of the money received in this fund is used each fiscal year to maximize library services.

**Contingency – Decreased
by \$7,535**

- Offset to adjustments

QUESTIONS?



REQUEST FOR COUNCIL ACTION



Date Action Requested: June 17, 2024

Order <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Information <input type="checkbox"/> Proclamation <input type="checkbox"/> No. 2024-3932	
Subject: A Resolution conducting a public hearing for the Newberg City Council to obtain citizens views about the 2021 Newberg Rehabilitation Project, to take comments about the local government's performance, and administratively close a Community Development Block Grant Project	Staff: Clay Downing, Planning Manager, Community Development Department File No. GRNT21-0001
Business Session	Order On Agenda: New Business
Hearing Type: Administrative	

Is this item state mandated? Yes No

If yes, please cite the state house bill or order that necessitated this action: n/a

Recommendation:

1. Accept public comments and feedback on the 2021 Newberg Rehabilitation Project and administration of a Community Development Block Grant, and
2. Adopt Resolution No. 2024-3932 which administratively closes the 2021 Newberg Rehabilitation Project and the related Community Development Block Grant.

Executive Summary: On July 9, 2021, the City was notified that a \$500,000 Community Development Block Grant (CDBG) award had been received for the 2021 Newberg Rehabilitation Project. The goal of the grant was to assist at least 40 households, of whom 100% would be low or moderate income by providing grants to complete immediate health and safety repairs to their manufactured homes. Eligible improvements included, but were not limited to, replacement or repair of porches and ramps, heating systems, showers, plumbing, water damage, windows and doors, flooring, and roofs.

The City subsequently entered into a subgrant agreement with the Yamhill County Affordable Housing Corporation (YCAHC) to provide grant administration and project management services. The YCAHC then entered into a Professional Services Agreement with the Housing Authority of Yamhill County to provide the grant administration and project management services. Figure 1 describes the roles of entities involved in the 2021 Newberg Rehabilitation Grant.

The City is a member of the YCAHC, which is a nonprofit organization which provides low-interest (or no-interest) loans to low-income homeowners for home repairs. YCAHC is primarily a revolving loan program, which is administered by the Housing Authority of Yamhill County (HAYC).

Figure 1. 2021 Newberg Rehabilitation Project Entities and Roles

CDBG Funding Agency	• U.S. Department of Housing and Urban Development
CDBG Program Administrator	• Oregon Business Development Department (Business Oregon)
Grant Awardee	• City of Newberg
Grant Administration and Project Management Services	• Yamhill County Affordable Housing Corporation
Professional Services Provider	• Housing Authority of Yamhill County

Attachment 1 is a Memorandum from Mark Irving, Housing Rehabilitation Specialist, representing the Yamhill County Affordable Housing Corporation and Housing Authority of Yamhill County. Attachment 2 is a copy of the public notice, which was published on May 23, 2024, in the Newberg Graphic. The public notice invited the public to provide feedback on the 2021 Newberg Rehabilitation Project. To date, no public comments have been received. Attachment 3 is a PowerPoint presentation summarizing the grant program.

Project Outcomes

The goal of the grant was to assist at least 40 households, of whom 100% will be low or moderate income. The project ended up assisting 30 households and 64 people, 100% of which were low income, by providing grants to complete immediate health and safety repairs to their manufactured homes. Improvements included leaking roof replacement or repairs, porches and ramps, heating systems, showers, plumbing, water damage, windows and doors, and flooring.

Of the \$500,000 awarded, the project budget included allocations for housing rehabilitation loans (\$395,000), environmental review (\$5,000), grant administration (\$25,000), and program management (\$75,000). The project expended \$499,998 of the \$500,000 awarded.

Additional Project Milestones and Information

On December 21, 2020, The City Council passed Resolution No. 2020-3711 supporting the submission of the 2021 Newberg Housing Rehabilitation Project application for a Community Development Block Grant to the Oregon Business Development Department, also referred to as Business Oregon, by the YCAHC and Housing Authority of Yamhill County on behalf of the City of Newberg, and initially appointing the City of Newberg’s Community Development Director as both the project and environmental review certifying officer. The City Council meeting on December 21, 2020, was the initial public hearing

required for the grant. Tonight is the final public hearing opportunity to accept public comments and feedback on the 2021 Newberg Rehabilitation Project.

On July 9, 2021, the City was notified that it had been selected to receive a \$500,000 CDBG grant for the 2021 Newberg Housing Rehabilitation Project. The range of activities that could be carried with these funds included but was not limited to:

- Lead and asbestos testing, treatment, and abatement;
- Inspections, assessments, repairs and replacement of private septic tanks, drain fields, water lines, sewer lines, and wells;
- Improvement necessary to meet the needs of persons with disabilities, or reasonable accommodation requests;
- Construction rehabilitation, reconstruction, or improvements to upgrade substandard electrical, plumbing, roofing, siding, insulation, windows and doors, heating systems, hot water heaters, dry rot repairs, and weatherization;
- Purchase and installation of permanent fixtures such as light fixtures, and built in appliances; and
- Grant administration and management.

Fiscal Impact: CDGB revenues and expenditures occurred within the City Economic Development Fund (14). Fund 14 received \$498,998 in grant revenues from Oregon Business Development Department. Overall, there is a net zero fiscal impact, with equal funding coming from Business Oregon into the Economic Development Fund’s revenues (*CDBG Grants*, 14-0000-361000) and the same amount expended from *Special Payments* (YC Housing Authority Grants, 14-9130-604100).

Table 1 includes a summary of the CDBG budget, disbursements and remaining balance.

Table 1. Summary of Project Disbursements for the 2021 Newberg Rehabilitation Project

Expenditure Category	Budgeted	Disbursements	Balance	% of Budget Disbursed
Housing Rehabilitation Loans	\$395,000	\$394,998	\$2	99.9%
Environmental Review	\$5,000	\$5,000	\$0	100.0%
Grant Administration	\$25,000	\$25,000	\$0	100.0%
Program Management	\$75,000	\$25,000	\$0	100.0%
Grant Total	\$500,000	\$499,998	\$2	99.9%

Council Goals: This item is not directly related to any 2024 City Council Goals.

Attachments:

Resolution 2024-3932

Attachment 1. Memorandum from Mark Irving on behalf of Housing Authority of Yamhill County and Yamhill County Affordable Housing Corporation

Attachment 2. Public Notice of Second Public Hearing for the 2021 Newberg Rehabilitation Project

Attachment 3. PowerPoint Presentation



RESOLUTION No. 2024-3932

A RESOLUTION CONDUCTING A PUBLIC HEARING FOR THE NEWBERG CITY COUNCIL TO OBTAIN CITIZENS VIEWS ABOUT THE 2021 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) HOUSING REHABILITATION GRANT PROJECT, TO TAKE COMMENTS ABOUT THE LOCAL GOVERNMENT'S PERFORMANCE, AND ADMINISTRATIVELY CLOSE THE PROJECT

Recitals:

1. On December 21, 2020, the City Council passed Resolution No. 2020-3711 supporting the submission of a 2021 Housing Rehabilitation Community Development Block Grant (CDBG) application to the Oregon Business Development Department (OBDD) by the Housing Authority of Yamhill County (HAYC) and the Yamhill County Affordable Housing Corporation (YCAHC) on behalf of the City of Newberg, and appointing Community Development Director as both the project and environmental review certifying officer. December 24, 2020, was the initial public hearing required for the grant.
2. On July 9, 2021, the City was notified that it had been selected to receive a \$500,000 CDBG grant for the 2021 Newberg Housing Rehabilitation Project, also referred to as Project H21008.
3. On January 18, 2022, the City entered into a Subgrant Agreement with the Yamhill County Affordable Housing Corporation to provide Grant Administration and Project Management Services.
4. On January 20, 2022, the Yamhill County Affordable Corporation then entered into a Professional Services Agreement with the Housing Authority of Yamhill County to provide the Grant Administration and Project Management Services.
5. The goal of the grant was to assist at least 40 low income households and 80 individuals with critical repair items on their manufactured homes in order to sustain healthy and safe housing.

The City of Newberg Resolves as Follows:

1. A public hearing was held on June 17, 2024, to accept public comments and feedback on the 2021 Community Development Block Grant that provided funding for the 2021 Newberg Housing Rehabilitation Project.
2. A public hearing notice was placed in the Newberg Graphic and in four public places to make the public aware of the opportunity to make comments and provide feedback to the City Council.
3. A total of 30 households and 64 people, 100% of which were low income, were assisted by providing grants to complete immediate health and safety repairs to their manufactured homes.

Effective Date of this resolution is the day after the adoption date, which is: June 18, 2024.

Adopted by the City Council of Newberg, Oregon, this 17th day of June, 2024.

Rachel Thomas, City Recorder

Attest by the Mayor this _____ day of _____, 2024.

Bill Rosacker, Mayor



To: City of Newberg Mayor and City Council Members

From: Mark Irving - Housing Rehabilitation Specialist, representing the Housing Authority of Yamhill County (HAYC), and Yamhill County Affordable Housing Corporation (YCAHC) a non-profit agency.

Date: 5/29/2024

Subject: Final Public Hearing for the 2021 Newberg Housing Rehabilitation Community Development Block Grant.

PUBLIC HEARING

The purpose of this Public Hearing is for the City Council of Newberg to obtain citizens views about the 2021 Community Development (CDBG) Housing Rehabilitation Grant project, and to take comments about the local government’s performance.

PROJECT SUMMARY

This project assisted 30 households, 64 people total, 100% of which were low income, by providing grants to complete immediate health and safety repairs to their manufactured homes (more project details will be provided by HAYC during the public hearing comment section).

CITY PERFORMANCE

My experience working with the City of Newberg during this project was outstanding. The city’s staff met the multitude of project requirements timely and accurately and were very pleasant to work with.

I’d like to give special recognition and appreciation to all the city officials that participated in making this project a success!

Sincerely

Mark Irving
Housing Rehabilitation Specialist

Public Hearing Notice

The City of Newberg is completing a Housing Rehabilitation project funded with Community Development Block Grant funds from the Oregon Business Development Department. The location of the project is: manufactured single family homes within the city limits of Newberg, Dayton, and McMinnville. It is estimated that the project has benefited at least 64 persons of whom 100 percent are low or moderate income.

A public hearing will be held by the Newberg City Council at 6:00 PM on June 17th at the Newberg Public Safety Building located at 401 E Third Street, Newberg Oregon 97132. People may attend in-person or virtually. Meeting details are available online at <https://www.newbergoregon.gov/citycouncil/page/city-council-17>.

The purpose of the hearing is for the Newberg City Council to obtain citizens' views about the project and to take comments about the local government's performance. Written comments are also welcome and must be received by June 14th, 2024, 12:00 PM at City Hall, 414 E First Street/PO Box 971 Newberg Oregon 97132. Both oral and written comments will be reviewed by the Newberg City Council, and registration details to make public comments are available online at <https://www.newbergoregon.gov/citycouncil/webform/public-comment-city-meetings>.

The location of the hearing is accessible to persons with disabilities. Please contact the City Recorder's office at 503-537-1283 or cityrecorder@newbergoregon.gov at least 48 hours prior to the meeting if you will need any special accommodations to attend or participate in the meeting. For TTY services please dial 711.

More information about the Oregon Community Development Block Grant program and the project is available for public review at 2301 NE Wynooski Road, Newberg, Oregon 97132 during regular office hours occurring Monday through Friday from 8:30 a.m. to 3:30 p.m. Advance notice is requested.

Published May 23, 2024.

Aviso de Audiencia Pública

La ciudad de Newberg está completando un proyecto de rehabilitación de viviendas financiado con fondos de la Subvención en Bloque para el Desarrollo Comunitario del Departamento de Desarrollo Comercial de Oregón. La ubicación del proyecto es: casas unifamiliares manufacturadas dentro de los límites de la ciudad de Newberg, Dayton y McMinnville. Se estima que el proyecto ha beneficiado al menos a 64 personas, de las cuales el 100 por ciento son de ingresos bajos o moderados.

El Concejo Municipal de Newberg llevará a cabo una audiencia pública a las 6:00 p.m. el 17 de junio en el Edificio de Seguridad Pública de Newberg, ubicado en 401 E Third Street, Newberg, Oregon 97132. Las personas pueden asistir en persona o virtualmente. Los detalles de la reunión están disponibles en línea en <https://www.newbergoregon.gov/citycouncil/page/city-council-17>.

El propósito de la audiencia es que el Concejo Municipal de Newberg obtenga las opiniones de los ciudadanos sobre el proyecto y reciba comentarios sobre el desempeño del gobierno local. Los comentarios por escrito también son bienvenidos y deben recibirse antes del 14 de junio de 2024 a las 12:00 p. m. en el Ayuntamiento, 414 E First Street/PO Box 971 Newberg Oregon 97132. Tanto los comentarios orales como los escritos serán revisados por el Concejo Municipal de Newberg, y los detalles de registro para hacer comentarios públicos están disponibles en línea en <https://www.newbergoregon.gov/citycouncil/webform/public-comment-city-meetings>.

El lugar de la audiencia es accesible para personas con discapacidad. Comuníquese con la oficina del Registrador de la Ciudad al 503-537-1283 o cityrecorder@newbergoregon.gov al menos 48 horas antes de la reunión si necesita alguna acomodación especial para asistir o participar en la reunión. Para servicios TTY, marque 711.

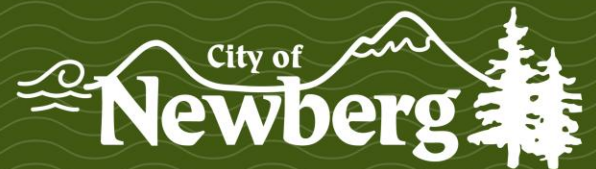
Más información sobre el programa de Subvención en Bloque para el Desarrollo Comunitario de Oregón y el proyecto están disponible para revisión pública en 2301 NE Wynooski Road, Newberg, Oregon 97132 durante el horario de oficina regular de lunes a viernes de 8:30 a.m. a 3:30 p.m. Favor de avisar con anticipación.

NG327665

2021 Newberg Rehabilitation Project and Community Development Block Grant

City Council Public Hearing #2

June 17, 2024



2021 Newberg Housing Rehabilitation Project and Community Block Grant

GOAL: To assist low or moderate income households providing grants to complete immediate health and safety repairs to their manufactured homes. Eligible improvements included, but were not limited to, replacement or repair of porches and ramps, heating systems, showers, plumbing, water damage, windows and doors, flooring, and roofs.

OUTCOME: This project assisted 30 households, 64 people total, 100% of which were low income, by providing grants to complete immediate health and safety repairs to their manufactured homes.

Public Hearing No. 2

- To conduct a public hearing for the Newberg City Council to obtain citizens views about the 2021 Newberg Rehabilitation Project, to take comments about the local government's performance, and administratively close a Community Development Block Grant project.
- This hearing is the second of two public hearings that are required as part of the City's obligations for the Community Development Block Grant.

CDBG Funding Agency

- U.S. Department of Housing and Urban Development

CDGB Program Administrator

- Oregon Business Development Department (Business Oregon)

Grant Awardee

- City of Newberg

Grant Administration and Project Management Services

- Yamhill County Affordable Housing Corporation

Professional Services Provider

- Housing Authority of Yamhill County

Project Milestones

Dec 2020

- City Council passes Resolution 2020-3711 supporting submission of CDBG application and hosts initial public meeting for project

July 2021

- City is notified of \$500,000 CDBG award for project

January
2022

- City enters into Subgrant Agreement with Yamhill County Affordable Housing Corporation

Nov. 2022

- Yamhill County Affordable Housing Corporation enters into Professional Services Agreement with Housing Authority of Yamhill County.

Nov '22 –
May '24

- HAYC provides assistance to 30 households and 64 people, 100% of which were low income, by providing grants to complete immediate health and safety repairs to their manufactured home.

June 2024

- Following public noticing, City hosts second public meeting for project.

Summary of Project Disbursements for the 2021 Newberg Rehabilitation Project

Expenditure Category	Budgeted	Disbursements	Balance	% of Budget Disbursed
Housing Rehabilitation Loans	\$395,000	\$394,998	\$2	99.9%
Environmental Review	\$5,000	\$5,000	\$0	100.0%
Grant Administration	\$25,000	\$25,000	\$0	100.0%
Program Management	\$75,000	\$25,000	\$0	100.0%
<i>Grant Total</i>	<i>\$500,000</i>	<i>\$499,998</i>	<i>\$2</i>	<i>99.9%</i>

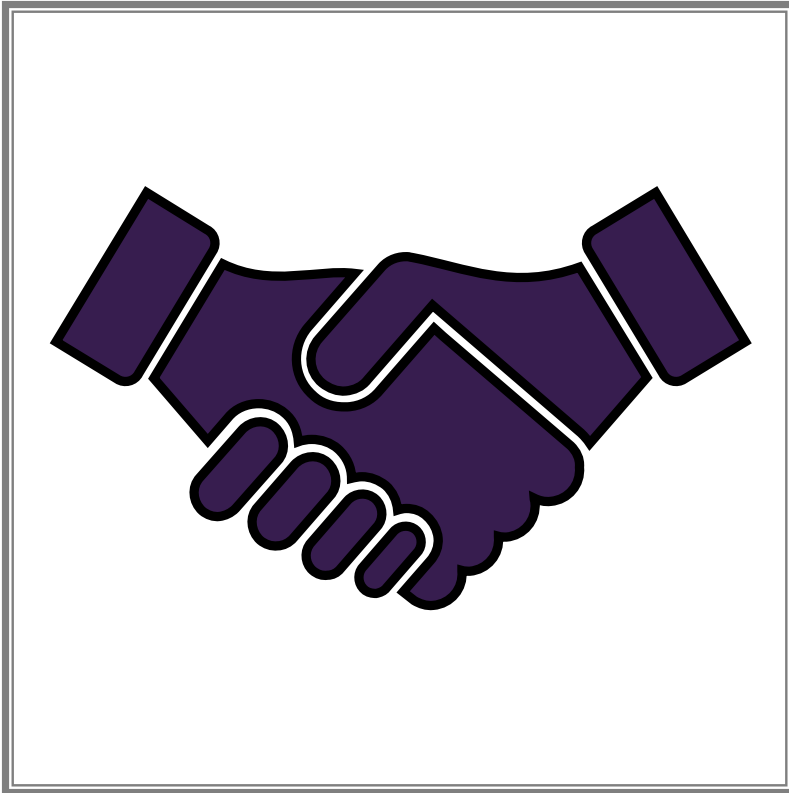
Net Zero Impact on City Budget.

City received funds from Business Oregon and disbursed funds to HAYC for project-related expenditures.



2021 City of Newberg Community Development Block Grant

Manufactured Home Rehabilitation Project Summary



On behalf of the Yamhill County Affordable Housing Corporation (YCAHC) and the Housing Authority of Yamhill County (HAYC) we would like to thank the Council for partnering with us on the 2021 Community Development Block Grant (CDBG).

Recap of the Grant

- **Many owners of manufactured homes situated in a park are seniors, disabled, or families with small children.**
- **Many of these residents have very low incomes and no resources to make repairs to their homes.**
- **In 2013 the state recognized this need and started allowing CDBG funds to be used to provide grants to owners of manufactured homes situated in a park.**
- **The City of Newberg worked with the Housing Authority to apply for a grant to assist these families to complete critical repairs to their homes.**
- **In July of 2021, the City of Newberg was awarded a \$500,000 Community Development Block Grant through Business Oregon.**
- **The goal was to assist between 30 and 40 low-income families with repairs to sustain a healthy and safe home.**

Who Did the Project Help?

- **We were able to complete repairs to 30 homes.**
- **A total of 64 family members benefited.**
- **21 of these homes were owned by elderly residents.**
- **18 households had disabled occupants.**
- **7 households had dependent children.**
- **All households had extremely low or low income.**

A few of our Participants



Heather, new ramp, deck and plumbing repairs



William, new heat pump and walk in shower

A few more Participants



Barbara, new ramp, roof and electrical repairs



Phyllis, walk in shower and new roof

Repair Items

Grant funds were used to repair health, safety, structural and accessibility issues.

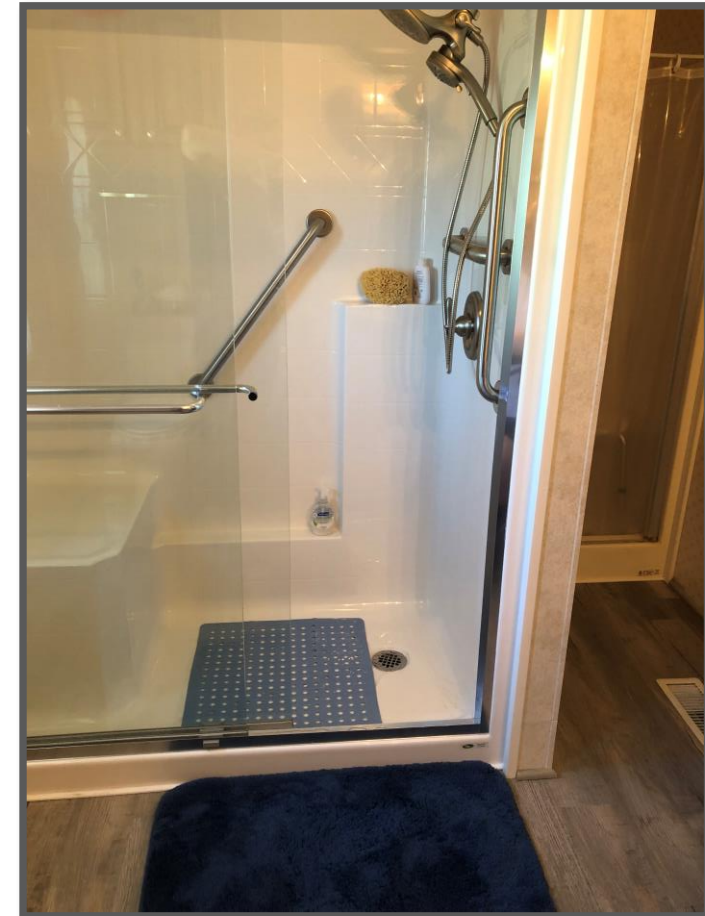
16 Roofs Were Replaced



A few more roof pictures



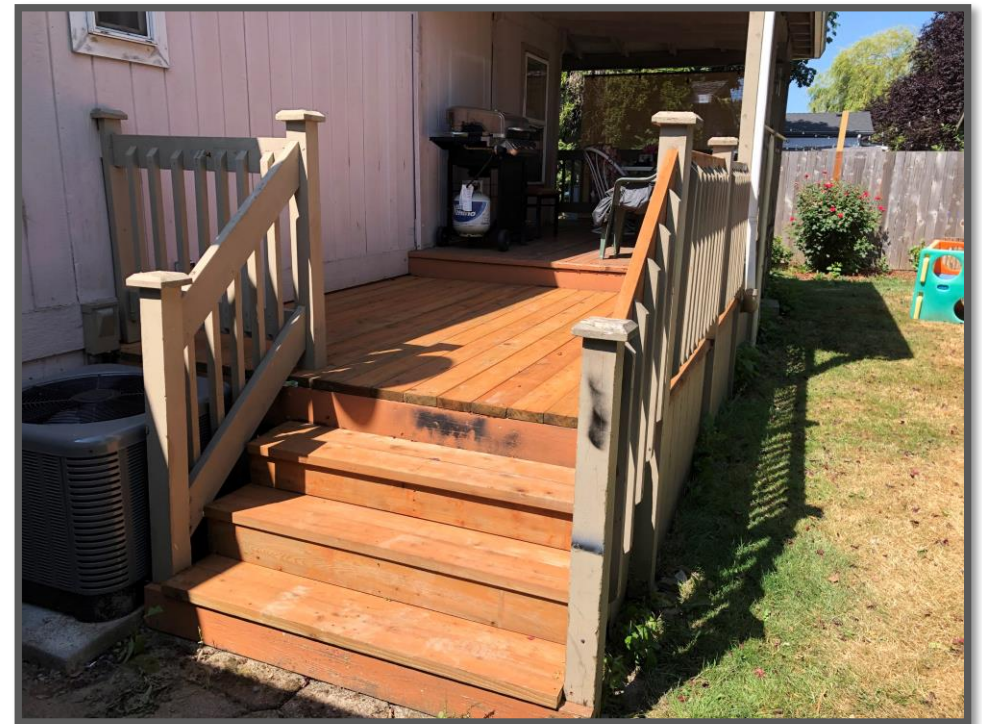
4 walk in showers were installed



7 homes received new windows



5 ramps were installed, and 9 porches and decks were repaired or replaced



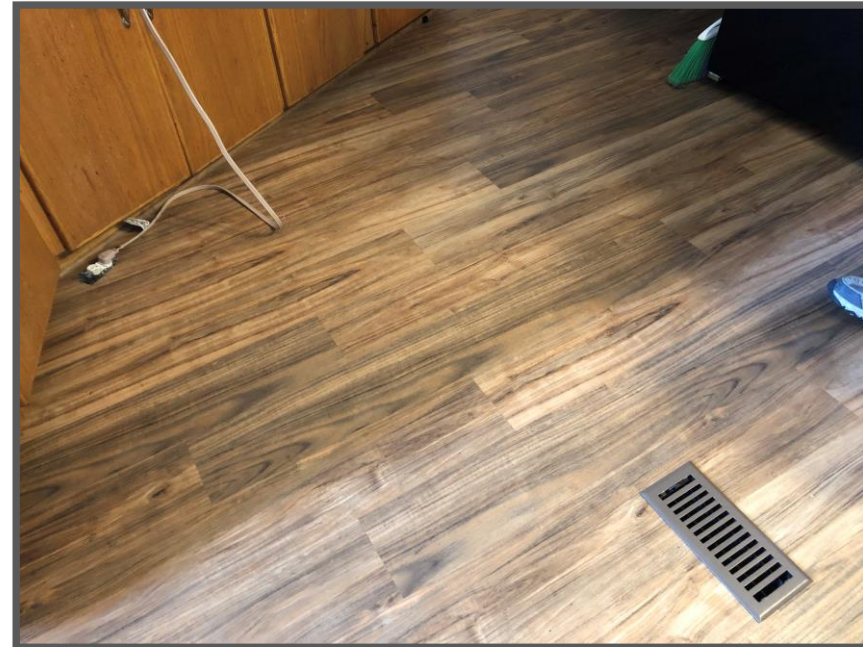
5 families had their heating and cooling systems repaired or replaced.



10 homes had plumbing issues resolved



7 Homes had new flooring installed



12 homes received dry rot and siding repairs



The true value of this project?

For many of us \$10,000 or \$15,000 may represent the cost of a used car or a nice family vacation. To the families participating in this project, that same amount of money was truly life changing. During the completion interview with the families, 100% of the people said, “I don’t know what we would have done without the help!”

Staff Recommendation

1. Accept public comments and feedback on the 2021 Newberg Rehabilitation Project and administration of a Community Development Block Grant, and
2. Adopt Resolution No. 2024-3932 which administratively closes the 2021 Newberg Rehabilitation Project and the related Community Development Block Grant.

Thank you!

Questions?

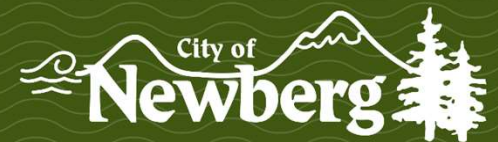
**Message from Housing
Authority of Yamhill County:**

We would like to thank everyone from the City of Newberg and the Newberg City Council for their support in making this project such a huge success!

2021 Newberg Rehabilitation Project and Community Development Block Grant

City Council Public Hearing #2

June 17, 2024





Project Description

2021 Newberg Housing Rehabilitation Project and Community Block Grant

GOAL: To assist low or moderate income households providing grants to complete immediate health and safety repairs to their manufactured homes. Eligible improvements included, but were not limited to, replacement or repair of porches and ramps, heating systems, showers, plumbing, water damage, windows and doors, flooring, and roofs.

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Project Entities and Roles

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CDGB Program Administrator

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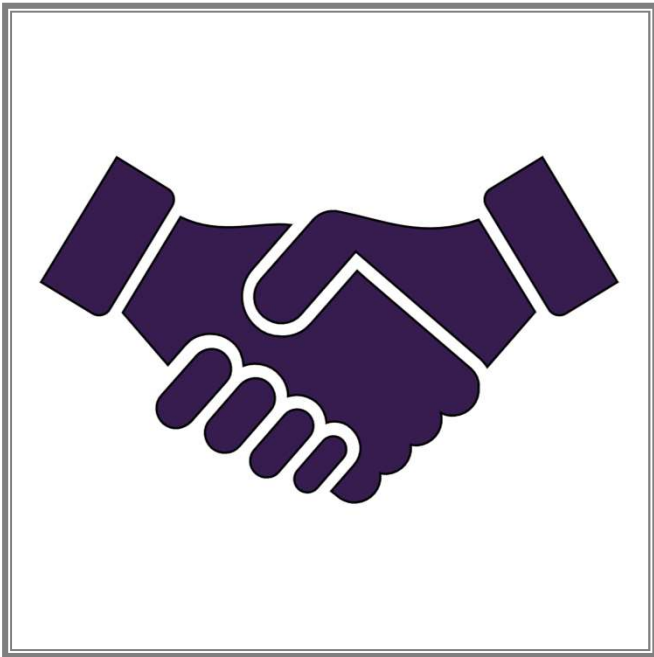


2021 City of Newberg Community Development Block Grant

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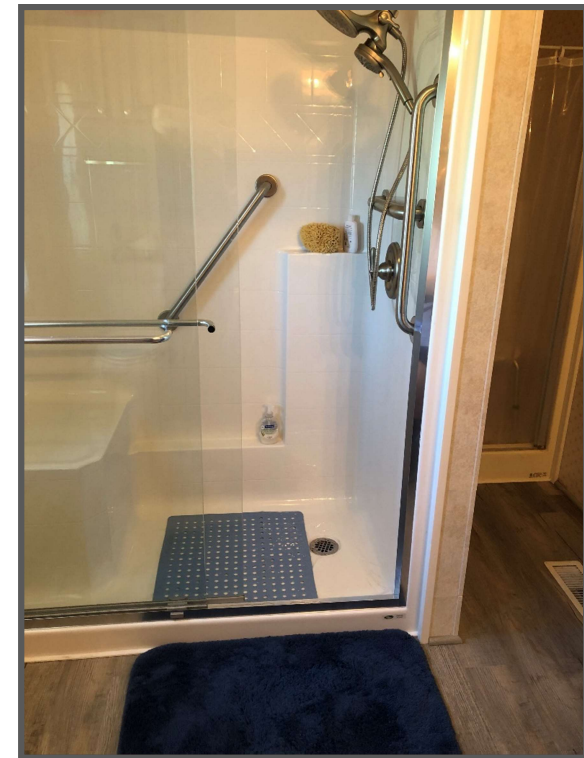
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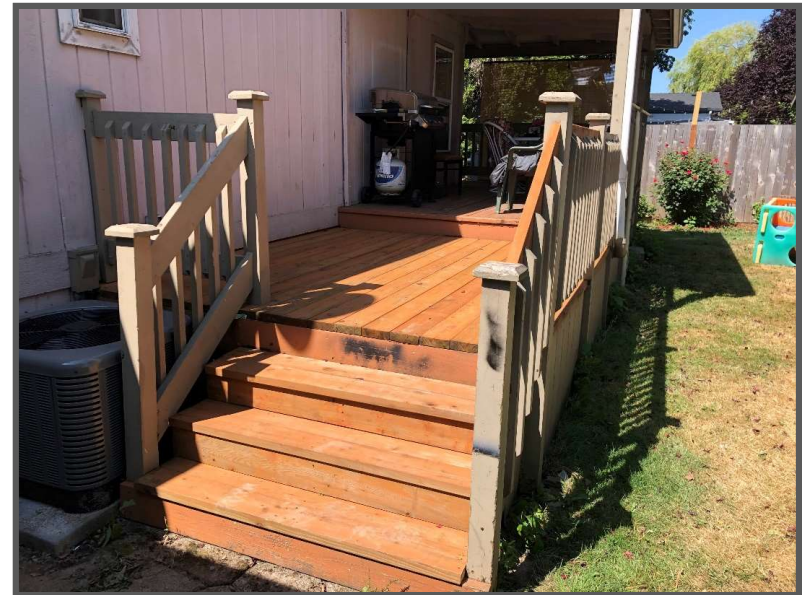
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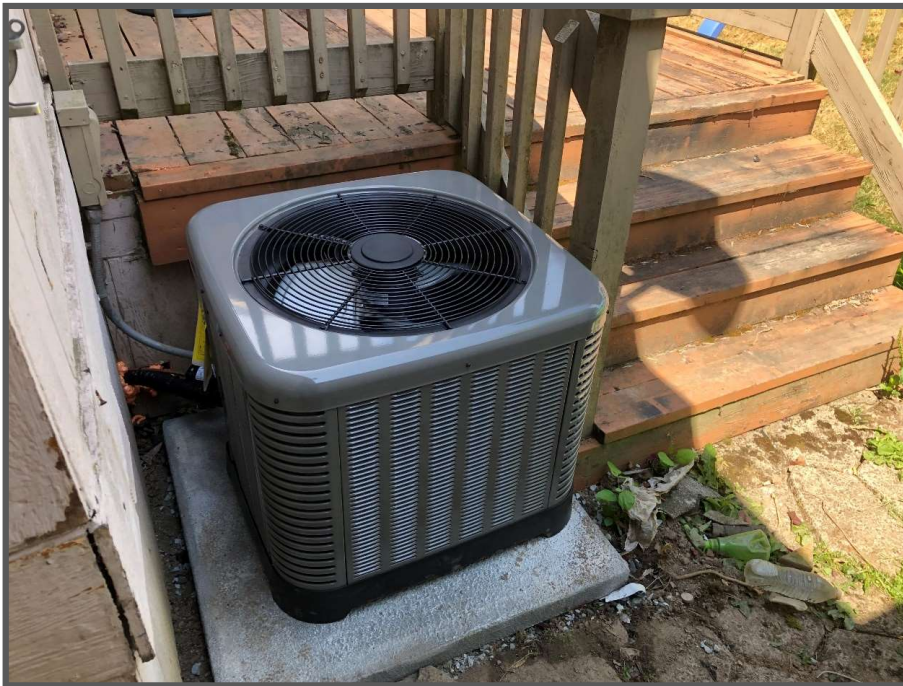
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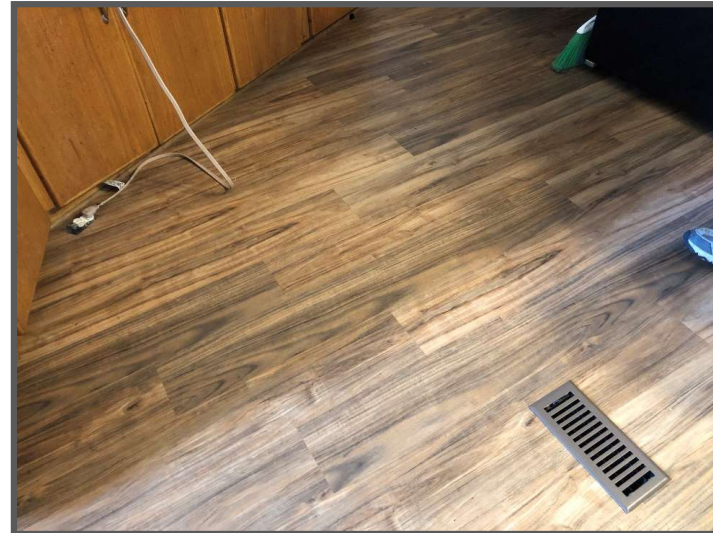
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