



City Council
August 3rd, 2026
6:00pm

Newberg Public Safety Building 401 E. Third Street
Denise Bacon Community Room

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

[Public Comment Registration](#)

[View Slides](#)

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. [City Manager Narrative Report on July](#)**
 - a. [Presentation](#)
- 5. Public Comments**
- 6. Proclamation**
 - 6.1. [Proclamation for Reservists](#)
- 7. Presentations**
 - 7.1. Intro to New HR Manager
- 8. Consent Calendar**
 - 8.1. [Amending IGA for Law Enforcement Services with City of Dundee](#)
 - a. [Exhibit A: Amendment to IGA for Law Enforcement Services](#)
 - 8.2. [Amending Eagle Elsner Contract](#)
- 9. New Business**
 - 9.1. [Main Street Water Line Replacement](#)
 - a. [Exhibit A: Bid Tabulation](#)
 - b. [Exhibit B: Capital Improvement Agreement](#)
 - 9.2. [Street Seats Pilot Program Extension](#)
 - a. [Resolution 2026-4035](#)



Adjournment

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

*Indicates supplementary item

REQUEST FOR COUNCIL ACTION



Date Action Requested: (August 3, 2026)

Order ☐	Ordinance ☐	Resolution ☐	Motion ☐	Information ☒	Proclamation ☐
Subject: CM narrative for July 2026 events			Staff: Will Worthey CM Department: Administration		
Work Session ☐ Business Session ☒			Order On Agenda: CM report		

Is this item state mandated? Yes ☐ No ☒

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

Recommendation: NA

Executive Summary: The summary of events conducted by city departments in July of 2026.

Fiscal Impact: All were conventionally budgeted items.

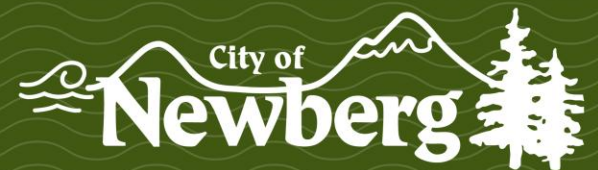
Council Goals:

Goal 4: Create and maintain a high level of transparency with our residents in order to build trust.

O1: Expand communication outreach in regard to regular city events and additional involvement with city businesses by the end of 2026.

Newberg CM report

Monthly Events for July 2026



Capital Engineering

- River Street Ad Hoc Committee meeting #3 was held on July 16 to further review typical section #4
- This meeting also began a review of a proposed local policy for tree replacement, and tree preferences for each side of the street.
- It is hoped that after the next meeting in August we will be ready to run a RFP based on the new options

City Recorder

- Planned and held a highly successful America 250 celebration!
- Processed bids for a replacement for ORMS- we will be transitioning to Laserfiche
- Began work on an update to the Historic Resource Inventory funded by a Certified Local Government grant
- Prepared for a review of our Certified Local Government Program by the State
- Conducted a full inventory of public meeting records
- Management of Election Filings

Library News

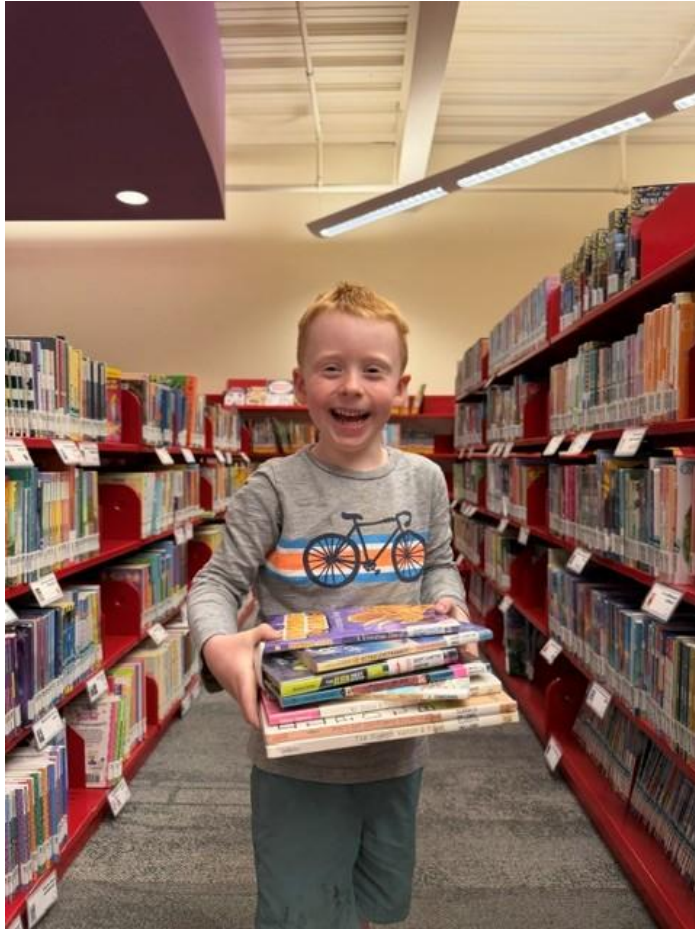
- This month we celebrated America's 250th Birthday with a lobby display and 250 booklets of the Declaration of Independence and Constitution- which we gave out in just two days!
- Summer Reading is busier than ever, and we are headed toward a record-breaking summer
- In July the library hosted the Paradise of Samoa dancers, Creature Teachers showing off a variety of animals, Red Yarn music show for toddlers and preschoolers, an interactive program by the Oregon Forest Resources Institute on trees, as well as all the regular monthly book clubs, storytimes, LEGO Club and more

More from the Library

- The Newberg Library Board is currently working on the five-year Strategic Plan for 2027-2032. A survey is available for community input

Pics next slide: A parent sent her a photo of her kiddo who LOVES the library, and the Library Mascot dresses up as Bat-tato for hiding in the library one week!

A parent sent her a photo of her kiddo who LOVES the library, and the Mascot dresses up as Bat-tato for hiding in the library one week!



Community Development

- HIVE final plat approved
- Building permits submitted Crestview Green (approx. 20 so far).
- De-Annexation approved for 28 acres in SW Newberg that was mostly in flood hazard/stream corridor
- Recommendation made to Yamhill County to approve additional queuing lanes with other traffic mitigation requirements for WM's Transfer Station on Wynooski
- SB1537 UGB 1-time expansion proposals were due on 7/31
- Community Development Director reviewing the public art/mural program to recommend process improvements with Public Art Council

Current Initiatives in IT

- We are retiring our Meraki and XenMobile mobile device management platforms and migrating all mobile devices to Microsoft Intune
- This transition will provide a more unified, secure, and efficient device management solution across the organization
- We continue to expand and refine our Microsoft Azure environment, focusing on optimizing configurations, improving security, and ensuring the environment is properly tuned to support current and future business needs

Public Works Ops Water / Wastewater

- Repaired Septic Receiving Station
- Replace RV Dump Card Reader
- Replace Crestview Lift Station UPS
- Completed Annual Crane Inspections
- Repaired Headworks Station Pump
- Completed 2 Clarifiers Inspection
- Completed Monthly Lift Station Checks
- Cleaned Reuse Skid B Screen
- Purge Waste Valve Blockage



Monthly Public Works Water activities for July

- Yearly Water Main Flushing, Valve Exercising and Hydrant Maintenance zones completed
- Meter Replacements
- Replaced broken valve cans and lids
- Repair and replacements of problem valves around the city

Small Valve
Repair



Main Repair
Deskins St



4" Meter
Replacement



Monthly Public Works Streets activities for July

Curb painting 100% done in year 1



Mastic for potholes 60% done
for the season



Monthly Public Works Sewer/Storm activities

- Water quality pond maintenance
- Storm catch basin cleaning
- Sewer lateral replacement
- Sweeping
- Storm mainline cleaning /video



Monthly Public Works Fleet Management activities

- Police Vehicles Preventative Maintenance services and repairs
- School District Vans Preventative Maintenance service and brakes repairs to sliding door
- Public Works Maintenance vehicles Preventative Maintenance services and repairs

Public Works Water/Wastewater

Repairs Completed:

- Leak in Wastewater Plant hypochlorite dosing system
- Water Plant hydroxide fire suppression system
- Hypochlorite generator maintenance
- Flushing and leak repair on Water Plant hydroxide dosing line
- Annual clarifier inspections
- Auto greasing system for composter
- Annual Flow Meter Certification and Crane inspections



Monthly Water activities for June

- Water main flushing
- Water meter replacement
- Customer service response
- Water valve can replacement
- North School water main leak
- Water Hydrant pressure wash
- Water Hydrant maintenance
- Water valve exercise
- Air relief valve repairs
- Air relief valve inspections

Monthly Streets activities for June

- Phase 2 of crack sealing. Hillsdale Dr, Ivy Dr, and Oak Knoll. On track to be finished on time.
- Rehabilitated and graded in many parts of town. As well as access road to city shed.



For the month of July Finance did the following:

- New Court Clerk started!
- Worked with City of Dundee on moving court functions to Newberg Court
- Submitted LB50 and UR50 to County
- Met with Wilsonville to discuss Fleet Fund budgetary operations
- Released budget calendar to department heads for very early biennial budget planning!

HR Goings On

- HR onboarded 6 new employees
- HR has completed the Request for Coverage with CIS
- We have requested a live webinar, presented by our CIS benefits reps, for employees to hear about their benefit options for open enrollment in 2026

NDPD Report

- Animal rescue by Reserve's Chapin and Wallis. They responded to a citizen report of a dog whimpering down a ravine. They found 15-year-old Lola injured and down in the blackberries. Lola had been missing and was the subject of some "missing dog" flyers in the area. Lola was reunited with her owners, who took her to the vet. Looks like Lola is going to be okay
- Officers attend a 4th of July kid's parade
- Reminder: National Night Out Tuesday, August 4th @ Memorial Park 4-7 pm



Ravine Dog Rescue



Reserve Wallis, Officer Fergus, Officer McDonough
and Reserve Wheatley for the kids July 4th parade

**Tuesday, August 4th,
2026**



HOT DOGS, CHIPS & WATER (WHILE SUPPLIES LAST)
BOUNCE HOUSE
CAR SMASH
DRONE DEMO
KIDS OBSTACLE COURSE
MEET K9 IKE

In partnership with:



**FREE
EVENT**

**4 - 7 PM
MEMORIAL PARK, NEWBERG
OREGON**

Community Engagement activities for July!

- Prepared for the Newberg Old Fashioned festival, where we hosted a booth to connect with residents and visitors about the City of Newberg
- The NOOF booth was staffed by several employee volunteers, and the PIO coordinated activities and scheduling at the booth (as well as staffing it herself)
- Worked with HR to share information about job openings
- Promoted National Night Out with NDPD at Memorial Park on August 4th, 4-7pm

What a Great Newberg Old Fashioned Festival!



So that's it for July 2026!

As you can see, residents' tax dollars have been hard at work as usual.

Questions?

REQUEST FOR COUNCIL ACTION



Date Action Requested: August 3rd, 2026

Order ☐ Ordinance ☐ Resolution ☐ Motion ☐ Information ☐ Proclamation ☒	
Subject: Honoring and Recognizing Military Reservists	Staff: Rachel Thomas Department: Administration
Business Session	Order On Agenda: Proclamation

Is this item state mandated? Yes ☐ No ☐

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

Recommendation: To proclaim the first week of August as Reservists Appreciation Week.

Executive Summary: This is being brought to council to bring awareness to the hard work and dedication of our selfless reserve members of the United States Military.

Fiscal Impact: N/A

Council Goals: Falls within Council Goal 2-Enhance Community Safety.

REQUEST FOR COUNCIL ACTION



PROCLAMATION

Honoring and Recognizing Military Reservists

WHEREAS, members of the United States Military Reserve components play an important and essential role in our nation's defense and emergency response; and

WHEREAS, reservists balance the dual responsibilities of civilian careers and military service, standing ready at a moment's notice to serve our community, state, and nation during times of conflict, natural disaster, and national emergency; and

WHEREAS, the sacrifices of our reserve service members and their families strengthen the fabric of our community and help safeguard our freedoms and security; and

WHEREAS, it is our responsibility as a community to serve and support all our military members and their families as well as they have served us.

NOW, THEREFORE, I, BILL Rosacker, Mayor of the City of Newberg, Oregon, along with the City Council, do hereby proclaim the First Week of August to be Reservist Appreciation Week

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Newberg to be affixed on this 3rd day of August, 2026.

Bill Rosacker, Mayor

REQUEST FOR COUNCIL ACTION



Date Action Requested: August 3, 2026

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐	
No. 2026-4016	
Subject: Resolution to award construction contract for Main Street Waterline Replacement – Alternate B project	Staff: Mike Grimes, Engineering Tech III Department: Capital Engineering
Business Session	Order On Agenda: Continued 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:

Recommendation: Adopt Resolution 2026-4040

Executive Summary: This resolution will be to authorize contract for the construction of HB2001 Waterline Improvements I-4 Alignment project. This project is part of the larger project to replace the existing cast iron water line from Sheridan St to North St. Work for this portion of the overall project includes labor, materials, equipment, and the tools necessary to furnish and install approximately 100 linear feet of jack and bore in 18” steel casing with 8” HDPE carrier pipe with all associated appurtenances and paving/stripping restoration within Union Pacific Right of Way. Bids ranged from \$325,647.50 to \$551,789.48. Project shall be completed within 60 calendar days from the Notice to Proceed..

On July 7, 2026, the City received and opened five (5) qualified bids as follows:

- | | |
|-------------------------------|---------------|
| 1. Turney Excavating, Inc | \$ 325,647.50 |
| 2. Haworth Inc | \$ 357,069.80 |
| 3. North Cascade Excavating | \$ 382,000.00 |
| 4. Pacific Excavation | \$ 485,660.00 |
| 5. Trench Line Excavation Inc | \$ 551,789.48 |

Bid analysis indicated that Turney Excavating Inc bid is the lowest and responsive to the City’s bid request. Construction is planned to begin this Summer with completion 60 calendar days from Notice to Proceed.

Fiscal Impact: Funding for this project is from the water fund. This project is on the CIP list and included in the current budget

Council Goals: This project meets the 2025 City Council Goals by addressing the Continuous Goal A: Ensure Newberg infrastructure is in good repair and supply by replacing and upsizing outdated cast iron pipe to address high maintenance area of waterline.



RESOLUTION NO. 2026-4040

A Resolution to award construction contract for Main Street Waterline Replacement – Alternate B project

Recitals:

1. The current waterline on N Main St between Sheridan and North Streets is undersized cast iron pipe that has requires higher than usual maintenance due to water leaks.
2. On June 23, 2026, staff advertised the project for bid. The Engineer's estimate was \$650,000 for the entire project (Alternate A).
3. On July 7, 2026, the City received and opened five (5) qualified bids for Alternate A ranging from \$697,737.75 to 1,180,748.78. The bids received for Alternate A exceeded the budget for the entire project so City Manager decided to proceed with Alternate B at this time. The bids for Alternate B are as follows:

a. Turney Excavating, Inc	\$ 325,647.50
b. Haworth Inc	\$ 357,069.80
c. North Cascade Excavating	\$ 382,000.00
d. Pacific Excavation	\$ 485,660.00
e. Trench Line Excavation Inc	\$ 551,789.48
4. The City intends to award the bid to the lowest responsive bidder, Turney Excavating Inc for a grand total bid amount of \$325,647.50.
5. Construction is planned to begin in the summer of 2026 with final completion no later than 60 calendar days from Notice to Proceed.

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 Turney Excavating Inc for the Main Street Waterline Replacement – Alternate B project in the amount of \$325,647.50.
2. The City Attorney will review and approve all contracts as to form and content.
3. The City Manager is authorized to negotiate and approve any needed construction change orders not to exceed 10 percent of the original contract amount.

Effective Date of this resolution is the day after the adoption date, which is: August 4, 2026.

Adopted by the City Council of Newberg, Oregon, this 3rd day of August, 2026.

Rachel Thomas, City Recorder

Attest by the Mayor this _____ day of _____, 2026.

Bill Rosacker, Mayor

Bid Tabulation Sheet

Main St Waterline Replacement Project

Bid Opening Date: July 7, 2026

Company	Address	Alternate A	Alternate B
		Bid Amount	Bid Amount
Turney Excavating Inc	612 N First St, Silverton, OR 97381	\$697,737.75	\$325,647.50
Haworth Inc	1400 NE Miller St, McMinnville, OR 97128	\$789,813.20	\$357,069.80
Pacific Excavation	20909 NE Colvin Ct, McMinnville, OR 97128	\$942,340.00	\$485,660.00
North Cascade Excavating	428 N Pekin Rd, Woodland, WA 98674	\$1,024,400.00	\$382,000.00
Trench Line Excavation, Inc	33871 SE Eastgate Circle, Corvallis, OR 97333	\$1,180,748.78	\$551,789.48

CAPITAL IMPROVEMENT PROJECT AGREEMENT

Main Street Waterline Replacement Project

This Capital Improvement Project Agreement (this "Agreement") is made and entered into on the last date set forth below (the "Effective Date"), by and between the City of Newberg, 414 E. First Street, Newberg, Oregon 97132, hereinafter called "OWNER" and

Turney Excavating Inc hereinafter called "CONTRACTOR."

IT IS AGREED:

First: Contractor shall fully execute the Work described in, and comply with the requirements of, the Contract Documents for:

Main Street Waterline Replacement Project - Alternate B

(Official Title of the Project)

Second: Owner shall pay to Contractor, at the times and in the manner provided by under the Contract, the total sum of:

Three hundred twenty-five thousand, six hundred forty-seven dollars and fifty cents.

(The basic contract price in words)

(and figures) \$ 325,647.50 in current funds for the Work (the "Contract Price"), which is subject to increase or decrease as the quantities named in the bid are changed as provided in the Contract.

Third: The date of commencement of the Work shall be upon issuance of Notice to Proceed. The Substantial Completion Time and the Contract Time shall be measured from the date of commencement. Contractor shall achieve Substantial Completion of the entire Work no later than N/A, with Final Completion no later than 60 calendar days from Notice to Proceed.

Fourth: For each progress payment made before Substantial Completion of the Work, Owner may withhold the following percentage amount, as retainage, from the payment otherwise due: 00%.

Fifth: The Contract Documents, which are made a part of this Agreement by actual attachment or by reference, are as follows and, along with this Agreement, form the entire and integrated agreement between Owner and Contractor for construction of the Project (the "Contract"):

1. Owner's Invitation to Bid;
2. Exhibits to this Agreement;
3. The Aggregate Specifications for the Project;
4. The Drawings and any detailed plans listed and described in the Specifications, together with those which may be issued as addenda thereof;
5. The City of Newberg Public Works Design and Construction Standards, current edition, unless specified otherwise in the contract documents;
6. The City of Newberg General Requirements; and
7. The bid of Contractor that was submitted on July 7, 2026

The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations, or agreements, either written or oral. The Contract may be amended

or modified only by a Modification.

Sixth: All notices, communications, invoices, or payments required or permitted under this Agreement to be sent to a particular party must be sent to the following address of that party:

To Owner:

To Contractor:

Turney Excavating Inc.
PO Box 21597
Keller OR 97307

EXHIBIT A

CERTIFICATION STATEMENT FOR CORPORATION OR INDEPENDENT CONTRACTOR

NOTE: Contractor Must Complete A or B below

A. CONTRACTOR IS A CORPORATION, LIMITED LIABILITY COMPANY, OR A PARTNERSHIP.

Contractor certifies under penalty of perjury that Contractor is a [check one]:

☒ Corporation ☐ Limited Liability Company ☐ Partnership authorized to do business in the State of Oregon.



Signature



Title



Date

OR

B. CONTRACTOR IS A SOLE PROPRIETOR WORKING AS AN INDEPENDENT CONTRACTOR.

Contractor certifies under penalty of perjury that the following statements are true:

1. If Contractor is providing labor or services under this Contract for which registration is required under ORS Chapter 701, Contractor has registered as required by law, **and**
2. If Contractor performed labor or services as an independent contractor last year, Contractor filed federal and state income tax returns last year in the name of the business (or filed a Schedule C in the name of the business as part of a personal income tax return), **and**
3. Contractor represents to the public that the labor or services Contractor provides are provided by an independently established business, **and**
4. All of the statements checked below are true.

NOTE: Check all that apply. You must check at least four (4) to establish that you are an Independent Contractor.

- ☐ A. The labor or services I perform is primarily carried out at a location that is separate from my residence or is primarily carried out in a specific portion of my residence that is set aside as the location of the business.
- ☐ B. I purchase commercial advertising or I have business cards for my business, or I am a member of a trade association.
- ☐ C. My business telephone listing is separate from my personal residence telephone listing.
- ☐ D. I perform labor or services only under written contracts.
- ☐ E. Each year I perform labor or services for at least two (2) different persons or entities.
- ☐ F. I assume financial responsibility for defective workmanship or for service not provided by purchasing performance bonds, errors and omission insurance, or liability insurance, or providing warranties relating to the labor or services I provide.

Signature

Date

EXHIBIT B

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EXHIBIT C

Form of Certificate of Substantial Completion

Main Street Waterline Replacement Project – Alternate B
project name

contract date

Turney Excavating Inc
name of contracting company

telephone

business address

email address

This Certificate of Substantial Completion applies to:

- ☐ All Work under the Contract Documents; or
- ☐ To the following specified parts thereof:

The Work to which this certificate applies has been observed by authorized representatives of Owner and Contractor, and that Work is hereby declared to be substantially complete in accordance with the Contract Documents on

DATE OF SUBSTANTIAL COMPLETION

A tentative list of items to be completed or corrected is attached hereto. This list may not be all-inclusive, and the failure to include an item in it does not alter the responsibility of Contractor to complete all the Work in accordance with the Contract Documents. The items in the tentative list shall be completed or corrected by Contractor within _____ days of the above date of Substantial Completion.

Note: The two-year Correction Period does not begin until Final Completion. The date of Substantial Completion listed above is the date of commencement of applicable warranties required by the Contract Documents, except as stated below:

The following documents are attached to and made a part of this certificate:

This certificate does not constitute an acceptance of Work not in accordance with the Contract Documents, nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

Contractor submits this Certificate of Substantial Completion on: _____, 20____.

Signature of authorized signer

Print name

Title

Owner accepts this Certificate of Substantial Completion on: _____, 20____.

Signature of authorized signer

Print name

Title

EXHIBIT D

Form of Certificate of Final Completion

Project: Main Street Waterline Replacement Project – Alternate B

Contractor: Turney Excavating Inc

Contract Signed: _____ Contract Expires: _____

Contract Completed: _____ Delinquent: _____

I, (We) hereby certify that all Work has been performed and materials supplied in accordance with the Contract Documents for the Work, and that:

1. Not less than the applicable prevailing rates of wages have been paid to laborers, workers and mechanics employed on this work;
2. All claims and indebtedness for material and labor and other service performed in connection with the Contract Documents have been paid;
3. All moneys due the Industrial Accident Fund and the State Department of Revenue (ORS 279C.505) have been paid; and
4. All private property and easement areas have been satisfactorily restored in accordance with the Contract Documents.

I hereby certify that I have completed the Contract, furnished the materials, and performed the Work as shown by the final estimate of the Public Works Director (or the City Engineer as designated), according to the Contract Documents. I have also submitted two-year maintenance and warranty bonds required for the Project and the date of Owner's acceptance of this certificate constitutes the beginning of the two-year correction period. (Bond nos. _____)

Contractor

Date

Owner hereby accepts the Project as complete.

Project Manager

Date

Project Inspector

Date

City Engineer

Date

REQUEST FOR COUNCIL ACTION



Date Action Requested: August 3, 2026

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐

Subject: Resolution 2026-4035
Extend Street Seats Pilot Program

Staff: Scot Siegel, Director
Department: Community Development
File No. GEN26-0004

Business Session

Order On Agenda: New Business

Hearing Type: N/A

Is this item state mandated? Yes ☐ No ☒

Recommendation

Move to adopt Resolution 2026-4035.

Executive Summary

The Street Seats Pilot Program allows private use of the public right-of-way for restaurant seating. The program is set to expire on August 17, 2026, unless City Council extends it. On June 15, 2026, Council held a study session on the Street Seats Pilot Program and directed staff to prepare a resolution extending the program by two years. The proposed Resolution No. 2026-4035 is attached.

Background

On August 17, 2015, the City Council created a Street Seat Pilot Program in Newberg (Resolution No. 2015-3209). The pilot program had a two-year duration and was scheduled to expire on August 17, 2017. City Council subsequently extended the program four times, each time by two years. The program is currently set to expire on August 17, 2026.

Since the program's establishment in 2015, only one street seat has been created. It was installed by the former Ruddick/Wood Restaurant on S Edwards Street and removed in 2025 after the restaurant closed. A second application for a street seat was approved for the former Social Goods restaurant at Howard Street but was never constructed.

The most recent City Council extension (Resolution 2023-3903) amended the Street Seats Pilot Program by establishing a height standard for street seat rails and required that City Council review and consider terminating the program when downtown city parking occupancy reaches or exceeds 85 percent of capacity.

The most recent evaluation of the downtown parking, the 2023 Downtown Parking Study and Management Plan (DPSMP), found that parking utilization was between 50% to 60% of capacity overall

in downtown though parking exceeded 85 percent of capacity in some public lots and streets, particularly near the Chehalem Cultural Center and Library. No new commercial buildings have been built in the downtown since 2023, though new businesses have opened where others have closed. The recent sale of the Butler property is expected to result in new construction though no permits have been submitted.

The DPSMP makes several recommendations to improve public parking access, visibility, and connectivity throughout the downtown area. For example, the city recently installed lighting in the 2nd Street public parking lot. The DPSMP also recommends the City monitor parking during July-August, which may be busier than the spring months.

Fiscal Impact

There is no fiscal impact to the city from the pilot program, or from extending the pilot program.

Council Goals

Goal 5: Revitalize and beautify the appearance and utility of Newberg's downtown area.

Exhibits

- A. Resolution No. 2026-4035 - Street Seats Pilot Program Extension



RESOLUTION No. 2026-4035

A Resolution extending the Street Seat Pilot Program for Two Years Through August 17, 2028

Recitals:

1. On August 17, 2015, the City Council adopted Resolution No. 2015-3209 creating a Street Seat Pilot Program with a two-year duration.
2. On July 17, 2017, the City Council adopted Resolution No. 2017-3397 extending the Street Seat Pilot Program for two years.
3. On July 1, 2019, the City Council adopted Resolution No. 2019-3572 extending the Street Seat Pilot Program for two years.
4. On October 18, 2021, the City Council adopted Resolution No. 2021-3767 extending the Street Seat Pilot Program for two years to August 17, 2023.
5. On August 17, 2023, the City Council adopted Resolution No. 2023-3903 amending the Street Seat Pilot Program by modifying maximum allowable height of Street Seat rails, extending the Street Seat Pilot Program for two years to August 17, 2026, and requiring that City Council review and consider terminating the program when the City's downtown parking occupancy reaches or exceeds 85 percent occupancy.

The City of Newberg Resolves as Follows:

1. The City Council extends the Street Seat Pilot Program as described in Exhibits "A" and "B" for two years from August 17, 2026 to August 17, 2028.

Effective Date of this resolution is the day after the adoption date, which is: _____, 2026.

Adopted by the City Council of Newberg, Oregon, this _____ day of _____, 2026.

Rachel Thomas, City Recorder

Attest by the Mayor this _____ day of _____, 2026.

Bill Rosacker, Mayor

City of Newberg: Street Seats Pilot Program

A joint program of the Community Development Department & Engineering Services Department

Acknowledgement: *The program is closely based on a pilot program created by the City of Milwaukie, Oregon*

NEWBERG STREET SEAT PILOT PROGRAM INFORMATION and APPLICATION

ABOUT THE STREET SEATS PILOT PROGRAM

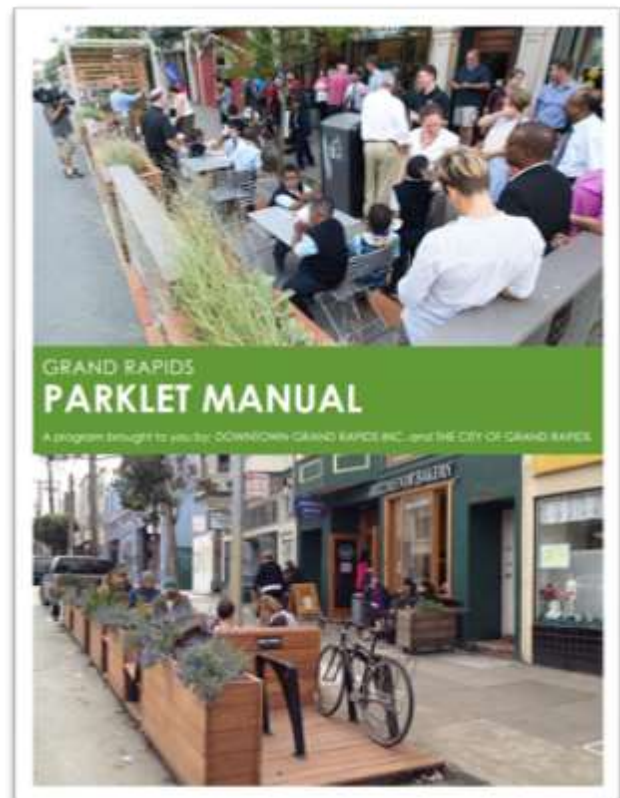
In 2015, the City of Newberg introduced Downtown Street Seats Pilot Program. The pilot program is geared toward applications for a semi-permanent street seat (regular or daily occupancy) – repurposing on-street parking spaces to add additional outdoor seating for a restaurant so people can stop, sit, and take in the life of the street. To justify construction expense, and help ensure active use, this is a temporary pilot program, typically renewed in 2 or 3 year cycles by the Newberg City Council.

WHAT ARE STREET SEATS?

"Street seats" are temporary platforms placed in one or more on-street parking spaces. The platform is the same height as the curb and extends the sidewalk space in order to add additional outdoor seating for a restaurant. The street seats are owned and maintained by the private business, and require a permit from the City.

Some cities call them "parklets", and others call them "street seats." Some cities create "parklets" as miniature public parks, while others only allow privately owned versions. Newberg's pilot program is only for privately-owned street seats, so to avoid confusion the term "street seats" will be used in this document instead of "parklet." One benefit of privately-owned street seats is that they are maintained and monitored by the adjacent business.

Example: From the City of Grand Rapids Parklet Manual



KEY ITEMS

- **Eligibility:** The pilot program is limited to eating/drinking establishments in the downtown C-3 commercial zone.
- **Location Limitations:** The pilot program uses a maximum of 6 parking spaces; no more than one street seat per block face. Street seats cannot be located on First Street, Hancock Street, or other ODOT rights-of-way. One establishment has been preselected (pending application submittal), having shown great interest in the program; a few additional street seats would be possible.
- **Downtown parking occupancy:** Because the pilot program relies on the availability of public parking in the downtown area, if parking occupancy reaches or exceeds 85 percent in the City's downtown area, the pilot program will be considered for possible termination.
- **Parking space stenciling:** Applicants recognize that parking space stenciling done by the City will not be done where street seats are in place.
- **Design Documentation:** Design document package required at time of application submittal. Street seat applicants will be required to submit a complete set of proposal drawings in order to be considered for approval, including a full set of detailed design drawings.
- **OLCC & Yamhill County Health Dept.:** If applicable, applicant is responsible for obtaining separate Oregon Liquor Control Commission (OLCC) permits and Yamhill County Health Department permits.
- **Change in ownership:** If your business changes ownership you will either need to remove your street seat or transfer the permit to the new owner.
- **As a pilot project, the City reserves the right to adjust requirements as situations arise.**

FEES

All eligible applicants will be charged a \$150 base permit fee. If the street seat requires other changes to the street (e.g. parking sign or striping changes) the applicant will be responsible for those costs. City staff will provide accurate cost estimates of these charges based on location. Filing fee will be due upon filing of application.

INSURANCE

If your application is approved, you will be required to provide evidence of at least \$2M in liability insurance naming the City of Newberg as additional insured. Most businesses already carry this insurance; please check with your provider.

MAINTENANCE

The street seat will be owned and maintained by the applicant. The applicant is responsible for all costs associated with the design development, construction, installation, maintenance, and removal of the street seat. If an application is approved, this represents that the applicant shall keep the street seat free of debris, grime, and graffiti, and to keep all plants in good health.

The permit obligates you to ensure that the facility is swept daily and debris is removed from under (if applicable) and around the street seat a minimum of once a week. Any cleaning products that are used on the facility are required to be biodegradable and environmentally friendly, since they will ultimately drain into nearby streams.

DESIGN EVALUATION

The following evaluation criteria will be used to evaluate the design submissions and award approvals:

- **Design quality:** The quality and creativity of the design; the quality and durability of proposed materials and furniture.
- **Streetscape enhancement:** How the proposal will enhance the aesthetic quality of the streetscape.

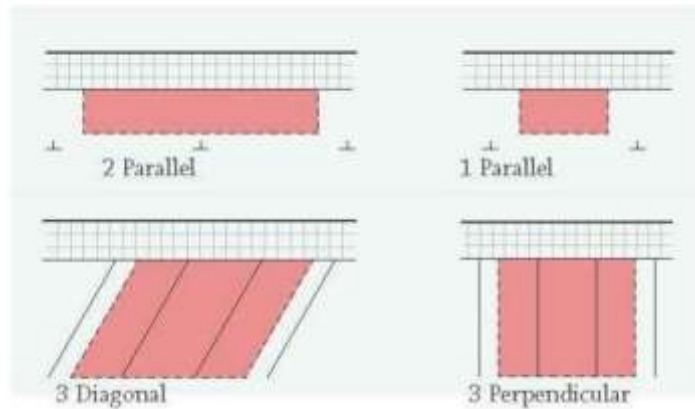
GENERAL GUIDELINES

- The street seat must be located adjacent to the applicant's business; no more than one street seat per business will be permitted.
- In some areas of downtown, curb heights in combination with the slope of the street make the installation of a traditional street seat platform very challenging. In these cases, the applicant may propose to not install a platform, but must demonstrate compliance with ADA accessibility requirements to ensure that accessible seating is provided in the overall street seat.
- Design for easy removal. The street seat will sit on top of the existing street surface. Because street seats may sit on top of critical infrastructure and utilities such as gas lines, sewer and water mains, they need to be designed for easy removal in case of an emergency. If the street seat has to be removed for city maintenance then the owner must remove it at their expense.
- The street seat may remain in place year-round but must be moveable.
- A street seat may include a bike corral. The bike corral must be located beyond the seating area, not before it, and cannot be permanently attached to the paving.
- No power lines can extend over the sidewalk to the street seat.
- No advertising. Logos, advertising, or other branding is prohibited.
- Smoking is prohibited in street seats.
- The proposal must include detailed plans for securing furniture when the business is closed.
- Maintenance and litter removal is the responsibility of the applicant/owner. Failure to maintain the street seat may result in the revocation of the permit.
- Extended lack of use may result in the revocation of the permit.
- Be creative.

LOCATION CRITERIA

- Street seats are not permitted in front of fire hydrants, in active bus service areas, across driveways, or over manholes or public utility valves or covers (including water shut off valves). As an alternative, if valves are present, the street seat must be designed for easy access.
- Fire hydrants cannot be blocked for a total distance of 10 feet (5 feet in each direction along the street from the hydrant).
- The proposed site should be located at least one parking spot in from a corner; otherwise a protected bollard, sidewalk bulb-out, or other similar feature must be present if located at the corner.
- The proposed site should be located on a street with a speed limit of 25 MPH or less.
- Street seats cannot be located on First Street, Hancock Street, or other ODOT rights-of-way.

- Multiple businesses may propose a shared street seat; details regarding the shared use agreement must be included.
- For street seats proposed on parallel parking spaces, a maximum of two (2) parking spaces shall be used. For proposals using angled parking spaces, a maximum of three (3) parking spaces shall be used. For proposals using perpendicular parking spaces, a maximum of three (3) parking spaces shall be used. Refer to Figure 1 for details.



DESIGN ELEMENTS – applicable to all street seats

- The street seat design must include vegetation in the form of planters.
- The use of high quality, durable materials capable of withstanding year-round use is encouraged.
- All rails must be capable of withstanding a 200-lb horizontal force. No wall, planter, or rail may be higher than 42 inches, as measured from the walking surface.
- Design must maintain a minimum five-foot clear pedestrian through zone in the sidewalk corridor where access is taken to the street seat area.
- Street seat footprint: parallel parking. Twenty-four (24") inch setback on either end of the street seat, adjacent to parallel parking, shall be maintained. Wheel stops may be used but are not required. If proposed, wheel stops will be installed by the applicant and inspected by the City after final facility construction/installation is complete.
- Street seat footprint: diagonal parking. For diagonal and perpendicular spaces, the edge of the street seat must be set back eighteen (18") inches from the adjacent parking space on either side. This setback space must be included within the street seat space, and not be taken from the adjacent space.
- Street seat design must include a physical barrier along the street while maintaining clear visual sightlines to the street. Vertical elements, such as planters and umbrellas, should be included so that the facility is visible to vehicles.
- To protect a street seat in a parallel parking space from parking maneuvers, substantial planters, weighted bollards, or other structure that can withstand light vehicular impact, must be installed on either end of the street seat and at the street edge. Street seats in diagonal parking spaces are not required to have such substantial edge materials, except for the side and corners at the street edge. Additional traffic safety items may be added to the final design by City staff.

- The proposed number of table and chairs shall be approved by the City. Furniture must be able to accommodate those with disabilities, wheelchairs, or mobility devices.
- Proposed covers or shelters may have additional structural engineering requirements. If canopies/tents/awnings are used there may be additional Fire Code requirements.
- Surface materials: loose particles, such as sand or loose stone, are not permitted on the street seat.

DESIGN ELEMENTS – applicable to street seats with platforms

- The platform may not be attached to or damage the street and must be easily assembled and disassembled. Any damage to the street is the responsibility of the applicant.
- Platform must be designed to allow for curblinestormwater drainage.
- Platform must be designed to accommodate the crown and cross slope of the street surface.
- Street seat decking must be flush with the curb and may not have more than a ½ inch gap from the curb. If this is impossible, the submitted design must demonstrate compliance with ADA accessibility requirements to ensure that accessible seating is provided in the overall street seat (e.g. sidewalk café seating).
- All plans must clearly articulate the spans and supports to be used for the body of the street seat.
- Street seat platform rest areas cannot exceed two percent (2%) cross slopes.

DEVELOPING THE DESIGN DOCUMENT PACKAGE

Quality of design will be one of the prioritized evaluation criteria.

Site locations and street seat design are approved by City staff based on the attached Design Guidelines. Applicants are encouraged to communicate with staff during the design development phase. Staff can help flag potential design concerns early on, and foresee potential issues that could be arise later in the process.

Hiring a professional engineer is not required. Use of Google Earth or similar technology for planning purposes is sufficient. But accurate measurements are required for design details. Please provide as much detail as possible – it will speed the process of reviewing the application. The City prefers documents in 11" x 17" format.

1. Street seat Location and Context Plan. This drawing should show the street seat footprint in relation to the surrounding streetscape context. It should include footprint of the proposed platform in context with the surrounding streetscape, including:

- "footprint" of the proposed street seat
- building "footprints" and entrances
- sidewalk width
- existing parking stalls
- existing curb cuts and driveways
- adjacent bike lane and auto lanes
- all surface obstructions within 15 feet of the proposed area (e.g. fire hydrants, utilities, streetlights, parking meters, street trees, tree pits, etc.)
- required setbacks from adjacent parking stalls

2. Detailed Design Plan. This is a top-view drawing of your street seat design and should include:

- Various elements included in the design.
- Different materials to be used in the design.
- Plant types and/or species to be used.
- Street seat dimensions and elements (including required buffer areas).
- ADA compliance.
- If applicable, a detail showing how you will maintain positive drainage flow along the curb line.

3. Elevations. These are side-view drawings of your proposed design and should include:

- Various elements included in the design.
- Different materials to be used in the design.
- Dimensions of platform, street seat elements and buffer areas.

4. Renderings and Perspectives (optional)

5. Construction Drawings (if applicable). These drawings should show how your street seat will be assembled or constructed. They will include:

- Confirmation of all dimensions and materials to be used in the design.

- Any hardware such as fasteners to be used in the construction process.
- A detail showing how you will accommodate existing curb height and the cross slope of the road surface.

6. Right-of-way use drawing and construction information. This drawing identifies any right-of-way area to be temporarily used during the construction of the street seat. Identify any area of the street, parking spaces, sidewalk, etc. that are proposed to be temporarily used. A minimum of 5' of clear sidewalk access for pedestrians must be maintained at all times. Indicate the duration of construction including proposed dates and times.

STREET SEAT APPLICATION AND PROCESS

The following is an overview of the street seat application, approval, and installation process:

1. Applicant reviews application materials and design guidelines
2. A location is selected that meets location criteria.
3. It is strongly recommended that applicants request a meeting with City staff to review design ideas prior to submitting an application.
4. Business and property owner approvals are obtained using Application Form.
5. Work begins on detailed design document package.
6. Applicant should consider contacting City staff with any questions about their application submission. Questions can be sent to the Community Development Department and Engineering Services Department.
7. Completed application and all required attachments and fees are submitted at the Community Development Department permit center counter.
8. The City will review the application for completeness and that all design guidelines have been met. Incomplete applications will need to submit any required information.
9. Applications are reviewed for design and technical requirements.
10. Applicants with approved applications will be contacted by City staff to schedule a preconstruction on-site visit if needed.
11. Installation must occur within 90 days of permit issuance.
12. Once installation is complete, applicant is required to notify the City within 48 hours of the completion of street seat construction to schedule a post-construction on-site inspection.
13. Post Construction. The City will continue to monitor the street seat for compliance with your revocable permit and design guidelines. Failure to comply may result in revocation of your permit. The City may also request your participation in assessments and studies of the program.

Street seat Pilot Program: Application Form.

Permit #: _____

I. APPLICATION FORM

Site Address: _____

Cross-Street 1: _____ Cross Street 2: _____

Applicant Contact Information (main contact assigned to work with City staff)

Project Contact Name: _____

Phone Number: _____ Email: _____

Business Information

Name of Business: _____

Address: _____

Type of Business: _____

Owner Name: _____

Owner Phone: _____

Owner Email: _____

Property Owner Information

Name of Property Owner or Representative: _____

Name of Property Owner Company: _____

Street Address: _____

City: State: Zip: _____

Business and Property Owner's Affirmation

I, the undersigned, do affirm that I am the owner or a duly authorized representative of the corporation owning the above referenced property. I have been made aware of the Applicant's intent to install a street seat in the parking lane in front of the business listed on this application and have no objections.

Business owner: _____ {Signature}

_____ {Print Name} _____ {Date}

Property owner: _____ {Signature}

_____ {Print Name} _____ {Date}

Site Information

Proposed size of street seat (Square feet and # of parking spaces): _____

Is the street seat intended to span more than one storefront? Yes No

** If "yes", application must be received from each sponsoring business.*

What is the proposed duration of the street seat? (Daily, every weekend, monthly, etc. Please describe expected timeframe.)

II. REQUIRED DESIGN DOCUMENT PACKAGE

Please refer to the design requirements in the Street seat Program Overview. You can use the following checklist to ensure that your design proposal package is complete.

- ☐ Street seat Location and Context Plan. This drawing should show the street seat footprint in relation to the surrounding streetscape context.
- ☐ Detailed Site Plan. A top-view drawing of the street seat design.
- ☐ Design Elevations. Side-view drawings of the proposed design.
- ☐ Renderings and Perspectives (optional)
- ☐ Construction Drawings (if applicable)
- ☐ Right-of-way use drawing and construction information

Design/Architecture Services (if applicable)

Designer Name: _____

Design Firm: _____

Phone Number: _____

Email: _____

Construction Services (if applicable)

Contractor Name: _____

Company Name: _____

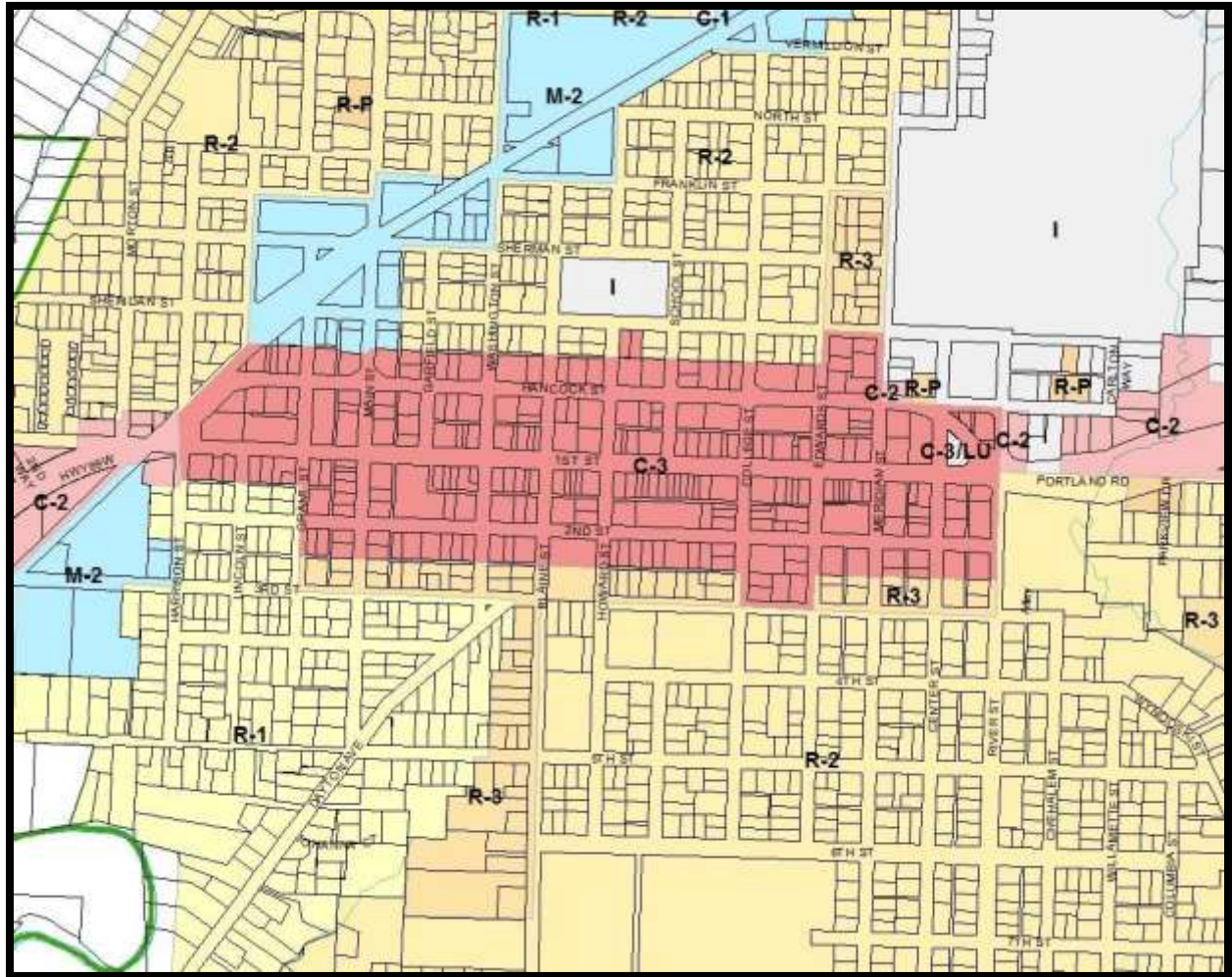
Phone Number: _____

Email: _____

III. APPLICATION SUBMISSION INSTRUCTIONS

- ☐ How to submit your completed application package:
- ☐ Format drawings to an 11x17 page layout
- ☐ Provide five (5) copies of the application and Design Package
- ☐ Attach documentation of Insurance Requirements
- ☐ Filing Fee

RESOLUTION 2026-4035
EXHIBIT B: C-3 Zoning District Map



REQUEST FOR COUNCIL ACTION



Date Action Requested: August 3, 2026

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐

No. 2026-4041

Subject: Resolution amending the Intergovernmental Agreement for Law Enforcement Services with the City of Dundee to amend court services.

Staff: Kady Strode
Department: Finance

Business Session

Order On Agenda:

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: Adopt Resolution 2026-4041.

Executive Summary: Following the adoption of Resolution 2026-4039 approving the IGA for Dundee Court to be processed by Newberg Court, the IGA for Police Services with Dundee needed minor changes in the document to follow the new IGA for all citations to flow through Newberg Court. These changes are reflected in Exhibit A to the amendment to the IGA for Law Enforcement Services.

Fiscal Impact: N/A

Council Goals: This aligns with Council Goal 3 Enhance Community Safety to help enhance public safety of NDPD and Newberg Court.

REQUEST FOR COUNCIL ACTION

RESOLUTION NO. 2026-4041



A Resolution amending the Intergovernmental Agreement for Law Enforcement Services with the City of Dundee to amend court services.

Recitals:

1. Newberg and Dundee currently have an IGA for Police Services.
2. Newberg and Dundee now have an IGA for Court Services.
3. Exhibit A shows the amendment to the IGA for Police Services to represent the new IGA for Court Services.

The City of Newberg Resolves as Follows:

1. Exhibit A shows the minor changes made to the IGA for Law Enforcement Services to reflect the new IGA for Court Services.

Effective Date of this resolution is the day after the adoption date, which is: August 4, 2026.

Adopted by the City Council of Newberg, Oregon, this 3rd day of August, 2026.

Rachel Thomas, City Recorder

Attest by the Mayor this _____ day of _____, 2026.

Bill Rosacker, Mayor

Amendment 1 to Newberg Dundee Police IGA
Contract # Newberg Resolution 2024-3927

**AMENDMENT 1 TO INTERGOVERNMENTAL AGREEMENT
FOR LAW ENFORCEMENT SERVICES**

BETWEEN THE CITY OF DUNDEE AND THE CITY OF NEWBERG

THIS AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT FOR LAW ENFORCEMENT SERVICES (this “Agreement”) is effective as of July 7, 2026 (the “Effective Date”), by and between the following municipalities.

City of Dundee
PO Box 220
Dundee, OR 97115
(503) 538-3922

City of Newberg
PO Box 970
Newberg, OR 97132
(503) 538-9421

City of Dundee is hereinafter referred to as “Dundee.”
City of Newberg is hereinafter referred to as “Newberg.”

RECITALS:

1. The Parties have entered into a separate agreement for Newberg to provide Dundee Municipal Court services. The Municipal Court agreement invalidates some portions of section 7 in the existing IGA and therefore needs to be amended.
2. This Agreement replaces that Amended and Restated Intergovernmental Agreement for Law Enforcement Services dated July 1, 2024 and executed pursuant to Newberg Resolution No. 2024-3927.
3. The Mayor and City Manager of Newberg will execute the agreement on behalf of Newberg pursuant to their delegated authority in Resolution No. 2026-4041, which is attached as Exhibit A.
4. The Mayor and City Administrator of Dundee will execute the agreement on behalf of Dundee pursuant to their delegated authority in Resolution No. 2026-13 which is attached as Exhibit B.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, it is mutually agreed as follows:

Section 7 is removed in its entirety and replaced as follows:

Exhibit A
Resolution 2026-4041

Amendment 1 to Newberg Dundee Police IGA
Contract # Newberg Resolution 2024-3927

Court: Dundee and Newberg have entered into a separate agreement for Newberg to provide Dundee Municipal Court services. Newberg agrees to cite charges into the court of competent jurisdiction as follows:

- a. Crimes (felonies and misdemeanors) – All charges for felonies and drug crimes will be presented to the District Attorney’s Office for Yamhill County for trial in the appropriate court of jurisdiction or cited in Yamhill County Circuit Court. Misdemeanor crimes including traffic crimes and any unclassified crimes or other serious violations of the law will primarily be cited in Newberg Municipal Court.
- b. Violations including traffic violations – All other charges for violations of the law including traffic violations within the city limits of Dundee will be cited into the Newberg Municipal Court.
- c. Concurrent jurisdiction – Nothing in this agreement shall be construed or used to limit the discretion of the police to cite charges into any court of competent jurisdiction.
- d. Revenue – All revenue shall be handled in accordance with the separate municipal court agreement.

IN WITNESS WHEREOF, this instrument has been executed in duplicate pursuant to resolutions heretofore duly and legally adopted by each of the parties hereto.

CITY OF NEWBERG

CITY OF DUNDEE

Bill Rosacker, Mayor

Date

David Ford, Mayor

Date

ATTEST:

Will Worthey
City Manager

Approved by Resolution No.2026-4041

Date

Courtney Patterson
City Administrator

Approved by Resolution No. 2026-13

Date

Exhibit A
Resolution 2026-4041

Amendment 1 to Newberg Dundee Police IGA
Contract # Newberg Resolution 2024-3927

APPROVED AS TO FORM & CONTENT:

Ashley Wigod
Dundee City Attorney

Date

REQUEST FOR COUNCIL ACTION



Date Action Requested: August 3, 2026

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐

No. **2026-4042**

Subject: **Resolution authorizing an additional \$15,000 for the Grind and Inlay work to the Eagle Elsner Contract**

Staff: **Kady Strode**
Department: **Finance**

Business Session

Order On Agenda:

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: Adopt Resolution 2026-4042.

Executive Summary: Resolution 2026-4027 originally awarded grind and inlay contracted work to Eagle Elsner in the amount of \$417,440. Due to multiple soft spots found during the grind and inlay process, the total contract price will need to increase by \$15,000 in order to make these repairs and finish the project as initially planned, bringing their total contract price to \$432,440.

Fiscal Impact: This will increase the Transportation Utility Fee (TUF) expenditures by approximately \$15,000 more than anticipated which will be covered using contingency funds.

Council Goals: This aligns with Council Goal 5, Objectives 4 and 5 to focus on maintaining existing roads and funding road repair.

REQUEST FOR COUNCIL ACTION

RESOLUTION NO. 2026-4042



A Resolution authorizing an additional \$15,000 for the Grind and Inlay work to the Eagle Elsner Contract

Recitals:

1. Resolution 2026-4027 originally awarded Eagle Elsner the contract for grind and inlay work.
2. Due to multiple soft spots found the contract amount that was originally awarded will need to increase by \$15,000 to finish the project.

The City of Newberg Resolves as Follows:

1. The contract with Eagle Elsner for grind and inlay work will need to increase by \$15,000, bringing the total contract amount to \$432,440.

Effective Date of this resolution is the day after the adoption date, which is: August 4, 2026.

Adopted by the City Council of Newberg, Oregon, this 3rd day of August, 2026.

Rachel Thomas, City Recorder

Attest by the Mayor this _____ day of _____, 2026.

Bill Rosacker, Mayor