City Council
March 2nd, 2026
6pm
Newberg Public Safety Building 401 E. Third Street
Denise Bacon Community Room
Online: https://us06web.zoom.us/j/89536547180
Public Comment Registration

View Slides

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1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **City Manager Report**
   4.1. Narrative Report on February 2026
      a. Presentation

5. **Public Comments**

6. **Continued Business**
   6.1. Safety Manual Approval
      a. Exhibit A- 2026 Safety Manual
   6.2. Council Goals Update
      a. Exhibit A- Goals Update March 2026
   6.3. Technology Responsibility Agreement
      a. Exhibit A- Technology Device Responsibility Agreement
   6.4. Council Rules Update
      a. Exhibit A- Proposed Update, Redline Version
      b. Exhibit B- Proposed Update, Clean Version
      c. Exhibit C- Current Council Rules

7. **New Business**
   7.1. HB2001 Waterline Improvements and I-4 Alignment Project
      a. Exhibit A- Contract
   7.2. Rate Review Recommendations*
      a. Exhibit A- Resolution 4018*
      b. Presentation*

8. **Council Business**

8.1. Interviews for Student Commission Positions*

a. Rylie Wood Application*

b. Elisa Semmens Application*

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: (March 2, 2026)

Order ☐ Ordinance ☐ Resolution ☐ Motion ☐ Information ☒ Proclamation ☐	
Subject: CM narrative for March 2 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 February 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 February 2026

City of Newberg

For the month of February Finance did the following:

- Rate Review Committee continued meeting to discuss Water, Stormwater and TUF future CIP projects and rate increases.
- The Town Hall Public Hearing also occurred during the process to hear public testimony on the proposed rate increases.
- Met with OneDigital and Principal reps to discuss NERPS pension plans and future forecasting.
- Attended an LOC Training on Oregon Budget Law Updates

Library Events:

- 249 library card sign-ups! Average is about 150 cards/month.
- In February the Graphic Novels in the Children's Library expanded in a new location, thanks to Emily for help with the signage!
  (see pic on next slide)
- The Restroom Remodel is underway at the library and going great!
  (see pic on next slide)
- Cozy Reading Program at the library:
- Children's: Over 1,150 children registered, 726 mascot entries, 1,116 reading logs submitted
- Teen's: Over 200 registered, 305 reading logs returned
- Adult's: 180 registered (57% increase), 100 library quests completed

Toilet remodel underway:

Kids Graphic novels Expansion!

February was jam packed with activities for Community Engagement!

- Organized a Ride to School for the young community member who named Sir Sweeps a Lot
- Put together a video farewell for Russ Thomas's retirement party
- Worked on planning for several upcoming outreach opportunities!
- First Friday, March 6 from 5-8 p.m.
- Town Hall for River Street updates and design Q & A
- Assisted the City Recorder with the Mayor for a Day experience for Joel Osche

Monthly Report from the City Recorder:

- Created Council Update sign up options
- Spoke at a GFU class on Government Service- 4 student commission applicants!
- Prepared an application to the Certified Local Government Grant program to update our historic resource inventory with mid-century modern homes.
- Conducted a Lunch and Learn on Ethics
- Continued work on eliminating paper - we're getting close!
- Encouraged staff to lean in during records week.

ENG - River street

- Keller completed development of alternative typical sections, corridor plans
- The concept alternatives were presented to city staff in mid-December along with a review of the high-level.
- Preliminary design alternatives have been presented to City Councilors in 1:1 work sessions in February to gain early input.
- From this set a discussions a 3rd alternative emerged.
- A city town hall has been planned for March 9 to show the community the three possible leading design ideas.
- The city admin team will leaflet River street to raise public awareness.

Here is the report for HR!

- HR collaborated with Rachel Thomas to put on the first Lunch and Learn of the year
- With the completion of digitization of all employee personnel files, HR was able to have the paper files shredded
- The offices in Archives have received a fresh coat of paint!

IT Projects

- Phone System Migration – We are starting the process for migrating our legacy phone system to WebEx.
- This transition will modernize our communications platform, improve reliability and provide better customer service to our citizens.
- AVD Migration – We have begun migrating all employees to Azure Virtual Desktops (AVD). The phased rollout is underway to ensure a smooth transition for all users.

- CentralSquare Cloud – Following our successful go-live, we are actively addressing post-implementation items.
- Current efforts include deployment of mobile iOS app, integration of AI capabilities with workflow templates to help improve efficiency. Due to our successful rollout, our IT Manager Dave Brooks was invited to speak at the 2026 CentralSquare Conference.
- Splunk – We are revamping our Splunk infrastructure by building department specific dashboards to provide statistics and reports.
- These dashboards will also provide IT staff with visibility into our network, storage and servers for operational insight and proactive monitoring.

PW Operations Water

- 33 Coliform samples collected all were negative for TC & E-Coli
- Annual reports completed for air quality and polymer usage
- Reservoir Cleaning and Video Inspections – occur every few years (next slide)

Reservoir Cleaning and Video Inspections:

The concrete crew have started the ADA TUF project and has successfully completed work on several corners to date.

Street crew started skin patching on Springbrook by station 21

CDD Key Events:

- Planning Commission denied appeal and upheld Director's approval of 9-unit middle housing development on Orchard Drive.
- Planning Commission reviewed updates to Council/Commission Rules.
- On Site-Visit at Renne Field with CPRD to identify needed street improvements.
- HB 4035 One-Time UGB Expansion Program Update passed by Oregon House as of 2/18.

So that’s it for February events!

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

Questions?

REQUEST FOR COUNCIL ACTION

Date Action Requested: (March 2, 2026)

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐ No. 2026-4012	
Subject: Council Approval of the 2026 Safety Manual	Staff: CM Department: Administration
Business Session	Order On Agenda: Continuing 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:
Numerous state and federal statutes and rules reinforce the maintenance of the safe workplace. For example:

OAR Chapter 437 and ORS Chapter 654.

Recommendation:
Staff recommends the adoption of the new 2026 safety manual. A motion could be formed in this way:

"I move that the city approves Resolution 2026-4012".

Executive Summary:
Between November 2021 and early 2025 our staff policies and procedures that were nonexistent or lacking in substance were created. During this process the existing safety manual was found to be acceptable but not excellent. Having completed other more critical or timely policies like the emergency operations plan, purchasing manual and more the time has come to upgrade this plan to match the high standards of current staff guidebooks. During 2025 staff guided by the human resources and emergency management teams worked on a new policy with assistance from our insurance carrier CIS. After the first draft was completed, it was distributed to the department heads for review and edits. The fruits of this labor can be seen in the packet this evening as Exhibit A.

Fiscal Impact:
The city has had an impressive turnaround from the time of tumult when we were in danger of losing our insurance coverage to modern times. Our loss rate factor is now running well below the state average. This has garnered the city savings of approximately $50,000 per year on our CIS insurance costs. Our objective with this new safety manual is to keep OSHA regulations and safe work practices front and center in the minds of our staff and provide them with simple site check lists that they can use before jobs initiate.

Council Goals:
Goal 5: Implement a careful and prudent fiscal policy.
Goal A: Ensure Newberg infrastructure (roads, water, city employees) is in good repair and supply.

RESOLUTION NO. 2026-4012

A Resolution Adopting the 2026 Safety Manual

Recitals:

1. In 2018 the City of Newberg adopted its last safety manual.

2. In 2025 the City of Newberg worked on a series of improvements to our safety practices.

3. In late 2025 city staff lead by its Emergency Coordinator and HR department developed the new 2026 safety manual. This was reviewed for comments by all department heads.

4. At the February 17th council session this manual was reviewed by city council.

The City of Newberg Resolves as Follows:

1. To adopt the 2026 Safety Manual.

Effective Date of this resolution is the day after the adoption date, which is: March 3, 2026.
Adopted by the City Council of Newberg, Oregon, this 2nd day of March, 2025.

_____
Rachel Thomas, City Recorder

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

_____
Bill Rosacker, Mayor

The City of Newberg's Occupational Safety and Health Manual

2026 Edition

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CHAPTER ONE
INTRODUCTION AND AUTHORITIES

INTRODUCTION AND AUTHORITIES

Welcome to the City of Newberg's Occupational Safety and Health Manual. This section gives an overview of the policies for day-to-day operations by all employees in the city. These Occupational Health and Safety policies are designed to:

- Adhere to Federal and State Occupational Safety and Health (Oregon OSHA) standards for workplace safety
- Inform all employees of the safety program, policies, and procedures of the City
- Provide employees with an understanding of their role in safe practices while representing or working for the city
- Provide management with an understanding of their role in safe practices for employees and the City of Newberg
- Be maintained and applied in compliance with all State and Federal laws or regulations

The safety and health of our employees is important to the City of Newberg. In line with the staff handbook and our STRIVE values, no employee will be required to do a job that they consider unsafe. The City of Newberg will comply with all occupational safety and health requirements and maintain standards that equal or exceed regulations. Under Oregon law, no employee will be punished or penalized for raising concerns or making recommendations.

The City has established a safety committee to support the continuous efforts to reduce accidents and risks. This committee consists of an equal number of staff and management representatives, whose responsibility is to review reports, identify hazards, recommend training and changes in work practices to prevent accidents.

HISTORICAL AND CONSTITUTIONAL BACKGROUND

In 1971, the federal Occupational Safety and Health Act of 1970 became part of national labor law. Two years later, Oregon passed its own occupational safety and health legislation, the Oregon Safe Employment Act. Oregon Safe Employment Act authorized Oregon OSHA to enforce the state's workplace safety and health rules. All Oregon Administrative Rules, not including federal rules adopted by reference, are available on the Oregon Secretary of State Administrative Rules Database, but these don't include tables or graphics.

The city of Newberg recognizes that the Oregon Administrative rules take precedence over locally established County or Municipal Code. Specifically, the details and definitions embedded in the following OARs take precedence over local code or policy making. In this regard the city of Newberg may not adopt or enforce policy that interferes with or voids state or federal regulations. Here are some of the overarching Oregon and Federal statutes of relevance to this topic:

OAR Chapter 437 https://osha.oregon.gov/rules/final/pages/default.aspx

ORS Chapter 654 — Occupational Safety and Health (Oregon Safe Employment Act)

In addition, the Federal Occupational Safety and Health Administration rules and guidelines must also be followed in all cases.

For additional detail please see
https://osha.oregon.gov/rules/pages/default.aspx AND https://www.osha.gov/

Oregon OSHA rules interpretations can be found here:
https://osha.oregon.gov/rules/Pages/interps.aspx

Key OSHA Administrative Rules
The following sections of OSHA rule making are considered to be critical and are called out with specific references for more details see:

https://osha.oregon.gov/OSHARules/div2/div2.pdf

Head Protection - 437-002-0134 (9)

(a) The employer must ensure that each affected employee wears a protective helmet when working in areas where there is a potential for injury to the head from any falling or flying objects.

(b)The employer must ensure that a protective helmet designed to reduce electrical shock hazard is worn by each such affected employee when near exposed electrical conductors, which could contact the head.

(c)Head protection must comply with any of the following consensus standards:
ANSI Z89.1-2009, American National Standard for Industrial Head Protection, which is incorporated by reference in §1910.6;

ANSI Z89.1-2003, American National Standard for Industrial Head Protection, which is incorporated by reference in 1910.6; or

ANSI Z89.1-1997, American National Standard for Industrial Head Protection, which is incorporated by reference in 1910.6.

Head protection devices that the employer demonstrates are at least as effective as devices that are constructed in accordance with one of the above standards will be deemed to be in compliance with the requirements of this section.

(e) Employees who are exposed to or working near vehicles, power-driven machinery or sources of ignition, must wear caps or other head covering.

Hearing and ear protection - 9 CFR 1910.95
https://www.ecfr.gov/current/title-29/subtitle-B/chapter-XVII/part-1910/subpart-G/section-1910.95

(a) Oregon OSHA's hearing protection rule, 1910.95 - Occupational noise exposure, says all workplaces must have a hearing conservation program when employees are exposed to noise levels equal to or greater than 85 A-weighted decibels (dBA) averaged over eight hours.

(b) The basic elements of a hearing conservation program include:

- Exposure monitoring
- Audiometric testing
- Hearing protection
- Employee training
- Recordkeeping
- Access to information

(c) Employees will be provided with a variety of hearing protection at no cost and employers will ensure that the hearing protectors fit properly, in good repair, and are used correctly.

(d) Hearing protectors that are uncomfortable, difficult to use, or interfere with work are not considered compliant.

Eye and face protection - 437-002-0134 (8)

(a) The employer must ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, biohazards, chemical gases or vapors, or light radiation.

(b) The employer must ensure that each affected employee uses eye protection that provides side protection when there is a hazard from flying objects. Detachable side protectors (e.g., clip-on or slide-on side shields) meeting the pertinent requirements of this section are acceptable.

(c) The employer must ensure that any affected employee who wears prescription lenses that requires eye protection fits or incorporates the prescription in its design or can be worn over the prescription lenses.

(d) Eye and face PPE must be distinctly marked for easy identification of the manufacturer.

(e) The employer must ensure that each affected employee uses equipment with filter lenses that have a shade rating appropriate for the work being performed for protection from light radiation.

(f) Protective eye and face protection devices must comply with any of the following standards:

- ANSI/ISEA Z87.1-2010, Occupational and Educational Personal Eye and Face Protection Devices, incorporated by reference in 1910.6;
- ANSI Z87.1-2003, American National Standard Practice for Occupational and Educational Eye and Face Protection, which is incorporated by reference in 1910.6; or
- ANSI Z87.1-1989 (R-1998), American National Standard Practice for Occupational and Educational Eye and Face Protection, which is incorporated by reference in 1910.6.

(g) Protective eye and face devices that the employer demonstrates are at least as effective as protective eye and face devices constructed in accordance with one of the above consensus standards will be deemed to be incompliance with the requirements of this section.

(h) Employees whose task or assignment requires exposure to laser beams shall be furnished with laser rated safety goggles as required by Occupational Health Regulations which will protect for the specific wavelength of the laser and be of optical density adequate for the energy involved.

Hand protection - 437-002-0134 (12)

(a) Employers must designate and require employees to use appropriate hand protection when employees' hands are exposed to hazards such as those from skin absorption of harmful substances; biological hazards; severe cuts or lacerations; severe abrasions; punctures; chemical burns; thermal burns; and temperature extremes.

(b) Employers must base the selection of the appropriate hand protection on an evaluation of the performance characteristics protection relative to the task(s), conditions present, duration of use, and the potential hazards identified.

(c) Gloves must not be worn by persons whose hands are exposed to moving parts in which they could be caught.

Foot protection - 437-002-0134 (10)

(a) The employer must ensure that each employee use protective footwear when working in areas where there is a risk of injuries due to falling or rolling objects, or objects piercing the sole, slip hazards, crush hazards and where movement could conduct or create electrical hazards such as static-discharge or electric-shock.

(b) Protective footwear must comply with the consensus standards:

- ASTM F-2412-2005, Standard Test Methods for Foot Protection,
- ASTM F-2413-2005, Standard Specification for Performance Requirements for Protective Footwear, incorporated by reference in 29 CFR § 1910.6;
- ANSI Z41-1999, American National Standard for Personal Protection –Protective Footwear, incorporated by reference in 29 CFR § 1910.6; or
- ANSI Z41-1991, American National Standard for Personal Protection – Protective Footwear, incorporated by reference in 29 CFR § 1910.6.

(c) Protective footwear that the employer can demonstrate is no less effective than one of the above standards will be deemed to be compliant with the requirements of this section.

(d) Special types or designs of shoes or foot guards are required where conditions exist that make their use necessary for the safety of workers.

Fall protection - 437-002-0134 (5)

(a) Motor and Rolling Stock Vehicles. All employees must be protected from fall hazards when working on motor and rolling stock vehicle surfaces more than 10 feet above any lower level or any height when above hazardous equipment. Regardless of if equipment is stationary, energized, or moving.

The employer must ensure that fall protection systems are provided, installed, and used according to the criteria in 1910.140 in this Subdivision.

NOTE to 437-002-0134 (Personal Protective Equipment) (5)(a): The duty to provide fall protection for employees on walking or working surfaces other than motor and rolling stock vehicles is covered by 1910.28 (Duty to have fall protection and falling object protection).

The criteria and practices for fall protection systems for walking-working surfaces other than motor and rolling stock vehicles is covered by 1910.29 within 2/D.

(b)Travel Restraint Systems. The employer must ensure each employee using a personal fall restraint (travel restraint system) is prevented from going over the edge by providing, installing and ensuring its use according to the criteria in 1910.140 in this Subdivision with the following exceptions to 1910.140:

1910.140(c)(13) does not apply when anchorages used solely for travel restraint are:

(i) Capable of supporting 3000 pounds (13.34 KN) per employee attached; or
(ii) Are designed, installed and used under the supervision of a qualified person, as part of a complete personal fall protection system that maintains a safety factor of at least two.

1910.140(c)(22) does not apply. The attachment point to the body belt or full body harness may be at the back, front or side D-ring

Torso protection - 437-002-0134 (6)(7)

Clothing rules:

(a) Clothing must be worn which is appropriate to the work performed and conditions encountered.

(b) Appropriate high temperature protective clothing must be worn by workers who are exposed to possible contact with molten metals or any substances that can cause burns.

(c) Loose sleeves, ties, lapels, cuffs, or other loose clothing must not be worn near moving machinery.

(d) Clothing saturated with flammable liquids, corrosive or toxic substances, bloodborne pathogens, irritants, or oxidizing agents must be removed immediately and not worn again until properly cleaned.

(e) Rings, wristwatches, earrings, bracelets, and other jewelry which might contact power driven machinery, electricity, or create a chemical reaction, must not be worn.

(7) High Visibility Garments Rule 23 CFR 634. Employees exposed to hazards near roadways or moving vehicles, while working in construction zones, or when working adjacent to streets, roads, driveways, public right of way, and parking lots, must wear high visible upper body garments in strong orange, strong yellow, strong yellow-green or fluorescent versions of these colors.

Per the ATSSA standards, any employee performing work in the right-of-way or operating equipment within the above-described work areas, shall wear high-visibility safety apparel that has the required reflective contrast appropriate for the work area. This includes utility crews, infrastructure crews, survey crews, road and sidewalk construction or maintenance and emergency responders.

Hi Visibility Safety Clothing must provide conspicuity during daylight with identifiable reflective arms and torso, and at nighttime or low visibility conditions it must also identify reflective arms and legs. The apparel must be contrast reflective up to 1000 feet, in good repair and clean during all use. ANSI/ISEA 107-2004 and MUTCD 6-E.

Temperature Provisions - 437-002-0144 (2)

Where processes create harmful or hazardous high or low temperature and humidity conditions, measures must be taken to control the accumulative conditions or to control the effect on the employee.

Hazardous Heat caused by atmospheric conditions are subject to further requirements as defined in the OSHA Heat Illness Prevention rules 437-002-0156 and 437-004-1131.

Leg protection - 437-002-0134 (11)

(a) Leg covers or high boots of leather, rubber, or other suitable material must be worn by persons exposed to extreme hot or cold substances, biologics, or chemicals.

(b) Employees using chain saws must wear chaps or leg protection that cover the leg from the upper thigh to mid-calf. The protection must be made of a material designed to resist cuts from a powered or manual blade. Employers must provide this protection at no cost to the employee.

NOTE to 437-002-0134 (Personal Protective Equipment) (11)(b): Employees working on tree and shrubbery tasks must follow rules on this subject in Subdivision 2/R.

Respiratory Protection & Air Contaminants

437-002-0382; 29 CFR 1910.134 and 437-002-2030

See also:

https://osha.oregon.gov/OSHARules/div2/div2Z-437-002-0382-air-cont.pdf
https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.134

This rule applies to all respirator use:

(1) Where respiratory protection is required, provide each employee an appropriate respirator that complies with the requirements of this rule and §1910.134.

Respiratory protection is required:

(a) Where exposures exceed the PEL or STEL during periods necessary to install or implement feasible engineering and task practice controls.

(b) Where exposures exceed the PEL or STEL during tasks, such as certain maintenance and repair tasks, for which engineering and work process controls are not feasible.

(c) During tasks for which an employer has implemented all feasible engineering and work process controls and such controls are not sufficient to reduce exposures below the PEL or STEL;

(d) During emergency activities.

(e) When an employee who is eligible for medical removal under OAR 437-002-2035 (Medical Removal) chooses to remain in a job with airborne exposure at or above the action level, as permitted by that rule.

(2) Where respirator use is required by this rule, institute a respiratory protection program in accordance with §1910.134.

See Table 1 of the Oregon OSHA Respiratory Protection Standard especially for instances of silica inhalation risk: https://osha.oregon.gov/OSHAPubs/5381.pdf

SUPERVISORY DEFINITIONS

OHSA defines managerial employees as any employee who has decision making or delegated authority over another employee, even if only temporarily. Supervisory or managerial status is not defined by job titles, or the authority to hire or fire.

Although the Collective Bargaining agreement between the City of Newberg and AFSCME identifies *lead workers* and *crew chiefs* as not having full supervisory authority for compensation purposes only. Under OSHA an employee who is overseeing the work of other employees is acting in a managerial role and is responsible for ensuring safety procedures are followed and PPE is used.

Management

For the purposes of this manual, the following positions are designated as management positions by the City of Newberg.

Administration

City Manager
City Recorder
City Technology Manager
Human Resources Manager

Community Development

Community Development Director
The Building Official

Finance

Director of Finance

Library

Library Director

Police

Police Chief
Police Captains
Public Safety Technology Manager

Public Works
Director of Public Works
Public Works Superintendents
Public Works Supervisors

Supervisors
The title supervisor is differentiated from management in that a supervisor is the person to whom you directly report. Whenever a supervisor is asked a question pertaining to safety or any city policy or procedure, it is their responsibility to provide or obtain an answer.

Note: A team leader position, such as Crew Chief, Senior position, Seargent, or Shift Leader, who directs staff without a member of management present, is viewed by OSHA as managerial employees during that work activity.

Supervisory Authority for Training
The city's Emergency Preparedness & Risk Coordinator determines and audits core trainings required by OSHA in the Safety Manual. They collaborate with department supervisors or managers who are responsible for the scheduling and assignment to training for their staff. Training records shall be maintained by each department in an electronic format, kept up to date, and readily available for inspection.

Safety Committee Chair
The Safety Committee Chair is responsible to:

- Develop committee meeting agendas and lead the committee meetings
- Inform management about new regulations and recommend policy updates for compliance
- Lead committee discussions and recommend improvements and trainings
- Lead Committee reviews of injury, accident and near miss events
- Ensure quarterly inspections take place and inspection forms are entered into SharePoint
- Regularly distribute educational materials from OSHA,CIS,SAIF, Fire and Police
- Ensure new members are rotated onto the committee and complete required OSHA Safety Committee Training
- Prepare the annual Committee Report for the City Manager by January 30th
- Ensure secretary issues agendas, calendar invites, minutes and updates membership in the committee email. Ensure secretary arranges for regular records retention

CHAPTER TWO
ADMINISTRATION AND INSURANCE

SAFETY COMMITTEE

The committee promotes improvement, education, and a way to communicate safety information. The safety committee does not make policy or interfere with the work of staff or the authority of any department. Members identify safety issues and make recommendations. Although Safety Committees are required by OSHA, serving on the committee is a valued opportunity to gain new skills and deepen interdepartmental understanding. Departments may have internal or specialized safety teams to assist the citywide committee.

The safety committee's advisory role is supported by management. Supervisors will consider each recommendation and inform the safety committee what action will be taken, why, when and by whom.

The committee has a group email and SharePoint Page for employee access.

Committee Functions:

The following are responsibilities of the safety committee:

- Promote a culture of safety and work in a safe manner everyday
- Recommend improvements, identify issues and hazards
- Relay rule updates or safety information to their departments
- Perform and document quarterly worksite inspections
- Review staff concerns and suggestions; making recommendations
- Review and recommend improvements related to property damage, injuries and near-miss events
- Assist with evacuation drills and trainings
- Recommend updates, improvements and education

Safety Committee Composition

The safety committee has a combination of management (no more than 40%) and employee representatives. Each department will have at least one primary member and one back up member on the committee. Extra members are encouraged and welcome with their supervisor's approval. Members serve a period of two years starting in January.

Appointment to Committee

Every October the committee Chair will remind outgoing members to coordinate their replacement from their department. Employees should inform their supervisors if they have an interest in safety. Members can serve longer with supervisory approval.

The Safety Committee will meet monthly during work hours. A calendar is kept on the City Intranet (SharePoint). Members on the committee are paid at their regular rate for all activities, including committee training, per OSHA.

Meetings

Meetings are open to all employees. The secretary posts the dates on the Committee SharePoint site and sends Outlook calendar invites to committee members. The committee operates using an informal Roberts-Rules format. Meetings are generally monthly except during quarterly inspection months. If necessary, they can occur more often or virtually, by agreement of the committee. The templates for the agenda and minutes are located in the Committee SharePoint folder.

The agenda is posted a week in advance on the Safety Committee SharePoint page and emailed to all committee members by the secretary. Draft minutes from the previous meeting are included with the agenda. Members are responsible for sharing the SharePoint link or posting the agenda and minutes within their department.

Minutes are taken at the meeting by the secretary, and the draft is posted in the committee's SharePoint folder. Minutes are approved by majority vote at the next meeting and then replace the draft in SharePoint. Minutes and agendas are available for all staff to review. A copy of the approved minutes is sent to the city manager by email for awareness.
Minutes and all committee records are kept in SharePoint until the Secretary audits for record retention according to the City Recorder's procedures.

Annual Committee Report
The Annual Report for the city manager is a summary of committee activities, accident reviews, inspections, injury and illness patterns. This may include recommendations to reduce injuries, procedure or training recommendations, and ways to strengthen the internal safety culture. As part of the annual report drafting, the committee should conduct a self-review of effectiveness, goals and activities. A copy of the report is kept in the SharePoint folder with the minutes and a copy sent with the report to the City Manager by January 30th.

Quarterly Worksite Inspections
The Committee has procedures for inspections and will conduct the inspections reviewing workspaces, facilities, and outdoor areas, including employee parking, to identify and mitigate safety hazards.

Using the Inspection Form in the SharePoint folder, the inspector will note any safety concerns and provide a copy to the worksite or department supervisor for correction. The written inspection record will be uploaded by the inspector within the week to the 'inspection folder' on the committee SharePoint.

The inspectors give advance notice of two business days and will reschedule within the week if the inspection causes a significant conflict. All areas are inspected including parking lots and outdoor spaces. Inspectors will use any required PPE and wear clear identification. Some facilities require an escort, and inspectors will check in first.

Inspections will be completed on a quarterly basis for all the listed locations:

- City Hall and Archive Building
- Library and Library Annex
- Public Safety Building including court office, council room, dispatch, parking, IT and police rooms
- Public Works Maintenance Yard
- Public Works Water, Wastewater treatment facilities

Exemptions: Three water reservoirs, lift stations, well field, and water transmission bridge. These are included in the weekly/monthly rounds by Public Works staff and documented on the rounds form.

Committee members report on inspections during the next committee meeting. This will be captured in the meeting minutes along with any related recommendations and the Management responses.

Information Distribution

Communication is essential to ensure safety information is available and usable by all employees, from management to volunteers. Our goal is for all employees to understand and effectively use safety information. If you require refresher training or alternative format, please inform your supervisor or Human Resources who will assist you.

Training may be provided in a variety of methods including City platforms (E-Learn & HSI), CIS learning portal, OSHA website, and the SAIF learning center. Training may also be presented in person or using written manuals and plans.

City cell phones and computers have access to apps that alert and inform about environmental conditions (NIOSH Heat App, Purple Air App, DEQ Air Quality App and Everbridge/WEA).

Digital materials include safety committee meeting minutes, agendas, and quarterly inspections are kept in the City SharePoint site until they reach the end of the retention period.

The City Safety Manual will be distributed by email as an attachment and will include a link to the City SharePoint Site where the master copy is retained.

Each worksite must have one printed copy of the safety manual with their unique safety plans added as annex sections. This should be in a location known and accessible by all staff for times when digital systems are unavailable.

Printed materials such as OSHA fact sheets, required posters, and signs will be distributed within each department by the safety representative, department supervisors, or training officers.

The City's Material Safety Data Sheets are stored online with a vendor. Posters in each building show the scannable QR code and web address for employee access. https://qrgo.page.link/x3tgs. Each department is responsible for uploading and maintaining the SDS information in the portal that relates to their operations.

Regulatory Updates

To prevent information silos, all Departments are expected to assign key personnel to enroll in updates from OSHA, NIOSH, ANSI, DOT, DPSST that are related to their operations.

https://public.govdelivery.com/accounts/ORDCBS/subscriber/new?topic_id=ORDCBS_C33

The Safety Committee email is enrolled in Oregon OSHA updates and alerts.
Each member relays alerts to their department. CIS and SAIF share updates and news with key members of the city and committee. The Emergency Management Coordinator is also enrolled for updates from regulation agencies.

CITY WIDE INSURANCE

The City of Newberg maintains the following Risk and Property loss insurance policies, renewed on a fiscal year cycle every July 1st.

- General Liability Insurance, which includes Commercial General Liability, Public Officials Liability, Employment Practices, and Property
- Automobile Liability and Automobile Physical Damage
- An Excess Crime Policy and an Excess Earthquake Policy
- Cyber Security Insurance
- Workers' Compensation Insurance

Policy Renewals

The renewal review process begins in April and is coordinated by the City Manager.

General Insurance Questions

The Emergency Management Coordinator is the point person for general insurance including requests for supplemental or special event insurance. It takes time to obtain quotes for special event insurance and event planners should seek quotes at least 21 days before coverage is needed. Examples of events that may need additional insurance include activities with resident participation, minors, alcohol or recognition events.

An event not properly insured may be cancelled by the City Manager due to liability.

Property and Public Claims
The Emergency Management Coordinator will coordinate claims with the City's insurer unless this responsibility is reassigned by the Finance Director or City Manager.

Incident reports must be completed for all property accidents or incidents that may result in a claim. See City Safety Committee [Property Damage and Injury Reporting Form]

Please note: Employees should not make statements about responsibility for an accident or incident. Only the insurance company determines whether or not a claim will be covered. All communication with people involved in any claim should be referred to the Finance or HR department.

Workers Compensation Claims for employees are handled by the Human Resources department (Contact HR for more details).

Billing
Insurance is paid for on a schedule managed by the Finance Department. Alternative Financing of the Workers Compensation plan is handled by the Accounting Manager.

WORKERS COMPENSATION INJURY CLAIMS
The City of Newberg and its employees are covered by workers' compensation insurance.

The first report of injury for an employee who seeks medical attention is made to the CIS Rapid Care Hotline at 855-959-2741, which is available 24 hours a day, 7 days a week. A triage nurse answering this line will assist the employee with next steps and begin the paperwork that notifies Human Resources.

Procedures for workers' compensation and salary continuation are on pages 48 and 49 of the Employee Handbook.

Important! Commuting to and from work is not generally covered by workers' compensation. If you are asked to complete a work task on your way to or from work, you must have written or email instructions from your supervisor. Supervisors should only approve combining work tasks with an employee's commute on rare occasions. The preferred practice is that employees perform work tasks during work hours.

Claim Procedure
If you are injured in any way on the job, you MUST always complete an incident report and send the completed form to your supervisor who will fill out their section and send it to Human Resources (HR). This should be done within 24 hours of the incident. This form is kept on the city SharePoint:

See SharePoint at City Safety Committee [Property Damage and Injury Reporting Form]

If an injury requires immediate or later medical attention, the injured worker must call the CIS Hotline, listed above so that the nurse can:

- Recommend immediate instructions
- Gather and complete state-required 801 report
- Provide a first prescription fill, if needed
- Report injury to Human Resources and CIS

Please note that even if an employee is transported to urgent care or to a hospital and is then released without treatment, the cost of transportation needs to be documented for the workers compensation insurance. Therefore, the injured party MUST call the CIS Rapid Care Hotline and start a claim.

HR is automatically notified by CIS when a claim is filed and completes the necessary forms. HR will also set up special codes for use on the employee timesheet. It is important you complete the incident report within 24 hours of any incident.

Time Loss is covered in detail by policies outline on pages 48 and 49 of the Employee Handbook unless alternative steps are covered by a union collective bargaining agreement.

Although the city can request time loss payment information through claims reporting it is helpful if the employee lets HR know when they receive a time loss payment and the amount. The City reserves the right to adjust hours paid (subject to law and collective bargaining agreements) if the city has duplicated payment for the same hours covered by Workers Compensation.

Employees are required to provide a "fit for duty" medical certificate before returning to their regular work activities. If this medical certificate contains any restrictions, then these restrictions and any light duty must be approved by HR and the supervisor before the employee can return to work. Supervisors and HR will create a light duty plan for any agreed-upon restrictions that will last longer than one week.

Employer-at-Injury Program (EAIP)

The City of Newberg participates in the EAIP program to provide transitional or light duty that works within the employee's specific injury recovery restriction. HR will complete all paperwork that is necessary to receive reimbursement from the insurance company for this program.

In some instances, the EAIP program may assist the city to purchase tools or equipment so that the worker can return-to-work within injury-related restrictions. This is capped at a combined maximum of $5,000. If the worker purchases books or pays fees to update skills for transitional work this is capped at $1,000. Supervisors will work with HR to preapprove any expenses under this category prior to purchase or commitment.

RECORDS

Accident Data

In January of each year, the accident data from the year prior will be archived into ORMS. The files containing confidential information are transferred to the City Recorder who will put them into the Human Resources HIPPA protected section of the Oregon Records Management System for proper retention.

Archiving Safety Committee

Safety Committee minutes, agendas and exhibits must be maintained for a period of three years according to ORS 166-200-0395 (4) (c). These will be held in the committee SharePoint for the proper period and then destroyed following the city procedures for records destruction.

CHAPTER THREE
ACCIDENT PREVENTION AND RESPONSE

REPORTING CONCERNS

Any employee that becomes aware of an unsafe situation at their worksite is expected to speak up right away as outlined in the employee handbook. The safety of you, your team, and the community is our priority. This includes raising concerns with contractors or vendors operating unsafely on city sites. (see Contractor Safety Agreement Appendix B)

Immediate Risk

Find the onsite supervisor immediately. If you are unable to find an onsite supervisor, call a supervisor by phone or radio. Remain on site or nearby and continue observation until you receive instructions. Be prepared to call 9-1-1 or provide first aid if the situation evolves. You are not required to take actions you feel would endanger yourself. Inform other employees to avoid the unsafe area and prevent others from entering or engaging in the unsafe situation. Let your safety representative know after the situation has been addressed.

No Immediate Risk

Any staff member who becomes aware of damage with a value greater than $500 to a city owned vehicle or equipment will immediately report the damage to the Supervisor and Safety Committee as soon as they are aware of the damage.

Failure to report damage could result in disciplinary action. The employe does not need to investigate who or how the damage occurred but must report it when found.

Employee input and suggestions for ways to improve safety are encouraged. This can be accomplished in several ways:

- Address the issue with an immediate supervisor
- Review concerns with any level of management
- Submit a written recommendation to the committee by interoffice mail
- Speak to any safety committee representative
- Committee group email: newbergsafetycommittee@newbergoregon.gov

Recommendations or reports received will be reviewed and employees can expect a timely response in email, writing or in person if they include their name with the report.

ACCIDENT INVESTIGATIONS

The following rules govern our collective response to injuries and accidents

Injuries: Reporting and Investigating

If an employee is injured, exposed, has an occupational illness, or near-miss, follow these steps:

1. First-aid or medical care is the priority. **CALL 9-1-1**
2. Report the incident immediately to the supervisor no matter how minor
3. Call the Rapid Care hotline and begin the first report of injury (required) #855-959-2741

The Supervisor will start the Property Damage Injury Report and work with the employee to complete the form as soon as practical. The supervisor must ensure prompt transfer of the report to the Department Manager.

Human Resources will work with the employee to complete the 801 report and any workers' compensation claim.

Law Enforcement

Injuries or property damage at crime scenes, during responses, transports, or at the booking & holding area will be investigated by NDPD and Human Resources. If necessary, an outside impartial agency can be used. Police incident accident investigation materials will be kept by NDPD in compliance with OSHA record keeping. This is to protect information that could compromise an investigation, prosecution, victim, or minors. Oregon OSHA injury reporting still applies and will be handled by Human Resources.

Injuries and property damage that are *not part of law enforcement activities*, are treated as regular workplace incidents and follow the city-wide reporting process.

Multiple Injuries or Fatalities

Preserve the scene. Document, photograph, and take tools or machinery out of service for investigation and safety checks.

OSHA requires employers not disturb the scene of a fatality, hospitalization, or multiple injury incident, other than to rescue an injured person, until authorized by OSHA or directed by law enforcement. OSHA, at their discretion, may conduct an independent investigation or allow the employer or law enforcement to capture relevant photos and witness statements. The Insurance carrier will likely also investigate. Wait for permission from both before cleaning, moving or otherwise disturbing the scene. This does not apply to injuries where hospitalization occurs weeks or months later.

Human Resources or the Department Head is required to report workplace fatalities to OSHA within eight (8) hours of knowledge (800-922-2689 or 503-378-3272). Reporting to OSHA of all

injuries resulting in hospitalization or involving multiple employees (catastrophes) will be made within 24 hours of knowledge

Vehicles: Accident Reporting

In the event of a traffic accident while performing work duties or in a city vehicle the driver must call 9-1-1 and ask for an officer response. Then notify your supervisor.
Do not alter the scene until law enforcement arrives unless advised by dispatch to do so for safety.

Key reporting points include:

- Ensure the other party is not injured
- Avoid making statements of fault or speculation
- Remain professional; provide your name, supervisor's name and contact information
- Take photos if possible
- Wait for police in a safe area like the shoulder of the road
- The driver shall complete a "State of Oregon Vehicle Accident Report" after the accident scene is cleared and police have finished - this is in addition to the City's internal Property Damage Injury form

Employees will call **9-1-1** in all instances where:

- Collision with any object or person involving a city owned, leased or rented vehicle, or personal vehicle being used on official business
- Any event where there is damage to a vehicle while driven or parked
- Any involvement in an accident where claims may be made against the city, even though your vehicle had no contact
- Fire or theft causing damage or loss to a city vehicle or its contents
- When damage exceeds $1,500 for the city or another person's property
- Any vehicle or equipment is towed from the scene as a result of damages Injury or death resulted from this accident

Property Damage

Any staff member who becomes aware of damage with a value greater than $500 to a city owned vehicle, property, or equipment will immediately report the damage to the Supervisor and Safety Committee as soon as they are aware of the damage. Failure to report damage could result in discipline. The employee does not need to investigate when or how the damage occurred only report it to the supervisor.

Investigations of Accidents and Injuries

Our goal is to prevent and eliminate workplace accidents/illnesses. However, should they occur, management will thoroughly investigate to determine the root cause(s) and set appropriate safeguards to prevent repeat occurrences. The focus is not simply on unsafe acts or conditions that led to the accident, but also on what led to the conditions.

Management will delegate accident investigations and may ask the Safety Committee or Human Resources to assist. The Department Manager is responsible for ensuring that the investigation is timely and thorough. They will also make sure all involved tools, PPE, and the work area are reviewed for safety before being put back into service.

The Safety Committee will review investigation materials provided by the department manager for all incidents and near miss injury, exposure, work related illness, property or vehicle damage.

Incidents of death, serious disabling injury, hospitalization, multiple injuries or an injury involving staff from another agency or the public will be investigated by a team of Management, Human Resources, City Manager, Legal and Emergency Management Coordinator after the due process of law enforcement, fire or other officials.

Include all the facts in the investigation report, witness statements, police reports, photos, diagrams, a summary of findings and recommendations to remove the hazard or change processes to prevent future incidents.

After the report is completed, attach it to the property damage injury form and submit to Department Head for review and then routing to the Safety Committee. A copy of the accident investigation form will be maintained in the supervisor's investigation file.

The supervisor will ensure that the necessary corrective action is taken through a work order, purchase order, process changes, or training if appropriate.

See the Accident Investigation Checklist to guide the investigations.

SAFETY COMMITTEE INVESTIGATION OF ACCIDENTS

This includes Injuries and Near-Miss Events.

The Safety Committee procedures for the investigation and review of all safety-related incidents including injury, illness, exposures, and deaths are outlined in the Accident Injury Investigation section. Per the Employee Handbook all employees are required to report damaged property, injuries and near miss property or injury incidents.

Department Managers will perform any investigation needed and present all the materials to the Safety Committee and Emergency Management Coordinator, even when no medical claim, time

loss or treatment occurs. Certain exceptions apply to some law enforcement activities and incidents of death and catastrophic injuries. See the Accident Investigation section.

The Committee or Emergency Management Coordinator will redact employee personal information and then present it at the next committee meeting for review. The Committee may request further information to determine root causes and may schedule a visit to the accident site.

The committee will make recommendations to the department Manager to prevent repeat occurrences. This is an interactive process, and Management may request further discussion, problem solving, or training resources.

CHAPTER FOUR
SPECIFIC HAZARDS & PROTECTIVE MEASURES

PERSONAL PROTECTIVE EQUIPMENT

This chapter is intended to assist all employees are in compliance with Oregon OSHA standards. The City of Newberg has adopted this Personal Protective Equipment (PPE) policy to ensure that in addition to engineering or process controls, employees are protected when working around hazards. PPE cannot guarantee incidents will not occur but when proper PPE is used, it provides workers with an additional layer of protection. All employees are expected to properly use PPE in their work, without exception. All managers will ensure employees have the required PPE and when it needs replacing it is done promptly.

Included in this policy is appropriate training on the use and maintenance of PPE provided by, or arranged by, your direct supervisor. The PPE provided will be used as outlined by specific procedures and maintained in a sanitary and reliable condition. If employees choose to provide their own protective equipment, like eye protection, this must be preapproved by a supervisor to ensure it meets OSHA, ANSI, or other regulations.

The selection of PPE will be made by the Managers or supervisors or in consultation with PPE experts. PPE will match the hazard, industry standards, and allow employees to safely conduct their tasks. The PPE is designed to protect the worker from injury or harm.

Definitions

Personal Protective Equipment: Equipment worn by the employee to prevent injury or occupational illness wherever hazards from processes or equipment cannot be contained or eliminated at their source. This chapter reviews basic requirements for personal protective equipment, including:

Head protection 437-002-0134 (9)
Hearing and ear protection 29 CFR 1910.95
Eye and face protection 437-002-0134 (8)
Hand protection 437-002-0134 (12)
Foot protection 437-002-0134 (10)
Fall protection 437-002-0134 (5)
Torso protection 437-002-0134 (6)(7); 437-002-0144 (2)
Leg protection 437-002-0134 (11)
Respirators: ORS 1910.134; OAR 437- 002-1081 and OAR 437-004-9791

Management: It is the responsibility of department management to ensure that PPE evaluations have been completed for tasks that would have hazards that require PPE. Additionally, management must ensure that proper PPE is made available in types and sizes to fit employees.

Supervisor: It is the responsibility of the supervisor to see that employees are trained in the use of personal protective equipment and are instructed on what is required for their work duties. Direct supervisors will be responsible for ensuring all PPE is worn when the Assessment indicates the hazards and what PPE is necessary.

All Employees: Employees must follow all safety procedures as outlined in this chapter by Oregon OSHA rules and manufacturer's recommendations in regard to personal protective equipment. Employees are required to inspect their equipment daily/prior to use and ensure that the equipment is functional. Any problems with the equipment will be reported to the supervisor.

Head Protection

Hard hats are to be used to protect the head from flying objects, impact, and electrical shock. Hard hats used at our work operations will meet American National Standards Institute (ANSI) standards for the task.

Hard hats shall be used in the following:

- While working around construction or maintenance field projects or equipment
- While working outside and around heavy equipment
- When overhead hazards are present or objects could fall from overhead work
- Working inside a confined space below ground
- When working under a floor opening or grated walkway
- In areas with low ceilings or in areas with protruding objects

Employees must use hardhats designed to reduce electrical shock hazards when working near electrical conductors.

Employees working near powered machinery, vehicles on adjacent roads, or near sources of ignition must wear caps or other head coverings.

Table 1 - Hard Hat Safety Checklist

Department:	Location:
Jobs included in the assessment:	
Potential hazards: Overhead objects that could fall Exposed pipes or beams (less than 6.5 feet overhead) Energized electrical equipment	Likelihood of injury without PPE: High Medium Low
Severity of a potential injury without PPE: Minor first aid required Serious, not life threatening IDLH: life threatening	PPE required: Head protection that meets ANSI Z89.1 requirements Impact Type I Impact Type II Electrical Class G (general) Electrical Class E (electrical) Electrical Class C (conductive) None required

Hearing Protection

Earmuffs and earplugs are used to protect against hazardous noise levels when noise exposure levels cannot be adequately controlled Hearing hazards can be sudden or accumulate over time. Testing meters are available at Public Works Maintenance.

Hearing protection PPE are located at:

- Public Works Maintenance, Building A, 500 W. Third Street
- All police officer duty bags
- Public Safety Building in the Firearms Room, 401 E. Third Street
- Wastewater Treatment Plant, Admin Building, 2301 NE Wynooski Rd
- Water Treatment Plant, Finishing room hallway 2200 NE Wynooski Rd

Earmuffs will interfere with the temple bars of glasses reducing seal and lessons the hearing protection. Ear plugs should be worn by those required to wear safety glasses or corrective lenses.

Eye & Face Protection

Eye and face protection is to be worn where there is a reasonable risk of injury to the eyes and face from flying objects, glare, harmful liquids, biological fluids, or damaging light, such as arc welding flash.

Eye protection must have side protection when there is a hazard from flying objects. Detachable side protectors are acceptable. Particle hazards from grinding/chipping, dust, ash or splashed fluids require safety glasses with side shields

Employees who wear prescription lenses must wear eye protection that fits over the lenses without disturbing the proper position of the prescription lenses, or ANSI-approved prescription lenses.

For welding or working with lasers; special prescription lenses are required to avoid accidental magnification of damaging light.

Employees who are exposed to potentially injurious light radiation must use filter lenses that have a shade number appropriate for the work being performed.

Employees working with lasers must wear laser safety goggles that protect the full wavelength of the laser.

Eye protection needs to meet the following criteria: Provide adequate protection against the particular hazards:

- Provide reasonable comfort and not interfere with movement
- Be durable and capable of being cleaned easily
- Be stored in clean containers or packaging and kept in good repair
- The specific type of eye and face protection needed depends on the type of hazard
- Face protection is worn when liquid splashes, biologics, or significant particle matter could impact the face or skin and cause injury
- Splash hazards require chemical goggles or safety glasses with a face shield
- Gas welding requires welding goggles

Safety glasses must be worn when an eye hazard exists.

Table 2 - Eye Protection Safety Checklist

Department:	Location:
Jobs included in the assessment:	
Potential hazards: Dust, dirt, metal, or wood chips from chipping, grinding, sawing, hammering, and from power tools. Chemical splashes from corrosive substances, hot liquids, and solvents. Objects such as tree limbs, chains, tools, and ropes that swing into the eyes or face. Radiant energy from welding and harmful rays from lasers or other radiant light.	Likelihood of injury without PPE: High Medium Low
Severity of a potential injury without PPE: Minor first aid required Serious, not life threatening IDLH: life threatening	PPE required: Chemical goggles/face shield Chemical splash goggles Glasses/goggles with face shield Glasses/goggles with side shields Impact goggles Leather welding hood Safety glasses with side shields Safety goggles with face shield Welding goggles Welding helmet/shield with safety glasses and side shields None required

Hand Protection

Employers must base the selection of the appropriate hand protection on an evaluation of the performance characteristics of the hand protection relative to the task, conditions present, duration of use, and the hazards identified.

Hand protection is worn to protect the hands from sharp wood/thorns, poison oak, and mechanical injury due to friction, heat, extreme cold, shearing/cutting actions, for protection against chemicals, and biologic pathogens.

Chemical protective gloves are selected based on the type of material which affords proper protection against specific chemicals. The selection will be made by the supervisor. Chemical protective gloves will be worn when there is skin contact with the following:

- Solvents
- Corrosives
- Chemical spill cleanup
- Mechanical protective gloves will be worn when employees are exposed to wood slivers, friction, sharp metal edges, hot or cold materials, and moving heavy objects

Gloves will be available by job task or in the use areas. Employees must not wear gloves when their hands can be caught in moving parts!

Table 3 – Hand Protection Safety Checklist

Department:	Location:
Jobs included in the assessment:	
Potential hazards: Harmful temperatures Chemicals or Biologics that can be absorbed or cause burns Electrical equipment Mechanical equipment that can cause bruises, abrasions, cuts, punctures, fractures, or amputations	Likelihood of injury without PPE: High Medium Low
Severity of a potential injury without PPE: Minor first aid required Serious, not life threatening IDLH: life threatening	PPE required: Leather/cut resistant gloves General purpose work gloves Chemical resistant gloves Insulated gloves Heat/flame resistant gloves Latex or nitrile gloves Electrician's insulated rubber gloves Cotton, leather, or anti-vibration gloves None required

Foot Protection

Foot protection is necessary when there is a potential for foot injury by crushing or puncture, slipping, or when if feet could be saturated due to the work environment.
Employees must also wear protective footwear when they work where there is a danger of electrical conduction. Your supervisor will work with employees who may have job assignments with special footwear.

The following footwear is expected to be worn:

- Leather work boots with ankle support and good tread when working on or around equipment and construction or industrial environments
- Safety steel toe boots when there is a hazard from dropping heavy objects
- Rubber boots when exposed to wet conditions
- Non conducting soles when working around electrical equipment

Table 4 – Foot Protection Safety Checklist

Department:	Location:
Jobs included in the assessment:	
Potential hazards: Heavy objects such as barrels or tools that might roll onto or fall on a worker's feet Sharp objects such as nails or spikes that could pierce the soles or uppers of ordinary shoes Molten metal and extreme temperatures Loose soils, uneven, wet, or slippery surfaces Electrical equipment	Likelihood of injury without PPE: High Medium Low
Severity of a potential injury without PPE: Minor first aid required Serious, not life threatening IDLH: life threatening	PPE required: Steel toe safety shoes Leather boots or safety shoes with metatarsal guards and ankle support Slip resistant soles Puncture resistant soles Chemical resistant boots/covers Rubber boots/closed top shoes Insulated boots or shoes None required

Fall Protection
When it is not feasible to use physical barriers to protect employees from falls, personal protective equipment (PPE) will be used.

PPE will be chosen based on the following:

- Intended use of PPE (stopping fall as opposed to retrieval from a confined space)
- Fall arresting forces on the body
- Distance of potential fall
- Impact on the body from the PPE during a sudden stop

Type II chest harnesses will be worn for rescue purposes only and in no case are used to stop a vertical fall.

Personal retrieval systems: Rescue from below-ground tanks or confined spaces.
When a worker(s) enters a confined space, a helper wearing the same PPE will be stationed at the entrance to the confined space and will monitor those inside for the duration of the project. It is the policy that employees do not enter confined spaces to rescue unconscious or injured workers because city employees are not trained for confined space hazardous rescues. Calling 9-1-1 immediately to activate the confined space rescue team from TVF&R is essential. For this reason, employees entering a confined space must wear harnesses and other retrieval equipment at all times to improve the ability of coworkers being able to use retracting equipment.

Authorized personnel will ensure the use of a lifeline attached to a manual or power operated winch with a steel cable retracting lifeline. Alternatively, a block and tackle or ratchet winch can provide the lifting mechanism with limited human effort after the victim has been hooked up, provided a lock or overspeed mechanism is incorporated. An anchorage point, such as that provided by a seven- or ten-foot tripod, should be available before work commences.

Full body harnesses, yokes, and wristlets will be used when retrieval is through narrow openings.

Strength Requirements for Fall Protection
All components of the fall protection will meet the strength requirements of ANSI A10.14-1991.

Note: These strength requirements are based on one worker use. If multiple workers are tied off to a single lifeline, the strength requirement must be increased by the number of workers affected (i.e., two workers, one lifeline, minimum breaking strength must be 10,800 pounds at the center of line; three workers, one lifeline, minimum breaking strength must be 16,200 pounds, and so forth).

When tied off while working on suspended scaffolding, each worker must use a separate line which is not connected to the scaffold.

Hardware for body belts/harnesses and lanyards must be dropforged, corrosion resistant with smooth edges, a minimum of 5,000-pound breaking strength without cracks or breaks.

Knots will not be used in components of a fall protection system since a knot will reduce the strength by at least 50%.

Lanyards will be kept as short as possible and in no case will they exceed six feet to minimize the possibility for any length of a free fall.
Wire rope or rope-covered wire lanyards will not be used where impact loads are anticipated or where there is an electrical hazard.

Belts and lanyards that have been subjected to impact loading must be removed from service and destroyed or returned to the manufacturer for recertification.

Rope lanyards will not be stored in work pouches where they may be subject to deterioration.

Where there is exposure to abrasion, spun nylon rather than filament nylon will be used.
Only safety belts/harnesses with locking snaps will be used to prevent "rollout" or disengagement. All the hardware will be compatible with the locking snap.

Only shock-absorbing lanyards will be used to reduce the fall arresting impact on the wearer.

Tongue-type buckles shall be used in lieu of friction buckles since friction buckles may lose the ability to stop detachment if contaminated with grease or oil.

Inspection and Recordkeeping for Fall Protection
Here are the key points:

- The user will inspect the fall protection prior to each use
- A trained and competent person will inspect all components of the protection device at least once every six months. The dates of this biannual inspection will be recorded on a permanent tag attached to the harness
- Every five years, the fall protection system will be returned to the manufacturer for recertification
- Any defective body belt/harness or lifeline will be destroyed or returned to the manufacturer before use
- Any unit subjected to impact loading will be immediately removed from service and destroyed or sent to the manufacturer for recertification
- All records for inspections, recertification and initial hazard assessments will be kept at the department, digital and available for review

Table 5 – Fall Protection Safety Checklist

Department:	Location:
Jobs included in the assessment:	
Potential hazards: Unguarded surfaces more than 10 feet above a lower level or any height above dangerous equipment.	Likelihood of injury without PPE: High Medium Low
Severity of a potential injury without PPE: Minor first aid required Serious, not life threatening IDLH: life threatening	PPE required: Personal fall arrest system Personal fall restraint system None required

Road Worksite Protection - High Visibility Garments

Employees exposed to hazards near roadways, moving vehicles, while working in construction zones, or when working adjacent to streets, roads, driveways, public right of way, and parking lots, must wear high visible upper body garments in strong orange, strong yellow, strong yellow-green or fluorescent versions of these colors. Any employee performing work in the right-of-way or operating equipment within the above-described work areas, shall wear high-visibility safety apparel that has the required reflective contrast for the work area. This includes utility crews, infrastructure crews, survey crews, road and sidewalk construction, maintenance and emergency responders.

High Visibility Safety Clothing must be conspicuous during daylight with identifiable reflective arms and torso. At night or low visibility conditions clothing must also identify reflective arms and legs. The contrast must be reflective up to 1000 feet, in good repair and clean.

Torso Protection - Clothing

(a) Clothing must be worn that is appropriate to the work and conditions
(b) Extreme temperature protective clothing must be worn around molten metals or substances that can cause burns.
(c) Loose sleeves, ties, lapels, cuffs, must not be worn near moving machinery.
(d) Clothing saturated with flammable liquids, corrosive or toxic substances, bloodborne pathogens, irritants, or oxidizing agents must be removed immediately and not worn again until properly cleaned.
(e) Rings, wristwatches, earrings, bracelets, and other jewelry which might contact power driven machinery, electricity, or create a chemical reaction, must not be worn.

Table 6 – Protective Clothing Safety Checklist

Department:	Location:
Jobs included in the assessment:	
Potential hazards: Extreme temperatures Splashes from molten metal and liquids or biological fluids Impacts from machinery or tools Hazardous chemicals or radiation	Likelihood of injury without PPE: High Medium Low
Severity of a potential injury without PPE: Minor first aid required Serious, not life threatening IDLH: life threatening	PPE required: Chemical resistant coveralls Cut resistant sleeves, wristlets Flame resistant jacket/pants High visibility garment Insulated jacket, hood Lab coat or apron or Tyvek suit Long sleeves/apron/coat Static control coats/coverall None required

Leg Protection

Workers exposed to hot substances or dangerous chemical spills must wear leggings or high boots made of leather, rubber, or other suitable material.

Workers who use chainsaws must wear chaps or leg protectors that cover the leg from the upper thigh to mid-calf. Leg protectors must be made from material that resists cuts from the chainsaw.

Table 7 – Leg Protection Safety Checklist

Department:	Location:
Jobs included in the assessment:	
Potential hazards: Hot substances Dangerous chemicals Cuts from chainsaws	Likelihood of injury without PPE: High Medium Low
Severity of a potential injury without PPE: Minor first aid required Serious, not life threatening IDLH: life threatening	PPE required: Leggings or boots: penetration resistant Leggings or boots: chemical resistant Leggings or boots: molten metal resistant Chaps or leg protectors: resists cuts from chainsaws None required

Personal Protective Equipment Hazard Assessment

Use this form to identify hazards and to certify (document in writing) that you completed the assessment. Keep it on file in your workplace in digital format. This should be reviewed annually and anytime processes or equipment change.

Table 8- Personal Protective Equipment Hazard Assessment

General Information		
Department:	Location:	
Jobs included in the assessment:		
Person performing assessment:	Assessment Date:	
Hazard assessment certification		
I certify that I performed this hazard assessment on the date indicated. Signed:		
Printed name:	Date:	
PPE Required?		
From the attached assessment worksheets	Yes	No
Fall protection		
Torso protection		
Eye and face protection		
Head protection		
Foot protection		
Leg protection		
Hand protection		
Hearing protection		
Respiratory protection		

All employees must be protected from fall hazards when working on unguarded surfaces more than 4 feet above a lower level or at any height above dangerous equipment.
Fall protection systems must be provided, installed, and used according to the criteria in OAR 437, Division 2, Sections D, F, and I, and construction is OAR 437, Division 2, Section M. (See the Authorities page).

RESPIRATORY PROGRAM

OAR 437, Division 2, Subdivision I (1910.134)

This written program establishes policies and procedures for the effective use of respirators to protect our employees from airborne contaminate exposures. These procedures are mandatory for respirator use where respiratory protection is required by the OAR subdivision cited above. Use of respirators will comply with Oregon OSHA. OSHA's Air Quality rules intersect with Respirator rules under two conditions:

- Anyone working outdoors in AQI 201-500 must use N95 masks.
- Anyone working in air quality at or above 501AQI must have respirators and eye protection

Public works staff must comply like all general staff with the PPE for Air quality per City policy. The "greater hazard rule' rarely applies to their work because engineering controls can be implemented. In contrast Police do not usually use respirators in *routine 9-1-1 response* due to the 'Greater Hazard rule' for emergency response.

Negative pressure respirators shall be provided to employees when engineering and administrative controls are not feasible or sufficient to reduce exposure to hazardous airborne contaminants to acceptable levels.

The City does not generally train for or use positive pressure respirators, oxygen suppling, or self-contained breathing apparatus (SCBA). This policy applies specifically to negative pressure respirators

The city uses the following types of respirators.

- 3-ply medical, single use
- KN95/KN99, single use - viral/bacterial/biologic/pollen
- N95/N99/N100, single use or reusable - smoke /construction & fire debris dust /volcanic ash / illicit drug smoke
- ½ face respirators, reusable with canisters - gases/ oil and acid fumes / vapors / carbon black dust
- full face respirators, reusable with canisters - prevents eye or skin irritation + respiratory protection

Since both Public Works and Police have access to various types of respirators it is incumbent on management to make sure staff are properly trained for their use and conduct fit testing.

Definitions

Air purifying: Air purifying respirators use chemical or mechanical filter cartridges to clean the contaminated air before it is breathed in by the wearer.

Atmosphere supplying: Atmosphere supplying respirators provide the wearer with uncontaminated breathing air and include supplied air respirators (SARs) and self-contained breathing apparatus (SCBA).

Assigned protection factor (APF): The workplace level of respiratory protection that a respirator or class of respirators is expected to provide to employees when the employer implements a continuing, effective respiratory protection program.

Canister or cartridge: A container worn on the respirator which contains a filter, sorbent or catalyst or a combination which removes specific contaminants from the air drawn through it.
End of Service Life Indicator (ESLI): System that warns the user of the respirator that the end of adequate respiratory protection is approaching (i.e., sorbent is approaching saturation and is no longer effective).
Facepiece: The main part of the respirator which fits tightly on the face and includes the headband, exhalation and inhalation valves, and connection place for the canister or cartridges.
Filtering Facepiece: Dust mask typically where the entire facepiece is composed of a filtering medium.
Demand Respirator: Atmosphere supplying respirator that admits breathing air to the facepiece only when a negative pressure is created inside the facepiece by inhalation.
High efficiency particle air filter (HEPA): A type of filter that removes from the breathing air, 99.97% or more particles 0.3 micrometers in diameter or larger.
Maximum use concentration (MUC): The maximum atmospheric concentration of a hazardous substance from which an employee can be expected to be protected when wearing a respirator and is determined by the assigned protection factor of the respirator or class of respirators and the exposure limit of the hazardous substance.

> ***Note:*** *The MUC can be determined mathematically by multiplying the assigned protection factor specified for a respirator by the required OSHA permissible exposure limit, short-term exposure limit, or ceiling limit. When no OSHA exposure limit is available for a hazardous substance, an employer must determine an MUC on the basis of relevant available information and informed professional judgment.*

NIOSH: The National Institute of Occupational Safety and Health is a Federal Agency who conducts research and tests certain types of safety equipment, including respirators.

Responsibilities

Management: It is the direct responsibility of the department management to ensure the respiratory protection program is implemented and that all employees who may be required to use a respirator are trained on the use of respiratory protection. In addition, the manager is also responsible for the following things:

1. Ensuring that appropriate respirators are chosen for use in the workplace.
2. Ensuring that medical evaluations are conducted to identify if employees are medically able to wear respirators in the workplace.
3. Conducting fit testing for tight fitting respirators.
4. Ensuring employees are trained on the use of respiratory protection.
5. Conducting employee training on the respiratory hazards that employees are potentially exposed to, what respirators would be used based on the hazard, the proper use of respirators (including how to put them on and take them off, their limitations, how to maintain them, and when to replace them).
6. Maintaining written records on the monthly inspection of emergency use respirators.
7. Maintaining the respiratory protection written program and annual evaluations of the program.

Employees: Employees must follow all safety procedures as outlined in this program, Oregon OSHA rules, and manufacturer's recommendations in regard to respiratory protection. Employees that are required to wear respirators will wear an approved respirator selected for the task exposure hazard. The respirator needs to be properly fitted at all times while in use. Employees are required to inspect their equipment prior to use to ensure that the equipment is functional. Any problems found with the equipment need to be reported to your supervisor. Employees who are required to use tight fitting respirators are responsible for completing a medical questionnaire and examination to ensure they are capable of using a respirator. Additionally, the employee will be fit tested prior to the use of the respirator, whenever a different respirator facepiece is used, and at least annually. Fit testing will also need to be repeated should the employee's physical condition change that could alter or affect the respirator fit. This would include changes in weight or facial hair, facial scarring, dental changes, etc.).
It is the employee's responsibility to inform their supervisor if they believe the respirator fit may need adjustment due to changes in their physical condition.

Protection Factors
We will use the assigned protection factors listed in Table 1 of the Oregon OSHA Respiratory Protection Standard https://osha.oregon.gov/OSHAPubs/5381.pdf to select a respirator that meets or exceeds the required level of employee protection. Dust masks are considered to be filtering facepieces and are the same as a half-face piece respirator which are approved to 10 times the limits.

Lifespan of a Respirator: The use life of each respirator or cartridge will vary depending on the job duties and actual time in use. Each respirator will have some limitations; thus, the manufacturer's instructions and recommendations must be referred to. Air purifying respirators (disposable mask, half or full face piece cartridge respirators) cannot be used in confined spaces where the environment may have less than 19.5% oxygen or in hazardous chemical operations when the exposure levels are unknown.
The disposable respirators (dust masks) are available in Public Works Maintenance Building A or in the Public Works Operations shop or from either superintendent. Police Officers also carry these masks in their vehicles and have them available at the Public Safety Building. These are to be used for low level dust exposures and are non-mandatory (voluntary). Employees need approval to use these respirators to ensure that they have received proper training and understand the maintenance and use of the dust mask, as well as the limitations.

Filter Notation
The service life of filters in all three of the approval categories of filter efficiency degradation (N, R, and P-series) is limited by hygiene, damage, and breathing resistance.
All filters should be replaced whenever they are damaged, soiled, or causing noticeably increased breathing resistance (e.g., causing discomfort to the wearer).
R (for Resistant to oil) and P (for oil Proof) series filters can be used for protection against oil or non-oil aerosols. N (for Not resistant to oil) series filter should be used only for non-oil aerosols.

Filter Efficiencies
Each of the filter series (N, R, and P) have three filter efficiencies that can be selected. These are based on how efficient the filter is with particles down to 0.3 microns. They can be 95%, 99%, and 99.97% (labeled 100% and commonly called HEPA filters). For general wood dust and dust exposures 95% is effective. For paint spray mists, the 99% filter chemical cartridges are effective. For highly toxic dusts such as asbestos, lead, and silica, the 99.97% (HEPA) filters are to be used. Dust masks also are available in each of these filter types and efficiencies.

Approval Notation
Each respirator container for particle exposure protection now has a TC (testing & certification) number. The label will read TC-84A-00X. The 84A notes that this is a particulate filter that does not have any approval for use in atmospheres containing less than 19.5% oxygen. Additional limitations are provided on the label that the user needs to understand.

Filter Replacement Time
If the environment has high dust exposure (loading 200 mg) through the day's use, then all the filters need to be replaced after 8 hours or less usage.
If the R-series are used with oil exposures, they need to be replaced after 8 hours of service time.
P-series is limited only by the hygiene, damage, and breathing resistance if the exposures are not high.

Summary of Major Limitations

1. Mechanical filters do not provide oxygen, so they must not be used in oxygen-deficient atmospheres.
2. They provide no protection against gases or vapors.

There is a pressure drop through the filter medium; therefore, there is some breathing resistance
<u>Medical Evaluations for Respirator Use</u>
The city requires new employees in police and public works to undergo medical evaluation for respirator use so that the city is prepared for the use of different respirators in case of emergency. Using a respirator may place a physiological burden on employees that varies with the type of respirator worn, the job and workplace conditions in which the respirator is used, and the medical status of the employee. These medical evaluations determine the employee's ability to use a respirator before they are fit tested or used on the job.
Oregon OSHA applies this standard if the air contaminate level or conditions could result in overexposures to the permissible exposure limit or if the worker voluntarily wears the respirator. The voluntary use of dust mask does not require a medical evaluation, but it does require that basic information about the respirator be provided.
The follow-up medical examination will include any medical tests, consultations, or diagnostic procedures that the physician deems necessary to make a final determination, which will be provided at no cost to the employee.
<u>Medical Certification</u>
Medical certification of an employee is required for respirator use. The purpose of a medical evaluation is twofold:

1. To determine if an individual is medically fit to wear a respirator.
2. To determine if an individual needs work restrictions, given the job that he or she is required to do.

   Note: *Job descriptions or job analysis evaluations need to be available to the physician or licensed healthcare professional (LHCP) doing the evaluation.*

Medical Questionnaire and Examinations

The medical questionnaire and examinations will be administered confidentially during the employee's normal working hours or at a time and place convenient to the employee. Employees will have the opportunity to discuss the questionnaire and examination results with the physician or LHCP. A sample respirator medical evaluation questionnaire can be found in Appendix C of the OSHA Respiratory Standard (1910.134) https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.134AppC

Additional Medical Examinations

Additional medical evaluations will be provided under the following conditions:

1. An employee reports medical signs or symptoms that are related to their ability to use a respirator.
2. A physician, manager, or HR representative will inform the supervisor that an employee needs to be re-evaluated.
3. Information from the respiratory protection program, including observations made during fit testing and program evaluation, which indicates a need for employee re-evaluation.
4. A change occurs in workplace conditions that may result in a substantial increase in the physiological burden placed on an employee.

Exposure and Hazard Medical Records

Preservation of exposure and hazard medical records is required to be followed per Oregon OSHA's rule covering employees' access to exposure and medical records OAR 437, Division 2, Subdivision Z (1910.1020), which requires that the records be retained at least for the duration of employment plus 30 years. Employee exposure records must be retained for at least 30 years. The medical records can be kept by the evaluating physician and the medical clearance form is kept in a confidential medical file if the employee signs the medical release form.

If an employee works for one year or less, the rules allow an employer to give the employee his/her records and not retain them. If they are not given to the employee, then the 30-year retention time is in effect per the OR OSHA requirements.

Training

Each ***mandatory respirator wearer*** will receive initial training prior to being assigned work that requires use of a respirator and will receive annual training thereafter.

Each ***non-mandatory respirator wearer*** will receive information about the respirator in terms of protection limits, how to wear it and when to dispose of the mask. The non-mandatory respiratory users will also be provided the basic information on respirators found in Appendix D of the Oregon OSHA respiratory protection standard. https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.134AppD

The mandatory respirator protection training includes the following training topics:

1. Contents of the written program and where it is located.
2. Respiratory hazards to which the employees are potentially exposed to.
3. Why the respirator is necessary and how improper fit, usage, or maintenance can compromise the protective effect of the respirator.
4. How to put on and take off the respirator.
5. Respirator use and limitations.
6. Cleaning, maintenance, and storage.
7. How to recognize medical signs and symptoms that limit effective use of a respirator.
8. How to inspect a respirator.
9. Field fit tests (positive and negative pressure tests).

The supervisor will keep the training records. Each user must understand and apply the contents of this respirator program to the daily use, care, and storage of the equipment. Written training materials are available from the supervisor.

Fitting of Respirators

Respirator fit is extremely important. Respirator fit testing is used to test how well the tight fitting respirator facepiece seals against the face. If there is not a good face-to-facepiece seal, the contaminants may pass around the facepiece and be breathed into the lungs.

It is important to realize that not everyone can wear a respirator. OR OSHA specifically states that you should not wear a respirator if:

1. You wear glasses that break the skin to mask seal (inserts are available).
2. You have facial hair passing between the sealing surface of the respirator and the face.
3. You are unable to get an adequate fit on a respirator.
4. Your physician finds you medically unable to wear the respirator.

INFECTIOUS DISEASE PREPAREDNESS AND RESPONSE

The City of Newberg is committed to maintaining a workplace that promotes the health and safety of all employees. To address potential hazards in the workplace, we are including some general guidance on infection prevention, as well as specific policies and procedures on the following pages for personal protective equipment, respiratory protection and bloodborne pathogens. All employees are encouraged to review this section thoroughly and must comply with these steps.

The City will respond diligently to any local, state or CDC disease mandates and OSHA guidance. Questions about infectious disease preparedness should be directed to the Safety Committee, Human Resources, County Public Health or your personal health care provider.

General Infection Prevention Measures Applicable to All Positions and Locations

Handwashing

All employees are encouraged to frequently wash or sanitize hands using soap and water or alcohol-based sanitizing products with at least 60% alcohol.

Consider specific activities as triggers for handwashing, e.g., upon entering or reentering the work area, before/after eating, after handshakes or in person meetings, before using shared equipment or vehicles.

Staying Home When Sick

The City strongly asks employees to stay home if they are sick. Medicating and coming to work exposes your coworkers and the public to illness. Follow the sick leave procedures in the employee handbook.

Respiratory etiquette – Employees should remember to cover coughs and sneezes.

Disinfecting – The workplace is a shared space. Maintain clean work areas, disinfect shared surfaces and equipment, and keep personal items from home to a minimum.

Dispose of old food, dead plants, and containers of unknown materials.

BLOODBORNE PATHOGEN EXPOSURE CONTROL PLAN
29 CFR 1910.1030 OR-OSHA Bloodborne Pathogens Standard
https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.1030

OAR 437 Division 2, Subdivision Z
https://osha.oregon.gov/OSHARules/div2/div2Z-1030-bloodborne.pdf

This Bloodborne Pathogen Exposure Control Plan covers all employees' potential exposure to blood or body fluids. The training required will be arranged or coordinated through your supervisor at the time of hire and annually thereafter.

This plan describes the essential elements needed to protect our employees who might, in the expected course of carrying out their everyday job responsibilities, come in contact with blood or body fluids. This Exposure Control Plan includes the following topics:

- Universal Precautions
- Work Practices: Handwashing Techniques
- Personal Protective Equipment: Selection & Limitations
- Housekeeping & Methods of Decontamination
- Infective Waste Handling/Disposal Procedures
- Hepatitis Virus Vaccinations and Hepatitis virus information
- Post Exposure Evaluation & Follow-Up
- Recordkeeping
- Employee Training

Exposure Determination
The OR-OSHA Bloodborne Pathogen standard applies to all employees whose routine job duties may result in potential exposure to human blood or other potentially infectious body fluids (OPIMs). As defined by OSHA these employes are:

- All Police Officers
- Records and Evidence Technicians
- Code Compliance Officers
- Building Official and Plumbing Inspector
- Risk, Safety and Emergency Management Coordinators
- Public Works Operations & Laboratory staff
- Public Works Supervisors
- Public Works Superintendents
- Public Works Crew Chiefs
- Public Works Maintenance Staff
- Library Staff
- Engineering Technicians
- Engineering Project Managers/TDML Managers

This list is based on the assessed exposure risks for employees.

Hepatitis Virus (HA-B-CV) Vaccinations

All employees listed under the Exposure Determination are eligible to receive the vaccination series at no cost and during normal working hours. If the employee declines to be vaccinated, a declaration declining will need to be signed. At any time, the employee may change their mind, and the vaccination series will be offered.

The employees wanting pre-exposure vaccinations can arrange that through their supervisor. If the employee has previously been vaccinated they can also provide a copy of that record for their file.

Employees will incur no cost for medical evaluations, medical procedures including the hepatitis vaccination series and exposure follow-up or laboratory tests. Any employee who has a workplace exposure; if they have not previously taken the HABCV vaccination are encouraged to be vaccinated immediately

If routine booster of hepatitis vaccine is recommended at a future date, such booster will be made available by requesting from their supervisor.

PROVIDING AID

Employees may perform first aid under the "Good Samaritan Act" and not as an assigned responsibility. They may also self-help for small needs such as band aides. First aid kits are available in designated areas of each workplace. Any workplace exposure incident will be treated according to the medical response section.

The city contracts a vendor to maintain the inventory of First AID Kits, AEDs, and Narcan in each building. Employees should inform their safety representative if they use supplies and inventory is low so the vendor can be alerted. A city contracted vendor checks first aid kits AEDs quarterly. The exception is kits and supplies kept in vehicles at Public Works, Police and other Fleet vehicles. The assigned staff using those vehicles are responsible to ensure inventory is maintained.

Definitions

Bloodborne Pathogens: Any pathogenic microorganisms that are present in blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis virus and human immunodeficiency virus (HIV).

Hepatitis A, B and C Virus (HAV, HBV and HCV): Diseases spread through blood transfusions, contaminated needles, contact with body fluids, sexual contact, and mucous membranes. (Creates a permanent viral infection of the liver)

Human Immunodeficiency Virus (HIV): The virus that can cause Acquired Immune Deficiency Syndrome (AIDS) and is spread in the same manner as HBV or HCV.

Exposure Incident: A specific eye, mouth, other mucous membrane, non-intact skin, or skin piercing contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

Universal Precautions: A set of protocols recommended by the Center for Disease Control and Prevention and required by OSHA to prevent skin and mucous membrane exposure when potential contact with blood or body fluids.

Engineering Controls: Controls such as sharps disposal containers, self-sheathing needles that isolate or remove the bloodborne pathogens hazard from the workplace.

Needleless Systems: A device that does not use needles for:
The collection of bodily fluids or withdrawal of body fluids after initial venous or arterial access is established.

Overall Responsibilities

The following exposure control plan has been developed in compliance with the OSHA standard. Our plan is designed to minimize or eliminate employee exposure to blood-borne pathogens.

A copy of this plan is part of the Safety Manual kept on SharePoint and a printed copy at each work site. All new employees will read this plan and have the opportunity to ask questions at the time of their initial safety orientation. All employees will use "universal precautions" to prevent contact with blood and other potentially infectious body fluids. Where it is difficult to differentiate between fluid types, all fluids shall be considered potentially infectious materials.

The supervisor will be responsible to:

- Coordinate and provide training resources to employees and document
- Coordinate and offer Hepatitis vaccinations to their employees and forward records to Human Resources of those that choose to be vaccinated
- Perform with the supervisor exposure incident investigations and appropriate medical treatment and follow-up for hepatitis and HIV seroconversion. Confidential and locked records will be maintained by the Human Resource Department

The supervisors will ensure that appropriate equipment is provided to employees to protect against contact with blood or other infectious body fluids, which includes:

- Personal protective equipment required for protecting employees from blood or other infectious body fluids when performing their routine duties
- Locating first aid kits in most vehicles and all buildings
- Appropriate personal protective equipment for use during accident investigations

Methods of Compliance

Universal Precautions: Any employee providing help to anyone who is injured, has blood or body fluids on them must use Universal Precautions. Universal Precautions are a set of protocols required by OR-OSHA to prevent skin and mucous membrane exposure during potential contact with blood or body fluids. It is the most effective practice for protection.

The protocols are based on three basic premises:

- Treat all body fluids as potentially infectious
- Use protective barriers like gloves, face shields to reduce the risk of exposure
- Supplement by hand washing and disinfection

Universal Precautions specifically include:

- Gloves must be worn when touching body fluids or non-intact skin
- Gloves must be worn when handling items or cleaning surfaces soiled with body fluids
- Bandage all cuts or wounds with water- tight bandages to prevent contact with infectious body fluids
- Wash hands thoroughly with soap and water for 10-20 seconds after contact with blood or body fluid or handling contaminated articles. Even after wearing gloves

Procedures when washing hands/body:

- Wash hands with soap while still wearing gloves to reduce risk while removing gloves
- Wash your hands after removing gloves for 10 to 20 seconds
    - If water is not immediately available, then alcohol or antiseptic towelettes may be used
    - Use soap and warm water not hot water (hot strips natural oil barrier from the skin) The hands and forearms should be washed
    - Rub your hands vigorously in a circular motion and rinse under running water. This aids in the mechanical removal of bacteria
- Rinse well
- Dry hands with paper towel
- Turn off the water using a paper towel instead of bare hands
- Disinfect water faucet with bleach solution and towel

- Full showering should be done as soon as possible if body contamination occurs
- DO NOT reuse gloves, fabric towels or infected clothing

Engineering and Work Practice Controls

These methods minimize employee exposures. Personal protective equipment should always be used in combination with engineering controls. The supervisor will evaluate work practice controls including selecting the safest devices and disinfection tools for the worksite annually. All documentation required will be kept as part of this written Exposure Control Plan.

Personal Protective Equipment - General Equipment Available

The supervisor will ensure that employees are provided with appropriate personal protective equipment. This includes first aid kits that include at least:

- Two pairs of disposable latex gloves (more for police and public works who are exposed to fluids on a regular basis)
- Disposable safety goggles and a medical face mask

Limitations of Personal Protective Equipment

Gloves: Gloves can be torn or punctured. Gloves should be changed after contact. Disposable gloves should not be washed or disinfected for reuse. They also should not be used when visibly soiled, punctured, or when their ability to function as a barrier is compromised. Hands should be washed as soon as possible after removing gloves. If water is not available, then disinfecting hand washing wipes or gel should be used.

Face/Eye Protection: These items also need to be clean and maintained in good repair. They should be discarded if they do not function as indicated by the manufacturer's use and maintenance documentation.

Housekeeping Requirements

Hepatitis virus can survive for at least a week in a dried state at room temperature on work surfaces. HIV survival is less: 24 to 48 hours. As a result, it is important to ensure proper cleaning of all materials or surfaces contaminated with blood or body fluids.

Cleaning up blood or body fluids will be done as soon as possible. Follow the directions on spill clean-up kits for proper dilution and application methods. If unsure, rope off the area and contact a professional janitorial vendor. Do not mix ammonia and bleach products while cleaning. This will create a toxic gas that will cause illness.

Cleaning and Disposing of PPE

Disposable all gloves or towels or cloth should be disposed of in the regular trash after use and cleaning unless soaked with fluids If the latter, dispose of it in a biohazard bag.

Goggles and face shields (that are not disposable) should be cleaned with soap and water and then wiped down with bleach solution, alcohol or other germicides if contaminated.

Puncture resistant gloves that become soiled will need to be disposed of.
Employee will ensure that all garments penetrated by blood or body fluids are removed immediately or as soon as possible.

Contaminated laundry will be placed and transported in bags that are labeled with biohazard symbols. Costs for laundering and cleaning of employee clothing or uniforms contaminated during work performance will be paid by the city.

Biohazard Waste Handling/Disposal Procedures
A biohazard waste which requires special handling and disposal is defined as "any liquid or semi-liquid blood or other infectious materials; contaminated items or materials in a liquid or semi-liquid state; items that are caked with dried blood or other infectious materials and are capable of releasing these materials during handling; will be disposed of immediately in the proper containers."

The biohazard containers or bags must be able to contain contents and prevent leakage of fluids during handling, storage, transport, or shipping.

Blood and other body fluids or wash water from fluids are allowed to be disposed of down the sewer in Oregon.

Syringes (sharps), if they are found, including blood contaminated utility knives or broken pop bottles, spoons with burnt residue, should all be disposed of in a closeable, puncture resistant, container that is labeled and color coded as biohazard (red).

Procedures for Picking up Sharps
Follow these steps:

- Have sharps container ready
- Use latex gloves or vinyl gloves
- Use mechanical equipment (pliers, shovels, tongs, or dustpans) to pick up contaminated sharps, utility knives, or scissors
- Dispose in sharps container

When transporting containers of contaminated sharps and other regulated wastes from the use area, the containers will be closed to prevent spillage or protrusion of contents during handling, storage, transport, or shipping.

The method of removing "contaminated waste" containers will include:

- Sealing the sharp containers and any biohazard bags (red bags) containing infectious waste materials
- The containers or bags will be picked up by calling our local waste management company

Exposure Incident Evaluation and Follow-Up
Any employee who has an exposure incident will immediately notify their supervisor, who will assist them employee in contacting CIS Triage line. They will start the report and refer the employee to a medical health care provider for a complete medical evaluation and follow-up.

The supervisor will need to provide Human Resources and CIS or the employee with:

- A copy of this Bloodborne Pathogens plan
- A copy of the Exposure Incident/Accident Report
- The healthcare provider will give the employee a written recommendation to share with HR. This includes any restrictions on returning to work or follow up care

Post Exposure Investigation
The supervisor and employee will ensure that the circumstances of exposure are recorded and investigated. The attached Exposure Incident Form will be used to ensure that relevant information including the routes of exposure, the activity in which the employee was engaged at the time of exposure, and the extent to which appropriate work practices and protective equipment were used, and a description of the source exposure will be recorded.

As part of the follow-up on an "exposure incident" the Manager, who may choose to include the Safety Committee Representative or Human Resources, will conduct a confidential investigation. The investigation report will be provided to both HR and the Safety Committee Chair for review.

It is critical to remember that an exposure incident is an unprotected exposure to blood or other body fluids including a skin exposure Additionally, exposure can include the eyes or mouth.

The arrangement to obtain consent and testing of another person who exposed our employee will be performed by the Human Resource Department or the police department. It may not be feasible to test the other person.

Results of the source individual's testing will be made available to the exposed employee. This will be done by the health care professional treating the employee.

An exposed employee's blood will be collected as soon as feasible and tested after consent is obtained. If baseline blood is drawn, but the employee does not consent for HIV serologic testing, the sample will be preserved for at least 90 days. If within 90 days of the exposure incident, the employee elects to have the sample tested, such testing will be done as soon as feasible. Additional HIV follow-up testing will be offered based on US Public Health Service recommended schedule.

Recordkeeping
Medical Records will be established and maintained for each employee with occupational exposure. The Human Resources Department will maintain the current employee medical records for the duration of employment and for after separation in accordance with the Secretary

of State's Administrative Records Retention Schedule. The city will keep any hazard exposure records in accordance with Oregon Public Records Law, which in 2025 is after the end of employment for a minimum of 30 years.

The record will be confidential and will contain the following information:

- Name and social security number
- Copy of employee's vaccination status and any medical records that are relative to employee's ability to receive the vaccination
- Copy of the results of examinations, medical testing, and follow up procedures as the result of a post-exposure incident medical treatment
- Copy of medical professional's written opinion. A copy of the information provided to the medical professional

Training and Communication

The following lists the topics required to be covered in the annual Bloodborne Pathogen Program initial and annual training:

- An accessible copy of the bloodborne standard and an explanation of its contents
- A general explanation of the epidemiology and symptoms of bloodborne diseases
- An explanation of the modes of transmission of bloodborne pathogens
- An explanation of the exposure control plan where to obtain a copy of the plan
- An explanation of the appropriate methods of recognizing tasks and other activities that may involve exposure to blood or other potentially infectious materials
- An explanation on the PPE and engineering controls plus the limitations of methods that will prevent or reduce exposure. Information on the types, proper use, location, removal, handling, decontamination, and disposal of personal protective equipment
- The basis for selection of personal protective equipment
- Information on the hepatitis B vaccine, the benefits of vaccination, and that the vaccination will be offered free of charge
- Information on the appropriate actions to take and persons to contact in an emergency involving blood or other potentially infectious materials
- An explanation of the procedure to follow if an exposure incident occurs, including the method of reporting the incident and medical follow-up
- Information on the post-exposure evaluation required to be provided
- An explanation of the signs, labels and color coding for biohazardous material
- An opportunity for interactive questions and answers with a subject expert
- The training program will be given initially and a refresher annually

The training is to be documented, and a written record kept in the employee's training file for at least 3 years. Each employee is provided with access to all the training materials including an online video program and instructor's background information.

Table 9 – Bloodborne Pathogen Incident Form

Supervisor:		
Date of Incident/Accident:	Time of Incident/Accident:	Incident/Accident Location and Case Number (if applicable):
Describe the incident fully (route of exposure, circumstances, describe type of controls in place at time of incident including engineering controls and personal protective equipment worn, identify unsafe conditions and/or actions, relevant police reports):		
Describe employee's injury (part of the body/type of injury):		
Describe first aid/medical treatment (when and by whom):		
When was the accident reported:		To whom:
If not immediately reported, WHY?		
List of Witnesses:		
Is the source individual known? Yes ☐ No ☐ If so, please provide name/address so that consent for blood testing can be obtained.		
Name:		Address:
What corrective action was taken or is planned to prevent similar accidents from occurring in the future?		
Referral to medical evaluator has been done. Yes ☐ No ☐ Date of referral:		If not, explain:
Note: The Oregon Health Division "source consent" form will be sent to the source or his/her medical provider to obtain permission for source HIV/HBV blood testing. The medical evaluator has been informed as to our policy and the OR-OSHA rules. All medical data is confidential.		
Name of investigator:	Title:	Date:
Additional Comments:		

Healthcare Professionals Opinion: Post-Exposure Evaluation and Follow-Up

Directions:

This form needs to be filled out by the healthcare professional following an exposure incident and returned to the Human Resources. The employer will maintain a copy of this form PLUS give the exposed employee a copy within 15 days.

Table 10 – Bloodborne Pathogen Post-Exposure Form

The employee has been informed of the results of the evaluation. Yes ☐ No ☐	The employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment. Yes ☐ No ☐
Healthcare Provider's Signature:	Date:
The blood or body-fluid source individual will be asked to consent to having their blood collected and tested for HxV and HIV. For our clients under 18 years of age, if they are the source individual, their legal guardian will be asked to give consent for testing. The following information must be recorded.	
Name:	
Blood Taken: Yes ☐ No ☐ Date taken:	Written/Oral Consent Given For: HxV Testing: Yes ☐ No ☐ HIV Testing: Yes ☐ No ☐
Results Made Available to the Employee: Yes ☐ No ☐	Date Made Available:
Name of Medical Center:	Name of Treating Physician:

Table 11 – Employee Declaration Declining Hepatitis Vaccination

Employee Declaration Declining the Hepatitis Vaccination I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring hepatitis virus (HxV) infection. I have been given the opportunity to be vaccinated with hepatitis vaccine, at no charge to myself. However, I decline hepatitis vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis, a serious disease. If in the future I want to be vaccinated with hepatitis vaccine, I can receive the vaccination series at no charge to me.	
Employee's Signature:	Date:
Supervisor:	
Department Manager:	

CHAPTER FIVE
TRAINING AND EXERCISES

Emergency Evacuation Plan

There are times when evacuation of a city facility is necessary for the safety of employees and the public. This can be caused by natural events like weather or earthquakes, fire, unsafe atmosphere, or human caused such as hostile actors, gas leaks, or failure of building integrity. We have adopted an Emergency and Fire Prevention Plan to reduce the occurrence of unsafe conditions.

Our policy is to call 9-1-1 for all emergencies large or small. This includes suspicious packages, smoke, strange odors, and any person acting in a concerning manner. Employees are not expected to enter any situation they are not trained in.

Our main responder in all emergencies is Tualatin Valley Fire & Rescue or Newberg Dundee Police Department. Both agencies are dispatched by NEWCOM Dispatch Center.

The most likely types of emergencies at our facilities are:

Fire/Smoke	Chemical or Gas Spills or Releases, Radiation
Medical Emergency	Bomb Threat, Terrorism, Unrest, Suspicious Packages
Violence	Vehicle vs Building, Structure failure or collapse
Weather events	Earthquakes, Solar Flares, Volcanic
Poor Air Quality	Failed HVAC or Utilities

Management is responsible for ensuring that all employees are accounted for during an evacuation. It's recommended to have several designated Supervisors or Team Leaders to ensure that staff, the public, and any vendors all evacuate the building. If the situation involves an active shooter actions below should be modified to a **Run, Hide, Fight** response and cell phones should be placed in silent mode.

- Call 911 if other employees have not already done so
- Inform all staff to avoid the area. Pull the alarm if building has one **(not for active shooter situation)**
- Use the nearest exit which will take people away from the building **(not for active shooter situation)**
- Ask dispatch to inform all employees to avoid the area using Everbridge
- Post one employee outside (safely) near public entrance to direct responders and stop staff or residents from entering
- DO NOT answer questions from the curious. Direct them to the Manager. People are well meaning, but misinformation on social platforms and blogs can create a greater emergency
- Remain at the meeting location for head count and further instructions
- Do not leave or reenter until the Police, Fire or City Manager gives the 'all clear'
- Ensure any children without an adult remain with designated staff - inform dispatch that a minor is unaccompanied

City Hall and Archive Building – Fire Station 20 parking lot.
Public Safety Building – Patrol Parking lot or Memorial Park.
Library and Annex - Chehalem Cultural Center, outside front doors.
Public Works Maintenance – Entrance by West Gate.
Public Works Operations WWTP – Employee Parking Lot.
Public Works Operations Water Plant – Outside main gate near shed.
For a non-immediate evacuation (e.g. advance notice) employees and public will be given instructions by the supervisor on how to proceed.

For localized evacuations (only one building) notify staff in person and have dispatch send all employees an Everbridge alert. Everyone will exit to the assembly points and remain there.

The supervisors/team leaders will account for their employees. If a person is missing, notify dispatch or emergency responders. Do not re-enter any facility that has been evacuated until given permission. No one is to leave the evacuation area site unless instructed by the person in charge.

Exits
All exits will be visibly marked with signs and kept accessible at all times. Floor markings are encouraged to show the route of exit. All exits will be unlocked from the inside to allow for quick exit. No deadbolts or locks that cannot be unlocked by turning the handle or pushing on a panic bar on exit doors. Doors operating on proximity cards must still open for exiting when power is off.

Critical Operations
Supervisors and personnel responsible for critical operations like servers, water and wastewater systems will follow their emergency shutdown procedures. Do not remain on site if staying will result in danger to yourself.

Essential operations could include:

Isolating power at main switch (these employees must be trained on how to do so safely).
A motor or battery fire, the motor should be turned off if safe to do so.
Never spray water on live electrical connections or motors. Electrical shock hazard
Slow down chemical feeds or pumps.
Shut off water or natural gas outdoors at the main.
Manually lock proximity-controlled doors and elevators.

Evacuation Drills
The Emergency Management Coordinator and Safety Committee will coordinate an annual evacuation drills. This may be prefaced with a tabletop discussion for each department as a refresher. TVFR and NDPD will usually be asked to participate in drills to coordinate and provide additional evaluation.

TRAINING AUDITS AND ACCOUNTABILITY

The Emergency Management Coordinator meets with the designated training manager in each department. For Police and Public Works, this will occur quarterly, for all other departments, this will occur yearly. The Emergency Management Coordinator will review the training schedule and records to ensure the department meets OSHA requirements. The coordinator will support the Department in correcting missing training or finding resources. Audit reports are given to the City Manager and Safety Committee.

Training records are the responsibility of each department. The Manager may delegate record keeping to another department employee. NEOGOV shall be the sole repository for training data with expiry dates, other training materials will like in the relevant drive in a departmental "Training Materials" folder. Human Resources keeps all records with HIPPA protected medical information.

The Manager will ensure that all employees have the time to attend and complete training in support of our overall goal for a safe and productive workplace. Training is completed during paid time and at the cost of the department. Refer to the training list for your department.

Every new employee will receive a Safety Orientation coordinated by the Emergency Management Coordinator during initial onboarding.

Per OSHA requirements all employees receive a core set of initial and refresher trainings:

- SDS Information
- First Aid & Naloxone
- Bloodborne Pathogens
- PPE Refresher
- Fire Prevention & Safety
- Active Shooter Preparedness
- Suspicious Packages
- Earthquake Preparedness & Response
- Heat Safety
- Smoke Air quality Safety
- Fuel Station Safety
- FEMA 100,200,700,800 & 2200 (one time)

Other departments have added additional topics specific to their operations.

Police Safety Trainings
The ***Police One*** organization provides certification training for specific safety related situations. This includes all of the relevant documentation to include the curriculum.

Police staff will receive refresher training on:

- First Aid/CPR/AED/Naloxone Training (2yr refresher)
- SDS information refresher
- Bloodborne Pathogens
- Earthquake Preparedness & Response
- Fire Prevention & Safety
- Evacuation Drill
- PPE Refresher
- Heat Safety
- Smoke Air quality Safety

Public Works Trainings
Public works employees have a wide range of certifications that are required based upon position descriptions and certifications. OSHA compliant examples include CDL licensure and confined spaces training.

It is the responsibility of the Public Works Director to ensure that the certifications are up to date and saved in the relevant Neogov location.

In addition to these items all Public Works staff will receive refresher training on:

- First Aid/CPR/AED/Naloxone Training (2yr refresher)
- SDS information refresher
- Bloodborne Pathogens
- Active Shooter Preparedness
- Earthquake Preparedness & Response
- Fire Prevention & Safety
- Evacuation Drill
- PPE Refresher
- Heat Safety
- Smoke Air quality Safety

LIBRARY SPECIFIC TRAINING PROGRAM
Library employees are required to take the following safety trainings annually:

- Mandatory Reporter Training
- Some key staff receive First Aid/CPR/AED/Naloxone Training (2yr refresher)
- SDS information refresher
- Bloodborne Pathogens
- Active Shooter Preparedness
- Suspicious Packages
- Earthquake Preparedness & Response
- Fire Prevention & Safety
- Evacuation Drill
- PPE Refresher
- Heat Safety
- Smoke Air quality Safety

ADMINISTRATION / CITY RECORDER TRAINING PROGRAM
Administration / City Recorder Staff take the following safety trainings annually:

- CPR & AED First Aid Naloxone/Overdose Training (2 yr refresher)
- SDS information refresher
- Bloodborne Pathogens
- Active Shooter Preparedness
- Suspicious Packages
- Earthquake Preparedness & Response
- Fire Prevention & Safety
- Evacuation Drill
- PPE Refresher
- Heat Safety Refresher
- Smoke Air quality Safety Refresher
- Fuel Station Safety

FINANCE TRAINING PROGRAM

Finance Employees are required to take the following safety trainings annually:

- CPR & AED
- First Aid Naloxone/Overdose Training (2 yr refresher)
- SDS information refresher
- Bloodborne Pathogens
- Active Shooter Preparedness
- Suspicious Packages
- Earthquake Preparedness & Response
- Fire Prevention & Safety
- Evacuation Drill
- Heat Safety Refresher
- Smoke Air quality Safety Refresher
- Fuel Station Safety

COMMUNITY DEVELOPMENT & ENGINEERING TRAINING PROGRAM

Community Development & Engineering Employees are required to take the following trainings annually:

- CPR & AED
- First Aid Naloxone/Overdose Training (2 yr refresher)
- SDS information refresher
- Bloodborne Pathogens
- Active Shooter Preparedness
- Suspicious Packages
- Earthquake Preparedness & Response
- Fire Prevention & Safety
- Evacuation Drill
- PPE Refresher
- Heat Safety Refresher
- Smoke Air quality Safety Refresher
- Fuel Station Safety

WORK SITE PRACTICE AND PROCEEDURE REVIEWS

Each Department is the subject expert for their operations and responsibilities. Department Managers ensure that procedures, safety and personal protection equipment (PPE), and training meet the current needs of their operations. Managers will also develop and maintain plans and procedures unique to their operations. These will be added as annex sections of the Safety Manual kept at their department.

Managers will designate who in their department will maintain documentation for Job Hazard Analysis, training, and PPE. The Emergency Management Coordinator will audit these records annually with the designated record keeper at each department.

When any new duties, equipment, processes or materials are introduced to operations, an updated Job Hazard Analysis review should be performed. See the Job Hazard Template. Managers will review procedures as part of accident, injury and property investigation and indicate that review on the investigation report.

It is a recognized best practice to have outside perspectives when reviewing processes and plans. The Safety Committee and CIS representative are available as a resource to all departments, in addition to other partner subject experts. The safety checklists from this document are gathered for convenience as Appendix A.

It is the hiring Department's responsibility to ensure their vendors and contractors complete the Contractor Safety Agreement. See Appendix B for the details.

Appendix A – Safety Checklists

Table 1 - Hard Hat Safety Checklist

Department:	Location:
Jobs included in the assessment:	
Potential hazards: Overhead objects that could fall Exposed pipes or beams (less than 6.5 feet overhead) Energized electrical equipment	Likelihood of injury without PPE: High Medium Low
Severity of a potential injury without PPE: Minor first aid required Serious, not life threatening IDLH: life threatening	PPE required: Head protection that meets ANSI Z89.1 requirements Impact Type I Impact Type II Electrical Class G (general) Electrical Class E (electrical) Electrical Class C (conductive) None required

Table 2 - Eye Protection Safety Checklist

Department:	Location:
Jobs included in the assessment:	
Potential hazards: Dust, dirt, metal, or wood chips from chipping, grinding, sawing, hammering, and from power tools. Chemical splashes from corrosive substances, hot liquids, and solvents. Objects such as tree limbs, chains, tools, and ropes that swing into the eyes or face. Radiant energy from welding and harmful rays from lasers or other radiant light.	Likelihood of injury without PPE: High Medium Low
Severity of a potential injury without PPE: Minor first aid required Serious, not life threatening IDLH: life threatening	PPE required: Chemical goggles/face shield Chemical splash goggles Glasses/goggles with face shield Glasses/goggles with side shields Impact goggles Leather welding hood Safety glasses with side shields Safety goggles with face shield Welding goggles Welding helmet/shield with safety glasses and side shields None required

Table 3 – Hand Protection Safety Checklist

Department:	Location:
Jobs included in the assessment:	
Potential hazards: Harmful or hazardous temperatures Chemicals that can be absorbed into the skin or cause burns Energized electrical equipment Mechanical equipment that can cause bruises, abrasions, cuts, punctures, fractures, or amputations	Likelihood of injury without PPE: High Medium Low
Severity of a potential injury without PPE: Minor first aid required Serious, not life threatening IDLH: life threatening	PPE required: Leather/cut resistant gloves General purpose work gloves Chemical resistant gloves Insulated gloves Heat/flame resistant gloves Latex or nitrile gloves Electrician's insulated rubber gloves Cotton, leather, or anti-vibration gloves None required

Table 4 – Foot Protection Safety Checklist

Department:	Location:
Jobs included in the assessment:	
Potential hazards: Heavy objects such as barrels or tools that might roll onto or fall on a worker's feet Sharp objects such as nails or spikes that could pierce the soles or uppers of ordinary shoes Molten metal Hot, wet, or slippery surfaces Energized electrical equipment	Likelihood of injury without PPE: High Medium Low
Severity of a potential injury without PPE: Minor first aid required Serious, not life threatening IDLH: life threatening	PPE required: Steel toe safety shoes Leather boots or safety shoes with metatarsal guards Slip resistant soles Puncture resistant soles Chemical resistant boots/covers Rubber boots/closed top shoes Insulated boots or shoes None required

Table 5 – Fall Protection Safety Checklist

Department:	Location:
Jobs included in the assessment:	
Potential hazards: Unguarded surfaces more than 10 feet above a lower level or any height above dangerous equipment.	Likelihood of injury without PPE: High Medium Low
Severity of a potential injury without PPE: Minor first aid required Serious, not life threatening IDLH: life threatening	PPE required: Personal fall arrest system Personal fall restraint system None required

Table 6 – Protective Clothing Safety Checklist

Department:	Location:
Jobs included in the assessment:	
Potential hazards: Extreme temperatures Hot splashes from molten metal and other hot liquids Impacts from tools, machinery, and materials Hazardous chemicals Ionizing radiation	Likelihood of injury without PPE: High Medium Low
Severity of a potential injury without PPE: Minor first aid required Serious, not life threatening IDLH: life threatening	PPE required: Chemical resistant coveralls Cut resistant sleeves, wristlets Flame resistant jacket/pants High visibility garment Insulated jacket, hood Lab coat or apron/sleeves Long sleeves/apron/coat Static control coats/coverall None required

Table 7 – Leg Protection Safety Checklist

Department:	Location:
Jobs included in the assessment:	
Potential hazards: Hot substances Dangerous chemicals Cuts from chainsaws	Likelihood of injury without PPE: High Medium Low
Severity of a potential injury without PPE: Minor first aid required Serious, not life threatening IDLH: life threatening	PPE required: Leggings or boots: penetration resistant Leggings or boots: chemical resistant Leggings or boots: molten metal resistant Chaps or leg protectors: resists cuts from chainsaws None required

Table 8- Personal Protective Equipment Hazard Assessment

General Information		
Department:	Location:	
Jobs included in the assessment:		
Person performing assessment:	Assessment Date:	
Hazard assessment certification		
I certify that I performed this hazard assessment on the date indicated. Signed:		
Printed name:	Date:	
PPE Required?		
From the attached assessment worksheets	Yes	No
Fall protection		
Torso protection		
Eye and face protection		
Head protection		
Foot protection		
Leg protection		
Hand protection		
Hearing protection		
Respiratory protection		

Table 9 – Bloodborne Pathogen Incident Form

Supervisor:		
Date of Incident/Accident:	Time of Incident/Accident:	Incident/Accident Location and Case Number (if applicable):
Describe the incident fully (route of exposure, circumstances, describe type of controls in place at time of incident including engineering controls and personal protective equipment worn, identify unsafe conditions and/or actions, relevant police reports):		
Describe employee's injury (part of the body/type of injury):		
Describe first aid/medical treatment (when and by whom):		
When was the accident reported:		To whom:
If not immediately reported, WHY?		
List of Witnesses:		
Is the source individual known? Yes ☐ No ☐ If so, please provide name/address so that consent for blood testing can be obtained.		
Name:		Address:
What corrective action was taken or is planned to prevent similar accidents from occurring in the future?		
Referral to medical evaluator has been done. Yes ☐ No ☐ Date of referral:		If not, explain:
Note: The Oregon Health Division "source consent" form will be sent to the source or his/her medical provider to obtain permission for source HIV/HBV blood testing. The medical evaluator has been informed as to our policy and the OR-OSHA rules. All medical data is confidential.		
Name of investigator:	Title:	Date:
Additional Comments:		

Table 10 – Bloodborne Pathogen Post-Exposure Form

Directions:

This form needs to be filled out by the healthcare professional following an exposure incident and returned to the Human Resources. The employer will maintain a copy of this form PLUS give the exposed employee a copy within 15 days.

The employee has been informed of the results of the evaluation. Yes ☐ No ☐	The employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment. Yes ☐ No ☐
Healthcare Provider's Signature:	Date:
The blood or body-fluid source individual will be asked to consent to having their blood collected and tested for HBV and HIV. For our clients under 18 years of age, if they are the source individual, their legal guardian will be asked to give consent for testing. The following information must be recorded.	
Name:	
Blood Taken: Yes ☐ No ☐ Date taken:	Written/Oral Consent Given For: HBV Testing: Yes ☐ No ☐ HIV Testing: Yes ☐ No ☐
Results Made Available to the Employee: Yes ☐ No ☐	Date Made Available:
Name of Medical Center:	Name of Treating Physician:

Table 11 – Employee Declaration Declining Hepatitis Vaccination

Employee Declaration Declining the Hepatitis Vaccination I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring hepatitis virus (HxV) infection. I have been given the opportunity to be vaccinated with hepatitis vaccine, at no charge to myself. However, I decline hepatitis vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis, a serious disease. If in the future I want to be vaccinated with hepatitis vaccine, I can receive the vaccination series at no charge to me.	
Employee's Signature:	Date:
Supervisor:	
Department Manager:	

Appendix B - City Of Newberg Contractor Safety Agreement

This Contractor Safety Agreement is established to communicate the safety requirements and responsibilities that contractors shall adhere to while performing work for the City of Newberg, Oregon, to ensure a safe working environment and minimize hazards, through the use and application of their established good safety practices and rules.

Oregon OSHA requires notification of outside contractors regarding safety programs for Hazard Communication, Asbestos, Hazardous Waste, Hazardous Energy Control, and Confined Space. The Contractor shall comply with the City of Newberg's Safety Program Manual, and all applicable Federal, State, and Local laws and regulations, including Occupational Health & Safety Regulations.

All outside contractors performing work in or upon the City of Newberg owned or leased buildings, facilities, easements, rights-of-way, or otherwise controlled premises will be provided with a copy of the city of City of Newberg's Safety Program Manual by the project manager, Director of Public Works, or their designee, and shall complete the City of Newberg's Contractor Safety Agreement prior to commencement of contracted work.

The Contractor Safety Agreement applies to the Contractor, its employees, agents, subcontractors, and their employees when working on the City of Newberg owned or leased buildings, facilities, easements, right-of-way, or otherwise controlled premises.

Any City of Newberg employee who notices unsafe or concerning work by the Contractor, its employees, agents, subcontractors, and their employees shall immediately notify the Contractor and the supervisor of the concern.

Contractor Safety Agreement Acknowledgment

The Contractor hereby acknowledges that it is the responsibility of the Contractor to ensure that all safety rules, including Occupational Health & Safety Administration (OSHA) all applicable Federal, State, Local safety laws and regulations, including the requirement of the City of Newberg's Safety Program Manual are followed in the performance of their construction, maintenance, or other contracted services, when working on City owned, leased, or otherwise controlled premises.

The undersigned Contractor affirms that its employees, agents, and subcontractors have received the required safety training and assumes full responsibility to inform its employees, agents, and subcontractors about this Contractor Safety Agreement, and agrees that its employees, agents, and subcontractors and will conform with the Contractor Safety Agreement while on the premises controlled by the City of Newberg. It is

further understood that any person not conforming to the Contractor Safety Agreement will not be permitted to perform work or services on such premises.

The Contractor acknowledges it shall provide its employees, agents, subcontractors, and their employees all the necessary personal Protective Equipment (PPE) and other required safety equipment to perform the contracted works or services in such a manner as to eliminate the cause of personal injuries and accidents.

It is further understood by the undersigned Contractor that compliance with this Contractor Safety Agreement is a continuing requirement and that in consideration of the undersigned accepting any contracted work to be performed on City of Newberg owned or leased buildings, facilities, easements, rights-of-way, or otherwise controlled premise, the acceptance of and compliance with these conditions will automatically continue from job to job for a period of one year from the date the Contractor Safety Agreement was signed, unless written notice revoking such acceptance is given by either the undersigned Contractor, or the City of Newberg.

The Contractor further acknowledges that the Contractor Safety Agreement has been read and its conditions are hereby accepted by the undersigned on behalf of the Contractor and its employees, agents, subcontractors, and subcontractor employees and agents, and that the violation of this agreement, or failure to comply with any federal, state, local , or City of Newberg safety regulations may preclude contractor(s) from any further contracted work for the City of Newberg, Oregon.

CONTRACTOR:	**City of Newberg**
Company Name:	Verified By (print name):
Contractor's Signature:	Employee Signature:
Print Name:	Title:
Title:	Date:
Date:	

Two (2) original copies of this agreement are to be signed.

One (1) original copy to be retained by the Contractor,

One (1) original copy o be returned to the City of Newberg City Manager's office.

REQUEST FOR COUNCIL ACTION

Date Action Requested: (March 2, 2026)

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐ No. 2026-4017	
Subject: An Update to Council Goals to Recognize the Successes Achieved to Date	Staff: CM Department: Admin
Business Session	Order On Agenda: Continuing 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:

Staff recommends adopting this update to council goals by approving resolution 2026-4017. A resolution could be formed like this:

"I move to approve resolution 2026-4017"

Executive Summary:

At the last council session, the CM reviewed the success and completion levels of council goals to date from their 2025 update. The CM highlighted the fact that a major goal setting exercise would occur at the start of 2027 if we stay with the established schedule. The CM also related that a cleanup would be good both to recognize our successes and for staff morale.

See Exhibit A for the proposed text for this goals update.

Fiscal Impact:

The impact of all goals collectively if carried out wisely will continue our pattern of fiscal prudence.

Council Goals:

NA – this is the subject of the resolution itself.

RESOLUTION NO. 2026-4017

A Resolution Updating Our Council Goals to Recognize the Successes Achieved to Date

Recitals:

1. A second edition of council goals were published on February 10th of 2025

2. Several of these goals have been completed during 2025

3. At the February 17th Council Session, the CM proposed that an update be produced for the council goals that recognizes our success to date and focuses on the work yet to do.

4. The adoption of this resolution will allow staff to create an updated goals list.

The City of Newberg Resolves as Follows:

1. To adopt resolution 2026-4017

Effective Date of this resolution is the day after the adoption date, which is: March 3, 2026.
Adopted by the City Council of Newberg, Oregon, this 2nd day of March, 2026.

_____
Rachel Thomas, City Recorder

Attest by the Mayor this 3rd day of March, 2026.

_____
Bill Rosacker, Mayor

Goals Update Text for 2026 update

Here is the text as it would appear once completed items have been removed or shifted to the ongoing goals section.

Goal 1: Identify industrial land and attract employers to encourage family wage jobs.

O1: Make application to bring land into the urban growth boundary to zone for light manufacturing within 5 years.

Goal 2: Enhance community safety.

O1: Install red light and speed cameras and other speed reduction measures within two years.

Goal 3: 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.

Goal 4: Implement a careful and prudent fiscal policy.

O1: Begin reducing and eventually eliminate the City's debt in a steady, prudent way without compromising the City's ability to provide essential services and functions.

O2: Reduce elements of the municipal billing statement.

O3: Ensure that the city has a long-term financial plan that supports its goals and

objectives.

O4: As a secondary focus to the maintenance of our existing roads we will explore the concept of converting small sections of gravel streets to modern paving.

O5: Look for ways to fund road repair and to remove the TUF fee from utility bills.

Goal 6: Revitalize and beautify the appearance and utility of Newberg's downtown area.

O1: In partnership with NDC, seek funding sources to implement the main street program.

O2: Work with all stakeholders to explore the creation of a historic designation for the downtown corridor within three years.

Goal 7: Preserve the balance between the needs of the tourism industry and preserving the character of our town.

O2: Act as a resource to assist the community in obtaining grants to improve the city.

Ongoing Goals

A: Ensure Newberg infrastructure (roads, water, city employees) is in good repair and supply.

- Review the capital improvement projects annually.
- Focus on road and sidewalk improvements in Districts 1 & 3.

B: Continue with community policing partnerships (SRO youth-work, anti-addiction classes, citizen's academy and more).

C: Look for funding sources to save and prepare for the new water treatment plant.

D: Develop ways to help tourism and the wine industry flourish.

E: Further strategic planning and growth with local taxing districts.

F: Continue to create and maintain a high level of customer service by following our customer service guides. All staff will undertake training on this subject annually.

REQUEST FOR COUNCIL ACTION

Date Action Requested: March 2, 2026

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐ No. 2026-4014	
Subject: Council and Committee Technology Device Responsibility Agreement	Staff: Rachel Thomas, Dave Brooks Department: City Recorder/ IT
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: Consider the Council and Committee Technology agreement in Exhibit A.
Motion to approve Resolution 2026-4014 directing staff to adopt the Council and Committee Technology Agreement.

Executive Summary: From time to time, the city provides technology such as tablets, cell phones, and laptops to elected and appointed officials serving on city council and the various boards, committees, and commissions of the city. These devices are provided to ensure that members can conduct the work they have volunteered to do and ensure the cybersecurity of the city. Unfortunately, these items are occasionally damaged, lost, or not returned at the end of a term of office. This puts a replacement burden on the city, which can be thousands of dollars for each occurrence. Currently, there is no policy in place that allows the city to recuperate this cost.

The City Recorders Office and IT Department have been discussing solutions to this challenge and would like to implement an agreement that protects the interests of the city and resident's tax dollars. This agreement would be required by all non-employees that are issued technology by the city. In it, individuals assume responsibility for the technology they are issued and agree to cover replacement and repair costs for any damage beyond normal wear and tear. The agreement also gives an option to decline city provided technology and assume liability for the records on an individual's personal device.

Staff believe that this agreement will be a benefit to the city and ask council to consider approval.

Fiscal Impact: Up to $12,000 a year

Council Goals: This relates directly to Goal 5: Implement a careful and prudent fiscal policy.

RESOLUTION NO. 2026-4014

A Resolution adopting the Council and Committee Technology Device ResponsibilityAgreement.

Recitals:

1. The City provides technology such as tablets, cell phones, and laptop computers to non-employees serving in elected and appointed official roles.

2. It is essential to ensure that these items are properly cared for and returned.

3. The city desires to have an agreement reducing its liability for the costs to replace damaged or lost technology.

The City of Newberg Resolves as Follows:

1. Adopt the Council and Committee Technology Device Responsibility agreement as seen in Exhibit A.

Effective Date of this resolution is the day after the adoption date, which is: March 3, 2026.
Adopted by the City Council of Newberg, Oregon, this 2 day of March, 2025.

_____
Rachel Thomas, City Recorder

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

_____
Bill Rosacker, Mayor

TECHNOLOGY DEVICE RESPONSIBILITY AGREEMENT

This Technology Device Responsibility Agreement ("Agreement") is entered into by and between City of Newberg ("City") and the undersigned Committee Member / Commission Member / Elected Official ("Recipient").

1. Purpose

The City provides technology devices to certain officials to support the performance of official duties. This Agreement establishes the Recipient's responsibility for the care, use, and return of such devices during the Recipient's term of service.

2. Covered Devices

This Agreement applies to any technology device issued by the City, including but not limited to laptops, tablets, mobile phones, accessories, chargers, and related equipment ("Device(s)").

3. Term of Responsibility

The Recipient's responsibility for the Device(s) begins on the date the Device(s) are issued and continues until the return of all Device(s) to the City in acceptable condition which must occur within 14 days following:

- The end of the Recipient's term of office or appointment;
- The Recipient's resignation or removal from office.

4. Ownership

All Device(s) remain the sole property of the City at all times. This Agreement does not convey ownership or any ownership rights to the Recipient.

5. Use of Devices

The Recipient agrees to:

- Use the Device(s) only for official City-related business;
- Comply with all applicable City policies, including technology, cybersecurity, records, and acceptable use policies;
- Not loan, transfer, sell, or permit unauthorized individuals to use the Device(s).

6. Care and Safekeeping

The Recipient shall:

- Exercise reasonable care in protecting the Device(s) from loss, theft, damage, or misuse;
- Keep the Device(s) secure and protected from unauthorized access;
- Regularly bring the Device(s) in to the City for maintenance or repairs as requested;
- Promptly report any loss, theft, or damage to the City.

7. Loss, Theft, or Damage

If a Device is lost, stolen, or damaged due to negligence, misuse, or failure to follow City policies, the Recipient may be held financially responsible for the cost of repair or replacement, as permitted by law and City policy.

8. Data and Security

All data created, stored, or transmitted on the Device(s) related to City business is the property of the City. The Recipient agrees to:

- Protect confidential and sensitive information;
- Not circumvent security measures;
- Allow the City to access, monitor, or remove data as necessary for legal, security, or operational reasons.

9. Return of Devices

Upon the conclusion of the Recipient's term or upon request by the City, the Recipient shall:

- Return all Device(s) and accessories in good working condition, normal wear and tear excepted;
- Ensure no City data is intentionally deleted prior to return unless authorized.

Failure to return Device(s) may result in recovery actions, including financial reimbursement up to and including the full replacement cost of the device as permitted by law.

10. No Expectation of Privacy

The Recipient acknowledges that use of City -owned Device(s) may be subject to monitoring, public records requests, audits, or legal disclosure, in accordance with applicable law.

11. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of Oregon.

12. Entire Agreement

This Agreement represents the entire understanding between the parties regarding responsibility for the Device(s) and may be amended only in writing by the City.

ACKNOWLEDGMENT AND SIGNATURE

By signing below, the Recipient acknowledges receipt of the Device(s), understands this Agreement, and agrees to comply with its terms.

Recipient Name: _____
Title / Position: _____
Signature: _____
Date: _____

City of Newberg Representative: _____
Title: _____
Signature: _____
Date: _____

Please use the following to decline the loan of City owned equipment.

If a city device has been offered to an elected or appointed official and that official declines in favor of their own device, they agree to the following:

1. The City will not provide any tech support or repair services for personal devices beyond general assistance accessing City Emails.
2. Data on your device may be subject to public records disclosure. The City advises not maintaining any City data on a personal device.
3. All City data must be surrendered to the City Recorder (notes, records, emails, etc) at the termination of your time in office.
4. The City recommends only using the device to access City data that is hosted externally.

ACKNOWLEDGMENT AND SIGNATURE

By signing below, the Recipient acknowledges the conditions of using their own device, understands this Agreement, and agrees to comply with its terms.

Recipient Name: _____
Title / Position: _____
Signature: _____
Date: _____

City of Newberg Representative: _____
Title: _____
Signature: _____
Date: _____

REQUEST FOR COUNCIL ACTION

Date Action Requested: March 2, 2026

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐ Res. 2026-4010	
Subject: Updates to the Council Rules to change public comment parameters and ensuring decorum at public meetings.	Staff: Rachel Thomas Department: Administration
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 2026-4010 Amending the Council Rules to adopt decorum standards and adjust public comment parameters.

Executive Summary:

On February 2, Council debated and heard robust input from the public on public comment and decorum at public meetings. Staff were instructed to draft revised Council Rules to adopt decorum standards for public participation and amend public comment participation to add minimum time limits and more clarity. These revisions were then considered by legal counsel and return this evening for proposed adoption.

The proposed Council Rules, provided as Exhibit A, provide standards to ensure that decorum is upheld at public meetings.

Exhibit A: Proposed changes to Council Rules- Redline version
Exhibit B: Proposed changes to Council Rules- Clean Copy
Exhibit C: Current Council Rules

Fiscal Impact: N/A

Council Goals:

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

Resolution No. 2026-4010

A Resolution amending the Council and Committee Rules to adopt decorum standards and adjust public comment parameters.

Recitals:

1. A need for clear decorum standards at public meetings was evident.

2. Council deliberated and heard support from the public for the enforcement of decorum.

3. Council desired to amend public comment standards.

The City of Newberg Resolves as Follows:

1. Adopt the amendments to the Council and Committee Rules as seen in Exhibit A.

Effective Date of this resolution is the day after the adoption date, which is: March 3, 2026.
Adopted by the City Council of Newberg, Oregon, this 2 day of March, 2026.

_____
Rachel Thomas, City Recorder

Attest by the Mayor this 2 day of March, 2026.

_____
Bill Rosacker, Mayor

Newberg City Council, Board, Committee & Commission Guidelines 2025

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CHAPTER 1 – General Governance

I. Rules of Procedure

A. These rules are intended to govern City Council and all boards, committees, and commissions (hereafter referred to as standing committees) of the city.

B. Unless otherwise provided by charter or ordinance, Council meetings, and the meetings of any board, commission, or committee of city council, shall be guided by Robert's Rules of Order for Small Boards.[1] These rules are adopted according to NMC, Charter, Ch III, Section 11.

C. Members of the council or governing body are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert's Rules of Order when such points will obscure the issues before the council and confuse members of the public.

D. Whenever these rules and Robert's Rules of Order conflict, these rules shall govern.

II. Quorum

A. A quorum is required to conduct official city business.[2]

B. The members of the council are the city councilors and mayor. The members of a standing committee are as defined at their creation. Fifty percent plus one of the members of the council or a standing committee shall constitute a quorum. Vacancies in office do not count towards determining a quorum.

C. In the event a quorum is not present, the members of the governing body present shall adjourn the meeting, or a smaller number may meet and compel attendance of absent members as outlined in Rule II D.

D. When a quorum is not present at the time set for a meeting or when a quorum has been present and a meeting has commenced, but a quorum is no longer present, any member may move for a call of the house.

1. The motion will be put in the following form: "I move for a call of the house." That motion will take precedence over all other business. The motion need not be seconded, but it is subject to discussion. At least two members present must concur for the call of the house motion to pass. If the motion is passed, then all unexcused absent members will be requested to attend or return to the meeting. The city manager will provide the administrative staff assistance necessary to compel the attendance of the unexcused absent members at the meeting. The presiding officer is authorized to recess the meeting to a

[1] Robert's Rules of Order Newly Revised, 12th edition, section 49:21.
[2] NMC Charter, CH 3, Section 13.

certain time while attendance is being compelled.

III. Presiding Officer

A. City Council:

1. The mayor shall preside over all meetings. The mayor shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity.[3]
2. If the mayor is absent or otherwise unable to preside, the president of the council shall preside over the meeting. The president of the council shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity.[4]
3. If both the mayor and the president of the council are absent from the meeting or otherwise unable to preside, the following procedure shall be utilized to determine who is the presiding officer:
   a. The city recorder shall call the council to order and call the roll of the members.
   b. Those members of council present shall elect, by majority vote, a temporary presiding officer for the meeting.
   c. Should either the mayor or the president of the council arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.
   d. The presiding officer shall retain all rights and privileges of a member of council when acting in this capacity.
   e. This process may be used to elect a presiding officer for a portion of a meeting if the mayor or council president is unable to preside over a single item.

B. Standing and Ad-Hoc Committees:

1. The chair shall preside over all meetings.
2. In the chair's absence the vice chair shall preside over the meeting.
3. If both the chair and vice chair are absent from the meeting or otherwise unable to preside, the following procedure shall be utilized to determine who is the presiding officer:
   a. The staff liaison shall call the meeting to order and call the roll of the

[3] (NMC, Charter, Ch III, Section 9)

[4] (NMC, Charter, Ch III, Section 10).

members.

b. Those members present shall elect, by majority vote, a temporary presiding officer for the meeting.

c. Should either the chair or vice chair arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

d. The presiding officer shall retain all rights and privileges of a member when acting in this capacity.

e. This process may be used to elect a presiding officer for a portion of a meeting if the chair or vice chair is unable to preside over a single item.

IV. Other Elected and Appointed Officers

A. City Manager. The city manager is required to attend all meetings of the council, unless excused by council, and is permitted to participate in any discussion; however, the city manager has no authority to cast a vote on any decision rendered by the council.[5]

B. City Attorney. The city attorney may attend any meeting of the council, and will, upon request, give an opinion on legal questions, either written or oral.

C. City Recorder. The city recorder or designee shall be the parliamentarian and shall advise the presiding officer on any questions of order. Additionally, the city recorder shall keep the official minutes of the council.

V. Agendas

A. The city recorder or designee shall prepare an agenda for every regular meeting, and for every special meeting. Staff liaisons serve as the designee for all standing committee meetings.

B. Agendas and informational material for meetings shall be distributed to the council at least 7 days preceding the meeting. Supplemental items will be distributed at least 2 days prior to the meeting. Agendas and informational materials for standing committees should be distributed at least 7 days prior to the meeting and are required to be distributed more than 48 hours in advance of the meeting.[6]

C. The mayor's approval shall be required for the publication of an agenda of any council meeting.

D. With the consent of the mayor, the city manager may remove any items on the council agenda at any time prior to a meeting convening. The presiding officer

[5] (NMC, Charter, Ch VIII, Section 34, e, 1.)

[6] Note: Some actions taken by council and or standing committees may require even more notice. All legal requirements for notice shall be followed.

shall announce such removal under announcements/proclamations.

E. A member of the council who wishes to have an item placed on the agenda shall advise the city manager and get the approval of the mayor at least 10 days prior to the meeting. A member of a standing committee who wishes to have an item placed on the agenda shall advise their staff liaison and get the approval of the chair at least 10 days prior to the meeting.

F. If a request to include an agenda item is denied, written explanation shall be provided by the presiding officer to the requesting council member at least seven days prior to the meeting. If denied, the requesting council member may request, during the meeting and in open session, that the item be placed on the agenda. If the requesting council member obtains the support of at least one other council member, the item will be included on the agenda.

G. Notwithstanding anything to the contrary above, the council may consider items which are not listed on a published agenda.

H. Written Communications to Council

1. Unsolicited communications to the mayor and/or council concerning matters that are not on an agenda shall be forwarded to the mayor and/or council but shall not be included in the agenda packet.

2. The city manager may, under their discretion, bring any matter raised by unsolicited communication to the attention of the council as an agenda item, provided that such communication is accompanied by a staff report which sets forth the reason the matter should be considered by the council, and making a recommendation for council action.

I. All items submitted to the council packet will require an executive summary of the decision before the council, and items over 100 pages in length will require an index, or hyperlinks, to the specific sections and attachments.

J. Items that are legislative in nature, or that are deemed complex, will have a work session before the hearing, resolution, or main decision point is brought before the council. This may be waived by a majority of council.

VI. Order of Business

The order of business for all regular meetings of City Council shall be as follows. However, when it appears to be in the best interest of the public, the order of business may be changed for any single meeting with the approval of the mayor. Agendas for special meetings may follow this order or be adjusted according to the purpose of the meeting. Committees may follow this order or set their own agenda order as desired.

A. **Call to order**

B. **Roll call**

C. **Pledge of Allegiance**

D. **Announcements**

E. **Proclamations and Awards**

F. **City Manager's Report**

G. **Public comment on items not on the agenda**

H. **Consent Agenda**

I. **Continued Business**

J. **New Business**

K. **Council Business**

L. **Adjournment**

A. Call to Order. The presiding officer shall call all meetings of the council to order.

B. Roll Call. The city recorder or staff liaison shall conduct a roll call to determine which members of the body are present and which are absent.

1. The attendance shall be properly reflected in the minutes.
2. If roll call determines that a quorum is not present, this shall be addressed by Rule II.

C. Pledge of Allegiance This will be led by the presiding officer.

D. Announcements. Announcements are intended to be procedural in nature, such as an item being removed from the agenda, motions to reorder, insert or change agenda items. This also includes motions to remove items from the consent calendar.

E. Proclamations and Awards. Proclamations are awards or recognition of individuals by the council.

F. City Manager's Report. The City Manager will give a report at each regular council meeting with updates from all departments of the city. The first report of each month will include narrative information, the second report of each month will include statistical information. The council may ask questions of the city manager upon conclusion of the report being given. The city manager may call upon his staff to assist in answering questions.

G. Public Comment - See Chapter 5, Section III.

H. Consent Agenda. To expedite the council's business, routine agenda items shall be placed on the consent agenda.

1. All items on the consent agenda shall be approved by a single motion, unless an item is pulled for further consideration.

2. Any item on the consent agenda may be removed for separate consideration by any member.

3. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the request for council action, a determination that debate on a proposed course of action is deemed desirable, any questions to staff on an item, and any item where a member must declare a conflict of interest.

I. Continued Business. This section of the agenda will include items that are being returned to council after previous introduction, work session, or consideration at a recent meeting.

J. New Business. This section of the agenda will include items that are being considered for the first time. This may include topics freshly presented to council after a period of more than six months.

K. Council Business. To include appointments, reports from councilors on standing committees, nominations and similar council business.

L. Adjournment. Meetings will be adjourned by the presiding officer.

CHAPTER 2 – Meeting Time, Location and Frequency

I. City Council

A. Regular meetings

1. The council shall meet every first and third Monday evening of each month, except for meetings falling on designated holidays, which will be held on the next business day. Regular meetings shall begin at 6 p.m. Should there be a lack of business, lack of quorum, or other conflict, the meeting may be cancelled, with consent of the mayor, providing at least one meeting occurs in the given month.[7] Regular meetings will limited to 4 hours and will be adjourned by 10pm except by majority vote of the body.

B. Special meetings

1. Special meetings may be called by the presiding officer or by request of three members.

2. Notice of a special meeting of council shall be given to all members of the council and the city manager via email. Should the meeting occur within 72 hours of the notice, all attempts will be made to reach the council and city manager by telephone.

3. Special meetings shall be noticed in accordance with Oregon's public

[7] NMC, Charter, Chapter 3, Section 12

meetings law, and, at a minimum, shall be noticed at least 24 hours prior to the meeting taking place. Notice of the special meeting shall be given to each member, the city manager or staff liaison, and each local newspaper, radio, and television station which has requested notice of special meetings.

C. Emergency meetings

1. Emergency meetings are those meetings called with less than 24 hours' notice and the council shall identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.
2. Emergency meetings may be called by the mayor by the request of three members of council, or by the city manager.
3. Emergency meetings may only be held by City Council.
4. Notice of the emergency meeting shall be given to each member of the council, the city manager, and all reasonable attempts will be made to inform each local newspaper, radio, and television station which has requested notice of meetings.
5. Notice of the emergency meeting shall be given to all members of council and the city manager via telephone and email.
6. The minutes for any emergency meeting shall specifically identify why the meeting constituted an emergency and was necessary.

D. Executive Sessions.

1. Executive sessions may only be held by City Council. Executive sessions may be called by the presiding officer, at the request of three members of council, by the city manager, or by the city attorney.
2. Only members of the council, the city manager and persons specifically invited by the city manager or the council shall be allowed to attend executive sessions. Generally, the city recorder will be present to take minutes, if excused, another minute taker will be identified.
3. Representatives of recognized news media may attend executive sessions, other than those sessions during which the council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation, and the news media is a party to the litigation.
4. Cameras, tape recorders, and other recording devices may not be used in executive sessions, except for any official executive session recording made by city staff.
5. All executive sessions will be held in person only, without a virtual attendance option, unless a virtual option is approved by a majority vote in open session.

E. Work Sessions

1. Work sessions are permitted to present information in preparation for regular or special meetings.
2. All work sessions are subject to Oregon's public meetings law and must be noticed accordingly.
3. Work sessions are intended to allow for preliminary discussions, and the council or committee is not permitted to take formal or final action on any matter at a work session.
4. Work sessions may be called by the presiding officer, at the request of three members of Council, by the city manager, or by the city attorney.
5. The city manager is to invite any relevant staff to work sessions so that the sessions are as productive as possible.

II. Board, Commission, and Committee Meetings

A. Shall meet according to the schedule produced by the city recorder's office each year. This will be developed in accordance with the code, resolution, law, and necessity. Committees may add additional meetings or reschedule meetings if necessary.

B. Must be properly noticed in accordance with Oregon Public Meetings Law.

C. Meetings may be canceled due to lack of quorum or lack of business by the presiding officer.

III. Location

A. Council meetings shall be held in the Denise Bacon Room in the Public Safety Building and simultaneously through Zoom or other virtual meeting platforms. Board, commission, and committee meetings will be held in various locations as appropriate, as noticed on the meeting agenda, and simultaneously through Zoom or another virtual meeting platform.

B. In the event the regular meeting room is not available for a meeting, the meeting shall occur at a venue open to the public which is located within the jurisdictional limits of the city. All meeting locations shall meet the requirements of Oregon's Public Meeting Law.

C. At the direction of the presiding officer, the meeting may also move to a fully virtual format. (For example: In the case of inclement weather.)

D. Training sessions may be held outside of the city's jurisdictional limits, provided no deliberations toward a decision are made.

E. Interjurisdictional meetings may be held outside of the city's jurisdictional limits but

should be held as close as practical to the city, and such meetings shall be located within the jurisdictional boundaries of the other government entity.

IV. Notice

A. The city recorder or designee shall provide notice of all meetings in accordance with Oregon's public meeting law.

V. Attendance

A. Members of council or committees shall advise the presiding officer and city manager/city recorder/staff liaison if they will be unable to attend any meetings.

B. Under Article VII, Section 32 of the charter, a council position becomes vacant upon declaration of the council if the member of council is absent from the city for 30 days or more without council consent, or from all meetings of the council within a 60-day period without council consent.

C. Committee members may be excused from their position if they are not present for at least 75% of meetings in a year in accordance with Title II, Chapter 2.15.005 (D.) of the Newberg Municipal Code.

D. Members may attend meetings in person or virtually by phone or video conferencing.

CHAPTER 3 – Ordinances and Resolutions

I. Ordinances

A. All ordinances considered by and voted upon by the council shall adhere to the rules outlined herein. Sections 16 and 17 of city charter provide that the council exercises its legislative authority by adoption of ordinances.

B. Except as authorized by subsection (C), adoption of an ordinance shall, before being put upon its final passage, be fully and distinctly read in open council meeting.

C. The reading may be by title only if no council member present at the meeting requests to have the ordinance read in full, provided the proposed ordinance is available in writing to the public at least one week before the meeting.

D. Any substantive amendment to a proposed ordinance must be read aloud or made available in writing to the public before the council adopts that ordinance.

E. Upon the final vote on an ordinance, the ayes and nays of the members shall be taken and entered in the record of proceedings. The concurrence of a majority of the entire membership of the council shall be required for the passage of an ordinance.

F. After adoption of an ordinance, the city recorder must endorse it with the date of adoption and the city recorder's name and title.

G. A script for the adoption of an ordinance will be followed to ensure compliance with these rules. See attachments.

H. Effective Date: An ordinance shall take effect 30 days after adoption or at a later date to be specified in the ordinance.

1. The following shall take effect immediately upon its passage:
   a. Ordinances making appropriations and the annual tax levy; and
   b. Emergency ordinances.

II. Resolutions

A. Resolutions considered by and voted upon by the council or committee shall adhere to the rules outlined here.

B. An affirmative vote of a majority of the council or committee present shall be necessary to pass a resolution.

C. When a resolution is rejected, and is not reconsidered as provided by these rules, neither the resolution, nor any other resolution which contains substantially the same provisions, shall be considered for a period of not less than three months, unless at least three members petition for early consideration. Resolutions containing substantial amendments may return for consideration within the 3 month window.

D. Reconsideration

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
2. No motion shall be made more than once.
3. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the body.

E. Effective date. A resolution shall become effective upon adoption unless otherwise stated in the resolution.

CHAPTER 4 – Land Use Hearings

I. General Conduct of Hearings

A. Any party may speak in person or through their attorney.

B. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the city recorder at the time the party makes his or her presentation. The party must also bring 10 copies of the written testimony for the council/commission and staff.

C. If a party desires to make its testimony or evidence available as part of the meeting's agenda packet, it must be submitted to the city recorder or designated staff by noon the Friday before the meeting for council meetings, or 2 days ahead for all other meetings.[8] If the testimony or evidence is not submitted to the city recorder or designated staff by this deadline, it still may be submitted to the city recorder or designated staff at the time of the hearing and included in the record, but it shall not be included in the meeting's agenda packet.

D. No person may speak more than once without obtaining permission from the presiding officer.

E. Upon being recognized by the presiding officer, any member may question any person who testifies.

F. As directed by the presiding officer, staff may question any person who testifies.

G. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the council.

H. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the city recorder or staff liaison shall note the numbers of such persons for the record in the minutes. Persons testifying are asked to avoid repeating testimony already entered into the record and instead indicate support if they are in agreement with such testimony.

I. The presiding officer may reduce time limits for testimony equally based on the number of people signed up to speak, respectively, "in favor" or "opposed", to ensure all parties have an opportunity to speak and to ensure compliance with statutory shot clocks for land use decision making.[9]

II. Quasi-Judicial Land Use Matters

A. Scope of Review

1. All appeals of quasi-judicial land use proceedings shall be conducted pursuant to NMC 15.100.160 through 5.100.190, Appeals.

B. Conflicts of Interest, Abstention, Recusal, Ex Parte Communications

1. A member of the council or commission shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:

   a. The member has an actual conflict of interest, as defined by the Oregon Revised Statutes or the city charter/rules and must recuse from participation. The disclosure and recusal must be noted in the minutes.

[8] (see Chapter 5, Section 3

[9] (See also, Part II, Quasi-Judicial Land Use Matters - Hearing Procedures)

b. The member was not present during the public hearing and must abstain from participation. However, the member may participate if they reviewed. The evidence, including recordings of the hearing, and declared such fact for the record.

c. The member has a bias, as determined by applicable law, that prevents them from considering evidence and applying applicable criteria in making an impartial decision on the application.

2. Members shall disclose all ex parte contacts regarding the proceeding at the commencement of any quasi-judicial land use proceeding. If the disclosed ex parte communication results in bias and/or a conflict of interest, the member shall recuse from participation as stated in (II)(B)(1)(a) and (c) above.

   1. "Ex parte contact" means contact from one side of an issue affecting a land use proceeding without the benefit of hearing the other point of view.

C. Burden of Proof

1. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.

2. The decision shall be based on the applicable standards and criteria as set forth in the city's municipal code, including if applicable the city's comprehensive plan and any other land use standards imposed by state law or administrative rule.

3. Proponents, any opponents, and those who are neutral on the proposal may submit written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

4. City staff may submit supplemental written findings in response to testimony and as requested by the hearing body to address questions raised during the hearing.

D. Hearing Procedures

The order of hearings in quasi-judicial land use matters shall be:

1. *Land Use Hearing Disclosure Statement*

   The city attorney, presiding officer, or their designee, shall read the land use hearing disclosure statement, which shall include:

   a. A list of the applicable criteria;

   b. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use

regulation which the person believes to apply to the decision;

c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the council or other hearing body and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and

d. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

2. *Call for ex-parte contacts*

a. The presiding officer shall inquire whether any member has had ex-parte contacts. Any member announcing an ex parte contact shall state for the record the nature and content of the contact.

b. "Ex parte contact" means contact from one side of an issue affecting a land use proceeding without the benefit of hearing the other point of view. Ex parte contact can also be access to evidence or information that is not available to the public or the hearing body, which may include visiting the site of a land use application.

2. *Call for recusals*

a. The presiding officer shall inquire whether any member must recuse from participating in the hearing due to a conflict of interest.

b. Actual Conflict of Interest: If a member announces an actual conflict of interest, as outlined by Oregon Revised Statutes or the city charter/rules, that member must recuse themselves and leave the hearing. The recusal is recorded in the minutes.

c. Potential Conflict of Interest: If a member has a potential conflict of interest, they can declare the potential conflict and continue participation in the matter. The declared potential conflict is recorded in the minutes.

d. Any member announcing a conflict of interest shall state the nature of the conflict, and if the conflict requires recusal, shall not participate in the proceeding unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member shall not participate in any discussion or debate on the issue of which the conflict arises.

3. *Staff summary*

a. Planning staff shall present a summary and recommendation concerning the proposal.

4. *Presentation of the Case*

a. Proponent's case. Twenty minutes total.

b. Persons in favor. Five minutes per person.

c. Persons opposed. Five minutes per person.

d. Other interested persons. Five minutes per person.

e. Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.

5. *Close of hearing*

a. No further information shall be received after the close of the hearing, except for specific questions directed to staff. If the response to any such questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.

6. *Deliberations*

a. Deliberations shall immediately follow the hearing. The body may delay deliberations to a subsequent time to be specified.

7. *Findings and Order*

a. The body may approve or reject the proposal.

b. The body shall adopt findings to support its decision.

c. The body may incorporate findings proposed by the proponent, the opponent or staff in its decision.

B. Continuances

1. A party can request either a hearing continuance or an open record period as provided by Oregon Revised Statues. However, nothing in this section shall restrict the council, in its discretion, from granting additional continuances.

d. There is a 120-day time limitation for the city to make a final land use decision, imposed by the Oregon Revised Statutes, and this 120-day period is not extended unless the applicant requested the continuance or if the applicant otherwise agrees to the extension of the time limitation. [10]

III. Legislative Land Use Matters

A. Hearings Procedures

1. The order of procedures for hearings on legislative land use matters shall be:

2. *Call for abstentions*

a. Inquire whether any member wishes to abstain from participation in the

[10] *See* ORS 227.178.

hearing. Any member announcing an abstention shall identify the reason therefore and shall not participate in the proceedings. The City Recorder or designated staff shall record the abstention in the minutes.

3. *Staff summary*
   a. Staff shall present a summary of the proposal, statement of the applicable criteria, and recommendations concerning the proposal.
4. *Presentation of the Case*
   a. Staff Presentation or Proponent's case. As approved by the presiding officer.
   b. Persons in favor. Five minutes per person.
   c. Persons opposed. Five minutes per person.
   d. Other interested persons. Five minutes per person.
5. *Close of hearing*
   a. No further information shall be received after the close of the hearing, except for responses to specific questions directed to staff.
6. *Deliberations*
   a. Deliberations shall immediately follow the hearing. The body may delay deliberations to a subsequent time to be specified.
7. *Reopening Hearing*
   a. Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the body, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

CHAPTER 5 – Motions, Debate, Public Comment and Voting

I. Motions

A. The following rules shall apply to motions:

1. All motions shall be distinctly worded using plain language.
2. If a motion does not receive a second, it dies.
3. The body will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
4. Any motion shall be reduced to writing if requested by a member.
5. A motion to amend can be made to a motion that is on the floor and has been seconded.
6. Amendments are voted on first, then the main motion if voted on as amended.

7. No motion shall be received when a question is under debate except for the following:
    a. To lay the matter on the table; (Put the issue on indefinite hold.)
    b. To call for the previous question; (End debate and immediately vote.)
    c. To postpone; (Delay until a specified time.)
    d. To refer; or (Send the matter to another committee or person for more information or a recommendation.)
    e. To amend. (To change the motion on the table.)
8. A motion may be withdrawn by the mover at any time without the consent of the body.
9. A member may have a motion which contains several elements divided, but the mover shall have the right to designate which element will be voted on first.
10. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
    a. A call for the question fails without a majority vote.
    b. Debate on the main subject resumes if the motion fails.
11. A motion that receives a tie vote fails.
12. The presiding officer shall cause the motion to be stated before the vote.
13. A motion to adjourn cannot be amended.

B. <u>Motion to Reconsider</u>

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
2. No motion shall be made more than once.
3. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the body.

II. Debate

A. The following rules shall govern the debate of any item being discussed by the council or committee:

1. Every member desiring to speak shall address the presiding officer, and, upon recognition by the presiding officer, shall confine him/herself to the question under debate, at all times acting and speaking in a respectful manner.
2. A member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided.

III. Public Comment and Decorum

A. Decorum during a meeting

In order to provide for effective and safe public meetings that allow for peaceful civil discourse, the following rules are set to ensure decorum.

1. All persons in attendance at a public meeting should avoid conduct that is voluntarily and unreasonably loud, disruptive, or profane. Slanderous, harassing, or threatening remarks are not permitted. Any noise or disturbance from the audience that persistently interrupts the proceedings is not permitted.

2. The presiding officer may dismiss any individual who engages in inappropriate conduct as described above in Section 5.III.A.1. from the meeting.

3. If an individual is asked to leave after violating conduct standards, and refuses to, the individual may be trespassed under ORS 164.245.

IV. Public Comment

1. Public comment may be received at regular council meetings, standing committee meetings, and certain ad hoc committee meetings. The public shall have the right to comment at City Council meetings on all items on the agenda, including items that require a vote by the City Council. ; The City Council will also accept public comment unrelated to agenda items at its regular meetings. Because of the limited role, purpose, and authority of standing committees and ad hoc committees, and in order to promote efficiency and maintain order, standing committees will only receive public comment related to the subject of the committee or topics at that meeting, while ad hoc committees will receive public comment only to the extent it is specifically included in their directives.

2. When an interested person addresses the council or gives oral comments, that person should state their name and indicate if they are a resident of the city.

3. Public comment is a time for comment; it is not a time for debate, nor is it a time for members of the public to ask questions of and receive answers from the council or city staff.

4. The maximum time allowed for public comments on any given item, including all speakers, is thirty 30 minutes. The mayor or presiding officer has the discretion to extend or reduce the time allotted to each speaker or may extend the comment period beyond the allotted 30 minutes to accommodate the needs of the meeting.

5. Non-Agenda Items. Each speaker will be given the opportunity to speak no more than five (5) minutes during the general public comment period. Time limits may be changed for a meeting to accommodate the number of speakers, but at no time will be limited to less than 3 minutes if the total number of

speakers for general public comment does not exceed 10 individuals. Speakers may share their time at the discretion of the mayor or presiding officer. The mayor or presiding officer has the discretion to extend these time limits. Speakers may address the council for less than their allotted time.

6. Agenda Items. Each speaker will be given the opportunity to speak no more than five (5) minutes following the introduction of the item. Time limits may be changed for a meeting to accommodate the number of speakers, but at no time will be limited to less than 3 minutes if the total number of speakers registered for public comment does not exceed 10 individuals. Speakers may share their time at the discretion of the mayor or presiding officer. The mayor or presiding officer has the discretion to extend these time limits. Speakers may address the council for less than their allotted time. The rules for public comment on agenda items is subject to applicable State law requirements regarding public comment.

V. Public Comment Registration

1. Those giving public comment are required to register on the city website (by noon on the day of the meeting) or in person at the public meeting before making comments and/or providing input at the meeting.
2. Registration is due before the meeting is called to order, except in the case of public hearings. An interested person shall register separately for each subject under which they wish to provide comment.
   a. For public hearings, public comment registration will close when the public testimony portion of the hearing is closed.
   b. The public comment registration forms will be made part of the meeting records in accordance with OPML. The registration forms will contain a provision by which a person may indicate that they do not wish for their address, phone number, and email address to be released in any public records request.
   c. A form complying with this rule will be available at all meetings. The city recorder is delegated the authority to draft, revise, and produce the necessary form that complies with this rule.
3. Those desiring to give public comment over the phone or through the virtual meeting option (Zoom or other virtual meeting platforms) are required to register by noon the day of the meeting.
   a. Should the meeting take place before 3pm, registration will be required by noon the day before the meeting, should this registration deadline fall on a

weekend, registration will be due the Friday prior to the meeting. No Zoom or other virtual meeting platforms or phone comments will be received without prior registration.

1.

VI. Written Materials

1. Comments including any attachments (written comment, images, etc.), can be emailed to the City Recorder or dropped off at City Hall by 12:00 p.m. (noon) the Friday before the meeting. Materials more than 10 pages long should be submitted as early as possible to ensure sufficient time for council review. Written comment must be accompanied by a public comment registration form.
2. If written comment cannot be provided prior to the deadline, members of the public are to bring 10 printed copies of the item to the meeting and provide one copy to the City Recorder or staff member taking public comment registrations.
3. Written comments will not be read into the record.

VII. Electronic Materials

1. Speakers may submit electronic audio or visual material to be played during the time permitted for their comment.
2. Speakers must provide the materials in a format compatible with city software to the City Recorder on the Friday prior to the council meeting by 12:00 p.m. so that it may be installed on the city's equipment to avoid delays or disruption of the meeting. All items will be virus screened and will not be used should a threat be detected.

VIII. Council or Member Inquiries

1. Councilors or committee members may, upon recognition by the presiding officer, ask questions of speakers during public comment. Members shall use restraint when exercising this option and shall limit questions to no more than three minutes. The presiding officer may intervene if a member is violating the spirit of this guideline.

IX. Voting

The following rules shall apply to voting on matters before the council. The express approval of a majority of a quorum of the council is necessary for any council decision, except as otherwise set forth in these rules or when the charter requires approval by a majority of the council. For standing committees, the express approval of a majority of the quorum is necessary for any decision.

A. Consent Agenda

A majority of quorum present is required to approve the matters on a consent agenda.

B. Resolutions

A majority of quorum present shall be required to pass a resolution.

C. An Ordinance

A majority of all council members is required to pass an ordinance.

D. Emergency Ordinance

An emergency ordinance shall require the majority of quorum present.

E. Budget

The budget shall require majority of quorum present to pass.

F. Suspension of Rules

A majority of quorum present shall be required to suspend or rescind a rule contained in these rules of procedure, however, rules which also appear in the city's charter shall not be suspended or rescinded.

G. All votes shall be recorded in the minutes and may not be by secret ballot.

H. Ties

Tie votes shall indicate a denial of the proposal. If the tie is a matter that has been appealed from a lower city body or commission, a tie shall render the lower body's decision approved.

CHAPTER 6 – Minutes

I. Generally

A. All minutes shall be in written form, in addition, an electronic copy of the meeting recording will be maintained by the city recorder in accordance with the appropriate record retention schedule.

B. The minutes shall be action minutes and contain the following information:

1. The date, time and place of the meeting;
2. The members present and absent;
3. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
4. The results of all votes and the vote of each member by name; and
5. The substance of any discussion.

CHAPTER 7 – Appointments

I. Appointments of City Staff

A. The council appoints and can remove those positions identified in the city's charter. This includes City Attorney and Municipal Judge.

B. Appointments and Removals

All appointments and removals require a majority vote of the entire council.

C. Interference

If the council appoints a municipal judge, the council may meet with the judge, but in no instance shall the council be permitted to interfere with the judge's exercise of judicial authority or discretion.

II. Appointments of Members to Boards, Commissions and Committees

A. Unless otherwise mandated by applicable law, the mayor shall appoint the members of any standing board, commission, or committee with the consent of the council in accordance with the code, resolution, or law that governs them.

1. Standing boards, commissions or committees are those established by the municipal code, resolution, or state law, intended to be permanent or long-term, to fulfill an ongoing need of the city. (ex. Budget Committee, Historic Preservation Commission, Planning Commission)

B. Ad-Hoc Committees

1. The mayor may form ad-hoc committees to deal with specific tasks within specific timeframes and make recommendations to the council. Ad-hoc committees are intended to be temporary.
2. The mayor will establish the membership criteria for the ad-hoc committees. Residency does not have to be a required criterion. The mayor will appoint members of the ad-hoc committees, subject to council ratification.
3. The mayor may remove any member of the ad-hoc committee at any time. Members of the committee will be removed if the member fails to attend two 2 consecutive meetings of the committee without being excused prior to the meeting.
4. The mayor has the authority to grant an excused absence, and in the mayor's absence, the committee chair has the authority.
5. The mayor will designate the chairperson and the vice chair. Members will continue to serve until their mission is accomplished, replacement or reappointment.
6. Each member of the ad-hoc committee will have an equal vote on the

committee. The reports of the ad-hoc committee will have only the authority of recommendations to the council.

7. The meeting time and place of the committee will be decided by the chair with the consent of the committee. The meeting time and place may be changed provided there is adequate notice. The chair will have the authority to cancel any meeting of the committee for lack of business or necessity to meet.
8. A majority of the committee may request a meeting. All meetings are public meetings and will be conducted in accordance with the OPML.
9. The city manager will have the responsibility to furnish the necessary staff support for each ad-hoc committee.
10. The committee will not have the authority to assign specific tasks to any staff person of the city but will work through the city manager.

C. Removals

Except as otherwise required by applicable law, all appointed board, committee, or commission persons may be removed by the mayor with the consent of council.

CHAPTER 8 – Ethics, Decorum, Outside Statements

I. Ethics

A. All members of the council and committees shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the council shall refrain from:

1. Disclosing confidential information.
2. Taking action which benefits special interest groups or persons at the expense of the city as a whole.
3. Expressing an opinion contrary to the official position of the council or committee without so saying.
4. Conducting themselves in a manner so as to bring discredit upon the government of the city.

II. Decorum

A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the council or committee.

B. Members shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.

C. Members of the city staff shall observe the council's rules of proceedings and adhere to the same standards of decorum as members.

III. Statements to the Media and Other Organizations

A. Representing the City

If a member of the council or committee, including the mayor, appears as a representative of the city before another governmental agency, the media (including social media) or an organization to give a statement on an issue, the member may only state the official position of the city, as approved by a majority of the council or committee.

B. Personal Opinions

If a member of the council or committee, including the mayor, appears in their personal capacity before another governmental agency, the media (including social media) or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the city before giving their statement.

C. Suggested Language

Councilors and committee members are encouraged to use statements such as “This is my personal opinion and not the official opinion of the Newberg City Council (or relevant body).”

CHAPTER 9 – Interactions with Staff & City Attorney

I. Staff

A. All members of the council and committees shall respect the separation between their role and the city’s manager’s responsibility by:

1. Not interfering with the day-to-day administration of city business, which is the responsibility of the city manager.
2. Refraining from actions that would undermine the authority of the city manager or a department head.
3. Refraining from contacting the City Manager or Department Heads from 6pm Friday- 6am Monday, except in the case of an emergency.
4. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff’s day-to-day responsibilities. Questions of a more complex nature shall be directed to the city manager.
   a. Questions from individual members of the council requiring significant time or resources (2 hours or more) shall require the approval of the council.
   b. Members of the council shall share any information obtained from staff with the entire council.
   c. This section is not intended to apply to questions by members of the council acting in their individual capacity. Inquiries of a personal nature (i.e. utility billing issues, personal permits) shall be handled through the avenues available to all citizens.
   d. This section is not intended to apply to questions regarding conflict of interest or similar issues particular to a member of the council.

II. City Attorney

A. Council members may make requests to the City Attorney for information and advice in relation to council business.

1. Council members should understand that the City Attorney must prioritize the city’s legal issues and may not be able to respond immediately to Council requests.
2. Requests for legal advice that require greater than two hours of attorney time will require the concurrence of the majority of the Council.

CHAPTER 10 – Censure

I. Rules Violations

A. The council may enforce these rules and ensure compliance with city ordinances, charter, and state laws applicable to governing bodies.

B. If a member of council violates these rules, city ordinances, the city charter, or state laws applicable to governing bodies, the council may take action to protect the integrity of the council and discipline the member via:

1. Public reprimand;
2. Removal from committee assignments; and/or
3. The removal from the position of council president.

II. Investigating Violations

A. The council may investigate the actions of any member of council and meet in executive session under ORS 192.660(2)(b) in order to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the city charter, or state laws applicable to governing bodies has occurred.

B. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

CHAPTER 11 – Amendment and Repeal

I. Amendment

A. These rules of procedure are subject to amendment by the council in accordance with the rules noted herein.

B. Any proposed amendment to these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed and open for comment by the public.

C. All amendments to these rules require a majority vote.

D. Amended rules shall not go into effect until the meeting after the rule is approved.

II. Repeal

A. These rules of procedure are subject to repeal and replacement by the council in accordance with the rules noted herein.

B. Any proposed repeal of these rules shall be accompanied by a proposed replacement.

C. Any proposed repeal and replacement of these rules shall be done by resolution, noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.

D. Any repeal and replacement of these rules requires a majority of the full council vote.

E. Any repeal and replacement of these rules shall not go into effect until 30 days after the replacement rule was approved unless otherwise noted in the resolution.

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► LEGISLATIVE HEARING ◄◂

1. CALL TO ORDER

	Script
Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	**Presiding Officer:** This hearing is to consider [topic of hearing]. At this time, I will open the public hearing. Citizens will be able to testify on this issue by first submitting a public comment registration at the back table should they wish to speak.

2. DECLARATION OF CONFLICTS OF INTEREST OR ABSTENTIONS

	Script
	Presiding Officer: Do any members of this [council, board, committee, or commission] need to declare a conflict of interest, abstention, or ex-parte contact? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

	Script
The presiding officer announces time limits **Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.**	**Presiding Officer:** I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close.

6. RECOMMENDATIONS FROM STAFF

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

7. COUNCIL DELIBERATION

Councilors should seek acknowledgement and then speak on the issue	Script
	Presiding Officer: Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

8. ORDINANCE DECISIONS

Ordinances - Action usually requires passage of an ordinance; the relevant motions are listed in the Ordinance Action Guide.

ORDINACE ACTION GUIDE

First action: Waive the second reading.	
If this is the first meeting in which this ordinance is considered, council should waive the second reading through the following motion.	**Script** **Presiding Officer:** I move to waive the second reading of Ordinance [####].

Second action can be one of 4 steps:	
1. Motion for Approval	**Script** **Presiding Officer:** I move to approve Ordinance [####], [Title]
2. Motion to Read in Full	**Script** **Presiding Officer:** I move to approve Ordinance [####], [Title] and ask that it be read in full.
3. Motion to Approve Amended Ordinance Amended ordinance must be read in full if approved in the same meeting as amendments are made.	**Script** **Presiding Officer:** I move to approve Ordinance [####], [Title] with amendments and ask that amendments be read in full.
4. Motion to Table the Ordinance Motion:	**Script** **Presiding Officer:** I move to table this ordinance to be considered at our next meeting.

Third Action: Roll Call Vote
Script
Presiding Officer: A motion has been made to (repeat the motion). **Presiding Officer to the city recorder or meeting clerk:** Please take a roll call vote. (The city recorder or meeting clerk calls the roll and announces the number of ayes and nos.) **Presiding officer:** The motion [passes **or** passes unanimously **or** fails]

Majority of Entire Membership	
Ordinances require majority of the entire membership for passage, this means a majority of all of the councilors, <u>not of the quorum present.</u>	
7 members	4 votes required for passage
6 members	4 votes required for passage
5 members	3 votes required for passage
4 members	3 votes required for passage

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► ADMINISTRATIVE HEARING ◄

1. CALL TO ORDER

	Script
Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	**Presiding Officer:** This hearing is to consider [topic of hearing]. At this time, I will open the public hearing. Citizens will be able to testify on this issue by first submitting a public comment registration at the back table should they wish to speak.

2. DECLARATION OF CONFLICTS OF INTEREST OR ABSTENTIONS

	Script
	Presiding Officer: Do any members of this [council, board, committee, or commission] need to declare a conflict of interest, abstention, or ex-parte contact? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

	Script
The presiding officer announces time limits **Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.**	**Presiding Officer:** I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close.

6. RECOMMENDATIONS FROM STAFF

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

7. COUNCIL DELIBERATION

	Script
Councilors should seek acknowledgement and then speak on the issue.	**Presiding Officer:** Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

8. DECISIONS

Resolutions - Action usually requires passage of a resolution; the relevant motion should be:

	Script
Vote: voice vote is permitted	**Motion:** I make a motion to approve Resolution [####], [Title]. **Presiding Officer:** A motion has been made to (repeat motion). Is there any further discussion? (Pause for discussion.) I'll now take a vote on the motion to (repeat motion). All those in favor please say aye. (Pause) Those opposed please say no. (Pause) The motion [passes unanimously **or** passes **or** fails.]

Majority of Quorum	
Resolutions require majority of the quorum for passage.	
7 members present	4 votes required for passage
6 members present	4 votes required for passage
5 members present	3 votes required for passage
4 members present	3 votes required for passage

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► QUASI-JUDICIAL LAND-USE & NON-LAND-USE ◄

1. CALL TO ORDER

	Script
Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	**Presiding Officer:** This hearing is to consider (topic of hearing). At this time, I will open the public hearing. Citizens will be able to testify on this issue and should submit a public comment registration at the back table should they wish to speak.

2. CALL FOR ABSTENTIONS, BIAS, EX-PARTE CONTACT, AND OBJECTIONS TO JURISDICTION

	Script
City Attorney Legal Announcements: Read "quasi-judicial announcements" sheet	**Presiding Officer:** Do any members of this [council board, committee or commission] need to declare a conflict of interest, abstention, or ex-parte contact or an objection to the jurisdiction? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

	Script
The presiding officer announces time limits **Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.**	**Presiding Officer:** I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. At the end the principal proponent will have a chance to offer a rebuttal. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. QUESTIONS OF PROPONENTS AND OPPONENTS FROM THE FLOOR OR THE CITY COUNCIL DIRECTED THROUGH THE CHAIR

	Script
	Presiding Officer: Do any members of the council have questions for those who have given testimony?

6. PUBLIC AGENCY LETTERS OR COMMENTS

	Script
	Presiding Officer: Now we will receive testimony from any public agencies. Written testimony has been entered into the record and provided to members of the Council and staff.

7. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close. **City Attorney Legal Announcements**

8. FINAL COMMENTS FROM STAFF AND RECOMMENDATION

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

9. DELIBERATION OF COMMISSION INCLUDING DISCUSSION OF CRITERIA WITH FINDINGS OF FACT

	Script
Councilors should seek acknowledgement and then speak on the issue.	**Presiding Officer:** Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

10. ACTION BY THE COUNCIL

Orders - Action usually requires passage of an order; the relevant motion should be:

	Script
Vote: voice vote is permitted	**Motion:** I make a motion to approve Order [####], [Title]. **Presiding officer:** A motion has been made to (repeat motion). Is there any further discussion? (Pause for discussion.) I'll now take a vote on the motion to (repeat motion). All those in favor please say aye. (Pause) Those opposed please say no **Presiding officer:** The motions [passes **or** passes unanimously **or** fails]
Majority of Quorum	
Orders require majority of the quorum for passage.	
7 members present	4 votes required for passage
6 members present	4 votes required for passage
5 members present	3 votes required for passage
4 members present	3 votes required for passage

Newberg City Council, Board, Committee & Commission Guidelines 2025

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CHAPTER 1 – General Governance

I. Rules of Procedure

A. These rules are intended to govern City Council and all boards, committees, and commissions (hereafter referred to as standing committees) of the city.

B. Unless otherwise provided by charter or ordinance, Council meetings, and the meetings of any board, commission, or committee of city council, shall be guided by Robert's Rules of Order for Small Boards.[1] These rules are adopted according to NMC, Charter, Ch III, Section 11.

C. Members of the council or governing body are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert's Rules of Order when such points will obscure the issues before the council and confuse members of the public.

D. Whenever these rules and Robert's Rules of Order conflict, these rules shall govern.

II. Quorum

A. A quorum is required to conduct official city business.[2]

B. The members of the council are the city councilors and mayor. The members of a standing committee are as defined at their creation. Fifty percent plus one of the members of the council or a standing committee shall constitute a quorum. Vacancies in office do not count towards determining a quorum.

C. In the event a quorum is not present, the members of the governing body present shall adjourn the meeting, or a smaller number may meet and compel attendance of absent members as outlined in Rule II D.

D. When a quorum is not present at the time set for a meeting or when a quorum has been present and a meeting has commenced, but a quorum is no longer present, any member may move for a call of the house.

1. The motion will be put in the following form: "I move for a call of the house." That motion will take precedence over all other business. The motion need not be seconded, but it is subject to discussion. At least two members present must concur for the call of the house motion to pass. If the motion is passed, then all unexcused absent members will be requested to attend or return to the meeting. The city manager will provide the administrative staff assistance necessary to compel the attendance of the unexcused absent members at the meeting. The presiding officer is authorized to recess the meeting to a

[1] Robert's Rules of Order Newly Revised, 12th edition, section 49:21.
[2] NMC Charter, CH 3, Section 13.

certain time while attendance is being compelled.

III. Presiding Officer

A. City Council:

1. The mayor shall preside over all meetings. The mayor shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity.[3]
2. If the mayor is absent or otherwise unable to preside, the president of the council shall preside over the meeting. The president of the council shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity.[4]
3. If both the mayor and the president of the council are absent from the meeting or otherwise unable to preside, the following procedure shall be utilized to determine who is the presiding officer:
   a. The city recorder shall call the council to order and call the roll of the members.
   b. Those members of council present shall elect, by majority vote, a temporary presiding officer for the meeting.
   c. Should either the mayor or the president of the council arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.
   d. The presiding officer shall retain all rights and privileges of a member of council when acting in this capacity.
   e. This process may be used to elect a presiding officer for a portion of a meeting if the mayor or council president is unable to preside over a single item.

B. Standing and Ad-Hoc Committees:

1. The chair shall preside over all meetings.
2. In the chair's absence the vice chair shall preside over the meeting.
3. If both the chair and vice chair are absent from the meeting or otherwise unable to preside, the following procedure shall be utilized to determine who is the presiding officer:
   a. The staff liaison shall call the meeting to order and call the roll of the

[3] (NMC, Charter, Ch III, Section 9)

[4] (NMC, Charter, Ch III, Section 10).

members.

b. Those members present shall elect, by majority vote, a temporary presiding officer for the meeting.

c. Should either the chair or vice chair arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

d. The presiding officer shall retain all rights and privileges of a member when acting in this capacity.

e. This process may be used to elect a presiding officer for a portion of a meeting if the chair or vice chair is unable to preside over a single item.

IV. Other Elected and Appointed Officers

A. City Manager. The city manager is required to attend all meetings of the council, unless excused by council, and is permitted to participate in any discussion; however, the city manager has no authority to cast a vote on any decision rendered by the council.[5]

B. City Attorney. The city attorney may attend any meeting of the council, and will, upon request, give an opinion on legal questions, either written or oral.

C. City Recorder. The city recorder or designee shall be the parliamentarian and shall advise the presiding officer on any questions of order. Additionally, the city recorder shall keep the official minutes of the council.

V. Agendas

A. The city recorder or designee shall prepare an agenda for every regular meeting, and for every special meeting. Staff liaisons serve as the designee for all standing committee meetings.

B. Agendas and informational material for meetings shall be distributed to the council at least 7 days preceding the meeting. Supplemental items will be distributed at least 2 days prior to the meeting. Agendas and informational materials for standing committees should be distributed at least 7 days prior to the meeting and are required to be distributed more than 48 hours in advance of the meeting.[6]

C. The mayor's approval shall be required for the publication of an agenda of any council meeting.

D. With the consent of the mayor, the city manager may remove any items on the council agenda at any time prior to a meeting convening. The presiding officer

[5] (NMC, Charter, Ch VIII, Section 34, e, 1.)

[6] Note: Some actions taken by council and or standing committees may require even more notice. All legal requirements for notice shall be followed.

shall announce such removal under announcements/proclamations.

E. A member of the council who wishes to have an item placed on the agenda shall advise the city manager and get the approval of the mayor at least 10 days prior to the meeting. A member of a standing committee who wishes to have an item placed on the agenda shall advise their staff liaison and get the approval of the chair at least 10 days prior to the meeting.

F. If a request to include an agenda item is denied, written explanation shall be provided by the presiding officer to the requesting council member at least seven days prior to the meeting. If denied, the requesting council member may request, during the meeting and in open session, that the item be placed on the agenda. If the requesting council member obtains the support of at least one other council member, the item will be included on the agenda.

G. Notwithstanding anything to the contrary above, the council may consider items which are not listed on a published agenda.

H. Written Communications to Council

1. Unsolicited communications to the mayor and/or council concerning matters that are not on an agenda shall be forwarded to the mayor and/or council but shall not be included in the agenda packet.

2. The city manager may, under their discretion, bring any matter raised by unsolicited communication to the attention of the council as an agenda item, provided that such communication is accompanied by a staff report which sets forth the reason the matter should be considered by the council, and making a recommendation for council action.

I. All items submitted to the council packet will require an executive summary of the decision before the council, and items over 100 pages in length will require an index, or hyperlinks, to the specific sections and attachments.

J. Items that are legislative in nature, or that are deemed complex, will have a work session before the hearing, resolution, or main decision point is brought before the council. This may be waived by a majority of council.

VI. Order of Business

The order of business for all regular meetings of City Council shall be as follows. However, when it appears to be in the best interest of the public, the order of business may be changed for any single meeting with the approval of the mayor. Agendas for special meetings may follow this order or be adjusted according to the purpose of the meeting. Committees may follow this order or set their own agenda order as desired.

A. **Call to order**

B. **Roll call**

C. **Pledge of Allegiance**

D. **Announcements**

E. **Proclamations and Awards**

F. **City Manager's Report**

G. **Public comment on items not on the agenda**

H. **Consent Agenda**

I. **Continued Business**

J. **New Business**

K. **Council Business**

L. **Adjournment**

A. Call to Order. The presiding officer shall call all meetings of the council to order.

B. Roll Call. The city recorder or staff liaison shall conduct a roll call to determine which members of the body are present and which are absent.

1. The attendance shall be properly reflected in the minutes.
2. If roll call determines that a quorum is not present, this shall be addressed by Rule II.

C. Pledge of Allegiance This will be led by the presiding officer.

D. Announcements. Announcements are intended to be procedural in nature, such as an item being removed from the agenda, motions to reorder, insert or change agenda items. This also includes motions to remove items from the consent calendar.

E. Proclamations and Awards. Proclamations are awards or recognition of individuals by the council.

F. City Manager's Report. The City Manager will give a report at each regular council meeting with updates from all departments of the city. The first report of each month will include narrative information, the second report of each month will include statistical information. The council may ask questions of the city manager upon conclusion of the report being given. The city manager may call upon his staff to assist in answering questions.

G. Public Comment - See Chapter 5, Section III.

H. Consent Agenda. To expedite the council's business, routine agenda items shall be placed on the consent agenda.

1. All items on the consent agenda shall be approved by a single motion, unless an item is pulled for further consideration.

2. Any item on the consent agenda may be removed for separate consideration by any member.

3. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the request for council action, a determination that debate on a proposed course of action is deemed desirable, any questions to staff on an item, and any item where a member must declare a conflict of interest.

I. Continued Business. This section of the agenda will include items that are being returned to council after previous introduction, work session, or consideration at a recent meeting.

J. New Business. This section of the agenda will include items that are being considered for the first time. This may include topics freshly presented to council after a period of more than six months.

K. Council Business. To include appointments, reports from councilors on standing committees, nominations and similar council business.

L. Adjournment. Meetings will be adjourned by the presiding officer.

CHAPTER 2 – Meeting Time, Location and Frequency

I. City Council

A. Regular meetings

1. The council shall meet every first and third Monday evening of each month, except for meetings falling on designated holidays, which will be held on the next business day. Regular meetings shall begin at 6 p.m. Should there be a lack of business, lack of quorum, or other conflict, the meeting may be cancelled, with consent of the mayor, providing at least one meeting occurs in the given month.[7] Regular meetings will limited to 4 hours and will be adjourned by 10pm except by majority vote of the body.

B. Special meetings

1. Special meetings may be called by the presiding officer or by request of three members.

2. Notice of a special meeting of council shall be given to all members of the council and the city manager via email. Should the meeting occur within 72 hours of the notice, all attempts will be made to reach the council and city manager by telephone.

3. Special meetings shall be noticed in accordance with Oregon's public

[7] NMC, Charter, Chapter 3, Section 12

meetings law, and, at a minimum, shall be noticed at least 24 hours prior to the meeting taking place. Notice of the special meeting shall be given to each member, the city manager or staff liaison, and each local newspaper, radio, and television station which has requested notice of special meetings.

C. Emergency meetings

1. Emergency meetings are those meetings called with less than 24 hours' notice and the council shall identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.
2. Emergency meetings may be called by the mayor by the request of three members of council, or by the city manager.
3. Emergency meetings may only be held by City Council.
4. Notice of the emergency meeting shall be given to each member of the council, the city manager, and all reasonable attempts will be made to inform each local newspaper, radio, and television station which has requested notice of meetings.
5. Notice of the emergency meeting shall be given to all members of council and the city manager via telephone and email.
6. The minutes for any emergency meeting shall specifically identify why the meeting constituted an emergency and was necessary.

D. Executive Sessions.

1. Executive sessions may only be held by City Council. Executive sessions may be called by the presiding officer, at the request of three members of council, by the city manager, or by the city attorney.
2. Only members of the council, the city manager and persons specifically invited by the city manager or the council shall be allowed to attend executive sessions. Generally, the city recorder will be present to take minutes, if excused, another minute taker will be identified.
3. Representatives of recognized news media may attend executive sessions, other than those sessions during which the council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation, and the news media is a party to the litigation.
4. Cameras, tape recorders, and other recording devices may not be used in executive sessions, except for any official executive session recording made by city staff.
5. All executive sessions will be held in person only, without a virtual attendance option, unless a virtual option is approved by a majority vote in open session.

E. Work Sessions

1. Work sessions are permitted to present information in preparation for regular or special meetings.
2. All work sessions are subject to Oregon's public meetings law and must be noticed accordingly.
3. Work sessions are intended to allow for preliminary discussions, and the council or committee is not permitted to take formal or final action on any matter at a work session.
4. Work sessions may be called by the presiding officer, at the request of three members of Council, by the city manager, or by the city attorney.
5. The city manager is to invite any relevant staff to work sessions so that the sessions are as productive as possible.

II. Board, Commission, and Committee Meetings

A. Shall meet according to the schedule produced by the city recorder's office each year. This will be developed in accordance with the code, resolution, law, and necessity. Committees may add additional meetings or reschedule meetings if necessary.

B. Must be properly noticed in accordance with Oregon Public Meetings Law.

C. Meetings may be canceled due to lack of quorum or lack of business by the presiding officer.

III. Location

A. Council meetings shall be held in the Denise Bacon Room in the Public Safety Building and simultaneously through Zoom or other virtual meeting platforms. Board, commission, and committee meetings will be held in various locations as appropriate, as noticed on the meeting agenda, and simultaneously through Zoom or another virtual meeting platform.

B. In the event the regular meeting room is not available for a meeting, the meeting shall occur at a venue open to the public which is located within the jurisdictional limits of the city. All meeting locations shall meet the requirements of Oregon's Public Meeting Law.

C. At the direction of the presiding officer, the meeting may also move to a fully virtual format. (For example: In the case of inclement weather.)

D. Training sessions may be held outside of the city's jurisdictional limits, provided no deliberations toward a decision are made.

E. Interjurisdictional meetings may be held outside of the city's jurisdictional limits but

should be held as close as practical to the city, and such meetings shall be located within the jurisdictional boundaries of the other government entity.

IV. Notice

A. The city recorder or designee shall provide notice of all meetings in accordance with Oregon's public meeting law.

V. Attendance

A. Members of council or committees shall advise the presiding officer and city manager/city recorder/staff liaison if they will be unable to attend any meetings.

B. Under Article VII, Section 32 of the charter, a council position becomes vacant upon declaration of the council if the member of council is absent from the city for 30 days or more without council consent, or from all meetings of the council within a 60-day period without council consent.

C. Committee members may be excused from their position if they are not present for at least 75% of meetings in a year in accordance with Title II, Chapter 2.15.005 (D.) of the Newberg Municipal Code.

D. Members may attend meetings in person or virtually by phone or video conferencing.

CHAPTER 3 – Ordinances and Resolutions

I. Ordinances

A. All ordinances considered by and voted upon by the council shall adhere to the rules outlined herein. Sections 16 and 17 of city charter provide that the council exercises its legislative authority by adoption of ordinances.

B. Except as authorized by subsection (C), adoption of an ordinance shall, before being put upon its final passage, be fully and distinctly read in open council meeting.

C. The reading may be by title only if no council member present at the meeting requests to have the ordinance read in full, provided the proposed ordinance is available in writing to the public at least one week before the meeting.

D. Any substantive amendment to a proposed ordinance must be read aloud or made available in writing to the public before the council adopts that ordinance.

E. Upon the final vote on an ordinance, the ayes and nays of the members shall be taken and entered in the record of proceedings. The concurrence of a majority of the entire membership of the council shall be required for the passage of an ordinance.

F. After adoption of an ordinance, the city recorder must endorse it with the date of adoption and the city recorder's name and title.

G. A script for the adoption of an ordinance will be followed to ensure compliance with these rules. See attachments.

H. Effective Date: An ordinance shall take effect 30 days after adoption or at a later date to be specified in the ordinance.

1. The following shall take effect immediately upon its passage:
   a. Ordinances making appropriations and the annual tax levy; and
   b. Emergency ordinances.

II. Resolutions

A. Resolutions considered by and voted upon by the council or committee shall adhere to the rules outlined here.

B. An affirmative vote of a majority of the council or committee present shall be necessary to pass a resolution.

C. When a resolution is rejected, and is not reconsidered as provided by these rules, neither the resolution, nor any other resolution which contains substantially the same provisions, shall be considered for a period of not less than three months, unless at least three members petition for early consideration. Resolutions containing substantial amendments may return for consideration within the 3 month window.

D. Reconsideration

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
2. No motion shall be made more than once.
3. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the body.

E. Effective date. A resolution shall become effective upon adoption unless otherwise stated in the resolution.

CHAPTER 4 – Land Use Hearings

I. General Conduct of Hearings

A. Any party may speak in person or through their attorney.

B. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the city recorder at the time the party makes his or her presentation. The party must also bring 10 copies of the written testimony for the council/commission and staff.

C. If a party desires to make its testimony or evidence available as part of the meeting's agenda packet, it must be submitted to the city recorder or designated staff by noon the Friday before the meeting for council meetings, or 2 days ahead for all other meetings.[8] If the testimony or evidence is not submitted to the city recorder or designated staff by this deadline, it still may be submitted to the city recorder or designated staff at the time of the hearing and included in the record, but it shall not be included in the meeting's agenda packet.

D. No person may speak more than once without obtaining permission from the presiding officer.

E. Upon being recognized by the presiding officer, any member may question any person who testifies.

F. As directed by the presiding officer, staff may question any person who testifies.

G. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the council.

H. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the city recorder or staff liaison shall note the numbers of such persons for the record in the minutes. Persons testifying are asked to avoid repeating testimony already entered into the record and instead indicate support if they are in agreement with such testimony.

I. The presiding officer may reduce time limits for testimony equally based on the number of people signed up to speak, respectively, "in favor" or "opposed", to ensure all parties have an opportunity to speak and to ensure compliance with statutory shot clocks for land use decision making.[9]

II. Quasi-Judicial Land Use Matters

A. Scope of Review

1. All appeals of quasi-judicial land use proceedings shall be conducted pursuant to NMC 15.100.160 through 5.100.190, Appeals.

B. Conflicts of Interest, Abstention, Recusal, Ex Parte Communications

1. A member of the council or commission shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:

   a. The member has an actual conflict of interest, as defined by the Oregon Revised Statutes or the city charter/rules and must recuse from participation. The disclosure and recusal must be noted in the minutes.

[8] (see Chapter 5, Section 3

[9] (See also, Part II, Quasi-Judicial Land Use Matters - Hearing Procedures)

b. The member was not present during the public hearing and must abstain from participation. However, the member may participate if they reviewed. The evidence, including recordings of the hearing, and declared such fact for the record.

c. The member has a bias, as determined by applicable law, that prevents them from considering evidence and applying applicable criteria in making an impartial decision on the application.

2. Members shall disclose all ex parte contacts regarding the proceeding at the commencement of any quasi-judicial land use proceeding. If the disclosed ex parte communication results in bias and/or a conflict of interest, the member shall recuse from participation as stated in (II)(B)(1)(a) and (c) above.

   1. "Ex parte contact" means contact from one side of an issue affecting a land use proceeding without the benefit of hearing the other point of view.

C. Burden of Proof

1. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.

2. The decision shall be based on the applicable standards and criteria as set forth in the city's municipal code, including if applicable the city's comprehensive plan and any other land use standards imposed by state law or administrative rule.

3. Proponents, any opponents, and those who are neutral on the proposal may submit written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

4. City staff may submit supplemental written findings in response to testimony and as requested by the hearing body to address questions raised during the hearing.

D. Hearing Procedures

The order of hearings in quasi-judicial land use matters shall be:

1. *Land Use Hearing Disclosure Statement*

   The city attorney, presiding officer, or their designee, shall read the land use hearing disclosure statement, which shall include:

   a. A list of the applicable criteria;

   b. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use

regulation which the person believes to apply to the decision;

c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the council or other hearing body and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and

d. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

2. *Call for ex-parte contacts*

a. The presiding officer shall inquire whether any member has had ex-parte contacts. Any member announcing an ex parte contact shall state for the record the nature and content of the contact.

b. "Ex parte contact" means contact from one side of an issue affecting a land use proceeding without the benefit of hearing the other point of view. Ex parte contact can also be access to evidence or information that is not available to the public or the hearing body, which may include visiting the site of a land use application.

2. *Call for recusals*

a. The presiding officer shall inquire whether any member must recuse from participating in the hearing due to a conflict of interest.

b. Actual Conflict of Interest: If a member announces an actual conflict of interest, as outlined by Oregon Revised Statutes or the city charter/rules, that member must recuse themselves and leave the hearing. The recusal is recorded in the minutes.

c. Potential Conflict of Interest: If a member has a potential conflict of interest, they can declare the potential conflict and continue participation in the matter. The declared potential conflict is recorded in the minutes.

d. Any member announcing a conflict of interest shall state the nature of the conflict, and if the conflict requires recusal, shall not participate in the proceeding unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member shall not participate in any discussion or debate on the issue of which the conflict arises.

3. *Staff summary*

a. Planning staff shall present a summary and recommendation concerning the proposal.

4. *Presentation of the Case*

a. Proponent's case. Twenty minutes total.

b. Persons in favor. Five minutes per person.

c. Persons opposed. Five minutes per person.

d. Other interested persons. Five minutes per person.

e. Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.

5. *Close of hearing*

a. No further information shall be received after the close of the hearing, except for specific questions directed to staff. If the response to any such questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.

6. *Deliberations*

a. Deliberations shall immediately follow the hearing. The body may delay deliberations to a subsequent time to be specified.

7. *Findings and Order*

a. The body may approve or reject the proposal.

b. The body shall adopt findings to support its decision.

c. The body may incorporate findings proposed by the proponent, the opponent or staff in its decision.

B. Continuances

1. A party can request either a hearing continuance or an open record period as provided by Oregon Revised Statues. However, nothing in this section shall restrict the council, in its discretion, from granting additional continuances.

d. There is a 120-day time limitation for the city to make a final land use decision, imposed by the Oregon Revised Statutes, and this 120-day period is not extended unless the applicant requested the continuance or if the applicant otherwise agrees to the extension of the time limitation. [10]

III. Legislative Land Use Matters

A. Hearings Procedures

1. The order of procedures for hearings on legislative land use matters shall be:

2. *Call for abstentions*

a. Inquire whether any member wishes to abstain from participation in the

[10] *See* ORS 227.178.

hearing. Any member announcing an abstention shall identify the reason therefore and shall not participate in the proceedings. The City Recorder or designated staff shall record the abstention in the minutes.

3. *Staff summary*
   a. Staff shall present a summary of the proposal, statement of the applicable criteria, and recommendations concerning the proposal.
4. *Presentation of the Case*
   a. Staff Presentation or Proponent's case. As approved by the presiding officer.
   b. Persons in favor. Five minutes per person.
   c. Persons opposed. Five minutes per person.
   d. Other interested persons. Five minutes per person.
5. *Close of hearing*
   a. No further information shall be received after the close of the hearing, except for responses to specific questions directed to staff.
6. *Deliberations*
   a. Deliberations shall immediately follow the hearing. The body may delay deliberations to a subsequent time to be specified.
7. *Reopening Hearing*
   a. Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the body, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

CHAPTER 5 – Motions, Debate, Public Comment and Voting

I. Motions

A. The following rules shall apply to motions:

1. All motions shall be distinctly worded using plain language.
2. If a motion does not receive a second, it dies.
3. The body will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
4. Any motion shall be reduced to writing if requested by a member.
5. A motion to amend can be made to a motion that is on the floor and has been seconded.
6. Amendments are voted on first, then the main motion if voted on as amended.

7. No motion shall be received when a question is under debate except for the following:
    a. To lay the matter on the table; (Put the issue on indefinite hold.)
    b. To call for the previous question; (End debate and immediately vote.)
    c. To postpone; (Delay until a specified time.)
    d. To refer; or (Send the matter to another committee or person for more information or a recommendation.)
    e. To amend. (To change the motion on the table.)
8. A motion may be withdrawn by the mover at any time without the consent of the body.
9. A member may have a motion which contains several elements divided, but the mover shall have the right to designate which element will be voted on first.
10. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
    a. A call for the question fails without a majority vote.
    b. Debate on the main subject resumes if the motion fails.
11. A motion that receives a tie vote fails.
12. The presiding officer shall cause the motion to be stated before the vote.
13. A motion to adjourn cannot be amended.

B. <u>Motion to Reconsider</u>

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
2. No motion shall be made more than once.
3. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the body.

II. Debate

A. The following rules shall govern the debate of any item being discussed by the council or committee:

1. Every member desiring to speak shall address the presiding officer, and, upon recognition by the presiding officer, shall confine him/herself to the question under debate, at all times acting and speaking in a respectful manner.
2. A member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided.

III. Public Comment and Decorum

A. Decorum during a meeting

In order to provide for effective and safe public meetings that allow for peaceful civil discourse, the following rules are set to ensure decorum.

1. All persons in attendance at a public meeting should avoid conduct that is voluntarily and unreasonably loud, disruptive, or profane. Slanderous, harassing, or threatening remarks are not permitted. Any noise or disturbance from the audience that persistently interrupts the proceedings is not permitted.

2. The presiding officer may dismiss any individual who engages in inappropriate conduct as described above in Section 5.III.A.1. from the meeting.

3. If an individual is asked to leave after violating conduct standards, and refuses to, the individual may be trespassed under ORS 164.245.

IV. Public Comment

1. Public comment may be received at regular council meetings, standing committee meetings, and certain ad hoc committee meetings. The public shall have the right to comment at City Council meetings on all items on the agenda, including items that require a vote by the City Council. ; The City Council will also accept public comment unrelated to agenda items at its regular meetings. Because of the limited role, purpose, and authority of standing committees and ad hoc committees, and in order to promote efficiency and maintain order, standing committees will only receive public comment related to the subject of the committee or topics at that meeting, while ad hoc committees will receive public comment only to the extent it is specifically included in their directives.

2. When an interested person addresses the council or gives oral comments, that person should state their name and indicate if they are a resident of the city.

3. Public comment is a time for comment; it is not a time for debate, nor is it a time for members of the public to ask questions of and receive answers from the council or city staff.

4. The maximum time allowed for public comments on any given item, including all speakers, is thirty 30 minutes. The mayor or presiding officer has the discretion to extend or reduce the time allotted to each speaker or may extend the comment period beyond the allotted 30 minutes to accommodate the needs of the meeting.

5. Non-Agenda Items. Each speaker will be given the opportunity to speak no more than five (5) minutes during the general public comment period. Time limits may be changed for a meeting to accommodate the number of speakers, but at no time will be limited to less than 3 minutes if the total number of

speakers for general public comment does not exceed 10 individuals. Speakers may share their time at the discretion of the mayor or presiding officer. The mayor or presiding officer has the discretion to extend these time limits. Speakers may address the council for less than their allotted time.

6. Agenda Items. Each speaker will be given the opportunity to speak no more than five (5) minutes following the introduction of the item. Time limits may be changed for a meeting to accommodate the number of speakers, but at no time will be limited to less than 3 minutes if the total number of speakers registered for public comment does not exceed 10 individuals. Speakers may share their time at the discretion of the mayor or presiding officer. The mayor or presiding officer has the discretion to extend these time limits. Speakers may address the council for less than their allotted time. The rules for public comment on agenda items is subject to applicable State law requirements regarding public comment.

V. Public Comment Registration

1. Those giving public comment are required to register on the city website (by noon on the day of the meeting) or in person at the public meeting before making comments and/or providing input at the meeting.
2. Registration is due before the meeting is called to order, except in the case of public hearings. An interested person shall register separately for each subject under which they wish to provide comment.
   a. For public hearings, public comment registration will close when the public testimony portion of the hearing is closed.
   b. The public comment registration forms will be made part of the meeting records in accordance with OPML. The registration forms will contain a provision by which a person may indicate that they do not wish for their address, phone number, and email address to be released in any public records request.
   c. A form complying with this rule will be available at all meetings. The city recorder is delegated the authority to draft, revise, and produce the necessary form that complies with this rule.
3. Those desiring to give public comment over the phone or through the virtual meeting option (Zoom or other virtual meeting platforms) are required to register by noon the day of the meeting.
   a. Should the meeting take place before 3pm, registration will be required by noon the day before the meeting, should this registration deadline fall on a

weekend, registration will be due the Friday prior to the meeting. No Zoom or other virtual meeting platforms or phone comments will be received without prior registration.

1.

VI. Written Materials

1. Comments including any attachments (written comment, images, etc.), can be emailed to the City Recorder or dropped off at City Hall by 12:00 p.m. (noon) the Friday before the meeting. Materials more than 10 pages long should be submitted as early as possible to ensure sufficient time for council review. Written comment must be accompanied by a public comment registration form.
2. If written comment cannot be provided prior to the deadline, members of the public are to bring 10 printed copies of the item to the meeting and provide one copy to the City Recorder or staff member taking public comment registrations.
3. Written comments will not be read into the record.

VII. Electronic Materials

1. Speakers may submit electronic audio or visual material to be played during the time permitted for their comment.
2. Speakers must provide the materials in a format compatible with city software to the City Recorder on the Friday prior to the council meeting by 12:00 p.m. so that it may be installed on the city's equipment to avoid delays or disruption of the meeting. All items will be virus screened and will not be used should a threat be detected.

VIII. Council or Member Inquiries

1. Councilors or committee members may, upon recognition by the presiding officer, ask questions of speakers during public comment. Members shall use restraint when exercising this option and shall limit questions to no more than three minutes. The presiding officer may intervene if a member is violating the spirit of this guideline.

IX. Voting

The following rules shall apply to voting on matters before the council. The express approval of a majority of a quorum of the council is necessary for any council decision, except as otherwise set forth in these rules or when the charter requires approval by a majority of the council. For standing committees, the express approval of a majority of the quorum is necessary for any decision.

A. Consent Agenda

A majority of quorum present is required to approve the matters on a consent agenda.

B. Resolutions

A majority of quorum present shall be required to pass a resolution.

C. An Ordinance

A majority of all council members is required to pass an ordinance.

D. Emergency Ordinance

An emergency ordinance shall require the majority of quorum present.

E. Budget

The budget shall require majority of quorum present to pass.

F. Suspension of Rules

A majority of quorum present shall be required to suspend or rescind a rule contained in these rules of procedure, however, rules which also appear in the city's charter shall not be suspended or rescinded.

G. All votes shall be recorded in the minutes and may not be by secret ballot.

H. Ties

Tie votes shall indicate a denial of the proposal. If the tie is a matter that has been appealed from a lower city body or commission, a tie shall render the lower body's decision approved.

CHAPTER 6 – Minutes

I. Generally

A. All minutes shall be in written form, in addition, an electronic copy of the meeting recording will be maintained by the city recorder in accordance with the appropriate record retention schedule.

B. The minutes shall be action minutes and contain the following information:

1. The date, time and place of the meeting;
2. The members present and absent;
3. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
4. The results of all votes and the vote of each member by name; and
5. The substance of any discussion.

CHAPTER 7 – Appointments

I. Appointments of City Staff

A. The council appoints and can remove those positions identified in the city's charter. This includes City Attorney and Municipal Judge.

B. Appointments and Removals

All appointments and removals require a majority vote of the entire council.

C. Interference

If the council appoints a municipal judge, the council may meet with the judge, but in no instance shall the council be permitted to interfere with the judge's exercise of judicial authority or discretion.

II. Appointments of Members to Boards, Commissions and Committees

A. Unless otherwise mandated by applicable law, the mayor shall appoint the members of any standing board, commission, or committee with the consent of the council in accordance with the code, resolution, or law that governs them.

1. Standing boards, commissions or committees are those established by the municipal code, resolution, or state law, intended to be permanent or long-term, to fulfill an ongoing need of the city. (ex. Budget Committee, Historic Preservation Commission, Planning Commission)

B. Ad-Hoc Committees

1. The mayor may form ad-hoc committees to deal with specific tasks within specific timeframes and make recommendations to the council. Ad-hoc committees are intended to be temporary.
2. The mayor will establish the membership criteria for the ad-hoc committees. Residency does not have to be a required criterion. The mayor will appoint members of the ad-hoc committees, subject to council ratification.
3. The mayor may remove any member of the ad-hoc committee at any time. Members of the committee will be removed if the member fails to attend two 2 consecutive meetings of the committee without being excused prior to the meeting.
4. The mayor has the authority to grant an excused absence, and in the mayor's absence, the committee chair has the authority.
5. The mayor will designate the chairperson and the vice chair. Members will continue to serve until their mission is accomplished, replacement or reappointment.
6. Each member of the ad-hoc committee will have an equal vote on the

committee. The reports of the ad-hoc committee will have only the authority of recommendations to the council.

7. The meeting time and place of the committee will be decided by the chair with the consent of the committee. The meeting time and place may be changed provided there is adequate notice. The chair will have the authority to cancel any meeting of the committee for lack of business or necessity to meet.
8. A majority of the committee may request a meeting. All meetings are public meetings and will be conducted in accordance with the OPML.
9. The city manager will have the responsibility to furnish the necessary staff support for each ad-hoc committee.
10. The committee will not have the authority to assign specific tasks to any staff person of the city but will work through the city manager.

C. Removals

Except as otherwise required by applicable law, all appointed board, committee, or commission persons may be removed by the mayor with the consent of council.

CHAPTER 8 – Ethics, Decorum, Outside Statements

I. Ethics

A. All members of the council and committees shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the council shall refrain from:

1. Disclosing confidential information.
2. Taking action which benefits special interest groups or persons at the expense of the city as a whole.
3. Expressing an opinion contrary to the official position of the council or committee without so saying.
4. Conducting themselves in a manner so as to bring discredit upon the government of the city.

II. Decorum

A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the council or committee.

B. Members shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.

C. Members of the city staff shall observe the council's rules of proceedings and adhere to the same standards of decorum as members.

III. Statements to the Media and Other Organizations

A. Representing the City

If a member of the council or committee, including the mayor, appears as a representative of the city before another governmental agency, the media (including social media) or an organization to give a statement on an issue, the member may only state the official position of the city, as approved by a majority of the council or committee.

B. Personal Opinions

If a member of the council or committee, including the mayor, appears in their personal capacity before another governmental agency, the media (including social media) or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the city before giving their statement.

C. Suggested Language

Councilors and committee members are encouraged to use statements such as “This is my personal opinion and not the official opinion of the Newberg City Council (or relevant body).”

CHAPTER 9 – Interactions with Staff & City Attorney

I. Staff

A. All members of the council and committees shall respect the separation between their role and the city’s manager’s responsibility by:

1. Not interfering with the day-to-day administration of city business, which is the responsibility of the city manager.
2. Refraining from actions that would undermine the authority of the city manager or a department head.
3. Refraining from contacting the City Manager or Department Heads from 6pm Friday- 6am Monday, except in the case of an emergency.
4. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff’s day-to-day responsibilities. Questions of a more complex nature shall be directed to the city manager.
   a. Questions from individual members of the council requiring significant time or resources (2 hours or more) shall require the approval of the council.
   b. Members of the council shall share any information obtained from staff with the entire council.
   c. This section is not intended to apply to questions by members of the council acting in their individual capacity. Inquiries of a personal nature (i.e. utility billing issues, personal permits) shall be handled through the avenues available to all citizens.
   d. This section is not intended to apply to questions regarding conflict of interest or similar issues particular to a member of the council.

II. City Attorney

A. Council members may make requests to the City Attorney for information and advice in relation to council business.

1. Council members should understand that the City Attorney must prioritize the city’s legal issues and may not be able to respond immediately to Council requests.
2. Requests for legal advice that require greater than two hours of attorney time will require the concurrence of the majority of the Council.

CHAPTER 10 – Censure

I. Rules Violations

A. The council may enforce these rules and ensure compliance with city ordinances, charter, and state laws applicable to governing bodies.

B. If a member of council violates these rules, city ordinances, the city charter, or state laws applicable to governing bodies, the council may take action to protect the integrity of the council and discipline the member via:

1. Public reprimand;
2. Removal from committee assignments; and/or
3. The removal from the position of council president.

II. Investigating Violations

A. The council may investigate the actions of any member of council and meet in executive session under ORS 192.660(2)(b) in order to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the city charter, or state laws applicable to governing bodies has occurred.

B. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

CHAPTER 11 – Amendment and Repeal

I. Amendment

A. These rules of procedure are subject to amendment by the council in accordance with the rules noted herein.

B. Any proposed amendment to these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed and open for comment by the public.

C. All amendments to these rules require a majority vote.

D. Amended rules shall not go into effect until the meeting after the rule is approved.

II. Repeal

A. These rules of procedure are subject to repeal and replacement by the council in accordance with the rules noted herein.

B. Any proposed repeal of these rules shall be accompanied by a proposed replacement.

C. Any proposed repeal and replacement of these rules shall be done by resolution, noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.

D. Any repeal and replacement of these rules requires a majority of the full council vote.

E. Any repeal and replacement of these rules shall not go into effect until 30 days after the replacement rule was approved unless otherwise noted in the resolution.

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► LEGISLATIVE HEARING ◄◂

1. CALL TO ORDER

	Script
Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	**Presiding Officer:** This hearing is to consider [topic of hearing]. At this time, I will open the public hearing. Citizens will be able to testify on this issue by first submitting a public comment registration at the back table should they wish to speak.

2. DECLARATION OF CONFLICTS OF INTEREST OR ABSTENTIONS

	Script
	Presiding Officer: Do any members of this [council, board, committee, or commission] need to declare a conflict of interest, abstention, or ex-parte contact? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

	Script
The presiding officer announces time limits **Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.**	**Presiding Officer:** I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close.

6. RECOMMENDATIONS FROM STAFF

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

7. COUNCIL DELIBERATION

Councilors should seek acknowledgement and then speak on the issue	Script
	Presiding Officer: Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

8. ORDINANCE DECISIONS

Ordinances - Action usually requires passage of an ordinance; the relevant motions are listed in the Ordinance Action Guide.

ORDINACE ACTION GUIDE

First action: Waive the second reading.	
If this is the first meeting in which this ordinance is considered, council should waive the second reading through the following motion.	**Script** **Presiding Officer:** I move to waive the second reading of Ordinance [####].

Second action can be one of 4 steps:	
1. Motion for Approval	**Script** **Presiding Officer:** I move to approve Ordinance [####], [Title]
2. Motion to Read in Full	**Script** **Presiding Officer:** I move to approve Ordinance [####], [Title] and ask that it be read in full.
3. Motion to Approve Amended Ordinance Amended ordinance must be read in full if approved in the same meeting as amendments are made.	**Script** **Presiding Officer:** I move to approve Ordinance [####], [Title] with amendments and ask that amendments be read in full.
4. Motion to Table the Ordinance Motion:	**Script** **Presiding Officer:** I move to table this ordinance to be considered at our next meeting.

Third Action: Roll Call Vote
Script
Presiding Officer: A motion has been made to (repeat the motion). **Presiding Officer to the city recorder or meeting clerk:** Please take a roll call vote. (The city recorder or meeting clerk calls the roll and announces the number of ayes and nos.) **Presiding officer:** The motion [passes **or** passes unanimously **or** fails]

Majority of Entire Membership	
Ordinances require majority of the entire membership for passage, this means a majority of all of the councilors, <u>not of the quorum present.</u>	
7 members	4 votes required for passage
6 members	4 votes required for passage
5 members	3 votes required for passage
4 members	3 votes required for passage

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► ADMINISTRATIVE HEARING ◄

1. CALL TO ORDER

	Script
Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	**Presiding Officer:** This hearing is to consider [topic of hearing]. At this time, I will open the public hearing. Citizens will be able to testify on this issue by first submitting a public comment registration at the back table should they wish to speak.

2. DECLARATION OF CONFLICTS OF INTEREST OR ABSTENTIONS

	Script
	Presiding Officer: Do any members of this [council, board, committee, or commission] need to declare a conflict of interest, abstention, or ex-parte contact? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

	Script
The presiding officer announces time limits **Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.**	**Presiding Officer:** I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close.

6. RECOMMENDATIONS FROM STAFF

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

7. COUNCIL DELIBERATION

	Script
Councilors should seek acknowledgement and then speak on the issue.	**Presiding Officer:** Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

8. DECISIONS

Resolutions - Action usually requires passage of a resolution; the relevant motion should be:

	Script
Vote: voice vote is permitted	**Motion:** I make a motion to approve Resolution [####], [Title]. **Presiding Officer:** A motion has been made to (repeat motion). Is there any further discussion? (Pause for discussion.) I'll now take a vote on the motion to (repeat motion). All those in favor please say aye. (Pause) Those opposed please say no. (Pause) The motion [passes unanimously **or** passes **or** fails.]

Majority of Quorum	
Resolutions require majority of the quorum for passage.	
7 members present	4 votes required for passage
6 members present	4 votes required for passage
5 members present	3 votes required for passage
4 members present	3 votes required for passage

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► QUASI-JUDICIAL LAND-USE & NON-LAND-USE ◄

1. CALL TO ORDER

	Script
Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	**Presiding Officer:** This hearing is to consider (topic of hearing). At this time, I will open the public hearing. Citizens will be able to testify on this issue and should submit a public comment registration at the back table should they wish to speak.

2. CALL FOR ABSTENTIONS, BIAS, EX-PARTE CONTACT, AND OBJECTIONS TO JURISDICTION

	Script
City Attorney Legal Announcements: Read "quasi-judicial announcements" sheet	**Presiding Officer:** Do any members of this [council board, committee or commission] need to declare a conflict of interest, abstention, or ex-parte contact or an objection to the jurisdiction? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

	Script
The presiding officer announces time limits **Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.**	**Presiding Officer:** I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. At the end the principal proponent will have a chance to offer a rebuttal. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. QUESTIONS OF PROPONENTS AND OPPONENTS FROM THE FLOOR OR THE CITY COUNCIL DIRECTED THROUGH THE CHAIR

	Script
	Presiding Officer: Do any members of the council have questions for those who have given testimony?

6. PUBLIC AGENCY LETTERS OR COMMENTS

	Script
	Presiding Officer: Now we will receive testimony from any public agencies. Written testimony has been entered into the record and provided to members of the Council and staff.

7. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close. **City Attorney Legal Announcements**

8. FINAL COMMENTS FROM STAFF AND RECOMMENDATION

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

9. DELIBERATION OF COMMISSION INCLUDING DISCUSSION OF CRITERIA WITH FINDINGS OF FACT

	Script
Councilors should seek acknowledgement and then speak on the issue.	**Presiding Officer:** Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

10. ACTION BY THE COUNCIL

Orders - Action usually requires passage of an order; the relevant motion should be:

	Script
Vote: voice vote is permitted	**Motion:** I make a motion to approve Order [####], [Title]. **Presiding officer:** A motion has been made to (repeat motion). Is there any further discussion? (Pause for discussion.) I'll now take a vote on the motion to (repeat motion). All those in favor please say aye. (Pause) Those opposed please say no **Presiding officer:** The motions [passes **or** passes unanimously **or** fails]
Majority of Quorum	
Orders require majority of the quorum for passage.	
7 members present	4 votes required for passage
6 members present	4 votes required for passage
5 members present	3 votes required for passage
4 members present	3 votes required for passage

Newberg City Council, Board, Committee & Commission Guidelines 2025

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CHAPTER 1 – General Governance

I. Rules of Procedure

A. These rules are intended to govern City Council and all boards, committees, and commissions (hereafter referred to as standing committees) of the city.

B. Unless otherwise provided by charter or ordinance, Council meetings, and the meetings of any board, commission, or committee of city council, shall be guided by Robert's Rules of Order for Small Boards.[1] These rules are adopted according to NMC, Charter, Ch III, Section 11.

C. Members of the council or governing body are encouraged to avoid invoking the finer points of parliamentary procedure found within Robert's Rules of Order when such points will obscure the issues before the council and confuse members of the public.

D. Whenever these rules and Robert's Rules of Order conflict, these rules shall govern.

II. Quorum

A. A quorum is required to conduct official city business.[2]

B. The members of the council are the city councilors and mayor. The members of a standing committee are as defined at their creation. Fifty percent plus one of the members of the council or a standing committee shall constitute a quorum. Vacancies in office do not count towards determining a quorum.

C. In the event a quorum is not present, the members of the governing body present shall adjourn the meeting, or a smaller number may meet and compel attendance of absent members as outlined in Rule II D.

D. When a quorum is not present at the time set for a meeting or when a quorum has been present and a meeting has commenced, but a quorum is no longer present, any member may move for a call of the house.

1. The motion will be put in the following form: "I move for a call of the house." That motion will take precedence over all other business. The motion need not be seconded, but it is subject to discussion. At least two members present must concur for the call of the house motion to pass. If the motion is passed, then all unexcused absent members will be requested to attend or return to the meeting. The city manager will provide the administrative staff assistance necessary to compel the attendance of the unexcused absent members at the meeting. The presiding officer is authorized to recess the meeting to a

[1] Robert's Rules of Order Newly Revised, 12th edition, section 49:21.
[2] NMC Charter, CH 3, Section 13.

certain time while attendance is being compelled.

III. Presiding Officer

A. City Council:

1. The mayor shall preside over all meetings. The mayor shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity.[3]
2. If the mayor is absent or otherwise unable to preside, the president of the council shall preside over the meeting. The president of the council shall retain all rights and privileges of the office of the mayor as set out in the city charter when acting in this capacity.[4]
3. If both the mayor and the president of the council are absent from the meeting or otherwise unable to preside, the following procedure shall be utilized to determine who is the presiding officer:
   a. The city recorder shall call the council to order and call the roll of the members.
   b. Those members of council present shall elect, by majority vote, a temporary presiding officer for the meeting.
   c. Should either the mayor or the president of the council arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.
   d. The presiding officer shall retain all rights and privileges of a member of council when acting in this capacity.
   e. This process may be used to elect a presiding officer for a portion of a meeting if the mayor or council president is unable to preside over a single item.

B. Standing and Ad-Hoc Committees:

1. The chair shall preside over all meetings.
2. In the chair's absence the vice chair shall preside over the meeting.
3. If both the chair and vice chair are absent from the meeting or otherwise unable to preside, the following procedure shall be utilized to determine who is the presiding officer:
   a. The staff liaison shall call the meeting to order and call the roll of the

[3] (NMC, Charter, Ch III, Section 9)

[4] (NMC, Charter, Ch III, Section 10).

members.

b. Those members present shall elect, by majority vote, a temporary presiding officer for the meeting.

c. Should either the chair or vice chair arrive, the temporary presiding officer shall relinquish control of the meeting immediately upon the conclusion of the item presently being discussed.

d. The presiding officer shall retain all rights and privileges of a member when acting in this capacity.

e. This process may be used to elect a presiding officer for a portion of a meeting if the chair or vice chair is unable to preside over a single item.

IV. Other Elected and Appointed Officers

A. City Manager. The city manager is required to attend all meetings of the council, unless excused by council, and is permitted to participate in any discussion; however, the city manager has no authority to cast a vote on any decision rendered by the council.[5]

B. City Attorney. The city attorney may attend any meeting of the council, and will, upon request, give an opinion on legal questions, either written or oral.

C. City Recorder. The city recorder or designee shall be the parliamentarian and shall advise the presiding officer on any questions of order. Additionally, the city recorder shall keep the official minutes of the council.

V. Agendas

A. The city recorder or designee shall prepare an agenda for every regular meeting, and for every special meeting. Staff liaisons serve as the designee for all standing committee meetings.

B. Agendas and informational material for meetings shall be distributed to the council at least 7 days preceding the meeting. Supplemental items will be distributed at least 2 days prior to the meeting. Agendas and informational materials for standing committees should be distributed at least 7 days prior to the meeting and are required to be distributed more than 48 hours in advance of the meeting.[6]

C. The mayor's approval shall be required for the publication of an agenda of any council meeting.

D. With the consent of the mayor, the city manager may remove any items on the council agenda at any time prior to a meeting convening. The presiding officer

[5] (NMC, Charter, Ch VIII, Section 34, e, 1.)

[6] Note: Some actions taken by council and or standing committees may require even more notice. All legal requirements for notice shall be followed.

shall announce such removal under announcements/proclamations.

E. A member of the council who wishes to have an item placed on the agenda shall advise the city manager and get the approval of the mayor at least 10 days prior to the meeting. A member of a standing committee who wishes to have an item placed on the agenda shall advise their staff liaison and get the approval of the chair at least 10 days prior to the meeting.

F. If a request to include an agenda item is denied, written explanation shall be provided by the presiding officer to the requesting council member at least seven days prior to the meeting. If denied, the requesting council member may request, during the meeting and in open session, that the item be placed on the agenda. If the requesting council member obtains the support of at least one other council member, the item will be included on the agenda.

G. Notwithstanding anything to the contrary above, the council may consider items which are not listed on a published agenda.

H. Written Communications to Council

1. Unsolicited communications to the mayor and/or council concerning matters that are not on an agenda shall be forwarded to the mayor and/or council but shall not be included in the agenda packet.

2. The city manager may, under their discretion, bring any matter raised by unsolicited communication to the attention of the council as an agenda item, provided that such communication is accompanied by a staff report which sets forth the reason the matter should be considered by the council, and making a recommendation for council action.

I. All items submitted to the council packet will require an executive summary of the decision before the council, and items over 100 pages in length will require an index, or hyperlinks, to the specific sections and attachments.

J. Items that are legislative in nature, or that are deemed complex, will have a work session before the hearing, resolution, or main decision point is brought before the council. This may be waived by a majority of council.

VI. Order of Business

The order of business for all regular meetings of City Council shall be as follows. However, when it appears to be in the best interest of the public, the order of business may be changed for any single meeting with the approval of the mayor. Agendas for special meetings may follow this order or be adjusted according to the purpose of the meeting. Committees may follow this order or set their own agenda order as desired.

A. **Call to order**

B. **Roll call**

C. **Pledge of Allegiance**

D. **Announcements**

E. **Proclamations and Awards**

F. **City Manager's Report**

G. **Public comment on items not on the agenda**

H. **Consent Agenda**

I. **Continued Business**

J. **New Business**

K. **Council Business**

L. **Adjournment**

A. Call to Order. The presiding officer shall call all meetings of the council to order.

B. Roll Call. The city recorder or staff liaison shall conduct a roll call to determine which members of the body are present and which are absent.

1. The attendance shall be properly reflected in the minutes.
2. If roll call determines that a quorum is not present, this shall be addressed by Rule II.

C. Pledge of Allegiance This will be led by the presiding officer.

D. Announcements. Announcements are intended to be procedural in nature, such as an item being removed from the agenda, motions to reorder, insert or change agenda items. This also includes motions to remove items from the consent calendar.

E. Proclamations and Awards. Proclamations are awards or recognition of individuals by the council.

F. City Manager's Report. The City Manager will give a report at each regular council meeting with updates from all departments of the city. The first report of each month will include narrative information, the second report of each month will include statistical information. The council may ask questions of the city manager upon conclusion of the report being given. The city manager may call upon his staff to assist in answering questions.

G. Public Comment - See Chapter 5, Section III.

H. Consent Agenda. To expedite the council's business, routine agenda items shall be placed on the consent agenda.

1. All items on the consent agenda shall be approved by a single motion, unless an item is pulled for further consideration.

2. Any item on the consent agenda may be removed for separate consideration by any member.

3. For the purposes of this rule, separate consideration means any proposal to adopt a different course of action than that recommended in the request for council action, a determination that debate on a proposed course of action is deemed desirable, any questions to staff on an item, and any item where a member must declare a conflict of interest.

I. Continued Business. This section of the agenda will include items that are being returned to council after previous introduction, work session, or consideration at a recent meeting.

J. New Business. This section of the agenda will include items that are being considered for the first time. This may include topics freshly presented to council after a period of more than six months.

K. Council Business. To include appointments, reports from councilors on standing committees, nominations and similar council business.

L. Adjournment. Meetings will be adjourned by the presiding officer.

CHAPTER 2 – Meeting Time, Location and Frequency

I. City Council

A. Regular meetings

1. The council shall meet every first and third Monday evening of each month, except for meetings falling on designated holidays, which will be held on the next business day. Regular meetings shall begin at 6 p.m. Should there be a lack of business, lack of quorum, or other conflict, the meeting may be cancelled, with consent of the mayor, providing at least one meeting occurs in the given month.[7] Regular meetings will limited to 4 hours and will be adjourned by 10pm except by majority vote of the body.

B. Special meetings

1. Special meetings may be called by the presiding officer or by request of three members.

2. Notice of a special meeting of council shall be given to all members of the council and the city manager via email. Should the meeting occur within 72 hours of the notice, all attempts will be made to reach the council and city manager by telephone.

3. Special meetings shall be noticed in accordance with Oregon's public

[7] NMC, Charter, Chapter 3, Section 12

meetings law, and, at a minimum, shall be noticed at least 24 hours prior to the meeting taking place. Notice of the special meeting shall be given to each member, the city manager or staff liaison, and each local newspaper, radio, and television station which has requested notice of special meetings.

C. Emergency meetings

1. Emergency meetings are those meetings called with less than 24 hours' notice and the council shall identify why the meeting could not be delayed 24 hours immediately after calling the meeting to order.
2. Emergency meetings may be called by the mayor by the request of three members of council, or by the city manager.
3. Emergency meetings may only be held by City Council.
4. Notice of the emergency meeting shall be given to each member of the council, the city manager, and all reasonable attempts will be made to inform each local newspaper, radio, and television station which has requested notice of meetings.
5. Notice of the emergency meeting shall be given to all members of council and the city manager via telephone and email.
6. The minutes for any emergency meeting shall specifically identify why the meeting constituted an emergency and was necessary.

D. Executive Sessions.

1. Executive sessions may only be held by City Council. Executive sessions may be called by the presiding officer, at the request of three members of council, by the city manager, or by the city attorney.
2. Only members of the council, the city manager and persons specifically invited by the city manager or the council shall be allowed to attend executive sessions. Generally, the city recorder will be present to take minutes, if excused, another minute taker will be identified.
3. Representatives of recognized news media may attend executive sessions, other than those sessions during which the council conducts deliberations with persons designated to carry on labor negotiations, or where the matter involves litigation, and the news media is a party to the litigation.
4. Cameras, tape recorders, and other recording devices may not be used in executive sessions, except for any official executive session recording made by city staff.
5. All executive sessions will be held in person only, without a virtual attendance option, unless a virtual option is approved by a majority vote in open session.

E. Work Sessions

1. Work sessions are permitted to present information in preparation for regular or special meetings.
2. All work sessions are subject to Oregon's public meetings law and must be noticed accordingly.
3. Work sessions are intended to allow for preliminary discussions, and the council or committee is not permitted to take formal or final action on any matter at a work session.
4. Work sessions may be called by the presiding officer, at the request of three members of Council, by the city manager, or by the city attorney.
5. The city manager is to invite any relevant staff to work sessions so that the sessions are as productive as possible.

II. Board, Commission, and Committee Meetings

A. Shall meet according to the schedule produced by the city recorder's office each year. This will be developed in accordance with the code, resolution, law, and necessity. Committees may add additional meetings or reschedule meetings if necessary.

B. Must be properly noticed in accordance with Oregon Public Meetings Law.

C. Meetings may be canceled due to lack of quorum or lack of business by the presiding officer.

III. Location

A. Council meetings shall be held in the Denise Bacon Room in the Public Safety Building and simultaneously through Zoom or other virtual meeting platforms. Board, commission, and committee meetings will be held in various locations as appropriate, as noticed on the meeting agenda, and simultaneously through Zoom or another virtual meeting platform.

B. In the event the regular meeting room is not available for a meeting, the meeting shall occur at a venue open to the public which is located within the jurisdictional limits of the city. All meeting locations shall meet the requirements of Oregon's Public Meeting Law.

C. At the direction of the presiding officer, the meeting may also move to a fully virtual format. (For example: In the case of inclement weather.)

D. Training sessions may be held outside of the city's jurisdictional limits, provided no deliberations toward a decision are made.

E. Interjurisdictional meetings may be held outside of the city's jurisdictional limits but

should be held as close as practical to the city, and such meetings shall be located within the jurisdictional boundaries of the other government entity.

IV. Notice

A. The city recorder or designee shall provide notice of all meetings in accordance with Oregon's public meeting law.

V. Attendance

A. Members of council or committees shall advise the presiding officer and city manager/city recorder/staff liaison if they will be unable to attend any meetings.

B. Under Article VII, Section 32 of the charter, a council position becomes vacant upon declaration of the council if the member of council is absent from the city for 30 days or more without council consent, or from all meetings of the council within a 60-day period without council consent.

C. Committee members may be excused from their position if they are not present for at least 75% of meetings in a year in accordance with Title II, Chapter 2.15.005 (D.) of the Newberg Municipal Code.

D. Members may attend meetings in person or virtually by phone or video conferencing.

CHAPTER 3 – Ordinances and Resolutions

I. Ordinances

A. All ordinances considered by and voted upon by the council shall adhere to the rules outlined herein. Sections 16 and 17 of city charter provide that the council exercises its legislative authority by adoption of ordinances.

B. Except as authorized by subsection (C), adoption of an ordinance shall, before being put upon its final passage, be fully and distinctly read in open council meeting.

C. The reading may be by title only if no council member present at the meeting requests to have the ordinance read in full, provided the proposed ordinance is available in writing to the public at least one week before the meeting.

D. Any substantive amendment to a proposed ordinance must be read aloud or made available in writing to the public before the council adopts that ordinance.

E. Upon the final vote on an ordinance, the ayes and nays of the members shall be taken and entered in the record of proceedings. The concurrence of a majority of the entire membership of the council shall be required for the passage of an ordinance.

F. After adoption of an ordinance, the city recorder must endorse it with the date of adoption and the city recorder's name and title.

G. A script for the adoption of an ordinance will be followed to ensure compliance with these rules. See attachments.

H. Effective Date: An ordinance shall take effect 30 days after adoption or at a later date to be specified in the ordinance.

1. The following shall take effect immediately upon its passage:
   a. Ordinances making appropriations and the annual tax levy; and
   b. Emergency ordinances.

II. Resolutions

A. Resolutions considered by and voted upon by the council or committee shall adhere to the rules outlined here.

B. An affirmative vote of a majority of the council or committee present shall be necessary to pass a resolution.

C. When a resolution is rejected, and is not reconsidered as provided by these rules, neither the resolution, nor any other resolution which contains substantially the same provisions, shall be considered for a period of not less than three months, unless at least three members petition for early consideration. Resolutions containing substantial amendments may return for consideration within the 3 month window.

D. Reconsideration

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
2. No motion shall be made more than once.
3. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the body.

E. Effective date. A resolution shall become effective upon adoption unless otherwise stated in the resolution.

CHAPTER 4 – Land Use Hearings

I. General Conduct of Hearings

A. Any party may speak in person or through their attorney.

B. A copy of any written testimony or physical evidence which a party desires to have introduced into the record at the time of hearing shall be submitted to the city recorder at the time the party makes his or her presentation. The party must also bring 10 copies of the written testimony for the council/commission and staff.

C. If a party desires to make its testimony or evidence available as part of the meeting's agenda packet, it must be submitted to the city recorder or designated staff by noon the Friday before the meeting for council meetings, or 2 days ahead for all other meetings.[8] If the testimony or evidence is not submitted to the city recorder or designated staff by this deadline, it still may be submitted to the city recorder or designated staff at the time of the hearing and included in the record, but it shall not be included in the meeting's agenda packet.

D. No person may speak more than once without obtaining permission from the presiding officer.

E. Upon being recognized by the presiding officer, any member may question any person who testifies.

F. As directed by the presiding officer, staff may question any person who testifies.

G. Testimony shall be directed towards the applicable standards and criteria which apply to the proposal before the council.

H. To expedite hearings, the presiding officer may call for those in favor and those in opposition to rise, and the city recorder or staff liaison shall note the numbers of such persons for the record in the minutes. Persons testifying are asked to avoid repeating testimony already entered into the record and instead indicate support if they are in agreement with such testimony.

I. The presiding officer may reduce time limits for testimony equally based on the number of people signed up to speak, respectively, "in favor" or "opposed", to ensure all parties have an opportunity to speak and to ensure compliance with statutory shot clocks for land use decision making.[9]

II. Quasi-Judicial Land Use Matters

A. Scope of Review

1. All appeals of quasi-judicial land use proceedings shall be conducted pursuant to NMC 15.100.160 through 5.100.190, Appeals.

B. Conflicts of Interest, Abstention, Recusal, Ex Parte Communications

1. A member of the council or commission shall not participate in a discussion or vote in a quasi-judicial land use proceeding if:

   a. The member has an actual conflict of interest, as defined by the Oregon Revised Statutes or the city charter/rules and must recuse from participation. The disclosure and recusal must be noted in the minutes.

[8] (see Chapter 5, Section 3

[9] (See also, Part II, Quasi-Judicial Land Use Matters - Hearing Procedures)

b. The member was not present during the public hearing and must abstain from participation. However, the member may participate if they reviewed. The evidence, including recordings of the hearing, and declared such fact for the record.

c. The member has a bias, as determined by applicable law, that prevents them from considering evidence and applying applicable criteria in making an impartial decision on the application.

2. Members shall disclose all ex parte contacts regarding the proceeding at the commencement of any quasi-judicial land use proceeding. If the disclosed ex parte communication results in bias and/or a conflict of interest, the member shall recuse from participation as stated in (II)(B)(1)(a) and (c) above.

   1. "Ex parte contact" means contact from one side of an issue affecting a land use proceeding without the benefit of hearing the other point of view.

C. Burden of Proof

1. The proponent has the burden of proof on all elements of the proposal, and the proposal must be supported by proof that it conforms to all applicable standards and criteria.

2. The decision shall be based on the applicable standards and criteria as set forth in the city's municipal code, including if applicable the city's comprehensive plan and any other land use standards imposed by state law or administrative rule.

3. Proponents, any opponents, and those who are neutral on the proposal may submit written findings or statements of factual information which are intended to demonstrate the proposal complies or fails to comply with any or all applicable standards and criteria.

4. City staff may submit supplemental written findings in response to testimony and as requested by the hearing body to address questions raised during the hearing.

D. Hearing Procedures

The order of hearings in quasi-judicial land use matters shall be:

1. *Land Use Hearing Disclosure Statement*

   The city attorney, presiding officer, or their designee, shall read the land use hearing disclosure statement, which shall include:

   a. A list of the applicable criteria;

   b. A statement that testimony, arguments and evidence must be directed toward the applicable criteria or other criteria in the plan or land use

regulation which the person believes to apply to the decision;

c. A statement that failure to raise an issue accompanied by statements or evidence sufficient to afford the council or other hearing body and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue; and

d. If applicable, a statement that a failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.

2. *Call for ex-parte contacts*

a. The presiding officer shall inquire whether any member has had ex-parte contacts. Any member announcing an ex parte contact shall state for the record the nature and content of the contact.

b. "Ex parte contact" means contact from one side of an issue affecting a land use proceeding without the benefit of hearing the other point of view. Ex parte contact can also be access to evidence or information that is not available to the public or the hearing body, which may include visiting the site of a land use application.

2. *Call for recusals*

a. The presiding officer shall inquire whether any member must recuse from participating in the hearing due to a conflict of interest.

b. Actual Conflict of Interest: If a member announces an actual conflict of interest, as outlined by Oregon Revised Statutes or the city charter/rules, that member must recuse themselves and leave the hearing. The recusal is recorded in the minutes.

c. Potential Conflict of Interest: If a member has a potential conflict of interest, they can declare the potential conflict and continue participation in the matter. The declared potential conflict is recorded in the minutes.

d. Any member announcing a conflict of interest shall state the nature of the conflict, and if the conflict requires recusal, shall not participate in the proceeding unless the person's vote is necessary to meet a requirement of a minimum number of votes necessary to take official action; provided, however, that the member shall not participate in any discussion or debate on the issue of which the conflict arises.

3. *Staff summary*

a. Planning staff shall present a summary and recommendation concerning the proposal.

4. *Presentation of the Case*

a. Proponent's case. Twenty minutes total.

b. Persons in favor. Five minutes per person.

c. Persons opposed. Five minutes per person.

d. Other interested persons. Five minutes per person.

e. Rebuttal. Ten minutes total. Rebuttal may be presented by the proponent. The scope of rebuttal is limited to matters which were introduced during the hearing.

5. *Close of hearing*

a. No further information shall be received after the close of the hearing, except for specific questions directed to staff. If the response to any such questions requires the introduction of additional factual evidence, all parties shall be afforded an opportunity for simultaneous written rebuttal.

6. *Deliberations*

a. Deliberations shall immediately follow the hearing. The body may delay deliberations to a subsequent time to be specified.

7. *Findings and Order*

a. The body may approve or reject the proposal.

b. The body shall adopt findings to support its decision.

c. The body may incorporate findings proposed by the proponent, the opponent or staff in its decision.

B. Continuances

1. A party can request either a hearing continuance or an open record period as provided by Oregon Revised Statues. However, nothing in this section shall restrict the council, in its discretion, from granting additional continuances.

d. There is a 120-day time limitation for the city to make a final land use decision, imposed by the Oregon Revised Statutes, and this 120-day period is not extended unless the applicant requested the continuance or if the applicant otherwise agrees to the extension of the time limitation. [10]

III. Legislative Land Use Matters

A. Hearings Procedures

1. The order of procedures for hearings on legislative land use matters shall be:

2. *Call for abstentions*

a. Inquire whether any member wishes to abstain from participation in the

[10] *See* ORS 227.178.

hearing. Any member announcing an abstention shall identify the reason therefore and shall not participate in the proceedings. The City Recorder or designated staff shall record the abstention in the minutes.

3. *Staff summary*
   a. Staff shall present a summary of the proposal, statement of the applicable criteria, and recommendations concerning the proposal.
4. *Presentation of the Case*
   a. Staff Presentation or Proponent's case. As approved by the presiding officer.
   b. Persons in favor. Five minutes per person.
   c. Persons opposed. Five minutes per person.
   d. Other interested persons. Five minutes per person.
5. *Close of hearing*
   a. No further information shall be received after the close of the hearing, except for responses to specific questions directed to staff.
6. *Deliberations*
   a. Deliberations shall immediately follow the hearing. The body may delay deliberations to a subsequent time to be specified.
7. *Reopening Hearing*
   a. Prior to second reading of an ordinance relating to a legislative land use matter, and upon majority vote of the body, a hearing may be reopened to receive additional testimony, evidence or argument. The same notice requirements shall be met for the reopened hearing as were required for the original hearing.

CHAPTER 5 – Motions, Debate, Public Comment and Voting

I. Motions

A. The following rules shall apply to motions:

1. All motions shall be distinctly worded using plain language.
2. If a motion does not receive a second, it dies.
3. The body will discuss a motion only after the motion has been moved and seconded. Nothing in this section prevents general discussion or expression of opinions before a motion is made.
4. Any motion shall be reduced to writing if requested by a member.
5. A motion to amend can be made to a motion that is on the floor and has been seconded.
6. Amendments are voted on first, then the main motion if voted on as amended.

7. No motion shall be received when a question is under debate except for the following:
    a. To lay the matter on the table; (Put the issue on indefinite hold.)
    b. To call for the previous question; (End debate and immediately vote.)
    c. To postpone; (Delay until a specified time.)
    d. To refer; or (Send the matter to another committee or person for more information or a recommendation.)
    e. To amend. (To change the motion on the table.)
8. A motion may be withdrawn by the mover at any time without the consent of the body.
9. A member may have a motion which contains several elements divided, but the mover shall have the right to designate which element will be voted on first.
10. A call for the question is intended to close the debate on the main motion; does not require a second and is not debatable.
    a. A call for the question fails without a majority vote.
    b. Debate on the main subject resumes if the motion fails.
11. A motion that receives a tie vote fails.
12. The presiding officer shall cause the motion to be stated before the vote.
13. A motion to adjourn cannot be amended.

B. <u>Motion to Reconsider</u>

1. A motion to reconsider may only be made by a member of the prevailing side. Any member may second the motion.
2. No motion shall be made more than once.
3. The motion shall be made before the final adjournment of the meeting when the item goes out of possession of the body.

II. Debate

A. The following rules shall govern the debate of any item being discussed by the council or committee:

1. Every member desiring to speak shall address the presiding officer, and, upon recognition by the presiding officer, shall confine him/herself to the question under debate, at all times acting and speaking in a respectful manner.
2. A member, once recognized, shall not be interrupted when speaking unless it is to be called to order, or as herein otherwise provided.

III. Public Comment

A. Public Comment

1. Public comment may be received at regular council meetings, standing committee meetings, and certain ad hoc committee meetings. The public shall have the right to comment at City Council meetings on all items that require a vote by the City Council, and the City Council will accept public comment unrelated to agenda items. Because of the limited role, purpose, and authority of standing committees and ad hoc committees, and in order to promote efficiency and maintain order, standing committees will only receive public comment related to the subject of the committee or topics at that meeting, while ad hoc committees will receive public comment only to the extent it is specifically included in their directives. .
2. When an interested person addresses the council or gives oral comments, that person should state their name and indicate if they are a resident of the city.
3. Public comment is a time for comment; it is not a time for debate, nor is it a time for members of the public to ask questions of and receive answers from the council or city staff.

B. Public Comment Registration

1. Those giving public comment are required to register on the city website (by noon on the day of the meeting) or in person at the public meeting before making comments and/or providing input at the meeting.
2. Registration is due before the meeting is called to order, except in the case of public hearings. An interested person shall register separately for each subject under which they wish to provide comment.
   a. For public hearings, public comment registration will close when the public testimony portion of the hearing is closed.
   b. The public comment registration forms will be made part of the meeting records in accordance with OPML. The registration forms will contain a provision by which a person may indicate that they do not wish for their address, phone number, and email address to be released in any public records request.
   c. A form complying with this rule will be available at all meetings. The city recorder is delegated the authority to draft, revise, and produce the necessary form that complies with this rule.
3. Those desiring to give public comment over the phone or through the virtual meeting option (Zoom or other virtual meeting platforms) are required to register by noon the day of the meeting.
   a. Should the meeting take place before 3pm, registration will be required by noon the day before the meeting, should this registration deadline fall on a weekend, registration will be due the Friday prior to the meeting. No Zoom

or other virtual meeting platforms or phone comments will be received without prior registration.

C. Non-Agenda Items and Consent Calendar

1. Persons speaking to the council from the floor concerning items not on the agenda or items that are on the consent calendar will speak under general public comments. Those people will be given the opportunity to speak for no more than five 5 minutes. Speakers may share their time at the discretion of the mayor.

2. The maximum time allowed for public comments, including all speakers, is thirty 30 minutes. The mayor has the discretion to extend these time limits. Speakers may address the council for less than their allotted time.

D. Agenda Item other than Consent Calendar

1. Except as required by state statute, the following procedure will apply to comments on agenda items, other than those on the consent calendar. People will be given the opportunity to speak no more than five (5) minutes following the introduction of the item. Speakers may share their time at the discretion of the mayor. The mayor has the discretion to extend these time limits. Speakers may address the council for less than their allotted time.

E. Written Materials

1. Comments including any attachments (written comment, images, etc.), can be emailed to the City Recorder or dropped off at City Hall by 12:00 p.m. (noon) the Friday before the meeting. Materials more than 10 pages long should be submitted as early as possible to ensure sufficient time for council review. Written comment must be accompanied by a public comment registration form.

2. If written comment cannot be provided prior to the deadline, members of the public are to bring 10 printed copies of the item to the meeting and provide one copy to the City Recorder or staff member taking public comment registrations.

3. Written comments will not be read into the record.

F. Electronic Materials

1. Speakers may submit electronic audio or visual material to be played during the time permitted for their comment.

2. Speakers must provide the materials in a format compatible with city software to the City Recorder on the Friday prior to the council meeting by 12:00 p.m. so that it may be installed on the city's equipment to avoid delays or disruption of the meeting. All items will be virus screened and will not be used should a threat be detected.

G. Multiple Speakers

1. Should there be more speakers than can be heard during the 30 minutes allowed for public comment, the presiding officer may reduce the time allotted to each speaker or may extend the comment period.

H. Council or Member Inquiries

1. Councilors or committee members may, upon recognition by the presiding officer, ask questions of speakers during public comment. Members shall use restraint when exercising this option and shall limit questions to no more than three minutes. The presiding officer may intervene if a member is violating the spirit of this guideline.

IV. Voting

The following rules shall apply to voting on matters before the council. The express approval of a majority of a quorum of the council is necessary for any council decision, except as otherwise set forth in these rules or when the charter requires approval by a majority of the council. For standing committees, the express approval of a majority of the quorum is necessary for any decision.

A. Consent Agenda

A majority of quorum present is required to approve the matters on a consent agenda.

B. Resolutions

A majority of quorum present shall be required to pass a resolution.

C. An Ordinance

A majority of all council members is required to pass an ordinance.

D. Emergency Ordinance

An emergency ordinance shall require the majority of quorum present.

E. Budget

The budget shall require majority of quorum present to pass.

F. Suspension of Rules

A majority of quorum present shall be required to suspend or rescind a rule contained in these rules of procedure, however, rules which also appear in the city's charter shall not be suspended or rescinded.

G. All votes shall be recorded in the minutes and may not be by secret ballot.

H. Ties

Tie votes shall indicate a denial of the proposal. If the tie is a matter that has

been appealed from a lower city body or commission, a tie shall render the lower body's decision approved.

CHAPTER 6 – Minutes

I. Generally

A. All minutes shall be in written form, in addition, an electronic copy of the meeting recording will be maintained by the city recorder in accordance with the appropriate record retention schedule.

B. The minutes shall be action minutes and contain the following information:

1. The date, time and place of the meeting;
2. The members present and absent;
3. The motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
4. The results of all votes and the vote of each member by name; and
5. The substance of any discussion.

CHAPTER 7 – Appointments

I. Appointments of City Staff

A. The council appoints and can remove those positions identified in the city's charter. This includes City Attorney and Municipal Judge.

B. Appointments and Removals

All appointments and removals require a majority vote of the entire council.

C. Interference

If the council appoints a municipal judge, the council may meet with the judge, but in no instance shall the council be permitted to interfere with the judge's exercise of judicial authority or discretion.

II. Appointments of Members to Boards, Commissions and Committees

A. Unless otherwise mandated by applicable law, the mayor shall appoint the members of any standing board, commission, or committee with the consent of the council in accordance with the code, resolution, or law that governs them.

1. Standing boards, commissions or committees are those established by the municipal code, resolution, or state law, intended to be permanent or long-term, to fulfill an ongoing need of the city. (ex. Budget Committee, Historic Preservation Commission, Planning Commission)

B. Ad-Hoc Committees

1. The mayor may form ad-hoc committees to deal with specific tasks within specific timeframes and make recommendations to the council. Ad-hoc committees are intended to be temporary.
2. The mayor will establish the membership criteria for the ad-hoc committees. Residency does not have to be a required criterion. The mayor will appoint members of the ad-hoc committees, subject to council ratification.
3. The mayor may remove any member of the ad-hoc committee at any time. Members of the committee will be removed if the member fails to attend two 2 consecutive meetings of the committee without being excused prior to the meeting.
4. The mayor has the authority to grant an excused absence, and in the mayor's absence, the committee chair has the authority.
5. The mayor will designate the chairperson and the vice chair. Members will continue to serve until their mission is accomplished, replacement or reappointment.
6. Each member of the ad-hoc committee will have an equal vote on the committee. The reports of the ad-hoc committee will have only the authority of recommendations to the council.
7. The meeting time and place of the committee will be decided by the chair with the consent of the committee. The meeting time and place may be changed provided there is adequate notice. The chair will have the authority to cancel any meeting of the committee for lack of business or necessity to meet.
8. A majority of the committee may request a meeting. All meetings are public meetings and will be conducted in accordance with the OPML.
9. The city manager will have the responsibility to furnish the necessary staff support for each ad-hoc committee.
10. The committee will not have the authority to assign specific tasks to any staff person of the city but will work through the city manager.

C. Removals

Except as otherwise required by applicable law, all appointed board, committee, or commission persons may be removed by the mayor with the consent of council.

CHAPTER 8 – Ethics, Decorum, Outside Statements

I. Ethics

A. All members of the council and committees shall review and observe the requirements of state ethics law. In addition to complying with state ethics law, all members of the council shall refrain from:

1. Disclosing confidential information.
2. Taking action which benefits special interest groups or persons at the expense of the city as a whole.
3. Expressing an opinion contrary to the official position of the council or committee without so saying.
4. Conducting themselves in a manner so as to bring discredit upon the government of the city.

II. Decorum

A. The presiding officer shall preserve decorum during meetings and shall decide all points of order, subject to appeal of the council or committee.

B. Members shall preserve decorum during meetings, and shall not, by conversation or action, delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or these rules.

C. Members of the city staff and all other persons attending meetings shall observe the council's rules of proceedings and adhere to the same standards of decorum as members.

III. Statements to the Media and Other Organizations

A. Representing the City

If a member of the council or committee, including the mayor, appears as a representative of the city before another governmental agency, the media (including social media) or an organization to give a statement on an issue, the member may only state the official position of the city, as approved by a majority of the council or committee.

B. Personal Opinions

If a member of the council or committee, including the mayor, appears in their personal capacity before another governmental agency, the media (including social media) or an organization to give a statement on an issue, the member must state they are expressing their own opinion and not that of the city before giving their statement.

C. Suggested Language

Councilors and committee members are encouraged to use statements such as “This is my personal opinion and not the official opinion of the Newberg City Council (or relevant body).”

CHAPTER 9 – Interactions with Staff & City Attorney

I. Staff

A. All members of the council and committees shall respect the separation between their role and the city’s manager’s responsibility by:

1. Not interfering with the day-to-day administration of city business, which is the responsibility of the city manager.
2. Refraining from actions that would undermine the authority of the city manager or a department head.
3. Refraining from contacting the City Manager or Department Heads from 6pm Friday- 6am Monday, except in the case of an emergency.
4. Limiting individual inquiries and requests for information from staff to those questions that may be answered readily as part of staff’s day-to-day responsibilities. Questions of a more complex nature shall be directed to the city manager.
   a. Questions from individual members of the council requiring significant time or resources (2 hours or more) shall require the approval of the council.
   b. Members of the council shall share any information obtained from staff with the entire council.
   c. This section is not intended to apply to questions by members of the council acting in their individual capacity. Inquiries of a personal nature (i.e. utility billing issues, personal permits) shall be handled through the avenues available to all citizens.
   d. This section is not intended to apply to questions regarding conflict of interest or similar issues particular to a member of the council.

II. City Attorney

A. Council members may make requests to the City Attorney for information and advice in relation to council business.

1. Council members should understand that the City Attorney must prioritize the city’s legal issues and may not be able to respond immediately to Council requests.
2. Requests for legal advice that require greater than two hours of attorney time

will require the concurrence of the majority of the Council.

CHAPTER 10 – Censure

I. Rules Violations

A. The council may enforce these rules and ensure compliance with city ordinances, charter, and state laws applicable to governing bodies.

B. If a member of council violates these rules, city ordinances, the city charter, or state laws applicable to governing bodies, the council may take action to protect the integrity of the council and discipline the member via:

1. Public reprimand;
2. Removal from committee assignments; and/or
3. The removal from the position of council president.

II. Investigating Violations

A. The council may investigate the actions of any member of council and meet in executive session under ORS 192.660(2)(b) in order to discuss any finding that reasonable grounds exist that a violation of these rules, local ordinance, the city charter, or state laws applicable to governing bodies has occurred.

B. Sufficient notice must be given to the affected member to afford them the opportunity to request an open hearing under ORS 192.660(2)(b).

CHAPTER 11 – Amendment and Repeal

I. Amendment

A. These rules of procedure are subject to amendment by the council in accordance with the rules noted herein.

B. Any proposed amendment to these rules shall be noted on an agenda for a regular meeting, wherein the same shall be discussed and open for comment by the public.

C. All amendments to these rules require a majority vote.

D. Amended rules shall not go into effect until the meeting after the rule is approved.

II. Repeal

A. These rules of procedure are subject to repeal and replacement by the council in accordance with the rules noted herein.

B. Any proposed repeal of these rules shall be accompanied by a proposed replacement.

C. Any proposed repeal and replacement of these rules shall be done by resolution, noted on an agenda for a regular meeting, wherein the same shall be discussed, and open for comment by the public.

D. Any repeal and replacement of these rules requires a majority of the full council vote.

E. Any repeal and replacement of these rules shall not go into effect until 30 days after the replacement rule was approved unless otherwise noted in the resolution.

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► LEGISLATIVE HEARING ◄◂

1. CALL TO ORDER

	Script
Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	**Presiding Officer:** This hearing is to consider [topic of hearing]. At this time, I will open the public hearing. Citizens will be able to testify on this issue by first submitting a public comment registration at the back table should they wish to speak.

2. DECLARATION OF CONFLICTS OF INTEREST OR ABSTENTIONS

	Script
	Presiding Officer: Do any members of this [council, board, committee, or commission] need to declare a conflict of interest, abstention, or ex-parte contact? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

	Script
The presiding officer announces time limits **Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.**	**Presiding Officer:** I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close.

6. RECOMMENDATIONS FROM STAFF

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

7. COUNCIL DELIBERATION

Councilors should seek acknowledgement and then speak on the issue	Script
	Presiding Officer: Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

8. ORDINANCE DECISIONS

Ordinances - Action usually requires passage of an ordinance; the relevant motions are listed in the Ordinance Action Guide.

ORDINACE ACTION GUIDE

First action: Waive the second reading.	
If this is the first meeting in which this ordinance is considered, council should waive the second reading through the following motion.	**Script** **Presiding Officer:** I move to waive the second reading of Ordinance [####].

Second action can be one of 4 steps:	
1. Motion for Approval	**Script** **Presiding Officer:** I move to approve Ordinance [####], [Title]
2. Motion to Read in Full	**Script** **Presiding Officer:** I move to approve Ordinance [####], [Title] and ask that it be read in full.
3. Motion to Approve Amended Ordinance Amended ordinance must be read in full if approved in the same meeting as amendments are made.	**Script** **Presiding Officer:** I move to approve Ordinance [####], [Title] with amendments and ask that amendments be read in full.
4. Motion to Table the Ordinance Motion:	**Script** **Presiding Officer:** I move to table this ordinance to be considered at our next meeting.

Third Action: Roll Call Vote
Script
Presiding Officer: A motion has been made to (repeat the motion). **Presiding Officer to the city recorder or meeting clerk:** Please take a roll call vote. (The city recorder or meeting clerk calls the roll and announces the number of ayes and nos.) **Presiding officer:** The motion [passes **or** passes unanimously **or** fails]

Majority of Entire Membership	
Ordinances require majority of the entire membership for passage, this means a majority of all of the councilors, <u>not of the quorum present.</u>	
7 members	4 votes required for passage
6 members	4 votes required for passage
5 members	3 votes required for passage
4 members	3 votes required for passage

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► ADMINISTRATIVE HEARING ◄

1. CALL TO ORDER

	Script
Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	**Presiding Officer:** This hearing is to consider [topic of hearing]. At this time, I will open the public hearing. Citizens will be able to testify on this issue by first submitting a public comment registration at the back table should they wish to speak.

2. DECLARATION OF CONFLICTS OF INTEREST OR ABSTENTIONS

	Script
	Presiding Officer: Do any members of this [council, board, committee, or commission] need to declare a conflict of interest, abstention, or ex-parte contact? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

	Script
The presiding officer announces time limits **Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.**	**Presiding Officer:** I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close.

6. RECOMMENDATIONS FROM STAFF

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

7. COUNCIL DELIBERATION

	Script
Councilors should seek acknowledgement and then speak on the issue.	**Presiding Officer:** Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

8. DECISIONS

Resolutions - Action usually requires passage of a resolution; the relevant motion should be:

	Script
Vote: voice vote is permitted	**Motion:** I make a motion to approve Resolution [####], [Title]. **Presiding Officer:** A motion has been made to (repeat motion). Is there any further discussion? (Pause for discussion.) I'll now take a vote on the motion to (repeat motion). All those in favor please say aye. (Pause) Those opposed please say no. (Pause) The motion [passes unanimously **or** passes **or** fails.]

Majority of Quorum	
Resolutions require majority of the quorum for passage.	
7 members present	4 votes required for passage
6 members present	4 votes required for passage
5 members present	3 votes required for passage
4 members present	3 votes required for passage

OUTLINE FOR PUBLIC HEARINGS

Newberg City Council

► QUASI-JUDICIAL LAND-USE & NON-LAND-USE ◄

1. CALL TO ORDER

	Script
Open the public hearing, announce the purpose, discuss testimony, procedure, and time allotments	**Presiding Officer:** This hearing is to consider (topic of hearing). At this time, I will open the public hearing. Citizens will be able to testify on this issue and should submit a public comment registration at the back table should they wish to speak.

2. CALL FOR ABSTENTIONS, BIAS, EX-PARTE CONTACT, AND OBJECTIONS TO JURISDICTION

	Script
City Attorney Legal Announcements: Read "quasi-judicial announcements" sheet	**Presiding Officer:** Do any members of this [council board, committee or commission] need to declare a conflict of interest, abstention, or ex-parte contact or an objection to the jurisdiction? (If yes, a member should be acknowledged by the presiding officer and state their declaration.)

3. STAFF REPORTS

	Script
	Presiding Officer: Now we will hear a report from our staff on this item.

4. PUBLIC TESTIMONY

	Script
The presiding officer announces time limits **Generally, five minutes is allowed for each individual. The presiding officer can make changes to this should there be a large number of testimonies.**	**Presiding Officer:** I will now open public testimony. Written testimony has been entered into the record and provided to members of the council and staff. We will hear from those in favor first, then opponents, and finally those who are undecided. At the end the principal proponent will have a chance to offer a rebuttal. Each person will be given 5 minutes to speak. I will call you to the table to speak. Please first turn on the microphone and state your name.

5. QUESTIONS OF PROPONENTS AND OPPONENTS FROM THE FLOOR OR THE CITY COUNCIL DIRECTED THROUGH THE CHAIR

	Script
	Presiding Officer: Do any members of the council have questions for those who have given testimony?

6. PUBLIC AGENCY LETTERS OR COMMENTS

	Script
	Presiding Officer: Now we will receive testimony from any public agencies. Written testimony has been entered into the record and provided to members of the Council and staff.

7. CLOSE OF PUBLIC TESTIMONY

	Script
	Presiding Officer: Public testimony is called to a close. **City Attorney Legal Announcements**

8. FINAL COMMENTS FROM STAFF AND RECOMMENDATION

	Script
	Presiding Officer: Could we please hear the recommendation from staff on this issue?

9. DELIBERATION OF COMMISSION INCLUDING DISCUSSION OF CRITERIA WITH FINDINGS OF FACT

	Script
Councilors should seek acknowledgement and then speak on the issue.	**Presiding Officer:** Now I'll open the floor for council deliberation. Would anyone like to speak on this matter?

10. ACTION BY THE COUNCIL

Orders - Action usually requires passage of an order; the relevant motion should be:

	Script
Vote: voice vote is permitted	**Motion:** I make a motion to approve Order [####], [Title]. **Presiding officer:** A motion has been made to (repeat motion). Is there any further discussion? (Pause for discussion.) I'll now take a vote on the motion to (repeat motion). All those in favor please say aye. (Pause) Those opposed please say no **Presiding officer:** The motions [passes **or** passes unanimously **or** fails]
Majority of Quorum	
Orders require majority of the quorum for passage.	
7 members present	4 votes required for passage
6 members present	4 votes required for passage
5 members present	3 votes required for passage
4 members present	3 votes required for passage

REQUEST FOR COUNCIL ACTION

Date Action Requested: March 2, 2026

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐ No. 2026-4016	
Subject: Resolution to award construction contract for HB2001 Waterline Improvements I-4 Alignment 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 2026-4014

Executive Summary: This resolution will be to authorize contract for the construction of HB2001 Waterline Improvements I-4 Alignment project. This project includes 854 linear feet of 12-inch water main and connections to existing water main and branches, installation of fire hydrant assemblies, re-connection of services. This is part of the larger HB2001 Waterline Improvements project Resolution 2022-3866. This phase has been broken out from the main project to keep ahead of the upcoming Pavement Maintenance project scheduled for this summer. The project upsizes water main on S. Meridian St from 5th Street to 7th Street to address high pipe velocities. The high velocities are related to providing adequate fire flows for higher density Middle Housing options. Bids ranged from $407,000.00 to $565,500.00. Project shall be completed by June 30, 2026.

On February 10, 2026, the City received and opened five (5) qualified bids as follows:

1. Pacific North Construction, LLC $ 407,000.00
2. Turney Excavating, Inc $ 426,391.90
3. Dirt & Aggregate Interchange, Inc $ 467,254.70
4. Wurdinger Excavating $ 505,981.93
5. The Saunders Co $ 565,496.80

Bid analysis indicated that Pacific North Construction LLC bid is the lowest and responsive to the City's bid request. Construction is planned to begin this spring with completion in June 2026.

Fiscal Impact: Funding for this project is part of the main HB2001 Waterline Program

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 adequate fire flows for future Middle Housing projects.

RESOLUTION NO. 2026-4016

A Resolution to award construction contract for HB2001 Waterline Improvements I-4 Alignment project

Recitals:

1. The current waterline on S Meridian between Fifth and Seventh Streets is undersized to provide adequate fire flows for higher density housing. The project upsizes water main on S. Meridian St from 5th Street to 7th Street to address high pipe velocities. The high velocities are related to providing adequate fire flows for higher density Middle Housing options.
2. On January 27, 2026, staff advertised the project for bid. The Engineer's estimate was $400,000.
3. On February 10, 2026, the City received and opened five (5) qualified bids:
   a. Pacific North Construction, LLC $ 407,000.00
   b. Turney Excavating, Inc $ 426,391.90
   c. Dirt & Aggregate Interchange, Inc $ 467,254.70
   d. Wurdinger Excavating $ 505,981.93
   e. The Saunders Co $ 565,496.80
4. All the above qualified bids included a 10% contingence. The City intends to award the bid to the lowest responsive bidder, Pacific North Construction, LLC for a grand total bid amount of $407,000.00, which was slightly more than the Engineer's estimate.
5. Construction is planned to begin in the spring of 2026 with final completion no later than June 30, 2026.

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 Pacific North Construction, LLC for the HB2001 Waterline Improvements I-4 Alignment Project in the amount of $407,000.00. which includes a 10% contingency that would require City managers' authority prior to its use.
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: March 3, 2026.
Adopted by the City Council of Newberg, Oregon, this 2 day of March, 2025.

_____
Rachel Thomas, City Recorder

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

_____
Bill Rosacker, Mayor

CAPITAL IMPROVEMENT PROJECT AGREEMENT

HB2001 Waterline Improvements Alignment I-4

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

PACIFIC NORTH CONSTRUCTION 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:

HB2001 Waterline Improvements Alignment I-4

(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:

FOUR HUNDRED SEVEN THOUSAND DOLLARS

(The basic contract price in words)

(and figures) $ 407,000 00 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 May 31, 2026, with Final Completion no later than June 30, 2026.

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: 0%.

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. Attachments 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 February 10, 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: PACIFIC NORTH CONSTRUCTION
P.O. BOX 5157
SALEM OR 97304

CONTRACTOR DATA, CERTIFICATION, AND SIGNATURE:

Name (please print): DAVE OLSON Title: PRESIDENT

Company Name: PACIFIC NORTH CONSTRUCTION

Address: P.O. BOX 5157, SALEM OR 97304

Social Security #: _____ CCB#: 250674

Federal Tax ID #: 90-0891568 State Tax ID #: _____

Citizenship: Nonresident alien _____Yes _____No

Business Designation (check one): _____Individual _____Sole Proprietorship

_____Corporation X Limited Liability Company

_____Partnership _____Joint Venture

The above information must be provided prior to contract approval. Payment information will be reported to the Internal Revenue Service (IRS) under the name and taxpayer ID number provided above. (See IRS 1099 for additional instructions regarding taxpayer ID numbers.) Information not matching IRS records could subject you to thirty-one percent (31%) backup withholding.

I, the undersigned, understand that documents referred to above are an integral part of this Contract and agree to perform the Work described in accordance with the terms and conditions of the Contract.

Signed by Contractor: _____ 2/19/2026

Signature Date

DAVE OLSON

Print Name

NOTICE TO CONTRACTOR: This Contract does not bind the City of Newberg unless and until it has been approved by the City Attorney or Designee and executed by the City Manager or Designee.

CITY OF NEWBERG SIGNATURE

Reviewed: _____ _____

Project Manager Date

Reviewed: _____ _____

City Engineer Date

Approved: _____ _____

City Manager or Designee Date

ATTACHMENT 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 DAVE OLSON	Title PRESIDENT	Date 2/19/26

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

REQUEST FOR COUNCIL ACTION

Date Action Requested: March 2, 2026

Order ☐ Ordinance ☐ Resolution ☒ Motion ☐ Information ☐ Proclamation ☐ No. 2026-4018	
Subject: **Resolution adopting new monthly water, wastewater, stormwater, and transportation utility fee ratees for City of Newberg effective January 1, 2027 and January 1, 2028.**	Staff: **Kady Strode** Department: **Finance**
Business Session	Order On Agenda:
Hearing Type: Administrative Public Hearing	

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 2026-4018.

Executive Summary: The Rate Review Committee (RRC) was formed by the City Council in 1992 to review and recommend utility rates (water, wastewater, and stormwater) to the City Council for approval and implementation. In 2017, the RRC was tasked with reviewing the transportation utility fee (TUF) program on a biennial basis and recommending any modifications to the TUF levels to the City Council (Ord 2016-2811), as part of the rate review process.

For the most recent rate review, the RRC met nine (9) times between August 2023 and February 2024 to review water, wastewater, stormwater, and TUF rates, and historical and projected financial performance for each utility system.

Specifically, the RRC reviewed the following:

- Capital Improvement Plans for the water, wastewater, stormwater, and transportation systems for the next five years.
- System operation budgets
- Historical and projected revenue under existing rates and changes
- Customer classes and service characteristics (e.g. peak water demands and wastewater strengths)
- Fund reserves for each system
- Rate structures (i.e. fixed and volume rate components)

The RRC deliberations focused on the need to fund near-term critical infrastructure investments, provide for ongoing system operation and maintenance, and to maintain fund reserves sufficient to protect the financial integrity of the systems, and to smooth future rate increases as annual capital improvement

expenditures fluctuate. The recommendations of the RRC include moderate increases in the overall rate levels for each system to meet:

- Short-term capital investments to enhance system reliability, safety, and efficiency, and to address regulatory requirements.
- Operations and maintenance costs increases, reflecting general price inflation and external service cost increases (e.g., electricity and chemical costs)
- On-going repair and replacement of aging infrastructure
- Existing debt service requirement (water and wastewater only)

The proposed rates are to cover the time period from January 1, 2027, through December 31, 2028. It is important to exercise clarity when discussing rate increases. When discussing rate increases, the percentage commonly discussed refers to the increase in overall projected system revenue rather than the increase in specific individual rates or individual customer bills. Thus, the rates reflected in the resolution as expected to generate overall annual revenue increases in each of the 2 years of: 5.0% water, 4.1% wastewater, 4.5% stormwater, and 4.0% for TUF. The actual changes to the individual fixed and volume charges will differ by customer class and meter size. Further, the individual customer monthly bill will increase a different amount based on class and usage. Sample calculations will be included in the meeting presentation.

Fiscal Impact: The recommended changes to the rates are anticipated to generate $8.61 million in revenues in FY 2026-2027 and $9.01 million in FY 2027-2028 in the Water Fund; $11.67 million in revenues in FY 2026-2027 and $12.15 million in FY 2027-2028 in the Wastewater Fund; $3.14 million in revenues in FY 2026-2027 and $3.28 million in FY 2027-2028 in the Stormwater Fund; and $1.67 million in revenues in FY 2026-2027 and $1.73 million in FY 2027-2028 in TUF revenue in the Street Fund. These amounts are sufficient to cover the cost of current operation and maintenance, provide for the necessary capital projects (with the exception of the upcoming new water treatment plant replacement), and meet cash flow and debt covenant requirements in their respective funds.

Council Goals: This aligns with Council Goal 5 to implement a careful and prudent fiscal policy as it is important to keep city infrastructure maintained appropriately.

RESOLUTION NO. 2026-4018

A Resolution adopting new monthly water, wastewater, stormwater, and transportation utility fee rates for the City of Newberg effective January 1, 2027 and January 1, 2028.

Recitals:

1. Newberg Municipal Code Chapter 13.10 governs the City of Newberg utility systems and the adoption of the utility rates, fees, and charges.

2. The Rate Review Committee (RRC) met between January 2026 and February 2026 to review the utility system rates and system attributes, including the Capital Improvement Program and the system operating and maintenance costs.

3. The RRC held a public hearing on the proposed monthly charges on February 24, 2026 and approved their final rate change and recommendations to City Council at that same meeting. Notice of the meeting was published in the February 19, 2026, Newberg Graphic and posted on the City's website as well as the exterior City buildings in both English and Spanish.

4. The RRC recommends changes to the monthly water, wastewater, stormwater, and transportation utility fee charges based on their analysis of current and future anticipated utility needs.

5. Notice of the recommended rates and public hearing was published in the March 5, 2026, Newberg Graphic and posted on the City's website as well as the exterior City buildings.

The City of Newberg Resolves as Follows:

Effective on the respective dates outlined in Exhibit A, the monthly utility service charges shall consist of charges as show on the attached Exhibit A, which is hereby attached and by this reference incorporated.

2. Rates for any other utility use, not explicitly provided for in this resolution, shall be established by the City Manager to conform as close as practical to the charges established herein. Such charges shall be reviewed by the City Council.

Effective Date of this resolution is the day after the adoption date, which is: March 3, 2026.
Adopted by the City Council of Newberg, Oregon, this 2nd day of March 2026.

_____
Rachel Thomas, City Recorder

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

_____
Bill Rosacker, Mayor

City of Newberg
RES 2026-4018
Exhibit A

Wastewater Rates

Rate Component/Customer Class	Current Jan 2026	Proposed Jan 2027	Proposed Jan 2028
Service Charge ($/Month)			
Total Service Charge ($/Account)[1]	$33.63	$35.01	$36.44
Infiltration & Inflow ($/additional Multifamily Dwelling Unit)	$26.41	$27.49	$28.62
Volume Charge ($/ccf)			
Single Family	$10.95	$11.39	$11.86
Multifamily	$10.95	$11.39	$11.86
Commercial - 1	$10.95	$11.39	$11.86
Commercial - 2	$13.87	$14.44	$15.03
Commercial - 3	$22.54	$23.46	$24.42
Industrial	$13.87	$14.44	$15.03
Outside City	$10.95	$11.39	$11.86

[1]Includes billing charge and Infiltration & Inflow charge.

Water Rates

Customer Class	Current Jan 2026	Proposed Jan 2027	Proposed Jan 2028
Billing Charge ($/Account)	$3.98	$4.18	$4.39
Potable Meter Charge ($/Month)			
3/4"	$22.22	$23.33	$24.50
1"	$37.77	$39.66	$41.64
1-1/4"	$55.55	$58.33	$61.24
1-1/2"	$73.33	$77.00	$80.85
2"	$117.77	$123.66	$129.84
3"	$222.20	$233.31	$244.98
4"	$371.07	$389.62	$409.10
6"	$739.93	$776.93	$815.77
8"	$1,184.33	$1,243.55	$1,305.72
10"	$1,850.93	$1,943.48	$2,040.65
Non-Potable Meter Charge ($/Month)			
3/4"	$4.05	$4.25	$4.47
1"	$6.88	$7.23	$7.59
1-1/4"	$10.12	$10.63	$11.16
1-1/2"	$13.36	$14.04	$14.74
2"	$21.46	$22.54	$23.67
3"	$40.49	$42.53	$44.65
4"	$68.59	$71.02	$74.57
6"	$134.83	$141.62	$148.70
8"	$215.81	$226.68	$238.01

Volume Charge ($/ccf)			
S-F Residential	$4.86	$5.10	$5.36
Multifamily	$4.10	$4.31	$4.52
Commercial	$5.02	$5.27	$5.53
Industrial	$5.99	$6.29	$6.60
Irrigation	$9.30	$9.76	$10.25
Outside City	$7.29	$7.65	$8.04
Public Agency	$5.59	$5.86	$6.16
Non-Potable	$3.25	$3.41	$3.59

Stormwater Rates

Customer Class	Current Jan 2026	Proposed Jan 2027	Proposed Jan 2028
Service Charge ($/Month)			
Single Family Residential	$19.06	$19.92	$20.81
Nonresidential ($/EDU)	$19.06	$19.92	$20.81

EDU = 2,877 sq. ft. impervious area

Transportation Utility Fees

Rate Code	Description	Current Jan 2026	Proposed Jan 2027	Proposed Jan 2028	Units Measured
			4.0%	4.0%	-
001	Class 1 Non-Residential	$ 5.12	$ 5.32	$ 5.53	KSF
002	Class 2 Non-Residential	20.16	20.97	21.80	KSF
003	Class 3 Non-Residential	29.36	30.53	31.75	KSF
004	Class 4 Non-Residential	46.01	47.85	49.77	KSF
005	Class 5 Non-Residential	133.61	138.95	144.51	KSF
008	Non-Residential Minimum	6.86	7.14	7.42	1
210	Sf Detached Housing	6.86	7.14	7.42	DU
220	Multi-Family	4.63	4.82	5.01	DU
240	Mobile Home	3.59	3.73	3.88	DU
	Senior Adult Housing Attached	2.81	2.92	3.04	DU
253	Congregate Care	1.54	1.60	1.67	DU
254	Assisted Living	2.02	2.10	2.19	Beds
255	Cont. Care Retirement	1.83	1.90	1.98	Units
310	Hotel	6.22	6.46	6.72	Rooms
320	Motel	4.29	4.46	4.64	Rooms
411	City Park	1.18	1.39	1.44	Acre
430	Golf Course	27.19	28.27	29.40	Hole
520	Elementary School	0.50	0.51	0.54	Student
	Middle School	0.62	0.65	0.67	Student
	High School	0.66	0.68	0.71	Student
536	Private School (K-12)	1.88	1.96	2.04	Student
540	Junior/Community College	0.94	0.97	1.01	Student
550	University/College	1.31	1.36	1.41	Student
941	Quick Lubrication Veh Shop	17.70	18.41	19.14	Service Positions
944	Gas/Srvc Station	74.39	77.37	80.46	Fueling Positions
945	Gas/Srvc Station W/ Conv. Market	54.51	56.69	58.96	Fueling Positions
	Food Carts	65.54	68.16	70.89	Per Cart

RATE REVIEW RECOMMENDATIONS

City Council Meeting
March 2, 2026

Rate Review Process

- Occurs every 2 years.
- Group of Newberg citizens met 4 times over 2- month period.
  - Review capital improvement projects and funding sources
  - Evaluate sufficiency of rates to meet system financial needs.

Water

Sewer

Stormwater

Street Preservation

Prior Rate Review Recommendations

2026	System	Units	Avg Bill
5.0%	Water	7.0	$60.22
3.5%	Sewer	5.0	$88.36
6.5%	Storm	1	$19.05
4.0%	TUF	1	$6.87
	Public Safety	1	$4.58
	Com Officer	1	$2.78
	Total		**$181.86**

- Typical residential 2026 bill total increase: 4.3% ($7.00-$7.50)/month
- Key Factors:
  - High inflation
  - Water plant replacement
  - Capital catch-up (storm and TUF)

Key Financial Factors

Moderate cost inflation (construction inflation generally outpaces consumer price index)

Moderate customer growth

State mandated investment (e.g., fire flow upgrades, wastewater treatment plant improvements, infiltration & inflow reduction)

Water plant replacement (within 10-year plan)

Debt reduction (water, sewer, communication officer)

Internal borrowing and utilization of existing cash reserves

Sewer System Challenges

2027 & 2028 Rate Increase Recommendation: 4.1%

Large Near-Term Investments (Regulatory & Growth)

- $32 million treatment plant improvement (oxidation ditch)
- Infiltration & inflow reduction

Recommendations:

- Utilize existing cash reserves (operating and system development charges) to mitigate rate increase
- Internal loan from water fund ($6M)

Water System Challenges

2027 & 2028 Rate Increase Recommendation: 5.0%

Regulatory & Growth Driven Improvements

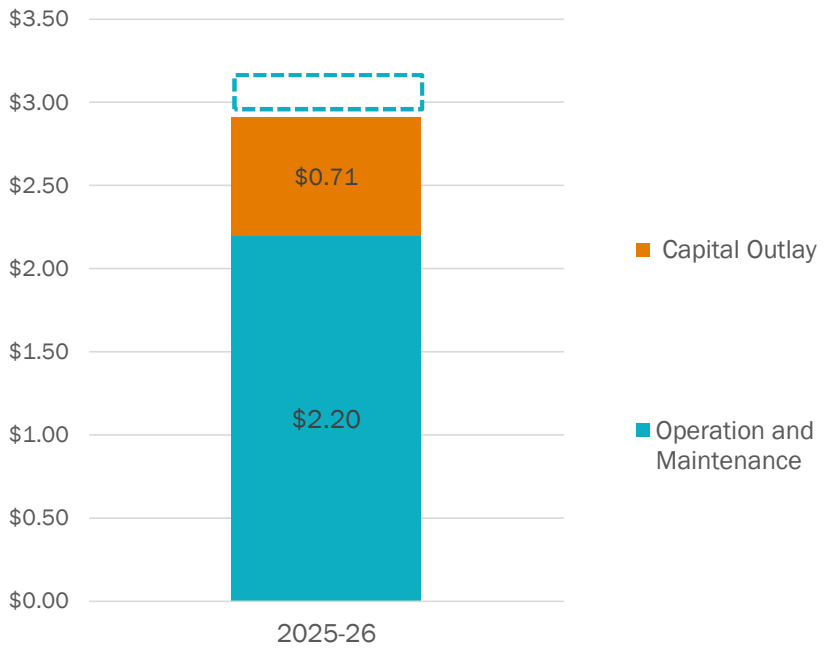
- 1-3 years: HB2001 pipe upsizing ($6.6 million)
- 8-10 years: new water plant ($45 million estimated)

Recommendations:

- Cash fund near term improvements (rates and SDCs)
- Water plant: property tax supported bond (approximately $32 M), other agency funding ($5 M), supplemented by rates and SDCs

Stormwater Challenges

2027 & 2028 Rate Increase Recommendation: 4.5%



Near-Term Funding Needs ($2.5 m)

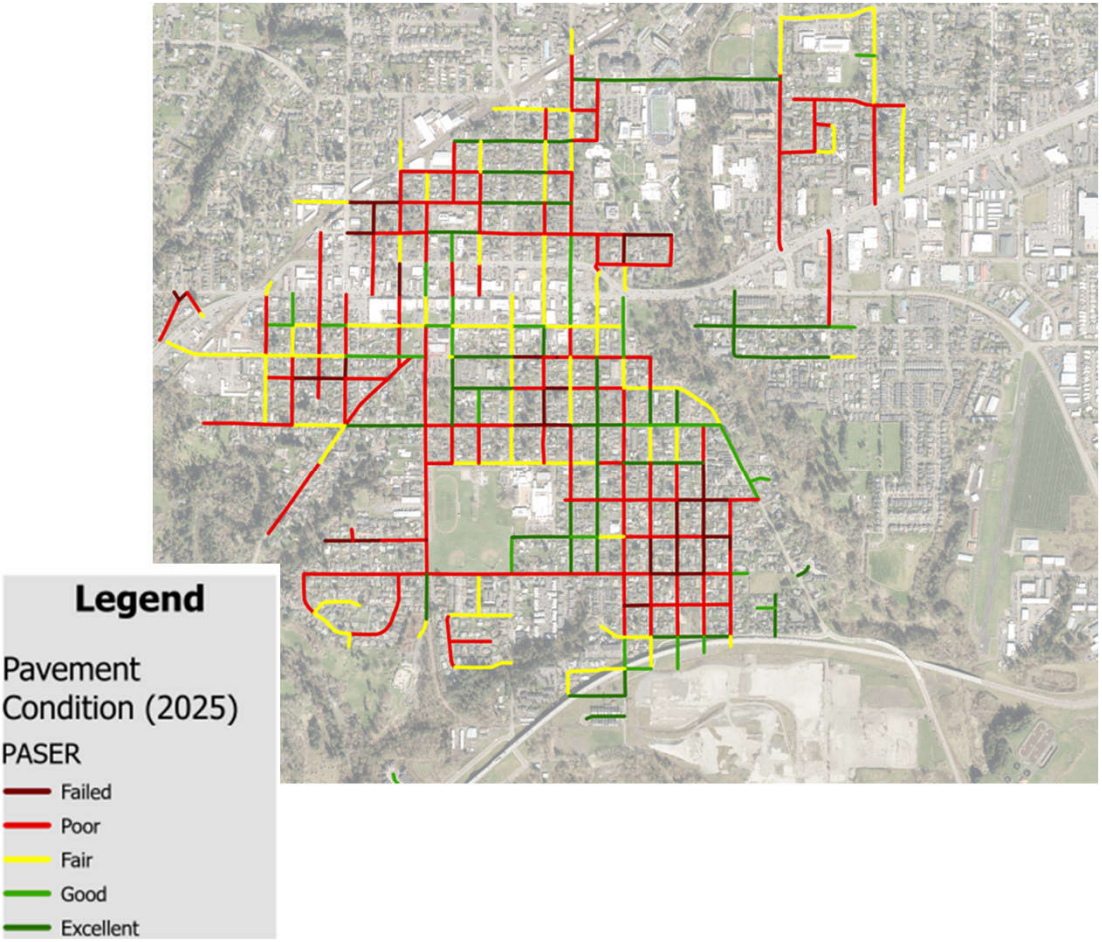
- Pipe replacement
- Flooding/Upgrade: West Franklin, Springbrook Rd improvements

Recommendations

- Utilize a portion of existing cash reserves to moderate rate increases
- Rate increases to address inflation and grow capital funding capacity

Steet Maintenance Challenges

2027 & 2028 Rate Increase Recommendation: 4.0%



Near-Term Funding Needs ($3 M+)

- Crack sealing, slurry seal, grand and inlay projects
- Example projects: North side neighborhoods, E Mountainview, N. Springbrook Rd, S. Meridian St / E. 7th St.

Recommendations

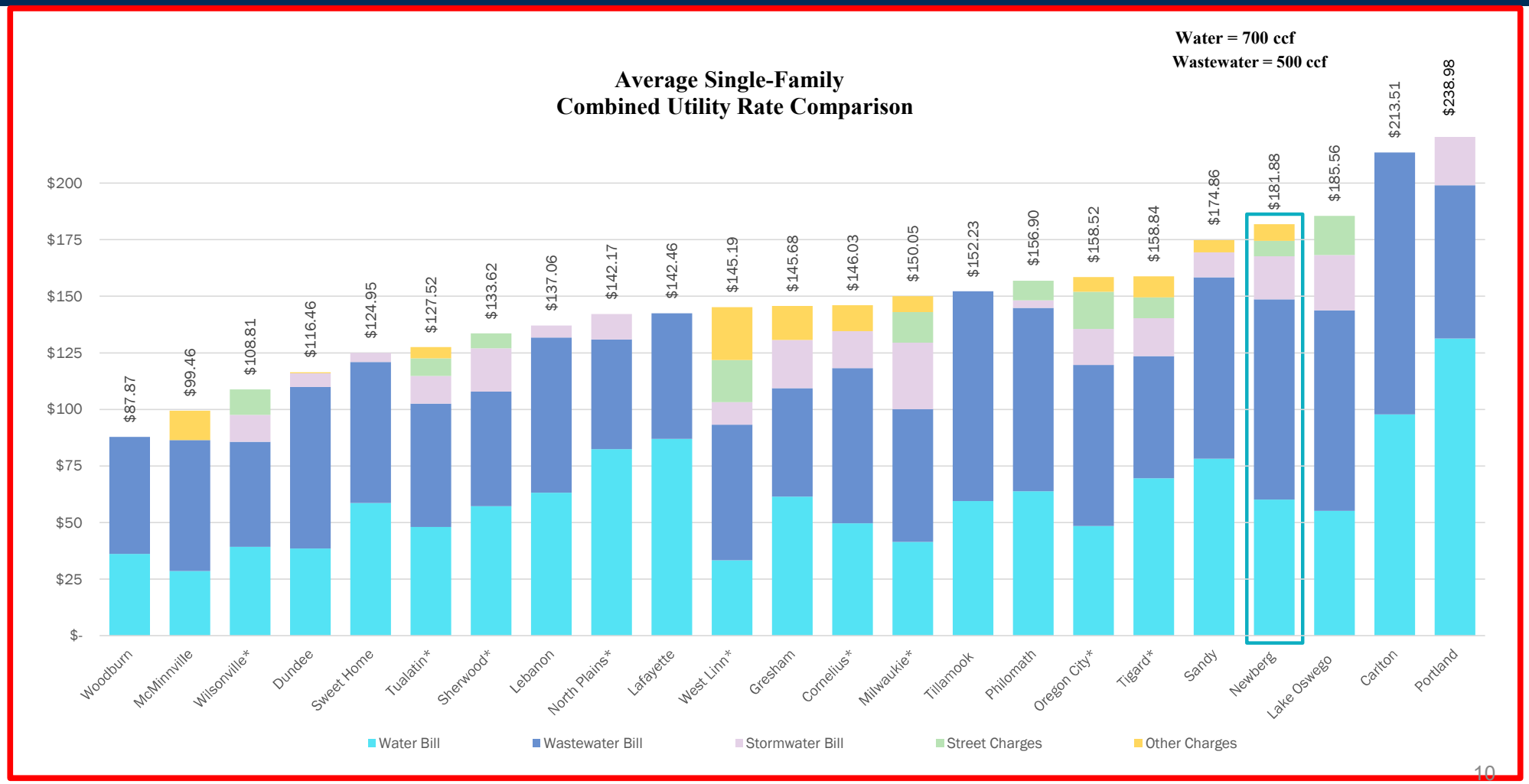
- Utilize new data/technology to improve planning and implementation of projects

Combined Rate Review Committee Recommendations

Overall Increase					1-Jan	1-Jan
2027	**2028**	System	**Units**	**Current**	**2027**	**2028**
5.0%	5.0%	Water	7.0	$60.22	$63.24	$66.40
4.1%	4.1%	Sewer	5.0	$88.36	$91.98	$95.75
4.5%	4.5%	Storm	1	$19.06	$19.92	$20.81
4.0%	4.0%	TUF	1	$6.86	$7.14	$7.42
		Public Safety[1]		$4.58	*$4.72*	*$4.86*
		Communications Officer[2]		$2.78	$0.00	$0.00
		Total		$181.87	$186.99	$195.25
		Difference $			*$5.12*	*$8.26*
		Difference %			*2.8%*	*4.4%*
		[1]Set by separate process. Future years include 3% estimated inflation				
		[2]To be removed from the bill effective July 1, 2026.				

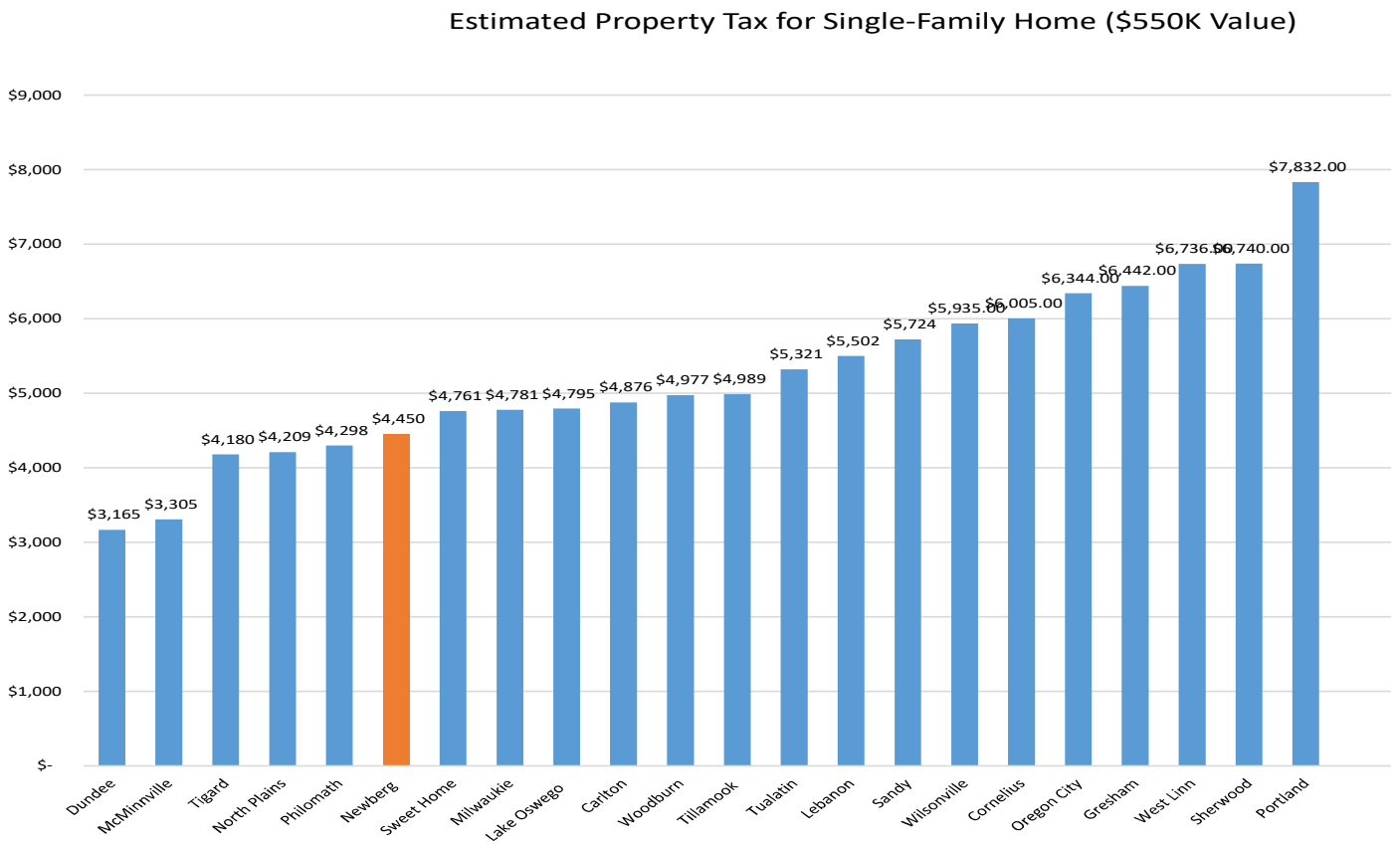
*Utility bill assistance programs available for qualifying customers

Total Residential Utility Bill Comparison



*Water and/or sewer and storm are part of large regional system

Residential Property Tax Bill Comparison



Recommendations intended to balance financial risk

- Steady customer growth
- Portion of existing debt paid off in 2029
- Leverage existing reserves, internal loan (sewer), and property tax bond (water) for capital improvements

- Water plant timing and funding
- Inflation (construction and operating costs)
- Slowdown in customer growth or economic activity
- Reduced reserves in the long-term

REQUEST FOR COUNCIL ACTION

Date Action Requested: March 2, 2026

Order ☐ Ordinance ☐ Resolution ☐ Motion ☐ Information ☒ Proclamation ☐	
Subject: Interviews of Student Commission Applicants	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: Meet and interview two potential student commission candidates and give input to Mayor Rosacker on potential appointments.

Executive Summary:

After a recent talk given by Rachel Thomas, City Recorder at George Fox, several students have applied for the remaining student commissioner openings. Mayor Rosacker has asked that they come before council to be interviewed before he makes appointment decisions.

There are four candidates who have applied, this evening Rylie Woods and Elisa Semmens are here for interviews.

Elise Semmens has been recommended for the position on the Library Advisory Board by the Library Advisory Board.

Fiscal Impact: N/A

Council Goals:

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

Rylie Wood

City of Newberg, OR | Generated 2/27/2026 @ 9:03 pm by OnBoardGOV - Powered by ClerkBase

Status

Name	Rylie Wood
Application Date	2/6/2026
Expiration Date	2/6/2027
Board Member	**Rylie Wood**
Status	Validated

Board	Vacancies	Status
Student Commissioners	4	Pending

Basic Information

Name
Rylie Wood

Contact Information

Address
[redacted]

Yes, I am a resident
Yes

Email
[redacted]

Cell Phone
[redacted]

Occupation

Employer/Occupation
George Fox University/Teaching Assistant and Student

Yes, I am a city employee
No

Do you live within Newberg City Limits?
Yes

What District are you in?
3

Briefly describe your interest in serving on your selected committee/commission/board.
As a history major at George Fox university, I am passionate about historic preservation. I want to give back to my city in whatever way I can, and this is a wonderful way to do so.

Are you applying to be a student commissioner?
Yes

How would you work collaboratively with community members?
I work every day with community members at the university and at my job at Walgreens. I love hearing feedback and learning about my city, and I will do so in whatever avenues I am given in this role.

Anything else you would like us to know?
I have experience with Newberg history from my time as an intern in the George Fox museum. It is a beautiful city, and I am very passionate about protecting its historic footprint.

If you are not appointed at this time, may we keep your name on file?
Yes

How did you hear about this opportunity?
Other, The City Recorder, Rachel Thomas, spoke in my public history class about this vacant seat.

Additional Information

Notes

Elisa Semmens

City of Newberg, OR | Generated 2/27/2026 @ 9:03 pm by OnBoardGOV - Powered by ClerkBase

Status

Name	Elisa Semmens
Application Date	1/17/2026
Expiration Date	1/17/2027
Board Member	**Elisa Semmens**
Status	Validated

Board	Vacancies	Status
Student Commissioners	4	Pending

Basic Information

Name
Elisa Semmens

Contact Information

Address
[redacted]

Yes, I am a resident
Yes

Email
[redacted]

Cell Phone
[redacted]

Occupation

Employer/Occupation
Full Time Student at George Fox University

Yes, I am a city employee
No

Do you live within Newberg City Limits?
Yes

What District are you in?
6, Student

Briefly describe your interest in serving on your selected committee/commission/board.
I am pursuing a Pre-Law course of study at George Fox and I was inspired to serve my community in a civic role.

Are you applying to be a student commissioner?
Yes

How would you work collaboratively with community members?
I would listen carefully to the other members thoughts and take notes when necessary. I would prioritize most being part of productive and fruitful conversation to the appropriate extent of my role.

Anything else you would like us to know?
I am interested in being as involved as I possibly can be this semester with anything pertaining to student representation. I love public speaking and I am from Soldotna Alaska.

If you are not appointed at this time, may we keep your name on file?
Yes

How did you hear about this opportunity?
City Website

Additional Information

Notes