



**AGENDA & Notice of Work Session,
& Regular Meeting of City Council**

The City Council of the City of Newport will hold a work session at **12:00 noon**, on **Monday, May 4, 2009**, in Conference Room "A" at City Hall. The regular Council meeting begins at **6:00 P.M., on Monday, May 4, 2009**. The meeting will be held in the Council Chambers, 169 S.W. Coast Highway, Newport, Oregon 97365. A copy of the meeting agenda follows.

The work session and meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired, or for other accommodations for persons with disabilities, should be made at least 48 hours in advance of the meeting to Peggy Hawker, City Recorder (541)574-0613.

The City Council reserves the right to add or delete items as needed, change the order of the agenda, and discuss any other business deemed necessary at the time of the work session and/or meeting. Action Items that do not require a public hearing may be moved up earlier in the meeting.

WORK SESSION AGENDA

12:00 Noon
City Council

- I. Questions regarding evening agenda items
 - II. Friends of the Aquatic Center & Intercept Inc.....**Pages 4-21**
(Shaddox)
 - III. Review Council Rules.....**Pages 22-42**
(Firestone)
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REGULAR COUNCIL AGENDA

6:00 P.M.

City Council

Any person wishing to speak on any item should complete the sign-in form and hand it to the City Recorder.

- I. Roll Call

- II. Proclamations and Recognitions
 - A. Presentation of CERT Certificates

 - B. Proclamation – Emergency Medical Services Week
May 17-23, 2009.....**Page 43**

 - C. Proclamation – Police Week, May 10-16, 2009.....**Page 44**
(Miranda)

 - D. Proclamation – Teacher Appreciation Week,
May 3-9, 2009.....**Page 45**

- III. Consent Calendar
 - A. Approval of minutes from the work session, executive session and regular meeting of April 20, 2009, and executive session and special meeting of April 24, 2009.....**Pages 46-52**
(Hawker)

 - B. Senior Center Rate Increases – acknowledge receipt from Senior Center Advisory Committee’s recommendations, and refer to the Finance Director for consideration in the rate study.....**Pages 53-55**
(Protiva)

- IV. Council Members’ Reports and Comments

- V. Officers’ Reports
 - A. Mayor’s Report
 - B. City Manager’s Report
 - C. City Attorney’s Report

- VI. Discussion items and presentations to Council (Items that do not require immediate council action, such as presentations, discussion of potential future action items)

- A. 2010 U.S. Census Presentation by Ping Khaw-Sutherland.....**Pages 56-60**
(Hawker)
- VII. Public Comment (Normal maximum per person 3 minutes, but may be adjusted based on number of persons wishing to comment. Any person who does not get an opportunity to comment will be allowed to comment during Agenda Item VIII.) NOTE: If the public comment portion of the meeting has not started by 6:45 p.m., the Council will end discussion of other items and proceed to public comment at that time.

7:00 P.M.

- VIII. Action items (Items expected to result in motions, resolutions, orders, or ordinances)
 - A. ODOT Fund Exchange Agreement No. 25448.....**Pages 61-71**
(Ritzman)
 - B. Award of Contract for Temporary Employment Services.....**Pages 72-86**
(Firestone & Hawker)
 - IX. Public Comment (Additional time for public comment – 5 minutes per speaker)
 - X. Adjournment
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PROPOSAL

City of Newport
Family Aquatic Center
Proposal
April 9, 2009

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EXPERIENCE OF THE FIRM

BACKGROUND

"Most Experienced"

Intercept Research Corporation is an attitude and opinion research firm founded in 1981 with a staff of 35 individuals including full-time account, technical, supervisory, clerical and administrative personnel. Located in Portland, Oregon, Intercept Research has conducted research for thousands of clients throughout the West. All work is conducted in-house by highly trained and recognized professionals.

Intercept Research Corporation has extensive experience in designing survey research to meet the specific needs of organizations interfacing with large populations. Our list of clients include:

<i>Port of Newport</i>	<i>Oregon Coast Aquarium</i>
<i>Lincoln County School District</i>	<i>Willamalane Park and Recreation</i>
<i>Friends of Newport Aquatic Center</i>	<i>The Port of Portland</i>
<i>The Oregon Zoo</i>	<i>Newport Fresh Water Task Force</i>
<i>City of Portland</i>	<i>Washington County</i>
<i>Portland Convention & Visitors Association</i>	<i>Multnomah County</i>
<i>City of Vancouver</i>	<i>Clark County, Parks and Recreation</i>
<i>Pacific Northwest Waterways Association</i>	<i>Bonneville Power Administration</i>
<i>Clackamas County, Parks and Recreation</i>	<i>Oregon State Marine Board</i>
<i>Environmental Protection Agency</i>	<i>U.S. Department of the Interior</i>
<i>Northwest Natural Gas</i>	<i>Umatilla Electric Cooperative</i>
<i>Clackamas County Libraries</i>	<i>Oregon Education Association</i>
<i>Oregon School Boards Association</i>	<i>Port of Coos Bay</i>
<i>Associated Oregon Industries</i>	<i>Weyerhaeuser</i>
<i>Northwest Pulp and Paper Association</i>	<i>Oregon Department of Transportation</i>
<i>Salem Transit District</i>	<i>Portland Community College</i>
<i>Rogue Valley Transit District</i>	<i>City of Gresham</i>
<i>Oregon Tourism Alliance</i>	<i>Tillamook PUD</i>
<i>American Red Cross</i>	<i>Oregon Department of Health</i>
<i>Lane Electric Cooperative</i>	<i>Defenders of Wildlife</i>
<i>Georgia Pacific Corporation</i>	<i>City of Beaverton</i>
<i>Columbia County</i>	<i>Oregon Department of Environmental Quality</i>
<i>United Way</i>	<i>Southwestern Oregon Community College</i>

Intercept Research Corporation offers a comprehensive menu of qualitative and quantitative research programs: attitude and opinion measurement, market segmentation, performance evaluations, consumer audits, product feasibility, position analysis psycho-graphic research, communications research, voter behavior analysis, predictive forecasting and long-term strategic planning.

All opinion research objectives may not be achieved utilizing a singular methodology; therefore, Intercept Research Corporation offers a variety of the most current, recognized information gathering techniques, including computer assisted telephone interviewing, in-person interviewing, mall intercepts, focus groups and mail surveys.

We maintain a full range of information processing services, which include data collection facilities, computer tabulation, statistical analysis models and data resources libraries.

As an experienced research entity, Intercept Research Corporation supplies solutions for a broad spectrum of research problems from assessing needs in the general population to measuring opinions and attitudes of corporate managers. Our professional staff embraces the knowledge and resources relied upon by key decision makers in both the public and private sectors.

TASKS

“Attention to Detail”

As consultant to the City of Newport, Intercept Research will provide the following professional services:

- Research design
- Questionnaire construction
- Random sample extraction
- Questionnaire pre-tests and quality control measures
- Data collection procedures and implementation
- Computer data reporting
- Executive report and presentation, including tracking
- Ongoing support and consultation

TEAM*“Working Together”*

Intercept Research guarantees client access and support through a project-oriented team approach in planning research programs.

The experience of our management group enables Intercept Research to adapt to any changes or modifications necessary for optimum study results. Our professional staff combines the specialized knowledge, education, first-hand experience and dedication necessary for quality opinion research and analysis. The management team for the research project will be:

Dean Bolon
Debra Strong

Project Manager/Analyst
Operations Manager

RESUMES

"Recognized Professionals"

Dean Bolon, Principal - Project Manager/Analyst:

With over 28 years as a public opinion research analyst and consultant, Dean is well qualified as project manager and liaison to the project team. He also has extensive experience in the use of survey research as a developmental tool in strategic planning and communications.

Dean will oversee all aspects of the research and will be directly involved in planning, questionnaire development, data and methods analysis, reporting of the research results and consultation.

Education:

Portland State University, Master's Degree,
Business Administration;
University of Utah, M.S., Psychology;
University of Utah, B.S., Sociology.

Professional Experience:

Intercept Research Corporation, Portland, Oregon,
Strategic Planning and Opinion Research,
Founder and President;
Market Decisions Corporation, Portland, Oregon,
Market and Opinion Research
Founder;
GMA Research, Portland, Oregon,
Market and Opinion Research,
Account Executive;

Debra Strong, Operations Manager:

Debra has 22 years of experience in the marketing and opinion research industry. As a member of Intercept Research Corporation's administrative team for 18 years, she has participated in and contributed to thousands of successful research projects. She will establish and oversee logistical guidelines and quality controls for each element of the research and will manage the data collection, editing and information allocation phases of the project. In addition, she will assist in the preparation of the study questionnaire and final data reporting.

Education:

University of Wyoming,
B.S., Business Administration.

Professional Experience:

Intercept Research Corporation,
Strategic Planning and Opinion Research,
Director of Data Operations;

Wasatch Opinions, Salt Lake City, Utah,
Market and Opinion Research,
Data Collection Specialist.

REFERENCES*"Satisfied Customers"*

The following are clients of Intercept Research for whom public research surveys have recently been completed:

Client: **Oregon Zoo**
Contact: Jane Hartline
 (503) 220 - 2447

Client: **Oregon Department of Transportation**
Contact: Walt McAllister
 (503) 986 - 4187

Client: **City of Vancouver Washington**
Contact: Tom Nosack
 (360) 696 - 8059

Client: **North Clackamas School District**
Contact: Joe Krumm
 (503) 653 - 3650

METHODOLOGY

RESEARCH DESIGN

“Scientific Approach”

Intercept Research Corporation proposes the community survey be conducted utilizing quantifiable and statistically valid techniques; i.e., random telephone interviews with selected and qualified respondents residing within the service district.

This empirical approach will provide information that is precise in its portrayal of public preferences and will facilitate comparative analysis of selected sub-sample groups.

In addition, telephone interviewing provides research findings which are timely, cost effective and achieved in a quality controlled environment.

In order to facilitate in-depth analysis and comparisons of survey results within demographic and socio-economic profiles, we recommend the sample consist of 400 interviews distributed throughout the service area and stratified in accordance with voter registration statistics.

The sample will be analyzed using population proportions obtained from Intercept Research's library of on-line census and demographic file tapes. This guarantees improved validity for the segment and provides an overall representative sample.

QUESTIONNAIRE

“Meaningful Information”

Intercept Research is well experienced in designing public opinion surveys for strategic planning purposes and has successfully implemented numerous survey research projects addressing feasibility and funding measures for various public entities in Oregon.

Our staff of professional researchers are expert at gauging public perceptions. We are recognized in the industry for crafting neutral questions and balancing questions against one another while also understanding the pitfalls of self-reported attitudes and behavior.

Careful examination and preparation of the study questionnaire is necessary to obtain accurate and applicable research results. In addition to effective questioning, questionnaire composition and formatting are significant factors. Proper questionnaire design also facilitates information coding, computer processing and data analysis.

Intercept Research Corporation, in consultation with the Aquatic Center project team, will review project goals and objectives to optimize the survey document. Areas of inquiry will be incorporated into the survey utilizing rating, ranking, scale, multiple selection, value and open-ended response techniques.

Possible areas of inquiry may include, but will not be limited to: past voting behavior on funding measures, underlying perceptions of the quality of services currently offered, perceived needs and outcomes, program and facilities priority, strength of persuasive arguments for and against proposed actions, respondent profiles based on approach to politics and demographic and geographic segmentation measures.

SURVEY PRE-TEST

“Optimizing the Response”

The questionnaire will be thoroughly pre-tested (50) for validity, readability, content and ease of administration. Pre-test results will be reviewed and analyzed to reconstruct and amend the finalized survey document. The questionnaire will then be submitted to the Aquatic Center project team for final approval. Questionnaire length is anticipated to be in the range of 30 to 35 questions and not exceed 10 minutes in duration.

SCREENING

“Qualified Respondents”

Selected respondents will be pre-screened for the following qualifications prior to inclusion in the sample:

- Registered to vote;
- Residency within designated geo-segments;
- Equal male/female representation.

SAMPLE EXTRACTION*"Scientific Sampling"*

To insure a valid sample frame and reduce sampling error, a computer-assisted random-digit dialing technique will be employed to supply telephone numbers by area exchange codes (prefixes).

Each randomly generated phone number will receive seven interview attempts prior to substitution of a new number contact from the sample pool.

SAMPLE RELIABILITY*"Trusting the Numbers"*

Every sample is subject to ranges of variability, which refers to the difference between the results obtained from interviewing a sample versus everyone in the population.

The table below illustrates the range of variability (plus or minus) at different percentages of response at the 95% confidence level:

<u>RESPONSE PERCENTAGE</u>	----- SAMPLE SEGMENT-----		
	<u>100</u>	<u>200</u>	<u>400</u>
10% or 90%	5.9%	4.3%	3.0%
20% or 80%	7.8%	5.7%	4.0%
30% or 70%	9.0%	6.5%	4.6%
40% or 60%	9.6%	7.0%	4.9%
50%	9.8%	7.1%	5.0%

DATA COLLECTION

STAFF PROFILE

"Representing the Client"

Intercept Research Corporation is proud of its permanent, full-time employees. We consciously employ personnel from varied backgrounds in order to represent a diversity of sex, age and ethnic factors.

In addition, all interviewers are tested for proficiency in language, numerical coding, reasoning and judgment. The experience level of our interviewing staff ranges from four to 15 years of telephone surveying.

INTERVIEWING

"Opinions Reflective of the Population"

Interviewing for the telephone survey will be conducted from 5:00 p.m. to 9:00 p.m. weekdays, and from 12:00 a.m. to 6:00 p.m. on Saturdays to assure a non-bias representative cross-section of working and non-working respondents.

BRIEFING

"Practice Makes Perfect"

Directly preceding the data collection, extensive interviewer training and practice sessions will be conducted. Supervisory staff and interviewing personnel will be provided with specific written instructions and briefing notes.

Intercept Research Corporation's management team will familiarize personnel on the terminology specific to the project and will instruct interviewing staff on the proper administration of the questionnaire. Any questions, misconceptions or misreading will be corrected during these sessions.

MONITORING

"Quality Controlled"

Interviewing personnel are constantly supervised and telephone monitored for performance standards. Intercept Research Corporation maintains the highest precautions for accuracy and integrity of results.

EDITING*"Error-Free Data"*

All completed questionnaires will be immediately edited by supervisory personnel, creating an atmosphere where problems related to questionnaire delivery and interpretation are readily identified and resolved.

In addition, 20% of the sample will be re-contacted, validated, and cross-checked with records sheets to assure proper interviewing and sampling procedures have been followed.

CODING*"Precise Interpretation"*

The coding process is initiated only after a sufficient number of interviews have been completed to serve as a basis for developing and refining categories of response to open-ended questions.

Careful coding of open-ended responses is an important phase of the data preparation process, as an accurate portrayal of respondent thoughts produces the most informative and meaningful data.

DATA PROCESSING

DATA ENTRY

"Accurate Records"

Upon completion of data collection, all questionnaires are processed by Intercept Research Corporation's data entry technicians. Data records are then reentered and verified by computer comparison to ensure 100% accuracy.

DATA PROCESSING

"Flexible and Understandable"

Intercept Research Corporation employs a versatile tabulation program with a redundant data verification system to ensure that results are error-free. The Intertab system is compatible with Microsoft Excel, SAS, SPSS, Lotus 123 and other database management software. This affords a flexible and timely system for accurate data entry, retrieval and transfer. Data cross-tabulations are fully annotated and presented in an easily readable format.

Intercept Research Corporation will assign weight factors to the survey data to correct for sampling stratifications which deviate from either the known or observed distributions in the population being surveyed. Statistical options and rankings will be applied where appropriate.

Initial cross-tabulations will be based upon demographic, geographic and analytical parameters as determined by Intercept Research Corporation's consultation and Aquatic Center project team directives.

As an incentive to utilize the data to its fullest, Intercept Research will furnish all additional cross-tabulations at no charge. In order to facilitate future comparative analysis, all information will be stored on-line indefinitely at Intercept Research's processing center.

The internal quality of the data is completely monitored and 100% verified by application of records notation runs, marginal display and editing programs, eliminating all possibility for out-of-range data

RESOURCES

"Verified Data"

Intercept Research Corporation maintains an extensive demographic, socioeconomic and consumer behavior information management system. Our on-line software resources are provided by the U.S. Census Bureau, CACI, Prism, Voter Profile Index and the American Demographic Institute.

PRESENTATION OF RESULTS

TIMEFRAME

"Delivered As Promised"

Intercept Research Corporation has a proven record of providing project results to clients in a timely fashion with strict adherence to schedules, control of costs and quality of work. We have the capacity and the in-house facilities to deliver results of the survey in 20 working days.

Project manager and coordinator, Dean Bolon, will report weekly to the Aquatic Center project team. Designated meetings, requested memoranda and summaries of work-in-progress will be supplied to the project team as requested.

<u>TASK</u>	<u>COMPLETION DATE</u>
Contract Awarded	Day 1
Questionnaire Design Approved	Day 7
Field Work Completed	Day 12
Computer Data Reporting	Day 14
Executive Report	Day 20

REPORTING

"Communicating the Value of the Data"

Intercept Research Corporation recognizes that an accurate and comprehensive database is meaningless without the intuitive skills necessary for drawing inferences and making sound analyses. This requires a full knowledge of the problem, a sensitivity to prevailing issues and an understanding of how the project team wishes to proceed.

The final executive report will incorporate an analysis of findings presented in both narrative and graphic form along with, conclusions and recommendations. Intercept Research will provide, on schedule, to the City of Newport, the following documentation:

- 8-1/2" x 11" copies of the computer tabulations;
- Copies of the executive report as requested;
- PowerPoint presentation;
- Electronic transfer of all data;
- Oral presentation of results and ongoing support.

PROJECT COST

BUDGET

"Cost Effective"

The costs associated with the research program are presented below. Cost variances will occur only in response to client changes in research parameters.

OPTION I: RECOMMENDED

Telephone Survey (400 interviews)

Personnel/Staff Assigned:

Dean Bolon	30 hrs @ \$70.00	\$2,100.00
Debra Strong	20 hrs @ \$50.00	1,000.00
Interviewing staff	270 hrs @ \$14.50	3,915.00
Editing staff	10 hrs @ \$14.50	145.00
Coding/data entry staff	12 hrs @ \$14.50	174.00
Computer staff	20 hrs @ \$50.00	1,000.00
Clerical staff	20 hrs @ \$19.50	390.00
Travel		N/C

TOTAL PROJECT COST

\$8,724.00

OPTION II: FEWER INTERVIEWS, LESS STATISTICAL ANALYSIS

Telephone Survey (300 interviews)

TOTAL PROJECT COST

\$6,543.00

AGREEMENT

LEGAL

"Always in Compliance"

Intercept Research Corporation is certified as an equal opportunity employer and complies with all applicable ORS laws.

Intercept Research Corporation recognizes the diversity of Oregon's population and supports disadvantaged and minority business organizations.

Intercept Research Corporation certifies that it is in compliance with all Oregon tax laws and insurance requirements.

Intercept Research Corporation certifies that all work product remains as the sole and exclusive property of the client.

Intercept Research Corporation's environmental policy "*GREEN INITIATIVE*" dictates the use of recyclable products to the maximum extent economically feasible in performance of the work set forth in the request for proposal.

This proposal dated April 9, 2009 will remain valid for a period of at least 120 days.

Dean Bolon, President and Project Manager, is the authorized representative for Intercept Research Corporation and will negotiate the final agreement.

Dean Bolon

Dean Bolon, President
Intercept Research Corporation
7065 SW Beveland Street
Tigard, OR 97223
(503) 639-5999
FAX: (503) 639-9176
E Mail: survey@hevanet.com

City of Newport

COUNCIL RULES

EFFECTIVE JANUARY 1, 2008

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Agenda.

The city manager shall prepare a written agenda for all regular council meetings, including work sessions and business sessions. A packet including the agenda and materials on agenda items will normally be available to the council at least three days before each regularly scheduled council meeting. The city manager or mayor may change the agenda at any time prior to the start of the council meeting, and the presiding officer may change the agenda after the start of the meeting. A change in the agenda after the start of the council meeting is a procedural decision.

A. A councilor who wishes an item to be placed on the written council agenda shall advise the city manager at least one week prior to the meeting. The city manager shall determine whether the item is to be placed on the agenda as an action item or as a discussion item.

B. A council member who wishes staff to undertake major research or drafting to prepare an action item shall raise the issue at a council meeting, and the city manager shall take direction from the council as a whole. The council should consider requests from individual council members in light of council goals and priorities and staff workload and availability. Direction to proceed with an item does not commit the council or any individual council member from supporting an action when it comes before council for a final decision.

C. The agenda shall be in any form chosen by the city manager, subject to direction by the council.

D. Business sessions include any regular, special or emergency session at which the council is expected to take formal action. Work sessions are any regular, special or emergency sessions used to present information to council, to allow the council to prepare for business sessions or to allow preliminary discussion on upcoming council items. The council may take formal action at a work session, but action items will not normally be scheduled for work sessions.

Annual Report of Boards, Commissions and Committees.

At the request of the council, boards, commissions and committees will annually report to the council on their activities for the previous year.

Appointed Positions.

The council appoints and can remove the city manager, the city attorney and the municipal judge. The council shall evaluate the city manager and the city attorney in accordance with their respective contracts, but no less frequently than once a year. The council may meet with the municipal judge once annually, but will not interfere with the municipal judge's exercise of judicial authority and discretion.

Attendance and Presence in the City.

Councilors will inform the mayor and/or city manager if they will be unable to attend any meetings. If the mayor will be absent, the mayor will inform the city manager and the council president. Under the charter, a council position becomes vacant if the council member is absent from the city for more than 30 days without

council permission. The permission to be absent from the city must be requested before the absence, or in the case of a family illness or other unforeseen event, prior to the end of the 30 day absence.

Broadcasting Council Meetings.

The council wishes to have regular meetings of the council broadcast on a public access cable television channel and anticipates possible radio broadcasts of council meetings.

The council intends any broadcasting of council meetings be unbiased and even-handed. Any televising of council meeting should use camera shots that are appropriate for the council, witnesses and audience members and are relevant to the discussion.

Video and audio shall be deleted only for the purpose of conforming with applicable laws governing public broadcasts. Editing for the above purpose and for the insertion of informational titles and graphics will be allowed. Portions of recorded council meetings may be used in other news and informational broadcasts provided they are not portrayed out of context.

Any time a council meeting is broadcast under the control of the city, it shall be simultaneously recorded and may be rebroadcast.

Cellphones and Pagers.

Cellphones, pagers and other communications shall be silenced during council meetings.

Communication with Staff.

All council members shall respect the separation between the council's role and the city manager's responsibilities by:

- A. Not interfering with the day-to-day administration of city business, which is the responsibility of the city manager.
- B. Working together as a team within a spirit of mutual confidence and support.
- C. Respecting the administrative functions of the city manager, the city attorney and department heads and refraining from actions that would undermine the authority of the city manager or department heads. The council will abide by the city charter in its dealings with the city manager and city attorney.
- D. Limiting individual inquiries and requests for information from staff or department heads 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 or city attorney. Questions from individual council members requiring significant staff time or resources (two hours or more) should normally require approval of the council, although the city manager may determine to follow up on requests from individual councilors. Written requests for information

requested by a individual council member should normally be responded to in writing to the council as a whole, with a notation as to which council member requested the information. Council members should normally share any information obtained from staff with the entire council. This section is not intended to apply to questions by council members acting in their individual capacity rather than as council members, nor to questions regarding conflict of interest or similar issues particular to the council member.

E. Limiting individual contacts with city officers and employees so as to not influence staff decisions or recommendations, so as to not interfere with staff work performance, and so as to not undermine the authority of the city manager, department heads and other managerial and supervisory employees.

F. Respecting staff and their roles and responsibilities, even if expressing criticism of an action.

Nothing in this section precludes council members from obtaining information and asking questions during council meetings or from evaluating the performance of the city manager or city attorney.

Conduct of Council Members.

A. *Non-Participation.* A council member shall not participate in a quasi-judicial decision if the council member is biased to the extent that the council member cannot decide the matter by applying the applicable standards and criteria to the facts of the situation as presented to the council. A council member shall not participate in any quasi-judicial matter in which the council member has a personal interest in the outcome, unless that personal interest is shared by a class of persons. A council member shall not participate in any decision when participation in the decision is contrary to state law. Any person may challenge the participation of a council member at the start of the proceeding. If a challenge is made, the council member may choose to withdraw. If the council member does not withdraw, the remainder of the council will decide by motion whether the council member will participate. A council member who is not participating shall not sit at the council table.

B. *Conflict of Interest.* A council member shall not participate in any matter where there is a financial conflict of interest. Under state law, an actual conflict of interest is defined as one that would result in the private financial benefit of the council member, a relative or a business with which the council member is associated. A potential conflict of interest is one that could result in private financial benefit. A council member must publicly announce potential and actual conflicts of interest, and, in the case of actual conflict of interest, must refrain from participating in debate on the issue or from voting on the issue unless allowed by state law. A council member who is not participating because of a conflict of interest shall leave the council table after declaring the conflict.

C. *Ex Parte Contacts.* For quasi-judicial hearings, council members will endeavor to refrain from having ex parte contacts relating to any issue of the hearing. Ex parte contacts are any contacts with persons other than staff outside the formal hearing process relating to the subject matter of the quasi-judicial hearing. Ex parte contacts include both oral and written communication. If a council member has an ex parte contact prior to any hearing, the council member will reveal the contact at the beginning of the hearing. The council member shall describe the substance of the contact. After all declarations of ex parte contacts, the presiding officer shall announce the right of interested persons to rebut the substance of the communication or otherwise challenge the participation of the council member who had the ex parte contact.

D. *Absence for Portion of a Hearing.* For quasi-judicial hearings, a council member who was absent during the presentation of evidence cannot participate in any deliberations or decision regarding the matter unless the council member has reviewed all the evidence and testimony received.

E. *Government Ethics Requirements and Reporting.* Council members shall review and observe the requirements of the State Ethics Law (ORS 244.010 to 244.390) dealing with use of public office for private financial gain. Council members shall give public notice of any conflict of interest or potential conflicts of interest and the notice will be reported in the meeting minutes. Council members shall timely file annual statements of economic interest with the Government Ethics Commission.

F. *Ethical Conduct and Fair Treatment.* In addition to matters of financial interest, council members shall maintain the highest standards of ethical conduct and assure fair and equal treatment of all persons, claims, and transactions coming before the council. This general obligation includes the duty to refrain from:

1. Disclosing confidential information or making use of special knowledge or information before it is made available to the general public.
2. Making decisions involving business associates, customers, clients, and competitors.
3. Repeated violations of these council rules.
4. Promoting relatives, clients or employees for boards and commissions.
5. Requesting preferential treatment for themselves, relatives, associates, clients, coworkers or friends.
6. Seeking employment of relatives with the city.
7. Actions benefiting special interest groups at the expense of the city as a whole.

8. Expressing an opinion contrary to the official position of the council without so stating.

G. *General Conduct.* In general, council members shall conduct themselves so as to bring credit upon the government of the city by respecting the rule of law, ensuring non-discriminatory delivery of public services, keeping informed concerning the matters coming before the council and abiding by all decisions of the council, whether or not the member voted on the prevailing side.

H. *Participation in Council Meetings.* Any councilor desiring to be heard during a council meeting should normally be recognized by the presiding officer and shall confine his or her remarks to the subject under consideration or to be considered. Council members will speak one at a time, allowing one another to finish. The presiding officer may allow flexibility in the application of this rule.

Conferences and Seminars.

Council member are urged to educate themselves about local government. To that end, and as funding allows, council members are urged to attend the League of Oregon Cities functions at city expense. Requests to attend other government related conferences, training seminars and meetings will be presented to the council for approval. Council members who serve on committees or the boards of the League of Oregon Cities, the National League of Cities or other similar associations of local governments will be reimbursed for reasonable expenses not covered by the respective body.

Confidentiality.

Council members will keep all written materials provided to them on matters of confidentiality under law in complete confidence to ensure that the city's position is not compromised. No mention of confidential information read or heard should be made to anyone other than other council members, the city manager, the city attorney, or responsible department heads.

A. If the council in executive session provides direction or consensus to staff on proposed terms and conditions for any type of negotiation whether it be related to property acquisition or disposal, pending or likely claim or litigation, or employee negotiations, all contact with other parties shall be made by designated staff or representatives handling the negotiations or litigation. A council member will not have any contact or discussion with any other party or its representative nor communicate any executive session discussion, except as authorized by council.

B. All public statements, information, or press releases relating to a confidential matter will be handled by designated staff or the mayor or a designated council member.

C. The council, by resolution or motion, may censure a member who discloses a confidential matter.

Consent Agenda.

In order to make more efficient use of meeting time, the city manager shall place all items of a routine nature on which no debate is expected on a consent agenda. Any item placed on the consent agenda shall be disposed of by a single motion "to adopt the consent agenda" which shall not be debatable. Any councilor or the mayor can remove an item from the consent agenda by voice request prior to the vote to adopt the consent agenda. Any matter removed from the consent agenda may be considered immediately after the consent agenda or may be discussed and considered as an action item at the meeting.

Contacts with Organizations.

The city council will seek meetings with the Lincoln County Board of Commissioners, the Lincoln County School District Board, the Port of Newport, and other local governments as needed to address issues of common interest. The city council will allow local groups such as the chamber of commerce, and local business, neighborhood or citizens groups to make presentations to the council on matters of common interest.

Council Rules.

These rules are authorized by the city charter. The council shall review these rules periodically. Amendments shall be adopted by a majority of the entire council. The council rules are not intended to replace or supersede any applicable federal or state laws or regulations, city ordinances or policies, or provisions of the city charter.

Decorum.

All persons at council meetings shall behave appropriately, considering the importance of council meetings and the need to proceed with council business. Except in case of injury, persons shall not rest their feet on chairs or tables, or stand on chairs or tables.

Emergency Meetings.

In the case of an emergency, an emergency meeting may be called by the city manager, the mayor, or two councilors, consistent with state law. The minutes of the emergency meeting shall describe the emergency justifying less than 24 hours notice. The city shall attempt to contact the media and other interested persons to inform them of the meeting. Council members are responsible to inform staff of how they can be reached when out of town.

Executive Sessions.

An executive session (meeting closed to the public) may be held in accordance with state law. Care will be taken to ensure that proper and timely notice is made in accordance with statutory requirements. Executive sessions may be held during regular, special or emergency meetings, so long as appropriate statutory requirements are met.

A. No formal actions can be taken during an executive session. When the council reconvenes in open session, formal action may be taken. Only the council, city

attorney, specific staff members, news media representatives and others specifically invited can attend an executive session.

B. A major reason for allowing members of the news media to attend executive sessions is to ensure that the issues discussed are proper subjects and actions under the state laws related to executive sessions and to keep them informed concerning the background of deliberations so they have a better understanding of any decisions made as a result of the meeting. Members of the press shall be told that they may not report the substance of an executive session.

C. Minutes or a recording of executive sessions are required.

D. Material discussed during an executive session should not be disclosed outside the executive session or other privileged communications.

Exhibits.

Exhibits presented before the council in connection with its deliberations on a legislative, quasi-judicial or other substantive matter shall be accepted by the council and made part of the record. The exhibit or a copy thereof shall be provided to the meeting recorder.

Expenses, Reimbursement and Compensation.

Council members shall receive no pay or other compensation for serving on the council. Council members will follow the same rules and procedures for reimbursement as those which apply to city employees, when seeking reimbursement for attendance at authorized conferences or other authorized reimbursement. The city does not reimburse council members for expenses incurred by their spouses.

Gifts by the Council.

On occasion, and within the approved budget, the council may wish to purchase a gift or memento for someone with city funds. Expenditures of this type shall require consensus approval of the council.

Guns.

No person other than a peace officer may bring a firearm to or possess a firearm at a council meeting.

Hats.

Men shall remove hats during council meeting. This rule does not apply to persons who wear hats for religious reasons.

Legal Advice.

Requests to the city attorney for advice requiring extensive legal research shall not be made by an individual council member except with the concurrence of the majority of the council.

Liaison to Boards, Commissions and Committees.

The mayor may appoint council members to act as liaison to boards, commissions, committees or other bodies that advise the council. In the event a council liaison is unable to attend a meeting of the board, commission or committee, the liaison will either contact another council member to act as liaison for the meeting or ask the mayor to find a substitute.

When attending a meeting of a city board, commission or committee as liaison, council members will:

- A. Not attempt to lobby or influence the board, commission or committee on any item under its consideration. It is important for the advisory body to make objective recommendations to the council on items before them. However, nothing in this section precludes the council member from explaining what the council expects from the board, commission or committee, or explaining council policy.
- B. Not vote at the body's meeting on any item.

This rule applies only when the council member is acting as liaison; it does not apply when the council member is a member of the board, commission or committee and does not apply to non-city bodies when the council member is the representative of the city.

Litigation.

The council will meet in executive session with the city manager and city attorney within 30 days of the city's receipt of:

- A. A statutory notice of intent to sue, or
- B. A summons and complaint for damages.

This requirement does not apply to cases in which the claim is covered by insurance.

Meeting Procedure.

The presiding officer shall make all initial procedural decisions. The council by majority vote may overrule the procedural ruling of the presiding officer.

Meeting Staffing.

The city manager will attend all council meetings unless excused. The city manager may make recommendations to the council and shall have the right to take part in all council discussions but shall have no vote. The city attorney will attend all regular council meetings unless excused, shall have the right to take part in council discussion, and will, upon request, give an opinion, either written or oral, on legal questions. The city attorney, if requested, shall act as the council's parliamentarian, but will have no vote. The city recorder or designee shall attend all council meetings, keep the official minutes, and perform such other duties as may be needed for the orderly conduct of meetings. Department directors or other staff

will attend council meetings upon request of the city manager or council through the city manager.

Meeting Times.

The council will meet regularly on the first and third Mondays of each month in the council chambers. If a regular scheduled council meeting time is on a city holiday, the meeting will be held on the first day that is not a city holiday. The meetings will start at 6:00 pm, but no public hearing shall be scheduled until 7:00 pm. In addition, the council will hold a pre-meeting work session at noon on the day of each regular council session. The council may from time to time hold additional work sessions to address major matters at 5:00 pm on the day of a council meeting. All council meetings shall be open to the public, except authorized executive sessions. In order to give fair consideration to all matters, if a meeting is still in progress at 10:00 pm, the council may consider whether it should adjourn and continue unfinished agenda items to a future meeting. The decision whether to adjourn before the agenda has been completed should normally be made between agenda items, rather than in the middle of consideration of an item. If any hearings are postponed to a future meeting, the council normally will give an opportunity to speak to anyone who wishes to participate in the hearing and is unable to attend the rescheduled hearing. Any member of the council may request a short break at any time during a council meeting. Nothing in this section prevents the council or city manager from calling a special or emergency session to be held at any time, consistent with state law.

Minutes.

Minutes shall be prepared with sufficient detail to meet their intended uses. Verbatim minutes are not required.

- A. Council meeting minutes shall contain:
1. The name of council members and staff present.
 2. All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition.
 3. The result of any votes, including ayes and nays and the names of the council members who voted.
 4. The substance of the discussion on any matter.
 5. Reference to any document discussed at the meeting.
- B. The council may amend the minutes to more accurately reflect what transpired at a meeting. Upon receipt of the minutes in the council agenda packet, the council members should read them and if possible submit any changes, additions or corrections to the city recorder in order that a corrected copy can be prepared prior to the meeting for approval. Under no circumstances shall the

minutes be changed following approval by the council, unless the council authorizes the change by majority vote.

Motions.

When a motion is made, it shall be clearly and concisely stated by its mover. Council members are encouraged to exercise their ability to make motions and to do so prior to debate in order to focus discussion on an issue and speed the council's proceedings. The presiding officer will state the name of the council member who made the motion and the name of the council member who made the second. When the council concurs or agrees to an item that does not require a formal motion, the presiding officer will summarize the agreement at the conclusion of discussion. The following rules shall apply to motions during proceedings of the council:

- A. A motion may be withdrawn by the mover at any time without the consent of the council.
- B. If a motion does not receive a second, it dies. Certain motions can proceed without a second, including nominations, withdrawal of motion and agenda order.
- C. A motion that receives a tie vote fails.
- D. A call for the question is intended to close the debate on the main motion and does not require a second and is not debatable. A call for the question fails without a majority vote. Debate on the main subject resumes if the motion fails.
- E. A motion to amend can be made to a motion that is on the floor and has been seconded. An amendment is made by inserting or adding, striking out, striking out and inserting, or substituting.
- F. A motion to adjourn cannot be amended.
- G. A motion to amend an amendment is in order.
- H. Amendments are voted on first, then the main motion as amended.
- I. Council 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.
- J. The motion maker, presiding officer, meeting recorder, city manager or city attorney should repeat the motion prior to voting.
- K. A point of order, after being addressed by the presiding officer, may be appealed to the body.

News Media.

The council recognizes the important role of the news media in informing the public about the decisions, activities and priorities of government. Workspace shall be reserved for members of the press at council meetings so that they may observe and hear proceedings clearly. The terms "news media" "press" and "representative of the press" for the purpose of these rules are interchangeable and mean someone who:

- A. Represents an established channel of communication, such as a newspaper or magazine, radio or television station; and either
- B. Regularly reports on the activities of government or the governing body; or
- C. Regularly reports on the particular topic to be discussed by the governing body in executive session.

Order and Decorum.

A law enforcement officer of the city may be sergeant-at-arms of the council meetings. The sergeant-at-arms shall carry out all orders and instructions given by the presiding officer for the purposes of maintaining order and decorum at the council meeting.

- A. Any of the following shall be sufficient cause for the sergeant-at-arms to, at the direction of the presiding officer, or by a majority of the council present, remove any person from the council chamber for the duration of the meeting:
 - 1. Use of unreasonably loud or disruptive language or noise.
 - 2. Engaging in violent or disruptive action, including any violence towards any person.
 - 3. Willful damage to city or private property.
 - 4. Refusal to obey these rules or other applicable regulations, including limitations on occupancy and seating capacity.
 - 5. Refusal to obey an order of the presiding officer or an order issued by a councilor that has been approved by a majority of the council present.

B. Before the sergeant-at-arms is directed to remove any person from a council meeting for conduct described in this section, that person shall normally be given a warning by the presiding officer to cease his or her conduct. A warning is not required in case of immediate threat to person or property. If a meeting is disrupted by one or more members of the audience, the presiding officer or a majority of the council present may declare a recess and/or order that the council chamber be cleared.

Order of Business.

The city manager shall arrange the order of business to achieve an orderly and efficient meeting. In general, the order of business will be as follows:

- I. Roll Call
- II. Proclamations, Recognitions, Special Presentations
- III. Consent Calendar
- IV. Council Members' Reports and Comments
- V. Officers' Reports
- VI. Discussion Items (Items that do not require immediate council action, such as presentations, discussion of potential future action items)
- VII. Public Comment (Normal maximum per person 3 minutes, but may be adjusted based on number of persons wishing to comment. Any person who does not get an opportunity to comment will be allowed to comment during Agenda Item VIII.)
- VII. Action Items (Items expected to result in motions, resolutions, orders or ordinances)

Each action item that requires a public hearing shall be clearly identified as a public hearing. Public hearings shall be set before other items in this section of the agenda. Hearings will be noticed for 7pm.
- VIII. Public Comment (Additional time for public comment – 5 minutes per speaker)
- IX. Unfinished Items from IV, V or VI
- X. Adjournment

Ordinance Reading and Adoption.

All ordinances and resolutions shall be prepared under the supervision of the city manager or city attorney. Any ordinance or resolution not prepared by the city attorney shall be reviewed and approved as to form by the city attorney.

Ordinances and resolutions may be introduced by a member of the council, the city manager, the city attorney or any department head.

- A. Unless the motion for adoption provides otherwise, resolutions shall be adopted by reference to Resolution Number only and shall be effective upon adoption. A roll-call vote is not required for resolutions unless it is unclear whether a majority favor the resolution.
- B. Ordinances shall be adopted as provided by the charter. Failure to comply with post-adoption signature requirements shall not invalidate an ordinance.
- C. Non-emergency ordinances shall be effective on the thirtieth day following the date of adoption, unless the ordinance provides that it will become effective at a later time. An emergency ordinance which includes a provision that the ordinance

is necessary for immediate preservation of the public peace, property, health, or safety may provide that it will become effective upon adoption or other time less than 30 days after adoption.

D. Ordinances shall be adopted by roll-call vote.

Planning Commission Testimony.

The planning commission was established in compliance with state statute to make recommendations to the city council on general land use issues and to act as a hearing body for the city. In an effort to maintain the impartiality of the planning commission, especially in cases where issues can be remanded by the city council back to the planning commission for review, the following rules are established. For legislative land use matters before the council, commissioners may testify as a commissioner, as a commission representative if so designated by the commission, or as a citizen.

Presiding Officer.

The mayor shall be the presiding officer and conduct all meetings, preserve order, enforce the rules of the council and determine the order and length of discussion on any matter before the council, subject to these rules. The council president shall preside in the absence of the mayor. The mayor may ask the council president to preside over all or part of a meeting at any time to provide the council president with experience in presiding over council meetings. The presiding officer shall not be deprived of any of the rights and privileges of a council member. In case of the absence of the mayor and the council president, the city manager shall call the meeting to order and the council shall elect a chairperson for the meeting by majority vote. The mayor or council president shall not be considered present if they are disqualified from participation in a matter.

Public Comment at Council Meetings.

The council shall allow a general public comment period at each regularly scheduled meeting, but need not allow public comment at emergency and special meetings. Comments at the general public comment period should normally be limited to matters related to city government and that are properly the object of council consideration. The presiding officer shall exercise discretion in controlling public comment. Comments relating to a public hearing that has been closed but not finally resolved are not properly the object of council consideration. Any comments on an item on the council agenda should be made during the discussion of the specific agenda item, rather than in the general council session. The council may allow comment on any council action item other than an item on which comments have been received and the public testimony portion of the hearing or other agenda item has been closed. Comments on any item that are expected to come before the council as a quasi-judicial land use matter shall not be permitted outside the scope of the land use hearing on the matter.

Public Hearings and Participation.

Except when a public hearing is expressly required by applicable law, members of the public do not have the right to speak on items on the council agenda.

Nevertheless, the council will normally allow public comment on action items, but is not required to do so. The council may limit public comment and may disallow further public comment.

Different public hearings have different standards. If applicable law provides for a public hearing but does not regulate the type of hearing, the council will allow any person with a right to a hearing to present written and oral testimony and argument. The council may limit the time of oral testimony and argument.

Some public hearing law provides a right to a hearing to certain persons, but not to others. The council shall allow persons with a right to a hearing to speak, but may prohibit or limit participation by others.

Land Use Public Hearings.

A. Conducting Legislative Hearings:

1. The presiding officer shall announce the nature of the matter to be heard as it is set forth on the agenda.
2. Discussion of conflict of interest of council members.
3. The presiding officer will then declare the hearing to be open and invite members of the audience to be heard in the following order:
 - a. Staff report of topic, including any material added to the record.
 - b. Persons wishing to speak on the matter.
 - c. Additional staff comments.
 - d. Close of public hearing.
 - e. Council deliberation and vote.

B. Conducting Quasi-Judicial Land Use Hearing: Conduct of quasi-judicial hearings shall conform to the requirements of state law and applicable ordinances. The procedure shall normally be as follows:

1. Announcement of the matter to be heard.
2. Statement of the procedure to be followed.
3. Notice that failure to address a criterion or raise any other issue with sufficient specificity precludes an appeal to the Land Use Board of Appeals on that criterion or issue.
4. Discussion of jurisdiction, impartiality, conflict of interest, ex parte contacts.
5. Staff introduction of appeal, including discussion of additional items included in the record.

6. Appellant's presentation.
7. Other testimony in support of the appeal.
8. Applicant's testimony, if not the appellant.
9. Testimony in opposition to the appeal.
10. Neutral testimony.
11. Staff response, if necessary.
12. Appellant's rebuttal testimony.
13. Applicant's rebuttal testimony (If not the appellant).
14. Questions from the council to staff and others for clarification, with opportunity for rebuttal.
15. Closure of public hearing, no further information from the audience.
16. Initial discussion by council.
17. Motion
18. Further discussion.
19. Decision.

The council has the discretion to adopt findings or direct the staff or prevailing party to submit proposed findings for council consideration and adoption at a future meeting.

C. If there are objections to the jurisdiction of the city council to hear a matter, the presiding officer may terminate or continue the hearing if the council determines it lacks jurisdiction or the procedural requirements of any code or ordinance provision were not met, or take other action as appropriate under the circumstances.

D. For quasi-judicial review hearings, all written arguments or other documents presented to council for consideration must be submitted to the community development department by 5:00 p.m. on the date of the scheduled hearing. All other written materials must be presented in person at the hearing.

Public Members Addressing the Council.

Each person addressing the council shall submit a completed testimony form to the city recorder. A separate form must be completed for each item desiring to be addressed.

A. When called by the presiding officer, those wishing to address the council shall come to the designated area and state their name. They shall limit their remarks to the time allocated by the presiding officer or council. They should address all remarks to the council as a body and not to any member thereof.

B. No person, other than the council, the city manager, the city attorney and the person having the floor, shall be permitted to enter into any discussion, without the permission of the presiding officer. Questions from the public shall be asked of a councilor or staff through the presiding officer. No public member will be allowed to speak more than once on a particular agenda item, except where rebuttal is required or authorized by law or leave to do so is granted by the council.

C. Except when public testimony is allowed by right, the presiding officer will determine whether public comments will be allowed on specific agenda items. The decision whether to allow public testimony will be based on the subject matter, prior opportunity for comment, and the length of the particular agenda. Any person making personal, offensive, or slanderous remarks, or who becomes threatening, or personally abusive while addressing the council may be requested to leave the meeting. The presiding officer has the authority to preserve order at all meetings of the council, to cause the removal of any person from any meeting for disorderly conduct, and to enforce the rules of the council. The presiding officer may request the assistance of a sergeant-at-arms to restore order at any meeting.

D. Testimony shall be relevant to the topic of the agenda item and not redundant. The presiding officer may terminate redundant and/or irrelevant testimony. Pre-hearing testimony on quasi-judicial land use actions that may come before the council will not be permitted.

E. The intent of this section is not to stifle public debate, but to provide guidelines to allow meaningful and productive comment and debate.

Public Records.

The disposition of public records created or received by individual council members shall be in accordance with Oregon public records law. Written information incidental to the official duties of a member of the city council, including electronic mail messages, notes, memos and calendars (e.g., "Daytimers") are public records and are subject to disclosure under the public records law.

Quorum.

The quorum requirement for the conduct of council business is four council members.

Reconsideration of Actions Taken.

A member who voted with the majority may move for a reconsideration of an action at the same or the next regular meeting. The second of a motion may be a member of the minority. Once a matter has been reconsidered, no motion for further reconsideration shall be made without unanimous consent of the council. However, nothing in this section precludes a new motion on the same subject matter as a previous decision with the possibility of a different result.

Representing the City.

When a member of the city council represents the city before another governmental agency, before a community organization or media, the official should first indicate the majority position of the council if there is one. Personal opinions and comments may be expressed only if the council member clarifies that those statements do not represent the position of the council.

A. The effectiveness of city lobbying in Salem or in Washington, D.C., depends on the clarity of the city's voice. When council members represent the city in a "lobbying" situation, it is appropriate that the council members avoid expressions of personal dissent from an adopted council policy.

B. When council members attend meetings of organizations such as the League of Oregon Cities or the National League of Cities and their boards and committees, they do so as individual elected officials and are free to express their individual views. If the city council has an adopted policy relating to an issue under discussion, the council member is expected to report that fact.

C. By resolution, the council may appoint one or two of its members to act as negotiators with groups, individuals, or other governmental entities. Any agreements made by such negotiators shall require approval of the council as a whole to take effect.

Special Meetings.

The mayor, or in the mayor's absence the president of the council, may, or at the request of two or more members of the council shall, call a special meeting of the council. The city manager may also call a special meeting of the council.

A. Written notice of a special meeting shall be directed to each member of the council at least 24 hours in advance of the meeting. The notice shall be served on each member personally or electronically, or if the council member is not found, left at his or her place of residence. All notice requirements of state law shall be satisfied before any special meeting can be conducted.

B. Special meetings of the council may also be held at any time by common consent of all members of the council subject to notice requirements being met. Council members shall keep the city manager informed of their current telephone numbers.

C. Because of the possibility of special and emergency meetings, council members should normally advise the city manager if they will be absent from the city for more than 24 hours. Advising the city manager of absences is particularly important if the council member will be in a location or involved in an activity that limits electronic communication.

Suspension of Rules.

These rules may be suspended upon an affirmative vote of 75 percent of those voting when a quorum of the council is present. Suspension of the rules should only occur in cases of extreme necessity.

Vacancies on Boards, Commissions and Committees.

The mayor, with the consent of the council, shall appoint all members of boards, commissions and committees and appoint persons to fill all vacancies. The mayor may request the city manager to seek applications from interested candidates. The council may interview applicants for the planning commission and budget committee.

Vacancies on the Council.

Upon declaring a vacancy on the city council, the council will fill the vacancy under provisions of the city charter. The vacancy will be advertised and applications will be accepted. After the filing deadline has passed, the council will conduct public interviews of all applicants. The council will make a decision to fill the vacancy in a public meeting.

Voting.

Every council member, when a question is taken, shall vote unless a majority of the council present, for special reason, allows the council member to abstain. The council member must declare the intent to abstain prior to the vote.

A. No council member shall be permitted to vote on any subject in which he or she has a conflict of interest.

B. The concurrence of a majority of the council members voting when a quorum is present at a council meeting shall be necessary to decide any question before the council.

Work Sessions.

Work sessions of the city council shall be held in accordance with the Oregon Public Meetings Law.



PROCLAMATION
Emergency Medical Services Week

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical service teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical teams consist of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

WHEREAS, the members of emergency medical service teams engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, Americans benefit daily from the knowledge and skills of these highly trained individuals; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical service providers by designating Emergency Medical Services Week; and

WHEREAS, injury prevention and the appropriate use of the EMS system will reduce national health care costs; and

NOW, THEREFORE, in recognition of this event be it resolved by the City of Newport as follows: that the week of **May 17-23, 2009**, is hereby proclaimed **Emergency Medical Services Week** and everyone in the community is encouraged to observe this week with appropriate programs, ceremonies and activities.

In witness thereof, I have hereunto set my hand and caused the seal of the City of Newport to be affixed this 4th day of May, 2009.

Mayor William D. Bain



***PROCLAMATION – POLICE WEEK
MAY 10-16, 2009***

WHEREAS, the Congress and the President of the United States have designated May 15th as Peace Officers Memorial Day, and the week in which it falls as Police Week; and

WHEREAS, the members of the law enforcement agency of the City of Newport play an essential role in safeguarding the rights and freedoms of the citizens of Newport; and

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our Police Department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression and intimidation; and

WHEREAS, the Police Department of Newport has grown to be a modern and scientific law enforcement agency which unceasingly provides a vital public service;

NOW THEREFORE, I William "Bill" Bain, by the authority vested in me as Mayor of the City of Newport, call upon all citizens of Newport and all patriotic, civic and educational organizations to observe the week of May 10 through 16 as Police Week, with appropriate ceremonies in which all of our citizens may join in commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I FURTHER call upon all citizens of Newport to observe Thursday, May 15, 2009, as Peace Officers Memorial Day in honor of those peace officers who, through their courageous deeds, have lost their lives or have become disabled in the performance of duty.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of the City of Newport to be affixed this 4th day of May 2009.

William D. Bain, Mayor



PROCLAMATION
Teacher Appreciation Week
May 3-9, 2009

WHEREAS, teachers mold our future citizens through their guidance and education; and

WHEREAS, teachers encounter students of widely differing backgrounds and abilities; and

WHEREAS, teachers fill many roles, as listeners, explorers, role models, motivators and mentors;

WHEREAS, teachers should be accorded high public esteem, reflecting the value the community places on education;

NOW, THEREFORE, the Newport City Council hereby proclaims the week of May 3-9, 2009, as "Teacher Appreciation Week".

In witness thereof, I, William D. "Bill" Bain, Mayor of Newport, have hereunto set my hand and caused the Seal of the City of Newport to be affixed this 4th day of May, 2009.

William D. Bain

April 20, 2009
Noon
Newport, Oregon

CITY COUNCIL WORK SESSION

Councilors present: Bain, Patrick, Kilbride, Obtshka, McConnell, and Bertuleit. Brusselback was excused.

Staff present: Hawker, Firestone, Atkinson, Bassingthwaite, Smith, Ritzman, Riessbeck, Crook, Reno, Miranda, and Protiva.

Council discussed the following items:

1. Richard Dutton updated Council on the website consolidation project.
2. Council agreed to reschedule the departmental tours.
3. The following expenditures, from the listing of claims paid were clarified:
 - A. Braxling and Braxling – expense was for rock;
 - B. DEQ – expense was for NPDES permit;
 - C. Dell Financial Services expense was for computer leases;
 - D. LGPI expense was for a combination of matters including grievance assistance, class and compensation study, and general personnel questions;
 - E. West Consultants is developing the EAP for the two earthen dams.
4. McConnell will report on a recent meeting of the Destination Newport Committee this evening.
5. Bertuleit will report on a recent meeting of the Bicycle/Pedestrian Committee this evening.
6. Kilbride will report on a recent meeting of the Library Foundation and the Newport Reads program this evening.
7. Obtshka will report on recent meetings of the Library Board, the Senior Center Advisory Committee, the Ernest Bloch Foundation, the Sustainability Committee, and on Schrader's visit.
8. Firestone will report on a recent meeting of the Georgia-Pacific Task Force.
9. David Allen and Kaety Hildenbrand will update Council on wave energy and ocean planning.
10. Council discussed Ordinance No. 1978 regarding the Water System Master Plan.
11. Council discussed Resolution No. 3464 regarding the adjustment of SDC's.
12. Thompson's Sanitary will present their annual update this evening.
13. Council will discuss the request of the Nye Beach Merchant's Association for a fee waiver for the annual clambake.
14. Council will discuss the request of the City Center Newport Association for tourism grant monies for its "Art Deco August" celebration.
15. Firestone reported that there was a sewer back-up that might require a repair in excess of \$5,000. He noted that he had spoken with Shaddox who had authorized an emergency contract to deal with the situation.

16. Kilbride asked about the Thompson's Sanitary financial statement. It was noted that Atkinson has a copy and it can be reviewed at city hall.
17. Obtshka asked what citizens had been selected to participate in the city manager interviews. Cheryl Ewing addressed Council on the recruitment process, and Council requested the addition of several other citizens.
18. It was reported that the fifth revision of the South Beach Urban Renewal Plan would be on the Lincoln County Commissioner's agenda this Wednesday.
19. MOTION was made by McConnell, seconded by Patrick, to enter executive session pursuant to 192.660(2.)(i.) to review the performance of an employee. The motion carried unanimously in a voice vote, and Council entered executive session at 1:06 P.M.
20. MOTION was made by McConnell, seconded by Patrick, to return to the work session. The motion carried unanimously in a voice vote, and Council returned to work session at 1:25 P.M.
21. McConnell asked that staff enact and enforce personnel rules that would result in automatic termination for falsifying employment applications.
22. Council requested an amendment to the public contracting rules to address substantial diversions to a contract. Council would like to be notified of any contract that is amended.

Having no further business, the meeting adjourned at 1:32 P.M.

April 20, 2009
6:00 P.M.
Newport, Oregon

The City Council of the City of Newport met on the above date in the Council Chambers of the Newport City Hall. On roll call, Bain, Kilbride, Patrick, Obteshka, McConnell, and Bertuleit were present. Brusselback was excused.

Staff attending was as follows: City Manager Shaddox, City Recorder Hawker, City Attorney Firestone, Finance Director Riessbeck, Community Development Director Bassingthwaite, Public Works Director Ritzman, and Police Chief Miranda.

PROCLAMATIONS AND RECOGNITIONS

Proclamation – Field of Honor and Medal Ceremonies 2009. Bain proclaimed the week of April 29 – May 3, 2009, as a week of celebration in honor of our veterans. Linda Kilbride accepted the proclamation.

Proclamation – Older Americans Month – May 2009. Bain proclaimed the month of May, 2009 as Older Americans Month in the City of Newport. Brad Nudd spoke on behalf of older Americans and offered suggestions that would aid senior citizens, including white paint on the Bayfront crosswalks.

Proclamation – Youth Week – May 2009. Bain proclaimed the first week in May as Elks National Youth Week in Newport.

CONSENT CALENDAR

The consent calendar consisted of the following items:

- A. Approval of City Council minutes from the work session, executive session, and regular meeting of April 6, 2009, and special meeting and executive session of April 13, 2009.
- B. Fire and Police Department monthly reports for March 2009.
- C. Listing of Claims paid for March 2009.

MOTION was made by Patrick, seconded by McConnell, to approve the consent calendar to include the minutes amended at the noon work session. The motion carried in a voice vote with Kilbride abstaining from voting on the minutes of the April 13, 2009 meeting, as he was absent.

DISCUSSION ITEMS

Wave energy and ocean planning presentation by David Allen, Ocean Policy Advisory Council and Kaety Hildenbrand, Oregon SeaGrant. Allen distributed a roster of the Oregon Ocean Policy Advisory Council, and a copy of Executive Order No. 08-07. He updated Council on wave energy and ocean planning activities. Hildenbrand updated Council on SeaGrant activities. They requested Council provide input on important issues and draft a letter containing same.

COUNCILOR'S REPORTS AND COMMENTS

Kilbride reported on a recent meeting of the Library Foundation, where the speaker was the granddaughter of the author of "Stubborn Twig."

Bertuleit reported on a recent meeting of the Bicycle/Pedestrian Committee. Issues discussed included the sidewalk in South Beach, ten locations for bike route signs, and the status of bicycle path signs from the state.

McConnell reported on a recent meeting of the Destination Newport Committee. The media plan for next year was discussed, including outdoor signage and print media. Patrick asked whether SeaPort has contacted Grady Britton regarding marketing. It was reported that the next Air Consortium meeting would be held on April 30 @ 9:30 A.M., and SeaPort's marketing plan is on the agenda. Patrick asked whether SeaPort would report on the sustainability of the service.

Obtshka reported that he had attended Schrader's town hall meeting.

Obtshka reported on the Ernest Bloch birthday celebration. The current owner of the Bloch house has agreed to rent the facility for the celebration.

Obtshka reported on a recent meeting of the Library Board. He reviewed Library programming and statistics.

Obtshka reported that he had accepted an appointment to the Lincoln County Sustainability Committee. He noted that Lincoln City representatives had made a presentation regarding carbon neutrality.

Obtshka reported on a recent meeting of the Senior Advisory Committee. Issues discussed included the establishment of building use fees, a recently obtained energy efficient lighting grant; the Older Americans Month luncheon on May 5; and field trips.

Firestone reported on a recent meeting of the Georgia-Pacific task force. The task force reviewed the draft agreement, except for big issues. There are two meetings left, and the April 29 meeting will include presentations by the economist from EcoNW, and the appraiser. A wrap-up meeting will be held on May 13, where the group will work on developing a recommendation for Council consideration.

Proclamation – Earth Day. Bain proclaimed Wednesday, April 22, 2009, as Earth Day in the City of Newport.

PUBLIC COMMENT

Brad Nudd, representing the Committee of 88, read a proclamation, regarding the anchor of the saints.

ACTION ITEMS

Adoption of Ordinance No. 1978 amending the Comprehensive Plan Public Facilities Section and adopting a 2008 Water System Master Plan from File 1-CP-09.

Bassingthwaite reviewed Ordinance No. 1978. MOTION was made by Patrick, seconded by McConnell, to read Ordinance No. 1978, amending Ordinance No. 1621 (as amended) of the City of Newport, Oregon, to amend the Public Facilities Section of the City of Newport Comprehensive Plan: 1990-2010, by title only, and place for final passage. The motion carried unanimously in a voice vote. Shaddox read the title of Ordinance No. 1978. Voting aye on the adoption of Ordinance No. 1978 were Bertuleit, Bain, Patrick, Obteshka, Kilbride, and McConnell.

Consideration of Resolution No. 3464 adjusting system development charges.

Bassingthwaite explained Resolution No. 3464. MOTION was made by McConnell, seconded by Bertuleit, to adopt Resolution No. 3464 establishing the current Water SDC at \$1,632 per EDU. The motion carried unanimously in a voice vote.

Report by solid waste franchisee, Thompson’s Sanitary, and consideration of request for solid waste fee adjustment.

Rob Thompson and Ken Riley presented the annual report and rate study of Thompson’s Sanitary. They responded to Council questions. MOTION was made by Kilbride, seconded by Obteshka, to adopt Resolution No. 3465, amending the rates to be charged for solid waste collection. The motion carried unanimously in a voice vote. MOTION was made by McConnell, seconded by Kilbride to require Thompson’s Sanitary Service to submit a mid-year report to the city addressing whether the operating ratio is anticipated to be within the operating ratio range of 85% to 91%. The motion carried unanimously in a voice vote.

Nye Beach Merchants Association – Special Events Fee Waiver application –

Clam Bake. Obteshka reported that he is active in the Nye Beach Merchants Association., but that he would not receive any direct benefit from this application if approved. Firestone reported that there is an explicit exemption for charitable organizations, and that a public official can participate in decisions that would benefit a charitable organization. Eileen Obteshka appeared on behalf of the NBMA request. She requested a fee waiver for the use of 15 street barricades, and the placement of three slider boards in the “Welcome to Newport” signs. She reported that NBMA may request a tourism promotion grant for this event. MOTION was made by McConnell, seconded by Bertuleit, to approve the special event fee waiver request for the Newport Clam Bake and Seafood Barbecue. The motion carried unanimously in a voice vote.

City Center Newport Association – Tourism Grant application – Art Deco

August. Pete McKeeman appeared on behalf of the request. A discussion ensued regarding marketing and tracking participation. MOTION was made by Obteshka, seconded by McConnell, to approve the tourism marketing grant fund application, submitted by the City Center Newport Association, Inc., for assistance with staging and marketing a month-long Art Deco event, in the amount of \$7,500. The motion carried in a voice vote with Kilbride voting no.

OFFICER'S REPORTS

Report of the City Manager. Miranda briefed Council on a state-wide emergency planning effort. He reported that a state-wide disaster drill will be held at the end of this week and next week. The hospital will also be holding a drill on April 28 at the Armory.

Shaddox noted that the Thompson Sanitary annual presentation is a good way to ensure that users are not hit with big jumps. He noted that Council asked exactly the right questions on equipment.

Shaddox noted that the parks SDC's are lower than possible, and he will be asking Council for a policy decision on this. Bassingthwaite noted that SDC's are driven by projects.

Report of the City Attorney. Firestone reported that the Oregon State Police took action relating to gaming tables in the city. He added that the state police had advised him and O'Neal, some months ago, that they were looking at some social gaming related issues in the city, but that he had expected to be contacted before the state took action. That communication did not occur, and some of the gaming tables are temporarily out of service. Additional information will be provided when it is available.

ADJOURNMENT

Having no further business, the meeting adjourned at 8:30 P.M.

Margaret M. Hawker, City Recorder

William D. Bain, Mayor

April 24, 2009
2:00 P.M.
Newport, Oregon

The City Council of the City of Newport met on the above date in Conference Room A of the Newport City Hall. On roll call, Bain, Kilbride, Patrick, Brusselback, McConnell, and Bertuleit were present. Obteshka was excused.

Staff attending was as follows: City Manager Shaddox, City Recorder Hawker, and City Attorney Firestone.

MOTION was made by McConnell, seconded by Brusselback, to enter executive session pursuant to ORS 192.660(2.)(a.) to discuss the employment of a public official. The motion carried unanimously in a voice vote, and Council entered executive session at 2:03 P.M.

MOTION was made by Patrick, seconded by McConnell, to return to the special City Council meeting. The motion carried unanimously in a voice vote, and Council returned to its special meeting at 2:19 P.M.

A discussion ensued regarding the schedule and compensation of the city attorney. Firestone reported that he would be willing to perform work for the city at least 50% of his time until the end of the fiscal year. He noted that he would work out the schedule with the city manager.

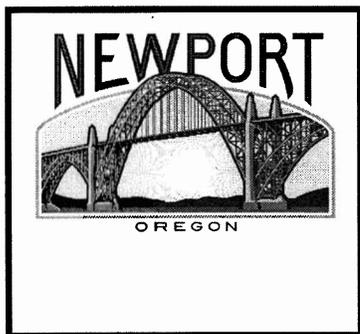
MOTION was made by Kilbride, seconded by Brusselback, to offer Firestone the opportunity to work part-time, at least the amount of time necessary to retain benefits, until the end of the fiscal year. The motion carried unanimously in a voice vote.

Kilbride reported that he had received a call from a reporter with The Oregonian. He noted that he had prefaced his conversation with her as "his opinion." It was noted that it appears that the thrust of this reporter's quest is to determine whether the state exerted improper influence in the selection of SeaPort Air.

Having no further business, the meeting adjourned at 2:35 P.M.

Margaret M. Hawker, City Recorder

William D. Bain, Mayor

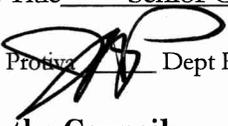
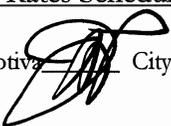


Agenda Item #
Meeting Date

III.B.
May 4th, 2009

CITY COUNCIL AGENDA ITEM SUMMARY
City Of Newport, Oregon

Issue/Agenda Title Senior Center Facility rental Rates Schedule

Prepared By: Jim Protiva  Dept Head Approval: Jim Protiva  City Mgr Approval: 

Issue Before the Council:

Consideration of changing fee schedule and allotment of uncharged time to create equity between users and provide a staff with acceptable policy.

Staff Recommendation:

Staff recommends council ACKNOWLEDGE RECEIPT AND REFER TO FINANCE DIRECTOR FOR INCLUSION IN FEE STUDY CONSIDERATION.

Proposed Motion:

I move that we accept recommended fee schedule for consideration from the Senior Center Advisory Committee to be included in Finance Department's upcoming study.

Key Facts and Information Summary:

This rate schedule is the result of several months work by the Senior Center Advisory Committee and a sub committee. It was approved unanimously in an April 2009 meeting, and will be available for implementation at the Council's direction.

Other Alternatives Considered:

No increase.

City Council Goals:

Attachment List:

Senior Center Facility Rental Rates 2009

Fiscal Notes:

This change will potentially increase the revenues of the Senior Center. There is no expected fiscal cost for administering this policy change.

Senior Center Facility Rental Rates 2009

Level	Category Description	KITCHEN	MULTI-PURPOSE/ DINING AREA	LOUNGE/ BASEMENT	CONFERENCE ROOM
8	1 Senior Programs, Clubs, Organizations: Such as those which have No Cost to participants, and no charge for use. In-City community civic groups open to the public and free to participants Examples include: AARP, Pool, Ping-Pong, Cards, Bunco, Book Club, French Group, Art Classes, Wii, Pinnocchio, Bridge, TOPS, Square Dance FEE INCREASE SCHEDULE: 2010 - 2012	\$35 per hour 2010 - \$36 per hour 2011 - \$37 per hour 2012 - \$38 per hour	No charge, first 40 hours per month after which: \$10 per hour 2010 - \$11 per hour 2011 - \$12 per hour 2012 - \$13 per hour	No charge, first 25 hours per month after which: \$5 per hour 2010 - \$6 per hour 2011 - \$7 per hour 2012 - \$8 per hour	No After-hours usage \$5 per hour 2010 - \$6 per hour 2011 - \$7 per hour 2012 - \$8 per hour
	2 Renters: Such as those which have No Cost to Participate; Charge for Use may be groups from in or out of the City, are open to the public, typically having a 501c3 status Examples include: AA, OA, County, State, Non-Profit Agencies, Churches FEE INCREASE SCHEDULE: 2010 - 2012	\$35 per hour 2010 - \$36 per hour 2011 - \$37 per hour 2012 - \$38 per hour	\$15 per hour 2010 - \$16 per hour 2011 - \$17 per hour 2012 - \$18 per hour	\$10 per hour 2010 - \$11 per hour 2011 - \$12 per hour 2012 - \$13 per hour	\$10 per hour 2010 - \$11 per hour 2011 - \$12 per hour 2012 - \$13 per hour
	3 Commercial/for Profit Groups: Such as those which Recover Full Cost The activity is private in nature, and not open to public. Weddings, Family Reunions, Political Meetings, Sales Meetings, Fund- Raisers. FEE INCREASE SCHEDULE: 2010 - 2012	\$45 per hour 2010 - \$46 per hour 2011 - \$47 per hour 2012 - \$48 per hour	\$25 per hour 2010 - \$26 per hour 2011 - \$27 per hour 2012 - \$28 per hour	\$15 per hour 2010 - \$16 per hour 2011 - \$17 per hour 2012 - \$18 per hour	\$15 per hour 2010 - \$16 per hour 2011 - \$17 per hour 2012 - \$18 per hour

In all cases, after-hour rentals (after 5pm/weekends) will be charged an additional \$15 per hour for Building Attendant fees.



2010 CENSUS: IT'S IN OUR HANDS

What Elected Officials Need to Know about the 2010 Census

In 2010, the U.S. census will define who we are as a nation. Taken every 10 years, the census affects political representation and directs the allocation of billions of dollars in government funding. As an elected official, you work daily to secure the best interests of your constituents and to ignite positive change for your community. By becoming a 2010 Census partner, you can help ensure that everyone in your community is counted so that your community receives its fair share of important services and resources. **Achieving a complete and accurate 2010 Census is in our hands.**

The Census: A Snapshot

- ▲ The U.S. Constitution requires a national census once every 10 years.
- ▲ The census is a count of everyone residing in the United States: in all 50 states, Washington, D.C., Puerto Rico, U.S. Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa. This includes people of all ages, races, ethnic groups, both citizens and non-citizens.
- ▲ The 2010 Census will create hundreds of thousands of temporary jobs across the nation.

It's in Our Hands: Your Community's Participation in the Census Matters

- ▲ Every year, more than \$300 billion in federal funds is awarded to states and communities based on census data. That's more than \$3 trillion over a 10-year period.
- ▲ Census data guide planning for new hospitals, schools and other services.
- ▲ Census data is used to determine the most need for additional social services, including who receives community development block grants and other grant programs essential to many communities.

Completing the 2010 Census Questionnaire: Simple and Safe

- ▲ The 2010 Census questionnaire asks only a few simple questions of each person—name, relationship, gender, age and date of birth, race, and whether the respondent owns or rents his or her home. This simple, short questionnaire takes just a few minutes to complete and return by mail.
- ▲ The Census Bureau does not release or share information that identifies individual respondents or their household for 72 years.

www.census.gov/2010census

Timeline of the Major 2010 Census Operations: Oregon	
Seattle Regional Census Center (RCC) opens in Bothell, WA to manage 2010 Census	January 2008
Recruiting begins for Early Local Census Office (ELCO) management positions	Spring 2008
Oregon Early Local Census Offices (ELCOs) open: Eugene, Portland (2)	Fall 2008
Recruiting begins for field jobs for early operations	Fall 2008
Address Canvassing: Listers update address lists and maps on hand-held computers	Apr – June, 2009
Recruiting begins for Local Census Office (LCO) management positions	Spring 2009
Census Coverage Measurement (CCM) Independent Listing: Quality control operation	Aug 28 – Dec 12, 2009
Oregon remaining proposed Local Census Offices (LCOs) open: Beaverton, Bend, Salem (3)	Fall 2009
Group Quarters Validation: "Other Living Quarters" classified by type	Sep 28 – Oct 23, 2009
Recruiting begins for field staff for peak workload	Winter 2009-2010
Group Quarters Advance Visit: Contact persons notified of upcoming enumeration	Feb 01 – Mar 19, 2010
US Postal Service delivers advance letters to households	Feb 17 – Mar 10, 2010
Questionnaire Assistance Centers: Walk-up centers where staff will assist respondents with questions	Feb 25 – Apr 19, 2010
Update/Leave: Census takers update address lists and deliver census questionnaires to households	Mar 01 – Mar 31, 2010
CCM Initial Housing Unit Followup: Disparities between address lists are resolved	Mar 04 – Apr 23, 2010
US Postal Service delivers census questionnaires to households	Mar 15 – Mar 17, 2010
Be Counted Program: Blank census questionnaires are made available for those who believe they have not been counted	Mar 19 – Apr 19, 2010
US Postal Service delivers reminder postcards to households	Mar 22 – Mar 24, 2010
Transitory Locations Enumeration: Individuals with no usual home elsewhere counted in RV parks, campgrounds, hotels, motels, marinas, racetracks, circuses, and carnivals	Mar 22 – Apr 16, 2010
Update/Enumerate and Remote Update/Enumerate: Census takers update addresses and enumerate household members in one visit	Mar 22 – May 29, 2010
Service-Based Enumeration (SBE): Persons counted who receive services at shelters, soup kitchens, mobile food vans, or stay at targeted non-sheltered outdoor locations	Mar 29 – Mar 31, 2010
Group Quarters Enumeration: Count of people living in group quarters	Mar 30 – May 14, 2010
Military Group Quarters Enumeration: Count of people in military group quarters	Mar 30 – May 14, 2010
CENSUS DAY	APRIL 01, 2010
US Postal Service delivers replacement questionnaires to households	Apr 01 – Apr 03, 2010
US Postal Service delivers targeted replacement questionnaires in hard-to-count areas	Apr 06 – Apr 10, 2010
Nonresponse Followup: Census takers visit households that did not return a questionnaire by mail and enumerate household members	May 01 – Jul 10, 2010
Nonresponse Followup Reinterview: Quality control operation	May 07 – Jul 17, 2010
Vacant Delete Check: Recheck of addresses designated vacant or not housing units	Jul 24 – Aug 25, 2010
Field Verification: Recheck of addresses not previously in Master Address File	Aug 06 – Sep 03, 2010
CCM Person Interview: Data collected from current and former residents in sample	Aug 14 – Oct 09, 2010
LCOs close on a flow basis	Summer 2010
By law, Census Bureau delivers population counts to President for apportionment	Dec 31, 2010
CCM Person Followup: Additional information sought to resolve disparities	Jan 28 – Mar 26, 2011
By law, Census Bureau completes delivery of redistricting data to states	Mar 31, 2011
CCM Final Housing Unit Followup: Additional information sought that will resolve disparities between CCM Independent Listing and the census records	May 05 – Jun 18, 2011

Major field operations are denoted in boldface with blue shading.

50 Ways Census Data Are Used

- Decision making at all levels of government.
- Drawing federal, state, and local legislative districts.
- Attracting new businesses to state and local areas.
- Distributing over \$300 billion in federal funds and even more in state funds.
- Forecasting future transportation needs for all segments of the population.
- Planning for hospitals, nursing homes, clinics, and the location of other health services.
- Forecasting future housing needs for all segments of the population.
- Directing funds for services for people in poverty.
- Designing public safety strategies.
- Development of rural areas.
- Analyzing local trends.
- Estimating the number of people displaced by natural disasters.
- Developing assistance programs for American Indians and Alaska Natives.
- Creating maps to speed emergency services to households in need of assistance.
- Delivering goods and services to local markets.
- Designing facilities for people with disabilities, the elderly, or children.
- Planning future government services.
- Planning investments and evaluating financial risk.
- Publishing economic and statistical reports about the United States and its people.
- Facilitating scientific research.
- Developing "intelligent" maps for government and business.
- Providing proof of age, relationship, or residence certificates provided by the Census Bureau.
- Distributing medical research.
- Reapportioning seats in the House of Representatives.
- Planning and researching for media as backup for news stories.
- Providing evidence in litigation involving land use, voting rights, and equal opportunity.
- Drawing school district boundaries.
- Planning budgets for government at all levels.
- Spotting trends in the economic well-being of the nation.
- Planning for public transportation services.
- Planning health and educational services for people with disabilities.
- Establishing fair market rents and enforcing fair lending practices.
- Directing services to children and adults with limited English language proficiency.
- Planning urban land use.
- Planning outreach strategies.
- Understanding labor supply.
- Assessing the potential for spread of communicable diseases.
- Analyzing military potential.
- Making business decisions.
- Understanding consumer needs.
- Planning for congregations.
- Locating factory sites and distribution centers.
- Distributing catalogs and developing direct mail pieces.
- Setting a standard for creating both public and private sector surveys.
- Evaluating programs in different geographic areas.
- Providing genealogical research.
- Planning for school projects.
- Developing adult education programs.
- Researching historical subject areas.
- Determining areas eligible for housing assistance and rehabilitation loans.

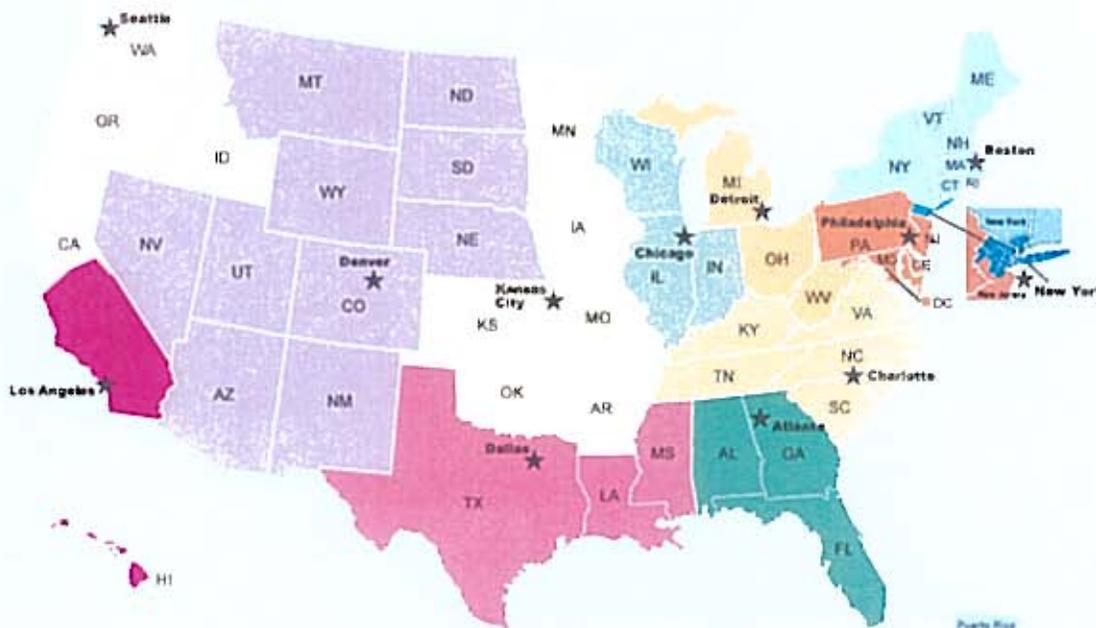
U.S. Census Bureau Regional Offices

January 2009

AK

Partnership and Data Services Program

FLDPDS/08-2



ATLANTA - www.census.gov/atlanta
Alabama, Florida, Georgia

BOSTON - www.census.gov/boston
Connecticut, Maine, Massachusetts, New Hampshire, New York (all counties except those covered by the NY Regional Office listed under the state of NY), Puerto Rico, Rhode Island, Vermont

CHARLOTTE - www.census.gov/charlotte
Kentucky, North Carolina, South Carolina, Tennessee, Virginia

CHICAGO - www.census.gov/chicago
Illinois, Indiana, Wisconsin

DALLAS - www.census.gov/dallas
Louisiana, Mississippi, Texas

DENVER - www.census.gov/denver
Arizona, Colorado, Montana, Nebraska, Nevada, New Mexico, North Dakota, South Dakota, Utah, Wyoming

DETROIT - www.census.gov/detroit
Michigan, Ohio, West Virginia

KANSAS CITY - www.census.gov/kansascity
Arkansas, Iowa, Kansas, Minnesota, Missouri, Oklahoma

LOS ANGELES - www.census.gov/losangeles
Hawaii, Southern California (Fresno, Imperial, Inyo, Kern, Kings, Los Angeles, Madera, Mariposa, Merced, Monterey, Orange, Riverside, San Bernardino, San Diego, San Benito, San Luis Obispo, Santa Barbara, Tulare, and Ventura counties)

NEW YORK - www.census.gov/newyork
New York (Bronx, Kings, Nassau, Queens, Richmond, Rockland, Suffolk, and Westchester counties)
New Jersey (Bergen, Essex, Hudson, Morris, Middlesex, Passaic, Somerset, Sussex, Union, and Warren counties)

PHILADELPHIA - www.census.gov/philadelphia
Delaware, District of Columbia, Maryland, New Jersey (all counties except those covered by the NY Regional Office listed under the state of NJ), Pennsylvania

SEATTLE - www.census.gov/seattle
Alaska, Idaho, Northern California (all counties except those covered by the LA Regional Office listed under southern California), Oregon, Washington

Phone Numbers for the Partnership and Data Services Program

2010 PARTNERSHIP STAFF:

Atlanta
404-335-1467

Boston
617-223-3610

Charlotte
704-936-5330

Chicago
312-454-2770

Dallas
214-637-9680

Denver
720-475-3670

Detroit
313-259-1875

Kansas City
816-298-9704

Los Angeles
818-435-6300

New York
212-356-3100

Philadelphia
215-717-7600

Seattle
425-908-4050

USCENSUSBUREAU

Helping You Make Informed Decisions

U.S. Department of Commerce
Economics and Statistics Administration
U.S. CENSUS BUREAU

Attachment List:

See the attached proposed street overlay project list, vicinity map, and proposed resolution.

Fiscal Notes:

Passage of this resolution has no direct fiscal impact. Once the street overlays project has been completed, the city will request the State to reimburse us for the contractor's cost.

RESOLUTION NO. _____

**A Resolution Approving an Agreement with the State of Oregon Regarding
Administration of Federal Funds and Authorizing Execution of the Agreement**

Findings

- A. The City of Newport and the State of Oregon have in the past agreed to Local Agency Fund Exchange Agreements that exchange federal funds granted to the City for state funds as a means of expeditious administration of the funds and record-keeping.
- B. The City and the State wish to enter into a similar agreement to exchange \$105,010 of 2009 Federal funds for \$98,709.40 of state funds for improvements to various city streets, which consist of various street overlays.
- C. The State of Oregon has submitted a form of agreement for approval and execution by the City of Newport.

Based on these findings, the City of Newport resolves as follows:

- Section 1. Local Fund Exchange Agreement No. 25,448 in the form of the attached Exhibit A is approved.
- Section 2. The Mayor is authorized the approved Local Agency Fund Exchange Agreement No. 25,448.
- Section 3. This Resolution is effectively immediately upon its passage.

Approved by a ___ to ___ vote of the Newport City Council on _____, 2009.

Mayor

ATTEST:

City Recorder

2009 FUND EXCHANGE AGREEMENT
Various City Street Pavement Overlay Projects
City of Newport

THIS AGREEMENT is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State;" and CITY OF NEWPORT, acting by and through its elected officials, hereinafter referred to as "Agency," collectively referred to as the "Parties."

RECITALS

1. By the authority granted in Oregon Revised Statutes (ORS) 190.110, 366.572 and 366.576, State may enter into cooperative agreements with counties, cities and units of local governments for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties.

NOW THEREFORE, the premises being in general as stated in the foregoing Recitals, it is agreed by and between the Parties hereto as follows:

TERMS OF AGREEMENT

1. Agency has submitted a completed and signed Part 1 of the Project Prospectus, or a similar document agreed to by State, outlining the schedule and costs associated with all phases of various city street pavement overlay projects, hereinafter referred to as "Project."
2. State has reviewed Agency's prospectus and considered Agency's request for the Fund Exchange. State has determined that Agency's Project is eligible for the exchange of funds.
3. To assist in funding the Project, Agency has requested State to exchange 2009 federal funds, which have been allocated to Agency, for state funds based on the following ratio:

\$94 state for \$100 federal
4. Based on this ratio, Agency wishes to trade \$105,010.00 federal funds for \$98,709.40 state funds.
5. The term of this Agreement will begin upon execution and will terminate two (2) calendar years on the same month and day unless extended by an executed amendment.

*City of Newport / State of Oregon – Dept. of Transportation
Agreement No. 25,448*

6. The Parties agree that the exchange is subject to the following conditions:
 - a. The federal funds transferred to State may be used by State at its discretion.
 - b. State funds transferred to Agency must be used for the Project. This Fund Exchange will provide funding for specific roadway projects and may also be used for the following maintenance purposes:
 - i. Purchase or Production of Aggregate. Agency shall ensure the purchase or production of aggregate will be highway related and used exclusively for highway work.
 - ii. Purchase of Equipment. Agency shall clearly describe how it plans to use said equipment on highways. Agency shall demonstrate that the equipment will only be used for highway purposes.
 - c. State funds may be used for all phases of the Project, including preliminary engineering, right of way, utility relocations and construction. Said use shall be consistent with the Oregon Constitution and statutes (Section 3a of Article IX Oregon Constitution). Agency shall be responsible to account for expenditure of state funds.
 - d. This Fund Exchange shall be on a reimbursement basis, with state funds limited to a maximum amount of \$98,709.40. All costs incurred in excess of the Fund Exchange amount will be the sole responsibility of Agency.
 - e. State certifies, at the time this Agreement is executed, that sufficient funds are available and authorized for expenditure to finance costs of this Agreement within State's current appropriation or limitation of the current biennial budget.
 - f. Agency, and any contractors, shall perform the work as an independent contractor and will be exclusively responsible for all costs and expenses related to its employment of individuals to perform the work including, but limited to, retirement contributions, workers' compensation, unemployment taxes, and state and federal income tax withholdings.
 - g. Agency shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this Agreement, including, without limitation, the provisions of ORS 279C.505, 279C.515, 279C.520, 279C.530 and 279B.270 incorporated herein by reference and made a part hereof. Without limiting the generality of the foregoing, Agency expressly agrees to comply with: (i) Title VI of Civil Rights Act of 1964; (ii) Title V and Section 504 of the Rehabilitation Act of

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Agreement No. 25,448*

1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659A.142; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.

- h. Agency, or its consultant, shall conduct the necessary preliminary engineering and design work required to produce final plans, specifications and cost estimates; purchase all necessary right of way in accordance with current state and federal laws and regulations; obtain all required permits; be responsible for all utility relocations; advertise for bid proposals; award all contracts; perform all construction engineering; and make all contractor payments required to complete the Project.
- i. Agency shall submit invoices to State on a monthly basis for actual costs incurred by Agency on behalf of the Project directly to State's Project manager for review and approval. Such invoices will be in a form identifying the Project, the agreement number, the invoice number or account number (or both), and will itemize all expenses for which reimbursement is claimed. Under no conditions shall State's obligations exceed \$98,709.40, including all expenses. Travel expenses will not be reimbursed.
- j. Agency shall, at its own expense, maintain and operate the Project upon completion at a minimum level that is consistent with normal depreciation and service demand.
- k. All employers, including Agency, that employ subject workers in the State of Oregon shall comply with ORS 656.017 and provide the required workers' compensation coverage unless such employers are exempt under ORS 656.126. Agency shall ensure that each of its subcontractors complies with these requirements.
- l. This Agreement may be terminated by either Party upon thirty (30) days' notice, in writing and delivered by certified mail or in person.
 - i. State may terminate this Agreement effective upon delivery of written notice to Agency, or at such later date as may be established by State, under any of the following conditions:
 - A. If Agency fails to provide services called for by this Agreement within the time specified herein or any extension thereof.
 - B. If Agency fails to perform any of the other provisions of this Agreement, or so fails to pursue the work as to endanger

*City of Newport / State of Oregon – Dept. of Transportation
Agreement No. 25,448*

performance of this Agreement in accordance with its terms, and after receipt of written notice from State fails to correct such failures within ten (10) days or such longer period as State may authorize.

- ii. Either Party may terminate this Agreement effective upon delivery of written notice to the other Party, or at such later date as may be established by the terminating Party, under any of the following conditions:
 - A. If either Party fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow either Party, in the exercise of their reasonable administrative discretion, to continue to make payments for performance of this Agreement.
 - B. If federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or either Party is prohibited from paying for such work from the planned funding source.
 - iii. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the Parties prior to termination.
 - m. State and Agency agree that if any term or provision of this Agreement is declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular term or provision held to be invalid.
7. Agency acknowledges and agrees that State, the Oregon Secretary of State's Office, the federal government, and their duly authorized representatives shall have access to the books, documents, papers, and records of Agency which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts for a period of six (6) years after final payment. Copies of applicable records shall be made available upon request. Payment for costs of copies is reimbursable by State.
8. Agency certifies and represents that the individual(s) signing this Agreement has been authorized to enter into and execute this Agreement on behalf of Agency, under the direction or approval of its governing body, commission, board, officers, members or representatives, and to legally bind Agency.

*City of Newport / State of Oregon – Dept. of Transportation
Agreement No. 25,448*

9. This Agreement may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.

10. This Agreement and attached exhibits constitute the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind either Party unless in writing and signed by both Parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of State to enforce any provision of this Agreement shall not constitute a waiver by State of that or any other provision.

THE PARTIES, by execution of this Agreement, hereby acknowledge that each Party has read this Agreement, understands it, and agrees to be bound by its terms and conditions.

The funding for this Fund Exchange program was approved by the Oregon Transportation Commission on November 14, 2007, as part of the 2008-2011 Statewide Transportation Improvement Program.

The Program and Funding Services Manager approved this Fund Exchange on February 20, 2009.

The Oregon Transportation Commission on December 29, 2008, approved Delegation Order No. 2, which authorizes the Director to approve and execute agreements for day-to-day operations. Day-to-day operations include those activities required to implement the biennial budget approved by the Legislature, including activities to execute a project in the Statewide Transportation Improvement Program.

Signature page to follow

City of Newport / State of Oregon – Dept. of Transportation
Agreement No. 25,448

On August 2, 2005, the Director, Deputy Director, Highways and Chief Engineer approved Subdelegation Order No. 5, in which the Director, Deputy Director, Highways and Chief Engineer delegate authority to the Region Managers to approve and sign intergovernmental agreements over \$75,000 up to a maximum of \$500,000 when the work is related to a project included in the Statewide Transportation Improvement Program or in other system plans approved by the Oregon Transportation Commission or in a line item in the legislatively adopted biennial budget.

CITY OF NEWPORT, by and through its
elected officials

STATE OF OREGON, by and through its
Department of Transportation

By _____
Bill Bain, Mayor

By _____
Jane Lee, Region 2 Manager

Date _____

Date _____

APPROVED AS TO FORM

APPROVAL RECOMMENDED

By _____
Gary Firestone, City Legal Counsel

By _____
Erik Havig, Region 2 Planning &
Development Manager

Date _____

Date _____

Agency Contact:

Gregory L. Schaecher, Asst. City Engineer
City of Newport
169 SW Coast Highway
Newport, OR 97365
Phone: (541) 574-3376
Email: g.schaecher@thecityofnewport.net

**APPROVED AS TO LEGAL
SUFFICIENCY**

By _____
Dale K. Hormann, Assistant Attorney
General

Date _____

State Contact:

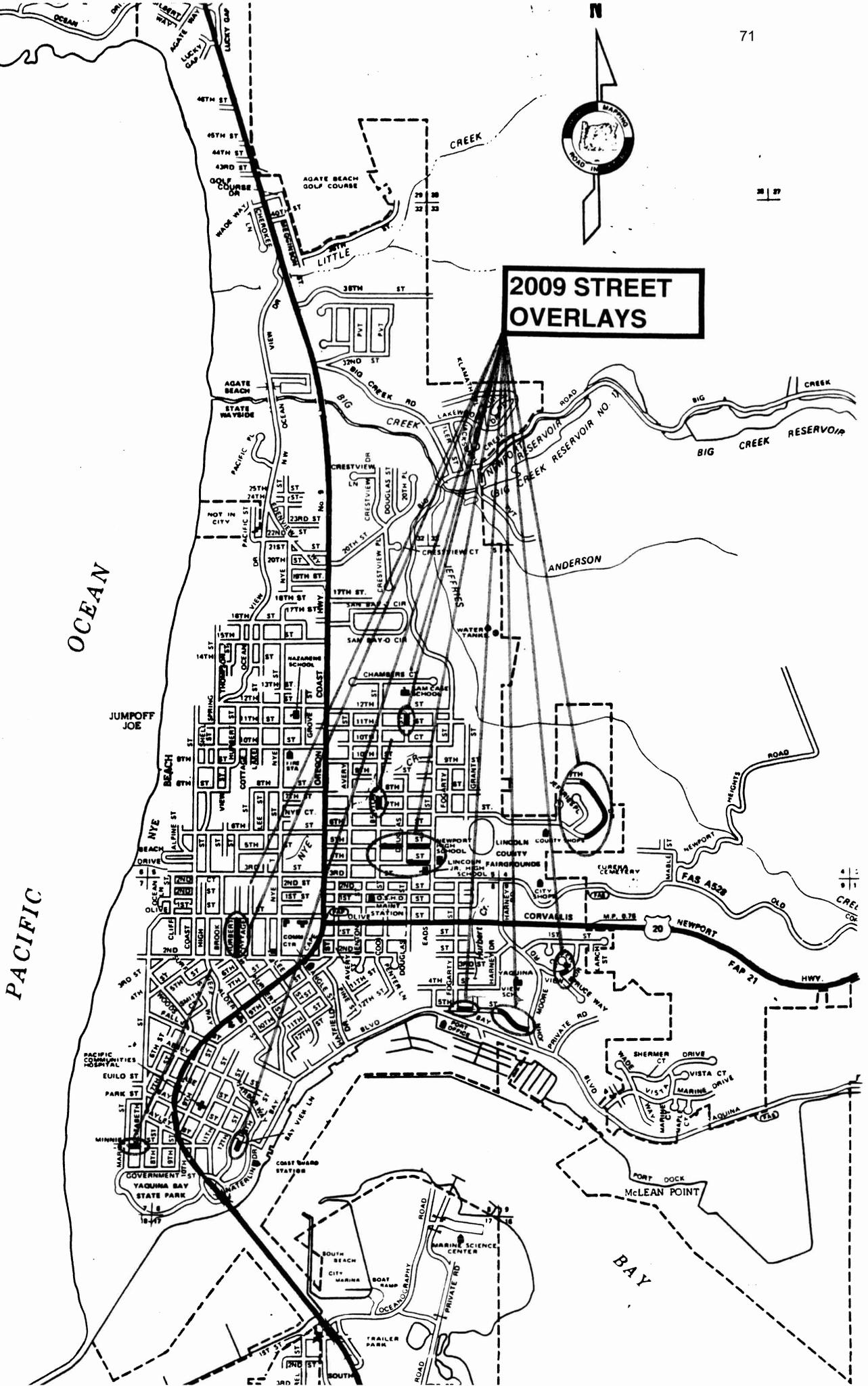
Michael Starnes, Local Program Liaison
ODOT, Highway Division, Region 2
Planning & Development Unit
455 Airport Road SE, Building B
Salem, OR 97301-5395
Phone: (503) 986-6920
Email: michael.s.starnes@odot.state.or.us

CITY OF NEWPORT, OREGON PROPOSED 2009 STREET OVERLAYS PROJECT

<u>Street</u>	<u>From</u>	<u>To</u>
NE 4th Street	NE Douglas Street	NE Eads Street
NE 5th Street	NE Benton Street	NE Douglas Street
NE 5th Street	NE Douglas Street	NE Eads Street
SE 5th Street	SE Fogarty Street	SE Grant Street
SE 5th Street	750 SE 5th Street	SE Moore Drive
NE 7th Street	1020 NE 7th Street	NE Jefferies Court
SW Bayview Lane	SW 12th	South
NE Benton Street	NE 7th Street	NE 8th Street
NE Douglas Street	NE 11th Street	NE 12th Street
SW Hubert Street	W. Olive Street	SW 2nd Street
SW Minnie Street	SW Elizabeth Street	SW Mark Street
SE View Drive	SE Spruce Way	SE View Court
SE View Court	SE 1st Street	East



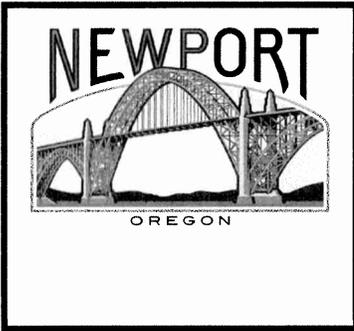
2009 STREET OVERLAYS



PACIFIC

OCEAN

BAY



Agenda Item #: VIII.B.
 Meeting Date: 5/4/09

CITY COUNCIL AGENDA ITEM SUMMARY
 City Of Newport, Oregon

Issue/Agenda Title: Award of Contracts for Temporary Employment Services

Prepared By: Hawker Dept Head Approval: Hawker City Mgr Approval: _____

Issue Before the Council: Should the Council approve contracts with Barrett Business Services, Inc. and Cardinal Services, Inc. to provide temporary employment services to the City of Newport.

Staff Recommendation: Approve both contracts.

Proposed Motion: I move to approve contracts with Barrett Business Services, Inc., and Cardinal Services, Inc. to provide temporary employment services to the city.

Key Facts and Information Summary: From time to time, the city has a need for temporary employees. To comply with the city's public contracting rules, an RFP for temporary employment services was issued, and two proposals were received. The proposals were evaluated by staff, and both proposals are recommended for award of contract. Approval of these contracts formalizes the city's use of these companies.

Additionally, these services relieve the city of recruiting and screening costs, payroll administration, and workers' compensation and unemployment insurance costs. Often, when the need arises for a temporary employee, it arises suddenly, and does not allow time for the city to conduct a recruitment. Both companies have the ability to provide employees on very short notice.

The recommendation is to approve a contract with both companies. Contracting with two companies allows flexibility, i.e., one company may have available temporary employees that closely meet the needs of a specific position, while the other may not. It gives the city options.

Other Alternatives Considered: None.

City Council Goals: Not applicable.

Attachment List: RFP for temporary employment services; Proposal from Cardinal Services, Inc.; and Proposal from Barrett Business Services.

Fiscal Notes: These services relieve the city of recruiting and screening costs, payroll administration, and workers' compensation and unemployment insurance costs.



**Response to Request for Proposal
City of Newport**

A. Business Profile:

1.) Financial:

We will not be providing copies of our financial statements or tax forms (see letter to City Attorney)

History and description of our company: Cardinal is a professional employer organization (PEO) providing human resource assistance in the areas of workers' compensation coverage, payroll administration (including taxes and insurance), recruiting & screening, safety assistance, benefits, etc. to local business. We are homegrown in Oregon. We pride ourselves in our ability to customize relationships with each of our clients to better serve their needs. Cardinal continues to grow adding services, offices and staff. Cardinal began in 1984 as Acme Personnel Employment Agency in North Bend, Oregon. After 25 years under the continuous ownership of the Freeman family Cardinal is a full service PEO with offices in nine locations in Oregon.

Cardinal alleviates the hassles of payroll administration. Cardinal takes care of all the Federal and State tax reporting, W-2 processing, garnishments and other payroll deductions. In addition we provide workers' compensation and unemployment insurances as well as assist you in managing claims under these coverages. Managing employees has become one of the most complex and risk laden aspects of a business. Cardinal offers assistance with issues ranging from hiring and discipline to wage and hour, to policies and procedures. Answers are just a phone call away.

Cardinal is a full service PEO offering recruiting and screening services, which can include background checks, drug testing, referencing prior work experience, verification of educational background or other services tailored to our clients needs. By jointly employing staff with Cardinal, you are effectively "*contracting out*" many of your human resource duties. Since Cardinal becomes the administrative employer for your staff, we are responsible for payroll and tax reporting, workers' compensation and unemployment insurance, as well as helping you comply with wage and hour, discrimination, immigration and other employment laws.

2.) Credit Rating/Report, letter from bank, suppliers:

Umpqua Bank
2330 Broadway St.
Address: North Bend, Or 97459
Phone #: 541.756.2011
Patty Cook, Branch Manager

Openonline:
Account# ORCAR040



Address: P.O. Box 549
Columbus, Ohio 43216
Phone#: 888-381-5656

Phoenix Inn - Bend #601
Account# 0000010344
Address: 300 NW Franklin
Bend, OR 97701
Phone#: 541-317-9292

Red Lion Hotel
1313 N. Bayshore Drive
Coos Bay, OR 97420
Phone#: 541-267-4141

3.) Pricing:

The bid price includes all deductions required by State and Federal law, including employer's FICA, UIC, Workers Compensation, as well as employee deductions/benefits, and all administrative charges. *Note: This is the final markup that will be used on invoice to determine your total cost through Cardinal, (for example, a clerical employee at \$10.00 per hour would be billed at \$12.80 per hour. $\$10.00 \times 1.28 = \12.80).*

Position: Clerical + Administrative
Workers Comp. Code: 8810
Markup%: 28%

Position: Street or Road Construction
Workers Comp. Code: 5506
Hourly Wage: \$7.95
Markup%: 38%

Position: Sewage Disposal
Workers Comp. Code: 7580
Markup%: 38%

Position: Architect + Engineer
Workers Comp. Code: 8601
Markup%: 28%

Position: Parks Maintenance
Workers Comp. Code: 9102
Markup%: 35%



Position: Building Maintenance
 Workers Comp. Code: 9015
 Markup%: 35%

4.) Cardinal Procedures and Policies:

a. Pre-Screening:

Cardinal's pre-screening for the following services are administered using our processes explained here:

Physical Examinations: We do not provide physical examinations.

Criminal Background Checks: Cardinal provides full criminal background investigations on every applicant before placement with a client. There is a section on our application that applicants are required to fill out. This section identifies where the applicant has lived in the past 10 years, and also requests disclosure of any prior criminal background. These applicants are then submitted by Cardinal's Administrative Services Team (ASST) to our partner Open Online. www.openonline.com. From there we determine which applicants are qualified to be placed, using our own system, and the sometimes differing system of each individual client.

Credit Ratings: Cardinal can provide full credit rating checks on an applicant by applicant basis. We partner with CBC Companies www.cbcinnovis.com and follow all regulatory compliance in the process of pulling a consumer report. *These are only done a request per client basis.*

Verification of Licenses and Certification: Also done on a case by case basis, by our Customer Services team. Each license and certification has its own method of verification, and these are completed on each potential applicant as deemed necessary by the client and Cardinal.

b. Training:

Safety and Sexual Harassment: Please see enclosed Cardinal Employee Handbook to see our detailed plans for safety and in regards to harassment with all new employees. Additionally Cardinal requires all employees to view a New Employee Orientation video that covers a variety of topics including harassment. A test is given at the end of the video to ensure that new employees have paid attention to the video.

c. Follow-Up:

Quality Control Program: This all starts at the beginning of Cardinal's process. Our goal is to match the right person to the right job. With our application process, reference checking, criminal background investigations, multiple interviews, and other testing procedures, we believe we narrow down the chance that our clients will end up with a non-match. From the time and employee starts at a position we check in with both the employee and employer. Within 8 hours we would contact the client's hiring department to determine if each employee is meeting or has



met the requirements of the job title to the satisfaction of the department. The employees will be set up on a weekly to monthly check in list, to help determine their level of satisfaction with the job as well.

d. Availability of Personnel:

When it comes to lead time, obviously the more time we have the better we will be at making a job connection. But we are in the business of finding people quickly and efficiently. We keep prescreened applicants on file specifically for that reason. They have completed our entire application process and are ready to work. During the current labor market, we expect no problems in finding qualified applicants to fill open positions. The fact that we have multiple clients requiring similar positions, allows us to be ready to fill jobs with short notice, even temporary positions. As the economy shifts, we will position ourselves to find people even with a shrinking unemployment rate. We provide local businesses work force flexibility and access to talent they couldn't achieve on their own, including the flexibility to keep fully staffed during busy times. Whether temporary jobs last a few hours or several years, we allow businesses to adjust their work forces to meet their ever-changing needs. Business customers rely on us to provide access to talented workers in the full range of occupations, from traditional office-clerical and industrial to specialized and professional positions, including legal, accounting, finance, scientific and technical, information technology, health care, executive and management, and sales and marketing. Our customers say that the use of our temporary and contract employees are an important part of their business model and many businesses view us as partners, not suppliers. Our clients also say the quality of employees we have recruited is the same, if not better than the quality of their regular employees.

5.) References:

City of North Bend - Jan Willis, City Administrator: 541.756.8500

City of Toledo - Adam Denlinger, Chief Planning Officer: 541.336.2247.

Western Cascade Industries - Ted Holland, General Manager: 541.336.3306.

Thank you for the opportunity,

Derek Jensen
 Director of Sales
 Cardinal Services, Inc.
 541.265.5090 ext. 2210



**Letter to City Attorney
Response to Request for Proposal
City of Newport**

As requested, any modification or amendment proposed by Cardinal Services must be in writing. Here is a list of those modifications/amendments requested:

Performance Terms and Conditions Section C3:
Cardinal will not provide physical examinations.

Proposal Content Section A1:

As a privately owned firm, Cardinal would prefer not to supply the financial statements or tax forms from the past 3 years. We would prefer to let our references from our bank and suppliers to provide necessary information.

Exhibit A Section 8D:

While Cardinal will perform all necessary criminal background investigations, we will not be responsible for restitution to City of Newport for all losses, including but not limited to: loss of use, loss of income, attorney's fees, and replacement of stolen property or equipment. We would accept a change in the language such as "if the City of Newport provides accurate supervision and control over the employee."



RED LION HOTEL
COOS BAY

March 5, 2009

Re: Cardinal Services
Coos Bay, Oregon
Account AR97

To Whom It May Concern:

We are pleased to have Cardinal Services as a direct bill account with the Red Lion Hotel. They have been one of our accounts for several years, they pay as agreed, and their account is in good standing.

Please call me if you have questions.

Sincerely,

Carol Noorlander
Accounting Manager



March 3, 2009

To Whom It May Concern,

Cardinal Services has had an active account within our hotel for over 5 years. Their highest balance on their account was \$3252.90 and their lowest was \$108.90. They maintain payments within our net 30 day policy and have always responded to any discrepancies in an urgent matter.

As of March 3, 2009, their account is in good standing.

If you need any additional information, please don't hesitate to contact myself at your convenience.

Sincerely,

Michelle Richardson

Guest Services Manager

Michelle.steward@phoenixinn.com

Phoenix Inn Suites

300 NW Franklin Avenue

Bend, OR 97701

PHONE 541-317-9292

FAX 541-317-9090



PO Box 549
Columbus, Ohio 43216-0549

Ph: 614.481.6999

Fax: 614.481.6980

www.openonline.com

March 3, 2009

City of Newport

Re: Cardinal Services

To Whom It May Concern:

This letter is to certify that Cardinal Services is a customer in good standing at OPENonline, LLC. Cardinal Services has been a customer since August 1996 and we recommend Cardinal Services as a potential vendor with the City of Newport. If you have any questions or concerns, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Thompson", written over a horizontal line.

Jim Thompson
Controller, OPENonline, LLC



A Human Resource Management Company

February 19, 2009

Cheryl Ewing
Human Resources Coordinator
City of Newport
169 SW Coast Highway
Newport, Oregon 97365

644 SW Coast Highway

Suite D

Newport, Oregon 97365

541.574.9892

Fax 541.574.9895

Dear Cheryl,

We are very pleased to present the CITY OF NEWPORT our proposal to meet your need for temporary workers. Our commitment to you is to develop and maintain a professional relationship that guarantees the highest level of quality, integrity and value in the staffing industry. www.barrettbusiness.com

To help ensure a smooth ramp-up and successful business relationship, we would like to review the basic and value-added services we offer the CITY OF NEWPORT:

BBSI TEAM: These are the people who will be supporting you.

- Esther Pinto Manager – Lincoln County
- Kristin Arment Customer Service Representative
- AJ Gutierrez Risk Manager – Eugene
- Nancy White Claims Manager – Vancouver WA

Regular hours M-F 8:00 AM – 5:00 PM Telephone: 574-9892 Fax: 574-9895

BBSI Components: As a full service temporary staffing company, we specialize in placing personnel in Industrial, Clerical, Skilled and Professional positions. In addition, we have excellent programs for temporary to permanent, direct placement and employee leasing.

EQUAL OPPORTUNITY EMPLOYER: It is the policy of BBSI to recruit, hire and promote all employees without regard to race, color, creed, religion, sex, age, ancestry or national origin. BBSI also complies with the Americans with Disabilities Act.

PAYROLL TAXES: BBSI bears all of the normal payroll costs for all of our employees. We are the legal employer and are responsible for all Federal, State and Local tax deductions, and insurance.

SHORT HOURS: With BBSI, you pay only for the hours actually worked (We have a 4 hour minimum.)

OVERTIME: BBSI employees are paid time and one-half when they work more than forty hours in one week. When a temporary employee works for you more than forty hours in one week, you will also be billed time and one-half. Please initial the employee hours in the overtime section of the time card.

WORKERS' COMPENSATION: All of our employees are covered by Workers' Compensation. If someone is injured on your premises, please notify our office as soon as possible at 574-9892.

EMPLOYEE BENEFITS: Our benefit program helps us attract and retain highly qualified employees and surpasses any other in the temporary service. We provide paid holidays and vacations, medical insurance and a 401 (K) retirement savings plan. These are benefits we provide to our employees. There is no charge to you.

ADVERTISING & RECRUITING: BBSI will advertise and recruit for the positions we are seeking to fill at no additional charge to you. We will utilize a variety of tools to reach our employee goals, such as our pool of qualified workers, newsprint ads, internet job posting, job fair, employee referral awards and networking activities.

EMPLOYEE CONVERSION: BBSI will allow the transition of full-time temporary workers to your payroll at the end of ninety (90) days, five-hundred twenty (520) hours worked with no fee to the CITY OF NEWPORT. If you would like to convert an employee with less than 90 days of service, ten percent (10%) of the first year earnings buyout fee would apply. BBSI would pro-rate and discount the fee one percent (1%) per day of service to calculate the fee. Please contact us for this service.

SAFETY, RISK MANAGEMENT, ERGONOMICS AND TRAINING: We include safety services as part of our business relationship with you. Our risk manager is one of the important people in the program of services you get when you choose BBSI as your staffing partner. There are a broad variety of benefits to having this resource available to you. The commencement of services is contingent upon the successful completion of an initial safety assessment of the jobs and work area (s) to which employees will be assigned, by the BBSI Risk Manager.

SCREENING, TESTING & SKILLS ASSESSMENT: We will develop a process through which we will screen candidates for the CITY OF NEWPORT. Our assessment includes skills review, essential functions, reference verification, drug screen, background check and work history review. We can add specific components to the qualification procedure as necessary in order to further refine our process.

EMPLOYEE ORIENTATION: BBSI will provide an orientation to the employees we provide to the CITY OF NEWPORT so that new employees arrive on the first day of work, prepared to begin work and be productive.

PRICING & BILLING:

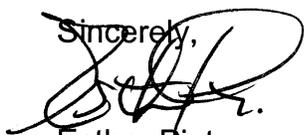
Job Title	Pay Rate Per Hour	Bill Rate Per Hour
Clerical	\$8.40 (8.40 x 1.25)	\$10.50
	\$10.00 (10.00 x 1.25)	\$12.50
Labor	\$8.40 (8.40 x 1.33)	\$11.18
	\$10.00 (10.00 x 1.33)	\$13.30

BBSI temporary employees are paid on a weekly basis. Invoices are issued weekly and payable upon receipt.

You will receive your invoices in the mail showing the total due to BBSI for staffing costs. If you have any questions regarding an invoice, please call us immediately at 574-9892.

We very much appreciate the opportunity to be considered as your staffing partner, and look forward to taking the first steps in implementing our proposal.

Sincerely,



Esther Pinto,
Location Manager
BBSI, A Human Resource Management Company

SERVICES & PRICES

Temporary Employment Services for the CITY OF NEWPORT.

Request for proposals (RFP) to provide temporary employment services for the CITY OF NEWPORT.

SERVICES	AMOUNT
Temporary Employment Per employee	Not to Exceed <u>1.33%</u> Payroll Markup Factor

In addition, the firm should identify any direct costs that would be billed to the CITY OF NEWPORT (e.g. travel, per diem, fax, delivery, filing, and surcharges, etc.)

BBSI LOCAL EMPLOYEES

Esther Pinto – Manager 12 years

Esther opened the Newport office on March 1, 1997.
Lived in Newport for 30 plus years.

Kristin Arment – Customer Service Representative 2.5 years

Kristin started with BBSI in October 2006

Nancy White – Claims Manager 2 years

Nancy came to work for BBSI 2 years ago, she has a total of 26
years experience in claims management.

AJ Gutierrez – Safety & Risk Manager 12 years

REFERENCES:

DOLPHIN REAL ESTATE
Lill Patrick
547 SW 7th Street
Newport, Oregon 97365
265-6638

COAST HEARTH & HOME
Robin Comstock
828 SW Lee Street
Newport, Oregon 97365
265-8390

OREGON BREWING COMPANY / ROGUE ALES
Jim Cline
2320 OSU Drive
Newport, Oregon 97365
867-3660