

**CITY COUNCIL AGENDA
SEPTEMBER 2, 2014, 6:00 PM
PUBLIC SAFETY BUILDING TRAINING ROOM (401 EAST THIRD STREET)**

Mission Statement

The City of Newberg serves its citizens, promotes safety, and maintains a healthy community.

Vision Statement

Newberg will cultivate a healthy, safe environment where citizens can work, play and grow in a friendly, dynamic and diverse community valuing partnerships and opportunity.

I. CALL MEETING TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. CITY MANAGER'S REPORT

V. SPECIAL PRESENTATION

1. Recognition of Finance Director Janelle Nordyke

VI. PUBLIC COMMENTS

(30 minutes maximum, which may be extended at the Mayor's discretion, with an opportunity to speak for no more than 5 minutes per speaker allowed)

VII. CONSENT CALENDAR

1. Consider a motion approving the July 21 and August 4, 2014 City Council meeting minutes.
2. Consider a motion adopting **Resolution No. 2014-3162** authorizing the city manager to sign a contract with RH2Design Services for the Wastewater Treatment Plant Chlorination Project.
3. Consider a motion adopting **Resolution No. 2014-3163**, updating authorized signers to include interim positions
4. Consider a motion adopting **Resolution No. 2014-3165**, awarding the bid for paving of Villa Road/Springbrook Road to Knife River Corporation Northwest

VIII. PUBLIC HEARING

None.

IX. NEW BUSINESS

1. The proposed removal of the Red Light Running Camera at OR 99W and Springbrook Road after the bypass is completed.
2. Presentation by Chehalem Valley Chamber of Commerce

X. COUNCIL BUSINESS

XI. ADJOURNMENT

ACCOMMODATION OF PHYSICAL IMPAIRMENTS: In order to accommodate persons with physical impairments, please notify the City Recorder's Office of any special physical or language accommodations you may need as far in advance of the meeting as possible and no later than 48 business hours prior to the meeting. To request these arrangements, please contact the City Recorder at (503) 537-1283. For TTY services please dial 711.

Council accepts comments on agenda items during the meeting. Fill out a form identifying the item you wish to speak on prior to the agenda item beginning and turn it into the City Recorder. The exception is land use hearings, which requires a specific public hearing process. The City Council asks written testimony be submitted to the City Recorder before 4:30 p.m. on the preceding Wednesday. Written testimony submitted after that will be brought before the Council on the night of the meeting for consideration and a vote to accept or not accept it into the record.

The Mayor reserves the right to change the order of items to be considered by the Council at their meeting. No new items will be heard after 11:00 p.m., unless approved by the Council.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: September 2, 2014

Order ___ Ordinance ___ Resolution ___ Motion XX Information ___
No. No. No.

SUBJECT: Minutes

**Contact Person (Preparer) for this
Motion: Sue Ryan, Interim City Recorder
Dept.: Administration
File No.:**

RECOMMENDATION:

Approve City Council minutes from July 21 and August 4, 2014

**CITY COUNCIL MINUTES
JULY 21, 2014, 7:00 PM
PUBLIC SAFETY BUILDING (401 E. THIRD STREET)**

A work session was held at 6:00 PM preceding the meeting. A presentation from Jessica Pelz , assistant planner and Mike Ragsdale with the Newberg Downtown Coalition regarding the Downtown Vision Update and TSP update-downtown traffic. All councilors, the mayor, city manager, city attorney, city recorder, and minutes recorder were present. No action was taken and no decisions were made.

I. CALL MEETING TO ORDER

Mayor Andrews called the meeting to order at 7:05 PM.

II. ROLL CALL

Members Present: Mayor Bob Andrews
Bart Rierson
Mike Corey

Denise Bacon
Stephen McKinney

Ryan Howard
Lesley Woodruff

Staff Present: Jacque Betz, city manager
Jay Harris, interim city engineer
Norma Alley, city recorder

Truman Stone, city attorney
Dave Olsen, interim building & planning director
Nicole Tannler, minute recorder

Others Present: Stan Primozych, Dave Adams, Robert Soppe, David Huber, & Sheryl Kelsh

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER'S REPORT

Ms. Jacque Betz, city manager reported on changes with the agenda process. The City will start preparing for our audit in September.

V. PUBLIC COMMENTS

Mayor Andrews opened public testimony.

Ms. Sheryl Kelsh, CEO of Chehalem Valley Chamber stated we had a wonderful article written about Newberg in NW Travel Magazine with a three spread page on the city which talks about what a great community we have.

Mr. Dave Adams, KLYC radio for Yamhill County, said we are going to start planning a dedicated day or morning for each city in the county. Newberg is going to be on Fridays to discuss issues such as the Bypass for the public to hear and we want to work as partners with you on this.

Mr. Stan Primozych, candidate for Yamhill County Commissioner introduced himself to the Mayor and Councilors.

Mr. Robert Soppe requested that the June 16 minutes be pulled so he can send in his oral testimony.

VI. CONSENT CALENDAR

Consider a motion approving the June 2 and 16, 2014, city council meeting minutes.

MOTION: Corey/Howard approving the June 2, 2014 city council minutes and remove June 16, 2014 minutes to be amended. Motion carried (9 Yes/0 No)

VII. PUBLIC HEARING

Consider a motion adopting **Resolution No. 2014-3160** approving an increase in the franchise fee with Waste Management.

Mayor Andrews introduced the administrative hearing and called for any conflicts of interest or abstentions; none appeared.

Mr. Jacque Betz presented the staff report (see official meeting packet for full report).

Mayor Andrews asked if we are packaging the CPI with the increase.

Mr. Dave Huber with waste management said when we were approached from the city for this increase we thought this would be an appropriate time to ask for the CPI adjustment. Next year we do not anticipate coming to council for another CPI.

Councilor Bart Rierson stated there was an observation that there is not a local phone number to contact the waste management company with problems like hydraulic fluid being dripped from one of the trucks. Can we make a request for residents to be able to get in touch with the local person in waste management. Mr. Huber said he would address the issue.

Councilor Ryan Howard asked what Mr. Huber's thoughts are on the franchise fee. Mr. Huber said he understood the city is trying to increase all the franchise fees to 5 % and it was my understanding it was to close out some general funding problems. Councilor Howard asked where these funds will be put. City Attorney Truman Stone said into the general fund, which is mostly for police and fire. The increased franchise fee was discussed during budget. He said in 1999 the Council passed a resolution to approve the franchise agreement where rates would be reviewed every other year. The average increase for a residential customer is .81 cents.

Councilor Ryan Howard said he was not in favor of the franchise fee as a revenue source but did recognize the need.

Councilor Bart Rierson stated there is some real cost to the city for the roads that are damaged from the trucks.

MOTION: Howard/Bacon adopting **Resolution No. 2014-3160** approving an increase in the franchise fee with Waste Management. Motion carried (7 Yes/0 No)

VIII. NEW BUSINESS

1. Consider a motion adopting **Resolution No. 2014-3147** affirming bids received by the Oregon Department of Transportation for the N. College Street Sidewalk and Bike Lane Improvement Project and to provide an additional match of \$144,000.00 for the design and bid overages on the project

Mr. Paul Chiu, Senior Engineer presented the staff report (see official meeting packet for full report).

Councilor Ryan Howard stated this extra \$500,000.00 was unanticipated.

Mr. Jay Harris said the original grant funding was approximately four years ago. He said the matching funds required by the City is a minimum of 10.27 % of the total project cost, which includes right-of-way acquisition/design and construction. He said they went to council with the Local Improvement District to cover the city's cost. Once ODOT got into the design they realized the federal standards almost double those costs and also once the plans got further along we didn't have the construction budget we thought. One of the larger construction cost problems was the ditch along College Street and we had significant design costs on that. The \$194,000 was the original city's cost and then we have had subsequent overages on that since then.

Councilor Ryan Howard asked how we can prevent this from happening in the future. The amount of street maintenance we could have done with this amount is large.

Councilor Mike Corey said I am also very shocked about this and understands there needs to be contingency for overruns. These are very large numbers, but we can't stop the project and we do need to have better information prior.

Councilor Bart Rierson said the storm water mitigation will be required. He assumed the ditches would be filled in with this project. Mr. Paul Chiu replied all of your concerns are being provided in this cost.

Councilor Denise Bacon stated I am really angry about this and because it is ODOT we don't have control. She asked who ODOT reports to and what do they do to control those overages and what are we doing to protect us from these overages. Mr. Chiu replied we are in contact with the ODOT contractor and are trying to discourage anymore change orders from occurring. This is the first project we are doing with them in the city of Newberg and hoping to use that to build up an understanding with them. He said the staff has been working with ODOT and the contractor.

Mr. Jay Harris said we could have pulled the project back, but the issue was that we were coming out of recession and thought we could get some good bids. There were things like the right of way that we didn't manage and did not have control over. It is a logical point to connect the street to something, and yes we looked at that throughout the process and did not anticipate so many ODOT overages. I am really hopeful we can keep the 3 ½% contingency and can perhaps go without some of the landscaping among other things.

Councilor Denise Bacon stated I am not going to agree to anything like this again without fully understanding. Mr. Jay Harris said you will have plenty of work sessions understanding the IGA and please remember that these come with contingencies we can't plan for.

Councilor Bart Rierson said we can look at the good that comes out of this project like the opportunity to get some cost sharing but I understand the outrage for the overages. I am curious if there is an opportunity here to partner with Newberg school district for landscaping with the greenhouse program. Mr. Jay Harris said the contractor can say no, but most are looking into saving money and we will look into those opportunities as they arise.

Ms. Jacque Betz said I share your frustrations on this and it is not going to happen again. I told Mr. Tim Potter at ODOT that we are not in the position to take on extra costs. It originally came into us at more than \$200,000.00 and they picked up \$75,000.00 for us. We are making sure we are tightening up overage language and all of your comments are duly noted.

MOTION: Rierson/McKinney adopting **Resolution No. 2014-3147** affirming bids received by the Oregon Department of Transportation for the N. College Street Sidewalk and Bike Lane Improvement Project and to provide an additional match of \$144,000.00 for the design and bid overages on the project.
Motion carried (7 Yes/0 No)

2. Consider a motion adopting **Resolution No. 2014-3161** accepting the Temporary and Portable Sign Ad-hoc Committee's recommendations.

Mr. Dave Olsen, interim building and planning director presented the staff report including a PowerPoint slideshow (see official meeting packet for full report).

Mayor Andrews asked if garage sale signs are considered a portable sign. Mr. Dave Olsen replied they looked into a program where the city of Dallas actually rented out A-frame signs for garage sales, but it cost money to do it.

Councilor Lesley Woodruff stated the program was beyond our scope of work and felt it wouldn't be a good use of staff time. The amount of time staff spends taking down signs is about 6 hours a week. She said we spent a lot of time on the maintenance of the signs, which is quite important.

Mr. Dave Olsen said it would be more of a return to enforcement and better materials to hand out.

Mr. Robert Soppe stated he would like to address some issues that have to do with the public right-of way. (See Exhibit A). He had multiple concerns about the C3 zone, enforcement of the code regarding signs in the public right of way.

Councilor Bart Rierson stated I am hoping we do start using our code enforcement officer, but I have a question about sign in a right of way in front of a residence, which would be the planter strip. I hope that would not be allowed in the permit process. Mr. Dave Olsen said there is a provision in the code that if you want to install a sign in the right of way you can but we haven't had a permit submitted for this as far as I know. I will take a look at that and make sure it is added to the recommendations.

Councilor Ryan Howard said he did not support the resolution as written. He said his issues are the changes in the amount of signs allowed per frontage. He said around downtown there are too many now. He said the point of the portable sign is for it to be temporary and portable and this specifically goes too far on the side of allowing signs instead of keeping downtown clean and neat. He said with the additional allowance we will see many more signs. He said umbrellas are also a concern to me as they can be used as a sign.

MOTION: Rierson/Andrews adopting **Resolution No. 2014-3161** accepting the Temporary and Portable Sign Ad-hoc Committee's recommendations and take into account the comments from council. Motion withdrawn.

MOTION: Howard adopting recommendations one and four from **Resolution No. 2014-3161** accepting the Temporary and Portable Sign Ad-hoc Committee's recommendations. Motion failed for lack of second.

MOTION: Andrews/Corey adopting **Resolution No. 2014-3161** accepting the Temporary and Portable Sign Ad-hoc Committee's recommendations with clarification item two only applies to private property and non-public right of way. Motion carried (4 Yes/3 No [Andrews/Corey/McKinney])

MOTION: Howard/Bacon adopting **Resolution No. 2014-3161** accepting the Temporary and Portable Sign Ad-hoc Committee's recommendations exempting number six from recommendations.

3. Discussion on the League of Oregon Cities' legislative priorities survey.

Mayor Andrews stated the top four recommendations to the LOC board that the councilors have made are H, S, M, and I.

Ms. Jacque Betz stated the top four will be a platform for City Hall Day and there is an opportunity to talk about other issues that may be brought up at that time.

IX. EXECUTIVE SESSION

Executive Session convened at 10:00 PM

Executive session pursuant to ORS 192.660(2)(h) concerning legal rights and duties regarding current litigation related to the south industrial urban growth boundary (UGB) appeal.

Executive Session adjourned at 10:35 PM

IX. COUNCIL BUSINESS

X. ADJOURNMENT

The meeting adjourned at 11:05PM.

ADOPTED by the Newberg City Council this ____ day of _____, 2014.

Sue Ryan, Interim City Recorder

ATTEST by the Mayor this ____ day of _____, 2014.

Bob Andrews, Mayor

Newberg City Council 7/21/2014 meeting

I would like to address some issues that are in the recommendations before you tonight as well as some that are not. Most of my concerns have to do with signs in the public right-of-way. I urge you to give careful consideration to all of them.

One concern of mine has to do with the proliferation of free-standing signs in our C-3 zone that are in violation of numerous parts of the Development Code. 15.435.110B3 mandates that they must have a clear area of at least five feet. B5 mandates that they cannot be within 3 feet of a fire hydrant. B6 mandates that they must be removed during non-business hours or when the adjoining property is uninhabited. B7 requires that permission of the property owner abutting the right-of-way is required. B8 mandates that there may be only one sign per property frontage. All of these are frequently violated and little seems to be done about it.

Virtually all of the signs in the public right-of-way outside of the C-3 zone are in violation of the Code, yet they are allowed. The number of these is easily in the hundreds annually. Please think carefully about this. If you have ever seen a sign in the planter strip between the sidewalk and curb, if it not in the C-3 zone, it is almost certainly in violation of our code. I am not arguing for or against the current code, only that it should reflect the intent behind the code and should be enforced. Nothing in the recommendation appears to address this.

I recognize that this Council issued some directive to staff about suspending enforcement of these codes about a year ago. While the issues I have just cited appear to have gotten much worse since that directive, the issues have existed for years before that with little consequence. Mr. Olson mentioned "a return to enforcement". I am very curious to when he is referring as it goes before any time I can remember.

I think this raises a key issue that the Council should address before making any revisions to the Code. That issue is whether or not there is an honest desire and plan to enforce the Code after the revisions are approved. I hope that there will be and that this will not be a wasted effort.

One of the frequently-violated Codes that I just cited is that there must be a clear area of at least five feet around a portable sign in the public right-of-way. It is difficult to know exactly what that means as "clear area" is defined in our code only having to do with FAA regulations. I think that a common reading of that term would be an unobstructed area around the sign that extends for five feet. If my common reading of this is accurate, I would suggest that there are very few places that such a sign

could be placed in the C-3 zone. I would suggest that this particular item be written to accurately describe what is intended.

The proposed changes allow more signs in the C3 zone that are presently allowed. I would encourage all of you to walk around downtown and ask yourself if we really don't have enough signs on the sidewalk.

The proposed changes include review criteria for sign permits. Some of the criteria are colors, style, and font. I would, of course, defer to the opinion of the City Attorney, but I suspect that those are legally considered content and may not be valid criteria.

The section on Education, Enforcement, and Maintenance seems reasonable, but recent experience raises the concern of how well it will be implemented. The City issued a letter in April of this year regarding the Newberg sign ordinances. The letter contained two very significant factual errors with regard to our Code. I hope that the education program that is proposed here is more accurate.

My last issue is one that I have raised numerous times, including to this Council and to the Sign Committee, but there appears to be no one else concerned about it. With the current Code, if I want to place a sign in the public right-of-way in front of your house, I don't need your permission. While I do need a permit from the City, your approval is not an explicit requirement. Is it really the Council's view that residential property owners should not have a say over what signs are placed in front of their property? I would certainly like that authority with my property and am amazed that it appears to be of so little concern to Newberg decision makers. As I have testified before to this Council, it would take the change of a single letter in the Code to resolve this.

Thank you for your consideration of my comments.

**CITY COUNCIL MINUTES
AUGUST 4, 2014, 7:00 PM
PUBLIC SAFETY BUILDING (401 E. THIRD STREET)**

An Executive Session pursuant to ORS 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed – Urban Growth Boundary Mediation was held during the work session at 7:03 PM preceding the meeting. All Councilors, the Mayor, city manager, city attorney, city recorder, and minutes recorder were present. No action was taken and no decisions were made.

I. CALL MEETING TO ORDER

Mayor Andrews called the meeting to order at 7: 01PM.

II. ROLL CALL

Members Present: Mayor Bob Andrews
Bart Rierson

Denise Bacon
Stephen McKinney

Mike Corey
Lesley Woodruff

Members Absent: Ryan Howard

Staff Present: Jacque Betz, city manager
Norma Alley, city recorder
Sue Ryan, interim city recorder

Truman Stone, city attorney
Steve Olson, interim building & planning director
Nicole Tannler, minute recorder

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

IV. CITY MANAGER’S REPORT

Ms. Jacque Betz, city manager reported the 99W Drive-in Theater was listed as a Historic Property in the state. Our city attorney provided an email from Yamhill County that they will be closing a dog pound so perhaps Yamhill County can partner with our animal shelter. Ms. Betz introduced Ms. Sue Ryan as Interim City Recorder and as a contract city employee.

V. SPECIAL PRESENTATION

Farewell to City Recorder Norma Alley.

VI. PUBLIC COMMENTS

Mayor Andrews opened and closed the public testimony as there was no one to testify.

VII. CONSENT CALENDAR

Consider a motion approving the June 16 & July 7, 2014, city council meeting minutes.

MOTION: Bacon/Woodruff approving the June 16 & July 7, 2014, city council meeting minutes as amended. Motion carried (8 Yes/0 No/1 Absent [Howard])

VIII. NEW BUSINESS

1. Consider a motion approving a noise variance request from ODOT allowing nighttime work from August 7 to October 31, 2014.

Ms. Jacque Betz, City Manager presented the staff report (see official meeting packet for full report).

MOTION: Woodruff/Corey approving a noise variance request from ODOT allowing nighttime work from August 7 to October 31, 2014. Motion carried (8 Yes/0 No/1 Absent [Howard])

2. Consider a motion approving a public policy statement about outreach to businesses owned by women, Section 3 residents, and minorities in order to fulfill a federal grant requirement.

Mr. Steve Olson, interim planning and building director, presented the staff report including a PowerPoint slideshow (see official meeting packet for full report).

Councilor Bart Rierson suggested one of the requirements is outreach to business and asked if there is anything the city will do to help with that. Mr. Steve Olson replied the only required outreach is that this will be in the newspaper.

Councilor Stephen McKinney asked if there are any examples of prospective grant requests and asked if adding this as a policy discriminates against any others. Mr. Steve Olson said no because the way it is worded we are promoting outreach.

Councilor Lesley Woodruff asked if the city in the past has done any other kind of outreach or has any plans to. Mr. Olson said the city doesn't hire specifically through this grant, but there are other grants we could use.

MOTION: Corey/Bacon approving a public policy statement about outreach to businesses owned by women, Section 3 residents, and minorities in order to fulfill a federal grant requirement. Motion carried (8 Yes/0 No/1 Absent [Howard])

IX. COUNCIL BUSINESS

Mayor Andrews stated we have selected four of the policy issues that we recommended to the LOC and what we selected was H, I, M, and S. He said after they surveyed all of the cities of the four we selected three were the same as ours. Our council seems to be really in touch to what our citizens need.

MOTION: Rierson/Bacon appointing a three person mediation team which includes Phil Smith, Jessica Pelz, and Truman Stone. Motion carried (8 Yes/0 No/1 Absent [Howard])

MOTION: Rierson/Bacon to create a strategy team to assist the mediation team. Motion carried (8 Yes/0 No/1 Absent [Howard])

Councilor Stephen McKinney said he would not support the motion because Councilor Bacon was asked to be on the committee.

Mayor Andrews said he would support the motion.

Councilor Bart Rierson stated he would support the motion because we had a consensus from staff that they will be good team members.

MOTION: Rierson/Woodruff appointing Jacque Betz, Lesley Woodruff, Denise Bacon, Steve Olson, and Kathy Stuff to the strategy team. Motion carried (7 Yes/1 No [McKinney] /1 Absent [Howard])

Councilor Stephen McKinney asked the city manager who City X is.

Ms. Jacque Betz responded City X had a lot of experience. They will give the financials a fresh look and make recommendations for a long-range plan. They have very strong references and will only come in for a three to four month timeline.

Councilor McKinney asked how is the City paying for City X? Ms. Betz said there was money budgeted for this line item and that Ross will be here until the end of October. Councilor McKinney asked if he will we be able to meet and talk to Ross. Ms. Betz said yes.

Councilor Mike Corey said I appreciate you connecting up with these folks and I agree that new eyes looking at the budget will be a good thing.

X. ADJOURNMENT

The meeting adjourned at 8:48PM.

ADOPTED by the Newberg City Council this ____ day of _____, 2014.

Sue Ryan, Interim City Recorder

ATTEST by the Mayor this ____ day of _____, 2014.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: September 2, 2014

Order ___ Ordinance ___ Resolution XX Motion ___ Information ___
No. No. No. 2014-3162

SUBJECT: A resolution authorizing the city manager to enter into a professional services agreement with RH2 Engineering, Inc., to provide design services for the on-site Sodium Hypochlorite Generation System, for an amount not to exceed \$88,037.00

Contact Person (Preparer) for this Motion: Jay Harris, Public Works Director
Dept.: Engineering Services Department
File No.:

RECOMMENDATION:

Adopt Resolution No. 2014-3162

EXECUTIVE SUMMARY:

The City of Newberg's 2007 Wastewater Treatment Plant (WWTP) Facilities Plan Update (FPU), completed by Brown and Caldwell Consulting Engineers, evaluated the condition of the processes and equipment at the WWTP. The report also identified existing deficiencies and the necessary system upgrades to meet future demands. The scope of the WWTP Repair, Renovation and Expansion (RRE) project was analyzed further in the March, 2012 Preliminary Design Report, completed by HDR Engineering, Inc.

Several miscellaneous repairs and a fourth secondary clarifier has been constructed already as part of this project. Currently, the influent pump station is being expanded, a new headworks is being constructed, and a new dewatering system is being installed. This work was designed by HDR Engineering, Inc, and is being constructed by Mortenson Construction.

The disinfection system is another component of the WWTP that was identified as needing upgrading for capacity and safety/operation improvements. One component of the disinfection system is the chlorination of the effluent water. Currently, chlorine gas is used to chlorinate the treated effluent from the plant. The tanks which are currently used to hold the chlorine gas are very old and have serious safety concerns and risks. The new system will replace the aging tanks.

Similarly to what the city has at the water treatment plant, a sodium hypochlorite generation system is proposed to be installed at the WWTP. This system is reliable and safe to operate, and is needed to improve capacity. This system was identified in the Preliminary Design Report, and the concept of it has been approved by the Oregon Department of Quality.

RH2 Engineering, Inc. was selected using the Direct Appointment Procedure (OAR 137-048-0200). RH2 Engineering, Inc. was determined to be fully capable of this type of work and a scope and fee has been negotiated.

FISCAL IMPACT:

Although identified as a part of the overall WWTP RRE project, this portion of work will be funded through a transfer resolution from Fund 26 (Wastewater CIP Reserve Fund), in the amount of \$35,214.80; and Fund 46 (Wastewater SDC Fund), in the amount of \$52,822.20, for a total of \$88,037.00.

This project is not proposed to be funded with the Clean Water State Revolving Fund loan, but instead cash funded from reserves.

STRATEGIC ASSESSMENT:

This project will allow for necessary upgrades and increases to capacity for the disinfection chlorination system identified as part of the WWTP Repair, Renovation and Expansion Project, which ensures that Newberg is prepared to meet the Department of Environmental Quality regulatory requirements.



RESOLUTION No. 2014-3162

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH RH2 ENGINEERING, INC., TO PROVIDE DESIGN SERVICES FOR THE ON-SITE SODIUM HYPOCHLORITE GENERATION SYSTEM FOR AN AMOUNT NOT TO EXCEED \$88,037.00

RECITALS:

1. City staff solicited design services for the design of a hypochlorite generation system, an identified project as part of the Wastewater Treatment Plant (WWTP) Repair, Renovation, and Expansion (RRE) project, using the Direct Appointment Procedure (OAR 137-048-0200).
2. RH2 Engineering, inc. was determined to be qualified and a scope and fee was negotiated and agreed upon. The details of the scope for the services are described in Exhibit "A" which is hereby attached and by this reference incorporated. The RH2 Engineering, Inc. fee for these services is \$88,037.00.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council does hereby authorize the city manager to negotiate and enter into a professional services agreement with RH2 Engineering, Inc. to provide design services for the On-site Hypochlorite Generation System for an amount not to exceed \$88,037.00.
2. The City Council authorizes the transfer from Fund 26 (Wastewater CIP Reserve Fund), in the amount of \$35,214.80; and from Fund 46 (Wastewater SDC Fund), in the amount of \$52,822.20, for a total of \$88,037.00 to Fund 4 (Proprietary Capital Projects Fund).

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: September 3, 2014.

ADOPTED by the City Council of the City of Newberg, Oregon, this 2nd day of September, 2014.

Sue Ryan, Interim City Recorder

ATTEST by the Mayor this 5th day of September, 2014.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: September 2, 2014

Order ___ No.	Ordinance ___ No.	Resolution <u>XX</u> No. 2014-3163	Motion ___	Information ___
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SUBJECT: Update authorized signers to include interim positions

Contact Person (Preparer) for this Motion: Jacque Betz, City Manager
Dept.:
File No.:

RECOMMENDATION:

Adopt **Resolution No. 2014-3163** updating authorized signatures to include interim positions for the City of Newberg.

EXECUTIVE SUMMARY:

The City Council adopted Resolution No. 1996-2005 listing authorized signatures. The City Council adopted Resolution No. 2005-2594 to update the listing of authorized signatures by position title. City Council adopted Resolution No. 2011-2962 to address authorized signatures for other investments outside the Local Government Investment Pool, as allowed in the City's Investment Policy, and any additional services that may be needed with various financial institutions.

However, Resolution 2011-2962 did not address the possibility of interim positions. This resolution addresses the need to include interim positions when they become necessary.

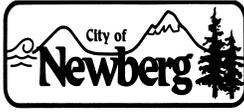
Therefore, the city needs to update its authorized signature resolution.

FISCAL IMPACT:

None

STRATEGIC ASSESSMENT:

It is important to have an updated list of authorized signers to sign on behalf of the City of Newberg for designated purposes.



RESOLUTION No. 2014-3163

A RESOLUTION DESIGNATING AUTHORIZED SIGNATURES FOR THE CITY OF NEWBERG

RECITALS:

1. The City of Newberg maintains accounts at various financial institutions and the Oregon Local Government Investment Pool.
2. Periodically, the City of Newberg makes short term investments to maximize interest earnings.
3. Periodically, the City of Newberg receives donations, bequests, or other gifts which require the signature of an authorized signer.
4. Periodically, the City of Newberg may wish to sign up for additional services with various financial institutions which require the signature of an authorized signer.
5. Periodically, permanent positions within the City are vacated requiring employees to be moved into interim positions.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. Persons filling the following positions either on a permanent or interim basis are authorized to sign on behalf of the City of Newberg for the designated purpose specified below:

Bank Accounts: Mayor, city manager, finance director, and/or assistant finance director

Oregon State

Investment Pool: City manager, finance director, assistant finance director, financial analyst, and/or payroll clerk

Other Investments: City manager, finance director, assistant finance director, and/or financial analyst

Safety Deposit Box: Finance director, assistant finance director, IT director, and/or IT technicians

Gifts, Bequests, and

Donations: Mayor and city manager

Federal Surplus: City manager, finance director, chief of police, fire chief, public works director, and/or public works maintenance superintendent

2. The finance director is responsible to maintain current signature records.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: September 3, 2014.

ADOPTED by the City Council of the City of Newberg, Oregon, this 2nd day of September, 2014.

Sue Ryan, Interim City Recorder

ATTEST by the Mayor this 4th day of September, 2014.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: September 2, 2014

Order ___ Ordinance ___ Resolution XX Motion ___ Information ___
No. No. No. 2014-3165

SUBJECT: A resolution to authorize the city manager to enter into a construction contract with Knife River Corporation-Northwest for the North Villa Road Pavement Restoration Project in the amount of \$91,995.60.

Contact Person (Preparer) for this Motion: Paul Chiu, P.E., Senior Engineer
Dept.: Engineering Services Department
File No.:

RECOMMENDATION:

Adopt Resolution No. 2014-3165 authorizing the city manager to award the North Villa Road Pavement Restoration Project to Knife River Corporation-Northwest in the amount of \$91,995.60.

EXECUTIVE SUMMARY:

In July 2014, the City Council adopted the citywide pavement condition evaluation and street maintenance prioritization plan by Resolution No. 2013-3156, which allows the city to efficiently plan for future pavement preservation projects. The North Villa Road pavement restoration project is the first pavement preservation project from the plan, and was advertised for bid in August, 2014.

The North Villa Road street preservation project begins south of Crestview Drive and North Villa Road intersection, and extends south for approximately 1,200 linear feet, ending near the existing railroad trestle.

The city received one bid for the advertised North Villa Road 4-inch milling/inlay and 2-inch overlay project from Knife River Corporation-Northwest in the amount of \$82,974.60. The qualified bid amount was below the Engineer's estimate of \$89,814.00. The existing roadway section is heavily damaged, and for additional structural stability, the city is opting to add an additional one half of an inch of asphalt paving, increasing the overlay thickness to 2-1/2 inches. The additional asphalt paving increases the project cost by \$9,021.00, which will increase the contract amount to \$91,995.60.

FISCAL IMPACT:

Funding for the project is budgeted in the approved fiscal year 2014/15 budget, under account number 18-5150-702171.

STRATEGIC ASSESSMENT:

This project provides the needed pavement maintenance that preserves the city's largest asset. Having a well maintained roadway system is essential for the economic vitality of the city, increases property values, and is aesthetically pleasing.



RESOLUTION No. 2014-3165

A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONSTRUCTION CONTRACT WITH KNIFE RIVER CORPORATION-NORTHWEST FOR THE NORTH VILLA ROAD PAVEMENT RESTORATION PROJECT IN THE AMOUNT OF \$91,995.60.

RECITALS:

1. Pavement restoration is proposed for North Villa Road from approximately the railroad trestle north to Crestview Drive. The proposed restoration work includes a 4-inch milling and asphalt inlay in heavily damaged areas, and a 2-1/2 inch asphalt overlay over approximately 1,200 lineal feet of pavement.
2. The City of Newberg advertised the North Villa Road Pavement Restoration Project and received one bid for the project on August 21, 2014 from Knife River Corporation-Northwest.
3. The Engineer's estimate for the restoration project was for \$89,814.00. Knife River Corporation-Northwest submitted a bid for the work in the amount of \$82,974.60. The existing roadway section is heavily damaged, and for additional structural stability, the City is opting to add an additional one half of an inch of asphalt paving, increasing the overlay thickness to 2-1/2 inches. The additional asphalt paving increases the project cost by \$9,021.00, which will increase the contract amount to \$91,995.60.
4. The pavement restoration work is proposed to begin in the middle of September and be completed in October, 2014.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

The City Council, acting as contract review board for the city does hereby affirm the bid received by Knife River Corporation-Northwest for the North Villa Road pavement restoration project in the amount of \$91,995.60

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: September 3, 2014.

ADOPTED by the City Council of the City of Newberg, Oregon, this 2nd day of September, 2014.

Sue Ryan, Interim City Recorder

ATTEST by the Mayor this 4th day of September, 2014.

Bob Andrews, Mayor

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: August 4, 2014

Ordinance ___ No.	Resolution ___ No.	Motion <u>XX</u>	Information
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SUBJECT: A motion to not oppose Oregon Department of Transportation's (ODOT) desire to remove the Red Light Running Camera from OR 99W at Springbrook Road intersection in Newberg concurrent with the rebuilding of the signal within the Newberg-Dundee Bypass Project.

Contact Person (Preparer) for this Motion: Jacque M. Betz

Dept.: City Manager's Office

File No.:
(if applicable)

The reason this project is before you tonight is because ODOT is currently engineering the last phase (Phase 1G) of the Bypass and before they can move forward they need to know that the City will not challenge the removal of the red light running camera (RLRC) at OR 99W at Springbrook. Staff has had several conversations with ODOT (before and after my arrival) regarding this issue and it is our reluctant recommendation that the City not challenge the recommendation of removing the camera subsequent to the rebuilding of the OR99W/Springbrook intersection and signal. This decision needs to be ratified formally by Council tonight.

I think it is important for Council to understand that myself, Police Chief Casey, City Attorney Stone, and Public Works Director Harris are advocates for the public safety benefits that the RLRC at OR 99W and Springbrook brings to the community. However in the spirit of cooperation we do not want to challenge ODOT's recommendation to remove the RLRC and believe that there is an opportunity once the Bypass project is complete to collaborate with ODOT on reinstating the camera if it meets warrants.

BACKGROUND:

A Red Light Running Camera (RLRC) is a type of traffic enforcement camera that captures an image of a vehicle which has entered an intersection in spite of the traffic signal indicating red. The objective of RLRCs are to stop dangerous driving behaviors, reduce crashes, save lives, prevent injuries, lower health care costs and respond to community concerns. By automatically photographing vehicles that run red lights, the photo is evidence that assists authorities in their enforcement of traffic laws; especially at intersections that are difficult for law enforcement to physically and logistically enforce.

For a driver to receive a violation, the driver must enter the intersection after the light has turned red. Yellow times at this intersection are set using ODOT's standard method, the same as all signals under ODOT control. Violators issued a citation receive photographs showing the vehicles location when the light turns red. Violators also can view a 12 second video, 6 seconds prior to the light turning red and 6 seconds after the light turns red.

Nationally there continues to be ongoing debate about the use of RLRCs. Public safety is cited by proponents, while revenue and financial gain are opponent's platform (Newberg's budget includes only a modest \$28,000 in revenue); plus there is the vindication that RLRC scare drivers (who want to avoid a ticket) into more sudden stops which may increase the risk of rear end collisions. All conversation that is very much subjective.

ODOT's *Red Light Running (RLR) Camera Guidelines for State Highways 2012 (Exhibit A)* allow for local jurisdictions to enter into contract with a commercial firm that specializes in such systems. Reflex Traffic Systems installed the equipment and the current contract covers the furnishing, installation and operation of the RLRC. Reflex receives \$87.22 per paid citation for the first 75 citations and the City pays no fee to Reflex for any paid citation in excess of 75. They would like the City to enter into another 10 year agreement however because of the uncertainty of the RLRC at this location the City will opt to remain on a month to month contract if Council concurs with our recommendation. Once the Bypass project is complete Reflex has indicated that they would be willing partners to evaluate this intersection, and any others in our jurisdiction to determine if they would meet warrants for a RLRC.

In 2006 a RLRC was installed at OR 99W at Springbrook Road (MP 22.05) inside the City of Newberg under ODOT permit # 03M39617. As you are aware, OR 99W is a major arterial that connects the Portland Metropolitan area with the Oregon coast and other cities west of Newberg. Springbrook Road is a major collector that connects to OR 219 both north and south of the City. The posted speeds on OR 99W and Springbrook Road are 40 MPH and 25 MPH respectively.

Enforcement of traffic laws is an important part of traffic safety. ODOT does agree with the City that this is a very difficult intersection for a patrol officer to sit and observe traffic due to the size and traffic volumes, *and* then enter into traffic to stop a red-light violator. There have been 3621 citations issued since August 1, 2006 however, violations have significantly decreased with the addition of the RLRC and it is of our opinion that the RLRC safely resolves this concern.

There is a formal process for removal of a RLRC and the Bypass project is the trigger to re-evaluate this program. Intersections where engineering or geometric improvements are proposed may require study of the new intersection geometry and may result in a request to remove the camera equipment. The study may include a determination of changes in conflicts, phasing changes to traffic signals, addition of turn lanes or diversions of traffic patterns that change the operations of the traffic signal.

As part of the Newberg-Dundee Phase 1 project, Springbrook Road is being used as a portion of the system to route traffic from OR 99W to the new Bypass alignment, affecting traffic flows on the approaches. This intersection will be modified by adding a second westbound left-turn lane and a second southbound receiving lane on Springbrook Road for about 300 feet. Springbrook Road will also be improved for its length from OR 99W to OR 219 to accommodate traffic. This change in configuration will encourage/accommodate more vehicles turning left from OR 99W onto Springbrook to access the Bypass alignment. Therefore the current traffic flows will change with the project.

Because of the alignment changes, the entire signal is planned for reconstruction. The following features will be included with the construction projects:

- Reflective backplates for all signal heads
- Near-side (duplicate) heads on all approaches to reduce the risk of motorists' view of a signal head being blocked.
- 2070 signal controller that allows for programming of advance timing features to reduce delay.
- Pedestrian countdown heads.
- Red-signal Enforcement "tattletale" Lights (Exhibit B).

ODOT has indicated that a permanent message board for westbound traffic on OR 99W approaching this intersection may eventually display travel times and congestion information. ODOT has also stated that because the operational characteristics of this intersection will be changed dramatically with the construction of the Newberg-Dundee Bypass, traffic flows will be different and cannot be compared to current conditions. Safety enhancement features are being added to the re-design of the intersection, however, in my opinion they are not ones that will enable the Police Chief to position a police vehicle at the intersection for patrol.

As eluded to above, ODOT has guidelines that sets out the procedure for when a RLR camera should be considered for removal from the state highway system. Removal should be considered when:

1. There is little or no reduction in the number of severity or targeted crashes.
2. If similar results can be obtained with other engineering countermeasures (like signal timing or hardware modifications, tattletale lights)
3. Engineering or geometric improvements are proposed that would change signal timing, phases, additional lanes or diversion of traffic.

On October 29, 2013, ODOT conducted a *Red Light Running Camera Evaluation* and the information acquired shows that the camera has not improved safety (which again is subjective). The crash listing they provided shows that the number of crashed after installation is twice what it was prior and all the crash categories compared show an increase with the RLRC in place.

The State Crash listing is the database of the reported crashes in the state (as required by law). The reporting is used for consistency through jurisdictions, particularly because there may be differences in local law enforcement involvement. Two 5-year time periods were identified for comparison to frame the time period around when the RLRC was installed in Newberg. The first period (Before) was from January 1, 2001 to December 31, 2005 while the second period (After) was from January 1, 2007 to December 31, 2011. The segment reported for each intersection was initially for .1 miles on each side of the intersection that was then modified to remove driveways/accesses that would influence the crashes reported.

**Springbrook Road
(MP 22.03-22.03)**

	Fatal	Injury	Property	Total
Before January 2001- December 2005	0	16	23	39
After January 2007- December 2011	1	16	37	54
Difference	+1	0	14	+15

Based on the information gathered ODOT has concluded that OR 99W at Springbrook Road has experienced a marked increase in overall crashes, with a 65% increase in the number of rear-end crashes, without a reduction in the turning/angle crashes. None of the crashes were assessed from video however so it is difficult to prove that the increase is due to the RLRCs.

ODOT relies upon the Crash Analysis and Reporting (CAR) data, and believes it is good data. However the City argues that, as used in this study, the CAR data lacks the detail necessary to sort out the actual crash causes, and the actual influence of the RLRC on the reported crashes. Since Oregon is a self-reporting state, the data from CAR depends on the information provided by the individuals involved in the reported crash. Crash locations and crash causes may not be accurately effected in the CAR data.

Included in your packet is also a comparison of signalized intersections that ODOT did April 24, 2014 (Exhibit C). The memo summarized the reported crashes and operations of five intersections along OR 99W through Washington and Yamhill counties between Tigard and Newberg as requested by the City. This comparison is also a part of the consideration for the removal of the RLRC at the OR 99W and Springbrook Road intersection.

FISCAL IMPACT:

There is no fiscal impact to the current budget however modifications to citation revenues will need to be done in future budgets.

STRATEGIC ASSESSMENT:

This item is initiated by ODOT. The City is obligated to monitor the health, safety and prosperity of the community on an ongoing basis.

RECOMMENDATION:

It is ODOT’s summation that given the increase in reported crashes with no significant increases in volumes of traffic, and that there continues to be citations for running the red lights with 7 years’ experience, there does not appear to be a safety benefit to operating Red Light Running Cameras (RLRC) at the OR 99W at Springbrook Rd intersection. The City does not agree with that summation.

However combined with the changes proposed by the Newberg-Dundee Bypass project and the criteria in ODOT's *Red Light Running (RLR) Camera Guidelines for State Highways 2012*, the modified configuration and operations are enough for ODOT to suggest that the RLRC should not continue to be at this location. Because the City wants to be a good partner with ODOT on the Bypass project, and because they are currently engineering the Springbrook phase, the City does not want to hold-up any processes. Therefore the City will not oppose ODOT's desire to remove the RLRC from OR 99W at Springbrook Road intersection in Newberg concurrent with the rebuilding of the signal within the Newberg-Bypass Project with the stipulation that ODOT will partner with the City once the final phase is complete to see if a RLRC would meet warrants to be reinstalled.

We recommend that the RLRC not be removed until construction begins in 2016-17.

Oregon Department of Transportation
and
Oregon Traffic Control Devices Committee

**Red Light Running (RLR)
Camera Guidelines
For State Highways**

2012



**OREGON DEPARTMENT of TRANSPORTATION
TRANSPORTATION OPERATIONS DIVISION
TECHNICAL SERVICES
TRAFFIC MANAGEMENT SECTION
<http://www.odot.state.or.us/traffic>**

-RLR Camera Guidelines 2012

Oregon Department of Transportation

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Approved by the State Traffic-Roadway Engineer, in consultation with the Oregon Traffic Control Devices Committee for use on State Highways and adopted by the Oregon Traffic Control Devices Committee as a guide to assist Oregon cities in the deployment of Red Light Running (RLR) Cameras.

Bob Pappé
State Traffic-Roadway Engineer
December, 2012

Oregon Department of Transportation

Major Revisions included in this version:

1. New bullets in the Crash History requirements for the Safety and Operations Report
2. New Section- Future Changes to the Intersection
3. Various Changes in the section Procedure for State Highways to clarify the procedure
4. New section - Removal Procedure for Red Light Running Cameras
5. New Section – Conditions of Approval
6. New Appendix with web link to the Red Light Running Toolbox

Major Revisions included in previous version:

1. Removed the requirement that the Oregon Department of Transportation provide an executive summary of evaluations of the systems to the Oregon Legislature.
2. Added a requirement that each city that operates cameras present an evaluation of the use and administration of the cameras to the Oregon Legislature.



Red Light Running (RLR) Camera Guidelines

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Red Light Running (RLR) Camera Guidelines

Introduction

This document has been prepared by the Oregon Department of Transportation (ODOT) and the Oregon Traffic Control Devices Committee (OTCDC) to assist local jurisdictions in the deployment of Red Light Running (RLR) Cameras on State Highways. Local jurisdictions should follow this guidance for installation of RLR cameras off state highways or develop their own guidance for application.

Supporting Legislation

In response to what appeared to be a growing disrespect for traffic laws in general and disobeying red traffic signal indications in particular, the Oregon Legislature enacted a law in 1999 to help Oregon communities effectively enforce and reduce red light running. The law was revised and expanded several times since, the last time in 2007.

These guidelines are based on Oregon Revised Statutes (ORS) 810.434 through 810.436. The Oregon legislature last revised ORS 810.434 and 810.436 in 2007. Major revisions affecting these guidelines include:

1. Removing the requirement that Oregon Department of Transportation provide an executive summary of evaluations of the systems.
2. Adding a requirement that each city that operates cameras present an evaluation of the use and administration of the cameras.
3. Removing limitations on the numbers of cameras that may be installed in cities.

RLR Camera System Justification

In 2007 almost 900 people were killed and an estimated 153,000 were injured in crashes that involved red light running in the US. About half of the deaths in red light running crashes are pedestrians and occupants in other vehicles who are hit by the red light runners. Studies have reported that red light cameras reduce angle and turning crashes, but can increase rear-end crashes. Because the types of crashes prevented by red light cameras tend to be more severe than rear-end crashes, research has shown there is also a reduction in the severity of crashes.

The Highway Safety Manual (published by AASHTO) quantifies the expected crash reductions of different measures. These measures are only included if there is known statistical stability and reliability. The Highway Safety Manual¹ lists the expected crash effects for installation of red-light cameras as a 26 percent crash reduction in right-angle and left-turn crashes and an 18 percent increase in rear-end crashes.

¹Council, F.; Persaud, B.; Eccles, K.; Lyon, C.; and Griffith, M. 2005. Safety evaluation of red-light cameras: executive summary. Report no. FHWA HRT-05-049. Washington, DC: Federal Highway Administration.

RLR Cameras are not a panacea for intersection safety problems and should be installed only after other means have failed to solve the problems (see appendix A - RLR Toolbox). RLR Cameras have the potential to reduce the number and severity of crashes, but because of the concern for increasing rear-end crashes, RLR Cameras should be installed only where a crash problem within the last 5 years can be documented. When used, they should be a part of a process that considers education, enforcement and engineering, which are essential to any traffic safety program. Enhanced traffic safety is the principal aim of RLR Camera enforcement programs.

The following are means of improving intersection safety prior to RLR Cameras the jurisdiction should consider:

- (1) Proper sight distance;
- (2) Speed zones are consistent with engineering practice;
- (3) The number, size and location of vehicle heads are consistent with the MUTCD and ODOT's "Traffic Signal Policy and Guidelines";
- (4) Proper yellow change and red clearance intervals are consistent with ODOT's "Traffic Signal Policy and Guidelines" or other jurisdiction's adopted policy;
- (5) Corridor progression timing does not contribute to red light running;
- (6) Enforcement "tattle-tale" lights; and
- (7) The traffic signal timing is consistent with traffic volume, speed and specific intersection design elements.

RLR Camera System Implementation

RLR Cameras monitor both the flow of traffic at the stop location and the condition (or color) of the traffic signal indication on the approach. Special detectors, commonly loops cut into the pavement, check for the passage of vehicles into the intersection and if the traffic signal phase condition is red, cause pole mounted cameras to record pictures of the vehicle position, license plate and driver. Upon verification by a police officer, the vehicle owner is issued a citation through the mail. RLR Camera systems should differentiate between vehicles running a red light and those vehicles stopping slightly beyond the stop bar or those vehicles, after stopping, making a legal turn against a red indication.

Typically RLR Camera Systems are installed under contract, by a commercial firm that specializes in such systems. These contracts cover the furnishing, installation and operation of the RLR Cameras. The firm may also prepare the evidence for verification by local law enforcement and mail the citation. As compensation, the firm usually collects a predetermined fee for this service when the citation fine is received.

Costs that the local jurisdiction must cover include internal expenses for engineering plan review, site evaluation and field engineering during the installation phase of the RLR Camera System. Local jurisdictions also can purchase, install and operate RLR Camera Systems or can enter into agreements with other jurisdictions to provide all or a portion of this service.

If the candidate location is at a state highway intersection or on a state highway approach, application to and approval of the Oregon Department of Transportation is required.

Public Information Campaign and Sign Requirements

Oregon Law requires that cities provide a public information campaign to inform local drivers about the use of RLR Cameras before citations are actually issued. Educating the public is a critical step in reducing red light running. In order to effectively change poor driving habits, drivers must be made aware that RLR Cameras are in use. It is recommended that cities hold well-publicized kickoff events and issue periodic press releases about the effectiveness of RLR Camera enforcement within their jurisdictions.

Oregon law also requires that signs be posted, so far as practicable, on all major routes entering the jurisdiction indicating that compliance with traffic control devices is enforced through cameras. The law further requires that signs indicating that a camera may be in operation be posted near each intersection where a camera is installed.

Signs should be of appropriate size so as to be easily readable at the posted speed. Signs should be placed in such a manner that the motorist can easily see them, without undue visual clutter or obstruction.

Operational Considerations

- RLR Cameras shall not affect the display or the operation of the traffic signal.
- Power for RLR Camera equipment may be provided from the traffic signal cabinet and should be on its own clearly identified circuit breaker.
- Contact closures, as may be required for red and yellow indications on RLR Camera approaches, should be electrically isolated from traffic signal equipment.
- Detection loops for RLR camera equipment should not be wired through the traffic signal cabinet, associated electrical conduit, or junction boxes and shall not interfere with the operation of detector loops used for traffic signal operation. At state highway intersections, segregated wiring is required.
- Traffic signal timing changes shall not be made to increase the possibility of vehicles running red lights. If a review of traffic signal timing prior to RLR Camera installation identifies inappropriate yellow change and red clearance interval values that require adjustment, these adjustments shall be made prior to operation of the RLR Camera system.
- Traffic signal timing changes may be made in response to substantial changes in approach speed, significant changes to traffic patterns, routine timing reviews, design changes, etc.
- Plans showing the location of all proposed and existing equipment shall be prepared.
- Signs at each City Limit, informing the public that compliance with traffic control devices is enforced through the use of cameras, shall be provided if not already in place. A RLR Camera sign on each covered approach shall be installed and should be shown on or as an attachment to the signal plans. Refer to the *Manual on Uniform Traffic Control Devices* and the Oregon Adopted Supplements for guidance on signs that should be posted.

Site Considerations

RLR Cameras may not be appropriate at locations where:

- Recent geometric or traffic signal design changes have been made. Supporting crash records may not be applicable in the new configuration.
- Traffic signals have been installed within the previous year. Crash history may be too short to support RLR Camera use.
- Geometric or traffic signal design changes are scheduled and an engineering evaluation indicates such changes may substantially alter the need for RLR Camera enforcement.
- Road or utility work is anticipated during the first year of RLR operation.
- Traffic pattern changes resulting from development, construction detours or similar events are anticipated during the first year of RLR operation.
- An electrical interconnect with “railroad active warning devices” is provided on the approach.
- Design, operation or maintenance is inconsistent with state or local standards and practices.

Safety and Operations Report

A Safety and Operations Report is required for all RLR Camera Systems to be installed at intersections on state highways and is strongly recommended for all other locations since it can provide the basis for the process and outcome evaluation required in ORS 810.434(3)(b). It may be desirable to secure the services of a Professional Engineer to conduct the necessary study.

In addition to a general project narrative, the Safety and Operations Report should address to the extent practical the following:

Crash History - An engineering study of the crash experience at the intersection should be conducted.

- Target crashes for reduction at a RLR installation are angle crashes where the driver of one of the vehicles disregarded the traffic control device. Oregon crash records include codes for driver error and crash cause that describe these crashes (code for Participant Error code 020: "DISREGARDED TRAFFIC SIGNAL" and Crash Cause code 04: "DISREGARDED R-A-G TRAFFIC SIGNAL").
- Target crashes coded to driver attention may also be included in the study.
- The study should identify the relative crash problem of the intersection and each approach or movement of the intersection based on nearby intersections of similar volume, geometry, and traffic control.
- The study shall identify the approaches and movements to the intersections the applicant is requesting to be monitored by a RLR camera.
- Approaches should be those that have target crashes identified.
- Right turn approaches may have a high rate of violation but typically result in low severity or low crash occurrence and should not be included unless there is associated evidence of a significant crash history of high severity.

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Safety Concerns - Documentation detailing other safety concerns may be included in the report. Concerns may be supported by any of the following (or other relevant data):

- Traffic citation data
- Complaints
- Enforcement observations
- Speeds, traffic volumes and grades
- Traffic signal spacing
- Proximity to freeway or expressway ramp terminals

Design, Operations, and Maintenance Issues –Copies of signal plans showing the location of all proposed and existing equipment should be included. A description of how the RLR Camera System will be operated and maintained should be provided. Any design, operations, or maintenance issues that could affect the potential effectiveness of a RLR Camera System should be identified.

Public Information Campaign – The public information requirements as outlined in ORS 810.434 (3)(a) should be addressed.

Budget – A budget for system implementation and operation should be developed.

PE Certification – The jurisdiction proposing to install a RLR Camera System should secure the services of a Professional Engineer (PE) to attest that the traffic signal is operated and maintained in accordance with the MUTCD and appropriate state and local guidelines. This certification should be made available to the enforcing jurisdiction.

Future Changes to the Intersection

While every effort should be made to determine appropriate modifications and changes to the signal system prior to the installation of RLR cameras, land use and traffic patterns may change over time. Such changes may require a road authority to make changes to the signal system that may impact the operations of the RLR Cameras equipment. At no time shall the presence of RLR cameras obstruct an agency from making necessary changes to improve the safety of the driving public or the operation of the traffic signal.

When problems affecting the safety of the public arise (whether part of the signal system or are attributed to the operation of the RLR cameras) and traffic solutions to improve geometry, remove or add lanes or change the operational characteristics of the signal system are identified, the RLR camera operations and the associated costs of changing the RLR cameras shall not be taken into account as the reason for not making such changes. Any changes to the RLR cameras and associated costs shall be the responsibility of the commercial firm under contract for operation of the RLR cameras and the jurisdiction overseeing the operation of the RLR camera system, depending on their agreements.

Biennial Report Requirement

Oregon Law requires that once each biennium all cities using RLR Camera Systems must conduct a process and outcome evaluation that includes:

- The effect of the use of cameras on traffic safety
- The degree of public acceptance of the use of cameras
- The process of administration of the use of cameras

Regardless of the jurisdiction in the position of road authority, the jurisdiction overseeing the operation of a RLR Camera System shall prepare the Biennial Report and submit the report by March 1st of the year of each regular session to the Legislative Assembly. The Biennial Report should include the following information:

- Name, address, and phone number of person who will be the main RLR contact for this jurisdiction.
- Date of implementation.
- Number of intersections at which RLR Cameras are installed.
- RLR contractor name.
- Crash data specific to RLR locations for the 3-year period prior to RLR Camera installation and post RLR camera installation data to identify average crash rate and annual change.
- Public information surveys (if available) regarding jurisdiction's use of RLR Cameras.
- Copies of media releases sent as a part of the public RLR awareness program.
- Description of areas of concern or difficulty in administering the RLR Camera enforcement program.
- Available information on the local courts ability to handle the increase in citations.
- "Success stories" to share with the legislature about local RLR program such as major reductions in serious injuries and fatalities in the local jurisdiction due to RLR Camera systems.

Each city that operates a camera system is responsible for presenting a report to the Legislative Assembly by March 1st of the year of each regular session.

Approval Procedure for State Highways

State Traffic-Roadway Engineer approval is required for RLR Camera installation and operation at all State-owned intersections regardless of operation or maintenance responsibilities. The following procedure should be followed:

- The Applicant:
 - Submits letter to ODOT Region requesting authorization to install and operate a RLR Camera at a specific State-owned intersection and specific movements monitored.
 - The letter shall identify a responsible party to whom an ODOT permit will be issued and the point of contact responsible for the construction, operation, and public information requirements.
 - The letter shall be accompanied by:
 1. The Safety and Operations Report.

Oregon Department of Transportation

2. A statement of consistency with the Operational Considerations.
 3. A statement of agreement with the Conditions of Approval
- Region Traffic:
 - Reviews RLR design and supporting documents and works with applicant to ensure the RLR Camera Enforcement Installation Checklist (see page 11) is complete.
 - If supportive of the proposal, prepares all documents for the State Traffic-Roadway Engineer with a recommendation to approve.
 - Receives State Traffic-Roadway Engineer response of approval or denial of the RLR camera and any conditions.
 - Leads development of an Intergovernmental Agreement (IGA), laying out terms of agreement as to the responsibilities and obligations of each jurisdiction for the RLR camera.
 - The District Office:
 - Establishes an account number through ODOT Financial Services identifying responsible party and budget in an Order to Render Service.
 - Establishes the amount of deposit to be paid by the applicant. If cost are more than the deposit the applicant will charged for the additional cost, if less then reimbursed.
 - Issues Miscellaneous Permit to applicant stating conditions of approval. Conditions include the need for State Traffic-Roadway Engineer approval.
 - The Applicant:
 - Signs the permit, acknowledging the conditions of approval.
 - Agrees to pay for all actual costs incurred by ODOT relating to the installation, inspection, or repair, and any incidental costs.
 - Pays a monetary deposit as determined by the District office. Below are examples of typical costs and services:
 1. Plan review by the Traffic-Roadway Section estimated between \$200 to \$1000 per RLR Camera installation.
 2. Traffic signal cabinet and intersection modifications required to protect ODOT equipment and provide proper communication to RLR equipment estimated at \$1000 per intersection.
 3. Sign installation estimated at \$200 per sign, \$600 for sign and post.
 4. Relocation or repair of existing traffic control devices resulting from the installation of RLR equipment (costs are based on time and materials plus any damages).
 5. Inspection of installation estimated between \$200 and \$1000.
 - The District Office:
 - Upon receipt of signed permit and deposit, forwards plans and supporting documents to the Region Traffic Manager.
 - Notify the Electrical Crew responsible for the traffic signal and arranges for inspections of permit work.

State Traffic-Roadway Engineer approval will be based on review of supporting documents and completion of final, ODOT approved plans and may stipulate further conditions of approval. The State Traffic-Roadway Engineer will specify which movements are approved to receive RLR Cameras.

Removal Procedure for State Highways

When considering removal of a RLR camera, a study should be performed to determine if the RLR Camera should be removed or remain. A RLR camera may be ordered removed by the State Traffic-Roadway Engineer for an intersection or a particular approach to an intersection or a particular movement at an intersection.

If for instance the study shows there is little or no reduction in the number, severity or targeted crashes (i.e., angle crashes) or if similar results can be obtained from engineering countermeasures such as improving sight distance, conspicuity of the signal heads, signal timing or installation of “tattle tale” lights the Region Traffic Engineer may recommend removal to the State Traffic-Roadway Engineer.

Intersections where engineering or geometric improvements are proposed may require study of the new intersection geometry and may result in a request to remove RLR camera equipment. The study may include a determination of changes in conflicts, phasing changes to traffic signals, addition of turn lanes or diversions of traffic patterns that change the operations of the traffic signal.

The following procedure should be followed when considering removal of RLR cameras:

- ODOT Region Traffic shall conduct a study.
 - The study shall determine the safety effectiveness of the RLR camera at reducing crashes, severity of crashes and/or types of crashes (especially as they relate to angle crashes vs. rear-end crashes).
 - The study shall recommend continued operation of the camera, removal of the camera and/or modifications to the operation of the camera or intersection.
 - Other safety concerns such as changes in violations and compliance rates may be considered but are not the primary measure of safety.
 - The study shall also consider the extent to which other countermeasures had been implemented prior to implementation of the RLR cameras or proposed changes to the intersection.
 - Other considerations may include traffic volumes and delay, unusual or unique geometry, signal timing, operation and cycle lengths, driver behavior, and other engineering countermeasures to improve safety.
 - The study shall include any proposed changes to the intersection such as engineering or geometric improvements that reduce or eliminate conflicts or change the operations of the traffic signal.
- If the recommendation is to remove the RLR Camera, ODOT should work together with the Jurisdiction responsible for the RLR cameras to come to agreement for how to proceed with the recommendations of the study.
- Additional input may include the public and/or enforcement to determine support or opposition to the removal.
- Whether or not an agreement can be reached, ODOT Region Traffic will submit a recommendation to the State Traffic-Roadway Engineer along with the study.
- The Jurisdiction responsible for the RLR camera may submit a recommendation with supporting

Oregon Department of Transportation

documentation to the State Traffic-Roadway Engineer.

- The State Traffic-Roadway Engineer decisions will be based on review of the study, the recommendations submitted and any other input received.
- The State Traffic-Roadway Engineer may hold a meeting of interested parties to go over the issues.

The State Traffic-Roadway Engineer may approve removal of the RLR Camera, may approve the RLR camera remaining, and/or require engineering countermeasures or other changes to the intersection or roadway or cameras. The State Traffic-Roadway Engineer's decision is final and will be based primarily on safety.

Upon request of the jurisdiction responsible for the RLR Camera the State Traffic-Roadway Engineer may approve removal of the RLR Camera without study of the intersection. Typically this occurs under special conditions such as the vendor of the equipment goes out of business, a political entity passes an ordinance to remove the RLR Camera or other circumstances as determined by the State Traffic-Roadway Engineer.

RLR Camera Enforcement Installation Checklist Non-State Highway

Location Information

File Code: _____

Acct. No.: _____

Street Name: _____

Intersecting Street: _____

RLR Camera Approaches: _____

Traffic safety need based on crash history and safety concerns has been documented.

A public information contact has been identified.

Contact Name: _____ Email: _____

Address: _____ Telephone: _____

Location approaches and movements have been clearly identified.

Traffic signal indications on the approach are clearly visible from an adequate distance based on field observation. Current MUTCD signal visibility standards are met.

Yellow change and red clearance intervals are displayed for at least the recommended time.

No significant improvement (project) is scheduled or planned that would substantially alter the need for a RLR Camera.

Signs indicating that compliance with traffic control devices is enforced through cameras are posted (or will be provided by this project) on all major routes entering the jurisdiction.

Signs indicating that a camera may be in operation will be posted on all approaches where a camera is to be installed.

No known reason why a RLR Camera should not be installed.

Checklist completed by: _____ Date: _____

RLR Camera Enforcement Installation Checklist State Highway

Location Information

File Code: _____

TSSU Location ID: _____ Region: _____ District: _____ Acct. No.: _____

Street Name: _____

Intersecting Street: _____

RLR Camera Approaches: _____

Applicant (City/County): _____

- Local jurisdiction has documented traffic safety need based on crash history, and safety concerns.
- A local jurisdiction point-of-contact has been identified.

Contact Name: _____ Email: _____
Address: _____ Telephone: _____

- Location and approaches have been clearly identified.
- Traffic signal indications on the approach are clearly visible from an adequate distance based on field observation. Current MUTCD signal visibility standards are met.
- Yellow change and red clearance intervals are displayed for at least the recommended time.
- Existing traffic signal coordination with adjacent traffic signals is in place and properly timed.
- No significant improvement (project) is scheduled or planned that would substantially alter the need for a RLR Camera.
- Signs indicating that compliance with traffic control devices is enforced through cameras are posted (or will be provided by this project) on all major routes entering the jurisdiction.
- Signs indicating that a camera may be in operation will be posted on all approaches where a camera is to be installed.
- No known reason why a RLR Camera should not be installed.

Checklist completed by: _____ Date: _____

Conditions of Approval

The applicant agrees:

1. The cost of any required changes to the RLR camera equipment as a result of changes or modifications to the intersection, regardless of who implements the changes, shall be the responsibility of the applicant and/or any commercial firm under contract for operation of the RLR cameras.
2. When problems affecting the safety of the public arise whether part of the signal system or the RLR cameras, ODOT has the discretion to modify geometry, remove or add traffic lanes or change the operating characteristics of the intersections to protect the safety of the public, up to and including the ordering of the removal of the RLR camera systems or the removal of cameras for particular movements.
3. When ODOT desires to modify an intersection with a RLR camera to improve operations or safety it may do so without consideration to the cost of changes to the RLR camera system or impact to revenue generation on RLR camera system or agreements between the applicant and any commercial firm operating the camera system. ODOT shall not be subject to any costs for changes, modifications, or removals of the RLR camera system.
4. Applicant shall make available to ODOT all reasonable requests for records concerning the operations of the RLR cameras and the intersection, including but not limited to, number of violations by particular cameras or movements, total violations, distribution of violations, percentages of violations within specific time periods, crash records and/or operating parameters of the RLR camera.
5. Applicant shall ensure that signs at each City Limit, informing the public that compliance with traffic control devices is enforced through the use of cameras, are provided if not already in place. A RLR Camera sign on each covered approach shall be provided and shown on or as an attachment to the signal plans.
6. Applicant shall ensure a method for ODOT staff to turn off the camera system to perform routine maintenance of the signal system, including cabinet or controller replacement or timing changes.
7. Failure to comply with any of the conditions of approval listed herein or stipulated by the State Traffic-Roadway Engineer shall be sufficient reason for the State Traffic-Roadway Engineer to order removal of the RLR camera system.

Appendix A – Red Light Running Toolbox

See the following website:

<http://safety.fhwa.dot.gov/intersection/resources/fhwasa09027/resources/Making%20Intersections%20Safer%20-%20A%20Toolbox%20of%20Engineering%20Count.pdf>



Red-Signal Enforcement Lights

Purpose

Red-Signal Enforcement Lights enhance safety at signalized intersections by improving red-light compliance, resulting in a reduction of red-light running violations. They are auxiliary lights connected to a traffic-control signal to help law enforcement officers more efficiently and safely issue citations for drivers who violate the red phase of the signal.

According to the US Department of Transportation's Fatality Analysis Reporting System (FARS), 869 people were killed in crashes that involved red-light running in 2006, and the National Campaign to Stop Red-Light Running estimates that another 143,000 were injured.



Alternative Names

Red light indicator lights, red light indicators, signal indicator lights, enforcement lights, white enforcement lights, rat lights or boxes, tattletale lights.

Operation

The Red-Signal Enforcement Light activates simultaneously with the red signal phase, providing an enforcement officer located downstream from an intersection with a visible indication of the upstream red phase so they can determine when a vehicle has violated the red phase. Relatively small, low-cost lights are mounted on the top, bottom, or rear of a traffic signal and are wired into the signal controller for accurate red-signal phase indication. Red-Signal Enforcement Lights should not be colored red, yellow, or green, in order to avoid confusion with traffic signal control indications.

Potential Benefits

Red-Signal Enforcement Lights can provide safety, efficiency and/or cost benefits, compared to other enforcement methods. These benefits include:

- Allowing red-light running monitoring from any leg of an intersection, particularly downstream from the intersection;
- Eliminating the need for unsafe pursuit by single upstream officer across the intersection during the red phase;
- Allowing one patrol officer instead of two (downstream) to enforce a traffic-control signal, thus increasing enforcement resource efficiency and versatility;
- Having lower installation and maintenance costs than automated enforcement systems, potentially allowing more numerous installations; and
- Do not use potentially controversial automated photography.

This summary is one in a series describing Innovative Intersection Safety Treatments. The summaries identify newer technologies and techniques to improve intersection safety developed since NCHRP Report 500, Volumes 5 and 12, were published in 2003 and 2004, respectively. These treatments show promise for improving safety but comprehensive effectiveness evaluations are not yet available.



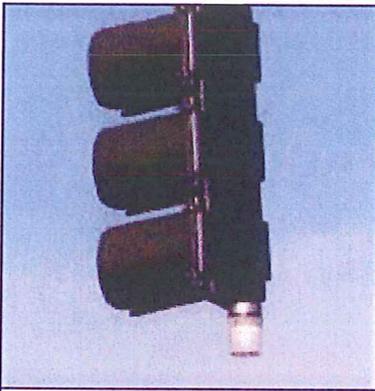


Figure 1: Bottom-mounted Red-Signal Enforcement Light on a signal head

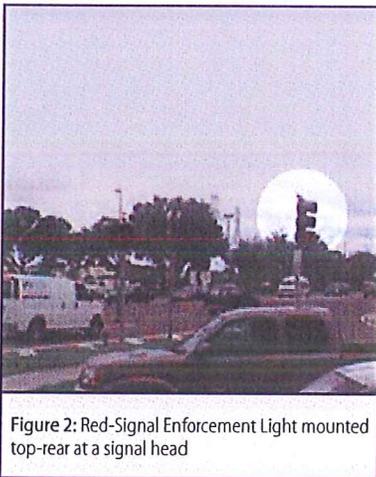


Figure 2: Red-Signal Enforcement Light mounted top-rear at a signal head

Learn More

Peter Hsu, Florida Department of Transportation
 ping.hsu@dot.state.fl.us
<http://www.dot.state.fl.us/Safety/CTST/downloaddocs.shtm>

Jeffery Smith, San Jose Traffic Enforcement Unit
 jeffery.smith@sanjoseca.gov
http://www.sjpd.org/BFO/SpecialOps/TEU/Red_Light_Enforcement.html

Ed Rice, Intersection Safety Team Leader
 FHWA Office of Safety

202-366-9064
 ed.rice@dot.gov

Agency Experience

- A Florida Department of Transportation study showed installation of Red-Signal Enforcement Lights, coupled with aggressive enforcement, reduced the annual number of red-light violations by 25 percent (“A Study of the Effectiveness of White Enforcement Lights,” Florida Department of Transportation, 2008). The lights are installed at more than 500 intersections across Florida.
- The city of Clearwater, FL also found a significant drop (as much as 50 percent) in red-light running at intersections where Red-Signal Enforcement Lights were used.
- Richardson, TX has installed Red-Signal Enforcement Lights at more than 40 intersections, and there have been more than 100 installed across Santa Clara County, CA.

Implementation Considerations

- There are no compliance issues with the Manual on Uniform Traffic Control Devices, as Red-Signal Enforcement Lights are not traffic-control devices.
- Red-Signal Enforcement Lights are only effective when combined with red-light running enforcement efforts by enforcement officers.
- Red-Signal Enforcement Lights should be positioned to be visible to downstream enforcement officers while minimizing distraction or confusion to drivers. Officers must simultaneously be able to see the intersection’s upstream stop bar from downstream—this can, if necessary, be facilitated by the use of traffic cones or flexible traffic posts.
- Red-Signal Enforcement Lights must be high enough to be seen over tall vehicles and out of reach of vandals.
- Wiring should be connected to the controller output for the red-signal phase to power the Red-Signal Enforcement Light simultaneously.
- Red-Signal Enforcement Lights are visible from a full 360 degrees but may be partially “taped,” or installed with alternative housing configurations, to control visibility and reduce potential driver distraction.
- Warning and regulatory signs supplementing Red-Signal Enforcement Lights can remind drivers of red-light running enforcement or fines.
- Attainment of judicial support for prior acceptance of the citations given based on the enforcement lights is critical for optimal effectiveness of the lights. Public awareness campaigns may also increase effectiveness.

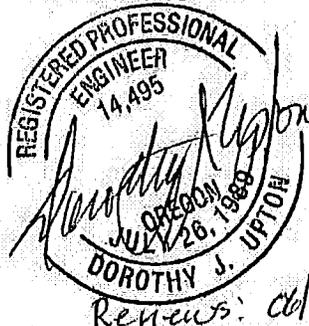
Costs

- Red-Signal Enforcement Light sets (including housing) cost approximately \$50–\$150 for traditional (rather than LED) bulbs.
- Generally, 4 to 8 indicator sets are needed for a major intersection to cover all signal phases for a total intersection cost of \$200–\$1,200.
- Cost depends substantially on whether LED or traditional bulbs are used. LED bulbs cost approximately three times as much initially, but require much less power.



Oregon

John A. Kitzhaber, M.D., Governor



Department of Transportation

Region 2 Tech Center
455 Airport Rd. SE Bldg. A
Salem, OR 97301-5397
Phone: (503) 986-2990

Date: April 24, 2014
From: Dorothy Upton, P.E.
ODOT Region 2 Traffic Engineer
Subject: Comparison of Signalized Intersections along OR 99W

This memo summarizes the reported crashes and operations of five intersections along OR 99W through Washington and Yamhill counties between Tigard and Newberg as requested by the City of Newberg. This comparison is a part of the consideration for the removal of the Red Light Running Camera (RLRC) at the OR 99W and Springbrook Road intersection. The memo will first describe the five intersections reviewed, followed by the crash information and then a discussion of the data.

Description of Intersections

As part of the comparison, the following is a summary of the lane configuration and basic operations for the subject five intersections. This is to better understand how similar the intersections may operate since driver reactions are influenced by many things.

OR 99W at Durham Road (MP 11.36-11.53) within the City of Tigard. The highway has two through travel lanes in each direction with a single northbound left turn and a dual southbound left turns. The travel directions are separated by a grassy median. The Durham Road east approach has an exclusive left, shared left-through and an exclusive right lane. The opposing approach has shared left-through and shared through-right lanes. This intersection operates under split-phase signal timing. This intersection is within a fully developed commercial area. The Average Daily Traffic (ADT) on the state highway is 37,800 while Durham Road has an ADT of 19,920.

OR 99W at Tualatin-Sherwood/Roy Rogers Roads (MP 14.85-15.10) within the City of Sherwood. The highway has three through travel lanes in each direction with a single left turn lanes for northbound and southbound moves. There is also an exclusive right turn lane for northbound traffic. The travel directions are separated by a grassy median. The Tualatin-Sherwood Road (east) approach has dual left turns and exclusive through and right turn lanes. The Roy Rogers Road (west) approach has exclusive left and through lanes as well as a through-right lane. This intersection is within a developed commercial area, but is undeveloped on the northwest corner. This intersection has RLRCs monitoring the OR 99W and Roy Rogers Road approaches which was approved in February, 2010. The RLRC was installed in October, 2010 and modified in January, 2012. The ADT on the state highway is 38,400.

OR 99W at Brutscher Street (MP 21.71-21.86) within the City of Newberg. The highway has two through travel lanes in each direction with single left and exclusive right turn lanes for turns from the highway. The travel directions are separated by a raised median to the west and a two-way left turn lane to the east. The Brutscher Street approach has an exclusive left turn lane and a through-right lane. The opposing approach, a driveway for a gas station and a self-storage complex, has a single full movement approach. This intersection is on the fringe of the developed commercial area but within a signalized corridor. The ADT on the state highway is 34,800.

OR 99W at Springbrook Road (MP 22.03-22.06) within the City of Newberg. The highway has two travel lanes in each direction with a single left and exclusive right turn lanes for turns from the highway. The travel directions are separated by a two-way left turn lane that furnishes business access. The Springbrook Road approaches have two travel lanes in each direction with a single left turns and exclusive right turn lanes for turns from the local arterial. This intersection is within a fully developed commercial area. The RLRCs currently operating on the OR 99W approaches were installed in 2006. The ADT on the state highway is 38,600.

OR 99W at Villa Road (MP 22.83-23.01) within the City of Newberg. Each approach has a unique lane configuration. The eastbound highway approach has an exclusive left, through and a through-right lane, while the opposing direction has two through travel lanes with exclusive left and right lanes for turns from the highway. There is an added lane westbound leaving the intersection (total of three). The travel directions are separated by a raised median to the west and a two-way left turn lane to the east. The Villa Road north approach has single, exclusive lanes for each of the movements (left-through-right). The south approach has dual left turn lanes and a shared through-right turn. This intersection is within a fully developed commercial area and is currently the connection of OR 219 to OR 99W. The ADT on OR 99W is 35,000 while Villa Road has an ADT of 5,500.

The consistent features through this almost 12-mile corridor is the configuration for OR 99W with at least 2 through and a left turn lane in each direction and appropriate right turn lanes where needed. All five of the intersections have the following:

- The Average Daily Traffic on OR 99W ranges from 34,800 to 38,600 through this corridor.
- At least two through lanes in each direction for state highway movements
- The minor street approaches range in configuration based on the demands from the various traffic flows.
- All these signals are in developed commercial areas, with Brutscher being one of the least developed.
- All, except Durham Road, operate with an 8-phase signal which allows for a combination of protected and permissive movements.
- The Tualatin-Sherwood and Springbrook intersections are the most similar of the five intersections for size and operations, particularly since they both have some approaches operating under red light running cameras.

Crash Data Summary:

The State Crash listing is the database of the reported crashes in the state (as required by law). This reporting is used for consistency through jurisdictions, particularly because there may be differences in local law enforcement involvement. Two 5-year time periods were identified for comparison to frame the time period around when the Red Light Running Camera (RLRC) was installed in Newberg. The first was period (Before) was from January 1, 2001 to December 31, 2005 while the second period (After) was from January 1, 2007 to December 31, 2011. The segment reported for each intersection was initially for 0.1 miles on each side of the intersection that was then modified to remove driveways/accesses that would influence the crashes reported.

Table 1 summarizes the crash data by severity and location to compare the before and after time period at the five intersections. Only the Brutscher and Springbrook intersections reported an

increase in all crashes in the after time period, particularly the increase in number of property damage only crashes at Springbrook Road.

Table 1 - OR 99W Crash Summary Table by Severity and Location**

Location		Fatal / Injury A	Injury B / Injury C	Property Damage Only	Total
Durham Road (MP 11.36-11.53)	Before	0	22	28	50
	After	0	21	28	49
	Difference	0	- 1	0	- 1
Tualatin-Sherwood / Roy Rogers Roads (MP 14.85-15.10)	Before	0	27	33	60
	After	1	25	26	52
	Difference	+ 1	- 2	- 7	- 8
Brutscher Road (MP 21.71-21.86)	Before	0	7	18	25
	After	1	19	10	30
	Difference	+ 1	+ 12	- 8	+ 5
Springbrook Road (MP 22.03-22.06)	Before	0	16	23	39
	After	1	16	37	54
	Difference	+ 1	0	14	+ 15
Villa Avenue (MP 22.83-23.01)	Before	0	21	24	50
	After	0	20	26	46
	Difference	0	- 1	+ 2	- 4

****Crashes: Before Period 1/1/2001 to 12/31/2005; After Period 1/1/2007 to 12/31/2011**

Table 2 categorizes and summarizes crashes by the type and direction of travel for the “violating” vehicle. Due to the typical variance in crash data, an increase or decrease of one crash is normal. The table shows little difference in the overall number of crashes at all intersections, except for at Springbrook Road with its substantial increase in crashes in the after period. Crashes have remained about the same (by type) except for 65% increase in rear-end crashes at Springbrook Road in the after period. The table shows that Brutscher has the lowest values for the before/after comparison of any of the intersections, likely due to its limited use from the north approach. Springbrook went from being on the low end overall of crashes to toward the higher end of overall crashes.

Table 2 also shows that there was not much change in the crashes at the OR 99W at Tualatin-Sherwood/ Roy Rogers Roads intersection before and after the installation of its RLRC when the time period is split to match the 75% before its installation and 25% after. Generally, each category went down over the comparable time period. At this intersection there is not a noticeable difference in the before and after installation of the RLRC except a total decrease over the 5 year period, unlike at the OR 99W at Springbrook intersection.

Table 2 - OR 99W Crash Summary Table** by Type, Location and Direction

Location	Type	To Portland		To Newberg		Cross Street		Total Crashes	
		B	A	B	A	B	A	B	A
Durham Road (MP11.36-11.53)	RE	13	9	17	8	4	14	34	31
	Turn/Angle	6	5	1	4	0	4	7	13
	SS-Over	4	2	0	1	1	0	5	3
	Bike/Ped	0	0	3	0	0	1	3	1
	Other	1	1	0	0	0	0	1	1
	TOTAL	24	17	21	13	5	19	50	49
*** Tualatin- Sherwood Road / Roy Rogers Road (MP 14.85-15.10)	RE	15	14 + 5	15	10 + 5	10	3 + 0	40	27 + 10 = 37
	Turn/Angle	7	4 + 0	4	1 + 2	4	1 + 2	15	6 + 4 = 10
	SS-Over	2	1 + 0	1	2 + 0	0	0 + 0	3	3 + 0 = 3
	Bike/Ped	0	0 + 0	1	0 + 0	0	0 + 0	1	0 + 0 = 0
	Other	0	0 + 0	1	1 + 0	0	0 + 1	1	1 + 1 = 2
	TOTAL	24	19 + 5	22	14 + 7	14	4 + 3	60	37 + 15 = 52
Brutscher Road (MP 21.71-21.86)	RE	6	11	14	11	0	2	20	24
	Turn/Angle	1	4	0	0	1	0	2	4
	SS-Over	0	0	1	0	0	0	1	0
	Bike/Ped	0	0	0	0	1	1	1	1
	Other	0	1	1	0	0	0	1	1
	TOTAL	7	16	16	11	2	3	25	30
Springbrook Road (MP 22.03-22.06)	RE	17	28	11	16	1	1	29	45
	Turn/Angle	0	1	3	0	3	4	6	5
	SS-Over	2	2	0	0	0	0	2	2
	Bike/Ped	1	1	1	0	0	0	2	1
	Other	0	1	0	0	0	0	0	1
	TOTAL	20	33	15	16	4	5	39	54
Villa Road (MP 22.83-23.01)	RE	20	13	12	14	1	4	33	31
	Turn/Angle	7	4	4	3	2	0	13	7
	SS-Over	2	0	0	3	0	0	2	3
	Bike/Ped	0	2	1	0	1	0	2	2
	Other	0	0	0	2	0	1	0	3
	TOTAL	29	19	17	22	4	5	50	46

**Crashes: Before Period 1/1/2001 to 12/31/2005; After Period 1/1/2007 to 12/31/2011

***Split to match this intersection's RLRC installation (B: 1/1/07-9/30/10; A: 10/1/10-12/31/11)

Expected Crashes:

One tool from ODOT's Highway Safety webpage does a prediction of the expected number of crashes at a site given certain general parameters based on national research. The tool calculates the probability that the observed proportion of crashes is "normal" for the specific type of intersection. The tool generates two rates: a comparable (peer) rate which normalizes the calculation to local data and a critical rate which is the value at or above which is a definite safety concern. Using the Urban 4-legged, signalized intersection model with a comparable ADT, the peer crash rate was 0.33 crashes per million entering vehicles (MEV) and the critical rate was 0.45.

Using the "Before" period data, the OR 99W at Springbrook intersection prediction has an observed crash rate of 0.55 crashes per MEV which is higher than both the peer and critical crash rates. The tool also flags areas with a statistically significant difference between the observed and expected rate. The only flagged category for the Springbrook intersection was that the observed rear-end crashes were almost twice what the expected number was. The angle and turn type crashes were less than half of the expected number of crashes at this type of signalized intersection.

Using the "After" period data, the OR 99W at Springbrook intersection prediction has an observed crash rate of 0.77 crashes per MEV which is higher than both the peer and critical crash rates. The tool also flags categories/areas where a statistically significant difference between the observed and expected rate. The only flagged category for the OR 99W at Springbrook intersection was that the observed rear-end crashes are more than double the expected number of crashes. The angle and turn type crashes were less than half of the expected number for this type of signalized intersection.

Discussion/Conclusion:

Although the intersections are similar, each location has characteristics making each unique, due to lane configurations, signal phasing or RLRCs. The desire for RLRCs is to reduce the number of Turning and Angle type crashes without a marked increase in other types of crashes such as Rear-end and Side-swipe Overtaking. This supports the concept that the safety resulting from the camera installation is not detrimental to traffic operations while reducing the typical crash when a vehicle runs a red light resulting in a turning or angle crash with more severe injuries.

Within the same "after" time period, this analysis shows that the Durham, Tualatin-Sherwood/Roy Rogers and Villa Road(s) intersections all reported an overall crash reduction while the Brutscher and Springbrook intersections showed an increase. There is no difference in the traffic growth between the Springbrook and Villa Road intersections which are near each other within Newberg.

Based on the information gathered for the five intersections compared in this analysis, OR 99W at Springbrook Road has experienced a marked increase in overall crashes, with a 65% increase in the number of rear-end crashes, without a reduction in the turning/angle crashes that are addressed with red light running cameras. During the same time period, the other four intersections compared in this corridor have not experienced a change in crash patterns that would show a difference in overall travel patterns. The data in this analysis supports the original recommendation that the red light running camera at the intersection of OR 99W at Springbrook Road should be removed according to the criteria set forth in the ODOT "Red Light Running Camera Guideline for State Highways 2012."

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: September 2, 2014

Order ___ Ordinance ___ Resolution ___ Motion ___ Information XX
No. No. No. No.

SUBJECT: 2014 Fourth Quarter Report

**Contact Person (Preparer) for this
Item: Sheryl Kelsh
Dept.: Chehalem Valley Chamber of Commerce
File No.:**

This is a presentation of the 2014 Fourth Quarter Report by Sheryl Kelsh, President/CEO of the Chehalem Valley Chamber of Commerce.

THE CHEHALEM VALLEY VISITOR CENTER

2014 Fourth Quarter Report

2014 FOURTH QUARTER STATS: APR-JUN

Website visits: 15,753

Visitor Center Traffic: 2,758



Camellia Festival: April 12, 2014

Celebrating the art, food, music, and blooms of Asia and the Pacific Rim

The Camellia—Newberg’s official flower with roots in Asia—is celebrated every year on the first Saturday in April at the Chehalem Cultural Center and Plaza Stage. The event kicks-off with a Fun Run 5k/10k early Saturday morning and, whether running or walking, all participants receive a potted one-gallon Camellia plant. This year, the festival started at 10am with the Minidoka Swing Band on the Plaza Stage and there were several events and presentations, including Origami folding and local Camellia flower judging.

2015 Tourism Guide

Distributed in print and available online

Oregon Voted a “Best Wine Region”

Immediately following Tuscany, Italy, Oregon secured #8 in the “Best Wine Region to Visit” category, as voted by *USA TODAY* and *10best* readers.



In the News: Northwest Travel Magazine

Three-page article about Newberg

With an in-depth three-page article, including several photos of downtown, Newberg was featured in the July/August edition of *Northwest Travel Magazine*. The bimonthly magazine has a readership of 300,000 paid subscribers in Washington, Oregon, Idaho, Montana, Alaska, Northern California, and British Columbia.

Alaska Airlines “Wine Flies Free” Group Promotion

Over 100 area wineries participating: Passengers take home 12 reminders to visit Chehalem Valley

An important promotion that has the potential to bring group travel to the valley, the *Wine Flies Free* and *Taste Free* promotions by Alaska Airlines includes participation of many Newberg and Dundee wineries. Travelers must show their Alaska Airlines Mileage Plan membership and in-bound boarding pass (paper or digital) to qualifying tasting rooms for a complimentary wine tasting. A custom case of wine, per passenger, flies for free on the return trip. (Twelve tasty souvenirs that remind travelers of Chehalem Valley!) This great group incentive to travel Chehalem Valley is set to run through April 15, 2015.



Upcoming Events

Feast Portland: September 18–21, 2014

On Saturday, September 20, Chef Allen Roult from Newberg’s Painted Lady will be demonstrating on the main stage at FEAST Portland during the Alaska Airlines sponsored Saturday Grand Tasting event on the Pioneer Courthouse Square. Celebrating Oregon’s Bounty, FEAST features over 30 events—each a roundup of chefs, foodies, wine makers, brewers and craft libation lovers—in downtown Portland. Chehalem Valley is well-represented with several local wineries pouring at the events. (All-inclusive tickets are \$60 and net proceeds from all FEAST Portland events are donated to *Partners for a Hunger Free Oregon* and *Share Our Strength*.)

THE CHEHALEM VALLEY VISITOR CENTER

2014 Fourth Quarter Report

Rendered Clothing, a screenprinting and design business in Newberg, created "State of Mine" T-shirts worn by Travel Oregon staff at the National Tourism Association Conference. A great example of the positive impact that the tourism industry has on small businesses throughout the state.



Media Recap: Newberg & Dundee

From Forbes to Wheel of Fortune:

Most of these national articles and media requests for Willamette Valley specifically feature Newberg and Dundee.

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|--------------|--|
| <i>April</i> | <ul style="list-style-type: none"> 7 ABC News Online, "Wine Tours of the World: 10 Must Stop Visits" 8 Sierra Online, Darren Bush's Favorite Canoe Trips: "Willamette Valley Water Trail" 11 Mission Valley News, "Willamette Valley Emerges as a Powerful Pinot Producer" (Rex Hill of Newberg Featured) 17 The Allison Inn & Spa Named #2 in Top-Rated Green Hotels in US 16 Examiner.com, "Best of Dundee Hills" 21 Today Show, "Best Place to Visit Using Your Tax Refund" 17 Fodor's Travel, "Worlds 10 Best Trips for Wine Lovers" 22 Forbes, "An Earth Day Toast to Organic Winemaking in Oregon" 30 Media Inquiry: <i>National Geographic</i> |
| <i>May</i> | <ul style="list-style-type: none"> 7 Huffington Post Travel, "Kid-Friendly Itineraries in Five Western US Destinations that Cater to Adults" (Evergreen and The Allison Inn & Spa mentioned) 13 Orange Coast Magazine, "Oregon's Willamette Valley: Genuine Wine from Genuine People" (The Allison & Le Puy) 15 Washington Post, "Back-to-Back Vintages" 21 Orbitz.com, "Summer Travel Deals: The Willamette Valley" |
| <i>June</i> | <ul style="list-style-type: none"> 5 Media Request: <i>Wheel of Fortune</i> requesting Vineyard footage for a prize package 10 CBS Online, "Best Destinations for the Wine Lover" (The Allison Inn & Spa and the Willamette Valley) 18 Media Inquiry: <i>Drinkinsider.com</i> 26 Media Inquiry and Fam Request: <i>Yahoo Travel</i> 30 Media Inquiry: <i>Groups Today Magazine</i> |

**Newberg Visitor Information Center
2013-2014 Fiscal Year
Fourth Quarter Report
(April - June 2014)**

	Q4	YTD 13-14	Budget
REVENUE:			
City of Newberg	\$25,500.00	\$123,988.00	\$110,000.00
Newberg Chamber contribution	\$13,625.00	\$54,500.00	\$54,500.00
TOTAL REVENUES:	\$39,125.00	\$178,488.00	\$164,500.00
 EXPENSES:			
Personnel	\$14,641.66	\$50,444.24	\$67,000.00
Marketing	\$25,134.19	\$49,963.61	\$44,521.00
Overhead/Utilities, etc.	\$17,324.38	\$52,208.00	\$52,979.00
TOTAL EXPENSES:	\$57,100.23	\$152,615.85	\$164,500.00
 NET INCOME		\$25,872.15	

Net Income reflects the monies received but not spent. The balance of the funds are restricted to future destination marketing projects and will balance out the remainder of the fiscal year or result in reserves.

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: September 2, 2014

Order ___ No.	Ordinance ___ No.	Resolution ___ No.	Motion ___	Information <u>XX</u>
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**SUBJECT: League of Oregon Cities 2015
Legislative Priorities**

Contact Person (Preparer) for this
Item: Mayor Bob Andrews
Dept.: City Council
File No.:

EXECUTIVE SUMMARY:

The League of Oregon Cities (LOC) has targeted the following five issues as legislative priorities for the 2015 session of the Oregon Legislature:

Property Tax Finance Reform:

- Introduce a constitutional amendment allowing the option to have a local option levy outside compression;
- Restore equity in Oregon's property tax system by resetting assessed value to real market value when a property is sold or constructed; and
- Improve the fairness of how new and improved property is added to the state's property tax rolls.

Transportation Funding:

- Pass a comprehensive transportation funding and policy package.

Marijuana:

- Work to clarify and enhance public safety and local control related to marijuana.

Protect City Right of Way Authority:

- Oppose legislation preempting the ability of cities to manage and receive compensation for the use of public rights of way.

Mental Health Resources:

- Support increased resources across the state for persons with mental health issues, especially in crisis situations.

The League will also be making a concerted effort during the 2015 session to seek funding for long-term water supply needs and on issues related to the perfection of municipal water rights.

These priorities will be the focus of City Hall Week September 8-12, a series of regional meetings hosted by cities throughout Oregon during which legislative candidates will be briefed on the League's position on each issue. The priorities were formally adopted by the LOC Board of Directors on August 1.

Newberg's City Hall Day will be held at 6:30 p.m. on September 9 at the Public Safety Building conference room, 401 E. Third Street.



Property Tax Reform: Voter Control Referral

Description

The League’s proposed constitutional referral would allow local voters to consider a temporary property tax outside of statewide tax caps. The referral would not raise anyone’s taxes, but would empower voters to authorize a tax for local operations.

Background

Under Oregon’s current system, statewide limitations can prohibit local voters from raising their own taxes to support services they demand. Measure 5 limitations restrict general governments (cities, counties and special districts) and schools to levying no more than \$10 and \$5 per \$1,000 of real market value respectively. Any taxes levied in excess of those limitations are reduced until the limitations are met, a process known as compression. Temporary taxes that are in addition to the municipality’s permanent rate and are approved by voters to provide funding for services, such as public safety or school services, are compressed first under this system. As a result, voters residing in a municipality in compression are limited in their ability to raise revenue to support services they desire.

Examples

In numerous communities throughout Oregon, statewide tax caps reduce voter approved levies significantly. In the city of Sweet Home, for example, voters have approved local option levies for police and library services dating back to 1986. In 2010, voters approved the levies again with 60 and 55 percent of the vote respectively. Yet statewide tax limits cut 35 percent of what local voters approved, resulting in public safety and library services not being provided at a level local citizens wanted.

Many voter-approved levies throughout the state are being reduced by even larger percentages. In the West Linn/Wilsonville School District, statewide limits will reduce the collections for the voter-approved levy by 71 percent this year. For the Portland Children’s Levy, revenue is reduced by 51 percent (see Table 1 for additional examples).

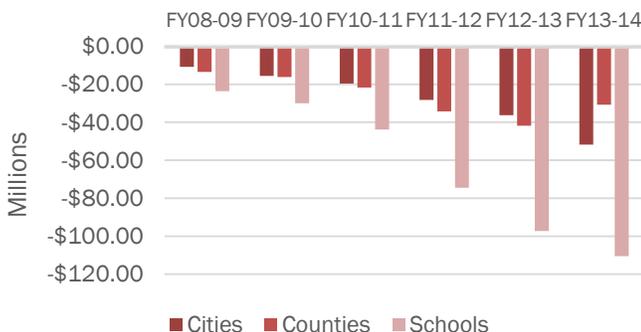
Table 1: Compression on Voter-Approved Levies

	Percentage of revenue lost due to statewide tax caps (2013-14)
Tigard-Tualatin School District	54%
Pendleton School District	42%
Eugene School District	41%
Lake Oswego School District	34%
Beaverton School District	34%
City of Albany public safety levy	34%

Statewide Impacts

Compression is a growing problem for local governments statewide. Since 2008-09, total revenue lost to compression has increased from \$51 million to \$212 million in 2013-14, (see Figure 1). This year 90 percent of school districts, 34 out of 36 counties and more than one-half of all cities have seen property tax revenues reduced due to statewide caps.

Figure 1: Statewide compression losses



Last May (2014), local voters approved 16 of 21 (76 percent) temporary tax measures. While voters may still be concerned about the state of the economy, in many instances they clearly realize the value of local government services and are willing to tax themselves to provide those services. Whether or not any local voters approve temporary taxes outside of compression limitations is irrelevant. What matters is that voters currently do not have the freedom and opportunity to do so.

Description

The League’s second proposed constitutional amendment would reset a property’s assessed value to its real market value at the time of sale or construction. The amendment would not raise taxes on anyone’s current home, but would restore equity by recalibrating taxes based on the market’s valuation of a property at the time of sale—a better measure of a property’s value and an owner’s ability to pay.

Background

Measure 50, passed in 1997, created a new “assessed value” for all properties. Assessed value was initially set at 90 percent of a property’s 1995-96 real market value. For newer properties, a county-wide ratio is applied to determine the initial assessed value. Growth in assessed value is limited to 3 percent annually.

By locking in assessed values based on 1995-96 real market values or a ratio at the time of construction, and by capping annual growth, huge disparities in tax bills have emerged as property values have changed at different rates.

Examples and Impacts

Homeowners in inner North and Northeast Portland, for example, often have property tax bills that are one-third or one-fourth of what homeowners with similar real market values pay across town. The reason is simple. In the early and mid-1990s, large swaths of North and Northeast Portland had lower market values, and those values still determine the taxes owed despite the rapid rise in home values (See Table 1).

These significant inequities in property taxes can play a role in the real estate market as well. An analysis conducted by the Northwest Economic Research Center found that property owners selling similar homes in disparate neighborhoods could attribute between \$9,300 and \$45,000 in their property’s potential sale price to the quirks of Oregon’s property tax system.

The authors wrote that Oregon’s property tax system creates a hidden subsidy for those property owners with lower taxes and shifts the burden of local services onto others.

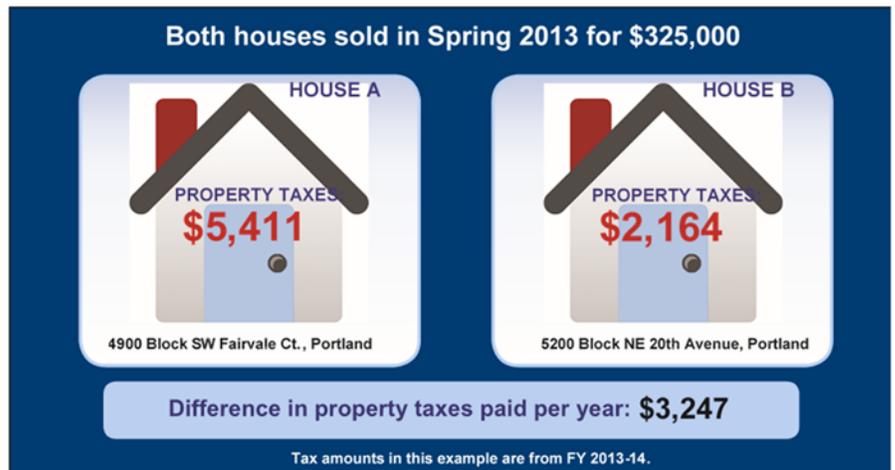
While the analysis focused on Portland, the authors said they would expect to find these results in other Oregon cities in which there has been uneven growth in home values since the 1990s.

Priority

Seventeen other states have property tax limitations similar to Oregon’s. Of those, 15 readjust property taxes at the time of sale. Oregon’s existing system, according to a Lincoln Institute of Land Policy report, “has gone the farthest of any [in the country] in breaking the link between property taxes and property values.”

Resetting assessed value to real market value at the time of sale would reestablish the link between market values and property taxes, and improve the fairness of Oregon’s system.

Table 1: Tax inequities between two neighborhoods in Portland





Property Tax Reform: Change Property Tax Ratio

Description

The League's priority regarding property taxation changes the way new property is added to the tax rolls. This proposal, unlike the other two, would only require a statutory change, meaning the measure would not have to be referred out to voters in order to become law.

Currently, new or improved property is added to the tax rolls by applying an annual county-wide ratio of assessed values (AV) to real market values (RMV) to the new or improved property in an attempt to replicate the property tax discount given to properties via Measure 50. The ratio is calculated and applied to specific property classes (residential, multifamily, commercial, etc.).

However, significant variation between AV and RMV exists within a county, resulting in a discount that is often overly generous when compared to neighboring properties. In addition, the discount is out of line with what was originally offered to properties when Measure 50 passed in 1997.

As a result, similarly situated and valued properties can have significantly different property tax liabilities.

Background

The situation in Multnomah County is illustrative. The county is home to a number of cities, and the property values in each have not grown uniformly since Measure 50's passage in the mid-1990s. Consequently, the ratio of assessed value to real market value in each city varies, but the countywide average is applied to all new properties.

For example, the Multnomah County changed property ratio this year for residential property was roughly 70 percent. This means a home valued at \$200,000 will appear on the tax roll with an assessed value of \$140,000.

However, in Gresham, the average ratio is closer to 90 percent, meaning that the average \$200,000 home within the city limits has an assessed value of \$180,000. Meanwhile in Portland, the average ratio is about 64 percent, so a \$200,000 home has an assessed value of \$128,000. For the city of Gresham, the property tax discount given to new property is overly generous compared to what existing properties are paying in the city. Because of this, current Gresham residents are subsidizing the services for new properties.

Priority

The League will advocate for legislation to provide the option of applying a city-wide changed property ratio to new property.



Transportation Funding

Description

The League seeks passage of a comprehensive transportation funding and policy package to address multimodal needs, with a top priority of maintaining and preserving existing infrastructure.

Background

Oregon's road system is becoming increasingly distressed and transportation funding is not keeping up with basic maintenance and preservation needs. Cities throughout Oregon are facing serious street budget shortfalls, resulting in the deterioration of transportation infrastructure. According to a survey conducted by the League in 2014, cities face an annual funding gap of more than \$300 million per year. Uncertainty about federal funding and the decline in federal and state highway trust fund resources calls into the question the sustainability of the current transportation funding program.

In addition, Oregon's small cities (less than 5,000 population) have lagged behind larger cities in street funding. This is caused by declines in overall transportation revenue and the fact that a statutory program created to provide limited funding for small cities has not been updated since 1991.

Priority

Approval of a comprehensive transportation package containing at least the following:

- An increase in the state gas tax of up to five cents per gallon;
- Indexing of the state gas tax to the consumer price index or another relevant economic index;
- Expansion of the calculation method used for the state's transportation user fee to include vehicle miles traveled (VMT);
- An increase in license plates fees and inclusion of lightweight trailers;
- Maintaining the dedication of the state's Highway Trust Fund dollars to highway, road and street projects;
- Continued allocation of Highway Trust Fund dollars between the state, counties and cities at 50%-30%-20%, respectively;
- An increase in the statutory "Small City Allotment" fund from \$1 million to \$5 million annually, split evenly between the Oregon Department of Transportation and the cities' share of the trust fund;
- No preemption of local government ability to generate their own transportation revenues; and
- Funding for the jurisdictional transfer and maintenance of orphan highways (state highways or county roads that function as city streets).

The transportation package should also address funding and policy initiatives for all modes (streets, bike/pedestrian, transit, rail, aviation and marine) and advance connectivity, safety, jobs and economic development, transportation impact on climate change, active transportation and public health.



Medical Marijuana Dispensaries

Description

The League will advocate for legislative changes that will clarify and enhance public safety and local control related to marijuana.

Background

In 2013, House Bill 3460 established a means for registering the 150-200 medical marijuana dispensaries that had been operating in the state illegally but with the forbearance of most law enforcement agencies. While the legislation successfully created a licensing system and safety regulations, more work is needed to ensure public safety and local control.

Priority

The League will advocate for the following legislative changes:

- **Require employees and agents of dispensaries to pass the same background checks as proprietors.**
Owners of marijuana dispensaries must pass criminal background checks prior to receiving a license to operate. Employees and other parties affiliated with the operation of a dispensary should also be subject to criminal background checks to help keep medical marijuana in the hands of patients and not diverted to criminal activity.
- **Establish licensing and safety regulations for the manufacture of marijuana tinctures utilizing flammable or explosive materials.**
The manufacture of butane hash oil and other value-added extracts has resulted in fires, injuries and deaths in Oregon and other states. A dispensary should be required to acquire these products from a manufacturer that is licensed by the state and uses appropriate safety protocols.
- **Clarify land use regulations to ensure dispensaries are not allowed in areas inappropriate for their use or in close proximity to places where children congregate.**
The intent of HB 3460 was to prohibit dispensary operations in residential zones. However, the bill was phrased in a way that specifies which zones dispensaries are allowed in, as opposed to prohibiting them in residential zones and simply relying on the local development code to determine where a dispensary may be located in cities permitting them to operate. This language should be clarified to align with the bill's original intent to prohibit residential locations. Further, HB 3460 prohibits dispensaries within 1,000 feet of schools, but federal law creates a specific offense for distribution of controlled substances within 1,000 feet of any place children congregate. The conflict between those two requirements should also be resolved.



Right of Way Management

Description

Local authority to manage public rights of way and receive compensation for their use is derived from Oregon's constitutional provisions for home rule, state statute, and court decisions which have consistently upheld the right of cities to manage rights of way. Nevertheless, legislative and judicial efforts are often mounted to thwart local management of this public resource.

Background

Cities have the right to set terms and conditions, including the establishment of a fee structure, when an entity occupies a right of way for transmission of data, energy, water and other resources. While certain statutes and utility regulations define how such fees can be charged, this ability is firmly established.

Cities also determine how this authority is exercised—by ordinance or through negotiation with each entity seeking to occupy the right of way. This applies to private and public sector occupants. In fact, several cities charge *themselves* a franchise fee when a municipally-owned utility is using the right of way.

Municipal authority over the management of rights of way is an essential component of a city's home rule.

Priority

The League will oppose any legislation preempting the ability of cities to manage and receive compensation for the use of a public right of way, including:

- Establishment of a “one-size-fits-all,” statewide franchise fee policy and collection system; and
- Prohibition of a city's authority to levy franchise fees on other government entities.



Mental Health Services

Description

The League will support increased resources across the state for persons with mental health issues, especially in crisis situations.

Background

Oregon's cities do not typically provide mental health services but have increasingly found themselves in the position of sending police officers to respond to individuals in crisis and dealing with the impacts of homelessness and addiction. A 9-1-1 call should not be the first time a person suffering from a mental illness receives public services.

Priority

The League will advocate for the following:

- **Preventative mental health care in the form of “drop-in” services should be available to all Oregonians regardless of where they live.**
The League believes that access to urgent care for mental health will allow those suffering from an illness or condition to be triaged and receive immediate treatment or where appropriate, referrals for treatment. This will avert unnecessary, unhealthful and sometimes tragic interactions with law enforcement personnel.
- **Proactive, mobile crisis intervention should be available statewide.**
The mobile crisis intervention approach has reduced negative encounters between police and the mentally ill. Resources should be provided so such services are available throughout the state.
- **Every police officer in the state of Oregon should have access to training in how to respond to a mental health crisis.**
The state should provide public safety personnel with access to instructions from mental health professionals that would equip officers with skills to respond in a way that de-escalates conflict and helps the affected individual and their family receive appropriate care.
- **The number of regional residential mental health facilities should be expanded.**
Jail should not be the only option to secure an individual experiencing a mental health crisis. Safe and secure mental health care beds will allow those in need to avoid jail, which could worsen their condition.