

RESOLUTION No. 2011-2945

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF OREGON ALLOWING THE OREGON TRAVEL INFORMATION COUNCIL TO INSTALL, REPAIR, MAINTAIN AND REPLACE TRAVEL INFORMATION SIGNS ON CITY STREETS, SUBJECT TO CITY'S APPROVAL

RECITALS:

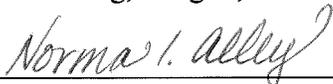
1. Several local businesses in the hospitality (hotel, restaurant and wine) industries have requested the Oregon Travel Information Council (OTIC) install travel information signs on state highways in Newberg and one of them needs an additional sign to be located on a City street due to its business location being more than one mile from a state highway.
2. Public Works staff reviewed a request from OTIC for permission to install a sign on N. Springbrook Road and determined that the proposed sign is properly located and would promote local economy.
3. The sign requires a permit fee for the initial installation and payment of annual renewal fees. OTIC collects all fees from the sign customer, owns and maintains the sign and the City takes reasonable steps to protect the sign according to the proposed Intergovernmental Agreement (IGA), which is attached as Exhibit "A". Exhibit "A" is hereby attached and by this reference incorporated.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

The City Council authorizes the city manager to execute an IGA with OTIC that permits the state to install, repair, maintain and replace travel information signs on City streets with each sign subject to City's review and approval. The IGA is hereby attached as Exhibit "A" and by this reference incorporated.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: May 3, 2011.

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


Norma I. Alley, City Recorder

ATTEST by the Mayor this 5th day of May 2011.


Bob Andrews, Mayor

LEGISLATIVE HISTORY

By and through _____ Committee at ___ / ___ / ___ meeting. Or, None.
(committee name) (date) (check if applicable)

**EXHIBIT "A" TO
RESOLUTION NO. 2011-2945**

INTERGOVERNMENTAL AGREEMENT

The CITY OF NEWBERG (Newberg) and the OREGON TRAVEL INFORMATION COUNCIL (TIC) enter into this agreement according to the below terms and conditions to establish the parties respective duties as to a TIC sign located on N. Springbrook Road, a road (as shown on "Exhibit A") that is under the jurisdiction of Newberg:

1. By authority granted in ORS 190.110 and 283.110, state agencies may enter into agreements with units of local government or other state agencies for the performance of any or all functions and activities that a party to the agreement, its officers, or agents have the authority to perform.
2. Newberg agrees to take reasonable steps to protect the TIC sign from destruction or removal by an intentional act including construction activity by Newberg. Newberg retains authority for the sign location.
3. TIC shall have ownership authority over the TIC sign on the road segment. This ownership will include the ability to charge a permit fee to the sign customer, and the permit shall be automatically renewed upon receipt of the annual invoice. TIC and its contractors, or the Oregon Department of Transportation, will perform the installation, repair, maintenance and replacement of the sign covered by this agreement without issuance of individual or blanket permits from Newberg.
4. TIC shall notify Newberg of any requests for new signs and obtain permission from Newberg to place any new signs on Newberg streets.
5. The terms of this agreement may be terminated by mutual consent of the parties or by written notice from any party to the other with thirty days written notice. If the agreement is terminated, the existing sign will be allowed to remain in service until its one-year permit has come to the end of its term.

CITY OF NEWBERG

By: _____
City Manager

Date: _____

By: _____
Public Works Director

Date: _____

**APPROVED AS TO LEGAL
SUFFICIENCY**

By: _____
City Attorney

Date: _____

OR TRAVEL INFORMATION COUNCIL

By: _____
Sign Operations Director

Date: _____

TIC Contact:
Diane Cheyne
Sign Operations Director
Oregon Travel Information Council
1500 Liberty Street SE, Suite 150
Salem, OR 97302
Phone: 503.373.0871
Fax: 503.378.6282
Email: diane@oregontic.com

EXHIBIT "A" TO RESOLUTION NO. 2011-2945

City of Newberg / Oregon Travel Information Council - IGA

By: _____

Assistant Attorney General

Date: _____

City Contact:

Rob Charles, PE

Public Works Director

City of Newberg

414 East First Street

PO Box 970

Newberg, OR 97132

Phone: 503.537.1211

Fax: 503.537.1277

Email: Rob.Charles@newbergoregon.gov

EXHIBIT A Proposed Sign on N. Springbrook Road

