AGENDA
STAYTON CITY COUNCIL MEETING
Tuesday, February 20, 2018

Stayton Community Center
400 W. Virginia Street
Stayton, Oregon 97383

CALL TO ORDER **7:00 PM** **Mayor Porter**

FLAG SALUTE

ROLL CALL/STAFF INTRODUCTIONS

ANNOUNCEMENTS – PLEASE READ CAREFULLY

Items not on the agenda but relevant to City business may be discussed at this meeting. Citizens are encouraged to attend all meetings of the City Council to insure that they stay informed. Agenda items may be moved forward if a Public Hearing is scheduled.

a. Additions to the agenda
b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.

PRESENTATIONS/COMMENTS FROM THE PUBLIC

Request for Recognition: If you wish to address the Council, please fill out a green "Request for Recognition" form. Forms are on the table at the back of the room. *Recommended time for presentation is 10 minutes. Recommended time for comments from the public is 3 minutes.*

CONSENT AGENDA

a. February 5, 2018 City Council Minutes

Purpose of the Consent Agenda:

In order to make more efficient use of meeting time, resolutions, minutes, bills, and other items which are routine in nature and for which no debate is anticipated, shall be placed on the Consent Agenda. Any item placed on the Consent Agenda may be removed at the request of any council member prior to the time a vote is taken. All remaining items of the Consent Agenda are then disposed of in a single motion to adopt the Consent Agenda. This motion is not debatable. The Recorder to the Council will then poll the council members individually by a roll call vote. If there are any dissenting votes, each item on the consent Agenda is then voted on individually by roll call vote. Copies of the Council packets include more detailed staff reports, letters, resolutions, and other supporting materials. A citizen wishing to review these materials may do so at Stayton City Hall, 362 N. Third Avenue, Stayton, or the Stayton Public Library, 515 N. First Avenue, Stayton.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or other accommodations for persons with disabilities should be made at least 48 hours prior to the meeting. If you require special accommodations contact Deputy City Recorder Alissa Angelo at (503) 769-3425.

PUBLIC HEARING – None

UNFINISHED BUSINESS

PacifiCorp Franchise Hearing **Action**

a. Staff Report – Keith Campbell
b. Council Deliberation
c. Council Decision

NEW BUSINESS

Transportation System Plan Update **Informational**

a. Staff Report – Lance Ludwick

STAFF/COMMISSION REPORTS

Finance Department Report – Cindy Chauran & Elizabeth Baldwin **Informational**

a. January 2018 Monthly Finance Department Report

Police Chief's Report – Chief Rich Sebens **Informational**

a. January 2018 Statistical Report

Public Works Director's Report – Lance Ludwick **Informational**

a. January 2018 Operating Report

Planning & Development Director's Report – Dan Fleishman **Informational**

a. January 2018 Activities Report

Library Director's Report – Janna Moser **Informational**

a. January 2018 Activities

PRESENTATIONS/COMMENTS FROM THE PUBLIC

Recommended time for presentations is 10 minutes.
Recommended time for comments from the public is 3 minutes.

BUSINESS FROM THE CITY MANAGER

BUSINESS FROM THE MAYOR

BUSINESS FROM THE COUNCIL

FUTURE AGENDA ITEMS – March 5, 2018

a. Annual OLCC License Renewals

ADJOURN

CALENDAR OF EVENTS

FEBRUARY 2018				
Monday	February 19	**CITY OFFICES CLOSED IN OBSERVANCE OF PRESIDENTS DAY HOLIDAY**		
Tuesday	February 20	City Council	7:00 p.m.	Community Center (north end)
Wednesday	February 21	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Thursday	February 22	Pick Your Park -Mill Creek Park	6:00 p.m.	Community Center
Monday	February 26	Planning Commission	7:00 p.m.	Community Center (north end)
MARCH 2018				
Monday	March 5	City Council	7:00 p.m.	Community Center (north end)
Tuesday	March 6	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Friday	March 9	Community Leaders	7:30 a.m.	Covered Bridge Café
Tuesday	March 13	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Monday	March 19	City Council	7:00 p.m.	Community Center (north end)
Wednesday	March 21	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	March 26	Planning Commission	7:00 p.m.	Community Center (north end)
APRIL 2018				
Monday	April 2	City Council	7:00 p.m.	Community Center (north end)
Tuesday	April 3	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Tuesday	April 10	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	April 13	Community Leaders	7:30 a.m.	Covered Bridge Café
Monday	April 16	City Council	7:00 p.m.	Community Center (north end)
Wednesday	April 18	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	April 30	Planning Commission	7:00 p.m.	Community Center (north end)
MAY 2018				
Tuesday	May 1	Parks & Recreation Board	6:30 p.m.	E.G. Siegmund Meeting Room
Monday	May 7	Budget Committee	6:00 p.m.	Community Center (north end)
Monday	May 7	City Council	Upon Adjournment of Budget Committee	
Tuesday	May 8	Commissioner's Breakfast	7:30 a.m.	Covered Bridge Café
Friday	May 11	Community Leaders	7:30 a.m.	Covered Bridge Café
Monday	May 14	Budget Committee	6:00 p.m.	Community Center (north end)
Tuesday	May 15	Budget Committee	6:00 p.m.	Community Center (north end)
Wednesday	May 16	Budget Committee	6:00 p.m.	Community Center (north end)
Wednesday	May 16	Library Board	6:00 p.m.	E.G. Siegmund Meeting Room
Monday	May 21	City Council	7:00 p.m.	Community Center (north end)
Monday	May 31	**CITY OFFICES CLOSED IN OBSERVANCE OF MEMORIAL DAY HOLIDAY**		
Tuesday	May 29	Planning Commission	7:00 p.m.	Community Center (north end)

City of Stayton
City Council Meeting Action Minutes
February 5, 2018

LOCATION: STAYTON COMMUNITY CENTER, 400 W. VIRGINIA STREET, STAYTON

Time Start: 7:00 P.M. **Time End:** 8:56 P.M.

COUNCIL MEETING ATTENDANCE LOG

COUNCIL	STAYTON STAFF
Mayor Henry Porter	Alissa Angelo, Deputy City Recorder
Councilor Priscilla Glidewell	Keith Campbell, City Administrator
Councilor Mark Kronquist	Dan Fleishman, Director of Planning & Development (excused)
Councilor Christopher Molin	Lance Ludwick, Public Works Director
Councilor Brian Quigley	Janna Moser, Library Director
Councilor Joe Usselman	Rich Sebens, Chief of Police
	Wallace Lien, Acting City Attorney

AGENDA	ACTIONS
REGULAR MEETING	
Announcements a. Additions to the Agenda b. Declaration of Ex Parte Contacts, Conflict of Interest, Bias, etc.	 None. None.
Presentations / Comments from the Public a. Marion Barker, 2155 Kindle Way b. Patty Armstrong, 2155 Nighthawk Avenue c. North Santiam School Board Update d. Stayton Public Library Electronic Reader Board	 Mr. Barker spoke expressed continued concerns regarding the known drug house on Kindle Way. Ms. Armstrong shared her concerns about the location of the teen center and its proximity to the known drug house on Kindle Way. As well as her concerns with living in the neighborhood with continued drug activity. Members of the North Santiam School District Board provided an update. Ms. Moser shared information about the newly installed electronic reader board at the Library.
Consent Agenda a. January 16, 2018 City Council Minutes	 Motion from Councilor Kronquist, seconded by Councilor Usselman, to approve the Consent Agenda as presented. **Motion passed 5:0.**
Business from the Mayor a. Committee and Commissions Appointments • Budget Committee – Paige Hook • Planning Commission – Paige Hook b. Committee and Commissions Reappointments • Public Safety Commission – Cari Sessums	 Motion from Councilor Quigley, seconded by Councilor Kronquist, to appoint Paige Hook to the Budget Committee and Planning Commission, and reappoint Cari Sessums to the Public Safety Commission. **Motion passed 5:0.**
Public Hearing	None.

Unfinished Business	None.
New Business **PacifiCorp Franchise Hearing** a. Staff Report	Mr. Lien reviewed the purpose of the PacifiCorp Franchise Hearing. Mr. Ludwick provided a review of facts for the Kindle Way project and costs associated. Mr. Lien spoke about remedies and options available to the Council.
b. Questions of Staff by Council	Council discussion surrounding cost of moving poles and placing conduit underground.
c. Presentation by PacifiCorp	Alan Meyer, Regional Manager with PacifiCorp, shared background on why PacifiCorp disagrees with moving the poles at their expense. Kim McGair, attorney for PacifiCorp, provided a handout of additional documents to be entered into the record. Ms. McGair shared PacifiCorp's stance on why they are not financially responsible for moving the poles.
d. Questions of PacifiCorp by Council	Council inquired if PacifiCorp would provide the same response if Marion County requested the power poles be moved. Ms. McGair responded yes. Discussion continued centering on case law.
e. Rebuttal by Staff	Mr. Lien provided rebuttal to Ms. McGair's statements and written materials.
f. Deliberations by Council	Council discussion surrounding the 2009 Warranty Deed and easement value. *The Council took a brief recess from 8:40 p.m. to 8:45 p.m.*
g. Council Decision	Motion from Councilor Glidewell, seconded by Councilor Usselman, to find PacifiCorp in breach/violation of its Franchise Agreement (Ordinance No. 939) for its repeated refusal, without just cause, to move Poles #1-10 at its expenses to allow for the City's capital improvement project to construct a new storm water detention facility and to bring Kindle Way up to collector standards as required by the Transportation Systems Plan. A penalty of $240 per day, beginning January 1, 2018 and continuing until such time as an agreement is reached for PacifiCorp to move Poles #1-10 shall be assessed. In addition, PacifiCorp is mandated to move Pole #1, and underground Poles #2-10 at its expense (less the City's obligation for under-grounding) with said work being completed no later than June 1, 2018. Staff shall prepare an Order with findings of fact commensurate with this decision and bring it to the next Council meeting for adoption. **Motion passed 3:2 (Quigley, Molin).**

Staff / Commission Reports	None.
Presentations / Comments From the Public	Paige Hook, 2088 Quail Run Avenue, spoke briefly about her feelings on the PacifiCorp decision.
Business from City Manager a. Annual Budget Calendar Fiscal Year 2018-19	Mr. Campbell presented the draft Budget Calendar to the Council for 2018-19.
Business from the Council	Councilor Glidewell spoke briefly regarding the upcoming community meeting for Mill Creek Park. Councilor Quigley offered recognition to the Stayton Police Department for all their hard work. Councilor Kronquist asked Ms. Moser to provide an update on the recent Brews, Bites, and Books event at the Library and the Art Show happening in February. Ms. Moser offered a recap of recent events at the Library.
Future Agenda Items – Tuesday, February 20, 2018 a. Transportation Master Plan b. Total Compensation Study	

APPROVED BY THE STAYTON CITY COUNCIL THIS 20TH DAY OF FEBRUARY 2018, BY A ____ VOTE OF THE STAYTON CITY COUNCIL.

Date:_____ By:_____
Henry A. Porter, Mayor

Date:_____ Attest:_____
Keith D. Campbell, City Administrator

Date:_____ Transcribed by:_____
Alissa Angelo, Deputy City Recorder

CITY OF STAYTON

M E M O R A N D U M

TO: **Mayor Henry A. Porter and the Stayton City Council**

FROM: **Keith Campbell, City Manager**

DATE: **February 20, 2018**

SUBJECT: **PacifiCorp Franchise Hearing**

ISSUE
Adoption of the Final Order for PacifiCorp Franchise Hearing.

ENCLOSURE(S)
1. Order for Council with penalty fees
2. Order for Council with no penalty fees

BACKGROUND INFORMATION
This matter came before the City Council on February 5, 2018 for the purpose of determining if PacifiCorp has breached its Electric Utility Franchise Agreement with the City (Ordinance No. 939).

A due process hearing was duly held pursuant to the terms of said Franchise Agreement. Attorney Kimberly McGair appeared on behalf of PacifiCorp, along with PacifiCorp Regional Manager Alan Meyer. The City appeared by and through its Special Counsel Wallace Lien and Public Works Director Lance Ludwick. The Governing Body voted 3:2 in finding that PacifiCorp breached/violated its Franchise Agreement with the City and assessed a $240 per day penalty beginning January 1, 2018.

STAFF RECOMMENDATION
PacifiCorp has asked for a delay in the final decision to discuss alternatives with the City. Initial work on this project began over nine months ago, and initial construction was slated to begin six months ago. City staff is more than willing to discuss alternatives with PacifiCorp, but a delay is not predicated or necessary in order to engage in these discussions. Staff recommends adoption of the order.

MOTION(S)
1. Motion to approve the Order as presented to Council.

BEFORE THE CITY COUNCIL
OF THE
CITY OF STAYTON

In the Matter of the Determination of Breach of Electric Utility Franchise Agreement, Ordinance 939 by:	)	
PACIFICORP	)	Order No. 2018- _____
For Refusal to Move its Poles as Requested by the City in Conjunction with City Initiated Street and Storm Water Improvements	)	

O R D E R

This matter came on regularly before the Stayton City Council on February 5, 2018 for the purpose of determining if PacifiCorp has breached its Electric Utility Franchise Agreement with the City. A due process hearing was duly held pursuant to the terms of said Franchise Agreement, Ms. Kimberley Hanks McGair, attorney, appearing on behalf of PacifiCorp. With her was Mr. Alan Meyer, Regional Manager for PacifiCorp. The City appeared by and through its Special Counsel, Wallace W. Lien, and its Public Works Director, Lance Ludwick.

I. Record Designation

The file in this matter, which constitutes the entire Record of these proceeds, includes the following documents:

1. June 8, 2017 Letter from City to PacifiCorp advising of need to move the poles.
2. June 26, 2017 Email from PacifiCorp refusing to pay for move of Pole #1.
3. June 30, 2017 Email from PacifiCorp advising of the costs of pole moving.
4. October 16, 2017 Letter from City to PacifiCorp demanding the poles be moved.
5. October 23, 2017 Email response from PacifiCorp attorney advising they will not pay for moving the poles as they were previously in a private easement.
6. November 1, 2017 Email from PacifiCorp advising they will not move Poles #2-10 either.
7. December 18, 2017 Letter from City to PacifiCorp demanding all 10 poles be moved.
8. January 5, 2018 Letter from McGair objecting to the City's position.
9. January 31, 2018 Staff Report.
10. February 1, 2018 (dated January 30, 2018) McGair hearing memo.

11. Assessor Map Mark up of Prior Easement rights.

12. Partition Plat No. 90-48 shows the dedication of the additional 15 feet of right of way along Shaff Road being dedicated to the City.

13. Survey No. 021297, done for Louie Kindle on January 20, 1970 which shows Kindle Way connecting to Shaff Road and being 29.7' width.

14. Warranty Deed from Kirk Kindle dedicating Kindle Way to the City on January 5, 2009. Recorded at R3029, P285.

15. Minutes of the Council meeting of February 5, 2018.

II. Findings and Conclusions

The following Findings of Fact and Conclusions of Law are hereby adopted by the City to support and justify its decision in this matter:

1. The City has been planning and implementing its new storm water detention facility and street widening project for that section of Kindle Way from the Shaff Road intersection north to the intersection of Junco Street for the last year or more. The project involves the purchase, rezoning and annexation of land by the City for the purpose of creating a new regional storm water detention facility and adjoining public park. Included in this project are certain street improvements necessary to the intersection, and along the above described section of Kindle Way, as well as construction of storm water piping and ditching to feed the new detention facility. Improvements of Kindle Way to collector status are mandated by the Stayton Transportation Systems Plan, and are being paid for from City Transportation SDC funds.

2. Early on in the project, staff and designers identified that certain PacifiCorp power poles would need to be moved in order to accommodate the new City project. Those poles that need to be moved are identified in the attached drawing marked as Exhibit A. A total of 10 power poles are involved at this time beginning at the intersection of Shaff Road and Kindle Way (Pole #1), and running north along Kindle Way to its intersection with Junco Street. (Poles #2-10).

3. Pole #1 is a high voltage transmission pole that has to have special treatment in the move. Poles #2-10 are normal power poles and require nothing extra in order to move. The current project planning requires Pole #1 to be moved to the northeast to the edge of the new Shaff Road right of way. It will remain an above ground pole.

4. Poles #2-10 will be moved and placed underground along the eastern portion of the Kindle Way right of way. The City has the responsibility for the trenching, and laying the vaults and conduit in order to get the power lines underground, but it is the responsibility of PacifiCorp to remove the poles, which would otherwise be in the middle of the street, to run the wire inside the conduit and make the

necessary electrical connections. The City's underground obligation is a part of the project budget, and will also be paid for with City Transportation SDC funds.

5. Section 4.12.030(3)(a)(iv) of the Franchise Agreement provides that in cases of capital improvement projects undertaken by the City, PacifiCorp shall at its expense convert existing overhead distribution facilities to underground. The detention and street project involved here are a capital improvement project of the City. PacifiCorp is allowed to be reimbursed for the costs of conversion from overhead to underground from ratepayers pursuant to OAR 860-22-0046.

6. Section 4.12.040(2) of the Franchise Agreement regarding relocation of facilities provides that PacifiCorp shall, at its expense, relocate any of its equipment or facilities that are required to promote the public interest of the City by reason of traffic conditions, public safety, street construction, installation of storm sewer lines, or any other type of structures or public improvements by City. The City cannot allow power poles to remain located in the middle of a newly reconstructed street, therefore the requirement for them to be moved promotes and protects the public safety, and allows for the proper construction of Kindle Way and its new improvements, including the new storm water facilities constructed as part of the street improvement and construction of the new detention facility. Based on this provision of the Franchise Agreement, the City finds and concludes that PacifiCorp is responsible for the costs of moving the 10 poles involved in the City project.

7. On June 8, 2017, the City sent an official written demand to have PacifiCorp move the poles. On June 26, 2017, PacifiCorp, through Eddie Steiner advised the City that PacifiCorp refused to move pole #1 because it was, or had been, in a private easement. At this point Mr. Steiner had no issue with the moving of poles #2-10. Upon being advised that the City did not agree with his position, and continued City demands to have the affected poles moved, an attorney for PacifiCorp, sent an email to the Acting City Attorney on October 23, 2017 affirming that the position of PacifiCorp was that the franchise obligation to move the poles did not apply where PacifiCorp had a prior private easement. Thereafter on November 1, 2017, Mr. Steiner advised the City that PacifiCorp had discovered that poles #2-10 were, or had been, in a private easement, therefore PacifiCorp was then refusing to move those poles as well.

8. Staff originally advised all utility providers that utilities from the intersection of Shaff Road and Kindle Way would have to move their facilities by December 31, 2017. Northwest Natural Gas, Stayton Telephone and Wave Cable have all agreed to move their facilities at their own expense, and Staff anticipates that all those moves will be fully accomplished by June 1, 2018.

9. The City stormwater detention project, including the required improvements to Kindle Way, needs to proceed as soon as practical. Staff believes it is necessary to have the affected power poles moved by June 1, 2018 in order to keep the detention/street project on schedule for completion before the end of 2018. PacifiCorp representatives at the hearing indicated that from a construction standpoint, it could have the poles moved by that date.

10. PacifiCorp's refusal to comply with the Franchise Agreement in moving the affected power poles for a City project amounts to a breach thereof.

11. PacifiCorp's sole reason for refusing to comply with the mandates of the Franchise Agreement is that the poles are, or had been previously authorized by a private easement extended to PacifiCorp by local property owners. However, there is no language in the Franchise Agreement that gives PacifiCorp grandfather rights, or an exemption to compliance because the affected poles were under a prior private easement. There is one exception (for service drops) to that rule, but it does not apply in this case.

12. Without specific language in the Franchise Agreement that would give PacifiCorp the right to be exempt from the moving requirements for a City project, no such right exists. This Franchise Agreement is specific, and the rights and obligations of the parties are stated fully and completely therein. For rights to exist, they must be negotiated, agreed to and written into the Franchise Agreement. None of that has happened for a private easement exemption.

13. The City interprets the Franchise Agreement to provide for no such exception. The Franchise Agreement requires PacifiCorp to follow the mandates of the Franchise Agreement even when an easement is involved. Section 4.12.010(3)(h) of the Agreement defines an Easement as a public right-of-way, private utility easement on private or public property, or public utility easement on public or private property but not including a private utility easement for a customer's service drop. There is nothing in this language that exempts PacifiCorp performance for anything other than a service drop, which is not the situation here.

14. Section 4.12.040(1)(a) Use of Public Ways (Excavation and Restoration) of the Franchise Agreement provides that PacifiCorp shall comply with all applicable ordinances, municipal codes, rules or regulations that may pertain to its activities within easements, public places and public rights-of-way of the City. This language supports the City's interpretation that PacifiCorp is obligated to move the affected poles even when those poles were at some prior time located within a private easement.

15. Section 4.12.040(1)(b) of the Franchise Agreement provides that all structures, lines, and equipment erected by PacifiCorp within the City shall be located so as to cause minimum interference, with the proper use of city streets. There is no limitation or exception here for prior private easements. This provision is clear that if PacifiCorp has equipment within the City, and that equipment is located in such a manner as to cause interference with the proper use of a street within the City, PacifiCorp falls out of compliance with the Franchise Agreement. The City finds and concludes that leaving the poles in their current location, which places them in the paved travel surface of the road, thereby providing a safety obstruction to the traveling public, will cause significant interference with the proper use of Shaff Road and Kindle Way.

16. Section 4.12.040(2) of the Franchise Agreement regarding relocation of facilities provides that PacifiCorp shall, at its expense, relocate any of its equipment or

facilities that are required to promote the public interest of the City by reason of traffic conditions, public safety, street construction, installation of storm sewer lines, or any other type of structures or public improvements by City. This provision also contains no exemption for prior private easements, and is clear language that PacifiCorp has the obligation to relocate its poles when such is needed due to traffic conditions, new street construction and installation of storm sewer facilities. As noted above, the City finds and concludes that this provision requires PacifiCorp to move the poles at its expense, and refusal to do so amounts to a breach of the Franchise Agreement.

17. Subsection 4.12.040(2)(d) goes on to state that if PacifiCorp fails to comply with any requirement of the City pursuant to this section, the City may remove or relocate the facilities at PacifiCorp's expense, unless said removal or relocation would be in violation of any portions of ORS 757.800 and ORS 757.805. These ORS citations are to high voltage power lines and apply only to Pole #1.

18. Section (2)(b) of 4.12.040 of the Franchise Agreement requires the City to give PacifiCorp a written request to relocate the poles. That request was made repeatedly, beginning with on June 8, 2017. PacifiCorp was given until January 31, 2018 to enter into a formal agreement for it to move the affected poles. At the hearing, Mr. Meyer, speaking on behalf of PacifiCorp advised the Council that the only way the poles would ever get moved is if the City paid for it. This statement is manifest of the hard line position taken by PacifiCorp since June 2017 when the City request was first made to them. PacifiCorp’s actions are considered to be an anticipatory breach sufficient to declare the breach now, and to move to compel compliance.

19. The approximate cost of moving Pole #1 is between $75,000 and $100,000 because it is a high voltage transmission line pole. This pole would remain an above ground pole, and has to be moved by PacifiCorp, and cannot be moved by the City. This is the approximate cost that must be paid by PacifiCorp to remain in compliance with the Franchise Agreement.

20. The approximate cost of moving Poles #2-10 is $165,000. This cost is a combination of the costs to PacifiCorp of $110,000 to remove the poles and do the required electrical connections, and the $55,000 cost the City is responsible for placing the moved lines underground. The City is responsible for this $55,000 for trenching, vaults and conduit for Poles #2-10, regardless of which entity is responsible for moving the poles.

21. The total cost for moving all 10 poles involved in this case, and under-grounding Poles #2-10 is between $240,000 and $265,000. The costs are allocated as follows: the City is responsible for approximately $55,000, and PacifiCorp is responsible for the remaining costs of between $185,000 and $210,000. These costs are adjusted slightly for cost increases over time from estimates provided to the City from PacifiCorp.

22. According to Section 4.12.070(6) of the Franchise Agreement, the City has all the remedies available to it under the Franchise Agreement, as well as all remedies available at law or in equity.

23. Upon a finding of a violation of a material provision of the Franchise Agreement, the City may assess a penalty of $240 per day for breach without just cause. Section 4.12.070(9)(a) The penalty would begin on January 1, 2018, as that is the date given by Staff for the work to be completed. Since no work was done, the penalty would run for every day from January 1, 2018 until the work is completed. The City may pursuant to Section 4.12.040(2)(a) also mandate PacifiCorp move Pole #1, and underground Poles #2-10 at its expense no later than June 1, 2018.

24. There is nothing in the Franchise Agreement that even remotely suggests that the provisions of the Franchise Agreement do not apply when there is a prior easement for the location of a power facility unless that easement is for a service drop. If the Franchise Agreement were intended to allow such an exemption, it would have been specifically written into the Agreement, and not left up to interpretation or assumption.

25. Easements are between PacifiCorp and private property owners, and have nothing to do with the City. That an easement once existed for the location of a power pole means nothing when the adjacent right of way is expanded by the City to upgrade a street, leaving the easement location of the pole in the middle of the street. The entire relocation of pole provisions in the Franchise Agreement are intended to address that situation. Where the pole movement is caused by private development, PacifiCorp can recoup its costs from the private developer. However, when the pole movement is required by a city initiated and funded capital improvement project, the obligation to move the poles lies with PacifiCorp. That cost is either assumed as a cost of the franchise, or may be passed on to the ratepayers consistent with OAR 860-22-0046.

26. PacifiCorp argues that it gave good consideration for acquiring the easements the affected poles are located in, and that those easements still exist and are viable. However, the easements placed in the Record of these proceedings for the affected property all show that the good and valuable consideration given by PacifiCorp was zero, that is to say PacifiCorp actually paid nothing for those Easements in the first place. The City disputes that the easements are still valid. The local owners who granted the easements no longer own the land upon which the easement is located. The easement area specified in those original easements are all now in the public right of way, owned by the City. In addition, PacifiCorp tendered for this Record the Deed from Kirk A. Kindle to the City which dedicated the Kindle Way right of way to the City, and that deed did not disclose the existence of any underlying PacifiCorp easement rights for its poles, nor was any such rights excepted. The result of this deed is that the City obtained the Kindle Way right of way free and clear of any encumbrance, including the PacifiCorp prior easement. If PacifiCorp has an issue with the easement rights it obtained from the local property owners who subsequently conveyed the underlying land to the City for street right of way, such should be taken up with those owners, and not by a blatant refusal to comply with the clear mandates of the Franchise Agreement.

27. The City is not attempting to take away any rights of PacifiCorp in this matter. PacifiCorp had the right to place its poles originally pursuant to private easements. The City, through its Franchise Agreement, allows PacifiCorp to retain the right to provide electric service within the public right of way. The question is not if PacifiCorp has the right to place and maintain its service along Kindle Way, the question is who pays for moving the poles. The Franchise Agreement controls pole location, and in this situation, it mandates the cost to move the poles is to be borne by PacifiCorp. The Franchise Agreement allows for the service to continue within the right of way, only at a different location, which right is taken advantage of by PacifiCorp, which in turn then refuses to comply with the same agreement's provision requiring them to pay for the cost of the move.

28. PacifiCorp argues that ODOT and many other Cities and Counties do not require PacifiCorp to pay for poles to be moved where the poles were originally placed pursuant to a private easement. The City finds this argument to be not relevant, as this matter is controlled by the terms and conditions of the negotiated Franchise Agreement which provides the cost of moving the poles under these circumstances lies with PacifiCorp. What other governmental entities do has no binding effect on the City.

29. PacifiCorp also alleges that the general rule of law is that poles originally placed pursuant to a private easement have to be moved at the expense of the City. This general rule is not disputed, however it does not apply to this situation. The Franchise Agreement in this case was negotiated in 2011 with full knowledge and understanding of the general rule of law. The Franchise Agreement has the power and authority to modify or eliminate entirely the general rule of law if that modification is done, or not done, in the drafting and adoption of the Franchise Agreement. The Franchise Agreement is a legally binding contract between the City and PacifiCorp. The provisions of the Franchise Agreement abrogate the general rule. Had the parties at the time of negotiation of the Franchise Agreement determined that the general rule of law should control the obligations of PacifiCorp and the City, the Franchise Agreement could have been silent on the issue of moving poles, or alternatively, the general rule could have been specifically written into the Franchise Agreement. However, neither situation occurred. The Franchise Agreement changed the general rule by contract, and eliminated it from application here, and replaced it with the negotiated terms of the Franchise Agreement. In this instance then, the Franchise Agreement controls, and the general rule of law is not applicable. Even PacifiCorp recognized in its presentation materials, that the City has the right to restrict and control PacifiCorp's rights in a Franchise Agreement, yet it still refuses to comply with that Agreement.

30. PacifiCorp alleges that the City's requirement for it to bear the cost of moving the affected poles amounts to a taking without just compensation. The City rejects that proposition. The Franchise Agreement, within which the move provisions are located, was negotiated at arm's length between the parties. The consideration for the Franchise Agreement is the right of PacifiCorp to use the City rights of

way. The Franchise Agreement provides the consideration for the move obligations, and there is no taking without just compensation. PacifiCorp is compensation by being allowed to hold and operate its electrical utility franchise in the City.

31. There is some argument that the affected poles are not located in the right of way now, therefore the Franchise Agreement does not apply. This argument is rejected. The City finds that the Franchise Agreement is applicable throughout and within the city limits. The City further finds that the survey evidence is clear that Pole #1 is partially within the Kindle Way right of way, and partially in the Shaff Road right of way. Poles #2-10 are located in the Kindle Way right of way by virtue of the Deed from Kirk Kindle submitted by PacifiCorp. At all times relevant to this proceeding, Poles # 1-10 have been, and continue to be located within a public right of way owned and/or controlled by the City.

III. Decision and Order

NOW THEREFORE, based on the above Findings of Fact and Conclusions of Law, the City Council does hereby find as follows:

1. PacifiCorp is in breach/violation of Electric Utility Franchise Agreement (Ordinance 939) for its repeated refusal, without just cause, constituting an anticipatory breach, to move Poles #1 - 10, as shown on the attached Exhibit A, at its own expense as required by the terms of the Franchise Agreement as explained above.
2. PacifiCorp is hereby mandated to move Pole #1 at its expense to a location specified by the City, and to move Poles #2 - 10 at its expense (less the City's obligation for under-grounding the line along Kindle Way), and to have all said work completed no later than June 1, 2018.
3. Staff is directed to use all reasonable means to enforce this Order.
4. A penalty of $240 per day is hereby assessed against PacifiCorp, beginning January 1, 2018, and continuing until such time as the move of Poles #1 - 10 is complete.

DATED AND ADOPTED this ____ day of February, 2018, by the Council in a vote of ____ Ayes, and _____ Nays.

_____

Henry A. Porter, Mayor

BEFORE THE CITY COUNCIL
OF THE
CITY OF STAYTON

In the Matter of the Determination of Breach of Electric Utility Franchise Agreement, Ordinance 939 by:	)	
PACIFICORP	)	Order No. 2018- _____
For Refusal to Move its Poles as Requested by the City in Conjunction with City Initiated Street and Storm Water Improvements	)	

O R D E R

This matter came on regularly before the Stayton City Council on February 5, 2018 for the purpose of determining if PacifiCorp has breached its Electric Utility Franchise Agreement with the City. A due process hearing was duly held pursuant to the terms of said Franchise Agreement, Ms. Kimberley Hanks McGair, attorney, appearing on behalf of PacifiCorp. With her was Mr. Alan Meyer, Regional Manager for PacifiCorp. The City appeared by and through its Special Counsel, Wallace W. Lien, and its Public Works Director, Lance Ludwick.

I. Record Designation

The file in this matter, which constitutes the entire Record of these proceeds, includes the following documents:

1. June 8, 2017 Letter from City to PacifiCorp advising of need to move the poles.
2. June 26, 2017 Email from PacifiCorp refusing to pay for move of Pole #1.
3. June 30, 2017 Email from PacifiCorp advising of the costs of pole moving.
4. October 16, 2017 Letter from City to PacifiCorp demanding the poles be moved.
5. October 23, 2017 Email response from PacifiCorp attorney advising they will not pay for moving the poles as they were previously in a private easement.
6. November 1, 2017 Email from PacifiCorp advising they will not move Poles #2-10 either.
7. December 18, 2017 Letter from City to PacifiCorp demanding all 10 poles be moved.
8. January 5, 2018 Letter from McGair objecting to the City's position.
9. January 31, 2018 Staff Report.
10. February 1, 2018 (dated January 30, 2018) McGair hearing memo.

11. Assessor Map Mark up of Prior Easement rights.

12. Partition Plat No. 90-48 shows the dedication of the additional 15 feet of right of way along Shaff Road being dedicated to the City.

13. Survey No. 021297, done for Louie Kindle on January 20, 1970 which shows Kindle Way connecting to Shaff Road and being 29.7' width.

14. Warranty Deed from Kirk Kindle dedicating Kindle Way to the City on January 5, 2009. Recorded at R3029, P285.

15. Minutes of the Council meeting of February 5, 2018.

II. Findings and Conclusions

The following Findings of Fact and Conclusions of Law are hereby adopted by the City to support and justify its decision in this matter:

1. The City has been planning and implementing its new storm water detention facility and street widening project for that section of Kindle Way from the Shaff Road intersection north to the intersection of Junco Street for the last year or more. The project involves the purchase, rezoning and annexation of land by the City for the purpose of creating a new regional storm water detention facility and adjoining public park. Included in this project are certain street improvements necessary to the intersection, and along the above described section of Kindle Way, as well as construction of storm water piping and ditching to feed the new detention facility. Improvements of Kindle Way to collector status are mandated by the Stayton Transportation Systems Plan, and are being paid for from City Transportation SDC funds.

2. Early on in the project, staff and designers identified that certain PacifiCorp power poles would need to be moved in order to accommodate the new City project. Those poles that need to be moved are identified in the attached drawing marked as Exhibit A. A total of 10 power poles are involved at this time beginning at the intersection of Shaff Road and Kindle Way (Pole #1), and running north along Kindle Way to its intersection with Junco Street. (Poles #2-10).

3. Pole #1 is a high voltage transmission pole that has to have special treatment in the move. Poles #2-10 are normal power poles and require nothing extra in order to move. The current project planning requires Pole #1 to be moved to the northeast to the edge of the new Shaff Road right of way. It will remain an above ground pole.

4. Poles #2-10 will be moved and placed underground along the eastern portion of the Kindle Way right of way. The City has the responsibility for the trenching, and laying the vaults and conduit in order to get the power lines underground, but it is the responsibility of PacifiCorp to remove the poles, which would otherwise be in the middle of the street, to run the wire inside the conduit and make the

necessary electrical connections. The City's underground obligation is a part of the project budget, and will also be paid for with City Transportation SDC funds.

5. Section 4.12.030(3)(a)(iv) of the Franchise Agreement provides that in cases of capital improvement projects undertaken by the City, PacifiCorp shall at its expense convert existing overhead distribution facilities to underground. The detention and street project involved here are a capital improvement project of the City. PacifiCorp is allowed to be reimbursed for the costs of conversion from overhead to underground from ratepayers pursuant to OAR 860-22-0046.

6. Section 4.12.040(2) of the Franchise Agreement regarding relocation of facilities provides that PacifiCorp shall, at its expense, relocate any of its equipment or facilities that are required to promote the public interest of the City by reason of traffic conditions, public safety, street construction, installation of storm sewer lines, or any other type of structures or public improvements by City. The City cannot allow power poles to remain located in the middle of a newly reconstructed street, therefore the requirement for them to be moved promotes and protects the public safety, and allows for the proper construction of Kindle Way and its new improvements, including the new storm water facilities constructed as part of the street improvement and construction of the new detention facility. Based on this provision of the Franchise Agreement, the City finds and concludes that PacifiCorp is responsible for the costs of moving the 10 poles involved in the City project.

7. On June 8, 2017, the City sent an official written demand to have PacifiCorp move the poles. On June 26, 2017, PacifiCorp, through Eddie Steiner advised the City that PacifiCorp refused to move pole #1 because it was, or had been, in a private easement. At this point Mr. Steiner had no issue with the moving of poles #2-10. Upon being advised that the City did not agree with his position, and continued City demands to have the affected poles moved, an attorney for PacifiCorp, sent an email to the Acting City Attorney on October 23, 2017 affirming that the position of PacifiCorp was that the franchise obligation to move the poles did not apply where PacifiCorp had a prior private easement. Thereafter on November 1, 2017, Mr. Steiner advised the City that PacifiCorp had discovered that poles #2-10 were, or had been, in a private easement, therefore PacifiCorp was then refusing to move those poles as well.

8. Staff originally advised all utility providers that utilities from the intersection of Shaff Road and Kindle Way would have to move their facilities by December 31, 2017. Northwest Natural Gas, Stayton Telephone and Wave Cable have all agreed to move their facilities at their own expense, and Staff anticipates that all those moves will be fully accomplished by June 1, 2018.

9. The City stormwater detention project, including the required improvements to Kindle Way, needs to proceed as soon as practical. Staff believes it is necessary to have the affected power poles moved by June 1, 2018 in order to keep the detention/street project on schedule for completion before the end of 2018. PacifiCorp representatives at the hearing indicated that from a construction standpoint, it could have the poles moved by that date.

10. PacifiCorp's refusal to comply with the Franchise Agreement in moving the affected power poles for a City project amounts to a breach thereof.

11. PacifiCorp's sole reason for refusing to comply with the mandates of the Franchise Agreement is that the poles are, or had been previously authorized by a private easement extended to PacifiCorp by local property owners. However, there is no language in the Franchise Agreement that gives PacifiCorp grandfather rights, or an exemption to compliance because the affected poles were under a prior private easement. There is one exception (for service drops) to that rule, but it does not apply in this case.

12. Without specific language in the Franchise Agreement that would give PacifiCorp the right to be exempt from the moving requirements for a City project, no such right exists. This Franchise Agreement is specific, and the rights and obligations of the parties are stated fully and completely therein. For rights to exist, they must be negotiated, agreed to and written into the Franchise Agreement. None of that has happened for a private easement exemption.

13. The City interprets the Franchise Agreement to provide for no such exception. The Franchise Agreement requires PacifiCorp to follow the mandates of the Franchise Agreement even when an easement is involved. Section 4.12.010(3)(h) of the Agreement defines an Easement as a public right-of-way, private utility easement on private or public property, or public utility easement on public or private property but not including a private utility easement for a customer's service drop. There is nothing in this language that exempts PacifiCorp performance for anything other than a service drop, which is not the situation here.

14. Section 4.12.040(1)(a) Use of Public Ways (Excavation and Restoration) of the Franchise Agreement provides that PacifiCorp shall comply with all applicable ordinances, municipal codes, rules or regulations that may pertain to its activities within easements, public places and public rights-of-way of the City. This language supports the City's interpretation that PacifiCorp is obligated to move the affected poles even when those poles were at some prior time located within a private easement.

15. Section 4.12.040(1)(b) of the Franchise Agreement provides that all structures, lines, and equipment erected by PacifiCorp within the City shall be located so as to cause minimum interference, with the proper use of city streets. There is no limitation or exception here for prior private easements. This provision is clear that if PacifiCorp has equipment within the City, and that equipment is located in such a manner as to cause interference with the proper use of a street within the City, PacifiCorp falls out of compliance with the Franchise Agreement. The City finds and concludes that leaving the poles in their current location, which places them in the paved travel surface of the road, thereby providing a safety obstruction to the traveling public, will cause significant interference with the proper use of Shaff Road and Kindle Way.

16. Section 4.12.040(2) of the Franchise Agreement regarding relocation of facilities provides that PacifiCorp shall, at its expense, relocate any of its equipment or

facilities that are required to promote the public interest of the City by reason of traffic conditions, public safety, street construction, installation of storm sewer lines, or any other type of structures or public improvements by City. This provision also contains no exemption for prior private easements, and is clear language that PacifiCorp has the obligation to relocate its poles when such is needed due to traffic conditions, new street construction and installation of storm sewer facilities. As noted above, the City finds and concludes that this provision requires PacifiCorp to move the poles at its expense, and refusal to do so amounts to a breach of the Franchise Agreement.

17. Subsection 4.12.040(2)(d) goes on to state that if PacifiCorp fails to comply with any requirement of the City pursuant to this section, the City may remove or relocate the facilities at PacifiCorp's expense, unless said removal or relocation would be in violation of any portions of ORS 757.800 and ORS 757.805. These ORS citations are to high voltage power lines and apply only to Pole #1.

18. Section (2)(b) of 4.12.040 of the Franchise Agreement requires the City to give PacifiCorp a written request to relocate the poles. That request was made repeatedly, beginning with on June 8, 2017. PacifiCorp was given until January 31, 2018 to enter into a formal agreement for it to move the affected poles. At the hearing, Mr. Meyer, speaking on behalf of PacifiCorp advised the Council that the only way the poles would ever get moved is if the City paid for it. This statement is manifest of the hard line position taken by PacifiCorp since June 2017 when the City request was first made to them. PacifiCorp’s actions are considered to be an anticipatory breach sufficient to declare the breach now, and to move to compel compliance.

19. The approximate cost of moving Pole #1 is between $75,000 and $100,000 because it is a high voltage transmission line pole. This pole would remain an above ground pole, and has to be moved by PacifiCorp, and cannot be moved by the City. This is the approximate cost that must be paid by PacifiCorp to remain in compliance with the Franchise Agreement.

20. The approximate cost of moving Poles #2-10 is $165,000. This cost is a combination of the costs to PacifiCorp of $110,000 to remove the poles and do the required electrical connections, and the $55,000 cost the City is responsible for placing the moved lines underground. The City is responsible for this $55,000 for trenching, vaults and conduit for Poles #2-10, regardless of which entity is responsible for moving the poles.

21. The total cost for moving all 10 poles involved in this case, and under-grounding Poles #2-10 is between $240,000 and $265,000. The costs are allocated as follows: the City is responsible for approximately $55,000, and PacifiCorp is responsible for the remaining costs of between $185,000 and $210,000. These costs are adjusted slightly for cost increases over time from estimates provided to the City from PacifiCorp.

22. According to Section 4.12.070(6) of the Franchise Agreement, the City has all the remedies available to it under the Franchise Agreement, as well as all remedies available at law or in equity.

23. Upon a finding of a violation of a material provision of the Franchise Agreement, the City may assess a penalty of $240 per day for breach without just cause. Section 4.12.070(9)(a) The penalty would begin on January 1, 2018, as that is the date given by Staff for the work to be completed. Since no work was done, the penalty would run for every day from January 1, 2018 until the work is completed. The City may pursuant to Section 4.12.040(2)(a) also mandate PacifiCorp move Pole #1, and underground Poles #2-10 at its expense no later than June 1, 2018.

24. There is nothing in the Franchise Agreement that even remotely suggests that the provisions of the Franchise Agreement do not apply when there is a prior easement for the location of a power facility unless that easement is for a service drop. If the Franchise Agreement were intended to allow such an exemption, it would have been specifically written into the Agreement, and not left up to interpretation or assumption.

25. Easements are between PacifiCorp and private property owners, and have nothing to do with the City. That an easement once existed for the location of a power pole means nothing when the adjacent right of way is expanded by the City to upgrade a street, leaving the easement location of the pole in the middle of the street. The entire relocation of pole provisions in the Franchise Agreement are intended to address that situation. Where the pole movement is caused by private development, PacifiCorp can recoup its costs from the private developer. However, when the pole movement is required by a city initiated and funded capital improvement project, the obligation to move the poles lies with PacifiCorp. That cost is either assumed as a cost of the franchise, or may be passed on to the ratepayers consistent with OAR 860-22-0046.

26. PacifiCorp argues that it gave good consideration for acquiring the easements the affected poles are located in, and that those easements still exist and are viable. However, the easements placed in the Record of these proceedings for the affected property all show that the good and valuable consideration given by PacifiCorp was zero, that is to say PacifiCorp actually paid nothing for those Easements in the first place. The City disputes that the easements are still valid. The local owners who granted the easements no longer own the land upon which the easement is located. The easement area specified in those original easements are all now in the public right of way, owned by the City. In addition, PacifiCorp tendered for this Record the Deed from Kirk A. Kindle to the City which dedicated the Kindle Way right of way to the City, and that deed did not disclose the existence of any underlying PacifiCorp easement rights for its poles, nor was any such rights excepted. The result of this deed is that the City obtained the Kindle Way right of way free and clear of any encumbrance, including the PacifiCorp prior easement. If PacifiCorp has an issue with the easement rights it obtained from the local property owners who subsequently conveyed the underlying land to the City for street right of way, such should be taken up with those owners, and not by a blatant refusal to comply with the clear mandates of the Franchise Agreement.

27. The City is not attempting to take away any rights of PacifiCorp in this matter. PacifiCorp had the right to place its poles originally pursuant to private easements. The City, through its Franchise Agreement, allows PacifiCorp to retain the right to provide electric service within the public right of way. The question is not if PacifiCorp has the right to place and maintain its service along Kindle Way, the question is who pays for moving the poles. The Franchise Agreement controls pole location, and in this situation, it mandates the cost to move the poles is to be borne by PacifiCorp. The Franchise Agreement allows for the service to continue within the right of way, only at a different location, which right is taken advantage of by PacifiCorp, which in turn then refuses to comply with the same agreement's provision requiring them to pay for the cost of the move.

28. PacifiCorp argues that ODOT and many other Cities and Counties do not require PacifiCorp to pay for poles to be moved where the poles were originally placed pursuant to a private easement. The City finds this argument to be not relevant, as this matter is controlled by the terms and conditions of the negotiated Franchise Agreement which provides the cost of moving the poles under these circumstances lies with PacifiCorp. What other governmental entities do has no binding effect on the City.

29. PacifiCorp also alleges that the general rule of law is that poles originally placed pursuant to a private easement have to be moved at the expense of the City. This general rule is not disputed, however it does not apply to this situation. The Franchise Agreement in this case was negotiated in 2011 with full knowledge and understanding of the general rule of law. The Franchise Agreement has the power and authority to modify or eliminate entirely the general rule of law if that modification is done, or not done, in the drafting and adoption of the Franchise Agreement. The Franchise Agreement is a legally binding contract between the City and PacifiCorp. The provisions of the Franchise Agreement abrogate the general rule. Had the parties at the time of negotiation of the Franchise Agreement determined that the general rule of law should control the obligations of PacifiCorp and the City, the Franchise Agreement could have been silent on the issue of moving poles, or alternatively, the general rule could have been specifically written into the Franchise Agreement. However, neither situation occurred. The Franchise Agreement changed the general rule by contract, and eliminated it from application here, and replaced it with the negotiated terms of the Franchise Agreement. In this instance then, the Franchise Agreement controls, and the general rule of law is not applicable. Even PacifiCorp recognized in its presentation materials, that the City has the right to restrict and control PacifiCorp's rights in a Franchise Agreement, yet it still refuses to comply with that Agreement.

30. PacifiCorp alleges that the City's requirement for it to bear the cost of moving the affected poles amounts to a taking without just compensation. The City rejects that proposition. The Franchise Agreement, within which the move provisions are located, was negotiated at arm's length between the parties. The consideration for the Franchise Agreement is the right of PacifiCorp to use the City rights of

way. The Franchise Agreement provides the consideration for the move obligations, and there is no taking without just compensation. PacifiCorp is compensation by being allowed to hold and operate its electrical utility franchise in the City.

31. There is some argument that the affected poles are not located in the right of way now, therefore the Franchise Agreement does not apply. This argument is rejected. The City finds that the Franchise Agreement is applicable throughout and within the city limits. The City further finds that the survey evidence is clear that Pole #1 is partially within the Kindle Way right of way, and partially in the Shaff Road right of way. Poles #2-10 are located in the Kindle Way right of way by virtue of the Deed from Kirk Kindle submitted by PacifiCorp. At all times relevant to this proceeding, Poles # 1-10 have been, and continue to be located within a public right of way owned and/or controlled by the City.

III. Decision and Order

NOW THEREFORE, based on the above Findings of Fact and Conclusions of Law, the City Council does hereby find as follows:

1. PacifiCorp is in breach/violation of Electric Utility Franchise Agreement (Ordinance 939) for its repeated refusal, without just cause, constituting an anticipatory breach, to move Poles #1 - 10, as shown on the attached Exhibit A, at its own expense as required by the terms of the Franchise Agreement as explained above.
2. PacifiCorp is hereby mandated to move Pole #1 at its expense to a location specified by the City, and to move Poles #2 - 10 at its expense (less the City's obligation for under-grounding the line along Kindle Way), and to have all said work completed no later than June 1, 2018.
3. Staff is directed to use all reasonable means to enforce this Order.

DATED AND ADOPTED this ____ day of February, 2018, by the Council in a vote of ____ Ayes, and _____ Nays.

_____

Henry A. Porter, Mayor

CITY OF STAYTON

M E M O R A N D U M

TO: **Mayor Henry Porter and the Stayton City Council**

THRU: **Keith Campbell, City Administrator**

FROM: **Lance S. Ludwick, P.E. Public Works Director**

DATE: **February 20th, 2018**

SUBJECT: **Transportation System Plan Update**

BACKGROUND INFORMATION

The Transportation System Plan (TSP) Update will include a detailed analysis of current conditions and future needs, recommendations to meet these needs, and cost estimates for the recommended improvements.

The project was advertised competitively on December 20th, 2017, in the Daily Journal of Commerce. The City of Stayton received one (1) sealed bid by the bid closing deadline of January 25th, 2018, from Kittelson & Associates of Portland, Oregon.

The City has experienced steady growth over the past several decades but growth has substantially slowed during the past ten years. The current TSP was completed in 2004, and was produced during a time of more substantial growth and assumed that growth would continue. The plan includes a number of recommendations that no longer seem necessary or feasible for construction within a 20-year planning horizon.

The City updated its Comprehensive Plan in 2013, with a revised Comprehensive Plan Map adopted at that time. The assumptions for development patterns included within the 2004 TSP are no longer in compliance with the Comprehensive Plan Map. The 2004 TSP includes a number of recommendations for improvements to streets that are Marion County-maintained streets. These improvements do not have the support of Marion County.

The objective of the TSP Update is to develop working documents for planning, programming, and financing improvements to the community's transportation system. The City desires to effectively manage growth and comply with the Transportation Planning Rule (TPR), integrate transportation and land use planning and encourage transportation-efficient land uses, assure that the TSP meets the Oregon Highway Plan (OHP) and the TPR standards, and further involve the community in the planning and implementation process. Essential to this goal is a plan that accurately reflects current facility needs and demands, identifies future needs, and recommends specific improvements to meet those needs within the context of the 2013 Comprehensive Plan and reflects the most recent population projections for the community.

The TSP Planning Area includes the entire Stayton Urban Growth Boundary, but needs to recognize conditions, trends and development activity beyond the UGB including key highway intersections outside of the UGB and the neighboring community of Sublimity. The study area will include transportation facilities that are under a number of different jurisdictions, including streets and highways under local, county and state jurisdiction and privately operated railroad and pipeline facilities. The Consultant will be responsible for coordination of the various levels of government as well as coordinating the public's involvement in the development of the plan.

Project objectives include:

A. A review and evaluation of existing plans, policies, standards and laws that are relevant to the update of the 2004 TSP for the Stayton UGB. This review is intended to ensure that the City's TSP reflects and is consistent with local and state transportation policies and standards, and is coordinated with the plans of Marion County.

B. Recommend changes to existing transportation goals and policies, and transportation system elements that will improve the transportation system and meet the transportation needs of the community for the next twenty years.

C. An updated examination of existing land uses to identify current development patterns that influence the use of today's transportation system and lay the foundation for future community growth.

D. An updated analysis of the existing transportation system including an inventory and evaluation to identify opportunities and constraints and to provide the basis for developing transportation improvement recommendations.

E. Update future projections, development and evaluation of alternatives and an assessment of options for improving the transportation system to accommodate anticipated traffic growth.

F. Update the funding aspects of the 2004 TSP that explain how the updated list of transportation improvement projects identified in the capital improvement program will be funded so the transportation system improvement projects can be built.

Kittelson & Associates, along with their partner Angelo Planning Group, have assembled a team of transportation and land use experts specialized in preparing transportation system plans.

The City has experience working with this consultant for other projects. See their attached proposal along with their fee schedule.

FINANCIAL IMPACT

The estimated fee to complete the TSP Update is $144,148. The consultant will maintain the rates listed in their fee schedule through the duration of the project.

ATTACHMENT A

Proposal to Prepare

CITY OF STAYTON TRANSPORTATION SYSTEM PLAN UPDATE

January 25, 2018

Prepared for:

City of Stayton
Attn: Lance Ludwick, P.E.
Public Works Director
362 N Third Avenue
Stayton, OR 97383

Prepared by:

Kittelson & Associates, Inc.
852 SW 6th Avenue, Suite 600
Portland, OR 97204

KITTELSON & ASSOCIATES

KITTELSON & ASSOCIATES
851 SW 6th AVENUE, SUITE 600
PORTLAND, OR 97204
P 503.228.5230 F 503.273.8169

January 25, 2018

Project #: 22352

Lance Ludwick, PE, Public Works Director
City of Stayton
362 N Third Street
Stayton, OR 97383

Federal Tax ID: 93-0964447
Oregon Tax ID: 9945981
An Oregon Corporation

RE: Proposal to Prepare the City of Stayton Transportation System Plan Update

Dear Mr. Ludwick:

A transportation system plan that accurately describes current and future conditions can guide an agency to establish a safe, convenient transportation network. The City of Stayton (City) has determined the 2004 transportation system plan needs updating with accurate growth projections, consideration of current economic conditions, elements to encourage active transportation, an implementable list of projects, and alignment with other planning documents regionally and locally. To assist the City with finalizing the Stayton Transportation System Plan Update (TSP Update), Kittelson & Associates, Inc. (Kittelson), along with our teaming partner Angelo Planning Group (APG), has assembled a team of transportation and land use experts specialized in preparing transportation system plans.

City Benefits. As transportation and land use specialists, with direct experience working in the city, and successfully carrying out multimodal transportation planning initiatives in small communities, our team will:

- **Build upon previous planning activities** to inform and guide the TSP Update, considering the substantial changes in transportation and city planning efforts since 2004
- **Align** the TSP Update with other planning activities, using our in-depth knowledge gained from our long history of working in Stayton, and leading efforts to update the ODOT Transportation System Plan Guidelines
- **Collaborate** with City staff and the community to deliver a community-based TSP Update that truly reflects the City's vision and goals
- **Achieve** compliance with the Transportation Planning Rule and other applicable regulations by following the most recent ODOT transportation system plan guidelines
- **Identify innovative, high-priority, high-impact, low cost, context-sensitive multimodal solutions** to serve all users
- **Obtain community and stakeholder support** through engaging public involvement activities that consider the varied audiences in Stayton and deploy different online and in-person techniques

Project Manager. Managing this planning effort will be Susan Wright, PE, PMP (Project Management Professional). Susan has completed 12 transportation system plans with a 100% adoption rate. She is a certified PMP and licensed civil engineer with a proven track record to keep everyone properly informed about the progress of a project and establish a collaborative working environment, while maintaining the schedule and controlling costs. Susan worked with me on the 2004 TSP Update and has provided on-call support to the City since that time.

Kittelson Team. Working with Susan will be **Matt Bell**, a transportation planner who combines his background in planning, engineering, and public involvement to complete plans that have community support for implementing projects. **Pat Marnell, PE,** will bring his first-hand knowledge about the City's traffic operations as the team's traffic engineer. He seamlessly integrates engineering into the planning process, which helps identify realistic solutions. Supporting the public involvement efforts will be **Nick Gross.** Nick is a talented public involvement professional, with a background in transportation planning. He creates innovative public engagement activities that yield constructive dialogues to guide the decision-making process. **Bryan Graveline** will support the team as transportation analyst. He has direct experience working with communities to create community-based transportation alternatives. I, **Marc Butorac, PE, PTOE, PMP,** will be principal engineer. With nearly 20 years of experience working for the City on engineering and planning projects, I will guide the team based on my historical knowledge and familiarity with occurrences effecting the existing conditions. **Darci Rudzinski** with APG will lead efforts associated with land use, policy, and codes.

Consistency amongst team members is critical to implementing a cost-effective planning process. For this reason, we are once again partnering with APG. The Kittelson/APG team has worked on over 50 transportation planning projects together, and we are working together on the Oregon Transportation System (ODOT) Planning Guidelines update.

Through a collaborative, engaging planning process, the Kittelson/APG team will complete a useful TSP Update that can be relied on for several years. This update will allow the City to position themselves for funding opportunities, improve traffic condition throughout the city with an emphasis on the downtown area, determine the highest and best-use for the trail system, support the economy, and provide overall quality of life.

Both Susan and I are authorized representatives of Kittelson. Our contact information is below. We look forward to continuing to serve the City and resolving transportation challenges.

Sincerely,
KITTELSON & ASSOCIATES, INC.

Marc Butorac, PE, PTOE, PMP
Senior Principal Engineer
P. 503-535-7419
F. 503-273-8169
E. mbutorac@kittelson.com

Susan Wright, PE, PMP
Associate Engineer
P. 503-535-7432
F. 503-273-8169
E. swright@kittelson.com

Equality opportunity employer. At Kittelson & Associates, Inc. one of our core business objectives is to maintain a workplace in which each employee can achieve his or her full potential without being impeded by discrimination or harassment based on race, color, national origin, ancestry, age, creed, religion, sex, sexual orientation, gender identity, domestic partner status, marital status, disability, veteran's status, AIDS/HIV status, height, weight, or any other status or characteristic protected by state or federal laws. Our practices and policies are intended to impress upon every employee the seriousness of this commitment and to strongly encourage employees to report any conduct that they perceive to be discriminatory or harassing in nature.

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PROJECT TEAM & EXPERIENCE

Kittelson & Associates Inc. (Kittelson) and Angelo Planning Group (APG) have the essential experience, knowledge, and expertise to facilitate a collaborative planning process that will result in beneficial multimodal infrastructure for the City of Stayton (City).

The Kittelson/APG team consists of industry leaders with the essential skills and experience in planning, preparing transportation system plans (TSPs), multimodal operations, active transportation planning and design, economic development, land use, policy and code implementation, and public involvement. Table 1 outlines the essential skills our team has to complete an updated TSP the City can use for several years.

Table 1 - Key Personnel Skills

STAFF	Transportation System Plans	Project Management	Fiscally Constrained Plans	Incorporating Planning Documents	Transit Planning	Parking Studies	Bicycle & Pedestrian Facilities Planning & Design	Website Development & Maintenance	Public Involvement	Policy	Land Use	Funding
Marc Butorac, PE, PTOE, PMP, Principal Engineer	●	●	●	●	●	●	●	●	●	●	●	●
Susan Wright, PE, PMP, Project Manager	●	●	●	●	●	●	●	●	●	●		●
Patrick Marnell, PE, Traffic Engineer	●	●	●	●			●	●	●	●		
Nick Gross, Planner/Public Involvement Specialist	●	●		●		●	●		●			
Bryan Graveline, Transportation Analyst	●				●	●	●	●	●			
Darci Rudzinski, AICP, Land Use/Policy/Code Lead	●	●	●	●	●				●	●	●	●
Andrew Parish, AICP, Land Use Planner	●	●	●	●	●				●	●	●	●

A. TEAM ORGANIZATION & ROLES

A successful planning process depends upon a collaborative, engaging environment. The Kittelson/APG team is structured to establish clear communication and facilitate a collaborative planning process.

Project Manager. Managing this process will be **Susan Wright, PE, PMP**. As a certified PMP (Project Management Professional), she will use her exceptional project management, communication, and organizational skills to keep everyone adequately informed, maintain the schedule, and control costs.

Key Staff. Working alongside Susan will be **Nick Gross,** planner/public involvement specialist. He will lead efforts to analyze traffic conditions, develop and evaluate solutions for addressing transportation system needs, and prioritize improvements. Nick will apply his background in planning and public involvement to create a dynamic public outreach and engagement activities, using on-line and in-person techniques. Supporting these efforts will be **Patrick Marnell, PE** as traffic engineer. Patrick has direct experience resolving transportation challenges in Stayton and will apply his knowledge to help develop cost-effective, constructable projects. Serving as transportation analyst will be **Bryan Graveline.** Providing her expertise in land use, policy, economic development, and code compliance will be **Darci Rudzinski, AICP** with APG. She will assist with future land use assumptions and crafting policy and development

requirements that reflect goals and objectives; maintain consistency with regional and state requirements; and support project implementation. **Andrew Parish,** also with APG, will assist with integrating land use and transportation.

Principal Engineer. Overseeing this process will be **Marc Butorac, PE, PTOE, PMP** as principal engineer. He will provide his expertise in long-range multimodal transportation planning and direct experience working in Stayton for over 15 years. As principal engineer, Marc will carry out our quality assurance/control (QC/QC) process to make sure high-quality, technically sound, and compliant deliverables are presented.

Figure 1 illustrates our teams lines of communication and areas of responsibility.

FAMILIARITY WITH STAYTON

Since 2001 Kittelson has been working with the City on resolving transportation challenges. This includes completing the 2004 TSP. As part of our on-call transportation engineering services, we have worked with the City staff on the following types of projects:

- Signal Design Review
- Library Pedestrian Access Review
- Speed Zone Reviews
- School Crossing Enhancements & other Crosswalk Sight Distance Issues
- City Zone Change Support
- Signal Warrant Analysis
- Traffic Impact Analysis Scoping & Development Review

B. KEY PERSONNEL

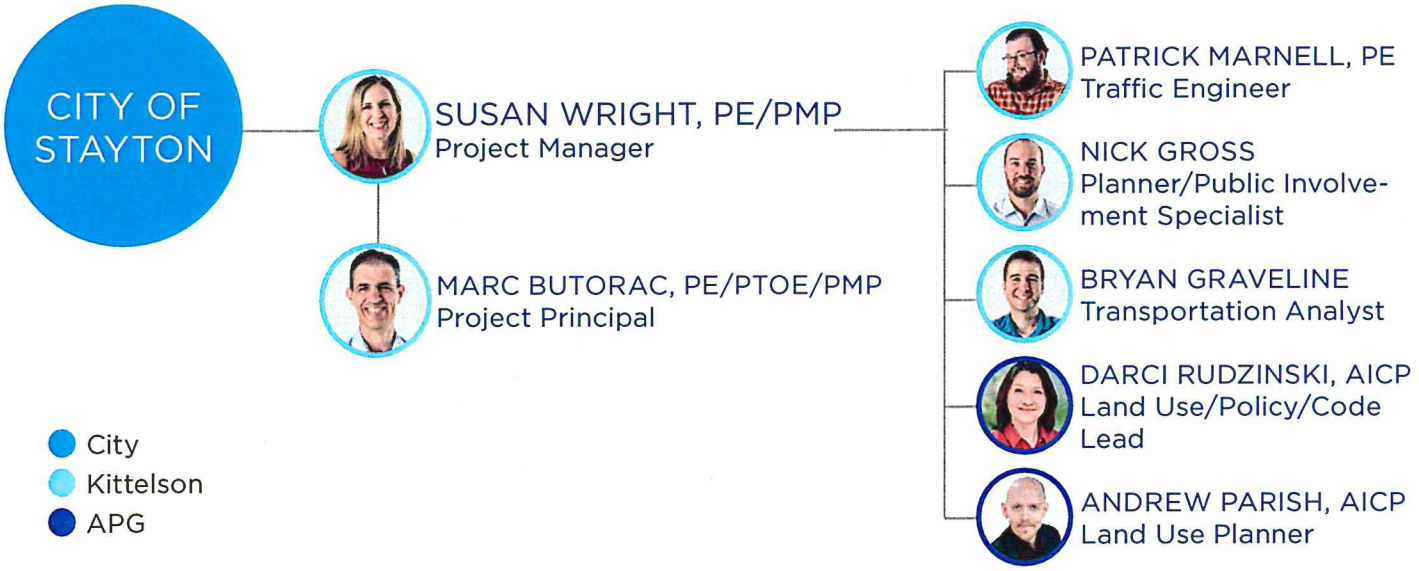
The Kittelson/APG team have completed numerous TSPs together, including the previous Stayton TSP. Our combined expertise will be used to update the TSP, which will establish a multimodal transportation system with broad based community support.

MARC BUTORAC, PE, PTOE, PMP
Project Principal

Education	MS, Civil Engineering, Texas A&M University / BS, Civil Engineering, University of Idaho
Certificates & Licenses	Professional Engineer: OR, et al. / Project Management Professional / Professional Traffic Operations Engineer

Marc has a solid transportation planning background that has been effectively demonstrated through comprehensive plans and TSPs. He has led dozens of TSPs and is managing the Oregon Department of Transportation (ODOT) TSP Guidelines (TSP Guidelines) update. In 2004 he managed the Stayton TSP. His experience includes developing alternative and non-traditional roadway standards, access management ordinances and plans, development ordinances, and transportation SDCs. He communicates effectively through design charrettes, public meetings, one-on-one stakeholder meetings, court cases, and public hearings. This experience gives the team first-hand knowledge of the most recent best practices and knowledge of the historical and current conditions in Stayton.

Figure 1 - Team Organization



Representative Project Experience:

- Stayton On-Call Transportation Engineering Services
- Stayton TSP
- Clackamas County TSP
- Wasco County TSP
- Ashland TSP
- Madras TSP
- ODOT TSP Guideline Update

Marc is more on the project management side – fantastic professional. Marc handled different players well. Very experienced and resilient professional – patient and understanding with staff." — Dave Bellinger, Washington State Department of Transportation

SUSAN WRIGHT, PE, PMP
Project Manager

Education	BS, Civil Engineering, Oregon State University
Certificates & Licenses	Professional Engineer: OR / Project Management Professional

Susan has helped communities throughout Oregon with long-range planning, including managing over 12 TSPs. She has managed transit development plans, integrated complete street concepts into long-range plans, incorporated *Highway Safety Manual* principals and approaches into planning documents, developed alternative performance measures, and helped develop innovative ways to fund multimodal improvements through developing codes and multimodal SDCs. Recently she has provided transportation engineering services for the City through our on-call contract.

She has extensive experience crafting and managing stakeholder- and community-driven processes, using technical information to support decision making. This approach helps agencies prioritize enhancements to their multimodal systems, including bicycle and pedestrian facilities, increase transportation safety, and create a balanced system for multiple modes of transportation.

Representative Project Experience:

- Jackson County TSP
- Carlton TSP
- Hubbard TSP
- West Linn TSP
- The Dalles TSP
- ODOT TSP Guidelines Update

100% Adoption Rate. Susan has a 100% success rate of adopted TSPs, typically with unanimous support by city councils. She establishes a comfort level with council members by using the bottom-up public involvement approach, allowing for meaningful dialogue with stakeholders and the public. Through this process, issues are identified and community-based solutions are created, which are vetted with technical experts, the public, and elected officials working together.

PATRICK MARNELL, PE
Traffic Engineer

Education	BS, Civil Engineering, Oregon State University
Certificates & Licenses	Professional Engineer: OR, et al.

Patrick has a background in transportation engineering, planning, research, and design with an emphasis on signal systems, operations analysis, microsimulation, and intelligent transportation systems. He is an expert with microsimulation tools, which includes such VISSIM and SimTraffic. His experience has included modeling complex facilities such as diverging diamond interchanges, displaced left-turns, and single point urban interchanges using various analysis tools like Synchro, VISTRO, Sidra, and HCS. Prior to working at Kittelson, he served as a research assistant at the Oregon State University Driving Simulator Laboratory. Currently, he supports the City by scoping and reviewing traffic impact studies.

Relevant Project Experience:

- Stayton On-Call Transportation Engineering Services - Engineering Analysis Reviews
- Billings Bypass Travel Demand Model, Alternative Analysis & Interchange Design
- I-5 Medford Viaduct Study
- Umatilla Subarea Plan & Combined Interchange Area Management Plan

NICK GROSS
Planner/Public Involvement Specialist

Education	BS, Environmental Design, University of Massachusetts

Nick is passionate about creating livable communities through active transportation planning and community engagement. His experience includes over four years of complete streets concepts and long-range transportation planning initiatives in Massachusetts and Oregon. He has been effective in producing

creative and dynamic community outreach strategies focusing on Title VI inclusion and on-line interactive engagement. The varied projects Nick has worked on have involved urban intersection redesigns and rural complete streets prioritization plans. With a broad background of professional experiences, he brings a balanced approach in helping agencies prioritize their multimodal systems.

Relevant Project Experience:

- Molalla TSP
- Beaverton Active Transportation Plan
- ODOT Region 1 Active Transportation Needs Inventory
- Coquille Indian Tribe Comprehensive Plan

BRYAN GRAVELINE
Transportation Analyst

Education BS, Civil Engineering, Notre Dame

Bryan is a transportation professional with experience in operations, planning, and design. He has worked on transportation impact studies, roundabout feasibility studies, bicycle and pedestrian project prioritization, and crash analysis projects. Efforts Bryan has supported have included forecasted future traffic growth and identified mitigations for developers, justified and designed intersection alternatives, identified and prioritized active transportation improvements, and used facility data to identify trends in crash history.

Relevant Project Experience:

- ODOT Region 4 and Region 5 Active Transportation Needs Inventory
- Clackamas County Transportation Safety Action Plan
- Vancouver Clinic Traffic Impact Study
- Georgia Department of Transportation Roundabout Feasibility Study and Preliminary Design

SUBCONSULTANT

Information about APG is provided in Section 2.2.4 Scope and Understanding of Work on page 15.

C. REFERENCES

See Section 2.2.5 Additional Supporting Information for key personnel references and resumes.

The consultant team adhered to the tasks in the contract and did an excellent job overcoming schedule challenges... The team's high quality written and graphic products were accurate and easy to understand. – Naomi Zwerdling, ODOT

SCOPE & UNDERSTANDING WORK

The Stayton TSP, adopted in 2004, requires updating for a several reasons. It was produced during a time of substantial growth that was assumed to continue. Growth has been slower than projected and therefore the 2014 TSP includes some recommendations that no longer seem necessary or feasible within a 20-year planning horizon. Also, there are recommendations in the 2014 TSP to improve streets that are Marion County-maintained streets, which Marion County no longer supports. In addition, the City updated its comprehensive plan in 2013. The assumptions for development patterns included within the 2004 TSP are not compliant with the City of Stayton Comprehensive Plan Map.

The approach we developed to complete the TSP update is based on:

- Building upon previous transportation planning efforts
- Considering changes in transportation and city planning since 2004
- Aligning the TSP with other planning activities
- Following ODOT TSP Guidelines, 2018 pending updates
- Collaborating with the City staff and community
- Achieving compliance with the Transportation Planning Rule (TPR) and other applicable regulations
- Identifying innovative, high-priority, high-impact, low cost, context-sensitive multimodal solutions
- Obtaining community and stakeholder support

The objective of the Plan Update TSP Update is to develop working documents for planning, programming, and financing improvements to the community's transportation system. The City desires to effectively manage growth and further involve the community. We understand the TSP Update needs to provide the City with a plan that meets Statewide Planning Goal 12 and is compliant with the TPR, Oregon Highway Plan (OHP) and other applicable regulations, and will establish a safe, multimodal transportation system.

Based on our knowledge about Stayton, we will address the following issues during this planning process:

Consistency with Other Planning Documents. We will incorporate the plans and policies completed since 2004 into the update, upon the City's acceptance. Completing the update will also involve obtaining consistency with the TPR, OHP, and other state and local plans. It will be important to coordinate with other jurisdictions including Marion County and ODOT.

Updated Inventory/Needs Assessment. Starting with information in the 2004 TSP, we will update the inventory to include all new transportation improvements since 2004 and highlight gaps and deficiencies in the transportation system. To identify needs, our team will collect new traffic data, update the growth projections, and evaluate existing and projected future traffic operations and safety. With this information, we will develop and evaluate alternatives and prepare a prioritized list of improvements.

Roadway Safety. There are many skewed intersections in the city where City streets intersect with Marion County roads. Skewed intersections tend to have higher crash rates due to challenging sight lines. Many of these intersections do not warrant traffic signals and were identified for roundabouts to increase safety in the 2004 TSP.

We will review crash history to identify if these locations continue to have crash patterns and identify other patterns and trends that can be addressed on a systemic or individual basis. We will review ODOT's Safety Priority Index System to identify sites within the top 5% and 10% of sites within the state.

Safety Specialists. The Kittelson team includes transportation safety experts with intimate knowledge of the *Highway Safety Manual* and can effectively identify and implement cost-effective countermeasures.

Transportation Funding. Due to lower than projected growth, the City's SDCs cannot fund the TSP improvements within the 20-year timeframe. We will review the 20-year needs and adjust the project list accordingly. Having worked on several TSPs for small cities (Ashland, Carlton, Hubbard, Gladstone, Molalla, and The Dalles) we excel at prioritizing projects and finding additional funding resources. Some non-traditional sources we will explore are sponsorships, public-private partners, and revising standards. Traditional methods like SDCs will also be evaluated.

Public Involvement/Agency Coordination. The project will require a tailored public involvement program using in-person and on-line engagement tools. These tools will allow more people to participate in the planning process, resulting in a

better understanding of needs, concerns, and issues. Using an interactive website, the team can solicit feedback and host virtual open houses. We will apply our bottom-up public involvement approach to build community support. With this approach, we will coordinate with advisory committee members representing people throughout the city.

QA/QC PROCESS

Our team is purposely structured to provide the City with a formal approach to QA/QC with scheduled and documented checkpoints throughout the project cycle, including cross-checking and conducting peer reviews among our teaming partners.

The following are key activities and milestones associated with our QA/QC process:

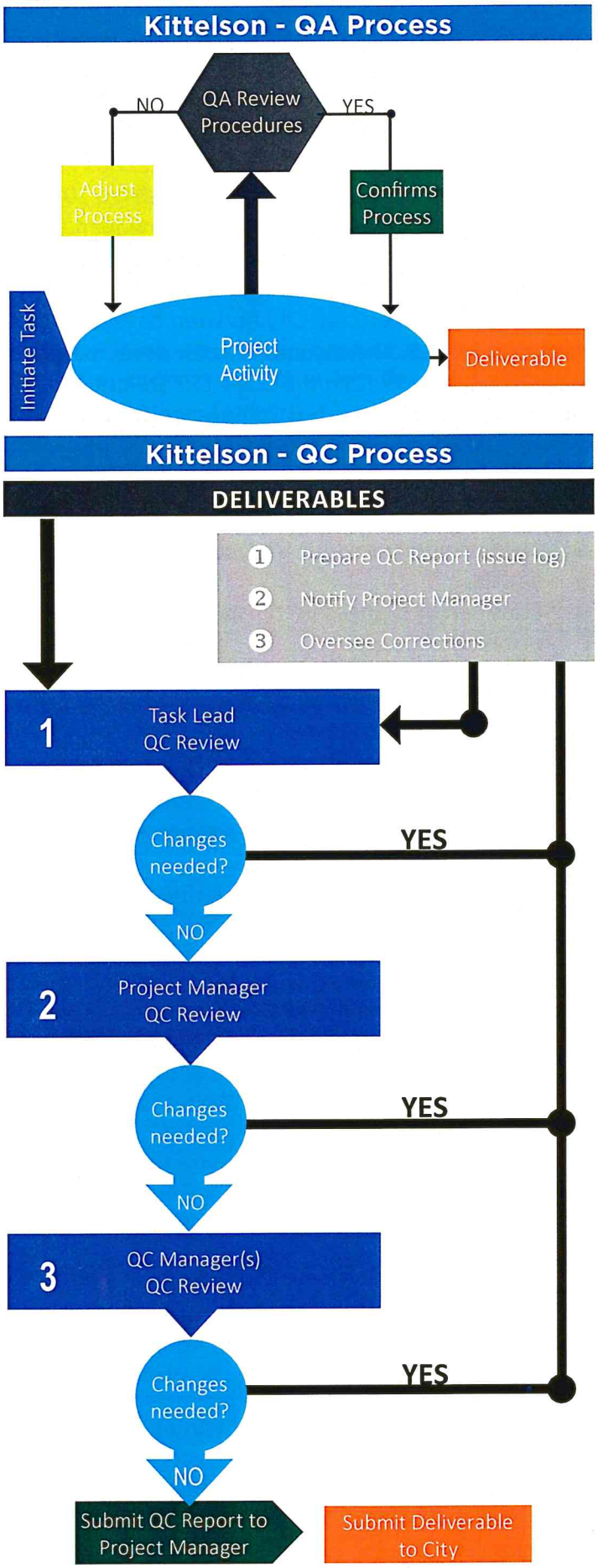
- **Setting the foundation for our project.** Our project manager, Susan Wright, will work with the City staff to develop a detailed scope of work, project schedule (based on assigned resources), and budget based on project specific needs and requirements. This includes services that will be provided by our subconsultant.
- **Executing the project.** Marc Butorac, our proposed QA/QC manager, will identify key staff based on the technical skills required for the TSP Update. These technical leads will conduct independent QA on the processes in preparing our deliverables and QC for each deliverable.

  Susan will work with the City staff to set expectations on how we approach and prepare deliverables based on the contract and project-specific QA/QC Plan.

  We will develop an issue log will be developed for the project to track every issue that has been identified through our QA/ QC process and how each issue was addressed.

- **QA/QC iterative process.** Figure 2 illustrates our QC/QC process. The QA Process chart illustrates how we monitor and audit each procedure when developing deliverables. It also shows our QC process, illustrating how each deliverable follows a systemic step-by-step QC review to provide high quality, compliant, and technically sound deliverables. The QC steps are repeated until our deliverable has fulfilled all the QA objectives.

Figure 2 Kittelson QA/QC Process



- **City review comments.** The City's project manager will receive draft documents for review and comment. They will reconcile all City staff input, then return the draft document with comments to Kittelson. When contradicting comments need resolving, Kittelson and the City will work together to determine a resolution.
- **Finalize deliverables.** Once all input is received and comments reconciled, the City will receive a final document.

1. WORK PLAN

The following is an overview of all work tasks, and identifies tasks that are in addition to the scope of services in the City's request for proposal. The work plan identifies tasks and deliverables to be completed by our subconsultant, APG, and the City. *We are open to discussing modifications to this work plan with the City to best meet your needs.*

TASK 1 – PROJECT MANAGEMENT

Project management is integrated into each task in this work plan. Tasks associated with project management are described here to establish a framework for managing the planning process. A Project Management Team (PMT), comprised of a City project manager and Kittelson/APG team members, shall provide overall guidance for completing the TSP Update. The PMT will meet during performance of individual tasks to coordinate logistics of the update and give feedback to the Kittelson/APG team.

Susan will proactively manage the work plan and the Kittelson/APG team to keep all tasks within budget, while facilitating timely completion of all tasks. She will coordinate with City staff and Kittelson/APG team members and be responsive to any email and telephone discussions.

The Kittelson/APG team will provide QC over all deliverables, work independently, and assume full responsibility in research and acquiring any data and product information for the proper evaluation, analysis, preparation and completion of the TSP Update. The City will have three weeks to review and comment on technical memorandums and the draft TSP Update.

Task 1.1 – Kick-off Meeting

Kittelson will arrange and facilitate an in-person kick-off meeting to review the TSP Update objectives, processes, timelines for the refined project schedule, and to review elements of the public involvement and communications plan. This meeting will also include a field visit led by the City. This field visit will allow the Kittelson/APG team to learn about key issues to be addressed as part of the TSP Update. Kittelson shall provide a written agenda at least two business days prior to the meeting and provide a meeting summary no later than one week following the meeting.

Task 1.2 – Technical Advisory Committee (TAC) Meetings

The City will establish a TAC consisting of City management staff, Marion County, and ODOT to provide review and consensus concerning study recommendations and improvement options. Kittelson will schedule three TAC meetings throughout the project at key milestones (see project schedule) and submit draft documents to the TAC one week in advance of the meeting.

We will work with the City to set meeting dates. City shall arrange for a meeting location.

Kittelson will notify the TAC of meeting dates and provide meeting materials electronically. After each meeting, Kittelson will prepare meeting summaries.

Task 1.3 – Public Advisory Committee (PAC) Meetings

The City Council will appoint a PAC consisting of elected and appointed officials and citizens. The PAC will provide direction in developing policies that will be reflected in the plan recommendations and transportation improvement options.

Kittelson will schedule three PAC meetings throughout the planning process at key milestones (see project schedule) and provide draft documents to the PAC one week in advance of the meeting. We will work with the City to set meeting dates. The City shall arrange for a meeting location.

Kittelson will notify all PAC members of meeting dates and provide meeting materials electronically. After each meeting, Kittelson will prepare meeting summaries. PAC meetings shall be scheduled on the same day as TAC meetings.

Task 1.4 – PMT Meetings

Kittelson will coordinate, schedule, prepare and facilitate up to six project PMT meetings with City staff during the duration of the TSP Update. The duration of each teleconference is not expected to exceed two hours. Dates and times of scheduled teleconferences

will be determined at the kick-off meeting. Suggested PMT meetings are provided in the schedule, presented on page 16 of this proposal.

For the PMT meetings we will:

- Arrange a standard call-in number and provide teleconference dates, times, and access information to the PMT members
- Develop a written agenda for each teleconference and disseminate the agenda to the PMT no later than the evening prior to the teleconference.
- No later than one week following the teleconference, Kittelson will provide a meeting summary.

Task 1.5 – Invoices & Progress Reports

Kittelson will keep the City informed of our progress with monthly status updates. The updates will be submitted to the City with invoices and include:

- Hours spent by the Kittelson/APG team on each tasks since the previous invoice
- A report of work completed by tasks
- A report of any issues of concerns and how to resolve them
- Indicate any critical timelines and major milestones

Each month Kittelson will update the schedule and e-mail it to the City.

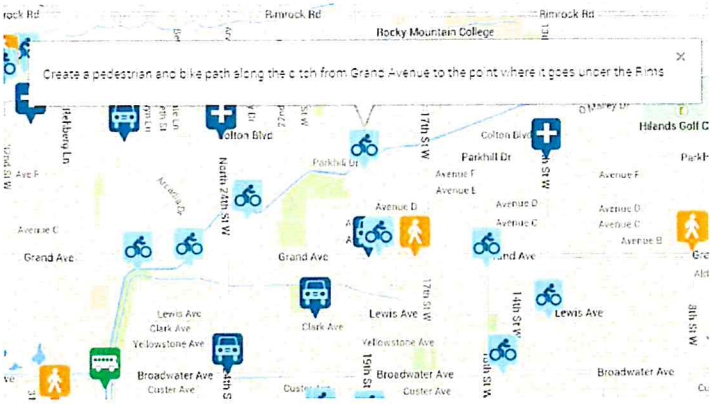
Task 1.6 – Project Website

Kittelson will establish and maintain a TSP Update website during the planning process. Through coordination with the PMT, Kittelson will link the website and the City's website according to City requirements.

Kittelson will be responsible for all aspects of the website, including: development, registration, hosting, gathering and monitoring of content, and controls, as required by, and subject, to approval by the City. The website will be accessible within two weeks after the kick-off meeting and remain active for a minimum of six months following completion of the TSP Update.

The website will include draft and revised technical memorandums; all maps and graphics developed for the TSP Update in PDF or JPG format; meeting information (times, locations, agendas, summaries, and materials).

The website may include an interactive on-line mapping tool element that allows the public to provide input and to pinpoint issues, ideas, and comments directly on a map of the TSP Update area.



Task 1 Consultant Deliverables

1A. Kick-off Meeting
1B. Meeting Agendas, Facilitation, and Summaries for Three TAC Meetings
1C. Meeting Agendas, Facilitation, and Summaries for Three PAC Meetings
1D. Six PMT Teleconference Meetings
1E. Fifteen Monthly Invoices with Detailed Progress Reports and Schedule Updates
1F. TSP Update Website

Task 1 City Deliverables

1A. Kick-off Meeting Attendance
1B. TAC Committee Roster
1C. PAC Committee Roster
1D. Attend Meetings (PMT, TAC, and PAC) and Reserve Meeting Locations

TASK 2 – PLAN & POLICY REVIEW

City's Desired Task Objective and Outcome: *A review and evaluation of existing plans, policies, standards and laws that are relevant to the TSP Update for the Stayton Urban Growth Boundary (UGB). This review will ensure that the TSP Update reflects and is consistent with local and state transportation policies and standards, and is coordinated with the plans of Marion County.*

Task 2.1 – Background Documents

Upon request of Kittelson, the City shall provide the most current version of the existing plans, policies, standards, rules, regulations, and other documents pertinent to the TSP Update in electronic format, as available.

Background documents are expected to include:

- Statewide Documents (City does not need to provide)
  - Oregon Highway Plan (1999, last amended on

May 2015)
  - Oregon Transportation Plan (2006)
  - Oregon Freight Plan (2011)
  - Oregon Public Transportation Plan (1997)
  - Oregon Rail Plan (2014)
  - Oregon Bicycle and Pedestrian Plan (2016)
  - Oregon Transportation Safety Action Plan (2011)
  - Statewide Planning Goals
  - State Law on Reduction in Vehicle-Carrying Capacity (Oregon Revised Statutes 366.215)
  - Oregon Administrative Rules (OAR) chapter 734 division 051
  - OAR Chapter 660, Division 012, known as TPR
  - ODOT Funding Projections
  - Statewide Transportation Improvement Program
  - ODOT Highway Design Manual (2012)
  - Oregon Roadway Departure Safety Implementation Plan (2010)
  - Oregon Intersection Safety Implementation Plan (2012)
  - Oregon Bicycle and Pedestrian Safety Implementation Plan (2014)
  - 2015 Oregon Standard Specifications for Construction, Oregon Standard Drawing and Oregon Standard Details
- City and County (as applicable)
  - TSPs
  - Area Plans
  - Comprehensive Plans
  - Land Use Code
  - Roadway Design Standards
  - Parks Master Plan
  - Urban Renewal Plan
  - Trails Plan
  - Capital Improvement Program
  - SDC Ordinance
  - Safe Routes to School
  - Wilco Road Corridor Conceptual Plans
  - Other Documents Relevant to the TSP Update

Task 2.2 - Background Data

Annotated TSP. City will prepare and provide to Kittelson an Annotated TSP, a version of the 2004 TSP that identifies pertinent local changes which have occurred since 2004 completed and includes updated system inventories and areas of traffic constraints. As needed, the City will provide maps identifying updated system inventory, including bicycle lanes, sidewalks, roadway travel lanes for all collectors and arterials.

GIS Data Files. City will provide to Kittelson GIS data files for use in developing data for traffic analysis zone (TAZ) using the boundaries identified in the 2004 TSP: wetlands, slopes and unstable ground, riparian corridors and buffers, parcel data including comprehensive plan designations, zoning, improvement and land values, vacant land use survey, and aerial photos.

Funding History. City will provide data regarding transportation funding programs, historical revenue streams, and projected future revenues.

Traffic Counts. Kittelson will obtain 16-hour traffic counts from ODOT and Marion County for use in the TSP Update. We will obtain weekday pm peak period intersection counts for local intersections; the need for longer counts at local intersections will be determined in collaboration with the City and Marion County based primarily on proximity to public schools and other traffic generators.

The preliminary intersections to be included are:

- Golf Club Rd at Sublimity Rd/W bound OR 22
- Golf Club Rd at E bound OR 22
- Golf Club Rd at Mill Creek Rd
- Golf Club Rd/Wilco Rd at Shaff Rd
- Wilco Rd at W Washington St/Ida St
- Shaff Rd at Gardner Rd/Stayton Middle School
- W Washington St at Gardner Rd
- Cascade Hwy at Sublimity Blvd/W bound OR 22
- Cascade Hwy at E bound OR 22
- Cascade Hwy at Whitney St
- Cascade Hwy/N First Ave at Shaff Rd/Fern Ridge Rd
- N First Ave at Regis St
- N First Ave at Hollister St
- N First Ave at Locust St
- N First Ave at Washington St
- N First Ave at Ida St
- Fern Ridge Rd at N Third Ave
- N Third Ave at E Ida St
- Fern Ridge Rd at N Tenth Ave
- N Tenth Ave at E Santiam St
- Fern Ridge Rd at OR 22
- E Santiam St at OR 22

2.3 - Draft Technical Memorandum #1: Plans & Policy

Kittelson will prepare draft Technical Memorandum #1: Plans & Policy, a review of background documents to provide the baseline of existing plans, policies, stan-

dards, rules, regulations, and other applicable documents pertaining to the TSP Update. Draft Technical Memorandum #1 must summarize the applicability of any background documents to the update.

Draft Technical Memorandum #1 will include:

- An audit of the City's Development Ordinance for compliance with the TPR and recommendations that will inform work in later tasks
- Description of the existing and projected land uses at 5-year, 10-year, and 20-year increments within the UGB, based on information and maps provided by the City
- Summary of the environmental and social impacts, as required by regulatory agencies, and those accepted in practice for master planning

2.4 - Analysis Methodology & Assumptions Memorandum

Kittelson will prepare a draft and revised Analysis Methodology & Assumptions Memorandum for existing conditions, future conditions, and alternatives traffic analysis to the ODOT Transportation Planning Analysis Unit (TPAU), ODOT Region 2 Traffic, Marion County, and PMT for review and comment. We will obtain approval of the revised traffic analysis methodology from TPAU, ODOT Region 2 Traffic, Marion County, and PMT prior to beginning the traffic analysis.

2.5 - Draft Technical Memorandum #2: Goals, Objectives & Evaluation Criteria

Kittelson will prepare the draft Technical Memorandum #2: Goals, Objective & Evaluation Criteria to establish goals, objectives, and evaluation criteria for later use in setting policy and selecting preferred alternatives. We will review existing transportation policies and compare them with the TSP Update goals and outcomes. Kittelson will highlight any policy revisions that may be necessary to be consistent with the draft TSP Update goals and objectives for consideration by the City and PAC, and are consistent with the community's goals.

2.6 - Final Technical Memorandum #1

Kittelson will revise draft Technical Memorandum #1, incorporating consolidated comments from the PMT.

2.7 - Revised Technical Memorandum #2

Kittelson will revise draft Technical Memorandum #2, incorporating consolidated comments from the PMT.

Task 2 Consultant Deliverables

2A. Draft Technical Memorandum #1
2B. Analysis Methodology and Assumptions Memorandum
2C. Draft Technical Memorandum #2
2D. Final Technical Memorandum #1
2E. Revised Technical Memorandum #2
2F. Traffic Counts not provided by ODOT and Marion County

Task 2 City Deliverables

2A Background Documents
2B Background Data - Annotated TSP, GIS Files, Funding History
2C Review and Comments on Draft Technical Memorandums #1 and #2

TASK 3 – EXISTING & FUTURE CONDITIONS

City's Desired Task Objectives and Outcomes:

- *An updated examination of existing land uses to identify current development patterns that influence the use of today's transportation system and lay the foundation for future community growth.*
- *An updated analysis of the existing transportation system including an inventory and evaluation to identify opportunities and constraints and to provide the basis for developing transportation improvement recommendations.*
- *Updated future projections.*

Kittelson will complete an update of the analysis of current travel conditions, future demand, capacity, deficiencies, and transportation needs of the TSP Update area and begin a two-way exchange of information between Kittelson and the community.

Task 3.1 - Technical Memorandum #3: Existing Conditions

Kittelson will prepare Technical Memorandum #3: Existing Conditions that analyzes existing traffic conditions consistent with the draft 2018 TSP Guidelines. Additionally, we shall coordinate with the City, Marion County, and ODOT to project and analyze future traffic patterns consistent with the TSP Guidelines and ODOT's Analysis Procedures Manual.

Kittelson shall complete the following actions to prepare Technical Memorandum #3:

Existing Conditions:

- Coordinate with the City to develop TAZ Existing Conditions data tables, population and employment tables for the base year, which follows the TAZ boundaries in the 2004 TSP, if available.
- Use 2010 Census Data, 2015 American Community Survey data, and GIS data provided by the City regarding existing development to build the data tables.
- Prepare an Existing Conditions volume-to-capacity analysis of the roadways and intersections.
- Research and analyze the transportation systems including the inventory and known problems, as well as crash history, queuing analysis, and system inadequacies. All analysis shall be in compliance with the ODOT Analysis Procedures Manual.
- Evaluate bicycle and pedestrian qualitative multimodal level of service methodology for off-road facilities and for collector and higher roadways based on the inventory provided by City.
- Provide a review of public transportation, air transportation, pipeline transportation, and water transportation facilities serving Stayton.

Crash Analysis:

- Obtain the most recent available five years of crash data from ODOT's Crash Analysis and Reporting Unit for study segments and intersections in the TSP Update area.
- Assemble an inventory and identify crash patterns in the history of collisions on the transportation system among all users (for example, trucks, autos, pedestrians, and bicyclists). The inventory must include the following:
  - Location
  - Crash Type & Characteristics
  - Severity (property damage, injury, or fatality)
  - Summary Review of Pedestrian & Bicycle Crashes
  - Summary Review of Fatal Crashes
- Calculate study intersection crash rates. Intersection crash rates must be compared to critical crash rates based on the method outlined the *Highway Safety Manual,* Part B. If a critical crash rate cannot be calculated due to not enough intersections of a certain type to meet the reference population requirements, then the intersection crash rate shall be compared to the published statewide average and the 90th percentile rates in Table 4-1 of ODOT's Analysis Procedure Manual. Project-area K-factors from 12+ hour counts must be used to convert short duration counts to daily traffic approach volumes. Kittelson will calculate the crash rate of study segments and compare to Table II in the statewide Crash Rate Book to identify study segments with more crashes than other similar facilities in Oregon.
- Identify and present crash patterns and potential projects, policies, or studies at intersections that exceed the statewide crash rate performance threshold for all areas that exceed the critical crash rate, statewide average rate, 90th percentile rate, or the Table II rate. Kittelson will use Crash Reduction Factors from the All Road Transportation Safety (ARTS) listing/appendix as an initial set of countermeasures. If the desired countermeasure is not listed in ARTS, then Crash Modification Factors from the Highway Safety Manual or Federal Highway Administration's on-line Crash Modification Factor Clearinghouse with a star rating of 3 or better for summarizing the potential crash reduction of each improvement shall be used. All crash modification factors must have consistent volumes and parameters with the TSP analysis. Summary crash data, including crash rates must be documented.

Environmental Justice Analysis:

- Identify socio-economically sensitive populations within the city using 2010 Census data. The Environmental Justice mapping is for meeting the City's needs and avoiding undue adverse impacts when examining future projects and needs. The map must consist of brief text identifying the locations of the following socio-economically sensitive populations:
  - Minority Groups (all persons who did not self-identify as white, non-Hispanic)
  - Low-Income (persons who earned between 0 and 1.99 times the federal Poverty Level in 1999)
  - Elderly Persons (persons 65 years of age or older in 2010)
  - Youth (persons 16 years of age or younger in 2010)
  - Non-English Speakers (people who stated that they didn't speak any English at all in 2010)
  - People with Disabilities (all persons 5 years or older with any type of disability: sensory, physical, mental, self-care, go-outside-the-home or employment)

Future Needs Analysis:

- Coordinate with the City to develop population and employment tables for the forecast year (2040) following TAZ boundaries in the 2004 TSP. Kittelson will use the existing land use/demographic and Census data prepared as a basis for defining the probable locations of development from which to build the forecast year (2040) data tables.
- Coordinate future population and employment allocations to confirm the allocations are consistent with the Portland State University population projections, City's acknowledged Comprehensive Plan, and the City's expectations regarding probable locations and intensity of development.
- Coordinate with the City to develop the base network, including motor vehicle, bicycle, and pedestrian facilities. It is expected that base network will be comprised of the existing transportation system plus projects for which funds are committed and also projects from 2004 TSP that can be reasonably expected to be built before the forecast year.
- Update the forecast year (2040) projections using an ODOT Level 2 methodology (developing a regional background growth rate and projected growth from development but without the use of an origin and destination study or travel demand model) and the TAZ data tables and counts.
- Prepare volume-to-capacity analysis of the base network roadways in the forecast year (2040).

All analysis shall be in compliance with the ODOT Analysis Procedures Manual. Kittelson will coordinate with City as necessary to verify an acceptable product.

Funding Review:

- Using the funding history, Kittelson will analyze existing funding that reviews local, county, and state funds expended for transportation facilities and services, capital projects and maintenance, over the last 15 years within the TSP Update area. Analysis must identify flexible and restricted funds and their usage. Expenditures must be converted to base-year dollars.
- Prepare revenue forecast, an analysis of future local, county, and state funding for the short- (2020), medium- (2025), and long-term (2040) planning horizons. Analysis shall build upon analysis of existing funding and use an average of the non-restricted funds to develop state funding levels consistent with the 2006 OTP investment scenario levels and the 2017 Transportation Package.

Task 3.2 - Revised Technical Memorandum #3

Kittelson will revise draft Technical Memorandum #3, incorporating consolidated comments from the PMT.

Task 3.3 - Open House #1

Kittelson will prepare an in-person and on-line public open house to solicit input from the community on the goals, objectives and evaluation criteria, and the existing and future conditions. The on-line open house will include the same information and opportunities for providing input as the in-person open house and remain open for one week. Kittelson will summarize comments received for discussion with the PMT and work with the PMT to determine what to incorporate into the final memorandums.

Task 3.4 - Final Technical Memorandum #2 and Technical Memorandum #3

After meeting with and receiving feedback from the TAC, PAC, and Open House #1, Kittelson will revise Technical Memorandums #2 and #3.

Task 3 Consultant Deliverables

3A. Draft Technical Memorandum #3
3B. Revised Technical Memorandum #3
3C. Open House #1
3D. Final Technical Memorandum #2
3E. Final Technical Memorandum #3

Task 3 City Deliverables

3A. Review and Comments on Technical Memorandum #3
3B. Open House #1 Participation

TASK 4 – SYSTEM ALTERNATIVES

City's Desired Task Objectives and Outcomes: *Development and evaluation of alternatives and an assessment of options for improving the transportation system to accommodate anticipated traffic growth.*

Task 4.1 - Develop & Evaluate System Alternatives

To develop and evaluate system alternative, Kittelson will:

- Develop alternatives to address deficiencies in the transportation system and to accommodate anticipated traffic growth.
- Evaluate alternatives against project objectives. A preferred alternative should be identified based

on evaluation of proposed alternatives that carry out the TSP Update goals and objectives and state requirements.

- Prepare Technical Memorandum #4, which identifies potential future improvements and evaluation of system alternatives consistent with the TSP Guidelines. Where multiple solutions are possible to address a deficiency or need, show alternative solutions.
- Recommend the preferred solutions for the following two scenarios:
  - *Preferred Plan:* Improvements and strategies to meet all identified needs consistent with the TPR requirements
  - *Financially Constrained Plan:* Improvements and strategies to optimize system operations while constrained by funding identified in revenue forecast

The financially constrained plan shall be based on current and historic transportation funding information in Technical Memorandum #4 and consistent with the TSP Guidelines. All projects must be identified as short- (1-5 years), medium- (6-10 years) or long-term (10-20 years) projects. Kittelson will review the 2004 TSP and determine which of those projects are still appropriate to meet identified needs and that those projects will have a higher priority.

Technical Memorandum #4 must include description of alternatives, the evaluation process, evaluation summary, potential impacts, and planning-level cost estimates for the proposed improvements.

Task 4.2 Revised Technical Memorandum #4

Kittelson will revise draft Technical Memorandum #4, incorporating consolidated comments from the PMT.

Task 4.3 - Open House #2

Kittelson will prepare an in-person and on-line public open house to solicit input from the community on the alternatives analysis evaluation and the proposed financially constrained and preferred alternatives. The on-line open house will include the same information and opportunities for providing input as the in-person open house and remain open for one week. Kittelson will summarize comments received for discussion with the PMT and work with the PMT to determine what to incorporate into the final memorandums.

Task 4.4 Final Technical Memorandum #4

After meeting with and receiving feedback from the TAC, PAC, and Open House #2, Kittelson will revise Technical Memorandum #4.

Task 4.5 Joint Work Session #1

Kittelson will prepare for and attend a joint work session with the Planning Commission and City Council to provide them an overview of the TSP Update and solicit input on the goals and objectives, needs analysis, alternatives analysis, and draft preferred and financially constrained scenarios. Feedback from the Planning Commission and City Council will be used to produce the draft TSP Update.

Bottom Up Public Engagement Process

Task 4 Consultant Deliverables

4A Draft Technical Memorandum #4
4B Revised Technical Memorandum #4
4C Open House #2
4D Final Technical Memorandum #4
4E Joint Work Session #1

Task 4 City Deliverables

4A Review and Comments on Technical Memorandum #4
4B Open House #2 Participation
4C Joint Work Session Participation

TASK 5 - TSP PREPARATION AND IMPLEMENTATION ORDINANCES

City's Desired Task Objectives and Outcomes:

- *Recommend changes to existing transportation goals and policies, and transportation system ele-*

ments that will improve the transportation system and meet the transportation needs of the community for the next 20 years.

- *TSP Update that explains how the list of transportation improvement projects will be funded so the transportation improvement projects can be built.*

Task 5.1 – Draft TSP Update & Implementing Ordinances

Kittelson will prepare the TSP Update by incorporating earlier technical memorandums and including the following additional elements: capital improvement plan, a transportation financing plan, executive summary, and implementing ordinances. The TSP Update will be concise in nature and include all the requirements of the TPR and the TSP Guidelines. See TSP Format on page 18 for additional information on the TSP Update outline and format.

Capital Improvement Plan. Kittelson will develop a detailed capital improvement plan for the preferred alternative. The capital improvement plan will show the recommended short- (1-5 years), mid- (6-10 years), and long-range (11-20 years) projects through the forecast year (2040); differentiate projects which are necessary due to current problems and those that are required in anticipation of future growth; list all the criteria for ranking the projects and prioritize accordingly; provide separate detailed maps for each of the recommended short and mid-range projects depicting the location of the project, a quick summary of the project, and the estimated project cost.

Transportation Financing Plan. Kittelson will review and develop the cost and financing components of a preferred alternative. The transportation financing plan will build upon the financial analysis and identify preferred alternative funding gaps; recommend strategies to increase local funding for facilities and services; and recommend changes to local level of service standards as appropriate. The financing program shall identify estimated costs for each of the transportation system improvements identified in the preferred alternative. A percentage of the cost will be assigned for each improvement that is the result of existing deficiencies and that which is due to growth in demand.

Executive Summary. Kittelson will provide an executive summary, which is an independent document that summarizes the findings, assumptions, and recommendations of the TSP Update in simple, direct, and concise language.

Implementing Ordinances – APG will develop revisions to the Stayton Municipal Code, Public Works Design Standards, and other City policy documents necessary to implement an updated TSP. These revision will serve as a blueprint or master plan to guide transportation decisions to address short- and long-term needs over the next 20 years.

A. **Policy, Code, and Ordinance Revisions.** APG will prepare code amendments and policy memorandum, a review of regional and local documents, including the City of Stayton Comprehensive Plan, Land Use Development Code, and the Public Works Design Standards. Existing City street and access management standards will be reviewed as part of this task. Other documents to be reviewed include any adopted regional TSPs, any relevant transportation planning reports/documents, system plans, traffic studies, policies, and any other land use policies and regulations that guide the relationship between land use and transportation facilities.
B. **Draft Implementation Matrix.** APG will prepare a draft implementation matrix as part of the memorandum that identifies inconsistencies and missing language in the City of Stayton Comprehensive Plan, 2004 TSP, and Stayton Municipal Code necessary to comply with the TPR, OHP, and OTP. The draft implementation matrix must include an outline of applicable State of Oregon requirements with relevant sections of the City of Stayton Comprehensive Plan, 2004 TSP, and Stayton Municipal Code.

Task 5.2 - Revised TSP & Implementing Ordinances Memorandum

Based on input from the PMT, Kittelson will revise the draft TSP Update and implementing ordinances for sharing with the TAC, PAC, Planning Commission, and City Council.

Task 5.3 - Joint Work Session #2

Kittelson will prepare for and attend a joint work session with the Planning Commission and City Council to provide them an overview of the TSP Update and solicit input on the goals and objectives, needs analysis, alternatives analysis, draft preferred and financially constrained scenarios, and implementing ordinances.

Task 5.4 - Adoption Draft TSP Update

Based on input from the TAC, PAC, Planning Commission and City Council, Kittelson will prepare an adoption draft TSP Update and implementing ordinances.

Task 5.5 - Planning Commission Hearing

Kittelson will prepare for and attend a public hearing on the draft TSP Update and implementing ordinances. The City is responsible for public notice, Department of Land Conservation & Development (DLCD) notice, and preparing findings.

Task 5.6 City Council Hearing

Kittelson will prepare for and attend a public hearing on the draft TSP Update and implementing ordinances. The City is responsible for public notice, DLCD notice, and preparing findings.

Task 5.7 Final TSP Update

Kittelson will make any recommended edits to the TSP from the adoption process and provide the City with final documents. The final TSP Update documents shall be submitted in electronic format and freely reproduced by the City. The final TSP Update shall be printed on 8-1/2"x11" paper. Charts, graphs, figures, data, digital photographs and exhibits will be presented in the reports on 11"x17" paper, if necessary. See TSP format for additional details on the electronic and hard copy deliverables.

Task 5 Consultant Deliverables

5A. Draft TSP Update and Implementing Ordinances Memorandum
5B. Revised TSP Update and Implementing Ordinances Memorandum
5C. Joint Work Session #2
5D. Adoption Draft TSP Update and Implementing Ordinances
5E. Planning Commission Hearing
5F. City Council Hearing
5G. Final TSP Update

Task 5 City Deliverables

5A. Draft TSP Update and Implementing Ordinances Memorandum Review Comments
5B. Joint Work Session #2 Participation
5C. Planning Commission Hearing Participation
5D. City Council Hearing Participation

2. PROJECT SCHEDULE

Figure 4 outlines a project schedule that identifies the approximate timeline for each task. This schedule includes review times, project meetings, and total consultant hours by task. Table 2 shows our estimated staff hours per task are provided below:

3. SUB-CONSULTANTS

Oregon's land use framework places a premium on implementing plans through adopting specific goals, policies, and measures in the local comprehensive plan, with further details included in the development code. Planners with APG have experience auditing and updating plans and development codes to implement TSPs and smart-development principles based on integrating transportation and land use planning. APG prepares major plan amendments and findings that are integrated and consistent with the local comprehensive plan; simple, clear and concise, supported by a strong factual base; and compliant with local, regional, and state criteria and procedures for major plan amendments.

APG staff has worked with over 50 jurisdictions throughout Oregon updating their TSPs. Their involvement has included policy and implementation elements, and leading the following tasks:

- Reviewing applicable federal, state, and local plans and policies including comprehensive and statewide plans
- Developing code audits to determine how existing codes comply with the TSP and other policy requirements
- Preparing implementing language and code amendments consistent with the TSP and to meet TPR requirements
- Participating in public involvement and meeting facilitation
- Supporting TSP adoption, including drafting supportive findings

APG has been involved with TSP updates for several Mid-Willamette Valley jurisdictions including Linn County, Lane County, and the cities of Kaizer, Monmouth, Coburg and Cottage Grove.

SUBCONSULTANT KEY STAFF

The following planning professionals will support the TSP Update planning process.

Darci Rudzinski, AICP / Land use/Policy/ Code Lead

Education	Master of Urban Planning, University of Kansas
Certificate	American Institute of Certified Planners

Darci will be the land use planning, code, and policy lead. She will help craft policy language and develop-

Figure 4 - Schedule

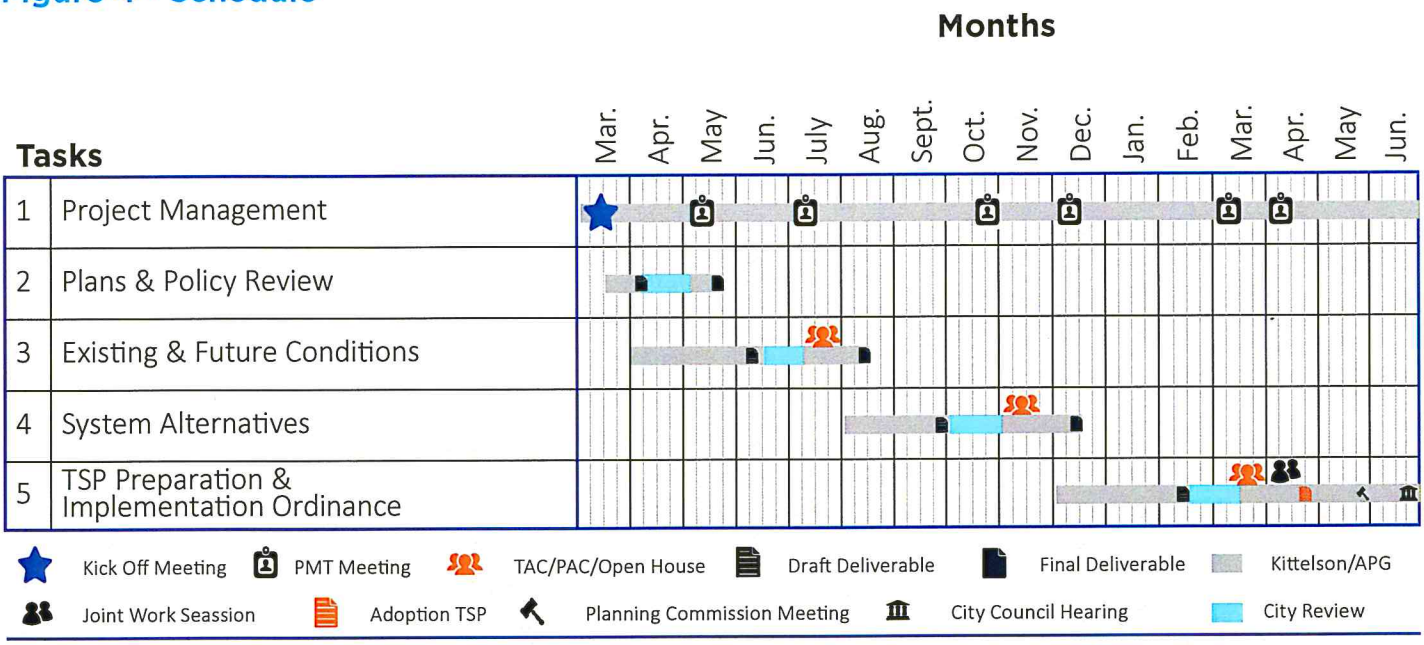


Table 2 - Hours Per Task

TASKS	Marc Butorac (Senior Principal Engineer)	Susan Wright (Associate Engineer)	Pat Marnell (Senior Engineer)	Bryan Graveline (Transportation Analyst)	Nick Gross (Planner)	GIS Analyst	Graphic Designer/Website	Darci Rudzinski (Angelo Planning Group, Project	Andrew Parrish (Angelo Planning Group, Planner)	Subtask/ Task Hours
	STAFF HOURS									
Task 1. Project Management		72		73	8		2	38	4	197
Task 2. Plans & Policy Review	1	11	2	35		4		16	50	119
Task 3. Existing & Future Conditions	1	31	13	156	12	34	4	10	60	321
Task 4. System Alternatives	2	41	16	133	12	26	4	14	32	280
Task 5. Preparation & Implementing Ordinances	2	46		102		8	7	13	48	226
TOTAL HOURS	6	201	31	499	32	72	17	91	194	1,143

ment requirements that reflect local transportation goals and objectives; maintain consistency with regional and state requirements; and identify implementable projects. Her strong understanding of land use regulations and policies will help develop alternatives that accommodate multiple needs and requirements.

Darci is an urban planner with a diverse background that includes land use planning, economic development, community revitalization, and policy development. Her experience has been gained through working with jurisdictions throughout Oregon to develop or update TSPs and facility plans and the local requirements that implement them. She has assisted over 30 Oregon jurisdictions with their TSPs, comprehensive plans and code updates, public facility plans, economic opportunity analyses, and periodic review programs to comply with state rules and statutes. She worked with Kittelson on the Jackson County Transportation System Plan and is providing her expertise on the ODOT Transportation System Plan Guidelines.

Recently, Darci led an effort for ODOT Region 2 to develop new guidelines for involving disadvantaged (Title VI) populations in local transportation planning processes and has helped map and plan for these populations as part of several transportation planning projects. She also lead revisions to the Oregon Highway Plan Policy 1F (Highway Mobility Policy).

References

- **City of Gladstone TSP Update;** Jim Whynot, Director, City of Gladstone / P. 503-656-7957 / E. PWoffice@ci-gladstone.or.us
- **Gearhart TSP;** Carole Connel, City Planner, City of Gearheart / P. 503-738-5501 / E. connellpc@comcast.net
- **City of The Dalles TSP Update;** Steve Harris, AICP, Planning Director / P. 541-296-5481 #1151 / E. sharris@ci.the-dalles.or.us

Andrew Parish, AICP / Land Use Planner

Education	Master of Urban and Regional Planning, Portland State University
Certificates	American Institute of Certified Planners

Andrew works on long-range planning, code development, and creating web-based solutions for planning projects. He is a planner with a skill set that combines technical analysis with dynamic written and visual communication. His technical expertise includes GIS and visual tools, such as Adobe Creative Suite, which he skillfully uses to create compelling, data-driven visuals for varied audiences. His experience includes assisting several Oregon communities for buildable lands inventories, housing strategy reports, transportation system updates, code audits, and site suitability analyses. For several TSPs, Andrew has evaluated policies, wrote codes, conducted GIS analysis, and created graphics.

SUBCONSULTANT COST

The estimated cost for APG is provided in the separate sealed cost-estimated submitted with this proposal.

4. CITY ROLE/DELIVERABLES

Descriptions of the City's roles and deliverables are included in the work plan described above. Key items include forming the PAC, providing meeting venues, providing timely review and comment on draft deliverables, and participating in meetings.

5. CONSULTANT DELIVERABLES

Descriptions of the TSP Update deliverables are included in the work plan, described above.

Computer software to be used for the TSP Update includes:

- Microsoft Office 356 (Word, Excel, Power Point)
- Synchro 10, Versions 7, 8, 9 & 10
- ArcGIS 10.5.1 & ArcGIS Pro 2.0
- AutoCAD 2015
- Adobe Creative Suite 2018 (InDesign, Photoshop, Illustrator)
- SketchUp Pro 2018

6. COORDINATION WITH CITY STAFF

Coordination with City staff will occur through:

- Regular communication via e-mail and phone calls between Susan and the City's project manager
- Periodic PMT meetings, strategically scheduled to discuss review comments on draft deliverables, review TAC and PAC meeting agendas, and strategizing public involvement event approaches
- City review of draft technical memorandums and draft TSP Update prior to distribution to the TAC and PAC that uses the following review process.
    - **Kittelson Provides Draft Documents to City.** Kittelson will provide draft technical memorandums and draft TSP Update to the City five weeks in advance of TAC and PAC meetings in which the deliverables will be reviewed.

- **City Review Comments.** The City's project manager will gather all City staff comments and resolve any contradicting comments prior to providing comments to Kittelson within three weeks of receiving the draft. If there are contradictions that need to be discussed, then a teleconference with the appropriate team member and City staff can be scheduled to determine the agreed upon way forward.
- **Finalize Deliverables.** Susan will work with the City to address all City staff comments. If there are comments that require additional discussion, then she will coordinate with the City to determine the best approach to address the specific comment. A redline version and clean version that addresses all comments will be delivered to the City within one week of receiving all non-conflicting comments. The clean version will be distributed to the TAC and PAC one week before their scheduled meeting.

This process results in technically sound, compliant deliverables. The ongoing nature of review activities integrates quality into every product from the start.

7. TSP FORMAT

Kittelson will prepare the draft TSP Update incorporating earlier technical memorandums and the additional comments received. The draft TSP Update will be concise in nature and include:

- Maps showing each updated future network and a comprehensive map showing all networks
- Prioritized list of multimodal projects
- Roadway cross-section and operational standards
- Access spacing standards

The draft TSP Update will include a stand-alone executive summary. The full TSP Update will summarize the following in either the report body or appendix:

I. Transportation System Summary
   - Inventory of entire transportation system for all modes of travel.

II. Transportation Goals, Plans & Policies
   - Survey of state, regional, and local plans, policies, rules, and regulations.
   - Goals and objectives supporting the community's vision.
   - A discrete, actionable set of policies which capture the opportunities and strategies supporting the TSP Update and otherwise reflect the intent of Goal 12, "to provide and encourage a safe, convenient, and economical transportation system."

III. Existing Conditions
   - Analysis of existing traffic conditions for all modes of travel: volumes, level-of-service, turning movements, mobility, and safety for all through streets and intersections. Areas of significant stacking (including at commercial driveways) or traffic safety concerns.

IV. Future Demand & Land Use
   - Existing and future land uses to estimate traffic generation in the community, as well as future through traffic (Trip distribution, including estimates of trip ends per land use type).

V. Safety Plan
   - A safety plan that aligns with current goals in the Oregon Transportation Safety Action Plan and identifies cost-effective opportunities to obtain Highway Safety Improvement Program funding to reduce fatal and serious injury crashes through the ODOT ARTS Program.

VI. Pedestrian Plan
   - A pedestrian plan aligned with current intermodal policy goals.
   - Examination and analysis of existing facilities. Recommendations for improvements and design standards. Focus on safety and gaps in the pedestrian network. Special emphasis must be placed on connectivity among primary pedestrian facilities and intermodal linkages.
   - Comprehensive and prioritized list of improvements, including itemized planning-level cost estimates.

VII. Bicycle Plan
   - A bicycle plan aligned with current intermodal policy goals.
   - Examination and analysis of existing facilities. Recommendations for improvements and design standards. Focus on safety and gaps in the bicycle network.
   - Comprehensive and prioritized list of improvements, including itemized planning-level cost estimates.

VIII. Transit Plan
   - Examination and analysis of existing facilities. Recommendations for improvements and design standards. Focus on safety, gaps in the system and intermodal linkages with the pedestrian and bicycle networks.

- Comprehensive and prioritized list of improvements, including itemized planning-level cost estimates. Analysis and recommended improvements must reflect current intermodal policy goals.

IX. Motor Vehicle Plan (including Transportation System Management and Truck Freight Plan)
- Proposed changes and improvements to best accommodate vehicle traffic within the existing constraints and long-term vision of the City.
- Focus on impacts to businesses.
- Potential to add pedestrian improvements.
- Comprehensive and prioritized list of improvements, including itemized planning-level cost estimates.

X. Pipeline Plan
- Survey of pipelines.

XI. Funding & Implementation
- Examination of historic funding sources and potential future funding sources.
- Capital Improvement Plan.
- Transportation Financing Plan.

The final adopted TSP Update will be provided to the City in the following formats:

- Thumb drive in high-resolution PDF format as well as lower-resolution, if needed, for easy web accessibility
- Two spiral bound paper copies
- Six paper copies in three-ring binders
- Word format for future edits along with original format versions of figures in ArcGIS 10.5 and/or AutoCAD (Civil3D 2016), as applicable
- Excel spreadsheets of the project list and cost estimates, including unit cost information that can be updated by the City over time

8. RFP PROPOSAL REQUIREMENTS

All RFP items have been covered in this proposal.

ADDITIONAL SUPPORTING INFORMATION

Kittelson develops thoughtful and creative transportation solutions that apply directly to real-world problems, improving the performance of all transportation systems.

REFERENCES

Working with communities throughout Oregon, including Stayton, the KAI/APG team has completed TSPs with substantial bicycle and pedestrian elements, strategies that integrate land use and transportation to support community development, safety and operational evaluations, project prioritization, and funding options. We can make sure the TSP Update is compliant with the Transportation Planning Rule, Oregon Highway Plan, and other applicable regulations, and assist in establishing a safe, multimodal transportation system.

The following reference describes our ability to carry out a collaborative, engaging planning process, address changes in transportation planning since 2004, and provide the policy framework to navigate the dynamic funding and regulatory environment, while being responsive to the community. Table 3 illustrates the relevancy of the listed references.

Table 3 - Relevancy of References

Susan managed all of the following projects.

Staff	Skills: TSPs	Project Management	Fiscally Constrained Plans	Incorporate Planning Documents	Transit Planning	Parking Studies	Bicycle & Pedestrian Facilities Planning & Design	Website Development & Maintenance	Public Involvement	Policy	Land Use	Funding
Jackson County TSP	●	●	●	●			●	●	●	●	●	●
Multnomah County TSP	●	●	●	●			●		●	●	●	●
West Linn TSP	●	●		●	●	●	●	●	●	●	●	●
The Dalles TSP	●	●		●	●	●	●	●	●	●	●	●

Multnomah County Transportation System Plan / *Team Members - Marc, Susan*

The updated TSP guides how Multnomah County's entire rural transportation system will evolve and develop for the next 20 years; includes transportation policies and priorities for projects and programs; a vision for implementing longer term projects, if additional funding becomes available; and informs local citizens about the projects that will be implemented.

Kittelson managed the Multnomah County TSP update in tandem with the Multnomah County Comprehensive Plan update, led by APG. Prior to this TSP, the comprehensive plan was supported by five separate TSPs for different rural areas in the county. The planning process addressed issues to reduce modal conflicts; enhance safety for all users; manage travel demand; increase traffic and safety issues, while maintaining rural character; reduce traffic pressure on county roads; bicycle infrastructure; road maintenance; health and equity; water transport; and wildlife crossings. The team prepared a series of technical memorandums, met with the Comprehensive Plan Community Advisory Committee, Transportation Subcommittee, Bicycle and Pedestrian Advisory Committee, stakeholders, and conducted public workshops.

- *Outcome:* Project adopted
- *Schedule & Budget Performance:* Completed on time and on budget

Joanna Valencia, Transportation Planning Manager / Multnomah County, 501 SE Hawthorne Boulevard, Portland, OR 97214 / P. 503-988-02109 / F. 503-209-4111 / E. joanna.valencia.multco.us

Jackson County Transportation System Plan Update / *Team Members - Susan, Darci*

ID: R54 — Table Rock Road Widening

Description: Widen Table Rock Road from the Bear Creek Greenway to Airport Road to a 3-lane urban minor arterial and from Airport Road to Biddle Road to a 5-lane urban minor arterial. The full project cost is $7,885,000 for which the County currently has $7,660,000 available.

Functional Classification: Urban Minor Arterial — **Freight Route Designation:** Yes (County)

Bicycle Route Designation: County Bikeway/Enhanced Bikeway — **Transit Route Designation:** No

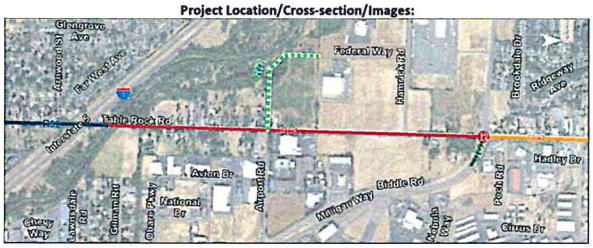
Timeframe: Tier 1 (Near-term) — **Potential Funding Sources:** STP; SDC; Road Fund, Federal Grant Funds; CMAQ; HSIP; ARTS; STIP (Fix-it and Enhance); TGM; EID; Local Bond Measure; Fuel Tax/Registration Fee; Medford, Central Point

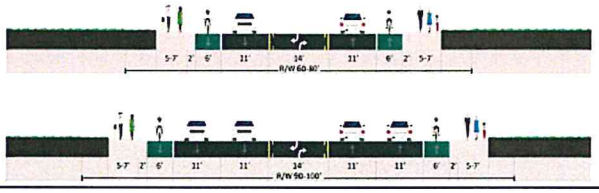
Roadway Cost: $N/A — **Shoulder/Bicycle Lane/Sidewalk Cost:** $N/A — **Total Cost:** $225,000

Project Partners: City of Medford; City of Central Point, ODOT; Property Owners — **Related Projects:** R93, R76, I2, U29, U27

Project Goals: Livability: Meets — Modal Component: Meets — Integration: Somewhat Meets

Project Location/Cross-section/Images:





Kittelson helped Jackson County update their TSP in collaboration with ODOT, Rogue Valley Council of Governments, and local agencies. The plan will help Jackson County maintain a safe multimodal transportation system that meets diverse transportation needs, while minimizing adverse impacts to the environment and quality of life over the next 20 years.

The update addresses significant changes that occurred since the last TSP was adopted including the adopted Rogue Valley Metropolitan Planning Organization Regional Transportation Plan, formation of the new Middle Rogue Metropolitan Planning Organization, adoption of multiple interchange area management plans, planning for a Highway 62 by-pass, completion of the Bear Creek Greenway, and advancement of plans for the Rogue River Greenway.

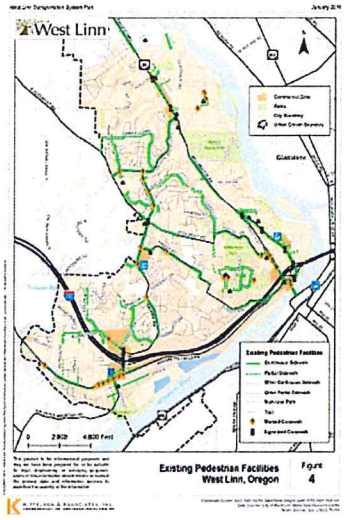
The planning process addressed changes in Jackson County practices with roadways in rural and incorporated areas. The update includes a freight route map, bikeway network plan; design toolkit for bicycle and pedestrian facilities; and a prioritized list of improvements. The list is prioritized into three tiers, Tier 1 financially constrained projects list, reserves for match funds, Tier 2 projects if additional funds become available, and Tier 3 for projects not likely to be funded.

- *Outcome:* The Jackson County TSP Update was approved by the Planning Commission and adopted by the County Board of Commissioners in February 2017
- *Schedule & Budget Performance:* Completed on time and on budget

Mike Kuntz, PE, County Engineer / Jackson County, 200 Antelope Road, White City, OR 97503 / P. 541-774-6228 / F. 541-774-6295 / E. KuntzM@jacksoncounty.org

West Linn Transportation System Plan / *Team Members - Susan*

The City of West Linn is a thriving and unique community with an active and engaged citizenry. The city is made up of multiple neighborhoods and small centers that are separated by significant topographic and environmental features, making a well-connected and multimodal transportation system very challenging.



In 2008 the City of West Linn adopted their first TSP to address growth in the city and the surrounding communities and changes to the state highway facility plans. Since 2008, there have been further regulatory changes and the need to create a TSP that:

- Reflects Community Vision
- Enhances Commercial Centers
- Identifies Community Priorities
- Complies with the Metro Regional Transportation Functional Plan
- Creates Transportation Demand Management
- Provides Transit Oriented Development Strategies

Kittelson led efforts to update the West Linn TSP in 2016, which addresses regulatory changes and projects in a 20-year horizon for transportation planning.

The 2016 TSP is the transportation element of the West Linn Comprehensive Plan and includes long-range planning for improving the multimodal transportation system.

Preparing the plan involved evaluating existing and projected future traffic conditions along the pedestrian, bicycle, transit, motor vehicle, and other major transit systems in the city. Kittelson identified transportation system improvements for each system and conducted an evaluation of bicycle level-of-traffic-stress along several major corridors throughout the city and along several parallel routes to identify opportunities to improve travel conditions for bicyclists.

Working closely with City of West Linn staff and the community, Kittelson recommended several improvements to the bicycle network including shared street treatments, on-street bicycle lane treatments, separated bicycle facility treatments, and off-street treatments, such as bicycle parking and wayfinding signs.

- *Outcome:* Project adopted
- *Schedule & Budget Performance:* Completed on time and on budget

Lance Calvert, Public Works Director & City Engineer / City of West Linn, 22500 Salamo Road, West Linn, OR 97068 / P. 503-657-0331 / F. 503-656-8756 / E. lcalvert@westlinnoregon.gove

The Dalles Transportation System Plan / *Team Members - Susan, Darci*

Kittelson and APG prepared The Dalles Transportation System Plan Update. Initiated in 2015, this project provides a comprehensive update to the TSP adopted in 1999 by The Dalles.

The new TSP incorporates 850 acres of residential and industrial land annexed by The Dalles since 2005 and reflects changes in land development patterns at the Port of The Dalles and the Columbia Gorge Industrial Park, as well as current and projected future development patterns. In addition to providing a typical review of all travel modes, the TSP update incorporates a detailed transit assessment considering comparative ridership and cost information, along with key transit destinations to incorporate a transit feasibility study into the TSP.

- *Outcome:* Project completed and adopted
- *Schedule & Budget Performance:* A budget amendment was issued to add a transit feasibility study at The City of the Dalles and ODOT requests.

Dale S. McCabe, PE, City Engineer / City of The Dalles, 1900 W Sixth Street, The Dalles, OR 97058 / P. 541-506-2021 / F. 541-296-4346 / E. dmccabe@ci.the-dalles.or.us

RESUMES

MARC BUTORAC, PE, PTOE, PMP • Project Principal

Education

- MS, Civil Engineering, Texas A&M University
- BS, Civil Engineering, University of Idaho

Years of Experience

24

AFFILIATIONS

- American Council of Engineering Companies Oregon - Past President, ODOT Liaison Steering Committee / Past Co-Chair, ODOT Liaison Committee Member
- Institute of Transportation Engineers, Member, Past President (Oregon Chapter)
- TRB Access Management Committee, Chairman
- University of Idaho Civil Engineering Department Advisory Board, Former President
- Women's Transportation Seminar, Member

Marc's transportation planning expertise has been effectively demonstrated through comprehensive plans and transportation system plans (TSPs). His experience includes completing plans for the cities of Ashland, Boardman, Florence, Heppner, Ione, Irrigon, Klamath Falls, Lexington, Madras, Monmouth and West Linn, in Oregon; Clackamas, Crook, Gilliam, Sherman, and Wasco counties in Oregon; and Silsbee, Texas.

Small Cities Transportation System Plans

Marc is leading ODOT's Transportation System Plan Guideline update and has completed numerous TSPs for small cities throughout Oregon. Through this experience, he has successfully engaged communities and stakeholders through the 5D Planning Process (Desire, Develop, Discuss, Design, and Document). As a result, these small cities have adopted multimodal oriented TSPs and have successfully implement projects, policies, programs, and pilot projects within their communities.

Multimodal Transportation Solutions

Marc has provided the framework necessary for communities to identify, prioritize, and contemplate tradeoffs between multimodal projects while understanding the unique funding sources available at the regional, state, and federal level to leverage scarce local dollars. Examples include roadway reconfigurations (Oregon Avenue Protected Bike Lane, Klamath Falls), enhanced connectivity (Banks, Monmouth, Klamath Falls), neighborhood bicycle route networks (Banks, Madras), access to transit improvements (Clackamas County), critical sidewalk gaps (Klamath Falls, Clackamas County), and pedestrian crossings (Banks).

Obtaining Consensus from Varied Groups

Marc has successfully led more than a dozen TSPs to successful adoption within Oregon. He understands the in-person and online public engagement approaches necessary to gain the understanding and support within the community to not only adopt a TSP update, but to allow the plan to be successfully implemented over time.

Project Experience

- City of Stayton On-Call Transportation Engineering Services; *Contract Manager*
- ODOT TSP Guidelines Update; *Project Manager*
- ODOT Active Transportation Needs Inventory Regions 1, 4 & 5; *Project Principal*
- Transportation System Plans, *Project Manager/Principal*
  - City of Florence
  - City of Klamath Falls
  - City of Ashland
  - City of Madras
  - City of Monmonth
  - Gilliam County
  - Clackamas County
  - Wasco County

SUSAN WRIGHT, PE, PMP • Project Manager

Education

- BS, Civil Engineering, Oregon State University

Years of Experience

17

AFFILIATIONS

- Project Management Institute
- Women's Transportation Seminar; Past President, Portland Chapter

Susan helps communities throughout Oregon with long-range planning, and has developed innovative, compliant, and community-supported plans. She effectively integrates public and stakeholder input with best practices in establishing clear vision and goals, identifying needs, defining networks and projects, developing implementable design solutions, and prioritizing funding opportunities. Her experience includes managing over 12 transportation system plans (TSPs). These TSPs are successful because Susan has excellent project management skills to maintain schedule and control costs through project planning, regular communications, anticipating project risks, and working to mitigate risks or have contingency plans to address them.

Small Cities Transportation System Plans

Susan has managed TSPs for several small cities, including Ashland, Carlton (pop. 2,100), Hubbard, Klamath Falls, and The Dalles. From this experience she understands the unique circumstances in small cities associated with funding, public engagement, and limited staff resources. She also understands knows these communities desire to maintain their sense of a small-town community.

Multimodal Transportation Solutions

Susan works with communities that have no or little funding for capital projects. She has helped communities prioritize projects to identify how to allocate limited funding resources, while preparing for implementation of more projects if additional funding becomes available. These projects have included low-cost solutions, such as interim treatments or permanent solutions through innovative design. Examples include roadway reconfigurations (N. Main Street in Ashland), enhanced connectivity (Ashland, Klamath Falls), neighborhood bicycle route networks (The Dalles, Medford), access to transit improvements (West Linn), critical sidewalk gaps (Klamath Falls, Carlton), and pedestrian crossings (Hubbard, West Linn).

Obtaining Consensus from Varied Groups

Susan employs public involvement strategies to gain consensus with varied groups. These strategies encourage discussions about goals and objectives, needs, and prioritization factors. Using virtual open houses, online community maps, mini-open houses, and student participation she can obtain support for the planning process and develop recommendations validated through the outreach. Using these strategies, she has **achieved a 100% success rate with adopted TSPs,** typically with unanimous City Council support achieved by establishing a comfort level through the public involvement efforts.

Project Experience

- ODOT TSP Guidelines Update; *Team Member*
- Transportation System Plans
  - City of Ashland
  - City of Carlton
  - The Dalles
  - City of West Linn
  - Clackamas County
  - Jackson County

PATRICK MARNELL, PE • Traffic Engineer

Education

- MS, Civil Engineering, Oregon State University
- BS, Civil Engineering, Oregon State University

Years of Experience

4

AFFILIATIONS

- Institute of Transportation Engineers; Vice President

Patrick has a broad background in transportation engineering, planning, research, and design with an emphasis on traffic operations. He understands that developing safe and efficient transportation systems requires a holistic approach, accounting for the needs of all transportation modes and users. He is an expert with many analysis tools (including Synchro, SimTraffic, VISSIM, VISTRO, Sidra, and HCS), and works with a talented team of graphic designers to present technical information in easy to understand ways. His experience includes managing diverse teams of professionals to solve complicated technical problems and communicate solutions to different audiences.

Project Experience

City of Stayton On-Call Traffic Engineer; Stayton, OR. Patrick has participated in several engineering analyses and reviews for the City Stayton. Tasks include scoping and review of traffic studies for proposed development, coordination with developer's engineers, and zone change and Transportation Planning Rule compliance analysis.

Development Services; Multiple Locations. Patrick has managed numerous development services projects throughout the northwest including transportation impact analyses, operations analysis, trip generation letters, queuing analyses, and zone changes. For these projects, he manages a team of analysts, graphics designers, and drafters to perform and document technical analysis. Patrick directs team members, coordinates with local agency staff and clients, and reviews work products.

Billings Bypass; Billings, MT. Patrick led the analysis of a new 5-mile long principal arterial connecting I-90 with Old Highway 312 east of Billings in Montana. He worked with Montana Department of Transportation staff to update their travel demand model for this project and then post process. Further, he helped develop and analyze alternative intersection and interchange designs at both ends of the bypass.

I-5 Viaduct Study; Medford, OR. Patrick analyzed existing conditions on an elevated section of I-5 in Medford, Oregon. The existing viaduct structure has two lanes in each direction with no shoulder and is structurally obsolete. Patrick preformed operational analysis including level of service, travel time reliability, and origin-destination analysis. This work set the stage for an evaluation of alternatives for retrofitting or replacing the I-5 Viaduct.

Umatilla Subarea Plan and Combined Interchange Area Management Plan (IAMP); Umatilla and Morrow Counties, OR. Patrick served as the technical lead for the analysis of three IAMPs in eastern Oregon. He worked with outputs from a region travel demand model and using post-processing methods developed future year volume forecasts. To analyze multiple intersections and interchanges in the study area, he used the Highway Capacity Manual, HCS and Synchro.

NICK GROSS • Planner/Public Involvement Specialist

Education

- MS, Civil Engineering, Oregon State University
- BS, Civil Engineering, Oregon State University

Years of Experience

4

AFFILIATIONS

- Institute of Transportation Engineers

Nick works on creating livable communities through active transportation planning and community engagement. His experience includes developing complete street concepts, long-range planning initiates, urban intersection redesigns, and rural complete streets prioritization plans. He has produced effective, creative, and dynamic community outreach strategies focusing on Title VI inclusion and online interactive engagement. Nick's diverse background brings a balanced approach in helping agencies prioritize their multimodal systems.

Project Experience

Molalla Transportation System Plan Update; Molalla, OR. Nick, as lead transportation analyst, evaluated operational characteristics of the existing and future transportation systems; completed a bicycle and pedestrian level of traffic stress analysis; and recommended improvements to enhance active transportation. Using NCHRP Report 255: *Highway Traffic Data for Urbanized Area Project Planning and Design*, he analyzed forecasted traffic scenarios related to development patterns and projected land uses. To solicit community input, he held several technical advisory committee meetings.

Heppner Transportation System Plan Update; Heppner, OR. Nick, as lead transportation analyst, evaluated the existing transportation system, documented multimodal gaps and deficiencies, and recommended solutions to address community mobility and safety. Nick has created conceptual 3D visualizations to convey multimodal solutions based on community input and fundamental design principals.

Beaverton Active Transportation Plan; Beaverton, OR. Prepared context sensitive design treatments to support increased active transportation; led public outreach events bringing project awareness to Beaverton residents, while documenting community input, priorities, and desired project outcomes.

ODOT Region 1 Active Transportation Needs Inventory; Portland Metro Area, OR. Evaluated active transportation infrastructure throughout ODOT Region 1 to create safer, more walkable and bicycle networks in the region, in alignment with the Oregon Bicycle and Pedestrian Plan. The inventory identified facilities, design treatments, and improvements to enhance active transportation facilities on ODOT highways.

Coquille Indian Tribe Comprehensive Plan; Coos Bay, OR. Analyzed existing and future conditions for the Coquille Indian Tribe within the Cities of Coos Bay and North Bend; conducted traffic, transit, crash, and multimodal assessments per the Oregon Highway Design Manual and Oregon Analysis Procedures Manual.

Tigard-Tualatin School Bond Projects; Tigard, OR. Conducted traffic impact assessments at over four schools within the Tigard-Tualatin School District evaluating site circulation, access, and safety.

Connect Historic Boston; Boston, MA. Produced 3D renderings to convey projects implementation prior to construction for center median separated bicycle lanes and two-way separated bicycle lanes in downtown Boston; produced fact sheets, infographics, and led social media outreach efforts.

BRYAN GRAVELINE • Transportation Analyst

Education

- BS, Civil Engineering, Notre Dam

Years of Experience

2

AFFILIATIONS

- Institute of Transportation Engineers
- Urban Land Institute

Bryan is a transportation professional with experience in operations, planning, and design. He has worked on transportation impact studies, roundabout feasibility studies, bicycle and pedestrian project prioritization, and crash analysis projects. Bryan has supported forecasted future traffic growth and identified mitigations for developers, justified and designed intersection alternatives, identified and prioritized active transportation improvements, and used facility data to identify trends in crash history.

Project Experience

US 1 Corridor Health Impact Assessment; Palm Beach County, FL. Bryan examined the impact on health caused by complete street improvements along US 1. He evaluated health indicators, such as access to health care and healthy food, bicycle and pedestrian safety, and economic development. By researching the relation of transportation to health, he made recommendations to maximize positive effects transportation can have to health.

Richardson Highway Improvements; North Pole, AK. Along Richard Highway, Bryan developed future interchange alternatives and conceptual designs; analyzed safety and operational outcomes for the alternatives; and prepared technical documents describing recommendations to improve an interchange along the corridor. He participated in public involvement activities, engaging a technical advisory group and helping conduct a public meeting.

Florida Department of Transportation District 5 End User Technology Services; Orlando, FL. Kittelson conducted a route and mode choice market study to improve accessing travel information and encourage alternative travel modes. Bryan researched demographic and travel information, travel mode data, and recommended partnerships to improve access to travel information.

Vancouver Clinic Salmon Creek Expansion; Vancouver, WA. Bryan, as lead transportation analyst, completed a traffic impact study to assess the impact of a hospital building addition. He analyzed the existing traffic conditions, developed trip generation assumptions, forecasted future traffic conditions, obtained and analyzed crash data, and completed the final report.

Washington County Arterial Pedestrian Crossings Analysis and Design; Washington County, OR. Bryan used crash history, vehicle, pedestrian and pedestrian volumes, travel speeds, and land use data to prioritize 12 bicycle and pedestrian crossings. He then considered land use, safety, social equity, and connectivity to select eight sites for improvements. This included preparing a screening report detailing proposed features and conceptual designs.

Whale Watch and Ascent at Depoe Bay Traffic Impact Study; Depoe Bay, OR. The Whale Watch and Ascent at Depoe Bay developments are two adjacent multi-use developments. Bryan analyzed traffic operations for the existing and future year scenarios and evaluated alternatives for intersection improvements to accommodate new site traffic. This included roundabouts and signalized intersections. Queueing analyses were performed for signalized intersection. For the trip generation analysis, he calculated internal trips taken between the two sites.

DARCI RUDZINSKI, AICP • Land Use/Policy/Code Lead

EDUCATION

- Master of Urban Planning, University of Kansas

YEARS OF EXPERIENCE

20

CERTIFICATION

- American Institute of Certified Planners

AFFILIATIONS

- International Association of Public Participation, Communications Committee
- Transportation Research Board, Public Involvement Committee

Darci has a background in land use planning, economic development, community revitalization, and policy development. She has participated in transportation system plans (TSP) with Kittelson, ensuring that plans are consistent with community objectives and adopted policy and regulatory requirements. Recent work in ODOT Region 2 includes in-progress TSP updates for Linn and Benton Counties and the cities of Creswell, Veneta, and Woodburn.

SMALL CITY TSP EXPERIENCE

Darci has participated in over 30 TSP updates in Oregon. Much of this work has been for smaller jurisdictions located outside of metropolitan planning organization areas. She has focused on plan implementation - crafting policy and development requirements that reflect local transportation goals and objectives and that maintain consistency with state requirements.

MULTIMODAL TRANSPORTATION SOLUTIONS

Darci has experience with long-range transportation planning, with a focus on implementation. Her recent experience has emphasized planning for non-motorized transportation needs, connections between modes, finding the balance between vehicular parking and growth, and access to transit. She has provided policy and code analyses and implementation strategies throughout Oregon in association with transportation system planning.

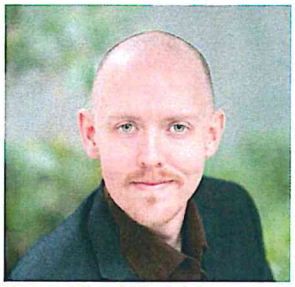
CONTEXT SENSITIVE DESIGN

Darci's collaborates with community members, local leaders, stakeholders, and public agencies to find place-appropriate recommendations. Her urban design work is guided by knowing that planning objectives are uniquely local and preferred alternatives result from a planning process which respects the specialness of place and the community.

PROJECT EXPERIENCE

- **Gladstone Downtown Revitalization Plan and TSP.** Lead land use planner for both projects; public involvement lead for the Downtown Revitalization Plan. Worked with the community to find appropriate transportation, land use, development, and parking solutions to implement both plans.
- **Gearhart TSP.** Updated comprehensive plan policy statements to support active transportation modes, multimodal connectivity, and emergency evacuation routes. Prepared development code language to support implementation, including new transportation impact analysis requirements. Assisted city staff with materials and meeting facilitation for advisory committee meetings and public official work sessions.
- **The Dalles TSP**. Drafted comprehensive plan policy statements to support the updated multimodal TSP, including language supportive of a future fixed-route transit system. Developed land use development ordinance to implement the updated draft TSP.
- **Troutdale TSP.** Updated comprehensive plan policy statements to support active transportation. Developed development code language to support plan implementation, including modifications to bicycle parking requirements. Assisted city staff with materials and meeting.

ANDREW PARISH, AICP • Land Use Planner



EDUCATION

- Master of Urban Planning and Regional Planning, Portland State University

YEARS OF EXPERIENCE

5

CERTIFICATION

- American Institute of Certified Planners

Andrew has over five years of experience assisting long-range planning processes, including several transportation system plans (TSPs) with Kittelson. He is a planner with a skill set that combines sophisticated technical analysis with dynamic written and visual communication. His technical expertise includes GIS and visual tools, such as Adobe Creative Suite. By skillfully combining these tools, he creates compelling, data-driven visuals for varied audiences. Andrew also has extensive experience updating development codes to implement new policies and community visions.

SMALL CITY TSP EXPERIENCE

Andrew has worked with Darci and other APG project managers on TSP updates throughout Oregon. His role typically includes synthesis of relevant local, regional, and state plans and policies to confirm consistency with anticipated TSP outcomes, land use analysis using GIS, and implementing TSP recommendations through updates to plan and code language.

GIS AND VISUAL COMMUNICATIONS

Andrew uses GIS analysis to support long-range planning efforts, including buildable lands inventories, site suitability analysis, and population and employment forecasting. He combines research and GIS analysis with visual communication and graphic design.

IMPLEMENTABLE GOALS

APG specializes in implementable plans, and Andrew has worked with jurisdictions throughout Oregon to turn broad vision statements crafted during the TSP process into reality through tailored updates to development codes and amendments to other planning documents. Using best practices drawn from successful projects, Andrew has drafted adoption-ready code language to implement multimodal active transportation goals, tailored to local needs and objectives.

PROJECT EXPERIENCE

- **Small City TSPs.** Experience working on existing conditions, plans/policy review, and implementation portions of TSP updates for several Oregon communities, including: Cottage Grove, Cornelius, Veneta, Heppner, and Molalla.
- **Riverfront Connector Project; St. Helens, OR.** Updated existing and future land use data using Portland State University's population forecasts and changes to expected buildout; assigned projected households and employment square footage to TAZs for traffic modeling; and created map sets to display information about projected growth and buildable land.
- **Beaverton Housing Analysis; Beaverton, OR.** Conducted a buildable lands inventory for the City of Beaverton as part of housing needs assessment using GIS data for environmental constraints, city and county zoning designations, and economic filters.

ATTACHMENT B

KITTELSON & ASSOCIATES

851 SW 6th AVENUE, SUITE 600
PORTLAND, OR 97204
P 503.228.5230 F 503.273.8169

January 25, 2018

Project #: 22352

Lance Ludwick, PE, Public Works Director
City of Stayton
362 N Third Street
Stayton, OR 97383

Federal Tax ID: 93-0964447
Oregon Tax ID: 9945981
An Oregon Corporation

RE: Proposal to Prepare the City of Stayton Transportation System Plan Update

Dear Mr. Ludwick:

Kittelson & Associates, Inc. and our teaming partner Angelo Planning Group have prepared a fee schedule to complete the Stayton Transportation System Plan Update (TSP Update). Our estimated fee to complete the TSP Update is **$144,148.** We will maintain the rates in this fee schedule through the duration of the TSP Update. This fee is based on our direct experience working for the City of Stayton (City) and abundant expertise in preparing transportation system plans throughout Oregon, including the previous City TSP completed in 2004. We have leveraged our local knowledge and expertise to provide cost-savings to the City.

Adjusting Level of Effort & Cost

Kittelson works closely with our clients before beginning a project to discuss potential risks to the schedule so that these can be minimized, or contingencies can be planned, as appropriate. By having a clear and detailed schedule, understanding the risks, and having regular and open communication with the project team, task-related schedule challenges can be anticipated and addressed prior to any negative impacts to a schedule or budget.

When schedule and cost adjustments are needed, immediate communication with the City's project manager will lead to the best course of action for moving forward on the project. Through cooperative, collaborative, discussions we can accelerate schedule or modify the scope to meet the desired schedule. In the event cost adjustments become necessary, we will thoroughly discuss the adjustment with the City to make sure a mutually agreed upon adjustment is made. No adjustments to cost will be made without written authorization from the City.

We are excited to have this opportunity to continue serving the City. You can reach Susan and I at the phone numbers below to further discuss our proposal and proposed fee schedule.

Sincerely,
KITTELSON & ASSOCIATES, INC.

Marc Butorac, PE, PTOE, PMP
Senior Principal Engineer
P. 503-535-7419
F. 503-273-8169
E. mbutorac@kittelson.com

Susan Wright, PE, PMP
Associate Engineer
P. 503-535-7432
F. 503-273-8169
E. swright@kittelson.com

ATTACHMENT C

Project Budget Form

Project Name: Stayton Transportation System Plan
Project Manager: Susan Wright, PE, PMP
KAI Project Number: 22352
Date: Jan 23, 2018

LABOR ESTIMATE - Stayton Transportation System Plan

Task	Notes	Staff	Marc Butorac (Senior Principal Engineer) MAB	Susan Wright (Associate Engineer) SLY	Pat Marnell (Senior Engineer) PSM	Bryan Graveline (Transportation Analyst) RBG	Nick Gross (Planner) NHG	Jon Sommerville (Senior Technician) JKS	Ralph Bentley (Associate Technician) REB	Darci Rudzinski (Angelo Planning Group, Project	Andrew Parrish (Angelo Planning Group, Planner)	SUBTASK/ TASK HOURS	SUBTASK/ TASK COST
001	**Project Management - KAI**												
	Kick-off Meeting			10		12						22	$3,151
	TAC Meetings (3)			15		18						33	$4,726
	PAC Meetings (3)			12		15						27	$3,837
	PMT Teleconferences (6)			18		24						42	$5,896
	Invoices and Progress Reports			16								16	$3,246
	Website			1		4	8		2			15	$1,786
	Reimbursable Expense												$1,123
	Task #001 - Subtotal		0	72	0	73	8	0	2	0	0	155	$25,765
002	**Plans and Policy Review - KAI**												
	Draft Tech Memo #1			3		2						5	$796
	Analysis Methodology and Assumptions Memorandum			1	2	12		4				19	$2,084
	Draft Tech Memo #2		1	4		16						21	$2,581
	Final Tech Memo #1			2		1						3	$499
	Revised Tech Memo #2			1		4						5	$577
	Reimbursable Expense												$3,300
	Task #002 - Subtotal		1	11	2	35	0	4	0	0	0	53	$9,837
003	**Existing and Future Conditions - KAI**												
	Draft Tech Memo #3		1	4	2	20		2				29	$3,470
	Inventory and Analysis			14	8	104		32				158	$17,556
	Revised Memo #3			2	2	8						12	$1,425
	Website and Online Open House #1			8		16	12		4			40	$5,087
	Final Tech Memos #2			2		4						6	$780
	Final Tech Memos #3			1	1	4						6	$712
	Reimbursable Expense												$0
	Task #003 - Subtotal		1	31	13	156	12	34	4	0	0	251	$29,031
004	**Future Conditions and Alternatives Development and Analysis - KAI**												
	Draft Tech Memo #4		2	1	4	20		2				29	$3,406
	Future Conditions Analysis			12	8	49		10				79	$9,322
	Preferred Plan			4	2	12		4				22	$2,693
	Contrained Plan			4	2	12		4				22	$2,693
	Revised Memo #4			2		8		4				14	$1,642
	Open House #2			8		16	12		4			40	$5,087
	Final Tech Memo #4			2		6		2				10	$1,211
	Joint Worksession			8		10						18	$2,558
	Reimbursable Expense												$187
	Task #004 - Subtotal		2	41	16	133	12	26	4	0	0	234	$28,800
005	**Preparation of TSP Update & Implementing Ordinances - KAI**												
	Draft TSP and Implementing Ordinances		2	8		72		4	4			90	$10,006
	Revised Draft TSP and Implementing Ordinances			2		8		1				11	$1,276
	Joint Worksession #2			10		2						12	$2,216
	Adoption Draft Updated TSP, Adoption Draft Implementing Ordinances			4		12		2	2			20	$2,485
	City Planning Commission Hearing			10		2						12	$2,216
	City Council Hearing			10		2						12	$2,216
	Final Updated TSP and Final Implementing Ordinances			2		4		1	1			8	$1,056
	Reimbursable Expense												$561
	Task #005 - Subtotal		2	46	0	102	0	8	7	0	0	165	$22,032
001	**Project Management - APG**												
	Kick-off Meeting									6		6	$830
	TAC Meetings (3)									10	2	12	$1,570
	PAC Meetings (3)									8	2	10	$1,293
	PMT Teleconferences (6)									6		6	$830
	Invoices and Progress Reports									8		8	$1,106
	Website											0	$0
	Reimbursable Expense												$0
	Subconsultant Task #001 - Subtotal		0	0	0	0	0	0	0	38	4	42	$5,629
002	**Plan and Policy Review - APG**												
	Draft Tech Memo #1									8	28	36	$3,719
	Analysis Methodology and Assumptions Memorandum											0	$0
	Draft Tech Memo #2									4	16	20	$2,046
	Final Tech Memo #1									2	4	6	$650
	Revised Tech Memo #2									2	2	4	$463
	Reimbursable Expense												$0
	Subconsultant Task #002 - Subtotal		0	0	0	0	0	0	0	16	50	66	$6,877
003	**Existing and Future Conditions - APG**												
	Draft Tech Memo #3											0	$0
	Inventory and Analysis									8	56	64	$6,331
	Revised Memo #3											0	$0
	Website and Online Open House #1											0	$0
	Final Tech Memos #2											0	$0
	Final Tech Memos #3									2	4	6	$650
	Reimbursable Expense												$0
	Subconsultant Task #003 - Subtotal		0	0	0	0	0	0	0	10	60	70	$6,980
004	**Future Conditions and Alternatives Development and Analysis - APG**												
	Draft Tech Memo #4									2	2	4	$463
	Future Conditions Analysis									4	24	28	$2,792
	Preferred Plan											0	$0
	Contrained Plan											0	$0
	Revised Memo #4											0	$0
	Open House #2											0	$0
	Final Tech Memo #4									2	4	6	$650
	Joint Worksession									6	2	8	$1,016
	Reimbursable Expense												$0
	Subconsultant Task #004 - Subtotal		0	0	0	0	0	0	0	14	32	46	$4,921
005	**Preparation of TSP Update TSP & Implementing Ordinances - APG**												
	Draft TSP and Implementing Ordinances									6	38	44	$4,375
	Revised Draft TSP and Implementing Ordinances									4	4	8	$926
	Joint Worksession #2											0	$0
	Adoption Draft Updated TSP, Adoption Draft Implementing Ordinances									2	4	6	$650
	City Planning Commission Hearing											0	$0
	City Council Hearing											0	$0
	Final Updated TSP and Final Implementing Ordinances									1	2	3	$325
	Reimbursable Expense												$0
	Subconsultant Task #005 - Subtotal		0	0	0	0	0	0	0	13	48	61	$6,276
	TOTAL HOURS		6	201	31	499	32	72	17	91	194	TOTAL HOURS	TOTAL LABOR
	LABOR RATE		$273.53	$202.88	$135.54	$93.50	$112.72	$122.12	$153.83	$138.30	$93.29	1,143	$138,977
	LABOR COST		$1,641	$40,779	$4,202	$46,657	$3,607	$8,793	$2,615	$12,585	$18,098		

TOTAL REIMBURSABLES	$5,172
TOTAL KAI FEES	$113,465
TOTAL SUB FEES	$30,684
TOTAL PROJECT BUDGET	$144,148

CITY OF STAYTON

M E M O R A N D U M

TO: **Mayor Henry Porter and the Stayton City Council**

FROM: **Cindy Chauran, Associate Accountant**
Elizabeth Baldwin, Utility Billing Clerk

DATE: **February 20, 2018**

SUBJECT: **Monthly Finance Department Report**

	January 2018	December 2017
Number of Bills Mailed	2,364	2,375
Number of Bills Emailed	322	306
Number of Bills on Auto-Pay	550	544
Delinquent Notices Sent Out	513	550
Courtesy Delinquent Notices Sent to Landlords	168	166
Notified of Impending Shut-Off & Penalty	119	128
Customers Issued Payment Extensions	24	18
Customers with Interrupted Services Non-Payment	17	16
Services Still Disconnected	0	0
Number of Checks Issued	329	140
Total Amount of Checks	$266,376.71	$197,401.95

CITY OF STAYTON

M E M O R A N D U M

TO: **Mayor Henry Porter and the Stayton City Council**

FROM: **Rich Sebens, Chief of Police**

DATE: **February 20, 2018**

SUBJECT: **Staff Report**

Below you will see the stats for the Police Department for the month of January 2018.

	January 2018	Year to Date 2018	January 2017	Year to Date 2017
Police Activity	**745**	**745**	**829**	**829**
Investigated Incidents	**186**	**186**	**336**	**336**
Citations/Warning	**100/154**	**100/154**	**95/187**	**95/187**
Traffic Accidents	**8**	**8**	**5**	**5**
Juvenile Abuse	**2**	**2**	**1**	**1**
Arrests	**37**	**37**	**34**	**34**
Ordinance Complaints	**50**	**50**	**37**	**37**
Reserve Volunteer Hrs.	**137**	**137**	**180.83**	**180.83**
Citizen Volunteer Hrs.	**0**	**0**	**23**	**23**
Peer Court Referrals:	**3**	**3**	**4**	**4**

STAYTON POLICE DEPARTMENT
CONSOLIDATED MONTHLY CATEGORIZED REPORT-NIBRS
1/1/2018 - 1/31/2018

	CRIMES				CRIMES CLEARED BY ARREST & EXCEPTION			PERCENT CLEARED			PERSONS ARRESTED				
	1/ 1/18 to 1/31/18	1/ 1/18 to 1/31/18	1/ 1/17 to 1/31/17	% Change Yr to Yr	1/ 1/18 to 1/31/18	1/ 1/18 to 1/31/18	1/ 1/17 to 1/31/17	1/ 1/18 to 1/31/18	1/ 1/18 to 1/31/18	1/ 1/17 to 1/31/17	1/1/18 to 1/31/18 Juv	Adult	Total	1/ 1/18 to 1/31/18	1/ 1/17 to 1/31/17
NON-CRIMINAL															
ACCIDENT-INJURY	3	3	1	200.0%											
ACCIDENT-PROPERTY	5	5	3	66.7%											
ALL OTHER NON-CRIMINAL	96	96	263	-63.5%											
NON CRIM DOMESTIC DISTURB	1	1	10	-90.0%											
NON-CRIMINAL TOTALS	105	105	277	-62.1%											
PERSON															
AGGRAVATED ASSAULT	1	1	2	-50.0%	1	1	2	100.0%	100.0%	100.0%	0	3	3	3	1
OFFENSE AGAINST FAMILY	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	1	1	1	0
OTHER ASSAULTS	4	4	11	-63.6%	0	0	8	0.0%	0.0%	72.7%	0	0	0	0	9
RAPE	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
RESTRAINING ORDER VIOLATION	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
ROBBERY	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
SEX OFFENSES	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
PERSON TOTALS	5	5	13	-61.5%	1	1	10	20.0%	20.0%	76.9%	0	4	4	4	10
PROPERTY															
BURGLARY - BUSINESS	1	1	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
BURGLARY - OTHER STRUCTURE	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	1
BURGLARY - RESIDENCE	2	2	2	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
COUNTERFEITING/FORGERY	4	4	0	0.0%	2	2	0	50.0%	50.0%	0.0%	0	4	4	4	4
FRAUD	5	5	2	150.0%	2	2	1	40.0%	40.0%	50.0%	0	2	2	2	1
LARCENY															
Shoplifting	*6*	*6*	*5*	*20.0%*	*3*	*3*	*2*	*50.0%*	*50.0%*	*40.0%*	*2*	*0*	*2*	*2*	*3*
Theft from a Motor Vehicle	*11*	*11*	*5*	*120.0%*	*1*	*1*	*1*	*9.1%*	*9.1%*	*20.0%*	*0*	*0*	*0*	*0*	*1*
Theft of Bicycle	*2*	*2*	*1*	*100.0%*	*0*	*0*	*0*	*0.0%*	*0.0%*	*0.0%*	*0*	*0*	*0*	*0*	*0*
Theft from Building	*1*	*1*	*1*	*0.0%*	*0*	*0*	*0*	*0.0%*	*0.0%*	*0.0%*	*0*	*0*	*0*	*0*	*0*
All Other Larceny	*7*	*7*	*4*	*75.0%*	*0*	*0*	*3*	*0.0%*	*0.0%*	*75.0%*	*0*	*0*	*0*	*0*	*5*
LARCENY	27	27	16	68.8%	4	4	6	14.8%	14.8%	37.5%	2	0	2	2	9
MOTOR VEHICLE THEFT	0	0	2	-100.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
STOLEN PROPERTY	0	0	1	-100.0%	0	0	1	0.0%	0.0%	100.0%	0	1	1	1	1
VANDALISM	13	13	10	30.0%	1	1	1	7.7%	7.7%	10.0%	0	1	1	1	1
PROPERTY TOTALS	52	52	33	57.6%	9	9	9	17.3%	17.3%	27.3%	2	8	10	10	17

	CRIMES				CRIMES CLEARED BY ARREST & EXCEPTION			PERCENT CLEARED			PERSONS ARRESTED				
	1/ 1/18 to 1/31/18	1/ 1/18 to 1/31/18	1/ 1/17 to 1/31/17	% Change Yr to Yr	1/ 1/18 to 1/31/18	1/ 1/18 to 1/31/18	1/ 1/17 to 1/31/17	1/ 1/18 to 1/31/18	1/ 1/18 to 1/31/18	1/ 1/17 to 1/31/17	1/1/18 to 1/31/18 Juv	Adult	Total	1/ 1/18 to 1/31/18	1/ 1/17 to 1/31/17
SOCIETY															
ALL OTHER	13	13	7	85.7%	2	2	2	15.4%	15.4%	28.6%	0	2	2	2	2
ANIMAL	0	0	1	-100.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
CURFEW	1	1	0	0.0%	1	1	0	100.0%	100.0%	0.0%	1	0	1	1	0
CUSTODY-MENTAL	0	0	1	-100.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	0	1
CUSTODY-PROTECTIVE	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
DISORDERLY CONDUCT	0	0	3	-100.0%	0	0	3	0.0%	0.0%	100.0%	0	0	0	0	6
DR WHILE SUSP	1	1	3	-66.7%	1	1	3	100.0%	100.0%	100.0%	0	1	1	1	4
DRIVING UNDER INFLUENCE	6	6	9	-33.3%	6	6	9	100.0%	100.0%	100.0%	0	6	6	6	11
ELUDING	0	0	1	-100.0%	0	0	1	0.0%	0.0%	100.0%	0	0	0	0	1
ESCAPE	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
FAIL TO DISPLAY DL	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
FUGITIVE	0	0	0	0.0%	0	0	0	0.0%	0.0%	0.0%	2	11	13	13	14
HIT & RUN	5	5	4	25.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
LIQUOR LAWS	1	1	0	0.0%	1	1	0	100.0%	100.0%	0.0%	1	0	1	1	0
MIP TOBACCO	1	1	0	0.0%	1	1	0	100.0%	100.0%	0.0%	2	0	2	2	0
NARCOTICS/DRUGS	7	7	5	40.0%	6	6	5	85.7%	85.7%	100.0%	2	5	7	7	5
RECKLESS DRIVING	2	2	2	0.0%	2	2	2	100.0%	100.0%	100.0%	0	2	2	2	2
RUNAWAY	2	2	1	100.0%	2	2	1	100.0%	100.0%	100.0%	2	0	2	2	1
TRESPASS	2	2	6	-66.7%	1	1	0	50.0%	50.0%	0.0%	0	1	1	1	0
VEH RECOV - FOR OTHER AGENCY	0	0	3	-100.0%	0	0	0	0.0%	0.0%	0.0%	0	0	0	0	0
WARRANT	13	13	11	18.2%	13	13	10	100.0%	100.0%	90.9%	0	0	0	0	1
WEAPONS	0	0	2	-100.0%	0	0	2	0.0%	0.0%	100.0%	0	0	0	0	2
SOCIETY TOTALS	54	54	59	-8.5%	36	36	39	66.7%	66.7%	66.1%	10	28	38	38	50
GRAND TOTALS	216	216	382	-43.5%											

CITY OF STAYTON

M E M O R A N D U M

TO: **Mayor Henry Porter and the Stayton City Council**

FROM: **Lisa Meyer, Administrative Assistant**

DATE: **February 20, 2018**

SUBJECT: **Public Works Monthly Operating Report for January 2018**

KEY ACTIVITIES	STATUS
• **WWTP Facility**	Effluent flows: 73.33 million gallons were treated during January. The highest flow was 3.20 million gallons on the 25th and the lowest flow was 1.60 million gallons on the 6th. The average flow was 2.37 million gallons. Total rainfall for January was 7.18 inches.
• **WTP**	Highest production day was 2,158,000 gallons on January 11, 2018.
• **Water System**	Installed 4 new meters and 4 radio readers. Replaced 6 meters. Completed a tracer study at Water Treatment Facility. The tracer study is information on chlorine contact time with the water during the time the water is pumped into the water distribution system. This information is one of the components used when reporting to the Drinking Water Health Division. Began using the information on January 26th for reporting. Repaired a water service on Marion Street. Repaired the water service to the restroom at Santiam Park and corrected a leak at Pioneer Park.
• **Streets**	Swept 44 curb miles and collected 17 cubic yards of material. Replaced street signs on Shaff Rd. to the new standards. Used 480 pounds of cold patch mix to fill potholes.
• **Parks**	Volunteers: Community Service: Total # of Volunteers = 0, Total # of hours = 0 Life skills High School Students: Total # of Volunteers = 0, Total # of hours = 0 Parks Board: Total # of Volunteers = 6, Total # of hours = 3

• **Building Permits**

Permit Type	Issued	SDC's Paid
New Single Family Dwelling - 2393 Deer Ave. 774 Fox St., 798 Rabbit Run St., 2197 Deer Ave., 2411 Deer Ave.	5	$74,375.00
Commercial Building Addition/Alter/Other	6	$3,342.00
Residential Mechanical	1	--
TOTAL	**12**	**$77,717.00**

One (1) Residential SDC = $11,288.00 + $733.00 for Mill Creek SDC + Storm Water SDC $1990.00 or $2854.00

CITY OF STAYTON

M E M O R A N D U M

TO: **Mayor Henry Porter and the Stayton City Council**

FROM: **Dan Fleishman, Director of Planning and Development**

DATE: **February 20, 2018**

SUBJECT: **Report of Activities for January, 2018**

Attended Oregon Chapter of American Planning Association annual Legal Issues Workshop

Prepared supplemental information for application for Community Development Block Grant Housing Rehabilitation Grant

Attended meeting of regional tourism marketing committee

Attended Oregon Chapter American Planning Association workshop

Attended meeting on east Marion Co rail service

Working with Public Works Department staff, improvements to the Geographic Information System continued

CITY OF STAYTON

M E M O R A N D U M

TO: **Mayor Porter and the Stayton City Council**

FROM: **Janna Moser - Library Director**

DATE: **February 19, 2018**

SUBJECT: **January Library report**

The library hosted Oregon author Steve Arndt. He is the author of the Oregon travel series *Roads Less Travelled* and has recently released *A Compendium of Oregon Ghost Towns*, an alphabetical listing of over 350 Oregon ghost towns. He gave a great virtual tour through the history of several Oregon ghost towns and included directions on how to visit them. We had a fantastic turnout.

Stephanie held our first Paint Night for adults and teens. We are planning to do it again in the fall. The teens made meals you can make in the microwave with a coffee cup at our Teen Chef program.

Our tech program was Little Bits Coding. This platform introduces kids to programming using Little Bits electronic building blocks. We built programmable message boards, hot potato games, and musical instruments and then explored coding to make them work.

We hired Julie Adams as our new Outreach Coordinator. She has already started connecting with schools and daycares. We are excited to have her on our team. On Martin Luther King Jr. Day, Casle hosted her Free Books at Last event. Over 250 people came, and she gave free books to 166 children. Local artist, Nathanial Brown, made a charcoal portrait of Martin Luther King Jr. during the event.

Over 100 people attended the Library Foundation's Brews, Bites, and Books event. Thank you to all our event sponsors! Three Creeks Brewing partnered with us and presented all the beer. Ricos Restaurant & Café, Trexler Farm, Baked And Loaded Potatoes, Wheat. The Baking Company, La Esperanza Mexican Bakery & Restaurant, and The Lovin Oven supplied the local bites. Rising Star Studios provided wonderful live music, and Young Mobile Entertainment provided sound and lighting. It was a fantastic event.

Upcoming events to mark on your calendars:

- AARP Tax Aide Saturdays 10:00am-2:00pm
- Teen Tech: Paper Circuits – February 21 at 4:00pm
- Author visit: Gina Ochsner – February 22 at 7:00pm
- Dr. Seuss' Birthday Celebration – March 2 at 4:00pm

2017-2018 Monthly Library Statistics														
	July	**August**	**Sept.**	**Oct.**	**Nov.**	**Dec.**	**Jan.**	**Feb.**	**March**	**April**	**May**	**June**	**2017-18 YTD**	**2016-17 YTD**
TOTAL CHECKOUTS	12,761	12,616	11,204	11,545	11,029	10,705	11,983						**81,843**	**126,579**
OTHER CIRCULATION SERVICES														
Self check out	4,086	4,177	3,703	3,688	3,427	3,472	3,994						**26,547**	**39,895**
Library2Go (ebooks +)	910	972	947	970	1022	1,069	1,163						**7,053**	**9,917**
INCOME RECEIVED														
Non-resident cards	$89.50	$130.00	$177.00	$175.00	$142.00	$105.00	$332.00						**$1,150.50**	**$2,180.20**
Fines: overdue & lost books	$1,121.79	$1,917.07	$1,235.71	$600.29	$875.99	$755.19	$1,606.61						**$8,112.65**	**$10,821.37**
Room fees	-$31.25	$25.00	$115.00	$90.00	$197.00	$60.00	$420.00						**$875.75**	**$1,332.00**
												TOTAL	**$10,138.90**	**$14,333.57**
REFERENCE QUESTIONS														
In-Person, by phone and computer help	584	364	352	356	360	404	508						**2,928**	**6,035**
NEW PATRON CARDS	65	89	58	48	43	57	84						**444**	**796**
INTERNET USE	938	1,122	1,066	1,116	880	907	957						**6,986**	**11,398**
PROGRAM ATTENDANCE														
Children & adults at Children's Programs	761	58	427	414	469	439	754						**3,322**	**7,229**
Teens	17	20	32	35	30	34	13						**181**	**150**
Adults	57	31	43	47	28	34	155						**395**	**764**
Outreach	0	0	0	0	0	0	166						**166**	**4,054**
												TOTAL	**4,064**	**12,197**
MEETING ROOM ATTENDANCE	33	54	91	158	155	110	166						**767**	**1,621**
PATRON VISITS	7,645	7,690	6,285	6,585	5,480	5,567	8,280						**47,532**	**79,782**
VOLUNTEER HOURS	254	210	170	211	200	187	219						**1,450**	**2,392**