



AGENDA

CITY COMMISSION OF THE CITY OF WARRENTON
REGULAR MEETING

August 11, 2020 – 6:00 P.M.

Warrenton City Commission Chambers – 225 South Main Avenue
Warrenton, OR 97146

Public Meetings will be conducted in the Commission Chambers with a limited seating arrangement. To adhere to social distancing recommendations, meetings will now also be audio and video live streamed. Go to <https://www.ci.warrenton.or.us/administration/page/live-stream-public-meetings> for connection instructions.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **CONSENT CALENDAR**

A. City Commission Meeting Minutes – 7.14.20

4. **COMMISSIONER REPORTS**

5. **PUBLIC COMMENT**

At this time, anyone wishing to address the City Commission concerning items of interest may do so. The person addressing the Commission may email their comments to the City Recorder, at cityrecorder@ci.warrenton.or.us, no later than 5:00 p.m. the day of the meeting. The Commission reserves the right to delay any action, if required, until such time as they are fully informed on a matter.

6. **PUBLIC HEARINGS** – None

7. **BUSINESS ITEMS**

A. Consideration of the First Reading of Ordinance No. 1240 - Amending Section 10.04.030 of the Warrenton Municipal Code, Replacing Section 10.04.220, and Replacing Section 10.04.230 as stated

B. Consideration of Safe Routes to School – Grant Application

C. Consideration of Request for Vacation/Encroachment Permit

8. DISCUSSION ITEMS

A. Parking and Park Ordinance

B. Sanitation Rates

C. Department of the Army Easement for Road or Street on Fort Stevens
Military Cemetery, Oregon

9. GOOD OF THE ORDER

10. EXECUTIVE SESSION

11. ADJOURNMENT

Warrenton City Hall is accessible to the disabled. An interpreter for the hearing impaired may be requested under the terms of ORS 192.630 by contacting Dawne Shaw, City Recorder, at 503-861-0823 at least 48 hours in advance of the meeting so appropriate assistance can be provided.

MINUTES
 Warrenton City Commission
 July 14, 2020
 6:00 p.m.
 Warrenton City Hall - Commission Chambers
 225 S. Main
 Warrenton, OR 97146

Mayor Balensifer called the meeting to order at 6:00 p.m. and led the public in the Pledge of Allegiance.

Commissioners Present: Mayor Balensifer, Tom Dyer, Pam Ackley (via Zoom), and Rick Newton

Excused: Mark Baldwin

Staff Present: City Manager Linda Engbretson, Public Works Director Collin Stelzig, Public Works Operations Manager Kyle Sharpsteen, Police Chief Mathew Workman, Fire Chief Brian Alsbury, RARE Program Participant Morgan Murray, City Attorney Spencer Parsons (via Zoom), and City Recorder Dawne Shaw

CONSENT CALENDAR

- A. City Commission Regular Meeting Minutes – 6.23.20
- B. Community Library Board Meeting Minutes – 12.13.19
- C. Community Library Board Meeting Minutes – 3.13.20
- D. Public Works Project Updates

Mayor Balensifer asked about the status of the Carruthers viewing dock; City Manager Linda Engbretson noted it is a legal issue (railroad issue), that had gone to the bottom of the priority pile. She stated it will be moved back up on the priority list. Mayor Balensifer also asked about the status of the Warrenton trails wayfinding signs; RARE Program Participant Morgan Murray clarified she is working on a purchase order for the signs. Commissioner Newton questioned the wording at the bottom of page 5 of the Public Works updates, noting it states “work could take place this summer” – Public Works Director Collin Stelzig stated they are still working on getting the low pressure system approved this summer; work would most likely take place next summer.

Commissioner Dyer made the motion to approve the consent calendar as presented. Motion was seconded and passed unanimously.

Ackley – aye; Balensifer – aye; Newton – aye; Dyer – aye

COMMISSIONER REPORTS

Commissioner Newton stated the CERT team will help the fire department hand out masks Thursday from 4-7; He also noted he sits on the Pacific Safety Coordination Council and spoke briefly about the movement to defund the police, and the impact of the lack of available public services.

Commissioner Dyer noted that as a cop, you often end up being a babysitter with the mental health issues, as there is no place to take them.

Ms. Engbretson stated Police Chief Workman received an email on behalf of the Lower Columbia Youth Soccer Association; this weekend there are 90 female teenage soccer players from the Crossfire United Oregon Soccer Club that are scheduled to play. She noted they have very specific guidelines and safety measures in place. Mayor Balensifer noted for the record – the Governor has officially stated that the enforcement on the mask policy is with OSHA, not with local police departments, and not by calling 911.

PUBLIC COMMENT – None (2 comments received via email, from Tim Lyman which will be submitted into the permanent record; City Manager will address.)

PUBLIC HEARING – None

BUSINESS ITEMS

Fire Chief, Brian Alsbury discussed updates to outdoor burning regulations and burn permits. He presented Ordinance No. 1241 for its first reading. He noted after receiving guidance and direction from the commission, he came up with policy changes and an ordinance regarding burn permits. He summarized the updates as outlined in the agenda material; asking that the Fire Department control burn permits by making site visits of the citizens looking to obtain a burn permit. This will allow them to educate the applicant on the policy, state guidelines and laws, and then inspect the site to ensure the proposed burn size and location is safe and appropriate. He noted the proposed fees for burn permits as outlined in the agenda packet. Mayor Balensifer noted concerns about enforcement and compliance; and suggested a 1-year amnesty period on fees, except for burn piles, to give us time to roll it out. Chief Alsbury noted the fee is to recoup their time spent on processing and inspecting burn permits. Ms. Engbretson noted we are going into fire season now, so we will not be issuing any permits at this time. Mayor Balensifer stated he wants to be sensitive to people's ability to pay; and also doesn't want to create a situation where in implementing a new system, we end up creating a new spot where people just won't apply for a permit. Commissioner Newton stated he does not have a problem with the fees – he has a problem with not calling in when you burn, which could result in false alarms. He thinks people should still have to call in. The commission continued discussing options of completing an online form and calling in to notify the fire department of a burn. Ms. Engbretson noted the previous meetings and the work that has gone into this; and adding technology with limited staff is not possible. She stated she would like to see this move forward and see what works and what does not. Brief discussion continued. Chief Alsbury noted that the issued permits will be in their system, and if they get a call, they can look at their phone or tablet, to verify if a burn permit was

MINUTES

Warrenton City Commission

Regular Meeting – 7.14.2020

Page: 2

issued to that address. Then a single resource (duty officer) can be sent out to confirm that everything is alright, rather than sending out three vehicles for a permitted back yard burn. After further discussion there was consensus for waiving the \$25 permit fee for the remainder of the calendar year.

Commissioner Newton made the motion to conduct the first reading, by title only of Ordinance No. 1241. Motion was seconded and passed unanimously.

Ackley – aye; Balensifer – aye; Newton – aye; Dyer – aye

Mayor Balensifer conducted the first reading, by title only, of Ordinance No. 1241; An Ordinance Amending Warrenton Municipal Code Chapter 8.08.030, 8.08.040 and 8.08.060, Open Burning; and Amending Ordinance No. 956-A.

RARE Program Participant, Morgan Murray presented the updated Parks Master Plan for adoption. She noted staff has updated the plan to reflect the edits requested by the City Commission. She noted the list of new recommendations included in the agenda packet material.

Commissioner Dyer made the motion to approve the 2020 Update to the Warrenton Parks Master Plan and adopt the Updated Master Plan as presented. Motion was seconded and passed unanimously.

Ackley – aye; Newton – aye; Balensifer – aye; Dyer – aye

DISCUSSION ITEMS

Public Works Director, Collin Stelzig discussed a proposed fish meal processing plant and the impact it would have on the WWTP. He reviewed his power point slides to explain the hydraulic capacity issues, and noted two concerns – hydraulic capacity, and the collection system (pump stations). He noted I&I issues and continued reviewing the figures outlined in the slides. Mayor Balensifer noted Airport Director Gary Kobes and Port Commissioner Robert Stevens in attendance. Mr. Stelzig continued, and noted with the currently approved projects they expect to meet capacity in 2024; with the fish processing plant, it will be before 2022. He noted these figures are estimates and they are trying to get more accurate numbers. Mr. Stelzig stated they also have additional concerns with DEQ; we are in the process of getting our permit renewed; what they are most concerned with is an industrial user permit. He stated we do not know what is in the new permit, but they believe there is a requirement to do a survey; it may come back that we will need an industrial user program. If we wind up having industrial users, per the state requirements, then we would have to start that program up, which is expensive and time consuming. Mayor Balensifer mentioned there was talk of co-sharing resources, but he has not seen any headway on that. He stated this sounds like something that we would be forced into paying for a half-time FTE to have this program; and asked if we can we do a joint program? Mr. Stelzig stated he has discussed it with Astoria a few times; no one has been forced to start this program yet. Brief discussion continued on the industrial user program and the permit. Mr. Stelzig stated they are moving up the project to expand the WWTP. They are looking at starting

MINUTES

Warrenton City Commission

Regular Meeting – 7.14.2020

Page: 3

the design soon and are looking for funding. He noted he is giving the commission a heads-up of where we are at. Ms. Engbretson stated there are projects that are approved, and while we don't know if they will come through; if someone else comes in with a large subdivision or if a brewery comes in – all of these types of industrial projects are going to impact our ability to keep approving them. We will move forward with the expansion. Mayor Balensifer asked if we could pass on the costs of the permitting program onto the industrial users. Mr. Stelzig stated they believe so and Astoria believes so; whatever industrial users are online should have to pay for it. Discussion followed on I&I. The mayor noted the economic development plan in the works that will focus on industrial development, and asked if we can have a condition of approval that there may be months when they have to shut down, during heavy rain months? Mr. Stelzig agreed that could be an option. Commissioner Ackley asked if we are limiting septage deposits and how much we are allowing per day/week per company. Mr. Sharpsteen clarified – it is set up right now to take 1,000 gallons per batch and can take in about 7,000 gallons per day. Mr. Kobes noted the meeting that took place two months ago; and stated the full commission was briefed on the IGA between the two entities, which has a pretty big hammer in it in terms of the ability to levy additional charges for processing of sewer. He stated the response of the commission was “let's get this problem solved.” Mr. Kobes stated they have also signed an agreement with Adam Daley who is doing the I&I Study. He continued to discuss the smoke testing and I&I issues at the Port. He noted there is more work to do, but the process is underway. He also commented briefly on the proposed airport business park. Port Commissioner Stevens spoke briefly, noting the Port is dedicated to partner with the City of Warrenton and would like to see this project move forward if it can be done. Mayor Balensifer asked if the Port is working/engaging in talks with the county regarding the airport industrial park. Mr. Stevens stated nothing substantial has taken place.

City Manager, Linda Engbretson discussed the League of Oregon Cities legislative agenda for the 2021 session and asked the commission for their top priorities. Mayor Balensifer noted his top picks – Local Speed Setting Authority; Property Tax Reform; Right-of-Way/Franchise Fees Authority Preservation; Tort Liability Reform; Infrastructure Financing and Resilience; Municipal Broadband & Pole Protection. Brief discussion followed on the 5G issues. Ms. Engbretson noted we have until August to determine priorities. There was no objection to postpone this item to next meeting.

GOOD OF THE ORDER

Commissioner Ackley thanked Ms. Murray for all her hard work on the parks plan project, noting she did a fabulous job.

Commissioner Newton noted the FFA auction at the fairgrounds is still scheduled for August 1. He also noted he is trying hard to see Arnie's open by August 1.

Commissioner Dyer stated, speaking from a police officer's perspective, the way we have handled the protests and counter protests is substantially better than the big cities; he is pretty impressed. Kudos to our police department.

MINUTES

Ms. Engbretson welcomed Officer Wirt and Gabe back. She noted the graffiti painted on the side of city hall as well as other properties around town, and stated it is being looked into and we will take appropriate action. Mayor Balensifer asked her to speak on public records and the separation of the commission. Ms. Engbretson noted the commission does not involve themselves in personnel issues, nor should they; all record requests should come to the city. City Attorney Spencer Parsons concurred – the city oversees the process; the commission does not have that authority. Mayor Balensifer noted it is important for the public to know the separation. Chief Workman gave a few comments, noting they cannot please everyone all the time. They try to be consistent yet are getting the same complaints from both sides. He spoke briefly to the graffiti, noting it is being investigated. He noted he is frustrated for his officers, citing the recent negative comments, but is appreciative of the support. They will continue to serve the public equally and with respect, and he is proud of his officers. Mayor Balensifer asked if there was any guidance he needs from the commission regarding the escalation of events. Chief Workman stated no and noted he will approach the commission in the near with policy matters. He stated there are big gaps in the city code, such as how to deal with someone setting up a grill, chairs, and a table in a parking space; in other cities you need a permit to occupy the public right-of-way. He will be working with legal counsel to bring something forward. Brief discussion followed. Mayor Balensifer discussed the ongoing issue of graffiti in the park, noting this is the first incident at city hall, and is curious to see who did this and bring them to justice.

There being no further business, Mayor Balensifer adjourned the regular meeting at 7:27 p.m.

APPROVED:

Henry A. Balensifer III, Mayor

ATTEST:

Dawne Shaw, CMC, City Recorder



AGENDA MEMORANDUM

TO: The Warrenton City Commission

FROM: Mathew J. Workman, Chief of Police

DATE: August 11, 2020

SUBJ: Ordinance Amendment to Include E-Bicycles ("E-Bikes")

SUMMARY

On May 26, 2020 I presented to the City Commission on amending the Bicycle Ordinance. The Commission wanted three (3) changes to the amendment to include:

1. Rewording of the "Operating Rules" section to have distinction between "shalls" and "shall nots."
2. Change the length of time before an Impounded Bicycle or E-Bike can be disposed of if not claimed from sixty (60) days to thirty (30) days.
3. Change Impound Fee from \$25 to \$50.

The last thing that the Commission asked was to hear from the Parks Committee to ensure they are all in support of approving E-Bikes as there was previous information from the Committee to not allow E-Bikes.

RECOMMENDATION/SUGGESTED MOTION

"I move to approved Ordinance No. 1240 amending Section 10.04.030 of the City of Warrenton Municipal Code, replacing Section 10.04.220, and replacing Section 10.04.230 as stated."

ALTERNATIVE

Leave the Code Sections as they currently are and not allow E-Bikes.

FISCAL IMPACT

There will be no significant fiscal impact with these changes.

ATTACHMENTS:

- Ordinance No. 1240 Amendment

Approved by City Manager: _____

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.

ORDINANCE NO. 1240

INTRODUCED BY ALL COMMISSIONERS

AN ORDINANCE AMENDING CHAPTER 10.04 “TRAFFIC REGULATIONS” OF THE WARRENTON MUNICIPAL CODE AND ADDING NEW PROVISIONS RELATED TO THE DEFINITION AND REGULATION OF ELECTRIC ASSISTED BICYCLES

WHEREAS, the City last addressed bicycle use and operation in the City’s municipal code in 1989;

WHEREAS, the City has now seen the use of electric assisted bicycles on its rights of ways and trail systems develop;

WHEREAS, the use of not just electric assisted bicycles but bicycles generally have increased in the City and the Commission believes it appropriate to develop and implement additional and regulations for the safe use of both bicycles and electric assisted bicycles in the City, its rights-of-way and trail systems.

NOW THEREFORE, The City of Warrenton ordains as follows:

Section 1. Section 10.04.030 “Definitions” is hereby amended to read as follows:

10.04.030 Definitions. (A). In addition to those definitions contained in the Oregon Vehicle Code, the following words or phrases, except where the context clearly indicates a different meaning, shall mean:

“Bus stop” means a space on the edge of a roadway designated by sign for use by buses for loading and unloading of passengers.

“*Electric assisted bicycle*” or “*E-bike*” shall be as defined by ORS 801.258 (2020).

“Holiday” means New Year’s Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and any other proclaimed by the Commission to be a holiday.

“Loading zone” means a space on the edge of a roadway designated by sign for the purpose of loading or unloading passengers or materials during specified hours or specified days.

“Motor vehicles” means every vehicle that is self-propelled, including tractors, fork-lift trucks, motorcycle, road building equipment, street cleaning equipment, and other vehicle capable of moving under its own power, notwithstanding that the vehicle may be exempt from licensing under the motor vehicle laws of Oregon.

“Person” means a natural person, firm partnership, association or corporation.

“Street” means highway, road or street as *the same are* defined in ORS 801.110, 801.305, 801.450 and 801.535, including the entire width of the right-of-way.

“Taxicab stand” means a space on the edge of a roadway designated by sign for use by taxicabs.

“Traffic lane” means that area of the roadway used for the movement of a single line of traffic.

“Vehicle,” as used in subsequent sections of this chapter, includes bicycles *as well as electric assisted bicycles*.

B. As used in this chapter, the singular includes the plural and the masculine includes the feminine.

Section 2. Section 10.04.220 is hereby replaced in its entirety with a new section to read as follows:

10.04.220 cycle/Electric –Assisted Bicycle operating rules.

- (A) *In addition to observing other applicable provisions of this chapter and state law pertaining to bicycles and electric-assisted bicycles (E-bikes), a person:*
- 1) *shall only park or otherwise leave a bicycle or E-bike in a bicycle rack if available. If a bicycle rack is not available, the bicycle or E-bike shall not be positioned or left so as to obstruct or otherwise impede the use of a roadway, sidewalk, trail, driveway or building entrance by pedestrians or other users of that facility;*
 - 2) *shall yield the right-of-way to pedestrian(s) while operating a bicycle or E-bike upon the Waterfront Trail System;*
 - 3) *shall give an audible signal as to their intention when you are overtaking or wishing to pass a pedestrian on the Waterfront Trail System, passing only on the left of the pedestrian and only when doing so can be done safely while operating a bicycle or E-Bike;*
 - 4) *shall ride a bicycle or E-Bike with their feet on the pedals, facing forward;*
 - 5) *shall wear a bicycle helmet as required by ORS 814.485 when riding a bicycle or E-Bike; and*
 - 6) *shall not ride an E-bike upon any sidewalk in the City. Bicycles may be ridden on sidewalks in the City except between SW First and SW Second Streets;*
 - 7) *shall not nor cause others to engage in, an E-Bike race upon the trail system or other public property without written permission of the City Police Department;*
 - 8) *shall not operate an E-Bike at a speed greater than reasonable and prudent when approaching a pedestrian while on bicycle routes other than the Waterfront Trail System;*
 - 9) *shall not carry more than one person at a time unless the bicycle or E-Bike is equipped and approved to carry more;*
 - 10) *shall not carry package(s), bundle(s) or articles so as to prevent the rider from keeping at least one hand upon the handlebars and in control of said bicycle or E-Bike;*
 - 11) *shall not ride abreast or side-by-side of any other person if that may interfere or impede normal and reasonable movement of pedestrians while operating a bicycle or E-bike upon any trail system in the City;*
 - 12) *shall not in any way attach themselves or the bicycle or E-bike to any other moving vehicle;*
 - 13) *shall not wear a headset, earplugs, earphones, either resting on or inserted in both ears while riding a bicycle or E-Bike;*
 - 14) *shall not operate a bicycle or E-bike under the influence of an alcoholic beverage and/or drug;*
- (B) *Rental Agencies. Rental agencies operating in the City may neither rent nor offer for rent E-bike(s) unless equipped as required by state law.*

Section 3. Section 10.04.230 is hereby replaced in its entirety with a new section to read as follows:

10.04.230 Impounding of Bicycles/Electric-Assisted Bicycles.

- (A) *No person may leave a bicycle or E-bike on either public or private property without the consent of the person in charge or owner thereof.*
- (B) *A bicycle or E-bike left on public property in excess of 24 hours may be impounded and held by the City.*
- (C) *In addition to any citation issued, a bicycle or E-bike parked in violation of this chapter may be immediately impounded by the City.*
- (D) *If a bicycle or E-bike licensed or otherwise capable of its ownership being ascertained and is impounded by the City, the police shall make reasonable efforts to notify the owner thereof. In the event the bicycle or E-bike was stolen, no impoundment fee shall be charged the lawful owner thereof.*
- (E) *A bicycle or E-bike impounded remaining unclaimed for at least thirty (30) days may be disposed of consistent with the City's procedures for abandoned or lost personal property.*
- (F) *Except as provided in subsection (D) of this section, a fee of \$50.00 shall be charged to the owner of a bicycle or E-bike impounded under this section.*

Section 4. This Ordinance shall become effective thirty days after its adoption by the Commission and approved by the Mayor.

PASSED by the City Commission of the City of Warrenton this ** day of ****, 2020.

First Reading: **/**/20
Second Reading: **/**/20

Approved

Henry A. Balensifer III, Mayor

Attest

Dawne Shaw, City Recorder



AGENDA MEMORANDUM

TO: The Warrenton City Commission
 FROM: Collin Stelzig, P.E., Public Works Director
 DATE: August 11th, 2020
 SUBJ: Safe Routes to School – Grant Application

SUMMARY

Oregon Department of Transportation is seeking formal grant applications from prospective grantees for the Safe Routes to School (SRTS) Competitive Capital Construction Grant Program. The program has over \$26 million to apportion statewide in a competitive process. Conversations with ODOT Region 2 staff indicate they would support an application for a new pedestrian route along Main Avenue in the surrounding area of 9th Street.

Public Works is seeking Commission approval to complete and submit the grant application for the SRTS program. Formal applications are due August 31st, 2020. Attached is a memo from OTAK detailing grant eligibility, grant highlights as well as project information, and a signature page for the Public Works Director to sign on behalf of the City to attach to the application upon City Commission Approval.

RECOMMENDATION/SUGGESTED MOTION

I move to approve the submittal of the grant application to the Oregon Safe Routes to School Competition Capital Construction Grant program and to allow the Public Works Director to sign the grant application for the City"

ALTERNATIVE

- 1) Other action as deemed appropriate by the City Commission
- 2) None recommended

FISCAL IMPACT

Planning for this project has been approved by the City Commission and is included in the City of Warrenton 2020-2021 Adopted Budget. If the City is selected to receive this Grant, City funds are available to pay the require Grant match.

Approved by City Manager: _____

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.



Memorandum

To: City of Warrenton
From: Chuck Green, PE 
Copies: File
Date: July 30, 2020
Subject: Main Avenue/OR 104 Pedestrian Way Safe Routes to School Grant Application
Otak Project #: 19434

The State of Oregon, through the Oregon Department of Transportation (ODOT), is seeking formal grant applications from prospective grantees for the Safe Routes to School (SRTS) Competitive Capital Construction Grant Program. The program has over \$26 million to apportion statewide in a competitive process. Conversations with ODOT Region 2 staff indicate they would support an application for a new pedestrian route along Main Avenue in the vicinity of 9th Street (near Warrenton Grade School) and believe that this project would be competitive.

Applications are due August 31 and are submitted on-line. This memo is to request City staff seek City Commission approval to complete and submit the grant application for the SRTS program. Formal applications are due August 31, 2020 and a similar request to the City Commission is anticipated.

Project Eligibility and Grant Highlights

The Main Avenue route has been determined to be eligible and the requisite coordination with ODOT has taken place. They indicated they would support an application. The following are how the Main Avenue/OR 104 Pedestrian Route meets program requirements:

- **Be within the public right-of-way:** the entire route is within ODOT right-of-way along OR 104. No new right of way is expected to be acquired, although there may be a few scattered temporary construction easements to tie in private driveways and frontage work.
- **Be within one-mile radius of a school:** the route is less than a quarter mile from Warrenton Grade School and is within one mile of Warrenton High School.
- **Reduces barriers and hazards to children walking or bicycling to and from school:** the project includes walkways along the west side of Main Avenue and infill sidewalks on the east side to connect with an enhanced crossing of Main Avenue at 9th Street.
- **At or within program grant funding requirements of \$60,000 (minimum) and \$2 million (maximum):** The project is estimated to cost approximately \$500,000, of which \$400,000 is requested from the Safe Routes to School funding program, and \$100,000 would be local match.
- **Have adequate local match:** the expected grant match requirement is 20%, as the school being served by the project (Warrenton Grade School) has more than 40% of its students eligible for free and reduced price lunches, and the pedestrian crossings of Main Avenue/OR 104 are in locations where the posted speed exceeds 30 mph and the crossing distances exceed 30 feet. There is a possibility that ODOT would have

some funds to contribute to the local match. The remaining local match would be included in the City's 2021 budget request and is anticipated to come from the State Tax Street Fund, which has sufficient balance to cover the expected \$100,000 local match. Some of the local match may be offset by conceptual planning and design work completed in 2020 to develop the project thus far.

- **Have school district support:** Warrenton-Hammond School District officials and staff at the Grade and High Schools have provided a letter of support for this project. Additionally, letters of support have been received by the Sunset Empire Transportation District and Northwest Transportation Options.
- **Provide a safety benefit:** there are currently no dedicated pedestrian routes along Main Avenue from 9th Street southward, and no pedestrian walkways on the east side of Main Avenue. Students frequently walk to and from school along the shoulder, drainage ditch or even in the bike lane. This project would improve student pedestrian safety by establishing a dedicated pedestrian route along the west side of Main Avenue, as well as pedestrian infill improvements on the east side of Main Avenue, connecting to an enhanced pedestrian crosswalk at 9th Street.
- **Be included in or aligned with a plan:** The Main Avenue pedestrian route is included in the City's Transportation System Plan.
- **Commitment to outreach:** City staff and their consultant team commit to an outreach and education program in coordination with the school district and ODOT should the project receive construction funding.

Project Information

The following is information that would be included in the Letter of Intent:

- **Project description and limits:** the project would construct a 6-7' dedicated pedestrian path on the west side of Main Avenue/OR 104 between 8th and 11th Streets, connecting to the existing sidewalk system on both Main Avenue and 9th Street. The Main Avenue walkway would be within easy walking distance of the Grade School. The existing crosswalk across Main Avenue would be improved to an enhanced pedestrian crossing (at or near its current location), with some type of actuated device such as a rapid flashing beacon. Some sidewalk infill on the east side of Main Avenue will be provided to enable students and other pedestrians a safe walking path to the enhanced pedestrian crossing across Main Avenue.

Other improvements including converting existing street lights to more highly visible LED luminaires in the project area, improving storm drainage, and shoulder improvements at Main Avenue and 9th Street to accommodate a Sunset Empire Transportation District bus stop in each direction on Main Avenue.

- **Project map:** see below for a conceptual design map.
- **Anticipated grant request:** the estimated project cost is \$500,000. This includes final design, permitting, storm drainage improvements, construction and contingencies. The anticipated cash match is 20% or \$100,000, which is reduced from 40% due to the Grade School having a student population for which over 40% are eligible for free or reduced price lunches, as well as speed and crossing distance characteristics of Main Avenue.
- **Problem being solved:** There is a substantial amount of walking to and from Warrenton Grade School along Main Avenue/OR 104. The Grade School is immediately adjacent to the corridor. There is no dedicated

walkway along the 35 mph route and students must walk on the shoulder, bike lane and drainage ditch. The existing crosswalk has visibility issues during weather events and at night-time.

Public Comments

Because of COVID-19 safety, in lieu of an in-person open house event, an on-line open house was conducted over the last two weeks in July. There were two comments received, as noted below, along with the response to each comment.

- "Is 9th Street to Ridge Road included in this plan? A number of kids are walking from the Juniper housing area, and even from Ridge, to the grade school."

An extension of the 9th Street sidewalk to Ridge Road is not included in this project. However, the City can work with the School District and Grade School staff to develop an overall Safe Routes to School Plan for the Grade School, which could include this project as a future Safe Routes to School grant application.

- "9th is a busy street on both sides. I'm not sure why you would add more congestion and difficulty by adding sidewalks on the east side as well. Students should be encouraged to stay to one side of the street. One sidewalk would naturally direct them to one side and not both. Main is not exceptionally wide and when you have cars rushing all at once, before and after school- add to that buses and general traffic; which has grown exceptionally in the last few years- - students kept to one side is, in my opinion, much safer."

We're assuming this comment refers to sidewalks along Main Avenue instead of 9th Street. The intent of adding some walkway segments on the east side of Main Avenue is to get students to and from the enhanced crosswalk across Main Avenue at 9th Street, rather than having them attempt to cross at an unmarked location elsewhere to get from east to west and back again. Main Avenue's traffic lanes and shoulders/bike lanes will not be narrowed by the walkways.

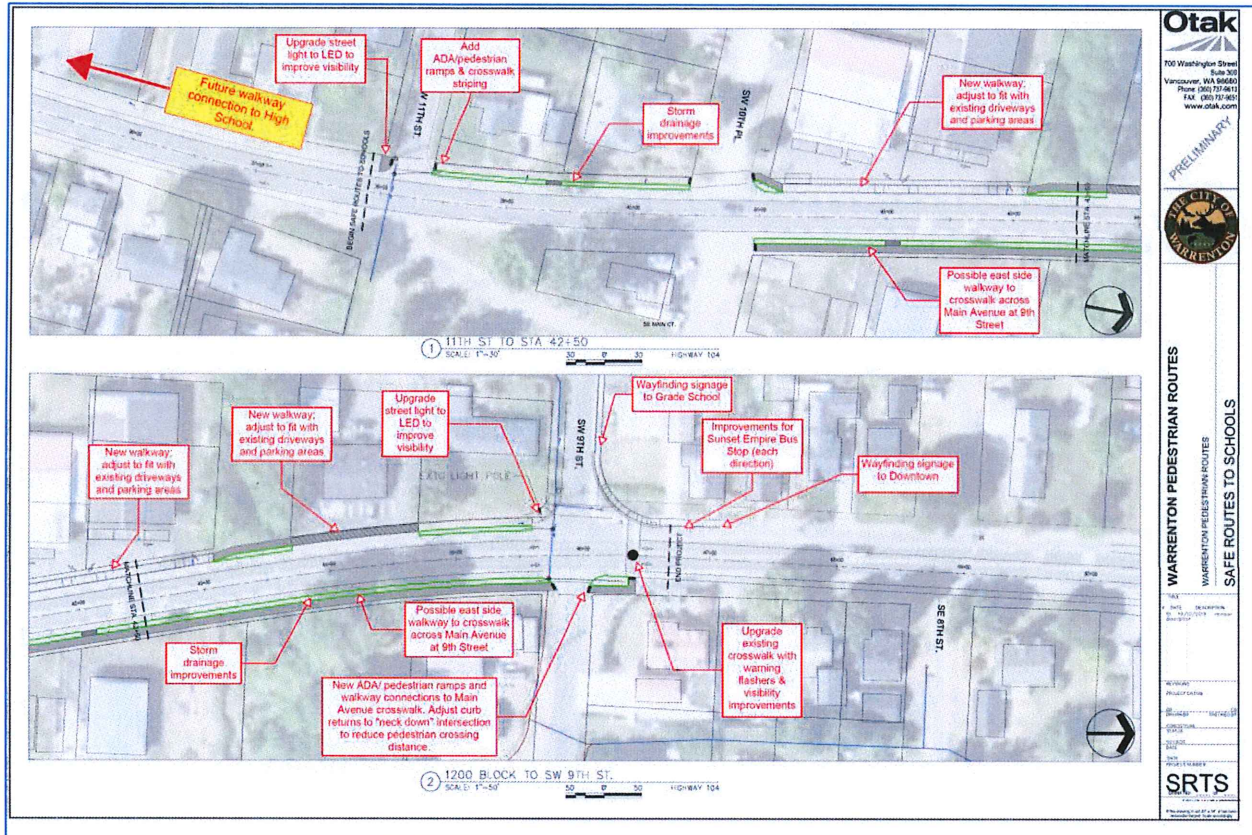
Action Requested

City Commission approval to submit formal grant application to the Oregon Safe Routes to School Competition Capital Construction Grant program for the Main Avenue/OR 104 Safe Routes to School Project.

Attachments

- Conceptual design of proposed project
- Support Letters from School District, Sunset Empire Transportation District, Northwest Transportation Options
- Support Letter from ODOT Region 2 (forthcoming)
- Safe Routes to School Application Packet

Conceptual Design Map



Otak
700 Washington Street
Suite 200
Vancouver, WA 98660
Phone (360) 737-6611
Fax (360) 737-6681
www.otak.com

PRELIMINARY

CITY OF WARRENTON

WARRENTON PEDESTRIAN ROUTES
WARRENTON PEDESTRIAN ROUTES
SAFE ROUTES TO SCHOOLS

SRTS

Support Letters

July 8, 2020

RE: Letter of Support for the City of Warrenton Safe Routes to School Project

To Whom It May Concern:

The Warrenton Hammond School District is pleased to submit this letter in support of the proposal for the City of Warrenton Safe Routes to School Project to establish a new pedestrian route along Main Avenue from 9th Street to Warrenton High School.

The Warrenton Hammond School District serves about 1,000 students in grades Pre-K through 12th on two campuses, Warrenton High School (9-12) and Warrenton Grade School (PK-8). Students regularly walk along Main Avenue to get to and from Warrenton High School (WHS) or to and from Warrenton Grade School (WGS). The dangers of this trek have been all too apparent. In recent years we have had a middle school student hit by a vehicle at the intersection of 9th Street and Main Avenue and we receive several reports a year of "near misses" immediately before or after the school day. In support of healthy lifestyles, the district would like to encourage students and families to walk or bike to our campuses. The current danger of walking or biking along Main Avenue prevents us from doing so. The goal of this project to add a dedicated 6' to 7' pedestrian path way on the west side of Main Avenue from 9th street to WHS with an enhanced cross walk near WHS will directly address this issue and have a profoundly positive impact on the safety and wellness of our students and families.

The Warrenton Hammond School District is pleased to support this proposal, and strongly urges your consideration of their application.

As part of this grant, I realize that there will be a small task required of school staff. I will be the representative from the school district to help facilitate this. I will publish a newsletter article submitted by our partner road authority, the City of Warrenton, and send the provided flyer home with students containing educational safety information about the project.

Sincerely,



Tom Rogozinski
Superintendent
Warrenton Hammond School District
Warrenton, OR



NW Transportation Options
900 Marine Dr Astoria OR 97103

June 25, 2020

Dear Safe Routes to School Advisory Committee and Oregon Transportation Commission,

Northwest Transportation Options is excited about the opportunity to work together with the City of Warrenton and the Warrenton School District to further their grant application to promote Safe Routes to Schools in Warrenton, Oregon. This is an opportunity to support the City of Warrenton in their endeavor to improve safety and prevent accidents surrounding school facilities. As well as the goals of Northwest Transportation Options to follow the state transportation options plan vision to support "safety education programs that focus on all modes and target people at every stage in life, starting with pedestrian and bicycle safety training for children through older adults transitioning away from driving."

By mandate of the Oregon State Transportation plan adopted by the Oregon Department of Transportation in 2015, "The Oregon Transportation Options Plan envisions a safe, affordable, and efficient transportation system for Oregon residents, employees, and visitors." "The Transportation Options Plan plays an important role in meeting the state's safety goals." To that end NW Transportation Options works to ensure the safety of those using the roadways within our community. We believe that funding enhanced safety improvements on the roadways is essential to prevent accidents and potential fatalities. The funding in conjunction with outreach to raise driver and pedestrian awareness is vital to the growing community of Warrenton. NW Transportation Options is committed to assist with implementation and development of outreach and education in coordination with the Warrenton School District.

Through coordination and the collaborative efforts of the involved entities we look forward to this partnership being the foundation for further endeavors in the region. Increasing the development of safer roads with more visible crosswalks and paths, leading to schools makes our communities more livable for everyone.

We appreciate your time and consideration of this grant application and the safety improvements it will fund.

Sincerely,

A handwritten signature in blue ink that reads "Kathy Kleczek".

Kathy Kleczek, Transportation Options Specialist
NW Transportation Options

Phone: 503.861.5360 Email: Kathy@ridethebus.org



SUNSET EMPIRE TRANSPORTATION DISTRICT
900 Marine Drive Astoria, Oregon 97103

June 25, 2020

Dear Safe Routes to School Advisory Committee and Oregon Transportation Commission,

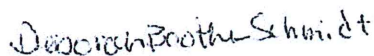
Sunset Empire Transportation District would like to express support for the City of Warrenton Safe Routes to School Construction Grant Application. The City has expressed an interest in improving the walkways on Main Street in Downtown Warrenton. Main Street in Warrenton is the major road between the downtown and the Grade School, as well as the High School and the Grade School. The City is proposing improved crosswalks to enhance the safety of students as they walk or ride to school or school activities. Additionally, the City proposes constructing enhanced walkways to connect the downtown to the High School facilitating walking safely from the Grade School to activities that may be held on the High School grounds.

As the Transportation District responsible for providing transit service for Clatsop County, including the City of Warrenton, Sunset Empire Transportation District is in support of measures proposed to enhance safety for both walkers, riders, and drivers on the Main Street corridor. The District supports and encourages the community's ability to engage actively in areas surrounding the schools. Walking and biking to school establishes a level of confidence that can be a benefit to children that can continue through adulthood. Safe routes to school are a great means to foster healthy habits and create accessible neighborhoods. Establishing safe streets is a keystone to an equitable society available to all, Sunset Empire Transportation District is in support of measures to extend access via safe walking or riding as it supports our goals of enhancing a well-rounded transit system for all.

We look forward to collaborating with the City of Warrenton to create a Main Street that is safe for students walking or riding to school, as well as creating a lively corridor for the community as it grows.

Thank you for your consideration of the construction grant application by the City of Warrenton.

Sincerely,



Debbie Boothe-Schmidt

Debbie Boothe-Schmidt, Chairperson SETD Board of Commissioners

Phone 503-861-7433 Fax 503-325-1606 www.ridethebus.org

Main Avenue Safe Routes to School Grant Application Request

Safe Routes to School Application

2020 Safe Routes to School Competitive Construction Grant Application



2020 Safe Routes to School Competitive Construction Grant Application

PROGRAM DESCRIPTION: The Safe Routes to School Competitive Construction Grant Program is intended to fund bicycle and pedestrian projects that address a barrier to students walking and rolling to school. Read more about project eligibility and scoring criteria in the Program Guidelines. <https://www.oregon.gov/odot/Programs/Pages/SRTS-Competitive-Infrastructure-Grant.aspx>

DEADLINE: Applications are due by 11:59pm on August 31, 2020.

SCORING DESCRIPTION: The application includes information about all questions that will affect the application score (500 points total). Information collected that is not noted with a scoring description will not affect the application score.

HOW TO SAVE YOUR APPLICATION: You can save your progress at any time by clicking the "save" button at the bottom of the form. You will then be emailed a link to resume your progress.

CHARACTER LIMITS: Please note that there are character limits (not word limits) on many of the narrative questions. The form will not accept your answer if it is over the limit.

Part 1 of 8: General Information

What is the title of the project? *

Warrenton Grade School/Main Avenue Pedestrian Walkway/0820

Maximum 100 characters.

Please format your project title as follows: "[School Name][Primary Solution][MonthYear Submitted]" Example: "Glenfair/ES/Sidewalk/0519"

Applicant Contact Information

Name * Title *
Chuck Green, PE Consultant Senior Project Manager

Agency * Phone *
City of Warrenton (360) 449-2132

Email *

toforms.com/ODOT/2020SafeRoutesToSchoolCompetitiveConstructionGrantApplication#4Pn4V9y0nKQOvD3bJvMhN403d2JWWFe1bEHYxj8NIQ5*

2020 Safe Routes to School Competitive Construction Grant Application

Chuck.Green@olak.com

Applicant Address *
700 Washington Street

Suite 300

Vancouver Washington 98660

Additional Roadway Authority Information (if necessary)

Does any part of this project touch another roadway jurisdiction's right of way that is not ODOT? * If yes, the jurisdiction must be listed below and sign off to concur with the application. See section 8.
 Yes No

Does any part of this project touch ODOT right of way? * If yes, ODOT Area Manager must be listed below and sign off to concur with the application. See section 8.
 Yes No

You will need to coordinate with ODOT (your Region's [Active Transportation Liaison](#) or other ODOT project staff) to get ODOT Area Manager's approval and coordinate with staff during the construction of your project at key points for ODOT approval.

Name Title
District/Area 1 Manager (TBD) Area Manager

If ODOT is the main applicant, you do not need to fill out this section of contact information.

Agency Phone
Oregon Department of Transportation (503) 325-7222

Email

Will applicant oversee design and construction of the project? *
 Yes No

Is the applicant submitting more than one application *

2020 Safe Routes to School Competitive Construction Grant Application

Yes No

Note that any applicant may submit multiple applications but is only able to receive \$2 million total from this grant cycle.

In which ODOT Region is your project located? *

Resource: [ODOT Region maps](#)

Region 2

Reminder: To save your application, scroll to the bottom and click the "save" button in the lower right hand corner.

Part 2 of 8: Eligibility Requirements

Is the project within a one-mile radius of a public school? *

Yes No

Optional Resource: [SRTS map- includes crash data and school data](#)

Note: The one-mile radius is calculated by drawing a one-mile straight line from the school.

Is the project in or aligned with a plan that meets the requirements of ORS 195-115? *

Yes No

[ORS 195.115](#)

[OAR 737-025-0060](#)

Note: Plans may include but are not limited to a Safe Routes to School Action Plan, Transportation System Plan, or other locally adopted plan

List the plan, the date adopted or completed, and how the project is aligned with the plan:

Warrenton Transportation System Plan, updated 2019.

Note: Maximum 750 characters.

Example: Name of Plan, Date Adopted/Completed

Is the project supported by the primarily affected school or school district? *

Yes No

You are required to include a letter of support from the the primarily affected school and any school mentioned in this application or school district as an attachment in Section 8.

Is the project in the public road right of way or will the project increase the road right of way to include your project? *

Yes No

Note: Public road right of way refers to publicly owned land: Surface, shoulders, ditches, other drainage facilities in the border between the ditches.

itiforms.com/ODOT/2020SafeRoutesToSchoolCompetitiveConstructionGrantApplication#4Fn4V9y0nKQOwD3bJwMhN403d2JWWF1bEHYxg8NQS*

2020 Safe Routes to School Competitive Construction Grant Application

Does your project reduce barriers and hazards to children walking or bicycling to and from school? *

Yes No

Do you and your key school contact commit to providing outreach to the primarily affected school community? This outreach includes a press release, a school newsletter article, and flyers sent home to students families'. Templates will be provided by ODOT. *

Yes No

The school commitment letter template contains language that gives the school community an opportunity to commit to helping.

If you answered yes to the above questions, please continue. If you answered no, your project is ineligible.

Reminder: To save your application, scroll to the bottom and click the "save" button in the lower right hand corner.

Part 3 of 8: Primarily Affected School Information

Your application must focus on one school called the "primarily affected school." Your application may include projects that will affect multiple schools. We suggest that your "primarily affected school" is the school with the highest percentage of students eligible for free or reduced lunch and a school with higher than average students of color, Ever English Learners, and students that are chronically absent. In Section 5 you will be able to list additional schools affected. You will not receive additional points for affecting students at multiple schools.

SCORING DESCRIPTION: In this section there are 300 points available out of 500.

Primarily Affected School Name *

Warrenton Grade School

Contact's Name *

Tom Rogozinski

Title *

Superintendent

Phone *

(503) 861-2281

Email *

rogozinski@warrentonk12.org

How far from the school is the project?

- 1/4 mile or closer (applicant will receive 15 points)
- between 1/4 and 1/2 mile (applicant will receive 5 points)
- more than 1/2 mile

Use the mileage of the walking distance from the school

What grades are taught at the school?

- This school teaches students from pre-kindergarten through 8th grade or any combination. (applicant will receive 90 points)
- This school teaches no students from pre-kindergarten through 8th grade or any combination.

Optional Resource: [SRTS map- includes crash data and school data](#)

Main Avenue Safe Routes to School Grant Application Request

2020 Safe Routes to School Competitive Construction Grant Application

What percentage of students are eligible for free or reduced price lunch at the primarily affected school? *

- 10-19% (applicant will receive 15 points) 20-29% (applicant will receive 35 points)
 30-39% (applicant will receive 55 points) 40-49% (applicant will receive 80 points)
 50-59% (applicant will receive 100 points) 60-69% (applicant will receive 120 points)
 70-79% (applicant will receive 140 points) 80-89% (applicant will receive 160 points)
 90-100% (applicant will receive 180 points)

You may use data from the past two school years that data is available.

Your application must focus on one school called the "primarily affected school." Your application may include additional project locations that will affect additional schools when bundling projects provides efficiency in delivery. We suggest that your "primarily affected school" is the school with the highest percentage of students eligible for free or reduced lunch and a school with higher than average students of color, Ever English Learners, and students that are chronically absent. In Section 5 you will be able to list additional schools affected at additional locations. You will not receive additional points for affecting students at multiple schools.

Resource:

First download the specific School Report Card from the [School Report Card database](#).

- Free and reduced lunch percentage is located on the first page in the lower left corner.

Optional Resource: [SRTS map](#); includes crash data and school data

Is your primarily affected school above the state average in any of the categories below? Check all that apply.

- The school is above the state average of 23% in Ever English Learners (students learning English as a second language) (applicant will receive 5 points)
 The school is above the state average of 35% in non-white students (applicant will receive 5 points)
 The school is above the state average of 20% in chronic absenteeism (students that are not regular attenders) (applicant will receive 5 points)

You may use data from the past two school years that data is available.

Resource: First download the specific School Report Card from the [School Report Card database](#).

- Ever English Learner percentage is located on the first page in the lower left corner above the students with disabilities percentage.
- Non-white student percentage can be calculated by subtracting the percentage of white students from 100 or adding up the percentages of non-white students. This information is located in the left column on the first page called Demographics.
- Chronic absenteeism can be calculated by taking the percentage of regular attenders and subtracting from 100. What's left is the percentage of students who are chronically absent. This information is located near the top and center of the first page under the School Environment heading.

Describe past, present, or upcoming Safe Routes to School education and engagement programs at the school or school district. Safe Routes to School programs includes education, encouragement, and evaluation activities that reduce barriers to children walking and bicycling to school. *

The school district has had pedestrian and bicycle education outreach via newsletters in the past. As part of this project, the Warrenton School District and City of Warrenton, in conjunction with Northwest Transportation Options and the Sunset Empire Transportation District, will develop and promote a pedestrian and bicyclist safety and awareness outreach program. This will include safe walking habits as well as how to use the new, enhanced pedestrian crosswalk and flashing beacon on Main Avenue at 9th Street.

Note: Maximum 750 characters.

Example: Describe the goals laid out in the affected school or school district Safe Routes to School Action Plan and what has been accomplished to date.

nitofoms.com/ODOT21_2020SafeRoutesToSchoolCompetitiveConstructionGrantApplication#g4Pn4V9Y0nKQ0wD3bJwMhN403d2JWVWF1bEHYj8NIQ5*

2020 Safe Routes to School Competitive Construction Grant Application

Describe the status/progress to date of school engagement for this project. *

There has been community discussion about the need for pedestrian walkways along Main Avenue for years, and this has included students and parents attending Warrenton Grade School and the High School to the south. This input led to the Pedestrian Routes Study in developing this proposal. As part of this project, the Warrenton School District and City of Warrenton, in conjunction with Northwest Transportation Options and the Sunset Empire Transportation District, will develop and promote a pedestrian and bicyclist safety and awareness outreach program. This will include safe walking habits as well as how to use the new, enhanced pedestrian crosswalk and flashing beacon on Main Avenue at 9th Street.

Note: Maximum 750 characters.

Part 4 of 8: Background

SCORING DESCRIPTION: In this section there are a potential 80 points available out of 500.

Information can be provided for one project or a bundle of projects when it makes sense to deliver projects at the same time for efficiency.

Provide a high-level PROBLEM statement that describes the barriers and hazards to children walking or bicycling to school. Provide a summary of the problem in a concise manner that can be used on a website or in a publication. *

There is a substantial amount of walking to and from Warrenton Grade School along Main Avenue/OR 104. The Grade School is immediately adjacent to the corridor. There is no dedicated walkway along the 35 mph route and students must walk in the roadway, using the shoulder or bike lane, and also need to navigate around and sometimes through the drainage ditch. The existing crosswalk at Main Avenue/OR 104 and 9th Street has visibility issues during weather events and at night-time.

Note: Maximum 500 characters.

Provide a high-level description of your PROJECT. Project should be a viable solution to the above problem. Provide a summary of the project in a concise manner that can be used on a website or in a publication. *

The project would construct a dedicated pedestrian path on the west side of Main Avenue/OR 104, providing a complete walkway between downtown and SW 11th Street. The project would fill in gaps on the east side of OR 104 between 8th and 11th Streets to enable students an accessible path to an enhanced crosswalk across Main Avenue at 9th Street. This project provides a much safer walk and bike access to the Grade School.

Maximum 500 characters.

Note: This language may be used on a website.

Additional Problem/Project Description: Describe any further details about the problem, the project, and how this project will help remove barriers for children walking and bicycling to the primarily affected school.

Main Avenue Safe Routes to School Grant Application Request

2020 Safe Routes to School Competitive Construction Grant Application

Provides a safe walking path that improves safety for existing walking trips, and encourages walking and bicycling instead of driving to the Grade School. Improvements will accommodate new bus stops at Main and 9th, serving Sunset Empire riders. Improved lighting and enhancing the crosswalk improve visibility, responding to recent pedestrian/vehicle collisions.

Note: Maximum 750 characters.

Briefly describe your design/countermeasure and why it is the best solution to the problem. *

West side walkway and infill walkway on the east side provide a safe, ADA accessible pedestrian path that doesn't exist now. Enhanced crosswalk, Main Avenue/OR 104 at SW 9th Street: by enhancing signage to an actuated high visibility flashing beacon and improving the crosswalk, safety of students and other pedestrians crossing at a busy intersection will be improved. Upgrading existing street lights to LED will improve pedestrian and bicycle visibility at night and during severe weather events

Note: Maximum 500 characters.

Check which design guides you used or will use to determine your project design. *

- FHWA Bicycle and Pedestrian Design Guide
- Small Town and Rural Multimodal Networks Guide
- NACTO Urban Bikeway Design
- ODOT Bicycle and Pedestrian Design Manual
- ODOT Blueprint for Urban Design
- AASHTO Bicycle or Pedestrian Design Guides
- Other

Optional Resources:

- [FHWA Bicycle and Pedestrian Guide](#)
- [Small Town and Rural Multimodal Networks Design Guide](#)
- [ODOT Bicycle and Pedestrian Guide](#)
- [ODOT Blueprint for Urban Design](#)

Does the applicant own sufficient right of way (ROW)? *

- Yes, applicant owns right of way or has an easement (applicant will receive 20 points)
- No (applicant will receive 10 - 20 points depending on following questions)
- I don't know (applicant will receive 0 points)

SCORING DESCRIPTION for Right of Way: 20 points awarded if the applicant or the agency delivering the project owns the right of way or has an easement. 10 points awarded if applicant is in the process of figuring it how to purchase right of way; 0 points if applicant doesn't know if they own the right of way.

Check which best describes your public process to date. *

- We have completed public process, have done due diligence, or are currently in the process (applicant will receive 20 points)

SCORING DESCRIPTION for public process: 20 points if applicant has completed public process, has done due diligence, or is currently in the process; 10 points if applicant has done outreach but it was a long time ago (5

forms.com/ODOT2/2020SafeRoutesToSchoolCompetitiveConstructionGrantApplication#g4Pn4V9y0nKQO+D3bJvMhN403d2JWWFfe1bEHYxj8NIQ5*

2020 Safe Routes to School Competitive Construction Grant Application

- We did some outreach but it was a long time ago (example: 5 years or more) (applicant will receive 10 - 20 points depending on following questions)
- We have not started outreach (applicant will receive 0 points)
- We have done some outreach and the community is opposed to this project (applicant will receive 0 points)

years or more) or not effective for the project or if the community was opposed but approaches have been identified to mitigate; 0 points for no outreach or if the community is currently opposed.

Briefly describe the public outreach process around this project to date. *

A complete walkway system along Main Avenue has been discussed in the community for years, including the recent Transportation System Plan update. As part of the Two Pedestrian Routes design study, an on-line open house was held, offering the community an opportunity to review this project as part of an improved pedestrian system.

Note: Maximum 750 characters.

Identify any concerns that have been raised in the public outreach process or that you anticipate being raised and how you anticipate addressing these issues. *

The only concerns expressed to date have been "when can you get started?" and "please make sure construction doesn't affect my student walking to school."

Note: Maximum 750 characters.

Is additional public outreach process necessary? *

- Yes No

If yes, describe:

The City and School District both have committed to an outreach and educational program in advance of opening the new walkways and enhanced crosswalk over Main Avenue/OR 104 at 9th Street.

Note: Maximum 750 characters.

Are there any environmental resources within or adjacent to the project area? *

See the following links for more assistance with environmental resources or hazards:

SCORING DESCRIPTION for environmental resources and hazards: applicant will receive 20

Main Avenue Safe Routes to School Grant Application Request

2020 Safe Routes to School Competitive Construction Grant Application

Yes No I don't know

Examples: Wetlands and waterways, endangered species (fish, plants and wild life), water quality and quantity (storm water), flood plains, historic structures, and archaeological sites.

[Local Agency Guidelines Manual - Environmental Chapter 05](#)
[QDOT Geo-Environmental](#)

points if they don't need to address any environmental hazards or resources or if they have a plan that will address the issues; 10 points if they know it's an issue but haven't figured out the details yet; 0 points if applicant doesn't know.

Are there any environmental hazards within or adjacent to the project area? *

Yes No I don't know

Examples include but are not limited to: Hazardous waste sites/materials, and geologically unstable slopes.

See the following links for more assistance with environmental resources or hazards:
[Local Agency Guidelines Manual - Environmental Chapter 05](#)
[QDOT Geo-Environmental](#)

See scoring description above.

Does your project impact storm water drainage? *

Yes No I don't know

Example: relocating curb and gutter

SCORING DESCRIPTION for storm water: applicant will receive 7 points if they don't need to address storm water or if they have a plan that will address the issues; 5 points if they know it's an issue but haven't figured out the details yet; 0 points if they don't know.

If yes, please list and explain how you plan to mitigate:

New pavement will create additional stormwater runoff. There are drainage ditches that have formed over time from runoff from Main Avenue/OR 104. This project will improve storm drainage facilities and connect to existing storm pipes or culverts in the project area.

Note: Maximum 750 characters.

Will any utilities need to be relocated? *

Yes No I don't know

Example of utilities include water, gas, electric, etc

SCORING DESCRIPTION for utilities: applicant will receive 7 points if they don't need to address utilities or if they have a plan that will address the issues; 5 points if they know it's an issue but haven't figured out the details yet; 0 points if they don't know.

Check which best describes your design process to date.

We have attached our completed design (applicant will receive 6 points)

We have started design and attached our progress so far (applicant will receive 3 points)

We have not started design or conceptual design.

If you have started design or conceptual design, you are required to attach completed or draft or conceptual design in Section 8.

Is the proposed project included in a larger project that is using federal funding? * [QRS 366.514](#)

itotforms.com/ODOT2/2020SafeRoutesToSchoolCompetitiveConstructionGrantApplication#g4Pn4V9y0nKQOvD3bJwMhN403d2JWWFe1bEHyj8NIQ5*

2020 Safe Routes to School Competitive Construction Grant Application

Yes No

Note: If your project is delivered with a federally funded project, then your project must also follow federal guidelines. Take this into account when you are writing your budget and schedule.

Does the project include a railroad crossing or is it within 500 feet of one? *

Yes No

Optional Resource: [QDOT's Railroad Crossing website with contact information.](#)

Are any bridges, tunnels, retaining walls or other structures required? *

Yes No

Is the project located in a city with 5,000 people or less? * Resource: Find population data with the [census quick facts tool.](#)

Yes No

What entity will maintain the improvements once the project is completed, including landscaping? *

Applicant

Other

Reminder: To save your application, scroll to the bottom and click the "save" button in the lower right hand corner.

Part 5 of 8: Project Details and Schedule

SCORING DESCRIPTION: In this section there are a potential 120 points available out of 500.

List the proposed improvements/countermeasures/methods and location to provide a detailed project description. Use the format below. Applicants may add multiple locations.

Location Information

Each location will be assumed to affect students at your primarily affected school unless otherwise noted.

Location 1

Latitude: * Longitude: *

Example: 45.456 Example: -123.123

Resource: Latitude and longitude information can be found in the [SRTS map: includes crash data and school data.](#)

Name of street, road or highway on which the project is located: *

2020 Safe Routes to School Competitive Construction Grant Application

Cross street or other reference point (include state highway milepost begin/end if applicable): *

9th Street

Project length in feet: *

900

Which side of the street is the project located? *

Both plus enhanced crossing

Example: Both, North, South, East, West

This location affects students at the primarily affected school.

Yes No

Improvement Descriptions

Indicate the type and number of improvements you intend to build at this location. This information is gathered for understanding context, not a scoring criteria.

Description of Improvement *	Number
<input checked="" type="checkbox"/> rectangular rapid flashing beacons or pedestrian hybrid beacon	1
<input checked="" type="checkbox"/> marked crosswalks	1
<input checked="" type="checkbox"/> sidewalks	2
<input checked="" type="checkbox"/> overhead lighting	2
<input checked="" type="checkbox"/> curb extension (curb bulbs)	2
<input checked="" type="checkbox"/> crosswalk visibility enhancements	1
<input checked="" type="checkbox"/> choose from the dropdown menu or add your own	

[+ Add improvement treatment](#)

What are the current accommodations at the proposed project location(s)?

Indicate the type and number of current bicycle and pedestrian accommodations if applicable. This information is gathered for understanding context, not a scoring criteria.

Current Bicycle and Pedestrian Accommodations *	Number
<input checked="" type="checkbox"/> On-road shoulders designated as bike lanes	2

itofirms.com/ODOT2/_2020SafeRoutesToSchoolCompetitiveConstructionGrantApplication#g4Pn4V9Y0nKQOwD3bJvMhN403d2JWWFe1bEHyx2NIQ5*

2020 Safe Routes to School Competitive Construction Grant Application

<input checked="" type="checkbox"/> marked crosswalks	1
<input checked="" type="checkbox"/> incomplete sidewalks (gaps or only on one side of the road)	1

[+ Add Accommodation](#)

Provide information for the proposed project location or the location of the barrier that the project is addressing.

Note: you may include information about a parallel road if the project is intended to address a barrier on that road.

Choose one: *

- This information below is true for the road on which the project is proposed.
 This information below is true for a parallel road on which the proposed project addresses a barrier.

Is there history of bicyclist or pedestrian injury or fatality within the hours of 6am and 9pm? *

- Yes, injury (applicant will receive 7 points) Yes, fatality (applicant will receive 20 points)
 No

Optional Resource: [SRTS map- includes crash data and school data](#)

Applicant may use bicycle and pedestrian crash data from any timeframe, and sources may include any reliable source like ODOT records, local sheriff or police report, etc. The crash must be located at the project site or the project must positively affect the crash site in some way.

Describe your crash data source, and describe how the project positively affects the crash site.

A total of four bicycle/pedestrian collisions recorded in 2015-2017, resulting in four injuries. Source: SRTS map crash and school data. Project will improve pedestrian safety with an enhanced crossing of Main Avenue at 9th Street, provide walkways on both sides of the street, and improve street lighting to LED at two locations to improve pedestrian and bicycle visibility.

Note: Maximum 750 characters.

Include information like number of bicyclist or pedestrian injuries and fatalities. Applicant may use bicycle and pedestrian crash data from any timeframe, and sources may include any reliable source like ODOT records, local sheriff or police report, etc. The crash must be located at the project site or the project must positively affect the crash site in some way.

Please choose the option below that results in the highest speed at this location.

- Posted Travel Speed (mph)
 Operating Speed - 85th percentile (mph)

Main Avenue Safe Routes to School Grant Application Request

2020 Safe Routes to School Competitive Construction Grant Application

Posted travel speed (mph)? * If applicable: Posted travel speed (mph) on the cross street?

35 mph (applicant will receive 20 points) 25 mph

Use this field to record the street with the higher speed if your project is at an intersection. Note: Use this field if your project is at an intersection to indicate speed of the cross street.

What are the number of travel lanes and the crossing width of the road from curb to curb?

2 lanes or fewer than 30 feet 3 lanes or greater than 30 feet (applicant will receive 7 points)

4+ lanes or greater than 40 feet (applicant will receive 20 points)

At the project location(s) what is the average annual daily traffic (AADT)? *

6000 - 8,999 (applicant will receive 20 points)

Rank the importance of this project and location against any additional locations you submit in this application. This location is:

First Choice Second Choice Third Choice Other

+ Add Location

Priority Safety Corridor

In order to qualify as a Priority Safety Corridor at least one of the projects must be located on a road or addressing a barrier on a road where the posted speed or 85th percentile speed of traffic is 40 miles per hour or greater OR if any two of the following apply:

- Posted speed limit 30 miles per hour or greater;
- More than 2 lanes or a crossing distance greater than 30 feet;
- 12,000 or greater annual average daily traffic;
- Has a demonstrated history of crashes related to school traffic.

More information can be found in the [Program Guidelines](#).

Does any location in this application have a posted speed or 85th percentile over 40 miles per hour? *

Yes (applicant will receive 40 points) No

Does any location in this application have any of these features. Check all that apply. *

Posted speed limit 30 miles per hour or greater 3 or more lanes or a crossing distance greater than 30 feet

ynloforms.com/ODOT/2020SafeRoutesToSchoolCompetitiveConstructionGrantApplication#g4Pn4V9yOnKQoD3bJwMhN403d2JWwFe1bEHtyx8NlOS*

2020 Safe Routes to School Competitive Construction Grant Application

12,000 or greater annual average daily traffic Has a demonstrated history of crashes related to school traffic

Did you select two or more of the features above?

Yes (applicant will receive 40 points) No

Project Schedule

Provide a project schedule using the applicable phases below. Program anticipates awarding grants in early 2021. Make sure to include Scoping and Planning and other mandatory phases. Note: Projects must start construction within 2 years of signed agreement and be completed within 5 years of signed agreement.

Phase *	Completed in X weeks after Intergovernmental Agreement (IGA) is executed, or date if already completed *
<input checked="" type="checkbox"/> Scoping and Planning (mandatory)	Approximately 50% complete, remainder within 4 weeks of IGA
<input checked="" type="checkbox"/> Community Outreach/Engagement (mandatory)	Some has been completed, remainder prior to initiating final design
<input checked="" type="checkbox"/> Final Plans/Bidding Engineering Documents (mandatory)	Within 16 weeks of IGA
<input checked="" type="checkbox"/> Permits (if applicable)	TBD, estimated within 12 weeks of IGA
<input checked="" type="checkbox"/> Right-of-way and Land Acquisition (if applicable)	Not applicable
<input checked="" type="checkbox"/> Utilities Relocation (if applicable)	Not applicable
<input checked="" type="checkbox"/> Construction Contract Award (if applicable)	Estimated within 20 weeks of IGA
<input checked="" type="checkbox"/> Project Completion (mandatory)	Estimated within 30 weeks of IGA

+ Add Item

Reminder: To save your application, scroll to the bottom and click the "save" button in the lower right hand corner.

Part 6 of 8: Project Cost and Cash Match

Provide a cost estimate. Note that any cost overages are the responsibility of the applicant.

CASH MATCH REQUIREMENTS: "Cash Match" is actual funds provided by the applicant that are reasonable, necessary and directly related to the project and funded by the applicant. Cash match may include project expenditures made within 60 months prior to the application deadline. Education and outreach efforts at the school do not constitute cash match. Examples of "cash match" include engineering, design, utility, right of way, and construction costs. See Program Guidelines (<https://www.oregon.gov/ODOT/Programs/Pages/SRTS-Rapid-Response-Grant-Program.aspx>) to determine if your project may be eligible for a reduced match of 20%.

Main Avenue Safe Routes to School Grant Application Request

Project Cost Estimates

Note: Applicants are encouraged to include accurate cost estimates that include contingencies. Make sure to include all of the appropriate drop-down fields in your cost estimate. Attach your budget in Section 8.

Item *	Cost Estimate *
<input checked="" type="checkbox"/> Preliminary Engineering/Design Costs	\$105,000.00
<input checked="" type="checkbox"/> Right of Way Costs	\$0.00
<input checked="" type="checkbox"/> Utility Costs	\$0.00
<input checked="" type="checkbox"/> Construction Costs	\$223,000.00
<input checked="" type="checkbox"/> Other Costs:Contingencies	\$98,000.00
<input checked="" type="checkbox"/> Other Costs: Access mgmt, mitigation	\$74,000.00
Total Project Cost: \$500,000.00	

[+ Add Item](#)

Grant Award Request * \$400,000.00	Cash Match * \$100,000.00	Declared Match Percentage 20.00%
<small>Note: Minimum grant request is \$60,000 and maximum grant request is \$2 million.</small>	<small>The Grant Request plus the Cash Match will equal the Total Project Cost.</small>	<small>Automatically calculated percentage of declared match from total cost. Note: Applicants may be eligible for a reduced match from 40% to 20% when certain criteria are met. See description above.</small>

I understand that if I receive this grant award, eligible costs spent after the agreement is signed would be reimbursed to me. Alternatives to reimbursement may be made for communities under 5,000 in population as needed. *

Yes No

Source(s) of cash match. Select all that apply. *

- Local funds
- State funds
- Federal funds
- Prior work completed in the previous 60 months (you may NOT use prior work funded by the ODOT SRTS grant program)

forms.com/ODOT2_2020SafeRoutesToSchoolCompetitiveConstructionGrantApplication#g4Ph4V9y0nKQOvD3bJvMhN403d2JWWFe1bEHyj8NIQ5*

2020 Safe Routes to School Competitive Construction Grant Application

Other

Describe any prior work you intend to use as cash match and the cost:

Conceptual design, cost estimating and outreach. \$30,000 for this conceptual work.

Note: Maximum 500 characters.

Applicant may NOT use prior work funded by the ODOT SRTS grant program.

Licensed Engineer Review Confirmation

Confirm that a licensed engineer has reviewed your cost estimates and scope by providing contact information.

Licensed Engineer Name * Charles P. Green, PE	Agency/Employer * Otak, Inc.
Email * Chuck.Green@otak.com	Phone * (360) 449-2132

Reminder: To save your application, scroll to the bottom and click the "save" button in the lower right hand corner.

Part 7 of 8: Program Evaluation

The following information is helpful data for application and program evaluation and is not scored as part of the selection process.

Is your project located within a Metropolitan Planning Organization/Area * [Resource: Metropolitan Planning Organization Database](#)
 Yes No

Are you willing to accept partial funding for this project? *
 Yes No

Why or why not? *

Main Avenue Safe Routes to School Grant Application Request

2020 Safe Routes to School Competitive Construction Grant Application

Although we have parsed out this SRTS proposal as a first phase of a larger pedestrian walkway project, we would be willing to accept a smaller allocation if it could at least fund the west side sidewalk, enhanced pedestrian crosswalk, and drainage improvements.

Maximum characters: 500

Does this project address a need in the supplemental busing plan (also known as a hazard busing plan) for the school district? *

Yes No I don't know

Does the community count and collect the number of children that get to the affected school by the following modes: Walking, Biking; Family Vehicle; Other? *

Yes No I don't know

Does your community collect and document parent, student, and/or school staff's safety concerns about the project area or larger school one-mile radius? *

Yes No I don't know

Reminder: To save your application, scroll to the bottom and click the "save" button in the lower right hand corner.

Part 8 of 8: Attachments

Completed Signature Sheet(s) *

or drag files here.

[Applicant signatures](#) (required)

[Additional roadway authority signatures](#) (if applicable)

[Railroad authority](#) (if applicable)

Letter of School Support: Applicants are required to include a letter of support from the primarily affected school and any school mentioned in this application or school district on school or district letterhead and signed by the district superintendent or school principal. *

[School letter of support](#) (required)

or drag files here.

 [Competitive Construction School support letter_School District.pdf](#)
56.03 KB  

Cost estimate: Attach the notes or back up information for how you determined your cost estimate. *

forms.com/ODOT2/_2020SafeRoutesToSchoolCompetitiveConstructionGrantApplication?4Pn4V9y0nKQOxD3bJvMhN403d2JWWFf1bEHyxj8NIQ5*

2020 Safe Routes to School Competitive Construction Grant Application




or drag files here.

 [Warrenton Grade School SRTS Estimate071620.pdf](#)
31.16 KB  

Project location map, scale bar, north arrow, street labels, aerial photograph of map *

At a minimum you can print out the google birds eye view or the view from the [SRTS mapping tool](#) and add the additional components by hand or you can get fancier. We'd just like to see what you're thinking!

or drag files here.

 [Warrenton Main Avenue OR 104 SRTS Map Data.pdf](#)
2.61 MB  

Photos: Attach photos of the project area *

or drag files here.


Optional: Attach draft or completed design (see Part 3)

or drag files here.

 [Main 9th SRTS Project071620.pdf](#)
892.77 KB  

Optional: Any additional letters of support

or drag files here.

 [SETO letter of support for Warrenton SRTS signed.pdf](#)
413.29 KB  

 [SRTS Warrenton Construction Grant support.pdf](#)
115.04 KB  

Optional: Attach a map of the school's identified walking and bicycling routes to school

2020 Safe Routes to School Competitive Construction Grant Application

or drag files here.

Optional: Walking and Biking Data Counts and/or parent surveys (see Part 6)

or drag files here.

Optional: Any additional information

or drag files here.

By submitting this application, you are confirming that the information contained within is true and accurate.

Disclaimer: Contact [LeeAnne Fergason](#), 503-986-5805, if you have any comments or concerns about the application or have an inability to provide required information.



Oregon Department of Transportation Safe Routes to School Construction Program: Signature Page

I represent and have signing authority for the (select one):

Applicant

Roadway Authority
(different than the
applicant)

Railway Authority

Collin Stelzig, PE

(Name)

Public Works Director

(Title)

City of Warrenton

(Agency)

45 SW 2nd St. | P.O. Box 250 | Warrenton, OR
97146

(Address)

(503) 861-0912

(Phone)

rstelzig@ci.warrenton.or.us

(Email)

Project name and brief description: Main Avenue/OR 104 Safe Routes to School Walkways Project.
Walkway improvements on both sides of Main Avenue in vicinity of Warrenton Grade School, enhanced
pedestrian crosswalk at 9th Street, drainage improvements, and lighting enhancements.

Signature

Date



AGENDA MEMORANDUM

TO: The Warrenton City Commission
FROM: Linda Engbretson, City Manager *LE*
DATE: For the Agenda of August 11, 2020
Request for Vacation/Encroachment Permit

BACKGROUND

The developers of the property in the Young's Bay Plaza, old Doogers' site, discovered that a portion of SE Pacific Avenue currently encroaches into the existing building and parking lot space. It was thought this public right of way had all been vacated as part of the original development in 1971 (see attached); however, the surveyor found this section was not included in the legal description. The City previously issued permits for the paving and use of this area without an encroachment permit. The developers are requesting the City consider correcting the issue by initiating a vacation under its own motion, as allowed under ORS 271.130. Other, less time-consuming options that will allow the developer to move forward could be authorizing and encroachment permit/License to Occupy.

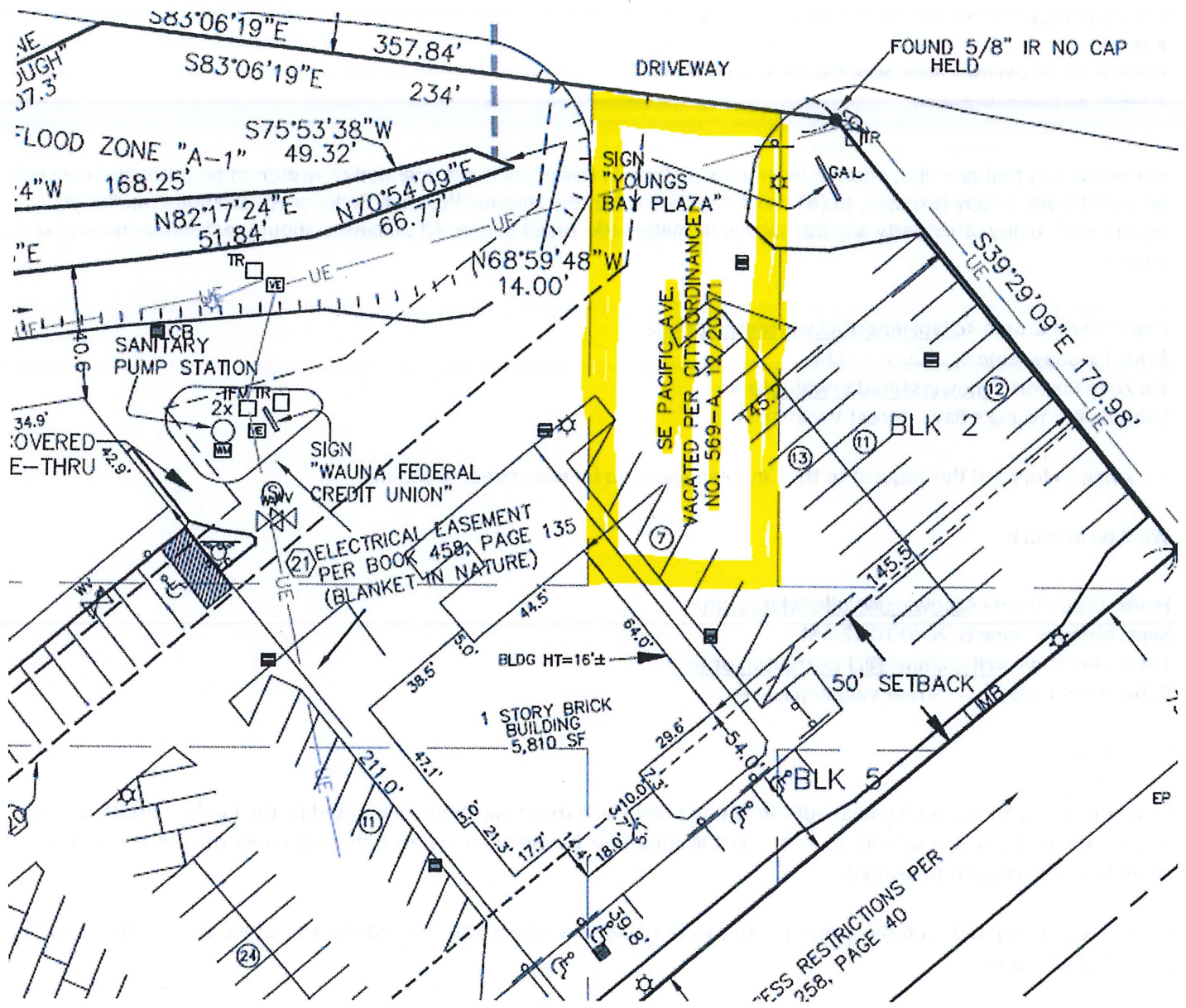
I will have additional information for your consideration at your August 11 meeting. Due to COVID and the transition in the Planning Department, the developers have been waiting for a response from the City, and I wanted to get this before you for discussion.

RECOMMENDATION/SUGGESTED MOTION

Staff is conducting additional review, and I will have a recommendation for your consideration on August 11.

ALTERNATIVE

N/A



Looking at that ordinance that the surveyor was relying on (incorrectly), I agree that this area wasn't properly vacated at the time, although it seems like everyone has been treating it as vacated ROW since the 1970s. Even the City appears to have thought it was properly vacated – see attached 2003 letter – and issued building permits for the paving and use of this area without an encroachment permit. Now that we know there is this lingering legal issue, the property owner has asked me to try and fix it.

Do you have time this week to jump on a call to discuss?

Thank you,

RADLER WHITE PARKS  **ALEXANDER LLP**
ATTORNEYS AT LAW

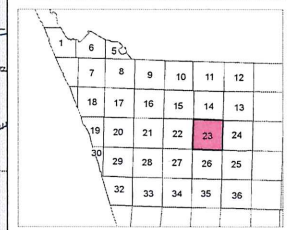
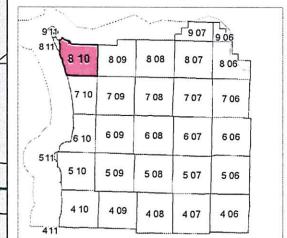
Zoe Lynn Powers
Associate

Direct Telephone: 971.634.0215 ****NOTE:** While we are working remotely during the pandemic, this number will forward to my cell phone.******
E-Mail: zpowers@radlerwhite.com

8 10 23 CB
CLATSOP COUNTY
 NW 1/4 SW 1/4 SEC.23 T8N R10W WM

0 62.5 125 250 ft

Scale 1:1,200



15	14	13
22	23	24
27	26	25

CANCELLED TAXLOT NUMBERS

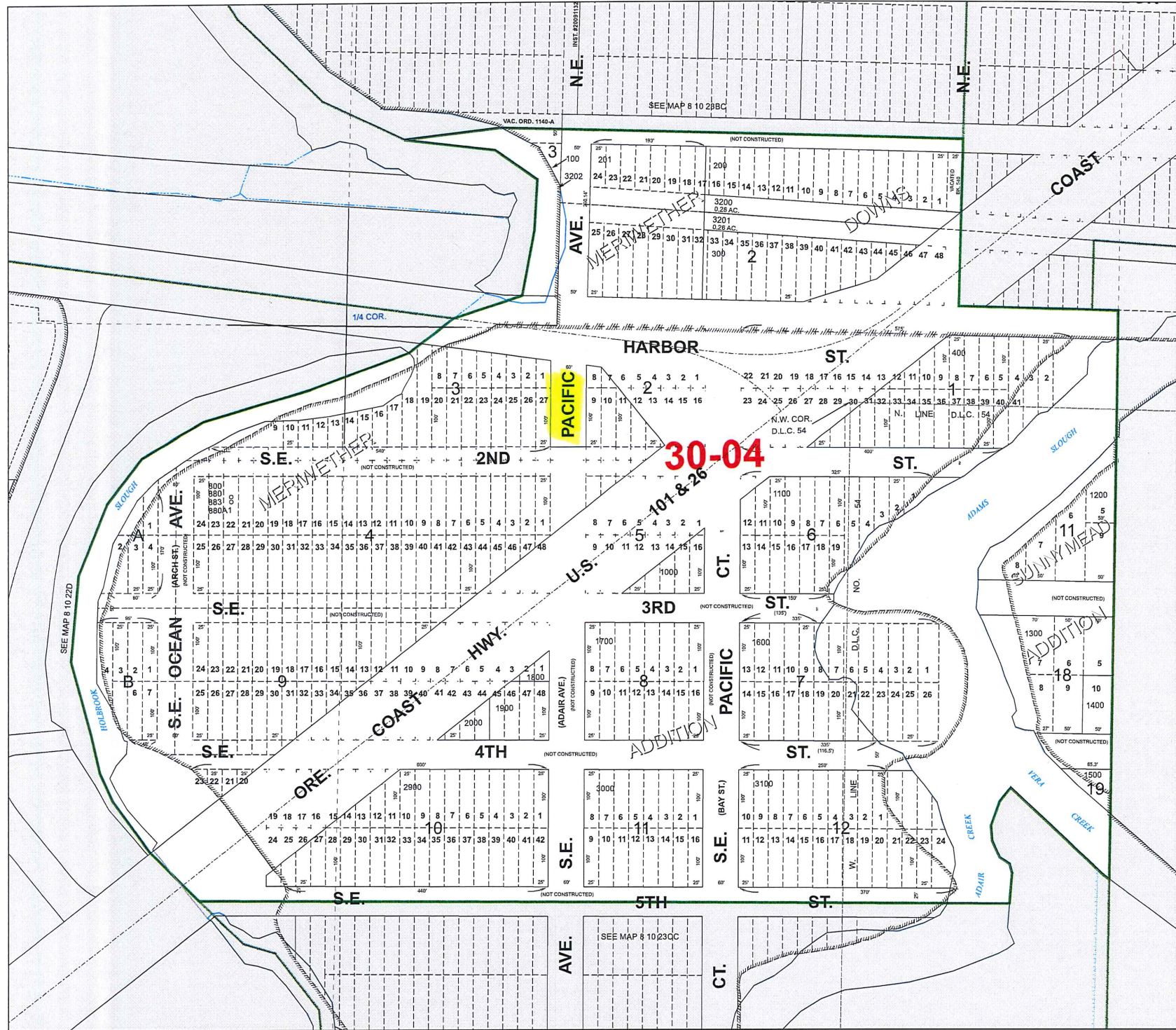
300A1	700	2100	2500	3204
301	881	2200	2700	
500	882	2300	2800	
600	900	2400	3203	



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.clatsop.or.us

This map was produced using Clatsop County GIS data. The data is maintained by Clatsop County to support its governmental activities. Clatsop County is not responsible for any map errors, possible misuse, or misinterpretation.

PLOT DATE: 12/04/2019
8 10 23 CB



ORDINANCE NO. 569-A

Introduced by Commissioner Delbert E. Steptard

AN ORDINANCE VACATING CERTAIN NAMED STREETS IN THE CITY OF WARRENTON, COUNTY OF CLATSOP, STATE OF OREGON, TO-WIT: ALL OF SOUTHEAST SECOND STREET BETWEEN HOLLBROOK SLOUGH AND THE JUNCTION OF THE WARRENTON ACCESS AND HIGHWAY 101; ALL OF SOUTHEAST THIRD BETWEEN HOLLBROOK SLOUGH AND HIGHWAY 101; ALL OF SOUTHEAST OCEAN AVENUE THAT IS BOUNDED ON THE NORTH AND SOUTH BY HOLLBROOK SLOUGH; THAT PART OF SOUTHEAST PACIFIC AVENUE THAT LIES BETWEEN HIGHWAY 101 AND THE JUNCTION OF SOUTHEAST SECOND STREET.

WHEREAS, the City of Warrenton has deemed it to the best interests of the City of Warrenton, Oregon to vacate certain named streets in the City of Warrenton, County of Clatsop, State of Oregon, to-wit: All of Southeast Second Street between Hollbrook Slough and the Junction of the Warrenton Access and Highway 101; all of Southeast Third between Hollbrook Slough and Highway 101; all of Southeast Ocean Avenue that is bounded on the North and South by Hollbrook Slough; that part of Southeast Pacific Avenue that lies between Highway 101 and the Junction of Southeast Second Street, and

WHEREAS, Richard R. Leedom and Joyce E. Leedom, husband and wife, petitioned the City Commission of the City of Warrenton on the 15th day of November, 1971, to vacate the aforementioned named streets; and the City Commission of the City of Warrenton having found no reason manifestly existing why this vacation of these named streets in the City of Warrenton should not be allowed in whole or in part and by petition initiating these vacation proceedings and a notice having fixed the time for formal hearing upon this petition as December 20, 1971 at the hour of 8 o'clock P.M. of said day at the City Hall of the City of Warrenton, Warrenton, Oregon, and

WHEREAS, due notice of the time and place of this hearing was given as by law required and as set out in the Affidavit of Thomas A. Hill who posted the required notices and the Affidavit of the Daily Astorian which is filed herein by them, and

WHEREAS, said formal hearing was held at the appointed time and place and the petition initiating said vacation proceedings and objections thereto were heard by the City Commission

and none of the owners of a majority of the area affected objected in writing thereto and the written Consents of all the abutting property owners were obtained and the City Commission examined and determined that said abutting property owners consents were obtained and that owners of a majority of the area affected made no objections and that Notice had been duly given and that the public interest of the City of Warrenton would not be prejudiced by the vacation of those certain named streets described herein and which Richard R. Leedom and Joyce E. Leedom, the petitioners herein, requested to be vacated, and these matters having been determined in favor of these petitioners by the City of Warrenton and its City Commission,

NOW THEREFORE THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That those parts of the streets in the City of Warrenton, County of Clatsop, State of Oregon, more particularly described as follows, to-wit, all of Southeast Second Street between Hollbrook Slough and the Junction of the Warrenton Access and Highway 101; all of Southeast Third between Hollbrook Slough and Highway 101; all of Southeast Ocean Avenue that is bounded on the North and South by Hollbrook Slough; that part of Southeast Pacific Avenue that lies between Highway 101 and the Junction of Southeast Second Street, be and the same are hereby vacated and that said vacation of those certain named streets described herein is hereby made a matter of record, but it is hereby expressly provided that the ^{Petitioner} ~~City~~ shall forthwith pay the costs of obtaining the necessary changes on the public records so as to indicate, as required by law, such vacation, and it is hereby provided that the City Auditor and Police Judge shall file with the County Clerk of Clatsop County, State of Oregon, a certified copy of this Ordinance and file a certified copy of this Ordinance with the County Assessor and the County Surveyor. Nothing contained herein shall cause or require the removal or abandonment of any sewer, water main, conduit of any kind, wires, poles or any other thing used or intended to be used for any public service, and the right is hereby reserved to maintain, continue,



AGENDA MEMORANDUM

TO: The Warrenton City Commission

FROM: Mathew J. Workman, Chief of Police

DATE: August 11, 2020

SUBJ: Parking and Park Ordinance Discussion

SUMMARY

During recent events in Warrenton, a group of people set up a BBQ grill and a table in a designated parking space across from City Hall on 2nd Street. A week later the same group set up a gas BBQ during a "flag-wave" event in the Warrenton Memorial Plaza park. In researching the Warrenton Municipal Code there are no police-enforceable ordinances that specifically prohibit this conduct or similar conduct.

RECOMMENDATION/SUGGESTED MOTION

To direct staff to prepare amendments to the Municipal Code to give enforcement options to the Police during similar situations.

ALTERNATIVE

Leave the ordinances as-is with no way to prohibit certain behavior or items in parking spaces or City Parks.

FISCAL IMPACT

There is no substantive fiscal impact to the City.

ATTACHMENTS:

- Research on current City Ordinances and some suggestions for amendments and additions.

Approved by City Manager:

All supporting documentation, i.e., maps, exhibits, etc., must be attached to this memorandum.

During the “Back the Blue” event on July 13th a BBQ grill and a table were set-up in one of the designated parking spaces across from City Hall on SW 2nd Street. At a “Flag Wave” event on July 19th, a BBQ grill was set up in Warrenton Memorial Plaza Park. In researching the Warrenton Municipal Code there are no police-enforceable ordinances that specifically prohibit this conduct or similar conduct. I found the following:

- Chapter 10.04 Article IV “Parking Regulations” covers parking in the City of Warrenton. This ordinance has several regulations and prohibited practices but they ALL refer to “a vehicle” or doing something “to a vehicle.” There is nothing that specifically covers activities in a designated parking space or areas where vehicles park on a roadway.
- Chapter 9.04 Article III “Street and Sidewalk Offenses” covers activities in/on sidewalks and streets as well as blocking fire hydrants. Again, there is nothing covers the type of activities previously identified at the two events. It should be noted that 9.04.200 “Vending of goods on streets or sidewalks” prohibits *“vending goods, wares or merchandise by public outcry unless a permit has been obtained.”* By definition, this only covers selling items and not giving them away to the public.
- Chapter 12.04 “Concessions In Warrenton City Park,” 12.08 “City Park Hours,” and 12.12 “Dog Park” are the only codes that address Warrenton Parks. None of these codes have any restrictions on activities as discussed previously.
- City Streets, sidewalks, and the Warrenton Memorial Plaza park are all considered “public rights-of-way.” Chapter 12.32 “Public Rights-of-Way” covers a variety of activities allowed in a right-of-way. In code 12.32.040 the definition is, *“means and includes, but is not limited to, the space in, upon, above, along, across, over or under the public streets, roads, highways, lanes, courts, ways, alleys, boulevards, bridges, trails, paths, sidewalks, bicycle lanes, public utility easements and all other public ways or areas, including the subsurface under and air space over these areas, but does not include parks, parkland, or other City property not generally open to the public for travel. This definition applies only to the extent of the City’s right, title, interest and authority to grant a license to occupy and use such areas for utility facilities.”*
- When referring to Chapter 12.32, a “permit” is required before doing any **“work”** in or affecting the right-of-way. All of the sections and subsections refer to **“work”** being done and not “activities” like described previously. 12.32.040 defines “work” as, *“means construction, reconstruction, grading, oiling, repairing, opening or excavating in or on the right-of-way. “Work” also includes the construction, demolition, installation, replacement, repair, maintenance or relocation of any utility facility, including, but not limited to, any excavation and restoration required in association with such construction, demolition, installation, replacement, repair, maintenance or relocation.”*
- Cooking food and handing out to the public in a public space is regulated by Oregon Health Codes and is not enforceable by the City. Obviously, grilling food with family and friends is not covered by OHA and is permissible on private property.

I like to have discussion on amending our City Code to prohibit certain activities or actions in parking spaces, public rights-of-way, and in certain City parks (depending on the type of park that it is). I would suggest the following discussion topics:

- Amending Chapter 10.04 Article IV “Parking Regulations” include that designated public parking stalls are only to be used for “vehicles” and not for pedestrians or activities unless a

permit is obtained from the City. This can additionally be addressed in 9.04. NOTE: the prescribed fine for all violations of this chapter is set not to exceed \$50.

- Amending Chapter 9.04 Article III “Street and Sidewalk Offenses” to include, “no person shall use or occupy a portion of the street or sidewalk to dispense food or other items without prior permission from the City or by obtaining a right-of-way permit.” NOTE: the prescribed fine for all violations of this chapter is set not to exceed \$1,000.
- Amending Chapter 12.32 “Public Rights-of-Way” as follows:
 - Add to 12.32.030 “Jurisdiction and management of public rights-of-way” to include: *“No person may occupy or encroach on a public right-of-way without the permission of the city. The city grants permission to use rights-of-way by franchises, licenses, and permits.”*
 - Add to 12.32.050 “City permit required” to include: *“No person shall occupy a public right-of-way to vend goods, wares, or merchandise or to cook food, distribute food, or distribute other items for free unless a permit has been obtained.”*
- Adding a chapter to Title 12 “Streets, Sidewalks, and Public Places” to address the activities that are allowed in Public Parks or restricting activities in certain parks. I believe that if a family or group brings a gas grill to a City Park and grills burgers or hot dogs is fine. For reference, the list of City of Warrenton Parks includes:
 - Quincy & Bessie Robinson Park (SW 3rd & SW Alder Ave.)
 - Eben Carruthers Park (1560 NW Warrenton Dr.)
 - Ft. Stevens Parade Grounds (Russell Place, Hammond)
 - Seafarer’s Park (Hammond Marina)
 - Statue Park (by the Lighthouse Main Ave & E. Harbor Dr.)
 - Skipanon River Park (100 Blk. SE 3rd St.)
 - Warrenton Memorial Plaza Park (by the Post Office Main Ave & E. Harbor Dr.)

I do not believe the Warrenton Memorial Plaza Park is the appropriate venue for that activity. Here are my reasons for this belief:

- The park itself is very small and designed for people to walk through, observe and reflect on the flags, observe and reflect on the statue, and to enjoy the landscaping. There is one small bench placed for a couple of people to relax and look at all of the aforementioned items.
- There are no large garbage receptacles as there are in other parks where it is expected that someone may picnic or bring items that may need to be discarded.
- There are no bathroom or wash facilities that are often used by families or groups when they have a picnic or meal.
- There is very little parking in the area to accommodate groups of people in the park at once for a BBQ or other function.

NOTE: the prescribed fine for all violations of this chapter is set not to less than \$100 and not to exceed \$500.

With the current ordinances the Police do not have any alternatives other than to ask people to remove grills, tables, etc. from parking spaces or from the Warrenton Memorial Plaza Park. With the code amendments and additions it will clearly define what activities are allowed, give the ability to apply for a permit if someone would like to do a similar activity, or to issue a citation with a possible fine to someone who violates the code.



AGENDA MEMORANDUM

TO: The Warrenton City Commission
 FROM: Collin Stelzig, Public Works Director
 DATE: August 11, 2020
 SUBJ: Discussion regarding Sanitation Rates

SUMMARY

Over the last six months, we have reviewed our current sanitation rates, policies and procedures. Sanitation rates have not been changed in 14 years, while the Consumer Price Index has increased 30% in that same time frame. Our 2020-2021 ending fund balance is budgeted to be \$10,000, 0.70% of our Sanitation Fund. We have compared our rates to other surrounding cities, focusing on commercial service. These are some of the take-a-ways and items we would like to discuss:

- We need to equalize our rate structure.
 - Currently, some customers are receiving a discount to have a smaller container serviced more frequently than a larger container with the same volume.
- We are not recovering our costs for providing yard debris, recycling or commercial recycling.
 - Commercial customers can work directly with Recology for recycling needs and billing.
- We are receiving requests from commercial customers to provide 4-yard container service.
 - A rate will need to be set and containers purchased for this service. These would be new customers or customers upsizing to 4-yd containers. We would not be taking customers from Recology..
- Increase rates to align with other cities to increase revenue to fund sanitation projects.
 - There is a need for a building, possibly at the dumpster storage yard, to provide covered garbage truck parking, as well as a maintenance area to replace parts on carts and dumpsters.
 - An updated recycling depot location – look for a new location
 - An updated Cost of Service Study – Investigate the actual cost to run this service for the City and develop a plan to fund future state and federal program requirements.